



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

SENATE—Tuesday, January 3, 2017

The third day of January being the day prescribed by the Constitution of the United States for the annual meeting of the Congress, the Senate assembled in its Chamber at the Capitol for the commencement of the 1st session of the 115th Congress and at 12:02 p.m. was called to order by the Vice President (Mr. BIDEN).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God of Light, in whom there is no darkness, thank You for the illumination of Your presence. As we begin a new year and a new Congress, please be the guide that will lead us to fulfill Your purposes.

During this 115th Congress, awaken our lawmakers to Your inescapable presence. Keep them from thinking that You are absent from our world or disinterested in it. Lord, enable them to feel You in their midst as they grapple with the problems and challenges of our time. May they seek first to embrace a humility that strives to understand instead of striving first to be understood. In a special way, bless our new Senators and all of their loved ones with Your grace, mercy, and peace.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The VICE PRESIDENT led the Pledge of Allegiance, as follows:

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

CERTIFICATES OF ELECTION

The VICE PRESIDENT. The Chair lays before the Senate the certificates of election of 34 Senators elected for 6-year terms beginning on January 3, 2017. All certificates, the Chair is advised, are in the form suggested by the Senate or contain all essential require-

ments of the form suggested by the Senate. If there be no objection, the reading of the certificates will be waived and they will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF COLORADO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the eighth day of November, 2016, Michael Bennet was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 2017.

Witness: His Excellency our Governor John Hickenlooper, and our seal hereto affixed at Denver, Colorado this ninth day of December, in the year of our Lord 2016.

By the Governor:

JOHN HICKENLOOPER,
Governor.
WAYNE W. WILLIAMS,
Secretary of State.

[State Seal Affixed]

STATE OF CONNECTICUT

To the President of the Senate of the United States:

This is to Certify that on the eighth day of November, two thousand and sixteen Richard Blumenthal was duly chosen by the qualified electors of the State of Connecticut as Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the third day of January two thousand and seventeen.

Witness: His Excellency our Governor; Dannel P. Malloy and our seal hereto affixed at Hartford, this seventh day of December, in the year of our Lord two thousand sixteen.

DANNEL P. MALLOY,
Governor.
DENISE MERRILL,
Secretary of the State.

[State Seal Affixed]

STATE OF MISSOURI

GVERNOR OF MISSOURI

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Roy Blunt was duly chosen by the qualified electors of the State of Missouri a Senator from said State to represent said State in the Senate of the United States

for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His Excellency our Governor Jeremiah W. (Jay) Nixon, and our seal hereto affixed at the City of Jefferson this 14th day of December, in the year of our Lord 2016.

By the Governor:

JEREMIAH W. (JAY) NIXON,
Governor.
JASON KANDER,
Secretary of State.

[State Seal Affixed]

STATE OF ARKANSAS

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, the Honorable John Boozman was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 2017.

Witness: His Excellency, our governor, the Honorable Asa Hutchinson, and our seal hereto affixed at the State Capitol in Little Rock, Arkansas, this 29th day of November, in the year of our Lord 2016.

By the governor:

ASA HUTCHINSON,
Governor.
MARK MARTIN,
Secretary of State.

[State Seal Affixed]

STATE OF NORTH CAROLINA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Richard Mauze Burr was duly chosen by the qualified electors of the State of North Carolina, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

In witness whereof, I have hereunto signed my name and caused to be affixed the Great Seal of the State, at the Capital City of Raleigh this the 19th day of December 2016.

PAT MCCRORY,
Governor.

ELAINE F. MARSHALL,
Secretary of State.

[State Seal Affixed]

STATE OF NEVADA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

This is to certify that at a general election held in the State of Nevada on Tuesday, the eighth day of November, two thousand sixteen Catherine Cortez Masto was duly elected a Member of the United States Senate in and for the State of Nevada, for a term of six years, beginning on the third day of January, 2017.

Now, therefore, I Brian Sandoval, Governor of the State of Nevada, by the authority vested in me by the Constitution and laws thereof, and do hereby commission her, the said Catherine Cortez Masto, as a Member of the United States Senate, and authorize her to discharge the duties of said office according to law, and to hold and enjoy the same, together with all powers, privileges and emoluments thereunto appertaining.

In Testimony Thereof I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol at Carson City, Nevada on this 1st day of December, two thousand sixteen.

BRIAN SANDOVAL,

Governor of the State of Nevada.

BARBARA K. CEGAVSKE,

Secretary of the State of Nevada.

[State Seal Affixed]

STATE OF IDAHO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Mike Crapo was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His excellency our governor C.L. "Butch" Otter, and our seal hereto affixed at Boise this 23rd day of November, in the year of our Lord 2016.

By the Governor:

C.L. "BUTCH" OTTER,

Governor.

LAWRENCE DENNEY,

Secretary of State.

[State Seal Affixed]

STATE OF ILLINOIS

EXECUTIVE DEPARTMENT

To the President of the Senate of the United States:

This is to Certify that on the 8th day of November, Two Thousand and Sixteen, Tammy Duckworth was duly chosen by the qualified electors of the State of Illinois a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, Two Thousand and Seventeen.

Witness: His excellency our governor, Bruce Rauner, and our seal hereto affixed at the City of Springfield, Illinois, this 6th day of December, in the year of our Lord Two Thousand and Sixteen.

By the Governor:

BRUCE RAUNER,

Governor.

JESSE WHITE,

Secretary of State.

[State Seal Affixed]

STATE OF IOWA

CERTIFICATE OF ELECTION TO THE SENATE OF THE UNITED STATES FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November 2016, Charles E. Grassley was duly

elected as Senator to the Senate of the United States to represent the State of Iowa beginning on the 3rd day of January 2017.

In Testimony Whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 5th day of December in the year of our Lord two thousand sixteen.

TERRY BRANSTAD,
Governor of Iowa.

Attest:

PAUL D. PATE,
Secretary of State.

[State Seal Affixed]

STATE OF CALIFORNIA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States of America:

This is to certify that on the 8th day of November, 2016, Kamala D. Harris was duly chosen by the qualified electors of the State of California as a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

In witness whereof I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of December, 2016.

EDMUND G. BROWN, JR.,

Governor of California.

Attest:

ALEX PADILLA,
Secretary of State.

[State Seal Affixed]

STATE OF NEW HAMPSHIRE

EXECUTIVE DEPARTMENT

To the President of the Senate of the United States:

This is to certify that on the eighth day of November, two thousand and sixteen Maggie Hassan was duly chosen by the qualified electors of the State of New Hampshire to represent said State in the Senate of the United States for the term of six years beginning on the third day of January, two thousand and seventeen.

Witness, Her Excellency, Governor Margaret Wood Hassan and the Seal of the State of New Hampshire hereto affixed at Concord, this seventh day of December, in the year of Our Lord two thousand and sixteen.

By the Governor, with advice of the Council:

MARGARET WOOD HASSAN,

Governor.

WILLIAM M. GARDNER,

Secretary of State.

[State Seal Affixed]

STATE OF NORTH DAKOTA

SECRETARY OF STATE

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November 2016, John Hoeven was duly chosen by the qualified electors of the State of North Dakota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 2017.

In witness whereof, we have set our hands in the Capitol City of Bismarck this 18th day of November 2016, and affixed the Great Seal of the State of North Dakota.

JACK DALRYMPLE,

Governor.

ALVIN A. JAEGER,

Secretary of State.

PENNY MILLER,

*Clerk of the Supreme Court,
Member State Canvassing Board.*

[State Seal Affixed]

STATE OF GEORGIA

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, John H. Isakson was duly chosen by the qualified electors of the State of Georgia, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd of January, 2017.

Witness: His excellency our Governor Nathan Deal, and the Great Seal of the State of Georgia hereto affixed at the Capitol, in the city of Atlanta, the 28th day of November, in the year of our Lord Two Thousand and Sixteen.

By The Governor,

NATHAN DEAL,

Governor.

BRIAN P. KEMP,

Secretary of State.

[State Seal Affixed]

STATE OF WISCONSIN

CERTIFICATE OF ELECTION FOR A SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Ron Johnson was duly chosen by the qualified electors of the State of Wisconsin, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His Excellency our Governor Scott Walker, and our seal hereto affixed at Madison this 12th day of December 2016.

By the Governor:

SCOTT WALKER,

Governor.

DOUGLAS LA FOLLETTE,

Secretary of State.

[State Seal Affixed]

STATE OF LOUISIANA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 10th day of December, 2016, John Kennedy was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His Excellency our Governor John Bel Edwards, and our seal hereto affixed at Baton Rouge, Louisiana this 22nd day of December, in the year of our Lord 2016.

By the Governor:

JOHN BEL EDWARDS,

Governor of Louisiana.

TOM SCHEDLER,

Secretary of State.

[State Seal Affixed]

STATE OF OKLAHOMA

CERTIFICATE OF ELECTION FOR SIX YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, James Lankford was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: Her Excellency our governor Mary Fallin, and our seal hereto affixed at

Oklahoma City, Oklahoma this 1st day of December, in the year of our Lord 2016.

By the governor:

MARY FALLIN, Governor. MIKE HUNTER, Secretary of State.

[State Seal Affixed]

STATE OF VERMONT

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Patrick Leahy was duly chosen by the qualified electors of the State of Vermont to be a Senator from Vermont to represent Vermont in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: Governor Peter Shumlin this 21st day of November, 2016.

PETER SHUMLIN, Governor. JIM CONDOS, Secretary of State.

[State Seal Affixed]

STATE OF UTAH

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the day of November 8, 2016, Mike Lee was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 2017.

Witness: His excellency our governor Gary R. Herbert, and our seal hereto affixed at Salt Lake City, Utah this 30th day of November, in the year of our Lord 2016.

By the governor:

GARY R. HERBERT, Governor. SPENCER J. COX, Lieutenant Governor.

[State Seal Affixed]

STATE OF ARIZONA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the 8th day of November 2016, John McCain was duly chosen by the qualified electors of the State of Arizona a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His excellency our Governor of Arizona, and our seal hereto affixed at the Capitol in Phoenix this ninth day of December, in the year of our Lord 2016.

By the Governor:

DOUGLAS A. DUCEY, Governor. MICHELE REAGAN, Secretary of State.

[State Seal Affixed]

STATE OF KANSAS

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Jerry Moran was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His excellency our governor Sam Brownback, and our seal hereto affixed at Topeka, Kansas this 30th day of November, in the year of our Lord 2016.

By the governor:

SAM BROWNBACK, Governor. KRIS W. KOBACH, Secretary of State.

[State Seal Affixed]

STATE OF ALASKA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Lisa Murkowski was duly chosen by the qualified electors of the State of Alaska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd of January, 2017.

Witness: His Excellency our governor Bill Walker, and our seal hereto affixed at Anchorage this 1st day of December, in the year of our Lord 2016.

By the Governor:

BILL WALKER, Governor.

By the Lieutenant Governor:

BYRON MALLOTT, Lieutenant Governor.

[State Seal Affixed]

STATE OF WASHINGTON

CERTIFICATE OF ELECTION

To the President of the Senate of the United States:

This is to certify that at the General Election held in the state of Washington on the 8th day of November, 2016, Patty Murray was duly chosen by the qualified electors of the state of Washington as United States Senator from the state of Washington to represent the state of Washington in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His Excellency our Governor Jay Inslee, and our seal hereto affixed at Olympia, Washington this 7th day of December, 2016.

By the Governor:

JAY INSLEE, Governor.

Attest:

KIM WYMAN, Secretary of State.

[State Seal Affixed]

COMMONWEALTH OF KENTUCKY

To all to Whom These Presents Shall Come, Greeting:

Know Ye That Honorable Rand Paul having been duly certified, that on November 8, 2016 was duly chosen by the qualified electors of the Commonwealth of Kentucky a Senator from said state to represent said state in the Senate of the United States for the term of six years, beginning the 3rd day of January 2017.

I hereby invest the above named with full power and authority to execute and discharge the duties of the said office according to law. And to have and to hold the same, with all the rights and emoluments thereunto legally appertaining, for and during the term prescribed by law.

In testimony whereof, I have caused these letters to be made patent, and the seal of the Commonwealth to be hereunto affixed. Done at Frankfort, the 22nd day of November in the year of our Lord two thousand and six-

teen and in the 225th year of the Commonwealth,

MATTHEW G. BEVIN, By the Governor. ALISON LUNDERGAN GRIMES, Secretary of State.

[State Seal Affixed]

THE STATE OF OHIO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the 8th day of November 2016, Rob Portman was duly chosen by the qualified electors of the State of Ohio a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His excellency our governor, and our seal hereto affixed at Columbus, Ohio, this 7th day of December, in the year of our Lord 2016.

By the governor:

JOHN KASICH, Governor. JON A. HUSTED, Secretary of State.

[State Seal Affixed]

STATE OF FLORIDA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the day of November 8, 2016, Marco Rubio was duly chosen by the qualified electors of the State of Florida a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 2017.

WITNESS: His excellency our governor, RICK SCOTT, and our seal hereto affixed at Tallahassee, the Capital, this 30th day of November, in the year of our Lord 2016.

By the governor:

RICK SCOTT, Governor. KEN DETZNER, Secretary of State.

[State Seal Affixed]

STATE OF HAWAII

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM To the President of the Senate of the United States:

This is to certify that on the eighth day of November, 2016, Brian Schatz was duly chosen by the qualified electors of the State of Hawaii a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning at noon on the third day of January, 2017.

Witness: His excellency our governor, David Y. Ige, and our seal hereto affixed at Honolulu this twenty-eighth day of November, in the year of our Lord 2016.

By the Governor:

DAVID Y. IGE, Governor. SCOTT T. NAGO, Chief Election Officer.

[State Seal Affixed]

STATE OF NEW YORK

EXECUTIVE CHAMBER

To the President of the Senate:

This is to certify that on the eighth day of November, two thousand sixteen, Charles E. Schumer was duly chosen by the qualified electors of the State of New York a Senator from said State to represent the State in the

Senate of the United States for the term of six years, beginning on the third day of January, two thousand seventeen.

Witness: His excellency our Governor Andrew M. Cuomo, and our seal hereto affixed at New York, New York, this ninth day of December in the year two thousand sixteen.

By the Governor:

ANDREW M. CUOMO,
Governor.
ROSSANA ROSADO,
Secretary of State.

[State Seal Affixed]

THE STATE OF SOUTH CAROLINA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the eighth day of November, A.D. 2016, Tim Scott was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 2017.

Witness: Her Excellency our Governor Nikki R. Haley, and our seal hereto affixed at Columbia, South Carolina this twenty-ninth day of November in the Year of Our Lord, Two Thousand Sixteen.

NIKKI R. HALEY,
Governor.
MARK HAMMOND,
Secretary of State.

[State Seal Affixed]

STATE OF ALABAMA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Richard C. Shelby was duly chosen by the qualified electors of the State of Alabama a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 3rd day of January, 2017.

Witness: His excellency our governor Robert Bentley, and our seal hereto affixed at Montgomery this 5th day of December, in the year of our Lord 2016.

By the Governor:

ROBERT BENTLEY,
Governor.
JOHN H. MERRILL,
Secretary of State.

[State Seal Affixed]

STATE OF SOUTH DAKOTA

CERTIFICATE OF ELECTION

This is to certify that on the eighth day of November, 2016, at a General Election, John R. Thune was elected by the qualified voters of the State of South Dakota to the office of United States Senate for the term of six years, beginning the Third day of January, 2017.

In Witness we have signed this certificate and affixed the Seal of the State at Pierre, the Capital, this Twenty-Ninth day of November, 2016.

DENNIS DAUGAARD,
Governor.

Attested by:

SHANTEL KREBS,
Secretary of State.

[State Seal Affixed]

COMMONWEALTH OF PENNSYLVANIA

To the President of the Senate of the United States:

This is to certify that on the eighth day of November, 2016, Patrick J. Toomey was duly

chosen by the qualified electors of the Commonwealth of Pennsylvania as a United States Senator to represent Pennsylvania in the Senate of the United States for a term of six years, beginning on the third day of January, 2017.

Witness: His excellency our Governor, Tom Wolf, and our seal hereto affixed at Harrisburg this twentieth day of December, in the year of our Lord, 2016.

TOM WOLF,
Governor.

PEDRO A. CORTÉS,
Secretary of the Commonwealth.

[State Seal Affixed]

STATE OF MARYLAND

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Chris Van Hollen was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His Excellency our Governor Larry Hogan and our seal hereto affixed at the City of Annapolis, this 9th day of December, in the Year of Our Lord 2016.

By the Governor:

LARRY HOGAN,
Governor.

Attest:

JOHN C. WOBENSMITH,
Secretary of State.

[State Seal Affixed]

STATE OF OREGON

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2016, Ron Wyden was duly chosen by the qualified electors of the State of Oregon, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: Her Excellency our Governor, Kate Brown, and our seal hereto affixed at Salem, Oregon this 8th day of December, in the year of our Lord 2016.

By the governor:

KATE BROWN,
Governor.

JEANNE P. ATKINS,
Secretary of State.

[State Seal Affixed]

THE STATE OF INDIANA

CERTIFICATE OF ELECTION FOR A SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the eighth of November, 2016, Todd Young was duly chosen by the qualified electors of the State of Indiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2017.

Witness: His excellency our Governor Michael R. Pence, and our seal hereto affixed at Indianapolis, this twenty-ninth day of November, in the year of our Lord, 2016.

By the Governor:

MICHAEL R. PENCE,
Governor.

Attest:

CONNIE LAWSON,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senators to be sworn in will now present themselves at the desk in groups of four as their names are called in alphabetical order, the Chair will administer the oath of office.

The clerk will read the names of the first group of Senators.

The legislative clerk called the names of Mr. BENNET of Colorado, Mr. BLUMENTHAL of Connecticut, Mr. BLUNT of Missouri, and Mr. BOOZMAN of Arkansas.

These Senators, escorted by Mr. GARDNER, Mr. MURPHY, Mrs. MCCASKILL, Mr. Bond, and Mr. COTTON, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next group of Senators.

The legislative clerk called the names of Mr. BURR of North Carolina, Ms. CORTEZ MASTO of Nevada, Mr. CRAPO of Idaho, and Ms. DUCKWORTH of Illinois.

These Senators, escorted by Mr. TILLIS, Mr. REID, Mr. HELLER, Mr. RISCH, and Mr. DURBIN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next group of Senators.

The legislative clerk called the names of Mr. GRASSLEY of Iowa, Ms. HARRIS of California, Ms. HASSAN of New Hampshire, and Mr. HOEVEN of North Dakota.

These Senators, escorted by Mrs. ERNST, Mrs. FEINSTEIN, Mrs. SHAHEEN, Ms. HEITKAMP, and Mr. PORTMAN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next group of Senators.

The legislative clerk called the names of Mr. ISAKSON of Georgia, Mr.

JOHNSON of Wisconsin, Mr. KENNEDY of Louisiana, and Mr. LANKFORD of Oklahoma.

These Senators, escorted by Mr. Mattingly, Mr. PERDUE, Mr. Kasten, Mr. CASSIDY, and Mr. INHOFE, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next group of Senators.

The legislative clerk called the names of Mr. LEAHY of Vermont, Mr. LEE of Utah, Mr. MCCAIN of Arizona, and Mr. MORAN of Kansas.

These Senators, escorted by Mrs. FEINSTEIN, Mr. HATCH, Mr. FLAKE, and Mr. ROBERTS, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next group of Senators.

The legislative clerk called the names of Ms. MURKOWSKI of Alaska, Mrs. MURRAY of Washington, Mr. PAUL of Kentucky, and Mr. PORTMAN of Ohio.

These Senators, escorted by Mr. SULLIVAN, Ms. MIKULSKI, Mr. MCCONNELL, Mr. BROWN, and Mr. DeWine, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next group of Senators.

The legislative clerk called the names of Mr. RUBIO of Florida, Mr. SCHATZ of Hawaii, Mr. SCHUMER of New York, and Mr. SCOTT of South Carolina.

These Senators, escorted by Mr. NELSON, Mr. RISCH, Mr. Reid, Mrs. GILLIBRAND, Mr. DeMint, and Mr. GRAHAM, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the next group of Senators.

The legislative clerk called the names of Mr. SHELBY of Alabama, Mr.

THUNE of South Dakota, Mr. TOOMEY of Pennsylvania, and Mr. VAN HOLLEN of Maryland.

These Senators, escorted by Mr. SESSIONS, Mr. ROUNDS, Mr. CASEY, Ms. MIKULSKI, and Mr. CARDIN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will read the names of the final group of Senators.

The legislative clerk called the names of Mr. WYDEN of Oregon and Mr. YOUNG of Indiana.

These Senators, escorted by Mr. MERKLEY, Mr. DONNELLY, and Mr. Lugar, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

RECOGNITION OF THE MAJORITY LEADER

The VICE PRESIDENT. The majority leader is recognized.

WELCOMING MEMBERS OF THE SENATE

Mr. MCCONNELL. Mr. President, I am pleased to welcome back familiar faces and express warm greetings to new Members.

On the Republican side, that includes Senator YOUNG of Indiana and Senator KENNEDY of Louisiana.

On the Democratic side, that includes Senator DUCKWORTH of Illinois, Senator CORTEZ MASTO of Nevada, Senator HASSAN of New Hampshire, Senator HARRIS of California, and Senator VAN HOLLEN of Maryland.

To each of our incoming Senators, I hope you enjoy these ceremonies with your families and colleagues as you embark on your new Senate careers. The Senate has a lot of work ahead, but for now I would encourage each of our Members who have just been sworn in to take a moment to celebrate the rich tradition of this day.

For those who served last Congress, you should be proud of what the Senate was able to accomplish on behalf of the American people. There is much more to do now, and I will have more to say on that tomorrow.

We know the coming days are going to require hard work and cooperation from both sides, but if we work together, we will be able to continue a record of achievement for our constitu-

ents, for our States, and for our country.

QUORUM CALL

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 1 Leg.]

Alexander	Franken	Murphy
Baldwin	Gardner	Murray
Barrasso	Gillibrand	Nelson
Bennet	Graham	Paul
Blumenthal	Grassley	Perdue
Blunt	Harris	Peters
Booker	Hassan	Portman
Boozman	Hatch	Reed
Brown	Heinrich	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cardin	Hirono	Rubio
Carper	Hoeben	Sasse
Casey	Inhofe	Schatz
Cassidy	Isakson	Schumer
Cochran	Johnson	Scott
Collins	Kaine	Sessions
Coons	Kennedy	Shaheen
Corker	King	Shelby
Cornyn	Klobuchar	Stabenow
Cortez Masto	Lankford	Sullivan
Cotton	Leahy	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Donnelly	Markey	Udall
Duckworth	McCain	Van Hollen
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Ernst	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Moran	Wyden
Flake	Murkowski	Young

The VICE PRESIDENT. A quorum is present.

LIST OF SENATORS BY STATES

Alabama—Richard C. Shelby and Jeff Sessions

Alaska—Lisa Murkowski and Dan Sullivan

Arizona—John McCain and Jeff Flake

Arkansas—John Boozman and Tom Cotton

California—Dianne Feinstein and Kamala D. Harris

Colorado—Michael F. Bennet and Cory Gardner

Connecticut—Richard Blumenthal and Christopher Murphy

Delaware—Thomas R. Carper and Christopher A. Coons

Florida—Bill Nelson and Marco Rubio

Georgia—Johnny Isakson and David Perdue

Hawaii—Brian Schatz and Mazie Hirono

Idaho—Mike Crapo and James E. Risch

Illinois—Richard J. Durbin and Tammy Duckworth

Indiana—Joe Donnelly and Todd Young

Iowa—Chuck Grassley and Joni Ernst

Kansas—Pat Roberts and Jerry Moran
 Kentucky—Mitch McConnell and Rand Paul
 Louisiana—Bill Cassidy and John Kennedy
 Maine—Susan M. Collins and Angus S. King, Jr *
 Maryland—Benjamin L. Cardin and Chris Van Hollen
 Massachusetts—Elizabeth Warren and Edward J. Markey
 Michigan—Debbie Stabenow and Gary C. Peters
 Minnesota—Amy Klobuchar and Al Franken
 Mississippi—Thad Cochran and Roger F. Wicker
 Missouri—Claire McCaskill and Roy Blunt
 Montana—Jon Tester and Steve Daines
 Nebraska—Deb Fischer and Ben Sasse
 Nevada—Dean Heller and Catherine Cortez Masto
 New Hampshire—Jeanne Shaheen and Margaret Wood Hassan
 New Jersey—Robert Menendez and Cory A. Booker
 New Mexico—Tom Udall and Martin Heinrich
 New York—Charles E. Schumer and Kirsten E. Gillibrand
 North Carolina—Richard Burr and Thom Tillis
 North Dakota—John Hoeven and Heidi Heitkamp
 Ohio—Sherrod Brown and Rob Portman
 Oklahoma—James M. Inhofe and James Lankford
 Oregon—Ron Wyden and Jeff Merkley
 Pennsylvania—Robert P. Casey, Jr. and Patrick J. Toomey
 Rhode Island—Jack Reed and Sheldon Whitehouse
 South Carolina—Lindsey Graham and Tim Scott
 South Dakota—John Thune and Mike Rounds
 Tennessee—Lamar Alexander and Bob Corker
 Texas—John Cornyn and Ted Cruz
 Utah—Orrin G. Hatch and Mike Lee
 Vermont—Patrick J. Leahy and Bernard Sanders *
 Virginia—Mark R. Warner and Tim Kaine
 Washington—Patty Murray and Maria Cantwell
 West Virginia—Joe Manchin III and Shelley Moore Capito
 Wisconsin—Ron Johnson and Tammy Baldwin
 Wyoming—Michael B. Enzi and John Barrasso
 The VICE PRESIDENT. The majority leader.

INFORMING THE PRESIDENT OF THE UNITED STATES THAT A QUORUM OF EACH HOUSE IS ASSEMBLED

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the consideration of S. Res. 1, submitted earlier today.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 1) informing the President of the United States that a quorum of each House is assembled.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution (S. Res. 1) was agreed to, as follows:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. Pursuant to S. Res. 1, the Chair appoints the Senator from Kentucky, Mr. McCONNELL, and the Senator from New York, Mr. SCHUMER, as a committee to join the committee on the part of the House of Representatives to wait upon the President of the United States and inform him that a quorum is assembled and that the Congress is ready to receive any communication he may be pleased to make.

INFORMING THE HOUSE OF REPRESENTATIVES THAT A QUORUM OF THE SENATE IS ASSEMBLED

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 2, submitted earlier today.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 2) informing the House of Representatives that a quorum of the Senate is assembled.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution (S. Res. 2) was agreed to, as follows:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

FIXING THE HOUR OF DAILY MEETING OF THE SENATE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 3, submitted earlier today.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 3) fixing the hour of daily meeting of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 3) was agreed to, as follows:

S. RES. 3

Resolved, That the daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

EXTENDING THE LIFE OF THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 1, submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 1) extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 1) was agreed to, as follows:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2017, the joint committee created by Senate Concurrent Resolution 28 (114th Congress), to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2017, the provisions of Senate Concurrent Resolution 29 (114th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with

the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

TO PROVIDE FOR THE COUNTING OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 2, submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 2) to provide for the counting on January 6, 2017, of the electoral votes for President and Vice President of the United States.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 2) was agreed to, as follows:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Friday, the 6th day of January 2017, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The PRESIDENT pro tempore. The Chair appoints the Senator from Missouri, Mr. BLUNT, and the Senator from Minnesota, Ms. KLOBUCHAR, as tellers on the part of the Senate to count electoral votes.

UNANIMOUS CONSENT AGREEMENTS

Mr. MCCONNELL. Mr. President, I send to the desk, en bloc, 11 unanimous consent requests, and I ask for their immediate consideration en bloc. I further ask that the requests be agreed to en bloc, the motions to reconsider be considered made and laid upon the table, and that they appear separately in the RECORD.

Before the Chair rules, I would like to point out that these requests are routine and done at the beginning of each new Congress.

Mr. President, I ask unanimous consent that for the duration of the 115th Congress, the Ethics Committee be authorized to meet during the session of the Senate.

Mr. President, I ask unanimous consent that for the duration of the 115th Congress, there be a limitation of 15 minutes each upon any rollcall vote, with the warning signal to be sounded at the midway point, beginning at the last 7½ minutes, and when rollcall votes are of 10-minute duration, the warning signal be sounded at the beginning of the last 7½ minutes.

Mr. President, I ask unanimous consent that during the 115th Congress, it be in order for the Secretary of the Senate to receive reports at the desk when presented by a Senator at any time during the day of the session of the Senate.

Mr. President, I ask unanimous consent that the majority and minority leaders may daily have up to 10 minutes each on each calendar day following the prayer and disposition of the reading of, or the approval of, the Journal.

Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXVIII, conference reports and statements accompanying them not be printed as Senate reports when such conference reports and statements have been printed as a House report unless specific request is made in the Senate in each instance to have such a report printed.

Mr. President, I ask unanimous consent that the Committee on Appropriations be authorized during the 115th Congress to file reports during the adjournments or recesses of the Senate on appropriations bills, including joint resolutions, together with any accompanying notices of motions to suspend rule XVI, pursuant to rule V, for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed.

Mr. President, I ask unanimous consent that, for the duration of the 115th Congress, the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossments of all Senate-passed bills and joint resolutions, Senate amendments to House bills and resolutions,

Senate amendments to House amendments to Senate bills and resolutions, and Senate amendments to House amendments to Senate amendments to House bills or resolutions.

Mr. President, I ask unanimous consent that, for the duration of the 115th Congress, when the Senate is in recess or adjournment the Secretary of the Senate is authorized to receive messages from the President of the United States, and—with the exception of House bills, joint resolutions and concurrent resolutions—messages from the House of Representatives; and that they be appropriately referred; and that the President of the Senate, the President pro tempore, and the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

Mr. President, I ask unanimous consent that, for the duration of the 115th Congress, Senators be allowed to leave at the desk with the Journal clerk the names of two staff members who will be granted the privilege of the floor during the consideration of the specific matter noted, and that the Sergeant at-Arms be instructed to rotate staff members as space allows.

Mr. President, I ask unanimous consent that, for the duration of the 115th Congress, it be in order to refer treaties and nominations on the day when they are received from the President, even when the Senate has no executive session that day.

Mr. President, I ask unanimous consent that, for the duration of the 115th Congress, Senators may be allowed to bring to the desk bills, joint resolutions, concurrent resolutions and simple resolutions, for referral to appropriate committees.

The PRESIDENT pro tempore. Is there objection to agreeing to the unanimous consent requests en bloc?

Without objection, it is so ordered.

RESOLUTION OVER, UNDER THE RULE—S. RES. 4

Mr. MCCONNELL. Mr. President, I have a resolution at the desk.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 4) to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen.

Mr. MCCONNELL. Mr. President, I ask for its immediate consideration, and to send the resolution over, under the rule, I object to my own request.

The PRESIDENT pro tempore. Objection is heard.

The resolution will go over, under the rule.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business for debate only until 4 p.m. today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

 RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

 A TIME TO LOOK FORWARD

Mr. SCHUMER. Mr. President, first, I want to thank my friend the majority leader. As this is the first time offering opening remarks with the Republican leader, I will speak a little longer than he did today. After all, it is my first speech.

I want to start by extending my sincerest wish to him that we be able to work together to get things done for the American people. The Republican leader is my friend. He is also a great believer and defender of the Senate and the important role it must play in our national life and around the world. I look forward to working with him to preserve that legacy. Coming from the swearing-in ceremony, as we just did, I thank the people of my home State of New York for entrusting me with the most sacred obligation to represent them, to be their voice in the United States Senate. It has been the honor of my life to serve them, to use what ability I have been given on their behalf, to endeavor to make their lives and the lives of their fellow Americans better, safer, more prosperous, and more free.

I could never have done this job I love if not for my family, my wife Iris and two beautiful daughters, Jessica and Allison, my parents, age 93 and 88, Abe and Selma, who came down from New York for this occasion, and my new son-in-law Shappy. They support me. They keep me going through the good times and the bad and, maybe most importantly, they tell me when I am wrong. They are my rock and the light of my life.

I would also like to acknowledge, in this my first speech as Democratic leader, that I am honored and humbled by my caucus for the trust they placed in me to lead them in this new Congress. We are like a second family. We watch each other's backs, we seek unity, and like a family, while we at times may have disagreements, we always move forward together. We are a big, diverse group from all walks of life and political perspectives, from all corners of this great country, but at the end of the day, we are family. To have earned their trust and support means the world, and I will try every day to deserve it.

To my staff, another second family of mine, thank you. Most of them are

working, I guess. They are not here anymore. There are so many hard-working, dedicated, and brilliant men and women who over the years have put their shoulders to the wheel to help New York, this country, and me. There are too many to name. I wish I could name them all, but I must mention two, Mike Lynch and Martin Brennan, who have been with me since the 1998 campaign, the twin pillars of my office. Whatever success I have had in my campaigns, it can be traced back to them. So I thank them and all of my staff, past and present, from the bottom of my heart.

Finally, although he is no longer a Member of this esteemed body, I salute the outgoing leader, my predecessor, mentor, and friend for life, Harry Reid. Thank you.

Now is a time to look forward. We Democrats lost the election. It is a result many of us did not expect. It was a result none of us hoped for. When you lose an election like this, you can't flinch, you can't blink. You have to look it right in the eye, analyze it, learn from it and, most importantly, make corrections and move forward. It is easy to blame the results and elections on outside forces, and it is true that any one of them or a few in combination could have been responsible for the outcome of an election which the Democrat candidate won by nearly 3 million votes but lost by slim margins in a few States that decided the electoral college.

It is easy to look back and place blame, but now is the time to look forward. I believe the Democrats must take a hard look at what we can do better. It is clear that many Americans felt the economy was rigged against them and that their government wasn't looking out for them. It was too beholden to Big Money and special interests. Democrats did not do enough to show American workers we are the party that has their backs, that our positions are much more in line with their needs than the Republican positions, and so, as we look to this new Congress and a new Presidency, Senate Democrats will once again recommit ourselves to a set of principles that has always been at the core of our party, what my beloved friend and mentor Senator Ted Kennedy called economic justice. It is what our party has stood for since the days of Thomas Jefferson and Andrew Jackson through FDR, whose enduring New Deal is now almost a century old. It has been reaffirmed and deepened by passionate advocates like Susan B. Anthony, Cesar Chavez, and Martin Luther King, Jr., a commitment to the common man, to economic fairness for the American worker, to opportunity and prosperity for the American middle class and those trying to get there.

What is needed from we Democrats is a bigger, bolder, sharper-edged eco-

nomics program that addresses how those struggling to stay in the middle class can stay there and those struggling to make it into the middle class can get there more easily and deals directly with the unfairness so many see and experience in our economic system. That is a mission that unites our caucus, from my friend from West Virginia, Senator MANCHIN, to my friend from Vermont, Senator SANDERS, and one that appeals to the blue-collar worker in West Virginia and Michigan just as deeply as the college student from Los Angeles who is struggling with student debt. It appeals to the factory worker in the heartland just as much as to the immigrant family in New York City and the single mom in Cleveland trying to make ends meet on minimum wage.

There are a great many things we Democrats would like to do in the Senate to help these people, to ease the burden on the middle class and those struggling to make it—creating more jobs by investing in infrastructure and education, science and medicine, making college more affordable, increasing the minimum wage, changing our trade laws and so much more.

We will be making proposals we hope our Republican colleagues will join us on. As the year wears on, and it becomes clear that Democratic proposals are what the American people want and need, I hope many will. But we are not in the majority. Therefore, we cannot delude anyone that this Congress will start tomorrow taking up priorities of the Democratic minority. But we can raise our voices to present an alternative way forward, and we can rally the American people to support this program.

As Republicans return majorities to both Houses of Congress and we prepare for a Republican in the White House, the Democratic minority in the Senate has a very important task ahead of it.

There are those who suggest our baseline posture should be to work with the President-elect and have him pass his whole agenda, but it is not our job to be a rubberstamp. It is our job to do what is best for the American people, the middle class, and those struggling to get there. For instance, if the President-elect proposes legislation on issues like infrastructure and trade and closing the carried interest loophole, we will work in good faith to perfect and potentially enact it, but when he doesn't, we will resist. What we will always do is hold the President-elect and his Republican colleagues in Congress accountable—accountable to the working people to whom the President-elect promised so much; accountable to the people of all colors, creeds and sexual orientations in this country for whom he is President; accountable to the millions of Americans who voted for him even though many of the Republican

policies he now, postelection, seems to be embracing are inimical to their interests; and perhaps most importantly, accountable to the law.

The Senate has a rich, bipartisan tradition of being a constitutional check on Presidents of both parties. Many in this body have long observed that in America we are a nation of laws, not men. That sacred constitutional duty of holding the President accountable to the law must continue, and Democrats will make sure of it. Sometimes it will mean pointing out where rhetoric and reality diverge, and sometimes it will mean resisting the President and Republicans in Congress when they propose legislation that we believe will hurt the American people. This will be an accountable Congress, and we will be a caucus that makes sure the President-elect keeps his commitment to truly make America great again in its finest sense and tradition.

We know what makes America great, a fundamental optimism, a belief that the future will bring every child more opportunity than their parents, a conviction that this American dream can be shared by all of us, regardless of race or gender or sexual orientation. We will hold President-Elect Trump accountable to the values that truly make America great, but we will fight him tooth and nail when he appeals to the baser instincts that diminish America and its greatness, instincts that have too often plagued this country and too often plagued his campaign, and we will have benchmarks throughout the campaign. The President-elect said he could push GDP growth to 5 percent or 6 percent. He complained that the real unemployment rate was too high and he would bring it down. We will hold him accountable to that. What does he think he can achieve in a year or two or four? What policies does he propose to achieve those goals? He promised to be much tougher on China, even though many Republicans for years have resisted legislation in Congress to do that. We will hold him accountable for it and demand he keep his promise. He promised to protect Social Security and Medicare, but tapped an avowed critic of Medicare, a man who has spent his career advocating for its demise as his Secretary of Health and Human Services. We demand that he keep his promise not to cut Social Security or Medicare. He says he wants to build a strong America and earn respect around the world but seems to be marching in lockstep with the bullying, despicable autocrat who has caused a great deal of trouble around the globe and here in America, Vladimir Putin. We will hold him accountable to that.

We will hold the President accountable if he doesn't nominate a mainstream Supreme Court Justice. President Obama nominated a mainstream

candidate in Merrick Garland. President-Elect Trump should do the same. The President-elect said a great many things about rebuilding our infrastructure. Democrats welcome that discussion, but how is he going to do it? We have thousands of bridges and tunnels and highways and schools, waste water systems, airports in need of repair, not only in our big cities but in rural and suburban communities throughout America. A program of tax credits isn't going to get the job done no matter how large. We need significant direct spending. How does the President-elect plan to get that done? The President-elect has said there are several parts of the Affordable Care Act he favors. We will hold him accountable to that. The ACA extended affordable health care to 30 million Americans. We ask the President-elect, if you repeal the ACA, what are you going to do to protect these 30 million people? How are you going to ensure that a kid right out of college can stay on his parent's or her parent's plan, that the mother with a child who has a preexisting condition can get health care for her child, that women everywhere are not charged more for their care simply because they are a woman? It is not acceptable to repeal the law, throw our health care system into chaos, and then leave the hard work for another day.

Mr. President-elect, what is your plan to make sure all Americans can get affordable health care? We will hold the President-elect accountable for actually creating jobs and raising incomes, growing our economy and lowering our trade deficit, for protecting voting rights and civil rights, for safeguarding our clean air and clean water, for maintaining our commitment to our Nation's veterans and troops and their families, for giving that worker in Michigan, that college student in L.A., that single mother in Cleveland a real opportunity and a ladder up. What could be fairer? After all, his biggest and most consistent pledge was that he would, "Make America Great," make the lives of Americans better. We, the Democrats of this Senate, will hold him accountable to that, and we will resist him if he breaks that promise. While we respect the Office of the Presidency, we will not hesitate for a moment to call out the person occupying that office if he demeans women or Muslims or Latinos or our friends in the LGBT community, and if allies or aides to the President demean a group of Americans, we will not hesitate for a moment to demand that our new President condemn these comments, not sidestep them, not simply distance himself from them, condemn them, pointedly and roundly, as Presidents of both parties—every President of both parties—have done throughout the decades. We will hold President-Elect Trump accountable to the finest instincts of what America has always stood for, *e pluribus unum*.

The bottom line is, the President-elect ran as a change agent. He ran against the establishments of both parties. He promised to change the way America operates, to oppose elites, drain the swamp, pay attention to working families, but, my friends, since the election, he seems to have forgotten that.

Looking at the Cabinet, which is stacked with billionaires, corporate executives, titans of Wall Street, and those deeply embedded in Washington's corridor of power, it seems that many of his campaign themes are quickly being abandoned.

He said he was going to unrig the system. So far, it still looks rigged. Too many of his Cabinet picks support the same hard-right doctrinaire positions that many in the Republican Party have held for years, policies that the American people have repeatedly rejected. If President-Elect Trump lets the hard-right Members of Congress and his Cabinet run the show, if he attempts to adopt their timeworn policies which benefit the elite, the special interests, and corporate America, not the working man and woman, his Presidency will not succeed—maybe not in the first 90 days but certainly in the first 2 years. Unfortunately, that seems to be the path he is following throughout the transition.

So Mr. President-Elect, if there is one part of my speech that I hope you listen to and take to heart it is this one. I mean it with the best of intentions. If you abandon change and simply embrace the shopworn, hard-right, pro-corporate, pro-elite policies diametrically opposed to the many campaign themes that helped you win working class votes and get you elected, your Presidency will not succeed.

We Democrats will hold you accountable to the working people of America, not to the conservative ideologues in Washington who seem to have great number in your Cabinet. We will hold your feet to the fire every time you abandon your pledge and work instead as an ally of the hard right.

The issues facing this country are many. We have a lot of work to do—creating jobs, raising incomes, making college and health care affordable, rebuilding our infrastructure, making trade laws work for the American worker, keeping Americans safe from threats of violence and terrorism, taking care of our vets. Each one takes serious thought and action. These issues are too important for mere words.

Our challenge is too entrenched for mere tweeting. Making America great again requires more than 140 characters per issue. With all due respect, America cannot afford a Twitter Presidency. We have real challenges, and we have real needs to get things done. Many Americans are afraid, Mr. President-Elect, that instead of rolling up your sleeves and forging serious policies, for you, Twitter suffices.

There is nothing wrong with using Twitter to speak to the American people. It is a good use of modern media. But these issues are complex and command both careful consideration and action. We cannot tweet them away. For instance, a tweet bragging about the 800 jobs that were saved at the Carrier plant does not solve the underlying problem. While it is good the 800 jobs were saved, even at Carrier, 1,300 jobs are still leaving. Hundreds more jobs are leaving from the nearby Rexnord plant down the road; they are going overseas.

Most importantly, thousands more jobs each month leave our shores from every part of America. Tweeting about 800 jobs you saved is not a remanufacturing policy. That is not an economic policy. We are going to hold the President-elect accountable for a real policy to stop jobs from leaving this country, not just one half of one plant, not just one tweet, even if Republicans in Congress oppose it.

Similarly, tweeting “very smart” to Vladimir Putin for ignoring American sanctions is not foreign policy. America does not conduct foreign policy by tweet, least of all by flattering Putin after our intelligence agencies have confirmed that Russia interfered in our election.

Conducting foreign policy by tweet while spurning vital intelligence briefings that lay out the real emerging threats around the world should alarm Democrats and Republicans alike. It is utterly amazing that our Republican colleagues who have spent years lambasting President Obama for not being tough enough on Putin are now, with a few rare exceptions, utterly silent on this and so many other issues.

The President-elect must be held accountable on both sides of the aisle. On January 20, we will not be on reality TV; we will be in reality. We Democrats will make sure government works for every American in reality, not just on TV and on Twitter.

So to those who wonder what the Democratic minority will do in the 115th Congress, the answer is simple: We will fight for our principles, we will fight for our values, and we shall fulfill our solemn constitutional duty to hold the other branches of government accountable.

To the extent that the President-elect and the Republican majority pursue policies that help America and are consistent with our values, we stand ready and willing to work with them. But if they propose policies that will hurt America, deny health care, cut their benefits, unleash irresponsible Wall Street risk-taking at the expense of consumers, their efforts will crash and break apart like waves upon the rocks of the Senate minority. That is our challenge. That is our charge. We rise to meet it.

I yield the floor.

The PRESIDING OFFICER (Mr. BAR-RASSO). The Senator from Texas.

WORKING TOGETHER

Mr. CORNYN. Mr. President, let me start by offering my congratulations to my friend and colleague Senator SCHUMER from New York. He is a worthy adversary when we see things differently, as we frequently do, but he is also somebody with whom I have found I can work productively. I understand he has a new role to play as the Democratic leader. I am sure we will see a lot of that worthy adversarial part of his character in the forefront. But in this new year, with a new Congress, I do hope we can work together.

I became a little concerned, though, as I heard him go on. He had already declared the Trump Presidency over, and he is not even going to be sworn in until 17 days from now, by my calculations. Of course, we just swore in the new Members of the 115th Congress.

Let me also congratulate my colleagues across the aisle who were elected to join us here in what historically has been known as the world's greatest deliberative body. But if there is anything any one of us who have been here a while has learned, it is that neither party gets everything they want. It just was not designed that way.

For example in 2009, when one party controlled the White House, had 60 votes in the Senate, and had a majority in the House of Representatives, ostensibly you could get what you want since you didn't need to rely on any votes from the opposing party. But if there is one great historic example of why it is a mistake to try to do things alone or without bipartisan support, it is the example of ObamaCare, which we will be talking more about in the coming days.

The media, of course, is still trying to figure out what happened on November 8—how the pundits, all the experts, all the pollsters got it wrong. It is still not hard to find articles from those pundits and the mainstream media giving their diagnosis on exactly what the American voter was saying to us on November 8.

I personally don't think it is all that complicated; I think it is pretty straightforward. After 8 years of an Obama White House, the American people wanted a change. They spoke up loudly and clearly, demanding a new direction that would actually deliver results for the American people. I think those of us on both sides of the aisle ought to have enough humility to say it was not exactly a ringing affirmation of either political party.

I am grateful for one thing, though, and that is that the American people decided they did not want to change the Republican majority in the House and the Senate. We do take the responsibility of being in the majority seri-

ously. We believe it is our duty to bring real help to the American people.

I would digress for just a moment and say to my colleague from New York, the Democratic leader, that I remember when I came to the Senate, MIKE ENZI, conservative Republican from Wyoming, and Teddy Kennedy, whom you identified as your mentor, the liberal lion of the Senate—they worked so productively together on the HELP Committee, the Health, Education, Labor, and Pensions Committee. I remember one time asking Senator ENZI: How is it that somebody as conservative as you are can work with someone as liberal as Teddy Kennedy is and do so in good faith, good spirits, and so productively?

Senator ENZI said: It is easy. It is the 80-20 rule. The 80 percent that we can agree on, we do. The 20 percent we will never agree on, we simply leave for another fight another day. Actually, I think that is a pretty good rule of thumb.

The first job the new Congress will have is to repeal ObamaCare. I alluded to that earlier. It is simple. I think if history teaches anything about taking advantage of a supermajority in Senate, it is that you should not do that because if we did that with Social Security, Medicare, or other programs widely supported by the American people, it simply would not be sustainable. That is the case with ObamaCare, voted through the Senate—jammed through with 60 votes on the other side in the Senate, and then a majority in the House, signed by President Obama. Actually, after Republicans picked up a vacant Senate seat in Massachusetts, it caused our Democratic colleagues to have to use the budget reconciliation process to pass it.

But we know the broken promises of ObamaCare, and we will revisit those more and more in coming days. There are higher premiums with less coverage. Many lost their insurance all together after being promised by the President himself that if you like what you have, you can keep it. We know that many folks no longer have access to the doctor or health care plan of their choice because their doctor has either quit accepting that insurance or retired or health plans have simply pulled up stakes because they can't compete under the provisions of ObamaCare.

I believe the verdict for the American people has been that ObamaCare has failed the American people. I would ask our Democratic colleagues to look at the fact that they passed it originally with 60 votes. Now they are at 48. We have all been in the majority and the minority if we have been around here for very long, but I think ObamaCare is one of the big reasons our Democratic colleagues find themselves currently in the minority.

As one of our colleagues put it this morning, if we can't do better than

ObamaCare, we might as well look for another line of work. What we owe the American people, I believe, is coverage that they choose, at a price they can afford.

Of course, that is just the beginning. Under President Obama's leadership, his administration has imposed thousands of rules and regulations, running up the pricetag of hundreds of billions of dollars, which has put a stranglehold on the American economy. Many of these are job-killing regulations that make it harder for small businesses, which are the very lifeblood of our economy, to make ends meet, to make a profit, to hire additional employees—things that we desperately need in this country—more well-paying jobs.

I look forward to working with the new administration to roll back those regulations and rules that don't make sense. With ObamaCare repealed and replaced with coverage you can afford from a provider that you choose and with the better economic climate for the country, we can help more Americans achieve their dreams. That should be the top priority for every one of us here in this Chamber.

Finally, I look forward to working with the incoming administration to consider President-Elect Trump's nominees to fill his posts in his Cabinet. If I am not mistaken, on the day that President Obama was sworn into office, January 20, 2009, there were seven Cabinet members of his incoming cabinet that were confirmed that day. That demonstrates the sort of good faith and accommodation that this Senate should continue because we understand the importance of the President's Cabinet members. Whether it is the Secretary of Defense, the Secretary of State, or the Attorney General, they hold critical positions, not only in terms of national security but in terms of making sure the government works for the American people.

I have already spoken about one of our colleagues, Senator SESSIONS, the President-elect's nominee to be the chief law enforcement officer for the country. I think Senator SESSIONS is an excellent choice. Our colleagues will have a chance to ask all the questions they want, but there is one thing I can be sure of with Attorney General nominee JEFF SESSIONS, and that is that he will remove the political orientation of the Department of Justice and make sure that it is not just another political branch of the White House. I look forward to confirming him as Attorney General, and I am confident that he will be prepared to answer the questions from our colleagues.

As we have seen over the last few days, President-Elect Trump continues to announce the nominations of many other qualified candidates who, I am confident, will serve the American people, including people like my friend the former Governor of Texas, Rick Perry,

as Energy Secretary, and Rex Tillerson as Secretary of State. I hope all of our colleagues will understand how integral it is to the administration's ability to govern to get well-qualified people confirmed to the President's Cabinet. They, of course, have a responsibility to be forthcoming and to answer questions and cooperate with the process here in the Senate, but I look forward to working with our colleagues in getting the President's nominees confirmed. I know we have a lot of work ahead of us, and I don't have any doubt that, with a little cooperation, we can make the 115th Congress a productive one that meets the needs of the American people.

I would just conclude, perhaps, as I started, by saying that all of us who have worked here in the Senate for a while know Senator SCHUMER. We also understand he has taken on a new and more challenging role, because, frankly, the Democratic conference is a lot more left-leaning than it has ever been since I, certainly, have been here, and he has to work with all of his Members. But I hope there is one thing we can all agree with—that we have an obligation beyond party, and that is to our country and to the people we represent. We are blessed to work in a great American institution—a unique institution—and I believe it is our obligation and duty to try to find areas we can agree on and build consensus to move the country forward for the American people. While surely we will have our fights—and they will be glorious fights—we shouldn't shy away from those differences, but let's not let our desire just to fight for fighting's sake get in the way of our ability to work together and try to find consensus where we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

AFFORDABLE CARE ACT AND DACA

Mr. DURBIN. Mr. President, I thank the Senator from Texas, and I think the closing remarks were spot-on. We will disagree, we will debate, and we will have our differences, but we need to strive for common ground. That is what the American people sent us here to do. I hope we can find the common ground in this Chamber and in the House and with the new President after January 20. It is a challenge.

It is interesting to listen to the remarks from the Republican side of the aisle. There has been this appetite for so long to repeal ObamaCare. I have lost track of how many times the Republican House of Representatives voted to repeal ObamaCare over the last 6 years. I believe it is over 60 times that they have voted to repeal it. Wouldn't you think that over a span of 6 years, with 60 different votes, they

would have in their back pocket an alternative, a replacement? They don't. They still don't today.

For all of the speeches on the floor that have been given by my illustrious colleagues asking for a second opinion, most second opinions are something tangible that you can read, understand. But when it comes to a second opinion on ObamaCare, they have nothing to offer. Why is that? Why is it that they are so focused on this one issue—ObamaCare—and the Republicans have not come up with an alternative? It is hard. It is hard work. There are tough, difficult choices.

If we stick to the basic principles of the Affordable Care Act, or ObamaCare, we run into some problems in a hurry. The first basic principle accepted by President-Elect Trump is that we want to make sure that no health insurance company can ever discriminate against you or your family because of a preexisting condition—a baby born with cancer, a child with diabetes, a spouse who survives a cancer scare. In the old days before ObamaCare, that meant that you either were disqualified from insurance for your family or you couldn't afford it. So we said as part of the Affordable Care Act: No more—they cannot discriminate against those who are less than perfect when it comes to health because so many of us are less than perfect. OK, my friends in the Grand Old Party, how are you going to deal with that? How are we going to make sure that every family is protected with their health insurance plan? We haven't heard a word.

President-Elect Trump said he is going to stick by that basic principle. But there comes with that principle a requirement as well—that you have a large pool of insured people that includes those who are healthy and those who may be less than healthy. If we are going to have a large pool of people, we must make insurance mandatory for many Americans. The Republicans have said they want to eliminate that requirement automatically. So the first issue is the preexisting condition. This is a Republican problem—an issue they can't answer and one that they have refused to respond to.

What about lifetime limits on health insurance policies? What if there is a policy that you buy for \$100,000 and then you get a cancer diagnosis and the treatment is going to cost \$1 million? What then? We say that there cannot be a lifetime limit on a health insurance policy. The Republicans want to repeal that. What would they replace that with? There is no suggestion.

The list goes on and on. What if you have a child who just graduated from college who is looking for a job or maybe has a part-time job that doesn't have benefits and doesn't have health insurance? We keep them under the family health insurance plan until they

are 26, which gives peace of mind to thousands of families across Illinois and America. The Republicans want to repeal that. What will they replace that with?

I say to those who are receiving Medicare today—40-plus million in America: We closed the prescription drug loophole that stated they had to start paying out of pocket for prescriptions during the course of the year—the so-called doughnut hole. Republicans want to repeal that. Will that make Illinois's seniors and millions of seniors across the country vulnerable to higher prices? When you get beyond the 144 characters of a tweet, get beyond a sign on the Senate floor, and when you get beyond the facile political speech and get into real policy, it gets exceedingly difficult.

The bottom line is that 29 million Americans now have health insurance because of the Affordable Care Act. We have the lowest rate of uninsured Americans in modern history, and now the Republicans want to repeal this. They say they are going to replace it. I think it is not repeal and replace they are looking for. It is repeal and retreat. They don't know where to turn. They are running away from the mess they will create by repealing ObamaCare. We have a right to demand that if they have a better way, they present it and bring it up for a vote. Let's have some certainty about our future.

Already I have been warned by hospitals all across Illinois that repealing ObamaCare—repealing the Affordable Care Act—will be devastating to hospitals, particularly in rural areas in my State and to inner city hospitals. What are we going to do about that? Will there be special funds to help those hospitals stay in business? They will need it.

It isn't the only issue we will take up. There is another issue equally compelling, and that is the issue of immigration. I remember the speeches, and you do too—the excerpts at night on the news—that the President-elect talked about building a wall to the high heavens and making the Mexicans pay for it, and he talked about all those who are coming across the border and the dangers they presented to America. When it comes to immigration, there are 11 million people living in this country. The overwhelming majority of them are law-abiding. They are working. They want to be part of America's future.

The group I have tried to focus on is a group we call the DREAMers. Fifteen years ago, I introduced the first DREAM Act. It was a bill that addressed the following situation: A child or an infant, brought to the United States by an undocumented family, who grew up here, literally has no home, no country. They are undocumented in America and brought here as babies, infants, toddlers, children,

teenagers. Now they are graduating high school, and they don't know where to turn. The law in America is graphic, and it is grim. It says that if someone is found in that position, they are required to leave America for 10 years and must petition to return. We have 15-, 16-, and 17-year-olds who know no other country, who get up in the classroom every morning and pledge allegiance to the flag, just as the Members of the Senate do, and who believe in their heart of hearts that this is home. Yet they are undocumented.

So we introduced the DREAM Act, and we couldn't pass it. We passed it once in the Senate, and they passed it in the House. But we never could quite reach that super majority that we needed to pass it at the right moment. So President Obama stepped up and created DACA, or the Deferred Action for Childhood Arrivals Program, which, under Executive order, allowed those who would be eligible for the DREAM Act to apply, pay a fee of almost \$500, go through a criminal background check, and, if they were approved, receive temporary authority to stay in the United States without fear of deportation and to work in this country. As of today, over 750,000 have done that.

During the campaign, President-Elect Trump said that he would abolish this program. Fortunately, after the election, he had a more moderate position, which I would like to quote from *Time* magazine. He said:

We're going to work something out that's going to make people happy and proud. They got brought here at a very young age, they've worked here, they've gone to school here. Some were good students. Some have wonderful jobs. And they're in never-never land because they don't know what is going to happen.

That is a very thoughtful, sensitive, and promising statement. I appreciate it. I hope the President-elect will keep DACA in place until we have something that can work to succeed it.

I want to salute my colleague on the other side of the aisle, Republican LINDSEY GRAHAM of South Carolina. He and I have joined in introducing the BRIDGE Act, which would give President-Elect Trump an opportunity to allow these young people to stay subject to the same approval, the same criminal background check, the same filing fee, and the same tax liability to stay on a temporary basis until we do our work in the Senate and the House on the issue of immigration. The BRIDGE Act is also cosponsored by Senators LISA MURKOWSKI and JEFF FLAKE, Republicans from Alaska and Arizona, as well as by my colleague Senator SCHUMER, the leader on the Democratic side, and Senator DIANNE FEINSTEIN. Other Democrats want to join as well. We hope to have a very strong bipartisan bill.

In my view, DACA is a lawful exercise of the President. In the view of

many Republicans, it is not. The BRIDGE Act is the answer to both points of view. This is a fair, reasonable way to protect these young people until Congress comes up with better, more comprehensive answers when it comes to immigration reform.

Over the years, I have come to the floor, telling the story of the DREAMers. It is one thing for a Senator to give a speech and put it in the CONGRESSIONAL RECORD, but it really doesn't come home until you see and meet the young people I am talking about.

Let me introduce one today. This is Fernando Espino. He was brought to the United States from Mexico at the age of 18 months. He grew up in the city of Milwaukee, WI, and became an excellent student. At his Catholic high school, he received many academic awards. He was a member of the National Honor Society and the Jesuit Honor Society, and he received first honors all 4 years of high school.

Fernando was involved in many volunteer activities—the Latin club, math club, track and field team, and he was an instructor for a class preparing his classmates to take college entrance exams. He volunteered with the Youth Leadership Ministry. He also volunteered with his school's Key Club and Big Brother mentoring program and as a middle school soccer and basketball coach.

At his high school graduation, Fernando Espino of Milwaukee, WI—a DREAMer brought here from Mexico at the age of 18 months—received the Jesuit Secondary Education Association Award, the highest award given by a Jesuit high school, which is presented to one graduate who, in their words, is “intellectually competent, open to growth, religious, loving, and committed to justice.”

This amazing student was then accepted at Harvard University. He continued to give back to the community there. He volunteered as a tutor for kids in elementary schools and as a peer adviser to freshmen students at Harvard. He became a competitive ballroom dancer and worked on the Harvard Business School newspaper.

Thanks to DACA, the program I mentioned earlier, Fernando was able to support himself. You see, these DREAMers don't qualify for a penny of Federal assistance for education. They have to pay for it. They have to come up with the money.

With DACA, he could work. He worked as a bartender. In May 2015 he graduated from Harvard magna cum laude, the highest honors, with a degree in economics and sociology. He worked for an investment management firm in Los Angeles and then as a market research consultant in Chicago. He is now preparing to pursue an MBA in business school. He wants to be a leader in a major corporation and start his

own company. In a letter he sent to me, he wrote:

Optimistic hope, is ultimately, what I believe makes this country so great. Living as an undocumented immigrant, it is easy to lose that motivating influence. DACA was a refreshing and reinvigorating influx of that very same hope. DACA now allows me to look forward not with doubt but with confidence that the future is bright!

If DACA is eliminated, Fernando Espino may lose his hope. The day after DACA, Fernando Espino will no longer have official legal status. He will not be able to get his master's in business administration, and at any moment he could be deported back to Mexico, where he hasn't lived since he was 18 months old.

Fernando and so many other DREAMERS can help America be a greater nation. That talent and determination he brought to his young life is a talent and determination America needs in its future. I hope President-Elect Trump will understand this and continue the DACA Program, but if he decides to end it, then his administration can work with Congress and make sure the BRIDGE Act is there as a protection.

CONGRATULATING SENATOR SCHUMER

Mr. DURBIN. Mr. President, I close by saluting my colleague, the new Democratic leader, Senator SCHUMER. He and I were roommates for a long, long time before we got our separate apartments—grew up and got our own places. I have come to know him, his family, and his political career. I am looking forward to working with his leadership team in the U.S. Senate. I think his statement today speaks for all the Members of the Senate Democratic caucus.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

(The remarks of Mr. MORAN pertaining to the submission of S. Res. 5 are printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Oregon.

THE ELECTION AND THE CONSTITUTION

Mr. MERKLEY. Mr. President, this is the first day in which a new Senate is assembled in which we ponder traditions of this body. Indeed, it has been described, as my colleague from Texas mentioned, as the world's greatest deliberative body. But over the time I have been familiar with the Senate, it has lost the ability to claim that title, the "greatest deliberative body." It is a completely different institution from the one I first saw in 1976 when I came as an intern for Senator Mark Hatfield of Oregon, because at that point we

saw deliberation on the floor about the issues we face. We saw that the use of the filibuster to obstruct ordinary bills was rarely invoked. We saw bipartisan cooperation on big issues facing America. But that dialogue on the floor is largely missing.

One reason I wanted to sit here and listen to my colleagues on both sides of the aisle speak today was to ponder that tradition in which people listen to each other and ponder the opportunity to address those substantial issues that we have before us. My colleague from Texas, the Republican leader, noted that this past election, the people of America spoke loud and clear about the direction they want this country to go in. Well, certainly that is not the case. The majority of American citizens rejected the policies put forward by President-Elect Trump. By 3 million votes, the citizen election overwhelmingly rejected those policies. Indeed, had it not been for a strategy of voter suppression on the Republican side, it would have been far more than 3 million votes rejecting those policies.

Let us be clear that this strategy of voter suppression is an attack on the Constitution. Our Constitution was founded on the principle that we would pursue policies here that support the success of all Americans. That is where our Constitution starts, with these three words: "We the People." That is why the Founders wrote those three words in supersized font—so when you saw the written Constitution from across the room, you couldn't read the fine print but you could see the mission statement: "We the People." It is why Abraham Lincoln summarized the genius of our country as being a government of the people, by the people, and for the people.

Let us be clear. Without voter suppression, those 3 million votes, the majority that rejected the Trump policies would have been far larger. Let's remember that if it were not for Russian hacking of the election, that 3-million vote majority that rejected the Trump policies would have been larger yet. Let's remember that if it were not for an out-of-control FBI Director intervening in the final days of the campaign, the citizen vote rejecting Trump would have been even larger.

By the citizen-vote calculation, Trump lost the debate over the direction of America. If we consider the votes cast for Members of the Senate, overwhelmingly those votes rejected the Republican agenda. So here we are with colleagues who say the American people spoke loud and clear. If you consider the vision of our country and the citizen vote for the Presidency and the citizen vote for Members of the Senate, that loud and clear message is a rejection of the Trump policies.

There is no mandate here to throw millions of people off of their health care. My colleague from Texas said the

American people deserve health care they can afford. Well, isn't that the challenge, that when health care has a price tag and there is no ability afforded you, you get no health care? You get health care for the upper middle class and health care for the wealthy but not health care for every citizen. Shouldn't we have a nation in which quality health care is accessible, is affordable to every single citizen? Twenty million more people have access to that now than they had 8 years ago. It is an incredible change.

A woman came up to me at a fundraiser for multiple sclerosis, and she said: Senator, things are so different this year.

I said: What do you mean?

She said: A year ago, before we had the Affordable Care Act, if you got a diagnosis of multiple sclerosis, you were in deep trouble. It is a complicated, mysterious disease. It is an expensive disease, and if you had insurance, it likely wasn't going to cover the costs associated with it because of annual limits or lifetime limits.

She noted that if you didn't have insurance, you wouldn't be able to get insurance because you would now have a preexisting condition and no insurer would give you the opportunity to be able to have an affordable health care plan.

She said: Well, what a different place we are in now because now we have the peace of mind that our loved ones afflicted with this terrible disease will be able to get the health care they need.

Isn't that what we should seek—a health care system where people have peace of mind, where we no longer have thousands of bankruptcies based on health care costs, bankruptcies that you don't see in other developed nations that have done a better job of making health care available to every single citizen?

Let's not turn the clock back to whether health care was only for the healthy or the wealthy. Let's not turn the clock back to where our young folks were in a health care desert between the time they left their parent's policy and before they had a career of their own, before we said they could stay on their parent's policy to age 26.

Let's not turn the clock back to the point where we didn't make preventive policies for seniors free, and we found that that ounce of prevention was worth a pound of cure. We did that in the Affordable Care Act, and people across the Nation have appreciated that.

It is not just on health care that we see no mandate for the Trump agenda; we don't see any mandate for the Trump agenda on the environment. There is a proposal by the President-elect to put an individual in charge of our environmental policies who has been all about increasing pollution—increasing fine particle pollution that

causes asthma and other diseases; increasing mercury pollution, which is a toxic attack on the nervous system and affects the development of our youngsters. A neurotoxin like mercury is something to be controlled, not increased.

There was a commentary by my colleague from Texas that we should expedite the nominees. We know full well that my Republican colleagues did everything they could to obstruct President Obama's nominees. It was not so long ago we were here on the floor and we couldn't get a Department of Labor nominee through this Chamber, or Gina McCarthy with the Environmental Protection Agency, or various judges slated for the D.C. Circuit Court.

I believe the nomination system needs to be reformed. I believe a President's nominee should get a timely vote. So why don't we consider the possibility of establishing a rule that gives people a timely vote? Why not put a 100-day clock on all nominees but the Supreme Court? If that 100 days ripens and we haven't had a vote on this floor and if a group of Senators wants a vote, then why not hold that vote, with an hour of debate, and hold the vote the next day? But to do that, we would have to have a debate over the rules under which this body functions.

There is no clear path to consider rules, which means we are often trapped by the precedents of the past that have become unworkable. So shouldn't we consider a rule change that gives a clear path for rule changes to be considered on this floor? Isn't that something on which Senators could come together on a bipartisan basis? And by establishing such a course of action, we could consider the possibility of having a 100-day clock on nominees so that they would not be trapped forever in purgatory, not knowing if they are ever going to get a vote. And we know that so many of President Obama's nominees were trapped in purgatory. It has had a terrible impact on those who are willing to consider the possibility of serving the executive branch, not knowing if they will ever get a vote. Couldn't we improve on this?

Isn't improving the nomination process something that is important in the balance of powers, the balance between the legislative branches? Our Constitution created three coequal branches, not a vision in which the legislative branch or half of a legislative branch can run a continuous attack on the judiciary, a continuous attack on the executive branch.

There are other rule changes we ought to consider. We could consider that for Supreme Court nominees, if they are filibustered, it has to be a talking filibuster so that it takes time and effort to obstruct, using the power of the minority, so that there is a con-

versation directly held day and night, on through the weekend, on through the next week and the following week, on whether debate should be closed on a nominee to the Supreme Court. Currently, we don't have a talking filibuster for the Supreme Court, so if you simply can't get enough votes to close debate, this Chamber is silent. It sits silent rather than being in an engaged dialogue in front of the American people so the American people can weigh in on whether the use of the filibuster on a Supreme Court nominee makes you a hero or makes you a bum.

Should we not consider a strategy by which, on ordinary issues of policy, the filibuster is restricted to final passage of a bill rather than having obstruction with each amendment and obstruction with the motion to proceed to a bill, so that we can spend our time debating bills rather than debating whether to debate bills? And what goes hand in hand with moving the filibuster only to final passage is a clear way for amendments to be offered by Members on both sides of the aisle that are relevant to a bill, that are germane to a bill. If we have the ability to clearly debate amendments, we will be closer to being a deliberative body and therefore maybe even the possibility of becoming a great deliberative body or even the world's greatest deliberative body once again. But when we are paralyzed and unable to get bills to the floor or when they are on the floor but we are unable to propose amendments, we won't be there. These two things go hand in hand.

These are all ideas I advocated for when I was in the majority. Today I stand here in the minority arguing for these same fundamental changes. They will strengthen the success of this body for the majority and the minority and strengthen our ability to work together to produce legislation that addresses the big issues facing this Nation.

Let's be clear. There is no mandate for the Trump agenda, no mandate for dismantling health care for millions of Americans. There is no mandate for increasing air and water pollution, no mandate for tax giveaways to the richest Americans, no mandate for increasing the disparity in compensation between ordinary workers and the best off, the most powerful, and the most privileged.

We will indeed, as our Democratic leader noted, hold the President-elect accountable. The President-elect said, "I am going to drain the swamp," but he has proposed turning the economy over to Goldman Sachs, to the banking world, and he has proposed turning over our foreign policy to Exxon, the fossil fuel world. That is the opposite of draining the swamp. We will hold the President-elect accountable.

The President-elect said he was going to fight for working people. Well, pro-

posing a Secretary of Labor who is against working people getting fair compensation is inconsistent, to say the least, with a pledge to fight for working people. We will hold the President-elect accountable.

There is much work to be done, but if we hold as our North Star the vision that we are here as a legislative body to fight for the vision of "we the people," policies that lift up all Americans, give an opportunity for every American to thrive, then perhaps we will find a course in which we can work together in a bipartisan fashion to make America greater and greater.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-40, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$37 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosure.

TRANSMITTAL NO. 16-40

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

- (i) Prospective Purchaser: Kuwait.
- (ii) Total Estimated Value:
Major Defense Equipment* \$36 million.
Other \$1 million.
Total \$37 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Two hundred and fifty (250) Joint Direct Attack Munition (JDAM) Tail Kits for 500-pound bombs.

Two hundred and fifty (250) JDAM Tail Kits for 1,000-pound bombs.

Two hundred and fifty (250) JDAM Tail Kits for 2,000-pound bombs.

Non-MDE includes: Two (2) 500-pound and two (2) 2,000-pound load Build Trainers, spares, support equipment, repair and return, and other associated logistical support.

(iv) Military Department: Air Force, KU-D-YAC (A3).

(v) Prior Related Cases if any: KU-D-YAB (A2), 15 Jun 2015 (\$7.6M).

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: December 20, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kuwait—Joint Direct Attack Munition (JDAM) Tail Kits

The Government of Kuwait has requested a possible total sale of seven hundred and fifty (750) JDAM Tail Kits (two hundred and fifty (250) for 500-pound bombs, two hundred and fifty (250) kits for 1,000-pound bombs, and two hundred and fifty (250) kits for 2,000-pound bombs). Sale also includes two (2) 500-pounds and two (2) 2,000-pounds JDAM Load Build Trainers spares, support equipment, repair and return, and other associated logistical support. The estimated cost is \$37 million.

This proposed sale contributes to the foreign policy and national security of the United States by improving the security of a Major Non-NATO Ally which continues to be an important force for political stability and economic progress in the Middle East. Kuwait plays a large role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit for U.S. forces in the region.

This proposed sale improves Kuwait's capability to deter regional threats and strengthens its homeland defense. Kuwait will be able to absorb this additional equipment and support into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The proposed sale does not require the assignment of any additional U.S. Government or contractor representatives to Kuwait.

The sole-source contractor is the original equipment manufacturer, Boeing, Chicago, Illinois. There are no known offset agreements proposed in connection with this potential sale.

There is no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-40

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

- (vii) Sensitivity of Technology:

1. Joint Direct Attack Munition (JDAM) is a guidance tail kit that converts unguided free-fall bombs into accurate, adverse weather "smart" munitions. With the addition of a new tail section that contains an inertial navigational system and a global positioning system guidance control unit, JDAM improves the accuracy of unguided, general-purpose bombs in any weather condition. JDAM can be launched from very low to very high altitudes in a dive, toss and loft, or in straight and level flight with an on-axis or off-axis delivery. JDAM enables multiple weapons to be directed against single or multiple targets on a single pass. The JDAM All Up Round and all of its components are UNCLASSIFIED; technical data for JDAM is classified up to SECRET.

2. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. The benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Kuwait.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-57, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Norway for defense articles and services estimated to cost \$1.75 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-57

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Norway.

- (ii) Total Estimated Value:
Major Defense Equipment* \$1.40 billion.
Other \$.35 billion.
Total \$1.75 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Five (5) P-8A Patrol Aircraft, each includes: Commercial Engines, Tactical Open Mission Software (TOMS), Electro-Optical (EO) and Infrared (IO) MX-20HD, AN/AAQ-2(V)1 Acoustic System, AN/APY-10 Radar, ALQ-240 Electronic Support Measures

Eleven (11) Multifunctional Distribution System Joint Tactical Radio Systems (MIDS JTRS)

Eight (8) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ-24(V)N

Eight (8) System Processors for AN/AAQ-24(V)N

Forty-two (42) AN/AAR-54 Missile Warning Sensors for the AN/AAQ-24(V)N

Fourteen (14) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigations Systems (EGIs)

Two thousand (2,000) AN/SSQ-125 Multi-Static Active Coherent (MAC) Source Sonobuoys

Non-MDE includes:

Spares, spare engine, support equipment, operational support systems for Tactical Operations Center and Mobile Tactical Operations Center (ToC/MToC), training, maintenance trainer/classrooms, publications, software, engineering and logistics technical assistance, Foreign Liaison Officer support, contractor engineering technical services, repair and return, transportation, aircraft ferry, and other associated training and support.

(iv) Military Department: Navy (SAN).

(v) Prior Related Cases, if any: This would be Norway's fast purchase of the P-8A Patrol Aircraft. Norway has one related P-8A case, NO-P-GEN, which provides P-8A study and technical analysis support.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: December 20, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Norway—P-8A Aircraft and Associated Support

Norway has requested a possible sale of up to five (5) P-8A Patrol Aircraft, each includes: Commercial Engines, Tactical Open Mission Software (TOMS), Electro-Optical (EO) and Infrared (IO) MX-20HD, AN/AAQ-2(V)1 Acoustic System, AN/APY-10 Radar, ALQ-240 Electronic Support Measures. Also included are eleven (11) Multifunctional Distribution System Joint Tactical Radio Systems (MIDS JTRS); eight (8) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ-24(V)N; eight (8) System Processors for AN/AAQ-24(V)N; forty-two (42) AN/AAR-54 Missile Warning Sensors for the AN/AAQ-24(V)N; fourteen (14) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs); and two thousand (2,000) AN/SSQ-125 Multi-Static Active Coherent (MAC) Source Sonobuoys; spares; spare engine; support equipment; operational support systems; training; maintenance trainer/classrooms; publications; software; engineering and logistics technical assistance; Foreign Liaison Officer support; contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training and support. The total estimated program cost is \$1.75 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a NATO ally which has been, and continues to be, an important force for political stability throughout the world. The proposed sale will allow Norway to maintain its Maritime Patrol Aircraft (MPA) capability following retirement of its P-3C MPA. This sale will strengthen collective NATO defense and enhance Norway's regional and global allied contributions.

Norway has procured and operated U.S. produced P-3 Orion MPAs for over 40 years, providing critical capabilities to NATO and

coalition maritime operations. Norway has maintained a close MPA acquisition and sustainment relationship with the U.S. Navy over this period. The proposed sale will allow Norway to recapitalize, modernize, and sustain its MPA capability for the next 30 years. As a long-time P-3 operator, Norway will have no difficulty transitioning its MPA force to the P-8A and absorbing these aircraft into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor involved in this sale is The Boeing Company, Seattle, WA. Additional contractors include: Air Cruisers Co, LLC; Arnprior Aerospace, Canada; AVOX Zodiac Aerospace; BAE; Canadian Commercial Corporation (CCC)/EMS; Compass David Clark; DLS/ViaSat, Carlsbad, CA; DRS; Exelis, McLean, VA; GC Micro, Petaluma, CA; General Electric, UK; Harris; Joint Electronics; Marlin Baker; Northrop Grumman Corp, Falls Church, VA; Pole Zero, Cincinnati, OH; Raytheon, Waltham, MA; Raytheon, UK; Rockwell Collins, Cedar Rapids, IA; Spirit Aero, Wichita, KS; Symmetries Telephonics, Farmingdale, NY; Terma, Arlington, VA; Viking; and WESCAM. Norway does require an offset agreement.

Any offset agreement will be defined in negotiations between the purchaser and the prime contractor.

Implementation of the proposed sale will require approximately five (5) contractor personnel to support the program in Norway.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-57

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The P-8A aircraft is a militarized version of the Boeing 737-800 Next Generation (NG) commercial aircraft. The P-8A is replacing the P-3C as the Navy's long-range antisubmarine warfare (ASW), anti-surface warfare (ASuW), intelligence, surveillance and reconnaissance (ISR) aircraft capable of broad-area, maritime, and littoral operations. The overall highest classification of the P-8A weapon system is SECRET. The P-8A mission systems hardware is largely unclassified, while individual software elements (mission systems, acoustics, ESM, etc.) are classified up to SECRET.

2. P-8A mission systems include:

a. Tactical Open Mission Software (TOMS). TOMS functions include environment planning, tactical aids, weapons planning aids, and data correlation. TOMS includes an algorithm for track fusion which automatically correlates tracks produced by on board and off board sensors.

b. Electra-Optical (EO) and Infrared (IR) MX-20HD. The EO/IR system processes visible EO and IR spectrum to detect and image objects.

c. AN/AQ-2(V)1 Acoustic System. The Acoustic sensor system is integrated within the mission system as the primary sensor for the aircraft ASW missions. The system has multi-static active coherent (MAC) 64 sonobuoy processing capability and acoustic sensor prediction tools.

d. AN/APY-10 Radar. The aircraft radar is a direct derivative of the legacy AN/APS-137(V) installed in the P-3C. The radar capabilities include GPS selective availability anti-spoofing, SAR and ISAR imagery resolutions, and periscope detection mode.

e. ALQ-240 Electronic Support Measures (ESM). This system provides real time capability for the automatic detection, location, measurement, and analysis of RF-signals and modes. Real time results are compared with a library of known emitters to perform emitter classification and specific emitter identification (SEI).

f. Electronic Warfare Self Protection (EWSP). The aircraft EWSP consists of the ALQ-213 Electronic Warfare Management System (EWMS), ALE-47 Countermeasures Dispensing System (CMDS), and the AN/AAQ-24 Directional Infrared Countermeasure (DIRCM)/AAR-54 Missile Warning Sensors (MWS). The EWSP includes threat information.

3. If a technologically advanced adversary was to obtain access of the P-SA specific hardware and software elements, systems could be reverse engineered to discover USN capabilities and tactics. The consequences of the loss of this technology, to a technologically advanced or competent adversary, could result in the development of countermeasures or equivalent systems, which could reduce system effectiveness or be used in the development of a system with similar advanced capabilities.

4. A determination has been made that the recipient government can provide substantially the same degree of protection, for the technology being released as the U.S. Government Support of the P-8A Patrol Aircraft to the Government of the Norway is necessary in the furtherance of U.S. foreign policy and national security objectives.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Norway.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-71, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Philippines for defense articles and services estimated to cost \$25 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-71

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of the Philippines.

(ii) Total Estimated Value:
Major Defense Equipment* \$20 million.
Other \$5 million.
Total \$25 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Two (2) AN/SPS-77 Sea Giraffe 3D Air Search Radars.

Non-Major Defense Equipment (MDE):
Support services, including installation services, operator training, system operational testing, and documentation.

(iv) Military Department: Navy (LFK).

(v) Prior Related Cases, if any:

PI-P-SBV—\$4.7M, Excess Defense Article (EDA) transfer of ex-USCG cutter Hamilton, now PF-15, BRP Gregorio Del Pilar.

PI-P-SBW—\$15.1M, EDA transfer of ex-USCG cutter Dallas, PF-16, now BRP Ramon Alcaraz.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: December 12, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Philippines—AN/SPS-77 Sea Giraffe 3D Air Search Radars

The Government of the Philippines has requested a possible sale of two (2) AN/SPS-77 Sea Giraffe 3D Air Search Radars, support services, including installation services, operator training, system operational testing, and documentation. The total estimated program cost is \$25 million.

The Philippines seeks to increase its Maritime Domain Awareness (MDA) capabilities in order to improve monitoring of its vast territorial seas and Exclusive Economic Zones (EEZ). An effective Philippine MDA capability strengthens its self-defense capabilities and supports regional stability and U.S. national interests. This sale is consistent with U.S. regional objectives and will further enhance interoperability with the U.S. Navy, build upon a longstanding cooperative effort with the United States, and provide an enhanced capability with a valued partner in a geographic region of critical importance to the U.S. government.

The AN/SPS-77 Air Search Radars will be used to provide an enhanced ability to detect and track air contacts. The radars will be installed on two Hamilton-class cutters acquired through the Excess Defense Articles (EDA) program. The Philippines will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be VSE and Saab. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any U.S. or contractor representatives to the Philippines. U.S. contractors, under U.S. government oversight, will be in the Philippines for installation and associated support of this new radar on these Philippine Navy ships.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-71

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. A completely assembled AN/SPS-77 radar, which is a commercial product that is outfitted on USN LCS class ships, will be tailored for release to the Philippine Navy under this program. The operating characteristics and capability of this system as it will be delivered to the Philippines Navy will be UNCLASSIFIED.

2. AN/SPS-77 operation and maintenance documentation, software, and support is UNCLASSIFIED.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Philippines can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal are have been authorized for release and export to the Government of the Philippines.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-66, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$1.7 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES WORM,
Acting Deputy Director.
(For J.W. Rixey, Vice Admiral, USN,
Director).

Enclosures.

TRANSMITTAL NO. 16-66

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value:

Major Defense Equipment \$.04 billion.

Other \$1.66 billion.

Total \$1.70 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Two hundred and forty

(240) .50 Cal M2A1 Machine Guns.

Four hundred and eighty

(480) 7.62mm M240 Machine Guns.

Two hundred and forty

(240) AN/VRC-92E SINGARS Radios.

One thousand and eight five (1,085) AN/PVS-7B Night Vision Goggles.

Non-MDE includes:

Incorporation of cooling system/thermal management systems; Common Remotely Operated Weapons Station (CROWS) II—Low Profile Stabilized Weapon Stations; special armor; 120mm gun tubes; 2nd generation Forward Looking Infrared (FLIR) sights; embedded diagnostics; gunner's primary sights; Counter Sniper and Anti-Materiel Mount (CSAMM) hardware; upgrade/maintenance of engines and transmissions; depot level support; training devices; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics support.

(iv) Military Department: Army (UXA)

(v) Prior Related Cases, if any:

FMS Case KU-B-JAT (9 July 1993, \$1.9 billion).

FMS Case KU-B-UKO (20 July 2001, \$44.3 million).

FMS Case KU-B-UKN (23 July 2001, \$42 million).

FMS Case KU-B-ULB (19 May 2006, \$36.8 million).

FMS Case KU-B-ULX (20 July 2011, \$34.8 million).

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: December 12, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Kuwait—Recapitalization of 218 M1A2 Tanks and Related Equipment and Support

The Government of Kuwait has requested a possible sale in support of its recapitalization of 218 M1A2 tanks, to include two hundred and forty (240) .50 Cal M2A1 machine guns; four hundred and eighty (480) 7.62mm M240 machine guns; two hundred and forty (240) AN/VRC-92E SINGARS radios; and one thousand and eight five (1,085) AN/PVS-7B Night Vision Goggles. Also included is the incorporation of cooling system/thermal management systems; Common Remotely Operated Weapons Station (CROWS) II—Low Profile Stabilized Weapon Stations; special armor; 120mm gun tubes; 2nd generation Forward Looking Infrared (FLIR) sights; embedded diagnostics; gunner's primary sights; Counter Sniper and Anti-Materiel Mount (CSAMM) hardware; upgrade/maintenance of engines and transmissions; depot level support; training devices; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics support. Total estimated program cost is \$1.7 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country which has been and continues to be an important force for political stability and economic progress in the Middle East.

Kuwait intends to use this equipment to recapitalize its fleet of M1A2 full track tanks in order to modernize and extend the service of the tanks. Kuwait will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors involved in this program are: General Dynamics Land Systems, Sterling Heights, MI; Joint Services Manufacturing Center (JSMC), Lima, OH; Kongsberg Defense Systems, Alexandria, VA, and Johnstown, PA; Raytheon, McKinney, TX; Meggitt Defense Systems, Irvine, CA; Palomar, Carlsbad, CA; Northrop Grumman, West Falls Church, VA; DRS Technologies, Arlington, VA; Lockheed Martin, Bethesda, MD; Honeywell, Morristown, NJ; Miltope, Hope Hull, AL. There are no known offset agreements proposed in connect with this potential sale.

Implementation of this proposed sale is estimated to require five to seven contractors

and twenty-five to thirty U.S. Government representatives to Kuwait.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-66

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. Components considered to contain sensitive technology in the proposed sale are as follows:

a. M1A2 Thermal Imaging System (TIS)—The TIS constitutes a target acquisition system which, when operated with other tank systems gives the tank crew a substantial advantage over the potential threat. The TIS provides the crew with the ability to effectively aim and fire the tank main armament system under a broad range of adverse battlefield conditions. The hardware itself is UNCLASSIFIED. The engineering design and manufacturing data associated with the detector and infrared (IR) optics and coatings are considered sensitive. The technical data package is UNCLASSIFIED with the exception of the specifications for target acquisition range which is CONFIDENTIAL and hardening data is classified up to SECRET. The consequences of such compromise would increase potential enemy capabilities to neutralize effectiveness of the tank main armament system by denying the crew ability to acquire targets.

b. Special Armor—Major components of special armor are fabricated in sealed modules and in serialized removable subassemblies. Special armor vulnerability data for both chemical and kinetic energy rounds are classified SECRET. Engineering design and manufacturing data related to special armor are also classified SECRET. The consequences of such compromise of classified information would be the capability to neutralize or defeat the armor. The sale or transfer of armor modules are done on a government-to-government basis. This serves to minimize, but not eliminate, the danger of compromise.

c. 120mm Gun—the gun is composed of a 120mm smoothbore gun (cannon) manufactured at Watervliet Arsenal; "long rod" APFSDS warheads; and combustible cartridge case ammunition. There may be a need to procure/produce new gun cannon tubes from Watervliet Arsenal. New cannons inducted at Anniston Army Depot would be inspected according to established criteria and shipped to Lima Army Tank Plant for tank upgrade process. Gun production and technology are generally known. Disclosure of gun production and technology specific to the 120mm (advance materials and tolerances) would degrade the advantage.

d. AGT-1500 Gas Turbine Propulsion System—The use of a gas turbine propulsion system in the M1A2 is a unique application of armored vehicle power pack technology. The hardware is composed of the AGT-1500 engine and transmission and is not UNCLASSIFIED. Manufacturing processes associated with the production of turbine blades, recuperator, bearings and shafts, and hydrostatic pump and motor are propriety and therefore commercially competition sensitive. Unauthorized release and exploitation of sensitive propulsion information would adversely impact U.S. commercial interests. Acquisition of production data by a potential enemy could enhance its ability to design and produce gas turbine engine propulsion system with application to land vehicles.

e. Compartmentation—A major survivability feature of the MI tank is the compartmentation of fuel and ammunition. Compartmentation is the positive separation of the crew and critical components from combustible materials such that in the event that the fuel or ammunition is ignited or deteriorated by an incoming threat round, the crew is fully protected. Sensitive information includes the performance of the ammunition compartments as well as the compartment design parameters. The design of the compartments cannot be protected, however the guidelines, parametric inductions and test data used to develop the compartments do not have to be disclosed to permit a sale.

f. Common Remotely Operated Weapons Station—Low Profile (CROWS-LP)—The CROWS-LP (M153A2E1) is a commanders' weapon station. It allows for under armor operation of weapons—M2HB, M2A1, M250B, and M240. The CROWS-LP is an updated version of the M153A2 CROWS that is approximately 10 inches shorter; the CROWS-LP M153A2E1 increases visibility over the weapon station. The fire control system of the CROWS-LP allows the "first-burst" on target capability from stationary and moving platforms. The CROWS-LP ingratiate a day camera (VIM-C), thermal camera (TIM 1500), and laser range finder (STORM/STORM-PI). Engineering design and manufacturing data would provide potential enemy with the means to increase small arms fire control from under armor. The consequences of this would be improved enemy equipment in the field and decrease technological fire control advantages.

2. The MI tank will include the following communications suite: Defense Advanced Global Positioning System (GPS) Receiver (DAGR); AN/VAS-5 Driver's Vision Enhancer (DVE) and Rear View Sensor System (RVSS); and Single Channel Ground and Airborne Radio System (SINGGARS).

a. Defense Advanced Global Positioning System (GPS) Receiver (DAGR)—DAGR is a lightweight (less than two pounds) hand-held or host platform-mounted, dual frequency, Selective Availability Anti-Spoofing Module (SAASM) based, Precise Positioning Service (PPS) device. The DAGR provides real-time positioning, velocity (ground speed), navigation, and timing (PVNT) information, in standalone (dismounted) and mounted (ground facilities, sea, air, and land vehicles) configurations. The DAGR can support missions involving land-based war-fighting and non-war fighting operations. The DAGR can also be used as a secondary or supplemental aid to aviation-based missions which involve operations in low-dynamic aircraft, and as an aid to navigation in water-borne operations. DAGR AN/PSN-13(A) is fitted with the Selective Availability Anti-Spoofing Module (SAASM) 3.7 and can accept cryptographic keys for increased PVNT accuracy and protection from intentional false or spoofed satellite signals. The AN/PSN-13(A) DAGR does not output classified information. If a technology advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to identify ways of countering the detection capabilities of their DAGR or improve the performance of their GPS receivers; however, information available for the SAASM would not be obtainable. SAASM is a tamper-resistant security module. The remaining hardware used in the DAGR is considered mature and available in other industrial nation's comparable performance thresholds.

b. Drivers Vision Enhancer (DVE) AN/VAS-5 and Rear View Sensor System (RVSS)—The

AN/VAS-5 and RVSS are un-cooled thermal imaging systems developed for use while driving Combat Vehicles and Tactical Wheeled Vehicles. DVE and RVSS allow for tactical vehicle movement in support of operational missions in all environment conditions (day/night and all weather) and provides enhanced driving capability during limited visibility conditions (darkness, smoke, dust, fog, etc.). The DVE program provides night vision targeting capabilities for armored vehicles and long-range night vision reconnaissance capability to the warfighter. Engineering design and manufacturing data would provide a potential enemy with the means to upgrade the quality of efficiency of thermal devices production. The consequences of this would be improved enemy equipment of the field. Technical information regarding DVE and RVSS, including UNCLASSIFIED information, should generally not be considered for release.

The highest level of information that must be disclosed for production, operation or sale of the end item is UNCLASSIFIED/FOR OFFICIAL USE ONLY.

c. Single Channel Ground and Airborne Radio System (SINGGARS)—The AN/VRC-92E and RT-1702 SINGGARS provides war-fighting commanders and troops with a highly reliable, secure, easily maintained Combat Net Radio (CNR) that has both voice and data handling capability in support of command and control operations. SINGGARS, with the Internet Controller, provides the communications link for the digitized force. SINGGARS is a radio fielded to tactical field elements. It facilitates the transmission of voice and/or data information, which allows for the conducting of a myriad of missions across the operational continuum. SINGGARS is available for the dismounted soldier, ground and aviation platforms. Training will vary for the radio (RT-1702) and spare and repair parts for the RT-1702 model are not supported by the Standard Army Supply Systems. There is sensitive or restricted information contained in the AN/VRC-92E or software. There would be adverse consequences of the AN/VRC-92E and software were to be lost to a technically advanced adversary. If a technology advances adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to identify ways of countering the Electronic Counter-Counter Measures (ECCM). The hardware used in the AN/VRC-92E and RT-1702 is considered mature.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Kuwait.

REMEMBERING HUBERT PRICE, JR.

Mr. PETERS. Mr. President, today I wish to recognize community activist and former Michigan State representative Hubert Price, Jr., of Pontiac, MI.

Mr. Price was born on September 28, 1946, to parents Ruth and Hubert Price, Sr. He was a lifelong resident of the city of Pontiac, graduating from Pontiac Central High School in 1964 and

going on to attend Michigan State University. He became actively involved in his community and civil rights at a young age.

During a time when many of this country's citizens suffered through institutionalized practices of segregation, Pontiac was not immune. African-American residents were relegated to the southern side of the city, as they were restricted from obtaining housing on the northern side. Mr. Price was instrumental in the push for open housing ordinances, which would create opportunities for all residents.

As the National Democratic County Officials' president, Mr. Price spoke at the 1992 Democratic National Convention, DNC, which was held at Madison Square Garden in New York City. He expounded upon the government's role in safeguarding the rights and protections that are due to all citizens. In addition to his DNC address, he also served as a moderator for a panel on public sector employment programs.

As State representative from 1994 to 2000, Mr. Price diligently served the 43rd district of Michigan. He was the minority vice chair of the appropriations committee. He also was vice chair of the following subcommittees: higher education, family, independence agency, and supplementals.

Improving the lives of youth in the community was of the utmost importance to Mr. Price. When he led the celebration of Pontiac's 150th birthday, Mr. Price commemorated the celebration by creating the sesquicentennial motto: "To honor the past, recognize the present and build the future." Building that future included encouraging and providing youth with opportunities to grow within the community. As a county commissioner, Mr. Price secured summer jobs for Pontiac youth and minorities in Oakland County. After his service as a county commissioner, he continued to dedicate himself to youth development. In 2012, he participated in Oakland Community College's Symposium on Good Governance, Leadership & Community Engagement, where he discussed his experiences in leadership.

Mr. Price was known for his gregarious personality and could answer practically any question regarding the city of Pontiac's history. Even in his retirement, Mr. Price continued to be actively engaged in the community. He most recently served as a member of the master plan steering committee from 2013 to 2014 and was part of the group that helped prepare the 2014 Pontiac Master Plan Update. In 2015, he joined the Oakland County sheriff's efforts to ease tensions between Pontiac residents and the Oakland County Sheriff's Office. He, along with 25 other community leaders, formed the sheriff's relations team, which helped open lines of communication in the community.

Mr. Price is survived by his wife of 40 years, Carolyn, his children, grandchildren, and many relatives and friends.

I cannot express enough the impact Mr. Hubert Price, Jr., had on the city of Pontiac and the State of Michigan. He was truly a treasure to our community and was influential locally and nationally. His passion, knowledge, and leadership will be missed. He served the city of Pontiac with his whole heart and relentlessly followed his vision for a better tomorrow. It is my hope that his spirit of advocacy continues to live on and his tremendous legacy inspires the next generation of leaders to make a difference in their communities.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT, 114TH CONGRESS

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 13, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. UPTON) had signed the following enrolled bills:

S. 546. An act to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

S. 612. An act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

S. 1635. An act to authorize the Department of State for fiscal year 2016, and for other purposes.

S. 2854. An act to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2943. An act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 2971. An act to authorize the National Urban Search and Rescue Response System.

H.R. 960. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard VA Clinic.

H.R. 3218. An act to designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, as the "Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building".

H.R. 4618. An act to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the "Sidney Oslin Smith, Jr. Federal Building and United States Courthouse".

H.R. 4887. An act to designate the facility of the United States Postal Service located

at 23323 Shelby Road in Shelby, Indiana, as the "Richard Allen Cable Post Office".

H.R. 5676. An act to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the "Officer Joseph P. Cali Post Office Building".

H.R. 5687. An act to eliminate or modify certain mandates of the Government Accountability Office.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 14, 2016, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 13, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mrs. COMSTOCK) had signed the following enrolled bills:

H.R. 875. An act to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes.

H.R. 4465. An act to decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes.

H.R. 4680. An act to prepare the National Park Service for its Centennial in 2016 and for a second century of promoting and protecting the natural, historic, and cultural resources of our National Parks for the enjoyment of present and future generations, and for other purposes.

H.R. 5065. An act to direct the Administrator of the Transportation Security Administration to notify air carriers and security screening personnel of the Transportation Security Administration's guidelines regarding permitting baby formula, breast milk, purified deionized water, and juice on airplanes, and for other purposes.

H.R. 5150. An act to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the "Leonard Montalto Post Office Building".

H.R. 5309. An act to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the "Army First Lieutenant Donald C. Carwile Post Office Building".

H.R. 5356. An act to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas as the "E. Marie Youngblood Post Office".

H.R. 5591. An act to designate the facility of the United States Postal Service located at 810 N US Highway 83 in Zapata, Texas, as the "Zapata Veterans Post Office".

H.R. 5798. An act to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the "Abner J. Mikva Post Office Building".

H.R. 5877. An act to amend the Homeland Security Act of 2002 and the United States-Israel Strategic Partnership Act of 2014 to promote cooperative homeland security research and antiterrorism programs relating to cybersecurity, and for other purposes.

H.R. 5889. An act to designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern

Mariana Islands, as the "Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building".

H.R. 6416. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

H.R. 6450. An act to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

H.R. 6451. An act to improve the Government-wide management of Federal property.

H.R. 6452. An act to implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 14, 2016, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 14, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, without amendment:

S. 8. An act to provide for the approval of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy.

The message further announced that the House agreed to the amendment of the Senate to the bill (H.R. 710) to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 1150) to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes.

The message further announced that the House agreed to the amendments of the Senate to the bill (H.R. 3842) to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 4939) to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector

and civil society in both the United States and the Caribbean, and for other purposes.

The message further announced that the House agreed to the amendments of the Senate to the bill (H.R. 6302) to provide an increase in premium pay for United States Secret Service agents performing protective services during 2016, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 14, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

S. 8. An act to provide for the approval of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy.

H.R. 710. An act to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

H.R. 1150. An act to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes.

H.R. 2726. An act to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon.

H.R. 3784. An act to amend the Securities Exchange Act of 1934 to establish an Office of the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes.

H.R. 3842. An act to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes.

H.R. 4352. An act to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system, and for other purposes.

H.R. 4939. An act to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, and for other purposes.

H.R. 5015. An act to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes.

H.R. 5099. An act to establish a pilot program on partnership agreements to construct new facilities for the Department of Veterans Affairs.

H.R. 5612. An act to designate the facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, as the "Marine Lance Corporal Squire 'Skip' Wells Post Office Building".

H.R. 5790. An act to provide adequate protections for whistleblowers at the Federal Bureau of Investigation.

H.R. 5948. An act to designate the facility of the United States Postal Service located at 830 Kuhn Drive in Chula Vista, California, as the "Jonathan 'J.D.' De Guzman Post Office Building".

H.R. 6130. An act to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

H.R. 6138. An act to designate the facility of the United States Postal Service located at 560 East Pleasant Valley Road, Port Huene, California, as the U.S. Naval Construction Battalion "Seabees" Fallen Heroes Post Office Building.

H.R. 6282. An act to designate the facility of the United States Postal Service located at 2024 Jerome Avenue, in Bronx, New York as the "Dr. Roscoe C. Brown, Jr. Post Office Building".

H.R. 6302. An act to provide an increase in premium pay for protective services during 2016, and for other purposes.

H.R. 6304. An act to designate the facility of the United States Postal Service located at 501 North Main Street in Florence, Arizona, as the "Adolfo 'Harpo' Celaya Post Office".

H.R. 6323. An act to name the Department of Veterans Affairs health care system in Long Beach, California, the "Tibor Rubin VA Medical Center".

H.R. 6400. An act to revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in New Jersey.

H.R. 6431. An act to ensure United States jurisdiction over offenses committed by United States personnel stationed in Canada in furtherance of border security initiatives.

H.R. 6477. An act to amend chapter 97 of title 28, United States Code, to clarify exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 15, 2016, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 15, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. THORNBERRY) had signed the following enrolled bill:

H.R. 6014. An act to allow the Administrator of the Federal Aviation Administration to enter into reimbursable agreements for certain airport projects.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bill was signed on December 15, 2016, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 19, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, without amendment:

S. 3084. An act to invest in innovation through research and development, and to

improve the competitiveness of the United States.

The message further announced that pursuant to section 3(b) of the Public Safety Officer Medal of Valor Act of 2001 (42 U.S.C. 15202), the Minority Leader appointed the following member on the part of the House of Representatives to the Medal of Valor Review Board: Joanne Hayes-White of San Francisco, California.

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended by division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader appointed the following individual on the part of the House of Representatives to the United States-China Economic and Security Review Commission, effective January 1, 2017, to fill an existing vacancy: Mr. Michael R. Wessel of Falls Church, Virginia.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended by division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader appointed the following individual on the part of the House of Representatives to the United States-China Economic and Security Review Commission, effective January 21, 2017: Mr. Jonathan N. Stivers of Washington, DC.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 20, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. MESSER) had signed the following enrolled bill:

S. 3084. An act to invest in innovation through research and development, and to improve the competitiveness of the United States.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bill was signed on December 27, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. SASSE).

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 3. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

MEASURES HELD OVER/UNDER
RULE

The following resolution was read, and held over, under the rule:

S. Res. 4. A resolution to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen.

ENROLLED BILLS PRESENTED,
114TH CONGRESS

The Secretary of the Senate reported that on December 12, 2016, she had presented to the President of the United States the following enrolled bills:

S. 1632. An act to require a regional strategy to address the threat posed by Boko Haram.

S. 2974. An act to ensure funding for the National Human Trafficking Hotline, and for other purposes.

S. 3028. An act to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness.

S. 3183. An act to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes.

The Secretary of the Senate reported that on December 14, 2016, she had presented to the President of the United States the following enrolled bills:

S. 546. An act to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

S. 612. An act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

S. 1635. An act to authorize the Department of State for fiscal year 2016, and for other purposes.

S. 2854. An act to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2943. An act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 2971. An act to authorize the National Urban Search and Rescue Response System.

The Secretary of the Senate reported that on December 15, 2016, she had presented to the President of the United States the following enrolled bill:

S. 8. An act to provide for the approval of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy.

The Secretary of the Senate reported that on December 28, 2016, she had presented to the President of the United States the following enrolled bill:

S. 3084. An act to invest in innovation through research and development, and to

improve the competitiveness of the United States.

REPORTS OF COMMITTEES DURING
ADJOURNMENT, 114TH CONGRESS

Under the authority of the order of the Senate of December 10, 2016, the following reports of committees were submitted on December 20, 2016:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 1378, A bill to strengthen employee cost savings suggestions programs within the Federal Government (Rept. No. 114-406).

Report to accompany S. 2972, A bill to amend title 31, United States Code, to provide transparency and require certain standards in the award of Federal grants, and for other purposes (Rept. No. 114-407).

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 1756, A bill to help small businesses take advantage of energy efficiency (Rept. No. 114-408).

Report to accompany S. 1811, A bill to require the Administrator of the Small Business Administration to establish a program to make loans to certain businesses, homeowners, and renters affected by Superstorm Sandy (Rept. No. 114-409).

Report to accompany S. 1866, A bill to establish the veterans' business outreach center program, to improve the programs for veterans of the Small Business Administration, and for other purposes (Rept. No. 114-410).

Report to accompany S. 1870, A bill to amend the Small Business Act to require the Administrator of the Small Business Administration to carry out a pilot program on issuing grants to eligible veterans to start or acquire qualifying businesses, and for other purposes (Rept. No. 114-411).

Report to accompany S. 2116, A bill to improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology, and for other purposes (Rept. No. 114-412).

Report to accompany S. 2126, A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes (Rept. No. 114-413).

Report to accompany S. 2136, A bill to establish the Regional SBIR State Collaborative Initiative Pilot Program, and for other purposes (Rept. No. 114-414).

Report to accompany S. 2138, A bill to amend the Small Business Act to improve the review and acceptance of subcontracting plans, and for other purposes (Rept. No. 114-415).

Report to accompany S. 2139, A bill to amend the Small Business Act to prohibit the use of reverse auctions for the procurement of covered contracts (Rept. No. 114-416).

Report to accompany S. 2812, A bill to amend the Small Business Act to reauthorize and improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes (Rept. No. 114-417).

Report to accompany S. 2838, A bill to improve the HUBZone program (Rept. No. 114-418).

Report to accompany S. 2846, A bill to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes (Rept. No. 114-419).

Report to accompany S. 2847, A bill to require greater transparency for Federal regulatory decisions that impact small businesses (Rept. No. 114-420).

Report to accompany S. 2992, A bill to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, and for other purposes (Rept. No. 114-421).

Report to accompany S. 3009, A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes (Rept. No. 114-422).

Report to accompany S. 3024, A bill to improve cyber security for small businesses (Rept. No. 114-423).

Report to accompany S. Res. 252, An original resolution expressing the sense of the Committee on Small Business and Entrepreneurship of the Senate relating to easing the burden of Federal tax compliance on small businesses (Rept. No. 114-424).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 421, A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes (Rept. No. 114-425).

Report to accompany S. 1182, A bill to exempt application of JSA attribution rule in case of existing agreements (Rept. No. 114-426).

Report to accompany S. 2555, A bill to provide opportunities for broadband investment, and for other purposes (Rept. No. 114-427).

Report to accompany S. 2658, A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2016 through 2017, and for other purposes (Rept. No. 114-428).

By Mr. GRASSLEY, from the Committee on the Judiciary:

Report to accompany S. 3270, A bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases (Rept. No. 114-430).

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

S. 2916. A bill to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes (Rept. No. 114-431).

By Ms. COLLINS, from the Special Committee on Aging:

Special Report entitled "Sudden Price Spikes in Off-Patent Prescription Drugs: The Monopoly Business Model that Harms Patients, Taxpayers, and the U.S. Health Care System" (Rept. No. 114-429).

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER (for himself, Mr. CRUZ, Mr. RUBIO, Mr. COTTON, and Mr. INHOFE):

S. 11. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. MORAN (for himself, Mr. BLUMENTHAL, and Mr. BENNETT):

S. 12. A bill to amend title 38, United States Code, to improve the accountability

of employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITEHOUSE (for himself, Ms. BALDWIN, Ms. WARREN, and Mrs. FEINSTEIN):

S. 13. A bill to amend the Internal Revenue Code of 1986 to prevent high net worth individuals from receiving tax windfalls for entering government service; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. MANCHIN, and Mr. BARRASSO):

S. 14. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER:

S. 15. A bill to impose sanctions with respect to the ballistic missile program of Iran, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. GARDNER, Mr. GRASSLEY, Mr. HELLER, Mr. LEE, Mr. PORTMAN, and Mr. RISCH):

S. 16. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SASSE (for himself and Mr. TESTER):

S. 17. A bill to ensure the Government Accountability Office has adequate access to information; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN (for himself and Mr. PERDUE):

S. 18. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Finance.

By Mr. THUNE (for himself and Mr. NELSON):

S. 19. A bill to provide opportunities for broadband investment, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VAN HOLLEN:

S. 20. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration; to the Committee on Finance.

By Mr. BOOZMAN (for himself and Mr. DONNELLY):

S.J. Res. 1. A joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mrs. FISCHER, Mr. JOHNSON, Mr. TILLIS, Mr. RUBIO, Mr. LEE, and Mr. PERDUE):

S.J. Res. 2. A joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL:

S. Res. 1. A resolution informing the President of the United States that a quorum of each House is assembled; considered and agreed to.

By Mr. MCCONNELL:

S. Res. 2. A resolution informing the House of Representatives that a quorum of the Senate is assembled; considered and agreed to.

By Mr. MCCONNELL:

S. Res. 3. A resolution fixing the hour of daily meeting of the Senate; considered and agreed to.

By Mr. MCCONNELL:

S. Res. 4. A resolution to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; submitted and read.

By Mr. MORAN:

S. Res. 5. A resolution expressing the sense of the Senate in support of Israel; to the Committee on Foreign Relations.

By Mr. MCCONNELL:

S. Con. Res. 1. A concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies; considered and agreed to.

By Mr. MCCONNELL:

S. Con. Res. 2. A concurrent resolution to provide for the counting on January 6, 2017, of the electoral votes for President and Vice President of the United States; considered and agreed to.

By Mr. ENZI:

S. Con. Res. 3. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; placed on the calendar.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 1—INFORMING THE PRESIDENT OF THE UNITED STATES THAT A QUORUM OF EACH HOUSE IS ASSEMBLED

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

SENATE RESOLUTION 2—INFORMING THE HOUSE OF REPRESENTATIVES THAT A QUORUM OF THE SENATE IS ASSEMBLED

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

SENATE RESOLUTION 3—FIXING THE HOUR OF DAILY MEETING OF THE SENATE

Mr. MCCONNELL submitted the following resolution which was considered and agreed to:

S. RES. 3

Resolved, That the daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

SENATE RESOLUTION 4—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. MCCONNELL submitted the following resolution; which was submitted and read:

S. RES. 4

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Fifteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Roberts, Mr. Cochran, Mr. McConnell, Mr. Boozman, Mr. Hoeven, Mrs. Ernst, Mr. Grassley, Mr. Sessions, Mr. Thune, Mr. Daines, Mr. Perdue.

COMMITTEE ON APPROPRIATIONS: Mr. Cochran, Mr. McConnell, Mr. Shelby, Mr. Alexander, Ms. Collins, Ms. Murkowski, Mr. Graham, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Boozman, Mrs. Capito, Mr. Lankford, Mr. Daines, Mr. Kennedy, Mr. Rubio.

COMMITTEE ON ARMED SERVICES: Mr. McCain, Mr. Inhofe, Mr. Sessions, Mr. Wicker, Mrs. Fischer, Mr. Cotton, Mr. Rounds, Mrs. Ernst, Mr. Tillis, Mr. Sullivan, Mr. Perdue, Mr. Cruz, Mr. Graham, Mr. Sasse.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Crapo, Mr. Shelby, Mr. Corker, Mr. Toomey, Mr. Heller, Mr. Scott, Mr. Sasse, Mr. Cotton, Mr. Rounds, Mr. Perdue, Mr. Tillis, Mr. Kennedy.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Thune, Mr. Wicker, Mr. Blunt, Mr. Cruz, Mrs. Fischer, Mr. Moran, Mr. Sullivan, Mr. Heller, Mr. Inhofe, Mr. Lee, Mr. Johnson, Mrs. Capito, Mr. Gardner, Mr. Young.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Gardner, Mr. Sessions, Mr. Alexander, Mr. Hoeven, Mr. Cassidy, Mr. Portman.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Barrasso, Mr. Inhofe, Mrs. Capito, Mr. Boozman, Mr. Wicker, Mrs. Fischer, Mr. Sessions, Mr. Moran, Mr. Rounds, Mrs. Ernst, Mr. Sullivan.

COMMITTEE ON FINANCE: Mr. Hatch, Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, Mr. Toomey, Mr. Heller, Mr. Scott, Mr. Cassidy.

COMMITTEE ON FOREIGN RELATIONS: Mr. Corker, Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Flake, Mr. Gardner, Mr. Young, Mr. Barrasso, Mr. Isakson, Mr. Portman, Mr. Paul.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Alexander, Mr. Enzi, Mr. Burr, Mr. Isakson, Mr. Paul, Ms. Collins, Mr. Cassidy, Mr. Young, Mr. Hatch, Mr. Roberts, Ms. Murkowski, Mr. Scott.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Johnson, Mr.

McCain, Mr. Portman, Mr. Paul, Mr. Lankford, Mr. Enzi, Mr. Hoeven, Mr. Daines.

COMMITTEE ON THE JUDICIARY: Mr. Grassley, Mr. Hatch, Mr. Graham, Mr. Cornyn, Mr. Lee, Mr. Cruz, Mr. Sasse, Mr. Flake, Mr. Crapo, Mr. Tillis, Mr. Kennedy.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Burr, Mr. Risch, Mr. Rubio, Ms. Collins, Mr. Blunt, Mr. Lankford, Mr. Cotton, Mr. Cornyn.

SPECIAL COMMITTEE ON AGING: Ms. Collins, Mr. Hatch, Mr. Flake, Mr. Scott, Mr. Tillis, Mr. Corker, Mr. Burr, Mr. Rubio, Mrs. Fischer.

COMMITTEE ON THE BUDGET: Mr. Enzi, Mr. Grassley, Mr. Sessions, Mr. Crapo, Mr. Graham, Mr. Toomey, Mr. Johnson, Mr. Corker, Mr. Perdue, Mr. Gardner, Mr. Kennedy, Mr. Boozman.

COMMITTEE ON INDIAN AFFAIRS: Mr. Hoeven, Mr. Barrasso, Mr. McCain, Ms. Murkowski, Mr. Lankford, Mr. Daines, Mr. Crapo, Mr. Moran.

JOINT ECONOMIC COMMITTEE: Mr. Lee, Mr. Cotton, Mr. Portman, Mr. Cruz, Mr. Cassidy, Mr. Sasse.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Shelby, Mr. McConnell, Mr. Cochran, Mr. Alexander, Mr. Roberts, Mr. Blunt, Mr. Cruz, Mrs. Capito, Mr. Wicker, Mrs. Fischer.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Risch, Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Ernst, Mr. Inhofe, Mr. Young, Mr. Enzi, Mr. Rounds, Mr. Kennedy.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Isakson, Mr. Moran, Mr. Boozman, Mr. Heller, Mr. Cassidy, Mr. Rounds, Mr. Tillis, Mr. Sullivan.

SELECT COMMITTEE ON ETHICS: Mr. Isakson, Mr. Roberts, Mr. Risch.

SENATE RESOLUTION 5—EXPRESSING THE SENSE OF THE SENATE IN SUPPORT OF ISRAEL

Mr. MORAN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 5

Whereas Israel is a strategic international partner and democratic ally of the United States;

Whereas cooperation between Israel and the United States is of great importance, especially amid a troubling security situation in the Middle East, North Africa, and Europe;

Whereas strong relations between the United States and Israel benefit both countries and the prospects for regional stability;

Whereas peace between the Israelis and Palestinians remains of strategic interest to the United States;

Whereas support for Israel and peace between the Israelis and Palestinians have long standing bipartisan support in Congress;

Whereas a bipartisan majority of the United States Senate in 2016 requested that the President maintain a policy of opposing one-sided United Nations Security Council resolutions targeting Israel;

Whereas, on December 23, 2016, the President and his delegates at the United Nations departed from congressional directives and past United States policy by declining to use United States veto power during a vote on a United Nations Security Council resolution unfairly targeting Israel;

Whereas Congress has a constitutional role in determining the laws and foreign policy of the United States; and

Whereas the commencement of the 115th Congress and the inauguration of a new

President create opportunities to improve relations between the United States and Israel: Now, therefore, be it

Resolved, That the Senate—

(1) urges the President and the international community to join in supporting bilateral talks between the Israelis and Palestinians;

(2) expresses support for individuals and organizations working to bring about peace and cooperation between the Israelis and Palestinians;

(3) opposes the use of the United Nations as a medium to unfairly impose external remedies to challenges between the Israelis and Palestinians;

(4) objects to the December 2016 abstention and declination to veto United Nations Security Council Resolution 2334 by delegates of the United States at the United Nations;

(5) regrets and seeks to reverse the negative public criticism of Israel by United States diplomats;

(6) urges the President-elect to adopt a policy of opposing and vetoing if necessary one-sided United Nations Security Council resolutions targeting Israel;

(7) rejects international efforts to delegitimize Israel's right to exist;

(8) supports Israel's right to self-defense;

(9) condemns acts of terrorism and violence targeted at Israeli civilians;

(10) reiterates that Palestinian political goals will never be achieved through violence; and

(11) calls on all parties to return to negotiations and without preconditions, as direct discussions remain the best mechanism to end the Israeli-Palestinian conflict.

Mr. MORAN. Mr. President, although the time of this administration is short and the inauguration of a new President is now just weeks away, the Obama administration isn't coming to a quiet ending. From issuing controversial regulations to transferring unprecedented numbers of detainees from the detention center at Guantanamo Bay, the outgoing administration has repeatedly acted in direct opposition to the bipartisan will of Congress and to the values of many American people. The clearest examples of this are the recent American actions at the United Nations Security Council, performed at the expense of Israel, an American ally and strategic partner in the Middle East.

This December, the United Nations Secretary-General Ban Ki-moon said:

Decades of political maneuvering have created a disproportionate number of resolutions, reports and committees against Israel. In many cases, instead of helping the Palestinian issue, this reality has foiled the ability of the UN to fulfill its role effectively.

The U.N.'s anti-Israel bias was evident on December 23 when the Security Council sought to pass a resolution targeting Israel. American representatives abstained from voting on the deliberately anti-Israel resolution. The refusal to defend Israel is a departure from longstanding bipartisan policy of the United States and, in fact, a departure from the standards of the Obama administration.

Just days later, this decision to abstain was aggravated by comments

made by Secretary of State Kerry. In a speech that sought to defend the Obama administration's diplomacy, the Secretary's one-sided lecture further criticized Israel. With so many grave and immediate foreign policy challenges concurrently facing the Obama administration and facing our country, the Secretary's decision to devote his final days at the State Department to criticism of Israel is difficult to understand.

The President's party has suffered staggering electoral defeats during his time in office. Much of that can be attributed to the championing of policies at odds with much of his own party and the American people at large. This case is no different. The Obama administration's decision defies the bipartisan directive of 88 Members of this Senate who wrote the President on this issue in September of 2016.

Fortunately, today marks the first day of the 115th Congress. On January 20, we will inaugurate a new President. We will have to work overtime to correct the direction of these American policies.

I am committed to working with the incoming administration and both Republican and Democratic Members of Congress to make certain the United States remains appropriately supportive of Israel. We must prevent the United Nations from being further used as a forum for unjust persecution of that country. To this effort, I am introducing a resolution that recognizes the importance of Israel as a strategic ally, reiterates that Congress's bipartisan support for Israel continues, and objects to the Obama administration's decision and harmful public commentary related to the December 23 U.N. Security Council vote.

The opening of the 115th Congress and the inauguration of a new President create opportunities to improve our relations, the relationship between the United States and Israel. America's alliance with Israel is critical to combating the threat of peace in the Middle East and to our own national security. It is my hope we can seize the opportunity to better stand by our ally and continue to encourage peace and cooperation between Israelis and Palestinians.

I believe this resolution is an important step in repairing the relations the Obama administration has unnecessarily strained, and I hope to have the opportunity to vote on this measure in the Senate in the coming weeks.

SENATE CONCURRENT RESOLUTION 1—EXTENDING THE LIFE OF THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. MCCONNELL submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2017, the joint committee created by Senate Concurrent Resolution 28 (114th Congress), to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2017, the provisions of Senate Concurrent Resolution 29 (114th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

—————

SENATE CONCURRENT RESOLUTION 2—TO PROVIDE FOR THE COUNTING ON JANUARY 6, 2017, OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. McCONNELL submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Friday, the 6th day of January 2017, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

SENATE CONCURRENT RESOLUTION 3—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2017 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2018 THROUGH 2026

Mr. ENZI submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2017 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2018 through 2026.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2017.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS**Subtitle A—Budgetary Levels in Both Houses**

Sec. 1101. Recommended levels and amounts.
Sec. 1102. Major functional categories.

Subtitle B—Levels and Amounts in the Senate

Sec. 1201. Social Security in the Senate.
Sec. 1202. Postal Service discretionary administrative expenses in the Senate.

TITLE II—RECONCILIATION

Sec. 2001. Reconciliation in the Senate.
Sec. 2002. Reconciliation in the House of Representatives.

TITLE III—RESERVE FUNDS

Sec. 3001. Deficit-neutral reserve fund for health care legislation.
Sec. 3002. Reserve fund for health care legislation.

TITLE IV—OTHER MATTERS

Sec. 4001. Enforcement filing.
Sec. 4002. Budgetary treatment of administrative expenses.
Sec. 4003. Application and effect of changes in allocations and aggregates.
Sec. 4004. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS**Subtitle A—Budgetary Levels in Both Houses**

SEC. 1101. RECOMMENDED LEVELS AND AMOUNTS.
The following budgetary levels are appropriate for each of fiscal years 2017 through 2026:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2017: \$2,682,088,000,000.
Fiscal year 2018: \$2,787,834,000,000.
Fiscal year 2019: \$2,884,637,000,000.
Fiscal year 2020: \$3,012,645,000,000.
Fiscal year 2021: \$3,131,369,000,000.
Fiscal year 2022: \$3,262,718,000,000.
Fiscal year 2023: \$3,402,888,000,000.
Fiscal year 2024: \$3,556,097,000,000.
Fiscal year 2025: \$3,727,756,000,000.
Fiscal year 2026: \$3,903,628,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2017: \$0.
Fiscal year 2018: \$0.
Fiscal year 2019: \$0.
Fiscal year 2020: \$0.
Fiscal year 2021: \$0.
Fiscal year 2022: \$0.
Fiscal year 2023: \$0.
Fiscal year 2024: \$0.
Fiscal year 2025: \$0.
Fiscal year 2026: \$0.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2017: \$3,308,000,000,000.
Fiscal year 2018: \$3,350,010,000,000.
Fiscal year 2019: \$3,590,479,000,000.
Fiscal year 2020: \$3,779,449,000,000.
Fiscal year 2021: \$3,947,834,000,000.
Fiscal year 2022: \$4,187,893,000,000.
Fiscal year 2023: \$4,336,952,000,000.
Fiscal year 2024: \$4,473,818,000,000.
Fiscal year 2025: \$4,726,484,000,000.
Fiscal year 2026: \$4,961,154,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2017: \$3,264,662,000,000.
Fiscal year 2018: \$3,329,394,000,000.
Fiscal year 2019: \$3,558,237,000,000.
Fiscal year 2020: \$3,741,304,000,000.
Fiscal year 2021: \$3,916,533,000,000.
Fiscal year 2022: \$4,159,803,000,000.
Fiscal year 2023: \$4,295,742,000,000.
Fiscal year 2024: \$4,419,330,000,000.
Fiscal year 2025: \$4,673,813,000,000.
Fiscal year 2026: \$4,912,205,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2017: \$582,574,000,000.
Fiscal year 2018: \$541,560,000,000.
Fiscal year 2019: \$673,600,000,000.
Fiscal year 2020: \$728,659,000,000.
Fiscal year 2021: \$785,164,000,000.
Fiscal year 2022: \$897,085,000,000.
Fiscal year 2023: \$892,854,000,000.
Fiscal year 2024: \$863,233,000,000.
Fiscal year 2025: \$946,057,000,000.
Fiscal year 2026: \$1,008,577,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(5)), the appropriate levels of the public debt are as follows:

Fiscal year 2017: \$20,034,788,000,000.
Fiscal year 2018: \$20,784,183,000,000.
Fiscal year 2019: \$21,625,729,000,000.
Fiscal year 2020: \$22,504,763,000,000.
Fiscal year 2021: \$23,440,271,000,000.
Fiscal year 2022: \$24,509,421,000,000.
Fiscal year 2023: \$25,605,527,000,000.
Fiscal year 2024: \$26,701,273,000,000.
Fiscal year 2025: \$27,869,175,000,000.
Fiscal year 2026: \$29,126,158,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2017: \$14,593,316,000,000.
Fiscal year 2018: \$15,198,740,000,000.
Fiscal year 2019: \$15,955,144,000,000.
Fiscal year 2020: \$16,791,740,000,000.
Fiscal year 2021: \$17,713,599,000,000.
Fiscal year 2022: \$18,787,230,000,000.
Fiscal year 2023: \$19,901,290,000,000.
Fiscal year 2024: \$21,033,163,000,000.
Fiscal year 2025: \$22,301,661,000,000.
Fiscal year 2026: \$23,691,844,000,000.

SEC. 1102. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority

and outlays for fiscal years 2017 through 2026 for each major functional category are:

- (1) National Defense (050):
 - Fiscal year 2017:
 - (A) New budget authority, \$623,910,000,000.
 - (B) Outlays, \$603,716,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$618,347,000,000.
 - (B) Outlays, \$601,646,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$632,742,000,000.
 - (B) Outlays, \$617,943,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$648,198,000,000.
 - (B) Outlays, \$632,435,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$663,703,000,000.
 - (B) Outlays, \$646,853,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$679,968,000,000.
 - (B) Outlays, \$666,926,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$696,578,000,000.
 - (B) Outlays, \$678,139,000,000.
 - Fiscal year 2024:
 - (A) New budget authority, \$713,664,000,000.
 - (B) Outlays, \$689,531,000,000.
 - Fiscal year 2025:
 - (A) New budget authority, \$731,228,000,000.
 - (B) Outlays, \$711,423,000,000.
 - Fiscal year 2026:
 - (A) New budget authority, \$750,069,000,000.
 - (B) Outlays, \$729,616,000,000.
- (2) International Affairs (150):
 - Fiscal year 2017:
 - (A) New budget authority, \$61,996,000,000.
 - (B) Outlays, \$51,907,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$60,099,000,000.
 - (B) Outlays, \$53,541,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$61,097,000,000.
 - (B) Outlays, \$55,800,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$60,686,000,000.
 - (B) Outlays, \$57,690,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$61,085,000,000.
 - (B) Outlays, \$58,756,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$62,576,000,000.
 - (B) Outlays, \$60,205,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$64,141,000,000.
 - (B) Outlays, \$61,513,000,000.
 - Fiscal year 2024:
 - (A) New budget authority, \$65,588,000,000.
 - (B) Outlays, \$62,705,000,000.
 - Fiscal year 2025:
 - (A) New budget authority, \$67,094,000,000.
 - (B) Outlays, \$63,915,000,000.
 - Fiscal year 2026:
 - (A) New budget authority, \$68,692,000,000.
 - (B) Outlays, \$65,305,000,000.
- (3) General Science, Space, and Technology (250):
 - Fiscal year 2017:
 - (A) New budget authority, \$31,562,000,000.
 - (B) Outlays, \$30,988,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$32,787,000,000.
 - (B) Outlays, \$32,225,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$33,476,000,000.
 - (B) Outlays, \$32,978,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$34,202,000,000.
 - (B) Outlays, \$33,645,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$34,961,000,000.
 - (B) Outlays, \$34,313,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$35,720,000,000.
 - (B) Outlays, \$35,038,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$36,516,000,000.
 - (B) Outlays, \$35,812,000,000.
- Fiscal year 2024:
 - (A) New budget authority, \$37,318,000,000.
 - (B) Outlays, \$36,580,000,000.
- Fiscal year 2025:
 - (A) New budget authority, \$38,151,000,000.
 - (B) Outlays, \$37,393,000,000.
- Fiscal year 2026:
 - (A) New budget authority, \$39,021,000,000.
 - (B) Outlays, \$38,238,000,000.
- (4) Energy (270):
 - Fiscal year 2017:
 - (A) New budget authority, \$4,773,000,000.
 - (B) Outlays, \$3,455,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$4,509,000,000.
 - (B) Outlays, \$3,495,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$4,567,000,000.
 - (B) Outlays, \$4,058,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$4,975,000,000.
 - (B) Outlays, \$4,456,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$5,109,000,000.
 - (B) Outlays, \$4,523,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$5,019,000,000.
 - (B) Outlays, \$4,332,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$4,083,000,000.
 - (B) Outlays, \$3,337,000,000.
 - Fiscal year 2024:
 - (A) New budget authority, \$3,590,000,000.
 - (B) Outlays, \$2,796,000,000.
 - Fiscal year 2025:
 - (A) New budget authority, \$3,608,000,000.
 - (B) Outlays, \$2,755,000,000.
 - Fiscal year 2026:
 - (A) New budget authority, \$5,955,000,000.
 - (B) Outlays, \$5,124,000,000.
- (5) Natural Resources and Environment (300):
 - Fiscal year 2017:
 - (A) New budget authority, \$41,264,000,000.
 - (B) Outlays, \$42,254,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$43,738,000,000.
 - (B) Outlays, \$44,916,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$44,486,000,000.
 - (B) Outlays, \$45,425,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$46,201,000,000.
 - (B) Outlays, \$46,647,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$47,126,000,000.
 - (B) Outlays, \$47,457,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$48,203,000,000.
 - (B) Outlays, \$48,388,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$49,403,000,000.
 - (B) Outlays, \$49,536,000,000.
 - Fiscal year 2024:
 - (A) New budget authority, \$50,497,000,000.
 - (B) Outlays, \$50,055,000,000.
 - Fiscal year 2025:
 - (A) New budget authority, \$51,761,000,000.
 - (B) Outlays, \$51,164,000,000.
 - Fiscal year 2026:
 - (A) New budget authority, \$53,017,000,000.
 - (B) Outlays, \$51,915,000,000.
- (6) Agriculture (350):
 - Fiscal year 2017:
 - (A) New budget authority, \$25,214,000,000.
 - (B) Outlays, \$24,728,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$26,148,000,000.
 - (B) Outlays, \$24,821,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$23,483,000,000.

- (B) Outlays, \$21,927,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$22,438,000,000.
 - (B) Outlays, \$21,751,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$22,834,000,000.
 - (B) Outlays, \$22,179,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$22,600,000,000.
 - (B) Outlays, \$21,984,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$23,037,000,000.
 - (B) Outlays, \$22,437,000,000.
- Fiscal year 2024:
 - (A) New budget authority, \$23,018,000,000.
 - (B) Outlays, \$22,409,000,000.
- Fiscal year 2025:
 - (A) New budget authority, \$23,343,000,000.
 - (B) Outlays, \$22,714,000,000.
- Fiscal year 2026:
 - (A) New budget authority, \$23,812,000,000.
 - (B) Outlays, \$23,192,000,000.
- (7) Commerce and Housing Credit (370):
 - Fiscal year 2017:
 - (A) New budget authority, \$14,696,000,000.
 - (B) Outlays, \$666,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$16,846,000,000.
 - (B) Outlays, \$1,378,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$18,171,000,000.
 - (B) Outlays, \$5,439,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$15,799,000,000.
 - (B) Outlays, \$2,666,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$14,821,000,000.
 - (B) Outlays, \$915,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$15,408,000,000.
 - (B) Outlays, \$674,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$15,739,000,000.
 - (B) Outlays, — \$840,000,000.
 - Fiscal year 2024:
 - (A) New budget authority, \$16,143,000,000.
 - (B) Outlays, — \$1,688,000,000.
 - Fiscal year 2025:
 - (A) New budget authority, \$17,889,000,000.
 - (B) Outlays, — \$2,003,000,000.
 - Fiscal year 2026:
 - (A) New budget authority, \$17,772,000,000.
 - (B) Outlays, — \$2,238,000,000.
- (8) Transportation (400):
 - Fiscal year 2017:
 - (A) New budget authority, \$92,782,000,000.
 - (B) Outlays, \$91,684,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$94,400,000,000.
 - (B) Outlays, \$93,214,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$96,522,000,000.
 - (B) Outlays, \$95,683,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$91,199,000,000.
 - (B) Outlays, \$97,992,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$92,154,000,000.
 - (B) Outlays, \$99,772,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$93,111,000,000.
 - (B) Outlays, \$101,692,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$94,118,000,000.
 - (B) Outlays, \$103,431,000,000.
 - Fiscal year 2024:
 - (A) New budget authority, \$95,143,000,000.
 - (B) Outlays, \$105,313,000,000.
 - Fiscal year 2025:
 - (A) New budget authority, \$96,209,000,000.
 - (B) Outlays, \$107,374,000,000.
 - Fiscal year 2026:
 - (A) New budget authority, \$97,323,000,000.
 - (B) Outlays, \$109,188,000,000.

- (9) Community and Regional Development (450):
- Fiscal year 2017:
 (A) New budget authority, \$19,723,000,000.
 (B) Outlays, \$22,477,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$19,228,000,000.
 (B) Outlays, \$21,277,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$19,457,000,000.
 (B) Outlays, \$20,862,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$19,941,000,000.
 (B) Outlays, \$20,011,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$20,384,000,000.
 (B) Outlays, \$21,048,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$20,825,000,000.
 (B) Outlays, \$19,831,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$21,288,000,000.
 (B) Outlays, \$19,535,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$21,756,000,000.
 (B) Outlays, \$19,787,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$22,245,000,000.
 (B) Outlays, \$19,285,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$22,751,000,000.
 (B) Outlays, \$20,037,000,000.
- (10) Education, Training, Employment, and Social Services (500):
- Fiscal year 2017:
 (A) New budget authority, \$104,433,000,000.
 (B) Outlays, \$104,210,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$108,980,000,000.
 (B) Outlays, \$112,802,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$112,424,000,000.
 (B) Outlays, \$110,765,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$114,905,000,000.
 (B) Outlays, \$113,377,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$116,921,000,000.
 (B) Outlays, \$115,591,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$119,027,000,000.
 (B) Outlays, \$117,545,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$121,298,000,000.
 (B) Outlays, \$119,761,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$123,621,000,000.
 (B) Outlays, \$122,001,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$126,016,000,000.
 (B) Outlays, \$124,359,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$128,391,000,000.
 (B) Outlays, \$126,748,000,000.
- (11) Health (550):
- Fiscal year 2017:
 (A) New budget authority, \$562,137,000,000.
 (B) Outlays, \$560,191,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$583,006,000,000.
 (B) Outlays, \$593,197,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$615,940,000,000.
 (B) Outlays, \$618,089,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$655,892,000,000.
 (B) Outlays, \$645,814,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$677,902,000,000.
 (B) Outlays, \$676,781,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$711,176,000,000.
 (B) Outlays, \$709,301,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$744,335,000,000.
 (B) Outlays, \$742,568,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$780,899,000,000.
 (B) Outlays, \$778,293,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$818,388,000,000.
 (B) Outlays, \$815,246,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$857,176,000,000.
 (B) Outlays, \$853,880,000,000.
- (12) Medicare (570):
- Fiscal year 2017:
 (A) New budget authority, \$600,857,000,000.
 (B) Outlays, \$600,836,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$600,832,000,000.
 (B) Outlays, \$600,762,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$667,638,000,000.
 (B) Outlays, \$667,571,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$716,676,000,000.
 (B) Outlays, \$716,575,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$767,911,000,000.
 (B) Outlays, \$767,814,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$862,042,000,000.
 (B) Outlays, \$861,941,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$886,515,000,000.
 (B) Outlays, \$886,407,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$903,861,000,000.
 (B) Outlays, \$903,750,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$1,007,624,000,000.
 (B) Outlays, \$1,007,510,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$1,085,293,000,000.
 (B) Outlays, \$1,085,173,000,000.
- (13) Income Security (600):
- Fiscal year 2017:
 (A) New budget authority, \$518,181,000,000.
 (B) Outlays, \$511,658,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$524,233,000,000.
 (B) Outlays, \$511,612,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$542,725,000,000.
 (B) Outlays, \$534,067,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$558,241,000,000.
 (B) Outlays, \$549,382,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$571,963,000,000.
 (B) Outlays, \$563,481,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$590,120,000,000.
 (B) Outlays, \$587,572,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$599,505,000,000.
 (B) Outlays, \$592,338,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$609,225,000,000.
 (B) Outlays, \$597,287,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$630,433,000,000.
 (B) Outlays, \$619,437,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$646,660,000,000.
 (B) Outlays, \$641,957,000,000.
- (14) Social Security (650):
- Fiscal year 2017:
 (A) New budget authority, \$37,199,000,000.
 (B) Outlays, \$37,227,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$40,124,000,000.
 (B) Outlays, \$40,141,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$43,373,000,000.
 (B) Outlays, \$43,373,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$46,627,000,000.
 (B) Outlays, \$46,627,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$50,035,000,000.
 (B) Outlays, \$50,035,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$53,677,000,000.
 (B) Outlays, \$53,677,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$57,540,000,000.
 (B) Outlays, \$57,540,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$61,645,000,000.
 (B) Outlays, \$61,645,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$66,076,000,000.
 (B) Outlays, \$66,076,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$70,376,000,000.
 (B) Outlays, \$70,376,000,000.
- (15) Veterans Benefits and Services (700):
- Fiscal year 2017:
 (A) New budget authority, \$177,448,000,000.
 (B) Outlays, \$182,448,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$178,478,000,000.
 (B) Outlays, \$179,109,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$193,088,000,000.
 (B) Outlays, \$192,198,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$199,907,000,000.
 (B) Outlays, \$198,833,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$206,700,000,000.
 (B) Outlays, \$205,667,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$223,542,000,000.
 (B) Outlays, \$222,308,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$221,861,000,000.
 (B) Outlays, \$220,563,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$219,382,000,000.
 (B) Outlays, \$218,147,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$237,641,000,000.
 (B) Outlays, \$236,254,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$245,565,000,000.
 (B) Outlays, \$244,228,000,000.
- (16) Administration of Justice (750):
- Fiscal year 2017:
 (A) New budget authority, \$64,519,000,000.
 (B) Outlays, \$58,662,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$62,423,000,000.
 (B) Outlays, \$63,800,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$62,600,000,000.
 (B) Outlays, \$66,596,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$64,168,000,000.
 (B) Outlays, \$69,555,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$65,134,000,000.
 (B) Outlays, \$68,538,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$66,776,000,000.
 (B) Outlays, \$67,691,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$68,489,000,000.
 (B) Outlays, \$68,466,000,000.
- Fiscal year 2024:
 (A) New budget authority, \$70,227,000,000.
 (B) Outlays, \$69,976,000,000.
- Fiscal year 2025:
 (A) New budget authority, \$72,023,000,000.
 (B) Outlays, \$71,615,000,000.
- Fiscal year 2026:
 (A) New budget authority, \$79,932,000,000.
 (B) Outlays, \$80,205,000,000.
- (17) General Government (800):
- Fiscal year 2017:

(A) New budget authority, \$25,545,000,000.
 (B) Outlays, \$24,318,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$27,095,000,000.
 (B) Outlays, \$25,884,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$27,620,000,000.
 (B) Outlays, \$26,584,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$28,312,000,000.
 (B) Outlays, \$27,576,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$29,046,000,000.
 (B) Outlays, \$28,366,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$29,787,000,000.
 (B) Outlays, \$29,149,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$30,519,000,000.
 (B) Outlays, \$29,886,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$31,101,000,000.
 (B) Outlays, \$30,494,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$31,942,000,000.
 (B) Outlays, \$31,248,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$32,789,000,000.
 (B) Outlays, \$32,071,000,000.
 (18) Net Interest (900):
 Fiscal year 2017:
 (A) New budget authority, \$393,295,000,000.
 (B) Outlays, \$393,295,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$453,250,000,000.
 (B) Outlays, \$453,250,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$526,618,000,000.
 (B) Outlays, \$526,618,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$590,571,000,000.
 (B) Outlays, \$590,571,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$645,719,000,000.
 (B) Outlays, \$645,719,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$698,101,000,000.
 (B) Outlays, \$698,101,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$755,288,000,000.
 (B) Outlays, \$755,288,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$806,202,000,000.
 (B) Outlays, \$806,202,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$854,104,000,000.
 (B) Outlays, \$854,104,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$903,443,000,000.
 (B) Outlays, \$903,443,000,000.
 (19) Allowances (920):
 Fiscal year 2017:
 (A) New budget authority, —\$3,849,000,000.
 (B) Outlays, \$7,627,000,000.
 Fiscal year 2018:
 (A) New budget authority, —\$56,166,000,000.
 (B) Outlays, —\$39,329,000,000.
 Fiscal year 2019:
 (A) New budget authority, —\$55,423,000,000.
 (B) Outlays, —\$47,614,000,000.
 Fiscal year 2020:
 (A) New budget authority, —\$58,021,000,000.
 (B) Outlays, —\$52,831,000,000.
 Fiscal year 2021:
 (A) New budget authority, —\$61,491,000,000.
 (B) Outlays, —\$57,092,000,000.
 Fiscal year 2022:
 (A) New budget authority, —\$63,493,000,000.
 (B) Outlays, —\$60,260,000,000.
 Fiscal year 2023:
 (A) New budget authority, —\$65,783,000,000.
 (B) Outlays, —\$62,457,000,000.
 Fiscal year 2024:
 (A) New budget authority, —\$67,817,000,000.

(B) Outlays, —\$64,708,000,000.
 Fiscal year 2025:
 (A) New budget authority, —\$70,127,000,000.
 (B) Outlays, —\$66,892,000,000.
 Fiscal year 2026:
 (A) New budget authority, —\$69,097,000,000.
 (B) Outlays, —\$68,467,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2017:
 (A) New budget authority, —\$87,685,000,000.
 (B) Outlays, —\$87,685,000,000.
 Fiscal year 2018:
 (A) New budget authority, —\$88,347,000,000.
 (B) Outlays, —\$88,347,000,000.
 Fiscal year 2019:
 (A) New budget authority, —\$80,125,000,000.
 (B) Outlays, —\$80,125,000,000.
 Fiscal year 2020:
 (A) New budget authority, —\$81,468,000,000.
 (B) Outlays, —\$81,468,000,000.
 Fiscal year 2021:
 (A) New budget authority, —\$84,183,000,000.
 (B) Outlays, —\$84,183,000,000.
 Fiscal year 2022:
 (A) New budget authority, —\$86,292,000,000.
 (B) Outlays, —\$86,292,000,000.
 Fiscal year 2023:
 (A) New budget authority, —\$87,518,000,000.
 (B) Outlays, —\$87,518,000,000.
 Fiscal year 2024:
 (A) New budget authority, —\$91,245,000,000.
 (B) Outlays, —\$91,245,000,000.
 Fiscal year 2025:
 (A) New budget authority, —\$99,164,000,000.
 (B) Outlays, —\$99,164,000,000.
 Fiscal year 2026:
 (A) New budget authority, —\$97,786,000,000.
 (B) Outlays, —\$97,786,000,000.

Subtitle B—Levels and Amounts in the Senate

SEC. 1201. SOCIAL SECURITY IN THE SENATE.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$826,048,000,000.
 Fiscal year 2018: \$857,618,000,000.
 Fiscal year 2019: \$886,810,000,000.
 Fiscal year 2020: \$918,110,000,000.
 Fiscal year 2021: \$950,341,000,000.
 Fiscal year 2022: \$984,537,000,000.
 Fiscal year 2023: \$1,020,652,000,000.
 Fiscal year 2024: \$1,058,799,000,000.
 Fiscal year 2025: \$1,097,690,000,000.
 Fiscal year 2026: \$1,138,243,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$805,366,000,000.
 Fiscal year 2018: \$857,840,000,000.
 Fiscal year 2019: \$916,764,000,000.
 Fiscal year 2020: \$980,634,000,000.
 Fiscal year 2021: \$1,049,127,000,000.
 Fiscal year 2022: \$1,123,266,000,000.
 Fiscal year 2023: \$1,200,734,000,000.
 Fiscal year 2024: \$1,281,840,000,000.
 Fiscal year 2025: \$1,369,403,000,000.
 Fiscal year 2026: \$1,463,057,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2017:

(A) New budget authority, \$5,663,000,000.
 (B) Outlays, \$5,673,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$6,021,000,000.
 (B) Outlays, \$5,987,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$6,205,000,000.
 (B) Outlays, \$6,170,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$6,393,000,000.
 (B) Outlays, \$6,357,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$6,589,000,000.
 (B) Outlays, \$6,552,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$6,787,000,000.
 (B) Outlays, \$6,750,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$6,992,000,000.
 (B) Outlays, \$6,953,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$7,206,000,000.
 (B) Outlays, \$7,166,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$7,428,000,000.
 (B) Outlays, \$7,387,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$7,659,000,000.
 (B) Outlays, \$7,615,000,000.

SEC. 1202. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES IN THE SENATE.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2017:
 (A) New budget authority, \$274,000,000.
 (B) Outlays, \$273,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$283,000,000.
 (B) Outlays, \$283,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$294,000,000.
 (B) Outlays, \$294,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$304,000,000.
 (B) Outlays, \$304,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$315,000,000.
 (B) Outlays, \$315,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$326,000,000.
 (B) Outlays, \$325,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$337,000,000.
 (B) Outlays, \$337,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$350,000,000.
 (B) Outlays, \$349,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$361,000,000.
 (B) Outlays, \$360,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$374,000,000.
 (B) Outlays, \$373,000,000.

TITLE II—RECONCILIATION

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the Senate, not later than January 27, 2017, the Committees named in subsections (a) and (b) shall submit

their recommendations to the Committee on the Budget of the Senate. Upon receiving all such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

SEC. 2002. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the House of Representatives, not later than January 27, 2017, the committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the House of Representatives to carry out this section.

TITLE III—RESERVE FUNDS

SEC. 3001. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE LEGISLATION.

The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

(1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026; and

(2) in the House of Representatives, one or more bills, joint resolutions, amendments, or conference reports related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026.

SEC. 3002. RESERVE FUND FOR HEALTH CARE LEGISLATION.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

(1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—

(A) \$2,000,000,000; from

(B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(1); and

(2) in the House of Representatives, one or more bills, joint resolutions, amendments, or conference reports related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—

(A) \$2,000,000,000; from

(B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(2).

(b) EXCEPTIONS FROM CERTAIN PROVISIONS.—Section 404(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, and section 3101 of S. Con. Res. 11 (114th Congress), the concurrent resolution on the budget for fiscal year 2016, shall not apply to legislation for which the Chairman of the Committee on the Budget of the applicable House has exercised the authority under subsection (a).

TITLE IV—OTHER MATTERS

SEC. 4001. ENFORCEMENT FILING.

(a) IN THE SENATE.—If this concurrent resolution on the budget is agreed to by the Senate and House of Representatives without the appointment of a committee of conference on the disagreeing votes of the two Houses, the Chairman of the Committee on the Budget of the Senate may submit a statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, if a concurrent resolution on the budget for fiscal year 2017 is adopted without the appointment of a committee of conference on the disagreeing votes of the two Houses with respect to this concurrent resolution on the budget, for the purpose of enforcing the Congressional Budget Act and applicable rules and requirements set forth in the concurrent resolution on the budget, the allocations provided for in this subsection shall apply in the House of Representatives in the same manner as if such allocations were in a joint explanatory statement accompanying a conference report on the budget for fiscal year 2017. The Chairman of the Committee on the Budget of the House of Representatives shall submit a statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations consistent with title I for fiscal year 2017 and for the period of fiscal years 2017 through 2026 for the purpose of enforcing 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

SEC. 4002. BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the report accompanying this concurrent resolution on the budget, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, or a statement filed under section 4001 shall include in an allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations of the applicable House of Congress amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—In the Senate and the House of Representatives, for purposes of enforcing section 302(f) of the Congressional Budget Act of 1974 (2 U.S.C. 633(f)), estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in subsection (a).

SEC. 4003. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution, the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Chairman of the Committee on the Budget of the applicable House of Congress.

(d) AGGREGATES, ALLOCATIONS AND APPLICATION.—In the House of Representatives, for purposes of this concurrent resolution and budget enforcement, the consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the Chairman of the Committee on the Budget of the House of Representatives makes adjustments or revisions in the allocations, aggregates, and other budgetary levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 3101 of S. Con. Res. 11 (114th Congress).

SEC. 4004. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of either the Senate or the

House of Representatives to change those rules (insofar as they relate to that House) at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate or House of Representatives.

ORDERS FOR WEDNESDAY,
JANUARY 4, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 12 noon, Wednesday, January 4; finally, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2:09 p.m., adjourned until Wednesday, January 4, 2017, at 12 noon.

HOUSE OF REPRESENTATIVES—Tuesday, January 3, 2017

This being the day fixed by the 20th Amendment to the Constitution of the United States, for the meeting of the 115th Congress of the United States, the Representatives-elect met in their Hall, and at noon were called to order by the Clerk of the House of Representatives, Hon. Karen L. Haas.

Very Reverend Paul Ugo Arinze, St. John Vianney Roman Catholic Church, Janesville, Wisconsin, offered the following prayer:

Almighty and ever-living God, as this 115th Congress is gaveled in to begin their work for the people of this great Nation, we ask You to send down Your spirit upon the men and women of this House.

Give them wisdom, so that they may lead the people of our country into peace and prosperity. Grant them an open spirit to listen to each other and to work with each other.

Endow them with courage that is borne of loyalty to all that is noble and worthy; loyalty to their families, loyalty to their constituents, loyalty to the Constitution, and loyalty to our country—loyalty that scorns to compromise with vice and injustice and knows no fear when truths and rights are in jeopardy.

Grant them new forms of friendship and new opportunities for service.

May they always show forth in their lives and works the ideals of our country: one nation under God, indivisible, with liberty and justice for all.

Amen.

PLEDGE OF ALLEGIANCE

The CLERK. The Representatives-elect and their guests will please remain standing and join in the Pledge of Allegiance.

The Clerk led the Pledge of Allegiance as follows:

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

The CLERK. As directed by law, the Clerk of the House has prepared the official roll of the Representatives-elect.

Certificates of election covering 435 seats in the 115th Congress have been received by the Clerk of the House, and the names of those persons whose credentials show that they were regularly elected as Representatives in accordance with the laws of their respective States or of the United States will be called.

The Representatives-elect will record their presence by electronic device and their names will be reported in alphabetical order by State, beginning with

the State of Alabama, to determine whether a quorum is present.

Representatives-elect will have a minimum of 15 minutes to record their presence by electronic device.

Representatives-elect who have not obtained their voting ID cards may do so now in the Speaker's lobby.

The call was taken by electronic device, and the following Representatives-elect responded to their names:

[Roll No. 1]

ANSWERED "PRESENT"—434

ALABAMA

Aderholt
Brooks
Byrne

Palmer
Roby
Rogers

Sewell

ALASKA

Young

ARIZONA

Biggs
Franks
Gallego

Grijalva
Gosar
McSally

O'Halleran
Sinema
Schweikert

ARKANSAS

Crawford
Hill

Westerman
Womack

CALIFORNIA

Aguilar
Barragán
Bass
Becerra
Bera
Brownley
Calvert
Carbajal
Cárdenas
Chu, Judy
Cook
Correa
Costa
Davis
Denham
DeSaulnier
Eshoo
Garamendi

Huffman
Hunter
Issa
Khanna
Knight
LaMalfa
Lee
Lieu, Ted
Loftgren
Lowenthal
Matsui
McCarthy
McClintock
McNerney
Napolitano
Nunes
Panetta
Pelosi

Peters
Rohrabacher
Roybal-Allard
Royce
Ruiz
Sánchez
Schiff
Sherman
Speier
Swalwell
Takano
Thompson
Torres
Valadao
Vargas
Walters, Mimi
Waters, Maxine

COLORADO

Buck
Coffman
DeGette

Lamborn
Perlmutter
Polis

Tipton

CONNECTICUT

Courtney
DeLauro

Esty
Himes

Larson

DELAWARE

Blunt Rochester

FLORIDA

Bilirakis
Buchanan
Castor
Crist
Curbelo
Demings
DeSantis
Deutch
Diaz-Balart
Dunn

Frankel
Gaetz
Hastings
Lawson
Mast
Murphy
Posey
Rooney, Francis
Rooney, Thomas J.

Ros-Lehtinen
Ross
Rutherford
Soto
Wasserman
Schultz
Webster
Wilson
Yoho

GEORGIA

Allen
Bishop
Carter

Collins
Ferguson
Graves

Hice, Jody B.
Johnson

Lewis
Loudermilk

Price, Tom
Scott, Austin

Scott, David
Woodall

HAWAII

Gabbard

Hanabusa

IDAHO

Labrador

Simpson

ILLINOIS

Bost
Bustos
Davis, Danny
Davis, Rodney
Foster
Gutiérrez

Hultgren
Kelly
Kinzinger
Krishnamoorthi
LaHood
Lipinski

Quigley
Roskam
Rush
Schakowsky
Schneider
Shimkus

INDIANA

Banks
Brooks
Bucshon

Carson
Hollingsworth
Messer

Rokita
Visclosky
Walorski

IOWA

Blum
King

Loebsock
Young

KANSAS

Jenkins
Marshall

Pompeo
Yoder

KENTUCKY

Barr
Comer

Guthrie
Massie
Rogers
Yarmuth

LOUISIANA

Abraham
Graves

Higgins
Johnson
Richmond
Scalise

MAINE

Pingree

Poliquin

MARYLAND

Brown
Cummings
Delaney

Harris
Hoyer
Raskin
Ruppersberger
Sarbanes

MASSACHUSETTS

Capuano
Clark
Keating

Kennedy
Lynch
McGovern
Moulton
Neal
Tsongas

MICHIGAN

Amash
Bergman
Bishop
Conyers
Dingell

Huizenga
Kildee
Lawrence
Levin
Mitchell
Moolenaar
Trott
Upton
Walberg

MINNESOTA

Ellison
Emmer
Lewis

McCollum
Nolan
Paulsen
Peterson
Walz

MISSISSIPPI

Harper
Kelly

Palazzo
Thompson

MISSOURI

Clay
Cleaver
Graves

Hartzler
Long
Luetkemeyer
Smith
Wagner

MONTANA

Zinke

NEBRASKA

Bacon

Fortenberry
Smith

NEVADA

Amodei
Kihuen

Rosen
Titus

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

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

NEW HAMPSHIRE		
Kuster	Shea-Porter	
NEW JERSEY		
Frelinghuysen	MacArthur	Payne
Gottheimer	Norcross	Sires
Lance	Pallone	Smith (NJ)
LoBiondo	Pascrell	Watson Coleman
NEW MEXICO		
Luján, Ben Ray	Pearce	
Lujan Grisham, M.		
NEW YORK		
Clarke	King	Serrano
Collins	Lowey	Slaughter
Crowley	Maloney,	Stefanik
Donovan	Carolyn B.	Suozi
Engel	Maloney, Sean	Tenney
Espallat	Meeks	Tonko
Faso	Meng	Velázquez
Higgins	Nadler	Zeldin
Jeffries	Reed	
Katko	Rice	
NORTH CAROLINA		
Adams	Hudson	Price
Budd	Jones	Rouzer
Butterfield	McHenry	Walker
Fox	Meadows	
Holding	Pittenger	
NORTH DAKOTA		
	Cramer	
OHIO		
Beatty	Jordan	Stivers
Chabot	Joyce	Tiberi
Davidson	Kaptur	Turner
Fudge	Latta	Wenstrup
Gibbs	Renacci	
Johnson	Ryan	
OKLAHOMA		
Bridenstine	Lucas	Russell
Cole	Mullin	
OREGON		
Blumenauer	DeFazio	
Bonamici	Walden	
PENNSYLVANIA		
Barletta	Doyle, Michael	Murphy
Boyle, Brendan	F.	Perry
F.	Evans	Rothfus
Brady	Fitzpatrick	Shuster
Cartwright	Kelly	Smucker
Costello	Marino	Thompson
Dent	Meehan	
RHODE ISLAND		
Cicilline	Langevin	
SOUTH CAROLINA		
Clyburn	Mulvaney	Wilson (SC)
Duncan (SC)	Rice (SC)	
Gowdy	Sanford	
SOUTH DAKOTA		
	Noem	
TENNESSEE		
Black	Cooper	Fleischmann
Blackburn	DesJarlais	Kustoff (TN)
Cohen	Duncan (TN)	Roe (TN)
TEXAS		
Arrington	Doggett	Jackson Lee
Babin	Farenthold	Johnson, E. B.
Barton	Flores	Johnson, Sam
Brady	Gohmert	Marchant
Burgess	Gonzalez	McCaul
Carter	Granger	Olson
Castro	Green, Al	O'Rourke
Conaway	Green, Gene	Poe
Cuellar	Hensarling	Ratcliffe
Culberson	Hurd	Sessions

Smith Thornberry	Veasey Vela	Weber Williams
UTAH		
Bishop Chaffetz	Love Stewart	
VERMONT		
	Welch	
VIRGINIA		
Beyer	Garrett	Scott
Brat	Goodlatte	Taylor
Comstock	Griffith	Wittman
Connolly	McEachin	
WASHINGTON		
Beutler	Kilmer	Newhouse
Crowley	Larsen	Reichert
Heck	McMorris	Smith
Jayapal	Rodgers	
WEST VIRGINIA		
Jenkins	McKinley	Mooney
WISCONSIN		
Duffy	Kind	Ryan
Gallagher	Moore	Sensenbrenner
Grothman	Pocan	
WYOMING		
	Cheney	

□ 1237

The CLERK. Four hundred thirty-four Representatives-elect have recorded their presence. A quorum is present.

ANNOUNCEMENT BY THE CLERK

The CLERK. Credentials, regular in form, have been received showing the election of:

The Honorable JENNIFFER GONZALEZ-COLON as Resident Commissioner from the Commonwealth of Puerto Rico for a term of 4 years beginning January 3, 2017;

The Honorable ELEANOR HOLMES NORTON as Delegate from the District of Columbia;

The Honorable MADELEINE Z. BORDALLO as Delegate from Guam;

The Honorable STACEY E. PLASKETT as Delegate from the Virgin Islands;

The Honorable AMATA COLEMAN RADEWAGEN as Delegate from American Samoa; and

The Honorable GREGORIO SABLAN as Delegate from the Commonwealth of the Northern Mariana Islands.

ELECTION OF SPEAKER

The CLERK. Pursuant to law and precedent, the next order of business is the election of the Speaker of the House of Representatives for the 115th Congress.

Nominations are now in order.

The Clerk recognizes the gentlewoman from Washington (Mrs. McMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Whether you are from the Evergreen State or the Badger State, we gather here on the House floor representing very diverse backgrounds and walks of life.

This House, the people's House, the center of our government, is where views and beliefs of millions are represented, where ideas are considered, debated, and crafted into laws. No one understands this better than our Speaker of the House, PAUL RYAN. He truly is the people's Speaker because he understands the responsibility given to this body by our Founders.

It is our responsibility to protect the Constitution and the balance of power so that representative government, the rule of law, and equal opportunity for all is protected here in this Chamber by the people and for the people.

Just over a year ago, when he picked up that gavel, Speaker RYAN challenged us to raise our gaze, to respect this institution and open up the legislative process which best represents the will of the people, to be accountable to the people we represent, to be men and women of integrity, to serve our country with a sense of purpose, and to empower everyone to reach their full potential.

Speaker RYAN knows that the healthy competition of ideas between our passionate and talented Members is an asset of representative government. As Speaker, PAUL RYAN made a commitment to getting this institution working, and as a result, we have had more conference committees and more bipartisan achievements. He put this majority to work on bold policy solutions that united us. Under his leadership, this think tank of ideas was able to find common ground without compromising conservative principles.

Together, after crisscrossing our districts and listening to Americans of all walks of life, we developed A Better Way, our vision for a confident America—policies that solve the biggest challenges of our time; policies that trust people, not the government, to make their own decisions and pursue their own dreams.

As Speaker RYAN said the day he was called upon for this role, "Nothing could be more inspiring than a job well done. Nothing could stir the heart more than real, concrete results."

In this critical moment in our Nation's history, as our unified Republican government begins to take its place, we have an opportunity to think big, to reimagine our government from the top to the bottom, and to put the people back at the center of it. It is a time to act with a sense of purpose to rebuild the American idea and reclaim the people's voice.

There is no one better to lead the people's House in that calling than PAUL D. RYAN.

But through all of it, the man from Janesville never forgets where he came from and who he works for. He insists on calling his constituents his "employers." He insists on all of us calling him "PAUL." But make no mistake, today and every day we are honored to call him "Mr. Speaker."

As chair of the Republican Conference, I am directed by the vote of that conference to present for election to the office of Speaker of the House of Representatives for the 115th Congress the name of the Honorable PAUL D. RYAN, a Representative-elect from the State of Wisconsin.

The CLERK. The Clerk now recognizes the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Madam Clerk, first I would like to welcome back the gentlewoman from Washington State (Mrs. McMORRIS RODGERS) and her family, as well as welcome all of our colleagues and their families to this new session of Congress.

Madam Clerk, as chair of the House Democratic Caucus, I have the honor of nominating the gentlewoman from California, Representative-elect NANCY PELOSI, as our candidate for Speaker of the House of Representatives.

Madam Clerk, it is well known on both sides of the aisle and in both Chambers that NANCY PELOSI will never be outworked, outmaneuvered, or outsmarted.

Under her leadership, America has made tremendous advancements. During her tenure as Speaker of the House, she successfully oversaw the rescue of the auto industry, saving over 1 million good-paying American manufacturing jobs. She was our captain when we ushered into law the Affordable Care Act, which has extended healthcare insurance to 20 million Americans and counting.

But, Madam Clerk, she didn't stop there. She led the charge to enact Wall Street reform legislation to end taxpayer bailouts for big banks.

But I know this, Madam Clerk, history will show that NANCY PELOSI's greatest victories will have been fought and won far beyond her Speakership. A vote for NANCY PELOSI is a vote to ensure that Congress does not undo the progress we have made over the last 8 years: a vote to ensure that health insurance companies do not go back to controlling Americans' healthcare choices, a vote to ensure Wall Street does not once again gamble away the economic future of Main Street, a vote to ensure we do not leave markets to police themselves.

My friends, we cannot turn back the clock, and any attempt to do so will have to go through not just all of us on this side of the aisle, but through NANCY PELOSI. I assure you, I know that is no small task.

So, in the name of fighting for our core principles and advancing the issues American workers and their families care about, and because the people's House should be ethical, accountable, and open to free debate, Madam Clerk, I am pleased to put forth the name of the Representative-elect from California, NANCY PELOSI, for Speaker of the House of Representatives for the 115th Congress.

□ 1245

The CLERK. The names of the Honorable PAUL D. RYAN, a Representative-elect from the State of Wisconsin, and the Honorable NANCY PELOSI, a Representative-elect from the State of California, have been placed in nomination.

Are there further nominations?

There being no further nominations, the Clerk appoints the following tellers:

The gentleman from Mississippi (Mr. HARPER);

The gentleman from Pennsylvania (Mr. BRADY);

The gentlewoman from Ohio (Ms. KAPTUR); and

The gentlewoman from Florida (Ms. ROS-LEHTINEN).

The tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding to their names will indicate by surname the nominee of their choosing.

The Reading Clerk will now call the roll.

The tellers having taken their places, the House proceeded to vote for the Speaker.

The following is the result of the vote:

[Roll No. 2]
RYAN (WI)—239

Abraham	Cramer	Hill
Aderholt	Crawford	Holding
Allen	Culberson	Hollingsworth
Amash	Curbelo (FL)	Hudson
Amodei	Davidson	Huizenga
Arrington	Davis, Rodney	Hultgren
Babin	Denham	Hunter
Bacon	Dent	Hurd
Banks (IN)	DeSantis	Issa
Barletta	DesJarlais	Jenkins (KS)
Barr	Diaz-Balart	Jenkins (WV)
Barton	Donovan	Johnson (LA)
Bergman	Duffy	Johnson (OH)
Beutler	Duncan (SC)	Johnson, Sam
Biggs	Duncan (TN)	Jones
Bilirakis	Dunn	Jordan
Bishop (MI)	Emmer	Joyce (OH)
Bishop (UT)	Farenthold	Katko
Black	Faso	Kelly (MS)
Blackburn	Ferguson	Kelly (PA)
Blum	Fitzpatrick	King (IA)
Bost	Fleischmann	King (NY)
Brady (TX)	Flores	Kinzinger
Brat	Fortenberry	Knight
Bridenstine	Foxx	Kustoff (TN)
Brooks (AL)	Franks (AZ)	Labrador
Brooks (IN)	Frelinghuysen	LaHood
Buchanan	Gaetz	LaMalfa
Buck	Gallagher	Lamborn
Bucshon	Garrett	Lance
Budd	Gibbs	Latta
Burgess	Gohmert	Lewis (MN)
Byrne	Goodlatte	LoBondo
Calvert	Gosar	Long
Carter (GA)	Gowdy	Loudermilk
Carter (TX)	Granger	Love
Chabot	Graves (GA)	Lucas
Chaffetz	Graves (LA)	Luetkemeyer
Cheney	Graves (MO)	MacArthur
Coffman	Griffith	Marchant
Cole	Groutman	Marino
Collins (GA)	Guthrie	Marshall
Collins (NY)	Harper	Mast
Comer	Harris	McCarthy
Comstock	Hartzler	McCaul
Conaway	Hensarling	McClintock
Cook	Hice, Jody B.	McHenry
Costello (PA)	Higgins (LA)	McKinley

McMorris Rodgers	Roe (TN)	Taylor
McSally	Rogers (AL)	Tenney
Meadows	Rogers (KY)	Thompson (PA)
Meehan	Rohrabacher	Thornberry
Messer	Rokita	Tiberi
Mitchell	Rooney, Francis	Tipton
Moolenaar	Rooney, Thomas	Trott
Mooney (WV)	J.	Turner
Mullin	Ros-Lehtinen	Upton
Mulvaney	Roskam	Valadao
Murphy (PA)	Ross	Wagner
Newhouse	Rothfus	Walberg
Noem	Rouzer	Walden
Nunes	Royce (CA)	Walker
Olson	Russell	Walorski
Palazzo	Rutherford	Walters, Mimi
Palmer	Sanford	Weber (TX)
Paulsen	Scalise	Webster (FL)
Pearce	Schweikert	Wenstrup
Perry	Scott, Austin	Westerman
Pittenger	Sensenbrenner	Williams
Poe (TX)	Sessions	Wilson (SC)
Poliquin	Shimkus	Wittman
Pompeo	Shuster	Womack
Posey	Simpson	Woodall
Price, Tom (GA)	Smith (MO)	Yoder
Ratcliffe	Smith (NE)	Yoho
Reed	Smith (NJ)	Young (AK)
Reichert	Smith (TX)	Young (IA)
Renacci	Smucker	Zeldin
Rice (SC)	Stefanik	Zinke
Roby	Stewart	
	Stivers	

PELOSI—189

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

Tsongas	Visclosky	Watson Coleman
Vargas	Walz	Welch
Veasey	Wasserman	Wilson (FL)
Vela	Schultz	Yarmuth
Velázquez	Waters, Maxine	

RYAN (OH)—2

Cooper Rice (NY)

WEBSTER (FL)—1

Massie

COOPER—1

Kind

LEWIS (GA)—1

Sinema

ANSWERED "PRESENT"—0

NOT VOTING—2

Ryan (WI) Schrader

PARLIAMENTARY INQUIRY

Ms. PLASKETT (during the roll call). Madam Clerk, parliamentary inquiry.

The CLERK. The gentlewoman will state her parliamentary inquiry.

Ms. PLASKETT. Madam Clerk, I rise because neither my name nor the names of the five Representatives of the separate territories, duly elected by collectively 4 million Americans, our names were not called, and I ask as a parliamentary inquiry as to why not at this time at this juncture in the United States that the territories do not have a voice on this floor?

The CLERK. As the Clerk advised on January 6, 1999, Representatives-elect are the only individuals qualified to vote in the election of the Speaker.

□ 1404

The CLERK. The tellers agree in their tallies that the total number of votes cast is 433, of which the Honorable PAUL D. RYAN of the State of Wisconsin has received 239, the Honorable NANCY PELOSI of the State of California has received 189, the Honorable TIM RYAN of the State of Ohio has received 2, the Honorable JIM COOPER of the State of Tennessee has received 1, the Honorable JOHN LEWIS of the State of Georgia has received 1, and the Honorable DANIEL WEBSTER of the State of Florida has received 1.

Therefore, the Honorable PAUL D. RYAN of the State of Wisconsin, having received a majority of the votes cast, is duly elected Speaker of the House of Representatives for the 115th Congress.

The Clerk appoints the following committee to escort the Speaker-elect to the chair:

The gentleman from California (Mr. MCCARTHY)

The gentlewoman from California (Ms. PELOSI)

The gentleman from Louisiana (Mr. SCALISE)

The gentleman from Maryland (Mr. HOYER)

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS)

The gentleman from South Carolina (Mr. CLYBURN)

The gentleman from Ohio (Mr. STIVERS)

The gentlemen from New York (Mr. CROWLEY)

The gentleman from Indiana (Mr. MESSER)

The gentlewoman from California (Ms. SÁNCHEZ)

The gentleman from Georgia (Mr. COLLINS)

The gentleman from New Mexico (Mr. BEN RAY LUJÁN)

The gentleman from Missouri (Mr. SMITH)

The gentlewoman from Connecticut (Ms. DELAURO)

The gentlewoman from California (Mrs. MIMI WALTERS)

The gentleman from California (Mr. SWALWELL)

The gentleman from Michigan (Mr. MITCHELL)

The gentleman from Michigan (Mr. LEVIN)

The gentleman from Texas (Mr. SESSIONS)

The gentlewoman from New York (Mrs. LOWEY)

The gentleman from North Carolina (Mr. MCHENRY)

And the Members of the Wisconsin delegation:

Mr. SENSENBRENNER

Mr. KIND

Ms. MOORE

Mr. DUFFY

Mr. POCAN

Mr. GROTHMAN, and

Mr. GALLAGHER

The committee will retire from the Chamber to escort the Speaker-elect to the chair.

The Sergeant at Arms announced the Speaker-elect of the House of Representatives of the 115th Congress, who was escorted to the chair by the Committee of Escort.

Ms. PELOSI. It is my honor to join Speaker RYAN in welcoming all of you to the 115th Congress.

To new Members and your families, in this special moment I offer a special greeting and special congratulations. Each of us comes here sustained by the love of our own family and the trust of our constituents.

I am grateful to my husband, Paul; our five children; nine grandchildren; and my D'Alesandro family, especially our patriarch, my brother, Thomas D'Alesandro III.

To the people of San Francisco, thank you once again for the privilege of representing our beautiful and diverse city.

In a brief span of days, we will inaugurate a new President, Donald Trump, and a new Vice President, our former colleague, MIKE PENCE. At that noon hour, we will enact the peaceful transfer of power that is the bedrock of our Republic.

For 8 years, our country has been graced by the trailblazing leadership and dignity of President Obama and Michelle Obama. At their side have been Vice President and Dr. Jill Biden.

Let us give the Obamas, the Bidens, and their families our thanks for all that they have given America.

Today, as we celebrate the renewal of our democracy, let us pay tribute to the men and women in uniform—those who served or have served—and their families, whose sacrifice and bravery are guarantors of our democracy. Let us thank our men and women in uniform.

In this Chamber, we stand at the very heart of the American experiment. Every time each of us steps onto the floor, we carry with us the hopes and the hurts of those who have sent us here.

We surely have distinct political identities as Republicans and Democrats, but above all, we are all Americans. Here, we have the responsibility and the power to lift the lives and the hopes of the American people.

Our first responsibility is to secure the Nation, embodied in the oath we take to support and defend. We must be strong and smart in defending our land, defeating terrorists, and advancing our vital interests in a world of promise and peril. America's actions must always be equal to America's values, honoring our Constitution and respecting our men and women in uniform.

Another responsibility is to further secure our economy and truly secure opportunity for hardworking families. We in this Congress must focus on job creation and growing paychecks every day for everyone and everywhere in our country. From the rural heartlands, the cities, and the suburbs, we must ensure that those who do their part have the opportunity to buy a home, address the aspirations of their children, and retire with dignity.

Our responsibility is also to secure our democracy. Our Founders pledged their sacred honor to create a democracy; a government of the many, not a government of the money. Now our sacred trust is to keep that covenant. We cannot permit our democracy to be suborned by the checkbooks of the powerful or to be subverted by the dark operations of a foreign regime.

All of us cherish our ideals. We do have our differences, and they are real, but I hope that we will each be humble enough to accept the good faith of others. I hope, too, that we will find wisdom from the Scriptures. It says to minister to the needs of God's creation, humanity, and nature is an act of worship. To ignore those needs is to dishonor the God who made us.

In that spirit, in order to meet the needs of the American people, House Democrats pledge to seek common ground wherever we can to forge a bipartisan path forward on job-creating infrastructure, make taxes and foreign trade fair to American workers, help Americans balance work and family life, and to drain the swamp of Big Money from our campaigns.

All of these provisions President-elect Trump has pledged, and we will seek common ground, but we will stand our ground wherever in good conscience we must. If there is an attempt to destroy the guarantee of Medicare, harm Medicaid, Social Security, or the Affordable Care Act, Democrats will stand our ground.

If there is an assault on clean air and clean water, civil rights, women's rights, or LGBT rights, if DREAMers and their immigrant families face the nightmare of deportation, Democrats will stand our ground. If there is an attempt to silence our voices for commonsense gun violence prevention, with Gabby Giffords here in the Chamber as our witness, Democrats will stand our ground.

Many of us just celebrated Christmas, the birth of Christ. Sharing in our humanity, God enabled us to participate in his divinity. This spark of divinity is acknowledged in every faith tradition. In recognizing the spark in others, we reaffirm it in ourselves. Honoring that spark of divinity, we are commanded to respect the dignity and worth of all of God's children and to work together for the common good.

In that spirit, I offer my congratulations to the Speaker of this new Congress, a proud son of Wisconsin, PAUL RYAN.

PAUL RYAN is a leader of principle, immersed in ideas and gifted with experience. As we all know, PAUL RYAN has had the full breadth of experience on Capitol Hill, from Tortilla Coast waiter to Hill staffer to Congressman. He went on to be a sincere and proud advocate for his point of view as chairman of the Budget Committee and chairman of the Ways and Means Committee.

In a place as demanding as the Speakership, I know he gathers strength daily from the family he loves so dearly, from his wife, Janna; his children, Liza, Charlie, and Sam; and their entire family.

Let us acknowledge the Ryan family.

□ 1415

Mr. Speaker, God bless them. God bless you. God bless Wisconsin. God bless the Members of this House. God bless the United States of America.

This is the people's House. This is the people's gavel. In the people's name, it is my privilege to hand the gavel to the Speaker of the House, PAUL D. RYAN.

Mr. RYAN of Wisconsin. I will be relatively brief. I want to thank Madam Leader. You know, I stood in this spot very, very many times. It, today, though, feels a whole lot different. Part of it has to do with all the new faces in the House. You look at all the proud spouses, these beaming children at their best, people's parents, it is hard, if not impossible, to resist this rush of enthusiasm.

There is no sense of foreboding in this House today. There is only the

sense of potential. It kind of reminds you that, no matter how long you have been here, you haven't seen it all. So I just want to say to our new Members and to their families: Thank you, congratulations, and welcome.

To my own priest, Father Paul, thank you for being here with us today. I appreciate it.

And to my center, my family—Janna, Liza, Charlie, Sam—thank you for all that you have done to make this all possible. Thank you.

There is another reason for optimism, and that is what we have already achieved by meeting here this moment. Just months ago, our country held a great electoral contest, and at times it was a little intense. As you all know, when you are in the heat of it, in the heat of the kind of campaign we had, you start to wonder: Will the tempers ever cool? Will the system still hold? Does our old, rich tradition still have that magic? Well, it turns out it does.

The clash of opinions, the hue and cry of campaigns, the rancor and the dissension, in the end, they all dissolve in the silent and peaceful transfer of power. So, in just a few weeks' time, we will welcome a new President who offers us yet another new beginning, a new chance to work toward a more perfect Union.

For all of our arguments and all of our differences, we are all united by a deep, abiding love of our country. It is this slender but sturdy thread that holds us together. We always seem to forget this, but it has never failed us. That is why, when the votes are counted and the people have spoken, we all accept the verdict. We come back from the campaign trail, we pack up the yard signs, and today—today, as one body—we pledge allegiance to one flag: the red, the white, and the blue.

And that is not the only thing that we have in common. I don't care what your party is, find one person in this House who doesn't want the best for America. Find one person in this House who does not want to see help given to the unemployed or care for the sick or education for the young or honor our troops. Who here among us does not want to open wide the door to opportunity? Who here among us does not want every American, every creed, and every color to cross the threshold? You cannot find one person in this building—not one. And that, that is a true cause for celebration.

Now, we have a lot to build on; but that being said, this is no time to rest on our laurels, but to redouble our efforts. It is no secret that millions and millions of Americans across this country are deeply dissatisfied with their current situation. They have looked to Washington for leadership, and all they have gotten is condescension. For years, they have suffered quietly, quietly amid shuttered factories and

shattered lives. But now, now they have let out a great roar. Now we, their elected representatives, must listen.

So I want to say to the American people: We hear you. We will do right by you, and we will deliver. We will honor you because you have honored us. We take this sacred trust seriously. It is not enough to say that the condition of your birth should not determine the outcome of your life, no matter how much we mean it.

In a few years' time, I hope that the people will say of this 115th Congress that we didn't just pay lipservice to this beautiful American idea; we made it a reality for everyone. We are not here to be; we are here to do. We are here to improve people's lives, grow our economy, keep us safe, improve our health care and our infrastructure, fight poverty, and restore self-government.

Friends, we have got our work cut out for us. As your Speaker, I intend to keep this place running at full speed. When I came into this job, I pledged to restore regular order, get that committee system working again, hold regular House and Senate conferences, because only a fully functioning House can really, truly do the people's business.

We have made some pretty good progress on that front. Take our work on finding cures for deadly diseases or beating back that opioid epidemic or our work on mental health. These are all things that we should be very proud of. These efforts were directed by the committees and crafted by our Members—all through regular order. There is still a lot of work to do, like having a fully functioning appropriations process, for example.

So, to the minority, I want to say this: We have never shied away from our disagreements, and I do not expect anyone to do so now. But however bright of a contrast that we draw between us, it must never blind us to the common ground that we share. We must never shy away from making progress for the American people wherever we can. As your Speaker, I promise to uphold the rights of the minority. I promise to hear you out and let you have your say. If I had to sum up, it would be this: Agreement whenever possible but, at all times, respect.

And to the majority, especially to our returning Members, I want to say this: This is a once-in-a-lifetime opportunity. This is the kind of thing that most of us only dreamed about. I know because I used to dream about this a lot. The people have given us unified government, and it wasn't because they were feeling generous. It was because they want results. How could we live with ourselves if we let them down? How could we let ourselves down?

I have, for many months, been asking our Members to raise their gaze and

aim high. Now, today, this Congress, let us not be timid but, rather, reach for that brighter horizon and deliver. This old Chamber might look the same, but in the hushed whispers, in the whirl of activity, you can feel the winds of change. As I stand here next to that portrait of good old George Washington, I am reminded of a line from one of his favorite plays: "Tis not in mortals to command success, but we'll do more . . . we'll deserve it."

My dear friends and colleagues, I say to all of you: Good luck and Godspeed. Thank you very much.

I am now ready to take the oath of office.

I ask the Dean of the House of Representatives, the Honorable JOHN CONYERS of Michigan, to administer the oath of office.

Mr. CONYERS then administered the oath of office to Mr. RYAN of Wisconsin, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

(Applause, the Members rising.)

Mr. CONYERS. Congratulations, Mr. Speaker.

SWEARING IN OF MEMBERS

The SPEAKER. According to precedent, the Chair will swear in the Members-elect en masse.

The Members-elect will rise and raise their right hands.

The Members-elect rose, and the Speaker administered the oath of office to them as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now Members of the 115th Congress.

□ 1430

MAJORITY LEADER

Mrs. McMORRIS RODGERS. Mr. Speaker, as chair of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as majority leader the gentleman from California, the Honorable KEVIN MCCARTHY.

MINORITY LEADER

Mr. CROWLEY. Mr. Speaker, as chairman of the Democratic Caucus, I have been directed to report to the

House that the Democratic Members have selected as minority leader the gentlewoman from California, the Honorable NANCY PELOSI.

MAJORITY WHIP

Mrs. McMORRIS RODGERS. Mr. Speaker, as chair of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as majority whip the gentleman from Louisiana, the Honorable STEVE SCALISE.

MINORITY WHIP AND ASSISTANT DEMOCRATIC LEADER

Mr. CROWLEY. Mr. Speaker, as chairman of the Democratic Caucus, I have been directed to report to the House that the Democratic Members have selected as minority whip the gentleman from Maryland, the Honorable STENY HOYER, and as assistant Democratic leader, the gentleman from South Carolina, the Honorable JAMES CLYBURN.

ELECTING OFFICERS OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved, That Karen L. Haas of the State of Maryland be, and is hereby, chosen Clerk of the House of Representatives;

That Paul D. Irving of the State of Florida be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives;

That Philip George Kiko of the State of Ohio be, and is hereby, chosen Chief Administrative Officer of the House of Representatives; and

That Father Patrick J. Conroy of the State of Oregon be, and is hereby, chosen Chaplain of the House of Representatives.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield to the gentleman from New York (Mr. CROWLEY) for the purpose of offering an amendment.

Mr. CROWLEY. Mr. Speaker, I have an amendment to the resolution, but before offering the amendment, I request that there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

The SPEAKER. The question will be divided.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. CROWLEY

Mr. CROWLEY. Mr. Speaker, I offer an amendment to the remainder of the resolution.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CROWLEY:

That Robert D. Edmonson of the District of Columbia be, and is hereby, chosen Clerk of the House of Representatives;

That Wyndee Parker of the State of Maryland be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives; and

That James Fleet of the Commonwealth of Pennsylvania be, and is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentlewoman from Washington.

The remainder of the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair will now swear in the officers of the House.

The officers presented themselves in the well of the House and took the oath of office as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

SWEARING IN OF MEMBER-ELECT

The SPEAKER. Will the Representative-elect please present herself in the well.

Mrs. LAWRENCE of Michigan appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 115th Congress.

TO INFORM THE SENATE THAT A QUORUM OF THE HOUSE HAS ASSEMBLED AND OF THE ELECTION OF THE SPEAKER AND THE CLERK

Mr. MCCARTHY. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 2

Resolved, That the Senate be informed that a quorum of the House of Representatives has assembled; that Paul D. Ryan, a Representative from the State of Wisconsin, has been elected Speaker; and that Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Fifteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT A COMMITTEE TO NOTIFY THE PRESIDENT OF THE ASSEMBLY OF THE CONGRESS

Mr. MCCARTHY. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 3

The SPEAKER pro tempore (Mr. WOMACK). Without objection, pursuant to House Resolution 3, the Chair announces the Speaker's appointment of the following Members to the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make:

The gentleman from California (Mr. MCCARTHY) and

The gentlewoman from California (Ms. PELOSI).

There was no objection.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK

Mr. CONYERS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 4

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Paul D. Ryan, a Representative from the State of Wisconsin as Speaker, and Karen L. Haas, a citizen of the State of Maryland as Clerk, of the House of Representatives of the One Hundred Fifteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. MCCARTHY. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That the Rules of the House of Representatives of the One Hundred Fourteenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Fourteenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Fifteenth Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in sections 3, 4, and 5.

SEC. 2. CHANGES TO THE STANDING RULES.

(a) DECORUM.—

(1) In clause 3 of rule II, add the following new paragraph:

“(g)(1) The Sergeant-at-Arms is authorized and directed to impose a fine against a Member, Delegate, or the Resident Commissioner for the use of an electronic device for still photography or for audio or visual recording or broadcasting in contravention of clause 5 of rule XVII and any applicable Speaker's announced policy on electronic devices.

“(2) A fine imposed pursuant to this paragraph shall be \$500 for a first offense and \$2,500 for any subsequent offense.

“(3)(A) The Sergeant-at-Arms shall promptly notify the Member, Delegate, or the Resident Commissioner, the Speaker, the Chief Administrative Officer, and the Committee on Ethics of any such fine.

“(B) Such Member, Delegate, or Resident Commissioner may appeal the fine in writing to the Committee on Ethics not later than 30 calendar days or five legislative days, whichever is later, after notification pursuant to subdivision (A).

“(C) Upon receipt of an appeal pursuant to subdivision (B), the Committee on Ethics shall have 30 calendar days or five legislative days, whichever is later, to either dismiss the fine or allow it to proceed. Upon a determination regarding the appeal or if no appeal has been filed at the expiration of the period specified in subdivision (B), the chair of the Committee on Ethics shall promptly notify the Member, Delegate, or the Resident Commissioner, the Speaker and the Chief Administrative Officer. The Speaker shall promptly lay such notification before the House.

“(4) The Sergeant-at-Arms and the Committee on Ethics are authorized to establish policies and procedures for the implementation of this paragraph.”

(2) In clause 4 of rule II, add the following new paragraph:

“(d)(1) Upon notification from the chair of the Committee on Ethics pursuant to clause 3(g)(3)(C), the Chief Administrative Officer shall deduct the amount of any fine levied under clause 3(g) from the net salary otherwise due the Member, Delegate, or the Resident Commissioner.

“(2) The Chief Administrative Officer is authorized to establish policies and procedures for such salary deductions.”

(3) Rule XVII is amended by redesignating clause 9 as clause 10, and by inserting after clause 8 the following new clause:

“Legislative Proceedings

“9.(a) A Member, Delegate, the Resident Commissioner, officer, or employee of the House may not engage in disorderly or disruptive conduct in the Chamber, including—

“(1) intentionally obstructing or impeding the passage of others in the Chamber;

“(2) the use of an exhibit to impede, disrupt, or disturb the proceedings of the House; and

“(3) the denial of legislative instruments to others seeking to engage in legislative proceedings.

“(b) This clause establishes a standard of conduct within the meaning of clause 3(a)(2) of rule XI.”

(b) AUTHORIZATION AND OVERSIGHT PLANS.—
(1) Clause 2(d) of rule X is amended to read as follows:

“(d)(1) Not later than February 15 of the first session of a Congress, each standing committee (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) shall, in a meeting that is open to the public, adopt its authorization and oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Oversight and Government Reform, the Committee on House Administration, and the Committee on Appropriations.

“(2) Each such plan shall include, with respect to programs and agencies within the committee's jurisdiction, and to the maximum extent practicable—

“(A) a list of such programs or agencies with lapsed authorizations that received funding in the prior fiscal year or, in the case of a program or agency with a permanent authorization, which has not been subject to a comprehensive review by the committee in the prior three Congresses;

“(B) a description of each such program or agency to be authorized in the current Congress;

“(C) a description of each such program or agency to be authorized in the next Congress, if applicable;

“(D) a description of any oversight to support the authorization of each such program or agency in the current Congress; and

“(E) recommendations for changes to existing law for moving such programs or agencies from mandatory funding to discretionary appropriations, where appropriate.

“(3) Each such plan may include, with respect to the programs and agencies within the committee's jurisdiction—

“(A) recommendations for the consolidation or termination of such programs or agencies that are duplicative, unnecessary, or inconsistent with the appropriate roles and responsibilities of the Federal Government;

“(B) recommendations for changes to existing law related to Federal rules, regulations, statutes, and court decisions affecting such programs and agencies that are inconsistent with the authorities of the Congress under Article I of the Constitution; and

“(C) a description of such other oversight activities as the committee may consider necessary.

“(4) In the development of such plan, the chair of each committee shall coordinate with other committees of jurisdiction to ensure that programs and agencies are subject to routine, comprehensive authorization efforts.

“(5) Not later than March 31 in the first session of a Congress, after consultation with the Speaker, the Majority Leader, and the Minority Leader, the Committee on Oversight and Government Reform shall report to the House the authorization and oversight plans submitted by committees together with any recommendations that it, or the House leadership group described above, may make to ensure the most effective coordination of authorization and oversight plans and otherwise to achieve the objectives of this clause.”

(2) In clause 1(d)(2)(B) of rule XI, insert “authorization and” before “oversight”.

(3) In clause 1(d)(2)(C) of rule XI, insert “authorization and” before “oversight”.

(c) AMENDMENTS TO APPROPRIATION BILLS.—In clause 2 of rule XXI, add the following new paragraph:

“(g) An amendment to a general appropriation bill shall not be in order if proposing a net increase in the level of budget authority in the bill.”.

(d) DUPLICATION OF FEDERAL PROGRAMS.—In clause 3(c) of rule XIII, add the following new subparagraph:

“(5) On a bill or joint resolution that establishes or reauthorizes a Federal program, a statement indicating whether any such program is known to be duplicative of another such program, including at a minimum an explanation of whether any such program was included in a report to Congress pursuant to section 21 of Public Law 111-139 or whether the most recent Catalog of Federal Domestic Assistance (published pursuant to section 6104 of title 31, United States Code) identified other programs related to the program established or reauthorized by the measure.”.

(e) RECOGNITION OF MEMBERS.—

(1) In clause 6 of rule I, strike “The Speaker shall rise to put a question but may state it sitting.”.

(2) In clause 6(d) of rule XIII, strike “rises” and insert “seeks recognition”.

(3) In clause 1(a) of rule XVII, strike “rise and”.

(4) In clause 2 of rule XVII, strike “rise at once” and insert “seek recognition”.

(5) In clause 5 of rule XVII, strike “walk out of or across” and insert “exit or cross”.

(6) In clause 1(a) of rule XX, strike “from their seats to” and insert “or otherwise indicate from their seats and”.

(f) CONVENING OUTSIDE THE HALL OF THE HOUSE.—In clause 12(d) of rule I, strike “whenever” and insert “if”.

(g) TEMPORARY PRESIDING AUTHORITY CLARIFICATION.—In clause 2(a) of rule II, insert “and in the absence of a Member acting as Speaker pro tempore pursuant to clause 8(b)(3)(A) of rule I,” after “tempore.”.

(h) CONTINUING LITIGATION AUTHORITIES.—In clause 8 of rule II, add the following new paragraph:

“(c) The House, the Speaker, a committee or the chair of a committee authorized during a prior Congress to act in a litigation matter is authorized to act as the successor in interest to the House, the Speaker, such committee or the chair of such committee of a prior Congress, respectively, with respect to such litigation matter, and to take such steps as may be appropriate to ensure continuation of such litigation matter.”.

(i) CLARIFYING STAFF ACCESS TO THE HOUSE FLOOR.—In clause 5 of rule IV, strike “shall remain at the desk and”.

(j) MEMBER RECORDS.—In clause 6 of rule VII—

(1) redesignate paragraphs (a) and (b) as subparagraphs (1) and (2);

(2) designate the existing sentence as paragraph (a);

(3) in paragraph (a) (as so designated), insert “as described in paragraph (b)” after “Resident Commissioner”; and

(4) add at the end the following new paragraph:

“(b) Records created, generated, or received by the congressional office of a Member, Delegate, or the Resident Commissioner in the performance of official duties are exclusively the personal property of the individual Member, Delegate, or the Resident Commissioner and such Member, Delegate, or Resident Commissioner has control over such records.”.

(k) RESPONSE TO SUBPOENAS.—Amend rule VIII to read as follows—

“RULE VIII

“RESPONSE TO SUBPOENAS

“1.(a) When a Member, Delegate, Resident Commissioner, officer, or employee of the House is properly served with a judicial subpoena or order, such Member, Delegate, Resident Commissioner, officer, or employee shall comply, consistently with the privileges and rights of the House, with the judicial subpoena or order as hereinafter provided, unless otherwise determined under this rule.

“(b) For purposes of this rule, ‘judicial subpoena or order’ means a judicial subpoena or judicial order directing appearance as a witness relating to the official functions of the House or for the production or disclosure of any document relating to the official functions of the House.

“2.(a) Upon receipt of a properly served judicial subpoena or order, a Member, Delegate, Resident Commissioner, officer, or employee of the House shall promptly notify the Speaker in writing of its receipt together with either:

“(1) a determination as to whether the issuance of the judicial subpoena or order is a proper exercise of jurisdiction by the court and is consistent with the privileges and rights of the House; or

“(2) a statement that such Member, Delegate, Resident Commissioner, officer, or employee of the House intends to make a determination with respect to the matters described in subparagraph (1).

“(b) The notification required by paragraph (a) shall promptly be laid before the House by the Speaker.

“3.(a) Except as specified in paragraph (b) or otherwise ordered by the House, upon notification to the House that a judicial subpoena or order is a proper exercise of jurisdiction by the court and is consistent with the privileges and rights of the House, the Member, Delegate, Resident Commissioner, officer, or employee of the House shall comply with the judicial subpoena or order by supplying copies.

“(b) Under no circumstances may minutes or transcripts of executive sessions, or evidence of witnesses in respect thereto, be disclosed or copied. During a period of recess or adjournment of longer than three days, the Speaker may authorize compliance or take such other action as the Speaker considers appropriate under the circumstances. Upon the reconvening of the House, all matters that transpired under this clause shall promptly be laid before the House by the Speaker.

“4. Nothing in this rule shall be construed to deprive, condition, or waive the constitutional or legal privileges or rights applicable or available at any time to a Member, Delegate, Resident Commissioner, officer, or employee of the House, or of the House itself, or the right of such Member, Delegate, Resident Commissioner, officer, or employee, or of the House itself, to assert such privileges or rights before a court in the United States.”.

(1) REQUIREMENTS FOR SUBCOMMITTEES.—Amend clause 5(d)(2) of rule X to read as follows:

“(2)(A) A committee that maintains a subcommittee on oversight may have not more than six subcommittees.

“(B) The Committee on Appropriations may have not more than 13 subcommittees.

“(C) The Committee on Armed Services may have not more than seven subcommittees.

“(D) The Committee on Foreign Affairs may have not more than seven subcommittees.

“(E) The Committee on Oversight and Government Reform may have not more than seven subcommittees.

“(F) The Committee on Transportation and Infrastructure may have not more than six subcommittees.”.

(m) COMMITTEE HEARINGS.—In clause 2(g)(2)(D) of rule XI, insert “, the Committee on Homeland Security” after “Armed Services”.

(n) REFERRALS TO THE COURT OF CLAIMS.—

(1) In clause 1(a)(1) of rule XIII—

(A) insert “or” before “releasing”; and

(B) strike “, or referring a claim to the Court of Claims”; and

(2) In clause 3 of rule XVIII—

(A) insert “or” before “releasing”; and

(B) strike “, or referring a claim to the Court of Claims”.

(o) CONTENTS OF COMMITTEE REPORTS SHOWING CHANGES TO EXISTING LAW.—Clause 3(e)(1) of rule XIII is amended by striking “accompanying document—” and all that follows and inserting “accompanying document (showing by appropriate typographical devices the omissions and insertions proposed)—

“(A) the entire text of each section of a statute that is proposed to be repealed; and

“(B) a comparative print of each amendment to the entire text of a section of a statute that the bill or joint resolution proposes to make.”.

(p) AUTHORITY TO POSTPONE RECORD VOTES ON CERTAIN MOTIONS.—In clause 8(a)(2) of rule XX—

(1) Redesignate subdivisions (E) through (H) as subdivisions (G) through (J), respectively;

(2) Insert after subdivision (D) the following new subdivisions:

“(E) The question of adopting a motion to recommit.

“(F) The question of adopting a motion to concur in a Senate amendment, with or without amendment.”; and

(3) In subdivision (G) (as redesignated), strike “subdivision (A), (B), (C), or (D)” and insert “subdivisions (A) through (F)”.

(q) CONFORMING GUIDELINES FOR FIVE-MINUTE VOTING.—In clause 9 of rule XX—

(1) In paragraph (a), insert “or” after the semicolon; and

(2) Strike paragraphs (b) and (c) and insert the following:

“(b) if in the discretion of the Speaker Members would be afforded an adequate opportunity to vote—

“(1) on any question arising after a report from the Committee of the Whole without debate or intervening motion; or

“(2) on the question of adoption of a motion to recommit (or ordering the previous question thereon) arising without intervening motion or debate other than debate on the motion.”.

(r) ELECTRONIC AVAILABILITY.—In clause 3 of rule XXIX, strike “in electronic form at a location designated by the Committee on House Administration” and insert “at an electronic document repository operated by the Clerk”.

(s) COMPARATIVE PRINTS FOR BILLS OR JOINT RESOLUTIONS CONSIDERED ON FLOOR.—Effective December 31, 2017, in rule XXI, add at the end the following new clause:

“12.(a)(1) Before a bill or joint resolution proposing to repeal or amend a statute or part thereof may be considered, there shall be made available on a publicly available website of the House an easily searchable electronic comparative print that shows how the bill or joint resolution proposes to change current law, showing (to the greatest

extent practicable) by appropriate typographical devices the omissions and insertions proposed.

“(2) Before an amendment in the nature of a substitute may be considered if the amendment proposes to repeal or amend a statute or part thereof, there shall be made available on a publicly available website of the House an easily searchable electronic comparative print that shows (to the greatest extent practicable) how the amendment proposes to change current law, showing by appropriate typographical devices the omissions and insertions proposed.

“(b) If a committee reports a bill or joint resolution, before the bill or joint resolution may be considered with text different from the text reported, there shall be made available on a publicly available website of the House a document that shows, by appropriate typographical devices, the differences between the text of the bill or joint resolution as proposed to be considered and the text of the bill or joint resolution as reported.”.

(t) APPOINTMENT OF CHAIR.—Clause 1 of rule XVIII is amended by inserting “, Delegate, or the Resident Commissioner” after “Member”.

SEC. 3. SEPARATE ORDERS.

(a) HOLMAN RULE.—During the first session of the One Hundred Fifteenth Congress, any reference in clause 2 of rule XXI to a provision or amendment that retrenches expenditures by a reduction of amounts of money covered by the bill shall be construed as applying to any provision or amendment (offered after the bill has been read for amendment) that retrenches expenditures by—

(1) the reduction of amounts of money in the bill;

(2) the reduction of the number and salary of the officers of the United States; or

(3) the reduction of the compensation of any person paid out of the Treasury of the United States.

(b) STAFF DEPOSITION AUTHORITY.—

(1) During the One Hundred Fifteenth Congress, the chair of a standing committee (other than the Committee on House Administration or the Committee on Rules), and the chair of the Permanent Select Committee on Intelligence, upon consultation with the ranking minority member of such committee, may order the taking of depositions, including pursuant to subpoena, by a member or counsel of such committee.

(2) Depositions taken under the authority prescribed in this subsection shall be subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.

(3) At least one member of the committee shall be present at each deposition taken under the authority prescribed in this subsection, unless—

(A) the witness to be deposed agrees in writing to waive this requirement; or

(B) the committee authorizes the taking of a specified deposition without the presence of a member during a specified period, provided that the House is not in session on the day of the deposition.

(c) INDEPENDENT PAYMENT ADVISORY BOARD.—Section 1899A(d) of the Social Security Act shall not apply in the One Hundred Fifteenth Congress.

(d) PROVIDING FOR TRANSPARENCY WITH RESPECT TO MEMORIALS SUBMITTED PURSUANT TO ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES.—With respect to any memorial presented under clause 3 of rule XII purporting to be an application of the legislature of a State calling for a convention for

proposing amendments to the Constitution of the United States pursuant to Article V, or a rescission of any such prior application—

(1) the chair of the Committee on the Judiciary shall, in the case of such a memorial presented in the One Hundred Fourteenth Congress or the One Hundred Fifteenth Congress, and may, in the case of such a memorial presented prior to the One Hundred Fourteenth Congress, designate any such memorial for public availability by the Clerk; and

(2) the Clerk shall make such memorials as are designated pursuant to paragraph (1) publicly available in electronic form, organized by State of origin and year of receipt, and shall indicate whether the memorial was designated as an application or a rescission.

(e) SPENDING REDUCTION AMENDMENTS IN APPROPRIATIONS BILLS.—

(1) During the reading of a general appropriation bill for amendment in the Committee of the Whole House on the state of the Union, it shall be in order to consider en bloc amendments proposing only to transfer appropriations from an object or objects in the bill to a spending reduction account. When considered en bloc under this paragraph, such amendments may amend portions of the bill not yet read for amendment (following disposition of any points of order against such portions) and are not subject to a demand for division of the question in the House or in the Committee of the Whole.

(2) Except as provided in paragraph (1), it shall not be in order to consider an amendment to a spending reduction account in the House or in the Committee of the Whole House on the state of the Union.

(3) A point of order under clause 2(b) of rule XXI shall not apply to a spending reduction account.

(4) A general appropriation bill may not be considered in the Committee of the Whole House on the state of the Union unless it includes a spending reduction account as the last section of the bill. An order to report a general appropriation bill to the House shall constitute authority for the chair of the Committee on Appropriations to add such a section to the bill or modify the figure contained therein.

(5) For purposes of this subsection, the term “spending reduction account” means an account in a general appropriation bill that bears that caption and contains only—

(A) a recitation of the amount by which an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of new budget authority proposed by the bill; or

(B) if no such allocation is in effect, “\$0”.

(f) POINT OF ORDER AGAINST MOTION TO RISE AND REPORT.—

(1) During the One Hundred Fifteenth Congress, except as provided in paragraph (3), a motion that the Committee of the Whole rise and report a bill to the House shall not be in order if the bill, as amended, exceeds an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974, as estimated by the Committee on the Budget.

(2) If a point of order under paragraph (1) is sustained, the Chair shall put the question: “Shall the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted notwithstanding that the bill exceeds its allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974?”. Such question shall be debatable for 10 minutes equally divided and controlled by

a proponent of the question and an opponent but shall be decided without intervening motion.

(3) Paragraph (1) shall not apply—

(A) to a motion offered under clause 2(d) of rule XXI; or

(B) after disposition of a question under paragraph (2) on a given bill.

(4) If a question under paragraph (2) is decided in the negative, no further amendment shall be in order except—

(A) one proper amendment, which shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and

(B) pro forma amendments, if offered by the chair or ranking minority member of the Committee on Appropriations or their designees, for the purpose of debate.

(g) LIMITATION ON ADVANCE APPROPRIATIONS.—

(1) Except as provided in paragraph (2), any general appropriation bill or bill or joint resolution continuing appropriations, or amendment thereto or conference report thereon, may not provide an advance appropriation.

(2) An advance appropriation may be provided for programs, projects, activities, or accounts identified in a list submitted for printing in the Congressional Record by the chair of the Committee on the Budget (when elected) under the heading—

(A) “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority; and

(B) “Veterans Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$66,385,032,000 in new budget authority.

(3) DEFINITION.—The term “advance appropriation” means any new discretionary budget authority provided in a general appropriation bill or bill or joint resolution continuing appropriations for fiscal year 2017, or any amendment thereto or conference report thereon, that first becomes available for the fiscal year following fiscal year 2017.

(h) POINT OF ORDER AGAINST INCREASING DIRECT SPENDING.—

(1) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare an estimate of whether a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or amendment thereto or conference report thereon, would cause, relative to current law, a net increase in direct spending in excess of \$5,000,000,000 in any of the 4 consecutive 10-fiscal year periods beginning with the first fiscal year that is 10 fiscal years after the current fiscal year.

(2) POINT OF ORDER.—It shall not be in order to consider any bill or joint resolution reported by a committee, or amendment thereto or conference report thereon, that would cause a net increase in direct spending in excess of \$5,000,000,000 in any of the 4 consecutive 10-fiscal year periods described in paragraph (1).

(3) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this subsection, the levels of net increases in direct spending shall be determined on the basis of estimates provided by the chair of the Committee on the Budget.

(4) LIMITATION.—This subsection shall not apply to any bill or joint resolution, or amendment thereto or conference report thereon—

(A) repealing the Patient Protection and Affordable Care Act and title I and subtitle B of title II of the Health Care and Education Affordability Reconciliation Act of 2010;

(B) reforming the Patient Protection and Affordable Care Act and the Health Care and Education Affordability Reconciliation Act of 2010; or

(C) for which the chair of the Committee on the Budget has made an adjustment to the allocations, levels, or limits contained in the most recently adopted concurrent resolution on the budget.

(i) DISCLOSURE OF DIRECTED RULE MAKINGS.—

(1) The report of a committee on a bill or joint resolution shall include a list of directed rule makings required by the measure or a statement that the proposition contains no directed rule makings.

(2) For purposes of this subsection, the term “directed rule making” means a specific rule making within the meaning of section 551 of title 5, United States Code, specifically directed to be completed by a provision in the measure, but does not include a grant of discretionary rule making authority.

(j) EXERCISE FACILITIES FOR FORMER MEMBERS.—During the One Hundred Fifteenth Congress—

(1) The House of Representatives may not provide access to any exercise facility which is made available exclusively to Members and former Members, officers and former officers of the House of Representatives, and their spouses to any former Member, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995 or any successor statute or agent of a foreign principal as defined in clause 5 of rule XXV. For purposes of this subsection, the term “Member” includes a Delegate or Resident Commissioner to the Congress.

(2) The Committee on House Administration shall promulgate regulations to carry out this subsection.

(k) NUMBERING OF BILLS.—In the One Hundred Fifteenth Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker and the second 10 numbers for bills (H.R. 11 through H.R. 20) shall be reserved for assignment by the Minority Leader.

(l) INCLUSION OF CITATIONS FOR PROPOSED REPEALS AND AMENDMENTS.—To the maximum extent practicable and consistent with established drafting conventions, an instruction in a bill or joint resolution proposing to repeal or amend any law or part thereof not contained in a codified title of the United States Code shall include, in parentheses immediately following the designation of the matter proposed to be repealed or amended, the applicable United States Code citation (which may be a note in the United States Code), or, if no such citation is available, an appropriate alternative citation to the applicable law or part.

(m) BROADENING AVAILABILITY OF LEGISLATIVE DOCUMENTS IN MACHINE-READABLE FORMATS.—The Committee on House Administration, the Clerk, and other officers and officials of the House shall continue efforts to broaden the availability of legislative documents in machine readable formats in the One Hundred Fifteenth Congress in furtherance of the institutional priority of improving public availability and use of legislative information produced by the House and its committees.

(n) CONGRESSIONAL MEMBER ORGANIZATION TRANSPARENCY REFORM.—

(1) PAYMENT OF SALARIES AND EXPENSES THROUGH ACCOUNT OF ORGANIZATION.—A Member of the House of Representatives and an eligible Congressional Member Organization may enter into an agreement under which—

(A) an employee of the Member’s office may carry out official and representational duties of the Member by assignment to the Organization; and

(B) to the extent that the employee carries out such duties under the agreement, the Member shall transfer the portion of the Members’ Representation Allowance of the Member which would otherwise be used for the salary and related expenses of the employee to a dedicated account in the House of Representatives which is administered by the Organization, in accordance with the regulations promulgated by the Committee on House Administration under paragraph (2).

(2) REGULATIONS.—The Committee on House Administration (hereafter referred to in this subsection as the “Committee”) shall promulgate regulations as follows:

(A) USE OF MRA.—Pursuant to the authority of section 101(d) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5341(d)), the Committee shall prescribe regulations to provide that an eligible Congressional Member Organization may use the amounts transferred to the Organization’s dedicated account under paragraph (1)(B) for the same purposes for which a Member of the House of Representatives may use the Members’ Representational Allowance, except that the Organization may not use such amounts for franked mail, official travel, or leases of space or vehicles.

(B) MAINTENANCE OF LIMITATIONS ON NUMBER OF SHARED EMPLOYEES.—Pursuant to the authority of section 104(d) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321(d)), the Committee shall prescribe regulations to provide that an employee of the office of a Member of the House of Representatives who is covered by an agreement entered into under paragraph (1) between the Member and an eligible Congressional Member Organization shall be considered a shared employee of the Member’s office and the Organization for purposes of such section, and shall include in such regulations appropriate accounting standards to ensure that a Member of the House of Representatives who enters into an agreement with such an Organization under paragraph (1) does not employ more employees than the Member is authorized to employ under such section.

(C) PARTICIPATION IN STUDENT LOAN REPAYMENT PROGRAM.—Pursuant to the authority of section 105(b) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 4536(b)), relating to the student loan repayment program for employees of the House, the Committee shall promulgate regulations to provide that, in the case of an employee who is covered by an agreement entered into under paragraph (1) between a Member of the House of Representatives and an eligible Congressional Member Organization and who participates in such program while carrying out duties under the agreement—

(i) any funds made available for making payments under the program with respect to the employee shall be transferred to the Organization’s dedicated account under paragraph (1)(B); and

(ii) the Organization shall use the funds to repay a student loan taken out by the employee, under the same terms and conditions which would apply under the program if the

Organization were the employing office of the employee.

(D) ACCESS TO HOUSE SERVICES.—The Committee shall prescribe regulations to ensure that an eligible Congressional Member Organization has appropriate access to services of the House.

(E) OTHER REGULATIONS.—The Committee shall promulgate such other regulations as may be appropriate to carry out this subsection.

(3) ELIGIBLE CONGRESSIONAL MEMBER ORGANIZATION DEFINED.—In this subsection, the term “eligible Congressional Member Organization” means, with respect to the One Hundred Fifteenth Congress, an organization meeting each of the following requirements:

(A) The organization is registered as a Congressional Member Organization with the Committee on House Administration.

(B) The organization designates a single Member of the House of Representatives to be responsible for the administration of the organization, including the administration of the account administered under paragraph (1)(B), and includes the identification of such Member with the statement of organization that the organization files and maintains with the Committee on House Administration.

(C) At least 3 employees of the House are assigned to work for the organization.

(D) During the One Hundred Fourteenth Congress, at least 30 Members of the House of Representatives used a portion of the Members’ Representational Allowance of the Member for the salary and related expenses of an employee who was a shared employee of the Member’s office and the organization.

(E) The organization files a statement with the Committee on House Administration and the Chief Administrative Officer of the House of Representatives certifying that it will administer an account in accordance with paragraph (1)(B).

(o) SOCIAL SECURITY SOLVENCY.—

(1) POINT OF ORDER.—During the One Hundred Fifteenth Congress, it shall not be in order to consider a bill or joint resolution, or an amendment thereto or conference report thereon, that reduces the actuarial balance by at least .01 percent of the present value of future taxable payroll of the Federal Old-Age and Survivors Insurance Trust Fund established under section 201(a) of the Social Security Act for the 75-year period utilized in the most recent annual report of the Board of Trustees provided pursuant to section 201(c)(2) of the Social Security Act.

(2) EXCEPTION.—Paragraph (1) shall not apply to a measure that would improve the actuarial balance of the combined balance in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for the 75-year period utilized in the most recent annual report of the Board of Trustees provided pursuant to section 201(c)(2) of the Social Security Act.

(p) SUBCOMMITTEES.—Notwithstanding clause 5(d) of rule X, during the One Hundred Fifteenth Congress the Committee on Agriculture may have not more than six subcommittees.

(q) TREATMENT OF CONVEYANCES OF FEDERAL LAND.—

(1) IN GENERAL.—In the One Hundred Fifteenth Congress, for all purposes in the House, a provision in a bill or joint resolution, or in an amendment thereto or a conference report thereon, requiring or authorizing a conveyance of Federal land to a State, local government, or tribal entity shall not be considered as providing new

budget authority, decreasing revenues, increasing mandatory spending, or increasing outlays.

(2) DEFINITIONS.—In this subsection:

(A) The term “conveyance” means any method, including sale, donation, or exchange, by which all or any portion of the right, title, and interest of the United States in and to Federal land is transferred to another entity.

(B) The term “Federal land” means any land owned by the United States, including the surface estate, the subsurface estate, or any improvements thereon.

(C) The term “State” means any of the several States, the District of Columbia, or a territory (including a possession) of the United States.

SEC. 4. COMMITTEES, COMMISSIONS, AND HOUSE OFFICES.

(a) HOUSE DEMOCRACY PARTNERSHIP.—House Resolution 24, One Hundred Tenth Congress, shall apply in the One Hundred Fifteenth Congress in the same manner as such resolution applied in the One Hundred Tenth Congress except that the commission concerned shall be known as the House Democracy Partnership.

(b) TOM LANTOS HUMAN RIGHTS COMMISSION.—Sections 1 through 7 of House Resolution 1451, One Hundred Tenth Congress, shall apply in the One Hundred Fifteenth Congress in the same manner as such provisions applied in the One Hundred Tenth Congress, except that—

(1) the Tom Lantos Human Rights Commission may, in addition to collaborating closely with other professional staff members of the Committee on Foreign Affairs, collaborate closely with professional staff members of other relevant committees; and

(2) the resources of the Committee on Foreign Affairs which the Commission may use shall include all resources which the Committee is authorized to obtain from other offices of the House of Representatives.

(c) OFFICE OF CONGRESSIONAL ETHICS.—Section 1 of House Resolution 895, One Hundred Tenth Congress, shall apply in the One Hundred Fifteenth Congress in the same manner as such provision applied in the One Hundred Tenth Congress, except that—

(1) the Office of Congressional Ethics shall be treated as a standing committee of the House for purposes of section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i));

(2) references to the Committee on Standards of Official Conduct shall be construed as references to the Committee on Ethics;

(3) any requirement for concurrence in section 1(b)(1) shall be construed as a requirement for consultation;

(4) the second sentence of section 1(b)(6)(A) shall not apply;

(5) members subject to section 1(b)(6)(B) may be reappointed for a third additional term;

(6) any individual who is the subject of a preliminary review or second-phase review by the board shall be informed of the right to be represented by counsel and invoking that right should not be held negatively against them; and

(7) the Office may not take any action that would deny any person any right or protection provided under the Constitution of the United States.

SEC. 5. ORDERS OF BUSINESS.

(a) The Speaker may recognize a Member for the reading of the Constitution on any legislative day through January 13, 2017.

(b) Upon adoption of this resolution it shall be in order to consider in the House the

bill (H.R. 21) to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for “midnight rules”, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees; and (2) one motion to recommit.

Mr. MCCARTHY (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

MOTION TO REFER

Ms. NORTON. Mr. Speaker, I rise to offer a motion that is at the desk.

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

The Clerk read as follows:

Ms. Norton moves to refer the resolution to a select committee of five members, to be appointed by the Speaker, not more than three of whom shall be from the same political party, with instructions not to report back the same until it has conducted a full and complete study of, and made a determination on, whether there is any reason to deny Delegates, in particular the Delegate from the District of Columbia, whose residents pay the highest per capita federal income taxes in the United States to support the federal government, the right to vote in the Committee of the Whole House on the state of the Union in light of the decision of the United States Court of Appeals for the District of Columbia Circuit in *Michel v. Anderson* (14 F.3d 623 (D.C. Cir. 1994)) upholding the constitutionality of such right to vote, and the inclusion of such right to vote in the Rules for the 103rd, 110th and 111th Congresses.

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I have a motion to table at the desk.

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

The Clerk read as follows:

Mr. McCarthy moves to lay on the table the motion to refer.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 184, not voting 21, as follows:

[Roll No. 3]

YEAS—228

Abraham	Babin	Bergman
Aderholt	Bacon	Beutler
Allen	Banks (IN)	Biggs
Amash	Barletta	Bilirakis
Amodei	Barr	Bishop (MI)
Arrington	Barton	Bishop (UT)

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

NAYS—184

Aguilar	Castro (TX)	DeGette
Barragan	Chu, Judy	Delaney
Bass	Cicilline	DeLauro
Beatty	Clark (MA)	DeBene
Becerra	Clarke (NY)	Demings
Bera	Clay	DeSaulnier
Beyer	Cleaver	Deutch
Blumenauer	Clyburn	Dingell
Bonamici	Cohen	Doggett
Boyle, Brendan	Connolly	Doyle, Michael
F.	Conyers	F.
Brady (PA)	Cooper	Ellison
Brown (MD)	Correa	Engel
Brownley (CA)	Costa	Eshoo
Bustos	Courtney	Española
Butterfield	Crist	Esty
Capuano	Crowley	Evans
Carbajal	Cuellar	Foster
Cardenas	Cummings	Frankel (FL)
Carson (IN)	Davis (CA)	Gabbard
Cartwright	Davis, Danny	Gallego
Castor (FL)	DeFazio	Garamendi

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

NOT VOTING—21

Adams	Issa	Renacci
Bishop (GA)	Jones	Rice (NY)
Blunt Rochester	King (IA)	Rooney, Thomas
Fudge	Lynch	J.
Gowdy	Marchant	Young (AK)
Gutiérrez	Mulvaney	Zinke
Hanabusa	Pompeo	
Higgins (NY)	Price, Tom (GA)	

□ 1504

Mr. GARAMENDI and Mrs. DAVIS of California changed their vote from “yea” to “nay.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RENACCI. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 3.

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

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that the time allocated to me be controlled by the esteemed gentleman from Texas (Mr. SESSIONS).

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Rochester, New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, I also include in the RECORD a section-by-section analysis of the resolution.

H. RES. 5

ADOPTING THE RULES FOR THE 115TH CONGRESS

SECTION-BY-SECTION ANALYSIS

Section 1. Resolved Clause.

This section provides that the Rules of the 114th Congress are the Rules of the 115th Congress, except for the amendments contained in section 2 of the resolution and orders contained in sections 3, 4, and 5.

Section 2. Changes to the Standing Rules.

Decorum. Subsection (a) authorizes the Sergeant-at-Arms to impose a fine against a Member, Delegate, or the Resident Commissioner for the use of an electronic device for photography, audio or visual recording, or broadcasting on the House floor in contravention of clause 5 of rule XVII and any applicable Speaker’s announced policy on electronic devices. A fine for a first offense will be \$500 and \$2,500 for subsequent offenses. Any subsequent offense will be assessed at the higher amount, regardless of whether it is connected to any other offense by time or proximity.

The subsection provides that any Member, Delegate, or Resident Commissioner that has been assessed a fine may appeal the fine in writing to the Committee on Ethics not later than 30 calendar days or five legislative days, whichever is later, after notification. Upon receipt of an appeal, the Committee on Ethics is provided 30 calendar days or five legislative days, whichever is later, to either dismiss the fine or allow it to proceed. Upon a determination regarding the appeal or if no appeal has been filed at the expiration of the period, the chair of the Committee on Ethics shall promptly notify the Member, Delegate, or the Resident Commissioner, the Speaker and the Chief Administrative Officer. The Speaker is required to promptly lay such notification before the House.

The Sergeant-at-Arms, Committee on Ethics, and Chief Administrative Officer are authorized to establish policies and procedures to implement this subsection. Upon notification from the chair of the Committee on Ethics, the Chief Administrative Officer shall deduct the amount of any fine from the net salary of the Member, Delegate, or Resident Commissioner.

The subsection also modifies rule XVII to clarify conduct considered disorderly or disruptive during legislative proceedings to ensure that a Member may be referred to the Committee on Ethics for behavior impeding in the rights of another Member, Delegate, or the Resident Commissioner to participate in floor proceedings, including blocking access to legislative instruments such as microphones and blocking access the well of the House.

Authorization and Oversight Plans. Subsection (b) amends the current oversight plan requirements. The subsection requires each standing committee (except the Committees on Appropriations, Ethics, and Rules) to adopt an authorization and over-

sight plan, which must be submitted to the Committees on Oversight and Government Reform, House Administration, and Appropriations no later than February 15 of the first session of Congress. The plan must include a list of unauthorized programs and agencies within their jurisdiction that have received funding in the prior fiscal year, or in the case of a permanent authorization, has not received a comprehensive review by the committee in the prior three Congresses. The subsection requires committees to describe each program or agency that is intended to be authorized in the current Congress or next Congress, and a description of oversight to support reauthorization in the current Congress. The subsection also requires recommendations, if any, for moving such programs or agencies from mandatory to discretionary funding.

The subsection also provides that committees may make recommendations to consolidate or terminate duplicative programs or agencies, or those that are inconsistent with the appropriate role of the Federal government. Committees may make recommendations for changes to existing law to address Federal rules, regulations, statutes, and court decisions related to these programs that are inconsistent with Congress’ Article I authorities. The subsection requires the Committee on Oversight and Government Reform, after consultation with the Speaker, Majority Leader, and the Minority Leader, report the oversight and authorization plans to the House by March 31 of the first session of Congress.

Amendments to Appropriation Bills. Subsection (c) codifies the standing order from the 112th, 113th, and 114th Congresses prohibiting an amendment to a general appropriation bill proposing a net increase in budget authority in the bill.

Duplication of Federal Programs. Subsection (d) codifies the standing order from the 113th and 114th Congresses that requires committee reports to include a statement on whether any provision of the measure establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program. The subsection also eliminates unnecessary language regarding the authorization of a committee chair to request that the Government Accountability Office perform a duplication analysis of any bill or joint resolution referred to that committee, and makes technical changes.

Recognition of Members. Subsection (e) eliminates from the rules outdated references to physical mobility. This is a clarification to address the needs of Members who are physically unable to stand.

Convening Outside the Hall of the House. Subsection (f) conforms the standing rules with current practice regarding convening outside the Hall of the House.

Temporary Presiding Authority Clarification. Subsection (g) clarifies that the authority of a Speaker pro tempore appointed under clause 8(b)(3)(A) of rule I takes priority over the Clerk’s authority to preserve order and decorum pending the election of a new Speaker.

Continuing Litigation Authorities. Subsection (h) authorizes the House, the Speaker, a committee or chair of a committee to carry forward litigation from the previous Congress as the successor in interest in any continuing litigation matter in which the House, the Speaker, the committee or chair of a committee, respectively, was previously authorized to be involved. This subsection automatically continues previously authorized litigation authority and fully empowers

the successor in interest to take all steps necessary to carry such litigation forward during the new Congress, thereby eliminating the need for a separate resolution authorizing the continuation of such litigation as in the past.

Clarifying Staff Access to the House Floor. Subsection (i) conforms the standing rules to the current practice that staff accompanying Members on the floor are not required to remain at the desk.

Member Records. Subsection (j) adds language to the definition of “Records of the House” to clarify the ownership of congressional office records of a Member, Delegate, or Resident Commissioner, and to codify the longstanding custom and practice of the House under which such records have been recognized to be the personal property of the Member, Delegate, or Resident Commissioner, in keeping with the common law. Prior rules of the House drew a distinction between the records of House committees and officers, on the one hand, and congressional office records of Members, Delegates, or the Resident Commissioner, on the other. The latter do not belong to the House, because the Rule expressly defined House “records” to exclude them. See, e.g., Rule VII.6, Rules of the U.S. House of Representatives, 114th Cong. (2015); Rule XXXVI, Rules of the U.S. House of Representatives, 105th Cong. (1997). This subsection adds language confirming that congressional office records are the personal property of the Member, Delegate, or Resident Commissioner who creates, generates, or receives them, in accordance with longstanding House custom and prior pronouncements. See, e.g., H. Con. Res. 307, 110th Cong. (2008) (“[B]y custom [congressional papers of Members, Delegates, and Resident Commissioners] are considered the personal property of the Member who receives and creates them, and it is therefore the Member who is responsible to decide on their ultimate disposition”); H. Rep. No. 99-994, 99th Cong. (1986), at 5 (“[I]t is relatively clear that Members’ papers have been regarded as their personal property”).

Response to Subpoenas. Subsection (k) clarifies and streamlines procedures governing notification of, and response to, properly served judicial subpoenas and judicial orders directing appearance as a witness relating to the official functions of the House or compelling the production or disclosure of any document relating to the official functions of the House.

The subsection continues the practice of granting authority to respond to subpoenas without the necessity of a House vote, and streamlines the notification process to eliminate inefficiencies. The recipient of a properly served judicial subpoena or order compelling testimony or production of documents relating to the official functions of the House must promptly notify the Speaker in writing of the receipt of that judicial order or subpoena and must determine whether the subpoena or order is a proper exercise of the jurisdiction of the court and is consistent with the rights and privileges of the House. In keeping with current practice, the notification to the Speaker must either set forth those determinations (if they have already been made at the time of the notification) or state that the recipient intends to make those determinations. The prior rule’s additional reference to determining whether the subpoena or order “is material and relevant” has been omitted as redundant and superfluous, because it is subsumed within the requirement to determine whether the subpoena or order is consistent with the

privileges and rights of the House; it would not be consistent with the privileges and rights of the House for a Member, Delegate, Resident Commissioner, officer, or employee to be compelled to respond to a judicial subpoena or order seeking information that is not material and relevant to the underlying cause. Accordingly, no substantive change is made by the deletion of the “is material and relevant” determination.

The subsection omits the obsolete requirements for the Clerk of the House to provide a copy of rule VIII to the court and for recipients of judicial subpoenas or orders to submit “certified” copies of documents when production of documents in response to a properly served judicial subpoena or order has been determined to be appropriate. References to administrative subpoenas relating to the official functions of the House have also been deleted, because the rule should not be interpreted to suggest that compliance with such subpoenas may be mandatory. The subsection deletes the truism that notifications received when the House is adjourned will be laid before the House upon its reconvening.

Requirements for Subcommittees. Subsection (l) codifies the exceptions carried in previous rules packages to clause 5(d) of rule X to allow the Committee on Appropriations up to thirteen subcommittees, the Committees on Armed Services, Foreign Affairs, and Oversight and Government Reform up to seven subcommittees, and the Committee on Transportation and Infrastructure up to six subcommittees.

Committee Hearings. Subsection (m) provides the Committee on Homeland Security with authority to close hearings for an additional 5 consecutive days when considering sensitive matters that require an executive session.

Referrals to the Court of Claims. Subsection (n) conforms the standing rules with the current practice that measures making a referral to the Court of Claims are referred to the private calendar.

Contents of Committee Reports Showing Changes to Existing Law. Subsection (o) modifies language adopted in the 114th Congress to address an unintended consequence that required a committee report or accompanying document to portray duplicative prints. This subsection continues to require that a Ramseyer print show the entire text of each section of statute that is proposed to be repealed and a comparative print of each amendment to the entire text of a section of statute the bill or joint resolution proposes to make. The subsection also clarifies existing practice that appropriate typographical devices be used for both repeated text and comparative prints.

Authority to Postpone Record Votes on Certain Motions. Subsection (p) adds motions to recommit and motions to concur to the list of postponable questions under clause 8 of rule XX.

Conforming Guidelines for Five-Minute Voting. Subsection (q) clarifies that the Speaker’s ability to reduce the time for a vote pursuant to clause 9(b) or 9(c) of rule XX is subject to the same guidelines as the reduction of the time for a vote pursuant to clause 8(c)(2) of rule XX.

Electronic Availability. Subsection (r) modifies and codifies a standing order from the 112th, 113th, and 114th Congresses by designating the electronic document repository operated by the Clerk of the House for the purposes of electronic availability rules.

Comparative Prints for Bills or Joint Resolution Considered on Floor. Subsection (s) pro-

vides that by December 31, 2017, each bill, joint resolution, or amendment in the nature of a substitute shall have an easily searchable electronic comparative print that shows how the proposed legislation will change current law, showing by appropriate typographical devices the omissions and insertions proposed. The subsection also seeks to enhance transparency on changes made to a measure after it has been reported by a committee.

Appointments of Chair. Subsection (t) allows Delegates and the Resident Commissioner to serve as chair of the Committee of the Whole.

Section 3. Separate Orders.

Holman Rule. Subsection (a) provides a new standing order for the first session of the 115th Congress based on the “Holman Rule,” most of which was removed from the standing rules in 1983. This standing order functions as an exception to clause 2 of rule XXI to allow provisions changing law in certain limited circumstances. Under this order, a provision in a general appropriation bill or an amendment thereto may contain legislation to retrench expenditures by (1) reducing amounts of money in the bill, (2) reducing the number or salaries of Federal employees, or (3) reducing the compensation of any person paid by the Treasury. To qualify for treatment under this order, an amendment must be offered after the reading of the bill and must comply with all applicable rules of the House, such as the germaneness rule. The purpose of this provision is to see if the reinstatement of the Holman rule will provide Members with additional tools to reduce spending during consideration of the regular general appropriation bills.

Staff Deposition Authority. Subsection (b) carries forward and modifies provisions from the 114th Congress to provide the Permanent Select Committee on Intelligence and each standing committee of the 115th Congress (except for the Committees on Rules and House Administration) the authority to order the taking of a deposition by a member or committee counsel of such committee. The authority provided under this subsection extends for the entirety of the 115th Congress. Depositions taken under this authority are subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.

The subsection modifies the member attendance requirement, which applies unless (1) the witness waives the requirement or (2) the committee authorizes the taking of a specified deposition without the presence of a member during a specified period and the deposition occurs on a day that the House is not in session. The latter authority enables a committee to authorize the taking of one or more such depositions of one or more specified witnesses at any point over the course of a specified period of days, such as a district work period.

Independent Payment Advisory Board. Subsection (c) carries forward a provision from the 113th and 114th Congresses that turns off a provision contained in the Affordable Care Act, which limits the ability of the House to determine the method of consideration for a recommendation from the Independent Payment Advisory Board or to repeal the provision in its entirety.

Providing for Transparency with Respect to Memorials Submitted Pursuant to Article V of the Constitution of the United States. Subsection (d) carries forward and modifies provisions from the 114th Congress that clarify the procedures of the House regarding the receipt of Article V memorials from the States

by directing the Clerk to make each memorial, designated by the chair of the Committee on the Judiciary, electronically available, organized by State of origin and year of receipt, and indicate whether the memorial was designated as an application or recession.

In carrying out this subsection, it is expected that the chair of the Committee on the Judiciary will be solely charged with determining whether a memorial purports to be an application of the legislature of a state calling for a constitutional convention or recession of prior applications. The Clerk's role will be entirely administrative. The chair of the Committee on the Judiciary will only designate memorials from state legislatures (and not petitions from individuals or other parties), as it is only state legislatures that are contemplated under Article V of the Constitution.

In submitting each memorial to the Clerk, the chair of the Committee on the Judiciary will include a transmission letter that indicates it has been designated under this subsection of House Resolution 5. The Clerk will make publicly available the memorial and the transmission letter from the chair. Ancillary documentation from the state or other parties is not expected to be publicized.

The chair of the Committee on the Judiciary is also permitted to designate memorials from Congresses prior to the 114th Congress to be made publicly available under the same procedure.

Spending Reduction Amendments in Appropriations Bills. Subsection (e) modifies and carries forward the prohibition from the 112th, 113th, and 114th Congresses against consideration of a general appropriation bill that does not include a "spending reduction account." The subsection updates the definition of a spending reduction account to state a recitation of the amount by which an applicable allocation of new budget authority under section 302(b) (Appropriations subcommittee allocations) of the Congressional Budget Act of 1974 exceeds the amount of new budget authority proposed by the bill, or if no such allocation is in effect, \$0.

Point of Order Against Motion to Rise and Report. Subsection (f) carries forward from the 113th and 114th Congresses the requirement that prevents the Committee of the Whole from rising to report a bill to the House that exceeds an applicable allocation of new budget authority under section 302(b) as estimated by the Committee on the Budget and continues a point of order.

Limitation on Advance Appropriations. Subsection (g) provides limits against a fiscal year 2017 general appropriation bill or measure continuing appropriations from making advanced appropriations in fiscal year 2018. The subsection provides a limited number of standard exceptions which provide advanced appropriations only for fiscal year 2018.

Point of Order Against Increasing Direct Spending. Subsection (h) establishes a point of order against consideration of a bill or joint resolution reported by a committee (other than the Committee on Appropriations) or an amendment thereto, or a conference report thereon, which has the net effect of increasing direct spending in excess of \$5 billion for any of the four consecutive ten fiscal year periods beginning with the first fiscal year that is 10 fiscal years after the current fiscal year. The subsection also provides exemptions for measures repealing or reforming the Patient Protection and Affordable Care Act and the Health Care and Education Affordability Reconciliation Act of

2010, and measures where the chair of the Committee on the Budget made an adjustment to the allocation levels or limits contained in the most recently adopted budget resolution.

Disclosure of Directed Rule Makings. Subsection (i) carries forward and modifies the requirement that committee reports on bills or joint resolutions include a list of directed rule makings required by the measure or a statement that the measure contains no directed rule makings. The subsection carries forward the definition of "directed rule making" to include those rule makings specifically directed to be completed by a provision in the legislation, but does not include a grant of discretionary rule making authority. The prior standing order only required an estimate of the number of direct rule makings.

Exercise Facilities for Former Members. Subsection (j) continues the prohibition on access to any exercise facility that is made available exclusively to Members, former Members, officers, and former officers of the House and their spouses to any former Member, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995.

Numbering of Bills. Subsection (k) reserves the first 10 numbers for bills (H.R. 1 through H.R. 10) for assignment by the Speaker and the second 10 numbers (H.R. 11 through H.R. 20) for assignment by the Minority Leader.

Inclusion of U.S. Code Citations for Proposed Repeals and Amendments. Subsection (l) continues to add, to the maximum extent practicable, a requirement for parallel citations for amendatory instructions to Public Laws and Statutes at Large that are not classified in the U.S. Code.

Broadening Availability of Legislative Documents in Machine-Readable Formats. Subsection (m) continues to instruct the appropriate officers and committees to continue to advance government transparency by taking further steps to publish documents of the House in machine-readable formats.

Congressional Member Organization Transparency Reform. Subsection (n) carries forward the provisions from the 114th Congress to allow participating Members to enter into agreements with eligible Congressional Member Organizations for the purpose of payment of salaries and expenses. The Committee on House Administration is required to promulgate regulations, consistent with current law, to carry out this subsection.

Social Security Solvency. Subsection (o) carries forward from the 114th Congress a point of order against legislation that would reduce the actuarial balance of the Federal Old-Age and Survivors Insurance Trust Fund, but provides an exemption to the point of order if a measure improves the overall financial health of the combined Social Security Trust Funds. This subsection would protect the Old-Age and Survivors Insurance (OASI) Trust Fund from diversion of its funds to finance a broken Disability Insurance system.

Subcommittees. Subsection (p) waives clause 5(d) of rule X to allow the Committee on Agriculture up to six subcommittees, which is consistent with authorities in the 114th Congress.

Treatment of Conveyances of Federal Land. Subsection (q) provides that any provision in a bill, joint resolution, amendment, or conference report requiring or authorizing a conveyance of federal land to a State, local government, or tribal entity, shall not be considered as providing new budget authority, decreasing revenues, increasing mandatory spending, or increasing outlays.

Section 4. Committees, Commissions, and House Offices.

House Democracy Partnership. Subsection (a) reauthorizes the House Democracy Assistance Commission, now known as the House Democracy Partnership.

Tom Lantos Human Rights Commission. Subsection (b) reauthorizes the Tom Lantos Human Rights Commission.

Office of Congressional Ethics. Subsection (c) reauthorizes the Office of Congressional Ethics (OCE) and clarifies that term limits do not apply to members of the OCE. The subsection reaffirms that a person subject to a review by the Office of Congressional Ethics has a right to be represented by counsel, and establishes that invoking such right is not to be held as a presumption of guilt. The subsection modifies the language to require consultation prior to the appointment of members rather than concurrence. The subsection also prohibits the Office of Congressional Ethics from taking action that would deny a person any rights or protections provided under the Constitution of the United States of America.

Section 5. Additional Orders of Business.

Reading of the Constitution. Subsection (a) allows the Speaker to recognize Members for the reading of the Constitution on any legislative day through January 13, 2017.

Consideration of Midnight Rules Relief Act of 2017. Subsection (b) provides for the consideration of the Midnight Rules Relief Act of 2017 under a closed rule.

Mr. SESSIONS. Mr. Speaker, today is an exciting day, a brand new 115th Congress. Here in the House of Representatives, we have new Members of Congress who are bringing their families, coming to Washington with a sense of exuberance, but mostly with what I believe is respect for the American people who sent them here, respect for the people who elected each of us with the thoughts and ideas from our districts back home, all the way to the election of the President-elect of the United States of America, Donald Trump.

So we do this every 2 years. We reorganize the House of Representatives. We start anew. We start fresh. We start with the best ideas that are brought forth, and we try and bring the teams together. That is what Republicans have done. That is what Democrats are doing. We gather together and add up literally the amount of teams and who is on each side, and that is how we determine who is elected the Speaker of the House. It is from the majority party. In this case, today we elected the gentleman from Wisconsin (Mr. RYAN), a great young leader for not just our party, but for our country.

So today what we do is we show up and we exercise our constitutional rights, our duties, our views, the ideas that we have, the ideas that we were sent here to exercise, and the ideas of our majorities, of the bodies, of the groups that we represent.

So today those men and women who gather together with their ideas and plans, they are going to help project and move our country forward over the next 2 years. I think that what we are saying today is important. That is, we

are trying to change the direction that this country has been going for at least 2 years, and some could argue for 8 years. We are going to change that direction because the American people have given Republicans an opportunity to lead in the United States House of Representatives, in the United States Senate, and in the Presidency of the United States.

I believe that we are looking at those elected officials, including the newly elected President, at the next generation, people who will take our places soon, people who we need to leave a better America for, people who are counting on us to, yes, as the saying goes, Make America Great Again, but, more importantly, to live up to the challenges of our job, the challenges that the American people have said we expect you to go to Washington and make tough decisions, not easy decisions, but to do things that are in our best interest rather than in the best interest of a government.

Well, that is what this experiment is about. This experiment takes place every 4 years with the election of a Presidency and perhaps every 2 years with a new Congress.

Mr. Speaker, during the first 7 years of the Obama administration, they had an opportunity, the House, to send to the President, to forge a path that they felt would be best for the American people, perhaps based upon a calling or the things that they heard. What happened is that Federal regulations added up to an average of 81 new major regulations per year for a total of 556 regulations, at least 220 of which contained new burdens on individuals and businesses with an annual cost of \$108 billion.

We see things differently. That is why you are going to see not only in the rules package, but by the way that we do business here in the House of Representatives, that we look at regulations differently; that we work based upon the law, the intent of the law, not the intent of a regulator who would, as I would suggest, see things perhaps differently than others would see them.

So while it sounds like these are staggering numbers and they do a lot of damage on our country, it is not too late to change that. It is not too late to reevaluate the way things have been done and the way that things should be done.

So we have a lot of work to do. We have a lot of work to do not just about rules and regulations but about the day-to-day business, the progression of GDP, and the growth of jobs and job creation in this country.

For the first time in a long time, we will have a President-elect—yes, Donald Trump—who will, I believe, work with the United States Congress forthrightly and find the avenues of consensus between the House of Representatives and between the United States Senate to push this body.

I met with Mr. Trump earlier in the year when he was just a candidate for the Presidency, and he told me point blank: It is not so much that I am opposed to what you guys are doing in Congress; it is more to I think you ought to be forced into making more tough decisions.

He said: I think Congress gets away from doing the tough things. They do the easy lift rather than the things that will be better for the American people, because proud people sent us up here.

That is the standard that, I believe, we should adopt to have and be prepared for in these next 2 years: tough, straightforward, honest work that is meaningful, that can move our country forward, that will propel a generation to believe not only in a great day's pay and a hard day's work, but, more importantly, leading to something that will make our country stronger and yet stronger the next day with a heartbeat from a Nation and a people who deeply believe that America's greatest days are in our future and they are willing to give that to the next generation. That is why we are here.

We have a lot of new Members who bring ideas, Mr. Speaker. They come here to Washington full and brimming with ideas about things that they would like to see happen. Well, what we are going to do is we are going to make sure that we are ready to do business with them, that we are open and prepared for them.

So you will see that this package carries forward many of the rules from the previous Congress and builds on House Republicans' efforts to streamline House processes, increase transparency, and improve accountability. Specifically, it preserves the important reforms that were made in three previous Congresses. It also adds perfecting amendments in order to help us further advance and share our ideas and goals of transparency.

We think this is important. We think the ideas that are contained within this package will help propel not only us in better decisionmaking, but the American people will buy into what we are doing.

Fairness is important for all of us. As chairman of the Rules Committee, it is my hope that I will continue to be open, that the Rules Committee will be open to hearing from every single Member. We will welcome them. They will know that they are in the right place to not only share their ideas, but one where they can receive feedback on those ideas and help participate in what we do.

Mr. Speaker, that is what we are here today to do, the new rules package for the 115th Congress.

Mr. HOYER. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, as the gentleman knows, there is a provision in the rules that are proposed which are not in the rules of the last Congress, which give us great pause because we think it tends to put Members in a difficult place from a constitutional perspective and from a freedom-of-speech perspective. The rule, of course, of which I speak is the rule that relates to empowering the Sergeant at Arms to levy fines.

□ 1515

May I ask the gentleman first: Did the Rules Committee find that there was any precedent for such a provision in rules historically?

Mr. SESSIONS. Mr. Speaker, I thank the gentleman very much. I would like to refer to something which I believe has been made available, and, if not, I would be very pleased to do it.

The House has delegated fining authority, section 1103 of the Manual, where the House incorporates, by reference, title I of the Ethics in Government Act. Under this section, if a financial disclosure is filed late, the filer is subject to a \$200 filing fee. It is a fine by another name that is administered by the House Ethics Committee.

So what I am suggesting to you is we have seen where there has been the backup of rules that have been backed up by the levying of a fine, and I believe that is what the gentleman is seeking.

Mr. HOYER. I thank the gentleman, and will the gentleman yield again?

Mr. SESSIONS. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Texas.

The gentleman refers to a fee that was levied, apparently, for a late filing of a financial disclosure statement that is required under the rules. We are troubled, however, by the fact that this is not a fee in the sense; it is a penalty for taking an action which is obviously directed toward proscribing that action, which we see as speech and transparency to the American people.

One of the things that concerns us most, Mr. Speaker, is that there appears to be no due process; that is to say, the Sergeant at Arms can make an individual determination as to whether or not the rule has been violated without any opportunity given to the Member to explain or deny the allegations that are made on which the fine would be based.

Mr. SESSIONS. I appreciate the gentleman asking me.

As a matter of fact, we believe this may have been addressed yesterday by the gentleman from North Carolina (Mr. MEADOWS), who specifically, in our Conference, brought this issue up. It is my understanding, as I further consult my assistant who is well briefed on this, that the Meadows amendment has allowed a process which allows an appeal to the Ethics Committee that

would be outside of the person who originally made the fine present, would go to the Ethics Committee for them to assess that challenge as necessary.

Mr. HOYER. If I might, that was adopted last night?

Mr. SESSIONS. I believe that is correct, sir.

Mr. HOYER. So it is not in the rules as disclosed?

Mr. SESSIONS. It would be in this package that I believe we have today. It was not in what was originally brought forth, publicly available, and then changed last night when that was then posted on the Rules Committee Web site. Yes, sir.

Mr. HOYER. Thank you for that response.

I have one additional question. We looked at what might be precedent. Frankly, the only one we could come up with was the gag rule that was adopted in the 19th century which precluded the introduction of legislation which would abolish slavery in the various States. That rule was in place for a number of years until ultimately repealed.

This rule, we believe, Mr. Speaker, seeks to gag Members of the House of Representatives. It seeks to undermine transparency to the extent that it relates to communications devices which can—and at the point in time the grievance, from your perspective, occurred, we were in recess, as the gentleman understands.

Mr. SESSIONS. Yes, sir.

Mr. HOYER. If I may conclude, as the gentleman knows, and I won't say thousands, but hundreds of pictures were taken just an hour ago on this floor—hundreds. We were in session, not in recess.

Mr. SESSIONS. If I could address that, and I want to do this very gingerly because I do not want to start a battle here. The gentleman and I both know what caused this action was a deep, deep feeling that many Members on your side had about a particular issue. It resulted in what could be seen as—and I saw it as—a protest. Look, we are used to that in this body, people being upset. We are not used to people violating the rule, and it already was a rule that you cannot use, for recording purposes, those devices. We did not make this up. That was already a rule. So it became an advent of a protest.

We are simply trying to say—and I am not trying to get you to change your viewpoints at all—but I think it would be wise, and I believe we will not always be in the majority. I believe some day there will be a chance where the Democrats will be in the majority. I would be for this same rule, for the sake of the Speaker and the leadership and the person sitting in that chair. I can look at myself in a mirror because I was a part of this thinking. How do we say to Members a gag order says you cannot utter bad things? This, if

you are willing to pay the fine and you want to do that, that is not a gag order. That is a violation of a rule. If you would like to participate in that, go for it all you want. But I don't think it is the right thing. So we tried to limit, in my opinion, very carefully to say we are going to make this a fine.

Mr. HOYER. I thank the gentleman for that response, and I appreciate his feelings and, I think, his intellectually honest feelings.

Mr. SESSIONS. I take it that way, and I know the gentleman does, too. That is why we are using my time right now, and I assume the gentleman knows that.

Mr. HOYER. Let me briefly close, then, by saying that the gentleman in his opening comments talked about transparency and talked about openness.

Mr. SESSIONS. I sure did.

Mr. HOYER. And the Speaker talked about, just after noon, about respecting one another's views and hearing one another's views and considering one another's views, even though we disagree with them. I share the Speaker's view on that. Very frankly, I think the gentleman is correct; it was a protest which gave rise to this rule which I think is ill-advised, but I understand the difference.

The protest was because—and as Rules chairman, the gentleman probably knows this better than anybody else—we asked for an amendment that we thought 85 to 90 percent of the American people were for. We didn't get transparency, we didn't get openness, and we did not get an opportunity to express our views. That is why we are so concerned because we think, frankly, this is analogous to a gag rule: to shut us down, to shut us out, and to shut us up. But I appreciate the gentleman's view.

Mr. SESSIONS. I appreciate what the gentleman is saying. The gentleman understands what I am saying because, if the shoe were on the other foot, I am telling you I would still be on this foot and this shoe. I think the gentleman understands that because he has been in the position of not only responsibility but power, and he did not misuse his power nor his judgment, and I do not think we are. But we are trying to lay out, ahead of time, what it would be. I thank the gentleman very much for his feedback to me.

I would add one more thing. I have always, during the years I have been the Rules Committee chair, tried to make the committee open to anybody that would choose to come up, to speak as long as they would like to speak, as long as they move forward with their ideas without commanding the committee, telling us what to do, and I would hope that we continue to do that. As I told the gentleman years ago, I am open to his feedback.

Mr. HOYER. I thank the gentleman for his patience and for participating in this session.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume; and I thank my good friend, the gentleman from Texas (Mr. SESSIONS) for yielding me the customary time, and I want to wish everybody a happy new year. I hope, circumstances notwithstanding, that we can have one.

I want to follow on what the gentleman from Maryland (Mr. HOYER) was talking about. I have been pretty concerned here since the day we did what was a protest regarding some of the actions we are looking at. Last night, in what I thought was a moment of pique, the majority decided that they would put into the rules package a gutting of the Office of Congressional Ethics, which was totally unconstitutional in the fact that they were not going to get rid of it, but they took everything it had from them and forbade them having on their committee a person who could talk to the press and forbade them talking to people.

Mr. Speaker, that is a gag order. That is against the constitutional right that we have. It was only an hour ago that all of us raised our right hand and swore that we were going to uphold the Constitution, and now, not an hour later, we are struggling to defy it. This is not new for me. I have been very concerned about this since we were here in June and had our protest.

Now, it is our job, and we all said we were going to protect the Constitution from all enemies, foreign and domestic. But we may have enemies right here in the room, which is troubling to me, because of what happened last night. I appreciate that cooler heads prevailed and that part was taken out because there was such a hue and cry of: "What the heck do they think they are doing now?" So this whole change did not last even 24 hours. In conjunction with that, I need to go back to what happened here on the House floor.

We tried for years to try to do the simplest kinds of things on gun control measures: background checks, closing loopholes, coming up with absolutely nothing. We live in a country now where doctors are forbidden from asking patients if there are guns in the home. Doctors can ask if there are drugs in the home or any other thing that may cause great harm, but they are not allowed, by law, to ask if there are guns in the home. We have gone so far in the gun culture here that 335 million Americans own over 320 million guns, and that is life now in the United States.

So what we were trying to do, what we thought made the most eminent sense—and I would almost guarantee that not a single American man, woman, or child would object to it—we

said, if you were on the terrorist list and you can't fly on an airplane, you shouldn't be able to buy a gun. We called it no fly, no buy. There is such eminent sense in it. But because we are shut out—and I know there is a lot of openness talk going on today, but in the Rules Committee there is none. We didn't have an open rule all year, over this whole last term. We don't get amendments. We don't get to talk. We were desperate to try to do something about the carnage in this country.

Because it was overwhelming to us, we decided something had to be done about letting terrorists who couldn't get on airplanes have guns. So we gathered our people. I think it was totally spontaneous. There was no great plan to do it, no vote to get here. So we sat here and talked peacefully. The microphones were all turned off and C-SPAN was shut out. They couldn't hear what was going on. Because of the times we live in, some of our enterprising Members, they took their iPhones and streamed what was going on on the floor. Then Facebook took it up, and then C-SPAN got it from their stream and the whole country saw what was going on here. It was basically for the first time.

Now, one of the things in the Constitution that we all revere today is the right of peaceful assembly. There were no threats, no action, no violence, no anything. We just said, if we have no bill, we will have no break. Everybody understood exactly what we were trying to do.

So now what we are getting to, which again is totally unconstitutional, is to decide to fine Members of Congress for doing what we did. In other words, their free speech does not work on the floor of the House of Representatives, when we are the people who swear to uphold the Constitution.

It was really an amazing sight for the people of America to see that kind of thing going on here where we are so circumscribed in what we say and how long we have to say it. So the rules of the House that we are doing today say you are going to punish a sitting Member, but not in the way that the Constitution says you can do that.

□ 1530

If you are going to punish a Member in the House, the whole House has to vote on it. But there is no provision in there to allow anybody other than the leader of this House to fine a Member.

The idea of your doing that so that people can have due process is ridiculous. If you are brought up on ethics charges, you have lawyers. It was proposed simply to get at us and to say to the minority: Keep your place over there; you know where you belong.

So I have talked to numerous lawyers and constitutional experts, and I know that was unconstitutional. I think I have said enough about it, but

I think we will have more to say on another day.

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

Mr. SESSIONS. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Texas has 12½ minutes remaining. The gentlewoman from New York has 24 minutes remaining.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), who is the Democratic whip.

Mr. HOYER. I thank the gentlewoman, and, again, I thank the gentleman from Texas for being generous with his time.

Mr. Speaker, I am deeply concerned by a number of controversial provisions included by the majority in the rules they have proposed for the 115th Congress.

First, reinstating the Holman rule would make it easier for the majority to circumvent the current legislative process in order to fire or cut the pay of Federal employees. It undermines civil service protections. It goes back to the 19th century. Republicans have consistently made our hardworking Federal employees scapegoats, in my opinion, for lack of performance of the Federal Government itself, and this rules change will enable them to make shortsighted and ideologically driven changes to our Nation's civil service.

Secondly, I am deeply concerned by the rules changes regarding decorum in this House. The chairman was generous enough to have that discussion with me. When the cameras were turned off in this House, there was no way to communicate with the American people other than by something that I didn't know existed, and that was the streaming of the debate that was going on. As the ranking member of the Rules Committee pointed out, it was peaceful, it was honest, and it was deeply held. Now you seek to impose fines and ethics charges against any Member who broadcasts to the American people what takes place in the people's House while it is in recess and deny Americans access to their Congress.

Thirdly—and I am very concerned about this and I will talk to the chairman further about it at some point in time—these rules continue the Republican policy of denying a voice to the people of the District of Columbia, Puerto Rico, Guam, American Samoa, Northern Mariana Islands, and the U.S. Virgin Islands.

When I was majority leader, we allowed them to vote in the Committee of the Whole. It showed them respect, it gave them a reason to come to the floor, and it gave them an opportunity to have their constituents see how they felt on a particular issue by putting

their name up on the board. I regret that we were unable to continue that policy and I will talk to the chairman about it further.

Millions of American citizens will not be able to have their delegates and resident commissioner represent their views during the consideration of amendments in the Committee of the Whole House.

I also find it deeply disturbing that Republicans had been planning to use this rules package to strip away the independence of the Office of Congressional Ethics.

When Democrats took the majority in 2007, we created that body to ensure that the strictest ethical standards are upheld in this House, and that partisanship could never get in the way of those standards.

I am glad that public pressure led Republicans to abandon this ill-conceived proposal.

The American people deserve a Congress whose rules reflect what is best about our country—fair, just, and honorable.

This package does not meet that test.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. CLYBURN), who is the assistant Democratic leader.

Mr. CLYBURN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong opposition to the proposed changes to the rules of the House that are before us today. I have long maintained that the Affordable Care Act is the Civil Rights Act of the 21st century. Repealing the Affordable Care Act and putting discrimination back into health care is a step history will not forgive.

While the majority has included a new rule limiting the consideration of legislation which increases direct spending in excess of \$5 billion, they have specifically exempted from this rule any spending that may flow from repeal of the Affordable Care Act.

They are admitting in their own rules that their proposal to repeal the Affordable Care Act will be devastating for the Federal deficit and the national debt. The nonpartisan Congressional Budget Office has estimated that full repeal of the ACA will increase the deficit by \$137 billion. The Rules Committee has put before the House a rule that defies all those expectations.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY), who is the chairman of the Democratic Caucus.

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman for yielding me such time.

Well, it is a new year, but it is the same old games from our Republican colleagues. This time they are using the official rules of the House to further their radical agenda and to gag

Members of the Democratic Caucus, which you all know includes taking away healthcare coverage for millions of Americans, putting insurance companies back in charge of healthcare decisions, and raising costs for taxpayers in this country.

Among all the power grabs and cynical ploys in this rules package, there is a very telling sign in their priorities. They know that their plan to repeal the Affordable Care Act won't just create chaos for American families and their health care; it will also blow a huge deficit in our Nation's budget—a huge deficit in our Nation's budget—the height of irresponsible governing.

But they apparently won't let that get in the way of political games. So, today, the majority is giving themselves a pass. They wrote a rule that allows them to ignore the huge financial impact of gutting our healthcare system. They are, once again, putting themselves above the law and crushing everyday Americans under their shoes.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SÁNCHEZ), who is the vice-chair of the Democratic Caucus.

Ms. SANCHEZ. Mr. Speaker, I rise to oppose the partisan and free-speech-crushing Republican rules package governing the 115th Congress.

I had such high hopes that we would start off 2017 by working together on bipartisan reforms and improvements to the procedures that govern this body. Instead, I am disappointed, but not surprised, to find that House Republicans would rather undermine the public trust and integrity of this institution by these dangerous proposed changes in the rules package, changes that truly undermine the very foundation of our Constitution.

The American public deserves transparency and honesty in the way that their elected officials govern themselves. Instead, this rules package is a dangerous step towards silencing free speech and open debate in the very place that should be the shining example for the world. These rules changes frighten me. We can't stand by and allow the very core of our democracy to be shredded.

Mr. Speaker, I urge my colleagues to vote "no" on the rules package.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO), the co-chair of the House Democratic Steering and Policy Committee.

Ms. DELAURO. Mr. Speaker, this rules package sets a disturbing tone for our new session of Congress. It requires authorizing committees to propose pro-

grams that should be moved from mandatory to discretionary.

Now, what does that mean?

Mandatory programs must be funded—must. Discretionary programs do not have to be funded. It is a calculated move to cut vital programs like Social Security, Medicare, Medicaid, and Pell grants.

As a member of the Appropriations Committee, I know that we do not even have the discretionary money—the dollars—to support the current programs in place. Medical research at the National Institutes of Health has been cut by \$7.5 billion since 2003.

These rules also deny Members their freedom of speech. They institute potentially unconstitutional mechanisms to punish Members for speaking their minds on the floor of this House and delivering a message to people. Our constituents elect us to speak our minds on the floor of this House.

It is wrong, it is a disgrace, and it is the wrong way to start a new session. This represents the total denunciation of what our jobs are as Members of Congress.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SWALWELL), who is the co-chair of the House Democratic Steering and Policy Committee.

Mr. SWALWELL of California. Mr. Speaker, today begins the House Republicans' efforts to end the guarantee of Medicare, an earned benefit giving our seniors healthcare security. Today also marks a united effort by House Democrats to protect it.

Taking away this healthcare guarantee from our seniors hurts not just the seniors but everyone in the family. It is a family matter. Ending Medicare will burden their children and families who have to shoulder the responsibility of picking up the costs of their parents' health care.

Many of those children are millennials, millions of whom now have health care thanks to the Affordable Care Act—health security that is also under threat due to the incoming administration and this Republican House. These efforts will further jeopardize the health security of millennials who are paying into it and expecting to receive benefits when they get older.

We are obligated to protect the health security of all Americans, young and old. Help hold the health and economic security of families together and vote against this resolution.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL), who is the ranking member of the Committee on Ways and Means.

Mr. NEAL. Mr. Speaker, as Joe Friday used to say: "Just the facts, ma'am."

Let's oppose H. Res. 5 because this is a backdoor effort to move away from the Affordable Care Act. The act does work, it continues to work, and the statistics bear it out. It has increased the solvency of the Medicare, Social Security trust fund by 10 years. 137 million Americans now have access to preventive care, which saves us costs in the long run. Woe to those who decide that they are going to make fundamental alterations to this without explaining to the American people what they mean.

Medicaid at one time in Johnson's vision was supposed to be for the poor. Medicaid, because of long-term care, dementia, Alzheimer's disease, and nursing homes, has quickly become a middle class benefit.

Early intervention saves costs in the long run, and that is precisely what the Affordable Care Act was intended to do, and it has been successful. When you look today at the Affordable Care Act and how it has worked, there are 20 million more Americans who now have health insurance.

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

Ms. SLAUGHTER. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. NEAL. Mr. Speaker, we might remind ourselves of this today as well. This is also a sneaky effort to alter Medicare and its guarantee, and next it will be on to Social Security. What we want to understand here is, because of the Affordable Care Act and the solvency of the trust funds, that Medicare, Social Security, Medicaid, and the Affordable Care Act have all now been wed. You can't change one without making alterations to the other.

Here is another consideration: you could not hope, if you were in your 40s today, preparing children for college and simultaneously taking care of aged parents. So let me boldly assert—and I think it bears up under scrutiny—the reason that Mom and Dad are not living in your attic is because of Social Security, Medicare, Medicaid, and now the Affordable Care Act.

We have heard a lot of talk about repeal, repeal, and repeal. I guarantee you in an actuarial sense, as an individual who pays a lot of attention to this, you are going to have a great deal of difficulty touching one of these entitlements without touching the others.

Mr. Speaker, I thank the gentlewoman for extending the time.

Mr. SESSIONS. I continue to reserve the balance of my time, Mr. Speaker.

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the resolution that would establish a point of order against any legislation that would

undo the requirements in the Affordable Care Act that have provided millions of Americans with affordable access to quality health care.

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

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), who is the distinguished ranking member of the Committee on Energy and Commerce.

Mr. PALLONE. Mr. Speaker, today we are seeing just how far House Republicans are willing to go to repeal the Affordable Care Act. The party that claims to be fiscally responsible is now looking to change the rules of the House so that it can be fiscally reckless in its dangerous assault on the Affordable Care Act.

House Republicans know that repealing the ACA will increase direct spending and the deficit by \$3 trillion, and this cynical rules proposal shows that Republicans want to hide the true costs of their repeal plans from the American people.

Now, repealing the ACA would take away health care from about 20 to 30 million people. It would increase healthcare costs for everyone else. Premium growth for Americans in employer-sponsored plans has slowed since the ACA became law.

□ 1545

If the ACA had not been enacted and average growth remained the same, job-based premiums would be a projected \$3,600 higher today.

Repeal will also harm hospitals. The hospital industry has warned that repealing the ACA could cost hospitals \$165 billion and trigger an "unprecedented public health crisis." Since the ACA was enacted, uncompensated care costs have declined for hospitals by approximately 21 percent. These costs cripple hospitals and are passed on to others in the form of higher prices.

Mr. Speaker, repeal would also harm the 55 million seniors and people with disabilities enrolled in Medicare. In addition to ensuring free preventive services for Medicare beneficiaries and closing the prescription drug doughnut hole, the ACA lengthened the solvency of the Medicare trust fund by 11 years.

Reforms in the ACA helped slow the rate of healthcare cost growth in Medicare, which means Medicare seniors pay less today than they would have if the ACA weren't enacted. Medicare spending was \$473 billion less from 2009 to 2014, compared with spending if pre-ACA cost growth trends had continued. Repeal would reverse these gains and shift costs to seniors who simply cannot afford it.

Mr. Speaker, Republicans say they are fiscally responsible and that government spending is out of control, but today they will vote to add \$3 trillion to the deficit with their ACA repeal bill. Their assault is not logical. I urge all Members to vote against this GOP hypocrisy.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BYRNE), one of the most distinguished members of the Rules Committee.

Mr. BYRNE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we have heard a lot about free speech. There is not one thing in this rules package that interferes with any Member's right of free speech. In fact, what it does is guarantee our right of free speech because it provides a way for disciplining people in this body who break our rules of decorum. Every time one of us breaks the rules of decorum, we rob the right of free speech from other Members.

The rules of decorum are not new. They go back to the beginning of our constitutional government in Mr. Jefferson's Manual. As technology has proceeded in this world, our rules have kept up. We haven't created any new sanction. We created a new way to make the sanction be effective. Without effective sanctions, we cannot have free speech on this floor. Every Member of this House should be concerned about maintaining the decorum of the House.

The package also contains very important provisions, such as removing outdated references to physical mobility, codifying that those Members who cannot stand due to age, infirmity, or disability are not required to do so.

The package provides that by December 31, 2017, each bill, joint resolution, or amendment in the nature of a substitute will have a searchable, comparative print that shows how the proposed legislation will change current law. This will enhance transparency in our process so that Members and the general public will know what we are doing.

The package contains a provision championed by the gentleman from Virginia (Mr. GRIFFITH) that restores the Holman rule to the House. This provision, which lasted almost a century, until it was removed in 1983, will allow the Congress to easily reform the Federal Government and cut down on bureaucracy.

I was pleased the rules package also includes an important effort to address unauthorized appropriations, an issue I have championed as a member of the Rules Committee. I think it is very concerning for Congress to appropriate money to any Federal agency that has not gone through the appropriations process or has seen their authorization expire.

Thanks to provisions included in this package, it is my hope that each of our

standing committees will make a better effort to address unauthorized programs and ensure that Congress is providing diligent oversight of the Federal bureaucracy.

Mr. Speaker, the American people sent us to this body to make real changes on their behalf. We must adopt these rules today so that we can go about the people's business. I urge my colleagues to support these rules so the House can address the many important issues that await our attention so that we can all, each and every one of us, have real free speech.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I say to the gentleman from Alabama, as much as I appreciate his enthusiasm, what he is proposing here—and I say this to my dear friend from Texas as well—with respect to speech, is both unprecedented, unconstitutional, and unnecessary.

It is unprecedented. You heard Representative HOYER review this earlier. The Parliamentarian has researched this. Shame on this House of Representatives for imposing these kind of restrictions on its Members.

It is unconstitutional because it directly violates Article I, section 6 of the Constitution where it specifically says, with respect to speech and debate, that those shouldn't be impeded in this House. And this rule does that.

It also says, with respect to one's salary, which this rule specifically goes after, if you tamper with the salary, that can only be done through the law. It is in the Constitution. That requires both Chambers and the President to do that. That rule is blatant.

What it does also is ignore hundreds of petitions from all across the country from people who only ask for a vote. And that is why this rule is unnecessary.

All we have asked for is a vote.

Mr. SESSIONS. Mr. Speaker, the Rules Committee has a number of bright and able young, new members. One of them is a brand new member of our Republican leadership.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to support the rules of the House for the 115th Congress. In fact, let's just look at it and say that this package benefited from thorough discussion within the Republican Conference. My colleagues' thoughtful debate strengthened this resolution, as we adopted cogent amendments offered by several members of our conference.

As a member of the House Rules Committee, I have seen how strong, smart rules promote the effectiveness of this body as we work on behalf of 320 million Americans.

The rules for the 115th Congress govern the House of Representatives, and

this package also reminds us of our priority, our promises, and the hard work ahead of us. To that end, Republicans have outlined a plan that embraces commonsense policies that work for all Americans.

Regulatory reform will strengthen our economy and get hardworking men and women back to work. A glut of regulatory burdens have made it harder for our families to make ends meet, but our plan and these rules will work to reverse that trend and to ensure that America remains the land where any person can turn their hopes, dreams, and ambitions into reality.

Our priority is for our policies to reflect the values and the voice of the American people. This rules package helps us achieve that goal by calling for robust oversight plans for our committees, smarter budgeting and spending, and increases transparency throughout government.

Therefore, this resolution works to make legislation easier for everyday Americans to access and understand. It also updates outdated policies so that our rules better reflect the realities of today.

Mr. Speaker, I urge my colleagues to support these rules. As we embark on a new Congress, it is critical that we begin under the guidance of documents that emphasize and improve our service to every American and move forward with a better future and a brighter tomorrow as we look forward to the proper role of this body.

When we look to the role of this body, people are watching. Our voice is heard every day on this floor. For anyone to say different is just making a political show of a good set of rules.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the distinguished ranking member of the Committee on Education and the Workforce.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H. Res. 5.

This rules package contains a special provision exempting the Affordable Care Act from normal budget rules, giving the Republicans an easier path to repealing the Affordable Care Act without an alternative.

The reason this exception is needed is because the regular budget process in the rule provides that, when legislation is passed which increases spending, it must be paid for to avoid increasing the deficit.

ObamaCare actually saves money. Under the normal rule, repealing it would have to be paid for. The exception in the rule will allow for the repeal without offsetting the cost of that repeal, costing billions, possibly hundreds of billions to the deficit. And what do we get with a repeal?

By the way, when they say “repeal and replace,” the only thing you can be sure of is the repeal part. If there were a viable alternative, we would have

seen what that alternative looked like sometime in the last 6 years. But we have seen nothing.

We do know what repeal would look like. Just some of the consequences would be tens of millions of people would lose insurance, employers would start dropping coverage, those with preexisting conditions would lose coverage or be charged a lot more, and a loss of consumer protections. It would hurt the Medicare trust fund. Because the solvency of the trust fund was extended under the Affordable Care Act, that process would be reversed. Billions would be added to the national debt.

We should not facilitate that debacle by granting this exemption found in the rule, which would add billions to the deficit and jeopardize lifesaving insurance coverage for tens of millions of hardworking Americans.

We should vote “no” on this rule.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. NEWHOUSE), one of our bright, young members of the Rules Committee.

Mr. NEWHOUSE. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, adopting the rules of the House is not a mundane exercise, but it is a critically important undertaking that will allow the new, unified Republican government to do the job the American people elected us to do.

By adopting these rules, we can demonstrate that House Republicans are committed to enacting an agenda that will install conservative, free-market principles to grow our economy, restore prosperity, and increase opportunities for all Americans.

H. Res. 5 takes important steps toward achieving these goals and will provide increased transparency, enhance accountability, and will build on past efforts by House Republicans to streamline the process. This is a fair package that will empower Members and allow all voices to be heard, regardless of status or seniority.

The House should serve as a model for the rest of the country on the fair and equal treatment of all Americans, and this package eliminates outdated rules to adequately address the physical needs of all Members.

Further, this package puts an impetus on congressional oversight, maintains decorum, slows the growth of unauthorized appropriations, ensures mechanisms are in place to control spending, reduces redundancy in the Federal Government, and lowers the national debt.

Now is the time to lead the country out of years of historic economic stagnation, roll back years of job-killing regulations, return to a system of limited government, and reform the way Congress works.

As we begin this Congress, I look forward to working with my House and Senate colleagues, the incoming Presi-

dent, and the American people to rein in a Federal bureaucracy, provide oversight to agencies, restore the proper separation of powers, and reestablish a “government of the people, by the people, for the people.”

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman for yielding.

Mr. Speaker, for 8 years, House Republicans have governed under the philosophy: obstruction today, obstruction tomorrow, obstruction forever.

This irresponsible approach to governance has now resulted in a Republican hostile takeover here in Washington, DC. The culture of obstruction has ended, but the culture of destruction is just getting started. House Republicans plan to destroy Social Security, destroy Medicare, destroy the Affordable Care Act, destroy the social safety net, and destroy the ability of duly elected Members of the House of Representatives to vigorously engage in speech and debate in the people’s House.

This proposed set of rules is unfair, unjust, unacceptable, unconstitutional, and unconscionable. Every Member who truly cares about doing the people’s business should vote it down.

□ 1600

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Mr. Speaker, I include in the RECORD a letter from dozens of legal scholars expressing their strong concerns with the language in H. Res. 5 that permits the Sergeant at Arms to punish and fine Members of the House.

JANUARY 3, 2017.

Hon. PAUL RYAN,
The Speaker of the U.S. House of Representatives, U.S. Capitol, Washington, DC.

Hon. NANCY PELOSI,
The Minority Leader of the U.S. House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI, We write to express our strong concerns regarding provisions in H. Res. 5 that would authorize the Sergeant-at-Arms of the House of Representatives to unilaterally punish and fine Members of the House for certain alleged infractions without any action by the full House. These provisions were apparently written in response to the House Democrats’ protest last year over inaction on gun safety legislation. As constitutional and legal experts with experience in academia, the Federal courts, and Congress, we believe there are significant constitutional and policy problems presented by the proposed new provisions.

If adopted, the new provisions would undermine core constitutional protections under Article I of the Constitution and the Bill of Rights. At a minimum, it would seem that significant and controversial changes of this nature would benefit from the input of

legal experts before being considered by the full House of Representatives.

Section 2 of the proposed rules package includes several potentially problematic provisions. Under subsection (a), clause 3 of House Rule II would be amended to provide that the Sergeant-at-Arms "is authorized and directed to impose a fine against a Member . . . for the use of an electronic device for still photography, audio or visual recording or broadcasting . . ." A fine for the first offense is set at \$500 and fines for second or subsequent offenses are set at \$2,500. A limited appeal of a fine is permitted to the Committee on Ethics, however that appeal process does not provide Members with recourse to a full vote of the House. Subsection (a) would also amend clause 4 of Rule II to require the Chief Administrative Officer to deduct the amount of the fine from the Member's net salary, and amend rule XVII to add a provision providing that a Member, officer or employee of the House may not engage in "disorderly or disruptive conduct in the Chamber," which such conduct is deemed subject to House Ethics Committee review. The amendments also authorize the Speaker to issue further announcements on electronic devices, and the Sergeant-at-Arms, the Committee on Ethics, and the Chief Administrative Officer to establish implementing procedures and policies for these rules changes.

The changes would give an administrative officer the power to do what no single Member of Congress could do—act alone to punish and fine another Member. The unprecedented delegation of systematic authority to assess fines to officers of the House—in this case the Sergeant-at-Arms and the Chief Administrative Officer—removes the power from where it belongs: the Members themselves acting as a body. Article I, Section 5 of the Constitution provides that "Each House may . . . punish its Members for disorderly Behavior," and this power has always been exercised by the full House of Representatives and never delegated to a single Member or administrative officer. The Supreme Court held in *Powell v. McCormack*, 395 U.S. 495 (1969) that this type of constitutional authority cannot be used to abrogate other parts of the Constitution.

The unprecedented delegation of the House punishment power to an administrative officer is designed to restrict activity that is at the core of the First Amendment freedom of speech, and the Members' rights under the Article I, Section 6 Speech or Debate Clause. The rules would sharply limit the ability of Members to video record proceedings on the House floor, offending the spirit if not the text of these constitutional requirements. In this regard, we would note that federal courts have previously held there is a First Amendment right to video record city council proceedings. The proposed new rules include a number of potentially vague or overbroad terms (e.g., "use of an exhibit to impede" and "denial of legislative instruments"), thereby implicating due process concerns. The fact that the proposed rules were amended late last evening to allow a limited appeal to the Ethics Committee—a Committee equally divided on partisan lines—does not resolve our constitutional concerns with these changes. This is because we are left with a process whereby an administrative officer of the House has been empowered to fine Members for speech-related activities, and the Member has no recourse under the rules for consideration by the full House.

Nearly 70 years ago in *Tenney v. Brandhove*, the Court quoted the writings of

James Wilson to highlight the importance of legislative immunity provided in the Speech or Debate Clause: "In order to enable and encourage a representative of the public to discharge his public trust with firmness and success, it is indispensably necessary, that he should enjoy the fullest liberty of speech, and that he should be protected from the resentment of every one, however powerful, to whom the exercise of that liberty may occasion offense."

We believe the House of Representatives should heed these words and tread very carefully before taking any action that authorizes an administrative officer of the House to punish Members of Congress for expressing themselves and informing the public concerning actions being taken on the House floor.

Thank you for your consideration of these views.

(Titles are indicated for identification purposes only.)

Jamie Raskin, Professor of Constitutional Law, American University, Washington College of Law; Victoria F. Nourse, Professor of Law, Georgetown University Law Center; Irvin B. Nathan, Former General Counsel of the U.S. House of Representatives; Timothy M. Westmoreland, Professor of Law from Practice, Georgetown University Law Center; Charles Gardner Geyh, John F. Kimberling Professor of Law, Maurer School of Law; Malla Pollack, Former Visiting Assistant Professor, University of Idaho, College of Law; Loftus Becker, Professor of Law, University of Connecticut School of Law.

Laurence H. Tribe, Carl M. Loeb University Professor and Professor of Constitutional Law, Harvard Law School; Joe Onek, Former Senior Counsel to the Speaker of the House and Former Deputy White House Counsel; Steven R. Ross, Former General Counsel of the U.S. House of Representatives; Mark Kende, James Madison Chair in Constitutional Law, Director, Drake University, Constitutional Law Center; Mark A. Graber, Regents Professor, University of Maryland Carey School of Law; Janet Cooper Alexander, Frederick I. Richman Professor of Law, Emerita Stanford Law School; Ira Lupu, F. Elwood & Eleanor Davis, Professor of Law Emeritus, George Washington University.

Erwin Chemerinsky, Dean, University of California, Irvine School of Law; Norman Ornstein Congressional Scholar; Charles Tiefer, Former General Counsel of the House of Representatives Professor, University of Baltimore School of Law; Dr. Neil H. Cogan, Professor of Law and Former Dean, Whittier College School of Law; Paul Finkelman, John E. Murray Visiting Professor of Law, University of Pittsburgh School of Law; Eric M. Freedman, Saggi B. Wilzig Distinguished Professor of Constitutional Rights, Maurice A. Deane School of Law at Hofstra University; Nancy L. Rosenblum, Senator Joseph Clark Research Professor of Ethics in Politics and Government, Harvard University.

Ruthann Robson, Professor of Law and University Distinguished Professor, City University of New York School of Law; Stephen Loffredo, Professor of Law, City University of New York School of Law; Lauren Sudeall Lucas, Assistant Professor, Georgia State University College of Law; Julie Seaman, Associate Professor of Law Emory University School of Law; David B. Cruz, Professor of Law, University of Southern California Gould School of Law.

Sanford Levinson, W. St. John Garwood and W. St. John Garwood Jr. Centennial

Chair in Law, University of Texas Law School; Samuel Bagenstos, Frank G. Millard Professor of Law, University of Michigan Law School; Peter M. Shane, Jacob E. Davis & Jacob E. Davis II Chair in Law, The Ohio State University, Moritz College of Law; Joseph P. Tomain, Dean Emeritus and the Wilbert & Helen Ziegler Professor of Law, University of Cincinnati College of Law; Suzianne D. Painter-Thorne, Associate Professor of Law, Mercer Law.

Mike Steenson, Bell Distinguished Professor of Law, Mitchell I Hamline School of Law; Deborah Pearlstein, Associate Professor of Constitutional Law, Cardozo School of Law; William D. Rich, Associate Professor of Law, The University of Akron School of Law; Gregory P. Magarian, Professor of Law, Washington University in St. Louis; M. Isabel Medina, Professor of Law, Loyola University New Orleans College of Law; Dakota S. Rudesill, Assistant Professor, Moritz College of Law, The Ohio State University.

Ms. CLARK of Massachusetts. Mr. Speaker, I have a question for the majority in the House today. Why would you choose to open this session of this most democratic body, the people's House, by imposing punitive measures to gag debate and reduce accountability and transparency in our government?

Many of you say it is outrage at the sit-in that has brought these rules. The sit-in was one demonstration, borne of frustration from the carnage that was going unanswered by the House majority, to plead, to take a vote on two commonsense, bipartisan bills. Is that so threatening that in response we have these draconian measures?

The stunning silence of Republicans in this House in the face of the public health crisis of gun violence is now met with these unprecedented rules. We can both uphold our Constitution and give voice to the American people. These rules should be rescinded, and that is what we should do.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in strong opposition to H. Res. 5. House rule XVII is amended to add a new section, 9(a), which prohibits Members of Congress from committing "disorderly or disruptive conduct" and defines that conduct as "intentionally obstructing or impeding the passage of others in the Chamber."

It seeks to prohibit JOHN LEWIS from leading a sit-in on the House floor; but this language is overbroad, and it is also lacking in sufficient definiteness or specificity and is, thus, unconstitutionally void for vagueness. A Democrat confined to a wheelchair could be found guilty of violating this rule. A vague rule that is incapable of enabling a person of ordinary intelligence to know how not to violate the rule lends itself to being arbitrarily and discriminatorily enforced. This rule

doesn't even require that there be a victim whose passage within the House Chamber is obstructed or impeded.

This body is better than this rule change, and I ask that the Members vote "no" on H. Res. 5.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS) to discuss our motion to commit.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend, not just my colleague but my classmate. We came to the Congress together in 1987. I want to thank her for her leadership. I want to thank her for never giving up or giving in but for keeping the faith.

Now, I don't come to the well that often, but I come because I remember reading someplace that Benjamin Franklin, a Founder of this Nation, once said, "It is the first responsibility of every citizen to question authority," and he made sure the right to dissent is protected by the First Amendment to the Constitution. So today I rise to question the right of House Republicans to institute fines which may violate the First Amendment and have a chilling effect on Members who disagree with the proceedings of this body.

House leadership denied the will of the people to bring strong gun violence legislation to the floor. As a last resort, we staged a sit-in here in the well to give voice to their mandate. As Members of Congress, we have a sworn duty to speak up and to speak out if we do not believe the action of this body represents the will of all Americans.

We should never, ever give up the right to protest for what is right, what is good, and what is necessary. We were elected to stand on the courage of our convictions. We were not sent here to run and hide. We must use our votes, our voices, and the power vested in us by the people of this Nation to speak the truth as we see it, regardless of the penalties.

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

Ms. SLAUGHTER. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. LEWIS of Georgia. I am not afraid of a fine. I have been fined before. Many of us have been fined before. During the 1960s, I was arrested and jailed 40 times, beaten, left bloody and unconscious on the march from Selma to Montgomery. But no Congress, nobody, no committee has the power to tell us that we cannot stand up, speak up, and speak truth to power. We have a right to dissent. We have a right to protest for what is right.

Regardless of rule or no rule, we cannot and will not be silenced. At the end of this debate, I will offer a motion to strike the section that silences the call for gun violence prevention.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I also oppose this rule as an infringement on Members' rights to express themselves. The rule says that, if you take a photograph, the Sergeant at Arms can dock your pay and find you guilty without a hearing. Well, that is wrong. And the next step would be you can't take a sketch of what is happening and publish that sketch. And the next thing after that would be you can't take notes and repeat what is spoken in this House.

This proposal is a direct response to JOHN LEWIS. Mr. LEWIS is an American hero. He is the most heroic person to serve in this House maybe ever, and don't forget this is an attack on him for doing what he calls good trouble.

When the civil rights law said African Americans couldn't vote, he went to Selma and he marched, and he was beaten and he was arrested. And he led his Democrats on the floor when we tried to find a way to get a vote through regular order on no fly, no buy. If you were a terrorist on the terrorist list, you could not get a gun. JOHN LEWIS is trying to protect America once again and taking to the floor of this House in protest.

This is wrong. I support JOHN LEWIS. I applaud the gentleman for taking your ethics proposal and ditching it. It was the wrong optics and the wrong thing to do. This is, too.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader of whom we are extraordinarily proud.

Ms. PELOSI. Mr. Speaker, I join our colleague Mr. LEWIS in praising the gentlewoman's leadership as ranking member, formerly chair, of the Committee on Rules.

It is an honor to serve in this House. Every day we step foot on the floor is an exciting moment because we have been sent here by our constituents to represent, as I said earlier, their hopes and their hurts. To serve with JOHN LEWIS is something beyond a privilege. To call him colleague is something that is an honor for all of us. To call him friend is a joy in our lives.

I thank Mr. LEWIS for his leadership on so many issues, but for speaking out so consistently on this public health issue of gun violence in our country, we could not be better served. When, in fact, the sit-in on the floor occurred under his leadership and with his inspiration, the leadership on the Republican side said it is a publicity stunt, and he replied: That is what they said

the march on the Selma bridge was, a publicity stunt. It is not a publicity stunt. It is about conveying truth to the American people. And that is exactly what the Republican leadership does not want the American people to hear: the truth about obstacles to legislation coming to the floor that would reduce gun violence in our country.

So here we are with this rule that has come to the floor that is outrageous in so many ways. Some ways are very esoteric and may mean nothing on first glance to the American people, but let me tell you a few things as to why you, as a person in our country, should be interested in what is happening on the floor today.

You would expect that, after an election that was so hard fought and so focused on the economic security and stability of America's families, the first order of business would have been to say how can we find a bipartisan path to greater economic growth that creates jobs—good-paying jobs—increases salaries, and contributes to the financial stability of America's working families, giving them the confidence that they will be able to buy a home, again address the aspirations of their children, whether that is at college or other training for the workforce, and also to retire with dignity.

Instead, we come to the floor with, first, a proposal that was so outrageous that the Republicans even had to back off of it. Even the President-elect, Donald Trump, criticized the first actions of the Republicans in the House, so they backed off of that for the moment. For the moment they backed off their attempt to harm the way we deal with ethics violations in the Congress. We should be draining the swamp. They are backing off.

I am here because we are talking about, again, a big public health issue: gun violence in our country. When Members of Congress spoke and the response from the public was so great, Republicans decided that, in this rule today, they would do something so outrageous. It is a violation of freedom of speech on the House floor. It is an insult to the intelligence of the American people that they should not be able to hear this. It violates the Constitution by saying the Sergeant at Arms can take money out of your salary if he doesn't like your behavior on the floor. It is absolutely ridiculous.

But our distinguished colleague from Georgia (Mr. LEWIS) has spoken, as have others spoken to that point. I want to just go to another point, and it is a health issue as well, and that is what every family in America should be concerned about what is happening in this rules package today.

I recently heard over the weekend from my friend that a grandchild of that family was diagnosed with leukemia—3 years old, diagnosed with leukemia. What does that mean and what

does this rule mean to that child's life? Well, this rule is a setup to overturn the Affordable Care Act. What the Affordable Care Act is doing for that child is to say you cannot be discriminated against because you have a pre-existing medical condition, which that child will have for life. Insurance companies cannot have limits on your annual or lifetime limits on what kind of benefits you can receive—you are 3 years old, a whole lifetime of benefits. Up until you are 26 years old, you can be on your parents' policy. That would be eliminated as well. The issues go on and on and on that would affect that child.

If that child's grandparent is on Medicare, that family is affected, too, because, in this legislation, there is a provision that would harm Medicare by changing from mandatory to discretionary.

□ 1615

Inside baseball, I know. But when you realize that the Republican budget has a provision in it to take away the guarantee of Medicare and say to seniors, you are on your own, you have a voucher, you are on your own, now this family is being assaulted at the earliest years—3 years old. Medicare, in the meantime, for grandparents.

In between, it is important to note the following about the Affordable Care Act. While we talk a great deal and with great pride about the fact that 20 million Americans have received health benefits now, have health insurance now because of the Affordable Care Act, we are very proud of that. It is a wonderful thing, but it is only a part of the picture.

Seventy-five percent of the American people get their health insurance through the workplace. One hundred percent of them have increased benefits because of the Affordable Care Act. One hundred percent of them have a rate of growth of the cost of health care greatly diminished—the lowest rate of increase in over 50 years that they have measured these rates of growth.

So if it is a question of access, if it is a question of quality of care, if it is a question of cost, the Affordable Care Act has been a magnificent success.

Can we do better?

We always like to see implementation and how we can do better, and we thought we could work in a bipartisan way to do that. But the fact is that either the Republicans do not understand what this means in the lives of America's families or do not care about what it means in that regard, that they just want to repeal.

They say repeal and replace. Repeal and replace has one thing going for it—alliteration. Beyond that, it has nothing going for it, because they would never even be able to get the votes to repeal and replace the Affordable Care

Act. It is just not possible. That is why they don't have a replacement.

Do you want to know why they don't have a replacement?

They don't have the votes for a replacement.

Then they say repeal and delay.

Delay? For how long?

Delay is probably one of the most cowardice actions they could take because it says: We don't know, but we know that it would be harmful to our politics if people lose their benefits or their costs go up, so we will just delay the impact of our irresponsible action of repealing.

So we have before us the makings of this bombshell of a rule that undermines the health and economic security of America's working families in so many respects. You certainly will be hearing more from us about every aspect of it, whether it is lifetime limits. Oh, we are going to keep no preexisting conditions. You are? At what cost and to whom? We would like to see that proposal. So far we haven't. So for many reasons that are, as I say, too inside baseball to go into.

Think about your own life, you out there who said: Keep your government hands off of my Medicare. They want to put their hands not only on your Medicare, but to squeeze the guarantee right out of it, the lifeblood of what Medicare is, a guarantee.

They want to block grant Medicaid. Do you understand that if you have a senior in your family who is in need of long-term health care, whether it is because of one physical disability or another and some related to dementia and Alzheimer's, at least 50 percent of the benefits of Medicaid go to long-term health care?

So families in America who want them to overturn the Affordable Care Act and all that that means for Medicare and Medicaid and their budget to boot, you are going to have Mom and Dad, as RICHARD NEAL says, living in your house. You are going to be taking care of them right then and there. That may be a welcome sense of community to you or it may not. It may deprive you of opportunity that you want to provide for your children because of an ideological view of Republicans that we should not have Medicaid and Medicare, which are pillars of economic security in our families.

The very idea that in this bill they want to take mandatory money and turn it into discretionary money, subjecting it to the will of the Congress in terms of appropriations, says that they have their eye on Social Security as well. So be very, very vigilant, be very, very aware. I don't want you to be very, very scared, but there is reason to be if the Republicans work their will based on the blueprint that they have both in this bill, this rules package they are bringing to the floor, as well as what they have in their budget.

Even their nominee for President, Donald Trump, has disassociated himself—in the campaign anyway—from what they want to do to Medicare and Social Security and the rest. We will see how that holds up as we go forward. But you can be sure that the Democrats will have a big, bright, relentless spotlight on what is happening here because of what it means to you out there and your families, whether it is a child who is sick, a worker who gets benefits in the workplace which now will be diminished, or a senior citizen who relies on Medicare, Medicaid, and Social Security.

There is a lot at stake. There is an ideological difference between Democrats and Republicans on these issues. I would hope that these issues would go away and that the public would weigh in in such a significant way that the Republicans would back off, as they backed off this morning when they chickened out on their very bad proposal relating to ethics.

In order for the American people to weigh in, they have to know, which takes us back to what Mr. LEWIS was talking about—they have to know. If it is the determination of this body that the Sergeant at Arms can effectively silence the voice of Members on the floor deducting a penalty from their paycheck, which is totally unconstitutional—but I guess that doesn't matter to the devotees of the Constitution that what they are doing is unconstitutional—then how will the public know?

There is a method to this madness. It is not just about the sit-in on guns. As Mr. COHEN mentioned, it is about what other ways they will deprive us of communicating with the American people about what is at stake for them, America's working families, by actions taken on this floor.

I urge my colleagues, of course, to vote "no," a thousand times "no" on this legislation, but also to continue the fight that will unfold if it becomes the new rules of the House.

It is a very unfortunate day. We should be starting with a big jobs package for America's working families, not threatening their financial stability by undermining what they have paid into, systems that they have paid into, now being subjected to the whims of an ideological majority.

Again, I urge a "no" vote. I thank, again, our colleague, Mr. LEWIS, for his extraordinary leadership over time and up to the minute today, and I look forward to following his lead as we go forward.

I thank the gentlewoman (Ms. SLAUGHTER), our ranking member, for her leadership as well.

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

Ms. SLAUGHTER. Mr. Speaker, I yield to the gentleman from Virginia (Mr. CONNOLLY) for the purpose of a unanimous consent request.

Mr. CONNOLLY. Mr. Speaker, I oppose this rule because of what it does to Federal employees and to the rights of the elected Members of this body.

Mr. Speaker, I rise in opposition to the rules for the 115th Congress proposed by the Majority.

This rules package ushers in a new era of unified Republican government.

One in which facts—when inconvenient—do not matter and ethics are subject to the interpretation of the Majority.

Freedom of speech—a right guaranteed by the U.S. Constitution—has been redefined and curtailed by this resolution to accommodate the Majority's crackdown on dissent.

Under a unified Republican government, witch hunts against federal employees and the agencies for which they work are empowered and encouraged.

The President-elect has already engaged in a stunning overreach during his transition by demanding the names of federal employees and scientists who have worked on projects he dislikes.

We know the Majority would like to gut the functionality of the federal government. The dangerous and indiscriminate cuts of Sequestration are evidence enough of that.

However, this rules package provides them with the surgical tools necessary to reach into the inner workings of the federal government and cut away each part and employee that runs afoul of their ideological agenda.

I will oppose this resolution, and I cannot see how anyone who calls themselves a friend to federal employees could support the Majority's proposed rules for the 115th Congress.

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

I include in the RECORD a description of the many troubling Republican rules changes in H. Res. 5.

H. Res. 5, the House rules package for the 115th Congress, contains a number of troubling provisions. Most concerning is that instead of taking action to address the gun violence epidemic, Republicans have responded to the Democratic sit-in of last June by instituting an offensive and possibly unconstitutional gag rule to punish Members who violate the rules on decorum. H. Res. 5 authorizes the Sergeant-at-Arms to fine Members for the use of photographic and audio or visual recording devices on the floor. Fines are set at \$500 for a first offense and \$2,500 for each subsequent offense and the Chief Administrative Officer is instructed to deduct such fines from the Member's salary. The resolution also makes "disorderly or disruptive conduct" in the Chamber an offense for which Members and staff can be referred to the Ethics Committee. There are serious constitutional questions concerning whether fines can be deducted from Members' pay, and whether the House can delegate the responsibility of punishing Members to House officers, but most importantly this change has the potential to have a chilling effect that would silence the Minority party and the millions of constituent they represent.

H. Res. 5 will also dramatically expand the Republican Majority's investigative powers, giving nearly every committee the ability to haul private citizens to Washington to be deposed by Republican staffers. After spending six years demonstrating their eagerness to spend taxpayer money on wasteful, politi-

cally-motivated witch hunts, Republicans are giving themselves additional tools to do more of the same. The rules package gives every committee (except Rules and House Administration) the ability to force private citizens to travel to Washington, DC and be subjected to unlimited hours of interrogation by Republican staff. Republicans have expanded committees' investigative powers over the last six years, but even last Congress gave staff deposition authority to only five standing committees. In this rules package, for the first time ever, Republicans are removing entirely any requirement that Members be present during such depositions (unless the House is in session), making it much more likely that depositions will be lengthy and numerous. Freely handing out the power to compel any American to appear, sit in a room, and answer staff's invasive questions on the record is truly unprecedented, unwarranted, and offensive. Note that due to the Majority's use of this authority to intimidate potential witnesses during the 114th Congress, the ranking members of the relevant committees requested that this authority not be extended at the end of the first session.

Democrats are also troubled that H. Res. 5's expansion of staff deposition authority and delegation of Member punishment to a House officer represent a disturbing trend of giving to staff powers that ought to be, and have traditionally been, exercised by Members.

This rules package also includes a worrisome requirement that each standing committee (except for Appropriations, Ethics, and Rules) include in its oversight plans recommendations for moving programs from mandatory to discretionary funding. This would begin the process of dismantling the guaranteed funding mechanisms for vital safety net programs such as Social Security, Medicare, and Medicaid and expose these programs to the uncertainties of the annual appropriations process—something the Majority has been trying to accomplish for years.

With H. Res. 5's reinstatement of the so-called "Holman Rule," Republicans are unfairly targeting Federal employees. The Holman Rule, which was largely removed from the standing rules in 1983, permits provisions in and amendments to general appropriations bills that reduce the number of Federal employees, or reduce the salary of any Federal employee. Since 1983, such provisions and amendments have been out of order, as they constitute "legislating on an appropriations bill." Reinstating this rule represents yet another effort by the Republican Majority to scapegoat Federal employees, make cuts to the Federal workforce, and politicize the civil service system that was established to professionalize agencies and offices. Moreover, in light of the President-Elect's transition team asking agencies to "name names" of Federal employees who have implemented policies with which Republicans disagree, perhaps most worrisome is the potential use of the Holman Rule to persecute career employees for doing their jobs during the Obama Administration.

H. Res. 5 also intentionally hides the cost of repealing the Affordable Care Act (ACA), by preemptively waiving the Majority's own long-term direct spending point of order for any ACA repeal legislation. The rules package extends a point of order against considering legislation that would increase direct spending by \$5 billion or more in any of the four 10-year periods following the decade after passage of the legislation. Repealing

the ACA will result in increased direct spending and would very likely violate this long-term spending point of order, so H. Res. 5 includes a carve-out exempting ACA repeal legislation from the point of order entirely. On top of that, H. Res. 5 permits the Budget Chair to apply this waiver to any other legislation she wishes.

Similar to the provision waiving the budgetary point of order against legislation repealing the ACA, an amendment to H. Res. 5 was adopted late last night that continues the Republican practice of disregarding fiscal responsibility by requiring the House to ignore the fiscal effects of the sale or transfer of Federal land to a State, local government, or tribal entity. While this rule was included to simplify the process for authorizing the transfer of land, and would also apply to instances when direct spending decreases, it is irresponsible to authorize such a sale or transfer without knowing its total cost.

Democrats also find H. Res. 5's change to the rules to make it easier for the Majority to continue its wasteful, taxpayer-funded lawsuits in future Congresses very unfortunate. The rules package takes the unprecedented step of providing blanket authority for the House, Speaker, or a committee chair to carry forward any litigation from the previous Congress. Previous rules packages listed specific matters to be carried over, ensuring a level of transparency and review that will be absent following this rules change. This change will ultimately permit the Majority to more easily shield its abuse of the legal process from public scrutiny.

H. Res. 5 also includes several rules changes that, while not necessarily problematic on their face, have the potential to be abused by the Majority. First, H. Res. 5 allows the Majority to postpone votes on the motion to recommit by adding such motions, as well as motions to concur, to the list of questions that can be postponed for up to two legislative days under clause 8 of rule XX. This same authority already exists for many other questions and is typically used for time management. Although this may be useful in coordinating the timing of floor votes with Members' schedules, it could be used by the Majority to postpone votes on Democratic priorities if they are concerned about losing a vote.

Second, the rules package explicitly states that records "created, generated, or received" by Members' personal offices are the personal property of the individual Members and, unlike Committee materials, are not records of the House. While this is a codification of a longstanding policy, the rule change could be exploited by the Majority to store materials in Member offices in order to circumvent requirements that they share House records with the Minority. This was a concern in the 114th Congress, for example, in relation to the Republicans' Planned Parenthood investigation. Moreover, this change could lend legitimacy to a defeated Member's decision to refuse to hand over constituent casework files to his or her successor, which appears to have happened last year.

Democrats will monitor the Majority's implementation of these new rules to ensure they are used to assist in the effective operation of the House and not to prevent Members of the Minority Party from representing and serving their constituents.

Finally, Democrats were very concerned with the Republican Conference's adoption of an amendment to the Rules package late last night that would have stripped the Office of

Congressional Ethics (OCR) of its independence by placing it under the authority of the Ethics Committee, thereby eliminating its role as an effective Congressional watchdog. It would have effectively gutted the OCE by prohibiting it from investigating anonymous complaints, prohibiting it from having a press secretary or from talking to the press at any time, requiring OCE to refer criminal complaints directly to the Ethics Committee, and allowing the Ethics Committee to stop any OCE investigation at any time.

The OCE was created in 2008 to investigate allegations against Members of Congress, following years of scandal that tarnished this institution. It was intentionally set up as an independent body to ensure that it was able to conduct proper investigations free from political influences and favoritism. Disciplinary actions against Members have increased substantially since the OCE's creation, because there is now finally an office not run by Members of Congress investigating allegations against Members. Independent Inspector General offices ensure accountability in the Executive Branch and the House should be held to the same standard. This is why the top ethics lawyers to both Presidents George W. Bush and Barack Obama have strongly condemned the Republican effort to gut the OCE.

In attempting to implement this rules change, Republicans showed their true colors. While we are pleased that the public outcry and negative attention from the media forced Republicans to backtrack this morning and leave the OCE intact, it is disturbing that Republicans' first instinct was to weaken rather than strengthen the House's ethics rules.

Ms. SLAUGHTER. Mr. Speaker, in closing, we will continue to fight, as our leader said, with all of the tools that we have. We may not be able to do much in Congress until we get to court, but we will not be silenced.

We invite you to bring regular order back to this House and to bring back the barrel of ideas. And always remember that because you shut out the number of Congresspersons from being a part of what is happening here, that you are shutting out the voices of over half of the American public. Remember, too, that we did get a million more votes in the election previous to this one than you did, and we deserve to speak. Anyway, I want to make that as clear as I can.

I urge a "no" vote on the previous question, and "no" on the motion to commit, and "no" on the resolution.

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

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

I thank my colleagues, Republicans and Democrats, for showing up today, not only for expressing their views. The Democrat majority certainly did show up and give us lots of things to think about, which is good. The new year deserves an opportunity for us to hear some of their thoughts and ideas. I will tell you that it went across the board.

I am still stunned that Republicans are blamed for the failures of ObamaCare when, in fact, it is

ObamaCare that we are going to amend and we are going to change. Many of the people who came to the floor of the House today know that hundreds—well, tens of hundreds of children's hospitals across the country won't take ObamaCare. Stanford University School of Medicine in California does not take ObamaCare.

It is a discriminatory system. It is a system that does not work. It is a system where you might find a doctor, but no referral. It is a system that is bleeding the life out of businesses and jobs in this country. Yes, we do address that in the rules package. But what we really address in the rules package is an opportunity to streamline the procedures on rules and regulations and our ability to effectively do the work with the consent of the American people. You heard three of my Rules colleagues who very carefully and ably worked through some of the intricacies of the rules package.

Make no mistake about it, Mr. Speaker, as every Member of this body attempts to gain a voice and to be heard, it will be done in an open and fair way; but there will be decorum attached to that because decorum comes with avoiding chaos. What has always allowed this body to be different from any other body in the world is the discipline of rules and order and procedures, mutual respect for each other, the opportunity to hear and be heard, but, really, the opportunity with an open process, a process that is given to the minority and one that is given to the majority.

Any rule that has been promulgated in this body is not done on a partisan basis because, see, my majority has people who disagree with necessarily some in our party, too. We did not try and stop anybody from voicing what they would voice, but a rule of decorum has been placed upon that. That is what separates this body from any other bodies in the world, and that is what will continue to gain the admiration of not only the American people, but people around the world. It is something that I cherish and I believe that must happen.

Mr. COHEN. Will the gentleman yield?

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman. I will yield to him in just a moment.

Mr. Speaker, what we are doing here today is we are presenting openly the package giving an equal amount of time to Democrats as we do with Republicans. In the Rules Committee, we open ourselves up and hear from Democrats all the time.

I know you heard that we offer no amendments. Of course, that is not true. As a matter of fact, on any given week when we were in session, we offered more amendments in the Rules Committee than HARRY REID did in several years of being in the United

States Senate to Republicans. We are a body that works and tries to work well and we try to be fair.

With everything that has been said today, I take it as a challenge on myself to try to work even better and closer with my colleagues to listen and to allow them to be heard. It is something that we have tried to do for a number of years.

□ 1630

Evidently, the gentleman from Tennessee wishes to engage me.

Does the gentleman have a question? Mr. COHEN. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Tennessee.

Mr. COHEN. Under the rule, if I took a still photograph of just an individual—of a friend—on the floor, would it not come under the rule that the Sergeant at Arms would then be directed to fine me \$500 even though there was no question about decorum being in jeopardy?

Mr. SESSIONS. Mr. Speaker, in reclaiming my time, I would like to read to the gentleman what is the statement:

The use of personal electronic footage not only breaches decorum but provides an avenue to exploit official business for political and personal gain.

If that is personal gain, it would not be allowed.

House video footage can be used for news or public affairs programs but is prohibited from being used for commercial or political purposes.

I would encourage the gentleman, as I would if this were a speeding violation or something else—we have lots of people who are members of the Sergeant at Arms—to go grab your favorite individuals with the Sergeant at Arms and review with them the things which you believe would be in the context of how that Member would come in. Inasmuch as just a picture would be taken, they may say, "but not with a flash." If it were disruptive, then I would consider that to be a violation. If it were taken in the back and with no one else around, I can't tell the gentleman as I am not the officer in charge of that; but they are trained in this, and they have been trained very well.

I do appreciate the gentleman's asking. I would suggest that the gentleman ask that question based upon his own usage.

Mr. Speaker, I ask my colleagues to support this package.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to H. Res. 5, the Rules Package for the 115th Congress, because it will require unprecedented changes to the Standing Rules and cost the American people countless dollars through direct spending and drastic and unnecessary deficit increase.

I am deeply concerned by House Republicans' decision in the dead of night to strip

away the voices of Members echoing the constitutionally protected concerns of their constituents and hide the true cost of their shameful attempts at repealing the Affordable Care Act.

This disturbing change contained in the Rules package has never been implemented in the House.

The most troubling Republican Rules Changes in H. Res. 5 include:

(1) Punishment of Members (sec. 2(a), pp. 2–31)—These changes are unprecedented in the House of Representatives and are clearly being enacted in response to the gun violence sit-in.

Instead of taking action to address the epidemic of gun violence in this country, House Republicans in a potentially unconstitutional way are silencing democratically elected Members of Congress and preventing them from expressing the views and wishes of their constituents by instituting offensive and possibly unconstitutional new mechanisms for punishing Members who supposedly violate the rules on decorum.

(2) Hiding the Cost of Repealing the Affordable Care Act—(sec. 3(h), pp. 22–24)—Aware that repealing the Affordable Care Act will increase direct spending and the deficit, Republicans preemptively waive their own long-term direct spending point of order for ACA repeal legislation.

President-Elect Trump and the Republican Majority have promised to repeal the Affordable Care Act, even though such repeal would significantly increase the deficit and directly affect millions of Americans.

In order to move forward with repealing the ACA, House Republicans are preemptively waiving their own long-term direct spending point of order.

Trust in our institutions, including Congress, is already at record lows.

Worsening the damage they are doing to the House as an institution, the Republicans have proposed this change without any hearings or input from Democratic Members late in the evening, less than twenty-four hours before it would be voted on.

H. Res. 5 authorizes the Sergeant-at-Arms to impose fines on Members for use of photographic, audio or visual recording devices on the floor.

Fines are set at \$500 for a first offense and \$2,500 for each subsequent offense.

The Chief Administrative Officer is instructed to deduct such fines from the Member's salary.

There are serious constitutional questions concerning whether fines can be deducted from Members' pay, and whether the House can delegate the responsibility of punishing Members to House officers.

The resolution also makes "disorderly or disruptive conduct" in the Chamber an offense for which Members and staff can be referred to the Ethics Committee.

The potential chilling effect of these rules changes raises serious First Amendment concerns.

The Rules package makes another dangerous and unprecedented change to the House rules by introducing H. Res. 5, which extends a point of order against considering legislation that would increase direct spending

by \$5 billion or more in any of the four 10-year periods following the decade after passage of the legislation.

Despite the widely acknowledged fact that repeal of the ACA would result in increased direct spending, H. Res. 5 also includes a preemptive waiver of this point of order for any legislation repealing or reforming the ACA.

The resolution also gives the chair of the Budget Committee the power to apply this waiver to any other legislation she or he wishes.

House Republicans could have found willing partners among Democrats to increase transparency and renew faith in government through bipartisan action, including making possible improvements to the Office of Congressional Ethics and the way Congress polices itself and maintains the highest standards of integrity among its Members.

Instead they chose this shameful move, which is an indication of their priorities for the new Congress.

When House Republicans take steps to decrease accountability and make it harder to reveal partisan driven and unethical behavior, the public ought to question why.

House Democrats will continue to fight for the strongest possible ethical standards for our nation's elected leaders.

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

AN AMENDMENT TO H. RES. 5 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of section 2, add the following new subsection:

(u) RESTRICTIONS ON CONSIDERATION OF CERTAIN LEGISLATIVE PROVISIONS RELATING TO HEALTH CARE.—Rule XXI of the Rules of the House of Representatives is amended by adding at the end the following new clause:

"12. (a) It shall not be in order to consider a bill, joint resolution, amendment, or conference report which includes any provision described in paragraph (b).

"(b) A provision described in this paragraph is a provision which, if enacted into law, would result in any of the following:

"(1) The denial of health insurance coverage to individuals on the basis that such individuals have a preexisting condition or a requirement for individuals with a preexisting condition to pay more for premiums on the basis of such individuals having such a preexisting condition.

"(2) The elimination of the prohibition on life time limits on the dollar value of health insurance coverage benefits.

"(3) The termination of the ability of individuals under 26 years of age to be included on their parent's employer or individual health coverage.

"(4) The reduction in the number of people receiving health plan coverage pursuant to the Patient Protection and Affordable Care Act.

"(5) An increased cost to seniors for prescription drug coverage pursuant to any changes to provisions closing the Medicare prescription drug 'donut hole'.

"(6) The requirement that individuals pay for preventive services, such as for mammography, health screening, and contraceptive services.

"(7) The reduction of Medicare solvency or any changes to the Medicare guarantee.

"(8) The reduction of Federal taxes on the 1 percent of the population with the highest income or increase the tax burden (expressed as a percent of aggregate Federal taxes) on

the 80 percent of the population with the lowest income.

"(c) It shall not be in order to consider a rule or order that waives the application of paragraph (a) or paragraph (b). As disposition of a point of order under this paragraph, the Chair shall put the question of consideration with respect to the rule or order, as applicable. The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn."

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

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

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

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 237, nays 193, not voting 3, as follows:

[Roll No. 4]
YEAS—237

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

Rooney, Francis	Smith (MO)
Rooney, Thomas J.	Smith (NE)
Ros-Lehtinen	Smith (NJ)
Roskam	Smith (TX)
Ross	Smucker
Rothfus	Stefanik
Rouzer	Stewart
Royce (CA)	Stivers
Russell	Taylor
Rutherford	Tenney
Sanford	Thompson (PA)
Scalise	Thornberry
Schweikert	Tiberi
Scott, Austin	Tipton
Sensenbrenner	Trott
Sessions	Turner
Shimkus	Upton
Shuster	Valadao
Simpson	Wagner
	Walberg

Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

□ 1658

Messrs. PALAZZO and ZINKE changed their vote from “nay” to “yea.”

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

MOTION TO COMMIT

Mr. LEWIS of Georgia. Mr. Speaker, I have a motion to commit at the desk. The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. Lewis of Georgia moves that the resolution (H. Res. 5) be committed to a select committee composed of the Majority Leader and the Minority Leader with instructions to report it forthwith back to the House with the following amendment:

Strike subsection (a) of section 2 (and redesignate the succeeding subsections accordingly).

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

There was no objection.

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

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

Mr. LEWIS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 193, nays 236, not voting 4, as follows:

[Roll No. 5]
YEAS—193

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

NOT VOTING—3

Mulvaney	Pompeo	Price, Tom (GA)
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Murphy (FL) Richmond
 Nadler Rosen
 Napolitano Roybal-Allard
 Neal Ruiz
 Nolan Ruppertsberger
 Norcross Rush
 O'Halleran Ryan (OH)
 O'Rourke Sanchez
 Pallone Sarbanes
 Panetta Schakowsky
 Pascrell Schiff
 Payne Schneider
 Pelosi Scott (VA)
 Perlmutter Scott, David
 Peters Serrano
 Peterson Sewell (AL)
 Pingree Shea-Porter
 Pocan Sherman
 Polis Sinema
 Price (NC) Sires
 Quigley Slaughter
 Raskin Smith (WA)
 Rice (NY) Soto

Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams
 Wilson (SC)
 Wittman

NOT VOTING—4

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). The Chair would ask Members to observe proper decorum within the Chamber.

□ 1716

Mr. NUNES changed his vote from "yea" to "nay."
 So the motion to commit was rejected.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 234, nays 193, not voting 6, as follows:

[Roll No. 6]

YEAS—234

NAYS—236

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barletta
 Barr
 Barton
 Bergman
 Beutler
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Cheney
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Crawford
 Culberson
 Curbelo (FL)
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Farenthold
 Faso
 Ferguson
 Fitzpatrick
 Fleischmann

Abraham
 Aderholt
 Allen
 Amodei
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barletta
 Barr
 Barton
 Bergman
 Beutler
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Cheney
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Cook
 Costello (PA)

McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mitchell
 Moolenaar
 Mooney (WV)
 Mullin
 Murphy (PA)
 Newhouse
 Noem
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Pittenger
 Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (SC)
 Roby
 Roe (TN)

NAYS—193

Adams
 Aguilar
 Amash
 Barragan
 Bass
 Beatty
 Becerra
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Blunt Rochester
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brown (MD)
 Brownley (CA)
 Bustos
 Butterfield
 Capuano
 Carbajal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Costa
 Courtney
 Crist
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Ellison
 Engel

Taylor
 Tenney
 Thompson (PA)
 Thornberry
 Tiberi
 Rooney, Francis
 Rooney, Thomas
 J.
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce (CA)
 Russell
 Rutherford
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smucker
 Stefanik
 Stewart
 Stivers
 Matsui
 McCollum
 McEachin
 McGovern
 McNerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O'Halleran
 O'Rourke
 Pallone
 Panetta
 Pascrell
 Payne
 Pelosi
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Soto
 Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko

Torres	Velázquez	Waters, Maxine
Tsongas	Visclosky	Watson Coleman
Vargas	Walz	Welch
Veasey	Wasserman	Wilson (FL)
Vela	Schultz	Yarmuth

NOT VOTING—6

Frankel (FL)	Perlmutter	Price, Tom (GA)
Mulvaney	Pompeo	Rush

□ 1734

Mr. ZINKE changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to the following resolution:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

The message also announced that the Senate has agreed to concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. Con. Res. 1. Concurrent Resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

S. Con. Res. 2. Concurrent Resolution to provide for the counting on January 6, 2017, of the electoral votes for President and Vice President of the United States.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will make a statement with respect to the recent change on the use of electronic equipment on the House floor.

The Chair would like to take this opportunity to call to the attention of all Members the changes to rule II and rule XVII just adopted for the 115th Congress. The Sergeant at Arms is charged with enforcement of clause 3(g) rule II, which prohibits the use of electronic devices for still photography or for audio or visual recording or broadcasting in contravention of clause 5 of rule XVII and related policies.

The Chair understands that the Sergeant at Arms will enforce the prohibition with respect to violations observed firsthand on the House floor as well as violations that become apparent at a later time, such as through publication online or broadcast on television.

In the case of violations observed on the floor, the Sergeant at Arms will hand the offending Member a card noting the violation, and will follow up by sending the Member a written letter. In the case of other violations, Members will receive a written letter detailing the offending conduct.

The fine for a first offense is \$500. The fine for each subsequent offense is \$2,500. The Sergeant at Arms will endeavor to provide Members a written warning prior to assessing a fine for a first offense. Members may appeal a fine to the Committee on Ethics.

The Chair appreciates the attention of all Members to these efforts.

PARLIAMENTARY INQUIRY

Mr. CROWLEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from New York will state his parliamentary inquiry.

Mr. CROWLEY. My understanding is, the more money you have, the more free speech you have. Is that what the Chair is indicating?

The more money you have, the more free speech you have in this country: Is that what you are saying?

The SPEAKER pro tempore. The gentleman from New York will state a parliamentary inquiry.

Mr. CROWLEY. I am asking, listening to what the Chair just said for the RECORD, the more money an individual has, does that mean the more free speech that individual has?

The SPEAKER pro tempore. In response to the gentleman's question, he has still not stated a parliamentary inquiry.

Mr. CROWLEY. Thank you, Mr. Speaker.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 6

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE: Mr. Conaway, Chair.

COMMITTEE ON APPROPRIATIONS: Mr. Frelinghuysen, Chair.

COMMITTEE ON ARMED SERVICES: Mr. Thornberry, Chair.

COMMITTEE ON THE BUDGET: Mrs. Black, Chair.

COMMITTEE ON EDUCATION AND THE WORKFORCE: Ms. Foxx, Chair.

COMMITTEE ON ENERGY AND COMMERCE: Mr. Walden, Chair.

COMMITTEE ON ETHICS: Mrs. Brooks of Indiana, Chair, Mr. Meehan, Mr. Gowdy, Mr. Marchant, and Mr. Lance.

COMMITTEE ON FINANCIAL SERVICES: Mr. Hensarling, Chair.

COMMITTEE ON FOREIGN AFFAIRS: Mr. Royce of California, Chair.

COMMITTEE ON HOMELAND SECURITY: Mr. McCaul, Chair.

COMMITTEE ON HOUSE ADMINISTRATION: Mr. Harper, Chair, Mr. Rodney Davis of Illinois, Mrs. Comstock, Mr. Walker, Mr. Smith of Nebraska, and Mr. Loudermilk.

COMMITTEE ON THE JUDICIARY: Mr. Goodlatte, Chair.

COMMITTEE ON NATURAL RESOURCES: Mr. Bishop of Utah, Chair.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM: Mr. Chaffetz, Chair.

COMMITTEE ON RULES: Mr. Sessions, Chair, Mr. Cole, Mr. Woodall, Mr. Burgess, Mr. Collins of Georgia, Mr. Byrne, Mr. Newhouse, Mr. Buck, and Ms. Cheney.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Smith of Texas, Chair.

COMMITTEE ON SMALL BUSINESS: Mr. Chabot, Chair.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Shuster, Chair.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Roe of Tennessee, Chair.

COMMITTEE ON WAYS AND MEANS: Mr. Brady of Texas, Chair.

Mrs. MCMORRIS RODGERS (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 7

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON APPROPRIATIONS.—Mrs. Lowey.

(2) COMMITTEE ON THE BUDGET.—Mr. Yarmuth.

(3) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mr. Scott of Virginia.

(4) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Pallone

(5) COMMITTEE ON FINANCIAL SERVICES.—Ms. Waters.

(6) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Engel.

(7) COMMITTEE ON HOMELAND SECURITY.—Mr. Thompson of Mississippi.

(8) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Brady of Pennsylvania.

(9) COMMITTEE ON NATURAL RESOURCES.—Mr. Grijalva.

(10) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Cummings.

(11) COMMITTEE ON RULES.—Ms. Slaughter, Mr. McGovern, Mr. Hastings, and Mr. Polis.

(12) COMMITTEE ON SMALL BUSINESS.—Ms. Velázquez.

(13) COMMITTEE ON WAYS AND MEANS.—Mr. Neal.

Mr. CROWLEY (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Is there objection to

the request of the gentleman from New York?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE DESIGNATION OF CERTAIN MINORITY EMPLOYEES

Mr. CROWLEY. Mr. Speaker, I offer a resolution and ask unanimous consent for its immediate consideration.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 8

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, the six minority employees authorized therein shall be the following named persons, effective January 3, 2017, until otherwise ordered by the House, to-wit: Nadeam Elshanni, George Kundanis, Diane Dewhirst, Richard Meltzer, Wyndee Parker, and Drew Hammill, each to receive gross compensation pursuant to the provisions of House Resolution 119, Ninety-fifth Congress, as enacted into permanent law by section 115 of Public Law 95-94. In addition, the Minority Leader may appoint and set the annual rate of pay for up to 3 further minority employees.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FIXING THE DAILY HOUR OF MEETING OF THE FIRST SESSION OF THE ONE HUNDRED FIFTEENTH CONGRESS

Mr. SESSIONS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 9

Resolved, That unless otherwise ordered, the hour of daily meeting of the House shall be 2 p.m. on Mondays; noon on Tuesdays (or 2 p.m. if no legislative business was conducted on the preceding Monday); noon on Wednesdays and Thursdays; and 9 a.m. on all other days of the week.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REGARDING CONSENT TO ASSEMBLE OUTSIDE THE SEAT OF GOVERNMENT

Mr. SESSIONS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1

Resolved by the House of Representatives (the Senate concurring), That pursuant to clause 4, section 5, article I of the Constitution, during the One Hundred Fifteenth Congress the Speaker of the House and the Majority Leader of the Senate or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, may notify the Members of the House and the Senate, respectively, to assemble at a place outside the District of Columbia if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS DURING THE 115TH CONGRESS

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that, during the 115th Congress, the Speaker, majority leader, and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

GRANTING MEMBERS PERMISSION TO EXTEND REMARKS AND INCLUDE EXTRANEOUS MATERIAL IN THE CONGRESSIONAL RECORD DURING THE 115TH CONGRESS

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that during the 115th Congress all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the RECORD entitled "Extensions of Remarks."

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

There was no objection.

MAKING IN ORDER MORNING-HOUR DEBATE

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that during the first session of the 115th Congress:

(1) on legislative days of Monday or Tuesday when the House convenes pursuant to House Resolution 9, the House shall convene 2 hours earlier than the time otherwise established by the resolution for the purpose of conducting morning-hour debate;

(2) on legislative days of Wednesday or Thursday when the House convenes pursuant to House Resolution 9, the House shall convene 2 hours earlier than the time otherwise established by the resolution for the purpose of conducting morning-hour debate;

(3) when the House convenes pursuant to an order other than House Resolution 9, the House shall convene for the purpose of conducting morning-hour debate only as prescribed by such order;

(4) the time for morning-hour debate shall be allocated equally between the parties and may not continue beyond 10 minutes before the hour appointed for the resumption of the session of the House; and

(5) the form of proceeding for morning-hour debate shall be as follows:

(a) the prayer by the Chaplain, the approval of the Journal and the Pledge of Allegiance to the flag shall be postponed until resumption of the session of the House;

(b) initial and subsequent recognitions for debate shall alternate between the parties;

(c) recognition shall be conferred by the Speaker only pursuant to lists submitted by the majority leader and by the minority leader;

(d) no Member may address the House for longer than 5 minutes, except the majority leader, the minority leader, or the minority whip;

(e) no legislative business shall be in order except the filing of privileged reports; and

(f) following morning-hour debate, the Chair shall declare a recess pursuant to clause 12(a) of rule I until the time appointed for the resumption of the session of the House; and

(6) the Speaker may dispense with morning-hour debate upon receipt of a notification described in clause 12(c) of rule I, or upon a change in reconvening pursuant to clause 12(e) of rule I, and notify Members accordingly.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

ENSURING VA EMPLOYEE ACCOUNTABILITY ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 27) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to retain a copy of any reprimand or admonishment received by an employee of the Department in the permanent record of the employee.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 27

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ensuring VA Employee Accountability Act”.

SEC. 2. RETENTION OF RECORDS OF REPRIMANDS AND ADMONISHMENTS RECEIVED BY EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 719. Record of reprimands and admonishments

“If any employee of the Department receives a reprimand or admonishment, the Secretary shall retain a copy of such reprimand or admonishment in the permanent record of the employee as long as the employee is employed by the Department.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“719. Record of reprimands and admonishments.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 27, the Ensuring VA Employee Accountability Act.

Mr. Speaker, one of my top priorities this Congress as the new chairman of the House Committee on Veterans' Affairs is to ensure we give the next Secretary of Veterans Affairs the tools he or she will need to swiftly and effectively discipline poor-performing employees at the VA.

I firmly believe that all other needed reforms are destined to fail if we don't help VA managers who are trapped in an antiquated civil service system to do their job.

Mr. Speaker, currently, if a VA employee is either reprimanded or admonished for their performance, all records of those administrative punishments are removed from the employee's personnel file within 3 years for a reprimand and 2 years for an admonishment.

□ 1745

Subsequent to the removal of these personnel actions, there is no record of

their poor performance or acts regardless of how many different jobs they hold in the VA or how long they remain a VA employee.

Mr. Speaker, personnel policies and rules such as those we are addressing today permit a culture at the Department of Veterans Affairs that allows the misdeeds of a few to overshadow the good work done by the vast majority of VA employees. It is time we ensure that only the most ethical and qualified employees advance and retain positions of trust and service to veterans. One way to help advance that goal is to require VA to retain an employee's entire history in their personnel file, as H.R. 27 would do.

Now, no one is saying that employees can't improve their performance after being reprimanded or admonished, but managers should know the complete history of their staff or potential hires when they are determining who is best qualified for any given position. This is a commonsense reform that I hope we can all support.

As a reminder to my colleagues old and new, the bill before us today is identical to H.R. 1038, which passed the House during the 114th Congress. That bill, like this one, was introduced by my friend from Pennsylvania, Mr. COSTELLO. I thank him again for reintroducing this needed legislation, and I thank the majority leader and others for scheduling this important bill on the first day of the 115th Congress. I think it sends a message to our veterans that instilling a culture of accountability at VA is, and will remain, among our highest priorities. I urge all of my colleagues to join me in supporting H.R. 27.

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

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of the Ensuring VA Employee Accountability Act of 2017.

This bill requires VA to keep a permanent copy of an admonishment or reprimand in a VA employee's personnel file. Currently, an informal admonishment remains on a VA employee's record for 2 years, while a more serious written reprimand stays in the file for more than 3 years.

Maintaining a comprehensive record of VA employees' personnel files will allow VA managers to track their employees' improvement, or lack thereof, related to the specific problem addressed in the original complaint. This approach will increase transparency, allow VA managers to address problematic performance, and give VA employees a chance to improve.

Although I support this bill, I want to address concerns raised by the American Federation of Government Employees and include this letter in the CONGRESSIONAL RECORD.

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO,

January 3, 2017.

Re H.R. 27, Ensuring VA Employee Accountability Act

DEAR REPRESENTATIVE: On behalf of the American Federation of Government Employees (AFGE), which represents nearly 700,000 federal employees, including 230,000 non-management employees of the Department of Veterans Affairs (VA), I strongly urge you to oppose H.R. 27, the Ensuring VA Employees Accountability Act. The bill is scheduled for floor consideration this week under suspension of the rules.

This bill would deprive every VA employee, including non-managerial employees, of the chance to clear his or her name after receiving an unjustified reprimand from a manager who is acting out of incompetence, bias, anti-veteran animus or whistleblower retaliation.

H.R. 27 would not increase accountability for VA mismanagement. However, it would deprive the 115,000 veterans in the VA workforce of the record expungement rights they had as military personnel. It would also deprive veterans in the VA workforce, and all VA employees, of second chances after they receive reprimands or admonishments early in their careers. If this bill is enacted, VA employees will no longer have any rights to expunge their personnel files even if the reprimands or admonishments were placed in their files decades ago.

In addition, this bill would have an adverse impact on agency operations and the VA's ability to recruit and retain a strong workforce. It would divert precious VA resources away from caring for veterans through an increase in wasteful litigation because the bill eliminates the use of an extremely efficient tool for settling personnel matters through Clear Record Settlement Agreements (CRAs).

CRAs give VA managers the flexibility to resolve routine personnel disputes efficiently and quickly without protracted litigation or destruction of the VA careers of front line employees, including large numbers of service-connected disabled veterans who provide medical care, clean operating rooms, process benefit claims, police VA facilities, and set cemetery headstones. The Merit Systems Protection Board (MSPB) stated in its 2013 report, Clear Record Settlement Agreements and the Law, that 95% of agency representatives resolved disputes using negotiated settlement agreements (NSAs) and 89% of these agreements involved CRAs.

Congress has received a great deal of testimony in recent years from brave whistleblowers and their labor representatives regarding the widespread management abuse of reprimands to punish employees and destroy their VA careers. Similarly, Congress has provided steadfast support to active duty personnel making the often-difficult transition to civilian employment, including VA support in the form of vocational rehabilitation, compensated work therapy, PTSD treatment, and programs to address homelessness and substance abuse.

H.R. 27 is at best ambiguous about the fate of veterans who leave VA employment for deployment and then seek to return to the VA workforce. Would reprimands that were placed in their personnel files prior to deployment still be visible to all potential VA employers reviewing the returning veteran's application?

In closing, AFGE urges lawmakers to reject this counterproductive assault on VA front line employees who are, too often, unfairly reprimanded by hostile, unsupportive

and incompetent managers and human resources personnel.

Thank you for considering our views on this bill.

Sincerely,

MARILYN PARK,
Legislative Representative.

Mr. TAKANO. Mr. Speaker, I share these concerns and intend to work with my colleagues across the aisle and in the Senate to ensure that if this bill passes into law, the change will not adversely impact whistleblowers, the thousands of veterans employed by the VA, and the VA employees who work hard every day to support the needs of our Nation's veterans.

Whistleblowers and employees who face unlawful retaliation from managers should have the opportunity to clear their names before any proposed admonishments or reprimands are made permanent in their records. I also want to clarify that this bill should not be used to eliminate the VA's ability to enter into clear record settlement agreements with employees or get in the way of resolving personnel matters in an efficient manner.

In our efforts to enhance personnel policies at the VA, it is important that we remember that one-third of VA employees are veterans themselves, and many more have immediate family members who are veterans. Many of these employees are also hardworking doctors and nurses who want to provide quality care for their patients. These Federal civil servants want to do a good job in order to provide veterans the best possible service, and this bill should not be used by managers to intimidate or retaliate against these employees.

This bill simply requires VA to maintain a complete record of a VA employee's personnel file, a practice intended to increase transparency and ultimately improve outcomes for veterans.

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

Mr. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. COSTELLO), a very active member of the Committee on Veterans' Affairs and my good friend.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, as we all are well aware, today begins a new session of Congress, with a new opportunity to chart a promising path for the future direction of our country.

While many Americans across the country remain very frustrated with what they feel is a giant, unresponsive bureaucracy that is not working for them, all Americans want to see VA care and services implemented properly.

Last session, Mr. Speaker, this Congress did make some reasonable progress legislatively to bring about reforming the VA, but more needs to be done. Some of our legislation which passed the House died in the Senate.

The bill I introduced and rise in support of today, the Ensuring VA Em-

ployee Accountability Act, is important for the following reasons: the bill requires the Department of Veterans Affairs to maintain an up-to-date file of employee disciplinary actions throughout each employee's tenure at the VA.

Under current VA policy, disciplinary actions remain in an employee's file for only 3 years before they are deleted, preventing poor performers with in the VA from being tracked or held accountable over the long term. This bill will ensure a complete record is kept and evaluated when a VA employee is considered for bonuses, promotions, or other career advancement.

I also want to be clear about this. This bill is fair to all VA employees, and a great many VA employees do very, very good work in caring for our veterans. This bill does not impose any new employee penalties or affect the existing due process rights for a VA employee to appeal a disciplinary action in any manner whatsoever.

The goal is simply to ensure our veterans are receiving the best possible care from our government and that these employees who do wrong or perform poorly do not have it swept under the rug and then disappear after a few years.

I thank the staff on the Committee on Veterans' Affairs for their work on this bill, especially Jon Clark and Kelsey Baron, and look forward to the leadership of Chairman ROE in this session of Congress.

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

Mr. TAKANO. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 27.

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

A motion to reconsider was laid on the table.

BIOLOGICAL IMPLANT TRACKING AND VETERAN SAFETY ACT OF 2017

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 28) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 28

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Biological Implant Tracking and Veteran Safety Act of 2017".

SEC. 2. IDENTIFICATION AND TRACKING OF BIOLOGICAL IMPLANTS USED IN DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 7330C. Identification and tracking of biological implants

“(a) STANDARD IDENTIFICATION SYSTEM FOR BIOLOGICAL IMPLANTS.—(1) The Secretary shall adopt the unique device identification system developed for medical devices by the Food and Drug Administration under section 519(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i(f)), or implement a comparable standard identification system, for use in identifying biological implants intended for use in medical procedures conducted in medical facilities of the Department.

“(2) In adopting or implementing a standard identification system for biological implants under paragraph (1), the Secretary shall permit a vendor to use any of the accredited entities identified by the Food and Drug Administration as an issuing agency pursuant to section 830.100 of title 21, Code of Federal Regulations, or any successor regulation.

“(b) BIOLOGICAL IMPLANT TRACKING SYSTEM.—(1) The Secretary shall implement a system for tracking the biological implants described in subsection (a) from human donor or animal source to implantation.

“(2) The tracking system implemented under paragraph (1) shall be compatible with the identification system adopted or implemented under subsection (a).

“(3) The Secretary shall implement inventory controls compatible with the tracking system implemented under paragraph (1) so that all patients who have received, in a medical facility of the Department, a biological implant subject to a recall can be notified of the recall if, based on the evaluation by appropriate medical personnel of the Department of the risks and benefits, the Secretary determines such notification is appropriate.

“(c) CONSISTENCY WITH FOOD AND DRUG ADMINISTRATION REGULATIONS.—To the extent that a conflict arises between this section and a provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or section 351 or 361 of the Public Health Service Act (42 U.S.C. 262 and 264) (including any regulations issued under such provisions), the provision of the Federal Food, Drug, and Cosmetic Act or Public Health Service Act (including any regulations issued under such provisions) shall apply.

“(d) BIOLOGICAL IMPLANT DEFINED.—In this section, the term ‘biological implant’ means any human cell, tissue, or cellular or tissue-based product or animal product—

“(1) under the meaning given the term ‘human cells, tissues, or cellular or tissue-based products’ in section 1271.3 of title 21, Code of Federal Regulations, or any successor regulation; or

“(2) that is regulated as a device under section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7330B the following new item:

“7330C. Identification and tracking of biological implants.”.

(c) IMPLEMENTATION DEADLINES.—

(1) STANDARD IDENTIFICATION SYSTEM.—The Secretary of Veterans Affairs shall adopt or implement the standard identification system for biological implants required by subsection (a) of section 7330C of title 38, United States Code, as added by subsection (a), with respect to biological implants described in—

(A) subsection (d)(1) of such section, by not later than the date that is 180 days after the date of the enactment of this Act; and

(B) subsection (d)(2) of such section, in compliance with the compliance dates established by the Food and Drug Administration under section 519(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i(f)).

(2) TRACKING SYSTEM.—The Secretary of Veterans Affairs shall implement the biological implant tracking system required by section 7330C(b) of title 38, United States Code, as added by subsection (a), by not later than the date that is 180 days after the date of the enactment of this Act.

(d) REPORTING REQUIREMENT.—

(1) IN GENERAL.—If the biological implant tracking system required by section 7330C(b) of title 38, United States Code, as added by subsection (a), is not operational by the date that is 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report explaining why the system is not operational for each month until such time as the system is operational.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include a description of the following:

(A) Each impediment to the implementation of the system described in such paragraph.

(B) Steps being taken to remediate each such impediment.

(C) Target dates for a solution to each such impediment.

SEC. 3. PROCUREMENT OF BIOLOGICAL IMPLANTS USED IN DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES.

(a) PROCUREMENT.—

(1) IN GENERAL.—Subchapter II of chapter 81 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 8129. Procurement of biological implants

“(a) IN GENERAL.—(1) The Secretary may procure biological implants of human origin only from vendors that meet the following conditions:

“(A) The vendor uses the standard identification system adopted or implemented by the Secretary under section 7330C(a) of this title and has safeguards to ensure that a distinct identifier has been in place at each step of distribution of each biological implant from its donor.

“(B) The vendor is registered as required by the Food and Drug Administration under subpart B of part 1271 of title 21, Code of Federal Regulations, or any successor regulation, and in the case of a vendor that uses a tissue distribution intermediary or a tissue processor, the vendor provides assurances that the tissue distribution intermediary or tissue processor is registered as required by the Food and Drug Administration.

“(C) The vendor ensures that donor eligibility determinations and such other records as the Secretary may require accompany each biological implant at all times, regardless of the country of origin of the donor of the biological material.

“(D) The vendor agrees to cooperate with all biological implant recalls conducted on the initiative of the vendor, on the initiative of the original product manufacturer used by the vendor, by the request of the Food and Drug Administration, or by a statutory order of the Food and Drug Administration.

“(E) The vendor agrees to notify the Secretary of any adverse event or reaction report it provides to the Food and Drug Administration, as required by sections 1271.3 and 1271.350 of title 21, Code of Federal Regulations, or any successor regulation, or any warning letter from the Food and Drug Administration issued to the vendor or a tissue processor or tissue distribution intermediary used by the vendor by not later than 60 days after the vendor receives such report or warning letter.

“(F) The vendor agrees to retain all records associated with the procurement of a biological implant by the Department for at least 10 years after the date of the procurement of the biological implant.

“(G) The vendor provides assurances that the biological implants provided by the vendor are acquired only from tissue processors that maintain active accreditation with the American Association of Tissue Banks or a similar national accreditation specific to biological implants.

“(2) The Secretary may procure biological implants of nonhuman origin only from vendors that meet the following conditions:

“(A) The vendor uses the standard identification system adopted or implemented by the Secretary under section 7330C(a) of this title.

“(B) The vendor is registered as an establishment as required by the Food and Drug Administration under sections 807.20 and 807.40 of title 21, Code of Federal Regulations, or any successor regulation (or is not required to register pursuant to section 807.65(a) of such title, or any successor regulation), and in the case of a vendor that is not the original product manufacturer of such implants, the vendor provides assurances that the original product manufacturer is registered as required by the Food and Drug Administration (or is not required to register).

“(C) The vendor agrees to cooperate with all biological implant recalls conducted on the initiative of the vendor, on the initiative of the original product manufacturer used by the vendor, by the request of the Food and Drug Administration, or by a statutory order of the Food and Drug Administration.

“(D) The vendor agrees to notify the Secretary of any adverse event report it provides to the Food and Drug Administration as required under part 803 of title 21, Code of Federal Regulations, or any successor regulation, or any warning letter from the Food and Drug Administration issued to the vendor or the original product manufacturer used by the vendor by not later than 60 days after the vendor receives such report or warning letter.

“(E) The vendor agrees to retain all records associated with the procurement of a biological implant by the Department for at least 10 years after the date of the procurement of the biological implant.

“(3)(A) The Secretary shall procure biological implants under the Federal Supply Schedules of the General Services Adminis-

tration unless such implants are not available under such Schedules.

“(B) With respect to biological implants listed on the Federal Supply Schedules, the Secretary shall accommodate reasonable vendor requests to undertake outreach efforts to educate medical professionals of the Department about the use and efficacy of such biological implants.

“(C) In the case of biological implants that are unavailable for procurement under the Federal Supply Schedules, the Secretary shall procure such implants using competitive procedures in accordance with applicable law and the Federal Acquisition Regulation, including through the use of a national contract.

“(4) In procuring biological implants under this section, the Secretary shall permit a vendor to use any of the accredited entities identified by the Food and Drug Administration as an issuing agency pursuant to section 830.100 of title 21, Code of Federal Regulations, or any successor regulation.

“(5) Section 8123 of this title shall not apply to the procurement of biological implants.

“(b) PENALTIES.—In addition to any applicable penalty under any other provision of law, any procurement employee of the Department who is found responsible for a biological implant procurement transaction with intent to avoid or with reckless disregard of the requirements of this section shall be ineligible to hold a certificate of appointment as a contracting officer or to serve as the representative of an ordering officer, contracting officer, or purchase card holder.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘biological implant’ has the meaning given that term in section 7330C(d) of this title.

“(2) The term ‘distinct identifier’ means a distinct identification code that—

“(A) relates a biological implant to the human donor of the implant and to all records pertaining to the implant;

“(B) includes information designed to facilitate effective tracking, using the distinct identification code, from the donor to the recipient and from the recipient to the donor; and

“(C) satisfies the requirements of section 1271.290(c) of title 21, Code of Federal Regulations, or any successor regulation.

“(3) The term ‘tissue distribution intermediary’ means an agency that acquires and stores human tissue for further distribution and performs no other tissue banking functions.

“(4) The term ‘tissue processor’ means an entity processing human tissue for use in biological implants, including activities performed on tissue other than donor screening, donor testing, tissue recovery and collection functions, storage, or distribution.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 is amended by inserting after the item relating to section 8128 the following new item:

“8129. Procurement of biological implants.”.

(b) EFFECTIVE DATE.—Section 8129 of title 38, United States Code, as added by subsection (a), shall take effect on the date that is 180 days after the date on which the tracking system required under section 7330C(b) of such title, as added by section 2(a), is implemented.

(c) SPECIAL RULE FOR CRYOPRESERVED PRODUCTS.—During the three-year period beginning on the effective date of section 8129 of title 38, United States Code, as added by subsection (a), biological implants produced

and labeled before that effective date may be procured by the Department of Veterans Affairs without relabeling under the standard identification system adopted or implemented under section 7330C of such title, as added by section 2(a).

SEC. 4. FUNDING.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. ROE of Tennessee. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of my bill, H.R. 28, the Biological Implant Tracking and Veteran Safety Act of 2017.

Two years ago this month, the Government Accountability Office, GAO, released a startling report detailing a failure on the part of the Department of Veterans Affairs to follow requirements for documenting open-market purchases of surgical implants and the lack of a standardized process for tracking biological tissue from cadaver donors to living veteran recipients.

Currently, there is no requirement for VA to systematically identify or track biological implants used in the VA medical facilities. Due to this oversight, if a given biological implant was identified as potentially contaminated or made the subject of a recall, it would be impossible for VA to identify which patients receive the impacted material and, therefore, take steps to inform at-risk patients and address contamination concerns.

That same GAO report also found that VA did not consistently ensure that the vendors that the Department purchases biological implants from are registered with the Food and Drug Administration, and that VA did not maintain an inventory system to prevent expired tissues from remaining in storage alongside unexpired tissues. Needless to say, each of these findings poses a serious and unacceptable risk to veterans' health and safety.

Veterans seeking care through the VA healthcare system deserve a quality standard that is second to none, especially within a system which prides itself on data collection and its electronic health record. The Biological Implant Tracking and Veteran Safety Act would provide a high-quality

standard for surgical implants that is now sorely missing.

By requiring VA to implement a standard identification tracking system for biological implants used in the VA medical facilities and requiring VA to procure biological implants only from approved vendors, H.R. 28 would address the deficiencies GAO identified and provide VA a necessary tool to ensure accountability and patient safety. Mr. Speaker, I would say the VA just should do this for quality of care for patients.

I urge all of my colleagues to join me in supporting this important legislation.

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

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

I rise today in support of the Biological Implant Tracking and Veteran Safety Act. This bill will require the VA to implement a standard identification system for biological implants that is consistent with the Food and Drug Administration's unique device identification system. This system will allow for the tracking of implants from donor to recipients. This bill will also require VA to procure biological implants only from vendors using the system and only through competitive procurement processes.

The GAO has testified that the Veterans Health Administration is one of the largest purchasers of surgical implants, which include biological implants such as skin and bone grafts, and nonbiological implants such as cardiac pacemakers and artificial joints. The GAO has raised valid concerns regarding VA medical centers complying with VHA requirements for documenting surgical implants purchased from the open market and VHA's ability to identify veterans who received an implant that is being recalled by the manufacturer or the Food and Drug Administration.

Patient safety is our number one concern. We all want to ensure that VA policies are fully followed in this regard. The legislation will continue to protect veterans while they receive the best care available.

Mr. Speaker, before I close, I would like to extend my public congratulations to my good friend, Dr. PHIL ROE, for being named by the majority as the chairman of the Committee on Veterans' Affairs. I can tell you that Members on my side of the aisle are looking very much forward to working with Dr. ROE. He has a splendid reputation.

I don't want to ruin his reputation by saying that we absolutely embrace him because that would make his side of the aisle, I think, a little worried, but the fact is we believe that Chairman ROE is someone that we can work with and who has a genuine, sincere concern for veterans. He is a veteran himself. He is a medical doctor. As we try to

gain the trust of veterans and gain the trust of Americans in VA health care and the veterans department, we are very much looking forward to working with him. I offer him my congratulations.

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

□ 1800

Mr. ROE of Tennessee. Mr. Speaker, I appreciate those kind words. Certainly, Mr. Speaker, this particular committee is a bipartisan committee. For the veterans out there who are watching this and for the American citizens who are watching this, this is truly a committee where we check our political affiliations at the door and try to do what is right and best for America's heroes. I am not talking about the committee, but I am saying in the country that has not always been done. I am a Vietnam-era veteran, and that wasn't done for my generation to begin with.

There is a real commitment on both sides of the aisle, the staffs of both committees and the members of both committees. I am excited to get to work with my friend, Mr. TAKANO. We have been to Afghanistan together and gotten to know each other very well and worked on many issues together. I look forward to doing this. I appreciate his kind comments and also his support for this bill.

Mr. Speaker, I encourage all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 28.

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

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBER TO THE JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 15 U.S.C. 1024(a), and the order of the House of today, of the following Member on the part of the House to the Joint Economic Committee:

Mr. TIBERI, Ohio

APPOINTMENT OF MEMBER TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of today, of the following Member to the Permanent Select Committee on Intelligence:

Mr. NUNES, California, Chairman

There was no objection.

APPOINTMENT—HOUSE OFFICE
BUILDING COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 2 U.S.C. 2001, and the order of the House of today, of the gentleman from California (Mr. MCCARTHY) and the gentlewoman from California (Ms. PELOSI) as Members of the House Office Building Commission to serve with the Speaker.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the Speaker has delivered to the Clerk a letter dated January 3, 2017, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

RECALL DESIGNEE

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 3, 2017.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives,
The Capitol, Washington, DC.

DEAR MADAM CLERK: I hereby designate Representative Kevin McCarthy of California to exercise any authority regarding assembly, reassembly, convening, or reconvening of the House pursuant to House Concurrent Resolution 1, clause 12 of rule I, and any concurrent resolutions of the current Congress as may contemplate my designation of Members to exercise similar authority.

In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

PAUL D. RYAN,
Speaker.

APPOINTMENT OF MEMBERS TO
ACT AS SPEAKER PRO TEMPORE
TO SIGN ENROLLED BILLS AND
JOINT RESOLUTIONS DURING
THE 115TH CONGRESS

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 3, 2017.

I hereby appoint the Honorable Jeff Denham, the Honorable Mac Thornberry, the Honorable Fred Upton, the Honorable Andy Harris, the Honorable Barbara Comstock, and the Honorable Luke Messer to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the One Hundred Fifteenth Congress.

PAUL D. RYAN,
Speaker.

The SPEAKER pro tempore. Without objection, the appointments are approved.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 3, 2017.

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

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Mr. Robert Reeves, Deputy Clerk, and Mr. Robert Borden, Legal Counsel, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 115th Congress or until modified by me. With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. The Chair customarily takes this occasion at the outset of a Congress to announce his policies with respect to particular aspects of the legislative process. The Chair will insert in the RECORD announcements concerning:

- first, privileges of the floor;
- second, introduction of bills and resolutions;
- third, unanimous-consent requests for the consideration of legislation;
- fourth, recognition for 1-minute speeches;
- fifth, recognition for Special Order speeches;
- sixth, decorum in debate;
- seventh, conduct of votes by electronic device;
- eighth, use of handouts on the House floor;
- ninth, use of electronic equipment on the House floor; and
- tenth, use of the Chamber.

These announcements, where appropriate, will reiterate the origins of the stated policies. The Chair intends to continue in the 115th Congress the policies reflected in these statements. The policy announced in the 102nd Congress with respect to jurisdictional concepts related to clauses 5(a) of rule XXI—tax and tariff measures—will continue to govern but need not be reiterated, as it is adequately documented as precedent in the House Rules and Manual.

Without objection, the announcements will be printed in the RECORD.

There was no objection.

1. Privileges of the Floor

The Chair will make the following announcements regarding floor privileges, which will apply during the 115th Congress.

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT
TO STAFF

Rule IV strictly limits those persons to whom the privileges of the floor during sessions of the House are extended, and that rule prohibits the Chair from entertaining requests for suspension or waiver of that rule. As reiterated by the Chair on January 21, 1986, January 3, 1985, January 25, 1983, and August 22, 1974, and as stated in Chapter 10, section 2, of House Practice, the rule strictly limits the number of committee staff on the floor at one time during the consideration of measures reported from their committees. This permission does not extend to Members' personal staff except when a Member's amendment is actually pending during the five-minute rule. It also does not extend to personal staff of Members who are sponsors of pending bills. The Chair requests the cooperation of all Members and committee staff to assure that only the proper number of staff are on the floor, and then only during the consideration of measures within the jurisdiction of their committees. The Chair is making this statement and reiterating this policy because of Members' past insistence upon strict enforcement of the rule. The Chair requests each committee chair, and each ranking minority member, to submit to the Speaker a list of those staff who are allowed on the floor during the consideration of a measure in the jurisdiction of their committee. The Sergeant-at-Arms, who has been directed to assure proper enforcement of rule IV, will keep the list. Each staff person should exchange his or her ID for a "committee staff" badge, which is to be worn while on the floor. The Chair has consulted with the Minority Leader and will continue to consult with her.

Furthermore, as the Chair announced on January 7, 2003, in accordance with the change in the 108th Congress of clause 2(a) of rule IV regarding leadership staff floor access, only designated staff approved by the Speaker shall be granted the privilege of the floor. The Speaker intends that his approval be narrowly granted on a bipartisan basis to staff from the majority and minority side and only to those staff essential to floor activities.

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT
TO FORMER MEMBERS

The Speaker's policy announced on February 1, 2006, will continue to apply in the 115th Congress.

ANNOUNCEMENT BY THE SPEAKER, FEBRUARY 1,
2006

The SPEAKER. The House has adopted a revision to the rule regarding the admission to the floor and the rooms leading thereto. Clause 4 of rule IV provides that a former Member, Delegate or Resident Commissioner or a former Parliamentarian of the House, or a former elected officer of the House or a former minority employee nominated as an elected officer of the House shall not be entitled to the privilege of admission to the Hall of the House and the rooms extending thereto if he or she is a registered lobbyist or an agent of a foreign principal; has any direct personal pecuniary interest in any legislative measure pending before the House, or reported by a committee; or is in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative proposal.

This restriction extends not only to the House floor but adjacent rooms, the cloakrooms and the Speaker's lobby.

Clause 4 of rule IV also allows the Speaker to exempt ceremonial and educational functions from the restrictions of this clause.

These restrictions shall not apply to attendance at joint meetings or joint sessions, Former Members' Day proceedings, educational tours, and other occasions as the Speaker may designate.

Members who have reason to know that a person is on the floor inconsistent with clause 4 of rule IV should notify the Sergeant-at-Arms promptly.

2. Introduction of Bills and Resolutions

The policy that the Chair announced on January 3, 1983, with respect to the introduction and reference of bills and resolutions will continue to apply in the 115th Congress. The Chair has advised all officers and employees of the House who are involved in the processing of bills that every bill, resolution, memorial, petition or other material that is placed in the hopper must bear the signature of a Member. Where a bill or resolution is jointly sponsored, the signature must be that of the Member first named thereon. The bill clerk is instructed to return to the Member any bill which appears in the hopper without an original signature. This procedure was inaugurated in the 92d Congress. It has worked well, and the Chair thinks that it is essential to continue this practice to insure the integrity of the process by which legislation is introduced in the House.

The Chair has noted a need for increased attention to detail regarding the addition of cosponsors to measures to ensure accuracy. To that end, Members are encouraged to use the template provided by the Office of the Clerk, which requests Members seeking to be added as cosponsors to include their printed name, original signature, and state. Members routinely include their original signatures, states, and districts when voting by card in the well, so the Chair is hopeful that the inclusion of such information on a cosponsor form will be a familiar task.

3. Unanimous-Consent Requests for the Consideration of Legislation

The policy the Chair announced on January 6, 1999, with respect to recognition for unanimous-consent requests for the consideration of certain legislative measures will continue to apply in the 115th Congress. The Speaker will continue to follow the guidelines recorded in section 956 of the House Rules and Manual conferring recognition for unanimous-consent requests for the consideration of bills, resolutions, and other measures only when assured that the majority and minority floor leadership and the relevant committee chairs and ranking minority members have no objection. Consistent with those guidelines and with the Chair's inherent power of recognition under clause 2 of rule XVII, the Chair, and any occupant of the chair appointed as Speaker pro tempore pursuant to clause 8 of rule I, will decline recognition for the unanimous-consent requests chronicled in section 956 without assurances that the request has been so cleared. This denial of recognition by the Chair will not reflect necessarily any personal opposition on the part of the Chair to orderly consideration of the matter in question, but will reflect the determination upon the part of the Chair that orderly procedures will be followed; that is, procedures involving consultation and agreement between floor and committee leadership on both sides of the aisle.

4. Recognition for One-Minute Speeches

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO ONE-MINUTE SPEECHES

The Speaker's policy announced on August 8, 1984, with respect to recognition for one-minute speeches will apply during the 115th

Congress. The Chair will alternate recognition for one-minute speeches between majority and minority Members, in the order in which they seek recognition in the well under present practice from the Chair's right to the Chair's left, with possible exceptions for Members of the leadership and Members having business requests. The Chair, of course, reserves the right to limit one-minute speeches to a certain period of time or to a special place in the program on any given day, with notice to the leadership.

In addition, during the 115th Congress, the Chair will continue the practice of not recognizing Members for a one-minute speech more than one time per legislative day.

5. Recognition for Special-Order Speeches

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO SPECIAL-ORDER SPEECHES

The Speaker's policy with regard to special-order speeches announced on February 11, 1994, as clarified and reiterated by subsequent Speakers, will continue to apply in the 115th Congress, with the following modifications.

The Chair may recognize Members for special-order speeches for up to 4 hours. Such speeches may not extend beyond the 4-hour limit without the permission of the Chair, which may be granted only with advance consultation between the leaderships and notification to the House. However, the Chair will not recognize Members for any special-order speeches beyond 10 o'clock in the evening.

The 4-hour limitation will be divided between the majority and minority parties. Each party is entitled to reserve its first hour for respective leaderships or their designees. The second hour reserved to each party will be divided into two 30-minute periods. Recognition for one-hour periods and for 30-minute periods will alternate initially and subsequently between the parties each day. The Chair wishes to clarify for Members that any 60- or 30-minute period that is not claimed at the appropriate time will be considered to have expired; this includes the first 60-minute period of the day.

The allocation of time within each party's 2-hour period (or shorter period if prorated to end by 10 p.m.) will be determined by a list submitted to the Chair by the respective leaderships. Members may not sign up with their leadership for any special-order speeches earlier than one week prior to the special order. Additional guidelines may be established for such sign-ups by the respective leaderships.

Pursuant to clause 2(a) of rule V, the television cameras will not pan the Chamber, but a "crawl" indicating the conduct of morning-hour debate or that the House has completed its legislative business and is proceeding with special-order speeches will appear on the screen. The Chair may announce other adaptations during this period.

The continuation of this format for recognition by the Speaker is without prejudice to the Speaker's ultimate power of recognition under clause 2 of rule XVII and includes the ability to withdraw recognition for longer special-order speeches should circumstances warrant.

6. Decorum in Debate

The Chair's announced policies of January 7, 2003, January 4, 1995, and January 3, 1991, will apply in the 115th Congress. It is essential that the dignity of the proceedings of the House be preserved, not only to assure that the House conducts its business in an orderly fashion but also to permit Members to properly comprehend and participate in

the business of the House. To this end, and in order to permit the Chair to understand and to correctly put the question on the numerous requests that are made by Members, the Chair requests that Members and others who have the privileges of the floor desist from audible conversation in the Chamber while the business of the House is being conducted. The Chair would encourage all Members to review rule XVII to gain a better understanding of the proper rules of decorum expected of them, and especially: to avoid "personalities" in debate with respect to references to other Members, the Senate, and the President; to address the Chair only during, and not beyond, the time recognized, and not to address the television or other imagined audience; to refrain from passing between the Chair and a Member speaking, or directly in front of a Member speaking from the well; to refrain from smoking in the Chamber; to wear appropriate business attire in the Chamber; and to generally display the same degree of respect to the Chair and other Members that every Member is due.

The Chair would like all Members to be on notice that the Chair intends to strictly enforce time limitations on debate. Furthermore, the Chair has the authority to immediately interrupt Members in debate who transgress rule XVII by failing to avoid "personalities" in debate with respect to references to the Senate, the President, and other Members, rather than wait for Members to complete their remarks.

Finally, it is not in order to speak disrespectfully of the Speaker; and under the precedents the sanctions for such violations transcend the ordinary requirements for timeliness of challenges. This separate treatment is recorded in volume 2 of Hinds' Precedents, at section 1248 and was reiterated on January 19, 1995.

7. Conduct of Votes by Electronic Device

The Speaker's policy announced on January 4, 1995, with respect to the conduct of electronic votes will continue in the 115th Congress with modifications as follows.

As Members are aware, clause 2(a) of rule XX provides that Members shall have not less than 15 minutes in which to answer an ordinary record vote or quorum call. The rule obviously establishes 15 minutes as a minimum. Still, with the cooperation of the Members, a vote can easily be completed in that time. The events of October 30, 1991, stand out as proof of this point. On that occasion, the House was considering a bill in the Committee of the Whole under a special rule that placed an overall time limit on the amendment process, including the time consumed by record votes. The Chair announced, and then strictly enforced, a policy of closing electronic votes as soon as possible after the guaranteed period of 15 minutes. Members appreciated and cooperated with the Chair's enforcement of the policy on that occasion.

The Chair desires that the example of October 30, 1991, be made the regular practice of the House. To that end, the Chair enlists the assistance of all Members in avoiding the unnecessary loss of time in conducting the business of the House. The Chair encourages all Members to depart for the Chamber promptly upon the appropriate bell and light signal. As in recent Congresses, the cloak-rooms should not forward to the Chair requests to hold a vote by electronic device, but should simply apprise inquiring Members of the time remaining on the voting clock. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in

the Chamber. Members will be given a reasonable amount of time in which to accurately record their votes, and the Chair will endeavor to assess the presence of the membership and the expectation of further votes prior to exercising his authority under clause 8(c)(2) or clause 9(b) of rule XX or clause 6(g)(2) of rule XVIII. The Speaker believes the best practice for presiding officers is to await the Clerk's certification that a vote tally is complete and accurate. Members are further reminded, in accordance with the Speaker's statement of January 7, 2016, that the standard policy is to not terminate the vote when a Member is in the well attempting to cast a vote. Other efforts to hold the vote open are not similarly protected.

8. Use of Handouts on House Floor

The Speaker's policy announced on September 27, 1995, which was prompted by a misuse of handouts on the House floor and made at the bipartisan request of the Committee on Standards of Official Conduct, will continue in the 115th Congress. All handouts distributed on or adjacent to the House floor by Members during House proceedings must bear the name of the Member authorizing their distribution. In addition, the content of those materials must comport with standards of propriety applicable to words spoken in debate or inserted in the Record. Failure to comply with this admonition may constitute a breach of decorum and may give rise to a question of privilege.

The Chair would also remind Members that, pursuant to clause 5 of rule IV, staff is prohibited from engaging in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Staff cannot distribute handouts.

In order to enhance the quality of debate in the House, the Chair would ask Members to minimize the use of handouts.

9. Use of Electronic Equipment on House Floor

The Speaker's policy announced on January 27, 2000, as clarified on January 6, 2009, and as modified by the change in clause 5 of rule XVII in the 112th Congress, will continue in the 115th Congress with modifications as follows. All Members and staff are reminded of the absolute prohibition contained in clause 5 of rule XVII against the use of mobile electronic devices that impair decorum. Those devices include wireless telephones and personal computers. The Chair wishes to note that electronic tablet devices do not constitute personal computers within the meaning of this policy and thus may be unobtrusively used in the Chamber. No device may be used for still photography or for audio or video recording or for live broadcasting.

The Chair requests all Members and staff wishing to receive or make wireless telephone calls to do so outside of the Chamber. The Chair further requests that all Members and staff refrain from wearing telephone headsets in the Chamber and to deactivate any audible ring of wireless phones before entering the Chamber. To this end, the Chair insists upon the cooperation of all Members and staff and instructs the Sergeant-at-Arms, pursuant to clause 3(a) of rule II and clause 5 of rule XVII, to enforce this prohibition.

In light of the changes to rule II and rule XVII in the 115th Congress, the Chair would like to take this opportunity to educate all Members and staff on how these changes will be implemented. The Sergeant-at-Arms is charged with enforcement of clause 3(g) rule

II, which prohibits the use of electronic devices for still photography or for audio or visual recording or broadcasting in contravention of clause 5 of rule XVII and the policies just articulated. The Chair would advise Members of the following policies of the Sergeant-at-Arms surrounding the rules change.

The Sergeant-at-Arms will enforce the prohibition with respect to violations observed first-hand on the House floor as well as violations that become apparent at a later time, such as through publication online or broadcast on television.

In the case of violations observed on the floor, the Sergeant-at-Arms will hand the offending Member a card noting the violation, and will follow up by sending the Member a written letter. In the case of other violations, Members will receive a written letter detailing the offending conduct.

The fine for a first offense is \$500. The fine for each subsequent offense is \$2500. The Sergeant-at-Arms will endeavor to provide Members a written warning prior to assessing a fine for a first offense. Because of the inherent difficulty of enforcing this prohibition during ceremonial events, the Sergeant-at-Arms may choose not to cite minor violations occurring during such an event.

Pursuant to clause 2(g)(3) of rule II, in addition to notifying the Member, Delegate, or Resident Commissioner concerned, the Sergeant-at-Arms will also notify the Speaker, the Chief Administrative Officer, and the Committee on Ethics of any fine imposed. Upon receiving notification of a fine, a Member, Delegate, or Resident Commissioner may appeal the fine to the Committee on Ethics within 30 calendar days or 5 legislative days, whichever is later.

The Sergeant-at-Arms and the Committee on Ethics are each authorized to establish policies and procedures for the implementation of these rules. The Chief Administrative Officer is authorized to establish policies and procedures for deducting any such fine from a Member's net salary. It is the desire of the Chair that any such policies and procedures be submitted for printing in the Congressional Record.

Nothing in the House rules or this policy deprives the House of its ability to address breaches of decorum or other violations of House rules that may give rise to questions of the privileges of the House under rule IX.

The Chair appreciates the attention of all Members to these efforts.

10. Use of Chamber

The Speaker's policy announced on January 6, 2009, with respect to use of the Chamber will continue in the 115th Congress.

The Chair will announce to the House the policy of the Speaker concerning appropriate comportment in the chamber when the House is not in session.

Under clause 3 of rule I, the Speaker is responsible to control the Hall of the House. Under clause 1 of rule IV, the Hall of the House is to be used only for the legislative business of the House, for caucus and conference meetings of its Members, and for such ceremonies as the House might agree to conduct there.

When the House stands adjourned, its chamber remains on static display. It may accommodate visitors in the gallery or on the floor, subject to the needs of those who operate, maintain, and secure the chamber to go about their ordinary business. Because outside "coverage" of the chamber is limited to floor proceedings and is allowed only by accredited journalists, when the chamber is on static display no audio or video recording

or transmitting devices are allowed. The long custom of disallowing even still photography in the chamber is based at least in part on the notion that an image having this setting as its backdrop might be taken to carry the imprimatur of the House.

The imprimatur of the House adheres to the Journal of its proceedings, which is kept pursuant to the Constitution. The imprimatur of the House adheres to the Congressional Record, which is kept as a substantially verbatim transcript pursuant to clause 8 of rule XVII. The imprimatur of the House adheres to the audio and visual transmissions and recordings that are made and kept by the television system administered by the Speaker pursuant to rule V. But the imprimatur of the House may not be appropriated to other, ad hoc accounts or compositions of events in its chamber.

EXTENDING THE LIFE OF THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2017, the joint committee created by Senate Concurrent Resolution 28 (114th Congress), to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2017, the provisions of Senate Concurrent Resolution 29 (114th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

TO PROVIDE FOR THE COUNTING ON JANUARY 6, 2017, OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Friday, the 6th day of January 2017, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two

tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that the whole number of the House is 434.

ADJOURNMENT

Mr. FRANKS of Arizona. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 4, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Clerk, U.S. House of Representatives, transmitting a list of reports created by the Clerk, pursuant to Rule II, clause 2(b), of the Rules of the House (H. Doc. No. 115-4); to the Committee on House Administration and ordered to be printed.

2. A communication from the President of the United States, transmitting the Economic Report of the President together with the 2017 Annual Report of the Council of Economic Advisers, pursuant to 15 U.S.C. 1022(a); February 20, 1946, ch. 33, Sec. 3(a) (as amended by Public Law 101-508; 13112(e)); (104 Stat. 1388-609) (H. Doc. No. 115-2); to the Joint Economic Committee and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOODLATTE (for himself, Mr. PETERSON, Mr. CHABOT, Mr. MARINO, Mr. RATCLIFFE, and Mr. LUETKEMEYER):

H.R. 5. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself, Mr. GOODLATTE, Mr. SESSIONS, Mr. COLLINS of Georgia, Mr. JORDAN, Mr. MARINO, Mr. HARRIS, Mr. GRIFFITH, Mr. RATCLIFFE, Mr. JENKINS of West Virginia, Mr. SMITH of Texas, Mr. GOWDY, Mr. PETERSON, and Mrs. HARTZLER):

H.R. 21. A bill to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (and Mrs. BLACK):

H.R. 22. A bill to provide for operational control of the international border of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, Rules, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VALADAO (for himself, Mr. NUNES, Mr. ROHRBACHER, Mr. COOK, Mr. ISSA, Mr. ROYCE of California, Mrs. MIMI WALTERS of California, Mr. CALVERT, Mr. KNIGHT, Mr. MCCARTHY, Mr. HUNTER, Mr. LAMALFA, and Mr. MCCLINTOCK):

H.R. 23. A bill to provide drought relief in the State of California, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MASSIE (for himself, Mr. MOOLENAAR, Mr. GUTHRIE, Mr. CARTER of Georgia, Mr. MULLIN, Mr. BUCK, Ms. FOXX, Mr. AMASH, Mr. CHAFFETZ, Mr. BROOKS of Alabama, Mr. GOSAR, Mr. CHABOT, Mr. BILIRAKIS, Mr. ROTHFUS, Mr. YOHO, Mrs. WALORSKI, Mr. WALBERG, Mr. STIVERS, Mr. GOHMERT, Mr. BARLETTA, Mr. EMMER, Mr. WESTERMAN, Mr. FRANKS of Arizona, Mr. JONES, Mr. DUNCAN of South Carolina, Mr. PEARCE, Mr. KING of Iowa, Mr. CULBERSON, Mr. HUNTER, Mr. GRIFFITH, Mr. AMODEI, Ms. BEUTLER, Mrs. BLACK, Mr. SMITH of Missouri, Mr. BURGESS, Mr. BRAT, Mr. DEFAZIO, Mr. DESANTIS, Mr. PALMER, Mr. MCKIN-

LEY, Mr. ROHRBACHER, Mr. MEEHAN, Mr. HOLDING, Mr. LABRADOR, and Mr. BISHOP of Utah):

H.R. 24. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. WOODALL (for himself, Mr. BILIRAKIS, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, Mr. CARTER of Texas, Mr. COLLINS of Georgia, Mr. CONAWAY, Mr. CULBERSON, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. ISSA, Mr. KING of Iowa, Mr. LUCAS, Mr. MASSIE, Mr. MULLIN, Mr. OLSON, Mr. PEARCE, Mr. POE of Texas, Mr. ROE of Tennessee, Mr. SANFORD, Mr. WALBERG, Mr. YOHO, Mr. YOUNG of Alaska, Mr. EMMER, Mr. RATCLIFFE, Mr. JODY B. HICE of Georgia, Mr. LOUDERMILK, Mr. CARTER of Georgia, Mr. CHABOT, Mr. BISHOP of Utah, and Mr. POSEY):

H.R. 25. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Ways and Means.

By Mr. COLLINS of Georgia (for himself, Mr. GOODLATTE, Mr. SESSIONS, and Mr. MARINO):

H.R. 26. A bill to amend chapter 8 of title 5, United States Code, to provide that major roles of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on the Judiciary, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO of Pennsylvania (for himself and Ms. SINEMA):

H.R. 27. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to retain a copy of any reprimand or admonishment received by an employee of the Department in the permanent record of the employee; to the Committee on Veterans' Affairs; considered and passed.

By Mr. ROE of Tennessee:

H.R. 28. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs; considered and passed.

By Mr. GOODLATTE (for himself, Mr. PEARCE, Mr. BOST, Mr. KING of Iowa, Mr. SANFORD, Mr. DUNCAN of South Carolina, Mr. MEADOWS, Mr. GOSAR, Mrs. BLACKBURN, Mr. CULBERSON, Mr. CARTER of Georgia, Mr. ROGERS of Alabama, Mr. ABRAHAM, Mr. FRANKS of Arizona, Mr. HILL, Mr. LOUDERMILK, Mr. GOHMERT, Mr. BYRNE, Mr. ROE of Tennessee, Mr. GRIFFITH, Mr. BRAT, Mr. WILLIAMS, Mr. POE of Texas, Mr. HOLDING, Mr. LABRADOR, Mr. OLSON, Mr. LUETKEMEYER, Mr. COLE, Mr. DIAZ-BALART, Mr. CALVERT, Mrs. BLACK, Mr. MCCLINTOCK, and Mr. MASSIE):

H.R. 29. A bill to terminate the Internal Revenue Code of 1986; to the Committee on

Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON:

H.R. 30. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. HUDSON:

H.R. 31. A bill to provide for the periodic review of the efficiency and public need for Federal agencies, to establish a commission for the purpose of reviewing the efficiency and public need of such agencies, and to provide for the abolishment of agencies for which a public need does not exist; to the Committee on Oversight and Government Reform.

By Mr. HUDSON:

H.R. 32. A bill to amend the Internal Revenue Code of 1986 to exempt the spouses of active duty members of the Armed Forces from the determination of whether an employer is subject to the employer health insurance mandate; to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr.

GOODLATTE, Mr. MARINO, Mrs. RADEWAGEN, Mr. KNIGHT, Mr. CUELLAR, Mr. GRAVES of Missouri, Mr. SESSIONS, Mr. KING of Iowa, Mr. KELLY of Mississippi, Mr. TIPTON, Mr. CURBELO of Florida, Mr. HULTGREEN, and Mr. LUETKEMEYER):

H.R. 33. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MASSIE (for himself and Mr. GOHMERT):

H.R. 34. A bill to repeal the Gun-Free School Zones Act of 1990 and amendments to that Act; to the Committee on the Judiciary.

By Mr. BURGESS (for himself, Mr. SANFORD, and Mr. CARTER of Texas):

H.R. 35. A bill to amend the Internal Revenue Code of 1986 to modify rules relating to health savings accounts; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of Arizona:

H.R. 36. A bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona:

H.R. 37. A bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion; to the Committee on the Judiciary.

By Mr. HUDSON (for himself, Mr. SMITH of Missouri, Mr. ABRAHAM, Mr. CUELLAR, Mr. GAETZ, Mr. HOLDING, Mr. KING of Iowa, Mr. LAMALFA, Mr. PALMER, Mrs. WAGNER, Mr. KINZINGER, Mr. THOMAS J. ROONEY of Florida, Mr. WALKER, Mr. PITTENGER,

Mr. ADERHOLT, Mr. CARTER of Georgia, Mr. GRAVES of Georgia, Mr. ROGERS of Alabama, Mr. HENSARLING, Mr. LAMBORN, Mr. CRAMER, Mr. COOK, Mr. WESTERMAN, Mr. CHABOT, Mrs. WALORSKI, Mr. MULLIN, Mr. PALAZZO, Mr. FRANKS of Arizona, Mr. JODY B. HICE of Georgia, Mr. MEADOWS, Mr. WENSTRUP, Mr. WILLIAMS, Mr. SMITH of Texas, Mr. HUIZENGA, Mr. AMODEI, Mr. HUNTER, Mr. FARENTHOLD, Mr. JENKINS of West Virginia, Mr. EMMER, Mr. ROE of Tennessee, Mr. TIPTON, Mr. JOHNSON of Ohio, Mr. DESJARLAIS, Mrs. HARTZLER, Mr. DUNCAN of South Carolina, Mr. ZELDIN, Mr. YOHO, Mr. SANFORD, Mr. BRAT, Mr. PETERSON, Mr. DUFFY, Mr. YODER, Mr. BUCHANAN, Mr. COLE, Mr. NEWHOUSE, Mr. TURNER, Mr. BROOKS of Alabama, Mr. KATKO, Mr. RATCLIFFE, Mr. HILL, Mr. OLSON, Mr. HARPER, Mr. BUCK, and Mr. DIAZ-BALART):

H.R. 38. A bill to amend title 18, United States Code, to provide a means by which nonresidents of a State whose residents may carry concealed firearms may also do so in the State; to the Committee on the Judiciary.

By Mr. MCCARTHY:

H.R. 39. A bill to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONYERS (for himself, Mr.

SERRANO, Mr. AL GREEN of Texas, Ms. NORTON, Mr. HASTINGS, Mr. ELLISON, Mrs. BEATTY, Mr. LEWIS of Georgia, Mr. NADLER, Mr. DANNY K. DAVIS of Illinois, Mr. CLAY, Mr. GUTIERREZ, Mr. COHEN, Mr. CUMMINGS, Mr. MEEKS, Ms. SCHAKOWSKY, Ms. JACKSON LEE, and Ms. LEE):

H.R. 40. A bill to address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mr. MULLIN (for himself, Mr. ALLEN, Mr. BISHOP of Utah, Mr. COLE, Mr. FRANKS of Arizona, Mr. GOSAR, Mrs. LOVE, Mr. LUCAS, Mr. PALAZZO, Mr. RUSSELL, Mr. WESTERMAN, Mr. MCCLINTOCK, Mr. CHAFFETZ, Mr. YOHO, and Mr. SMITH of Missouri):

H.R. 41. A bill to amend title 5, United States Code, to require agencies to respond to comments from congressional committees about proposed rulemaking, and for other purposes; to the Committee on the Judiciary.

By Mr. MULLIN:

H.R. 42. A bill to authorize the Directors of Veterans Integrated Service Networks of the Department of Veterans Affairs to enter into contracts with appropriate civilian accreditation entities or appropriate health care evaluation entities to investigate medical centers of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MULLIN:

H.R. 43. A bill to amend title 38, United States Code, to authorize the use of Post-9/11

Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning; to the Committee on Veterans' Affairs.

By Mr. MULLIN (for himself, Mr. KENNEDY, Mr. MOONEY of West Virginia, Mr. KING of New York, Mr. BUCSHON, and Mr. SMITH of Missouri):

H.R. 44. A bill to amend the Professional Boxing Safety Act of 1996 to include fighters of combat sports in the safety provisions of such Act; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. PETERSON, Mr. SMITH of Texas, Mr. MARINO, Mr. SESSIONS, and Mr. FRANKS of Arizona):

H.R. 45. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on the Judiciary.

By Mr. KATKO (for himself, Ms. SLAUGHTER, and Ms. TENNEY):

H.R. 46. A bill to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Natural Resources.

By Ms. JACKSON LEE:

H.R. 47. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the humane treatment of youths who are in police custody, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 48. A bill to require that activities carried out by the United States in South Sudan relating to governance, reconstruction and development, and refugee relief and assistance will support the basic human rights of women and women's participation and leadership in these areas; to the Committee on Foreign Affairs.

By Mr. YOUNG of Alaska:

H.R. 49. A bill to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself and Mr. CUELLAR):

H.R. 50. A bill to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. CRAMER, Ms. FUDGE, Mrs. LOVE, Ms. ADAMS, Mr. CLEAVER, and Mr. SCOTT of Virginia):

H.R. 51. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to direct the Secretary of

Agriculture to establish a grant program under which the Secretary will award \$19,000,000 of grant funding to the 19 1890-institutions (\$1,000,000 to each institution), such as Tuskegee University in Alabama, Prairie View A&M University of Texas, Fort Valley State University of Georgia, North Carolina A&T State University, and Florida A&M University, and allocate the \$1,000,000 to each such institution for purposes of awarding scholarships to students attending such institutions, and for other purposes; to the Committee on Agriculture.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. CRAMER, Ms. FUDGE, Mrs. LOVE, Ms. ADAMS, and Mr. CLEAVER):

H.R. 52. A bill to rebuild the Nation's crumbling infrastructure, transportation systems, technology and computer networks, and energy distribution systems, by strongly and urgently requesting the immediate recruitment, employment, and on-the-job "earn as you learn" training of African-American young men ages 18 to 39, who are the hardest hit in terms of unemployment, with an unemployment rate of 41 percent nationally, and in some States and cities, especially inner cities, higher than 50 percent, which is a national crisis; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE:

H.R. 53. A bill to direct the Secretary of Homeland Security to develop a database that shall serve as a central location for information from investigations relating to human trafficking for Federal, State, and local law enforcement agencies; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 54. A bill to require the Secretary of Homeland Security to conduct a study on the feasibility of establishing a Civilian Cyber Defense National Resource in the Department of Homeland Security; to the Committee on Homeland Security.

By Ms. JACKSON LEE:

H.R. 55. A bill to establish a grant program for nebulizers in elementary and secondary schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 56. A bill to establish a grant program for stipends to assist in the cost of compensation paid by employers to certain recent college graduates and to provide funding for their further education in subjects relating to mathematics, science, engineering, and technology; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE:

H.R. 57. A bill to require the Director of the Federal Bureau of Investigation to report to the Congress semiannually on the number of firearms transfers resulting from the failure to complete a background check within 3 business days, and the procedures followed after it is discovered that a firearm transfer has been made to a transferee who is ineligible to receive a firearm; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 58. A bill to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, and for other purposes; to the Committee on Transportation and Infrastruc-

ture, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 59. A bill to enhance the security of chemical facilities, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself, Mr. COFFMAN, Mr. AMODEI, Mr. KINZINGER, Ms. BEUTLER, Mr. SWALLOW of California, Mr. NEWHOUSE, Ms. ROS-LEHTINEN, Mr. SMITH of Washington, Mr. VALADAO, Mr. REICHERT, Mr. DIAZ-BALART, Mr. WALZ, Mr. ISSA, Mr. NUNES, Mr. UPTON, Mr. WELCH, Mr. GOWDY, Mr. ZINKE, Mr. MCNERNEY, Mr. LIPINSKI, Mr. COSTA, Ms. SINEMA, Mr. CUELLAR, Ms. GABBARD, Mr. TED LIEU of California, Ms. ESHOO, Mr. COURTNEY, Mr. CROWLEY, and Mr. CURBELO of Florida):

H.R. 60. A bill to amend title 10, United States Code, to authorize the enlistment in the Armed Forces of certain aliens who are unlawfully present in the United States and were younger than 15 years of age when they initially entered the United States, but who are otherwise qualified for enlistment, and to provide a mechanism by which such aliens, by reason of their honorable service in the Armed Forces, may be lawfully admitted to the United States for permanent residence; to the Committee on Armed Services.

By Ms. JACKSON LEE:

H.R. 61. A bill to provide for the expungement and sealing of youth criminal records, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 62. A bill to provide for the hiring of 200 additional Bureau of Alcohol, Tobacco, Firearms and Explosives agents and investigators to enforce gun laws; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 63. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to encourage private employers to hire veterans, to amend title 38, United States Code, to clarify the reasonable efforts an employer may make under the Uniformed Services Employment and Reemployment Rights Act with respect to hiring veterans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 64. A bill to amend title 18, United States Code, to provide an alternate release date for certain nonviolent offenders, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 65. A bill to provide alternatives to incarceration for youth, and for other purposes; to the Committee on the Judiciary.

By Mr. RODNEY DAVIS of Illinois (for himself, Mrs. NAPOLITANO, Mr. LAHOOD, Mr. KINZINGER, Mr. BOST, Mr. SCHIFF, Mrs. WAGNER, Mr. SHIM-

KUS, Mr. LIPINSKI, Mr. LONG, Mr. LUCAS, and Mr. FOSTER):

H.R. 66. A bill to establish the Route 66 Centennial Commission, to direct the Secretary of Transportation to prepare a plan on the preservation needs of Route 66, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON LEE:

H.R. 67. A bill to ensure that seniors, veterans, and people with disabilities who receive Social Security and certain other Federal benefits receive a \$250 payment in the event that no cost-of-living adjustment is payable in a calendar year; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 68. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUM (for himself, Mr. MEADOWS, Mr. CONNOLLY, and Mr. CUMMINGS):

H.R. 69. A bill to reauthorize the Office of Special Counsel, to amend title 5, United States Code, to provide modifications to authorities relating to the Office of Special Counsel, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CLAY (for himself, Mr. CUMMINGS, Mr. CONNOLLY, and Mr. COOPER):

H.R. 70. A bill to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG (for himself, Mr. COOPER, Ms. SINEMA, Mr. ABRAHAM, Mr. ROYCE of California, Mr. LAMBORN, Mr. HUIZENGA, Mr. YODER, Mr. JOYCE of Ohio, Mrs. LOVE, Mr. BURGESS, Mr. LAMALFA, Mr. GOSAR, Mr. GOHMERT, Mr. FARENTHOLD, Mr. JODY B. HICE of Georgia, Mr. EMMER, Mr. TROTT, Mr. BISHOP of Utah, Mr. SAM JOHNSON of Texas, Mr. GUTHRIE, Mr. YOHO, Mr. COSTA, and Mr. CALVERT):

H.R. 71. A bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CARTER of Georgia:

H.R. 72. A bill to ensure the Government Accountability Office has adequate access to information; to the Committee on Oversight and Government Reform.

By Mr. DUNCAN of Tennessee (for himself and Mr. CUMMINGS):

H.R. 73. A bill to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MARINO (for himself, Mr. BISHOP of Michigan, Mr. COLLINS of Georgia, Mr. GOHMERT, Mr. GOODLATTE, Mr. JENKINS of West Virginia,

Mr. SMITH of Texas, Mrs. WAGNER, Mr. DUFFY, Mr. RATCLIFFE, Mr. GRIFFITH, Mr. ISSA, Mr. GROTHMAN, Mr. ROKITA, Mr. FRANKS of Arizona, Mrs. MIMI WALTERS of California, Mr. HULTGREN, Mr. TIPTON, Mr. KELLY of Pennsylvania, Mr. MCCLINTOCK, Mr. YOHO, Mr. LABRADOR, Mr. BRAT, Mr. BROOKS of Alabama, Mr. LAMBORN, Mr. EMMER, and Mr. DESANTIS):

H.R. 74. A bill to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review; to the Committee on the Judiciary.

By Mr. RATCLIFFE (for himself, Mr. GOODLATTE, Mr. MARINO, Mr. BARR, and Mr. HOLDING):

H.R. 75. A bill to amend title 5, United States Code, to provide for the publication, by the Office of Information and Regulatory Affairs, of information relating to rulemakings, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RATCLIFFE (for himself, Mr. GOODLATTE, Mr. SESSIONS, Mr. COLLINS of Georgia, Mr. HENSARLING, Mr. KING of Iowa, Mr. ROE of Tennessee, Mr. GOSAR, Mr. MARINO, Mr. CULBERSON, Mrs. BLACK, Mr. EMMER, Mr. GROTHMAN, Mr. LAMBORN, Mrs. WAGNER, Mr. LABRADOR, Mr. ISSA, Mr. TROTT, Mrs. MCMORRIS RODGERS, Mr. GRIFFITH, Mr. LOUDERMILK, Mr. BYRNE, Mr. RENACCI, Mr. BURGESS, Mr. YOHO, Mr. WALKER, Mr. ROKITA, Mr. CARTER of Georgia, Mr. CHABOT, Mr. PALMER, Mr. TIPTON, Mr. BARR, Mr. DUNCAN of South Carolina, Mr. BRIDENSTINE, Mr. HILL, Mr. HUDSON, Mr. HOLDING, Mr. OLSON, Mr. ROTHFUS, Mr. FRANKS of Arizona, Mr. MULLIN, Mrs. LOVE, Mr. BISHOP of Utah, Mr. MEADOWS, Mr. DESANTIS, Mr. MESSER, Mr. LUETKEMEYER, Mr. CHAFFETZ, Mr. WESTERMAN, Mr. WOODALL, and Mr. BROOKS of Alabama):

H.R. 76. A bill to amend title 5, United States Code, to clarify the nature of judicial review of agency interpretations of statutory and regulatory provisions; to the Committee on the Judiciary.

By Mr. LUETKEMEYER (for himself and Mr. GOODLATTE):

H.R. 77. A bill to require each agency, in providing notice of a rule making, to include a link to a 100 word plain language summary of the proposed rule; to the Committee on the Judiciary.

By Mrs. WAGNER:

H.R. 78. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Financial Services.

By Mr. CHABOT (for himself and Ms. SINEMA):

H.R. 79. A bill to clarify the definition of general solicitation under Federal securities law; to the Committee on Financial Services.

By Mr. BABIN (for himself, Mr. WALORSKI, Mr. BURGESS, Mr. KING of Iowa, Mr. ABRAHAM, and Mr. OLSON):

H.R. 80. A bill to suspend the admission into the United States of refugees in order to examine the costs of providing benefits to such individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. BABIN:

H.R. 81. A bill to suspend, and subsequently terminate, the admission of certain refugees, to examine the impact on the national security of the United States of admitting refugees, to examine the costs of providing benefits to such individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. BABIN:

H.R. 82. A bill to withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARLETTA:

H.R. 83. A bill to prohibit the receipt of Federal financial assistance by sanctuary cities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS:

H.R. 84. A bill to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions, and to repeal Federal provisions related to switchblade knives which burden citizens; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN (for herself, Mr. FRANKS of Arizona, Mr. HENSARLING, Mrs. MIMI WALTERS of California, Mr. GOHMERT, and Mr. BURGESS):

H.R. 85. A bill to make 1 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2017 and 2018; to the Committee on Appropriations.

By Mrs. BLACKBURN:

H.R. 86. A bill to make 2 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2017 and 2018; to the Committee on Appropriations.

By Mrs. BLACKBURN:

H.R. 87. A bill to make 5 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2017 and 2018; to the Committee on Appropriations.

By Mrs. BLACKBURN:

H.R. 88. A bill to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mrs. BLACKBURN:

H.R. 89. A bill to amend subtitle IV of title 40, United States Code, regarding county additions to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Ms. BROWNLEY of California (for herself, Mr. POLIQUIN, Ms. PINGREE, Mr. DESANTIS, Mr. TAKANO, Mr. YOHO, Mrs. DINGELL, Mr. THOMPSON of California, and Ms. KUSTER of New Hampshire):

H.R. 90. A bill to authorize the Secretary of Veterans Affairs to carry out certain major medical facility leases of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California (for herself, Mr. TAKANO, and Ms. KUSTER of New Hampshire):

H.R. 91. A bill to amend title 38, United States Code, to make permanent the pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California (for herself and Mr. WALZ):

H.R. 92. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California (for herself and Ms. KUSTER of New Hampshire):

H.R. 93. A bill to amend title 38, United States Code, to provide for increased access to Department of Veterans Affairs medical care for women veterans; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California (for herself, Mr. TAKANO, and Ms. KUSTER of New Hampshire):

H.R. 94. A bill to amend title 38, United States Code, to require congressional approval before the appropriation of funds for the Department of Veterans Affairs major medical facility leases; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California (for herself, Mr. WALZ, Ms. KUSTER of New Hampshire, Miss RICE of New York, Mr. TAKANO, and Mr. HIGGINS of New York):

H.R. 95. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 96. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to nonprofit organizations that provide places of rest and recuperation at airports for members of the Armed Forces and their families, and for other purposes; to the Committee on Homeland Security.

By Ms. BROWNLEY of California:

H.R. 97. A bill to amend the Consolidated and Further Continuing Appropriations Act, 2016, to enable the payment of certain officers and employees of the United States whose employment is authorized under the Deferred Action for Childhood Arrivals program, and for other purposes; to the Committee on House Administration.

By Ms. BROWNLEY of California:

H.R. 98. A bill to replace references to "wives" and "husbands" in Federal law with references to "spouses", and for other purposes; to the Committee on the Judiciary.

By Ms. BROWNLEY of California:

H.R. 99. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to

provide for the eligibility of Transportation Security Administration employees to receive public safety officers' death benefits, and for other purposes; to the Committee on the Judiciary.

By Ms. BROWNLEY of California:

H.R. 100. A bill to amend title 23, United States Code, to modify the percentages of funds to be allocated to certain urbanized areas under the surface transportation block grant program; to the Committee on Transportation and Infrastructure.

By Ms. BROWNLEY of California:

H.R. 101. A bill to direct the Comptroller General of the United States to conduct reviews of certain budget requests of the President for the medical care accounts of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 102. A bill to expand the research and education on and delivery of complementary and alternative medicine to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 103. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 104. A bill to amend title 38, United States Code, to make permanent certain programs that assist homeless veterans and other veterans with special needs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 105. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs repays the misused benefits of veterans with fiduciaries, to establish an appeals process for determinations by the Secretary of Veterans Affairs of veterans' mental capacity, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 106. A bill to amend the VOW to Hire Heroes Act of 2011 to make permanent the Veterans Retraining Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 107. A bill to amend title 38, United States Code, to direct the Secretary of Labor to prioritize the provision of services to homeless veterans with dependent children in carrying out homeless veterans reintegration programs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BROWNLEY of California:

H.R. 108. A bill to amend the Internal Revenue Code of 1986 to allow a credit for employers providing student loan payment assistance for employees; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 109. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for mortgage insurance premiums; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 110. A bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion from gross income of discharge of qualified principal residence indebtedness; to the Committee on Ways and Means.

By Mr. BUCHANAN (for himself, Mr.

RENACCI, and Mr. DIAZ-BALART):

H.R. 111. A bill to amend the Internal Revenue Code of 1986 to increase the limitations for deductible new business expenditures and to consolidate provisions for start-up and organizational expenditures; to the Committee on Ways and Means.

By Mr. BUCHANAN (for himself, Mr.

THOMAS J. ROONEY of Florida, Ms. FRANKEL of Florida, Mr. POSEY, Mr. VELA, Mr. YOHO, Mr. GONZALEZ of Texas, Mr. BILIRAKIS, Ms. ROSLEHTINEN, and Mr. DIAZ-BALART):

H.R. 112. A bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty; to the Committee on Ways and Means.

By Mr. BUCHANAN (for himself and

Mr. BLUMENAUER):

H.R. 113. A bill to prevent human health threats posed by the consumption of equines raised in the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN:

H.R. 114. A bill to require the Secretary of Homeland Security to search all public records to determine if an alien is inadmissible to the United States; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 115. A bill to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 116. A bill to amend the Internal Revenue Code of 1986 to ensure that pass-through businesses do not pay tax at a higher rate than corporations; to the Committee on Ways and Means.

By Mr. BURGESS:

H.R. 117. A bill to repeal Federal energy conservation standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 118. A bill to make clear that an agency outside of the Department of Health and Human Services may not designate, appoint, or employ special consultants, fellows, or other employees under subsection (f) or (g) of section 207 of the Public Health Service Act; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 119. A bill to repeal certain amendments to the Clean Air Act relating to the expansion of the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 120. A bill to reduce the amount of foreign assistance to Mexico, Guatemala, Honduras, and El Salvador based on the number of unaccompanied alien children who are nationals or citizens of such countries and who in the preceding fiscal year are placed in Federal custody by reason of their immigration status; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas:

H.R. 121. A bill making supplemental appropriations for the Army Corps of Engineers for flood control projects and storm damage reduction projects in areas affected by flooding in the city of Houston, Texas, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subse-

quently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas:

H.R. 122. A bill to amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 4, as determined by the Bureau of the Census; to the Committee on Education and the Workforce.

By Mr. AL GREEN of Texas:

H.R. 123. A bill to extend the pilot program under section 258 of the National Housing Act that establishes an automated process for providing alternative credit rating information for mortgagors and prospective mortgagors under certain mortgages; to the Committee on Financial Services.

By Mr. AL GREEN of Texas:

H.R. 124. A bill to establish a grant program providing for the acquisition, operation, and maintenance of body-worn cameras for law enforcement officers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas:

H.R. 125. A bill to authorize a pilot program to improve asset recovery levels, asset management, and homeownership retention with respect to delinquent single-family mortgages insured under the FHA mortgage insurance programs by providing for in-person contact outreach activities with mortgagors under such mortgages, and for other purposes; to the Committee on Financial Services.

By Mr. AL GREEN of Texas:

H.R. 126. A bill to direct the Election Assistance Commission to carry out a pilot program under which the Commission shall provide funds to local educational agencies for initiatives to provide voter registration information to secondary school students in the 12th grade; to the Committee on House Administration.

By Mr. AL GREEN of Texas:

H.R. 127. A bill to amend title 49, United States Code, with respect to urbanized area formula grants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BURGESS:

H.R. 128. A bill to amend section 416 of title 39, United States Code, to remove the authority of the United States Postal Service to issue semipostals except as provided for by an Act of Congress, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BURGESS:

H.R. 129. A bill to amend the FAA Modernization and Reform Act of 2012 to establish a prohibition to prevent the use of an unmanned aircraft system as a weapon while operating in the national airspace system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COLE:

H.R. 130. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, and for other purposes; to the Committee on Natural Resources.

By Mr. COLE:

H.R. 131. A bill to reaffirm the trust status of land taken into trust by the United States pursuant to the Act of June 18, 1934, for the benefit of an Indian tribe that was federally

recognized on the date that the land was taken into trust, and for other purposes; to the Committee on Natural Resources.

By Mr. COLE:

H.R. 132. A bill to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes; to the Committee on Natural Resources.

By Mr. COLE:

H.R. 133. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of Presidential election campaigns; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. JOHNSON of Georgia, Mr. COHEN, and Ms. JACKSON LEE):

H.R. 134. A bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself and Mr. JOHNSON of Georgia):

H.R. 135. A bill to protect cyber privacy, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. NADLER, and Mr. JOHNSON of Georgia):

H.R. 136. A bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. COHEN, and Mr. JOHNSON of Georgia):

H.R. 137. A bill to amend title 11 of the United States Code to stop abusive student loan collection practices in bankruptcy cases; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. COHEN, Mr. JOHNSON of Georgia, Mr. DEUTCH, and Ms. JACKSON LEE):

H.R. 138. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. COHEN, Mr. JOHNSON of Georgia, and Ms. JACKSON LEE):

H.R. 139. A bill to amend chapter 9 of title 11 of the United States Code to improve protections for employees and retirees in municipal bankruptcies; to the Committee on the Judiciary.

By Mr. KING of Iowa (for himself, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. GOHMERT, Mr. JONES, Mr. SMITH of Texas, Mr. BROOKS of Alabama, Mr. BABIN, Mr. FARENTHOLD, Mr. BARLETTA, Mr. ROHRBACHER, and Mr. WOODALL):

H.R. 140. A bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 141. A bill to amend title 11 of the United States Code to dispense with the requirement of providing assurance of payment for utility services under certain circumstances; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 142. A bill to amend title 18, United States Code, to provide for the protection of

the general public, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 143. A bill to prohibit anticompetitive activities and to provide that health insurance issuers and medical malpractice insurance issuers are subject to the antitrust laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 144. A bill to establish a corporate crime database, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK:

H.R. 145. A bill to terminate pensions for Members of Congress, to prohibit a single bill or joint resolution presented by Congress to the President from containing multiple subjects, to require the equal application of laws to Members of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEISCHMANN:

H.R. 146. A bill to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and for other purposes; to the Committee on Natural Resources.

By Mr. FRANKS of Arizona:

H.R. 147. A bill to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas:

H.R. 148. A bill to amend title XIX of the Social Security Act to provide incentives for education on the risk of renal medullary carcinoma in individuals who are receiving medical assistance under such title and who have Sickle Cell Disease; to the Committee on Energy and Commerce.

By Mr. AL GREEN of Texas:

H.R. 149. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; to the Committee on Financial Services.

By Mr. AL GREEN of Texas:

H.R. 150. A bill to direct the Attorney General to create a special reward program for individuals providing information leading to the apprehension and conviction of persons committing offenses under section 1030 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas:

H.R. 151. A bill to require any State which, after enacting a Congressional redistricting plan after a decennial census and apportionment of Representatives, enacts a subsequent Congressional redistricting plan prior to the next decennial census and apportionment of Representatives, to obtain a declaratory judgment or preclearance in the manner provided under section 5 of the Voting Rights Act of 1965 in order for the subsequent plan to take effect; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas:

H.R. 152. A bill to provide for the issuance of a forever stamp to recognize the historical

importance of Prince Hall Freemasonry, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas:

H.R. 153. A bill to provide for the issuance of a forever stamp to honor the work of Dr. Michael Ellis DeBakey, who helped develop the mobile army surgical hospital, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas:

H.R. 154. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II; to the Committee on Veterans' Affairs.

By Mr. GENE GREEN of Texas:

H.R. 155. A bill to direct the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. GENE GREEN of Texas:

H.R. 156. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HASTINGS (for himself and Mr. SCHWEIKERT):

H.R. 157. A bill to authorize assistance for the Government of Tunisia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HASTINGS (for himself, Mr. DEUTCH, Ms. FRANKEL of Florida, Ms. WASSERMAN SCHULTZ, and Ms. JACKSON LEE):

H.R. 158. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to impose certain additional requirements on applicants for COPS grants, and for other purposes; to the Committee on the Judiciary.

By Mr. HASTINGS (for himself and Mr. POLIS):

H.R. 159. A bill to expand the workforce of veterinarians specialized in the care and conservation of wild animals and their ecosystems, and to develop educational programs focused on wildlife and zoological veterinary medicine; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS:

H.R. 160. A bill to end the use of corporal punishment in schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HASTINGS:

H.R. 161. A bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals and families, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HASTINGS:

H.R. 162. A bill to establish a scholarship program in the Department of State for Haitian students whose studies were interrupted as a result of the January 12, 2010, earthquake, or the October 2016 hurricane, Hurricane Matthew; to the Committee on Foreign Affairs.

By Mr. HASTINGS:

H.R. 163. A bill to repeal the provisions of the Protection of Lawful Commerce in Arms Act prohibiting the bringing of qualified civil liability actions in Federal or State court; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.R. 164. A bill to provide for an evidence-based strategy for voluntary screening for HIV/AIDS and other common sexually transmitted infections, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS:

H.R. 165. A bill to amend titles XVI, XVIII, XIX, and XXI of the Social Security Act to remove limitations on Medicaid, Medicare, SSI, and CHIP benefits for persons in custody pending disposition of charges; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS:

H.R. 166. A bill to amend title XVIII of the Social Security Act to stabilize and modernize the provision of partial hospitalization services under the Medicare Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS:

H.R. 167. A bill to require the Secretary of Education to provide assistance to the immediate family of a teacher or other school employee killed in an act of violence while performing school duties; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS:

H.R. 168. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate overpayments of income tax for disaster relief; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself, Ms. DELBENE, Mr. DEFAZIO, Mr. PANETTA, Mr. TED LIEU of California, Ms. LEE, Mr. SWALWELL of California, Ms. MATSUI, Mr. KILMER, Mr. LOWENTHAL, Mr. THOMPSON of California, Ms. SPEIER, Mr. PETERS, Mr. GARAMENDI, and Mr. BLUMENAUER):

H.R. 169. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Natural Resources.

By Mr. ISSA (for himself, Mr. PETERS, Mr. HUNTER, Mr. FARENTHOLD, Mr. LABRADOR, Mr. SMITH of Texas, and Mr. POLIS):

H.R. 170. A bill to amend the Immigration and Nationality Act to modify the definition of "exempt H-1B nonimmigrant"; to the Committee on the Judiciary.

By Mr. JONES:

H.R. 171. A bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps; to the Committee on Armed Services.

By Mr. JONES:

H.R. 172. A bill to restore the Free Speech and First Amendment rights of churches and exempt organizations by repealing the 1954 Johnson Amendment; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania (for himself and Mr. COURTNEY):

H.R. 173. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; to the Committee on Ways and Means.

By Mr. KING of Iowa (for himself, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. GOHMERT, Mr. JONES, Mr. SMITH of Texas, Mr. BROOKS of Alabama, Mr. BABIN, Mr. BARLETTA, Mr. MCCLINTOCK, Mr. ROHRBACHER, and Mr. PALMER):

H.R. 174. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; to the Committee on the Judiciary.

By Mr. KING of Iowa (for himself, Mr. MASSIE, Mr. BILIRAKIS, Mr. GIBBS, Mr. AMASH, Mr. CARTER of Texas, Mr. STEWART, Mr. JODY B. HICE of Georgia, Mr. PALAZZO, Mr. BYRNE, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. NEWHOUSE, Mr. COLE, Mr. SANFORD, Mr. FARENTHOLD, Mr. MEADOWS, Mr. OLSON, Mr. BABIN, Mr. DESJARLAIS, Mr. WESTERMAN, Mr. ADERHOLT, and Mr. DUNCAN of Tennessee):

H.R. 175. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, Natural Resources, the Judiciary, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. GOHMERT, Mr. JONES, Mr. SMITH of Texas, Mr. BROOKS of Alabama, and Mr. BARLETTA):

H.R. 176. A bill to amend the Internal Revenue Code of 1986 to clarify that wages paid to unauthorized aliens may not be deducted from gross income, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa:

H.R. 177. A bill to bar Supreme Court decisions in certain Patient Protection and Affordable Care Act cases from citation; to the Committee on the Judiciary.

By Mr. KING of Iowa:

H.R. 178. A bill to require the country of origin of certain special immigrant religious

workers to extend reciprocal immigration treatment to nationals of the United States; to the Committee on the Judiciary.

By Mr. MCKINLEY (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BOST, Ms. FUDGE, Mr. MOONEY of West Virginia, Mr. JENKINS of West Virginia, and Ms. KAPTUR):

H.R. 179. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MULLIN (for himself and Mr. GUTHRIE):

H.R. 180. A bill to amend title XIX of the Social Security Act to eliminate the requirement for 3 months of retroactive coverage under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. MULLIN (for himself and Mr. GUTHRIE):

H.R. 181. A bill to amend title XIX of the Social Security Act to count portions of income from annuities of a community spouse as income available to institutionalized spouses for purposes of eligibility for medical assistance, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MULLIN:

H.R. 182. A bill to prohibit the Secretary of Health and Human Services from using any type of fee collected to advertise or market Exchanges established under the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce.

By Mr. MULLIN:

H.R. 183. A bill to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. POLIQUIN, Ms. FOX, Ms. SINEMA, Mr. JONES, Mr. KELLY of Pennsylvania, Mr. HARPER, Mr. MESSER, Mrs. WALORSKI, Mr. JOYCE of Ohio, Mr. COSTELLO of Pennsylvania, Mr. BROOKS of Alabama, Mrs. MIMI WALTERS of California, Mr. LANCE, Mr. PEARCE, Mr. CARTER of Texas, Mr. REED, Mr. HILL, Mr. TURNER, Mr. DENHAM, Mrs. BROOKS of Indiana, Mr. STIVERS, Mr. ROKITA, Mr. ROYCE of California, Ms. MCCOLLUM, Mr. WESTERMAN, Mrs. BLACKBURN, Mr. MCCAUL, Mr. MACARTHUR, Mr. LOBIONDO, Mr. KNIGHT, Mr. WEBSTER of Florida, Mrs. NOEM, Mr. SMITH of Missouri, Mr. KING of Iowa, Mr. PETERSON, Ms. ROS-LEHTINEN, Ms. JENKINS of Kansas, Mr. VALADAO, Mr. SENSENBRENNER, Mr. KINZINGER, Mr. HOLDING, Mr. COMER, Mr. JOHNSON of Ohio, Mr. BURGESS, Mr. WITTMAN, Mr. LAHOOD, Mr. LONG, Mr. LUCAS, Mr. OLSON, Mr. BARTON, Mr. DUFFY, Mr. RODNEY DAVIS of Illinois, Mr. BISHOP of Utah, Mr. CONAWAY, Mr. LAMALFA, Mr. GIBBS, Mr. SAM JOHNSON of Texas, Mr. HUDSON, Mr. YOHO, Mr. UPTON, Mr. MARINO, Mr. BARLETTA, Mr. PALAZZO, Mr. ROGERS of Alabama, Mr. BILIRAKIS, Mr. JODY B. HICE of Georgia, Mr. BISHOP of Michigan, Mr. COLE, Mr. DAVIDSON, Mr. WILSON of South Carolina, Mr. BUCK,

Mr. MEADOWS, Mr. NEWHOUSE, Mr. WENSTRUP, Mr. WOODALL, Mr. BUCHSON, Mr. RATCLIFFE, Mr. WILLIAMS, Mr. PALMER, Mr. ROSS, Mr. CARTER of Georgia, Mr. MCHENRY, Mr. WALKER, Mr. WOMACK, Mr. COFFMAN, Mr. DESJARLAIS, Mr. THOMPSON of Pennsylvania, Mr. ROE of Tennessee, Mr. PITTINGER, Mr. TROTT, Mr. WALBERG, Mr. FLORES, Mr. GRAVES of Georgia, Mr. MOOLENAAR, Mr. RICE of South Carolina, Mr. MEEHAN, Mrs. WAGNER, Mr. YOUNG of Alaska, Mr. YOUNG of Iowa, Mr. DUNCAN of South Carolina, Mr. MOULTON, Ms. MCSALLY, Mr. ADERHOLT, Mr. GROTHMAN, Mr. BABIN, Mr. BLUM, Mr. BRAT, Mr. GOSAR, Mr. GRIFFITH, Mr. GOODLATTE, Mr. LOUDERMILK, Mr. HUIZENGA, Mr. RUSSELL, Mr. FLEISCHMANN, Mr. MOONEY of West Virginia, Mr. GUTHRIE, Mr. THORNBERRY, Mr. TIPTON, Mr. MCKINLEY, Mr. BARR, Mr. COLLINS of Georgia, Mr. FORTENBERRY, Mr. ROTHFUS, Mr. JENKINS of West Virginia, Mrs. HARTZLER, Mr. BOST, Mr. ROGERS of Kentucky, Mr. HULTGREN, Mr. AMODEI, Ms. STEFANIK, Mr. PERRY, Mr. LAMBORN, Mr. SHUSTER, Mr. BANKS of Indiana, Mr. HENSARLING, Mr. ABRAHAM, Mr. SHIMKUS, Mr. DONOVAN, Mr. SMITH of New Jersey, Mr. ROSKAM, Mr. CRAWFORD, Mr. CULBERSON, Mr. STEWART, Mr. CHABOT, Mr. CRAMER, Mr. DUNCAN of Tennessee, Mr. ROHRBACHER, Mr. SANFORD, Mr. FARENTHOLD, Mr. KATKO, Mr. TIBERI, Mr. SIMPSON, Mr. WALDEN, Mr. DENT, Ms. BEUTLER, Mr. DESANTIS, Mr. MASSIE, Mr. GOWDY, Mr. FRELINGHUYSEN, Mr. HUNTER, Mr. GRAVES of Louisiana, Mr. POSEY, Mr. LUETKEMEYER, Mr. SMITH of Texas, Mr. HURD, Mr. YODER, Mrs. BLACK, Mr. NUNES, Mr. THOMAS J. ROONEY of Florida, Mrs. LOVE, Mr. COOK, Mrs. MCMORRIS RODGERS, Mr. KHANNA, Mr. LYNCH, Ms. SPEIER, Mr. DIAZ-BALART, Mr. PETERS, Mr. WEBER of Texas, Mr. CORREA, Mr. ROUZER, Mr. COLLINS of New York, Mr. ISSA, Mr. EMMER, Mr. BUCHANAN, Mr. MARCHANT, Mr. REICHERT, Mr. RENACCI, Ms. BROWNLEY of California, Mr. SWALWELL of California, Mr. MULLIN, Mrs. COMSTOCK, Mr. GRAVES of Missouri, Ms. KUSTER of New Hampshire, Mr. AUSTIN SCOTT of Georgia, Mr. LABRADOR, Mr. CURBELO of Florida, Mr. NORCROSS, Mr. ALLEN, Mr. LATTI, Mr. BERA, Mr. MURPHY of Pennsylvania, Mr. BRIDENSTINE, Mr. KUSTOFF of Tennessee, Mr. BYRNE, Mr. HOLLINGSWORTH, Mr. POE of Texas, Mr. CALVERT, Mr. FRANKS of Arizona, Mr. KING of New York, Mr. SESSIONS, Mr. WALZ, Mr. FITZPATRICK, Ms. CLARK of Massachusetts, Mr. SCHWEIKERT, Mr. MCCLINTOCK, Mr. NOLAN, Mrs. BUSTOS, Ms. GRANGER, Mr. KILMER, Mr. AGUILAR, Mr. CHAFFETZ, and Mr. FASO):

H.R. 184. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Ways and Means.

By Ms. PLASKETT (for herself and Ms. BORDALLO):

H.R. 185. A bill to amend the Internal Revenue Code of 1986 to provide for economic recovery in the Virgin Islands and Guam, and for other purposes; to the Committee on Ways and Means.

By Ms. PLASKETT:

H.R. 186. A bill to establish a program that enables college-bound residents of the United States Virgin Islands to have greater choices among institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Ms. PLASKETT:

H.R. 187. A bill to amend the Immigration and Nationality Act to establish the Virgin Islands visa waiver program; to the Committee on the Judiciary.

By Ms. PLASKETT:

H.R. 188. A bill to amend the Harmonized Tariff Schedule of the United States to extend to 2027 the production certificate program that allows refunds of duties on certain articles produced in United States insular possessions; to the Committee on Ways and Means.

By Ms. PLASKETT:

H.R. 189. A bill to amend the Internal Revenue Code of 1986 to provide for economic recovery in the possessions of the United States; to the Committee on Ways and Means.

By Ms. PLASKETT:

H.R. 190. A bill to amend the Internal Revenue Code of 1986 to provide for economic recovery in the territories; to the Committee on Ways and Means.

By Ms. PLASKETT:

H.R. 191. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard, and for other purposes; to the Committee on Ways and Means.

By Ms. PLASKETT:

H.R. 192. A bill to amend title 17, United States Code, and the Communications Act of 1934 to include a territory or possession of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Alabama (for himself, Mr. JONES, Mr. BIGGS, Mr. SMITH of Missouri, and Mr. MASSIE):

H.R. 193. A bill to end membership of the United States in the United Nations; to the Committee on Foreign Affairs.

By Mr. RUSSELL (for himself and Mr. CONNOLLY):

H.R. 194. A bill to ensure the effective processing of mail by Federal agencies, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RUSSELL:

H.R. 195. A bill to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 196. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into two judicial circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. SIMPSON:

H.R. 197. A bill to authorize an additional district judgeship for the district of Idaho; to the Committee on the Judiciary.

By Mr. THORNBERRY (for himself, Mr. PALAZZO, Mr. ROGERS of Alabama, Mr. HUIZENGA, Mr. WILSON of South Carolina, Mr. GOSAR, Mr. ABRAHAM, Mr. CRAMER, Mr. COOK, Mr. JODY B. HICE of Georgia, Mr. BUCHSON, Mr. CRAWFORD, Mr. CULBERSON, Mr. POE of Texas, Mr. GOMMERT, Mr. ARRINGTON, Mr. ADERHOLT, Mr. BURGESS, Mr. MASSIE, Mr. ZELDIN, Mr. LANCE, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mr. BRIDENSTINE, Mr. YOHO, Mr. OLSON, Mr. FRANKS of Arizona, Mr. BISHOP of Utah, Mrs. WAGNER, Mr. LONG, Mr. HULTGREN, Mr. GRAVES of Missouri, Mr. LUETKEMEYER, Mr. CONAWAY, Mr. TURNER, Mr. DIAZ-BALART, Mr. HARPER, Mr. MCCLINTOCK, Mr. WILLIAMS, and Mr. SMITH of Texas):

H.R. 198. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. VARGAS (for himself, Mr. CÁRDENAS, Mr. SERRANO, Mr. GRIJALVA, and Mr. PETERS):

H.R. 199. A bill to authorize the Secretary of the Interior to conduct a special resource study of Chicano Park, located in San Diego, California, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 200. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ (for herself, Mr. SERRANO, and Mrs. NAPOLITANO):

H.R. 201. A bill to amend the Higher Education Act of 1965 to provide loan deferment and loan cancellation for founders and employees of small business start-ups, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Ways and Means, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 202. A bill to amend the Fair Housing Act, to prohibit discrimination based on use of section 8 vouchers, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself and Mr. LARSEN of Washington):

H.R. 203. A bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals; to the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska (for himself and Mr. DEFAZIO):

H.R. 204. A bill to amend the market name of genetically altered salmon in the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself and Mr. DEFAZIO):

H.R. 205. A bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling

of genetically engineered fish; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself and Mr. DEFAZIO):

H.R. 206. A bill to prevent the escapement of genetically altered salmon in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 207. A bill to resolve title issues involving real property and equipment acquired using funds provided under the Alaska Kiln Drying Grant Program; to the Committee on Agriculture.

By Mr. YOUNG of Alaska:

H.R. 208. A bill to waive the essential health benefits requirements for certain States; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 209. A bill to improve the Department of Housing and Urban Development's regulations on hazardous storage containers; to the Committee on Financial Services.

By Mr. YOUNG of Alaska:

H.R. 210. A bill to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 211. A bill to authorize the Secretary of the Interior to complete a land exchange with the Chugach Regional Alaska Native Corporation, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 212. A bill to amend the Indian Self-Determination and Education Assistance Act to provide a process for expediting congressional review of an Indian tribe's funding agreement at the Indian tribe's request, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 213. A bill to remove reversionary clauses on property owned by the municipality of Anchorage, Alaska; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 214. A bill to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 215. A bill to empower federally recognized Indian tribes to accept restricted fee tribal lands, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 216. A bill to authorize modification or augmentation of the Second Division Memorial, and for other purposes; to the Committee on Natural Resources.

By Mrs. BLACK:

H.R. 217. A bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 218. A bill to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 219. A bill to correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey

boundary to the State of Alaska; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 220. A bill to authorize the expansion of an existing hydroelectric project, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 221. A bill to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 222. A bill to amend the National Marine Sanctuaries Act to prescribe an additional requirement for the designation of marine sanctuaries off the coast of Alaska, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 223. A bill to prohibit the Secretary of the Interior and the Secretary of Commerce from authorizing commercial finfish aquaculture operations in the Exclusive Economic Zone except in accordance with a law authorizing such action; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 224. A bill to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 225. A bill to amend the Marine Mammal Protection Act of 1972 to allow the importation of polar bear trophies taken in sport hunts in Canada; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 226. A bill to amend the African Elephant Conservation Act of 1988 to conserve elephants while appropriately regulating ivory in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 227. A bill to reauthorize the African Elephant Conservation Act, the Rhinoceros and Tiger Conservation Act of 1994, the Asian Elephant Conservation Act of 1997, the Great Ape Conservation Act of 2000, and the Marine Turtle Conservation Act of 2004, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 228. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 229. A bill to provide for the recognition of certain Native communities and the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 230. A bill to ensure equitable treatment of Shee Atiká, Incorporated, under the Alaska Native Claims Settlement Act by facilitating the transfer of land on Admiralty Island, Alaska, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 231. A bill to fulfill the land conveyance requirements under the Alaska Native

Claims Settlement Act for the Alaska Native Village of Canyon Village, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 232. A bill to authorize States to select and acquire certain National Forest System lands to be managed and operated by the State for timber production and for other purposes under the laws of the State, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 233. A bill to amend title 49, United States Code, to provide for the minimum size of crews of freight trains, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 234. A bill to provide limitations on maritime liens on fishing permits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 235. A bill to amend the Indian Health Care Improvement Act to authorize advance appropriations for the Indian Health Service by providing 2-fiscal-year budget authority, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 236. A bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 237. A bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. NEWHOUSE, Mr. SMITH of Texas, Mr. CULBERSON, and Mr. FARENTHOLD):

H.J. Res. 1. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Mr. NEWHOUSE, Mr. DEFAZIO, Mr. SMITH of Texas, Mr. CULBERSON, and Mr. FARENTHOLD):

H.J. Res. 2. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ROE of Tennessee:

H.J. Res. 3. A joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces

who served on active duty in support of Operation Desert Storm or Operation Desert Shield; to the Committee on Natural Resources.

By Mr. BRIDENSTINE (for himself and Mr. O'ROURKE):

H.J. Res. 4. A joint resolution proposing an amendment to the Constitution of the United States granting Congress the authority to enact laws limiting the number of terms that Representatives and Senators may serve; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.J. Res. 5. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

By Mr. DESANTIS (for himself, Mrs. WAGNER, Mr. SANFORD, and Mr. BLUM):

H.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. FITZPATRICK:

H.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of years an individual may serve as a Member of Congress; to the Committee on the Judiciary.

By Mr. FITZPATRICK:

H.J. Res. 8. A joint resolution proposing an amendment to the Constitution of the United States to provide for balanced budgets for the Government; to the Committee on the Judiciary.

By Mr. FITZPATRICK:

H.J. Res. 9. A joint resolution proposing an amendment to the Constitution of the United States to prohibit Members of Congress from receiving compensation during a fiscal year unless both Houses of Congress have agreed to a concurrent resolution on the budget for that fiscal year prior to the beginning of that fiscal year; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.J. Res. 10. A joint resolution to authorize the use of the United States Armed Forces to achieve the goal of preventing Iran from obtaining nuclear weapons; to the Committee on Foreign Affairs.

By Mr. JENKINS of West Virginia (for himself, Mr. BARR, Mr. ROGERS of Kentucky, Mr. GRIFFITH, and Mr. Tipton):

H.J. Res. 11. A joint resolution disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule; to the Committee on Natural Resources.

By Mr. McCLINTOCK (for himself, Mr. WILSON of South Carolina, and Mr. DUNCAN of South Carolina):

H.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States prohibiting the United States Government from increasing its debt except for a specific purpose by law adopted by three-fourths of the membership of each House of Congress; to the Committee on the Judiciary.

By Mr. O'ROURKE:

H.J. Res. 13. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms a Representative or Senator may serve; to the Committee on the Judiciary.

By Mr. SESSIONS:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government; considered and agreed to.

By Mr. COLE:

H. Con. Res. 2. Concurrent resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; to the Committee on Foreign Affairs.

By Mr. AL GREEN OF TEXAS:

H. Con. Res. 3. Concurrent resolution recognizing former United States Federal Judge Frank Minis Johnson, Jr., for his role in the civil rights movement; to the Committee on the Judiciary.

By Mrs. McMORRIS RODGERS:

H. Res. 1. A resolution electing officers of the House of Representatives; considered and agreed to.

By Mr. MCCARTHY:

H. Res. 2. A resolution to inform the Senate that a quorum of the House has assembled and of the election of the Speaker and the Clerk; considered and agreed to.

By Mr. MCCARTHY:

H. Res. 3. A resolution authorizing the Speaker to appoint a committee to notify the President of the assembly of the Congress; considered and agreed to.

By Mr. CONYERS:

H. Res. 4. A resolution authorizing the Clerk to inform the President of the election of the Speaker and the Clerk; considered and agreed to.

By Mr. MCCARTHY:

H. Res. 5. A resolution adopting rules for the One Hundred Fifteenth Congress; considered and agreed to.

By Mrs. McMORRIS RODGERS:

H. Res. 6. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. CROWLEY:

H. Res. 7. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. CROWLEY:

H. Res. 8. A resolution providing for the designation of certain minority employees; considered and agreed to.

By Mr. SESSIONS:

H. Res. 9. A resolution fixing the daily hour of meeting of the First Session of the One Hundred Fifteenth Congress; considered and agreed to.

By Mr. CRAMER:

H. Res. 10. A resolution recognizing linemen, the profession of linemen, the contributions of these brave men and women who protect public safety, and expressing support for the designation of April 18, 2017, as National Lineman Appreciation Day; to the Committee on Energy and Commerce.

By Mr. ROYCE OF CALIFORNIA (for himself, Mr. ENGEL, Mrs. CAROLYN B. MALONEY of New York, Mr. SUOZZI, Mr. GRAVES of Missouri, Ms. SINEMA, Mr. HUDSON, Miss RICE of New York, Mr. JOYCE of Ohio, Mr. PERRY, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. NUNES, Mrs. LOWEY, Mr. SMITH of New Jersey, Mr. SHERMAN, Mr. ZELDIN, Ms. MENG, Mr. YOHO, Ms. FRANKEL of Florida, Mr. CHABOT, Ms. WASSERMAN SCHULTZ, Mr. DUNCAN of South Carolina, Mr. SIREN, Mr. POE of Texas, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. YODER, Mr. BANKS of Indiana, Mr. MOOLENAAR, Mr. LUETKEMEYER, Mr. SESSIONS, Mr. HILL, Mr. HASTINGS, Mr. SCHNEIDER, Mr. MARINO, Mr. VARGAS, Mr. NADLER, Mr. SOTO, Mr. KILMER, Mr. GENE GREEN of Texas, Mr. ESPAILLAT, Mr. CARTER of Texas, Mr. NORCROSS, Mr. WILSON of South Carolina, Mr. MARCHANT, Mr. DIAZ-BALART, Mrs.

HARTZLER, Mr. BURGESS, Mr. STEWART, Mr. GALLAGHER, Mr. ABRAHAM, Mr. DUNN, and Mr. NEUHOUSE):

H. Res. 11. A resolution objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE:

H. Res. 12. A resolution expressing the sense of the House of Representatives regarding the enhancement of unity in America; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H. Res. 13. A resolution expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with existing law, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit systems and other modes of surface transportation; and for other purposes; to the Committee on Homeland Security.

By Mr. ROSS (for himself, Mr. PITTENGER, Mr. GOHMERT, Mrs. BLACK, Mrs. BLACKBURN, Mr. JOYCE of Ohio, Mr. CRAMER, Mr. ROTHFUS, Mr. CHAFFETZ, Mr. PEARCE, Mr. GOWDY, Mr. BISHOP of Michigan, Mr. GOSAR, Mr. STEWART, Mr. MCKINLEY, Mr. BILIRAKIS, Mr. MESSER, Mr. ABRAHAM, Mr. JENKINS of West Virginia, Mr. BYRNE, Mrs. MIMI WALTERS of California, Mr. DONOVAN, Mr. HENSARLING, Mr. LOBIONDO, Mr. TROTT, Mr. GRAVES of Georgia, Mr. BUCHANAN, Mr. SCHWEIKERT, Mr. BRAT, Mr. SMITH of Texas, Mr. WILLIAMS, Mr. DAVIDSON, Mr. TIPTON, Mr. FLEISCHMANN, Mr. KELLY of Pennsylvania, Mr. CULBERSON, Mr. GIBBS, Mr. TIBERI, Mr. MEEHAN, Mr. GROTHMAN, Mr. POSEY, Mr. JODY B. HICE of Georgia, Mrs. WAGNER, Mr. ROKITA, Mrs. WALORSKI, Mr. LOUDERMILK, Mr. ARRINGTON, Mr. HARRIS, Mr. KELLY of Mississippi, Mr. SAM JOHNSON of Texas, Mr. ISSA, and Mrs. HARTZLER):

H. Res. 14. A resolution disapproving of President Obama and his administration's refusal to veto the anti-Israel resolution adopted by the United Nations Security Council on December 23, 2016; to the Committee on Foreign Affairs.

By Mr. GRAVES of Missouri (for himself and Mr. CONNOLLY):

H. Res. 15. A resolution expressing the sense of the House of Representatives that the United States Postal Service should take all appropriate measures to ensure the continuation of its 6-day mail delivery service; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas:

H. Res. 16. A resolution supporting local law enforcement agencies in their continued work to serve our communities, and supporting their use of body worn cameras to promote transparency to protect both citizens and officers alike; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas:

H. Res. 17. A resolution expressing concern over the disappearance of Austin Tice, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas:

H. Res. 18. A resolution expressing concern over the detainment of Sandy Phan-Gillis,

and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS (for himself, Ms. NORTON, Ms. MOORE, and Mr. LEWIS of Georgia):

H. Res. 19. A resolution supporting the goals and ideals of Jubilee Day; to the Committee on Education and the Workforce.

By Mr. HASTINGS:

H. Res. 20. A resolution recognizing the importance of nonprofit organizations to the economy of the United States and expressing support for designation of September as "Nonprofit Organization (NPO) Recognition Month"; to the Committee on Oversight and Government Reform.

By Mr. JONES:

H. Res. 21. A resolution expressing the sense of the House of Representatives regarding the firefight that occurred on March 4, 2007, between members of the United States Marine Corps and enemy forces in Bati Kot District, Nangarhar Province, Afghanistan; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GOODLATTE:

H.R. 5.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clauses 1 to 17, and Section 9, Clauses 1 to 2, 4, and 7 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;" Article III, Section 1, Clause 1, Sentence 1, Section 2, Clauses 1 and 4, and Section 2, Clause 2, Sentence 2, of the Constitution, in that the legislation defines or affects judicial powers and cases that are subject to legislation by Congress; Article IV, Section 3, Clause 2 of the United States Constitution, in that the legislation concerns the exercise of power granted to Congress to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and, Amendment XVI to the United States Constitution, in that the legislation concerns the exercise of power granted to Congress to lay and collect income taxes.

By Mr. ISSA:

H.R. 21.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive;

Article I, Section 8, Clauses 1 to 17, of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive;

Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;" and,

Article I, Section 5, Clause 2, of the United States Constitution, in that the legislation concerns the powers of each House of Congress to determine the rules of its proceedings.

By Mr. POE of Texas:

H.R. 22.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mr. VALADAO:

H.R. 23.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of section 8 and clause 7 of section 9 of article I, of the Constitution of the United States.

By Mr. MASSIE:

H.R. 24.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: "To coin money, regulate the value thereof, and of foreign coin, and fix the standards of weights and measures;" and "to provide for the punishment of counterfeiting the securities and current coin of the United States."

By Mr. WOODALL:

H.R. 25.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"

By Mr. COLLINS of Georgia:

H.R. 26.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article I of the United States Constitution, including the power granted Congress under Article I, Section 8, Clause 18, of the United States Constitution, and the power granted to each House of Congress under Article I, Section 5, Clause 2, of the United States Constitution.

By Mr. COSTELLO of Pennsylvania:

H.R. 27.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. ROE of Tennessee:

H.R. 28.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. GOODLATTE:

H.R. 29.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. HUDSON:

H.R. 30.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution which states "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. HUDSON:

H.R. 31.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution which states Congress shall have the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. HUDSON:

H.R. 32.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. CHABOT:

H.R. 33.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clauses 1 to 17, and Section 9, Clauses 1 to 2, 4, and 7 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;" Article III, Section 1, Clause 1, Sentence 1, Section 2, Clause 1, and Section 2, Clause 2, Sentence 2, of the United States Constitution, in that the legislation defines or affects judicial powers and cases that are subject to legislation by Congress; Article IV, Section 3, Clause 2 of the United States Constitution, in that the legislation concerns the exercise of power granted to Congress to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and, Amendment XVI to the United States Constitution, in that the legislation concerns the exercise of power granted to Congress to lay and collect income taxes.

By Mr. MASSIE:

H.R. 34.

Congress has the power to enact this legislation pursuant to the following:

This Act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected by this Act; by Article One of the United States Constitution that grants legislative powers; by the Second Amendment to the United States Constitution that recognizes the right to bear arms, and by the Ninth and Tenth Amendments to the United States Constitution, which recognize that rights and powers are retained and reserved by the people and to the States.

By Mr. BURGESS:

H.R. 35.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause 1 of the United States Constitution, which grants Congress the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3, of the United States Constitution, which grants Congress the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. FRANKS of Arizona:

H.R. 36.

Congress has the power to enact this legislation pursuant to the following:

Congress has authority to extend protection to pain-capable unborn children under the Supreme Court's Commerce Clause precedents and under the Constitution's grants of powers to Congress under the Equal Protection, Due Process, and Enforcement Clauses of the Fourteenth Amendment.

By Mr. FRANKS of Arizona:

H.R. 37.

Congress has the power to enact this legislation pursuant to the following:

Congress has authority to extend protection to born-alive abortion survivors under the Supreme Court's Commerce Clause precedents and under the Constitution's grants of powers to Congress under the Equal Protection, Due Process, and Enforcement Clauses of the Fourteenth Amendment.

By Mr. HUDSON:

H.R. 38.

Congress has the power to enact this legislation pursuant to the following:

The 2nd Amendment, which states that "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

By Mr. MCCARTHY:

H.R. 39.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 which grants to the Congress power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. CONYERS:

H.R. 40.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Section 5 of the Fourteenth Amendment to the United States Constitution, Congress shall have the power to enact appropriate laws protecting the civil rights of all Americans.

By Mr. MULLIN:

H.R. 41.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the U.S. Constitution states: All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. MULLIN:

H.R. 42.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. MULLIN:

H.R. 43.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. MULLIN:

H.R. 44.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. GOODLATTE:

H.R. 45.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clauses 1 to 17, and Section 9, Clauses 1 to 2, 4, and 7 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;" and Article III, Section 1, Clause 1, Sentence 1, Section 2, Clause 1, and Section 2, Clause 2, Sentence 2, of the Constitution, in that the legislation defines or affects judicial powers and cases that are subject to legislation by Congress.

By Mr. KATKO:

H.R. 46.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or any particular State.

By Ms. JACKSON LEE:

H.R. 47.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 48.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 49.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Ms. FOXX:

H.R. 50.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. DAVID SCOTT of Georgia:

H.R. 51.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DAVID SCOTT of Georgia:

H.R. 52.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. JACKSON LEE:

H.R. 53.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 54.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 55.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 56.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 57.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 58.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 59.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. DENHAM:

H.R. 60.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Ms. JACKSON LEE:

H.R. 61.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 62.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 63.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 64.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 65.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3 and 18 of the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 66.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 7 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 67.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 68.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BLUM:

H.R. 69.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 US Constitution

By Mr. CLAY:

H.R. 70.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States grants the Congress the power to enact this law.

By Mr. WALBERG:

H.R. 71.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7—No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. CARTER of Georgia:

H.R. 72.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DUNCAN of Tennessee:

H.R. 73.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all, needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MARINO:

H.R. 74.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section I, Clause 1 of the U.S. Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress, including the exercise of those powers when delegated by Congress to the Executive.

Article I, Section 8, Clause 18 of the U.S. Constitution in that the legislation exercises legislative powers granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof;" and

Article III, Section 1, Clause 1, and Section 2, Clause 1 of the U.S. Constitution in that the legislation defines or affects judicial powers and cases that are subject to legislation by Congress.

By Mr. RATCLIFFE:

H.R. 75.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; and, Article I, Section 8, Clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. RATCLIFFE:

H.R. 76.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section 1, Sentence 1, and Section 2, Clauses 1 and 4 of the Constitution, in that the legislation defines or affects judicial powers and cases that are subject to legislation by Congress; Article 1, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; and, Article 1, Section 8, Clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. LUETKEMEYER:

H.R. 77.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, "To make all Laws which shall be necessary and proper from carrying into Execution from foregoing Powers, and all other Powers vested by this in the Government of the United States, or any Department or Officer thereof."

By Mrs. WAGNER:

H.R. 78.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mr. CHABOT:

H.R. 79.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. BABIN:

H.R. 80.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. BABIN:

H.R. 81.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. BABIN:

H.R. 82.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. BARLETTA:

H.R. 83.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the U.S. Constitution

By Mr. BIGGS:

H.R. 84.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mrs. BLACKBURN:

H.R. 85.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, "necessary and proper" clause of the Constitution.

By Mrs. BLACKBURN:
H.R. 86.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8, "necessary and proper" clause of the Constitution.

By Mrs. BLACKBURN:
H.R. 87.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8, "necessary and proper" clause of the Constitution.

By Mrs. BLACKBURN:
H.R. 88.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. BLACKBURN:
H.R. 89.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8, "necessary and proper" clause of the Constitution.

By Ms. BROWNLEY of California:
H.R. 90.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 91.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 92.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 93.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 94.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 95.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 96.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Ms. BROWNLEY of California:
H.R. 97.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 of the United States Constitution

By Ms. BROWNLEY of California:
H.R. 98.
Congress has the power to enact this legislation pursuant to the following:
Amendment IX and Amendment XIV of the United States Constitution.

By Ms. BROWNLEY of California:
H.R. 99.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Ms. BROWNLEY of California:
H.R. 100.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Ms. BROWNLEY of California:
H.R. 101.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 102.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 103.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 104.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Ms. BROWNLEY of California:
H.R. 105.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 106.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Ms. BROWNLEY of California:
H.R. 107.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII of the U.S. Constitution

By Ms. BROWNLEY of California:
H.R. 108.
Congress has the power to enact this legislation pursuant to the following:
Amendment XVI.

By Ms. BROWNLEY of California:
H.R. 109.
Congress has the power to enact this legislation pursuant to the following:
Amendment XVI

By Ms. BROWNLEY of California:
H.R. 110.
Congress has the power to enact this legislation pursuant to the following:
Amendment XVI

By Mr. BUCHANAN:
H.R. 111.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

By Mr. BUCHANAN:
H.R. 112.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

By Mr. BUCHANAN:
H.R. 113.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

By Mr. BUCHANAN:
H.R. 114.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. BUCHANAN:
H.R. 115.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution.

By Mr. BUCHANAN:
H.R. 116.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution.

Mr. BURGESS:
H.R. 117.
Congress has the power to enact this legislation pursuant to the following:
This legislation would repeal existing federal law, which was passed under the claimed constitutional authority of Article I, Section 8, Clause 3, often referred to as the "Commerce Clause."

By Mr. BURGESS:
H.R. 118.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, clause 7, "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. BURGESS:
H.R. 119.
Congress has the power to enact this legislation pursuant to the following:
The attached legislation falls under Congress' enumerated constitutional authority to regulate interstate commerce pursuant to Article I, Section 8, clause 3.

By Mr. BURGESS:
H.R. 120.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7 of the Constitution of the United States: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by law. and
Article I, Section 8, Clause 4 of the Constitution of the United States: To Establish an uniform Rule of Naturalization;

By Mr. AL GREEN of Texas:
H.R. 121.
Congress has the power to enact this legislation pursuant to the following:
Commerce Clause (Art. 1, Sec. 8, Cl. 3)
Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)
Appropriations Clause (Art. 1, Sec. 9, Cl. 7)

By Mr. AL GREEN of Texas:
H.R. 122.
Congress has the power to enact this legislation pursuant to the following:
Commerce Clause (Art. 1, Sec. 8, Cl. 3)
Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:
H.R. 123.
Congress has the power to enact this legislation pursuant to the following:
Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:
H.R. 124.
Congress has the power to enact this legislation pursuant to the following:
Commerce Clause (Art. 1, Sec. 8, Cl. 3)
Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:
H.R. 125.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:

H.R. 126.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:

H.R. 127.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. BURGESS:

H.R. 128.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls under Congress' enumerated constitutional authority to regulate the postal system pursuant to Article I, Section 8, Clause 7.

By Mr. BURGESS:

H.R. 129.

Congress has the power to enact this legislation pursuant to the following:

The attached language falls within Congress' delegated authority to legislate interstate commerce, found in Article I, Section 8, clause 3 of the U.S. Constitution. Further, Congress' authority to authorize the FAA to regulate airspace within the U.S. has been found to be within its authority under the General Welfare clause of the U.S. Constitution, Article I, Section 8, clause 1.

By Mr. COLE:

H.R. 130.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes. This bill is enacted pursuant to Article II, Section 2, Clause 2 in order to enforce treaties made between the United States and several Indian Tribes.

By Mr. COLE:

H.R. 131.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes. This bill is enacted pursuant to Article II, Section 2, Clause 2 in order to enforce treaties made between the United States and several Indian Tribes.

By Mr. COLE:

H.R. 132.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article IV, Section 3, Clause 2 which grants Congress the power to make all needful Rules and Regulations respecting . . . Property belonging to the United States.

By Mr. COLE:

H.R. 133.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI to the United States Constitution.

Additionally, since the Constitution does not provide Congress with the power to provide financial support to U.S. political parties, the general repeal of the Presidential Election Campaign Fund for this purpose is consistent with the powers that are reserved to the States and to the people as expressed

in Amendments IX and X to the United States Constitution.

Further, Article I Section 8 defines the scope and powers of Congress and does not include this concept of taxation in furtherance of funding U.S. political parties within the expressed powers.

By Mr. CONYERS:

H.R. 134.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. CONYERS:

H.R. 135.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, U.S. Constitution.

By Mr. CONYERS:

H.R. 136.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. CONYERS:

H.R. 137.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. CONYERS:

H.R. 138.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. CONYERS:

H.R. 139.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. KING of Iowa:

H.R. 140.

Congress has the power to enact this legislation pursuant to the following:

Section 5 of the XIV Amendment and Article I Section 8

By Mr. CONYERS:

H.R. 141.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. CONYERS:

H.R. 142.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, Clause 3

By Mr. CONYERS:

H.R. 143.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CONYERS:

H.R. 144.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, Clause 3

By Mr. FITZPATRICK:

H.R. 145.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: Taxing and Spending Clause

By Mr. FLEISCHMANN:

H.R. 146.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2—The Congress shall have power to dispose of and make all needful Rules and-Regulations respecting the Territory or other property belonging to the United States.

By Mr. FRANKS of Arizona:

H.R. 147.

Congress has the power to enact this legislation pursuant to the following:

(1) the Commerce Clause;

(2) section 2 of the 13th amendment;

(3) section 5 of the 14th amendment, including the power to enforce the prohibition on government action denying equal protection of the laws; and

(4) section 8 of article I, to make all laws necessary and proper for the carrying into execution of powers vested by the Constitution in the Government of the United States.

By Mr. AL GREEN of Texas:

H.R. 148.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:

H.R. 149.

Congress has the power to enact this legislation pursuant to the following:

General Welfare Clause (Art. 1, Sec. 8, Cl. 1)

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

Appropriations Clause (Art. 1, Sec. 9, Cl. 7)

By Mr. AL GREEN of Texas:

H.R. 150.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

Appropriations Clause (Art. 1, Sec. 9, Cl. 7)

By Mr. AL GREEN of Texas:

H.R. 151.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:

H.R. 152.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:

H.R. 153.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. AL GREEN of Texas:

H.R. 154.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

Appropriations Clause (Art. 1, Sec. 9, Cl. 7)

By Mr. GENE GREEN of Texas:

H.R. 155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution ("the Commerce Clause").

By Mr. GENE GREEN of Texas:

H.R. 156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution (the Commerce Clause).

By Mr. HASTINGS:

H.R. 157.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Article I, Section 8

By Mr. HASTINGS:

H.R. 158.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8.

By Mr. HASTINGS:

H.R. 159.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8

By Mr. HASTINGS:

H.R. 160.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8

By Mr. HASTINGS:

H.R. 161.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I Sec. 8

By Mr. HASTINGS:

H.R. 162.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Article I, Section 8

By Mr. HASTINGS:

H.R. 163.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section. 8.

By Mr. HASTINGS:

H.R. 164.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8

By Mr. HASTINGS:

H.R. 165.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I Sec. 8

By Mr. HASTINGS:

H.R. 166.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution

By Mr. HASTINGS:

H.R. 167.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution

By Mr. HASTINGS:

H.R. 168.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section. 8.

By Mr. HUFFMAN:

H.R. 169.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section III: The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Mr. ISSA:

H.R. 170.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 to establish a uniform Rule of Naturalization

By Mr. JONES:

H.R. 171.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. JONES:

H.R. 172.

Congress has the power to enact this legislation pursuant to the following:

The First Amendment of the United States Constitution, which states that Congress

shall make no law prohibiting the free exercise of religion.

By Mr. KELLY of Pennsylvania:

H.R. 173.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 174.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4 of the Constitution

By Mr. KING of Iowa:

H.R. 175.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution, which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises." Therefore, Congress' taxing power would be the authority to repeal ObamaCare's individual mandate.

Clause 3, Section 8 of Article 1 of the United States Constitution, which states Congress' power "To regulate Commerce . . . among the States." ObamaCare was a clear violation of the Commerce Clause, forcing individuals to buy a product, and this bill will ensure that such personal economic decisions are returned to Americans.

In addition, this bill makes specific changes to existing law in a manner that returns power to the States and to the People, consistent with Amendment X of the United States Constitution.

By Mr. KING of Iowa:

H.R. 176.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause I and Article I Section 8 Clause 4 of the Constitution

By Mr. KING of Iowa:

H.R. 177.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section 2, Clause 1
Article I, Section 8, Clause 9

By Mr. KING of Iowa:

H.R. 178.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4 of the Constitution

By Mr. MCKINLEY:

H.R. 179.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. MULLIN:

H.R. 180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. MULLIN:

H.R. 181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. MULLIN:

H.R. 182.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. MULLIN:

H.R. 183.

Congress has the power to enact this legislation pursuant to the following:

Section 1 of Article III of the Constitution

By Mr. PAULSEN:

H.R. 184.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—power to lay and collect taxes, duties, imposts and excises

By Ms. PLASKETT:

H.R. 185.

Congress has the power to enact this legislation pursuant to the following:

Article I Sections 7 and 8, All Bills for raising Revenue shall originate in the House of Representatives. The Congress shall have Power to Lay and collect Taxes, Duties, Imposts and Excises.

By Ms. PLASKETT:

H.R. 186.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 provides that the Congress shall have Power to dispose of and make needful Rules and Regulations respecting the Territory or other Property belong to the United States.

By Ms. PLASKETT:

H.R. 187.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 provides that the Congress shall have Power to dispose of and make needful Rules and Regulations respecting the Territory or other Property belong to the United States.

By Ms. PLASKETT:

H.R. 188.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Congress shall have Power to dispose of and make needful Rules and Regulations respecting the Territory and other Property belonging to the United States.

By Ms. PLASKETT:

H.R. 189.

Congress has the power to enact this legislation pursuant to the following:

Article I Sections 7 and 8, All Bills for raising Revenue shall originate in the House of Representatives. The Congress shall have Power to Lay and collect Taxes, Duties, Imposts and Excises.

By Ms. PLASKETT:

H.R. 190.

Congress has the power to enact this legislation pursuant to the following:

Article I Sections 7 and 8, All Bills for raising Revenue shall originate in the House of Representatives. The Congress shall have Power to Lay and collect Taxes, Duties, Imposts and Excises.

By Ms. PLASKETT:

H.R. 191.

Congress has the power to enact this legislation pursuant to the following:

Article I Sections 7 and 8, All Bills for raising Revenue shall originate in the House of Representatives. The Congress shall have Power to Lay and collect Taxes, Duties, Imposts and Excises.

By Ms. PLASKETT:

H.R. 192.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 provides that the Congress shall have Power to dispose of and make needful Rules and Regulations respecting the Territory or other Property belong to the United States.

By Mr. ROGERS of Alabama:

H.R. 193.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States."

By Mr. RUSSELL:

H.R. 194.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. RUSSELL:

H.R. 195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SIMPSON:

H.R. 196.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 9, which states "The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court."

In addition, Article III, Section 1 states that "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

By Mr. SIMPSON:

H.R. 197.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 9, which states "The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court."

In addition, Article III, Section 1 states that "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

By Mr. THORNBERRY:

H.R. 198.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. VARGAS:

H.R. 199.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 2 of Section 3 of Article IV of the Constitution, which states: The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or any particular State.

By Mr. YOUNG of Alaska:

H.R. 200.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes"

By Ms. VELÁZQUEZ:

H.R. 201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to...provide for the... general Welfare of the United States; ...

Article I, Section 8, Clause 3

The Congress shall have Power...To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 202.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to... provide for the...general Welfare of the United States; ..."

By Mr. YOUNG of Alaska:

H.R. 203.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18; and Article 1, Section 9, Clause 7

By Mr. YOUNG of Alaska:

H.R. 204.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Mr. YOUNG of Alaska:

H.R. 205.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Mr. YOUNG of Alaska:

H.R. 206.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Mr. YOUNG of Alaska:

H.R. 207.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Mr. YOUNG of Alaska:

H.R. 208.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Mr. YOUNG of Alaska:

H.R. 209.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. YOUNG of Alaska:

H.R. 210.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 211.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2

By Mr. YOUNG of Alaska:

H.R. 212.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2

By Mr. YOUNG of Alaska:

H.R. 213.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3; Clause 2

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. YOUNG of Alaska:

H.R. 214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

"The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. YOUNG of Alaska:

H.R. 215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 216.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The constitutional authority of Congress to enact this legislation is provided by Article IV, Section 3, Clause 2 of the United States Constitution, which grants Congress the power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mrs. BLACK:

H.R. 217.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby the Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Furthermore, this bill makes specific changes to existing law, in accordance with the Fourteenth Amendment, Section 5, which states that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

By Mr. YOUNG of Alaska:

H.R. 218.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and

nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.”

By Mr. YOUNG of Alaska:

H.R. 219.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. YOUNG of Alaska:

H.R. 220.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8,

Clause I. & Article I, Section 8, Clause 3

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. YOUNG of Alaska:

H.R. 221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. YOUNG of Alaska:

H.R. 222.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.”

By Mr. YOUNG of Alaska:

H.R. 223.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”

By Mr. YOUNG of Alaska:

H.R. 224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have the power to regulate commerce with foreign nations, and among several states, and with the Indian Tribes”

By Mr. YOUNG of Alaska:

H.R. 225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have the power to regulate commerce with foreign nations, and among several states, and with the Indian Tribes”

By Mr. YOUNG of Alaska:

H.R. 226.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have the power to regulate commerce with foreign nations, and among several states, and with the Indian Tribes”

By Mr. YOUNG of Alaska:

H.R. 227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have the power to regulate commerce with foreign nations, and among several states, and with the Indian Tribes”

By Mr. YOUNG of Alaska:

H.R. 228.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 229.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 230.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 231.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 232.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.”

By Mr. YOUNG of Alaska:

H.R. 233.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 234.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, and Article 1, Section 8, Clause 1

By Mr. YOUNG of Alaska:

H.R. 235.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 236.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 237.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. GOODLATTE:

H.J. Res. 1.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution is based is found in Article V

of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

By Mr. GOODLATTE:

H.J. Res. 2.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution is based is found in Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

By Mr. ROE of Tennessee:

H.J. Res. 3.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 17 of the United States Constitution

By Mr. BRIDENSTINE:

H.J. Res. 4.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution which grants Congress the authority to propose Constitutional Amendments.

By Mr. BUCHANAN:

H.J. Res. 5.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. DESANTIS:

H.J. Res. 6.

Congress has the power to enact this legislation pursuant to the following:

Article V: “The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.”

By Mr. FITZPATRICK:

H.J. Res. 7.

Congress has the power to enact this legislation pursuant to the following:

Article V, U.S. Constitution

By Mr. FITZPATRICK:

H.J. Res. 8.

Congress has the power to enact this legislation pursuant to the following:

Article V, U.S. Constitution

By Mr. FITZPATRICK:

H.J. Res. 9.

Congress has the power to enact this legislation pursuant to the following:

Article V, U.S. Constitution

By Mr. FITZPATRICK:

H.J. Res. 10.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Article I, Section 8

By Mr. JENKINS of West Virginia:

H.J. Res. 11.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. McCLINTOCK:

H.J. Res. 12.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, which confers on Congress the power, whenever two thirds of both Houses shall deem it necessary, to propose Amendments to this Constitution.

By Mr. O'ROURKE:

H.J. Res. 13.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths

of the several states or by conventions in three thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

EXTENSIONS OF REMARKS

RECOGNIZING NORTHWEST INDIANA'S NEWLY NATURALIZED CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty individuals who will take their oath of citizenship on Friday, January 6, 2017. This memorable occasion, presided over by Judge Joseph Van Bokkelen, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On January 6, 2017, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Boyd William Lomow, Virginia Reformina Wilson, Mark Edward Sinclair, Maria del Carmen Garcia Santacruz, Salome Edda Njeri Kinyanjui, Jadranka Angelovska, Hellen Chimbuka, Maria Isabel Lopez, Idoko Anthony Emmanuel, Nikolce Trajceviski, Audrey del Rocio Ramirez Castanos, Dineshbhai Zaverbhai Patel, Diem Thuy Thi Nguyen, Roland Benoit Cormier, Sheryl Ramirez Ruggaber, Willis Mureti Imanene, Kevin Kokey Sholley, Edwin Ato Kwamina Otsin Fynn, Isaac Mercado Massri, Noemi Smith, Jose Enrique Lizarraga Leon, Milcho Georgiev Iliev, Cinthia Araceli Perez, Ghousoun Alammouri, Leah Aizam Campbell, Daisy Cipres, Olive Konima Conteh, Jessica Nguyen, John Michael Prejmak, and Jonathan Treto.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country “. . . of the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in

congratulating these individuals who will become citizens of the United States of America on January 6, 2017. They, too, will be American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

IN HONOR OF NANCY A. NELSON

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Ms. TSONGAS. Mr. Speaker, each year nearly one million people visit Minute Man National Historical Park in Concord, Massachusetts, the home to the “shot heard round the world” and the birthplace of the American Revolution. Since 1993, Superintendent Nancy A. Nelson has been the steward of Minute Man; a guardian of its substantial history and a visionary that has helped illuminate the past for millions and millions of visitors.

Upon Nancy's retirement on January 3, 2017, the National Park Service will lose one of its most dedicated and passionate officials. However, Nancy's influence will remain visible and tangible for many years to come. Under Nancy's supervision, Minute Man NPS underwent extraordinary changes: visitor facilities were modernized, public use was expanded and numerous historic structures were rehabilitated. She focused on changing the landscape of the park, refreshing the grounds and making efficient use of its buildings. Her efforts have enabled a new generation of Americans to fully experience one of our country's most important moments in time.

Nancy dedicated herself to a lifetime of public service. During her 39-year career with the National Park Service, Nancy served in myriad positions across the organization, from Landscape Architect to Environmental Protection Specialist, to Superintendent of Minute Man National Historical Park. After working closely with Nancy for many years, I am profoundly appreciative of her unmatched commitment to historic preservation and education, and her years of effective and impactful leadership. Her leadership as Superintendent will be missed here in Massachusetts and at the National Park Service.

I extend my sincerest thanks and congratulations to Nancy on behalf of a grateful nation, and I am confident that even in retirement she will remain a staunch advocate for preserving our national treasures, a mission on which I look forward to continuing to work with her.

IN HONOR OF CRYSTAL HANBAUM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. TIBERI. Mr. Speaker, I rise today to recognize Crystal Hanbaum of Lakewood High School for winning the Ohio Division II State Individual Golf Tournament.

An achievement such as this certainly deserves recognition. The Ohio High School Athletic Association has enabled talented teams and individuals to earn state titles since its founding in 1907. Throughout this time, the champions of OHSAA state level competitions have represented the highest achieving and most talented athletes in Ohio. Each year these elite competitors join the long ranks of those who embody Ohio's proud history of athletic success.

Crystal Hanbaum's victory caps a tremendous season. This sort of achievement is earned only through many hours of practice, perspiration and hard work. She has set a new standard for future athletes to reach. Everyone at Lakewood High School can be extremely proud of her performance.

On behalf of the citizens of Ohio's 12th Congressional District, I congratulate Crystal Hanbaum on her state championship. I wish her continued success in both athletic and academic endeavors.

INTRODUCTION OF THE HOME FORECLOSURE REDUCTION ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, the “Home Foreclosure Reduction Act of 2017” would permit a bankruptcy judge, with respect to certain home mortgages, to reduce the principal amount of such mortgages to the fair market value of the homes securing such indebtedness. My legislation will encourage homeowners to make their mortgage payments and help stem the endless cycle of foreclosures that further depresses home values. It also would authorize the mortgage's repayment period to be extended so that monthly mortgage payments are more affordable. In addition, the bill would allow exorbitant mortgage interest rates to be reduced to a level that will keep the mortgage affordable over the long term. And, it would authorize the waiver of prepayment penalties and excessive fees. Further, the bill would eliminate hidden fees and unauthorized costs.

This bill addresses a fundamental problem: homeowners in financial distress simply lack

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

the leverage to make mortgage lenders and servicers engage in meaningful settlement negotiations, even when in the interest of all parties. My legislation would empower a homeowner, under certain circumstances, to force his or her lender to modify the terms of the mortgage by allowing the principal amount of the mortgage to be reduced to the home's fair market value. And, the implementation of this measure will not cost taxpayers a single penny.

The "Home Foreclosure Reduction Act of 2017" is identical to H.R. 101 (introduced in the 114th and 113th Congress) and H.R. 1587 (introduced in the 112th Congress). It contains similar provisions included in H.R. 1106, which the House passed nearly six years ago. Unfortunately, those provisions were removed in the Senate and not included in the final version of the bill that was subsequently enacted into law.

SECTION-BY-SECTION EXPLANATION OF PROVISIONS

Section 1. Short Title. Section 1 sets forth the short title of this Act as the "Home Foreclosure Reduction Act of 2017."

Section 2. Definition. Bankruptcy Code section 101 defines various terms. Section 2 amends this provision to add a definition of "qualified loan modification," which is defined as a loan modification agreement made in accordance with the guidelines of the Obama Administration's Homeowner Affordability and Stability Plan, as implemented on March 4, 2009 with respect to a loan secured by a senior security interest in the debtor's principal residence. To qualify as such, the agreement must reduce the debtor's mortgage payment (including principal and interest) and payments for various other specified expenses (i.e., real estate taxes, hazard insurance, mortgage insurance premium, homeowners' association dues, ground rent, and special assessments) to a percentage of the debtor's income in accordance with such guidelines. The payment may not include any period of negative amortization and it must fully amortize the outstanding mortgage principal. In addition, the agreement must not require the debtor to pay any fees or charges to obtain the modification. Further, the agreement must permit the debtor to continue to make these payments as if he or she had not filed for bankruptcy relief.

Section 3. Eligibility for Relief. Section 3 amends Bankruptcy Code section 109, which specifies the eligibility criteria for filing for bankruptcy relief, in two respects. First, it amends Bankruptcy Code section 109(e), which sets forth secured and unsecured debt limits to establish a debtor's eligibility for relief under chapter 13. Section 3 amends this provision to provide that the computation of debts does not include the secured or unsecured portions of debts secured by the debtor's principal residence, under certain circumstances. The exception applies if the value of the debtor's principal residence as of the date of the order for relief under chapter 13 is less than the applicable maximum amount of the secured debt limit specified in section 109(e). Alternatively, the exception applies if the debtor's principal residence was sold in foreclosure or the debtor surrendered such residence to the creditor and the value of such residence as of the date of the order for relief under chapter 13 is less than the secured debt limit

specified in section 109(e). This amendment is not intended to create personal liability on a debt if there would not otherwise be personal liability on such debt.

Second, section 3 amends Bankruptcy Code section 109(h), which requires a debtor to receive credit counseling within the 180-day period prior to filing for bankruptcy relief, with limited exception. Section 3 amends this provision to allow a chapter 13 debtor to satisfy this requirement within 30 days after filing for bankruptcy relief if he or she submits to the court a certification that the debtor has received notice that the holder of a claim secured by the debtor's principal residence may commence a foreclosure proceeding.

Section 4. Prohibiting Claims Arising from Violations of the Truth in Lending Act. Under the Truth in Lending Act, a mortgagor has a right of rescission with respect to a mortgage secured by his or her residence, under certain circumstances. Bankruptcy Code section 502(b) enumerates various claims of creditors that are not entitled to payment in a bankruptcy case, subject to certain exceptions. Section 4 amends Bankruptcy Code section 502(b) to provide that a claim for a loan secured by a security interest in the debtor's principal residence is not entitled to payment in a bankruptcy case to the extent that such claim is subject to a remedy for rescission under the Truth in Lending Act, notwithstanding the prior entry of a foreclosure judgment. In addition, section 4 specifies that nothing in this provision may be construed to modify, impair, or supersede any other right of the debtor.

Section 5. Authority to Modify Certain Mortgages. Under Bankruptcy Code section 1322(b)(2), a chapter 13 plan may not modify the terms of a mortgage secured solely by real property that is the debtor's principal residence. Section 5 amends Bankruptcy Code section 1322(b) to create a limited exception to this prohibition. As amended, the exception only applies to a mortgage that: (1) originated before the effective date of this amendment; and (2) is the subject of a notice that a foreclosure may be (or has been) commenced with respect to such mortgage.

In addition, the debtor must certify pursuant to new section 1322(h) that he or she contacted—not less than 30 days before filing for bankruptcy relief—the mortgagee (or the entity collecting payments on behalf of such mortgagee) regarding modification of the mortgage. The debtor must also certify that he or she provided the mortgagee (or the entity collecting payments on behalf of such mortgagee) a written statement of the debtor's current income, expenses, and debt in a format that substantially conforms with the schedules required under Bankruptcy Code section 521 or with such other form as promulgated by the Judicial Conference of the United States. Further, the certification must include a statement that the debtor considered any qualified loan modification offered to the debtor by the mortgagee (or the entity collecting payments on behalf of such holder). This requirement does not apply if the foreclosure sale is scheduled to occur within 30 days of the date on which the debtor files for bankruptcy relief. If the chapter 13 case is pending at the time new section 1322(h) becomes effective, then the

debtor must certify that he or she attempted to contact the mortgagee (or the entity collecting payments on behalf of such mortgagee) regarding modification of the mortgage before either: (1) filing a plan under Bankruptcy Code section 1321 that contains a modification pursuant to new section 1322(b)(11); or (2) modifying a plan under Bankruptcy Code section 1323 or section 1329 to contain a modification pursuant to new section 1322(b)(11).

Under new section 1322(b)(11), the debtor may propose a plan modifying the rights of the mortgagee (and the rights of the holder of any claim secured by a subordinate security interest in such residence) in several respects. It is important to note that the intent of new section 1322(b)(11) is permissive. Accordingly, a chapter 13 may propose a plan that proposes any or all types of modification authorized under section 1322(b)(11).

First, the plan may provide for payment of the amount of the allowed secured claim as determined under section 506(a)(1). In making such determination, the court, pursuant to new section 1322(i), must use the fair market value of the property at the date that such value is determined. If the issue of value is contested, the court must determine such value in accordance with the appraisal rules used by the Federal Housing Administration.

Second, the plan may prohibit, reduce, or delay any adjustable interest rate applicable on, and after, the date of the filing of the plan.

Third, it may extend the repayment period of the mortgage for a period that is not longer than the longer of 40 years (reduced by the period for which the mortgage has been outstanding) or the remaining term of the mortgage beginning on the date of the order for relief under chapter 13.

Fourth, the plan may provide for the payment of interest at a fixed annual rate equal to the applicable average prime offer rate as of the date of the order for relief under chapter 13, as determined pursuant to certain specified criteria. The rate must correspond to the repayment term determined under new section 1322(b)(11)(C)(i) as published by the Federal Financial Institutions Examination Council in its table entitled, "Average Prime Offer Rates—Fixed." In addition, the rate must include a reasonable premium for risk.

Fifth, the plan, pursuant to new section 1322(b)(11)(D), may provide for payments of such modified mortgage directly to the holder of the claim or, at the discretion of the court, through the chapter 13 trustee during the term of the plan. The reference in new section 1322(b)(11)(D) to "holder of the claim" is intended to include a servicer of such mortgage for such holder. It is anticipated that the court, in exercising its discretion with respect to allowing the debtor to make payments directly to the mortgagee or by requiring payments to be made through the chapter 13 trustee, will take into consideration the debtor's ability to pay the trustee's fees on payments disbursed through the trustee.

New section 1322(g) provides that a claim may be reduced under new section 1322(b)(11)(A) only on the condition that the debtor agrees to pay the mortgagee a stated portion of the net proceeds of sale should the home be sold before the completion of all payments under the chapter 13 plan or before the

debtor receives a discharge under section 1328(b). The debtor must pay these proceeds to the mortgagee within 15 days of when the debtor receives the net sales proceeds.

If the residence is sold in the first year following the effective date of the chapter 13 plan, the mortgagee is to receive 90 percent of the difference between the sales price and the amount of the claim as originally determined under section 1322(b)(11) (plus costs of sale and improvements), but not to exceed the unpaid amount of the allowed secured claim determined as if such claim had not been reduced under new section 1322(b)(11)(A). If the residence is sold in the second year following the effective date of the chapter 13 plan, then the applicable percentage is 70 percent. If the residence is sold in the third year following the effective date of the chapter 13 plan, then the applicable percentage is 50 percent. If the residence is sold in the fourth year following the effective date of the chapter 13 plan, then the applicable percentage is 30 percent. If the residence is sold in the fifth year following the effective date of the chapter 13 plan, then the applicable percentage is ten percent. It is the intent of this provision that if the unsecured portion of the mortgagee's claim is partially paid under this provision it should be reconsidered under 502(j) and reduced accordingly.

Section 6. Combating Excessive Fees. Section 6 amends Bankruptcy Code section 1322(c) to provide that the debtor, the debtor's property, and property of the bankruptcy estate are not liable for a fee, cost, or charge that is incurred while the chapter 13 case is pending and that arises from a claim for debt secured by the debtor's principal residence, unless the holder of the claim complies with certain requirements. It is the intent of this provision that its reference to a fee, cost, or charge includes an increase in any applicable rate of interest for such claim. It also applies to a change in escrow account payments.

To ensure such fee, cost, or charge is allowed, the claimant must comply with certain requirements. First, the claimant must file with the court and serve on the chapter 13 trustee, the debtor, and the debtor's attorney an annual notice of such fee, cost, or charge (or on a more frequent basis as the court determines) before the earlier of either: one year of when such fee, cost, or charge was incurred, or 60 days before the case is closed. Second, the fee, cost, or charge must be lawful under applicable nonbankruptcy law, reasonable, and provided for in the applicable security agreement. Third, the value of the debtor's principal residence must be greater than the amount of such claim, including such fee, cost or charge.

If the holder fails to give the required notice, such failure is deemed to be a waiver of any claim for such fees, costs, or charges for all purposes. Any attempt to collect such fees, costs, or charges constitutes a violation of the Bankruptcy Code's discharge injunction under section 524(a)(2) or the automatic stay under section 362(a), whichever is applicable.

Section 6 further provides that a chapter 13 plan may waive any prepayment penalty on a claim secured by the debtor's principal residence.

Section 7. Confirmation of Plan. Bankruptcy Code section 1325 sets forth the criteria for

confirmation of a chapter 13 plan. Section 7 amends section 1325(a)(5) (which specifies the mandatory treatment that an allowed secured claim provided for under the plan must receive) to provide an exception for a claim modified under new section 1322(b)(11). The amendment also clarifies that payments under a plan that includes a modification of a claim under new section 1322(b)(11) must be in equal monthly amounts pursuant to section 1325(a)(5)(B)(iii)(I).

In addition, section 7 specifies certain protections for a creditor whose rights are modified under new section 1322(b)(11). As a condition of confirmation, new section 1325(a)(10) requires a plan to provide that the creditor must retain its lien until the later of when: (1) the holder's allowed secured claim (as modified) is paid; (2) the debtor completes all payments under the chapter 13 plan; or (3) if applicable, the debtor receives a discharge under section 1328(b).

Section 7 also provides standards for confirming a chapter 13 plan that modifies a claim pursuant to new section 1322(b)(11). First, the debtor cannot have been convicted of obtaining by actual fraud the extension, renewal, or refinancing of credit that gives rise to such modified claim. Second, the modification must be in good faith. Lack of good faith exists if the debtor has no need for relief under this provision because the debtor can pay all of his or her debts and any future payment increases on such debts without difficulty for the foreseeable future, including the positive amortization of mortgage debt. In determining whether a modification under section 1322(b)(11) that reduces the principal amount of the loan is made in good faith, the court must consider whether the holder of the claim (or the entity collecting payments on behalf of such holder) has offered the debtor a qualified loan modification that would enable the debtor to pay such debts and such loan without reducing the principal amount of the mortgage.

Section 7 further amends section 1325 to add a new provision. New section 1325(d) authorizes the court, on request of the debtor or the mortgage holder, to confirm a plan proposing to reduce the interest rate lower than that specified in new section 1322(b)(11)(C)(ii), provided:

(1) the modification does not reduce the mortgage principal; (2) the total mortgage payment is reduced through interest rate reduction to the percentage of the debtor's income that is the standard for a modification in accordance with the Obama Administration's Homeowner Affordability and Stability Plan, as implemented on March 4, 2009; (3) the court determines that the debtor can afford such modification in light of the debtor's financial situation, after allowance of expense amounts that would be permitted for a debtor subject to section 1325(b)(3), regardless of whether the debtor is otherwise subject to such paragraph, and taking into account additional debts and fees that are to be paid in chapter 13 and thereafter; and (4) the debtor is able to prevent foreclosure and pay a fully amortizing 30-year loan at such reduced interest rate without such reduction in principal. If the mortgage holder accepts a debtor's proposed modification under this provision, the plan's treatment is deemed to satisfy the requirements of sec-

tion 1325(a)(5)(A) and the proposal should not be rejected by the court.

Section 8. Discharge. Bankruptcy Code section 1328 sets forth the requirements by which a chapter 13 debtor may obtain a discharge and the scope of such discharge. Section 8 amends section 1328(a) to clarify that the unpaid portion of an allowed secured claim modified under new section 1322(b)(11) is not discharged. This provision is not intended to create a claim for a deficiency where such a claim would not otherwise exist.

Section 9. Standing Trustee Fees. Section 9(a) amends 28 U.S.C. 586(e)(1)(B)(i) to provide that a chapter 13 trustee may receive a commission set by the Attorney General of no more than four percent on payments made under a chapter 13 plan and disbursed by the chapter 13 trustee to a creditor whose claim was modified under Bankruptcy Code section 1322(b)(11), unless the bankruptcy court waives such fees based on a determination that the debtor has income less than 150 percent of the official poverty line applicable to the size of the debtor's family and payment of such fees would render the debtor's plan infeasible.

With respect to districts not under the United States trustee system, section 9(b) makes a conforming revision to section 302(d)(3) of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986.

Section 10. Effective Date; Application of Amendments. Section 10(a) provides that this measure and the amendments made by it, except as provided in subsection (b), take effect on the Act's date of enactment.

Section 10(b)(1) provides, except as provided in paragraph (2), that the amendments made by this measure apply to cases commenced under title 11 of the United States Code before, on, or after the Act's date of enactment. Section 10(b)(2) specifies that paragraph (1) does not apply with respect to cases that are closed under the Bankruptcy Code as of the date of the enactment of this Act.

Section 11. GAO Study. Section 11 requires the Government Accountability Office to complete a study and to submit a report to the House and Senate Judiciary Committees within two years from the enactment of this Act. The report must contain the results of the study of: (1) the number of debtors who filed cases under chapter 13, during the one-year period beginning on the date of the enactment of this Act for the purpose of restructuring their principal residence mortgages; (2) the number of mortgages restructured under this Act that subsequently resulted in default and foreclosure; (3) a comparison between the effectiveness of mortgages restructured under programs outside of bankruptcy, such as Hope Now and Hope for Homeowners, and mortgages restructured under this Act; (4) the number of appeals in cases where mortgages were restructured under this Act; (5) the number of such appeals where the bankruptcy court's decision was overturned; and (6) the number of bankruptcy judges disciplined as a result of actions taken to restructure mortgages under this Act. In addition, the report must include a recommendation as to whether such amendments should be amended to include a sunset clause.

Section 12. Report to Congress. Not later than 18 months after the date of enactment of this Act, the Government Accountability Office, in consultation with the Federal Housing Administration, must submit to Congress a report containing: (1) a comprehensive review of the effects of the Act's amendments on bankruptcy courts; (2) a survey of whether the types of homeowners eligible for the program should be limited; and (3) a recommendation on whether such amendments should remain in effect.

IN HONOR OF THOMAS WORTHINGTON HIGH SCHOOL GIRLS FIELD HOCKEY

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. TIBERI. Mr. Speaker, I rise today to recognize the Thomas Worthington High School Girls Field Hockey Team for winning the Ohio State Field Hockey Tournament.

An achievement such as this certainly deserves recognition. The Ohio High School Athletic Association has enabled talented teams and individuals to earn state titles since its founding in 1907. Throughout this time, the champions of OHSAA state level competitions have represented the highest achieving and most talented athletes in Ohio. Each year these elite competitors join the long ranks of those who embody Ohio's proud history of athletic success.

The Thomas Worthington Girls Field Hockey Team's victory caps a tremendous season. This sort of achievement is earned only through many hours of practice, perspiration and hard work. They have set a new standard for future athletes to reach. Everyone at Thomas Worthington High School can be extremely proud of their performance.

On behalf of the citizens of Ohio's 12th Congressional District, I congratulate the Thomas Worthington Field Hockey Team on their state championship. I wish them continued success in both athletic and academic endeavors.

INTRODUCTION OF THE PROTECTING EMPLOYEES AND RETIREES IN MUNICIPAL BANKRUPTCIES ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, when a municipality files for bankruptcy, its employees and retirees who have devoted their lives to public service, such as police officers, firefighters, sanitation workers and office personnel, risk having their hard-earned wages, pensions and health benefits cut or even eliminated.

This is why I am introducing the Protecting Employees and Retirees in Municipal Bankruptcies Act of 2017. This legislation strength-

ens protection for employees and retirees under chapter 9 municipality bankruptcy cases by: (1) clarifying the criteria that a municipality must meet before it can obtain chapter 9 bankruptcy relief; (2) ensuring that the interests of employees and retirees are represented in the chapter 9 case; and (3) imposing heightened standards that a municipality must meet before it may modify any collective bargaining agreement or retiree benefit.

While many municipalities often work to limit the impact of budget cuts on their employees and retirees, as demonstrated in the chapter 9 plan of adjustment approved by Detroit's public employees and retirees, other municipalities could try to use current bankruptcy law to set aside collective bargaining agreements and retiree protections.

My legislation addresses this risk by requiring the municipality to engage in meaningful good faith negotiations with its employees and retirees before the municipality can apply for chapter 9 bankruptcy relief. This measure would also expedite the appellate review process of whether a municipality has complied with this and other requirements. The bill ensures employees and retirees have a say in any plan that would modify their benefits.

SECTION-BY-SECTION EXPLANATION

Sec. 1. Short Title. Section 1 of the bill sets forth the short title of the bill as the "Protecting Employees and Retirees in Municipal Bankruptcies Act of 2017."

Sec. 2. Determination of Municipality Eligibility To Be a Debtor Under Chapter 9 of Title 11 of the United States Code. A municipality can petition to be a debtor under chapter 9, a specialized form of bankruptcy relief, only if a bankruptcy court finds by a preponderance of the evidence that the municipality satisfies certain criteria specified in Bankruptcy Code section 109. In the absence of obtaining the consent of a majority of its creditors, section 109 requires the municipality, in pertinent part, to have negotiated in good faith with its creditors or prove that it is unable to negotiate with its creditors because such negotiation is impracticable.

Section 2(a) of the bill amends Bankruptcy Code section 109 in three respects. First, it provides clear guidance to the bankruptcy court that the term "good faith" is intended to have the same meaning as it has under the National Labor Relations Act, at least with respect to creditors who are employees or retirees of the debtor. Second, section 2(a) revises the standard for futility of negotiation from "impracticable" to "impossible." This change ensures that before a municipality may avail itself of chapter 9 bankruptcy relief, it must prove that there was no possible way it could have engaged in negotiation in lieu of seeking such relief. Third, the amendment clarifies that the standard of proof that the municipality must meet is "clear and convincing" rather than a preponderance of the evidence. These revisions to section 109 will provide greater guidance to the bankruptcy court in assessing whether a municipality has satisfied the Bankruptcy Code's eligibility requirements for being granted relief under chapter 9.

Bankruptcy Code section 921(e), in relevant part, prohibits a bankruptcy court from ordering a stay of any proceeding arising in a chapter 9 case on account of an appeal from an

order granting a municipality's petition to be a debtor under chapter 9. Section 2(b) strikes this prohibition, thereby allowing a court to issue a stay of any proceeding during the pendency of such an appeal. This ensures that the status quo can be maintained until there is a final appellate determination of whether a municipality is legally eligible to be a chapter 9 debtor.

Typically, an appeal of a bankruptcy court decision is heard by a district or bankruptcy appellate panel court. Under limited circumstances, however, a direct appeal from a bankruptcy court decision may be heard by a court of appeals. Until a final determination is made as to whether a municipality is eligible to be a debtor under chapter 9 of the Bankruptcy Code, the rights and responsibilities of numerous stakeholders are unclear. To expedite the appellate process and promote greater certainty to all stakeholders in the case, section 2(c) of the bill allows an appeal of a bankruptcy court order granting a municipality's petition to be a chapter 9 debtor to be filed directly with the court of appeals. In addition, section 2(c) requires the court of appeals to hear such appeal de novo on the merits as well as to determine it on an expedited basis. Finally, section 2(c) specifies that the doctrine of equitable mootness does not apply to such an appeal.

Sec. 3. Protecting Employees and Retirees. The chapter 9 debtor must file a plan for the adjustment of the municipality's debts that then must be confirmed by the bankruptcy court if it satisfies certain criteria specified in Bankruptcy Code section 943. Section 3 of the bill makes several amendments to current law intended to ensure that interests of municipal employees and retirees are better protected. With respect to plan confirmation requirements, section 3 amends Bankruptcy Code section 943 to require consent from such employees and retirees to any plan that impairs—in a manner prohibited by nonbankruptcy law—a collective bargaining agreement, a retiree benefit, including an accrued pension, retiree health, or other retirement benefit protected by state or municipal law or as defined in Bankruptcy Code section 1114(a).

Such consent would be conveyed to the court by the authorized representative of such individuals. Subject to certain exceptions, section 3 specifies that the authorized representative of individuals receiving any retirement benefits pursuant to a collective bargaining agreement is the labor organization that signed such agreement unless such organization no longer represents active employees. Where the organization no longer represents active employees of the municipality, the labor organization that currently represents active employees in that bargaining unit is the authorized representative of such individuals.

Section 3 provides that the exceptions apply if: (1) the labor organization chooses not to serve as the authorized representative; or (2) the court determines, after a motion by a party in interest and after notice and a hearing, that different representation is appropriate. Under either circumstance, the court, upon motion by any party in interest and after notice and a hearing, must order the United States Trustee to appoint a committee of retired employees if

the debtor seeks to modify or not pay the retiree benefits or if the court otherwise determines that it is appropriate for that committee to be comprised of such individuals to serve as the authorized representative.

With respect to retired employees not covered by a collective bargaining agreement, the court, on motion by a party in interest after notice and a hearing, must order the United States Trustee to appoint a committee of retired employees if the debtor seeks to modify or not pay retiree benefits, or if the court otherwise determines that it is appropriate to serve as the authorized representative of such employees. Section 3 provides that the party requesting the appointment of a committee has the burden of proof.

Where the court grants a motion for the appointment of a retiree committee, section 3 requires the United States Trustee to choose individuals to serve on the committee on a proportional basis per capita based on organizational membership from among members of the organizations that represent the individuals with respect to whom such order is entered. This requirement ensures that the committee, in a case where there are multiple labor organizations, fairly represents the interests of the members of those various organizations on a proportional basis.

Finally, section 3 of the bill imposes a significant threshold that must be met before retiree benefits can be reduced or eliminated. Current law has no such requirement. In a case where the municipality proposes in its plan to impair any right to a retiree benefit, section 3 permits the committee to support such impairment only if at least two-thirds of its members vote in favor of doing so.

IN HONOR OF THE BISHOP HARTLEY HIGH SCHOOL FOOTBALL TEAM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. TIBERI. Mr. Speaker, I rise today to recognize the Bishop Hartley High School Football Team for winning the Ohio Division IV State Football Tournament.

An achievement such as this certainly deserves recognition. The Ohio High School Athletic Association has enabled talented teams and individuals to earn state titles since its founding in 1907. Throughout this time, the champions of OHSAA state level competitions have represented the highest achieving and most talented athletes in Ohio. Each year these elite competitors join the long ranks of those who embody Ohio's proud history of athletic success.

The Bishop Hartley Football Team's victory caps a tremendous season. This sort of achievement is earned only through many hours of practice, perspiration and hard work. They have set a new standard for future athletes to reach. Everyone at Bishop Hartley High School can be extremely proud of their performance.

On behalf of the citizens of Ohio's 12th Congressional District, I congratulate the

Bishop Hartley Football Team on their state championship. I wish them continued success in both athletic and academic endeavors.

CELEBRATING THE 150TH ANNIVERSARY OF THE TOWNSHIP OF MONTVILLE, NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Township of Montville, New Jersey on its 150th Anniversary.

Montville Township is a beautiful, suburban community located in Morris County in northwestern New Jersey bordered by the Passaic River. The Township's nineteen square miles are comprised of three towns: Montville, Pine Brook, and Towaco. As of 2013 U.S. Census estimates, there are approximately 21,663 people living within the Township. These residents enjoy an active, vibrant community with a full range of municipal services, an excellent public school system, and a first-rate public library that provides services, activities, and volunteer opportunities for people of all ages.

Originally known as "Uyle-Kill" (the Dutch spelling of "Owl-Kill"), the region now known as Montville Township was first settled by Dutch farmers in the early 18th Century. The settlement grew in size, and by the 1740's, construction of the first major road in the area had begun.

This road was to come of use in the Revolutionary War, during which Montville served as a major military route from Morristown to the Hudson River. General Washington's troops often took this route, and Washington himself stayed in Montville in June of 1780. French reinforcement troops led by General Rochambeau also passed through Montville on their way to the Revolutionary War's final victory at Jamestown, Virginia.

The mid-19th Century saw the development of two smaller village centers set apart from Montville—Pine Brook, a fertile agricultural area in the Township's southern end, and Whitehall (later called Towaco), situated on the Morris Canal. Construction of the Morris Canal was completed in this area in 1828, bringing commercial navigation to the Montville and Towaco areas. On April 11, 1867, the Township of Montville was formally chartered from nineteen square miles of territory formerly belonging to Pequannock Township.

Montville Township has consistently ranked among the best places to live both in New Jersey and across the country.

Montville Township has also been recognized for its commitment to public safety, which directly impacts the quality of living in the community. The Township has also implemented a Community Dispute Resolution Committee to aid law enforcement by independently mediating citizen disputes.

Finally, Montville has taken a proactive approach to streamlining its business development approval process, making the Township a great place to start or relocate a business.

Mr. Speaker, I ask that you and our colleagues join me in congratulating Montville on its Sesquicentennial Anniversary.

INTRODUCTION OF THE PROTECTING EMPLOYEES AND RETIREES IN BUSINESS BANKRUPTCIES ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, throughout our Nation's history, hardworking American men and women have labored to make our businesses become the most productive and dynamic in the world. Unfortunately, when some of these businesses encounter financial difficulties and seek to reorganize their debts under Chapter 11 of the Bankruptcy Code, these very same workers and retirees are often asked to make major sacrifices through lost job protections, lower wages, and the elimination of hard-won pension and health benefits, while the executives and managers of these business are not required to make comparable sacrifices.

We must do more to ensure that America's most important resource—workers and retirees—are treated more fairly when these businesses seek to reorganize their financial affairs under the protection of our bankruptcy laws. The Protecting Employees and Retirees in Business Bankruptcies Act of 2017 accomplishes this goal by amending the Bankruptcy Code in several respects. First, it improves recoveries for employees and retirees by: (1) increasing the amount of worker claims entitled to priority payment for unpaid wages and contributions to employee benefit plans up to \$20,000; (2) eliminating the difficult to prove restriction in current law that wage and benefit claims must be earned within 180 days of the bankruptcy filing in order to be entitled to priority payment; (3) allowing employees to assert claims for losses in certain defined contribution plans when such losses result from employer fraud or breach of fiduciary duty; (4) establishing a new priority administrative expense for workers' severance pay; and (5) clarifying that back pay awards for WARN Act damages are entitled to the same priority as back pay for other legal violations.

Second, the legislation reduces employees' and retirees' losses by: (1) restricting the conditions under which collective bargaining agreements and commitments to fund retiree pensions and health benefits may be eliminated or adversely affected; (2) preventing companies from singling out non-management retirees for concessions; (3) requiring a court to consider the impact a bidder's offer to purchase a company's assets would have on maintaining existing jobs and preserving retiree pension and health benefits; and (4) clarifying that the principal purpose of Chapter 11 bankruptcy is the preservation of jobs to the maximum extent possible.

Third, the bill restricts excessive executive compensation programs by: (1) requiring full disclosure and court approval of executive compensation packages; (2) restricting the payment of bonuses and other forms of incentive compensation to senior officers and others; and (3) ensuring that insiders cannot receive retiree benefits if workers have lost their retirement or health benefits.

This legislation is identical to H.R. 97, introduced in the 114th Congress, H.R. 100, introduced in the 113th Congress, and H.R. 6117, introduced in the 112th Congress. It is supported by the AFL-CIO and many of its largest affiliates. A section-by-section explanation of the bill follows:

Sec. 1. Short Title. Section 1 sets forth the short title of the bill as the "Protecting Employees and Retirees in Business Bankruptcies Act of 2017." It also includes a table of contents for the bill.

Sec. 2. Findings. Section 2 sets forth various findings in support of this bill. Title I-Improving Recoveries for Employees and Retirees.

Sec. 101. Increased Wage Priority. Bankruptcy Code section 507 accords priority in payment status for certain types of claims, i.e., these priority claims must be paid in full in the order of priority before general unsecured claims may be paid. Section 507(a)(4) accords a fourth level priority to an unsecured claim up to \$10,000 owed to an individual for wages, salaries, or commissions (including vacation, severance, and sick leave pay) earned within the 180-day period preceding the filing of the bankruptcy case or the date on which the debtor's business ceased, whichever occurs first. Section 101 amends section 507(a)(4) to increase the amount of the priority to \$20,000 and eliminate the 180-day reachback limitation.

Bankruptcy Code section 507(a)(5) accords a fifth level priority for unsecured claims for contributions to an employee benefit plan arising from services rendered within the 180-day period preceding the filing of the bankruptcy case or the date on which the debtor's business ceased (whichever occurs first). The amount of the claim is based on the number of employees covered by the plan multiplied by \$10,000, less the aggregate amount paid to such employees pursuant to section 507(a)(4) and the aggregate amount paid by the estate on behalf of such employees to any other employee benefit plan. Section 101 amends Bankruptcy Code section 507(a)(5) to: (1) increase the priority amount to \$20,000; (2) eliminate the offset requirements; and (3) eliminate the 180-day limitation.

Sec. 102. Claim for Stock Value Losses in Defined Contribution Plans. Section 102 amends the Bankruptcy Code's definition of a claim to include a right or interest in equity securities of the debtor (or an affiliate of the debtor) held in a defined contribution plan for the benefit of an individual who is not an insider, senior executive officer or one of the 20 next most highly compensated employees of the debtor (if one or more are not insiders), providing: (1) such securities were attributable to employer contributions by the debtor (or an affiliate of the debtor), or by elective deferrals, together with any earnings thereon; and (2) the employer or plan sponsor who commenced the bankruptcy case either committed fraud with respect to such plan or otherwise breached a duty to the participant that proximately caused the loss of value.

Sec. 103. Priority for Severance Pay. Bankruptcy Code section 503(b) establishes an administrative expense payment priority for certain types of unsecured claims. Among all types of unsecured claims, administrative ex-

penses are accorded the highest payment priority, i.e., they must be paid in full before priority and general unsecured claims may be paid. Section 103 amends section 503(b) to accord administrative expense priority for severance pay owed to the debtor's employees (other than an insider, other senior management, or a consultant retained to provide services to the debtor) under a plan, program or policy generally applicable to the debtor's employees (but not under an individual contract of employment) or owed pursuant to a collective bargaining agreement for termination or layoff on or after the date the bankruptcy case was filed. Such pay is deemed earned in full upon such termination or layoff.

Sec. 104. Financial Returns for Employees and Retirees. Bankruptcy Code section 1129(a) specifies various criteria that must be satisfied before a chapter 11 plan of reorganization may be confirmed. Section 104 amends section 1129(a) to add a further requirement. The plan must provide for the recovery of damages for the rejection of a collective bargaining agreement or for other financial returns as negotiated by the debtor and the authorized representative under section 1113 to the extent such returns are paid under, rather than outside of a plan.

Section 104 also replaces Bankruptcy Code section 1129(a)(13), which pertains to the payment of retiree benefits under section 1114. As revised, section 1129(a)(13) requires a plan to provide for the continuation after the plan's effective date of the payment of all retiree benefits at the level established under either section 1114(e)(1)(B) or (g) at any time prior to confirmation of the plan, for the duration of the period for which the debtor has obligated itself to provide such benefits. If any modifications are made prior to confirmation of the plan, the plan must provide for the continuation of all retiree benefits maintained or established in whole or in part by the debtor prior to the petition filing date. In addition, the plan must provide for recovery of claims arising from the modification of retiree benefits and other financial returns as negotiated by the debtor and the authorized representative to the extent such returns are paid under, rather than outside of, a plan.

Sec. 105. Priority for WARN Act Damages. Section 105 amends Bankruptcy Code section 503(b)(1)(A)(ii) to provide administrative expense status to wages and benefits awarded pursuant to a judicial or National Labor Relations Board proceeding as back pay or damages attributable to any period of time occurring after the commencement of the bankruptcy case. This provision applies where the award was made as a result of the debtor's violation of federal or state law, without regard to the time of the occurrence of unlawful conduct on which the award is based or to whether any services were rendered on or after the commencement of the bankruptcy case. It includes an award by a court under section 2901 of title 29 of the United States Code of up to 60 days' pay and benefits following a layoff that occurred or commenced at a time when such award period includes a period on or after the commencement of the case, if the court determines that payment of wages and benefits by reason of the operation of this clause will not substantially increase the prob-

ability of layoff or termination of current employees or of nonpayment of domestic support obligations during the case under this title. Title II-Reducing Employees' and Retirees' Losses.

Sec. 201. Rejection of Collective Bargaining Agreements. Bankruptcy Code section 1113 sets forth the requirements by which a collective bargaining agreement may be assumed or rejected. Section 201 amends section 1113 in several respects. First, it amends section 1113(a) to clarify that a chapter 11 debtor may reject a collective bargaining agreement only in accordance with section 1113.

Second, it amends Bankruptcy Code section 1113(b) to clarify that no provision in title II of the United States Code may be construed to permit a trustee to unilaterally terminate or alter the terms of a collective bargaining agreement absent compliance with section 1113. The provision further specifies that the trustee must timely pay all monetary obligations arising under such agreement and that any payment required to be made pre-confirmation has the status of an allowed administrative expense under Code section 503.

Third, it amends Bankruptcy Code section 1113(c) to require a trustee, when seeking to modify a collective bargaining agreement, to provide notice of such proposed modification to the labor organization representing the employees covered by the agreement. The trustee must also promptly provide an initial proposal for modification. In addition, the trustee must confer in good faith with the labor organization, at reasonable times and for a reasonable period, given the complexity of the case, in an effort to reach a mutually acceptable modification of the agreement. Each modification proposal must be based on a business plan for the reorganization of the debtor and reflect the most complete and reliable information. As amended, section 1113(c) requires the trustee to provide to the labor organization all information relevant for negotiations. If such disclosure could compromise the debtor's position with respect to its competitors in the industry, the provision authorizes the court to issue a protective order, subject to the needs of the labor organization to evaluate the trustee's proposal and any application to reject the collective bargaining agreement or for interim relief under section 1113.

In consideration of federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the agreement, any modification proposed by the trustee must: (1) only be proposed as part of a program of workforce and nonworkforce cost savings devised for the debtor's reorganization, including savings in management personnel costs; (2) be limited to modifications designed to achieve a specified aggregate financial contribution for employees covered by the agreement, taking into consideration any labor cost savings negotiated within the 12-month period prior to the filing of the bankruptcy case; (3) be no more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor; and (4) not be disproportionate or overly burden the employees covered by the agreement, either in the amount of the cost savings

sought from such employees or the nature of the modifications.

Fourth, it amends Bankruptcy Code section 1113(d) to provide that if the trustee and the labor organization (after a period of negotiations) do not reach an agreement over mutually satisfactory modifications and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking rejection of the collective bargaining agreement after notice and a hearing. Absent agreement by the parties, the hearing may not be held earlier than 21 days from when notice of the hearing is provided. Only the debtor and the labor organization may appear and be heard at the hearing. An application for rejection must seek rejection effective upon the entry of an order granting such relief.

In consideration of federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the agreement, section 1113(d) (as amended) provides that the court may grant a motion seeking rejection of such agreement only if the court: (1) finds that the trustee has complied with the requirements of section 1113(c); (2) has considered alternative proposals by the labor organization and concluded that such proposals do not meet the requirements of section 1113(c)(3)(B); (3) finds that further negotiations regarding the trustee's proposal or an alternative proposal by the labor organization are not likely to produce an agreement; (4) finds that implementation of the trustee's proposal will not: (a) cause a material diminution in the purchasing power of the employees covered by the agreement, (b) adversely affect the debtor's ability to retain an experienced and qualified workforce; or (c) impair the debtor's labor relations such that the ability to achieve a feasible reorganization will be compromised; and (5) concludes, based on clear and convincing evidence, that rejection of the agreement and immediate implementation of the trustee's proposal is essential to permit the debtor's exit from bankruptcy such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor in the short term. If the trustee has implemented a program of incentive pay, bonuses or other financial returns for insiders, senior executive officers, or the 20 next most highly compensated employees or consultants (or such a program was implemented within 180 days before the bankruptcy case was filed), the court must presume that the debtor has failed to satisfy the requirements of section 1113(c)(3)(C).

Subsection (d), as amended, prohibits the court from entering an order rejecting a collective bargaining agreement that would result in modifications to a level lower than that proposed by the trustee in the proposal found by the court to have complied with the requirements of section 1113.

At any time after an order rejecting a collective bargaining agreement is entered (or mutually satisfactory agreement between the trustee and the labor organization is entered into), the labor organization may apply to the court for an order seeking an increase in the level of wages or benefits or relief from working conditions based on changed circumstances.

The court must grant such relief only if the increase or other relief is not inconsistent with the standard set forth in section 1113(d)(2)(E).

Fifth, section 201 amends Bankruptcy Code section 1113(e) to provide that during the period in which a collective bargaining agreement at issue under this section continues in effect and if either essential to the continuation of the debtor's business or in order to avoid irreparable damage to the estate, the court, after notice and a hearing, may authorize the trustee to implement interim changes in the terms, conditions, wages, cs-benefits, or work rules provided by the collective bargaining agreement. Any hearing under this provision must be scheduled in accordance of the trustee's needs. The implementation of such interim changes will not render the application for rejection moot.

Sixth, section 201 amends Bankruptcy Code section 1113(f) to provide that the rejection of a collective bargaining agreement constitutes a breach of such agreement and is effective no earlier than the entry of an order granting such relief. Solely for the purpose of determining and allowing a claim arising from rejection of a collective bargaining agreement, such rejection must be treated as a rejection of an executory contract under Bankruptcy Code section 365(g) and shall be allowed or disallowed in accordance with section 502(g)(1). Subsection (f), as amended, further provides that no claim for rejection damages may be limited by section 502(b)(7). In addition, the provision permits economic self-help by a labor organization upon a court order granting rejection of a collective bargaining agreement under either subsection (d) or (e) of section 1113. It further provides that neither title 11 of the United States Code nor other provisions of State or Federal law may be construed to the contrary.

Seventh, section 201 adds new subsection (g) to require the trustee to provide for the reasonable fees and costs incurred by a labor organization under section 1113, upon request and after notice and a hearing.

Eighth, section 201 adds new subsection (h) to require the assumption of a collective bargaining agreement to be done in accordance with section 365.

Sec. 202. Payment of Insurance Benefits to Retired Employees. Bankruptcy Code section 1114 sets out criteria pursuant to which a debtor may modify retiree benefits, among other matters. Retiree benefits include payments to retired employees, their spouses, and dependents for medical, surgical, and hospital care benefits. It also includes benefits in the event of sickness, accident, disability, or death under any plan, fund or program.

Section 202 amends section 1114 in several respects. First, it amends the provision's definition of "retiree benefits" to specify that it applies whether or not the debtor asserts a right to unilaterally modify such benefits under such plan, fund or program.

Second, it amends Bankruptcy Code section 1114(b)(2), which specifies the rights, powers and duties of a committee of retired employees appointed by the court. As amended, the provision would apply to a labor organization serving as the authorized representative under section 1114(c)(1).

Third, section 202 replaces Bankruptcy Code section 1114(f), which requires a trustee

to make a proposal to the authorized representative before seeking modification of retiree benefits. As amended, section 1114(f)(1) specifies that if a trustee seeks to modify retiree benefits, the trustee must provide notice of such proposed modification to the authorized representative as well as promptly provide the initial proposal. In addition, the trustee must thereafter confer in good faith with the labor organization, at reasonable times and for a reasonable period, given the complexity of the case, in attempting to reach a mutually satisfactory modification. Each modification must be based on a business plan for the reorganization of the debtor and reflect the most complete and reliable information available. The trustee must provide the authorized representative all information relevant for the negotiations. If such disclosure could compromise the debtor's position with respect to its competitors in the industry, the court may issue a protective order, subject to the needs of the authorized representative to evaluate the trustee's proposal and an application pursuant to subsection (g) or (h).

Modifications proposed by the trustee must: (1) only be proposed as part of a program of workforce and nonworkforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs; (2) be limited to modifications designed to achieve a specified aggregate financial contribution for the retiree group represented by the authorized representative (taking into consideration any labor cost savings negotiated within the 12-month period prior to the filing of the bankruptcy case with respect to the retiree group); (3) be no more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor; and (4) not be disproportionate or overly burden the retiree group, either in the amount of the cost savings sought from such group or the nature of the modifications.

Fourth, section 202 amends Bankruptcy Code section 1113(g) to provide that if the trustee and the authorized representative do not reach a mutually satisfactory agreement (after a period of negotiations) and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking to modify the payment of retiree benefits after notice and a hearing. Absent agreement of the parties, the hearing may not be held earlier than 21 days from when notice of the hearing is provided. Only the debtor and the authorized representative may appear and be heard at the hearing.

The court may grant a motion to modify the payment of retiree benefits only if the court: (1) Finds that the trustee complied with the requirements of section 1114(f); (2) considered any of the authorized representative's alternative proposals and determined that such proposals do not meet the requirements of section 1114(f)(3)(B); (3) finds that further negotiations are not likely to produce a mutually satisfactory agreement; (4) finds that implementation of the trustee's proposal will not cause irreparable harm to the affected retirees; and (5) concludes that, based on clear and convincing evidence, an order granting the trustee's proposal and its immediate implementation is essential to permit the debtor's

exit from bankruptcy such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor in the short term.

If the trustee has implemented a program of incentive pay, bonuses, or other financial returns for insiders, senior executive officers, or the 20 next most highly compensated employees or consultants (or such program was implemented within 180 days before the bankruptcy case was filed), the court must presume that the debtor failed to satisfy the requirements of section 1114(f)(3)(C).

Fifth, section 202 strikes subsection (k) and makes conforming revisions.

Sec. 203 Protection of Employee Benefits in a Sale of Assets. Section 203 amends Bankruptcy Code section 363(b), which authorizes a debtor to sell or use property of the estate other than in the ordinary course of business (under certain circumstances), to add a new requirement. New section 365(b)(3) requires the court, in approving a sale, to consider the extent to which a bidder's offer: (1) maintains existing jobs; (2) preserves terms and conditions of employment, and (3) assumes or matches pension and retiree benefit obligations in determining whether such offer constitutes the highest or best offer for the property.

Sec. 204. Claim for Pension Losses. Section 204 adds a new subsection to Bankruptcy Code section 502, which pertains to the allowance of claims and interests. New subsection (1) requires the court to allow a claim by an active or retired participant (or by a labor organization representing such participants) in a defined benefit pension plan terminated under section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (ERISA) for any shortfall in pension benefits accrued as of the effective date of the pension plan's termination as a result of such termination and limitations upon the payment of benefits imposed pursuant to section 4042 of such Act, notwithstanding any claim asserted and collected by the Pension Benefit Guaranty Corporation with respect to such termination.

In addition, section 204 adds subsection (m) to Bankruptcy Code section 502 to require a court to allow a claim described in Bankruptcy Code section 101(5)(C) (as amended by this legislation) by an active or retired participant (or a labor union representing such participant) in a defined contribution plan (within the meaning of section 3(34) of ERISA). The amount of such claim must be measured by the market value of the stock at the time of contribution to, or purchase by, the plan and the value as of the commencement of the case.

Sec. 205. Payments by Secured Lender. Bankruptcy Code section 506(c) authorizes the debtor to recover from property securing an allowed secured claim the reasonable and necessary expenses incurred to preserve or dispose of such property to the extent the secured creditor benefits from such expenditures. Section 205 amends section 506(c) to add a new provision. As amended, section 506(c) deems unpaid wages, accrued vacation, severance or other benefits owed under the debtor's policies and practices or owed pursuant to a collective bargaining agreement, for services rendered on and after commence-

ment of the case to be necessary costs and expenses of preserving or disposing of property securing an allowed secured claim. Such obligations must be recovered even if the trustee has otherwise waived the provisions of section 506(c) pursuant to an agreement with the allowed secured claimant or a successor or predecessor in interest.

Sec. 206. Preservation of Jobs and Benefits. Section 206 adds a statement of purpose to chapter 11 of the Bankruptcy Code specifying that a chapter 11 debtor must have as its principal purpose the reorganization of its business to preserve going concern value to the maximum extent possible through the productive use of its assets and the preservation of jobs that will sustain productive economic activity.

In addition, section 206 amends Bankruptcy Code section 1129(a), which sets out the criteria for confirming a plan, to add a new requirement. New section 1129(a)(17) requires the debtor to demonstrate that the reorganization preserves going concern value to the maximum extent possible through the productive use of the debtor's assets and preserves jobs that sustain productive economic activity.

Section 206 also amends Bankruptcy Code section 1129(c), which requires the court to consider the preferences of creditors and equity security holders in determining which plan to confirm. Section 1129(c), as amended, instead requires the court to consider the extent to which each plan would preserve going concern value through the productive use of the debtor's assets and the preservation of jobs that sustain productive economic activity. The court must confirm the plan that better serves such interests. It further provides that a plan that incorporates the terms of a settlement with a labor organization shall presumptively constitute the plan that satisfies this provision.

Sec. 207. Termination of Exclusivity. Bankruptcy Code section 1121, in pertinent part, gives a debtor the exclusive authority to file a plan and obtain acceptances of such plan for stated periods of time, under certain circumstances. Section 207 amends section 1121 to specify that cause for shortening these exclusive periods includes: (1) the filing of a motion pursuant to section 1113 seeking rejection of a collective bargaining agreement, if a plan based upon an alternative proposal by the labor organization is reasonably likely to be confirmed within a reasonable time; or (2) the proposed filing of a plan by a proponent other than the debtor, which incorporates the terms of a settlement with a labor organization, if such plan is reasonably likely to be confirmed within a reasonable time.

TITLE III—RESTRICTING EXECUTIVE COMPENSATION PROGRAMS

Sec. 301. Executive Compensation Upon Exit From Bankruptcy. Bankruptcy Code section 1129 specifies the criteria for confirmation of a chapter 11 plan. Section 1129(a)(4), for example, requires that certain services, costs and expenses in connection with the case (or in connection with the plan and incident to the case) to have either been approved by the court (or subject to approval by the court) as reasonable. Section 301 amends section 1129(a)(4) to add a requirement that payments or other distributions under the plan to or for the benefit of insiders, senior executive

officers, and any of the 20 next most highly compensated employees or consultants providing services to the debtor may not be approved unless: (1) such compensation is subject to review under section 1129(a)(5), or (2) such compensation is included as part of a program of payments or distributions generally applicable to the debtor's employees and only to the extent that the court determines that such payments are not excessive or disproportionate as compared to distributions to the debtor's nonmanagement workforce.

In addition, section 301 amends section 1129(a)(5), which requires the plan proponent to disclose the identity and affiliations of the debtor's officers and others, such as the identity of any insider who will be employed or retained by the reorganized debtor and such insider's compensation. Section 301 amends section 1129(a)(5) to add a requirement that such compensation must be approved (or subject to approval) by the court in accordance with the following criteria: (1) the compensation is reasonable when compared to that paid to individuals holding comparable positions at comparable companies in the same industry; and (2) the compensation is not disproportionate in light of economic concessions by the debtor's nonmanagement workforce during the case.

Sec. 302. Limitations on Executive Compensation Enhancements. In general, Bankruptcy Code Section 503(c) prohibits a debtor from making certain payments to an insider, absent certain findings by the court. Section 302 amends section 503(c)(1), which prohibits such payments when they are intended to induce the insider to remain with the debtor's business, in several respects. First, it expands the provision so that it applies a debtor's senior executive officer and any of the debtor's 20 next most highly compensated employees or consultants. Second, it clarifies that the provision prohibits the payment of performance or incentive compensation, a bonus of any kind, and other financial returns designed to replace or enhance incentive, stock, or other compensation in effect prior to the commencement of the case. And, third, it specifies that the court's findings must be based on clear and convincing evidence in the record.

In addition, section 302 also amends Bankruptcy Code section 503(c)(3), which prohibits other transfers made or obligations incurred outside of the debtor's ordinary course of business and not justified by the facts and circumstances of the case, including transfers made and obligations incurred for the benefit of the debtor's officers, managers or consultants hired postpetition. Section 302 replaces section 503(c)(3) with a provision prohibiting other transfers or obligations incurred to or for the benefit of insiders, senior executive officers, managers or consultants providing services to the debtor unless they meet certain criteria. First, the court must find, based on clear and convincing evidence (without deference to the debtor's request for authorization to make such payments), that such payments are essential to the survival of the debtor's business or, in the case of a liquidation, essential to the orderly liquidation of the debtor's business and

maximization of the value of the debtor's assets. Second, the services for which compensation is sought must be essential in nature. Third, such payments must be reasonable compared to individuals holding comparable positions at comparable companies in the same industry and not disproportionate in light of economic concessions made by the debtor's nonmanagement workforce during the case.

Sec. 303. Assumption of Executive Retirement Plans. Section 303 amends Bankruptcy Code section 365, which sets forth the criteria pursuant to which executory contracts and unexpired leases may be assumed and rejected, to add two provisions. New subsection (q) provides that no deferred compensation arrangement for the benefit of a debtor's insiders, senior executive officers, or any of the 20 next most highly compensated employees may be assumed if a defined benefit pension plan for the debtor's employees has been terminated pursuant to section 4041 or 4042 of ERISA on or after the commencement of the case or within 180 days prior to the commencement of the case.

New subsection (r) provides that no plan, fund, program, or contract to provide retiree benefits for insiders, senior executive officers, or any of the 20 next most highly compensated employees of the debtor may be assumed if the debtor: (1) has obtained relief under subsection (g) or (h) of section 1114 to impose reductions in retiree benefits; (2) has obtained relief under subsection (d) or (e) of section 1113 to impose reductions in the health benefits of the debtor's active employees; or (3) or reduced or eliminated active employee or retiree benefits within 180 days prior to the commencement of the case.

Sec. 304. Recovery of Executive Compensation. Section 304 adds a new provision to the Bankruptcy Code. New section 563(a) provides that if a debtor reduces its contractual obligations under a collective bargaining agreement pursuant to section 1113(d), or retiree benefits pursuant to section 1114(g), then the court, as part of the order granting such relief, must make certain determinations. The court must determine the percentage of diminution in the value of the obligations as a result of such relief. In making this determination, the court must include any reduction in benefits as a result of the termination pursuant to section 4041 or 4042 of ERISA of a defined benefit plan administered by the debtor, or for which the debtor is a contributing employer, effective at any time within 180 days prior to the commencement of the case. The court may not take into consideration pension benefits paid or payable under title IV of ERISA as a result of such termination.

If a defined benefit pension plan administered by the debtor, or for which the debtor is a contributing employer, is terminated pursuant to section 4041 or 4042 of ERISA, effective at any time within 180 days prior to the commencement of the case, and the debtor has not obtained relief under section 1113(d), or section 1114(g), new section 563(b) requires the court, on motion of a party in interest, to determine the percentage in diminution in the value of benefit obligations when compared to the total benefit liabilities prior to such termination. The court may not take into

account pension benefits paid or payable pursuant to title IV of ERISA as a result of such termination.

After such percentage diminution in value is determined, new section 563(c) provides that the estate has a claim for the return of the same percentage of the compensation paid, directly or indirectly (including any transfer to a self-settled trust or similar device, or to a nonqualified deferred compensation plan under section 409A(d)(1) of the Internal Revenue Code of 1986) to certain individuals. These individuals include: (1) any officer of the debtor serving as a member of the debtor's board of directors within the year before the filing of the case; and (2) any individual serving as chairman or as lead director of the board of directors at the time when relief under section 1113 or section 1114 is granted, or if no such relief has been granted, then the termination of the defined benefit plan.

New section 563(d) provides that a trustee or committee appointed pursuant to section 1102 may commence an action to recover such claims. If neither commences such action by the first date set for the confirmation hearing, any party in interest may apply to the court for authority to recover such claims for the benefit of the estate. The costs of recovery must be borne by the estate.

New section 563(e) prohibits the court from awarding postpetition compensation under section 503(c) or otherwise to any person subject to the provisions of section 563(c) if there is a reasonable likelihood that such compensation is intended to reimburse or replace compensation recovered by the estate pursuant to section 563.

Sec. 305. Preferential Compensation Transfer. Bankruptcy Code section 547 authorizes preferential transfers to be avoided. Section 305 adds a new subsection to section 547 to permit the avoidance of a transfer to or for the benefit of an insider (including an obligation incurred for the benefit of an insider under an employment contract) made in anticipation of bankruptcy. The provision also permits the avoidance of a transfer made in anticipation of a bankruptcy to a consultant who is formerly an insider and who is retained to provide services to an entity that becomes a debtor (including an obligation under a contract to provide services to such entity or to a debtor) made or incurred within one year before the filing of the bankruptcy case. In addition, new section 547(j) provides that no provision of section 547(c) (specifying certain exceptions to section 547) may be utilized as a defense. Further, section 547(j) permits the trustee or a committee to commence such avoidance action. If neither do so as of the date of the commencement of the confirmation hearing, any party in interest may apply to the court for authority to recover the claims for the benefit of the estate. The costs of recovery must be borne by the estate.

TITLE IV—OTHER PROVISIONS

Sec. 401. Union Proof of Claim. Section 401 amends Bankruptcy Code section 501(a) to permit a labor organization (in addition to a creditor or indenture trustee) to file a proof of claim.

Sec. 402. Exception from Automatic Stay. Section 402 amends Bankruptcy Code section 362(b) to create an additional exception to the

automatic stay with respect to the commencement or continuation of a grievance, arbitration or similar dispute resolution proceeding established by a collective bargaining agreement that was or could have been commenced against the debtor before the filing of the bankruptcy case. The exception also applies to the payment or enforcement of awards or settlements of such proceeding.

IN HONOR OF THE OLENTANGY
ORANGE HIGH SCHOOL GIRLS
GOLF TEAM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. TIBERI. Mr. Speaker, I rise today to recognize the Olentangy Orange High School Girls Golf team for winning the Ohio Division I State Golf Tournament.

An achievement such as this certainly deserves recognition. The Ohio High School Athletic Association has enabled talented teams and individuals to earn state titles since its founding in 1907. Throughout this time, the champions of OHSAA state level competitions have represented the highest achieving and most talented athletes in Ohio. Each year these elite competitors join the long ranks of those who embody Ohio's proud history of athletic success.

The girls golf team's victory caps a tremendous season. This sort of achievement is earned only through many hours of practice, perspiration and hard work. They have set a new standard for future athletes to reach. Everyone at Olentangy Orange High School can be extremely proud of their performance.

On behalf of the citizens of Ohio's 12th Congressional District, I congratulate the Olentangy Orange Girls Golf Team on their state championship. I wish them continued success in both athletic and academic endeavors.

THE INTRODUCTION OF A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. GOODLATTE. Mr. Speaker, more than 20 years ago, the U.S. Senate failed by one vote to pass a balanced budget constitutional amendment. If Congress had sent the amendment to the states for ratification in 1995, we would not be facing the fiscal crisis we are today and balancing the federal budget would be the norm rather than the exception. In order for Congress to consistently make the tough decisions necessary for fiscal responsibility, Congress must have the external pressure of a balanced budget requirement.

This year marks the tenth year I have introduced amendments that require Congress to balance the federal budget. I urge my colleagues to consider the impact that reckless

spending has on our nation's future and on future generations. According to a 2016 report from the Congressional Budget Office on the federal government's long-term budget outlook, the debt held by the public, assuming lawmakers abide by current law, is projected to rise "from 75 percent of GDP in 2016 to 141 percent by 2046." The effect of this debt and our nation's current spending, according to CBO, will harm economic growth and will increase the risk of a fiscal crisis down the road. We should not pass on to our children and grandchildren the bleak fiscal future that our unsustainable spending is creating.

In the *Federalist*, Number 14, James Madison reminds us that the American people relied on "their own good sense, the knowledge of their own situation, and the lessons of their own experience" in addressing the problems of our constitutional government. With this in mind, it is time for Congress to put an end to fiscal irresponsibility and stop saddling future generations with crushing debts to pay for our current spending. We must rise above partisanship and join together to send a balanced budget amendment to the states for ratification.

The proposed amendment is a four-part balanced budget amendment. It contains a requirement for a balanced annual federal budget, places a spending cap on annual federal spending, imposes a three-fifths supermajority vote requirement to increase the debt limit, and a three-fifths supermajority requirement to raise taxes.

INTRODUCTION OF H.R. 40 THE COMMISSION TO STUDY REPARATIONS PROPOSALS FOR AFRICAN-AMERICANS ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, I am pleased to re-introduce H.R. 40, the Commission to Study and Develop Reparations Proposals for African-Americans Act. Over the last several years, we have seen an almost unprecedented elevation of the dialogue on reparations at both the national and international levels. This version of H.R. 40 reflects that progress and is designed to serve as the vehicle for continued discussion.

Over the years, I have appeared at conferences and in the media to help lift the issues of reparations and the continuing impact of slavery in the national consciousness. Though some have tried to deflect the importance of these conversations by focusing on individual monetary compensation, the real issue is whether and how this nation can come to grips with the legacy of slavery that still infects current society.

Since H.R. 40's introduction in 1989, we have made substantial progress in elevating these issues at the national level and joining the mainstream international debate on the issue. Through legislation, resolutions, news, and litigation, we are moving closer to making more strides in the movement toward reparations. At the international level, last year, the

United Nations proclaimed 2015 through 2024 to be the International Decade for People of African Descent. Today there are more people at the table—more activists, more scholars, more CEO's, more state and local officials, and more Members of Congress.

However, despite this progress and the election of the first American President of African descent, the legacy of slavery lingers heavily in this nation. While we have focused on the social effects of slavery and segregation, its continuing economic implications remain largely ignored by mainstream analysis. These economic issues are the root cause of many critical issues in the African-American community today, such as education, healthcare and criminal justice policy, including policing practices. The call for reparations represents a commitment to entering a constructive dialogue on the role of slavery and racism in shaping present-day conditions in our community and American society.

Over the last two years, we have had a distinguished academic and activist panel from the National African American Reparations Commission dive into some of the most salient points in the reparations discussion. I have supported this effort by holding my annual reparations retrospective at the Annual Legislative Conference of the Congressional Black Caucus.

I believe that H.R. 40 is a crucial piece of legislation because it goes beyond exploring the economic implications of slavery and segregation. It is a holistic bill in the sense that it seeks to establish a commission to also examine the moral and social implications of slavery. In short, the Commission aims to study the impact of slavery and continuing discrimination against African-Americans, resulting directly and indirectly from slavery to segregation to the desegregation process and the present day. The commission would also make recommendations concerning any form of apology and compensation to begin the long delayed process of atonement for slavery.

With the over criminalization and policing of black bodies, a reoccurring issue in African-American communities, I believe this conversation is both relevant and crucial to restoring trust in governmental institutions in many communities. The times and circumstance may change, but the principle problem continues to weigh heavily on this country. A federal commission can help us reach into this dark past and bring us into a brighter future. As in years past, I welcome open and constructive discourse on H.R. 40 and the creation of this commission in the 115th Congress.

IN HONOR OF ZACH KREFT

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. TIBERI. Mr. Speaker, I rise today to recognize Zach Kreft of Buckeye Valley High School for winning the Ohio Division II State Individual Boys Cross Country Tournament.

An achievement such as this certainly deserves recognition. The Ohio High School Ath-

letic Association has enabled talented teams and individuals to earn state titles since its founding in 1907. Throughout this time, the champions of OHSAA state level competitions have represented the highest achieving and most talented athletes in Ohio. Each year these elite competitors join the long ranks of those who embody Ohio's proud history of athletic success.

Zach Kreft's victory caps a tremendous season. This sort of achievement is earned only through many hours of practice, perspiration and hard work. He has set a new standard for future athletes to reach. Everyone at Buckeye Valley High School can be extremely proud of his performance.

On behalf of the citizens of Ohio's 12th Congressional District, I congratulate Zach Kreft on his state championship. I wish him continued success in both athletic and academic endeavors.

INTRODUCING A RESOLUTION EXPRESSING THE SENSE THAT THE UNITED STATES POSTAL SERVICE SHOULD ENSURE DOOR DELIVERY FOR ALL

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce a resolution of the House "expressing the sense that the United States Postal Service shall take all appropriate measure to ensure the continuation of door delivery for all."

Many do not realize that the Post Office is already in the process of phasing out door delivery service, the heart of its customer experience.

And that if some in Congress had their way it would be eliminated entirely.

In my home state of California, residents in newly planned communities are already witnessing the end of traditional mail delivery.

Instead, residents are being forced to resort to so-called cluster boxes—centralized curbside locations many of which are in unsecure locations, poorly maintained and far from people's homes.

Just last month local residents from a community meeting in my district adopted an official neighborhood resolution calling on Congress to address this pressing issue.

I have heard stories from dozens of my constituents about cluster boxes being stolen or damaged. Once that happens, postal customers have to wait months and raise enough money from their neighbors to replace them because USPS does not maintain them. While they wait, they have to go to their post office and wait in long lines every day to pick up their mail.

Americans have benefited from door delivery service ever since the time of the Civil War.

But now some in Congress, in a short-sighted attempt to cut costs, are pushing through a radical overhaul of the Post Office without considering the long-term consequences.

Studies have shown that in today's digital age it is people with disabilities and the elderly

who rely most on postal mail more, especially for prescription medicines.

Yes, it is these very groups that would most be hurt by the sudden forced adoption of centralized cluster boxes.

And businesses big and small all across the country rely on well-timed mailers to advertise their products and services. These efforts could be less productive without door delivery and could lead to less business mailings and less revenue for USPS.

All this just for short-term cost cutting—which will do nothing to address the long-term solvency of the Post Office.

And we already know that nobody wants these changes. In 2013, USPS offered voluntary cluster box conversions to businesses and only .8 percent signed up.

What business survives by reducing customer satisfaction?

Or by finding ways to devalue the very service, door delivery, it is known for?

But that is what the proponents of such radical postal reform efforts have in mind.

Furthermore, such changes as proposed in broad postal legislation will end the equal mail delivery system we have now for everyone.

Forced adoption of cluster boxes and a “delivery tax”, whereby only the wealthy will get mail at their doors, will create a two-tiered system breaking the fundamental premise that has always been central to the Post Office’s mission to deliver to every door at a fixed rate.

I ask my colleagues on both sides of the aisle to join me in supporting this effort to help preserve door delivery for all our constituents.

INTRODUCTION OF HEALTH CARE INDUSTRY ANTITRUST ENFORCEMENT ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, the Health Insurance Industry Antitrust Enforcement Act of 2017 would eliminate the antitrust immunity provided under the McCarran-Ferguson Act for price fixing, bid rigging, and market allocation by health insurance issuers and medical malpractice insurers. The purpose of this bill is to extend antitrust enforcement over health insurers and medical malpractice insurance issuers as to the most egregious antitrust violations. Such insurers currently enjoy broad antitrust immunity under the McCarran-Ferguson Act. This immunity has shielded insurance companies for decades for activities that would otherwise constitute illegal and grossly anticompetitive conduct. Our Nation’s antitrust laws exist to protect free-market competition and this bill will help to restore competition to the health insurance marketplace.

The House Judiciary Committee held numerous hearings on the effects of the insurance industry’s antitrust exemption. It has become clear that the exemption is not needed to enable the insurance industry to provide services to their policyholders, and that policyholders and the economy in general would benefit from increased competition among insurance providers. Indeed, this is why four

members of the Antitrust Modernization Commission recommended repealing the McCarran-Ferguson antitrust exemption in the Commission’s 2007 report. Commissioners Jonathan Jacobson, Debra Valentine, and John Warden wrote that the exemption has “outlived any utility [it] may have had,” and Commissioner John Shenefield wrote that it is “among the most ill-conceived and egregious examples” of antitrust exemptions and that its repeal “should not be delayed.”

The bill I introduce today is intended to root out unlawful activity in an industry that has grown complacent by decades of protection from antitrust oversight. And, particularly in light of efforts to undermine the Affordable Care Act, repealing this unjustified antitrust exemption for health insurers will further ensure more affordable health insurance for Americans.

I urge my colleagues to support this bill.

THE INTRODUCTION OF A BIPARTISAN BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. GOODLATTE. Mr. Speaker, as of today, the current debt of the United States is reaching almost \$20 trillion. The national debt per taxpayer is about \$166,800. For comparison, a recent report by the Census Bureau stated that median household income was just under \$57,000.

It’s clear that we are in dire straits. The States understand the gravity of this issue and for decades have been enacting policies that align their own spending with debt. Indeed, 49 states have a balanced budget provision that applies to their own budget. Furthermore, 27 states have already called for a constitutional convention to consider a balanced budget amendment to the United States Constitution.

This Congress provides renewed opportunity for this body to consider such a provision. Given the difficult fiscal decisions that inevitably lie ahead, our actions must be grounded in commonsense policies that are constitutionally required. This amendment provides the necessary foundation.

This balanced budget amendment is the same language that passed the House with bipartisan support in 1995 and fell only one vote short in the Senate. It is the only balanced budget proposal to achieve the support of a majority of the Members of the House of Representatives. The amendment forces Congress to live within its means by ensuring that total federal spending does not exceed total revenues.

This amendment is identical to the balanced budget amendment considered in the House of Representatives in the 112th Congress, which received 261 bipartisan votes when it came to the House Floor. It requires that Congress not spend more than it receives in revenues. It also requires a true majority of each chamber to pass tax increases and a three-fifths majority to raise the debt limit. Last Con-

gress, 110 cosponsors signed onto the resolution.

A strong majority of Americans support a balanced budget amendment to the Constitution. After all, they know what it means to live by a budget and they rightfully expect the federal government to do the same. They are asking Congress to work together to ensure that this amendment, which is so critical to the future of our country, becomes a reality.

CELEBRATING WYNNEBROOK ELEMENTARY SCHOOL’S 50TH ANNIVERSARY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor Wynnebrook Elementary School, a public elementary school located in West Palm Beach, Florida, on the occasion of its 50th Anniversary. Principal Mrs. Suzanne Berry and Assistant Principal Mr. Steve Collins, continue in the path of the outstanding educators that came before them over Wynnebrook Elementary’s half century of existence. Impressively, Wynnebrook Elementary has had only five Principals since its start.

Currently, 876 students attend Wynnebrook. The student body is diverse with forty-six percent Hispanic, forty-three percent African American and nine percent White. Ninety-four percent of Wynnebrook students are on free or reduced price lunches and the school has received an “A” grade for 14 years in a row. It is ranked 19th among 124 elementary schools in the Palm Beach School District, with a 2016 calculated average standard test score of 86.92.

Wynnebrook has been the recipient of many awards. In 2011 and 2016, the school won the Exceeding Expectations Project Award from the East Coast Technical Assistance Center (ECTAC). Last year, Mr. Jeffrey Pegg, immediate past principal, won the 2016 Principal Leadership Award given by Florida TaxWatch.

Mr. Speaker, I am so very proud that Wynnebrook Elementary is located in my Congressional district. I am honored to recognize them on the House floor and congratulate all those who have made Wynnebrook Elementary such a wonderful school over the last 50 years. All principals, teachers, students and volunteers should not only be proud of the impressive work they are doing today, but also exceedingly proud of their storied history. I wish them many more years of continued success.

INTRODUCTION OF THE BANKRUPTCY JUDGESHIP ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, the “Bankruptcy Judgeship Act of 2017,” authorizes 6 additional permanent bankruptcy judgeships

and converts 16 temporary bankruptcy judgeships to permanent status, based on recommendation of the Judicial Conference of the United States. With respect to the 6 additional permanent bankruptcy judgeships, they are authorized pursuant to section 3 of the bill as follows: 2 for the District of Delaware; 2 for the Eastern District of Michigan; and 2 for the Middle District of Florida. With respect to the 16 conversions, they are authorized pursuant to section 2 of the bill for the following districts:

- 5 for the District of Delaware;
- 2 for the Southern District of Florida;
- 3 for the District of Maryland;
- 1 for the Eastern District of Michigan;
- 1 for the District of Nevada;
- 1 for the Eastern District of North Carolina;
- 2 for the District of Puerto Rico;
- 1 for the Western District of Tennessee; and
- 1 for the Eastern District of Virginia.

This legislation responds to a serious need. Since the last time additional bankruptcy judgeships were authorized, which was 10 years ago, the 6 districts that would be authorized additional judicial resources by this bill have experienced a 55 percent increase in weighted filings, according to the Judicial Conference.

All 16 of the temporary bankruptcy judgeships that the bill converts to permanent status are set to lapse as of May 25, 2017. As the Conference observes, "These bankruptcy courts would face a serious and, in many cases, debilitating workload crisis if their temporary judgeships were to expire."

The need for these additional judicial resources is based on a comprehensive analysis performed by the Judicial Conference based on a formal survey of all judicial circuits conducted pursuant to section 152(b)(2) of title 28 of the United States Code. Criteria considered include the workload of each court, case filing statistics, and geographic factors, among other matters.

TRIBUTE TO HONOR FIRST RESPONDER JEFF SIMPSON FOR HIS SACRIFICE AND SERVICE TO OUR NATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. WITTMAN. Mr. Speaker, I rise today to honor Mr. Jeff Simpson, a September 11 first responder who selflessly sacrificed his life aiding his fellow Americans. Jeff will be remembered for his compassion, his bravery, and his love of community and country.

Jeff was a fully certified Emergency Medical Technician (EMT) and a member of the Dumfries Triangle Rescue Squad in Triangle, Virginia. Volunteering with the local ambulance on nights and weekends was Jeff's passion. His family and friends remember Jeff stopping to help others in highway accidents and listening to emergency calls in his down time to help his neighbors. Jeff never went anywhere without his "rescue bag" and would always sidetrack his plans to help someone in need.

Jeff worked for Oracle Corporation, and on September 11, 2001, was on assignment ap-

proximately five blocks from the World Trade Center. The sound of the first plane crashing into the North Tower caused the meeting Jeff was in to be cancelled and the building to be evacuated. After seeing the second plane hit the Second Tower, Jeff knew he had to help. A coworker remembers Jeff saying, "There is not a fire department in the world that can handle a situation like this, I'm going to help." Jeff was last seen running toward the North Tower.

Six months after the September 11 attacks, Jeff's remains were finally located at the structure. Jeff was with 12 other New York City Fire Department and New York Port Authority personnel where it is believed the group established a triage area to care for those who'd been injured in the attack.

Jeff Simpson's sacrifice and servant leadership led to him posthumously receiving one of the first Public Safety awards established by Governor Warner and to be recognized by the National Association of Rescue Squads in 2003. Rescue Station 23 in Prince William County was dedicated to Jeff Simpson in 2010 because of how well he lived out the creed, "We Serve to Save." On September 9th, 2016, the Town of Dumfries named their Community Center the Jeff Simpson Community and Cultural Arts Center in dedication to Jeff and in gratitude of his life and service to his community and country.

Today, I have the honor of remembering Jeff Simpson and celebrating his legacy. Jeff embodies everything that is great about the American people, selflessly using the talents that each of us possess to aid and care for each other. I dedicate this to Jeff and to his wife Diane and his three children, Max, Elaine, and Leeann. Thank you, Diane, for continuing to share Jeff Simpson's legacy with all of us.

INTRODUCTION OF THE STOPPING ABUSIVE STUDENT LOAN COLLECTION PRACTICES IN BANKRUPTCY ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, the "Stopping Abusive Student Loan Collection Practices in Bankruptcy Act of 2017" targets ruthless collection tactics employed by some student loan creditors against debtors who have sought bankruptcy relief.

Specifically, my legislation bill would empower a bankruptcy judge to award costs and reasonable attorney's fees to a debtor who successfully obtained the discharge of his or her liability for a student loan debt based on undue hardship if: (1) the creditor's position was not substantially justified, and (2) there are no special circumstances that would make such award unjust. The Bankruptcy Code already grants identical authority to a bankruptcy judge to award costs and reasonable attorney's fees to debtor where a creditor requests the determination of dischargeability of a consumer debt based on the allegation that it was fraudulently incurred and the court thereafter finds that the creditor's position was

not substantially justified and there are no special circumstances that would make such award unjust.

Although parties typically do and should pay their own attorney's fees in litigation, dischargeability determinations concerning student loan debts present compelling factors that warrant the relief provided by this legislation. Under current bankruptcy law, debtors must meet a very high burden of proof, namely, that repayment of the student loan debt will present an undue hardship on the debtor and the debtor's dependents. The litigation typically requires extensive discovery, trial-like procedures, and legal analysis.

Unfortunately, some student loan debt collectors engage in abusive litigation tactics that exponentially drive up the potential cost of legal representation for a debtor. As a result, debtors, who may legally qualify for the Bankruptcy Code's undue hardship dischargeability exception for student loans, may be unable to obtain such relief because of the potential risk of excessive and unaffordable legal fees that the debtor may have to incur not only to meet the high standard of proof, but also to combat an abusive litigation stance taken by a well-funded adversary.

The "Stopping Abusive Student Loan Collection Practices in Bankruptcy Act of 2017" will help level the playing field for debtors overwhelmed by student loan debts, the repayment of which would present an undue hardship for themselves and their families. It is my hope that should this measure become law, bankruptcy judges will not hesitate to award debtors attorney's fees in appropriate cases of abusive litigation engaged in by student loan creditors.

TAX CODE TERMINATION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. GOODLATTE. Mr. Speaker, I rise today to re-introduce the Tax Code Termination Act, legislation that will abolish the Internal Revenue Code by December 31, 2021, and call on Congress to approve a new federal tax system by July of the same year.

Back home in the Sixth Congressional District of Virginia and across America, folks want Congress to address real problems facing our nation—problems like our broken tax code. Today's tax code is needlessly complex, unfair, discourages savings and investment, and creates uncertainty and added costs for business and families attempting to comply. In November, the American people sent a clear message to Washington—it's time for change.

I applaud the efforts of my colleagues to make changes to our tax system and finally institute a new system. The discussion draft released by former Ways and Means Chairman Dave Camp in the 113th Congress and the work of Chairman BRADY and the Speaker's Tax Reform Taskforce in the 114th Congress, prove that there has already been a movement afoot in Congress to take on this monstrosity. Now is the ideal time to finally act.

My bill complements these efforts by setting a date-certain for sunseting our current tax

code to provide the focus we need to debate and finally enact the kind of comprehensive tax reform the American people deserve. Once the Tax Code Termination Act becomes law, today's tax code would survive only through December 2021, at which time it would expire and be replaced with a new tax code that will be determined by Congress, and the American people.

Under the Tax Code Termination Act, Congress would have four years to debate various tax proposals, ultimately replacing our current tax system with a new system that applies a low rate to all Americans, provides tax relief for working Americans, protects the rights of taxpayers and reduces collection abuses, eliminates the bias against savings and investment, promotes economic growth and job creation, and does not penalize marriage or families.

This legislation has gained wide support in past Congresses and had 144 bipartisan cosponsors in the 114th Congress. In fact, similar legislation has already been passed twice by the House of Representatives, first in 1998 and again in 2000.

I urge my colleagues to support this legislation, and comprehensive tax reform. The American people deserve policies that promote a flourishing economy and a tax code that treats them as owners of this democratic republic, not customers of it. A new simplified and fairer tax code will do just that and a date certain for having such a system will ensure we deliver on our promises.

INTRODUCTION OF A BILL TO PROTECT THE PRIVACY OF CONSUMERS AND REDUCE THEIR VULNERABILITY TO IDENTITY THEFT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, today, I am introducing the "Cyber Privacy Fortification Act of 2017." This bill would provide criminal penalties for the failure to comply with federal or state obligations to report security breaches of the sensitive personally identifiable information of individuals. Certain breaches would also be required to be reported to the FBI or the Secret Service. The bill would also require federal agencies engaged in rulemaking related to personally identifiable information to publish privacy impact statements relating to the impact of the proposed rule.

One of the main motivators for cybercrime and computer network intrusions is financial gain. Intrusions into networks of financial institutions and businesses may yield information, often on a large scale, about customers such as credit and debit card numbers, Social Security numbers, birth dates, account passwords, and other personally identifiable information. Information obtained through such data breaches may be used to steal from the accounts of the customers, use their credit cards, hack into their personal communications, or the information may be sold to others who commit these crimes or compile provides

about individuals which others might find valuable.

With constant revelations about new data breaches impacting millions of Americans, we must take additional steps to protect the sensitive information of consumers maintained on corporate databases. This bill will provide a greater incentive for companies to provide notice of breaches consumers' sensitive information such as Social Security numbers and financial account numbers. This protects the privacy of our citizens and allows them to be vigilant against identity theft.

IN RECOGNITION OF LYNN BLANCHETTE FOR HER 25 YEARS OF SERVICE ON THE RIVERVIEW CITY COUNCIL

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Lynn Blanchette, Councilwoman and Mayor Pro Tem for the City of Riverview. For the past 25 years, Mrs. Blanchette has been an effective and dedicated member of the Riverview City Council.

Mrs. Blanchette has lived in Riverview for 47 years and has been active and engaged in civic life during her time in the city. She has been involved with the Riverview City Council since her election to the Council in 1991, and her public service been instrumental in helping the city of Riverview grow and develop. Recently, Mrs. Blanchette has helped Riverview navigate a challenging fiscal landscape while maintaining essential city services. With her guidance, Riverview has become a model of responsible and effective governance in the Downriver community. Mrs. Blanchette also serves Riverview as a representative on the Wayne County Community Development Block Grant Advisory Council, which helps develop affordable housing for the city and the surrounding communities. Her leadership in this capacity has been critical to helping create inclusive development and housing that is accessible to all.

Mrs. Blanchette's public service has been invaluable in creating the vibrant Riverview community that exists today. Her dedication and hard work on behalf of the city has driven development and improved quality of life, and she is well-known for her hard work in the best interest of Riverview's residents. Mrs. Blanchette is widely respected for her efforts to maintain fiscal discipline while providing quality public service to the city, and it is my hope that she continues to build on her successes in the years ahead.

Mr. Speaker, I ask my colleagues to join me in honoring Lynn Blanchette and her 25 years of service to the Riverview community as a member of the Riverview City Council. Her work on behalf of Riverview has played a key role in helping create a more livable city and improve life for its residents.

THE PREVENTING TERMINATION OF UTILITY SERVICES IN BANKRUPTCY ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 3, 2017

Mr. CONYERS. Mr. Speaker, utility companies provide many basic and life-saving services, such as electricity to light our homes, water to drink, and gas to heat our homes. Sometimes, however, individuals, through no fault of their own, struggle to pay for these services often in the face of devastating medical debt, job loss, or economic disruption caused by divorce. While resorting to bankruptcy provides some relief from financial distress, current law permits utility companies to force these debtors to pay security deposits for continued service even if they were current on their bills before filing for bankruptcy or if they promise to be current on their bills after bankruptcy. Utility companies typically insist that debtors pay at least two months or more of their average bills as a deposit—in addition to requiring that they remain current on their utility bills after bankruptcy—in exchange for the utility continuing to supply service.

The "Preventing Termination of Utility Service in Bankruptcy Act of 2017" corrects this injustice. It provides that if the debtor remains current on his or her utility bills after filing for bankruptcy relief, the debtor should not have to pay a deposit to the utility to continue service.

In Detroit, for example, families across the city have seen their water rates increase by 119% over the past decade. During the same period, the Nation generally and Detroit in particular suffered in the aftermath of a global financial crisis that left one-in-five local residences in foreclosure and sent local unemployment rates skyrocketing.

Fortunately, we are incrementally recovering from the Great Recession of 2008. For those individuals who must seek bankruptcy relief, however, we should ensure that their ability to pay their utility bills going forward is not hindered by unnecessary demands for deposits if these debtors remain current on their payments to these companies.

Terminating a family's access to such life-saving services that keeps the lights on, warms our homes, and ensures that they can bathe, hydrate, and prepare meals is simply wrong if these utility bills are being paid on time.

This legislation is part of a range of solutions that are needed to address the still pervasive adverse impacts of the Great Recession of 2008. I continue to work with my colleagues in Congress, state and federal officials, and my constituents to defend the right to water and protect public health. I will not tolerate the notion that—in the 21st Century, in the wealthiest nation on earth—families should go without access to affordable public water and sanitation services.

SENATE—Wednesday, January 4, 2017

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, our guide and strength, we need Your guidance. Show us the path to meaningful life. Reveal to us the steps of faith.

Today, use the Members of this body to do Your will. Quicken their hearts and purify their minds. Broaden their concerns and strengthen their commitments.

Lord, show them duties left undone. Remind them of promises unkept and reveal to them tasks unattended. Lead them, Father, through this season of challenge to a deeper experience with You. Then, send them from Your presence to be Your instruments of good in transforming our Nation and world.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

A CHANGE IN DIRECTION

Mr. MCCONNELL. Mr. President, 2 years ago the American people sent a new majority to the Senate. They called for a change in direction. They called for the Senate to get to work. So we got committees functioning again, we gave Members of both parties a say again, and we put the Senate back to work again and back on the side of the American people.

Because we did, we were able to get important things done with a President of a different party. We put an end to the number of Washington artificial cliffs and punts. We helped make our infrastructure stronger. We helped make our communities healthier and our country safer. We gave our children more opportunities to succeed in school, and we helped ensure that those who suffer exploitation and abuse—

whether veterans or the victims of human trafficking—can know more of the justice, hope, and care they deserve.

I am proud of what we were able to achieve in a time of divided government, just as I am excited about the possibilities that lie ahead.

We now stand on the horizon of a new era. We seated a new Congress yesterday. We will inaugurate a new President later this month. The challenges ahead are great, and the work to come will be hard, but just as we heard the voices of the American people in 2014, we heard their message this last election as well. Americans called for change from the last 8 years and for hope, at long last. Each of us, regardless of party, has a mandate to help and to play a role.

The first way to begin realizing that hope, in my view, is to remove the things that are hurting families right now. The President-elect will have an important role to play there, especially in addressing overbearing, ideologically driven regulations.

Congress will have its role too. In terms of what we can do here most immediately, ObamaCare is at the top of the list. It is the very first item we will consider this session. We will continue to devote significant time to it as well.

I know some of our Democratic friends would prefer we didn't act—that we just sit on our hands as premiums jump higher, as more Americans lose plans, and as others continue to struggle with insurance too costly to actually use. That is essentially the message the outgoing President came this morning to deliver. The incoming Vice President came this morning, too, and delivered an entirely different message.

But repeal is just the first step. We know it will take time to undo the damage of this partisan law. We want—and we will need—the contributions of all colleagues as we turn to the development of a lasting, durable reform.

The same is true of our economy. We know the economy over the last 8 years hasn't lived up to its potential—not for working people, not for small businesses, and certainly not for the next generation. We will have disagreements about the best way forward. That is entirely natural. But, if we look, we will continue to find areas of agreement too. There are important contributions for each of us to make. That is the lesson of the 114th Congress.

A more open Senate is a more empowering Senate, but it is also a more demanding Senate. It gives each of us

more of a say in the development of legislation, just as it requires more of a responsibility in cooperating. In short, it gives the minority party a stake in governing and thus the obligations that come along with that.

I welcome our colleague from New York in his new role as Democratic leader. The role of leading a party is never easy. He has a tough job ahead of him. I respect him for that. While I know we will often disagree, I am also reminded of his words just before the election. "We have a moral obligation," the Democratic leader said just before the election, "even beyond the economy and politics, to avoid gridlock and get the country to work again."

"We have to get things done," he said.

If that is our guiding principle, then I know we can make this session a success. It is what will allow us to get the appropriations process moving, for example. We can set the pace now by working toward a smooth nomination process.

I ask our Democratic friends to remember the consideration we showed President-Elect Obama's nominees in 2009. We approved seven—seven—members of his Cabinet unanimously within hours of his inauguration. Seven nominees for President Obama's Cabinet were approved unanimously within hours of his inauguration.

Now, some nominations will be more contentious. I am sure that will be true, of course, of the Supreme Court. It has been clear throughout that the next President would name the next Supreme Court Justice. I maintained that position even when many thought a President of a different party would be taking the oath this month. Now the President who won the election will make the nomination, and the Senate that the American people just re-elected will consider that nomination.

But not everything need become so contentious. We will have many opportunities to cooperate. I have mentioned several already. We will see many more in committee. Shortly, we hope to see an example of that in the Intelligence Committee, where Chairman BURR will lead Members of both parties in a serious, comprehensive, and responsible review of any Russian involvement in our elections. Leader SCHUMER will join the committee as an ex-officio member and will be able to review the reports of the intelligence community. The Armed Services Committee will review how best to tie our cyber capabilities to our warfighting doctrine.

It is just this type of issue—something both parties say is too important

to become a partisan football—where we often see the hard work of legislating and oversight transcend party. We saw it last Congress when, for instance, Members of both parties came together—and held together—on highways, on efforts to cure incurable diseases, and on providing TPA authority to both the current President and the next one. I hope we will see similar cooperation on many issues to come.

The American people are watching us. They are hurting. They are calling for a change in direction. It is now our united responsibility to move forward with their needs and their priorities as our guide.

Let me again welcome every new Member of the Senate. I want again to congratulate the Democratic leader, and let me again acknowledge President-Elect Trump for an impressive victory. He heard the voices of Americans in every part of the country in ways others have not. He now carries a heavy burden.

We will work with him to help the American people feel confident again—confident in themselves and confident in their futures.

We look forward to the inauguration in just over 2 weeks. There is now much serious work to be done. I look forward to working with each of you to achieve it.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the vote on the motion to proceed to S. Con. Res. 3 occur following the remarks of Senator SCHUMER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to S. Con. Res. 3.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 1, S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

AFFORDABLE CARE ACT

Mr. SCHUMER. Mr. President, I apologize to my good friend the Republican leader. I couldn't be here for his remarks. I intended to be, but our President stayed longer and then I was meeting with the Vice President-elect. I apologize for that.

I also wish to recognize the distinguished majority leader and reiterate what I said yesterday: I sincerely hope, just as I heard he hopes, that we can find common ground in the Senate. While we at all times inevitably disagree on the right way forward for our country, I know he is a patriot who cares deeply about this institution. That matters a lot to me. I learned that through a meeting set up by my friend from Tennessee. We had a dinner, and I walked away convinced that Leader MCCONNELL cares a lot about making the institution function. That matters, and that can maybe help us through some of the rougher times. We know it has grand principles, grand practices, and a grand tradition in our national life, something we both want to preserve.

Yesterday, in my opening remarks as a Senate leader, I did remind our Republican majority and the President-elect that there would indeed be places where we can work together, and I named a few of them, but let me be perfectly clear, kicking millions of Americans off their health care and throwing the entire health care system into chaos is not one of them.

I am deeply troubled that the Republican majority and seemingly the President-elect are plotting, as one of their first campaigns in the new Congress, a full-scale assault on the American health care system, not just the Affordable Care Act but Medicare and Medicaid as well because they are inextricably bound. Those are the pillars that support the American health care system, but as its first order of legislative business, the Republican majority has decided to put forward a budget resolution to repeal health care reform. Although he promised not to cut Medicare in the campaign, the President-elect has nominated a man who spent his career strategizing health care's demise, and he chose him to be Secretary of HHS. I don't think that is something a vast majority of Americans or even Republicans believe in.

It is too clear that President-Elect Trump and the Republican Congress are intent on making America sick again. Republicans seem determined to create chaos, not affordable care, for the American people.

Today, I would like to focus on the budget resolution on the Affordable Care Act. I understand why the majority thinks they have to do it. Over the past 8 years, they promised every group—conservative group and audience in the country, they would repeal the law, “root and branch.”

For a long time, it has been only a conservative fever dream. Republicans knew they could make extreme promises about replacing it with something better without ever having to consider the consequences or even come up with a reasonable plan to replace it because they knew the Democrats or President Obama would ultimately block their attempts to roll back the law.

Now things are different. The consequences of repealing the Affordable Care Act are real. I sincerely urge my colleagues to deeply consider the consequences. It is no longer just a game or a political line to say “repeal” because now you have to replace. So far, it has been 5 years of repeal, repeal, repeal; not one replace plan has garnered a lot of support even on the Republican side of the aisle, let alone in America.

What will it mean for average Americans if you repeal the law without any viable replacement? Not just the 30 million who might lose coverage right away—that is a staggering number, many of them in very red and poor States and rural areas. What will happen to the overall marketplace if you rip away all the safeguards of the ACA and have put nothing in its place?

It doesn't matter if you repeal and delay, as some of my friends on the other side of the aisle call it, for 1 year or 2 years—however long. Folks will lose a lot of benefits, and the insurance marketplace could fall apart long before repeal goes into place. As insurers raise their prices because they have to with repeal, costs to the average American who has employer insurance will go up as well. My colleagues will own that, just as we owned everything that happened previous to this election.

Let me tell you, if Republicans pull the plug on health reform, on Medicaid, and privatize Medicare, it could mean absolute chaos, not affordable care. It would likely increase prescription drug costs, premiums, and out-of-pocket costs to American families—not, as I said, just for the families that got coverage on the exchanges but for all American families, even if you get insurance through your employer. I repeat that to America. Everyone who has employer-based insurance and is not part of the ACA should worry about this repeal with no replace because their costs will go up, sure as we are here together. It would put insurance companies back in charge. It

would allow them to discriminate against individuals with preexisting conditions.

We all know of people. Parents—their kid has cancer. They would look for an insurance company. Oh, no, your son has cancer, your daughter has cancer, you can't get it. What are our colleagues going to do about that one? No answers yet. I doubt they have good ones. It would cause premiums to skyrocket. It would unravel the insurance market.

I would ask my colleagues before they jump into this repeal to talk to their local rural hospitals. In my State, rural hospitals are a mainstay of our rural economy. They are the largest employer in many of our towns and villages. Remember, New York has New York City, but we are the third largest rural State in the Nation, only behind Pennsylvania and North Carolina. In those areas, merely repealing the ACA and not doing anything else is going to hurt those hospitals dramatically. In fact, today, in 11 State capitals, rural hospitals—many of them in red States—protested a repeal of the ACA.

It could also exacerbate—I don't want to forget—the opioid epidemic by ripping away coverage from 1.6 million newly insured individuals struggling with substance abuse disorders. We worked so hard in the Cures Act to cover people. Far more would be undone by this act of repeal in terms of fighting opioid abuse.

For all my deficit-hawk friends, your proposal causes a trillion-dollar hole in the budget—at least a trillion. My colleague from Washington thinks it might be even higher, and I rarely doubt her. What are you going to do, deficit hawks, once you repeal and that hole in the budget becomes enormous?

This is not conjecture. My Republican colleagues would be wise to remember how the American health care system operated before health care reform. Health care costs were growing at a much faster rate than they are today, eating into workers' paychecks and dissuading them from taking risks and changing jobs lest they lose a good coverage plan. A debilitating illness could wipe out a lifetime of hard-earned savings because there was no cap on health care costs. Women were charged more than men for the same health coverage. It was outrageous. We will go back to those days with repeal.

Many couldn't get insurance if they had a preexisting condition. Some insurance companies would simply delete you from their rolls if you got sick. You want to go back to those "good old days"?

Today, because of health care reform, those things are no longer true. Health care costs are rising much more slowly than before, and the uninsured rate is the lowest it has ever been. I don't think any American would want to go back to the health care world of yester-

year where insurance companies wrote the rules and costs spiraled up unchecked, but Republicans seem all too eager to dial back the clock and make America sick again.

Democrats are united in our opposition to cutting Medicare, to cutting Medicaid, and to repealing health care reform, and we will hold the Republican majority and the President-elect accountable for the consequences of repealing health care reform.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to the motion to proceed.

The yeas and nays have been ordered. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 1 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—48

Baldwin	Harris	Nelson
Bennet	Hassan	Paul
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Brown	Hirono	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—1

Feinstein

The motion was agreed to.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017

The PRESIDING OFFICER. The clerk will report the concurrent resolution.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

The PRESIDING OFFICER. The Senator from Wyoming.

RECESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m. for the weekly policy lunches.

There being no objection, the Senate, at 1:21 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. ROUNDS).

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the time be equally divided between the two sides during quorum calls.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that for the duration of the Senate's consideration of S. Con. Res. 3, the majority and Democratic managers of the concurrent resolution, while seated or standing at the managers' desks, be permitted to deliver floor remarks, retrieve, review, and edit documents, and send email and other data communications from text displayed on wireless personal digital assistant devices and tablet devices.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. I further ask unanimous consent that the use of calculators be permitted on the floor during consideration of the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, today we have a new Congress. Soon we will have a new President. For the first time in years, hardworking Americans will have their voices heard as we take the first steps to repair the Nation's broken health care system—steps to remove Washington from the equation and to put control back where it belongs—with the patients, their families, and their doctors.

The President's health law has pushed insurance markets to the brink of collapse. Premiums for hardworking families are soaring, while patients' choices are dwindling. I urge my friends on the other side of the aisle to face the facts that ObamaCare has failed to deliver on its core promises and is hurting far more than it is helping.

I know our colleagues on the other side of the aisle share our goal of a robust health care system for hard-working families, and I truly hope they will work with us to find common ground that delivers more choices and lowers costs. I welcome the input from all the Nation's lawmakers as we endeavor to listen to the American people in this pursuit. But first, it is important to remember how we got here so that the actions that we will be taking this year are considered in proper context.

After the 2008 election, Democrats controlled the Presidency and had a majority in the House and a supermajority in the Senate. This allowed Senate Democrats in 2009 to pass a health care plan without any Republican support, which is exactly what they did. House Democrats had initially approved a health care reform bill with several important differences. So congressional Democrats needed to address these concerns in a conference committee. But plans to iron out the differences between the House and Senate versions were derailed in early 2010, when Democrats lost their filibuster-proof majority with the Massachusetts special election that resulted in placing Senator Scott Brown in the seat formerly held by the late Senator Ted Kennedy. He had held that seat since 1962.

With the filibuster-proof majority lost, Democrats in the House approved the Senate-passed health care bill without any Republican votes and sent it to the President, while vowing to use the budget reconciliation process to address their colleagues' concerns with the Senate legislation.

Subsequent budget reconciliation legislation was passed by Democrats and signed into law by President Obama. Combined with the initial health care bill, ObamaCare was created.

Now, I share this brief history of ObamaCare only as a reminder that, while my colleagues will surely complain about using the reconciliation process to untangle the country from this unworkable, unpopular, and unaffordable law, they should remember they actually employed the exact same procedure to secure the passage of ObamaCare.

Recent headlines show the ObamaCare problem is only getting worse and discourages people from seeking so-called coverage. Last October, at Bloomberg's The Year Ahead Summit in New York, the CEO of Aetna discussed the issues surrounding their decision not to participate in ObamaCare exchanges, saying:

As the rates rise, the healthier people pull out because the out-of-pocket costs aren't worth it. . . . Young people can do the math. Gas for the car, beer on Fridays and Saturdays, health insurance.

Now, if you are young and healthy, ObamaCare has made it an easy choice

to opt out of health coverage. But if you are not so fortunate—for those who must have coverage—it quickly becomes a frightening reality. I have constituents in Wyoming who have written to me, with worry and concern about their surging health insurance premiums. I recently heard from a young woman who is experiencing the worst of this law. She said:

Dear Senator Enzi,

I am writing with concerns specifically in the way that our country is heading in respect to healthcare services.

I am a 25 year old with no medical conditions, I rarely need a doctor visit, however as I looked into the health insurance for me and my 8 month old son, also without health problems, I have found insurance to be incredibly expensive. Based on the cost of our health care last year, which included a C-section and the birth of our son, our family would spend less on health care if we paid for medical expenses out of pocket and did not have health insurance. However, in order to obey the law this is not an option.

I have researched and calculated the most cost effective health care option for our family. We are looking at paying almost \$800 a month for our insurance, even with my husband receiving insurance through work. This is almost 1/3 of our family's monthly income. . . . Insurance is becoming a huge burden for our family.

Now, that is the reality for many of our constituents across the country. She is trying to do the right thing for her family's health, but the law is crippling them financially. Our answer must be to not ignore these problems. For many Americans caught up in ObamaCare's tangled and expensive web of regulations, the situation is grim and only getting worse by the day. It is time to act.

One of the most disturbing parts of this law is that Americans are now paying more in taxes to pay for the very health law that is driving up their insurance premiums. The law will saddle American households with \$1 trillion—\$1 trillion—in new taxes and penalties over the next 10 years, unless Congress acts. ObamaCare's crushing regulations mean smaller paychecks for families, while holding back small businesses from expanding and hiring new workers. For every American, ObamaCare has meant more government, more bureaucracy, and more rules and regulations, along with soaring health care costs—along with soaring health care costs.

It is time to lift the burdens and higher costs this law has placed on all Americans. The Senate is poised to pass a repeal resolution that will set the stage for true legislative relief from ObamaCare that Americans have long demanded, while ensuring a stable transition in which those with insurance will not lose access to health care coverage.

Let me repeat that. The Senate is poised to pass a repeal resolution that will set the stage for true legislative relief from ObamaCare that Americans

have long demanded, while ensuring a stable transition in which those with insurance will not lose access to health care coverage. This will allow us to move step-by-step on a new set of reforms, listening carefully to the advice of the millions of Americans affected and to do our best to make sure that we proceed wisely and do no harm.

Fortunately, America now has a President committed to repealing ObamaCare and moving toward a system that offers more choices, lower costs, and more individual control for millions of hardworking Americans.

The American people have endured a lot under ObamaCare and its broken promises. As a Presidential candidate not so long ago, then-Senator Barack Obama, a Democrat from Illinois serving here, promised Americans they could keep their health plan if they liked it. Millions soon learned they couldn't, and others soon wouldn't. This is because ObamaCare has drastically reduced Americans' choice of health care plans through a Federal takeover of the insurance marketplace. In fact, the President's promise that "if you like your plan, you can keep it" has proven to be one of many unfulfilled and unattainable promises of ObamaCare.

In Wyoming, we have seen the real impact of ObamaCare on our health insurance market. Wyoming now only has one health insurer in the individual market, both on and off the ObamaCare exchange. Many States are experiencing a similar issue of having insurers leaving the exchanges entirely. So for Wyomingites, the Obama administration's talking points about "choice" were in the end just more empty promises.

Americans were also promised lower health care costs, but even the administration admits that ObamaCare is failing to address costs, with average premiums rising by 25 percent for silver-level plans on the Federal exchange. That is in 1 year. This means that families have to decide whether to purchase unaffordable insurance or to pay a fine. In most cases, they are literally paying more money for less control over their health care.

Health care costs in Wyoming continue to be among the highest in the Nation, with other States not far behind. ObamaCare's mandates and taxes on employer-sponsored health plans are not only leading to higher out-of-pocket expenses but also to fewer choices and fewer services for the 150 million Americans with employer-sponsored health benefits. Let me repeat that: The mandates and taxes on employer-sponsored health plans are not only leading to higher out-of-pocket expenses but to fewer choices and services for the 150 million Americans with employer-sponsored health benefits.

According to the nonpartisan Kaiser Family Foundation, individual employees who have job-based insurance have

seen their out-of-pocket expenses climb by hundreds of dollars year after year. Employees working for small businesses now have deductibles of over \$1,800 on average. Since ObamaCare became law, several large employers have stopped offering benefits to part-time employees altogether.

Over the past 50 years, our Nation has made great strides in improving the quality of life for all Americans, but these transformative changes are always forged in the spirit of bipartisan compromise and cooperation. These qualities are essential to the success and longevity of crucial programs such as Medicare and Medicaid.

This is a crucial time for health care in America. We do not have the luxury of ignoring the growing problems in the health insurance markets and the crushing premiums faced by families across our country. That is why we are doing this first. The failures of ObamaCare have metastasized since its passage.

We must act now to repeal ObamaCare and provide relief to the millions of Americans who have been harmed by this law. Relief will require a stable transition period, which ensures those with coverage today continue to have access to health care tomorrow. Unwinding this tangle of partisan gridlock to make meaningful changes will not be easy. Our goal is to create a health care system where Washington makes fewer decisions and families are empowered to control their own health care with more choices and lower costs.

This is where we find ourselves today. Congress and soon the new President will be in a position to begin the process of repealing ObamaCare. Passing this resolution is just the first step on a path to repair health care for millions of hard-working Americans whose experiences with ObamaCare have meant broken promises, higher costs, and fewer choices.

This is the budget resolution we are debating now. As far as the budget part of it, all this is, is a statement of where we are at the moment. This budget went into effect last October. It has been changed a few times in the meantime, and this is a reflection of the changes that have been made up to this point.

The difference is in title II, which is where the reconciliation can take place. You will notice that it is a very simple title. There is not much to it. It requires that the Committee on Finance of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1 billion for the period of fiscal years 2017 through 2026. The Committee on Health, Education, Labor, and Pensions will report changes in laws within its jurisdiction to reduce the deficit by not less than \$1 billion for the period of fiscal years 2017 through 2026.

There is no specificity in this as to how the reconciliation will take place. That is up to the Finance Committee and the Health, Education, Labor, and Pensions Committee on the Senate side and the Energy and Commerce Committee and the Committee on Ways and Means on the House side to come up with the reconciliation bill, which has to pass a lot of Senate rules in order to be done, but you will notice that there isn't any specificity in here on how to do that.

That comes later. That will be another budget debate we will have, but it sets the stage so that can be done. Hopefully, it will be done quickly and we will be able to find solutions for the hard-working Americans whose experiences with ObamaCare are broken promises, higher costs, fewer choices. I hope our Democratic colleagues will join us in this effort so that we can come up with solutions so that Americans can afford the insurance they want and need.

I remember when we started this debate, I think there were 30 million people uninsured. Today, I think there are 30 million people uninsured. It is a different 30 million, though: The 30 million who couldn't get insurance now have insurance, and 30 million people who had insurance now can't afford their insurance. It is time for us to take care of both 30 millions and not just one. We will have that opportunity if we pass this concurrent resolution to fix ObamaCare.

I yield the floor and reserve the remainder of my time.

THE PRESIDING OFFICER. The Senator from Vermont.

MR. SANDERS. MIKE ENZI, the Senator from Wyoming, is a friend of mine. He comes from a beautiful rural State—Wyoming. I come from a beautiful rural State—Vermont. That is probably the end of our commonality. We look at the world very differently, and I hope that in the course of this debate, the American people will see the very profound differences we have not only on health care, not only on tax policy, not only on the deficit, but on many other important issues.

What we are looking at right now is a budget process whose ultimate goal is to remove health insurance from tens of millions of Americans. Let's be clear. Today, the United States of America is the only major country on Earth that—I live 50 miles away from the Canadian border. Many of us have visited Europe. We are the only major country on Earth that does not guarantee health care to all people as a right. It is something I passionately believe in. I believe that health care for all is a human right. I had hoped we would work together to figure out what is a complicated issue as to how we can move forward to guarantee health care to all people in a cost-effective way, but that is not what we are debating today.

Let's be very clear. The Republican plan—their budget plan—lays the groundwork for ending the Affordable Care Act, which will remove tens of millions of Americans from the health insurance they get. There is nothing wrong with change. We can always improve.

I hope that during the course of this debate, my Republican friends who want to repeal the Affordable Care Act will come down and tell us what their plan is, how, in fact, they are going to provide quality, cost-effective health care to all Americans. Well, you know what. They all voted against the Affordable Care Act. Senator ENZI is right—we did not get one Republican to vote for it. They have had 8 years to think about how they are going to come up with a new plan, and I would hope but I do not expect one Republican to come to the floor and say: Oh yeah, we are going to throw 20, 30 million people out of their health insurance. This is our new plan. This is how we are going to provide health care to those people.

They have no ideas. Their theme is to repeal and then delay. Someday they are going to come up with a new plan. You don't destroy a house without having another house in which people can live. You don't throw 30 million people off of health care without having a plan to provide health care to those people.

Under the Republican proposal—something many Republicans have been talking about for years—they want to end Medicare as it presently exists, a program that is life-and-death for millions of seniors. They want to voucherize Medicare, give people a check, and then let them go to the private insurance market and get the best deal they can.

Imagine that you are an 85-year-old senior citizen who has been diagnosed with cancer and you get your check for whatever it may be. We don't know what it will be—\$7,000, \$8,000, \$9,000. You go to the insurance company and you say: I have \$9,000. I am 85. I have been diagnosed with cancer. I want you to take care of me. Give me an insurance program that will take care of my medical needs, my hospital needs.

The insurance agent will laugh in your face because \$9,000 or \$8,000 will last you, at most, for 1 week.

That is their plan.

I have been all over the country, and right now the American people are outraged at the high cost of prescription drugs in this country—let's be clear—because of the power of the pharmaceutical industry and their lobbying and their campaign contributions—a power that exists, by the way, not only influencing Republicans but too many Democrats as well. We pay the highest prices in the world for prescription drugs. In fact, one out of six Americans who goes to a doctor to get a prescription for an illness cannot even afford to

fill the prescription. Yet, under the Republican proposal, if you eliminate the Affordable Care Act, the doughnut hole fix, which now helps seniors pay for their prescription drugs, will be eliminated and prescription drugs for seniors could rise by as much as 50 percent.

By the way, at a time when we have more income and wealth inequality than any other major country on Earth, when the very rich are getting richer while the middle class shrinks, the Republican proposal not only throws 20 to 30 million people off of health insurance, not only raises the price of prescription drugs for seniors, not only moves forward to privatize Medicare, but, shock of all shocks, our Republican colleagues want to give massive tax breaks to the top 2 percent.

Among many other negative impacts that the repeal of the Affordable Care Act will have will be one that will impact heavily rural States, such as Wyoming, Vermont, and other rural States around this country; that is, as a result of the repeal of the Affordable Care Act, rural hospitals could be forced to close their doors—not getting the funding they need—leaving millions of Americans with nowhere to turn for critical medical care.

I look forward to this debate. Nobody here thinks the Affordable Care Act is perfect. Nobody believes that at all. The goal is how we repair it, how we improve it, how we expand health care to more Americans, how we end what has been the case for decades in this country—that we pay, by far, the highest prices in the world per capita for health care. Maybe we should understand that we are the only major country in the world that allows private insurance companies to profit off of people's illness.

The proposal being brought forth by the Republicans is not only poorly thought out, it really is not popular. It is not what the American people want. Go to your hometowns and ask people—at a time when the top one-tenth of 1 percent owns almost as much wealth as the bottom 90 percent, when the top 1 percent is earning 52 percent of all new income, go out and ask your constituents whether we should give huge tax breaks to the top 2 percent, and they don't think that is a good idea.

According to a poll released this month by POLITICO and Morning Consult, 80 percent of the American people think the Federal Government should be spending more money on Medicare. Only 10 percent think we should be spending less. Seventy-one percent of the American people think we should be spending more on Medicaid.

So 84 percent of the American people think the Federal Government should be spending more on Social Security. In other words, the proposal we are see-

ing from the Republicans today is way, way out of touch from where the American people are.

There is another issue out there that I find extremely interesting. Senator ENZI mentioned—and, of course, he is right—that within a couple of weeks we are going to have a new President. Donald Trump will be inaugurated as President, and it is interesting that we listened to what Donald Trump said during the campaign. The Democrats heard what he had to say during the campaign, what he campaigned on, and more importantly, Republicans, listened and heard what their leader had to say about these issues. This is what Donald Trump said, and he didn't say it once in the middle of the night. He didn't say it in an interview. This was a central part of his campaign. This is what he asked millions of elderly people and working-class people to vote for him on. These are the principles that Donald Trump ran and won the Presidency on. On May 7, 2015, Donald Trump tweeted: "I was the first and only potential GOP candidate to state there will be no cuts to social security, Medicare and Medicaid." On April 8, 2015, Mr. Trump said: "Every Republican wants to do a big number on Social Security." That is not BERNIE SANDERS talking; that is Donald Trump talking.

They want to do it on Medicare, they want to do it on Medicaid and we can't do it. It is not fair to the people that have been paying in for years.

That is not BERNIE SANDERS—Donald Trump, our soon-to-be President.

On March 29, 2016, Mr. Trump said:

You know, Paul [Ryan]—

PAUL RYAN is the Republican Speaker of the House—

wants to knock out Social Security, knock it down, way down. He wants to knock Medicare way down and frankly . . . you're going to lose the election if you're going to do that. I am not going to cut it, and I am not going to raise ages and I am not going to do all of the things they want to do, but they want to really cut it and they want to cut it very substantially, the Republicans, and I am going to do that."

What Mr. Trump said was exactly right. Here are the "they." This is the day. They want to cut Social Security. They want to cut Medicare. They want to cut Medicaid. Mr. Trump was right, and millions of people voted for him on the belief that he would keep his word.

Well, it seems to me that Mr. Trump right now has to do one of two things. No. 1, if all that he was talking about was campaign rhetoric, then what he is obliged to do now is to tell the American people: I was lying. Yes, I said that I would not support cuts to Social Security, Medicare, and Medicaid, but I was lying. It was a campaign ruse. I just said what came to my mind to get votes. I have no intention of keeping my word. If that is what he believes, if that is what the case was, let him come forward and say that. But if that is not

what the case is, if he was sincere, then I would hope that tomorrow or maybe today he could send out a tweet and tell his Republican colleagues to stop wasting their time and all of our time and for Mr. Trump to tell the American people that he will veto any proposal that cuts Medicare, that cuts Medicaid, and that cuts Social Security. What we are talking about right now—let us be clear: no debate. That is exactly what this goal is. That is what this budget proposal is. It is to move toward the voucherization and privatization of Medicare, to make massive cuts in Medicaid and throw millions of people off health insurance.

So there is a lot of responsibility on Mr. Trump's shoulders, but I would hope that he could save us a whole lot of time by telling the American people that he was sincere in what he said during the campaign, that he was not lying. If that is the case, we can end this discussion, get into the serious business of how we create a quality health care system guaranteeing health care to all people in a cost-effective way.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Texas.

Mr. CORNYN. Mr. President, there has been a flurry of activity this week with the beginning of the new year and the beginning of a new Congress—the 115th Congress—and we have a lot of work to do.

This election that we just went through on November 8 was surprising in many ways, gratifying in many ways. Personally, I think the best thing about it is that it gives us an opportunity to start anew, to deal with the problems that the American people were, frankly, not all that happy with either of the political parties about in terms of the solutions that we were to offer. I would hope that it would also give us an opportunity to hit the reset button when it comes to working together to try to find political consensus to solve some of these big problems.

I mentioned yesterday our friend, the chairman of the Budget Committee, and his 80-20 rule, which I told him I have used time and again to make the point that just because you disagree on some things doesn't mean you can't get anything done. To the contrary, people of widely divergent ideological, philosophical, and political beliefs can work together by simply trying to find common ground. That is possible. That, in fact, is the way our Constitution created our government to force us to do that, because what we decide here impacts a lot of people—well over 300 million people in the United States alone. But if there was one consistent complaint that I heard from my constituents back in Texas and that we heard in the national media and beyond, it is about the failure of the promise of

ObamaCare. We made a solemn commitment to the American people that if they provided us with the majority we needed to do it and if they provided us a President who would sign it, we would repeal ObamaCare and we would replace it with affordable health care that would be of their choosing, as opposed to a top-down mandate, a one-size-fits-all, which is the failure of ObamaCare.

In a previous life, I was attorney general of my State, the State of Texas. We had a huge division of trial lawyers called the consumer protection division. What we did is we sued people who committed consumer fraud—people who promised one thing but delivered another. I can't think of a bigger case of consumer fraud than ObamaCare, which was sold under false pretenses: If you like what you have, you can keep it. If you like your doctor, you can keep your doctor. If you are a family of four, your premiums will go down by an average of \$2,500.

None of that has proven to be true.

The reason why ObamaCare is so unpopular is that people have seen their premiums skyrocket. People have seen their deductibles grow to the point where they are effectively self-insured, which is not having insurance at all. Many people have simply seen insurance companies pull out of the insurance market, leaving them with little or no choices in terms of where to buy their health care.

So many remember the PR campaign of the President and Democrats, with which they sold ObamaCare to the American people, and, as I said, promised better coverage, more choices, and lower prices.

That means now that ObamaCare has failed to deliver that. It is incumbent on us to try to repeal it, which we will do, and to replace it with more affordable coverage that people will choose and that fits their needs better. The bad news of ObamaCare picked up throughout last summer into the fall. As I mentioned, insurance companies were losing money and were unable to operate and deliver health care under the tight grip of ObamaCare. But the real losers weren't the insurance companies. It is the tens of thousands of Texans who were forced to find new insurance at higher prices—not insurance they would have chosen on their own, but which they were forced to accept because there was no alternative.

So instead of helping rural Texans—the Senator from Vermont talked about rural residents in his State—I would submit that for people living in rural areas across the country, the implementation of ObamaCare hurt most of our rural country by dwindling the number of choices to one health care option for the year. That sounds like the opposite of more choices and better coverage to me. But we can't forget that behind these numbers and head-

lines are real personal consequences for families across the country.

So today I want to provide just a snapshot of some of the thousands of letters that I received in my office about ObamaCare and the burdens that it is placing on the backs of the people I represent in Texas. One Texan wrote telling the story that I have heard time and again. She said her insurance plan was discontinued—so much for “if you like what you have, you can keep it.” But she did what she had to do, and she switched to a more expensive plan—one with a higher monthly payment and one with an \$11,000 deductible. What good is health insurance if you have to spend \$11,000 out of your own pocket before the insurance begins to kick in? It is nearly worthless.

Well, nothing about that says affordable health care. Unfortunately, this individual is like many folks across the country, full of questions and with nowhere to turn to find any relief for their families or their small business.

Another one of my constituents had a similar complaint. He wrote to me that he was searching for yet another health insurance plan for the third time in as many years after his was canceled. He went on to highlight this in this letter, which I received from a constituent on November 23, 2015. He said:

I seem to remember the President saying something about liking your insurance and being able to keep it. For myself and my family, it has been just the opposite. We loved our insurance prior to the passage of the Act and since have been forced to purchase much more expensive insurance with much higher deductibles.

Well, this Texan is right, but unfortunately, his experience was not isolated. It was shared by millions of people across the country for whom ObamaCare was a false promise. It is not as if he had the freedom to choose. The choice was made for him, and this was the fundamental flaw of ObamaCare. In a country as big and diverse as ours, this notion of “one-size-fits-all” and that somehow the people who live and work inside the beltway are smarter than the rest of us and we can figure out what is good for them and a choice they would not themselves make is just simply implausible. It is not true. This constituent ended his letter by asking the Congress:

Do anything. Do anything within your power to reverse this terrible health care trend. I need relief.

After this historic election, after the promises we made that have given us the opportunity to govern in the majority, with a President in the White House who will work with us, I believe we have a clear mandate to repeal this terrible law and make it a relic of the past. We will do that by adopting the budget resolution submitted by Chairman ENZI of the Budget Committee.

It is not just Republicans who have pointed out the defects of ObamaCare.

Many of our Democratic colleagues have pointed out the law's failed promises as well—from an op-ed entitled “How to fix the Affordable Health Care Act,” which was written by a Democrat, to statements on the Senate floor, to legislation introduced to “fix the glitch.” Even in campaign ads, many of our Democratic colleagues have themselves been outspoken advocates for changing ObamaCare. The senior Senator from Missouri, pointing out the “huge problem ObamaCare has been in her State” came up with an entire list of necessary changes. I, for one, would be happy to start with her list and say let's try to use this as a core of issues that we can then try to build consensus around to begin to make that replacement and make it on a bipartisan basis.

We have seen that attempted fixes, unsupported by the Obama administration and vastly insufficient, continually have been met with frustration by Democrats and Republicans. I pointed out yesterday that when the Democrats voted through ObamaCare, they had 60 votes. They had 60 Senators. Today they have 48.

At one point, certainly back in 2009 and 2010 when ObamaCare passed, they had a majority in the House of Representatives. Well, they lost that. Now they have lost the White House itself. I just don't know how much longer, how much more needs to be said or done for them to get the message that this is not working because I believe they are paying a political price for it as people are searching for accountability for what they have to deal with day in and day out.

The senior Senator from Indiana said that he supported the Affordable Care Act to help working and middle-class families have access to health care, but he said that doesn't mean the law is perfect, and it doesn't mean we don't still have work to do.

I was delighted to hear the Senator from Vermont, Mr. SANDERS, say he agrees ObamaCare is not perfect. My request of him and others is to work with us to try to replace it with something better.

I recognize that neither side is going to be able to get everything they want. That is just not the way this place works. Indeed, the single failure of the Obama administration is to try to do things on a go-it-alone basis because we are going to see those Executive orders that he issued unilaterally rescinded on the first day President-Elect Trump takes office. All the massive regulations that have been issued, we are going to use the Congressional Review Act to rein those in or to defund those through the appropriations process. In order for legislation and policy to be sustainable, it is going to have to be bipartisan. I realize our Democratic colleagues are disappointed with the outcome of the

election on November 8. That is an understatement. At first they started out in denial: It just can't be true. The next stage was met with anger. Well, they are angry about it, and they are going to obstruct everything the new majority, working with the White House, tries to do, but I would hope they would move past that denial and past that anger and do what the Senate was always designed to do; that is, to work on a bipartisan basis, as our friend and colleague from Wyoming demonstrated to us working on the Health, Education, Labor, and Pensions Committee with the liberal lion of the Senate, Teddy Kennedy. Let's try the 80-20 rule and see how it works. It will work.

The senior Senator from West Virginia, Mr. MANCHIN—this is another Democrat—has said he would vote to repeal ObamaCare. He said that we should be working together to identify which parts of the law are broken and need to be fixed. We may learn that some parts of the law can't be repaired and we should eliminate those parts entirely. This is our Democratic friend and colleague from West Virginia, Senator MANCHIN.

I think that is a great place to start because no matter which side of the aisle you sit on, you can see the Affordable Care Act is not working, certainly not as sold to the American people. The choice of the Democrats now is whether to obstruct or whether they will actually work with us, as we should have done in the first place, to come up with something more sustainable that would address costs and preserve individual choice.

It is interesting. It is not just our Democratic colleagues, many of whom voted for ObamaCare. I remember during the Presidential campaign that former President Bill Clinton made some pretty interesting comments. This would have been on October 5, 2016. I am reading from a CNN story here. It said:

Speaking at a Democratic rally in Flint, Michigan, the former president ripped the Affordable Care Act (ACA) for flooding the health care insurance market and causing premiums to rise for middle-class Americans who do not qualify for subsidies.

Here is what he said:

So you've got this crazy system where all of a sudden 25 million more people have health care and then the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half. It's the craziest thing in the world.

Former President Bill Clinton said that in Flint, MI, on October 5, 2016.

He is right, but that is what you get when you try to do things in a partisan, unilateral fashion. We should learn from our collective mistakes and try to do better, and shame on us if we can't do better than ObamaCare with all of its failed promises.

By repealing ObamaCare, Congress is doing more than just delivering on a

promise we made to the people who put us here. We are providing a way forward for millions of people across the country who have been hurt by ObamaCare and are looking for relief.

I look forward to making ObamaCare and the many burdens it has placed on American families a thing of the past in this new year. That is what we will do when next week we pass this budget resolution, and then reconciliation instructions will be sent to the relevant Senate and House committees. They will then report back with the replacement, and, yes, it may take some time to transition into that replacement because it has taken us 6 years to get into the mess, into the ditch we find ourselves in now. When your truck or car is in the ditch, the first thing you need to do is get out of the ditch. Sometimes that takes a lot of hard work.

We are going to have to work as hard as we can. I would hope our colleagues will work with us, not just to resist for resistance's sake, not just to take a partisan position because they feel they are required to do so because of their allegiance to the policies of the Democratic Party. Let's do what this institution has always been best known for; that is, to try to find some way to work together on a step-by-step basis to produce reform which will make health care more affordable and still preserve those choices for individuals and their families, not a one-size-fits-all government mandate which simply has failed in this tragic experiment known as ObamaCare. We can and we will do better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first let me comment on what my friend, the distinguished Senator from Texas, said. If my car goes into a ditch, the first thing I don't do is dismantle the car. That doesn't help me get anywhere in terms of transportation.

First of all, let me speak on process before talking about the substance of what we are really talking about and how it affects people. We have a bill in front of us that creates a process for the majority to be able to unravel and repeal essentially our whole health care system. You pull a thread and it goes through not only employer-based care, patient protections, people who have insurance, Medicare, Medicaid. All of it begins to unravel. Interestingly, also in this bill, in the text it adds \$1 trillion to the deficit—\$1 trillion to the deficit in the bill that our colleagues just voted to proceed to pass.

We need to be very clear on this: If colleagues want to work with us to fix problems and improve health care, we can start this afternoon. It is almost 3:30. By 4 o'clock we could put together a group of people. I am sure our distin-

guished Democratic leader on the Budget Committee would be happy to sit down and work together on ways to make health care reform better and make health care more affordable and make it more available to people. If that is what we want to do, count us in, but that is not what we are talking about here. We are talking about this crazy idea that no one in their real life would do.

It is like deciding you want a new house, so you tear down the old house. That is the easy part. Then your family is homeless. Then you say: Well, gosh, you know, maybe I better have a plan to get a new house for my family and figure out a way to pay for it, to be able to afford it.

Nobody would do that. Nobody would start by saying: We are going to rip apart the entire health care system and create chaos. We are going to undermine Medicare. We are going to undermine Medicaid. We are going to take away patient protections for everybody who has insurance through their employer, and then we will figure out later what we are going to do to replace it, if anything.

I know there is a division on the Republican side. Certainly Members in the House don't think it should even be replaced at all.

It is interesting. We are talking about one-sixth of the economy that would be destabilized. There is no question that if you do a repeal and insurance companies don't know what is coming—I have talked to hospitals, and they don't know what is coming—behavior will begin to change. Rates will begin to go up. Different decisions will be made because, as businesses, they will not know how to plan. Their investors will not know how to plan.

There is no question about it. When you repeal without creating certainty in the marketplace, you begin a process that results in chaos.

We have an interesting example, one that I have been involved with for a lot of years, where we wanted to change just one piece of the health care system, the reimbursement system for doctors.

I was in the House when they passed Medicare changes. We put in place a new policy. We were going to write a new policy to reimburse physicians for quality instead of quantity. It makes sense. It took 18 years to get agreement. We got agreement last year. It doesn't even take effect for 4 years.

Everybody here knows about this thing called the doc fix. It is an inside term—or SGR, which is even more insider. The truth is, we were trying to change just one thing and could not get agreement to do it for 18 years.

Anyone who thinks that there is going to be a repeal without an ACA extender going on has not looked at past processes.

What is most important, though, is what this means to real people. This

really is about a plan of ripping apart the health care system. There is nothing in its place immediately so we don't even know what will be coming. This is going to make America sick again.

We are talking about a process and a plan that for real people is not a political game. It is not smoke and mirrors. It shouldn't be about politics. It is about the moms and dads who go to bed at night and say: Please, God, don't let the kids get sick. Now, many of them—close to 30 million counting everybody with new coverage—don't have to say that. They can say a different kind of prayer because they can go see the doctor.

We know that when you unravel that system with nothing responsible in its place, we are talking about making America sick again. We want affordable care, not chaos. This plan goes from affordable care to chaos. We talk about some parts of what we passed in health reform, but there are a lot of things we don't emphasize that I think are important to recognize in this debate.

First of all, what we pass in terms of changes in quality care affects every single American with health insurance. A lot of people in my State are fortunate to have employer-based insurance. We have a lot of folks at the collective bargaining table fighting every year to make sure they keep their insurance—150 million people across the country. All of them have benefited from the patient protections we put into health reform. When we take those away, then immediately the insurance companies will be back in charge. If you get sick, you can get dropped. Right now they can't do that. If you are sick or if your child is sick, right now you can't be blocked from buying insurance. We call it a preexisting condition. But before health reform, insurance companies were doing that every single day—a child with juvenile diabetes, someone with cancer or Alzheimer's disease.

I think about a very good friend of mine who just found out her grandson has leukemia. He is 2 years old. He is going through treatment. We pray he is going to be able to get through it successfully. He is going to have a preexisting condition for the rest of his life. With this repeal, there is no guarantee he will ever be able to get insurance. On top of that, if he has to have treatments that go on for some period of time, caps will be reinstated on the amount of care you can get, the amount of treatment per year, dollar amount, or amount of visits you can get, and there is no guarantee that this little boy will be able to get the treatment he needs so that he can live a healthy, successful life going forward.

In talking with pediatric cancer doctors a couple of weeks ago, it was so amazing and gratifying to me to hear them talk about children whose lives

have been extended, whose quality of life has been extended because of the fact that they are able to fully treat these children and insurance companies can't put caps on how much they will pay or how many treatments. Now there is a whole other range of protections for everybody.

One of the fights I was proud to lead in the Finance Committee when we passed the ACA was to make sure that the basic insurance package every company has to provide has to include maternity care. That seems like a no-brainer. People were shocked that it didn't. Before we passed health reform, 70 percent of the insurance companies—the policies you buy in the private market didn't include maternity care. In fact, women were viewed as having a preexisting condition because they might get pregnant, might have a baby. That is not true anymore. Women are not rated differently than men, and maternity care is now available regardless of the kind of insurance you have. That is a pretty good deal. Right now I have a son and a daughter with growing families, and I can tell you that is a very big deal in my family.

There is a whole range of things. We all know about young people who are able to stay on their parents' insurance. They get out of college and they are wrestling with a huge debt, and one thing they don't have to worry about is whether they can stay on their parents' insurance until they can find a job. That goes away with repeal.

Something I care deeply about is mental health. We have all worked together on opioids and substance abuse treatment. Because of what we did in health care reform, insurance companies cannot discriminate if it is mental health or substance abuse treatment rather than physical health treatment. Prior to what we passed, they could charge much higher copays, higher premiums, but not anymore. So the whole body—above the neck as well as below the neck—is now being treated equally with our insurance reforms.

So there are a multitude of things—preventive health services with no copays, such as cancer screenings for mammograms and contraception. I was talking to someone who said she thought it was so wonderful that her drugstore wasn't charging her for copays anymore on her contraception. I said: Well, you know, that is actually the law. That was changed when we passed the Affordable Care Act.

So there is a whole range of things that relate to reviewing premium increases, if you get removed from your insurance, you have the right to appeal. There is a whole range of things. So that is under the first step. Everybody will feel it when insurance companies are back in charge and, through this vote and the subsequent actions, patient protections are repealed for everybody.

Secondly, this includes cuts in Medicare and Medicaid. Through what we did in health reform, we closed the gap on the high costs of prescription drugs. We called it the doughnut hole. That was in the process of being closed. If you have a lot of medicines and a lot of costs, you suddenly get to a point where there is a gap in coverage and you have to pay the full cost. That goes away and the doughnut hole comes back.

What we did added 12 years of solvency to the Medicare trust fund to keep it strong longer. That goes away. Wellness visits for seniors—every year they are able to go in and get a physical without a copay—that goes away. So Medicare is undermined. Then, unfortunately, when you add the incoming nominee as Secretary of Health and Human Services and couple that with the proposals that the Speaker has had and others that I am sure we are going to see to turn Medicare into a voucher—you go into the private market. Here is your voucher. Good luck. That is part of what the new regime is promoting, which only adds to this.

Eighty percent of Medicaid spending is seniors in nursing homes. And we know that the majority of those who—many who have gotten care, in addition to the exchanges, have been folks who have been working hard every single day in minimum wage jobs and who couldn't afford or find insurance before. Now they are covered if their State or their Governor is willing to do that. We have a whole bunch of folks who are working hard every day at minimum wage who at least know they have access to health care and a doctor.

Interestingly, this helps our hospitals, whether they are rural hospitals upstate or up north in Michigan or whether they are our great urban hospitals, safety net hospitals in Detroit and other areas, instead of people walking into the emergency room and not having insurance and having the cost put on everybody who does. Because of the Medicaid expansion, when a working person comes in with Medicaid, they are able to pay for their own care rather than having everybody else with insurance carry the brunt of that, which is the way it was prior to that.

So there are Medicare and Medicaid cuts.

Next, we do know that altogether, counting Medicaid and people using the new exchanges, we have about 30 million people who will be kicked off of their insurance, folks who, like anybody else, want to have health insurance for their families. Can we design that in a better way? I would love to work with you on that. I am not going to kick them off first. I don't want to say: We are going to rip your insurance away. We are going to rip the small businesses I have talked to—rip their

insurance away. And then, by the way, don't worry, further down the road we will figure out something else. We don't know what it is, we don't know what it will cost, but trust me.

I wouldn't be trusting that would happen if I were counting on that for my insurance.

The fourth item is that there is no question that costs will go up by destabilizing the marketplace. We know the cost of prescription drugs will go up as a result of taking away the extra help for prescription drugs. There is no question that costs are going to go up for everybody else who has insurance.

When we look at this, I don't know how anybody looking at this outside of a political lens or a rigid ideological lens could say this makes any sense. It doesn't make any sense.

We have a President-elect who is coming in who said that he would not do anything to hurt Medicare or Medicaid or Social Security. Yet the first thing on the floor definitely undermines Medicare and Medicaid. We have a President-elect who said he wants to bring down the cost of prescription drugs. Yet, by undermining Medicare prescription drug coverage, those prices are going to go up. People who have the most medical needs and need the most medicine are going to see their costs go up.

What would be better would be if the new incoming HHS Secretary would be given the ability to negotiate through Medicare for prescription drugs—something we have all fought for, for a long time. Let's allow drug reimportation. Our leader on the budget—and I have as well—put seniors on buses in the past to demonstrate the differences in cost across the bridge between Windsor and Detroit, the cost of the same drug, with the very same safety provisions. That would bring down costs. Taking away Medicare coverage and increasing the gap in coverage is exactly the wrong thing to be doing if, in fact, the incoming President really means it when he says he wants to bring down drug prices.

So there are a number of things we care deeply about on health care. As someone who has worked on this for years—in fact, it was health care and health policy that first got me into politics, leading an effort to save a nursing home in my community. I care deeply about this. I am one of the folks way down deep in the weeds on this. But we don't improve a health system by ripping it out by its roots, by undermining the whole system without figuring out what comes next. That only happens if you really don't care what comes next because if you care, that is not a responsible position.

So, Mr. President, and my colleagues, I feel very strongly that with everything we know that has been made available to strengthen quality, to give people back their own decisionmaking

instead of the insurance companies on basics like providing care for themselves and their families, the strengthening of Medicare and Medicaid, the coverage that has been made available, we know there is a way to work together to make things better, and this is not it.

Mr. SANDERS. Will my colleague from Michigan yield for a moment?

Ms. STABENOW. I will be happy to.

Mr. SANDERS. I want to thank my colleague for her very thoughtful presentation talking about the implications of simply repealing ObamaCare.

The assumption that many of my colleagues seem to start from is that before ObamaCare, the health care system was great in America, that everybody had health care in a cost-effective way and then ObamaCare came along and all of these problems arose.

What the Senator from Michigan just told us—and I want people to remember it—8 years ago, if you were diagnosed with cancer and you walked into an insurance company, they would say: Why would we give you insurance? We will lose money on you. Your cancer may recur.

You are a woman and you want maternity coverage? What do you think is going on? Why should we do that?

You are a family with a kid who is 21 years of age and you want his insurance on your policy? Well, you couldn't have it.

I think what the Senator from Michigan pointed out is not that anyone thinks the Affordable Care Act is perfect—nobody thinks it doesn't need improvement. But to simply throw out all of the benefits, for 30 million people to be thrown off of health insurance—during the budget hearings a couple of years ago that Senator ENZI chaired, I asked a question of my colleagues when this idea came up, and I would ask it again to my good friend from Wyoming. What are the studies you have seen in terms of the number of people who will die when they lose their health insurance? How many thousands of people will die because they no longer have health insurance and they cannot go to the doctor and the hospital? The studies I have seen suggest that many thousands of people will die. That is common sense. If you throw 30 million people off of health insurance, they are going to die. How do you go forward providing a death penalty to thousands of people without having any solution to it?

Further, I would add to the excellent points made by the Senator from Michigan. Senator ENZI and the Senator from Texas before him talked about the impact of health care problems in rural areas. I come from a rural area. Michigan has large parts of the State that are rural. The Senators from rural areas on the Republican side have said they want to make sure their constituents in rural areas can see a

doctor. That is certainly a modest proposal. Of course they should be able to see a doctor.

If that is the case, my Republican friends should understand what the Federation of American Hospitals and the American Hospital Association said about repealing the Affordable Care Act. These are major hospital organizations. According to a very recent report, what they said is that a repeal of the Affordable Care Act will mean a reduction in payments to rural hospitals of over \$165 billion over a 10-year period. According to the hospital associations, rural hospitals will suffer an additional loss of \$289 billion from their inflation updates.

This is a report from the Federation of American Hospitals and the American Hospital Association, major health care institutions in America. They said in their report: "This reversal of health coverage would represent an unprecedented public health crisis." Furthermore, they said: "The magnitude of reductions would threaten hospitals' ability to serve patients."

So when we talk about the needs of rural Americans, I would hope my colleagues listen to what the Federation of American Hospitals and the American Hospital Association have to say.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, the more things change, the more they seem to stay the same. Republicans won the White House. Republicans control the Senate. Republicans control the House. What will the first order of business be for the new Republican majority? To pass a budget that never balances, to pass a budget that will add \$9.7 trillion of new debt over 10 years.

Is that really what we campaigned on? Is that really what the Republican Party represents?

Our first order of business will be a budget that never balances, a budget that adds \$9.7 trillion to the debt, and they tell us: Oh, but it is not a budget. If you listen, they will say: No, no, it is a vehicle to repeal ObamaCare.

Yet I have the title in front of me, which says a concurrent resolution for the budget of 2017. We have special rules when you pass the budget so that we may be able to repeal ObamaCare, and I am all for that. But why should we vote on a budget that doesn't represent our conservative view? Why would we vote on a budget that adds \$9.7 trillion to the debt? Because we are in a hurry, we can't be bothered.

It is just numbers. I was told again and again: Swallow it. Take it. They are just numbers. Don't worry. It is not really a budget.

Yet the legislation says it is a budget. The numbers say we will add \$9.7 trillion of new debt.

So I say: If they are only numbers, and if the numbers that are in the

budget don't matter, why don't we put numbers in that balance? Why don't we put a vision into the budget that represents what Republicans say they are for?

Republicans say they are the conservative party. Are we? When George W. Bush was President for 8 years, the national debt went from \$5 trillion to \$10 trillion. The debt doubled under a Republican President and a partially Republican Congress. Yet the words were these: Well, he had Democrats to deal with, and if we could ever take all three branches of government, things would be different.

The Republicans took over the House in 2010. They still didn't control the Senate, but they said: If we only controlled the Senate, we could be the conservative party again.

We have had an election. The conservative party—the supposedly conservative party—won. Republicans control the House, the Senate, and the Presidency, and the first item of business for the Republicans will be to pass a budget that never balances—a budget that will add \$9.7 trillion to the debt over 10 years.

This sign could have been put up for Obama's first budget. Every Republican railed and said: \$10 trillion—President Obama will add \$10 trillion. And he did. President Obama doubled the debt again.

It went from \$5 trillion to \$10 trillion. The national debt went from \$5 trillion to \$10 trillion under George W. Bush, and then it doubled again under President Obama. It went from \$10 trillion to nearly \$20 trillion.

What are we looking at here? More debt, under a solidly unified Republican Congress and a Republican President.

So you might scratch your head and say: The more things change, the more they stay the same. Is it all smoke and mirrors? Is there really a difference? Are Republicans different than Democrats? It is a pretty important question. We are in such a hurry to repeal ObamaCare. I am all for it. As a physician, nobody thinks that ObamaCare has been worse for the country. Nobody more than me thinks it is a terrible piece of legislation that has not helped the country and that has inflated our costs and not helped. Yet do we have to add nearly \$10 trillion of debt in order to get at it?

So as this moves forward, I will offer a replacement. I will offer my own budget. I will offer to strike and remove \$10 trillion worth of debt, and I will offer my own budget that balances within 5 years. How do we do it? We give the authority to make the cuts where they should be, where they are most wasteful in government, and we offer this budget by simply freezing expenditures. You don't have to cut any expenditures.

Every department of government could get what they got the last year.

If you think some departments of government need more money, cut other departments of government. Frankly, there are some departments of government you could eliminate and you would never know they were gone. If the Department of Commerce were gone, a few corporate executives would not be able to fly around on government jets. They could fly around on their own jets. You would never know the whole entire Department of Commerce was gone.

You can cut spending. You can actually get to the balance by not cutting anything. So here is what happens. If you freeze the on-budget spending, within a little over 5 years, your budget balances.

I remember a time when there were the moderates who were for freezing spending, and the real conservatives were for cutting spending. Now nobody is for cutting spending. When I bring it up that you can absolutely not balance the budget if you are not willing to look at entitlements, do you know what I am told by many well-meaning Republicans? Don't write it down. Don't put it on paper because people will be upset with you if you explain that to save Social Security, to save Medicare, you will have to reform these entitlement programs. They say: Let's just talk about waste. Let's just talk about fraud and abuse. And I do, and we should eliminate all of those. But guess what. If you eliminate all of the budgetary spending that we vote on—this is called the discretionary spending. This would be the military and all the rest of the nonmilitary. It is about \$1 trillion, not including the entitlements—Social Security, Medicare, and Medicaid. If you did just the military and the nonmilitary and you reduced it 10 percent a year for 10 years, and you virtually wiped out all discretionary spending, you still don't balance the budget.

So, really, you are not a conservative if you are not willing to look at all government spending. The budget cannot be balanced and the budget will never balance unless we look at entitlements.

What does that mean? It means that because of demographics—we had big families 60 years ago, with three, four, five kids to a family. Now we have less than three kids to a family—probably two kids to a family. So you had all the baby boomers born right after World War II, and they are all retiring—60 million of them. So we have this huge population boom, and you don't have as many workers. So the demographics aren't working. Then you add to that the fact that we are living longer.

When Social Security was started, the average life expectancy was 65. It worked pretty well as a pension plan because you died. But now it is great. We are living on average to 80, and if

you make 80, you may well make 90. What a great thing—longevity. But it is not working. Social Security is not working. We spend more on recipients than we bring in with the tax.

Medicare is even worse. The average taxpayer pays about \$100,000 over their lifetime in Medicare taxes. The average recipient takes out \$350,000. How big a problem is this? Medicare is \$35 trillion to \$40 trillion in the whole.

It is inexcusable that we are not talking about how we fix Medicare. It is inexcusable that we are not talking about how to fix Social Security. If we don't fix them, there is going to be a cliff. Within about a decade, the cliff is so severe that everyone on Social Security will suffer a 20-percent decline in their monthly check. It will happen all at once if we don't fix it. Can we fix it? Yes, we have to talk about it.

What we are doing today is kicking the can down the road. We have our focus on ObamaCare, but we are taking our focus off the debt. As bad a problem as ObamaCare is, as much as it has disturbed, destroyed, and distorted the health care market, it may be that the debt is a bigger problem.

So it is not a popular stand that I take today. I will be the only Republican to vote against the Republican budget. That won't be popular. But I ran for office. I left my medical practice. I am away from my family. I spend long hours traveling here because I am concerned about the debt.

We borrow \$1 million a minute. The debt threatens the very foundation of our country. Yet here we are. The Republican Party controls the House, the Senate, and the White House, and in their haste, they put forward a budget that is going to add this much debt.

This is what the debt has been doing. Here is 1980. We see the growth. It has become exponential—the growth of the debt. This should worry every American. But here is the Republican 10-year budget that we are getting ready to pass. It is virtually a vertical line of accumulation of debt.

People will say: But how could we ever cut any spending? I will give you a couple of examples of where your government spends money and you tell me whether or not we ought to look long and hard at cutting spending.

There was a grant given for autism. I have a great deal of sympathy. I know children with autism. The grant was for \$700,000. But do you know what they spent it on? They spent it on studying Neil Armstrong's statement. Remember Neil Armstrong? He landed on the moon and said: "That's one small step for man, one giant leap for mankind."

Well, your government, in its infinite wisdom, wanted to know: Did he say "one small step for man" or "one small step for a man"? Your government spent \$700,000 studying the preposition "a." Did he say "a man" or just "man"—\$700,000. Money that should

have been spent on autism was spent on something frivolous.

Is anybody going to fix it? No. Every year, all of the spending bills are globbed together in a 2,000-page bill—and not one iota of reform.

My colleagues may remember that Senator Proxmire from the 1970s used to have something called the “Golden Fleece Award.” Every one of those things he complained about in the 1970s happens now but tenfold greater. Nobody fixes it. We don’t pass individual spending bills. We do continuing resolutions, which means we continue doing the same thing we have done over and over.

Again, \$700,000 was spent studying Neil Armstrong’s statement. Do you know what their conclusion was? We are not sure. They spent \$700,000, and they are still not sure whether he said “a man” or “one small step for man.”

We spent \$500,000 studying whether or not, when you take a selfie, if you are smiling in the selfie, does it ultimately make you feel better? We spent \$500,000.

So what do we do? Do we give these people less money? Teach them a lesson. Give them less money, and maybe they will conserve the money. Maybe they will eliminate waste if they have less money next year than they had this year—or what I am proposing: Freeze the spending. Is anybody proposing that? No. We say: They spend a half a million dollars on selfies; give them more next year.

So the Republican budget will increase spending every year. It increases spending at about 5 percent a year. So spending goes up. They say it is the baseline, and they say we are cutting off the baseline. No, no. The baseline goes up 5 percent a year. Spending will increase over the 10-year period. The red line is spending.

Part of that is what the Republicans are proposing. They are going to stay on the spending curve. If we stay on the spending curve, they will continue to spend \$700,000 studying Neil Armstrong’s statement; they will continue to spend half a million dollars on selfies. They spent another half a million dollars on a climate change game. They spent \$45 million to build a natural gas station in Afghanistan—\$45 million. The first problem: Nobody in Afghanistan has a car that runs on natural gas. They discovered this after they built the gas station. The gas station was 86 times cost overrun. The original estimate was about half a million for the gas station, but lo and behold, somehow it cost \$45 million. If your government had 86 times cost overrun, would you give them more money or give them less money? I, frankly, think we should give them less money. If you give them more money, they will not waste it less; they will waste it the same or worse. They should be given less money.

Mazar-e Sharif is a city in northern Afghanistan. We built an \$85 million embassy there and we signed a 10-year lease, and then somebody looked at the place and decided that since there were tall buildings surrounding the entire entity, people would shoot down into the courtyard and kill our diplomats, and they said the building could never be occupied—after they spent 85 billion, after they signed a 10-year lease. How will they get better? Were the people who made this decision fired? No. They are Federal employees, and you never fire Federal employees. Will they make wiser decisions because we give them less money? No. We give them more money.

You would be excused for being upset if you went and voted and said “I am going to vote for the conservative party” and if you went and voted and said “I am going to vote for the party that is going to balance a budget.” Wouldn’t you be upset? Wouldn’t you wonder which party that is?

This is the spending curve. We are going to add \$9.7 trillion in 10 years, and yet they say: Oh, no, this isn’t really a budget.

I have it in front of me, though. It is a budget.

There is no reason why Republicans couldn’t have put forward a budget that doesn’t add all the red ink. We are at \$20 trillion. We are going to nearly \$30 trillion under the Republican plan. My goodness, what happened? Where is the conservative party? Where are the conservatives in Congress who would say enough is enough? Now they say: We just have to be done with this. Don’t distract the little people. Don’t let the people of the country know we are voting on a budget. We are going to call this the vehicle to repeal ObamaCare.

Well, that is not what it is. It is a budget. And we have special rules for dealing with the budget that allow us to repeal ObamaCare, which I am all for, but this is a budget.

They say: Well, how can we get the votes? No Democrats will vote for this budget. This is a Republican blueprint. Not one Democrat will vote for this.

So this is what Republicans are for. This is the blueprint the Republican Party says they are for—\$10 trillion worth of new debt. I am not for it. That is not why I ran for office. That is not why I am here. That is not why I spend time away from my family and my medical practice. It is because debt is consuming our country. There is a time and a place to debate ObamaCare, and I am more than willing to debate that. But this is a budget. This is the vote on a budget.

They say: Oh, it is just a gimmick. It is just a game. The numbers don’t mean anything.

Well, if the numbers don’t mean anything, put honest numbers in there or put conservative numbers in there.

I, for one, will put forward a conservative opposition to the Republican majority’s budget. I will put forward a budget that freezes spending and balances the budget over a 5-year period. Would there be some agencies that would get less money? Yes. But it would force us to go through the government and pick and choose what is good spending and what is not good spending.

We have a waste report that we put out. If you look on our Facebook, you can find our waste report. I listed four or five of the most egregious. There are hundreds and hundreds, if not thousands, of things we shouldn’t be spending money on. I will give another example.

We have sold \$100 billion worth of weapons to Saudi Arabia. They were wanting to spend money giving F-16s to Pakistan. You pay for them and give them to them.

There is riddled throughout the Pentagon—look, the Pentagon has never been audited. You are surprised? The government has never been audited. The Federal Reserve is not audited. The Pentagon is not audited. So what is the Pentagon’s response to being audited? The Pentagon says to us: We are too big to be audited. I don’t know about you, but that makes me kind of angry, that a part of our government, even a necessary part such as national defense, says they are too big to be audited. Meanwhile, we have \$85 million embassies built that will never be occupied and \$45 million gas stations that will never be used.

I think it is time that we say enough is enough. Don’t give government more money; give them less. The government hasn’t been a good steward of your money.

The question is often asked: Are the people who spend your money, are the people involved in government inherently stupid? It is kind of a debatable question. I think they are mostly well-intentioned. I don’t think they are inherently stupid, but I do think they don’t get the right incentives. Because there is no profit motive in government, because there is no rationale or motive to conserve, money is spent, and because of sheer laziness and ineptitude, we continue to pass the spending bills—glommed together, thousands of pages—without reform. But I won’t be party to that. I won’t vote for spending bills that are not individualized and don’t have reforms in them. I won’t vote for budgets that never balance.

So while I may be a lonely voice on this issue, I will continue to bring up to the American people that it is important not to add more debt, that it is important to slow down the accumulation of debt. It is important that we have a \$20 trillion debt, and I am not willing to add \$10 trillion more in debt. So at the appropriate time, I will introduce an amendment that will strike

and replace this budget, and in its place I will put forward a conservative vision for the country—a vision of a balanced budget that balances within 5 years.

Every Republican in the Congress who has been here for a while has voted for a balanced budget amendment. Interestingly, the balanced budget amendment—which would be an amendment to the Constitution—has within it a provision that the budget would balance within 5 years. And even when Republicans get around to saying “Oh, we will have some gimmicks to balance in 10,” 10 is not what the amendment says. Why bother voting on an amendment if you are not serious about it?

Republicans are completely in charge. It is a Republican document; it is a document I disagree with; and at the appropriate time, I will be introducing a replacement that will balance within 5 years and provide a conservative view for the country.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be divided equally.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, we are discussing the budget resolution. It is an interesting time to do it in the month of January. The fiscal year, the spending year for the Federal Government, starts October 1. We have tried, with no success, to pass appropriations bills—12 of them—that would meet our obligation to fund the government for the entire fiscal year. We have had two continuing resolutions, which are temporary spending bills. And here we are again discussing a budget resolution.

But it isn't really about the budget; it is about the Affordable Care Act, known as ObamaCare, a law passed 6 years ago with the goal of providing affordable health insurance for all Americans. I voted for that bill. It is one of the most important bills I have ever voted for, and I believe that, despite shortcomings, it has achieved its goal and it has done it in a way that most American families would agree they want to see.

As an example, there are very few families in America who have every member of the family in perfect health. In the old days before the Affordable Care Act, if you happened to have a child who had survived a cancer situa-

tion, a spouse with diabetes, and you went to buy a health insurance plan, you ran into a problem: They might not want to insure your family because of that sick child, or they might want to charge you a premium way beyond your reach. So in the Affordable Care Act, ObamaCare, we said: As a health insurance company, you cannot sell insurance in America and discriminate against a family or person because of a preexisting medical condition.

From where I am sitting, my own personal life experience and my family's experience, thank goodness. We had members of our family with serious health issues. I worried about that all the time as a husband, as a father. The Affordable Care Act gave me and every other American the peace of mind that health insurance companies could not discriminate against us or our families because of a preexisting condition.

There was also a practice where they would put a limit on how much coverage you could buy in a health insurance policy. So many people thought: I have a great health insurance policy. It has a \$100,000 limit. I will never hit that number; I am a healthy person.

The next accident, the next diagnosis, and that healthy person realized that \$100,000 in today's world of health care costs—you could eat that up in a minute and find yourself without any health insurance protection. What happens to you next?

You have been diagnosed with cancer. You start treatment. It is expensive, and now your health insurance policy has reached a point where it doesn't cover you anymore. What then are your options? Stop treatment? Exhaust your savings? Throw yourself on the mercy of a hospital and hope for the best?

We ended that. ObamaCare ended that. They can no longer put limits on health insurance policies because none of us—not one of us—knows what kind of health crisis we might face or a member of our family might face tomorrow. That is important.

A third provision in ObamaCare, which most families would understand in a hurry, involved what to do with that recent college graduate. What are you going to do with that daughter whose graduation you are so proud to go to, and then it dawns on you that she doesn't have a full-time job yet and that the part-time job she has doesn't have any health insurance benefits.

I remember calling my daughter and saying to her: Jennifer, I know you had health insurance as a student. What is your situation now?

Oh, Dad, I am fine. I am healthy. I am not worried.

I am worried, as a father, something is going to happen to her and she will have no health insurance protection.

Do you know what ObamaCare did? ObamaCare said I could keep my

daughter under my family health insurance plan until she reached the age of 26. Peace of mind for 2, 3, 4 years while that son or daughter is starting their professional life, their life of employment. For thousands in Illinois and across the United States, more peace of mind that health insurance would be there when your family really needed it.

We also said we don't think you ought to discriminate against people when you sell them health insurance just because, for example, you happen to be a woman. Yes, the health insurance premiums charged women were higher than those for men. Obviously, women can have challenges in their lives but so can men. We said you cannot discriminate in health insurance premiums under ObamaCare between men and women.

These are issues that affect the real world—what people pay for insurance, whether they qualify for insurance, and whether insurance will be there when you need it. That is what ObamaCare did. By providing helping hands to those in lower and middle-income categories, we extended the reach of health insurance under ObamaCare to cover 20 to 30 million more Americans. We currently have the highest percentage of Americans with health insurance in modern history.

We had another provision too. We said: If you happen to be a senior citizen under Medicare and you are paying for your prescription drugs, that can be expensive. Under the old law, before ObamaCare, there was a gap in coverage, and you might spend \$1,000 or \$2,000 out of your savings account each year just to keep taking your meds. We closed the gap so you had continuous coverage under Medicare as a senior.

Important? You bet it is. A lot of seniors ended up retired with limited savings wanting their meds, their prescriptions, so they can remain strong and independent as long as possible. Don't we want them to? So that, in a brief summary, will contain four or five of the main features of ObamaCare, the Affordable Care Act—more Americans with the guarantee of health insurance than any time in our modern history in the United States of America.

How important is it to have health insurance? If you have ever been the father of a very sick child and you didn't have health insurance, it is a life experience you will never forget. I know. I lived through it. At that time, I thought, if I don't do anything else the rest of my life, I am always going to have health insurance, and I did. At some sacrifice to my wife and me, but we made sure we had it because for a period of time when we had no health insurance, I felt like I had let my family down and I let my daughter down. I didn't want it to happen again.

I don't want anybody else to go through that. We want to make sure

health insurance is there for all of us. Some people say: If you are rich, you ought to get it, but if you are not, tough luck.

I don't think so. I think health care and health insurance protection should be a basic right in this great Nation of America. That was the driving force behind passing ObamaCare, passing the Affordable Care Act.

The Republicans hate the Affordable Care Act like the devil hates holy water. They despise it. Over 60 times they voted to repeal it in the House of Representatives. It drives them into a rage. The first thing they say is, we can't wait to get a new President and abolish ObamaCare.

The obvious responsible question to them is, And what happens the day after you abolish it? What happens when it comes to preexisting conditions? Can health insurance companies now discriminate against people again? What happens when it comes to the limits on how much a health insurance policy would pay? Are we going to be back in the day when there isn't enough coverage when you and your family desperately need it?

What happens to those kids fresh out of college if they can't get on your family health insurance plan? Do you want to go out and buy an individual policy for that son or daughter who is still looking for a job? How about the seniors? Are they going to go back to the time where they have to pay out of pocket for their prescription drugs? I think those are all legitimate questions.

Do you know what the answer is on the Republican side? Trust us. We are just going to abolish this program, and someday, not today and not soon, but someday we will come up with another idea. That is irresponsible. They are replacing affordable care with chaos. They are saying to the American people: Just trust us. Someday we will dream up a plan.

You know what, they have had 6 years to come up with a plan, 6 years to come up with an alternative to the Affordable Care Act. They have been unable to do it. It is difficult. It is painful.

You know what is ironic, the Affordable Care Act is based on a Republican model of health insurance. This was what the Republicans suggested years ago: Use private insurance companies and make it available to all Americans. That is what we did. A lot of Democrats felt there was a better way: Why don't we make a Medicare Program for every American a nonprofit program that is there. We couldn't get it done. We didn't have the votes, and the Republicans wouldn't help us.

In the first step of the new year and the new Congress, the new Republican majority in the Senate wants to abolish the Affordable Care Act, wants to put millions of American families at

the mercy of health insurance companies. They must think we are suffering from amnesia and that we had forgotten what that was all about—sitting on the phone for hour after weary hour with some adjuster who may or may not be in the United States, trying to argue about whether your son or daughter can go into a hospital, whether your wife can receive the medical treatment the doctor asked about.

That is what it used to be, and that is what it is going to go back to when we abolish the Affordable Care Act and don't replace it with something that is as good or better. That is the first step in the Republican program, make 20 to 30 million Americans more vulnerable when it comes to their health care. That is not the end of it.

I live in a State that has the great city of Chicago, Cook County regional area, but downstate we are very rural, smalltown America. I know from my congressional experience and from my life as a Senator representing that State, there are downstate hospitals that cannot survive without the Affordable Care Act. In my State, some of those hospitals are the major employers in their communities and the only go-to place for someone seriously ill or injured.

The Republicans have yet to suggest any suggestion at all about how we are going to keep those hospitals open. They are starting to contact me now—the hospitals as well as the clinics and the health care providers, and they are asking: The Republicans really aren't going to do this, are they? They are not just going to abolish it and leave us with this chaos to follow.

Sad to say, that is exactly what they are going to do. Senator RAND PAUL of Kentucky wrote an article today and said he thought it was wrong on the Republican side to do that. He said: The responsible thing to do is to have an alternative before you abolish the Affordable Care Act. Good for him. That is common sense. You would expect it from a party that says it is conservative in its approach to government. What they are suggesting with the Affordable Care Act is not conservative. It is destructive. It is catastrophic. It is irresponsible.

I hope my colleagues will join me. We need two or three Republicans to join us to stop this effort. Let us sit down together, Democrats and Republicans, take the Affordable Care Act and make it more effective, fix the problems that are part of it—and there are some—make sure we keep our promise to the American people that they will have access to affordable, quality health care. Keep these providers covered by the Affordable Care Act in business in rural areas and inner cities and all across our Nation. That is our responsibility.

DACA

Mr. President, 16 days from now, and just a few steps from where the Senate

Chamber is located, we will have an inauguration for the 45th President of the United States, Donald Trump. On that day, the fate of more than 750,000 young people in America will be hanging in the balance. They will be waiting to learn whether they have a place in our Nation's future or whether they will be asked to leave.

It was 7 years ago that I sent a letter to President Obama, joined by Senator Richard Lugar, Republican of Indiana. On a bipartisan basis, we asked the President to stop the deportation of young immigrants who grew up in this country. We called them DREAMers, after a bill I introduced 15 years ago. Who are they? Babies, infants, toddlers, children, young adults under the age of 16 brought to America by their parents from another country, and the proper papers were not filed. You can't hold the kids responsible. They didn't decide to come here. You certainly can't hold them responsible for not filing the papers. They were just children at the time.

If anybody should be held responsible, it is the parents. What do we do about the kids who have lived their entire lives in the United States believing this was their country, this was their future, and now come to realize in their teenage years they are undocumented and their future is uncertain?

We asked President Obama: Will you give these young people a temporary opportunity to stay, study, and work in America, and he agreed to do it. It was called DACA. It was the Deferred Action for Childhood Arrivals Program. What it said was, if you are in that category of a child brought to America and you are undocumented, step forward, pay a filing fee of almost \$500 so the government can process your application, submit yourself to a criminal background check, including fingerprints, and let us look into your background and see if there is anything you have done that would disqualify you from staying in the United States. If you are approved, for 2 years—renewable—you will not be deported and you can work in America.

Many young people in that circumstance were reluctant to step forward. Their parents had warned them their entire lives that if they turned themselves into the government, they might be deported—in fact, their family might be deported with them. They said: The President has offered us this opportunity for a chance. We are going to follow this, do the right thing, make an application. Almost 800,000 of them qualified. They are DACA recipients. Others will be eligible in the months ahead. DACA has been a success.

What will President Donald Trump do with these DACA students? He made some pretty harsh statements during the course of the campaign about immigration. I think he is reflecting on these kids as a special category. This is

what President-Elect Donald Trump said to *TIME* magazine just a few weeks ago about the DREAMers, the DACA recipients.

We're going to work something out that's going to make people happy and proud. They got brought here at a very young age, they've worked here, they've gone to school here. Some were good students. Some have wonderful jobs. And they're in never-never land because they don't know what's going to happen.

I appreciate Mr. Trump's comments, soon-to-be President Trump. I hope he will keep the DACA Program in place, but I am working with my colleagues on a bipartisan basis to give him an option. Senator LINDSEY GRAHAM, Republican of South Carolina, and I have joined the lead sponsors on what we call the BRIDGE Act. The BRIDGE Act is an opportunity to protect these young people legally, on a temporary basis, while Congress rolls up its sleeves and takes up immigration.

I am happy to have Senator LISA MURKOWSKI and JEFF FLAKE, Republicans from Alaska and Arizona as co-sponsors, as well as DIANNE FEINSTEIN of California and CHUCK SCHUMER of New York, and I hope others will follow. I believe DACA was a lawful exercise of the President's authority. Some disagree with that completely. Regardless of whether you agree or disagree, I hope you will agree that these young people should be allowed to have a bridge so they aren't deported, they don't lose their right to work or go to school.

Incidentally, when these young DACA DREAMers go to school, they have to pay for it right out of their pockets. They don't qualify for any Federal assistance. It is a special effort and a special sacrifice. I have come to the floor over 100 times over the last 10 or so years to tell the stories of these young people. I think the stories tell a lot more than any speech I could give.

This young man is Luis Gonzalez. Forgive me for being especially drawn to this photo because Luis is standing in front of my college, Georgetown University, wearing one of the Georgetown Hoyas shirts.

Let me tell you about Luis. He was 8 years old when his family came to the United States from Mexico. He had a difficult childhood in Santa Ana, California. His parents separated. He lived with his mom in a car garage for several years. After his mom remarried, he lived with his stepfather, who turned out to be abusive.

Luis overcame these circumstances and still was a good student. He graduated high school in the top 1 percent of his class with a 4.69 GPA, and he passed all nine advanced placement exams that he took. He was involved in extracurricular and volunteer activities. He was the secretary of the school's National Honor Society, and he helped organize an anti-bullying campaign in his local elementary

school. He was a mentor to incoming freshmen in high school. Saturdays, instead of taking it easy, he volunteered to tutor other kids in math, and he volunteered to help a teacher at a local school. He was active in his church every Sunday, translated the pastor's sermon into English for those who didn't speak Spanish, and cleaned up the church before and after the Sunday services.

Because of his outstanding record in high school, Luis was admitted to Georgetown University. He is currently a sophomore majoring in American studies and minoring in government. He continues to use his spare time to help others. He is a member of the pro-vost committee for diversity and co-chair of Hoya Saxa Weekend, a program that brings students from under-represented communities to Georgetown. Luis is a leader of Strive for College, a program that mentors students in the inner city high schools. His dream is to be a high school teacher, which isn't surprising given the strong commitment he has already shown.

He wrote me a letter and here's what he said:

DACA gave me the confidence and security I've not had before. I lived in fear and the shadows. Thanks to DACA, however, I've been able to do things I otherwise wouldn't be able to do like travel through an airport or working on campus. I've always felt that I am an American, but having DACA allowed me to stop living in constant fear and uncertainty. Now these fears have come back again.

If DACA is eliminated, Luis could be forced back into the shadows. The day after DACA, Luis will not be able to travel or work on a campus. He will lose his legal status, and he could be deported back to Mexico, a country that he hasn't lived in since he was 8 years old.

Luis and other DREAMers have a lot to give America. Would we be stronger if we deport him, take this man's talent, drive, and energy and banish him from this country? I don't think so.

I hope President-Elect Trump will understand this and will continue the DACA program. If he decides to end DACA, then I hope this administration will work with Congress to pass the BRIDGE Act into law for Luis and for thousands of others who will be counting on it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 28 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FLAKE. I yield the floor and suggest the absence of a quorum.

Mr. ENZI. Mr. President, I ask unanimous consent that the time in the quorum call be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I want to comment and say a few words about the use of the budget reconciliation process to facilitate an effort to repeal but not replace ObamaCare, the Affordable Care Act. I serve on the Budget Committee. During the course of multiple hearings during the previous year before the election, we heard the most adamant stories from the Republican side about how dire our Nation's debt situation was, how dire our Nation's deficit was.

Member after Member on the Republican side spoke as if the end of the Republic was at hand. Yet the policies from the Bush administration that kept driving that debt and that deficit they protect. They blamed President Obama for the effect of Bush policies that took place during President Obama's years, while defending those Bush policies the President had actually tried to correct. In many respects, their concern about the budget was a little ironic since they were defending the Bush policies that created this debt and deficit explosion in the first place.

Nevertheless, be that as it may, you had this phalanx of Republican Senators in a state of very high animation about our debt and deficit. You would think that in this Congress, with control both over the House and the Senate and a Republican President-elect looming, they might use the budget reconciliation process to do something about the debt and the deficit.

After all, there was a lot of big talk last year, and here is the budget reconciliation process. As we see, it is not being used to do anything about the debt or the deficit, it is being used to open an effort to repeal but not replace ObamaCare. The problem is, when you do that, you do some pretty bad things to the debt and to the deficit.

Before the Affordable Care Act was passed, Medicare officials projected out-year costs for Medicare in 10-year increments. After the experience of the Affordable Care Act, they went back and they redid those projections, and they dropped the cost of Medicare dramatically. Those outyear costs, dramatically reduced, are an important, valuable step toward lower debt, balanced budgets, and less of a national annual deficit. Repealing ObamaCare will undo that.

It was pretty clear from Budget Committee hearings that that reduction in anticipated Medicare costs in the out-years was related to the work that had been done in the Affordable Care Act as well as the changes in experience that

we are seeing. That is one budget bust-er which shows that this reconciliation effort is going in the wrong direction.

In Rhode Island, I watched this issue pretty closely because I want Rhode Island to be a leader in delivery system reform. I want ours to be one of the most efficient health care systems in the country, and I worked very hard over many years to put the pieces in place in Rhode Island to help make that come to pass. So I talked to people like Dr. Kurose, who runs one of our largest primary care practices, and Dr. Puerini, who runs another very big Rhode Island primary care practice, and I saw that both of them had taken advantage of the Affordable Care Act to make themselves accountable care organizations, ACOs, and they have used the powers and they have used the shared savings under those programs to change the way they deliver medicine.

What they show is that their price, their annual cost of service per patient, is actually going down. They are delivering care more efficiently and they are getting to illnesses earlier. They are not just churning the wheel of bill and pay, bill and pay, bill and pay; they are actually managing their patients' health. We hit this wonderful sweet spot where the patients are healthier and the patients are way happier because they are getting better service, and the cost per patient in these practices is coming down. So if that is taken away, we reverse that effect. It is plausible to think that those costs will start going back up again. Why would we want to undo a method that has helped local practices improve the quality of care, reduce the cost of care, and serve their patients better? The ACO program is part of the Affordable Care Act.

The last thing is that around here, we try to defend Medicare. One of the achievements of the Affordable Care Act was that it extended the solvency of Medicare out to 2028. Undo this bill and there will be a direct hit on Medicare's solvency. It will come roaring back.

So when you put what the Republican Senators on the Budget Committee said with such vehemence and alarm about the debt and the deficit beside the use to which they have put the reconciliation process, which was designed to be used to reduce the debt and the deficit, and you look at how that actually plays out through the health care system—increasing the costs of what would have been accountable care organizations, if that gets undone; lifting back up, presumably, Medicare costs that in the outyears were reduced because of this; and shrinking the time that Medicare stands as solvent—if that is not a hit on Medicare, I don't know what is.

The other piece in this process that bears on this is that during the period that these very dramatic concerns were

being expressed about the debt and the deficit, the same party that was enunciating those concerns and those threats to our American society and solvency was defending all of the loopholes in the Tax Code. We tried and tried to find a loophole that our Republican friends would be willing to let go of, and we couldn't find a single one that I recall. Even President Trump is interested in trying to get rid of the carried interest loophole that lets hedge fund billionaires pay lower tax rates than brick masons, but could we get an agreement on that from our colleagues on the other side? No. They wouldn't touch it.

I hope that as we go forward, we can find a way to bring tax expenditures lined up with appropriated expenditures under the purview of the committee, but so far we have been unable to do that despite repeated bipartisan testimony that a tax expenditure is just the same as an appropriated expenditure in so far as it affects the debt and deficit—no difference—bipartisan testimony, clear on the record. The difference is that behind a great many of these lucrative tax loopholes that are baked into the Tax Code and that survive year after year after year is a special interest, whether it is somebody trying to depreciate their private jet more rapidly than an airline can depreciate passenger aircraft, whether it is the carried interest loophole that puts, very likely, the billionaire getting out of his limousine in front of his New York apartment in a lower tax rate than the guy holding the umbrella over his head, the doorman. How fair is that? But that is the status of the tax law. We couldn't get anybody to budge on that because there are obviously big, powerful interests who don't want to see that messed with. Why should they pay taxes like ordinary people when they are superwealthy immortals who can buy themselves politicians?

So the ironies of the party that declaimed about debt and deficit with such vehemence through so many hearings, with so much blame on President Obama even though it was carried-forward Bush policies they were defending that were driving so much of that debt—to have that group of people now come and use the reconciliation process designed and intended to address the debt and the deficit instead to try to repeal but not replace ObamaCare in ways that I think can be very fairly projected to raise Medicare costs, reduce Medicare solvency, and undo a good deal of the savings that doctors and taxpayers have shared from hard-working practices like Rhode Island Primary Care Physicians and Coastal Medical in Rhode Island, which have relied on the ACO provisions in the Affordable Care Act to get those savings—who wants to undo that? It makes no sense, and least of all, it makes no budget sense because those

outyear health care costs will come home into the budget in those out-years. Of course, you compound that with the fact that no tax loophole is to be touched. No tax loophole can be addressed. No revenue can be generated by closing the carried interest loophole, closing the private jet deduction, closing the tax benefits for the fossil fuel industry, which is making more money than any industry has in history and hardly needs the support of the poor American taxpayer. But, no, big special interests have big tax breaks, and they are going to be protected at all costs. That is really where we are on this.

I understand we used reconciliation to move ObamaCare. It did, in fact, do the job of reducing the deficit, I believe. Undoing it goes in the opposite direction, but there is a certain "what is good for the goose is good for the gander" equivalence about using that to undo what we did. I get that. But if we are really serious about addressing the debt and deficit, then we shouldn't be using the reconciliation process, which is designed to reduce them both, to attack a health care program whose effect has been to reduce them both. That is where we stand right now.

In the months ahead, I hope we will be able to look at tax expenditures. More money goes out the back door through tax expenditures than gets spent on some of our biggest programs. It is a huge loophole, and within it are a lot of very unattractive special interest special provisions—loopholes in the worst sense of the word. We don't want to touch them because nobody dares to touch the special interests behind them.

So that is where we are. I hope we can make real progress on the debt and the deficit and stop defending private jet reductions, stop defending fossil fuel subsidies, stop defending billionaire special tax breaks, and actually put the debt and the deficit that America faces first rather than having conversations about that being window dressing until you get a Republican President, and then you go completely haywire, using the reconciliation process to undo health care laws, raise Medicare costs, and undo the ACO program that has been so effective in my State.

I see the junior Senator from Utah is presiding, and I know that Utah and Intermountain have some of the best health care work being done on delivery system reform, and it would surprise me very much if the leaders at Intermountain in Utah were excited about undoing the delivery system reform provisions of Obamacare. The Innovation Center at the Centers for Medicare Services, the ACO provisions, the provisions for shared savings between doctors and the taxpayer when

savings accrue because of better practices, the changes toward better models of payment—I would be very surprised if they were very enthusiastic about undoing those.

But, as I said, this is where we are, and I will close my remarks, and I hope that soon, once this exercise is over, we can actually get serious about closing loopholes and reducing the debt and reducing the deficit—the nominal cause of the Republicans on the Budget Committee.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the time be evenly divided between the two sides during the quorum call.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WHITEHOUSE. With that understanding, I suggest the absence of a quorum, with the time divided equally between the two sides.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

MINEWORKER PENSIONS AND HEALTH CARE

Mr. BROWN. Mr. President, 70 years ago United Mine Workers president John L. Lewis, a lifelong Republican, sat down with the Democratic Secretary of the Interior, Julius Krug. They struck a deal to end a national strike. They promised health and pension benefits for miners in exchange for a lifetime of hard work. It is a promise that the Federal Government has kept ever since.

For 70 years, no matter the President, no matter the party in control of the Senate, we have kept that promise. That changed, unfortunately, in December. This body left for vacation. It left tens of thousands of mine workers to face an uncertain future, not knowing if the pensions and health care they had earned for themselves—and in many cases for their widows—over a lifetime of hard work would be there for them in the future. This is shameful.

Senator PORTMAN, my Republican colleague from Ohio, and I and Senator

MANCHIN and Senator CAPITO, a Democrat and a Republican from West Virginia, and Senator CASEY—a number of us—said: We should not leave Washington to go home to our families until we take care of mine worker families.

Congress has the power to stop these cuts and to live up to this pledge. We had a bipartisan solution that would have passed if it had been brought to the floor. But instead, Congress broke its promise to these miners and their families. Congress stole the health care they had earned by passing a continuing resolution that failed to address the pension problem, and it stole the funds that were still left in their health care plan to pay for a 4-month fix—4 months, 4 months. Who can make health care decisions when you don't know if you will have health care coverage 4 months from now?

These working people don't deserve to live with this kind of uncertainty. I have heard my colleagues, particularly on the Republican side of the aisle, always talk about predictability. Government should never inject more uncertainty into the lives of individuals, never should inject uncertainty into the lives of business people as they make investment decisions.

But that is what we have done with these mine workers. We have made their lives less certain, less predictable, and their health care so unpredictable. This is the health care these workers fought for, the health care they sacrificed raises for. Keep in mind that at the bargaining table, workers will be willing to accept less wages today in exchange for health care and pensions in the future. That is what collective bargaining is often about. That is what is so important.

This is health care they sacrificed raises for. It was the health care we promised them. My colleagues know their stories of hard work and sacrifice. We know these stories because over the past year, these miners traveled here by the busload. They rode long distances. They gathered in the heat and in the cold for hours outside this building to make their voices heard.

They worked decades in the mines—hard back-breaking work. But that work had dignity. It was dangerous work—work where some of them were killed on the job, work where many of them developed health problems later. Many of them died younger than people who dress like we do and have jobs like this. Their widows have been denied these pensions and health care. They clocked in every day, these workers. They knew the conditions they faced. Many of them now suffer from black lung or other illnesses. They accepted a lifetime of hard labor because they valued their jobs, they valued their work, and they believed that good-paying union jobs were their tickets to the middle class.

These miners believed in the covenant we used to have in this country

that promised if you work hard your whole life, if you put in the hours, if you save a little and do your part, you will be able to help your children go to college. They believed that would give their kids a chance at a better life perhaps than they had. They believed that if they upheld their end of the deal, if they put in the work to power our country by mining coal used for a generation of electricity, their government would do the same. In December, Congress told them they were wrong. I don't accept that. These workers sacrificed their lungs and their backs to keep our lights on. It is shameful that Congress, despite all intents and purposes, has stolen what they earned. These miners should have spent Christmas with their grandkids, not worrying about whether they could afford their medicine.

We aren't giving up. We had a bipartisan solution in December. We will keep fighting until mine workers across Ohio and this country have the full health care and retirement security that we promised them. They kept faith with us and powered our country. It is time to keep faith with the workers in our industrial heartland and to right this wrong.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent that the time during the ensuing quorum call be divided equally between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO LARRY CLARK

Mr. MCCONNELL. Mr. President, for the first time in three decades, the Kentucky General Assembly began

their regular session this month without the fiery voice and passionate character of State Representative Larry Clark. After an impressive career, Representative Clark started a new adventure: retirement. He will be remembered for many accomplishments in Frankfort, among them that he never missed a single floor vote.

Despite our differences, Representative Clark and I both care deeply for Kentucky. As speaker pro tempore of the house, he championed the merger of the Louisville and Jefferson County governments, an issue I fought for when I was the county judge/executive. We also share a passion for the University of Louisville, and Representative Clark has a record of achievements on behalf of the school.

I join the Kentucky General Assembly in congratulating Representative Clark on his career of public service. He dedicated many years to Kentucky, and I wish him well in retirement.

TRIBUTE TO ROBERT L. HENDRICKSON

Mr. McCONNELL. Mr. President, today I wish to celebrate a distinguished Kentuckian and a friend. Robert L. Hendrickson has been the Publisher of the Ledger Independent in Maysville, KY, since 1993. When Bob announced that he would retire at the end of last year, I knew that the paper was not only losing a great journalist, but it also was losing a great man.

Bob graduated from the University of Georgia's Henry Grady School of Journalism. Afterward, he moved back to Kentucky to work on his dad's dairy farm. However, a pair of harsh winters in 1977 and 1978 convinced him, in his own words, "to put my journalism degree to work." He got hired by the Ledger Independent and has served his community ever since.

The Ledger Independent newspaper serves seven counties in northern Kentucky and southern Ohio. Through a series of owners and publishers, the paper continues a 150-year tradition of a local, independent, daily newspaper in Maysville.

Bob became editor of the paper in 1985, calling it "the best job in the world." In 1993, he was promoted to publisher. He oversaw the entire operation and guided the paper into the internet age with the unveiling of Maysville Online. While working full time at the paper, Bob also did post-graduate work at Northwestern University.

Bob and Missy Mann have never stopped working for their neighbors. Bob further dedicates himself to his community, both through his service on the board of directors of the Maysville Chamber of Commerce, and as the moderator of several important political debates in his area.

Bob is a great man and a pillar of his community, and I am honored to call

him a friend. I wish him and Missy well in retirement, and I join with countless Kentuckians on thanking him for his service to Maysville.

TRIBUTE TO LAMAR JACKSON

Mr. McCONNELL. Mr. President, today I wish to offer my congratulations to an outstanding young man and athlete, the University of Louisville Cardinals' quarterback, Lamar Jackson. On December 10 of last year, Cards fans watched with excitement as Jackson was awarded the Heisman Memorial Trophy, the first in the history of my alma mater. The award is given to the most outstanding player in college football, and Jackson surely has earned it.

We have known for quite some time that Lamar Jackson would be breaking many records. Here are just a few. Jackson was the first player in NCAA Division I history to pass for 3,300 yards and run for 1,500 yards in one season. He holds the Atlantic Coastal Conference, ACC, record for most touchdowns in a single season with 51. Only a sophomore, Jackson is the youngest player ever to win the Heisman Trophy at 19 years old, and he is the University of Louisville's first ever Heisman Trophy finalist. The impressive list goes on and on.

It is clear that Lamar Jackson is a truly spectacular athlete. He has earned his spot in the pantheon of college football greats. It is easy to cheer when the quarterback hurdles a defender to score or runs between some of the best defenses in the Nation. His drive and dedication are traits we all admire, and just wait until you hear where it all started.

In an interview, Jackson said "[e]verything I do, I do for my mother." At an early age, Jackson's mother, Felicia Jones, sparked his interest in football, and she pushed him to be his best ever since. When Lamar and his younger brother were just learning the game, their mom would put on pads in the backyard and run plays with them. She became an active part of all of his teams, all the way to the University of Louisville. He said, "She would tell me the bad things I did. She wouldn't really tell me the good things I did. And I'd say 'All right, Mom. I've got to go fix it.'"

Lamar Jackson's story is just beginning. Under the guidance of some of the best coaches in all of college sports and an athletic director with a strategic vision for the future, the Cardinals are positioned to make a real impact in college football. With the Heisman Trophy already on the shelf, we can only wait and see what Lamar Jackson does next year. As an avid fan of UofL football, I know I can hardly wait.

I would like to join with Cards fans across the Nation to congratulate the

entire University of Louisville Cardinals football team and staff on an exciting season and especially congratulate the 2016 Heisman Trophy winner, Lamar Jackson. He has truly made it great to be a Louisville Cardinal.

TRIBUTE TO JOE TOLAN

Mr. McCONNELL. Mr. President, at the beginning of this year, one of Louisville's foremost community servants began his much-deserved retirement. I rise today to congratulate Joseph Tolan, a man of distinction who dedicated his life to the people of Louisville and Kentucky.

Many years ago, I had the pleasure of working alongside Joe. When I served as the judge/executive of Jefferson County, Joe led the county department for human services. I particularly remember his passion for helping those around him, and that passion has been the driving force of his career. And believe me, I can tell you, from firsthand experience, that passion is contagious.

For the last 30 years, Joe has committed himself to the Metro United Way, a Louisville organization that raises and distributes funds to worthy causes around the region. Spending the last 15 years as president and CEO, Joe led the effort to raise nearly \$30 million every year to support approximately 100 organizations. The community support that Joe inspired has led Metro United Way to be ranked in the top 25 markets nationwide.

However, organizations like Metro United Way are measured by so much more than just the donations they raise. True success is counted by the lives impacted and the good work done. With a focus on education, financial stability, and healthy living, Metro United Way impacts thousands of families across the region every single day.

Since joining Metro United Way, Joe has been a major player in the transformation of the city of Louisville and the entire region. Although the organization is over 100 years old, it is constantly adapting to meet today's challenges in the most effective ways possible. With this commitment to excellence and a growing network of strategic partnerships, Metro United Way proved to be a lasting force for good in the community. During his tenure as president and CEO, Joe hasn't just been a part of this innovation, he has been its leader.

Joe has surely earned his retirement, but I know many of us are very sorry to see him go. He leaves behind an impressive list of accomplishments and an organization well positioned to continue his work. I want to extend my congratulations to Joe on such a successful career of dedicated leadership always with a vision to help everyone reach their fullest potential.

CHANGING SENATE RULES

Mr. UDALL. Mr. President, today I wish to continue what has become a tradition. At the beginning of the 112th Congress, I took to the Senate floor and called for this body to adopt its rules with a simple majority vote and to amend them so they actually allowed the body to function as our Founders intended.

I did the same at the beginning of the 112th, 113th, and 114th Congresses. Today, at the start of the 115th Congress, I again call for reform. This is something I have done as a member of the majority and the minority. Senator MERKLEY has worked closely with me on this issue and spoke briefly yesterday about our efforts.

But we did not start this tradition. It dates back decades. My predecessor, Clinton Anderson, was a leading proponent of what has become known as the “constitutional option” in the 1950s and 1960s. Vice President Walter Mondale—then a Senator from Minnesota—carried on the tradition in the 1970s. When Senator MERKLEY and I first joined the Senate, Senator Tom Harkin worked closely with us to help us carry on the tradition.

The proposals we have offered to change the rules at the start of a new Congress have never been radical. They were changes we were willing to live with whether we were in the majority or minority. We have offered the same proposals as Members of the majority and minority. We believe the Senate is broken, and even the minority party should want to fix it.

Congress had made some progress in recent years, but unfortunately, it took unprecedented Republican obstruction to bring it about. Republicans blocked nominees to all sorts of positions submitted by President Obama, so we took action to change the rules to break through the gridlock. It was unfortunate that Republicans precipitated that situation, but the result was for the best.

New rules allow for a lower cloture threshold for all nominees except those to the Supreme Court now, and the new Republican President can take advantage of them, just as President Obama was able to do for the final years of his term.

But no one would argue that Congress or the nomination process has been fixed. Further debate and reform is needed on many aspects of Senate function.

We believe the Senate should openly debate and consider its rules at the start of each Congress, to consider changes that can provide commonsense reforms. This ongoing process is the ideal way to restore the best traditions of the Senate and allow it to conduct the business that the American people expect.

We have one goal whether we are in the majority or in the minority: to

give the American people the government they expect and deserve—a government that works.

This is not just about rules. It is about the norms and traditions of the Senate.

Neither side is 100 percent pure. Both sides have used the rules for obstruction. No doubt they had their reasons.

But I don't think the American people care about that. They don't want a history lesson or a lesson in parliamentary procedure. They want a government that is fair, that is reasonable, and that works.

I hope that all my colleagues—and especially the new Senators—give serious consideration to reform.

We do not need to win every legislative or nomination vote. But we need to have a real debate and an open process to ensure we are actually the greatest deliberative body in the world.

ADDITIONAL STATEMENTS

REMEMBERING JOHN “DEPENDS ON HIM” SMITH

• Mr. BARRASSO. Mr. President, today I wish to honor and remember my good friend John Smith.

On Saturday, December 31, 2016, we lost one of Wyoming's best leaders and diplomats on the Wind River Reservation. John Smith was a member of the Northern Arapaho tribe. For 27 years, he served as the director of the department of transportation for the Eastern Shoshone and Northern Arapaho Tribes of the Wind River Reservation. Mr. Smith played a major role passing transportation legislation that will save and improve lives on the Wind River Reservation and across tribal communities.

John was a wonderful friend and a wonderful man. I admired him greatly for his big heart, his warmth, and his larger than life personality. John cared deeply about the lives of people who lived and traveled through the Wind River Reservation. John's commitment to improving his community's roads can be seen today all over the Wind River Reservation. He was a hard worker, innovative and creative. He was always doing more with less. His jokes and sense of humor always made that hard work a little easier. Indian country did not have a better advocate or finer person to represent them in Washington, DC.

Since John's work ethic and personality were so big, he naturally lived up to his nickname “Big John” in every respect. As a former football and basketball player, you could see Big John coming from blocks away.

In 2014, John was in Washington, DC, to receive the White House Champions of Change award from the Secretary of Transportation, Anthony Foxx. Big John was being recognized for bringing

tribal, State, and local leaders together to complete construction of the notorious 17 Mile Road. When he received the award, Big John took off his cowboy hat and placed it on the head of Secretary Foxx. The unforgettable smile on Big John lit up the room with laughter. This special man left a lasting impression on all those who had the privilege of working with him.

Last April, John testified before the Senate Committee on Indian Affairs. He talked about dangerous roads that were costing lives in tribal communities. His testimony led to important legislation being passed to improve those roads. His efforts not only changed lives, it saved them, and we are all grateful. It has been an honor and privilege to work with Big John on highway bills. It has been a higher honor to be his friend.

John leaves big boots to fill, and I am confident the Wind River community will fill those boots and continue his hard work.

As we lift up our hearts and celebrate Big John's life, we also thank him for his selfless service on behalf of the people of Wyoming. Big John, thank you, and we will miss you.●

TRIBUTE TO SHELBY GARDNER

• Mr. COTTON. Mr. President, I would like to recognize Shelby Gardner, of Warren, AR, as this week's Arkansan of the Week, for her work with the Arkansas Veterans Hospital post-traumatic stress disorder program in Little Rock.

Shelby is a senior at Warren High School in Bradley County and is proof that you are never too young to give back to your community. Shelby wanted to find a way to honor the men and women who put their lives on the line for our safety: our veterans. Specifically, she wanted to help those veterans who suffer from posttraumatic stress.

After learning about the Arkansas Veterans Hospital posttraumatic stress disorder program, Shelby began to talk with anyone who would listen about the program—friends and family, her church congregation, civic clubs, and other organizations across Warren and Bradley County. She told them about her passion for helping veterans, the good work this program does, and how much it would benefit from additional support.

Her hard work paid off. With the help of a local auctioneer, Shelby organized a community bake sale auction and managed to raise \$8,000 for the Arkansas Veterans Hospital. But Shelby wasn't finished. She and a group of other volunteers spent hours preparing and selling sandwiches at the Bradley County fair and raised an additional \$2,000, for a grand total of \$10,000 for veterans suffering from posttraumatic stress.

A veteran in Shelby's community was struck by her commitment to such a noble cause and in his nomination of Shelby wrote: "Her actions are proof that patriotism runs deep in small town America. She is an exceptional representative of many young people in our nation deeply committed to the men and women who serve protecting and defending our nation and our way of life. Shelby is a shining example of the caliber of young person this country requires to ensure the survival of our nation and our values. She is a focused, goal oriented young woman who is a credit to her family, her church, her community, her state and nation."

I am equally as inspired by Shelby's hard work and her commitment to our veterans. Patriotism does indeed run deep in a State like Arkansas. Now, because of her efforts, the Veterans Hospital in Little Rock can better serve Arkansans who suffer from PTSD.

It is an honor to recognize Shelby Gardner as Arkansan of the Week, and I am thankful for people like Shelby who, using the resources around them, work to make others' lives better.●

TRIBUTE TO ARLENE MATHEWS

● Mr. DAINES. Mr. President, I wish to recognize Arlene Mathews of Helena, MT, for her 63 years of volunteer service at St. Peter's Hospital.

In a basement in 1953, Arlene began the "Sock Sew," which makes socks for newborn babies who are born in December at St. Peter's Hospital to take home.

This year, Arlene and volunteers sitting at 20 sewing machines cut, sewed, and glued 100 large stockings for the newborns and another 100 smaller stockings for patients at St. Peter's whose Christmas Eve is spent in the hospital. This is a wonderful gesture that made their Christmas in the hospital just a little bit better. Thank you, Arlene, for thinking of those in the hospital, especially during the Christmas season.

I am thrilled to honor our unsung hero, Arlene Mathews, for her 63-year service to her community.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 27. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to retain a copy of any reprimand or admonishment received by an employee of the Department in the permanent record of the employee.

H.R. 28. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 1. Concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

S. Con. Res. 2. Concurrent resolution to provide for the counting on January 6, 2017, of the electoral votes for President and Vice President of the United States.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government.

The message also announced that the House has agreed to H. Res. 1, resolving that Karen L. Haas of the State of Maryland, be, and is hereby, chosen Clerk of the House of Representatives; that Paul D. Irving of the State of Florida be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives; that Philip George Kiko of the State of Ohio be, and is hereby, chosen Chief Administrative Officer of the House of Representatives; and that Father Patrick J. Conroy of the State of Oregon be, and is hereby, chosen Chaplain of the House of Representatives.

The message further announced that the House has agreed to H. Res. 2, resolving that the Senate be informed that a quorum of the House of Representatives has assembled; that PAUL D. RYAN, a Representative of the State of Wisconsin, has been elected Speaker; and that Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Fifteenth Congress.

The message also announced that pursuant to House Resolution 3, the Speaker appoints the following Members of the House of Representatives to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make: Mr. MCCARTHY of California and Ms. PELOSI of California.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of today, the Speaker appoints the following Member of the House of Representatives to the Joint Economic Committee: Mr. TIBERI of Ohio.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 27. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to retain a copy of any reprimand or admonishment received by an employee of the Department in the permanent record of the employee; to the Committee on Veterans' Affairs.

H.R. 28. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bifenthrin; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9954-47) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides; Certification of Pesticide Applicators" (FRL No. 9956-70) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes to Reporting and Notification Requirements and Other Clarifying Changes for Imported Fruits, Vegetables, and Specialty Crops" (Docket No. AMS-SC-16-0083) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Aggregation of Positions" (RIN3038-AD82) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of

Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program: Photo Electronic Benefit Transfer (EBT) Card Implementation Requirements" (RIN0584-AE45) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)" (RIN0584-AE27) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flumioxazin; Pesticide Tolerances" (FRL No. 9955-45) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Forest System Land Management Planning" (RIN0596-AD28) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: New Qualifying Country—Estonia" ((RIN0750-AJ18) (DFARS Case 2017-D001)) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2016; to the Committee on Armed Services.

EC-10. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Contract Financing" ((RIN0750-AI90) (DFARS Case 2015-D026)) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2016; to the Committee on Armed Services.

EC-11. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Interstate Compact on Educational Opportunity for Military Children" (RIN0790-AJ33) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Armed Services.

EC-12. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC-13. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Iran-Related Multilateral Sanctions Regime Efforts" covering the period February 7, 2016 to August 6, 2016;

to the Committees on Banking, Housing, and Urban Affairs; Finance; and Foreign Relations.

EC-14. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate" (Docket No. AMS-SC-16-0084) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-15. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Almonds Grown in California; Increased Assessment Rate" (Docket No. AMS-SC-16-0045) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-16. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cherries Grown in Designated Counties in Washington; Increased Assessment Rate" (Docket No. AMS-SC-16-0077) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-17. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Walnuts Grown in California; Increased Assessment Rate" (Docket No. AMS-SC-16-0062) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-18. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program Promotion" (RIN0584-AE44) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-19. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that involved fiscal years 2004 and 2005 Operations and Maintenance, Army, and was assigned case number 15-03; to the Committee on Appropriations.

EC-20. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a semiannual report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account" and a semiannual listing of personal property contributed by coalition partners; to the Committee on Armed Services.

EC-21. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict), transmitting, pursuant to law, the fiscal year 2014 annual report on the Regional Defense Combating Terrorism Fellowship Program; to the Committee on Armed Services.

EC-22. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks" (RIN3064-AE42) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-23. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; (Chambers and Harris Counties, TX, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-24. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "National Flood Insurance Program (NFIP): Financial Assistance/Subsidy Arrangement" ((RIN1660-AA86) (Docket No. FEMA-2016-0012)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-25. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Russian Sanctions: Addition of Certain Entities to the Entity List, and Clarification of License Review Policy" (RIN0694-AH25) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-26. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Narrowing the Digital Divide Through Installation of Broadband Infrastructure in HUD-Funded New Construction and Substantial Rehabilitation of Multifamily Rental Housing" (RIN2501-AD75) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-27. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Safe Harbors From Liability Under the Fair Debt Collection Practices Act for Certain Actions Taken in Compliance with Mortgage Servicing Rules Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)" (RIN3170-AA49) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-28. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments to the 2013 Mortgage Rules Under the Real Estate Settlement Procedures Act" (RIN3170-AA49) received during adjournment of the Senate in the Office of the

President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-29. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-30. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans Exemption Threshold" (RIN7100-AD90) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-31. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Consumer Leasing (Regulation M)" (RIN3170-AA66) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-32. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Liquidity Coverage Ratio: Public Disclosure Requirements; Extension of Compliance Period for Certain Companies to Meet the Liquidity Coverage Ratio Requirements" (RIN7100-AE39) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-33. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z)" (RIN7100-AA67) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-34. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-35. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Modernizing HUD's Consolidated Planning Process to Narrow the Digital Divide and Increase Resilience to Natural Hazards" (RIN2506-AC41) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-36. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 of June 16, 2006, with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC-37. A communication from the Secretary of the Treasury, transmitting, pursu-

ant to law, a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-38. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Walton County, GA, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-39. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (McKean County, PA, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-40. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Home Mortgage Disclosure (Regulation C) Adjustment to Asset-Size Exemption Threshold" (12 CFR Part 1003) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-41. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order that takes additional steps to address the increasing use of significant malicious cyber-enabled activities to undermine democratic processes or institutions with respect to the national emergency originally declared in Executive Order 13694 of April 1, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-42. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Acquired Member Assets" (RIN2590-AA80) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-43. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Instituting Smoke-Free Public Housing" (RIN2577-AC97) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-44. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Home Loan Bank New Business Activities Final Rule" (RIN2590-AA84) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-45. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Bureau of Industry and Security Annual Report

for fiscal year 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-46. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Enterprise Duty to Serve Underserved Markets" (RIN2590-AA27) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-47. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, the Annual Report of the Consumer Financial Protection Bureau on College Credit Cards; to the Committee on Banking, Housing, and Urban Affairs.

EC-48. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks" (RIN1557-AE01) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-49. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, the Semiannual Report of the Bureau for the period from April 1, 2016 through September 30, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-50. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Housing Counseling: New Certification Requirements" (RIN2502-AI94) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-51. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Record-keeping for Timely Deposit Insurance Determination" (RIN3064-AE33) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-52. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List" (RIN0694-AH21) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-53. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to discretionary appropriations legislation; to the Committee on the Budget.

EC-54. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" (RIN1990-

AA46) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Energy and Natural Resources.

EC-55. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedure for Walk-in Coolers and Walk-in Freezers” (RIN1904-AD72) received during adjournment of the Senate in the Office of the President of Senate on December 29, 2016; to the Committee on Energy and Natural Resources.

EC-56. A communication from the Departmental Freedom of Information Act Officer, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Freedom of Information Act Regulations” (RIN1093-AA21) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Energy and Natural Resources.

EC-57. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Resource Management Planning” (RIN1004-AE39) received during adjournment of the Senate in the Office of the President of the Senate on December 12, 2016; to the Committee on Energy and Natural Resources.

EC-58. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedure for Uninterruptible Power Supplies” (RIN1904-AD68) received during adjournment of the Senate in the Office of the President of Senate on December 13, 2016; to the Committee on Energy and Natural Resources.

EC-59. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedure for Commercial Packaged Boilers” (RIN1904-AD16) received during adjournment of the Senate in the Office of the President of Senate on December 13, 2016; to the Committee on Energy and Natural Resources.

EC-60. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Residential Dishwashers” (RIN1904-AD24) received during adjournment of the Senate in the Office of the President of Senate on December 13, 2016; to the Committee on Energy and Natural Resources.

EC-61. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Special Regulations; Areas of the National Park System, Cape Hatteras National Seashore—Off-Road Vehicle Management” (RIN1024-AE33) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Energy and Natural Resources.

EC-62. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of

Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedures for Cooking Products” (RIN1904-AC71) received during adjournment of the Senate in the Office of the President of Senate on December 16, 2016; to the Committee on Energy and Natural Resources.

EC-63. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Reliability Standard for Transmission System Planned Performance for Geomagnetic Disturbance Events” ((RIN1902-AF25 and RIN1902-AF11) (Docket Nos. RM16-15-000 and RM15-25-001)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Energy and Natural Resources.

EC-64. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Competitive Processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development and Technical Changes and Corrections” (RIN1004-AE24) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Energy and Natural Resources.

EC-65. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Procedural Rules for DOE Nuclear Activities” (RIN1992-AA52) received during adjournment of the Senate in the Office of the President of Senate on December 29, 2016; to the Committee on Energy and Natural Resources.

EC-66. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Revision of the Department of Energy’s Freedom of Information Act (FOIA) Regulations” (RIN1901-AB41) received during adjournment of the Senate in the Office of the President of Senate on December 29, 2016; to the Committee on Energy and Natural Resources.

EC-67. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Truth in Lending Act (Regulation Z) Adjustment to Asset-Size Exemption Threshold” (12 CFR Part 1026) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-68. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Increase in the Maximum Amount of Primary Nuclear Liability Insurance” ((RIN3150-AJ71) (NRC-2016-0164)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Environment and Public Works.

EC-69. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Withdrawal of Regulatory Guides 1.3, 1.4, and 1.5” (NRC-2016-0246) received during adjournment of the Senate in the Office of the President of the Senate on

December 30, 2016; to the Committee on Environment and Public Works.

EC-70. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the 2016 Project Deauthorization list; to the Committee on Environment and Public Works.

EC-71. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled “Fiscal Year 2014 Superfund Five-Year Review Report to Congress”; to the Committee on Environment and Public Works.

EC-72. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Changes to Aging Management Guidance for Various Steam Generator Components” (LR-ISG-2016-01) received during adjournment of the Senate in the Office of the President of the Senate on December 12, 2016; to the Committee on Environment and Public Works.

EC-73. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Agency, transmitting, pursuant to law, the report of a rule entitled “Assessing the Technical Adequacy of the Advanced Light-Water Reactor Probabilistic Risk Assessment for the Design Certification Application and Combined License Application” (DC/COL-ISG-028) received during adjournment of the Senate in the Office of the President of the Senate on December 12, 2016; to the Committee on Environment and Public Works.

EC-74. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the Unregulated Contaminant Monitoring Rule (UCMR 4) for Public Water Systems and Announcement of Public Meeting” ((RIN2040-AF49) (FRL-9956-71-OW)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-75. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Reclassification of the Sheboygan, Wisconsin Area to Moderate Nonattainment for the 2008 Ozone National Ambient Air Quality Standards” (FRL-9956-95-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-76. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Promulgation of Certain Federal Water Quality Standards Applicable to Maine” ((RIN2040-AF59) (FRL-9952-99-OW)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-77. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Determination of Nonattainment and Reclassification of the Houston-Galveston-Brazoria 2008 8-hour Ozone Nonattainment Area; Texas” (FRL-9956-08-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-78. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Credit Assistance for Water Infrastructure Projects" ((RIN2040-AF63) (FRL-9953-24-OW)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-79. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Limited Approval and Limited Disapproval of Air Quality Implementation Plans; California; Northern Sonoma County Air Pollution Control District; Stationary Source Permits; Correcting Amendment" (FRL-9956-65-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-80. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; TN; Revisions to the Knox County Portion of the TN SIP" (FRL-9956-63-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-81. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Tennessee; Regional Haze Progress Report" (FRL-9956-90-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-82. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Redesignation of the Ohio portion of the Cincinnati, Ohio-Kentucky-Indiana Area to Attainment of the 2008 Ozone Standard" (FRL-9956-60-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-83. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Redesignation of the Columbus, Ohio Area to Attainment of the 2008 Ozone Standard" (FRL-9956-59-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-84. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Michigan; Part 9 Miscellaneous Rules" (FRL-9956-62-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Environment and Public Works.

EC-85. A communication from the Eagle Program Manager, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Eagle Permits; Revisions to Regulations for Eagle Incidental Take and Take of Eagle

Nests" (RIN1018-AY30) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Environment and Public Works.

EC-86. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Agency, transmitting, pursuant to law, the report of a rule entitled "Fitness for Duty—Operational Program" (NUREG-0800) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-87. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Visibility: Amendments to Requirements for State Plans" ((RIN2060-AS55) (FRL No. 9957-05-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-88. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Louisiana; Redesignation of Baton Rouge 2008 8-Hour Ozone Nonattainment Area to Attainment" (FRL No. 9956-92-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-89. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment of the 2008 Ozone National Ambient Air Quality Standards; Eastern San Luis Obispo, California" (FRL No. 9956-98-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-90. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compounds Emissions from Fiberglass Boat Manufacturing Materials" (FRL No. 9957-20-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-91. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Limited Approval and Limited Disapproval of California State Implementation Plan Revisions; Butte County Air Quality Management District; Stationary Source Permits" (FRL No. 9955-16-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-92. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Mississippi; Interstate Transport (Prongs 1 and 2) for the 2010 1-hour NO₂ Standard" (FRL No. 9957-09-Re-

gion 4) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-93. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; MA; Infrastructure State Implementation Plan Requirements" (FRL No. 9952-94-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-94. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Addition of a Subsurface Intrusion Component to the Hazard Ranking System" ((RIN2050-AG67) (FRL No. 9956-58-OLEM)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-95. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances; Technical Correction" ((RIN2070-AB27) (FRL No. 9956-13)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-96. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment of the 2008 Ozone National Ambient Air Quality Standards; Mariposa County, California" (FRL No. 9956-66-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Environment and Public Works.

EC-97. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "2015 Status of the Nation's Highways, Bridges, and Transit: Conditions and Performance"; to the Committee on Environment and Public Works.

EC-98. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Toxic Substance Control Act Chemical Substance Import Certification Process Revisions" (RIN1515-AE13) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-99. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Importations of Certain Vehicles and Engines Subject to Federal Anti-pollution Emission Standards" (RIN1515-AE11) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-100. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal

Rates—January 2017” (Rev. Rul. 2017–2) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-101. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Ruling: 2016 Base Period T-Bill Rate” (Rev. Rul. 2017–01) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on Finance.

EC-102. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Conditions for Coverage for End-Stage Renal Disease Facilities—Third Party Payment” ((RIN0938-AT11) (CMS-3337-IFC)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2016; to the Committee on Finance.

EC-103. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Eligibility for Exemption from User Fee Requirement for Employee Plans Determination Letter Applications Filed on or After January 1, 2017” (Notice 2017–1) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-104. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Beginning of Construction for Sections 45 and 48” (Notice 2017–04) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-105. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2016 Required Amendments List for Qualified Retirement Plans” (Notice 2016–80) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-106. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Standard Mileage Rate” (Notice 2016–79) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-107. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Extension of Eligibility Rule Waivers for Certain Automatic Changes Made to comply with the Final Tangible Property Regulations” (Notice 2017–6) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on Finance.

EC-108. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Premium Tax Cred-

it Regulation VI” ((RIN1545-BN50) (TD 9804)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-109. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance Regarding Predecessors and Successors Under Section 355(e); Limitation on Gain Recognition; Guidance Under Section 355(f)” ((RIN1545-BN18) (TD 9805)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-110. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Treatment of Certain Transfers of Property to Foreign Corporations” ((RIN1545-BL87) (TD 9803)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-111. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Treatment of Certain Domestic Entities Disregarded as Separate from Their Owners as Corporations for Purposes of Section 6038A” ((RIN1545-BM94) (TD 9796)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-112. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Disclosures of Return Information Reflected on Returns to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities” ((RIN1545-BN64) (TD 9802)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Finance.

EC-113. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Issue Price Definition for Tax-Exempt Bonds” ((RIN1545-BM46) (TD 9801)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Finance.

EC-114. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Implementation of the NICS Improvement Amendments Act of 2007” (RIN0960-AH95) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-115. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Ensuring Program Uniformity at the Hearing and Appeals Council Levels of the Administrative Review Process” (RIN0960-AH71) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2016; to the Committee on Finance.

EC-116. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs” (RIN0970-AC50 and RIN0938-AR92) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-117. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Adoption and Foster Care Analysis and Reporting System” (RIN0970-AC47) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2016; to the Committee on Finance.

EC-118. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Total Loss-Absorbing Capacity Instruments” (Rev. Proc. 2017–12) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Finance.

EC-119. A communication from the Attorney, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Correction to Applicability Date for Modification of Regulations Regarding Price Adjustments in Antidumping Duty Proceedings” (RIN0625-AB02) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2016; to the Committee on Finance.

EC-120. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Report to Congress: Results and Performance of the Hospital Value-Based Purchasing Program”; to the Committee on Finance.

EC-121. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category XV” (RIN1400-AD33) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Foreign Relations.

EC-122. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties (List 2016–0178–2016–0182); to the Committee on Foreign Relations.

EC-123. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties (List 2016–0169–2016–0177); to the Committee on Foreign Relations.

EC-124. A communication from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting, pursuant to law, the report of Presidential Determination No. 2013–06 relative to defense services to France in their efforts to secure Mali from terrorists and violent extremists and Presidential Determination No. 2014–13 relative to defense services to France for continued support efforts in Mali, Niger, and

Chad; to the Committee on Foreign Relations.

EC-125. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2015"; to the Committee on Foreign Relations.

EC-126. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-102); to the Committee on Foreign Relations.

EC-127. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Chemical Weapons Convention and the Australia Group; to the Committee on Foreign Relations.

EC-128. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2015"; to the Committee on Foreign Relations.

EC-129. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; HHS Notice of Benefit Payment Parameters for 2018; Amendments to Special Enrollment Periods and the Consumer Operated and Oriented Plan Program" ((RIN0938-AS95 and RIN0938-AS87) (CMS-9934-F)) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-130. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Refuse to Accept Procedures for Premarket Tobacco Product Submissions" (Docket No. FDA-2016-N-1555) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-131. A communication from the Assistant Secretary for Occupational Safety and Health, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Procedures for Handling Retaliation Complaints Under Section 31307 of the Moving Ahead for Progress in the 21st Century Act (MAP-21)" (RIN1218-AC88) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-132. A communication from the Deputy Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Interpretive Bulletin Relating to the Exercise of Shareholder Rights and Written Statements of Investment Policy, Including Proxy Voting Policies or Guidelines" (RIN1210-AB78) received during adjournment of the Senate in the Office of

the President of the Senate on December 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-133. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-134. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits" (29 CFR Part 4044) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-135. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Westinghouse Electric Corporation in Bloomfield, New Jersey, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-136. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Bliss and Laughlin Steel site in Buffalo, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-137. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Blockson Chemical Company site in Joliet, Illinois, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-138. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Feed Grade Sodium Formate" (Docket No. FDA-2015-F-4282) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-139. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Postmarketing Safety Reporting for Combination Products" ((RIN0910-AF82) (Docket No. FDA-2008-N-0424)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-140. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Claims Procedure for Plans Providing Disability Benefits" (RIN1210-AB39) received during adjournment of the Senate in the Office of the President of the Senate

on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-141. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "World Trade Center Health Program; Amendments to Definitions, Appeals, and Other Requirements" (RIN0920-AA56, RIN0920-AA44, RIN0920-AA48, and RIN0920-AA50) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-142. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs; Correction" ((RIN0910-AA49) (Docket No. FDA-2005-N-0464)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-143. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Title I—Improving the Academic Achievement of the Disadvantaged—Academic Assessments" (RIN1810-AB32) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-144. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Program Integrity and Improvement" (RIN1810-AD20) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-145. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Elementary and Secondary Education Act of 1965, As Amended By the Every Student Succeeds Act—Innovative Assessment Demonstration Authority" (RIN1810-AB31) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-146. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2012 and 2014 Regional Partnership Grants to Increase the Well-Being of and to Improve the Permanency Outcomes for Children Affected by Substance Abuse: Third Annual Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-147. A communication from the Deputy Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Program Integrity and Improvement" (RIN1840-AD20) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-148. A communication from the Regulations Coordinator, Office of the Assistant Secretary for Public Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health and Human Services Grants Regulation" (RIN0991-AC06) received during adjournment of the Senate in the Office of the

President of the Senate on December 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-149. A joint communication from the Secretary of Agriculture and the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to Thefts, Losses, or Releases of Select Agents and Toxins for Calendar Year 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-150. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Coordination of Federal HIV Programs for Fiscal Years 2014-2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-151. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "World Trade Center Health Program; Amendments to Definitions, Appeals, and Other Requirements" (RIN0920-AA56, RIN0920-AA44, RIN0920-AA48, and RIN0920-AA50) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-152. A communication from the Regulations Coordinator, Office of the Assistant Secretary for Health, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Compliance with Title X Requirements by Project Recipients in Selecting Subrecipients" (RIN0937-AA04) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-153. A communication from the Regulations Coordinator, Administration for Community Living, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "State Long-Term Care Ombudsman Programs" (RIN0985-AA08) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-154. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amendments to Accreditation of Third-Party Certification Bodies to Conduct Food Safety Audits and to Issue Certifications to Provide for the User Fee Program" ((RIN0910-AH23) (Docket No. FDA-2011-N-0146)) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-155. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Runaway and Homeless Youth" (RIN0970-AC43) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-156. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule

entitled "Savings Arrangements Established by Qualified State Political Subdivisions for Non-Governmental Employees" (RIN1210-AB76) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-157. A communication from the Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Apprenticeship Programs: Equal Employment Opportunity" (RIN1205-AB59) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-158. A communication from the Assistant Secretary for Occupational Safety and Health, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Clarification of Employer's Continuing Obligation To Make and Maintain an Accurate Record of Each Recordable Injury and Illness" (RIN1218-AC84) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-159. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling: Health Claims; Dietary Saturated Fat and Cholesterol and Risk of Coronary Heart Disease" ((RIN0910-AH43) (Docket No. FDA-2013-P-0047)) received in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-160. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "General Hospital and Personal Use Devices: Renaming of Pediatric Hospital Bed Classification and Designation of Special Controls for Pediatric Medical Crib; Classification of Medical Bassinet" (Docket No. FDA-2015-N-0701) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-161. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Banned Devices; Powdered Surgeon's Gloves, Powdered Patient Examination Gloves, and Absorbable Powder for Lubricating a Surgeon's Glove" ((RIN0910-AH02) (Docket No. FDA-2015-N-5017)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-162. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Assistance to States for the Education of Children with Disabilities; Preschool Grants for Children with Disabilities" ((RIN1820-AB73) (Docket ID ED-2015-OSERS-0132)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-163. A communication from the Board Members, Railroad Retirement Board, trans-

mitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2016, including the Office of Inspector General's Auditor's Report; to the Committee on Homeland Security and Governmental Affairs.

EC-164. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Payment of Subcontractors" ((RIN9000-AM98) (FAC 2005-94)) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-165. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Privacy Training" ((RIN9000-AM06) (FAC 2005-94)) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-166. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-94; Introduction" (FAC 2005-94) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-167. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Annual Financial Report for the Office of Government Ethics for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-168. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Personnel Management in Agencies" (RIN3206-AL98) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-169. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation (GSAR); Update Contract Reporting Responsibilities" (RIN3090-AJ80) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-170. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department of Housing and Urban Development Semiannual Report of the Inspector General for the period from April 1, 2016, through September 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-171. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulatory Implementation of the Centers of Excellence and Expertise" (RIN1650-AB02) received during adjournment

of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-172. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Post-Employment Conflict of Interest Restrictions; Revision of Departmental Component Designations" (RIN3209-AA14) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-173. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Post-Employment Conflict of Interest Restrictions; Revision of Departmental Component Designations" (RIN3209-AA14) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-174. A communication from the Vice President (Acting) for Congressional and Public Affairs, Millennium Challenge Corporation, transmitting, pursuant to law, the Corporation's Agency Financial Report for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-175. A communication from the Inspector General of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Inspector General's Semiannual Report to Congress for the period from April 1, 2016, through September 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-176. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and the Semiannual Management Report for the period from April 1, 2016 through September 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-177. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-178. A communication from the Acting Director, Employment Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Recruitment, Selection, and Placement (General) And Suitability" (RIN3206-AN25) received in the Office of the President of the Senate on December 9, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-179. A communication from the Acting Director, Office of Personnel Management, the President's Pay Agent, transmitting, pursuant to law, a report relative to the extension of locality based comparability payments; to the Committee on Homeland Security and Governmental Affairs.

EC-180. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Removal of Eligible Family Members from Existing Self and Family Enrollments" (RIN3206-AN43) received in the Office of the President of the Senate on December 9, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-181. A communication from the Acting Director, Office of Personnel Management,

transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of the New York, NY, and Philadelphia, PA, Appropriated Fund Federal Wage System Wage Areas" (RIN3206-AN29) received in the Office of the President of the Senate on December 9, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-182. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees Health Benefits Program: Removal of Ineligible Individuals from Existing Enrollments" (RIN3206-AN09) received in the Office of the President of the Senate on December 9, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-183. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Employment in the Excepted Service" (RIN3206-AN30) received in the Office of the President of the Senate on December 9, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-184. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of Certain Appropriated Fund Federal Wage System Wage Areas" (RIN3206-AN38) received in the Office of the President of the Senate on December 9, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-185. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees Health Benefits And Federal Employees Dental And Vision Insurance Programs' Coverage Exception For Children Of Same-Sex Domestic Partners" (RIN3206-AN34) received in the Office of the President of the Senate on December 9, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-186. A communication from the Director, Office of Administration, Executive Office of the President, transmitting, pursuant to law, a report relative to transactions from the Unanticipated Needs Account for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-187. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "The Merit System Principles: Guiding the Fair and Effective Management of the Federal Workforce"; to the Committee on Homeland Security and Governmental Affairs.

EC-188. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Department of Homeland Security Privacy Office 2016 Annual Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-189. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report of the Office of the Inspector General for the period from April 1, 2016 through September 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-190. A communication from the Director, Congressional, Legislative, and Inter-

Management, transmitting, pursuant to law, a report entitled "Agency Financial Report, Fiscal Year 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-191. A communication from the Chairwoman of the Federal Trade Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2016 through September 30, 2016 and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-192. A communication from the Executive Director, Council of the Inspectors General on Integrity and Efficiency, transmitting, pursuant to law, the report of a rule entitled "Privacy Act Regulations" (RIN3219-AA00) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-193. A communication from the General Manager, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Board's fiscal years 2014 and 2015 inventories and the Uniform Resource Locator (URL) for the reports; to the Committee on Homeland Security and Governmental Affairs.

EC-194. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, reports entitled "2015 Information Collection Budget of the United States Government" and "2016 Information Collection Budget of the United States Government"; to the Committee on Homeland Security and Governmental Affairs.

EC-195. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-93; Small Entity Compliance Guide" (FAC 2005-93) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-196. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Fair Pay and Safe Workplaces; Injunction" (RIN9000-AN30) (FAC 2005-93) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-197. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Paid Sick Leave for Federal Contractors" ((RIN9000-AN27) (FAC 2005-93)) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-198. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-93; Introduction" (FAC 2005-93) received

during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-199. A communication from the Special Counsel, Office of the Special Counsel, transmitting, pursuant to law, a report entitled “Annual Report to Congress for Fiscal Year 2016” and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-200. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education Agency Financial Report for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-201. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Fair Pay and Safe Workplaces; Injunction” ((RIN9000-AN30) (FAC 2005-93)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-202. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Intelligence and Analysis), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Select Committee on Intelligence.

EC-203. A communication from the Deputy General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Recognition of Organizations and Accreditation of Non-Attorney Representatives” (RIN1125-AA72) received during adjournment of the Senate in the Office of the President of the Senate on December 22, 2016; to the Committee on the Judiciary.

EC-204. A communication from the Senior Counsel, Civil Rights Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Standards and Procedures for the Enforcement of the Immigration and Nationality Act” (RIN1190-AA71) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on the Judiciary.

EC-205. A communication from the Supervisory Attorney-Advisor, Office on Violence Against Women, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Conforming STOP Violence Against Women Formula Grant Program Regulations to Statutory Change; Definitions and Confidentiality Requirements Applicable to All OVW Grant Programs” (RIN1105-AB46) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on the Judiciary.

EC-206. A communication from the Senior Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Recognition of Organizations and Accreditation of Non-Attorney Representatives” (RIN1125-AA72) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on the Judiciary.

EC-207. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Report of the Attorney General to Congress Pursuant to the Death in Custody Reporting Act”; to the Committee on the Judiciary.

EC-208. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Visas: Classification of Immediate Family Members as A, C-3, G, and NATO Nonimmigrants” (RIN1400-AD96) received during adjournment of the Senate in the Office of the President of the Senate on December 12, 2016; to the Committee on the Judiciary.

EC-209. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Definition of Form I-94 to Include Electronic Format” ((RIN1651-AA96) (CBP Dec. 16-27)) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2016; to the Committee on the Judiciary.

EC-210. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for ‘T’ Nonimmigrant Status” (RIN1615-AA59) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on the Judiciary.

EC-211. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for ‘T’ Nonimmigrant Status” (RIN1615-AA59) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on the Judiciary.

EC-212. A communication from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report relative to the Commission’s competitive sourcing efforts during fiscal year 2016; to the Committee on Rules and Administration.

EC-213. A communication from the Librarian of Congress, transmitting, pursuant to law, the Annual Report of the Librarian of Congress for fiscal year 2015; to the Committee on Rules and Administration.

EC-214. A communication from the Acting Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Tiered Pharmacy Copayments for Medications” (RIN2900-AP35) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Veterans’ Affairs.

EC-215. A communication from the President of the United States, transmitting, pursuant to law, the Economic Report of the President together with the 2017 Annual Report of the Council of Economic Advisers; to the Joint Economic Committee.

EC-216. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Loan Programs Office, Department of Energy, transmitting, pursuant to law, the report of a rule entitled

“Loan Guarantees for Projects That Employ Innovative Technologies” (RIN1901-AB38) received during adjournment of the Senate in the Office of the President of the Senate on December 16, 2016; to the Committee on Energy and Natural Resources.

EC-217. A communication from the Management and Program Analyst, Business Operations, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Roadless Area Conservation; National Forest System Lands in Colorado” (RIN0596-AD26) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Energy and Natural Resources.

EC-218. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Stream Protection Rule” ((RIN1029-AC93) (Docket ID OSM-2010-0018)) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Energy and Natural Resources.

EC-219. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-6669)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-220. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9306)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-221. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-0462)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-222. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-5041)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-223. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-6672)) received during adjournment of the Senate in the Office of the President of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Restricted Category Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-3820)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6895)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (42); Amdt. No. 3719" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (31); Amdt. No. 3721" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-249. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Camden, AL" ((RIN2120-AA66) (Docket No. FAA-2012-1308)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Murray, KY" ((RIN2120-AA66) (Docket No. FAA-2016-6775)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-251. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Silver Springs, NV" ((RIN2120-AA66) (Docket No. FAA-2016-6413)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-252. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Illinois Towns; Carmi, IL; De Kalb, IL; Harrisburg, IL; Kewanee, IL; Litchfield, IL; Paris, IL; and Taylorville, IL" ((RIN2120-AA66) (Docket No. FAA-2016-6985)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-253. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Arkansas Towns; Blytheville, AR; Brinkley, AR; Clarksville, AR; and DeQueen, AR" ((RIN2120-AA66) (Docket No. FAA-2016-4172)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-254. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Ohio Towns; Marion, OH; Portsmouth, OH; Van Wert, OH; and Versailles, OH" ((RIN2120-AA66) (Docket No. FAA-2016-8840)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-255. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Albany, OR" ((RIN2120-AA66) (Docket No. FAA-2015-3992)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-256. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Texas Towns; Levelland, TX; Vernon, TX; and Winters, TX" ((RIN2120-AA66) (Docket No. FAA-2016-8828)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-257. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace for the following Texas Towns; Georgetown, TX; Corpus Christi, TX; Dallas/Fort Worth, TX; Gainesville, TX; Graford, TX; Hebronville, TX; and Jasper, TX" ((RIN2120-AA66) (Docket No. FAA-2016-8827)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-258. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Savannah, GA" ((RIN2120-AA66) (Docket No. FAA-2016-9101)) received during adjournment of

the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-259. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Eugene, OR, and Corvallis, OR" ((RIN2120-AA66) (Docket No. FAA-2015-3991)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-260. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Establishment of Restricted Areas; Chincoteague Inlet, VA" ((RIN2120-AA66) (Docket No. FAA-2015-2776)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-261. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of and Modification to Restricted Areas; Fort Sill, OK" ((RIN2120-AA66) (Docket No. FAA-2015-3680)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-262. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators" (RIN2126-AB66) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-263. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Commercial Driver's License Drug and Alcohol Clearinghouse" (RIN2126-AB18) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-264. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Update of Overflight Fees" ((RIN2120-AK53) (Docket No. FAA-2015-3597)) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-265. A communication from the Director, Contract and Grant Policy Division, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Federal Acquisition Regulation Supplement: Contractor Financial Reporting of Property" (RIN2700-AE33) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-266. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Railroad Police Officers" (RIN2130-AC62) received during adjournment of the Senate in the Office of the President of the Senate on December 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-267. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XE695) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Commerce, Science, and Transportation.

EC-268. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to Framework Adjustment 55 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updates Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2016" (RIN0648-XE632) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Commerce, Science, and Transportation.

EC-269. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; 2016-2018 Atlantic Bluefish Specifications" (RIN0648-XE336) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Commerce, Science, and Transportation.

EC-270. A communication from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services at Bozeman Yellowstone International Airport (BZN), Glacier Park International Airport (FCA), and Yellowstone Airport (WYS); to the Committee on Commerce, Science, and Transportation.

EC-271. A communication from the Acting Deputy Chief Financial Officer, National Environmental Satellite, Data, and Information Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services" (RIN0648-BG39) received during adjournment of the Senate in the Office of the President of the Senate on December 20, 2016; to the Committee on Commerce, Science, and Transportation.

EC-272. A communication from the Deputy Chief Financial Officer and Director for Financial Management, Office of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Adjustments for Inflation" (RIN0605-AA47) received during adjournment of the Senate in the Office of the President of the Senate on

December 28, 2016; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PAUL (for himself, Mr. BLUNT, Mr. YOUNG, Mr. ROUNDS, Mr. GRASSLEY, Mr. GARDNER, Mrs. ERNST, Mr. COTTON, Mrs. CAPITO, Mr. DAINES, Mr. MCCAIN, Mr. SCOTT, Mr. CRUZ, Mr. BARRASSO, Mr. CRAPO, Mr. THUNE, Mr. INHOFE, Mrs. FISCHER, Mr. JOHNSON, Mr. BOOZMAN, Mr. HELLER, Mr. SULLIVAN, Mr. ENZI, Mr. LEE, Mr. ROBERTS, Mr. SASSE, Mr. MORAN, and Mr. CASSIDY):

S. 21. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER:

S. 22. A bill to amend title 54, United States Code, to prohibit the further extension or establishment of national monuments in the State of Nevada except by express authorization of Congress; to the Committee on Energy and Natural Resources.

By Mr. CASSIDY:

S. 23. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASSIDY:

S. 24. A bill to expand eligibility for hospital care and medical services under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 to include veterans who are age 75 or older, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN (for herself, Mrs. GILLIBRAND, and Mr. SCHATZ):

S. 25. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mr. WYDEN (for himself, Ms. BALDWIN, Mr. BENNET, Mr. CARDIN, Mrs. FEINSTEIN, Mr. KAINE, Mr. MERKLEY, Mr. MURPHY, Ms. STABENOW, Mr. UDALL, and Ms. WARREN):

S. 26. A bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes; to the Committee on Rules and Administration.

By Mr. CARDIN (for himself, Mrs. FEINSTEIN, Mr. LEAHY, Mr. CARPER, and Ms. KLOBUCHAR):

S. 27. A bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other at-

tempts to interfere in the 2016 United States national election, and for other purposes; to the Committee on Rules and Administration.

By Mr. FLAKE (for himself and Mr. JOHNSON):

S. 28. A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. TESTER (for himself and Ms. COLLINS):

S. 29. A bill to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER (for Mrs. FEINSTEIN (for herself, Mr. CORNYN, Ms. KLOBUCHAR, Mr. INHOFE, Mr. FRANKEN, Mr. TILLIS, Mrs. GILLIBRAND, Mr. MARKEY, and Mr. FLAKE)):

S. 30. A bill to extend the civil statute of limitations for victims of Federal sex offenses; to the Committee on the Judiciary.

By Mr. WYDEN (for Mrs. FEINSTEIN (for herself, Mr. WYDEN, Ms. CANTWELL, Mr. MERKLEY, Mrs. MURRAY, and Ms. HARRIS)):

S. 31. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Energy and Natural Resources.

By Mr. SHELBY:

S.J. Res. 3. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross domestic product of the United States during the previous calendar year; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. RUBIO (for himself, Mr. CARDIN, Mr. MCCONNELL, Mr. SCHUMER, Mr. MORAN, Mr. NELSON, Mr. COTTON, Mr. MENENDEZ, Mr. GRAHAM, Mrs. GILLIBRAND, Mr. CORNYN, Mr. BLUMENTHAL, Mrs. ERNST, Mr. COONS, Mr. YOUNG, Mr. BENNET, Mr. HELLER, Mr. CASEY, Mr. PORTMAN, Mr. DONNELLY, Mr. MCCAIN, Ms. STABENOW, Mr. RISCH, Mr. PETERS, Mr. WYDEN, Mr. WARNER, Mr. SULLIVAN, Mr. BLUNT, Mr. BOOZMAN, Mr. ROBERTS, Mr. KENNEDY, Mr. COCHRAN, Mr. BARRASSO, Ms. COLLINS, Mr. TOOMEY, Mr. MANCHIN, Mr. FLAKE, Mr. BOOKER, and Mrs. CAPITO):

S. Res. 6. A resolution objecting to United Nations Security Council Resolution 2334

and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mr. LEAHY, Ms. WARREN, Mr. CARPER, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. REED, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL, Mr. MERKLEY, Mr. BENNET, Mr. FRANKEN, Mr. COONS, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, and Mrs. FEINSTEIN):

S. Con. Res. 4. A concurrent resolution clarifying any potential misunderstanding as to whether actions taken by President-elect Donald Trump constitute a violation of the Emoluments Clause, and calling on President-elect Trump to divest his interest in, and sever his relationship to, the Trump Organization; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. HELLER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 11, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

At the request of Mr. TOOMEY, his name was added as a cosponsor of S. 11, supra.

S. 17

At the request of Mr. SASSE, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Delaware (Mr. CARPER), the Senator from Hawaii (Mr. SCHATZ), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Iowa (Mrs. ERNST) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 17, a bill to ensure the Government Accountability Office has adequate access to information.

S.J. RES. 2

At the request of Mr. CRUZ, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 5

At the request of Mr. MORAN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 5, a resolution expressing the sense of the Senate in support of Israel.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FLAKE (for himself and Mr. JOHNSON):

S. 28. A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments

and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the Committee on Finance.

Mr. FLAKE. Mr. President, I rise to speak today about legislation I am introducing, the Health Savings Account Expansion Act.

Earlier this month, individuals across this country were once again faced with fewer choices and increased costs when purchasing health insurance coverage. Unfortunately, this has been a common occurrence since the Affordable Care Act's inception, but no State, I can tell you, is feeling the pinch more than my State of Arizona. Prior to the flawed rollout of the exchanges in 2013, Arizona had 24 health insurance companies offering plans in the individual market. Just last year, residents in Arizona's most populous county Maricopa, where I live, had only 8 private providers to choose from on the exchange—so from 24 to 8. Then, if that wasn't bad enough, a few months ago, individuals all across Arizona received notification that their insurance plans were no longer being offered, despite the current administration's hollow promise that they could keep their plans. Now nearly stripped of their preferred health insurance, residents in 14 of 15 Arizona counties—14 out of 15 counties—logged into the ObamaCare exchanges to shop for new plans only to discover that instead of the vibrant marketplace they used to have, they were left with only one insurer to choose from—so from 24 to 8, to 1 for 14 of Arizona's 15 counties.

So today, when I hear my friends on the other side of the aisle talking about preserving this wonderful program, I am saying "What State of denial do you live in?" because it is certainly not working in Arizona. In fact, Pinal County in Arizona briefly held the unfortunate distinction as the only county in America without a single insurer willing to offer plans on its exchange, not a single one. Fortunately, a few months later, one stepped in—just one. Of the plans that were ultimately made available to Arizonans on the exchange, the average policy came with a premium hike of nearly 50 percent—an average of nearly 50 percent. With only one game in town, there was no shopping around for a better deal.

To help put this in perspective, I would like to compare the average cost of health care coverage in Arizona to one of the most important purchases a family will ever make, and that is a home. Throughout most counties in Arizona, it is now cheaper to put a roof over your family's head than it is to pay your monthly health insurance premium under ObamaCare.

Let me say that again. Throughout most counties in Arizona, it is now cheaper to put a roof over your family's head than it is to pay your monthly health insurance premium under

ObamaCare. This is for Maricopa County. It is the county in which I live and includes Phoenix. Homeowners can expect to pay nearly \$500 more per month on their health insurance than they do on their house—\$500 more on their health insurance than they do on their house. This is for the ObamaCare silver plan premium. This is a family—age 40 with two children. So that's about the median, and this is the median mortgage payment with respect to Maricopa County—\$500 more.

Let's see the visual for Pima County. Pima County is home to Tucson. Health care premiums ran an average family \$100 more per month than their mortgage. So in Pima County you are still paying more—\$100 more for your health insurance premium than you are for your mortgage.

Then there is Pinal County, the third largest in Arizona. According to Arizona's Department of Insurance, the average premium for a silver plan in Pinal County for the average family of four is over \$1700. That is double the median monthly mortgage payment for the same county. If you live in Pinal County, AZ, you are paying twice as much for your health insurance premium.

Keep in mind, we are talking about the premium, to say nothing of what happens when you go to the hospital or to your doctor and you have to pay deductibles that are through the roof or co-pays that people have never experienced before. So when they utilize that coverage they paid for with their premium, they realize they can't afford that either.

The situation isn't unique to these counties, the three most populous counties in Arizona. In all 15 of Arizona's counties, premiums for a family of 4 dramatically exceed the median monthly mortgage.

It is unacceptable for the Federal Government to force families to spend upwards of \$1,700 per month of their hard-earned income on a substandard product without options or choices, only to then slap them with a draconian penalty that they simply can't afford to pay for an untenable law.

Arizona is, without a doubt, ground zero for the structural failures that are plaguing insurance markets around the country. Insurance exchanges are on the verge of collapsing; premiums, deductibles, out-of-pocket expenses are skyrocketing; and our health care system is in desperate need of reform. That is why I stand here today to introduce the Health Savings Account Expansion Act.

The Health Savings Account Expansion Act goes a long way toward reforming our health care system by putting consumers back in charge of their own health care. The bill provides individuals and families with freedom to choose the health care that best meets their needs and allows them to use

their health savings accounts on medical products and services they value most.

HSAs give consumers greater control over their health care dollars by providing them with a tax-advantaged savings option for their medical expenses. This means that the dollars they work so hard to save can grow over time, tax free, and can be withdrawn tax free for qualified medical expenses. The HSA Expansion Act strengthens this important tool by nearly tripling the arbitrarily low contribution limits, thus allowing for greater tax equity and more universal participation in HSAs. The bill would then allow individuals to use these expanded HSAs to help cover the costs of their monthly health insurance premiums. This is a critically important feature, particularly for middle-class families whose incomes fall slightly above the qualified threshold for subsidies but whose health insurance has become unaffordable.

In Arizona, I like to go to the gym in the morning, and I like to get on an exercise bike. By that bike is kind of a hallway where people will walk by. Inevitably, in the morning, I will have a lineup of people who will stand to tell me their ObamaCare horror stories—how much their premiums have gone up or that they no longer have any options or that they have had to pay the penalty or that when they go to utilize their care, they simply can't afford the co-pays and deductibles. I can tell you, it is sobering to hear these stories again and again and again.

In addition to further incentivizing prudent savings for health expenses, this legislation repeals existing restrictions put in place by ObamaCare on over-the-counter medications while also reducing the penalty for withdrawing HSA funds for nonqualified purchases. These reforms will help streamline HSAs while also making them more user-friendly for consumers.

Arizonans are struggling. They are struggling under the weight of bureaucracy that is complicating their health care decisions that are some of the most personal and important decisions individuals make for themselves and their families. If we hope to lift that burden off the backs of our constituents, we have to recognize that the key to reforming our health care system is not more government intervention; rather, it is allowing individuals the freedom to take back control of their health care and incentivizing prudent decisionmaking.

As the Senate looks to repeal this disastrous law and replace it with real reforms that would successfully lower health care costs and improve choice, I look forward to working with my colleagues to ensure that this legislation is included in those negotiations.

By Mr. SCHUMER (for Mrs. FEINSTEIN (for herself, Mr. CORNYN,

Ms. KLOBUCHAR, Mr. INHOFE, Mr. FRANKEN, Mr. TILLIS, Mrs. GILLIBRAND, Mr. MARKEY, and Mr. FLAKE)):

S. 30. A bill to extend the civil statute of limitations for victims of Federal sex offenses; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Extending Justice for Sex Crime Victims Act, a bill to extend the time for minors to seek justice against their perpetrators.

Sex crimes committed against children tragically remain a vile and dangerous reality in communities across this country.

Just this past summer, as the world tuned into the 2016 Olympic Games in Rio de Janeiro, the Indianapolis Star reported that USA Gymnastics had failed to report to law enforcement allegations of child sexual abuse committed by some of its coaches.

Due to these purported failures, athletes as young as 7 years old were reported to have been abused for years, without any action taken to prevent the abuse.

Since the initial Indianapolis Star report, more and more young gymnasts have come forward about their abuse.

All over the world, and all over this country, sex abuse victims are bravely coming forward to tell their stories of abuse when they were children.

In my home state of California, numerous victims have contacted my office. They have shared the amount of courage and strength it took to finally come forward with their experiences.

These stories represent an untold amount of pain and suffering. They also represent how difficult it is to come forward until later, in adulthood.

It has been estimated that 90 percent of child sex crime victims never go to the authorities concerning their abuse.

To put this into context, studies indicate that at least one in four girls and about one in five boys is sexually abused. 90 percent of those victims never go to the authorities.

A great number of victims don't ever disclose their abuse. If they do, they do not come forward until many years later, after reaching adulthood.

This bill extends the civil statute of limitations in two ways for minor victims of Federal sex crimes to seek justice against their perpetrators.

For one, the bill extends the statute of limitations for minor victims until the age of 28, from age 21, for injuries stemming from sex crimes such as sexual abuse and child pornography.

Second, for the two laws that provide civil remedies for sex abuse and sex trafficking victims, the bill clarifies that the statute of limitations does not begin to run until after the victim actually discovers the injury or the violation.

This is significant because victims of sex crimes are sometimes abused even

before they can remember the abuse, some as young as 3 years old. Some victims are unable to connect their abuse to the injurious symptoms they exhibit throughout their lives.

The bill therefore clarifies that the limitations period begins when the victim first discovers the injury or the violation.

Through these provisions, the bill ensures that minor victims have an extended period to seek justice against their perpetrators after discovering their injury or violation.

I want to thank Senator CORNYN again for working so closely with me on this issue. I also want to thank the cosponsors to this bill: Senators KLOBUCHAR, INHOFE, FRANKEN, FLAKE, GILLIBRAND, TILLIS, and MARKEY.

I also want to acknowledge the support for this bill from the National Center for Victims of Crime, Rape Abuse & Incest National Network, the National Children's Advocacy Center, SGS for Healing, National Crime Victim Law Institute, National Association of VOCA Assistance Administrators, National Network to End Domestic Violence, Stop the Silence, PROTECT, the National Association to Protect Children, Rights4Girls, End Rape on Campus, National Children's Alliance, Lauren's Kids, Minnesota Coalition Against Sexual Assault, and Survivors Network of those Abused by Priests.

By Mr. WYDEN (for Mrs. FEINSTEIN (for herself, Mr. WYDEN, Ms. CANTWELL, Mr. MERKLEY, Mrs. MURRAY, and Ms. HARRIS)):

S. 31. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise to introduce a bill, the West Coast Ocean Protection Act, which would amend the Outer Continental Shelf Lands Act to prohibit the Department of the Interior from issuing a lease for offshore oil or gas in federal waters off the coast of California, Oregon, or Washington.

I am pleased to be joined today by Senators WYDEN, MERKLEY, CANTWELL, MURRAY, and HARRIS in sponsoring this bill, which has been reintroduced in every Congress since 2010.

The original impetus for this bill was the Deepwater Horizon catastrophe in the Gulf of Mexico in April of 2010, which demonstrated yet again the risks of offshore oil and gas extraction.

When the Deepwater Horizon well blew out, 11 people died and 17 others were injured. Oil and gas rushed into the Gulf of Mexico for 87 days.

Oil slicks spread across the Gulf of Mexico, tar balls spoiled the pristine white sand beaches of Florida, wetlands were coated with toxic sludge,

and more than one-third of federal waters in the Gulf were closed to fishing.

While Deepwater Horizon served as an important reminder, the dangers of offshore oil and gas were already too well known to Californians. In 1969, the Santa Barbara oil spill leaked up to 100,000 barrels of oil, and remains the third largest oil spill in the country to this day.

Like the Deepwater Horizon, the Santa Barbara oil spill was caused by a natural gas blowout when pressure in the drill hole fluctuated.

It took 11 days to plug the hole with mud and cement, but oil and gas continued to seep for months.

Using containment technologies still in place today, the cleanup effort relied on skimmers, detergent, and booms.

There has been no new drilling in waters controlled by the State of California since then, and there has been no new drilling in Federal waters off the coast of California since 1981.

Appropriately, the most recent plan from the Department of the Interior for Outer Continental Shelf Oil and Gas Leasing will not allow new leasing off the Pacific Coast of California, Oregon or Washington through 2022.

The fact is that those of us on the Pacific coast do not want any further offshore oil or gas development.

In 2012 California's 19 coastal counties generated \$662 billion in wages and \$1.7 trillion in GDP. This accounts for 80 percent of the economic activity in the State.

California's Ocean economy, including tourism, recreation, and marine transportation, accounts for over 489,000 jobs.

Unlike other areas of the country, any potential fossil fuel resources off the coast of California are likely to be found within only 50 miles of the coast, because of the narrow shelf off the California coast. This means that any potential drilling, and any potential spills, would be in direct conflict with the ocean environment and economy that my state enjoys.

Enacting a permanent ban on offshore drilling would protect our coast for generations to come.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 6—OBJECTING TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 2334 AND TO ALL EFFORTS THAT UNDERMINE DIRECT NEGOTIATIONS BETWEEN ISRAEL AND THE PALESTINIANS FOR A SECURE AND PEACEFUL SETTLEMENT

Mr. RUBIO (for himself, Mr. CARDIN, Mr. McCONNELL, Mr. SCHUMER, Mr. MORAN, Mr. NELSON, Mr. COTTON, Mr. MENENDEZ, Mr. GRAHAM, Mrs. GILLIBRAND, Mr. CORNYN, Mr. BLUMENTHAL,

Mrs. ERNST, Mr. COONS, Mr. YOUNG, Mr. BENNET, Mr. HELLER, Mr. CASEY, Mr. PORTMAN, Mr. DONNELLY, Mr. MCCAIN, Ms. STABENOW, Mr. RISCH, Mr. PETERS, Mr. WYDEN, Mr. WARNER, Mr. SULLIVAN, Mr. BLUNT, Mr. BOOZMAN, Mr. ROBERTS, Mr. KENNEDY, Mr. COCHRAN, Mr. BARRASSO, Ms. COLLINS, Mr. TOOMEY, Mr. MANCHIN, Mr. FLAKE, Mr. BOOKER, and Mrs. CAPITO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 6

Whereas it is long-standing policy of the United States Government that a peaceful resolution to the Israeli-Palestinian conflict must come through direct, bilateral negotiations without preconditions for a sustainable two-state solution;

Whereas President Barack Obama expressed before the United Nations General Assembly in 2011 that "peace will not come through statements and resolutions at the United Nations—if it were that easy, it would have been accomplished by now";

Whereas Yasser Arafat committed by letter dated September 9, 1993, to then Prime Minister Yitzhak Rabin, "The PLO commits itself to the Middle East peace process and to the peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to permanent status will be resolved by negotiation.";

Whereas the United Nations has taken a long-standing biased approach towards Israel, confirmed in outgoing Secretary-General Ban Ki Moon's final address to the United Nations Security Council, when he described the "disproportionate" volume of resolutions targeting Israel and stated that "decades of political maneuvering have created a disproportionate number of resolutions, reports, and committees against Israel";

Whereas the United Nations is not the appropriate venue and should not be a forum used for seeking unilateral action, recognition, or dictating parameters for a two-state solution, including the status of Jerusalem;

Whereas it is long-standing practice of the United States Government to oppose and veto any United Nations Security Council resolution dictating terms, conditions, and timelines on the peace process;

Whereas it is also the historic position of the United States Government to oppose and veto one-sided or anti-Israel resolutions at the United Nations Security Council;

Whereas efforts to impose a solution or parameters for a solution will make negotiations more difficult and will set back the cause of peace;

Whereas the Obama Administration's decision not to veto United Nations Security Council Resolution 2334 (2016) is inconsistent with long-standing United States policy and makes direct negotiations more, not less, challenging;

Whereas several United States administrations have articulated principles as a vision for achieving a two-state solution, including addressing borders, mutual recognition, refugees, Jerusalem, and ending all outstanding claims;

Whereas Israel is a vibrant democracy whose leaders are elected and accountable to the Israeli people; and

Whereas the Palestinian Authority must engage in broad, meaningful, and systemic reforms in order to ultimately prepare its institutions and people for statehood and

peaceful coexistence with Israel: Now, therefore, be it

Resolved, That the Senate—

(1) expresses grave objection to United Nations Security Council Resolution 2334 (2016);

(2) calls for United Nations Security Council Resolution 2334 to be repealed or fundamentally altered so that it is no longer one-sided and allows all final status issues toward a two-state solution to be resolved through direct bilateral negotiations between the parties;

(3) rejects efforts by outside bodies, including the United Nations Security Council, to impose solutions from the outside that set back the cause of peace;

(4) demands that the United States ensure that no action is taken at the Paris Conference on the Israeli-Palestinian conflict scheduled for January 15, 2017, that imposes an agreement or parameters on the parties;

(5) notes that granting membership and statehood standing to the Palestinians at the United Nations, its specialized agencies, and other international institutions outside of the context of a bilateral peace agreement with Israel would cause severe harm to the peace process, and would likely trigger the implementation of penalties under sections 7036 and 7041(j) of the Department of State, Foreign Operations, and Related Agencies Appropriations Act, 2016 (division K of Public Law 114-113);

(6) rejects any efforts by the United Nations, United Nations agencies, United Nations member states, and other international organizations to use United Nations Security Council Resolution 2334 to further isolate Israel through economic or other boycotts or any other measures, and urges the United States Government to take action where needed to counter any attempts to use United Nations Security Council Resolution 2334 to further isolate Israel;

(7) urges the current presidential administration and all future presidential administrations to uphold the practice of vetoing all United Nations Security Council resolutions that seek to insert the Council into the peace process, recognize unilateral Palestinian actions including declaration of a Palestinian state, or dictate terms and a timeline for a solution to the Israeli-Palestinian conflict;

(8) reaffirms that it is the policy of the United States to continue to seek a sustainable, just, and secure two-state solution to resolve the conflict between the Israelis and the Palestinians; and

(9) urges the incoming Administration to work with Congress to create conditions that facilitate the resumption of direct, bilateral negotiations without preconditions between Israelis and Palestinians with the goal of achieving a sustainable agreement that is acceptable to both sides.

SENATE CONCURRENT RESOLUTION 4—CLARIFYING ANY POTENTIAL MISUNDERSTANDING AS TO WHETHER ACTIONS TAKEN BY PRESIDENT-ELECT DONALD TRUMP CONSTITUTE A VIOLATION OF THE EMOLUMENTS CLAUSE, AND CALLING ON PRESIDENT-ELECT TRUMP TO DIVEST HIS INTEREST IN, AND SEVER HIS RELATIONSHIP TO, THE TRUMP ORGANIZATION

Mr. CARDIN (for himself, Mr. LEAHY, Ms. WARREN, Mr. CARPER, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr.

REED, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL, Mr. MERKLEY, Mr. BENNET, Mr. FRANKEN, Mr. COONS, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, and Mrs. FEINSTEIN) submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 4

Whereas article I, section 9, clause 8 of the United States Constitution (commonly known as the “Emoluments Clause”) declares, “No title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.”;

Whereas, according to the remarks of Governor Edmund Randolph at the 1787 Constitutional Convention, the Emoluments Clause “was thought proper, in order to exclude corruption and foreign influence, to prohibit any one in office from receiving or holding any emoluments from foreign states”;

Whereas the issue of foreign corruption greatly concerned the Founding Fathers of the United States, such that Alexander Hamilton in Federalist No. 22 wrote, “In republics, persons elevated from the mass of the community, by the suffrages of their fellow-citizens, to stations of great pre-eminence and power, may find compensations for betraying their trust, which, to any but minds animated and guided by superior virtue, may appear to exceed the proportion of interest they have in the common stock, and to over-balance the obligations of duty. Hence it is that history furnishes us with so many mortifying examples of the prevalence of foreign corruption in republican governments.”;

Whereas the President of the United States is the head of the executive branch of the Federal Government and is expected to have undivided loyalty to the United States, and clearly occupies an “office of profit or trust” within the meaning of article I, section 9, clause 8 of the Constitution, according to the Office of Legal Counsel of the Department of Justice;

Whereas the Office of Legal Counsel of the Department of Justice opined in 2009 that corporations owned or controlled by a foreign government are presumptively foreign states under the Emoluments Clause;

Whereas President-elect Donald J. Trump has a business network, the Trump Organization, that has financial interests around the world and negotiates and concludes transactions with foreign states and entities that are extensions of foreign states;

Whereas Michael Cohen, an attorney for Donald J. Trump and the Trump Organization, initially stated that the Trump Organization would be placed into a “blind trust” managed by Donald Trump’s children, Donald Trump, Jr., Ivanka Trump, and Eric Trump;

Whereas the very nature of a “blind trust” is such that the official will have no control over, will receive no communications about, and will have no knowledge of the identity of the specific assets held in the trust, and that the manager of the trust is independent of the owner, and as such the arrangement proposed by Mr. Cohen is not a blind trust;

Whereas, on November 30, 2016, President-elect Donald J. Trump announced on Twitter

that “I will be holding a major news conference in New York City with my children on December 15 to discuss the fact that I will be leaving my great business in total in order to fully focus on running the country in order to MAKE AMERICA GREAT AGAIN!”;

Whereas, on December 12, 2016, President-elect Donald J. Trump abruptly canceled the planned December 15, 2016 news conference, and has provided no set date for a future announcement;

Whereas, on December 12, 2016, President-elect Donald J. Trump stated on Twitter, “Even though I am not mandated by law to do so, I will be leaving my businesses [sic] before January 20th so that I can focus full time on the Presidency. Two of my children, Don and Eric, plus executives, will manage them. No new deals will be done during my term(s) in office”;

Whereas numerous legal and constitutional experts, including several former White House ethics counsels, have made clear that, notwithstanding the problems inherent in temporarily ceding control of the Trump Organization to his children, such an arrangement, in which the President-elect fails to exit the ownership of his businesses through use of a blind trust or equivalent, will leave the President-elect with a personal financial interest in businesses that collect foreign government payments and benefits, which raises both constitutional and public interest concerns;

Whereas Presidents Ronald Reagan, George H. W. Bush, William J. Clinton, and George W. Bush have set the precedent of using true blind trusts, in which their holdings were liquidated and placed in new investments unknown to them by an independent trustee who managed them free of familial bias;

Whereas the continued intermingling of the business of the Trump Organization and the work of government has the potential to constitute the foreign corruption so feared by the Founding Fathers and to betray the trust of America’s citizens;

Whereas the intent of this resolution is to prevent any potential misunderstanding or crisis with regards to whether the actions of Donald J. Trump as President of the United States will violate the Emoluments Clause of the Constitution, Federal law, or fundamental principles of ethics; and

Whereas Congress has an institutional, constitutional obligation to ensure that the President of the United States does not violate the Emoluments Clause and is discharging the obligations of office based on the national interest, not based on personal interest: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) calls upon President-elect Donald J. Trump to follow the precedent established by prior Presidents and convert his assets to simple, conflict-free holdings, adopt blind trusts managed by an independent trustee with no relationship to Donald J. Trump or his businesses, or take other equivalent measures, in order to ensure compliance with the Emoluments Clause of the United States Constitution;

(2) calls upon President-elect Donald J. Trump not to use the powers or opportunities of his position as President-elect or President of the United States for any purpose related to the Trump Organization; and

(3) regards, in the absence of such actions outlined in paragraph (1) or specific authorization by Congress, dealings that Donald J. Trump, as President of the United States, may have through his companies with for-

foreign governments or entities owned or controlled by foreign governments as potential violations of the Emoluments Clause.

Mr. CARDIN. Mr. President, it is with a renewed sense of purpose that I reintroduce my resolution on the Emoluments Clause. It is a resolution intended to uphold the values and strictures of one of our most sacred documents. I am referring, of course, to the Constitution, the instrument that, in but a short time, President-elect Donald Trump will take an oath to preserve, protect, and defend.

Our Founding Fathers could not have been clearer that any Federal office holder of the United States must never be put in a position where he or she could be influenced by a foreign governmental actor. It was a concern made explicit by Alexander Hamilton’s writings in Federalist No. 22, in which he noted examples of republics that had been ruthlessly dismembered by their hostile neighbors who had paralyzed the victim republic by bribing its officers and officials.

The Founding Fathers addressed this grave concern by placing the Emoluments Clause within the Constitution as an explicit bar on foreign corruption and interference. Article I, section 9, clause 8 of the United States Constitution declares that:

No title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Longstanding precedent has made it plain that the President of the United States, as the head of the executive branch of the government, clearly occupies an “office of profit or trust”. As such, the Emoluments Clause clearly applies to and constrains whomever holds the office of the Presidency.

Past American presidents have recognized the danger of foreign corruption and interference, or merely the perception of corruption and interference, and have accordingly taken great pains to avoid even the appearance of impropriety with regard to their personal wealth and investments, ensuring that such investments never interfere with performing their duties as President of the United States. Presidents Jimmy Carter, Ronald Reagan, George Herbert Walker Bush, Bill Clinton, and George W. Bush all had their assets placed into blind trust while they were President. To fulfill his promises of greater government transparency, President Obama went even further and invested the vast majority of his funds in U.S. Treasury bonds.

The President-elect has claimed he will “absolutely sever” his ties to the Trump Organization, which has financial interests around the world and negotiates and concludes transactions with foreign states, as well as entities that are extensions of foreign states.

We have a constitutional duty to ensure that he does. It is easy to imagine circumstances in which a foreign government will want to give President Trump a personal gift through his businesses with the intent to curry favor with him and seek to influence his decisions in ways that benefit them, instead of the American people—precisely the danger our Founding Fathers sought to protect against with the Emoluments Clause.

This is not an esoteric argument about rules that do not affect real people. Put simply, the American public has a right to know that the President of the United States is always acting in their best interest, and not take the risk that his actions are influenced by some benefit or gift from a foreign government like Russia or China. The citizens of this country need to know that when the President of the United States is making decisions about potential trade agreements, sending troops into war, or spending America's great resources, those actions are motivated by the public interest, and not because they might advance or harm the President's private pecuniary interests.

We should be concerned when the President-elect is connected to an organization that has dealings with countries and entities that are not interested in distinguishing between doing business with President Trump and the profit-making organization that bears his name. The President-elect's failure thus far to dispose of his business interests in a comprehensive fashion has left this door wide open, and we are already seeing indications that foreign companies and businesses are beginning to take advantage. Kuwait's National Day event, which has traditionally been held at the Four Seasons in Washington, D.C., was moved to the Trump International Hotel, allegedly because of pressure—or perhaps merely a suggestion—from the President-elect's associates. Similarly, Bahrain has chosen to schedule an event to take place at the Trump International Hotel.

News reports suggest that one day after a phone call between President-elect Trump and the President of Argentina, permits under review for the Trump building in Buenos Aires were suddenly approved. In China, just days after the presidential election, Donald Trump scored a legal victory in a decade-long trademark dispute over the right to use the Trump name for real estate agent services in commercial and residential properties in China. The timing of these actions is interesting, to put it mildly.

I sincerely regret the necessity of reintroducing this resolution. Just after Thanksgiving, when President-elect Trump held a press conference to state that on December 15, 2016, he would make an announcement about his fu-

ture with the Trump Organization, I publicly said how encouraged I was to see the President-elect's positive response. When I first introduced this resolution, my intent was to create an opportunity for the President-elect to act and remove this as an issue, so that he could put aside any appearance of impropriety and devote himself to good work on behalf of the American people. That is why I was disappointed when Mr. Trump abruptly canceled his December 15 announcement—and, as of today, he has not yet rescheduled it. This issue is far too critical to kick the can down the road, or to ignore, before an incipient violation of the Constitution becomes an actual violation.

Even before Mr. Trump's cancellation of his December 15 announcement, I was deeply concerned by statements he and his lawyers made with regard to the disposition of his numerous business interests. Mr. Trump's lawyers had initially announced that the Trump Organization would be placed into a "blind trust" managed by Donald Trump's older children. That arrangement is, unfortunately, by its terms the complete opposite of an actual blind trust. An actual blind trust is an arrangement which the official has no control over, will receive no communications about, and will have no knowledge of the identity of the specific assets being held, and in which the trust's manager operates independently of the owner.

Around the same time President-elect Trump cancelled his December 15th announcement, he tweeted another idea for disposition of his businesses, stating that "[t]wo of my children, Don and Eric, plus executives, will manage them. No new deals will be done during my term(s) in office". Let me be absolutely clear: the arrangement tweeted by Mr. Trump is not sufficient and is hardly independent. Mr. Trump would be well-aware of the specific assets held, and he could receive communications about and take actions to affect the value of those assets. The idea that President-elect Trump's children, who are listed as members of his transition team and have already been present at meetings or phone calls with foreign leaders, can ever be truly "independent managers" is simply not a credible resolution of this concern.

This inadequate suggested arrangement is not a blind trust and will not ensure compliance with the Emoluments Clause of the United States Constitution. Indeed, numerous legal and constitutional experts, including Richard Painter, a former adviser to George W. Bush, have made clear that such an arrangement will leave the President-elect with a personal financial interest in businesses that collect foreign government payments and benefits. The notion that the American people should be satisfied by an unbinding

promise that no new deals will be pursued—a promise that does not define what constitutes a "deal" and which can be renegotiated on at any time—does not pass the laugh test.

I must admit, I have also been quite disturbed and disappointed by the recent excuses and suggestions by surrogate speakers and supporters of the President-elect as to why no action need be taken and, indeed, by statements the President-elect has made himself. President-elect Trump has tweeted, [p]rior to the election it was well known that I have interests in properties all over the world." This is undoubtedly true. But the American people, in voting for a candidate, cannot—and, in fact, would not—want to excuse a potential future violation of the Constitution by that candidate. Indeed, I would say that President-elect Trump has this idea backwards. Prior to the election, he was well aware of the fact that he had interests in unique properties all over the world. Since the President-elect has referred to himself as "a constitutionalist," he must have known of the importance of complying with the Constitution by severing his foreign business connections in advance of his inauguration, which makes his continued failure and delay on this front all the more inexplicable.

On November 22nd, President-elect Trump stated, "The law's totally on my side, meaning, the president can't have a conflict of interest." This regrettable statement selectively picks facts and shows a troubling disregard for the Constitution and for the duties owed to the American people. While the President, Vice President, Members of Congress, and Federal judges may be granted specific, limited exemptions from conflicts of interest so that they may act and carry out their duties, that law does not supersede the Constitution nor, frankly, have anything to do with the very specific provisions of the Emoluments Clause, which are intended to prevent foreign governmental financial influence over the President.

Even as some of the President-elect's most trusted surrogates have acknowledged that the potential ethics challenges facing President-elect Trump are "a very real problem," they have persisted in arguing that Mr. Trump is somehow exempt from constitutional strictures, and even from the temptation of corruption itself, by virtue of his great wealth. For example, former Speaker Gingrich has claimed "that this is a new situation we've never seen before, and the rules [that] were written for people who were dramatically less successful literally do not work," while Mr. Trump's leading candidate to head the administration's Council of Economic Advisors has claimed that "[w]ealthy folks have no need to steal or engage in corruption." Really? That is a transparently false idea that one

does not have to look very far to disprove. We need only glance at the countries where the Trump Organization has done business—places like Russia, Azerbaijan, Argentina, and Nigeria—to find numerous examples of already-wealthy government officials who have used their positions to lie, cheat, extort, and further enrich themselves and their families at the expense of the people they are supposed to be serving.

It was the enduring wisdom of our Founders to recognize that America is not magically immune from the corruption problems in other countries, and that not all men are angels. This is why we place our trust in the Constitution, not in individuals. A man with more wealth and extensive foreign holdings than prior presidents is, by an order of magnitude, more vulnerable to foreign corruption and interference than any president before him. The Emoluments Clause has greater bearing on Mr. Trump's presidency than his predecessors, not less.

No man can gain such wealth and power that he outgrows the limits of our Constitution. John Adams said it best: "We are a government of laws, and not of men." No matter our political or partisan sympathies, we all recognize that the Constitution is the law of the land, and that when the needs and ambitions of any man conflicts with the Constitution, the Constitution must win out.

It has also been suggested by some of Donald Trump's supporters that the Emoluments Clause does not actually apply to the office of the Presidency. Not only does this conflict with longstanding understanding of the Emoluments Clause in the Executive Branch, it contravenes both the strict interpretation of the plain words of the Constitution, as well as the traditional values and practices adopted by previous presidents.

To get around the ethics challenges facing Mr. Trump, it has been suggested by the President-elect's supporters that a panel of five "experts" regularly monitor the Trump Organization businesses and tell the President "don't go over these bounds". It has even been suggested that the President-elect can simply sidestep ethics issues that clearly violate the law by pardoning advisors "if anyone finds them to have behaved against the rules". These 'ideas' are non-starters that cut dangerously against the plain intent of the Emoluments Clause. I am afraid they show a disregard for the values of our Constitution.

The solution to this problem is simple, not complex, and is set forth by my resolution: President-elect Trump has only to follow the precedents established by prior presidents and convert his assets to simple, conflict-free holdings; adopt blind trusts managed by truly independent trustees with no

relationship to Mr. Trump or his businesses; or to take other, equivalent measures. This solution also has the benefit of having been successfully implemented by every modern president before Mr. Trump.

This resolution and its aims should not be viewed through the distorting prism of politics. I want the Trump administration to have the support from Congress to succeed on behalf of the American people. Nevertheless, I believe that Congress has an institutional, constitutional obligation to ensure that the President of the United States, whoever that person may be, does not violate our Constitution, acts lawfully, and is discharging the obligations of the office based on the broad interests of the American people and not his or her own narrow, personal interests.

Despite the late hour—just days before the inauguration—it is still possible for President-elect Trump to live up to the values of the Constitution, give the American people the transparency they deserve, and completely sever his relationship with the Trump Organization before he takes the oath of office on January 20, 2017. To do so would avoid a constitutional crisis that would not serve the best interests of the President, Congress, or the American people. Therefore, I ask for prompt, bipartisan support to advance this vital resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table.

SA 2. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 3. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 4. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 5. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 6. Mr. NELSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 7. Mr. NELSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1. Mr. PAUL submitted an amendment intended to be proposed by him

to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2017 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2018 through 2026.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2017.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

Sec. 1101. Recommended levels and amounts.
Sec. 1102. Major functional categories.

Subtitle B—Levels and Amounts in the Senate

Sec. 1201. Social Security in the Senate.
Sec. 1202. Postal Service discretionary administrative expenses in the Senate.

TITLE II—RECONCILIATION

Sec. 2001. Reconciliation in the Senate.
Sec. 2002. Reconciliation in the House of Representatives.

TITLE III—RESERVE FUNDS

Sec. 3001. Deficit-neutral reserve fund for health care legislation.
Sec. 3002. Reserve fund for health care legislation.

TITLE IV—OTHER MATTERS

Sec. 4001. Enforcement filing.
Sec. 4002. Budgetary treatment of administrative expenses.
Sec. 4003. Application and effect of changes in allocations and aggregates.
Sec. 4004. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

SEC. 1101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2017 through 2026:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2017: \$2,682,088,000,000.
Fiscal year 2018: \$2,787,834,000,000.
Fiscal year 2019: \$2,884,637,000,000.
Fiscal year 2020: \$3,012,645,000,000.
Fiscal year 2021: \$3,131,369,000,000.
Fiscal year 2022: \$3,262,718,000,000.
Fiscal year 2023: \$3,402,888,000,000.
Fiscal year 2024: \$3,556,097,000,000.
Fiscal year 2025: \$3,727,756,000,000.
Fiscal year 2026: \$3,903,628,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2017: \$0.
Fiscal year 2018: \$0.
Fiscal year 2019: \$0.

- (B) Outlays, \$22,179,000,000.
Fiscal year 2022:
(A) New budget authority, \$22,600,000,000.
(B) Outlays, \$21,984,000,000.
Fiscal year 2023:
(A) New budget authority, \$23,037,000,000.
(B) Outlays, \$22,437,000,000.
Fiscal year 2024:
(A) New budget authority, \$23,018,000,000.
(B) Outlays, \$22,409,000,000.
Fiscal year 2025:
(A) New budget authority, \$23,343,000,000.
(B) Outlays, \$22,714,000,000.
Fiscal year 2026:
(A) New budget authority, \$23,812,000,000.
(B) Outlays, \$23,192,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2017:
(A) New budget authority, \$14,696,000,000.
(B) Outlays, \$666,000,000.
Fiscal year 2018:
(A) New budget authority, \$16,846,000,000.
(B) Outlays, \$1,378,000,000.
Fiscal year 2019:
(A) New budget authority, \$18,171,000,000.
(B) Outlays, \$5,439,000,000.
Fiscal year 2020:
(A) New budget authority, \$15,799,000,000.
(B) Outlays, \$2,666,000,000.
Fiscal year 2021:
(A) New budget authority, \$14,821,000,000.
(B) Outlays, \$915,000,000.
Fiscal year 2022:
(A) New budget authority, \$15,408,000,000.
(B) Outlays, \$674,000,000.
Fiscal year 2023:
(A) New budget authority, \$15,739,000,000.
(B) Outlays, — \$840,000,000.
Fiscal year 2024:
(A) New budget authority, \$16,143,000,000.
(B) Outlays, — \$1,688,000,000.
Fiscal year 2025:
(A) New budget authority, \$17,889,000,000.
(B) Outlays, — \$2,003,000,000.
Fiscal year 2026:
(A) New budget authority, \$17,772,000,000.
(B) Outlays, — \$2,238,000,000.
(8) Transportation (400):
Fiscal year 2017:
(A) New budget authority, \$92,782,000,000.
(B) Outlays, \$91,684,000,000.
Fiscal year 2018:
(A) New budget authority, \$94,400,000,000.
(B) Outlays, \$93,214,000,000.
Fiscal year 2019:
(A) New budget authority, \$96,522,000,000.
(B) Outlays, \$95,683,000,000.
Fiscal year 2020:
(A) New budget authority, \$91,199,000,000.
(B) Outlays, \$97,992,000,000.
Fiscal year 2021:
(A) New budget authority, \$92,154,000,000.
(B) Outlays, \$99,772,000,000.
Fiscal year 2022:
(A) New budget authority, \$93,111,000,000.
(B) Outlays, \$101,692,000,000.
Fiscal year 2023:
(A) New budget authority, \$94,118,000,000.
(B) Outlays, \$103,431,000,000.
Fiscal year 2024:
(A) New budget authority, \$95,143,000,000.
(B) Outlays, \$105,313,000,000.
Fiscal year 2025:
(A) New budget authority, \$96,209,000,000.
(B) Outlays, \$107,374,000,000.
Fiscal year 2026:
(A) New budget authority, \$97,323,000,000.
(B) Outlays, \$109,188,000,000.
(9) Community and Regional Development (450):
Fiscal year 2017:
(A) New budget authority, \$19,723,000,000.
(B) Outlays, \$22,477,000,000.
Fiscal year 2018:
(A) New budget authority, \$19,228,000,000.
(B) Outlays, \$21,277,000,000.
Fiscal year 2019:
(A) New budget authority, \$19,457,000,000.
(B) Outlays, \$20,862,000,000.
Fiscal year 2020:
(A) New budget authority, \$19,941,000,000.
(B) Outlays, \$20,011,000,000.
Fiscal year 2021:
(A) New budget authority, \$20,384,000,000.
(B) Outlays, \$21,048,000,000.
Fiscal year 2022:
(A) New budget authority, \$20,825,000,000.
(B) Outlays, \$19,831,000,000.
Fiscal year 2023:
(A) New budget authority, \$21,288,000,000.
(B) Outlays, \$19,535,000,000.
Fiscal year 2024:
(A) New budget authority, \$21,756,000,000.
(B) Outlays, \$19,787,000,000.
Fiscal year 2025:
(A) New budget authority, \$22,245,000,000.
(B) Outlays, \$19,285,000,000.
Fiscal year 2026:
(A) New budget authority, \$22,751,000,000.
(B) Outlays, \$20,037,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2017:
(A) New budget authority, \$104,433,000,000.
(B) Outlays, \$104,210,000,000.
Fiscal year 2018:
(A) New budget authority, \$108,980,000,000.
(B) Outlays, \$112,802,000,000.
Fiscal year 2019:
(A) New budget authority, \$112,424,000,000.
(B) Outlays, \$110,765,000,000.
Fiscal year 2020:
(A) New budget authority, \$114,905,000,000.
(B) Outlays, \$113,377,000,000.
Fiscal year 2021:
(A) New budget authority, \$116,921,000,000.
(B) Outlays, \$115,591,000,000.
Fiscal year 2022:
(A) New budget authority, \$119,027,000,000.
(B) Outlays, \$117,545,000,000.
Fiscal year 2023:
(A) New budget authority, \$121,298,000,000.
(B) Outlays, \$119,761,000,000.
Fiscal year 2024:
(A) New budget authority, \$123,621,000,000.
(B) Outlays, \$122,001,000,000.
Fiscal year 2025:
(A) New budget authority, \$126,016,000,000.
(B) Outlays, \$124,359,000,000.
Fiscal year 2026:
(A) New budget authority, \$128,391,000,000.
(B) Outlays, \$126,748,000,000.
(11) Health (550):
Fiscal year 2017:
(A) New budget authority, \$562,137,000,000.
(B) Outlays, \$560,191,000,000.
Fiscal year 2018:
(A) New budget authority, \$583,006,000,000.
(B) Outlays, \$593,197,000,000.
Fiscal year 2019:
(A) New budget authority, \$615,940,000,000.
(B) Outlays, \$618,089,000,000.
Fiscal year 2020:
(A) New budget authority, \$655,892,000,000.
(B) Outlays, \$645,814,000,000.
Fiscal year 2021:
(A) New budget authority, \$677,902,000,000.
(B) Outlays, \$676,781,000,000.
Fiscal year 2022:
(A) New budget authority, \$711,176,000,000.
(B) Outlays, \$709,301,000,000.
Fiscal year 2023:
(A) New budget authority, \$744,335,000,000.
(B) Outlays, \$742,568,000,000.
Fiscal year 2024:
(A) New budget authority, \$780,899,000,000.
(B) Outlays, \$778,293,000,000.
Fiscal year 2025:
(A) New budget authority, \$818,388,000,000.
(B) Outlays, \$815,246,000,000.
Fiscal year 2026:
(A) New budget authority, \$857,176,000,000.
(B) Outlays, \$853,880,000,000.
(12) Medicare (570):
Fiscal year 2017:
(A) New budget authority, \$600,857,000,000.
(B) Outlays, \$600,836,000,000.
Fiscal year 2018:
(A) New budget authority, \$600,832,000,000.
(B) Outlays, \$600,762,000,000.
Fiscal year 2019:
(A) New budget authority, \$667,638,000,000.
(B) Outlays, \$667,571,000,000.
Fiscal year 2020:
(A) New budget authority, \$716,676,000,000.
(B) Outlays, \$716,575,000,000.
Fiscal year 2021:
(A) New budget authority, \$767,911,000,000.
(B) Outlays, \$767,814,000,000.
Fiscal year 2022:
(A) New budget authority, \$862,042,000,000.
(B) Outlays, \$861,941,000,000.
Fiscal year 2023:
(A) New budget authority, \$886,515,000,000.
(B) Outlays, \$886,407,000,000.
Fiscal year 2024:
(A) New budget authority, \$903,861,000,000.
(B) Outlays, \$903,750,000,000.
Fiscal year 2025:
(A) New budget authority, \$1,007,624,000,000.
(B) Outlays, \$1,007,510,000,000.
Fiscal year 2026:
(A) New budget authority, \$1,085,293,000,000.
(B) Outlays, \$1,085,173,000,000.
(13) Income Security (600):
Fiscal year 2017:
(A) New budget authority, \$518,181,000,000.
(B) Outlays, \$511,658,000,000.
Fiscal year 2018:
(A) New budget authority, \$524,233,000,000.
(B) Outlays, \$511,612,000,000.
Fiscal year 2019:
(A) New budget authority, \$542,725,000,000.
(B) Outlays, \$534,067,000,000.
Fiscal year 2020:
(A) New budget authority, \$558,241,000,000.
(B) Outlays, \$549,382,000,000.
Fiscal year 2021:
(A) New budget authority, \$571,963,000,000.
(B) Outlays, \$563,481,000,000.
Fiscal year 2022:
(A) New budget authority, \$590,120,000,000.
(B) Outlays, \$587,572,000,000.
Fiscal year 2023:
(A) New budget authority, \$599,505,000,000.
(B) Outlays, \$592,338,000,000.
Fiscal year 2024:
(A) New budget authority, \$609,225,000,000.
(B) Outlays, \$597,287,000,000.
Fiscal year 2025:
(A) New budget authority, \$630,433,000,000.
(B) Outlays, \$619,437,000,000.
Fiscal year 2026:
(A) New budget authority, \$646,660,000,000.
(B) Outlays, \$641,957,000,000.
(14) Social Security (650):
Fiscal year 2017:
(A) New budget authority, \$37,199,000,000.
(B) Outlays, \$37,227,000,000.
Fiscal year 2018:
(A) New budget authority, \$40,124,000,000.
(B) Outlays, \$40,141,000,000.
Fiscal year 2019:
(A) New budget authority, \$43,373,000,000.
(B) Outlays, \$43,373,000,000.
Fiscal year 2020:
(A) New budget authority, \$46,627,000,000.
(B) Outlays, \$46,627,000,000.
Fiscal year 2021:
(A) New budget authority, \$50,035,000,000.
(B) Outlays, \$50,035,000,000.
Fiscal year 2022:

(A) New budget authority, \$53,677,000,000.
 (B) Outlays, \$53,677,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$57,540,000,000.
 (B) Outlays, \$57,540,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$61,645,000,000.
 (B) Outlays, \$61,645,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$66,076,000,000.
 (B) Outlays, \$66,076,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$70,376,000,000.
 (B) Outlays, \$70,376,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2017:
 (A) New budget authority, \$177,448,000,000.
 (B) Outlays, \$182,448,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$178,478,000,000.
 (B) Outlays, \$179,109,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$193,088,000,000.
 (B) Outlays, \$192,198,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$199,907,000,000.
 (B) Outlays, \$198,833,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$206,700,000,000.
 (B) Outlays, \$205,667,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$223,542,000,000.
 (B) Outlays, \$222,308,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$221,861,000,000.
 (B) Outlays, \$220,563,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$219,382,000,000.
 (B) Outlays, \$218,147,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$237,641,000,000.
 (B) Outlays, \$236,254,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$245,565,000,000.
 (B) Outlays, \$244,228,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2017:
 (A) New budget authority, \$64,519,000,000.
 (B) Outlays, \$58,662,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$62,423,000,000.
 (B) Outlays, \$63,800,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$62,600,000,000.
 (B) Outlays, \$66,596,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$64,168,000,000.
 (B) Outlays, \$69,555,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$65,134,000,000.
 (B) Outlays, \$68,538,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$66,776,000,000.
 (B) Outlays, \$67,691,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$68,489,000,000.
 (B) Outlays, \$68,466,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$70,227,000,000.
 (B) Outlays, \$69,976,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$72,023,000,000.
 (B) Outlays, \$71,615,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$79,932,000,000.
 (B) Outlays, \$80,205,000,000.
 (17) General Government (800):
 Fiscal year 2017:
 (A) New budget authority, \$25,545,000,000.
 (B) Outlays, \$24,318,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$27,095,000,000.
 (B) Outlays, \$25,884,000,000.
 Fiscal year 2019:

(A) New budget authority, \$27,620,000,000.
 (B) Outlays, \$26,584,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$28,312,000,000.
 (B) Outlays, \$27,576,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$29,046,000,000.
 (B) Outlays, \$28,366,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$29,787,000,000.
 (B) Outlays, \$29,149,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$30,519,000,000.
 (B) Outlays, \$29,886,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$31,101,000,000.
 (B) Outlays, \$30,494,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$31,942,000,000.
 (B) Outlays, \$31,248,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$32,789,000,000.
 (B) Outlays, \$32,071,000,000.
 (18) Net Interest (900):
 Fiscal year 2017:
 (A) New budget authority, \$393,295,000,000.
 (B) Outlays, \$393,295,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$453,250,000,000.
 (B) Outlays, \$453,250,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$526,618,000,000.
 (B) Outlays, \$526,618,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$590,571,000,000.
 (B) Outlays, \$590,571,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$645,719,000,000.
 (B) Outlays, \$645,719,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$698,101,000,000.
 (B) Outlays, \$698,101,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$755,288,000,000.
 (B) Outlays, \$755,288,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$806,202,000,000.
 (B) Outlays, \$806,202,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$854,104,000,000.
 (B) Outlays, \$854,104,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$903,443,000,000.
 (B) Outlays, \$903,443,000,000.
 (19) Allowances (920):
 Fiscal year 2017:
 (A) New budget authority, -\$3,849,000,000.
 (B) Outlays, \$7,627,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$56,166,000,000.
 (B) Outlays, -\$39,329,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$55,423,000,000.
 (B) Outlays, -\$47,614,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$58,021,000,000.
 (B) Outlays, -\$52,831,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$61,491,000,000.
 (B) Outlays, -\$57,092,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$63,493,000,000.
 (B) Outlays, -\$60,260,000,000.
 Fiscal year 2023:
 (A) New budget authority, -\$65,783,000,000.
 (B) Outlays, -\$62,457,000,000.
 Fiscal year 2024:
 (A) New budget authority, -\$67,817,000,000.
 (B) Outlays, -\$64,708,000,000.
 Fiscal year 2025:
 (A) New budget authority, -\$70,127,000,000.
 (B) Outlays, -\$66,892,000,000.
 Fiscal year 2026:
 (A) New budget authority, -\$69,097,000,000.

(B) Outlays, -\$68,467,000,000.
 (20) New Efficiencies, Consolidations, and Other Savings (930):
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2018:
 (A) New budget authority, -\$122,832,000,000.
 (B) Outlays, -\$64,732,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$486,210,000,000.
 (B) Outlays, -\$293,575,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$602,060,000,000.
 (B) Outlays, -\$476,642,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$795,700,000,000.
 (B) Outlays, -\$651,871,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$1,097,280,000,000.
 (B) Outlays, -\$895,141,000,000.
 Fiscal year 2023:
 (A) New budget authority, -\$1,121,290,000,000.
 (B) Outlays, -\$1,031,080,000,000.
 Fiscal year 2024:
 (A) New budget authority, -\$1,270,830,000,000.
 (B) Outlays, -\$1,154,668,000,000.
 Fiscal year 2025:
 (A) New budget authority, -\$1,635,520,000,000.
 (B) Outlays, -\$1,409,151,000,000.
 Fiscal year 2026:
 (A) New budget authority, -\$1,833,970,000,000.
 (B) Outlays, -\$1,647,543,000,000.
 (21) Undistributed Offsetting Receipts (950):
 Fiscal year 2017:
 (A) New budget authority, -\$87,685,000,000.
 (B) Outlays, -\$87,685,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$88,347,000,000.
 (B) Outlays, -\$88,347,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$80,125,000,000.
 (B) Outlays, -\$80,125,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$81,468,000,000.
 (B) Outlays, -\$81,468,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$84,183,000,000.
 (B) Outlays, -\$84,183,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$86,292,000,000.
 (B) Outlays, -\$86,292,000,000.
 Fiscal year 2023:
 (A) New budget authority, -\$87,518,000,000.
 (B) Outlays, -\$87,518,000,000.
 Fiscal year 2024:
 (A) New budget authority, -\$91,245,000,000.
 (B) Outlays, -\$91,245,000,000.
 Fiscal year 2025:
 (A) New budget authority, -\$99,164,000,000.
 (B) Outlays, -\$99,164,000,000.
 Fiscal year 2026:
 (A) New budget authority, -\$97,786,000,000.
 (B) Outlays, -\$97,786,000,000.

Subtitle B—Levels and Amounts in the Senate

SEC. 1201. SOCIAL SECURITY IN THE SENATE.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$826,048,000,000.
 Fiscal year 2018: \$857,618,000,000.
 Fiscal year 2019: \$886,810,000,000.
 Fiscal year 2020: \$918,110,000,000.
 Fiscal year 2021: \$950,341,000,000.
 Fiscal year 2022: \$984,537,000,000.
 Fiscal year 2023: \$1,020,652,000,000.
 Fiscal year 2024: \$1,058,799,000,000.
 Fiscal year 2025: \$1,097,690,000,000.
 Fiscal year 2026: \$1,138,243,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$805,366,000,000.
 Fiscal year 2018: \$857,840,000,000.
 Fiscal year 2019: \$916,764,000,000.
 Fiscal year 2020: \$980,634,000,000.
 Fiscal year 2021: \$1,049,127,000,000.
 Fiscal year 2022: \$1,123,266,000,000.
 Fiscal year 2023: \$1,200,734,000,000.
 Fiscal year 2024: \$1,281,840,000,000.
 Fiscal year 2025: \$1,369,403,000,000.
 Fiscal year 2026: \$1,463,057,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2017:
 (A) New budget authority, \$5,663,000,000.
 (B) Outlays, \$5,673,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$6,021,000,000.
 (B) Outlays, \$5,987,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$6,205,000,000.
 (B) Outlays, \$6,170,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$6,393,000,000.
 (B) Outlays, \$6,357,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$6,589,000,000.
 (B) Outlays, \$6,552,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$6,787,000,000.
 (B) Outlays, \$6,750,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$6,992,000,000.
 (B) Outlays, \$6,953,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$7,206,000,000.
 (B) Outlays, \$7,166,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$7,428,000,000.
 (B) Outlays, \$7,387,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$7,659,000,000.
 (B) Outlays, \$7,615,000,000.

SEC. 1202. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES IN THE SENATE.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2017:
 (A) New budget authority, \$274,000,000.
 (B) Outlays, \$273,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$283,000,000.
 (B) Outlays, \$283,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$294,000,000.
 (B) Outlays, \$294,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$304,000,000.
 (B) Outlays, \$304,000,000.
 Fiscal year 2021:

(A) New budget authority, \$315,000,000.
 (B) Outlays, \$315,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$326,000,000.
 (B) Outlays, \$325,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$337,000,000.
 (B) Outlays, \$337,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$350,000,000.
 (B) Outlays, \$349,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$361,000,000.
 (B) Outlays, \$360,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$374,000,000.
 (B) Outlays, \$373,000,000.

TITLE II—RECONCILIATION

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the Senate, not later than January 27, 2017, the Committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving all such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

SEC. 2002. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the House of Representatives, not later than January 27, 2017, the committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the House of Representatives to carry out this section.

TITLE III—RESERVE FUNDS

SEC. 3001. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE LEGISLATION.

The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

(1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026; and

(2) in the House of Representatives, one or more bills, joint resolutions, amendments, or

conference reports related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026.

SEC. 3002. RESERVE FUND FOR HEALTH CARE LEGISLATION.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

(1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—
 (A) \$2,000,000,000; from

(B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(1); and

(2) in the House of Representatives, one or more bills, joint resolutions, amendments, or conference reports related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—

(A) \$2,000,000,000; from
 (B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(2).

(b) EXCEPTIONS FROM CERTAIN PROVISIONS.—Section 404(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, and section 3101 of S. Con. Res. 11 (114th Congress), the concurrent resolution on the budget for fiscal year 2016, shall not apply to legislation for which the Chairman of the Committee on the Budget of the applicable House has exercised the authority under subsection (a).

TITLE IV—OTHER MATTERS

SEC. 4001. ENFORCEMENT FILING.

(a) IN THE SENATE.—If this concurrent resolution on the budget is agreed to by the Senate and House of Representatives without the appointment of a committee of conference on the disagreeing votes of the two Houses, the Chairman of the Committee on the Budget of the Senate may submit a statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2017, 2017 through 2021,

and 2017 through 2026 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, if a concurrent resolution on the budget for fiscal year 2017 is adopted without the appointment of a committee of conference on the disagreeing votes of the two Houses with respect to this concurrent resolution on the budget, for the purpose of enforcing the Congressional Budget Act and applicable rules and requirements set forth in the concurrent resolution on the budget, the allocations provided for in this subsection shall apply in the House of Representatives in the same manner as if such allocations were in a joint explanatory statement accompanying a conference report on the budget for fiscal year 2017. The Chairman of the Committee on the Budget of the House of Representatives shall submit a statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations consistent with title I for fiscal year 2017 and for the period of fiscal years 2017 through 2026 for the purpose of enforcing 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

SEC. 4002. BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the report accompanying this concurrent resolution on the budget, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, or a statement filed under section 4001 shall include in an allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations of the applicable House of Congress amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—In the Senate and the House of Representatives, for purposes of enforcing section 302(f) of the Congressional Budget Act of 1974 (2 U.S.C. 633(f)), estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in subsection (a).

SEC. 4003. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution,

the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Chairman of the Committee on the Budget of the applicable House of Congress.

(d) AGGREGATES, ALLOCATIONS AND APPLICATION.—In the House of Representatives, for purposes of this concurrent resolution and budget enforcement, the consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the Chairman of the Committee on the Budget of the House of Representatives makes adjustments or revisions in the allocations, aggregates, and other budgetary levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 3101 of S. Con. Res. 11 (114th Congress).

SEC. 4004. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of either the Senate or the House of Representatives to change those rules (insofar as they relate to that House) at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate or House of Representatives.

SA 2. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING ANY LIFETIME LIMITS ON HEALTH CARE COVERAGE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to preventing any lifetime limits on health care coverage, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 3. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING ANY LOSS OF CERTAIN HEALTH CARE SUBSIDIES UNTIL A REPLACEMENT LAW THAT PROVIDES AT LEAST THE SAME HEALTH CARE COVERAGE, HEALTH CARE AFFORDABILITY, AND COMPREHENSIVE HEALTH CARE BENEFITS IS SIGNED INTO LAW.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to preventing any loss of subsidies that were authorized for individuals under the Patient Protection and Affordable Care Act (including amendments made that Act) until a law that establishes a replacement plan that provides the same or a greater level of access to health care coverage, health care affordability, and comprehensive health care benefits is signed into law by the President, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 4. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO CONTINUED FEDERAL FUNDING FOR MEDICAL ASSISTANCE PROVIDED TO NEWLY ELIGIBLE INDIVIDUALS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that Federal funding for medical assistance provided by States under the Medicaid program to low-income, non-elderly individuals under the eligibility option established by the Affordable Care Act in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) remains available to the same extent that such funding was available for fiscal year 2016 until a replacement plan that provides such individuals with the same or greater level of access to similarly affordable and comprehensive health care benefits is signed into law by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 5. Mr. COONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and

setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND PREVENTING TAX CUTS IN THE CASE OF THE LOSS OF HEALTH CARE COVERAGE DUE TO A REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to preventing tax cuts for corporations or for individuals with incomes equal to or greater than \$250,000 if there is any loss of health care coverage for Americans as a result of the repeal of all or part of the Patient Protection and Affordable Care Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 6. Mr. NELSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. . BUDGET POINT OF ORDER ON CLOSING THE GAP IN COVERAGE IN THE MEDICARE PART D PRESCRIPTION DRUG PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) provisions included in health reform legislation to close the gap in coverage (often referred to as the “donut hole”) in the Medicare prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.) have saved over 5,000,000 seniors across the United States more than \$5,000,000,000 and have increased access to lifesaving medications; [(2) in Florida, 355,360 seniors saved \$351,000,000, or an average of \$987 per beneficiary, on prescription drugs in 2015; and]

(3) absent the protections provided by such provisions, seniors will have to choose between their health and other basic necessities, including food and housing.

(b) IN GENERAL.—It shall not be in order in the Senate to consider any legislation that repeals the provisions included in health reform legislation to close the gap in coverage in the Medicare prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.).

SA 7. Mr. NELSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and

setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. . BUDGET POINT OF ORDER ON CLOSING THE GAP IN COVERAGE IN THE MEDICARE PART D PRESCRIPTION DRUG PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) provisions included in health reform legislation to close the gap in coverage (often referred to as the “donut hole”) in the Medicare prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-10 et seq.) have saved over 5,000,000 seniors across the United States more than \$5,000,000,000 and have increased access to lifesaving medications;

[(2) in Florida, 355,360 seniors saved \$351,000,000, or an average of \$987 per beneficiary, on prescription drugs in 2015; and]

(3) absent the protections provided by such provisions, seniors will have to choose between their health and other basic necessities, including food and housing.

(b) IN GENERAL.—It shall not be in order in the Senate to consider any legislation that repeals the provisions included in health reform legislation to close the gap in coverage in the Medicare prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.).

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

PRIVILEGES OF THE FLOOR

Mr. ENZI. Mr. President, I ask unanimous consent that Tara Shaw and Matt Giroux from my staff be given all-access floor passes to the Senate floor during consideration of the budget resolution, S. Con. Res. 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I ask unanimous consent that Jenna Sablan and Natalie Rico, detailees to the Budget Committee, be granted floor privileges during the consideration of S. Con. Res. 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I ask unanimous consent that Mike Jones and Josh Smith from my staff be given all-access floor passes for the Senate floor during consideration of the budget resolution, S. Con. Res. 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JANUARY 5, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 10 a.m., Thursday, January 5; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. Con. Res. 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Thursday, January 5, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

LEGAL SERVICES CORPORATION

REBECCA EMILY RAPP, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2019. VICE SHARON L. BROWNE, RESIGNED.

DEPARTMENT OF DEFENSE

GLENN FINE, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE JON T. RYMER, RESIGNED.

CORPORATION FOR PUBLIC BROADCASTING

DAVID J. ARROYO, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2022. (REAPPOINTMENT)

BRENT FRANKLIN NELSEN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2022. (REAPPOINTMENT)

FEDERAL COMMUNICATIONS COMMISSION

JESSICA ROSENWORCEL, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2015. (REAPPOINTMENT)

SOCIAL SECURITY ADMINISTRATION

MICHAEL P. LEARY, OF PENNSYLVANIA, TO BE INSPECTOR GENERAL, SOCIAL SECURITY ADMINISTRATION, VICE PATRICK P. O'CARROLL, JR., RESIGNED.

DEPARTMENT OF STATE

TULINABO SALAMA MUSHINGI, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SENEGAL, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA-BISSAU.

OFFICE OF SPECIAL COUNSEL

CAROLYN N. LERNER, OF MARYLAND, TO BE SPECIAL COUNSEL, OFFICE OF SPECIAL COUNSEL, FOR THE TERM OF FIVE YEARS. (REAPPOINTMENT)

OFFICE OF PERSONNEL MANAGEMENT

ELIZABETH A. FIELD, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, OFFICE OF PERSONNEL MANAGEMENT, VICE PATRICK E. MCFARLAND, RESIGNED.

DEPARTMENT OF DEFENSE

ROBERT P. STORCH, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY. (NEW POSITION)

HOUSE OF REPRESENTATIVES—*Wednesday, January 4, 2017*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 4, 2017.

I hereby appoint the Honorable GLENN THOMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

JUMP-START AMERICA

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

Mr. WILLIAMS. Mr. Speaker, last November, the American people spoke loud and clear about wanting real change in Washington. The American people want Washington to work for them—no more empty promises and no more talk.

Mr. Speaker, the American people want their government to act, and Congress' time to act is now. I come here today to offer a solution to an issue that has been discussed, but not truly acted on, for decades. Time and time again, from Congress to Congress, lawmakers come down to this floor to talk about the need for tax reform.

As a current small business owner for all of my working life, I understand what is killing small businesses firsthand. Since I came to Congress, I have been outspoken on the need to reform our Tax Code, and I have a proposal to make it happen. My tax reform plan will simplify our Tax Code. It will give job creators the tools they need to succeed and empower America's greatest asset—the American worker. My tax

reform plan will do exactly what its name says it will do—jump-start America.

Today, the Internal Revenue Code is often called complicated, uncompetitive, and unfair; and rightfully so. According to the Tax Foundation, Federal tax laws and regulations have grown to more than 10 million words in length. Imagine how much easier tax season would be for all of us if we shrank our individual income tax thresholds to two brackets. What if our Tax Code actually put American taxpayers first, in other words, treated us like a customer?

The United States has the highest corporate tax rate in the free world. Sure, deductions, exclusions, and tax credits occasionally lower that rate, but these add further to the Tax Code's complexity, and they allow carve-outs for special interests.

To those who believe our corporate tax rate is okay the way it is, I ask you to consider why American companies are moving their headquarters overseas. In order to incentivize these companies to return their investments in expansion and employment back home in America, my plan will implement a permanent tax holiday to allow repatriation of funds at 5 percent.

While the corporate tax rate is putting the United States at a disadvantage in the global economy which we all live, the most unfair tax facing many Americans is inheritance tax. The death tax, as it is more commonly referred to, is a form of double taxation that can take a generation's worth of sweat equity and hard work and destroy it if a family business, for example, is passed down to a next of kin.

That is what nearly happened to me after the death of my parents. Fortunately for me, I was able to gather the resources to keep my father's business afloat. Many of my friends have not been so lucky.

We cannot force owners and operators to sell off parts of a business just so the Federal Government can collect a few extra dollars equal to less than 1 percent of Federal revenue. Especially considering our government is running a huge deficit and a \$20 trillion national debt, I would argue that the private sector is a much better steward of budgeting, investing, and creating return on investment than the Federal Government. That is why Jump-Start America will repeal the death tax once and for all.

These are a few of the notable reforms of Jump-Start America that I

talk about on the road in Texas and nationwide. Jump-Start America has gained the support of Americans for Tax Reform and former Congressional Budget Office Director Douglas Holtz-Eakin. It was called "a good plan" by the Cato Institute.

As a small business owner, I can tell you my plan will put people back to work, encourage business and individuals to spend money they didn't have before, and grow the economy. It is a thing called the American Dream. While Jump-Start America is a small business perspective on tax reform, it will benefit every American individually and our Nation as a whole.

Mr. Speaker, I ask my colleagues, especially the newer Members, to familiarize themselves with my plan as we work to implement an aggressive growth agenda under new leadership on the other end of Pennsylvania Avenue.

In God We Trust.

FUNDING OUR PORTS

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

Mr. DEFAZIO. Mr. Speaker, during this last Presidential election year, there was a tremendous amount of discussion about the Nation's infrastructure and the need for investment to make America more competitive and move goods and our citizens more efficiently.

There wasn't a lot of particular discussion about ports, but they are an incredibly important part of our infrastructure. More than \$470 billion of exports went through America's ports. Three-quarters of our exports are waterborne through these ports around the United States.

Now, the Corps of Engineers says that, of our 59 busiest ports depicted here, they are fully available less than 35 percent of the time, and that is even before we begin to deal with the larger cargo ships that are going to be coming through the expanded Panama Canal to the Southeast and other ports in the United States, and that is because of a lack of funding.

Now, obviously, that is a very difficult problem. We are estimating about a \$20 billion shortfall over the next 10 years in funding. Where, oh where, could Congress find that money? Actually, we already have it.

Now, Congress, in its wisdom in 1986, with the cooperation and consent of shipping interests, imposed a tax, an ad valorem tax, on the value of imports. It

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

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

is a very small tax, but it adds slightly to the cost of any good that any American buys every day that is imported.

Now, Americans are paying the tax and Congress is stealing the money. Yep, that is true—for stupid purposes, no less. We are pretending to make the deficit smaller by collecting twice as much tax as we invest in our ports.

Meantime, we are forgoing the investment that is needed in those ports to become even more efficient and more competitive in the world economy. Congress is collecting the tax, yet the Budget Committee and the appropriators here in the Republican House are saying: Let's hide that money over here. We will put it in the Treasury harbor maintenance trust fund. Don't worry. It's there. Some day we might spend it.

Nine billion dollars today—\$9 billion—that would address half of the long-term shortfall in our ports. This could be an incredible boon for shippers, for American competitiveness, and for jobs in this country. We don't have to levy a new tax. All we have to do is spend the tax that is being collected from the American people by jacking up the price of imported goods for the purpose for which it is lawfully intended.

Now, the appropriators don't like it because, hey, they don't get to mess around with it, and the Budget Committee doesn't like it because that means they either have to look like they have another half a billion dollars a year of deficit or they would have to raise some funds somewhere else to spend somewhere else.

But the point is this money should be spent as intended. So today I am sending a letter to President-elect Trump. He has said time and time again he wants to invest in our infrastructure. Obviously, it is going to be a little longer term before we get to surface because we are going to have to raise additional revenues there to deal with our crumbling roads, bridges, and transit systems.

But for our ports, we don't have to wait. Day one, he can send a message to Congress saying: Hey, get off your butts down there and spend that money for the purpose for which the tax was collected. Stop gouging the American taxpayers and shorting our ports.

It's time to do things a little differently around here, and I am hopeful that the President perhaps will tweet about this and get some action out of the Republican majority like he did yesterday in reversing them on a rather drastic change to the rules of the House.

RELIEF FROM EXCESSIVE EXECUTIVE ORDERS

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

Mrs. WAGNER. Mr. Speaker, for the past 8 years, President Barack Obama has used his pen and phone to create a fourth branch of government that overreaches through executive orders and Federal rules and regulations. But today is a new day—a day when this Congress begins to dismantle this fourth branch of government and drain the swamp in Washington.

Through the entirety of this President's administration, Republicans have fought against out-of-control growth of Federal bureaucracy and rules and regulations that have suffocated the American economy. The last time I checked, the President's job was to enforce existing laws and work with the elected Members of Congress whose responsibility it is to pass laws as the people's representatives. Instead, I believe he has undermined not only our Constitution but also the American people through this executive power grab.

It is time to get rid of the Washington-knows-best, top-down, one-size-fits-all rules like the EPA's waters of the U.S., the Clean Power Plan, the Department of Labor's overtime rule and restrictions on your retirement savings. These regulations have consequences, and what these bureaucrats do have, consequences. In 2015 alone, the Federal Government leveled 3,400 regulations on Americans. Those regulations cost us \$1.9 trillion in lost productivity and growth—a cost of \$15,000 per American household.

Now, for the first time during my tenure serving the Second Congressional District of Missouri, Congress has a unique opportunity. This week we will pass a bill that I have had the pleasure of cosponsoring and voted for twice before—the REINS Act, and I expect it to become law. The REINS Act puts power back in the hands of the people as Congress—the people's House—can implement an up-or-down vote on any new major rule before they can take effect. Congress should decide what rules are necessary for our constituents—not unelected bureaucrats.

We will also pass this week the Midnight Rules Relief Act which will allow Congress to stop the Obama administration's last minute regulations from taking effect as they turn out the lights and head out the door.

The American people spoke loud and clear: They want results. They are tired of working harder for less money and tired of wondering how they will make ends meet at the end of every month. They have had enough and are tired of the constant chipping away of their freedoms.

Taken together, these two bills clearly demonstrate that this Republican Congress is unified and will work with President-elect Trump to help alleviate the day-to-day burdens felt by Americans across the country. By passing these bills, we are demonstrating that

we are listening to our constituents and we are telling them that their elected representatives are in charge, not Washington bureaucrats.

□ 1015

DON'T ABANDON AMERICANS IN NEED OF HEALTH CARE

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

Mr. QUIGLEY. Mr. Speaker, I rise today to share the story of Mary and her son, two of my constituents from the Lakeview community of Chicago. Mary wrote to me on her son's behalf, expressing their deep appreciation for the Affordable Care Act and what the law has meant for their family.

In 2001, Mary's son was diagnosed with a rare autoimmune disease called Addison's disease. It occurs when your body produces insufficient amounts of certain hormones produced by your adrenal glands. When left untreated, Addison's disease can be life-threatening.

At the time of his diagnosis, Mary's son was fully insured through his employer. Then, in 2011, Mary's son left his employer to pursue the American Dream of entrepreneurship and start a small business on his own. Leaving his employer to bravely chase the American Dream meant leaving behind his insurance coverage, too. He did not anticipate being denied coverage due to a preexisting condition.

Up to this point, because of treatment covered by his insurance plan, he had been able to work to provide for himself and to live independently. As he got his new business off the ground, he went uninsured and, as a result, encountered several crises with his health. He avoided going to the doctor due to high costs and eventually ended up in the emergency room. As we all know, preventable emergency visits are a major contributor to the overall high healthcare costs that harm the entire system.

Thanks to the President and Congress passing the Affordable Care Act, Mary's son was finally able to obtain affordable care when the health insurance marketplace first opened in October 2013.

Mary wrote me to share her son's story. He is one of tens of millions of Americans who have directly benefited from the ACA's improvements to coverage, consumer protections, costs, and quality. Today, Mary is fearful of what the repeal of ACA will mean for her son.

Unfortunately, despite having 7 years to produce an alternative, the majority has failed to offer a true replacement. And what about the parts of the ACA that share bipartisan popularity?

My colleagues on the other side of the aisle and the President-elect insist

they will craft a plan that maintains popular parts of the law, while rejecting the less popular components. Of course, that sounds great, but there is one real problem: they have offered absolutely no way to pay for any of it.

In reality, repeal and replace is more simply repeal and go back to before—tearing down a much-needed house before a new one is built, back to a time when 47 million Americans—nearly 18 percent of the population—were uninsured. Mary's son and countless others like him cannot afford to go back in time. Repealing ACA will leave 20 million Americans, including her son, without affordable health insurance, effectively disrupting their care and potentially putting their lives at risk.

To remind us all of the high stakes riding on the ACA repeal, Mary wrote, saying: "As a former Republican and now an Independent voter, I am speaking from my heart. The 2016 election result has me truly frightened for the health of my son and for my husband and me."

Repealing the Affordable Care Act will create a chaotic situation that will put real lives in danger. We all share in the responsibility to protect the health care of all Americans. Empty rhetoric of repealing the ACA is dangerous, but when transformed into real legislative action, it can be catastrophic for the constituents that elected us to serve and represent them in this body.

On behalf of Mary's son and other Americans in districts across the country, I urge my colleagues on the other side of the aisle to abandon their efforts to strip health care from those who need it and, instead, work with us to make our country a healthier place for all.

FAIRCHILD CHALLENGE PROGRAM

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize an innovative educational program in my south Florida community called the Fairchild Challenge.

As a nonprofit founded in 2002, this no-cost, environment-focused annual competition based at the world-renowned Fairchild Tropical Botanic Garden, located in my district, invites students from around the world to participate from a young age as active and thoughtful members of society.

The Fairchild Challenge focuses attention on conservation of the environment, while introducing students to the importance of STEM: science, technology, engineering, and mathematics.

In the 2014-2015 school year, over 153,000 participants were involved in the program. High-performing schools are eligible for cash prizes, while participating students may earn college scholarships.

Through innovative programs like the Fairchild Challenge, students are sure to be conscious of the benefits of conserving our environment and may more readily engage in the STEM fields that will better prepare them for the future.

Congratulations to all the student participants of the Fairchild Challenge. Hats off especially to the board members, staff, and the many volunteers of the Fairchild Tropical Botanic Garden, and most especially to Mr. and Mrs. Greer, the heart and soul of these beautiful botanical gardens.

HONORING THE LIFE OF CLYDE HOLLOWAY

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

Mr. ABRAHAM. Mr. Speaker, I rise today to honor the life of a true servant of the people. Many knew him as a former schoolbus driver, the chairman of the Louisiana Public Service Commission, or a successful nursery owner in Forest Hill, Louisiana.

Some of you here today knew him as former Congressman Clyde Holloway. Mr. Holloway was one of the first Republicans in Louisiana to be elected to Congress since Reconstruction. Serving from 1986 to 1993, Mr. Holloway was a trailblazer for other Republican lawmakers in our great State.

On August 16, 2016, I, along with many Louisianans, were saddened to hear of the news of Mr. Holloway's passing. Clyde left a legacy among his constituents of always looking out and representing their best interests.

I stand before you today to pay tribute to Mr. Holloway and the life he lived. He fought the good fight. He finished his course. I urge you today to join me and my constituents in honoring the life of Clyde Holloway by charting our course to lead and represent the best interests of the people who entrusted their leadership to us today.

HONORING THE LIFE OF BOBBY SMITH

Mr. ABRAHAM. Mr. Speaker, I rise today to pay tribute to a man whose life was a living definition of courage.

In 1986, working as a Louisiana State trooper, Bobby Smith, from Buckeye, Louisiana, was shot in the face and blinded in the line of duty. He not only lost his sight, but also lost the career that he deeply loved.

Never one to succumb to adversity, Bobby earned a Ph.D., authored books, and set out on a path of helping others. In 2001, he organized the Foundation for Officers Recovering from Traumatic Events. This foundation helped provide training and counseling to law enforcement individuals, firefighters, emergency services personnel, and their families going through tough times from various traumatic events.

Bobby's will to help others would carry him through his personal challenges as he traveled across the United States and throughout the world literally sharing his story and lifting up others. Before his death in October of this year, Mr. Smith had addressed and touched the lives of over 1 million people.

Many who knew Bobby would often hear him say, "I see. I see." Today, as we remember Bobby Smith, let us not be blinded by our own tragedies, adversities, and obstacles in our lives, but let us also have the courage that Bobby had to look beyond and see the beauty of life and see the good in others.

HONORING THE LIFE OF LANDON WEAVER

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today with a heavy heart to mourn the loss of Pennsylvania State Trooper Landon Weaver, who was killed in the line of duty on Friday, December 30.

Trooper Weaver had been on patrol for 1 year with the Pennsylvania State Police. He was investigating a domestic incident in Juniata Township, Huntingdon County, in Pennsylvania's Fifth District, when the situation turned deadly and he was fatally shot by the suspect. Flags throughout Pennsylvania are flying at half-staff in honor of Trooper Weaver being taken from us too soon.

I rise today to speak about who Trooper Landon Weaver was: a son, a brother, a husband, a friend, a hero.

Trooper Weaver's law enforcement career had just begun. He was 23 years old, and he married his high school sweetheart, Macy, in June. They graduated from Central High School in Martinsburg in 2012, and he went on to study criminal justice at Indiana University of Pennsylvania. He was proudly on the dean's list.

In December 2015, he enlisted to join the Pennsylvania State Police Academy in Hershey, Pennsylvania. He graduated from the State Police Academy in June, was assigned to Troop G of the Pennsylvania State Police, and served at the Huntingdon Barracks. He loved his family, and he loved being a police officer.

Trooper Weaver attended Zion Lutheran Church and enjoyed spending time with his family, and especially his wife, Macy. To him, family was everything.

Trooper Weaver is the 97th member of the Pennsylvania State Police to be killed in the line of duty.

In addition to his wife, he is survived by his parents, Eric and Christine Weaver of East Freedom; his brother, Larett Weaver of East Freedom; his paternal grandparents, Merrill and Christine D. Weaver; as well as other family

members and friends. He grew up in a small town where there is a deep sense of community. Many hearts are broken over this tragic, senseless situation.

One of Trooper Weaver's teachers at Central High School in Martinsburg remembered Trooper Weaver from his days as a student. Teacher Joe Logan said Trooper Weaver was a "great kid" whom you could call on during times of need and he would be there. He said he was "beside himself with grief and sadness."

He went on to say: "He would do anything for you. He was humble, dedicated, and a loving person to his wife and family. You'd be proud to call him a colleague or friend."

Trooper Weaver was one of Pennsylvania's finest. He was committed to his family, to his profession, and to the community that he loved. His dedication to service embodies the values of law enforcement officers across the Nation. Our law enforcement officers risk their lives every day to help people.

Trooper Weaver put on his uniform that day and went to work like he had done so many days before, knowing that any moment he could be in harm's way. That is a commitment our officers make to serve and protect the public and uphold the law. That is the commitment that Trooper Weaver made to serve the Commonwealth of Pennsylvania.

May we all honor Trooper Weaver's memory. He was a young man just starting out in life. He was a newlywed with so much to look forward to. In one moment, he was gone.

On behalf of the Congress of the United States and the people of the Fifth Congressional District of Pennsylvania, I offer my sincere condolences and prayers to his family, especially to his wife, Macy, during this tragic and difficult time. He risked his life to keep all of us safe.

Trooper Landon Weaver is a hero who was taken from us too soon. May we mourn his loss and honor his memory. May God bless Landon Weaver and his family.

MINERS' PENSION

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

Mr. JENKINS of West Virginia. Mr. Speaker, in this new year, we must make things right for our miners and their widows. We must act now to keep the promise. We must honor their work in the mines by protecting the pensions and healthcare benefits they worked their whole lives to earn.

We must pass legislation I have co-sponsored to protect these hard-earned benefits for families like Rita Blankenship of McDowell County who wrote me asking for help. Here is what she said: "My husband was promised

healthcare coverage in 1975 when he went to work in the mines and joined the union. I am asking if you could do everything possible to get this passed so we will have health care," she wrote.

These miners and their families deserve no less than what they worked their entire lives to earn: the peace of mind that comes with a pension and secure health care.

I urge my colleagues to join me in supporting legislation to protect our miners, their widows, and their families. We owe it to them to keep our word.

RECESS

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

Accordingly (at 10 o'clock and 30 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EMMER) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

We thank You for the joy, excitement, and ceremony of yesterday, when the 115th Congress convened. It was a celebration of the ongoing American experiment of participatory democracy and the peaceful shifting of power.

Today begins the work of that Congress, when the difficulties facing our Nation, and some communities especially, come into focus. We ask again an abundance of Your wisdom for the Members of the people's House.

May we be forever grateful for the blessings our Nation enjoys and appropriately generous with what we have to help those among us who are in need.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come

forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

JIMMY BURNSSED, RETIRING CHAIRMAN OF BRYAN COUNTY BOARD OF COMMISSIONERS

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Jimmy Burnsed, who has served as chairman of the Bryan County Board of Commissioners for the past 12 years.

On December 31, 2016, he officially retired from serving on the board. Beyond serving as chairman, Mr. Burnsed has dedicated an admirable amount of his life to public service. Nearly 40 years ago, he began serving on the City Council for Garden City, Georgia, before serving 4 years as mayor. In 1989, he moved from Garden City to Bryan County. In 2005, he ran and was elected chairman of the Board of Commissioners.

Mr. Burnsed's accomplishments on the board since that time are numerous. He worked to build a new administrative building for the county to hold meetings and other events; he managed and planned the infrastructure for Bryan County, which has grown more than 50 percent in size during his tenure; and he helped to upgrade Bryan County's trails, parks, and recreation centers. Mr. Burnsed always put the community first and performed his duties in a way that would make any constituent very proud.

Jimmy Burnsed, you will be greatly missed.

ETHICS

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

Mr. CICILLINE. Mr. Speaker, yesterday, just a few hours after they attempted to kill the independent Office of Congressional Ethics and strip it for parts, Republicans backed down in the face of public outrage. It speaks volumes that the first thing Republicans attempted to do was weaken ethical standards and that they only changed course once their efforts were exposed to the public. This is not what the American people sent us here to do.

It seems that, contrary to rhetoric, Republicans don't want to drain the swamp. They want to fill it up. This is wrong, and it is critical that Members of Congress be accountable and adhere to the highest ethical standards.

In the weeks ahead, it is critical that all of us hold the majority accountable and prevent them from going back to the days when thinly veiled bribes, kickbacks, and worse were commonplace in this town.

We need more ethical reforms in Congress, not less. That is why I have introduced the ETHICS Act, to require every Member of Congress to undergo the same annual ethics training that their staffs have to complete. That is why I am asking Members of both parties to demand better from our elected officials than what we saw over the last 48 hours.

CONGRATULATIONS TO SPEAKER PAUL DAVIS RYAN

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the first day of the 115th Congress, the House of Representatives elected PAUL DAVIS RYAN to serve as Speaker of the House. I have been grateful to serve with Speaker RYAN, a proven conservative, throughout my service in Congress and can attest to his commitment to conservative values with innovative thoughtfulness.

Under Speaker RYAN's leadership, House Republicans last year passed meaningful legislation providing greater outreach service for veterans, reinforcing local control of education, ending the 40-year ban on crude oil exports, combating the opioid epidemic, passing the National Defense Authorization Act, and enacting sweeping mental health reform.

Speaker RYAN also launched A Better Way, a bold policy agenda that presents meaningful initiatives for restoring a confident America by presenting solutions to address poverty, grow our economy to create jobs, defend the Constitution, improve health care by repealing the failing ObamaCare, reform the Tax Code, and strengthen the military.

I was grateful to cast my vote for Speaker RYAN, and I look forward to working with him, President-elect Donald Trump, and Vice President-elect Mike Pence in the new Congress to deliver policies of limited government and expanded freedom for American families.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

DON'T UNDERMINE HEALTH CARE FOR AMERICANS

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

Mrs. BUSTOS. Mr. Speaker, I spent 10 years of my professional life working in health care, both during and after the Affordable Care Act passed, so let me tell you what a Republican repeal would mean.

It would mean raising prescription drug costs on Illinois seniors by more than \$1,000 every year by reopening the Medicare doughnut hole.

It would mean returning to the days when insurance companies could discriminate against women by charging them more than men for basic care.

It would mean telling diabetics, survivors of a heart attack, or even babies with a birth defect that they aren't qualified for healthcare coverage because of their preexisting condition.

It would mean denying cancer patients lifesaving care after they have reached their lifetime limit on their insurance policy.

Republicans have talked about repealing the Affordable Care Act for almost 7 years, but they have no plan for replacement. Again and again, we have heard that repealing ObamaCare will make America great again. Well, I say it will make America sick again.

Please, let's work together. Don't undermine the health of millions of Americans.

THIS STATE DEPARTMENT BETRAYS ISRAEL

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

Mr. POE of Texas. Mr. Speaker, the anti-Semitic United Nations has struck a new low, demanding that Israel prohibit Jews from settling in the West Bank. Guess who was supportive of this absurd resolution in betrayal of our closest ally? The United States.

Once again, this administration is on the wrong side. It has alienated what few international friends we have. Secretary of State John Kerry arrogantly declared: "Israel can either be Jewish or democratic; it cannot be both."

Mr. Speaker, let's think about that statement. The United Nations' mandate separating Jews from Palestinians in the West Bank is segregation. Segregation is not democratic.

The United States and the U.N. have no legal business telling a sovereign nation where people should live or shouldn't live in that country. Who in the world do we think we are? Would we approve of the U.N. telling us that one race or ethnic group could not live in one region of the United States? Absolutely not.

Thankfully, this State Department will soon be clearing their desks at

Foggy Bottom—and good riddance. It is time for a new State Department that supports America's friends and not our enemies.

And that is just the way it is.

SECOND AVENUE SUBWAY OPENING

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, residents in New York City had a special reason to celebrate as this new year began. The very first new subway in over 60 years and the largest subway in the country opened its doors and carried passengers at 12 noon on New Year's Day. This new line is expected to carry over 200,000 travelers a day, reducing commute time, reducing costs, operating with efficiency, and boosting small businesses.

It is a project that has been on the books for over a century and one that I fought for every single day that I have been in Congress. It is the gift that keeps on giving. It has already generated over 16,000 new jobs. It has spurred over \$840 million in good wages. The regional plan says that it is responsible for over \$2.5 billion in new economic activity. They just opened their doors.

Let's work together and support other good, important infrastructure projects in our country. It is good for Americans; it is good for America.

HONORING OUR NATION'S SERVICEMEN AND -WOMEN

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

Mr. EMMER. Mr. Speaker, I rise today for the first time in the 115th Congress to recognize the brave servicemen and -women who tirelessly defend our great Nation.

Every day, our men and women in uniform make tremendous sacrifices to protect the many freedoms we enjoy both at home and abroad. They spend time away from their families, miss birthdays, anniversaries, and funerals, and are frequently required to put themselves in harm's way to fight for this great Nation.

In particular, I would like to recognize Jason Braun, who will be deploying to the Middle East in the coming days. A Minnesota resident, Jason is a member of the West Metro Fire-Rescue District and is a dedicated husband to my director of operations and scheduler, Kate Braun.

I want to thank Jason; his wife, Kate; and all of the members of our Armed Forces and their families for their continued sacrifice and service to our country. Their dedication to freedom is what makes this country great. I wish

all of our servicemembers overseas a safe and speedy deployment.

HOW THE AFFORDABLE CARE ACT WORKS FOR CONSTITUENTS

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, I rise today on behalf of Kalwis Lo, a young man from my district in San Gabriel, California, who told me how his life was saved by the Affordable Care Act.

When he was just out of college, Kalwis was shocked when he was diagnosed with stage III Hodgkin lymphoma. He learned that this disease would end his young life if ignored, but was actually easily treatable in the early stages.

No longer covered by his university, he applied to every type of health insurance he could, but he was denied every single time because of his pre-existing condition. He knew that through insurance coverage he could get the chemotherapy treatments that could save his life, but with each denial, he felt more and more desperate.

Then Kalwis learned about the Pre-Existing Condition Insurance Plan under the Affordable Care Act. This plan made insurance accessible to anyone that had been denied due to a pre-existing condition. Thankfully, California was one of the States participating in the program. Finally, Kalwis got the chemotherapy he needed. He is one of millions of Americans given the promise of their lives back thanks to the Affordable Care Act.

OBAMACARE

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

Mrs. WALORSKI. Mr. Speaker, I rise today because we made a promise to the American people, and we are going to keep it.

ObamaCare is an unpopular and failed law collapsing under its own weight. Polls have shown it; rising premiums have proven it; and, in November, the voters said it loud and clear. It is time to repeal ObamaCare and replace it with more choices, lower costs, and real protections for patients. Already, we are working to end this damaging law and take control away from Federal bureaucrats and give it back to the people of this country.

One year ago, we sent an ObamaCare repeal bill to the President's desk; but, not surprisingly, he vetoed it. In a few weeks, this Congress will again send a repeal bill to the President's desk. This time, we will have a President who will sign it.

Mr. Speaker, healthcare decisions should be made by patients and their

doctors. American families should have access to health insurance they can actually afford. That is why we will repeal ObamaCare and replace it with real reforms.

□ 1215

HELPING OUR CONSTITUENTS GET AHEAD

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

Mr. KRISHNAMOORTHY. Mr. Speaker, I am Congressman RAJA KRISHNAMOORTHY from the Eighth District of Illinois. I have the honor to represent the hardworking families of Chicago's west and northwest suburbs. My constituents, like so many other Americans, are finding it harder and harder to get ahead.

Creating good-paying jobs is my number one job, and growing and strengthening the middle class is my primary mission. I believe working and middle class families must be able to earn a living wage, have quality health care, and educate their children well.

These challenges are not insurmountable, but we must address them immediately. We need to make sure that working and middle class families can achieve economic security. I believe that, if you work hard and play by the rules, you and your children can and should succeed in America. I look forward to working with all of my colleagues in this Chamber to make that a reality.

MOURNING THE LOSS OF SOUTHEAST TEXAS SOLDIERS

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

Mr. BABIN. Mr. Speaker, it is with a heavy heart that I rise today to honor two young men who gave their lives in service to the State of Texas and the United States when their Apache helicopter crashed in Galveston Bay, Texas, during a training mission last week in my congressional district.

My deepest sympathies go out to the families of Army Chief Warrant Officer 2 Lucas Lowe of Daisetta, Texas, a resident of the 36th Congressional District, which I represent, and Army Chief Warrant Officer 3 Dustin Mortenson of League City, Texas.

The heartbreaking loss of these two fine Texas Army National Guard pilots, assigned to the First Squadron 149th Attack Reconnaissance Battalion of the 36th Infantry Division, has been felt throughout our southeast Texas community. Both men tragically leave behind a wife and family. Chief Warrant Officer Lucas Lowe's wife, Kami, was also pregnant with twins due next month, in February.

As a former Texas Guardsman myself, my prayers remain with all those who have been impacted by this terrible tragedy. As the U.S. Congressman for District 36, it is my commitment and duty to the families to see that they get the support they need during this very difficult time.

Please keep these families in your thoughts and your prayers. May God bless these two soldiers, their families, and all who serve their country.

DON'T MAKE AMERICA SICK AGAIN

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, I want to follow my colleague and my neighbor in Texas to regret the loss of our two National Guardsmen from the 36th Division. The 36th Division is a historic division, Texas division, T-Patchers, and to lose two of our soldiers is tragic.

But I am on the floor today to talk about health care. The Republican majority has taken the first legislative step to make America sick again. The first step was to take away health care from tens of millions of Americans, including premium increases for millions more in America. The second action lights the fuse on the dangerous legislative process that threatens to cut Medicare, Medicaid, and health tax credits that Americans are now benefiting from.

There should be no reform without a replacement because we may never have a replacement, but we have millions of Americans who will lose their healthcare coverage because of the actions of this House. Let's don't make America sick again.

CONGRATULATIONS TO THE CENTRAL HIGH BAND

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

Mr. HILL. Mr. Speaker, I rise to recognize Little Rock Central High School's flag line and marching band for participating in the events marking the 75th anniversary of the attack on Pearl Harbor in Hawaii.

Known as the Stereophonic Storm of the Mid-South, Central's flag line and marching band joined several high school bands across the Nation at the annual Waikiki holiday parade to commemorate this historic moment.

Led by band director Brice Evans, the school's trip lasted an entire week, giving our students the chance to having an unforgettable experience by meeting Pearl Harbor survivors and enjoying Thanksgiving in Hawaii.

With their seemingly limitless enthusiasm and spirit, the Central High School band continues to represent

themselves with determination and dedication that make all Arkansans proud. As a long time friend and supporter of all things for Central High, congratulations. I look forward to following the band's continued success.

WE CAN REBUILD TRUST

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

Mr. MCCARTHY. Mr. Speaker, our Constitution lists few, if specific, qualifications for the office we now hold. Article I, section 2 states that we must be at least 25 years old, we must have been a citizen for the past 7 years, and we must live in the State we represent.

In "The Federalist Papers," Alexander Hamilton and James Madison wrote that "Under these reasonable limitations, the door of this part of the federal government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith."

In a phrase, our body is to represent the American people in all of its opinions, complexities, and riches; and I believe we do. For in a free nation such as ours, no single person can represent the people as a whole. In this body, I proudly work with colleagues on the left and the right, from every region and State, people who profess different faiths, have had different careers, and embody the experiences of the American people. No gathering in this Nation is more like its people than in this House. We are joined together in representing not only our constituents but our country.

Mr. Speaker, we now have a high and honorable task set before us. First, we must take our practical principles that we have built up by the hard experience of generations who have come before us, and we must apply them to a changing future. Our mission is not to return to the past, nor to destroy it, but rather to build upon it.

And then we must direct the desires of the people into action. Millions of Americans long ignored have rejected a future of limits and slow decline. We have heard their voices. But history will not judge us by how well we hear but how well we act.

The unemployment rate has steadily declined and ticked down to 4.9 percent, but what is more important is that our labor participation rate is only 62.7 percent. Outside of the Obama years, that is the lowest labor force participation rate since 1978.

The reason our unemployment rate is dropping isn't because people are finding jobs. They have no prospects for stable and meaningful work. The American people have unrivaled talent and ability, but it is not being used. If

we are looking for a reason behind the message that the American people sent us in November, this is a good place to start.

And for so many who have work, things aren't much better. Millions of Americans, especially those in the heartland and struggling neighborhoods in our big cities, aren't sharing in America's prosperity. In fact, the bottom half of the economic distribution in America hasn't felt any of the economic growth from the 1970s on. These people spend their whole lives working and never have the chance to move up.

We have had the wisdom to listen to all of the American people, especially those being left behind. Now let us have the courage to lead. Let us have the courage to define the people's desires in law. And as we go about our daily business, Mr. Speaker, we should remember not only that we have great purpose, but we also have great power loaned to us directly from the American people.

Our Republic, and the liberties we hold dear at this time, are threatened by bureaucracies, subject to no authority but their own will. They cannot be controlled by the people and are increasingly unrestrained by the people's representatives. This is not a partisan concern. Congress has a duty to act as a unified body in defense of our Article I powers because, unlike the bureaucracy, we are accountable to the people.

That is why I have scheduled this House to tackle this problem starting today through a two-step approach. First, as I have long said, structure dictates behavior. We need to fix the structure in Washington that deprives the people of their power.

Second, we will repeal specific regulations that are harmful to the American people, costing us time, money, and, most importantly, jobs. To begin to get to the root of this problem, we will pass the REINS Act that will require Congress to approve every major regulation produced by the administrative state. And unlike the bureaucracy, if the people don't like what they see, they can vote us out of office.

Then next week, we will take a look at the Regulatory Accountability Act, which will require agencies to choose the least costly option available and will end judicial deference to agencies, which puts the American people at a disadvantage in the courtroom.

But it is not just how rules are made. It is what rules are made too. The President continues to unilaterally impose regulations on his way out the door. So while we haven't yet determined what needs to be repealed first, I expect to start with swift action on at least the stream protection rule and methane emissions standards, both of which limit our energy production.

This process won't be completed quickly, but as we remove harmful reg-

ulations and change the structure of Washington, draining the bureaucratic swamp that undermines the will of the people, we can rebuild trust between the people and their government again. And not only that, within the renewed and responsive structure of a truly representative government, we can restore that hope held by so many generations before, that hope that has defined America's character since before our Nation was founded. It is the American Dream so that we and our children can find more meaning, security, purpose, and success than those who have come before us.

Restoring that dream is the purpose of this body in the 115th Congress. The American people expect this country to be great again. Here and now, we will move us toward that greatness.

THE MEDIA COULD PLAY A POSITIVE ROLE

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

Mr. SMITH of Texas. Mr. Speaker, the national liberal media continue to promote a divided America. This is largely a result of their chosen candidate not winning the Presidential election. Since 91 percent of the media's coverage of President-elect Trump was negative, it is no surprise that they still see America in a negative light.

But the media could play a much more constructive role. They could report the good news that Americans are more confident about the future than they have been in 20 years. They could report on President-elect Trump's ability to attract individuals of competence and experience to his administration. They could report on his fresh approach and new ideas for, yes, making America great again.

Let's hope the media will put aside their bias and give the American people the facts, untainted by personal animosity. If they do, our country will be better for it.

CONGRESS SHOULD CONDEMN U.N. ANTI-ISRAEL RESOLUTION

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

Mr. YODER. Mr. Speaker, I rise today in solidarity and support for one of America's greatest friends and allies, but one the Obama administration has sadly abandoned in its last days in office: the State of Israel.

Since September of 2015 alone, in Israel, 42 people have been killed in terrorist attacks, and 602 people, including four Palestinians, have been injured. Yet, last month, the United Nations Security Council felt the need to

condemn Israel with a misguided resolution the United States should have vetoed.

In fact, as long as Israel has been part of the U.N., it has been treated with little respect and almost openly disdained. In 2016, there were more resolutions regarding Israel at the U.N. than there were regarding Syria, North Korea, Iran, South Sudan, and Russia combined. That is simply an unacceptable way to treat the only peaceful democratic state in the region.

Mr. Speaker, I urge all of my colleagues to join together in sending a strong, bipartisan message this week to rebuke this misguided resolution so we can get back on a path to a peaceful solution to conflict in the Middle East.

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

APPROVING LOCATION OF MEMORIAL TO COMMEMORATE MEMBERS OF ARMED FORCES WHO SERVED IN SUPPORT OF OPERATION DESERT STORM OR OPERATION DESERT SHIELD

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 3) approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 3

Whereas subsection (b)(1) of section 8908 of title 40, United States Code, provides that the location of a commemorative work in the area depicted as "Area I" on the map described in subsection (a) of that section shall be deemed to be authorized only if approved by law not later than 150 days after the date on which Congress is notified that the subject of the commemorative work is of preeminent historical and lasting significance to the United States;

Whereas section 3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291) authorized the National Desert Storm Memorial Association to establish a memorial in the District of Columbia to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield;

Whereas the Secretary of the Interior has notified Congress of the determination of the Secretary of the Interior that the subject of the memorial is of preeminent historical and lasting significance to the United States and may be located in Area I: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the location of the commemorative work authorized by section 3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291) to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield, within Area I, as depicted on the map described in section 8908(a) of title 40, United States Code, is approved.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the joint resolution under consideration.

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

There was no objection.

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

Mr. Speaker, H.J. Res. 3 by Congressman ROE of Tennessee authorizes the National Desert Storm War Memorial Association to consider sites along or near the National Mall for a memorial to honor the members of Armed Forces who served on Active Duty in support of Operation Desert Storm or Operation Desert Shield.

Under the Commemorative Works Act, any memorial proposed to be located on Federal land along or near the National Mall must be approved by Congress after the Secretary of the Interior determines that the proposed work is "of preeminent historical and lasting significance to the United States."

The Secretary of the Interior has recommended that the Desert Storm War Memorial Association be authorized to consider sites in Area I for the memorial, and this resolution would provide Congress' approval of the Secretary's recommendation. Congress provided initial authorization for the Desert Storm and Desert Shield Memorial in 2014, and the memorial is to be funded solely by private donations.

History will no doubt continue to debate the political decisions that stopped our forces before they reached Baghdad, but it has already recorded and judged the effectiveness, the heroism, and the devotion of our Armed

Forces and their commanders in the field who utterly vanquished the largest army in the Middle East in just 100 hours and who liberated the people of Kuwait from a hideous and sadistic occupation.

This memorial will do more than honor the 382 Americans who gave their lives in the gulf war and ensure that they will not be forgotten. After all, as Lincoln said at Gettysburg:

The honor they earned on the battlefield cannot be added to or detracted by us, and long after our words are forgotten, their deeds will be remembered and celebrated.

But this monument will also remind future generations at home and abroad, friend and foe, of what American Armed Forces can do to rescue and protect the weak, and vanquish and punish the guilty, when competently commanded in the field and backed by the full resolve of the American people in a righteous cause.

I urge adoption of the measure.

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

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

Mr. Speaker, following the invasion and occupation of Kuwait by Iraqi leader Saddam Hussein, the United States and the international community demanded the immediate withdrawal of Iraqi forces under the threat of military action. After Saddam Hussein defied calls to withdraw from Kuwait, the United States, along with a broad coalition of European, regional, and global allies, began Operation Desert Shield, followed by Operation Desert Storm, a 100-hour land war which expelled the Iraqi forces from Kuwait.

Approximately 700,000 members of the American Armed Forces served as part of Operation Desert Storm and Operation Desert Shield. Of those, 293 died in theater and 148 were killed in action.

The 2015 National Defense Authorization Act authorized the National Desert Storm and Desert Shield War Memorial Association to establish a memorial as a commemorative work on Federal land in the District of Columbia. This honors the members of the American Armed Forces who served and those who made the ultimate sacrifice in support of our country.

The joint resolution before us today approves the general location of the memorial so that it is in close proximity to the National Mall and other nationally significant war memorials, as determined by the Secretary of the Interior.

This resolution is an opportunity for the country to come together and thank the servicemembers who fought in the Gulf, those whose lives have been forever changed by their experience in this war, and those who did not return.

I support this resolution, and I urge my colleagues to vote "yes."

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

Mr. McCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. ROE), the author of this measure.

Mr. ROE of Tennessee. Mr. Speaker, I thank Mr. McCLINTOCK for yielding.

Mr. Speaker, I rise today in support of this very important procedural measure to site the memorial to honor the men and women who served and died in Operation Desert Storm and Desert Shield in Area I of the National Mall.

On August 2, 1990, Saddam Hussein invaded Kuwait and, in less than 24 hours, dominated nearly 30 percent of the world's oil supply, swiftly setting his sights on neighboring Saudi Arabia. Recognizing Saudi Arabia's importance to the region, President George Herbert Walker Bush launched Operation Desert Shield, the deployment of American combat forces to Saudi Arabia, and ordered Saddam Hussein to remove Iraqi troops from Kuwait by January 15, 1991. With Kuwait still occupied after the deadline passed, over half a million United States armed services members led coalition forces in the liberation of Kuwait—Operation Desert Storm.

Of the roughly 600,000 American troops who were deployed in both Operation Desert Shield and Desert Storm, 294 died in theater, of which 148 were killed in action. The United States currently lacks a national memorial dedicated to the valor and sacrifices made by those members of our Armed Forces who fought honorably in Operation Desert Shield and Desert Storm.

Mr. Speaker, it is important to note that no Federal funds will be spent to build this memorial. All funds will be raised privately by the National Desert Storm War Memorial Association. We must honor the men and women who fought honorably and valiantly in support of these operations and memorialize those who gave a life to free another.

The establishment of this memorial was authorized in the National Defense Authorization Act for fiscal year 2015. Passing this resolution is simply the next step in the process for site selection. The Secretary of the Interior has confirmed the historical value of the proposed memorial and deemed it worthy of being constructed in Area I of Washington, D.C., which includes the areas around other monuments to great American heroism.

In conclusion, Mr. Speaker, many of us in this Congress know many of the people who served in Desert Storm and Desert Shield, many personal friends of mine did, and many paid the ultimate sacrifice. It is time now we honor those heroes of this country.

Ms. TSONGAS. Mr. Speaker, I have no other speakers.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I urge adoption of the measure.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the joint resolution, H.J. Res. 3.

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

A motion to reconsider was laid on the table.

TAXPAYERS RIGHT-TO-KNOW ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 71) to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 71

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Taxpayers Right-To-Know Act".

SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

(a) IN GENERAL.—Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

"(1) DEFINITION OF PROGRAM.—For purposes of this subsection, the term 'program' means an organized set of activities by one or more agencies directed toward a common purpose or goal."

(3) in paragraph (2), as so redesignated—

(A) by striking "IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall" and inserting "WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall";

(B) by striking subparagraph (C) and inserting the following:

"(C) include on the website—

"(i) a program inventory that shall identify each program of the Federal Government for which there is more than \$1,000,000 in annual budget authority, which shall include—

"(I) any activity that is commonly referred to as a program by a Federal agency in communications with Congress, including any activity identified as a program in a budget request;

"(II) any activity that is commonly referred to as a program by a Federal agency in communications with the public, including each program for which financial awards are made on a competitive basis; and

"(III) any activity referenced in law as a program after June 30, 2019; and

"(ii) for each program identified in the program inventory, the information required under paragraph (3) or paragraph (4), as applicable."

(4) in paragraph (3), as so redesignated—

(A) in the matter preceding subparagraph (A), by striking "INFORMATION.—Information

for each program described under paragraph (1)" and inserting "INFORMATION FOR LARGER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$10,000,000 in annual budget authority";

(B) by striking subparagraph (C);

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by striking subparagraph (A) and inserting the following:

"(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

"(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

"(C) an estimate of the amount of funding for the program;"

(E) in subparagraph (D), as so redesignated, by striking "and" at the end; and

(F) by adding at the end the following:

"(E) an identification of the statutes that authorize the program and any major regulations specific to the program;

"(F) for any program that provides grants or other financial assistance to individuals or entities, for the most recent fiscal year—

"(i) a description of the individuals served by the program and beneficiaries who received financial assistance under the program, including an estimate of the number of individuals and beneficiaries, to the extent practicable;

"(ii) for each program for which the head of an agency determines it is not practicable to provide an estimate of the number of individuals and beneficiaries served by the program—

"(I) an explanation of why data regarding the number of such individuals and beneficiaries cannot be provided; and

"(II) a discussion of the measures that could be taken to gather the data required to provide such an estimate; and

"(iii) a description of—

"(I) the Federal employees who administer the program, including the number of full-time equivalents with a pro rata estimate for full-time equivalents associated with multiple programs; and

"(II) other individuals whose salary is paid in part or full by the Federal Government through a grant, contract, cooperative agreement, or another form of financial award or assistance who administer or assist in any way in administering the program, including the number of full-time equivalents, to the extent practicable;

"(G) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years; and

"(H) to the extent practicable, financial and other information for each program activity required to be reported under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).";

and

(5) by adding at the end the following:

"(4) INFORMATION FOR SMALLER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$1,000,000 and not more than \$10,000,000 in annual budget authority shall, at a minimum, include—

"(A) an identification of the program activities that are aggregated, disaggregated,

or consolidated as part of identifying programs;

“(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

“(C) an identification of the statutes that authorize the program and any major regulations specific to the program;

“(D) for any program that provides grants or other financial assistance to individuals or entities, a description of the individuals served by the program and beneficiaries who received financial assistance under the program for the most recent fiscal year; and

“(E) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years.

“(5) ARCHIVING.—After the end of each fiscal year, the Director of the Office of Management and Budget shall archive and preserve the information included in the program inventory required under paragraph (2) relating to that fiscal year.”.

(b) EXPIRED GRANT FUNDING.—Not later than February 1 of each fiscal year, the Director of the Office of Management and Budget shall publish on a public website the total amount of undisbursed grant funding remaining in grant accounts for which the period of availability to the grantee has expired.

SEC. 3. GUIDANCE AND IMPLEMENTATION.

(a) GUIDANCE.—Not later than June 30, 2018, the Director of the Office of Management and Budget—

(1) shall prescribe guidance to implement this Act, and the amendments made by this Act;

(2) shall issue guidance to agencies to identify how the program activities used for reporting under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) are associated with programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a);

(3) may issue guidance to agencies to ensure that the programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a), are presented at a similar level of detail across agencies and are not duplicative or overlapping; and

(4) may, based on an analysis of the costs of implementation, and after submitting to Congress a notification of the action by the Director—

(A) exempt from the requirements under section 1122(a) of title 31, United States Code, an agency that—

(i) is not listed in section 901(b) of title 31, United States Code; and

(ii) for the fiscal year during which the exemption is made, has budget authority (as defined in section 3 of the Congressional Budget Act of 1974 (2 U.S.C. 622)) of not more than \$10,000,000; and

(B) extend the implementation deadline under subsection (b) by not more than 1 year.

(b) IMPLEMENTATION.—This Act, and the amendments made by this Act, shall be implemented not later than June 30, 2019.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, this is a very good bill brought to us by lead sponsor Mr. WALBERG of Michigan who has done considerable work on this not only at this point, but in Congresses of the past. We have cosponsorship from a number of people on both sides of the aisle—five members within the Oversight and Government Reform Committee.

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

Mr. WALBERG. Mr. Speaker, I thank the chairman for his leadership on this.

Mr. Speaker, I rise today in support of the Taxpayers Right-To-Know Act.

This bill is a bipartisan and bicameral effort to provide more information about Federal programs and their activities online. The American people deserve to know what their government does with their hard-earned dollars. The Taxpayers Right-To-Know Act will make it easier to evaluate Federal Government spending by requiring Federal agencies to identify their programs, provide basic information like what their programs do, how they perform, and how much they cost. Agencies must do a better job of managing their programs and identifying areas where taxpayer dollars are wasted.

The Government Accountability Office is tasked with reporting on duplication and continues to find new areas of duplication across the government. In 6 years, GAO has identified 250 areas and 637 corrective actions in those areas to reduce fragmentation, overlap, or duplication or address other opportunities for financial benefits. While only 41 percent of recommended corrective actions have been taken, GAO estimates this progress will result in approximately \$125 billion in financial benefits and savings over 15 years.

While GAO's work has been invaluable, their ability to look comprehensively at the Federal Government is inherently limited because of the poor reporting by agencies about their activity. Quite simply, Mr. Speaker, without better data, billions more will be lost.

Current law, specifically the Government Performance and Results Mod-

ernization Act, requires agencies to report all their programs, their funding, and their performance information to the Office of Management and Budget. However, OMB's current inventory is incomplete and provides inconsistent information. This makes it more difficult and time consuming to identify areas of waste and inefficiency.

The Taxpayers Right-To-Know Act establishes an across-the-board definition for “program” and requires the publication of detailed information on each Federal program. This change will allow American taxpayers and Federal watchdogs to better evaluate the effectiveness and utility of government programs.

The Taxpayers Right-To-Know Act, Mr. Speaker, is an important and necessary step forward for the government in providing programs that are accountable, effective, and efficient.

Mr. Speaker, I thank Senator LANKFORD for his work on the Senate companion bill in the last Congress, which will be reintroduced in future weeks. I also thank Representative COOPER of Tennessee for his continued bipartisan support and cosponsorship on this issue.

I urge my colleagues to support this legislation.

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

The Taxpayers Right-To-Know Act builds upon two existing laws that came through the Oversight and Government Reform Committee: the Government Performance and Results Modernization Act of 2010 and the DATA Act, which was signed into law in 2014.

□ 1245

The Obama administration launched the performance.gov Web site to implement the GPRA Modernization Act, and this bill would enhance the information available through that Web site.

The bill would require the Office of Management and Budget to make available on a central Web site an inventory of all Federal agency programs that have a budget authority of more than \$1 million.

I thank Representative WALBERG for making changes to help address those concerns in the version of the bill before us today. It is important that we continue to work together to ensure the bill will work as intended.

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

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, it is important the Federal Government convey to taxpayers how it is spending their hard-earned money. That is why I rise in support of H.R. 71, the Taxpayers Right-To-Know Act.

For Federal programs authorized to spend over \$1 million, this bipartisan bill would make more information available and accessible online so that taxpayers may see where their money is being spent and how the program is performing. For each Federal program meeting these requirements, the government would need to make public several key pieces of information that are of interest to many of my constituents, including funding levels for the program, Federal laws that authorize the program, regulations related to the program, the results of performance reviews that measure the program's effectiveness, and any overlap of the program with another Federal program.

Simply put, this bill would help alleviate waste and prevent taxpayer dollars from being spent on unnecessary, ineffective, or duplicative programs.

I thank Congressman TIM WALBERG and Congressman JIM COOPER for their continued leadership on this legislation.

Mr. Speaker, this bill did pass the House without any objection in the last session, and I would, once again, urge my colleagues to support this commonsense bill.

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

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

I am thankful for the good work by Mr. WALBERG and Mr. COOPER, who also serve on the Oversight and Government Reform Committee. I thank Mr. CLAY and, certainly, Mr. CUMMINGS.

In the 114th Congress, this bill was able to pass overwhelmingly in the House by a vote of 413-0—with no opposition. It is truly bipartisan and bicameral. It is a good bill. I thank Senator JAMES LANKFORD of Oklahoma for his work on the Senate side, and we do hope that it will make it swiftly through the Senate.

The Taxpayers Right-To-Know Act provides the public and Congress with increased transparency about Federal programs, including how much they cost and any benefits that they provide. It sounds like a good and worthy thing to do, and it passed the previous Congress. I urge my colleagues to vote in favor of it here in the 115th Congress, and I am glad it is one of the first things that we are doing.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 71.

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

A motion to reconsider was laid on the table.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 73) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 73

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Library Donation Reform Act of 2017".

SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

"(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION REPORTING REQUIREMENT.—

"(1) REPORTING REQUIREMENT.—Not later than 15 days after the end of a calendar quarter and until the end of the requirement period described in paragraph (2), each Presidential library fundraising organization shall submit to the Archivist information for that quarter in an electronic searchable and sortable format with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

"(2) DURATION OF REPORTING REQUIREMENT.—The requirement to submit information under paragraph (1) shall continue until the later of the following occurs:

"(A) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the Presidential archival depository for the President for whom the Presidential library fundraising organization was established.

"(B) The President whose archives are contained in the deposit no longer holds the Office of President.

"(3) INFORMATION REQUIRED TO BE PUBLISHED.—The Archivist shall publish on the website of the National Archives and Records Administration, within 30 days after each quarterly filing, any information that is submitted under paragraph (1), without a fee or other access charge in a downloadable database.

"(4) SUBMISSION OF FALSE MATERIAL INFORMATION PROHIBITED.—

"(A) INDIVIDUAL.—

"(i) PROHIBITION.—It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

"(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

"(B) ORGANIZATION.—

"(i) PROHIBITION.—It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

"(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

"(5) PROHIBITION ON CONTRIBUTION.—

"(A) IN GENERAL.—It shall be unlawful for a person to knowingly and willfully—

"(i) make a contribution described in paragraph (1) in the name of another person;

"(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

"(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

"(B) PENALTY.—The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

"(6) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations for the purpose of carrying out this subsection.

"(7) DEFINITIONS.—In this subsection:

"(A) INFORMATION.—The term 'information' means the following:

"(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

"(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

"(iii) If the source of such a contribution is an individual, the occupation of the individual.

"(iv) The date of each such contribution.

"(B) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION.—The term 'Presidential library fundraising organization' means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

"(i) a Presidential archival depository; or

"(ii) any facilities relating to a Presidential archival depository."

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on, or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), who has championed this effort for quite a while. He is passionate about this, and he has poured his heart and soul into it.

Mr. DUNCAN of Tennessee. I thank the chairman for yielding to me and for his support of this legislation.

Mr. Speaker, this is very simple, bipartisan legislation that would require organizers of Presidential libraries to disclose the identities of donors and the amounts they give. It wouldn't limit any donations; it would simply require disclosure. I introduced this legislation several Congresses ago because I felt then and feel now that the public should be made aware of possible conflicts of interest that sitting Presidents can have or may have while raising funds for their libraries.

First of all, I thank Ranking Member CUMMINGS for again cosponsoring this very important legislation and making it bipartisan. The legislation is so bipartisan that, after the first time we passed the bill—and it passed 392-3—it was taken over, at my request and with my agreement, by then-Chairman Waxman, who made it his bill. We passed it once again, and we passed it in the last Congress by a simple voice vote, so there is a lot of support for this bill. In the Senate, it was introduced by Mr. CARPER and Mr. Coburn, when he was in the Senate. We need to get some more interest over there, and I think we are going to be able to do that in this Congress.

Mr. Speaker, we do not know who these donors to the Presidential libraries are or what interests they may have on any pending policy decisions that are to be made. I think that our government needs to operate in the open, not with secrecy. This legislation will apply to all future Presidential libraries and mandate, regardless of party, that the names of the donors and the amounts they contribute be disclosed. I would like to add that this legislation will apply to President Trump's future Presidential library. This will require him to disclose more than any other President has ever had to disclose before. This will be an unprecedented disclosure, and it falls in line with his stated desire to drain the swamp. Any sitting President has a great deal of power. Funds should not be raised for a Presidential library in his honor without some type of public disclosure.

I decided to introduce this bill after news reports surrounding a proposed Presidential library exposed that foreign governments from the Middle East were making very large donations. Then, in 2007, The Washington Post reported that President Clinton's Presidential library raised a substantial percentage of the cost of its facility with

foreign contributions. However, this is not a partisan issue. I have introduced this and supported this legislation under both Democratic and Republican Presidents. The Presidential Library Donation Reform Act of 2017 would bring clarity to the process of planning and building these Presidential libraries.

In 2013, Sunlight Foundation Policy Director Daniel Schuman endorsed an earlier version of this bill during a hearing in front of our House Oversight and Government Reform Committee, where he said it "would provide valuable information on special interests whose donations put them in close proximity with Presidents."

Even Richard Cohen, the very liberal columnist for The Washington Post, once said about this bill: "But surely it would be anything from interesting to illustrative to just plain damning to see what names are on that list and for what amounts." Our citizens have the right to know the details of these fundraising activities.

This bill has been introduced by the Center for Media and Democracy; the Center for Responsive Politics; the Citizens for Responsibility and Ethics in Washington, often known as CREW; Common Cause; Public Citizen; the Society of Professional Journalists; and many others.

USA Today wrote a very favorable editorial about this bill, and it has been mentioned favorably in many publications across the years. I think it is a bill that everybody on both sides of the aisle can support, and I ask my colleagues to support this very bipartisan legislation.

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

I thank my long-time friend Representative DUNCAN and Ranking Member CUMMINGS for sponsoring this bill. Representative DUNCAN first sponsored a bill to improve Presidential libraries 17 years ago. I hope we can now, finally, get this important legislation enacted.

The Presidential Library Donation Reform Act would make the process for building Presidential libraries more transparent. Presidential libraries have become increasingly more expensive as they have evolved into multipurpose centers. The George W. Bush Presidential Center cost an estimated \$250 million to build, and President Bush raised, approximately, \$500 million for the building and an endowment for his library, museum, and institute.

Under current law, there is no requirement to disclose the identities of those who donate to a Presidential library and to a President while he is still in office. He is able to raise an unlimited amount of private donations. Requiring the disclosures of donors would help prevent the trading of political favors in exchange for donations.

This bill would require organizations that raise money to build Presidential

libraries to disclose the identity of any individual who donates more than \$200. The National Archives and Records Administration would then be required to post the donation information online. The bill would also create criminal penalties for individuals who report false information on donations and for fundraising organizations that omit donation information.

As was mentioned earlier, a group of 15 good government organizations, including CREW and the Sunlight Foundation, sent a letter that urged the House to support this bill. Here is what they wrote:

Under the current opaque system, Presidents raise funds privately to establish their Presidential libraries.

These efforts, which often begin long before they leave office, are unregulated and undisclosed, creating opportunities for—or the appearance of—influence peddling. Improved transparency would help reduce the appearance of impropriety and help deter any inappropriate behavior.

This bill was approved, without opposition, by the Committee on Oversight and Government Reform, and it passed the House last year without opposition. I urge every Member of this body to support this bill.

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

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

As has been highlighted here by Mr. CLAY and by me, there is good bipartisan work that has gone on for far too long. It is time to pass this bill. I really do appreciate the good work Mr. DUNCAN of Tennessee has done and the work of Ranking Member CUMMINGS of Maryland.

The Presidential Library Donation Reform Act of 2017 is the type of good-government, bipartisan legislation that is perfect to be one of the first bills to pass out of the 115th Congress. Last Congress, this legislation passed through the committee by regular order and passed the House of Representatives without opposition.

President Franklin Roosevelt established the first Presidential library in 1939. Since then, every former President since Herbert Hoover has had a library dedicated to his Presidential records. Each of the 13 current libraries is managed and operated by the National Archives and Records Administration at an annual cost of roughly \$75 million. While these facilities are operated at taxpayer expense, the construction of these libraries is privately financed through donations.

As the volume of records for each President has increased over the years, so have construction costs. For example, when it opened in 2004, the Clinton Presidential Center, in part, cost approximately \$165 million.

□ 1300

Nine years later, the George W. Bush Presidential Center, which opened in

2013, cost about \$250 million. The Chicago Tribune has reported that President Obama's library might cost as much as \$500 million.

Despite these escalating costs, there are no transparency requirements for Presidential library fundraising organizations. Here, transparency is important and very much needed.

This bill will require Presidential library fundraising organizations to disclose to the National Archives contributions in excess of \$200 in any fiscal quarter in a searchable and sortable format. In turn, the National Archives will post this data online.

This disclosure requirement would end once control of a library facility is transferred to the National Archives. This ensures compliance costs of this legislation are minimal for both fundraising organizations and the National Archives.

This legislation is bipartisan. It is not intended to target any one individual. The Presidential Library Donation Reform Act has passed the House four times since 2002, with overwhelming support with both Democratic and Republican majorities in place at the time.

I would like to, again, highlight and thank my colleague, Representative DUNCAN. I do appreciate his efforts on this. I do hope that the 115th Congress is the time that the Senate will see fit to pass this bill to the President's desk.

I have no additional speakers.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I have no additional speakers, and I just urge this body to adopt the legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 73.

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

A motion to reconsider was laid on the table.

FEDERAL ADVISORY COMMITTEE ACT AMENDMENTS OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 70) to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 70

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Federal Advisory Committee Act Amendments of 2017”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Ensuring independent advice and expertise.

Sec. 3. Preventing efforts to circumvent the Federal Advisory Committee Act and public disclosure.

Sec. 4. Increasing transparency of advisory committees.

Sec. 5. Managing Federal advisory committees.

Sec. 6. Comptroller General review and reports.

Sec. 7. Application of Federal Advisory Committee Act to Trade Advisory Committees.

Sec. 8. Definitions.

Sec. 9. Technical and conforming amendments.

Sec. 10. Effective date.

Sec. 11. No additional funds authorized.

SEC. 2. ENSURING INDEPENDENT ADVICE AND EXPERTISE.

(a) BAR ON POLITICAL LITMUS TESTS.—Section 9 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in the section heading, by inserting “MEMBERSHIP;” after “ADVISORY COMMITTEES;”;

(2) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

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

“(b) APPOINTMENTS MADE WITHOUT REGARD TO POLITICAL AFFILIATION OR ACTIVITY.—All appointments to advisory committees shall be made without regard to political affiliation or political activity, unless required by Federal statute.”.

(b) MINIMIZING CONFLICTS OF INTEREST.—Section 9 of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by subsection (a) of this section, is further amended by inserting after subsection (b) (as added by such subsection (a)) the following:

“(c) PUBLIC NOMINATIONS OF COMMITTEE MEMBERS.—Prior to appointing members to an advisory committee, the head of an agency shall give interested persons an opportunity to suggest potential committee members. The agency shall include a request for comments in the Federal Register notice required under subsection (a) and provide a mechanism for interested persons to comment through the official website of the agency. The agency shall consider any comments submitted under this subsection in selecting the members of an advisory committee.”.

(d) DESIGNATION OF COMMITTEE MEMBERS.—

“(1) An individual appointed to an advisory committee who is not a full-time or permanent part-time officer or employee of the Federal Government shall be designated as—

“(A) a special Government employee, if the individual is providing advice based on the individual's expertise or experience; or

“(B) a representative, if the individual is representing the views of an entity or entities outside of the Federal Government.

“(2) An agency may not designate committee members as representatives to avoid subjecting them to Federal ethics rules and requirements.

“(3) The designated agency ethics official for each agency shall review the members of each advisory committee that reports to the agency to determine whether each member's designation is appropriate, and to redesignate members if appropriate. The designated agency ethics official shall certify to the head of the agency that such review has been made—

“(A) following the initial appointment of members; and

“(B) at the time a committee's charter is renewed, or, in the case of a committee with an indefinite charter, every 2 years.

“(4) The head of each agency shall inform each individual appointed to an advisory committee that reports to the agency whether the individual is appointed as a special Government employee or as a representative. The agency head shall provide each committee member with an explanation of the differences between special Government employees and representatives and a summary of applicable ethics requirements. The agency head, acting through the designated agency ethics official, shall obtain signed and dated written confirmation from each committee member that the member received and reviewed the information required by this paragraph.

“(5) The Director of the Office of Government Ethics shall provide guidance to agencies on what to include in the summary of ethics requirements required by paragraph (4).

“(6) The head of each agency shall, to the extent practicable, develop and implement strategies to minimize the need for written determinations under section 208(b)(3) of title 18, United States Code. Strategies may include such efforts as improving outreach efforts to potential committee members and seeking public input on potential committee members.”.

(c) REGULATIONS IMPLEMENTING FACA.—Section 7(c) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by inserting “promulgate regulations and” after “The Administrator shall”.

(d) ENSURING INDEPENDENT ADVICE AND RECOMMENDATIONS.—The Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in section 8—

(A) in the section heading, by inserting “INDEPENDENT ADVICE AND RECOMMENDATIONS;” after “RESPONSIBILITIES OF AGENCY HEADS;”;

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

“(b) The head of each agency shall ensure that the agency does not interfere with the free and independent participation, expression of views, and deliberation by committee members. Each advisory committee shall include a statement describing the process used by the advisory committee in formulating the advice and recommendations when they are transmitted to the agency.”; and

(2) in section 10—

(A) in the section heading, by inserting “; CHAIR” after “ATTENDANCE”; and

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

“(g) The Chair shall not be an employee of the agency to which the advisory committee reports, unless—

“(1) a statute specifically authorizes selection of such an employee as the Chair; or

“(2) the head of the agency directs an employee to serve as the Chair.”.

SEC. 3. PREVENTING EFFORTS TO CIRCUMVENT THE FEDERAL ADVISORY COMMITTEE ACT AND PUBLIC DISCLOSURE.

(a) DE FACTO MEMBERS.—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by adding at the end the following new subsection:

“(d) TREATMENT OF INDIVIDUAL AS MEMBER.—An individual who is not a full-time or permanent part-time officer or employee of the Federal Government shall be regarded as

a member of a committee if the individual regularly attends and participates in committee meetings as if the individual were a member, even if the individual does not have the right to vote or veto the advice or recommendations of the advisory committee.”.

(b) **SUBCOMMITTEES.**—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by subsection (a) of this section, is further amended by striking subsection (a) and inserting the following:

“(a) **APPLICATION.**—The provisions of this Act or of any rule, order, or regulation promulgated under this Act shall apply to each advisory committee, including any subcommittee or subgroup thereof, except to the extent that any Act of Congress establishing any such advisory committee specifically provides otherwise. Any subcommittee or subgroup that reports to a parent committee established under section 9(a) is not required to comply with section 9(f).”.

(c) **COMMITTEES CREATED UNDER CONTRACT.**—Section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended in the matter following subparagraph (C) by adding at the end the following: “An advisory committee is considered to be established by an agency, agencies, or the President if it is formed, created, or organized under contract, other transactional authority, cooperative agreement, grant, or otherwise at the request or direction of an agency, agencies, or the President.”.

(d) **ADVISORY COMMITTEES CONTAINING SPECIAL GOVERNMENT EMPLOYEES.**—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by subsections (a) and (b) of this section, is further amended by adding at the end the following new subsection:

“(e) **SPECIAL GOVERNMENT EMPLOYEES.**—Committee members appointed as special Government employees shall not be considered full-time or permanent part-time officers or employees of the Federal Government for purposes of determining the applicability of this Act under section 3(2).”.

SEC. 4. INCREASING TRANSPARENCY OF ADVISORY COMMITTEES.

(a) **INFORMATION REQUIREMENT.**—Section 11 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended to read as follows:

“SEC. 11. DISCLOSURE OF INFORMATION.

“(a) **IN GENERAL.**—With respect to each advisory committee, the head of the agency to which the advisory committee reports shall make publicly available in accordance with subsection (b) the following information:

“(1) The charter of the advisory committee.

“(2) A description of the process used to establish and appoint the members of the advisory committee, including the following:

“(A) The process for identifying prospective members.

“(B) The process of selecting members for balance of viewpoints or expertise.

“(C) The reason each member was appointed to the committee.

“(D) A justification of the need for representative members, if any.

“(3) A list of all current members, including, for each member, the following:

“(A) The name of any person or entity that nominated the member.

“(B) Whether the member is designated as a special Government employee or a representative.

“(C) In the case of a representative, the individuals or entity whose viewpoint the member represents.

“(4) A list of all members designated as special Government employees for whom

written certifications were made under section 208(b) of title 18, United States Code, a copy of each such certification, a summary description of the conflict necessitating the certification, and the reason for granting the certification.

“(5) Any recusal agreement made by a member or any recusal known to the agency that occurs during the course of a meeting or other work of the committee.

“(6) A summary of the process used by the advisory committee for making decisions.

“(7) Detailed minutes of all meetings of the committee and a description of committee efforts to make meetings accessible to the public using online technologies (such as video recordings) or other techniques (such as audio recordings).

“(8) Any written determination by the President or the head of the agency to which the advisory committee reports, pursuant to section 10(d), to close a meeting or any portion of a meeting and the reasons for such determination.

“(9) Notices of future meetings of the committee.

“(10) Any additional information considered relevant by the head of the agency to which the advisory committee reports.

“(b) **MANNER OF DISCLOSURE.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the head of an agency shall make the information required to be disclosed under this section available electronically on the official public website of the agency and to the Administrator at least 15 calendar days before each meeting of an advisory committee. If the head of the agency determines that such timing is not practicable for any required information, such head shall make the information available as soon as practicable but no later than 48 hours before the next meeting of the committee. An agency may withhold from disclosure any information that would be exempt from disclosure under section 552 of title 5, United States Code.

“(2) **WEBSITE AVAILABILITY.**—The head of an agency shall make available electronically, on the official public website of the agency, detailed minutes and, to the extent available, a transcript or audio or video recording of each advisory committee meeting not later than 30 calendar days after such meeting.

“(3) **GRANT REVIEWS.**—In the case of grant reviews, disclosure of information required by subsection (a)(3) may be provided in the aggregate rather than by individual grant.

“(c) **PROVISION OF INFORMATION BY ADMINISTRATOR OF GENERAL SERVICES.**—The Administrator of General Services shall provide, on the official public website of the General Services Administration, electronic access to the information made available by each agency under this section.

“(d) **AVAILABILITY OF MEETING MATERIALS.**—Except where prohibited by contractual agreements entered into prior to the effective date of this Act, agencies and advisory committees shall make available to any person, at actual cost of duplication, copies of advisory committee meeting materials.”.

(b) **CHARTER FILING.**—Subsection (f) of section 9 of the Federal Advisory Committee Act (5 U.S.C. App.), as redesignated by section 2(a) of this Act, is amended to read as follows:

“(f) No advisory committee shall meet or take any action until an advisory committee charter has been filed with the Administrator, the head of the agency to whom any advisory committee reports, and the standing committees of the Senate and of the

House of Representatives having legislative jurisdiction of such agency. Such charter shall contain the following information in the following order:

“(1) The committee’s official designation.

“(2) The authority under which the committee is established.

“(3) The committee’s objectives and the scope of its activity.

“(4) A description of the duties for which the committee is responsible, and, if such duties are not solely advisory, a specification of the authority for such functions.

“(5) The agency or official to whom the committee reports.

“(6) The agency responsible for providing the necessary support for the committee.

“(7) The responsibilities of the officer or employee of the Federal Government designated under section 10(e).

“(8) The estimated number and frequency of committee meetings.

“(9) The period of time necessary for the committee to carry out its purposes.

“(10) The committee’s termination date, if less than two years from the date of the committee’s establishment.

“(11) The estimated number of members and a description of the expertise needed to carry out the objectives of the committee.

“(12) A description of whether the committee will be composed of special Government employees, representatives, or members from both categories.

“(13) Whether the agency intends to create subcommittees and if so, the agency official authorized to exercise such authority.

“(14) The estimated annual operating costs in dollars and full-time equivalent positions for such committee.

“(15) The recordkeeping requirements of the committee.

“(16) The date the charter is filed.

A copy of any such charter shall also be furnished to the Library of Congress.”.

SEC. 5. MANAGING FEDERAL ADVISORY COMMITTEES.

(a) **COMMITTEE MANAGEMENT OFFICERS.**—Subsection (c) of section 8 of the Federal Advisory Committee Act (5 U.S.C. App.), as redesignated by section 2(d) of this Act, is amended to read as follows:

“(c) The head of each agency that has an advisory committee shall designate an Advisory Committee Management Officer who shall—

“(1) be a senior official who is—

“(A) an expert in implementing the requirements of this Act and regulations promulgated pursuant to this Act; and

“(B) the primary point of contact for the General Services Administration;

“(2) be responsible for the establishment, management, and supervision of the advisory committees of the agency, including establishing procedures, performance measures, and outcomes for such committees;

“(3) assemble and maintain the reports, records, and other papers (including advisory committee meeting materials) of any such committee during its existence;

“(4) ensure any such committee and corresponding agency staff adhere to the provisions of this Act and any regulations promulgated pursuant to this Act;

“(5) maintain records on each employee of any such committee and completion of training required for any such employee;

“(6) be responsible for providing the information required in section 7(b) of this Act to the Administrator; and

“(7) carry out, on behalf of that agency, the provisions of section 552 of title 5, United States Code, with respect to the reports,

records, and other papers described in paragraph (3).”

SEC. 6. COMPTROLLER GENERAL REVIEW AND REPORTS.

(a) REVIEW.—The Comptroller General of the United States shall review compliance by agencies with the Federal Advisory Committee Act, as amended by this Act, including whether agencies are appropriately appointing advisory committee members as either special Government employees or representatives.

(b) REPORT.—The Comptroller General shall submit to the committees described in subsection (c) two reports on the results of the review, as follows:

(1) The first report shall be submitted not later than one year after the date of promulgation of regulations under section 7(c) of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by section 2(c).

(2) The second report shall be submitted not later than five years after such date of promulgation of regulations.

(c) COMMITTEES.—The committees described in this subsection are the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 7. APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT TO TRADE ADVISORY COMMITTEES.

Section 135(f)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2155(f)(2)(A)) is amended by striking “subsections (a) and (b) of sections 10 and 11 of the Federal Advisory Committee Act” and inserting “subsections (a) and (b) of section 10 and subsections (a)(7), (a)(8), (a)(9), (b)(2), and (d) of section 11 of the Federal Advisory Committee Act”.

SEC. 8. DEFINITIONS.

Section 3 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by adding at the end the following new paragraph:

“(5) The term ‘special Government employee’ has the meaning given that term in section 202(a) of title 18, United States Code.”.

SEC. 9. TECHNICAL AND CONFORMING AMENDMENTS.

Section 7(d)(1) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by striking “the rate specified for GS-18 of the General Schedule under section 5332” and inserting “the rate for level IV of the Executive Schedule under section 5315”; and

(2) in subparagraph (C)(i), by striking “handicapped individuals (within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794))” and inserting “individuals with disabilities (as defined in section 7(20) of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)))”.

SEC. 10. EFFECTIVE DATE.

This Act shall take effect 30 days after the date of the enactment of this Act.

SEC. 11. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I would like to thank the Committee on Ways and Means for their work on this bill; and I include committee exchanges of letters into the RECORD.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 4, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives,
Washington, DC.

DEAR CHAIRMAN CHAFFETZ, I am writing with respect to H.R. 70, the “Federal Advisory Committee Act Amendments of 2017,” which was referred to the Committee on Oversight and Government Reform.

H.R. 70 involves issues that fall within the Rule X jurisdiction of the Committee on Ways and Means. As a result of your having consulted with the Committee and in order to expedite the House’s consideration of H.R. 70, the Committee on Ways and Means will not assert its jurisdictional claim over this bill. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Ways and Means with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 70, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
Washington, DC, January 4, 2017.

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

DEAR MR. CHAIRMAN: On January 3, 2017, H.R. 70, the Federal Advisory Committee Act Amendments of 2017, was introduced by Rep. Wm. Lacy Clay (D–MO–1). The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Ways and Means.

I ask that you allow the Ways and Means Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight

and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

Mr. CHAFFETZ. Mr. Speaker, this is a bill that the primary sponsor is actually the gentleman from Missouri (Mr. CLAY). I reserve the balance of my time in order to allow Mr. CLAY to speak first on this issue, Mr. Speaker.

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

Let me begin by thanking the chairman for his understanding and his support of this legislation. I certainly appreciate it, and I am sure it will make the Federal Government run more efficiently.

I rise in strong support of the Federal Advisory Committee Act Amendments. I have introduced this bill in previous Congresses, and it passed the House last year without opposition.

The FACA was originally enacted in 1972. It is intended to ensure that committees that provide advice to Federal agencies and the President operate with transparency.

Advisory committees provide the government with recommendations on a wide range of issues. For example, the EPA relies on the expertise of the Clean Air Scientific Advisory Committee to provide technical advice on setting national air quality standards.

The bill we are considering today would strengthen FACA to make Federal advisory committees more transparent and to make agencies more accountable in how they select and use these committees. Agencies currently can avoid the requirements of FACA by conducting advisory committee business through subcommittees. This bill makes it clear that FACA applies to subcommittees as well as parent committees.

The bill also clarifies that a committee set up by a contractor is subject to FACA if it is formed under direction of the President or an agency.

Under FACA, agencies would be required to disclose how advisory members are chosen, whether they have financial conflicts of interest if they are appointed to provide their own expertise, and who they work for if they are representing a specific interest.

I urge my colleagues to support this bill. I hope the Senate will take it up quickly and send it to the President.

I reserve the balance of my time.

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

Again, I thank the gentleman from Missouri (Mr. CLAY) for his good work on this. The Federal Advisory Committee Act Amendments of 2017 was introduced by Representative CLAY to help improve the governance and transparency of the Federal advisory committees. Last Congress, this bill passed

through the committee by regular order and passed the House.

Congress acknowledged the merits of using advisory committees to acquire viewpoints from business, academic, and other interests when it passed the original act back in 1972. While not necessarily well-known, Federal advisory committees are small bodies of people who provide advice, guidance, and recommendation to Federal policymakers on a wide range of topics.

All told, in fiscal year 2015, there were roughly 1,000 Federal advisory committees, and they held roughly 7,400 meetings at a cost to the American taxpayers of more than \$369 million. Now, this strikes me personally as an exceptionally high number. It is a large amount of money. We need to learn more about them, and I personally would help champion to reduce the number of overall Federal advisory committees.

We have some 2 million Federal employees, I think, who are highly capable, motivated, and compensated to provide this work. It is good to get outside perspective; but, at some point, we are going to have to look at the cost, the size, and the scope of this as well. Nevertheless, we have to make sure that we are getting the most of these taxpayer dollars.

Some agencies believe the FACA requirements are cumbersome and resource intensive. We could certainly streamline this. This reduces the ability of committees to focus on substantive issues in a timely fashion.

Both governmental agencies and private groups say the 1972 act does not do enough to require agencies to promote openness and transparency with regard to Federal advisory committees. The bill works to address these problems and bring transparency to the Federal advisory committees and the Federal agency decisionmaking process.

The bill provides needed transparency for how committee members are selected in several ways. First, the bill requires members to be selected without political affiliation. The bill also authorizes agency heads to require members to fully disclose any conflicts of interest. You would think that that would be common sense but something that we actually need to put into this bill and make sure that we understand that.

In addition, the bill allows these individuals who regularly attend and participate in committee meetings to be considered as a member, even if they are not allowed to vote.

The bill also improves transparency of committee activities. This is done by increasing the independence of these committees and making sure its advice, information, and recommendations are a judgment of the committee and not the agency.

The bill also increases transparency by requiring each agency to make

available on their Web site the committee and its activities.

I urge our Members to support this. It has wide support and has had it in the Oversight and Government Reform Committee. I urge its passage. I again thank Mr. CLAY, Mr. CONNOLLY, and others who were working on this issue.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), a colleague, friend, and cohort on the Oversight and Government Reform Committee.

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from Missouri (Mr. CLAY) for his leadership on this very important piece of legislation. I also thank the distinguished chairman of our full committee for his leadership in moving this through.

The Federal Advisory Committee Act Amendments of 2017, I think, fall under the umbrella of good government, which the Oversight and Government Reform Committee, at its best, strives to promote on a bipartisan basis. I am proud, as Mr. CLAY indicated, to be an original cosponsor of the bill.

We welcome consideration of the Federal Advisory Committee Act Amendments, which would improve the transparency and accountability of Federal advisory committees, often arcane, Byzantine parts of the government most of the public can't access.

This crucial piece of legislation ensures that the selection process of advisory committee members takes place without regard to political affiliation and requires the disclosure of potential conflicts of interest.

The Federal Advisory Committee Act, FACA, enacted on October 6, 1972, formalized the process for establishing, operating, overseeing, and terminating Federal advisory committees. Federal advisory committees provide a mechanism for government officials to gain knowledge from Federal and non-Federal experts on key policy matters. FACA ensures Federal advisory committees, however, are both transparent and accessible.

FACA was enacted in response to concerns that Federal advisory committees were becoming increasingly common but had little oversight or accountability. The then-House Committee on Government Operations listened to concerns over the lack of transparency and formalized a governance process for these advisory bodies by establishing the Committee Management Secretariat within the General Services Administration to monitor compliance with the new law. The intent of that law was to make Federal advisory committees more accountable, more transparent, balanced, and independent from the influence of special interests.

This bill before us today, inspired by Mr. LACY's leadership, will help strengthen the independence of those

advisory committees by requiring members to be selected without regard to partisan affiliation. It is imperative that the recommendations and guidance of the committees be provided free of political influence, pressure, and intervention.

The bill closes the loophole that allows subcommittees to operate outside of the regulations of FACA. It also improves the transparency of advisory committees by requiring agency heads to obtain conflict of interest disclosures from all committee members serving as individual experts.

H.R. 2347 builds upon the accountability of the advisory committees by explicitly stating that committees established by contractors must comply with the law and that individuals who regularly attend and participate as if they are members are considered members regardless of their ability to vote.

This bill also calls on the Government Accountability Office to review and report regularly on agency compliance.

The SPEAKER pro tempore (Mr. BYRNE). The time of the gentleman has expired.

Mr. CLAY. Mr. Speaker, I yield the gentleman from Virginia an additional 30 seconds.

Mr. CONNOLLY. Mr. Speaker, last Congress, the Committee on Oversight and Government Reform reported this bill favorably by unanimous consent.

I urge my colleagues to continue Congress' longstanding support of oversight, accountability, and transparency and vote for this thoughtful and important piece of legislation.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers. I continue to reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I have no additional speakers. I would urge the House to adopt this legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, it is a good piece of legislation. I again thank Mr. CLAY and Mr. CONNOLLY for their work on this, and I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 70.

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

GAO ACCESS AND OVERSIGHT ACT OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 72) to ensure the Government Accountability Office has adequate access to information.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 72

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “GAO Access and Oversight Act of 2017”.

SEC. 2. ACCESS TO CERTAIN INFORMATION.

(a) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

“§ 721. Access to certain information

“(a) No provision of the Social Security Act, including section 453(1) of that Act (42 U.S.C. 653(1)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect any record under section 716 of this title.

“(b) The specific reference to a statute in subsection (a) shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced.”.

(b) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “or planned” after “action taken”; and

(2) by striking paragraph (1) and inserting the following:

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and”.

(c) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(1) by striking “(a)” and inserting “(2)”; and

(2) by inserting after the section heading the following:

“(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge the duties of the Comptroller General (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law.”.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

“721. Access to certain information.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

□ 1315

GENERAL LEAVE

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

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I thank the Committee on Ways and Means for their work on the bill, and I include the committee exchange of letters into the RECORD.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 4, 2017.

Hon. KEVIN BRADY,

Chairman, Committee on Ways and Means, Washington, DC.

DEAR MR. CHAIRMAN: On January 3, 2017, H.R. 72, the GAO Access and Oversight Act of 2017, was introduced by Rep. Earl L. “Buddy” Carter (R-GA-1). The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Ways and Means.

I ask that you allow the Ways and Means Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, January 4, 2017.

Hon. JASON CHAFFETZ,

Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: I am writing concerning H.R. 72, the “GAO Access and Oversight Act of 2017.” This bill amends access to the National Directory of New Hires (42 U.S.C. 653(1)) which is within the jurisdiction of the Committee on Ways and Means. As a result of your having consulted with me concerning the provision of the bill that falls within our Rule X jurisdiction, I agree not to seek a sequential referral so that the bill may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that, by forgoing consideration of H.R. 72 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee on Ways and Means also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of

letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CARTER), the original cosponsor of the bill. I want to thank the gentleman for his championing this bill through.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 72, the GAO Access and Oversight Act of 2017.

The GAO is one of the most important tools taxpayers and Congress have to keep the Federal Government accountable. Without complete information, GAO is limited in their ability to prevent waste, fraud, abuse, and mismanagement.

This bill clarifies that GAO has access to data, such as the National Directory of New Hires, which will better equip GAO to audit key Federal programs on behalf of taxpayers. Every day, GAO handles the government's most sensitive information in a responsible manner, and GAO provides trusted recommendations for improving the Federal Government's operations.

The Federal Government reported \$137 billion in improper payments in fiscal year 2015, the largest ever reported. Total improper payments for the Federal Government over the past 10 years exceeds \$1 trillion. This bill will increase the effectiveness of GAO to help reduce improper payments, dollars that could be used to better fund the programs that ultimately serve the people. This bill takes an important step forward by providing GAO with an additional tool to ensure GAO's effectiveness in preventing fraud, waste, and abuse.

I urge my colleagues to support this bipartisan legislation.

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

GAO provides an invaluable aid to Congress in conducting our constitutional duty to oversee and evaluate the executive branch. To do its job effectively, GAO needs timely access to agency documents, materials, and other information.

The bill before us would ensure GAO's access to the National Directory of New Hires, a valuable database of wage and employment information. Access to this database would assist GAO in its improper payment and fraud work, as well as its evaluation of programs in which eligibility is means tested. The bill would also explicitly provide GAO with standing to pursue litigation if an entity in the executive branch improperly denies the GAO access to information.

Mr. Speaker, similar bills have passed the House by wide margins in a number of previous Congresses. These are needed reforms. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of H.R. 72, the GAO Access and Oversight Act of 2017, and its chief sponsor, Mr. BUDDY CARTER of Georgia.

We have a duty to ensure that taxpayer money is spent efficiently and effectively. One of the key ways we carry out this duty is through the key watchdog of the government, the Government Accountability Office. The GAO has a proven track record of excellence, and we rely heavily on this group, thousands of professionals who pour their heart and soul into diving deep into organizations and understanding how they function. But as this bill states, we need some more openness and transparency.

In the past 6 years alone, it has identified more than 200 areas of duplication, overlap, and fragmentation. They have made recommendations on 600 actions to make our government more effective and efficient. We need to listen to them and understand them. We also, I would argue, Mr. Speaker, have a duty and an obligation to give them the tools and access that they need in order to do their jobs even better. We must put GAO in the best position possible to rout out and deter waste, fraud, and abuse.

Today, we have an opportunity to better arm the GAO by clarifying its right to access data contained in the National Directory of New Hires. This gives GAO access to the most up-to-date data to ensure Federal program dollars go to the folks Congress intended to receive them. Doing so, we will help GAO better investigate potential fraud and improper payments, including those overextended disability insurance programs. The GAO's objectives are hindered without access to the data, and taxpayer dollars are not as well protected.

This bill has previously received overwhelming support in the House, and it is time for us to finish the job and pass the bill to the Senate and get it to the President's desk.

On September 16, the House approved this important bill by a vote of 404-0. The language in this bill was also included in bipartisan legislation that was approved unanimously by the full House in the 113th Congress. Again, it is time to send this bill to the President.

I would like to thank my colleagues, and Representative BUDDY CARTER in particular, for sponsoring this legislation and believing in it so wholeheartedly. I would also like to thank Senator BEN SASSE of Nebraska as the lead sponsor in the United States Senate.

I urge passage of this bill. I have no additional speakers.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 72.

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

A motion to reconsider was laid on the table.

THOROUGHLY INVESTIGATING RETALIATION AGAINST WHISTLEBLOWERS ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 69) to reauthorize the Office of Special Counsel, to amend title 5, United States Code, to provide modifications to authorities relating to the Office of Special Counsel, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 69

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Thoroughly Investigating Retaliation Against Whistleblowers Act".

SEC. 2. REAUTHORIZATION OF THE OFFICE OF SPECIAL COUNSEL.

(a) IN GENERAL.—Section 8(a)(2) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended to read as follows:

"(2) \$24,119,000 for fiscal year 2017 and \$25,735,000 for each of fiscal years 2018, 2019, 2020, and 2021 to carry out subchapter II of chapter 12 of title 5, United States Code (as amended by this Act)."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be deemed to apply beginning on October 1, 2016.

SEC. 3. ACCESS TO AGENCY INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

"(5)(A) In carrying out this subchapter, the Special Counsel is authorized to—

"(i) have access to any record or other information (including a report, audit, review, document, recommendation, or other material) of any agency under the jurisdiction of the Office of Special Counsel, consistent with the requirements of subparagraph (C); and

"(ii) require any employee of such an agency to provide to the Office any record or other information during an investigation, review, or inquiry of any agency under the jurisdiction of the Office.

"(B) With respect to any record or other information made available by an agency under this subchapter, the Office shall apply a level of confidentiality to such record or information at the level of confidentiality applied to the record by the agency.

"(C) With respect to any record or other information described under subparagraph (A), the Attorney General or an Inspector General may withhold access to any such record or other information if the disclosure could reasonably be expected to interfere with an ongoing criminal investigation or prosecution, but only if the Attorney Gen-

eral or applicable agency head submits a written report to the Office of Special Counsel describing the record or other information withheld and the reason for the withholding."

SEC. 4. WHISTLEBLOWER PROVISIONS.

Section 1213 of title 5, United States Code, is amended—

(1) in subsection (b), by striking "15 days" and inserting "45 days";

(2) in subsection (d)—

(A) in paragraph (4), by striking "and" at the end;

(B) in paragraph (5)—

(i) in the matter before subparagraph (A), by striking "such as" and inserting "including"; and

(ii) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(6) if any disclosure referred to an agency head under subsection (c) is substantiated in whole or in part by the agency head, a detailed explanation of the failure to take any action described under paragraph (5)."; and

(3) in subsection (e), by adding at the end the following:

"(5) If an agency head submits a report to the Special Counsel under subsection (d) that includes a description of any agency action proposed to be taken as a result of the investigation, the agency head shall, not later than 180 days after the date of such submission, submit a supplemental report to the Special Counsel stating whether any proposed action has been taken, and if the action has not been taken, the reason why it has not been taken."

SEC. 5. TERMINATION OF CERTAIN OSC INVESTIGATIONS.

(a) IN GENERAL.—Section 1214(a) of title 5, United States Code, is amended by adding at the end the following:

"(6)(A) Within 30 days of receiving an allegation from a person under paragraph (1), the Special Counsel may terminate an investigation under such paragraph with respect to the allegation, without further inquiry or an opportunity for the person to respond, if the Special Counsel determines that—

"(i) the same allegation, based on the same set of facts and circumstances—

"(I) had previously been made by the person and previously investigated by the Special Counsel; or

"(II) had previously been filed by the person with the Merit Systems Protection Board;

"(ii) the Office of Special Counsel does not have jurisdiction to investigate the allegation; or

"(iii) the person knew or should have known of the alleged prohibited personnel practice earlier than the date that is 3 years before the date Special Counsel received the allegation.

"(B) If the Special Counsel terminates an investigation under subparagraph (A), not later than 30 days after the date of such termination the Special Counsel shall provide a written notification stating the basis for the termination to the person who made the allegation. Paragraph (1)(D) shall not apply to any termination under such subparagraph."

(b) CONFORMING AMENDMENTS.—Section 1214 of title 5, United States Code, is amended—

(1) in subsection (a)(1)(A), by striking "The Special Counsel" and inserting "Except as provided in paragraph (6), the Special Counsel"; and

(2) in subsection (a)(1)(C), in the matter before clause (i), by inserting "or paragraph (6)" after "paragraph (2)".

SEC. 6. REPORTING REQUIREMENTS.

(a) OSC ANNUAL REPORT TO CONGRESS.—Section 1218 of title 5, United States Code, is amended to read as follows:

“§ 1218. Annual report

“(a) The Special Counsel shall submit an annual report to Congress on the activities of the Special Counsel. Any such report shall include—

“(1) the number, types, and disposition of allegations of prohibited personnel practices filed with the Special Counsel, and the cost of allegations so disposed of;

“(2) the number of investigations conducted by the Special Counsel;

“(3) the number of stays or disciplinary actions negotiated by the Special Counsel with agencies;

“(4) the number of cases in which the Special Counsel did not make a determination whether there are reasonable grounds to believe that a prohibited personnel practice has occurred, exists, or is to be taken within the 240-day period specified in section 1214(b)(2)(A)(i);

“(5) a description of the recommendations and reports made by the Special Counsel to other agencies pursuant to this subchapter, and the actions taken by the agencies as a result of the reports or recommendations;

“(6) the number of—

“(A) actions initiated before the Merit Systems Protection Board, including the number of corrective action petitions and disciplinary action complaints so initiated; and

“(B) stays and stay extensions obtained from the Board; and

“(7) the number of prohibited personnel practice complaints that result in—

“(A) a favorable action for the complainant, categorized by actions with respect to whistleblower reprisal cases and all other cases; and

“(B) a favorable outcome for the complainant, categorized by outcomes with respect to whistleblower reprisal cases and all other cases.

“(b) The report required by subsection (a) shall include whatever recommendations for legislation or other action by Congress the Special Counsel may consider appropriate.”.

(b) OSC PUBLIC INFORMATION.—Section 1219(a)(1) of title 5, United States Code, is amended to read as follows:

“(1) a list of any noncriminal matter referred to an agency head under section 1213(c), together with—

“(A) the applicable transmittal of the matter to the agency head under section 1213(c)(1);

“(B) any report from agency head under section 1213(c)(1)(B) relating to such matter;

“(C) if appropriate, not otherwise prohibited by law, and with the consent of the complainant, any comments from the complainant under section 1213(e)(1) relating to the matter; and

“(D) the Special Counsel’s comments or recommendations under section 1213(e)(3) or (4) relating to the matter;”.

SEC. 7. ESTABLISHMENT OF SURVEY PILOT PROGRAM.

(a) IN GENERAL.—The Office of Special Counsel shall design and establish a survey pilot program under which the Office shall conduct, with respect to fiscal years 2018 and 2019, a survey of individuals who have filed a complaint or disclosure with the Office. The survey shall be designed to gather responses from the individuals for the purpose of collecting information and improving customer service at various stages of the review or investigative process. The results of the survey shall be published in the annual report of the Office.

(b) SUSPENSION OF OTHER SURVEYS.—During fiscal years 2018 and 2019, section 13 of Public Law 103–424 shall have no force or effect.

SEC. 8. PENALTIES UNDER THE HATCH ACT.

(a) IN GENERAL.—Section 7326 of title 5, United States Code, is amended to read as follows:

“§ 7326. Penalties

“An employee or individual who violates section 7323 or 7324 shall be subject to—

“(1) disciplinary action consisting of removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, or reprimand;

“(2) an assessment of a civil penalty not to exceed \$1,000; or

“(3) any combination of the penalties described in paragraph (1) or (2).”.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any violation of section 7323 or 7324 of title 5, United States Code, occurring after the date of enactment of this Act.

SEC. 9. REGULATIONS.

Not later than 2 years after the date of enactment of this Act, the Special Counsel shall prescribe such regulations as may be necessary to perform the functions of the Special Counsel under subchapter II of chapter 12 of title 5, United States Code, including regulations necessary to carry out sections 1213, 1214, and 1215 of such title, and any functions required due to the amendments made by this Act. Such regulations shall be published in the Federal Register.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. BLUM), the lead sponsor of this legislation.

Mr. BLUM. Mr. Speaker, I am proud to speak today on behalf of our legislation to reauthorize the Office of Special Counsel for an additional 5-year period to protect whistleblowers, Federal employees who have the courage to come forward to expose waste, fraud, and abuse in the Federal Government and who are so important to our oversight responsibilities here in Congress.

The Office of Special Counsel performs a variety of important responsibilities. Chief amongst them is investigating retaliation against whistleblowers from the executive branch agencies, as well as other prohibited personnel practices. Once again, this is vitally important to the work we perform in the Government Reform and Oversight Committee and ensures

greater accountability from the executive branch to Congress.

We are proud of the support this bipartisan bill has received from the whistleblower community and from those who care deeply about our efforts to perform effective oversight in our Federal Government.

Since the last authorization expired in 2007, there are a number of necessary reforms for the OSC as the role of the Office continues to grow and evolve. By enacting this legislation, we can ensure the Office of Special Counsel will have access to Federal agency records that are absolutely necessary to perform their duty of protecting Federal employees who had the courage to speak up about malpractice, mismanagement, and fraud in the Federal Government.

I think we can all agree how unfortunate it is that some executive agencies continue to stonewall the Office of Special Counsel in order to prevent them from investigating retaliatory actions against whistleblowers, even going so far as to invoke executive privilege when dealing with the OSC. Common sense tells us that this is unacceptable. If the Office of Special Counsel isn’t granted the access to the information it needs, there is no way it can properly conduct the duties authorized by Congress.

This bill also takes important steps to increase the efficiency and effectiveness of the Office of Special Counsel, such as allowing OSC to use a simplified process to reduce duplicative complaints to better focus their limited resources on allegations and investigations, and instituting a common-sense 3-year statute of limitations after which document recovery and witness recollections can be difficult to obtain.

Mr. Speaker, before concluding my remarks, I would like to specifically highlight the important work the Office of Special Counsel performed recently in their exposure of the mismanagement and abuse of our veterans at the Department of Veterans Affairs.

Two whistleblowers at the VA hospital in Phoenix, Arizona, recently came forward with information regarding inadequate mental health treatment in employee training at their facility. They were later retaliated against by management. OSC was able to ensure that they received a new job at a nearby facility under different management. Just last month, the VA issued a report in response to OSC’s investigation detailing the changes they had made to improve mental health care at that VA facility.

Incidents like these serve as a great reminder that hardworking taxpayers are tired of corruption in the Federal Government.

I would also like to note the excellent work of the current special counsel, Carolyn Lerner, who is a breath of fresh air in this role.

Mr. Speaker, the bottom line is this committee, the Committee on Oversight and Government Reform, needs more whistleblowers in the Federal Government, not less; and the best way to ensure government employees come forward to expose waste, fraud, and abuse is to ensure that they will be protected. This legislation will enable OSC to do exactly that on behalf of all hardworking American taxpayers.

I urge my colleagues on both sides of the aisle to support this legislation.

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

I rise in support of this bipartisan bill which reauthorizes the Office of Special Counsel. The OSC serves as a safe harbor for Federal whistleblowers to disclose wrongdoing. OSC also works to protect Federal employees and applicants for Federal employment from prohibited personnel practices.

The bill would make clear that OSC is entitled to access agency information in its investigations. This bill would also allow OSC to hold agencies more accountable from whistleblower retaliation. Under this bill, if any agency substantiates a whistleblower disclosure from OSC but fails to take a recommended corrective action, the agency must explain why it failed to take the action.

This legislation would strengthen the tools available to OSC for addressing and correcting retaliation and discrimination in the Federal workplace. It is more important than ever for the Office of Special Counsel to have the tools it needs to protect the Federal workforce.

I urge my colleagues to support this bill.

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

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

First, let me note in the last Congress this legislation passed out of committee by regular order and passed the House on January 11, 2016.

The Office of Special Counsel is tasked with protecting Federal employees from prohibited personnel practices, including reprisals on whistleblowers. Whistleblowers are an indispensable part of helping Congress identify waste, fraud, and abuse at Federal agencies. Information provided by these brave folks can result in investigations and legislation that changes the way we conduct ourselves in government.

As the agency tasked with protecting whistleblowers, the OSC is vital to make sure these individuals feel comfortable coming forward and that they are offered protections. The agency has been busy. From 2013 to 2015, OSC's caseload increased from 4,500 cases open to more than 6,100. That increase coincided with multiple scandals within the Veterans Administration, as Mr. BLUM of Iowa has highlighted.

In fiscal year 2016, OSC projected nearly 2,500 cases from just the VA—2,500 cases at just the Veterans Administration. This reauthorization will ensure the OSC has adequate funding to continue protecting whistleblowers in the VA and other agencies as well. The majority of the OSC funding goes directly to hiring employees who work to protect whistleblowers.

□ 1330

The bill also makes substantive improvements to current law to ensure the OSC can carry out its mission more effectively. Those reforms cover a few areas, ensuring agencies cooperate with the OSC, clarifying OSC's investigative procedures and making sure Congress receives clear information on whistleblower reprisal throughout the Federal Government.

With this bill, the OSC has clear authority to access agency records and to conduct its investigations. For its part, the OSC must treat those records in the same manner of confidentiality as the agency would, alleviating concerns about disclosure of sensitive information.

The bill also gives OSC needed flexibility to focus on claims that deserve our attention. It will allow the agency to terminate duplicative claims already being pursued by the Merit Systems Protection Board and claims that exceed statutory timeframes. Agencies will also be required to submit reports detailing what actions they take as a result of these OSC investigations—something in Congress that we should be paying attention to. This reporting provision requires agencies to admit any failures in holding people accountable and gives Congress much-needed transparency.

Finally, the bill codifies OSC's practice under the current special counsel of disclosing to Congress results and statistics. Codifying this transparency ensures the practice will continue and allow for easier oversight of these activities.

In order to help protect the whistleblowers and reform the Federal agencies, I would urge our colleagues to vote "yes" on H.R. 69.

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

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), who is the ranking member of the Government Operations Subcommittee.

Mr. CONNOLLY. Mr. Speaker, again, I thank my friend, Mr. CLAY, for his leadership and for his kindness.

Mr. Speaker, I rise today in support of the Thoroughly Investigating Retaliation Against Whistleblowers Act—a mouthful, but it captures what we are trying to do.

I certainly appreciate Mr. BLUM's efforts to advance legislation that authorizes the Office of Special Counsel

and protects whistleblowers in the Federal Government, an effort the Oversight and Government Reform Committee strives to promote when we are at our best on a bipartisan basis, and I am proud to be an original cosponsor of the bill.

I welcome consideration of this bill which would reaffirm Congress' commitment to whistleblowers, upholding the Oversight and Government Reform Committee's obligation to protect those whistleblowers that help identify mismanagement, waste, and fraud at Federal agencies and to support the oversight work of Congress. That is Congress at its best.

With the enactment of the Whistleblower Protection Act of 1989, OSC became an independent agency within the executive branch. Its mission is to safeguard the merit system of protecting Federal employees from prohibitive personnel practices, especially reprisal from whistleblowing. OSC provides employees a mechanism for disclosing wrongdoing in government agencies and provides advice on the Hatch Act, which restricts political activity by government employees generally.

OSC enforces employment rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 for Federal employees who serve or have served in the uniformed services. Congress last reauthorized OSC for the period 2003 to 2007. Due in part to Congress' emphasis on transparency in government, OSC has experienced significant growth in its caseload since its last reauthorization. In the past 5 years, that caseload has increased, Mr. Speaker, by 58 percent.

This bill reauthorizes the agency from 2016 through 2020 and makes several important changes to assist OSC in carrying out its vital mission. The bill codifies OSC's current practice of providing important performance metrics in its annual reports to the Congress and requires additional metrics to support congressional oversight of its effectiveness.

Last Congress, this bill was successfully passed out of our committee on, I believe, a unanimous basis. I urge my colleagues to continue Congress' longstanding tradition of support for oversight, accountability, whistleblower protection, and transparency, and vote in the affirmative for the Thoroughly Investigating Retaliation Against Whistleblowers Act.

Mr. CLAY. Mr. Speaker, I have no further speakers, and I would just urge the body to adopt the legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I urge the passage of this bill, H.R. 69. We have had four good champions led by Mr. BLUM of Iowa in our committee who have helped put this together: Mr. MEADOWS of North Carolina, Mr. CONNOLLY of Virginia, and Mr. CUMMINGS, the ranking member out of Maryland.

All four have come together as original cosponsors here in the 115th Congress.

Mr. Speaker, I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 69.

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

A motion to reconsider was laid on the table.

MIDNIGHT RULES RELIEF ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 21.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, pursuant to section 5(b) of House Resolution 5, I call up the bill (H.R. 21) to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for “midnight rules”, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 5, the bill is considered read.

The text of the bill is as follows:

H.R. 21

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Midnight Rules Relief Act of 2017”.

SEC. 2. EN BLOC CONSIDERATION OF RESOLUTIONS OF DISAPPROVAL PERTAINING TO “MIDNIGHT RULES”.

(a) IN GENERAL.—Section 801(d) of title 5, United States Code, is amended by adding at the end the following:

“(4) In applying section 802 to rules described under paragraph (1), a joint resolution of disapproval may contain one or more such rules if the report under subsection (a)(1)(A) for each such rule was submitted during the final year of a President’s term.”.

(b) TEXT OF RESOLVING CLAUSE.—Section 802(a) of title 5, United States Code, is amended—

(1) by inserting after “resolving clause of which is” the following: “(except as otherwise provided in this subsection)”; and

(2) by adding at the end the following: “In the case of a joint resolution under section 801(d)(4), the matter after the resolving clause of such resolution shall be as follows: ‘That Congress disapproves the following rules: the rule submitted by the ___ relating to ___; and the rule submitted by the ___ relating to ___. Such rules shall have no force or effect.’ (The blank spaces being appropriately filled in and additional clauses de-

scribing additional rules to be included as necessary)”.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Speaker, Federal bureaucrats are continuously creating new and more complicated and costly burdens on hardworking Americans in the form of unnecessarily burdensome regulations. Clearly, some regulation is necessary to protect public safety, set general rules of the road, and accomplish other important goals.

However, despite the fact that these goals can often be accomplished with relatively simple guidance, Washington bureaucrats seem more determined than ever to create the most complicated puzzles they can imagine, regardless of the compliance costs for small businesses or the new and innovative products entrepreneurs are forced to shelve in order to comply with these overly complicated regulations.

Bureaucrats also don’t seem to care that American families face higher prices for goods and have fewer job opportunities when employers are unnecessarily forced to factor wasteful costs of complying with overly burdensome regulations into their bottom lines.

That is why, at the very beginning of the 115th Congress, we are prioritizing legislation to remove unnecessary regulatory burdens. Doing so is one of the fundamental steps we can take to make America more competitive again and put more Americans back to work again.

Today, our specific focus is on reforming regulations that are hastily cobbled together in the waning weeks and months of an outgoing administration. These regulations are particularly susceptible to abuse and, thus, have an even greater potential to undermine job opportunities, wages, and American competitiveness.

As the Obama administration rushes to a close, Americans’ freedom and prosperity are increasingly threatened by one of the most abusive features of modern bureaucracy—midnight regulation.

Midnight regulation is one of the most vexing problems in Washington’s overreaching regulatory system. Administration after administration, there is a spike in rulemaking activity during the last year of a President’s term—particularly between election day and Inauguration Day, but even in the months before then.

These successive waves of midnight regulation present deeply troubling issues. First and foremost, because outgoing administrations are no longer ac-

countable to the voters, they are much more prone to issue midnight regulations that fly in the face of the electoral mandate the voters just gave the new, incoming administration.

Waves of midnight rules can also be very hard for Congress or a new administration to check adequately. As a new Congress and President begin their terms, both understandably must be focused on implementing the new priorities within the mandates the voters have given them. That doesn’t always leave time to focus on cleaning up all of the last acts of the departing administration.

In addition, the Congressional Review Act currently allows Congress to disapprove of regulations—including midnight regulations—only one at a time. A wave of midnight regulations can easily overwhelm Congress’ ability to use one-rule-at-a-time resolutions as an effective check.

Finally, it is well-documented that the rush by outgoing administrations to impose midnight rules before the clock strikes 12 leads to more poorly analyzed rules with lower quality and lower benefits.

The Obama administration has imposed more runaway regulation than any other in memory, and its midnight rulemaking period is no exception. When the House considered this legislation in the wake of last November’s election, the administration had issued or planned to issue at least 180 midnight rules within the scope of this bill, including multiple billion-dollar rules and more than 20 major rules imposing \$100 million or more in costs per year.

In the intervening weeks, these figures have rapidly ballooned to the 226 midnight rules issued or planned. During just the week of December 12, the administration issued 18 midnight regulations, imposing over \$2 billion in new costs. But this is not a partisan issue. Administrations of both parties have issued midnight rules in the past.

The Judiciary Committee has been searching for an effective solution to this problem for some time, and I applaud our colleague, Mr. ISSA, for offering the Midnight Rules Relief Act to respond to the need. This bill offers a simple and powerful means to stop the problem of abusive midnight rules—allowing Congress to disapprove of any and all midnight regulations in one fell swoop by one en bloc disapproval resolution under the Congressional Review Act.

Any outgoing administration understanding that it has this Sword of Damocles hanging over its head will surely hesitate much more before abusing midnight rules. Further, once enabled to dispatch of all improper midnight rules with one simple resolution, Congress and succeeding administrations would be free to focus more of

their energies on the voters' new priorities, rather than the mess left by midnight rules.

The relief offered by the bill, moreover, is highly flexible. No set number of regulations would have to be covered by a resolution. No category of regulation would have to be included in or excluded from a resolution. On the contrary, any midnight rule disapproval resolution could be sweeping or narrow, depending on how many rules merited inclusion.

Finally, the Midnight Rules Relief Act offers a solution that is not intrusive upon legitimate executive branch authority. An outgoing administration remains free to conduct necessary rule-making activity up to the stroke of midnight on Inauguration Day. It then falls to Congress to respond swiftly and surgically to the results, to accept the good and excise the bad.

This is truly a better way to govern. That is why the reform embodied in this bill is featured in Speaker RYAN'S Better Way agenda.

I thank Mr. ISSA for his work on this important legislation.

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

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

Mr. Speaker, this is an unusual measure that is being brought forward under unusual circumstances. To begin with, this measure would, believe it or not, empower our Federal legislature to undo virtually every regulation submitted to the Congress since mid-June of last year through the end of 2016 last year. The bill accomplishes this—every regulation—by authorizing Congress to disapprove these rules through a single joint resolution, thereby depriving Members to consider the merits of each individual regulation. This presents a number of problems.

□ 1345

As the administration has stated, with a threat of veto of an identical bill that was considered last November, the legislation “would create tremendous regulatory uncertainty, potentially impose additional costs on businesses, and represent a step backwards for applying sound regulatory principles to protect public health, safety, the environment, and other critical aspects of society.”

This, in my view, is a cynical way of trying to legislate. For those concerned about the continued improvement of clean air and clean water, if we care about the safety of the toys we give our children, if we care about the environment, then we must oppose this bill.

I urge my colleagues to join me. There hasn't been any deliberative process on the bill recently. It is amazing to me that we have such opposition to the bill. It would be overwhelming

to put in the over 150 labor organizations, consumer organizations, environmental organizations, and others who have openly asked us to oppose this bill.

If that isn't enough, we have the business community itself in opposition. The American Sustainable Business Council, which represents over 200,000 businesses—and I have a partial list of them—also opposes this measure. It is one of the rare instances in which I have brought to the floor legislation that is opposed by both labor and by business as well.

It is a little bit of an insult that this bill is being considered, on top of that, under a closed rule. There can be no amendments to this measure.

I am in a state of surprise that on the second day of a new Congress we would come forward with a measure that could potentially jeopardize public health and safety in so many different ways.

I think that the opposition to this measure is so overwhelming that I am surprised that without hearings, without an opportunity for amendment, we are now considering a measure that has this much opposition.

Mr. Speaker, I include in the RECORD a letter from Consumer Reports dated January 3, 2017.

CONSUMER REPORTS,
Washington, DC, January 3, 2017.
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Consumer Reports and its policy and mobilization arm, Consumers Union, strongly urge you to vote no on H.R. 21, the so-called “Midnight Rules Relief Act.” This bill would severely undermine accountability to the public regarding important protections and safeguards.

Although the rules targeted by this legislation were finalized relatively recently, many have been under development for several years. Consumers Union has provided public comment on several of these regulations that were designed to protect consumers against unsafe products, dishonest business dealings, and other hazards in the marketplace that place their health, safety, or well-being at risk. Agency experts carefully examined these hazards and considered various alternative approaches to address them. They sought input and guidance from businesses, consumer organizations, outside scientific and legal experts, and the public at large, and ultimately developed final rules, explaining publicly the basis and rationale for the adopted approach.

The federal law known as the Congressional Review Act (CRA) already permits a regulation carefully developed over many years to be erased by Congress, in a rushed process that does not reflect the same level of expertise or careful consideration. Congress could even rescind a rule for reasons that might be based not on any broader interests of the public, but on the narrower, private special interests of those seeking to avoid having appropriate obligations imposed on their profit-making activities.

The potential for the CRA to be employed in the service of special interests is at least somewhat held in check by the fact that the law currently requires separate congressional action for erasing each regulation. A

regulation considered for erasure under the CRA must be brought to the House and Senate in its own separate resolution, given its own debate and vote, and sent to the President for its own signature or veto. All officials involved in considering whether to erase the regulation and its protections are thus put on record, and can be held accountable for their positions and the consequences. Perhaps for this reason, there has only been one regulation rescinded under the CRA in its 20-year history.

This important accountability check would be removed under the “Midnight Rules Relief Act.” By allowing erasure of multiple regulations en bloc, this bill would enable Members of Congress and the President to evade public accountability for what would be ill-considered, politically motivated decisions that result in devastating consequences. Under the bill, no Member would ever have to be on record regarding any specific regulation being erased. In fact, any Member who actually wants to cast a more selective vote, to erase certain regulations but not others, would be unable to do so.

We are somewhat encouraged that the House Majority, after initially acting behind closed doors to weaken the Office of Congressional Ethics, has reversed course in light of major concerns raised about the impact on congressional accountability. We urge all Members to also recognize the damaging effects that this bill would have on accountability and on the ability of the American public to trust their elected representatives. We strongly urge you to vote no on the “Midnight Rules Relief Act.”

Sincerely,

LAURA MACCLEERY,
Vice President, Consumer Policy and Mobilization Consumer Reports.

GEORGE P. SLOVER,
Senior Policy Counsel, Consumers Union.

WILLIAM C. WALLACE,
Policy Analyst, Consumers Union.

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

Mr. ISSA. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, I rise today in strong support of the Midnight Rules Relief Act.

Recently, impossible opportunities exist for this body to reassert its authority and work on behalf of the American people. The Midnight Rules Relief Act would provide Congress with an important tool to begin the process of dismantling the onerous regulatory burdens imposed over the past 8 years.

As the chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law, I have dedicated considerable time over the past 2 years to closely monitoring the growth of the administrative state. The estimated regulatory costs across all years of the Obama administration are staggering. However, the regulatory onslaught in its final year alone—disastrous—shows the damage already done and the greater impact that will fall on our economy.

In 2016, 401 regulations were finalized. The total compliance cost for this period exceeds \$164 billion and amounts

to nearly 121 million paperwork hours. That is 401 regulations and \$164 billion. This is only during the final year of the Obama administration. It is no wonder that the American people sought a new, more promising direction for our country.

Finally, the Congress has an opportunity to act to protect the American people and repeal many of these crushing regulations. For us in Congress, we cannot forget what these numbers represent. For my constituents and for Americans across the country, the billions in dollars of costs imposed on the economy represent jobs lost, routine bills that cannot be paid, and the American Dream slipping from their grasp.

The true story of this regulatory onslaught is told by workers at shuttered stores, factories, and power plants across the country. Their concerns and fears are ours. As this current administration exits, we must remain vigilant to last-ditch efforts at crippling our economy.

On top of those in recent months, a number of new regulations may still be finalized in a hurried, nontransparent fashion. The American people are concerned that our current regulatory process ignores the balancing of costs and benefits and the regulatory impact on their lives. From what we have seen over the past 8 years, it is clear that they should be.

Starting this week, Congress has an opportunity to reassert its constitutional authority and act for all Americans. The Midnight Rules Relief Act is a well-advised measure that gives Congress the ability to quickly examine and eliminate the mass of regulations promulgated in recent months. This has been done by both Republican and Democrat administrations.

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

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a senior colleague, to speak on the measure before us.

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to H.R. 21, the Midnight Rules Relief Act.

This irresponsible legislation would enable Congress to wipe out hundreds, or even thousands, of regulations enacted during the final year of the President's term in office, in one fell swoop, with little examination, no deliberation, and little regard to their impact on public health or safety.

Members from both sides of the aisle have expressed concern in recent years over rules adopted during a Presidential transition period—typically, the last 60 to 90 days of the President's term. But this legislation differs greatly from previous legislation that I and others have introduced in the past to deal with this problem.

For example, the Midnight Rule Act, which I introduced in the 110th and

111th Congresses, would have merely delayed the implementation of rules submitted to Congress within the final 90 days of a President's term, with appropriate exceptions for imminent threat to health and safety, enforcement of criminal laws, implementation of an international trade agreement, and national security.

This proposal was a response to concerns with last-minute rulemaking under the George W. Bush administration, which was roundly criticized at the time for allowing insufficient time for public comment, ignoring public comments, and otherwise departing from accepted rulemaking practices.

My bill would have given an incoming President 90 days to determine if any rules issued should not go forward. This measure would have allowed legitimate regulatory reform to proceed on schedule while putting the power to review and overturn controversial new rules into the hands of the newly elected administration.

The legislation before us today, however, goes much further and creates a process to simply erase the last months of an outgoing administration's regulatory agenda.

Under the Congressional Review Act, Congress can overturn a regulation issued by the executive branch through a disapproval resolution that must be signed by the President. This bill would allow Congress to package these disapproval resolutions together and eliminate dozens, hundreds, or even thousands, of regulations all at once, with little debate over the merits of any individual rule.

Under the CRA, agencies would be prevented from proposing similar rules ever again, absent explicit congressional authorization. You would have a rule terminated with no debate because it is one of a thousand rules done away with in one resolution. You can't even look at it again.

The Republican majority has waged an all-out assault on the regulatory process, trying to add hurdle after hurdle on the ability to issue regulations that protect public health and safety. Not content to grind the gears of rulemaking to a halt, they now want to eliminate wholesale those regulations that have gone through the exhaustive rulemaking process—a process that often takes many years to complete.

Even more concerning, this bill would apply to rules issued in the last 60 legislative days of a President's term. Not calendar days, but legislative days.

The SPEAKER pro tempore (Mr. HULTGREN). The time of the gentleman has expired.

Mr. CONYERS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. NADLER. Given how little we worked last year, this would mean that any regulation issued by the Obama administration, stretching back to June

13, 2016, could be canceled in one sweeping motion, with hardly any consideration given to the merits of any individual regulation.

Article II of the Constitution provides that a President shall serve a 4-year term. But the Republicans seem to believe that this doesn't apply to President Obama. Somehow, when he was reelected by broad majority in 2012, he was given only a 3-year term. The Senate refused to consider a Supreme Court nominee and, under this bill, his entire regulatory agenda for the last 6 months could be undone in an instant.

While I am sympathetic to the need for an incoming administration to review regulations issued in the closing days of an outgoing administration, this bill goes much further and allows for a rushed and partisan process that could undermine critical health and safety regulations.

Mr. Speaker, I urge my colleagues to oppose this irresponsible and dangerous legislation.

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

Mr. Speaker, floor debate is both for the people in the room and the people watching.

Many of the new Members have not yet voted on a substantive piece of legislation. So, Mr. Speaker, I reach out with a little piece of history—a large piece of history, perhaps—for the freshmen of both parties.

First of all, this legislation is bipartisan. It is sponsored by both Republicans and Democrats.

Second of all, when Mr. CONYERS, Mr. NADLER, and I were 16 years younger, in March of 2001, it was the last and only time that the underlying law allowed for a regulation to be repealed. It was prominently called ergonomics. It was repealed. I had the honor of voting for that as a freshman.

Since that time, in spite of the many regulations that some people don't like in one party or another, we have not seen fit to have a joint resolution repeal a regulation.

So let's talk about what it takes to do that. It takes both Houses of the Congress and the President of the United States to repeal a regulation created by a bureaucrat, or many bureaucrats—a regulation that may or may not be consistent with the law passed by this body, by the Senate, and by a President in this or a previous Congress.

Again, for the freshmen, we are the body that creates laws, and we do so through a complex and difficult procedure. We pass it out of the House or Senate. We then pass it out of the other body. If the President signs it, it then still is subject to court challenge.

□ 1400

Now, let's go through the regulatory process: Proposed by a bureaucrat,

given a period of time in which dissenters may be 100 percent, and still it becomes law if this body does not act. So now that gives you a little feel for the underlying law. Used once on a bipartisan basis to take back an unpopular regulation that has never been re-submitted under both 8 years of a Republican and 8 years of a Democrat in the White House, and I repeat, the regulation that was previously recalled was so in error that it has never been redone in 16 years by two Presidents.

Now, let's talk about the bill we have before us today. We all know that the House is a body that, when it wants to, can move fairly quickly, and the Senate is a body that seemingly moves quickly only in recess. The fact is that the Senate takes a long time, and we have many regulations that may or may not be considered now or in the future.

All this legislation does is allow for us to dispose of one or more regulations in an expedited fashion in this body and have it seen in the same form in the Senate. Nothing more than that. It doesn't change the underlying law. It doesn't change the fact that the House, the Senate, and a President must concur on taking back what is essentially a law—that is what a regulation is—created by bureaucrats not elected by any of us. So let's keep it as simple as that.

For the freshmen of either party, when you go to make a vote on this, remember, we are not changing the underlying law. Only one regulation under the underlying law has ever been repealed, and it was bipartisan in both the House and the Senate when it was repealed. It has been 16 years, and the few that will likely be considered under this act and the underlying law will be just that, a relatively few regulations that are believed to be unnecessary and for which the House, the Senate, and the President concur.

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

Mr. CONYERS. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished member of the Committee on the Judiciary.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to oppose the passage of the so-called Midnight Rules Relief Act of 2017, H.R. 21. Let's not get it twisted. This is a mundane area that we are in, administrative review processes and how we are going to deal with regulations coming out of Federal agencies. This is a mundane topic, but it has real world implications.

The bottom line is this is not a jobs bill. The American people sent Congress here to work on jobs and to work on economic security for Americans, and the first item of business out of this brand-new Congress is to gut the House Office of Congressional Ethics. Now, why would they want to do that?

It was because they liked the idea of the fox guarding the henhouse. They wanted to put themselves in control over the henhouse once again, and the American people called them on it, and so they had to withdraw it.

So what do they do? Today they come back with not a jobs bill but a regulatory bill, an antiregulatory bill, something that protects the health, safety, welfare, and well-being of Americans—little ones, elderly, workers, people who are consumers. They want to gut regulations.

Now, what regulations do they want to gut? They will tell you, by the way, that gutting regulations helps to enhance job creation, but nothing can be further from the truth when you consider that under the last 8 years of President Obama, where we have had regulatory regimes established under the Affordable Care Act and also Dodd-Frank, we have created 15.6 million new jobs over 81 straight months of private sector job growth. Unemployment is now approaching 4 percent, which is basically full employment. And wages are going up for Americans. And so despite the Affordable Care Act and Dodd-Frank, you have got Americans that are prospering.

What do the Republicans want to do? They try to trick you into believing that they are going to create more jobs by removing regulations. What regulations do they want to do away with? It is the Affordable Care Act and Dodd-Frank. So they want to reward their campaign contributors, Wall Street fat cats, with this legislation that will enable them to create conditions that will be similar to the ones that President Obama inherited when he walked into the Presidency 8 years ago. And you can't fail to remember how bleak and bad the economy was.

The economy was in the tank. President Obama brought it back. Dodd-Frank brought it back. And millions—20 million more Americans now have health insurance than they had back then. And the cost of premiums for working people who had insurance through their jobs, the rate of increase has gone to the lowest level over the last 50-plus years. That is real benefits.

What the Republicans want to do, they have said they are going to repeal and replace ObamaCare. They don't have anything to replace it with. They just simply want to repeal it, and that is the regulation that they seek to get at with this bill, H.R. 21, Midnight Rules Relief Act of 2017. This is an attempt to bring the standard of living that Americans have come to enjoy to a halt. It is going to impact negatively our ability to be secure in our personal finances.

New data from the American Community Survey indicates that the number of uninsured Americans continues to decline every year. What happens when our rural hospitals close and

when all the people from throughout the State have to converge on the emergency rooms of the urban hospitals, and it is uncompensated care? Who pays for it? You pay for it.

Let's not get this legislation twisted. The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. Mr. Speaker, I yield an additional 1 minute of my time to the gentleman.

Mr. JOHNSON of Georgia. This is an attack on your ideals. I ask that my colleagues vote against this legislation.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Speaker, I won't be long. There is nothing mundane about what we are doing here. Every day in America, Congress passes a law maybe, but every working day in America, the bureaucracy passes regulations. The fact is, the American people know that the so-called regulatory state that has developed during the last half century means that, whether Congress is in session or not, new laws are being created, new rules that cause people in real America, working people and their companies, to have to figure out what new hurdle they have to jump over just to earn a living.

That is what we are talking about here, that at least when those are grossly exceeded under the underlying law and intention of Congress, Congress—the House, the Senate—in concert with the President, may, in fact, use the same tool, essentially the making of law, in this case to rescind to law.

I just want to again speak to the younger Members who may not know the history of this. All we are really talking about here in this act is, in fact, a law created to take away a regulation. What we are going to vote on will allow for, one, two, half a dozen regulations, if there were that many that we think are wrong, through our normal lawmaking process, in many ways, to be rescinded. The House has to vote a majority, the Senate has to vote a majority, and the President has to sign it. There really isn't a whole lot of difference between that and any other legislative business that we do here.

Now, I have worked with JOHN CONYERS both as a minority member and as my chairman. He is a good man. In this case, I believe that if he looked more broadly at the question of Congress' responsibility to review laws made outside of this body that he would support me. Notwithstanding not getting his support in this case, we do have both Republicans and Democrats on this bill. I expect that on the vote, in both the House and the Senate, it will be bipartisan, and any piece of regulatory law that would come before this body and the Senate, I am confident, would have bipartisan support in order to rescind a bad regulation.

So I think for those who are concerned about the regulations somehow running amok, no regulation will be rescinded under this law any different than any normal piece of legislation passed out of the House and the Senate and signed by the President.

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

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

I want to thank the distinguished gentleman from California for pointing out how innocent this measure is, and I am astounded by his feeling that regulations shouldn't be examined one by one. Under this measure, 61 regulations could be considered en bloc. To me, just trying to put together two regulations to revoke them would be very, very hard to handle.

What we are talking about here is a bill that would provide special interests with yet another opportunity to block critical lifesaving regulations, and I want to say I have never had so much opposition to a bill brought to my attention before. 150 environmental organizations, consumer organizations, and labor organizations have urged the Members of this body to oppose H.R. 21. It is incredible. And then not only are workers and consumers against this measure as well as environmentalists, businesspeople are against it as well.

I feel like there is some missing part to this thing. The American Sustainable Business Council has over 200,000 businesses. So here is labor and commerce combined, urging Congress not to do this on the second day of a new Congress with all the challenges that are before us, and he says it wouldn't create any problems. It would be okay to put in 1 or 2 or 3 or 5 or 20 or 30 or 40 or 50 or 60. This is incredible. It is not that we are working so hard that we don't have time to examine each one on a particular basis.

□ 1415

Can you imagine this Congress trying to block regulations which would be offered in one bill that could be over 60 different regulations? I mean, it is unthinkable. It is not very practical at all.

When we talk about meat labeling regulations and then in another paragraph or another section there would be standards for school lunch nutrition, they would be combined. My friend from California would say, well, that is no problem. We will take them separately, but they will all come in the same package.

So if you wanted to examine all of these things individually, we could have an instance where the whole Congress could be consumed for weeks or for months trying to figure out why they should block all of these important and sensible safeguards.

Business and labor are joined with us, and, to me, it is beyond comprehen-

sion for us to be concerned about not taking them up one at a time. This is worse than a conservative point of view, which I haven't found myself often agreeing with. But just to say let's have unlimited numbers of these blocking provisions all into one is beyond my comprehension.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN), a distinguished member of our committee.

Mr. COHEN. Mr. Speaker, I thank the ranking member and chairman in the past, my chairman.

This bill has come up over many years when I served on this subcommittee and was the ranking member and the chair at one time. Mr. ISSA suggested it might only be six or seven regulations. If that was the case, they could take them individually.

There is a process where regulations can be brought before the House, in the Congressional Review Act, and each one studied individually, and the House could overrule them. I can't fathom that they are bringing this bill for just six regulations which they could do individually. But even then, that is wrong to put them all together. We know what is going to happen is they are going to pass. They are going to pass the House. Whether they pass the Senate is another issue.

These are not midnight regulations. These are regulations that go back to last June. So the term "midnight regulations" is a misnomer. To say that these are just decisions made by bureaucrats, you would think bureaucrats were something out of a medical dictionary that was highly contagious. Bureaucrats could also be called experts, specialists, dedicated government officials.

There are people who study these issues that, to be implemented, need to be fine-tuned to fit into society, sometimes to protect consumers, sometimes to protect commerce, and it takes years and years and years, often, for these regulations to take effect. Some of them protect animals—the soring industry.

A great majority of this House was in favor of a bill to protect walking horses, but it didn't get a vote because there were some people in this House that were against it and against it so much that they worked to get one of the finest Members I have served with, Ed Whitfield, out of this House. That was despicable. I suspect that same power that might have had that effect could bring that type of regulation up to be nullified. I would fear that, and I would find it wrong in the spirit of Ed Whitfield and fairness.

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

Mr. CONYERS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. COHEN. I like Ed Whitfield a lot. A lot of us did. He was a great guy. It

was wrong, what happened, the way he was forced out because a majority of this House wanted a vote on that and it could be put in this regulation and it would go.

Tobacco regulations, toys, protections for children, all potentially in jeopardy, as well as other regulations protecting four-legged friends.

I can imagine when this comes up and the decision is made which bills to put into this omnibus bill, you are going to have lots of lobbyists coming and wanting the bills that affect them adversely, their industry is put in it, and you are going to have fundraisers right around it. It is going to be a fundraising trough for the Republicans to use and bidding basically on who wants to have their regulation put in our bill and have it nullified. The nullification acts back in the 1830s with John Calhoun are back, not the midnight judges of President Adams.

Mr. CONYERS. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Michigan has 6 minutes remaining. The gentleman from California has 13½ minutes remaining.

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

My colleague from Tennessee has been a good friend on many issues. I know he is passionate about regulations and laws that he would like to have passed, and so am I.

All of us in Congress have seen that it is extremely easy—the longer you are here, the more you will see it—it is extremely easy to stop something here. The same is true about those 61 or so regulations. Any combining of regulations, unless they are overwhelmingly disapproved, actually makes them harder to pass. We are not going to put 61 pieces of legislation, each of which has at least one or two or three or a dozen Republicans who vehemently oppose that regulation being rescinded. The fact is it is only the worst of the worst that are going to be stayed through this process and then reevaluated by the new administration.

I will mention, though, for my colleagues on the other side of this debate today, that we do appropriations every year. The American people, and for the freshmen who haven't voted on appropriations yet, think of appropriations as somehow different than the law. It really isn't. Appropriation is simply a law that provides funding.

Every appropriation bill during the entire nearly 8 years of President Obama has been some form of a continuing resolution or an omnibus. But as my colleague from Tennessee knows, every one of those has had dozens to hundreds of laws attached to them. We call them riders. We have terms for them. The fact is that a single appropriations bill, often done just before the end of funding of the government, always—always—has dozens, if not hundreds, of laws attached to it.

So the idea that we don't group together things which are relatively non-controversial, that will cause someone to still vote for the bill in spite of it being in there, would be to be dishonest to the freshmen who need to know that we do for efficiency bring together things that we can pass en bloc, and we do it all the time—and even major legislation. I dare say, the Affordable Care Act and others are, in fact, multiple pieces of legislation put together in one package.

So lest our freshmen who are about to take their first vote on a piece of legislation—or one that could have a major impact—misunderstand, bringing together multiple pieces into one bill is common, but it is always done in order to gain votes or to maintain votes. In fact, you do it at your folly if you lose votes.

I would say to my friend and colleague from Michigan that there is no likelihood that 61 pieces of regulation will be put together because there is no chance that there would be 61 pieces that even all Republicans would agree should be revoked. I would imagine the number would be less. I suspect that if my bill said 2 or 5 or 10, it would still be opposed for the same reason, which is that it creates inefficiency if there are multiple generally agreed bad pieces of legislation that need to be considered.

Lastly, and I am not closing, but I think this may be one of my closing remarks, for freshmen to understand, this isn't even about the House. We have the procedures in the House where we could put these together. This is about the Senate that can take 60 hours, 60 legislative hours or more, to do one piece of legislation. We know that the Senate has confirmations to do of judges and appointees for the Cabinet, and they have other legislative work, and we cannot afford to have them backed up now or in the future if there are multiple regulations that need to be rescinded.

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

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), who, up until recently, was a very active member of the House Judiciary Committee. He is now the ranking member on the Education and the Workforce Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 21, the so-called Midnight Rules Relief Act, which amends the Congressional Review Act. The Congressional Review Act allows Congress to overrule regulations promulgated by the executive branch. That law expects a deliberative approach to considering each and every rule.

H.R. 21 would allow Congress to consider a joint resolution to simultaneously disapprove of multiple regulations all at once when such rules are

issued in the last 60 legislative days of a session of Congress during the final year of a President's term. In this case, the 60 legislative days reach-back would apply to rules issued as far back as June of last year, almost 7 months before the end of the President's term. To call rules issued that long ago a midnight rule is a particular misnomer.

This bill puts in place an indiscriminate process to eliminate rules, many of which have been under development for years—or even decades—to protect consumers, working families, and students. This bill denies Congress the opportunity for a careful, individualized, case-by-case review that is appropriate for a reasoned, decisionmaking legislative body.

Under the Congressional Review Act, if a rule is eliminated, such rule can never be taken up again in similar form without additional legislation overriding the restriction, even if the undesirable rule turns out, upon further reflection, to have been the best alternative.

Some of the rules that could be impacted that are just under the jurisdiction of the Education and the Workforce Committee include the Department of Labor's rule requiring Federal contractors to provide up to 7 days of paid sick leave annually for their employees; the upcoming OSHA rule, which has been under development for 18 years, which would protect workers from exposure to beryllium, a metal that can cause lung disease, resulting in a victim essentially suffocating to death; the Department of Education's rule involving the borrower's defense, which helps student borrowers who are defrauded by their universities; and the Department of Education's K-12 accountability rule, which involves the implementation of the Every Student Succeeds Act, making sure that all students can graduate ready for success for college and career.

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

Mr. CONYERS. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. SCOTT of Virginia. H.R. 21 is poised to allow wholesale undermining of critical protections for students, workers, taxpayers, and consumers. I, therefore, urge a "no" vote.

Mr. ISSA. Mr. Speaker, I continue to reserve the balance of my time.

□ 1430

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to the Republicans' Midnight Rules Relief Act.

The bill is an unnecessary abdication of legislative responsibility by the Re-

publican-led Congress, and it is very poor public policy. The bill short-circuits open debate and public participation. It is also very wasteful because it jettisons carefully and long-crafted policies that protect American families from threats to their economic security, their health, and their safety.

Under the U.S. Constitution, after Congress passes a law, agencies craft rules to implement that legislation. If Members of Congress want to clarify or change executive branch regulations, they have a responsibility to address the matter in a transparent way and through open, regular order. Republicans don't want to do that, however, because the public might find out what they are doing.

This Republican scheme sets a dangerous precedent by expanding the ability of the Congress to use the Congressional Review Act to disapprove hundreds of carefully crafted policies at one time and with very little notice or debate. Republicans want to reach back to last May and cherry-pick policies that they do not agree with.

But how will the public know?

That will be difficult; and, in many instances, Republicans do not want the public to know.

I urge my colleagues to reject this power grab by the new Republican Congress. It is just like what they tried to do yesterday with the Office of Congressional Ethics. These policies don't just come out of thin air. There is a long, painstaking process with extensive public comment. Public participation doesn't appear to be a priority in this new Congress, so reject this dark bill. Side, instead, with our democratic principles in America, which include open debate, transparency, fiscal responsibility, and the security of our neighbors.

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

The gentlewoman from Florida, I am sure, is well intended, but there is nothing more transparent than calling up to the floor of this House and debating the removal of regulations that have been found to be excessive or extreme or simply not consistent with the law. That is a transparent process. The term "regular order," in fact, could not be more appropriate to that process. We passed a law nearly three Presidents ago, if you will, that simply called for this procedure.

All I am saying is we should not be mired down, if there are five or six or eight bad regulations, in not combining them together for purposes of getting them disposed of in a timely fashion. I might suggest to everyone that they remember that many of us did not support the regulation change yesterday as to the ethics oversight, because we do believe in transparency and will continue to believe in transparency.

Again, nothing is more transparent than bringing to the House floor the

debate about something that is believed to have been wrong done by unelected bureaucrats. “Bureaucrat” is not a dirty word, but “unelected” fits this process.

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

Mr. CONYERS. Mr. Speaker, I include in the RECORD a CRS Report that highlights the fact that it would be permissible under this proposed bill that as many as 61 regulations could be bundled into one package and blocked by this bill.

CONGRESSIONAL RESEARCH SERVICE,
January 3, 2017.

MEMORANDUM

Subject: “Major” Obama Administration Rules Potentially Eligible to be Overturned under the Congressional Review Act in the 115th Congress.

From: Maeve P. Carey, Specialist in Government Organization and Management; Christopher M. Davis, Analyst on Congress and the Legislative Process; Casey Burgat, Research Assistant.

This memorandum lists “major” rules issued by federal agencies under the Barack Obama Administration that are potentially subject to consideration under the procedures of the Congressional Review Act (CRA) in the 115th Congress. This is an updated version of a general distribution memorandum released by CRS on November 17, 2016, and previously updated on December 6, 2016.

BACKGROUND ON THE CONGRESSIONAL REVIEW ACT

The CRA is a tool that Congress may use to overturn a rule issued by a federal agency, including, in some cases, rules issued in a previous session of Congress and by a previous President. The CRA requires agencies to report on their rulemaking activities to Congress and provides Congress with a special set of procedures under which to consider legislation to overturn those rules. The CRA, which was enacted in 1996, was largely intended to assert control over agency rulemaking by establishing a special set of expedited or “fast track” legislative procedures for this purpose, primarily in the Senate.

Of the approximately 73,000 final rules that have been submitted to Congress since the legislation was enacted in 1996, the CRA has been used to disapprove one rule: the Occupational Safety and Health Administration’s November 2000 final rule on ergonomics, which was overturned using the CRA in March 2001. The primary reason the CRA has overturned one rule in the 20 years since its enactment is that under most circumstances, it is likely that a President would veto such a resolution in order to protect rules developed under his own administration, and it may also be difficult for Congress to muster the two-thirds vote in both houses needed to overturn the veto. However, under a specific set of circumstances—a turnover in party control of the White House, particularly a turnover in which the incoming President shares a party affiliation with a majority in both houses of Congress—the CRA is more likely to be used successfully. The March 2001 rejection of the ergonomics rule was the result of that set of circumstances. Similar circumstances will take place in 2017 after the start of the 115th Congress and after President-elect Donald J. Trump is sworn into office.

CRA “RESET” MECHANISM

Section 801(d) of the CRA provides that, if Congress adjourns its annual session sine die less than 60 legislative days in the House of Representatives or 60 session days in the Senate after a rule is submitted to it, then the periods to submit and act on a disapproval resolution “reset” in their entirety in the next session of Congress. The purpose of this provision is to ensure that both houses of Congress have sufficient time to consider disapproving rules submitted during this end-of-session “carryover period.” This provision applies in every session of Congress, but it is of particular relevance in sessions of Congress that coincide with presidential transitions. This provision allows, for a limited time period, a new Congress to consider a joint resolution disapproving a rule issued late in the previous administration. If introduced and considered at the proper time, such a joint resolution cannot be filibustered in the Senate.

The projected second-session meeting schedules of the House and Senate issued by each chamber’s majority leader may be used to estimate the date in 2016 after which final rules submitted to Congress will be subject to the renewed review periods in 2017 described above. The estimated start of the reset period for all rules was determined by counting back from the projected sine die adjournment in the respective chambers—60 days of session in the Senate and 60 legislative days in the House—then taking the earlier of the two dates.

Under this calculation, CRS estimates that agency final rules submitted to Congress on or after June 13, 2016, will be subject to renewed review periods in 2017 by a new President and a new Congress. CRS day count estimates are unofficial and non-binding; the House and Senate Parliamentarians are the sole definitive arbiters of the operation of the CRA mechanism and should be consulted if a formal opinion is desired.

“MAJOR” OBAMA ADMINISTRATION RULES POTENTIALLY ELIGIBLE FOR CONSIDERATION UNDER THE CRA IN 2017

Using this estimated reset date of June 13, 2016, CRS compiled a list of major rules that would fall under this reset period—i.e., rules that could be overturned in the 115th Congress using the CRA.

Table 1 lists the major rules CRS has identified as of January 3, 2017, that could be eligible for the reset mechanism. To identify these rules, CRS used a two-step process. First, CRS consulted the Government Accountability Office’s (GAO’s) federal rules database to identify major rules that were issued during calendar year 2016 and posted on GAO’s website as of January 3, 2017. Second, CRS used LIS’s “Executive Communications” database to identify when these rules were received in Congress.

MAJOR RULES ISSUED BY THE OBAMA ADMINISTRATION THAT ARE POTENTIALLY ELIGIBLE FOR DISAPPROVAL UNDER THE CONGRESSIONAL REVIEW ACT IN THE 115TH CONGRESS MAJOR RULES LISTED ON GAO’S WEBSITE AS OF JANUARY 3, 2017

Title of Rule (As Published in Federal Register) and RIN Numbers are as follows:

Exemptions To Facilitate Intrastate and Regional Securities Offerings, 3235-AL80; Investment Company Liquidity Risk Management Programs, 3235-AL61; Retention of EB-1, EB-2, and EB-3 Immigrant Workers and Program Improvements Affecting High-Skilled Nonimmigrant Workers, 1615-ACO5; Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Sys-

tems), 1216-AB80; Waste Prevention, Production Subject to Royalties, and Resource Conservation, 1004-AE14; Investment Company Swing Pricing, 3235-AL61; Establishing a More Effective Fair Market Rent System; Using Small Area Fair Market Rents in the Housing Choice Voucher Program Instead of the Current 50th Percentile FMRs, 2501-AD74; Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2017; Medicare Advantage Bid Pricing Data Release; Medicare Advantage and Part D Medical Loss Ratio Data Release; Medicare Advantage Provider Network Requirements; Expansion of Medicare Diabetes Prevention Program Model; Medicare Shared Savings Program Requirements, 0938-AS81.

Medicare Program; CY 2017 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts, 0938-AS70; Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2017, 0938-AS72; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Procurement Organization Reporting and Communication; Transplant Outcome Measures and Documentation Requirements; Electronic Health Record (EHR) Incentive Programs; Payment to Non-excepted Off-Campus Provider-Based Department of a Hospital; Hospital Value-Based Purchasing (VBP) Program; Establishment of Payment Rates Under the Medicare Physician Fee Schedule for Nonexcepted Items and Services Furnished by an Off-Campus Provider-Based Department of a Hospital, 0938-AS82; Medicare Program; Merit-Based Incentive Payment System (MIPS) and Alternative Payment Model (APM) Incentive Under the Physician Fee Schedule, and Criteria for Physician-Focused Payment Models, 0938-AS69; Medicare and Medicaid Programs; CY 2017 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements, 0938-AS80; Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College and Higher Education Grant Program, 1840-AD19; Energy Conservation Program: Energy Conservation Standards for Miscellaneous Refrigeration Products, 1904-AC51.

Medicaid Program; Final FY 2014 and Preliminary FY 2016 Disproportionate Share Hospital Allotments, and Final FY 2014 and Preliminary FY 2016 Institutions for Mental Diseases Disproportionate Share Hospital Limits, 0938-ZB30; Cross-State Air Pollution Rule Update For The 2008 Ozone NAAQS, 2060-AS05; Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2, 2060-AS16; U.S. Citizenship and Immigration Services Fee Schedule, 1615-AC09; Treatment of Certain Interests in Corporations as Stock or Indebtedness, 1545-BN40; Establishment of the Electronic Visa Update System (EVUS), 1651-AB08; ONC Health IT Certification Program; Enhanced Oversight and Accountability, 0955-AA00; Clearing Requirement Determination Under Section 2(H) of the Commodity Exchange Act For Interest Rate Swaps, 3038-AE20; Standards For Covered Clearing Agencies, 3235-AL48.

Medicare and Medicaid Programs, Reform of Requirements for Long-Term Care Facilities, 0938-AR61; Child Care And Development

Fund (CCDF) Program, 0970-AC67; Establishing Paid Sick Leave For Federal Contractors, 1235-AA13; OCC Guidelines Establishing Standards For Recovery Planning By Certain Large Insured National Banks, Insured Federal Savings Associations, And Insured Federal Branches; Technical Amendments, 1557-AD96; Emergency Preparedness Requirements For Medicare And Medicaid Participating Providers And Suppliers, 0938-A091; Migratory Bird Hunting Regulations On Certain Federal Indian Reservations And Ceded Lands For The 2016-17 Season, 1018-BA70; Safety And Effectiveness Of Consumer Antiseptics; Topical Antimicrobial Drug Products For Over-The-Counter-Human Use, 0910-AF69; Head Start Performance Standards, 0970-AC63; Standards Of Performance For Municipal Solid Waste Landfills, 2060-AM08; Emission Guidelines And Compliance Times For Municipal Solid Waste Landfills, 2060-AS23.

Federal Acquisition Regulation; Fair Pay And Safe Workplaces, 9000-AM81; Medicare Program; Hospital Inpatient Prospective Payment Systems For Acute Care Hospitals And The Long-Term Care Hospital Prospective Payment System & Policy Changes & Fiscal Year 2017 Rates; Quality Reporting Requirements For Specific Providers; Graduate Medical Education; Hospital Notification Procedures Applicable To Beneficiaries Receiving Observation Services; Technical Changes Relating To Costs To Organizations & Medicare Cost Reports; Finalization Of Interim Final Rules With Comment Period On LTCH PPS Payments For Severe Wounds, Modifications Of Limitations On Redesignation By The Medicare Geographic Classification Review Board, & Extensions Of Payments To MDHS And Low-Volume Hospitals, 0938-A577; 0938-A588; 0938-AS41; Workforce Innovation And Opportunity Act; Joint Rule For Unified And Combined State Plans, Performance Accountability, And The One-Stop System Joint Provisions; Final Rule, 1205-AB74; Workforce Innovation And Opportunity Act, 1205-AB73; Medicare Program; Prospective Payment System And Consolidated Billing For Skilled Nursing Facilities For FY 2017, SNF Value-Based Purchasing Program, SNF Quality Reporting Program, And SNF Payment Models Research, 0938-AS75.

Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System For Federal Fiscal Year 2017, 0938-AS78; Medicare Program; FF 2017 Hospice Wage Index And Payment Rate Update And Hospice Quality Reporting Requirements, 0938-AS79; Margin And Capital Requirements For Covered Swap Entities, 3052-AC69; Medicare Program; FY 2017 Inpatient Psychiatric Facilities Prospective Payment System—Rate Update, 0938-AS76; National School Lunch Program And School Breakfast Program. Nutrition Standards For All Foods Sold In School As Required By The Healthy, Hunger-Free Kids Act Of 2010, 0584-AE09; Revised Critical Infrastructure Protection Reliability Standards No RIN provided; Amendments To The Commission's Rules Of Practice, 3235-AL87; Disclosure Of Payments By Resource Extraction Issuers, 3235-AL53; Migratory Bird Hunting; Seasons And Bag And Possession Limits For Certain Migratory Game Birds, 1018-BA70; Oil And Gas And Sulfur Operations On The Outer Continental Shelf—Requirements For Exploratory Drilling On The Arctic Outer Continental Shelf, 1082-AA00.

Medication Assisted Treatment For Opioid Use Disorders, 0930-AA22; Department Of Labor Federal Civil Penalties Inflation Ad-

justment Act Catch-Up Adjustments, 1290-AA31; General Administrative Regulations; Catastrophic Risk Protection Endorsement; Area Risk Protection Insurance Regulations; And The Common Crop Insurance Regulations, Basic Provisions, 0563-AC49; Transition Assistance Program (TAP) For Military Personnel, 0790-AJ17; Operation And Certification Of Small Unmanned Aircraft Systems, 2120-AJ60; Transit Asset Management, National Transit Database; FTA—2014-0020, 092132-AB07; Revision Of Fee Schedules; Fee Recovery For Fiscal Year 2016, 3150-AJ66; Medicare Program; Medicare Clinical Diagnostic Laboratory Tests Payment System, 0938-AS33; James Zadroga 9/11 Victim Compensation Fund Reauthorization Act, 1105-AB49; Energy Conservation Program: Energy Conservation Standards For Battery Chargers, 1904-AB57; Energy Conservation Program: Energy Conservation Standards For Dehumidifiers, 1904-AC81; Removal Of Mandatory Country Of Origin Labeling Requirements For Beef And Pork Muscle Cuts, Ground Beef, And Ground Pork, 0581-AD29.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, here we go again with another piece of misguided legislation, but this one will jeopardize the health and safety of the American people to benefit corporate America and polluters.

Let's be clear. The protections that will be overwhelmingly targeted by this measure are not so-called midnight regulations. These are rules that went through significant vetting. There are a host of statutes that govern how regulations are crafted. From the Administrative Procedure Act to the Regulatory Flexibility Act, to the Unfunded Mandates Reform Act, to the Paperwork Reduction Act, there are numerous processes to ensure regulations are written in a way that protect the American people while preventing overreach.

Mr. Speaker, as the ranking member of the Small Business Committee, I am well acquainted with the need to ensure that the regulatory process is balanced. No one here supports overregulation; but, at the same time, we cannot eliminate safeguards that have a proven record of protecting the American public. This bill also has the potential to create significant regulatory uncertainty for the same small businesses my colleagues say they are trying to help.

At its core, this bill is about enabling the largest and most powerful corporations to run rampant—without accountability. The legislation before us could result in less protections for consumers, and it could strip away workplace protections. We should reject this bill. I urge my colleagues to vote “no.”

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

Mr. ISSA. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from California has 7½ minutes

remaining, and the time of the gentleman from Michigan has expired.

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

I served on the Small Business Committee with Ms. VELÁZQUEZ a long time ago. One thing that we all know is, with regard to that committee, the NFIB—the National Federation of Independent Business—and small business groups alike are something we look at, even NAM—the National Association of Manufacturers—and, of course, the Chamber. All of those organizations support this legislation. They have written letters in support, and I include in the RECORD those letters.

The following is a list of supporters of H.R. 21, the Midnight Rules Relief Act:

American Action Forum, American Center for Law and Justice, American Commitment, American Energy Alliance, American Fuel and Petrochemical Manufacturers, Americans for Prosperity—Key Vote, Americans for Tax Reform, Associated Builders and Contractors, Competitive Enterprise Institute, Concerned Women for America.

Family Business Coalition, FreedomWorks, Heating Air-conditioning & Refrigeration Distributors International (HARDI), International Franchise Association, Let Freedom Ring, National Association of Electrical Distributors (NAED), National Association of Manufacturers, National Federation for Independent Business, R Street Institute, SBE Council, U.S. Chamber of Commerce.

ASSOCIATED BUILDERS
AND CONTRACTORS, INC.,

January 4, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of Associated Builders and Contractors (ABC), a national construction industry trade association with 70 chapters representing nearly 21,000 chapter members, I am writing in regard to the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2017 (H.R. 26) introduced by Rep. Doug Collins (R-GA) as well as the Midnight Rules Relief Act of 2017 (H.R. 21) introduced by Rep. Darrell Issa (R-CA).

From 2009 to present, the federal government imposed nearly \$900 billion in regulatory costs on the American people which requires billions of hours of paperwork. Many of these regulations have been or will be imposed on the construction industry. ABC is committed to reforming the broken federal regulatory process and ensuring industry stakeholders' voices are heard and rights are protected. ABC supports increased transparency and opportunities for regulatory oversight by Congress and ultimately, the American people.

The Obama administration issued numerous rulemakings that detrimentally impact the construction industry. In some cases, these regulations are based on conjecture and speculation, lacking foundation in sound scientific analysis. For the construction industry, unjustified and unnecessary regulations translate to higher costs, which are then passed along to the consumer or lead to construction projects being priced out of the market. This chain reaction ultimately results in fewer projects, and hinders businesses' ability to hire and expand.

ABC members understand the value of standards and regulations when they are

based on solid evidence, with appropriate consideration paid to implementation costs and input from the business community. Federal agencies must be held accountable for full compliance with existing rulemaking statutes and requirements when promulgating regulations to ensure they are necessary, current and cost-effective for businesses to implement.

ABC opposes unnecessary, burdensome and costly regulations resulting from the efforts of Washington bureaucrats who have little accountability for their actions. H.R. 26 will help to bring greater accountability to the rulemaking process as it would require any executive branch rule or regulation with an annual economic impact of \$100 million or more to come before Congress for an up-or-down vote before being enacted. Moreover, H.R. 21 will further enhance congressional oversight of the overreaching regulations often issued during the final months of a president's term and help to revive the division of powers.

Thank you for your attention on this important matter and we urge the House to pass the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2017 and Midnight Rules Relief Act of 2017 when they come to the floor for a vote.

Sincerely,

KRISTEN SWEARINGEN,
Vice President of Legislative & Political Affairs.

NATIONAL ASSOCIATION OF
MANUFACTURERS,
January 4, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the National Association of Manufacturers (NAM), I am writing to express manufacturers' support for the passage of H.R. 21, the Midnight Rules Relief Act of 2017, introduced by Congressman Darrell Issa (R-CA).

The NAM is the largest manufacturing association in the United States, representing small and large manufacturers in every industrial sector and in all 50 states. Manufacturing employs nearly 12 million men and women, contributes more than \$1.8 trillion to the U.S. economy annually, has the largest economic impact of any major sector, and accounts for two-thirds of private sector research and development. The NAM is the leading advocate for a policy agenda that helps manufacturers compete in the global economy and create jobs across the United States.

The Midnight Rules Relief Act of 2017 would amend the Congressional Review Act to provide Congress the authority to consider one joint resolution of disapproval for regulations en bloc as opposed to a single regulation at a time. As the end of an Administration approaches, there is an incentive for federal agencies to issue a significant number of regulations. These are known as midnight rules, and H.R. 21 would allow Congress to effectively respond to regulations that conflict with congressional intent, exceed an agency's statutory authority or are hastily drafted and issued as an Administration prepares its departure.

The problem of midnight rules is not new and is not unique to a particular political party. As an administration attempts to complete its regulatory agenda, an abundance of midnight rules can overwhelm Congress' ability to engage in proper oversight of federal agencies. Midnight rules can be issued without justification and without an agency conducting proper regulatory anal-

ysis. Congress should be granted the authority needed to appropriately respond to the issuance of a midnight rules that might not be drafted in accordance with sound regulatory principles.

Manufacturers support a regulatory system that results in regulations that efficiently and effectively achieve policy objectives, and we urge you to support passage of H.R. 21, the Midnight Rules Relief Act of 2017.

Thank you for your consideration.

Sincerely,

ROSARIO PALMIERI.

[From Americanactionforum.org, Jan. 3, 2017]

THE REGULATORY CLEANUP BEGINS

(By Douglas Holtz-Eakin, Patrick Hefflinger)

On Wednesday Vice President-elect Mike Pence is scheduled to meet with House Republicans to discuss Obamacare repeal and replacement plans. Republicans are expected to delay repealing parts of Obamacare to allow for more time to design a replacement health care plan. President Obama is expected to meet with Congressional Democrats on Wednesday as well to discuss plans for defending Obamacare from repeal.

Last week the Department of Justice (DOJ) announced that they had reached final agreements with Swiss banks on the Swiss Bank Program. The program aims to help financial institutions avoid criminal liabilities due to U.S. tax crimes by granting banks non-prosecution eligibility if they meet certain requirements. The Swiss Bank program was initially announced in 2013.

EAKINOMICS: THE REGULATORY CLEANUP BEGINS

The tally has been mounting for years—over 3,000 costly regulations totaling nearly \$875 billion in finalized burden costs. As the economy became increasingly festooned with rule making and regulatory drag, conservatives have promised to bring the regulatory state to sanity given the first opportunity. That moment has presumably arrived. Congress returns from the holidays with plans to get started.

Specifically, I expect that the House will begin cleaning up the midnight regulatory onslaught by the Obama administration. Historically, this would have required a regulation-by-regulation use of the Congressional Review Act (CRA). Instead, the House will consider a bill (HR 5982 in the last Congress), which would permit Congress to disapprove multiple midnight rules en banc—in a single resolution.

That takes care of the last-gasp efforts of the outgoing president. But what guarantees better performance in the future? The House will next turn to the Regulations from the Executive in Need of Scrutiny (REINS) Act. With the REINS Act, Congress would have 70 legislative days to approve a major rule with economic impact over \$100 million. Only then would it be sent to the president for signature. Without a positive vote, the regulation would not take effect. If enacted, REINS could save more than \$27 billion in annual regulatory costs and 11.5 million paperwork burden hours according to AAF research by Sam Batkins.

Passage of the REINS Act (or other, similar, legislation) would insert Congress more firmly into the regulatory process, a significant change that is not done lightly. However, the lesson of the past eight years is that even without executive overreach the regulatory process does not correctly balance benefits and costs; a recalibration of the underlying process is overdue.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
Vienna, VA, January 3, 2017.

Hon. DARRELL ISSA,
*House of Representatives,
Washington, DC.*

DEAR REPRESENTATIVE ISSA: The Small Business Entrepreneurship Council (SBE Council) strongly supports the "Midnight Rules Relief Act." This legislation is vital as it provides a needed check against the surge in new and questionable regulatory activity that is flooding into the Federal Register, which will eventually make its way to small businesses.

While "midnight regulations" have been a problem across Administrations, what is happening in the current period is staggering. According to the American Action Forum, the current output of midnight rules is up 42 percent over 2008, and 48 percent over 2000. This regulatory surge must be "checked" and contained by Congress before it causes permanent damage to the competitiveness of many types of small businesses.

The end-game push on the regulatory front will undoubtedly show that shortcuts were taken in a process meant to protect small businesses. Mercatus Center research found that the quality of analysis suffers during the midnight regulatory period, which means these regulations are "excessively costly" or ineffective. Poorly constructed and politically-driven regulation will only create more uncertainty and costs for our nation's struggling small businesses.

Your legislation will provide Congress with needed flexibility in using the Congressional Review Act (CRA) by allowing a CRA resolution to address more than one regulation. This important reform enhances the CRA and allows Congress to use its time efficiently to address the many issues that face our economy and nation.

Thank you for your continued leadership on issues important to entrepreneurs and small businesses. Please let us know how we can help to ensure the "Midnight Rules Relief Act" is signed into law.

Sincerely,

KAREN KERRIGAN,
President & CEO.

[From Townhall, Jan. 4, 2017]

THE HOUSE CAN START REVERSING OBAMA'S
REGULATORY OVERREACH
(By Christine Harbin)

President Obama has made a series of executive decisions in his final weeks in office that will undoubtedly harm the economy.

Particularly egregious were his recent announcements on energy and environmental policy: He rejected the permit for the Dakota access pipeline, exempted wind farm companies from killing eagles, abused the Antiquities Act to remove western lands from economic development, and prohibited federal offshore drilling and mineral leases on millions of acres across the country, including 115 million acres off the coast of Alaska.

This flurry of regulatory activity is simply the latest in a long line of overreaches from the Obama White House. The outgoing president has consistently sought ways to enact his agenda unilaterally over his two terms—notoriously "working around Congress" in order to do so. A recent report from the American Action Forum found that the Obama administration issued 600 major regulations totaling \$743 billion over the course of his presidency. This is an average of 81 major regulations—regulations that exceed \$100 million by agency estimates—per year.

Thankfully, the House of Representatives is poised to hit the ground running in slowing the growth of the regulatory state. Representatives will consider two important bills on the floor as one of their first orders of business for the year. Both bills, once passed by the Senate and signed by future President Trump, will bring meaningful relief to the American families and businesses across the country who are currently drowning in red tape.

The first bill, Rep. Darrell Issa's Midnight Rule Relief Act, is particularly important given the onslaught of regulations coming from the White House and the scarcity of available floor time in Congress. It would allow Congress to disapprove of multiple so-called "midnight rules"—regulations finalized in the waning days of the administration—using a single Congressional Review Act (CRA) resolution, as opposed to disapproving of these rules individually. This change will make it easier for Congress to disapprove of the Obama administration's recent spate of economically dangerous actions.

The second bill, the Regulations from the Executive in Need of Scrutiny (REINS) Act, is also important. This would require executive agencies to submit "major" rules—those with an annual economic impact of \$100 million or more—to Congress for review and a clear up-or-down vote before the rules take effect. This would assert Congress's proper role in approving the rules that govern the country, an authority which has been increasingly delegated to executive agencies. It would also encourage more debate among lawmakers about the size and scope of the federal government. Incoming Sen. Todd Young championed this important legislation during his time in the House; it's good to see Rep. Doug Collins introduce it in this new Congress.

Both of these bills received bipartisan support in past Congresses; they may enjoy even more in this current one. Strange bedfellows could emerge in anticipation of the Trump presidency. Democrats in Congress who want to limit the ability of a Republican White House to enact new rules, as well as Republicans who principally support limiting the size and scope of government.

Americans across the county voted for President-elect Donald Trump and a Republican majority in Congress because they are tired of President Obama's harmful regulatory agenda. It's little surprise that President-elect Donald Trump swept rust belt states and the upper Midwest in the recent election—these parts of the country have been devastated by President Obama's regulatory overreach, and they stood to lose even further under the threats of a Hillary Clinton administration.

Congress is right to reverse President Obama's regulatory assault on job creation and economic growth in this county, and it should work closely with President-elect Trump in peeling it back. Representatives should support the two regulatory reform bills when they come up on the floor this week, and they should seek additional efforts to overturn these myriad rules, including future Congressional Review Act resolutions of disapproval and adding appropriations riders that would prohibit funding for implementation of the worst rules, while executive agencies promulgate new rules to eliminate them.

Doing so will send a strong message that lawmakers are willing to stand up to the executive overreach of the past eight years.

Mr. ISSA. Mr. Speaker, the fact is we are hearing many people talk about

important regulations and of their somehow being taken out. Let's understand that regulations can go both ways. These changes and the underlying law can also protect the other way. The fact is now we are in the future. You could have an administration that, in its final days, changes regulations to make them more lenient to large businesses, more lenient to polluters, more lenient to the employers to the detriment of their employees. Regulations can go both ways, and only the most extreme regulations—literally one since the enactment of the underlying legislation—has ever been repealed.

I don't want to belittle my own legislation, but let's understand that there won't be 61 en bloc being brought. There will be some, I hope, and there may be more than one. Yet for Congress to take back, piece by piece, its responsibility and then live up to that responsibility should be all of our goals.

Now, this legislation was limited to midnight rules. Let's understand that midnight rules are the rules done in the waning days of an administration—7-plus years into this administration—and many of these rules, in fact, were enacted after the last vote of the people. I think it is important to understand that, on election day, the American people delivered a resounding message to Washington: stop the regulatory, Big Government onslaught that is killing jobs.

One of my colleagues earlier spoke of the fact that we had had so many jobs—15 million jobs—created in the last 8 years. The percentage of the workforce that is working in America today is the smallest in my lifetime. It is smaller than it was 8 years ago, 16 years ago, or 21 years ago. We are not creating jobs at the rate of our population. We should not have some sort of an accolade for regulations having created a great economy if, in fact, that economy has grown less than 2 percent a year and has not kept up with any historic 8-year period. To me, that is an important part. Although the discussion I just had was about more than regulations, let's understand that the growth of regulations—of lawmaking—is certainly not the creator of jobs.

I think, when we look at the cost—and that is a lot of what we are dealing with in the manager's amendment in this bill—we are dealing with the recognition that we are looking at regulations in light of how much they cost. Now, that cost is based on independent scoring. It is not the administration's scoring and it is not my scoring. It is that of the Congressional Budget Office's, an independent agency that doesn't always give a score I want, but the score is not arrived through partisan activities.

I reach out again to the Members who may not yet know that what we

are asking is simply to assert our normal ability in Congress and put together one or more ideas for the efficiency of the body, to send it from here to the Senate, and from the Senate to the President. What we are proposing in this legislation as a small change to the underlying legislation that has been with us for three Presidents is, in fact, consistent with this body's doing its job, in regular order, in the clear light of day.

I think the important message for this piece of bipartisan legislation is: we are taking back a limited amount of our capability, trying to streamline it, and giving the President an opportunity to accept or reject a piece of legislation voted on by a majority of the House and a majority of the Senate before it gets to the President. The President, if he feels we have included even one regulation inappropriately that he would like to retain, would veto our bill.

Lastly, I beg everyone to look at this for what it is, not for what others say it is, because it is simply Congress doing its job in an efficient fashion and consistent with 20-plus years of history and with there being only one piece—one time—when a regulation was withdrawn. No President since that time has tried to produce or has asked Congress to pass a law so as to put into effect a regulation that, on a bipartisan basis, the House, the Senate, and a President thought should go. I urge the support for this bill.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 5(b) of House Resolution 5, the previous question is ordered on the bill.

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

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

MOTION TO RECOMMIT

Ms. CASTOR of Florida. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. CASTOR of Florida. I am opposed.

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

The Clerk read as follows:

Ms. CASTOR of Florida moves to recommit the bill H.R. 21 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add, at the end of the bill, the following:
SEC. 3. EXCEPTION FOR CERTAIN RULES THAT PROHIBIT DISCRIMINATION BY INSURANCE ISSUERS ON THE BASIS OF GENDER OR PREEXISTING CONDITION OR THAT MAKE HEALTHCARE MORE AFFORDABLE FOR WORKING AMERICANS.

Nothing in this Act, or the amendments made by this Act, shall apply in the case of any rule that pertains to the prevention of—

(1) discrimination by health insurance issuers and group health plans on the basis of preexisting conditions or gender, including in the form of higher premiums for women or loss of benefits such as mammograms, cervical cancer screenings, prenatal care, and commonly prescribed contraception; or

(2) higher premiums or out-of-pocket costs for seniors for prescription drugs under prescription drug plans under the Medicare program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.).

Mr. ISSA (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida is recognized for 5 minutes in support of her motion.

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

My amendment provides an important safeguard for the economic security of American families by maintaining the consumer-friendly protections in the Affordable Care Act for, one, the cost-saving provisions in Medicare of lower prescription drugs for our parents and our grandparents; and, two, the vital consumer protection that prohibits insurance companies from denying coverage because someone has a preexisting condition like cancer, asthma, or diabetes.

The Affordable Care Act, which Republicans say they want to repeal without a replacement bill in sight, provided these very important consumer protections for all Americans not just for the 20 million Americans who gained health insurance through the marketplace or HealthCare.gov, but for the vast majority of Americans who are covered through Medicare, which is about 43 million Americans, and for the folks who have health insurance through their jobs, which is about 155 million Americans.

□ 1445

Here is what the Affordable Care Act has done for those folks: One, Medicare is stronger. The Affordable Care Act strengthened the Medicare fund, extending its life by over a decade. In addition, Medicare enrollees have benefited from huge savings in prescription drug costs. They have also saved through preventative screenings for breast and colorectal cancer, cardiovascular disease, and diabetes; that when they go to the doctor's office now, there is no cost, there is no charge. That is the Affordable Care Act.

So if Republicans aren't careful in their zeal to repeal the Affordable Care

Act, they, in essence, will be asking our parents and grandparents to pay more, a whole lot more for their prescription drugs.

Let me get a little local here. I represent the State of Florida where about 18 percent of Floridians rely on Medicare for their health care. Because of the Affordable Care Act, it has started to close the doughnut hole. Repeal it now and that stops. That goes away. Just in 2015 alone, 350,000 Florida seniors saved \$351 million on their prescription drugs. That is an average of about \$1,000 per beneficiary. So my amendment makes the point that Democrats are going to fight for our older neighbors to keep those savings intact, brought to you by the Affordable Care Act.

Second, we also want to put everyone on notice that Democrats intend to fight tooth and nail to keep the vital consumer protection, one of the bedrocks of the Affordable Care Act, that bars health insurance companies from refusing to cover you or charge you more because you have a preexisting condition or charge women more than men.

Whether you know it or not, all Americans have benefited from the bar on discrimination from preexisting conditions since January 1, 2014. So if you have health insurance through your employer, you have benefited from the Affordable Care Act. If you have gone to healthcare.gov because you are a student, part-time worker, or you don't have it through your job, you have benefited. If you have health insurance for your children through the Children's Health Insurance Program or Medicaid, you are no longer subject to discrimination.

Remember a few years ago when insurance companies maintained a long list of conditions where they said, if you have cancer or diabetes or something, you are automatically excluded, that is the way things worked. A congressional investigation into this practice during the healthcare reform debate uncovered more than 400 medical diagnoses or conditions that insurance used to justify coverage denial. At the top of the list were cancer, heart disease, pregnancy, diabetes, HIV/AIDS, multiple sclerosis, and muscular dystrophy.

You know what? Generally, States with the highest rates of denial were in the South and the Midwest where the overall health status of residents has consistently been worse than in other parts of the country. The incidence of cancer, heart disease, and diabetes is higher in those States.

Well, now you cannot be discriminated against for those preexisting conditions. That kind of discrimination wasn't right. It had no place in America, so we outlawed it in the Affordable Care Act. Like one of my neighbors, Christine Roper in Tampa—Christine is

26. She recently aged off her father's insurance and was unsure how to find coverage because she has a heart condition and asthma. Before, she would have been prohibited from getting health insurance, but not today. And we are not going backwards. That is because millions of Americans who can now buy coverage would be forced back into the ranks of the uninsured.

We are going to start this Congress off by standing up for our families and rejecting any attempts to repeal and replace the Affordable Care Act.

I urge a "yes" vote on my motion, and I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. ISSA. Mr. Speaker, I remember Chairman Ed Towns who used to say when someone ran on: The gentleman's time has long expired. I think we might have that situation here, but I am going to give the gentlewoman from Florida a moment more in just a moment.

The motion to recommit specifically sends it back to the committee. That is not necessary. The fact is that if she wanted these changes and wanted them enacted immediately there is a procedure to do so.

So I rise in opposition because this is certainly something that would delay, would send this back to committee, and cause it to come back again.

I will yield to the gentlewoman from Florida (Ms. CASTOR) for a question, if she wouldn't mind: Is there a regulation in those 61 that would be affected by this that would affect any of the provisions that you cited in your amendment?

Ms. CASTOR of Florida. Well, according to the Midnight Rules Relief Act, the public really won't know, and that is the point.

Mr. ISSA. Mr. Speaker, would the gentlewoman answer the question. Is there 61, according to the ranking member, pieces of regulation that could be in the window? I just wondered if you had one regulation by the Obama administration that concerned any of these issues that you had in the act.

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentleman for yielding.

In fact, there are extensive regulations listed as major rules relating to Medicare because part of what we did in the Affordable Care Act was to begin to change Medicare from a volume-based system to a value-based system. MAJOR RULES ISSUED BY THE OBAMA ADMINISTRATION THAT ARE POTENTIALLY ELIGIBLE FOR DISAPPROVAL UNDER THE CONGRESSIONAL REVIEW ACT IN THE 115TH CONGRESS MAJOR RULES LISTED ON GAO'S WEBSITE AS OF JANUARY 3, 2017

Title of Rule (As Published in Federal Register) and RIN Number are as follows:

Exemptions To Facilitate Intrastate and Regional Securities Offerings 3235-AL80; Investment Company Liquidity Risk Management Programs, 3235-AL61; Retention of EB-1, EB-2, and EB-3 Immigrant Workers and Program Improvements Affecting High Skilled Nonimmigrant Workers, 1615-ACO5; Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems), 1216-AB80; Waste Prevention, Production Subject to Royalties, and Resource Conservation, 1004-AE14; Investment Company Swing Pricing, 3235-AL61; Establishing a More Effective Fair Market Rent System; Using Small Area Fair Market Rents in the Housing Choice Voucher Program Instead of the Current 50th Percentile FMRs, 2501-AD74; Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2017; Medicare Advantage Bid Pricing Data Release; Medicare Advantage and Part D Medical Loss Ratio Data Release; Medicare Advantage Provider Network Requirements; Expansion of Medicare Diabetes Prevention Program Model; Medicare Shared Savings Program Requirements, 0938-AS81.

Medicare Program; CY 2017 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts, 0938-AS70; Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2017, 0938-AS72; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Procurement Organization Reporting and Communication; Transplant Outcome Measures and Documentation Requirements; Electronic Health Record (EHR) Incentive Programs; Payment to Non-excepted Off-Campus Provider-Based Department of a Hospital; Hospital Value-Based Purchasing (VBP) Program; Establishment of Payment Rates Under the Medicare Physician Fee Schedule for Nonexcepted Items and Services Furnished by an Off-Campus Provider-Based Department of a Hospital, 0938-AS82; Medicare Program; Merit-Based Incentive Payment System (MIPS) and Alternative Payment Model (APM) Incentive Under the Physician Fee Schedule, and Criteria for Physician-Focused Payment Models, 0938-AS69; Medicare and Medicaid Programs; CY 2017 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements, 0938-AS80; Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College and Higher Education Grant Program, 1840-AD19; Energy Conservation Program, Energy Conservation Standards for Miscellaneous Refrigeration Products, 1904-AC51.

Medicaid Program; Final FY 2014 and Preliminary FY 2016 Disproportionate Share Hospital, Allotments, and Final FY 2014 and Preliminary FY 2016 Institutions for Mental Diseases, Disproportionate Share Hospital Limits, 0938-ZB30; Cross-State Air Pollution Rule Update For The 2008 Ozone NAAQS, 2060-AS05; Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium-and Heavy-Duty Engines and Vehicles—Phase 2, 2060-AS16; U.S. Citizenship and Immigration Services Fee Schedule, 1615-AC09; Treatment of Certain Interests in Corporations as Stock or Indebtedness, 1545-BN40; Establishment of the Electronic Visa Update System (EVUS), 1651-AB08; ONC Health IT Certification Program; Enhanced Oversight and Account-

ability, 0955-AA00; Cleaning Requirement Determination Under Section 2(H) Of The Commodity Exchange Act For Interest Rate Swaps, 3038-AE20; Standards For Covered Clearing Agencies, 3235-AL48.

Medicare And Medicaid Programs; Reform Of Requirements For Long-Term Care Facilities, 0938-AR61; Child Care And Development Fund (CCDF) Program, 0970-AC67; Establishing Paid Sick Leave For Federal Contractors, 1235-AAI3; OCC Guidelines Establishing Standards For Recovery Planning By Certain Large Insured National Banks, Insured Federal Savings Associations, And Insured Federal Branches; Technical Amendments, 1557-AD96; Emergency Preparedness Requirements For Medicare And Medicaid Participating Providers And Suppliers, 0938-A091; Migratory Bird Hunting Regulations On Certain Federal Indian Reservations And Ceded Lands For The 2016-17 Season, 1018-BA70; Safety And Effectiveness Of Consumer Antiseptics; Topical Antimicrobial Drug Products For Over-The-Counter-Human Use, 0910-AF69; Head Start Performance Standards, 0970-AC63; Standards Of Performance For Municipal Solid Waste Landfills, 2060-AM08; Emission Guidelines And Compliance Times For Municipal Solid Waste Landfills, 2060-AS23.

Federal Acquisition Regulation; Fair Pay And Safe Workplaces, 9000-AM81; Medicare Program; Hospital Inpatient Prospective Payment Systems For Acute Care Hospitals And The Long-Term Care Hospital Prospective Payment System & Policy Changes & Fiscal Year 2017 Rates; Quality Reporting Requirements For Specific Providers; Graduate Medical Education; Hospital Notification Procedures Applicable To Beneficiaries Receiving Observation Services; Technical Changes Relating To Costs To Organizations & Medicare Cost Reports; Finalization Of Interim Final Rules With Comment Period On LTCH PPS Payments For Severe Wounds, Modifications Of Limitations On Redesignation By The Medicare Geographic Classification Review Board, & Extensions Of Payments To MDHS And Low-Volume Hospitals, 0938-AS77; 0938-AS88; 0938-AS41; Workforce Innovation And Opportunity Act; Joint Rule For Unified And Combined State Plans, Performance Accountability, And The One-Stop System Joint Provisions; Final Rule, 1205-AB74; Workforce Innovation And Opportunity Act, 1205-AB73; Medicare Program; Prospective Payment System And Consolidated Billing For Skilled Nursing Facilities For FY 2017, SNF Value-Based Purchasing Program, SNF Quality Reporting Program, And SNF Payment Models Research, 0938-AS75.

Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System For Federal Fiscal Year 2017, 0938-AS78; Medicare Program; FF 2017 Hospice Wage Index And Payment Rate Update And Hospice Quality Reporting Requirements, 0938-AS79; Margin And Capital Requirements For Covered Swap Entities, 3052-AC69; Medicare Program; FY 2017 Inpatient Psychiatric Facilities Prospective Payment System—Rate Update, 0938-AS76; National School Lunch Program And School Breakfast Program; Nutrition Standards For All Foods Sold In School As Required By The Healthy, Hunger-Free Kids Act Of 2010, 0584-AE09; Revised Critical Infrastructure Protection Reliability Standards, No RIN provided; Amendments To The Commission's Rules Of Practice, 3235-AL87; Disclosure Of Payments By Resource Extraction Issuers, 3235-AL53; Migratory Bird Hunting; Seasons And Bag And Possession Limits For Certain Migratory

Game Birds, 1018-BA70; Oil and Gas And Sulfur Operations On The Outer Continental Shelf—Requirements For Exploratory Drilling On The Arctic Outer Continental Shelf, 1082-AA00.

Medication Assisted Treatment For Opioid Use Disorders, 0930-AA22; Department Of Labor Federal Civil Penalties Inflation Adjustment Act Catch-Up Adjustments, 1290-AA31; General Administrative Regulations; Catastrophic Risk Protection Endorsement; Area Risk Protection Insurance Regulations; And The Common Crop Insurance Regulations, Basic Provisions, 0563-AC49; Transition Assistance Program (TAP) For Military Personnel, 0790-AJ17; Operation And Certification Of Small Unmanned Aircraft Systems, 2120-AJ60; Transit Asset Management; National Transit Database; FTA-2014-0020, 2132-AB07; Revision Of Fee Schedules; Fee Recovery For Fiscal Year 2016, 3150-AJ66; Medicare Program; Medicare Clinical Diagnostic Laboratory Tests Payment System, 0938-AS33; Jams Zadroga 9/11 Victim Compensation Fund Reauthorization Act, 1105-AB49; Energy Conservation Program; Energy Conservation Standards For Battery Chargers, Energy Conservation Program; Energy Conservation Standards For Dehumidifiers, 1904-AC81; Removal Of Mandatory Country Of Origin Labeling Requirements For Beef And Pork Muscle Cuts, Ground Beef, And Ground Pork, 0581-AD29.

Mr. ISSA. Mr. Speaker, reclaiming my time, I would ask that the gentlewoman, if there are some, place them in the RECORD. I don't know of any in the 61 that were granted, let's say, after June.

What I will say is that the reason I will be voting and urging my colleagues to vote "no" on the motion to recommit is not the regulations that she alludes to but, in fact, the fact that this would kill the bill by sending it back and having it delayed further.

So, in order to pass it today, because she did not set it up to exclude these items and have them immediately considered, I cannot support her motion to recommit.

What I will say is that when we look at regulations to put into a package that may be a package of one or a package, if this passes, of more than one, I certainly will expect that those regulations will have to do with things which could have been done sooner, would have been done sooner, and were done in the waning days of the administration for no reason that was time sensitive.

The Affordable Care Act was passed in the first days of the administration. If there is something in the last days of the administration that has merit, I certainly would urge my colleagues not to rescind that regulation. But if there is something that should have been done in year one, two, three, four, five, or six, I would ask why it wasn't done then.

Having said that, it is unfortunate that this motion to recommit was written in a way that would send it back to committee and, thus, cause a substantial delay.

I would caution my colleagues that, at least from this Member, if you have

a motion to recommit and you want the amendment itself considered, make it one that is immediate and not back to committee. The difference, I think, is important. The Parliamentarian simply can advise on how to write one that would prevent it having to get, if you will, another delay of days or weeks.

I urge opposition to the motion to recommit.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 2 o'clock and 53 minutes p.m.), the House stood in recess.

□ 1615

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 4 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to recommit on H.R. 21; and passage of H.R. 21, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

MIDNIGHT RULES RELIEF ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 21) to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for midnight rules, and for other purposes, offered by the gentlewoman from Florida (Ms. CASTOR), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 183, nays 236, not voting 14, as follows:

[Roll No. 7]

YEAS—183

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

NAYS—236

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Beutler
Biggs
Bilirakis
Bishop (MI)

Fudge
Gabbard
Garamendi
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsock
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano

Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert

Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)

NOT VOTING—14

Becerra
Beyer
Collins (NY)
Costa
Gallego

□ 1638

Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetskemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher

Price, Tom (GA)
Richmond
Rush
Waters, Maxine

Messrs. WEBSTER of Florida, RENACCI, JENKINS of West Virginia, Mmes. HARTZLER, McMORRIS RODGERS, Messrs. STEWART, THOMAS J. ROONEY of Florida, STIVERS, BRADY of Texas, and BERGMAN changed their vote from "yea" to "nay."

Messrs. KILDEE, BLUMENAUER, RUPPERSBERGER, O'ROURKE, Ms. JUDY CHU of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Mr. DANNY K. DAVIS of Illinois changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

(By unanimous consent, Mr. SESSIONS was allowed to speak out of order.)

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 5, H.R. 79, H.R. 238, AND H.R. 78

Mr. SESSIONS. Mr. Speaker, the Rules Committee issued announcements outlining the amendment processes for several measures likely on the floor next week.

An amendment deadline has been set for Monday, January 9, at 10 a.m. for H.R. 5, the Regulatory Accountability Act of 2017; H.R. 79, Helping Angels Lead Our Startups Act. And a deadline has been set for 3 p.m. on Monday for H.R. 238, the Commodity End-User Relief Act, and H.R. 78, the SEC Regulatory Accountability Act.

The text of these measures are available on the Rules Committee Web site. Please feel free to contact me or my staff with any questions you have.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 238, noes 184, not voting 11, as follows:

[Roll No. 8]
AYES—238

- Abraham Coffman Gibbs
Aderholt Cole Gohmert
Allen Collins (GA) Goodlatte
Amash Comer Gosar
Amodei Comstock Gottheimer
Arrington Conaway Gowdy
Babin Cook Granger
Bacon Costello (PA) Graves (GA)
Banks (IN) Cramer Graves (LA)
Barletta Crawford Graves (MO)
Barr Cuellar Griffith
Barton Culberson Grothman
Bergman Curbelo (FL) Guthrie
Beutler Davidson Harper
Biggs Davis, Rodney Harris
Bilirakis Denham Hartzler
Bishop (MI) Dent Hensarling
Bishop (UT) DeSantis Hice, Jody B.
Black DesJarlais Higgins (LA)
Blackburn Diaz-Balart Hill
Blum Donovan Holding
Bost Duffy Hollingsworth
Brady (TX) Duncan (SC) Hudson
Brat Duncan (TN) Huelszenga
Bridenstine Dunn Hultgren
Brooks (AL) Emmer Hunter
Brooks (IN) Farenthold Hurd
Buchanan Faso Issa
Buck Ferguson Jenkins (KS)
Bueshon Fitzpatrick Jenkins (WV)
Budd Fleischmann Johnson (LA)
Burgess Flores Johnson (OH)
Byrne Fortenberry Johnson, Sam
Calvert Foxx Jones
Carter (GA) Franks (AZ) Jordan
Carter (TX) Frelinghuysen Joyce (OH)
Chabot Gaetz Katko
Chaffetz Gallagher Kelly (MS)
Cheney Garrett Kelly (PA)

- King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse

NOES—184

- Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carballo
Cardenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciocchini
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch

- Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus

- Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Cohen
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted

- Schiff
Schneider
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas

NOT VOTING—11

- Becerra
Collins (NY)
Gallego
Mulvaney
Poe (TX)
Pompeo
Price, Tom (GA)
Rush
Scott, David
Waters, Maxine
Zinke

□ 1648

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 26, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H. RES. 11, OBJECTING TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 2334

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115-1) on the resolution (H. Res. 22) providing for consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, and providing for consideration of the resolution (H. Res. 11) objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?
There was no objection.

101ST PENNSYLVANIA FARM SHOW

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to talk about the Pennsylvania Farm Show that opens this weekend in Harrisburg, Pennsylvania. This weeklong event is the largest indoor agricultural expo in the country. It showcases 6,000 animals and thousands of agricultural exhibits.

There will be a Member listening session on Saturday, January 7, at 1:30

p.m. Proudly, Agriculture Committee Chairman MIKE CONAWAY and I have organized a public forum for Members to hear directly from farmers and farm families.

We invite all Members of the House to join us at this tremendous expo that celebrates Pennsylvania's rich history and the agriculture industry. We will tour the show and visit various exhibits. Pennsylvania Agriculture Secretary Russell Redding will also join us.

Agriculture is the number one industry in Pennsylvania and generates nearly \$6.9 billion in agricultural cash receipts. Almost half a million jobs are tied to this industry in the Commonwealth. This show has been widely attended for generations. In fact, this year marks the 101st show.

Come join us Saturday in Harrisburg as we celebrate the prominence of the agriculture industry in Pennsylvania and its importance to this Nation. We hope to see you there.

SNOWDROP FOUNDATION FIGHTS CHILDHOOD CANCER

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

Mr. OLSON. Mr. Speaker, as you know, everything is bigger in Texas. But as any Texan knows, the biggest, most grand thing is the heart of a Texan. The best example of these hearts are my two dear friends, Kevin and Trish Kline. Their huge Texas hearts want to end childhood cancer, so they started the Snowdrop Foundation. They have raised over \$1 million in less than 10 years to stop cancer.

They do this for kids like Ana. When Ana was 14, she was told she had acute leukemia. She wondered: Will my soul be taken away? Who will take care of my younger brother? Am I going to die?

After nearly a decade of fear, with Snowdrop's help, Ana now says: Cancer, been there, beat that.

God bless Ana, Snowdrop, Kevin, and Trish.

CONGRATULATING PLEASANT VALLEY VIKINGS

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

Mr. LAMALFA. Mr. Speaker, I just want to point out the pride of Chico, California, and the First District. The Pleasant Valley High School Vikings became State champions of football just a few weeks ago.

It was a very exciting game. They traveled south to Long Beach for it, to beat St. Anthony. The resiliency of the Vikings was amazing. I didn't get to go to the game myself, but I was texting

back and forth with a good friend down there. After a 17-13 halftime score, it ended up 50-49.

The Vikings were back and forth, up and down. With just 1½ minutes left in the game, after a late interception by the other team, they were down by 8 points. But with about 1½ minutes to go, they drove the field, scored a touchdown, got the 2-pointer and tied. They went into overtime. After giving up a touchdown to the other team in overtime, they came back, drove the field once again, scored a touchdown, and went for two and became division champions for the State of California by a score of 50-49.

Congratulations, Pleasant Valley Vikings. Well done. You showed a lot of heart.

□ 1700

DOUBLE STANDARDS

The SPEAKER pro tempore (Mr. ARRINGTON). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it is an honor to get to come into this hallowed Hall and to have a chance to address our peers.

It was a rather enjoyable day yesterday, even with all the vitriol, but I was reminded and couldn't help but reminisce a bit and walk a bit down memory lane yesterday as we heard from Members of the House on the other side of the aisle expressing repeatedly a desire to have open debate and not shut off debate.

The reminiscing took me back to a time last year when, as far as we could find, the only time in American history one party in the United States Congress physically prevented another party from coming to the floor and going into session and trying to begin debate and trying to discuss the business of the day. We can't find that any party ever staged such a sit-in.

We know there are House rules about not eating on the House floor and about not having things to drink on the House floor other than water, and yet our friends across the aisle were eating and drinking. It is actually a violation of the House rules to sing on the House floor. Every now and then, people look the other way from the violation, but certainly not to take pictures and broadcast.

I approached the Sergeant at Arms and asked him why this wasn't stopped.

I was told: Well, they won't stop; we have told them repeatedly.

I said: Well, you won't let Republicans get away with this kind of conduct. They are preventing debate. They are preventing a session from starting timely. This has been going on for hours.

I was told: Well, Congressman, when we tell you Republicans that you are violating a rule, you stop and you follow the rules. We have told them repeatedly, and they will not stop violating the rules. They will not stop preventing you from going into session, so we don't know what else to do.

Mr. Speaker, I had issues like that when I was a felony judge, and they didn't last long because we had bailiffs who would drag people out to stop such inappropriate conduct. It just seemed that, in this potentially last bastion of civility where we can use words and debate issues, it is rather ironic, to say the least, to be preached to repeatedly about the desire for open debate and the desire to not be shut down from speaking when that is exactly what happened last year by the very people who were standing up, and some of them were reading a script pointing out how offended they were by being prevented by the rules under which we have been proceeding from going forward and debating. So it is rather ironic and rather incredible actually.

I also recall back when we were debating ObamaCare and some of us wanted to get amendments into ObamaCare. Of course, some of us remember the fact that John Dingell was chairman of the Committee on Energy and Commerce that had jurisdiction over the healthcare debate and the healthcare bill. He has been working for a healthcare bill, something like what passed, for all of his time, as I am aware of, in the House.

I was told by someone that his father may have worked for the same bill for years. So that was something that was going to be a crowning glory for an incredibly honorable man. We see differently on many issues, but I know him to be an honest and honorable man. His word has always been good. When he has given it, it was always the way it is. I have great respect for him.

Anyway, he understood that the cap-and-trade bill that was being pushed here in the House by then-Speaker PELOSI was going to unduly harm the Nation's poor more than anybody else in the country. If you are very rich, if you are on Wall Street, you are friends of the Obama administration, and you have gotten \$656 million in grants to open a non-carbon-based energy facility, you are not worried about the price of anything because your friends in the Obama administration were giving you millions and billions of dollars that you could fritter away as you wished.

But for our Nation's middle class, lower middle class, and poor that don't have the ability to absorb increasing energy costs, the cap-and-trade bill would have been devastating. That is why, when John Dingell was asked about the cap-and-trade bill, he responded something to the effect that it is not only a tax, it is a great big tax,

it will unfairly hit the poor, and he was not going to bring that bill out of committee. So Speaker PELOSI, at that time, took whatever actions were required to remove him as chair and replace him with Henry Waxman.

Chairman Waxman made clear: We don't need your votes; we don't want your input; so we don't care what you want in the healthcare bill.

JOE BARTON, the longest serving Texan in the House right now, had indicated, as a former chair of that same committee, that it is interesting if John Dingell—the consummate professional and honorable man that he is—had been allowed to remain as chairman of that committee, he would have instinctively gotten Republican input into that bill and included things in the bill that Republicans would have had a hard time voting against. If he had been allowed to remain as chairman of the Energy and Commerce Committee, John Dingell would have probably been able to get a bill through that would not even be taken up by this body to be repealed and ripped out by its roots.

Hopefully that is what we are going to be able to do with the extremely partisan bill. There were groups that were telling Republicans: Look, of course we are negotiating with the Obama administration. We have got to have a seat at the table.

I would tell them: Not when you are on the menu.

But there were groups like the Big Pharma, like the American Hospital Association, the AMA, and some of the health insurance businesses that ended up getting behind it. Of course, AARP totally sold out retired folks because they were going to make hundreds of millions—billions perhaps—more than they would have without ObamaCare being passed. They had no interest in supporting a bill like I proposed that would have ended any need for a senior citizen to ever have to pay for supplemental insurance on top of Medicare; they would have been totally covered.

But I didn't realize, at the time I asked them to support it in 2009, that the year before they had made, I think, over \$400 million or so in profit as a nonprofit organization on getting their members to buy their insurance that they had sponsored and put their mark of approval on.

So anyway, there were people that were going to make a lot of money. But I could see that in the end it would probably spell the doom of the pharmaceutical industry. Yes, it would be years down the road; yes, there would be executives at pharmaceutical companies who would see massive billions of dollars come in more than would have otherwise; and, yes, they would likely take their golden parachutes and their millions in severance in retirement and be gone before they were relegated to perhaps producing medica-

tions without getting reimbursement for research and development. This is the way this whole ObamaCare thing would have eventually played out, and still they got on board with ObamaCare because they were going to make short-term extra billions of dollars.

So having all of that in mind, as it has all appeared to me, it had just been astounding to be here yesterday and hear all the comments about the inability to have open debate.

I have talked to numerous friends across the aisle who were greatly troubled over the last 6 years. Actually, the Office of Congressional Ethics was started by Speaker PELOSI. You are allowed to file complaints without anybody knowing who filed the complaint. The OCE is then able to go after a Member of Congress and start demanding things that they could not possibly be entitled to under the Constitution if a Member of Congress were getting due process.

I haven't been run through the ringer like so many have. But when you set up a process like that, and you have the Office of Congressional Ethics set up, they have no one at all to whom they are accountable—no one—and they are encouraged, even if they filed the complaints themselves, to enable them to continue to grow from the little office they had over here in the Longworth Building. I am told they have a massive amount of space in one of the big Federal buildings now, and they continue to grow. So apparently, they were offended that their budget was cut and they were put under the Ethics Committee so that they would have some accountability. There were an awful lot of great people—good friends—across the country that did not know about how unconstitutionally they had been acting—I mean more abusive even than the IRS at times from the reports of some of my colleagues to me of what they have been through.

I stand here, Mr. Speaker, as a judge who has had to look people in the eye and sentence them to death—something that is never taken lightly. I may be the only person here in Congress who has ever looked someone in the eye and sentenced them to death and been appointed as counsel against my wishes to represent an indigent defendant on appeal from a capital murder conviction under sentence of death and was able, appropriately, to have his case reversed and to save his life as the law should have been. So I feel rather strongly that, yes, people should be accountable, but they must have due process, and that is not what is provided for by the OCE.

□ 1715

Wonderful people, including our incoming President, were not aware of just how crazy the abuses have been. One of the Members was telling me yes-

terday that he was out about half a million dollars in attorney's fees responding to ridiculous demands and still never got to know who the accuser was. You don't get to necessarily even see what the specific complaint is.

So we didn't do a good job of educating people of how grossly unfair the OCE process was, could be, but everybody in Congress, the judiciary, and executive branch needs someone to whom they are accountable, and that would include the OCE.

We have got to do something about this, but we do need to go about it in an appropriate way to make sure that, once again, justice is done. But when you hear "ethics watchdog group," then immediately you think, Gee, they are going to stop an ethics watchdog group? That is outrageous. That is what I would think if I didn't know all the background.

So it made for an interesting day yesterday, but I have been amazed, though, that some who have told me that they wanted to eliminate the OCE who stand up on the other side of the aisle and preach about ethics, apparently referring to the effort to place OCE and make them accountable under somebody for a change—in this case, under the Ethics Committee—and would demagogue the issue, in essence, when they have been mistreated by the OCE, according to what I have been told by them in the past.

So I think if we can just set the politics aside and work together for appropriate due process, we can have a bipartisan group that could work out something that would create due process and would make people accountable so that when you have somebody with \$90,000 of cold, hard cash in their freezer, there is accountability. In that case, it was a crime and it needed to be addressed. So there does need to be accountability.

I know we have friends here. I saw my friend, STEVE KING, at the back just a moment ago. We feel strongly that when a Federal judge intentionally refuses to go along with what they know the Constitution says, that ought to be an impeachable offense. They are not keeping their oath, and that is as offensive as anything is when it comes from a judge. They ought to be able to impeach a judge like that.

I don't think we have done enough removal, impeachment of judges who have violated their oath. Yes, we were removing a judge who had committed sexual assault. Well, that should have been a no-brainer, but that took literally an act of Congress to eventually get that done.

For another judge, it was not until we actually impeached him for his terribly inappropriate actions of suppressing information when he was being investigated for being a Federal judge, but from his days as a State judge. Apparently, as a State judge, he

didn't have a problem, if tuition was due for his son, to just send the secretary or somebody to one of the law offices which he often appoints and then have them fill up the envelope with a bunch of cash and use that to pay his son's tuition. That didn't seem to be a problem for that judge. Those are all things that should have been appropriately taken into account before he was ever made a Federal judge.

I see my friend here on the floor. I yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. I was listening to the gentleman's remarks on a couple of these topics here that are very important.

He led off with the situation that occurred with the sit-in that occurred here on this House floor last year, some months ago, and I found that to be very appalling for the decorum, for the honor, for the history, for all the things that are important about conducting ourselves in a society where order is needed in order to conduct business.

This House floor was not treated with that respect that is necessary to have order, to have an honest debate, and a debate that is constructive when you have a sit-in like that where basically the folks on the other side of the aisle—some of them—decided to take over the entire building outside of session, outside of the rules. As Mr. GOHMERT mentioned, many rules were violated.

I had the appalling experience of walking on the floor just a few minutes after they concluded their sit-in and, honestly, the garbage that was laying on the floor. I saw food crumbs, old newspapers, magazines, a couple of blankets. They didn't even pick up after themselves. They expected the staff of the building to pick it up and haul it off for them because their Occupy Wall Street moment was over with. This is not the sixties. This is not the hippy era. This is the United States House of Representatives.

This week, rules were proposed that say, when you violate rules in such a fashion where videotaping or Periscoping, as they call it, is occurring—sending these speeches during a nonofficial, non-session time, basically bootlegging them to the American public via C-SPAN; and I am a little annoyed with C-SPAN actually playing along with the violation of House rules of piping this out the way they did.

If you want to have a protest out on the front lawn, fine. That is within the rights of free speech, the First Amendment, and all that. You don't do it in violation of the rules of a fairly, some might say, sacred place—this House floor—the way that happened then. For them to be piping it out live that way, I found it to be completely wrong.

There are those folks that might say: Well, this is all First Amendment

rights, not in violation of the decorum of the House rules. So I am glad Mr. GOHMERT brought that up. Rules are put in place this week to address people that are going to violate the very House rules that help us keep order and do business of the American public. We lost part of, I think, three session days that we could have been grinding out the important business that the people expect of this country.

We lost that session time and, indeed, had to come in here and the Speaker or whoever was introducing legislation that day had to yell over the process here to do things in order for the House. I find that appalling. It isn't very mature. I think with some of the penalties that are put in place by the rules this week, there will be a little more accountability for that.

Mr. GOHMERT. I recall being told when that was going on and after it happened that Republicans should not respond, and that we were assured that people who violated the rules back then would be punished. Well, adopting rules now, specific penalties, don't really punish people that violated those very rules last year.

So I am surprised that there is any complaint at all since basically it means people who violated the rule with such abandon would complain about inserting a specific penalty now, meaning they got a free one. They didn't even get probation. They got nothing. They got pardoned, basically.

Perhaps it is not too late for those that feel like putting a penalty in place now is unfair. I don't think it is too late. It is not unusual to have punishment assessed in a felony case 6 months or more after an event. Perhaps if they think it is unfair, then we ought to have ethics hearings on what happened back then.

I haven't heard of the OCE, by the way, taking any action on such widespread abuse that didn't require investigation. All you needed was footage that was being streamed out from the very violators of the rules. So it should have been an easy thing to pursue, if OCE were really that interested in making sure our rules were not violated.

I yield to my friend.

Mr. LAMALFA. It wouldn't be inappropriate since OCE is a hot topic this week.

The accountability goes both directions. So we have heard our colleagues talk about unjust charges that can be brought from anywhere, out of the blue, against a Member of the House without justification, without even a due process for that Member to have a chance to address directly what that charge is, and then have their name run through the newspaper, giant headlines, and maybe a year's worth of investigation.

When you see it, Congressman being investigated, well, that is an ugly

headline. It can be used to manipulate it for political purpose when it might be a trumped-up charge, something that has no merit, and many times talking to my colleagues that have faced this, hundreds of thousands of dollars of cost to them for attorney's fees, their reputation besmirched by this, when, really, there is an investigative process that is open, with oversight.

Now we didn't have the perfect piece of legislation in the rule this week. No. We probably need a little more time for it to be aired out and a little more widely. It was withdrawn after at least getting the idea out on the table.

So I am proud of my colleagues who are going to take this up and work in a bipartisan fashion and get the input to make some needed reforms to the OCE so that we have an ethics process that is fair to the Members, but obviously enforces ethics for this House that are needed and clearly demanded by the public and us.

We are talking here tonight about a decorum, a code, a process that our House is to be conducted by. So that sit-in is one extreme. The other one is charges that are, in many cases, absolved months later without giant headlines but are not even sometimes an oops or I am sorry for trumped-up charges being brought up against somebody that would affect them negatively in their ability to serve their districts or to fend off the huge costs of legal matters that they have to go through.

So many of my colleagues here strongly care and want to have a strong ethical process in this place, but there needs to be accountability and balance to it. That is what we are all looking forward to, is accountability with OCE and our Ethics Committee who, in a bipartisan fashion, can weed through all these processes.

I think we will get to that. For those that are concerned around this country that some here want to get rid of that ethics process, that absolutely couldn't be further from the truth. We all demand that with the code of conduct of this House, on the floor and off, of our Members.

Mr. GOHMERT. I thank my friend, Mr. LAMALFA for great insights. Such truth.

I also was just advised this afternoon that the EPA, apparently in accordance with some frenzied effort to have this administration put as problematic regulations in place to stifle the economy, stifle and skyrocket further costs of energy, has apparently given notice to all gas operators that they have 60 days to comply.

One such operator in Texas was saying the date on the notice says it was received December 15, but he was out of the country. Somebody in the building accepted it. The date for the 60-day compliance kicks in January 18, 2 days before President-elect Donald Trump

would be able to strike such an arbitrary and capricious regulation down.

□ 1730

Apparently, they must have backdated the 60-day compliance before they ever got notice saying you have got until January 18 to comply. So what we have heard from so many small-business owners, they get notices like this: You have all of a sudden got to comply. You have got to give us all these records, those records.

It has cost them a fortune. It has stifled their ability to expand their business and hire more people and give more people opportunity and give more people opportunity to make more money than they had been making. Those have been so completely stifled by this administration. I understand there was a political article glorifying the great efforts of the Obama administration in helping the economy, and to justify that, took one quarter out of, I guess—four times eight—32 quarters and said, “Look what they did in this one quarter,” when actually, as I understood, if you take the whole term that we have numbers on and adjust the growth for inflation, President Obama’s administration, his policies, his crony capitalism, helping people with no-bid contracts like IBM, giving \$1.6 billion to this company to create mirrors to heat water and however much it was, hundreds of millions for Solyndra—there are just so many companies. They have squandered so much money. And yet, with all the money squandered, the economy grew, when adjusted for inflation, at about half the growth rate during the Jimmy Carter administration.

Now, I understand this administration is extremely proud of what they accomplished, but I would humbly submit, Mr. Speaker, if your policies cause the economy to grow at half the rate of the Jimmy Carter administration, you have done more damage to the American people and the American economy than you have done good, and that is for sure. And that is at a time when, scientifically, we were having such breakthroughs that we found out we could actually be totally energy independent if this administration had not been spending so much money on too expensive of sources of energy and all the other things this administration supported.

We had a hearing in Chairman ROB BISHOP’s Committee on Natural Resources in our Subcommittee on Oversight and Investigations, a hearing on some of the abuses. I know there are legitimate groups and businesses that have invested in this idea of having this fantastic carbon-free energy production out in California, and, yes, it took a massive amount of acreage. I believe it was Federal land that they were allowed to use. I believe. I am not certain.

I was intrigued, they were going to create all these mirrors that would reflect the Sun’s light in concentrated amounts towards three different towers, and the towers would then be superheated, superheat the water, turn the water to steam. The steam would turn turbines that would produce electricity. If I recall correctly, they got \$1.6 billion in government loan; and to help them make their loan payment, they got over \$600 million in grants.

When I asked over this period of time that they have been operating how much of their \$1.6 billion in government loan was paid back, I believe he said \$6 million had been paid back from, it may have been, \$656 million that they had given to them by this administration.

But we also came to find out that apparently there have been problems. One of the towers got super-superheated and was totaled, was destroyed because of the massive sunlight reflected and damaged to where it wouldn’t function. Because, apparently, they had squandered so much of their money, they had to find a cheap source, an extremely cheap source of energy because they had contracts to supply a certain amount of electricity. With the third tower not in operation, they were not able to supply over 30 percent of the energy they had contracted to provide. They very quickly, cheaply, efficiently built a natural gas electricity production plant, and, wow, apparently it is working great. Of course, anybody that studies natural gas understands, if they know what they are doing, that natural gas is an amazingly clean form of energy.

Anyway, now about a third of the energy is being produced using natural gas, when the whole purpose of the massive \$1.6 billion in the government-backed loan and the \$656 million or so that was given to them was because it was not going to be carbon based at all.

But it is not just the one problem, apparently, of the tower. This is out in an arid area where there is not much water. Well, they didn’t need much water other than what they had in the towers, really; but what they didn’t anticipate was something that I am told operators, others in the area refer to as flammers.

Flammers, as I was given to understand, those are birds, perhaps some of them endangered species, that make the mistake of flying through the superheated beam of sunlight and immediately explode or burst into flame. Apparently, if you are a bird that gets superheated and explodes, bursts into flame, then masses of fluid keep covering the mirrors, which need to be kept clean.

Normally, you would figure out in a desert or an arid area, you are not going to need to clean those mirrors very often, so you are not going to need much water. But then when it

turns out you have got all these flammers that supercoat the mirrors so they are constantly having to be re-cleaned, those poor birds that our nature-loving friends are exploding, it is running up the water bill as well because, gee, it is just not healthy to be exploding birds that fly through this superheated beam of sunlight.

So 8 years of misguided policies have made, probably, a lot of Democratic millionaires, but the American public has suffered; and when adjusted for inflation, the American people are, on average, worse off.

I was surprised to see a video where the President actually admitted, he had actually acknowledged, that in his administration, for the first time we are aware of in the history of the United States, 95 percent of the income in America went to the top 1 percent of the income earners. I have read articles since then about, actually, even that 1 percent that was making 95 percent of the Nation’s income, they still weren’t making, many of them, quite as much as they had before, because that is what happens when you hurt and throttle down an economy, as has happened. We haven’t really adjusted.

Of course, we have had the Fed that has had interest rates down to basically nothing, and it was clear they were doing everything they could to try to help the Obama administration’s economy look better than it was. Now that people have started having hope because we have President-elect Trump and the policies are going to change dramatically, we are going to hopefully be completely rid of, or as completely as possible, the crony capitalism. I know my colleagues here in the House, actually on both sides of the aisle, have made clear we want to stop crony capitalism, and I am looking forward to that stopping once we get out from under this administration.

So the economy is showing great signs. I have got people back home telling me they are starting to hire again just based on the hope and the promise. President Obama was supposed to bring hope and change, but all my constituents tell me so many of them are left with, after he has been President, a little change left from what they had when he took office.

But there is real hope, and people are gearing up to grow, and the economy should take off, and we should get energy independent. I expect President-elect Trump to keep his promises. He assured me personally he was going to. So I am expecting great things. But just on that, the economy has started going up, on the assurance that President Obama would not be around any longer than January 20, and as a result now, the Fed finally has started increasing interest rates because they don’t have to artificially try to protect President Obama’s reputation and his poor economy.

So just the fact that the EPA would send out regulations in such a capricious manner as they have, demanding that well operators start monitoring all their emissions, something to that effect, I am looking forward to getting into it and just seeing how abusive the EPA has been as these oligarchs. Not to give a chance for true input into an arbitrary and capricious rule, not to give businesses a chance to get ready and to adjust, I mean, this is the kind of thing that has stifled so much growth and has sent so many high school and college graduates to their parents' home.

I think there are a lot of people who voted for President Obama and were excited. I think it is unfortunate that so many people expressed that they voted for a President because of his skin color—and I am not talking about Donald Trump—that they made a racist vote to vote for a man who was not White so they could feel good about voting for someone who was not White, where some of us—and it is one of the things for which I love Alveda King, Martin Luther King's niece. I mean, she believes in his dream, and the Americans that voted for Donald Trump, they believe that skin color should not matter. It is racist to vote for a candidate because of what his race is.

Let's look at the character. Let's look at the qualifications. What have you built that you actually built that someone else didn't build for you? Let's look at those things and then make a determination rather than voting for someone just because of his race. Let's do as Martin Luther King, Jr., was so profound in saying in looking forward to the day when people were judged by the content of their character rather than the color of their skin. I am looking forward to that day. That day has been set back tremendously.

It was a highlight for me back at the end of the fall to go back to my hometown of Mount Pleasant, Texas. I had mentioned to a reporter sometime back, though I didn't vote for President Obama, I had hopes that he would do for America what Coach Willie Williams did for our football team. Actually, I didn't say "football team." I said "our team."

□ 1745

Liberals immediately put up an article saying that I said my basketball coach, my favorite coach, was African American. Apparently, liberals think, if you are African American, you must be a coach of basketball because of your race. When actually, it was the year before I went to the varsity, I was on the junior varsity, and I enjoyed playing for Coach Williams more than any coach I had ever played for.

And unfortunately, Coach Williams' memory is still intact. I haven't seen him in decades. But I was asked to

come give a motivational talk for the team I played for—the Mount Pleasant Tigers. It was such a treat being with those players that morning. It had a rough year to that point. I got to be with them on the field during the game. It was such a treat. Those young people were just inspirational. They fought hard, and some say it was the best game of the year. They won singlehandedly against a team from a bigger town than Mount Pleasant. They even gave me the game ball.

And as much as that meant to me, the real highlight was, as we went into halftime, somebody told me that my old coach, back from over 40 years ago, was up in the press box, and I got to go up. I was so thrilled to see him. We hugged and smiled big as ever. I was so elated in seeing him and talking to him. Somebody said when I got back here—when I said: I finally got to see Coach Williams after all these years. It was wonderful.

Well, did you get a picture?

I didn't even think about a picture. That is not a very good politician. But I didn't think about a picture. But it is a shame.

His memory is so good because he remembered. We didn't have a lot of talent on that team. We didn't. He made us so cohesive. We played well together. We didn't have any outstanding talent, but we had a winning season. And it was a fun season because Coach Williams made it that way. He inspired us together. Everybody got treated just the same. Nobody got special treatment. Nobody got treated more harshly than anybody else. And we came together as a team.

He remembered. He said: Yeah, you guys didn't have much talent on your team, but you played so well together. Well, that was because of him. He brought us together.

And I so hoped that President Obama would do that for America. I didn't vote for him, but I thought it will be awesome if he can bring us even closer together. And now at the end of his administration, it is so grievous that America seems more divided than ever.

I see an article here about more police officers again being shot in our U.S. cities. I heard the former police chief, I believe, in Chicago this week saying that Black Lives Matter was supposedly organized to try to stop killings of Black, especially young, men. And yet, what Black Lives Matter has done is actually increase the number of people being shot.

I was absolutely astounded to hear a quote from the President. A speech, apparently, he was making. I heard it on the radio. Maybe he was giving an interview. But he was saying that we know that cities that have more gun control laws just have less violence. That is called gaslighting. That is called creating a fiction and trying to push it across and make somebody who

knows the truth think that they are crazy and that this alternate truth is really what is going on.

The fact is that cities with the most gun control laws, like Chicago, for heaven's sakes—I mean, the hundreds of precious Black lives that have been taken, been killed, the massive gun control laws have not helped Chicago. They have got a massive number of gun control laws there than we do in any city in east Texas, and yet nowhere in east Texas has that kind of violence at that percentage rate. It is insane.

It is time to quit trying to gaslight the American people, convince them they are going crazy, and that what they know to be true is fiction. It is time to just have a truthful assessment of where we are. We need to follow the law. We need to have enforcement of our borders.

We will continue to be the most generous Nation in the world, not just in giving funds to help others, not just in giving lives of our citizens to help freedom for other countries like nowhere else in history, but also most generous in the number of visas and the number of people that we allow to come into the United States and visit. Yet, that generosity has been abused. As the border patrol has said, every time we hear somebody in the government in Washington say anything about legalizing anything, or anybody that is here illegally, it is like a shiny object that draws even greater numbers illegally through our borders.

And what is our border patrol ordered to do? Don't turn them back and prevent them from entering the United States. Oh, no. Let them step foot on American soil, then in-process them, and we will ship them around different places. Although, I saw an article last week where there were some aliens illegally here who were just dropped off at a bus stop.

I have an article from Julia Edwards Ainsley, January 3, from Reuters: "Trump Team Seeks Agency Records on Border Barriers Surveillance." It is fantastic. I mean, here they are trying to gear up, yet they want to know information. They don't want to be gaslighted. They want to know what is the truth so that they can start making hard preparations for taking office on January 20.

An article, December 30, from Paul Bedard from the Washington Examiner says that the Department of Homeland Security says 94 percent of deportations are people illegally here, terror threats, or gang bangers. The CBP—border patrol—reports assaults on border agents have skyrocketed 231 percent in 2017.

So not only has this President's rules of engagement gotten about four times more Americans killed, our military members killed in Afghanistan, in the same amount of time as Commander in Chief George W. Bush had, in addition

to the rules of engagement getting our people killed four times faster than under Commander in Chief Bush, but also the assaults on our own agents have gone up 231 percent just in this year—in 1 year. We are getting our border patrol harmed.

Another article by Chris Tomlinson in Breitbart: “600 ‘Underage’ Migrants Turn Out to Be Adults.” I mean, I have seen that in the middle of the night down on the border. People coming in, switching off Xeroxed indications they were going to use for their identification: This is who I am. For whatever reason, they would look at their thing and switch out as to who was going to be who. They weren’t able to vet those people, but they were still ordered to in-process them anyway.

This article from Michael Patrick Leahy, December 7, reported that Somalia refugees were arriving in the United States at the highest rate ever in the first two months of fiscal year 2017, which would be October and November. So just astounding when America was making very clear we need to protect American citizens. It is not just the people in this room, as we did yesterday, who take that oath, but the President takes that oath. You have got cabinet members that take the oath, yet they are not doing their jobs. People are getting killed. 85,000 refugees under Obama, but less than 10 to the District of Columbia. So, apparently, let’s put those refugees in your backyard. We certainly don’t want them in Washington, D.C.’s backyard, apparently, according to this administration.

Then it is pretty amazing, but just 10 States resettled more than half of recent refugees to the United States. Naturally, way more than anywhere else was California and Texas. The Daily Caller reported that the “State Department claims no one used sham visas from fake embassy.” Yet, we have seen hundreds and hundreds of people that—the report showed—had been given citizenship by mistake when they were supposed to have been deported. It doesn’t seem like a very innocent mistake when it is that egregious.

Back in December, The Washington Times reported that the “Obama administration fails to check immigrants against FBI databases, approves citizenship” anyway.

The Afghan refugee program has not been totally successful. A report here, Afghan refugee in December was arrested for rape and murder of a top EU official’s daughter. So, apparently, that was not working out so well. But that was in the country of Germany where you have a like-minded leader in Angela Merkel, who wants to defeat terrorism, as our President does, with love and compassion. Well, love is a stronger emotion than hate. Love can overcome evil.

But when people are religiously dedicated to wiping another group of people

off the planet for what they deem to be their holy god, those are people that have to be defeated. They are at war with you. You defeat them militarily. That puts radical Islam back in a box until some other well-meaning fool like former President Carter—a fine man, just a foolish President—not demeaning his character, but he was just very foolish—in citing the Ayatollah Khomeini as a man of peace, as he was so welcoming in the Ayatollah Khomeini taking over Iran. That released radical Islam out of the box, gave them control of a major country, major country military, and thousands and thousands and thousands of people continue to die because of that mistake.

We know going back to the early days of the United States when so much of the Federal Treasury was used to pay ransom to get our sailors back who were being captured by radical Islamists in North Africa, and Jefferson couldn’t understand why they kept attacking American boats.

□ 1800

He asked the Islamist whom he was negotiating with why they kept attacking American ships. We are not a threat to you. We don’t even have a Navy.

Reportedly, the response was, in essence: Look, if we die, in attacking someone like you, we go straight to paradise.

Jefferson was amazed. He couldn’t believe there was a world religion—or even people’s interpretation of a world religion—that advocated that you could go to paradise for killing innocent people. Of course, they maintained they are not innocent because they don’t believe exactly like the radical Islamists believe.

President Obama basically did the same thing with Libya. Qadhafi was not a good man; but, since 2003, the reports were clear, as others in North Africa and the Middle East reported, that he was about the best friend that the United States had in helping to fight terrorism in that area; yet this administration took him out. There were times on this floor that I and others were begging the administration not to take out Qadhafi, not to keep helping the rebels, not to keep bombing Qadhafi’s troops until we knew how extensive al Qaeda was. We knew that at least a part of the people fighting were radical Islamists, but the administration went on and turned the country into chaos.

Thank God America is going to have a new administration before we completely go to chaos ourselves.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today on account of personal reasons.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o’clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 5, 2017, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

3. A letter from the PRAO Branch Chief, Food and Nutrition Service, Department of Agriculture, transmitting the Department’s final rule — Supplemental Nutrition Assistance Program Promotion [FNS-2016-0028] (RIN: 0584-AE44) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration’s Small Entity Compliance Guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-93; Small Entity Compliance Guide [Docket No.: FAR 2016-0051, Sequence No.: 8] received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration’s final rule — Federal Acquisition Regulation; Privacy Training [FAC 2005-94; FAR Case 2010-013; Item I; Docket No.: 2010-0013; Sequence No.: 1] (RIN: 9000-AM06) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration’s final rule — Federal Acquisition Regulations; Payment of Subcontractors [FAC 2005-94; FAR Case 2014-004; Item II; Docket No.: 2014-0004; Sequence No.: 1] (RIN: 9000-AM98) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration’s summary presentation of final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-94; Introduction [Docket No.: FAR 2016-0051, Sequence No.: 8] received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

8. A letter from the President and CEO, National Safety Council, transmitting the Council’s Audit Report, in accordance with their Federal Charter, 36 U.S.C. 152502; Public Law 105-225; (112 Stat. 1415); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 22. Resolution providing for consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, and providing for consideration of the resolution (H. Res. 11) objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes (Rept. 115-1). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CONAWAY (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. SESSIONS, and Mr. DAVID SCOTT of Georgia):

H.R. 238. A bill to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RATCLIFFE (for himself and Mr. MCCAUL):

H.R. 239. A bill to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes; to the Committee on Homeland Security.

By Mr. RATCLIFFE (for himself, Mr. MCCAUL, and Mr. THOMPSON of Mississippi):

H.R. 240. A bill to encourage engagement between the Department of Homeland Security and technology innovators, and for other purposes; to the Committee on Homeland Security.

By Mr. POE of Texas (for himself, Mr. BURGESS, Mr. JODY B. HICE of Georgia, Mr. GOSAR, Mr. WEBER of Texas, Mr. BROOKS of Alabama, Mr. FRANKS of Arizona, Mr. FARENTHOLD, and Mrs. BLACK):

H.R. 241. A bill to provide for sanctions on countries that have refused or unreasonably delayed repatriation of an alien who is a national of that country, or that have an excessive repatriation failure rate, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Ms. SCHKOWSKY, Ms. DELAURO, Mr. CUMMINGS, Mr. ELLISON, Mr. POCAN, Mr. CICILLINE, Ms. KAPTUR, Mr. LIPINSKI, Ms. MCCOLLUM, Ms. CASTOR of Florida, Mr. GRIJALVA, Mr. LYNCH, Mr. COHEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. CARTWRIGHT):

H.R. 242. A bill to amend part D of title XVIII of the Social Security Act to require

the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI:

H.R. 243. A bill to amend title 54, United States Code, to prohibit the further extension or establishment of national monuments in the State of Nevada except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. COOK (for himself and Ms. GABBARD):

H.R. 244. A bill to encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COOK (for himself and Mr. TAKANO):

H.R. 245. A bill to amend title 38, United States Code, to provide for the calculation of the amount of the monthly housing stipend payable under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs based on the location of the campus where classes are attended; to the Committee on Veterans' Affairs.

By Mrs. NOEM (for herself, Ms. SINEMA, Mr. BILIRAKIS, Mrs. BLACK, Mrs. BLACKBURN, Mr. BROOKS of Alabama, Mr. BUCHANAN, Mr. CARTER of Texas, Mr. COLLINS of New York, Mr. GUTHRIE, Mr. HENSARLING, Mr. JODY B. HICE of Georgia, Mr. JOHNSON of Ohio, Mr. JOYCE of Ohio, Mr. KELLY of Pennsylvania, Mr. KNIGHT, Mr. LAMBORN, Mr. LANCE, Mr. MACARTHUR, Mr. MASSIE, Mr. MEHAN, Mr. MESSER, Mr. MULLIN, Mr. PALAZZO, Mr. PETERSON, Mr. RATCLIFFE, Mr. ROHRBACHER, Ms. ROS-LEHTINEN, Mr. ROSKAM, Mr. SMITH of Missouri, Mrs. WALORSKI, Mr. BARR, Mr. KATKO, Mr. TURNER, Ms. JENKINS of Kansas, Ms. BROWNLEY of California, Mr. HOLDING, Mr. HILL, Mr. HUDSON, Mr. CHABOT, Mr. SAM JOHNSON of Texas, Mr. REED, Mr. WOODALL, Mr. SMITH of Nebraska, Mr. GRIFFITH, Mr. YOHO, Mr. HURD, Mr. ZELDIN, Mr. SHUSTER, Mr. LONG, Mr. ALLEN, Mr. MCCAUL, Mr. JONES, Mr. FRANKS of Arizona, Mr. TIPTON, Mr. BURGESS, Mr. WALBERG, Mr. OLSON, Mr. ABRAHAM, Mr. TIBERI, Mr. MOOLENAAR, Mr. BRAT, Mr. WEBSTER of Florida, Mr. BARLETTA, Mr. NUNES, Mr. POE of Texas, Mr. CARTER of Georgia, Mr. COSTELLO of Pennsylvania, Mr. BISHOP of Michigan, Mr. RENACCI, Mr. CRAMER, Mr. EMMER, Mr. SCHWEIKERT, Mr. MARCHANT, Mr. YOUNG of Alaska, Mr. YOUNG of Iowa, Mr. WESTERMAN, Mr. GIBBS, Mr. PITTINGER, Mr. SMITH of New Jersey, Mr. LAHOOD, Mr. COLLINS of Georgia, and Mr. YODER):

H.R. 246. A bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT (for himself, Mr. GOHMERT, Mr. MEADOWS, Mr. ROYCE of California, Mr. ROKITA, Mr. SCHWEIKERT, Mr. GUTHRIE, and Mr. GOSAR):

H.R. 247. A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. AMASH:

H.R. 248. A bill to limit the authority of personnel of the Department of Homeland Security to prohibit a citizen or permanent resident of the United States from boarding as a passenger on an aircraft or cruise ship based on inclusion of the individual in a watchlist, and for other purposes; to the Committee on Homeland Security.

By Mr. BABIN:

H.R. 249. A bill to prohibit United States voluntary contributions to the regular budget of the United Nations or any United Nations agency, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BIGGS (for himself, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. GOSAR, and Ms. MCSALLY):

H.R. 250. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

By Ms. BROWNLEY of California:

H.R. 251. A bill to direct the Administrator of the Small Business Administration to establish a competitive grant program to award grants to States and local governments for purposes of assisting entrepreneurs planning to start a small business concern; to the Committee on Small Business.

By Mr. AL GREEN of Texas:

H.R. 252. A bill to provide housing assistance for very low-income veterans; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN (for himself and Mr. LEVIN):

H.R. 253. A bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. SCOTT of Virginia, Ms. LEE, Ms. DELAURO, and Mr. RICHMOND):

H.R. 254. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Education and the Workforce.

By Ms. ESTY (for herself, Mrs. COMSTOCK, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SMITH of Texas):

H.R. 255. A bill to authorize the National Science Foundation to support entrepreneurial programs for women; to the Committee on Science, Space, and Technology.

By Mr. FARENTHOLD:

H.R. 256. A bill to amend chapter 44 of title 18, United States Code, to provide that a

member of the armed forces and the spouse of that member shall have the same rights regarding the receipt of firearms at the location of any duty station of the member; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. DESANTIS, and Mr. ZELDIN):

H.R. 257. A bill to recognize Jerusalem as the capital of Israel and to transfer to Jerusalem the United States Embassy located in Tel Aviv; to the Committee on Foreign Affairs.

By Ms. GABBARD (for herself, Mr. WELCH, Mr. JONES, Mr. MASSIE, Ms. LEE, and Mr. YOHO):

H.R. 258. A bill to prohibit the use of United States Government funds to provide assistance to Al Qaeda, Jabhat Fateh al-Sham, and the Islamic State of Iraq and the Levant (ISIL) and to countries supporting those organizations, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 259. A bill to prevent the territories of the United States from losing current Medicaid funding; to the Committee on Energy and Commerce.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 260. A bill to enable the admission of the territory of Puerto Rico into the Union as a State, and for other purposes; to the Committee on Natural Resources.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 261. A bill to amend part B of title XVIII of the Social Security Act to apply deemed enrollment to residents of Puerto Rico; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 262. A bill to establish the Buffalo Bayou National Heritage Area in the State of Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN (for himself and Mr. FRANKS of Arizona):

H.R. 263. A bill to render United Nations Security Council Resolution 2334 null and void as a matter of United States law, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LAMBORN (for himself and Mr. FRANKS of Arizona):

H.R. 264. A bill to prohibit the use of funds for assessed or voluntary contributions to the United Nations until the submission of certain reports on such funding, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LANCE:

H.R. 265. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LEWIS of Georgia:

H.R. 266. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide that COPS grant funds may be used to hire and train new, additional career law enforcement officers who are residents of the

communities they serve, and for other purposes; to the Committee on the Judiciary.

By Mr. LEWIS of Georgia:

H.R. 267. A bill to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes; to the Committee on Natural Resources.

By Mr. LEWIS of Georgia:

H.R. 268. A bill to amend the National Highway System Designation Act of 1995 to permit the construction of certain noise barriers with funds from the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LEWIS of Georgia:

H.R. 269. A bill to eliminate the requirement that, to be eligible for foster care maintenance payments, a child would have been eligible for aid under the former program of Aid to Families with Dependent Children at the time of removal from the home; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 270. A bill to amend the Internal Revenue Code of 1986 to provide support to environmental justice communities and environmental justice projects; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 271. A bill to reauthorize the Assets for Independence Act, to provide for the approval of applications to operate new demonstration programs and to renew existing programs, to enhance program flexibility, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 272. A bill to amend title XX of the Social Security Act to provide grants to support job creation initiatives, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 273. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments; to the Committee on Ways and Means.

By Mr. MOULTON (for himself, Mr. HURD, Mr. MEADOWS, Mrs. BUSTOS, and Mr. SWALWELL of California):

H.R. 274. A bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PERRY (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 275. A bill to prevent diversion of funds from the Crime Victims Fund; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. RADEWAGEN:

H.R. 276. A bill to amend title 49, United States Code, to ensure reliable air service in American Samoa; to the Committee on Transportation and Infrastructure.

By Mr. ROE of Tennessee (for himself, Mr. WALKER, Mr. ROKITA, Mr. GOSAR, Mr. FLORES, Mr. BARR, Mr. CARTER of Georgia, Mr. AUSTIN SCOTT of Georgia, Mr. DUNCAN of Tennessee, Mr. HILL, Mr. CHABOT, Mrs. BLACKBURN, Mr. ROUZER, Mr. CULBERSON, Mrs. HARTZLER, Mr. BABIN, Mr. BUCSHON, and Mr. SCALISE):

H.R. 277. A bill to repeal the Patient Protection and Affordable Care Act and related reconciliation provisions, to promote patient-centered health care, to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Budget, Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, Appropriations, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS:

H.R. 278. A bill to amend the Illegal Immigration and Immigrant Responsibility Act of 1996 to direct the Secretary of Homeland Security to complete the required 700-mile southwest border fencing by December 31, 2016, and for other purposes; to the Committee on Homeland Security.

By Ms. STEFANIK:

H.R. 279. A bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families, and for other purposes; to the Committee on Armed Services.

By Ms. STEFANIK:

H.R. 280. A bill to amend the Workforce Innovation and Opportunity Act to ensure dislocated workers are provided consultation and advice for starting a small business as part of the rapid response activities for dislocated workers; to the Committee on Education and the Workforce.

By Ms. STEFANIK:

H.R. 281. A bill to amend the Immigration and Nationality Act to simplify the petitioning procedure for H-2A workers, to expand the scope of the H-2A program, and for other purposes; to the Committee on the Judiciary.

By Ms. STEFANIK:

H.R. 282. A bill to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers; to the Committee on Veterans' Affairs.

By Ms. STEFANIK:

H.R. 283. A bill to amend the Internal Revenue Code of 1986 to allow without penalty any 529 plan distributions used for student loan payments; to the Committee on Ways and Means.

By Ms. STEFANIK:

H.R. 284. A bill to amend title XVIII of the Social Security Act to establish rules for payment for graduate medical education (GME) costs for hospitals that establish a new medical residency training program after hosting resident rotators for short durations; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself, Mr. FARENTHOLD, Mr. DUNCAN of South Carolina, Mr. DESJARLAIS, Mr. MCCLINTOCK, Mr. MULLIN, Mr. ROE of Tennessee, and Mr. ROGERS of Alabama):

H.R. 285. A bill to amend the Internal Revenue Code of 1986 to repeal the individual and

employer health insurance mandates; to the Committee on Ways and Means.

By Mr. TURNER (for himself and Mr. JOYCE of Ohio):

H.R. 286. A bill to amend the Internal Revenue Code of 1986 to exempt certain emergency medical devices from the excise tax on medical devices, and for other purposes; to the Committee on Ways and Means.

By Mr. TURNER:

H.R. 287. A bill to amend the Internal Revenue Code of 1986 to exempt student workers for purposes of determining a higher education institution's employer health care shared responsibility; to the Committee on Ways and Means.

By Mr. WALDEN (for himself and Mr. LOEBSACK):

H.R. 288. A bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements; to the Committee on Energy and Commerce.

By Mr. LAMALFA:

H.R. 289. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself and Mr. KINZINGER):

H.R. 290. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOHO (for himself, Mr. COHEN, Ms. SINEMA, Mr. PITTENGER, Mr. MASSIE, Mr. GOHMERT, Mr. FLORES, Mr. ROUZER, Mr. POLIQUIN, Mrs. BLACKBURN, and Mr. OLSON):

H.R. 291. A bill to amend title 5, United States Code, to extend the basis for the denial of retirement credit, for service as a Member of Congress, to include conviction of any felony under Federal or State law, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself and Mr. RUIZ):

H.R. 292. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt Alaska Native and American Indian programs from sequestration; to the Committee on the Budget.

By Mr. YOUNG of Alaska:

H.R. 293. A bill to extend the authorization of appropriations to the Department of Veterans Affairs for purposes of awarding grants to veterans service organizations for the transportation of highly rural veterans; to the Committee on Veterans' Affairs.

By Mr. BYRNE:

H.J. Res. 14. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. AMASH:

H.J. Res. 15. A joint resolution proposing a balanced budget amendment to the Constitu-

tion of the United States; to the Committee on the Judiciary.

By Mr. LAMBORN:

H.J. Res. 16. A joint resolution disapproving a rule submitted by the Department of the Interior known as the "Stream Protection Rule"; to the Committee on Natural Resources.

By Mr. PALAZZO (for himself and Mr. SANFORD):

H.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. PERRY:

H.J. Res. 18. A joint resolution proposing a balanced budget amendment to the Constitution requiring that each agency and department's funding is justified; to the Committee on the Judiciary.

By Mr. HASTINGS:

H. Con. Res. 4. Concurrent resolution expressing support for temporary protected status for Haitian nationals currently residing in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Mr. RYAN of Ohio, Ms. VELÁZQUEZ, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mr. DEFAZIO, Ms. CLARK of Massachusetts, Mr. LANGEVIN, Ms. SPEIER, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. DESAULNIER, Mr. DEUTCH, Mr. CONNOLLY, Mr. KEATING, Mr. GRIJALVA, Mr. KIND, Mr. TED LIEU of California, Mr. THOMPSON of Mississippi, Mr. GENE GREEN of Texas, Ms. BONAMICI, Ms. KAPTUR, Mr. SCHIFF, Mr. NADLER, Mr. COHEN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. KUSTER of New Hampshire, Mr. CARSON of Indiana, Mr. HUFFMAN, Mr. LOEBSACK, Mrs. WATSON COLEMAN, Mr. LYNCH, Mr. MCGOVERN, Mr. COOPER, Ms. PINGREE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HASTINGS, Ms. LOFGREN, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. CUMMINGS):

H. Con. Res. 5. Concurrent resolution clarifying any potential misunderstanding as to whether actions taken by President-elect Donald Trump constitute a violation of the Emoluments Clause, and calling on President-elect Trump to divest his interest in, and sever his relationship to, the Trump Organization; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CONAWAY:

H.R. 238.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article 1, Section 8, Clause 3, Congress has the authority to regulate foreign and interstate commerce.

By Mr. RATCLIFFE:

H.R. 239.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. RATCLIFFE:

H.R. 240.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 241.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. WELCH:

H.R. 242.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..

By Mr. AMODEI:

H.R. 243.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. COOK:

H.R. 244.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. COOK:

H.R. 245.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mrs. NOEM:

H.R. 246.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BRAT:

H.R. 247.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment to the Constitution grants Congress "power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration." Left undefined in the amendment, the "incomes" appropriate for taxation must be determined

through legislation passed by Congress. Congress therefore has the power to exclude from income taxation such sources as it deems appropriate.

By Mr. AMASH:

H.R. 248.

Congress has the power to enact this legislation pursuant to the following:

The Due Process Clause (“[N]or shall any person . . . be deprived of life, liberty, or property, without due process of law . . .”)

Article I, Section 8, Clause 18 (“The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution . . . all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.”)

By Mr. BABIN:

H.R. 249.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. BIGGS:

H.R. 250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. BROWNLEY of California:

H.R. 251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. AL GREEN of Texas:

H.R. 252.

Congress has the power to enact this legislation pursuant to the following:

General Welfare Clause (Art. 1, Sec. 8, Cl. 1)

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

By Mr. BUCHANAN:

H.R. 253.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to “provide for the common Defence and general Welfare of the United States.”

By Mr. DANNY K. DAVIS of Illinois:

H.R. 254.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Ms. ESTY:

H.R. 255.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

By Mr. FARENTHOLD:

H.R. 256.

Congress has the power to enact this legislation pursuant to the following:

The 2nd Amendment of the United States Constitution

By Mr. FRANKS of Arizona:

H.R. 257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uni-

form throughout the United States;), and Article I, Section 8, Clause 18 (To make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof).

By Ms. GABBARD:

H.R. 258.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 18

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 259.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 260.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 261.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Mr. GENE GREEN of Texas:

H.R. 262.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LAMBORN:

H.R. 263.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8 “To regulate Commerce with foreign Nations”

By Mr. LAMBORN:

H.R. 264.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8 “To regulate Commerce with foreign Nations”

By Mr. LANCE:

H.R. 265.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1: Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. LEWIS of Georgia:

H.R. 266.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 267.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 268.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 269.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 270.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 271.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 272.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 273.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MOULTON:

H.R. 274.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. PERRY:

H.R. 275.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution.

By Mrs. RADEWAGEN:

H.R. 276.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. ROE of Tennessee:

H.R. 277.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, with respect to the power to “lay and collect Taxes, Duties, Imposts, and Excises,” and to provide for the “general Welfare of the United States.” Article 1, Section 8, Clause 3 of the U.S. Constitution gives Congress the power

to “regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. ROSS:

H.R. 278.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clause 1

By Ms. STEFANIK:

H.R. 279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. STEFANIK:

H.R. 280.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. STEFANIK:

H.R. 281.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 and 4, of Section 8, of Article 1 of the United States Constitution.

By Ms. STEFANIK:

H.R. 282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Ms. STEFANIK:

H.R. 283.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. STEFANIK:

H.R. 284.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution grants Congress the authority to regulate interstate commerce.

By Mr. TURNER:

H.R. 285.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section, 8, Clause 1 of the United States Constitution, as the Supreme Court of the United States has held that the imposition of the burdensome mandate on hard-working American taxpayers is an action Congress may take under its power to tax, and that this bill seeks to repeal sections of title 26 U.S.C., the Internal Revenue Code.

Article I, Section 8, Clause 18 of the United States Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TURNER:

H.R. 286.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18 of the United States Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TURNER:

H.R. 287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution—The Congress shall

have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3 of the United States Constitution—The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

Article I, Section 8, Clause 18 of the United States Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WALDEN:

H.R. 288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LAMALFA:

H.R. 289.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. WALDEN:

H.R. 290.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. YOHO:

H.R. 291.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the Constitution, which states that “The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.”

By Mr. YOUNG of Alaska:

H.R. 292.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 293.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BYRNE:

H.J. Res. 14.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution is based is found in Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

By Mr. AMASH:

H.J. Res. 15.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution empowers “[t]he Congress, whenever two thirds of both Houses shall deem it necessary” to “propose Amendments to this Constitution . . . which . . . shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof.”

By Mr. LAMBORN:

H.J. Res. 16.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. PALAZZO:

H.J. Res. 17.

Congress has the power to enact this legislation pursuant to the following:

Article V: The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

By Mr. PERRY:

H.J. Res. 18.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution, which grants Congress the authority to propose Constitutional amendments

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills—and resolutions, as follows:

H.R. 21: Mr. GAETZ.

H.R. 26: Mr. WESTERMAN, Mr. CARTER of Georgia, Mr. MASSIE, Mr. FLEISCHMANN, Mr. MCKINLEY, Mrs. BLACKBURN, Mrs. WAGNER, Mr. TIPTON, Mr. ROTHFUS, Mr. ROE of Tennessee, Mr. JOYCE of Ohio, Mr. DUFFY, Mr. SHIMKUS, Mr. ROYCE of California, Mr. GUTHRIE, Mr. HILL, Mr. PALMER, Mr. MULLIN, Mr. COOK, Mr. HENSARLING, Mr. GRAVES of Louisiana, Mrs. BLACK, Mr. GAETZ, Mr. BACON, Mr. SCALISE, Mr. BANKS of Indiana, Mr. CHABOT, Mr. THORNBERRY, Mrs. WALORSKI, Mr. CRAMER, Mr. GRAVES of Missouri, Mr. PITTEMBER, Mr. GOHMERT, Mr. BARLETTA, Mr. CULBERSON, Mr. HUIZENGA, Mr. YOUNG of Iowa, Mr. BOST, Mr. HUNTER, Mr. EMMER, Mr. POSEY, Mr. JENKINS of West Virginia, Mr. BURGESS, Mr. STEWART, Mrs. MCMORRIS RODGERS, Mr. JODY B. HICE of Georgia, Mr. COSTELLO of Pennsylvania, Mr. WALBERG, Mr. AMODEI, Mr. DUNCAN of South Carolina, Mr. WENSTRUP, Mr. SANFORD, Mr. YOHO, Mr. HUDSON, Mr. STIVERS, Mr. LAMBORN, Mr. BIGGS, Mr. GOSAR, Mr. RODNEY DAVIS of Illinois, Mr. GROTHMAN, Mr. REED, Mr. MOOLENAAR, Mr. LABRADOR, Mr. MCCAUL, Ms. BEUTLER, Mrs. LOVE, Mr. TROTT, Mr. ISSA, Mr. GRIFFITH, Mr. CHAFFETZ, Mr. BABIN, Mr. BYRNE, Mr. RATCLIFFE, Mr. BRAT, Mr. LAMALFA, Mr. PAULSEN, Mrs. BROOKS of Indiana, Mr. JOHNSON of Ohio, Mrs. MIMI WALTERS of California, Mr. CRAWFORD, Mr. SMITH of Texas, Mr. COLLINS of New York, Mr. FRELINGHUYSEN, Mr. KATKO, Mr. BUCK, Mr. KELLY of Mississippi, Mr. ADERHOLT, Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, Ms. JENKINS of Kansas, Mr. GRAVES of Georgia, Mr. BISHOP of Michigan, Mr. BUCSHON, Ms. MCSALLY, Mrs. HARTZLER, Mr. RUTHERFORD, Mr. FORTENBERRY, Mr. KELLY of Pennsylvania, Mr. MURPHY of Pennsylvania, Mr. GIBBS, Mr.

DESANTIS, Mrs. NOEM, Mr. BERGMAN, Mr. WITTMAN, Mr. YOUNG of Alaska, Mr. SMITH of Nebraska, Mr. BROOKS of Alabama, Mr. RENACCI, Mr. LOUDERMILK, Mr. ZELDIN, Mrs. COMSTOCK, Mr. BARR, Mr. BILIRAKIS, Mr. DESJARLAIS, Mr. THOMAS J. ROONEY of Florida, Mr. MEADOWS, Mr. THOMPSON of Pennsylvania, Mr. POE of Texas, Mr. ROKITA, Mr. OLSON, Mr. SHUSTER, Mr. MITCHELL, Mr. TURNER, Mr. WOODALL, Mr. HARRIS, Mr. FLORES, Mr. WILLIAMS, Mr. MESSER, Mr. LANCE, Mr. PALAZZO, Mr. CALVERT, Mr. WALKER, Mr. HOLLINGSWORTH, Mr. LUCAS, Mr. HOLDING, Mr. BRADY of Texas, Mr. ROUZER, Mr. ABRAHAM, Mr. BISHOP of Utah, Mr. TIBERI, Mr. PEARCE, Mr. LONG, Mr. SIMPSON, Mr. HULTGREN, Mr. NEWHOUSE, Mr. ROGERS of Kentucky, Mr. MARCHANT, Mr. SMITH of Missouri, Mr. WALDEN, Mr. MCCLINTOCK, Mr. BARTON, Mr. JORDAN, Mr. LAHOOD, Mr. ROSKAM, Mr. YODER, and Mr. KNIGHT.

H.R. 29: Mr. HUDSON, Mr. TROTT, Mr. BILIRAKIS, Mr. RATCLIFFE, Mr. JOYCE of Ohio, and Mr. WOODALL.

H.R. 33: Mrs. LOVE.

H.R. 38: Mr. BILIRAKIS, Mr. DUNN, Mr. BISHOP of Utah, Mr. BARR, Mr. LATTA, and Mr. ROUZER.

H.R. 40: Mr. BRADY of Pennsylvania, Mr. RUSH, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 41: Mr. LOUDERMILK, Mr. SENSENBRENNER, and Mr. HARPER.

H.R. 71: Mr. TIBERI.

H.R. 77: Mr. SESSIONS.

H.R. 78: Mr. SESSIONS.

H.R. 79: Mr. SESSIONS.

H.R. 140: Mr. FRANKS of Arizona.

H.R. 169: Ms. BONAMICI and Ms. LOFGREN.

H.R. 174: Mr. FRANKS of Arizona.

H.R. 175: Mr. WITTMAN, Mrs. BLACKBURN, Mr. HARRIS, Mr. LOUDERMILK, Mr. WILSON of South Carolina, Mr. WEBER of Texas, Mr. BUDD, Mr. DAVIDSON, Mrs. HARTZLER, Mr. RATCLIFFE, and Mr. BRAT.

H.R. 184: Mr. TED LIEU of California, Mr. ZELDIN, Ms. TITUS, and Mr. SMITH of Nebraska.

H.J. Res. 6: Mr. BIGGS and Mr. DESJARLAIS.
H.J. Res. 11: Mr. MOONEY of West Virginia, Mr. KELLY of Pennsylvania, Mr. JOYCE of Ohio, Mrs. WAGNER, Mr. BUCSHON, Mr. FLEISCHMANN, Mr. THOMPSON of Pennsylvania, and Mr. MCCLINTOCK.

H. Res. 11: Mr. GRIFFITH, Mr. HOLDING, Mr. ROE of Tennessee, Mr. HULTGREN, Mr. SAM JOHNSON of Texas, Mr. FASO, Mr. STIVERS, Ms. MCSALLY, Mr. GROTHMAN, Mr. JOHNSON of Ohio, Mr. DONOVAN, Mr. THOMPSON of Pennsylvania, Mr. TROTT, Mr. DAVID SCOTT of Georgia, Mr. GONZALEZ of Texas, Mr. COSTA, Mr. GAETZ, Ms. JENKINS of Kansas, Mr. RENACCI, Mr. RUPPERSBERGER, Mr. VELA, Mr. DELANEY, Mr. KING of New York, Mr. ALLEN, Mr. YOUNG of Iowa, Mr. JOHNSON of Louisiana, Mr. GOTTHEIMER, Mr. COOK, Mr. CHAFFETZ, Mr. TIBERI, Mr. BRADY of Pennsylvania, Mr. ROSKAM, Mr. OLSON, Ms. ROSEN, Mrs. MIMI WALTERS of California, Mr. SMITH of Texas, Mr. COSTELLO of Pennsylvania, Mrs. WAGNER, Mr. YOUNG of Alaska, Mr. THOMAS J. ROONEY of Florida, Mr. MOONEY of West Virginia, Mr. SCHWEIKERT, Mr. CULBERSON, Mr. MEADOWS, Mr. LAMALFA, Mr. LOBIONDO, Mr. RUSSELL, Mr. HARRIS, Mr. BISHOP of Michigan, Mr. JENKINS of West Virginia, Mr. BUCHANAN, Mr. HUNTER, and Mr. CALVERT.

H. Res. 14: Mr. SMITH of Nebraska, Mr. SENSENBRENNER, Mr. FARENTHOLD, and Mr. GAETZ.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks,

limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 21 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SESSIONS

The provisions that warranted a referral to the Committee on Rules in H.R. 21 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MRS. BLACK

The provisions that warranted a referral to the Committee on the Budget in H.R. 26, the Regulations from the Executive in Need of Scrutiny Act of 2017, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 26 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SESSIONS

The provisions that warranted a referral to the Committee on Rules in H.R. 26 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative CONAWAY, or a designee, to H.R. 238, the Commodity End-User Relief Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

HONORING THE LATE LAVELL
EDWARDS

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. CHAFFETZ. Mr. Speaker, I rise today to honor legendary BYU football coach LaVell Edwards, who passed away December 29, 2016 at the age of 86.

During the 29 years he coached at Brigham Young University, Edwards transformed a team that had never been ranked or invited to a bowl game into a perpetual force in college football.

Best remembered for leading his team to a national championship in 1984, Edwards also racked up an impressive 257–103 win/loss record. His team won 20 conference championships and qualified for 22 bowl game appearances.

LaVell Edwards touched countless lives, including mine, in a profound and positive way. I feel so fortunate to be among the many young men Coach Edwards influenced and molded during his storied career at BYU. My life is forever changed by my experience as a place kicker on his team.

Upon retiring from BYU in 2000, Edwards and his wife Patti served a mission for the LDS Church in New York, where, in addition to his missionary role, Edwards was invited to put his talents to work coaching football to Harlem youth.

Coach Edwards leaves behind a legacy of success on the field and off. He was a man of integrity whose example his players all wanted to emulate. He is survived by his wife Patti and three children. He will be greatly missed.

HONORING THE LIFE OF DAVID
DRINKARD

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. BABIN. Mr. Speaker, I rise today to recognize the passing of a very special person and dear friend of mine, David Drinkard.

David was a former art teacher at Warren High School in Warren, Texas and a renowned wildlife painter. We have been friends since attending Forest Park High School and Lamar University, in Beaumont, Texas. He was an expert at painting God's beautiful creations in nature. There is nothing prettier than a "David Drinkard sky." His paintings hang in homes, businesses and galleries all over, including my own home and dental office.

David was a devout Christian, a loyal husband, father, grandfather and great grand-

father. He was a strong conservative and an active conservationist, donating many paintings for auction to the Coastal Conservation Association and other groups to help raise funds for conservation projects and causes. He was an excellent hunter and probably ranked as one of the best fishermen with whom I ever had the privilege of casting a lure.

I am honored to have one of his paintings prominently displayed in my congressional office in Washington. It depicts David and me catching speckled trout on Sabine Lake in Texas. Some of my children and I even took art lessons from him in his hometown of Warren years ago. David Drinkard has a very special place in our hearts and we will miss him dearly.

David passed away on December 26, 2016. His wife Beverly and family will continue to be in our prayers.

IN RECOGNITION OF JOHN AVALOS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor John Avalos for eight years of exemplary service on the San Francisco Board of Supervisors. John has demonstrated remarkable leadership and collaboration in his efforts to improve the quality of life for all San Francisco residents and particularly those in District 11. He has been a tireless champion of affordable housing, social services, infrastructure and clean energy.

Representing District 11, one of San Francisco's most vibrant and diverse districts, John began his work on the board in 2008 at the height of the Great Recession. He served as the Chair of the Budget and Finance Committee leading San Francisco through the daunting process of closing a billion dollar budget hole while saving jobs and essential services for seniors and children. His commitment to jobs didn't stop with those early years. One of his recent pieces of legislation provided thousands of living wage jobs to San Francisco residents, earning him the reputation as a protector of working-class families.

John also introduced legislation protecting tenants of foreclosed properties and providing rental assistance for low-income families. His bill creating a real estate transfer tax has brought in \$50 million in annual city revenue.

In his current role as the Chair of the Transportation Authority, Supervisor Avalos oversees the analysis, design and funding for long-term transportation planning for the city. In the City challenged by ever-increasing traffic congestion, John understands the impact on the quality of life and the necessity to create solutions. He is a staunch advocate of alternative

modes of transportation and introduced the strongest employee bike access law in the country, the Bicycle Access and Safety Ordinance. It allows employees to bring their bikes into the office, creating an opportunity for thousands of people to ride their bicycles to work easing congestion, cutting emissions, improving air quality, and maximizing public transportation.

It was at John's urging that the Employees' Retirement System divested almost \$600 million in holdings from the top 200 fossil fuel companies. He authored Citizens United Measure Prop G, a policy opposing corporate personhood which was overwhelmingly approved by voters. He has taken on financial fraud, launching an investigation in 2013 into the London InterBank Offered Rate fraud scandal and its impact on San Francisco.

Supervisor Avalos has been a fighter for justice, equality and fairness. As a third generation Mexican-American, one of seven siblings, and one of the first generation in his family to attend college, you can trace John's drive and ambition back to his early years. He moved to San Francisco in 1989 and immersed himself in education, organizing and protecting the rights of others. He earned a Master's Degree in Social Work from San Francisco State University and began his career as a counselor through the San Francisco Conservation Corps and the Columbia Park Boys and Girls Club. He then worked for Coleman Advocates for Children and Youth and for the Justice for Janitors Campaign of the Service Employees International Union.

During his time on the board of supervisors, John continued his work with many outstanding community groups in District 11 such as the OMI Community Collaborative, Excelsior Collaborative, Communities United for Health and Justice, and Coleman Advocates. He firmly believes that real change starts at a grassroots level.

Mr. Speaker, I ask the House of Representatives to rise with me to recognize Supervisor John Avalos for his outstanding public service to the residents of San Francisco, in his district and beyond. This champion of the people may leave San Francisco City Hall, but he will no doubt continue to shape life in the City for years to come.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call vote 3 on Tuesday, January 3, 2017. Had I been present, I would have voted "nay."

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

HONORING THE LIFE OF JAMES
"JIM" HOWARD SHAW

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. GRANGER. Mr. Speaker, I rise today to recognize and honor the life of James "Jim" Howard Shaw, a remarkable Texan who passed away on December 27, 2016 after a hard fought battle with cancer.

Jim's family has deep roots in Fort Worth, having moved there to open Shaw Brothers' Dairy in the late 1800s. Jim was born on September 12, 1950 to Bill and Betty Shaw. He attended Paschal High School where he was a stand-out track athlete, earning himself a scholarship to Louisiana Tech University. Jim hung up his cleats for law school at Texas Tech and began practicing law in 1975, briefly as a prosecutor and then in private practice as a defense attorney—a role he continued through the final months of his life.

Over his 41 years as a defense attorney, Jim earned the reputation of being a staunch protector of his clients' rights, representing each within the full bounds of the law. His colleagues recall that he would often get hired on a Sunday, pick a jury on Monday, and earn a favorable outcome by the end of the week. Jim loved the art of trying a case. Anyone who watched him in action would agree he was a master of his craft, making lasting friendships and inspiring his peers along the way.

When not in the courtroom, Jim could be found on the golf course at Colonial Country Club, behind home plate cheering on the Texas Rangers, or on a patio somewhere enjoying Mexican food. However, more than anything, Jim loved his family and spending genuine time with them. He is survived by his wife Carol; children James Shaw Jr., Ben Shaw, Tim Shaw, and his stepchildren Steven Prewitt and Aimee Plummer; 11 grandchildren; and his brothers Bill Shaw, David Shaw and Greg Shaw.

Jim Shaw's death leaves a great hole in the hearts of many, but his passion for the law and his kind heart will be felt for generations to come. Fort Worth was lucky to have him and is a better city because of his devotion to justice. Mr. Speaker, I ask that my colleagues join me in celebrating the life of Mr. Jim Shaw. May he rest in peace.

HONORING KAREN ERVIN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Karen Ervin who served on the Pacifica City Council for four years, including 2015 as the mayor of this picturesque coastal town of about 40,000 residents. As a Pacifica native and lifelong resident, Karen understands and feels the pulse of her town. Even before her time on the council, she always volunteered and gave back to the community. It has been my privilege to work with Karen and to call her a friend.

During her term on the council, Karen served as the liaison to the Economic Development Committee, the Beautification Committee, Pacifica School Volunteers, Emergency Preparedness Task Force, and the Pacifica Resource Center. She also served as a member of the C/CAG Legislative Committee and the Bike and Pedestrian Advisory Committee, an Association of Bay Area Governments delegate, and a member of the San Mateo County Jobs/Housing Gap Task Force.

One of her top priorities was to improve the fiscal health of the city. Her experience on the Financing City Services Task Force helped her tackle the difficult task of balancing the budget and making it possible to fund numerous projects such as the acquisition of a property to finish the Devil's Slide Trail, the Pacifica Resource Center and the Pacifica Beach Coalition. An ERAF reserve fund was also essential in responding to severe damage Pacifica suffered during El Nino storms in the winter of 2015, damage that drew worldwide attention.

Karen loves her hometown and pursues every opportunity to improve the quality of life of all residents. She has been one of the main drivers to create a beautiful downtown along Palmetto Boulevard and to let the world know that Pacifica is a wonderful place to live, work, play, eat and thrive.

As in every small town, city council members serve because they are dedicated to public service. It requires countless hours of meetings, homework and visits in the community for very little compensation. Karen has always managed to make time for her council duties despite her very demanding full-time job as a Senior Research Associate and Project Manager at Genentech in South San Francisco where she has worked for 15 years. Her experience, work ethic and resourcefulness have continually benefited her colleagues and all residents of Pacifica.

On a sunny August Day in 2015 while Karen was mayor, traffic came to a standstill on Highway 1, Pacifica's major thoroughfare, for the entire day. Two car accidents and major roadwork by Caltrans brought out the worst in motorists who were stranded for hours. They crashed the city's Nextdoor page and jammed phone lines. Feeling her constituents' pain, Karen fielded calls on her cell phone and gave advice and updates from her personal Facebook page. She effectively became the communications center and traffic officer.

Before joining the city council, Karen volunteered her time and energy on PTO Boards and in classrooms for 15 years. She was one of the individuals starting the Ingrid B. Lacy and Terra Nova Crab Feeds supporting the schools' PTOs and Booster clubs. From 2006 to 2010, she served on the Pacifica School District Governing Board, and for the last five years she served on the Board of Directors of Pacificans Care, a non-profit that is essential in supporting social services organizations in the community. Karen is a member of the American Association of University Women and the co-chair of Tech Trek in Pacifica which sends three third grade girls to Stanford to experience college life. Somehow she still manages to find enough time to continue her volunteer work with the Pacifica Beach Coal-

ition. You can often find her cleaning up beaches, trails or creeks.

Karen's family moved to Pacifica in 1965. She grew up in the back of Linda Mar Valley and attended Oddstead Elementary School, Ortega Middle School and Terra Nova High School. She earned her BS in Microbiology and Genetic Engineering from the University of California at Santa Barbara.

She married another Pacifica native, Mike Ervin, and they raised two now-grown children, Zach and Aly. After retiring from the council, Karen is looking forward to spending more time with her family and friends, and running and hiking with her two dogs.

Mr. Speaker, I ask the members of the House to join me in recognizing the contributions outgoing City Councilmember and former Mayor Karen Ervin has made to her beloved home town, Pacifica. The residents are very fortunate that she continually dedicated her passion and skills to improving the lives of all Pacificans.

HONORING DONALD J. HELLMANN

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. GRIJALVA. Mr. Speaker, I rise today to recognize and honor Donald "Don" J. Hellmann. Don is retiring from his position as the Assistant Director for Legislative and Congressional Affairs in the National Park Service after 22 years of communicating the mission and goals of the National Park Service to Congress and working closely with our members and staff to advance the Service's legislative priorities. Don's vast knowledge of environmental law and policy, his expertise in drafting National Park Service legislation, and his exemplary dedication to public service will be greatly missed by those of us who have had the pleasure of working with him.

Don joined the National Park Service in 1994 as the Deputy Assistant Director for Legislative and Congressional Affairs. He led a staff of legislative specialists in developing National Park Service legislation, advised National Park Service leadership on pending legislation, and served as a liaison with members of Congress on legislation affecting the National Park Service. He was promoted to the position of Assistant Director in 2009 by Director Jonathan B. Jarvis.

Over the course of his career, Don drafted hundreds of bills and amendments affecting national parks, national heritage areas, wild and scenic rivers, and national scenic and historic trails that were ultimately enacted by Congress. He was instrumental in crafting all the major park-related legislative packages of the last two decades, including the Omnibus Parks and Public Lands Management Act of 1996 (P.L. 104-333), the National Parks Omnibus Management Act of 1998 (P.L. 105-391), the Consolidated Natural Resources Act of 2008 (P.L. 110-229), the Omnibus Public Land Management Act of 2009 (P.L. 111-11), and Title XXX of the National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291).

Don also played a key role in the reorganization and transfer of National Park System-wide laws from title 16 to title 54 of the United States Code, enacted in 2014 (P.L. 113-287) which has made the drafting of park-related legislation significantly more streamlined. Most recently, he was the principal author of the legislative proposal, the National Park Service Centennial Act, that President Obama sent to Congress in 2015. Legislation based on that proposal passed the House on December 6.

Prior to working for the National Park Service, Don was Vice President for Conservation at The Wilderness Society, where he directed the conservation advocacy program and coordinated the litigation agenda of the organization. Before assuming this position, Don served as Legislative Counsel for the society. Don joined The Wilderness Society's staff in 1988.

Don also worked here on Capitol Hill as Legislative Counsel to House Majority Whip Tony Coelho (D-CA) from 1985 to 1988 and as a Legislative Assistant and in other roles to U.S. Senator Walter D. Huddleston (D-KY) from 1977 to 1985. Don taught History and English to junior high school students in Kentucky from 1973 to 1976.

Don is a native of Kentucky who received a B.A. in History/Secondary Education from Thomas More College in Crestview Hills, Kentucky, an M.A. in Politics from Catholic University of America, and a J.D. from the University of Baltimore. He is a member of the District of Columbia Bar and holds a Life Certification as a Secondary Education Teacher from the Commonwealth of Kentucky.

A resident of Annandale, VA, his favorite national park is Maui's Haleakala, which is centered around a volcanic crater that he described as "like walking on the moon."

I urge my colleagues to join me in congratulating Don on his retirement and expressing our deep appreciation for his outstanding contributions to the National Park Service and to the Nation.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. PERLMUTTER. Mr. Speaker, on January 3, 2017, my electronic voting card malfunctioned and I was not registered as recording a vote on H. Res. 5, "Adopting Rules for the 115th Congress." I wish to reflect my intentions on roll call No. 6, as a "NAY" vote.

HONORING GONZALO "SAL" TORRES

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Sal Torres, a departing member of the City Council of Daly City and a friend who has never ceased to serve the people of his com-

munity with distinction during his twenty years on the council. Sal Torres has, during these past two decades, become the symbol of this prosperous town filled with talented, industrious residents from around the world.

In 1996, Sal made history by becoming the first Latino to win a seat on the City Council of Daly City and, in 2000, became Daly City's first Mayor of Latino descent. This year he will be finishing his public service as Mayor.

It is difficult to fully describe the impact of Mayor Torres upon Daly City, but it has been enormously beneficial. Over his 20 years in office, the city changed from a typical suburban community south of a major U.S. city, into a thriving commercial center with major new office buildings adjacent to a regional mass transit station. Sal was part of a team that evaluated and approved the rebuilding of Westlake Shopping Center into a modern, thriving retail hub. Today, this center is so essential to the constituents of Mayor Torres and to surrounding communities that it's probably easier to find a parking space in downtown Manhattan than in the garage and lots of Westlake Shopping Center.

Social justice is a core belief of Mayor Torres. Long before his ascension to the council, he earned recognition during his undergraduate years at UCLA for his outstanding contributions as a volunteer in the Los Angeles Unified School District. Throughout all of 1984, Sal worked with the Southwest Voter Registration & Education Project and helped to successfully register over 120,000 new Latino voters for the 1984 general election. He is still the only graduate in the history of the University of San Francisco School of Law to be awarded, in the same year, both the Judge Harold J. Haley Award given by the faculty for outstanding scholastic achievements and the Student Bar Association Award given by his peers for exceptional contributions made to and on behalf of the graduating class.

Sal was a founding member of the non-profit Housing Endowment and Regional Trust (HEART) of San Mateo, a provider of affordable home loans to community residents, and an advocate for new construction of affordable housing. Daly City has always played a vital role in providing affordable housing in San Mateo County. Sal understands the linkage between human dignity and housing and between economic security and owning a home.

Life is more than hard work and housing. If residents in north San Mateo wish to enjoy a summer afternoon, they can see a movie at a major metroplex that Sal shaped as part of a team that revitalized areas east of Highway 280. They can also play on city sports fields that he voted to support because he views recreation as vital to the physical and spiritual health of city residents.

With all of these public accomplishments, one might reasonably wonder if Sal Torres had time to earn a living. He certainly did. As an accomplished attorney, he's worked on behalf of the California School Employees Association, Arysta Life Science Corporation, LSI Logic, Marvell Technology Group, and Equinix, Inc., among many clients. He also hosted and co-produced a popular talk show on the UPN-TV affiliate, KBHK Channel 44, El Amanecer ("Daybreak"), which addressed social, political and cultural issues in the Latino community. In

2000, Sal was selected as one of California's "Top 20 Lawyers under the age of 40" by California Law Business.

At times through the year, the sun sets off the shoreline of Daly City and into the Pacific. It is a scene that is at once stunningly beautiful and yet a brutal reminder that we are transitory figures in history. Sal Torres has never been a public servant who sought immortality through public works with his name in concrete, nor has he been a flamboyant personality in the city's life.

However, as a humble servant of his community, he has shown a relentless dedication to public wellbeing. Whereas the Pacific erodes the city's cliffs and the freeway divides its corpus, Sal built its community spirit through a dedication to collegiality that created lasting bonds, and a love of Daly City by its residents, equal in strength to any steel and certainly more enduring than the boundary of the city with the sea. Sal will be missed at the dais, but ever-present in the hearts and minds of his community. In the end, this is a monument that is far more enduring than a name in concrete. Sal Torres loves Daly City, and Daly City treasures Sal Torres.

HONORING CHIEF MICHAEL RANDOLPH

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Chief Michael Randolph upon his retirement as Fire Chief for the City of Napa Fire Department. Chief Randolph is retiring after an impressive 27 year firefighting career, including serving as Chief for four years.

Chief Randolph completed his B.A. Degree in Information and Communication Studies and then began his career with the City of Napa Fire Department as a firefighter in 1989. He was promoted to a firefighter paramedic five years after that. He was subsequently promoted to Captain, Battalion Chief and Division Chief before becoming Chief in 2012. Chief Randolph has distinguished himself in his department as an excellent mentor, coach, co-worker and friend.

Chief Randolph is dedicated to our community and has provided leadership to many of our service and community organizations. He serves as Board Member and President of the California Fire Chiefs Operations Section, on the Paramedic Advisory Board for Napa Valley College, as the Chair of the Napa County Emergency Medical Care Committee and as a member of Life Healthy Napa Valley.

Mr. Speaker, Chief Randolph has had a dedicated firefighting career and is known for his strong, focused and determined leadership. Therefore, it is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement with his wife, Wendy, and his children, Andrew and Hanna.

HONORING THE RETIREMENT OF
CAPTAIN JOSEPH BAGGETT, JAG
CORPS, U.S. NAVY (RET)

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise today to honor Captain Joseph Baggett, JAGC, USN (ret), who is retiring after 46 years of combined active duty and civilian service to our nation with the United States Navy.

Captain Baggett was born into a military family. The son of a career enlisted Marine, Captain Baggett grew up in the presence of the United States Navy in such diverse locations as Naval Air Station Pensacola, Marine Corps Base Camp Lejeune, and the United Kingdom. He graduated Phi Beta Kappa from Tulane University in May 1971. He later earned a J.D. from Tulane University School of Law, and an LL.M. in Ocean and Coastal Law from the University of Miami School of Law. A longtime resident of Herndon, Virginia is his home.

In 1971, Captain Baggett began his dedicated service to our nation as a commissioned officer in the U.S. Navy. During the next 30 years, Captain Baggett served on active duty in a wide variety of roles, traveling throughout the United States and overseas. His assignments included two tours as a Supply Corps officer, including service onboard USS *Rich* (DD 820); Naval Legal Service Office, Jacksonville, Florida; Commander, Middle East Force; Commander, Iceland Defense Force; Commander, Sixth Fleet; Navy Office of Legislative Affairs; and the Joint Staff Strategic Plans and Policy Directorate. Later in his career he served as Deputy Assistant Judge Advocate General for International Law; as Counsel for National Security to the Deputy Attorney General of the United States; as Staff Judge Advocate for the Commander in Chief, U.S. Atlantic Fleet; as Commanding Officer, Naval Legal Service Office, Norfolk, Virginia; and as Director of the Legislation Division in the Office of Legislative Affairs.

Following his retirement from active duty in December 2000, Captain Baggett continued his superlative service to the Navy as a civilian, serving for another sixteen years as Deputy Director of the International and Operational Law Division in the Office of the Judge Advocate General in the Pentagon. In that role, he has been a constant champion of our national interests in the areas of law of the sea and freedom of navigation.

His support to our national security cannot be overstated. Captain Baggett's expertise and understanding of the complexities of the law of the sea and the law of armed conflict are without equal in the U.S. government. As the Armed Forces confronted myriad diverse challenges, he delivered sage counsel to the Department of the Navy, facilitating our ability to conduct naval operations. His profound knowledge and experience directly improved the ability to the sea services to fulfil their missions throughout the world.

For his outstanding service to our nation, Captain Baggett earned numerous awards, including the Legion of Merit, Defense Meri-

torious Service Medal, Meritorious Service Medal, Navy Commendation Medal, Navy Achievement Medal, Navy Distinguished Civilian Service Award, Navy Superior Civilian Service Award, and Navy Meritorious Civilian Service Award.

Mr. Speaker, I ask my colleagues to join in commending Captain Baggett for his commitment to our country and the sacrifices he made on its behalf. On the occasion of his retirement from the federal service, I thank him and his family for his honorable service to our nation and wish him fair winds and following seas as he concludes a distinguished career.

HONORING MARINA FRASER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to recognize Marina Fraser for her 13 years of exemplary public service on the Half Moon Bay City Council, including three years as mayor of this picturesque coastal town that I am very proud to represent in Congress. Marina has been a tireless advocate for coastsiders, in particular children and seniors. I am honored to have worked with Marina for more than a decade and to call her a close friend.

During her tenure on the council, she served on the San Mateo County Council of Cities, the San Mateo County Joint Powers Authority, the San Mateo County Congestion Relief Alliance, the San Mateo County City-County Association of Governments, the San Mateo County Emergency Operations Center, and the Sewer Authority Mid-Coastside.

Marina was instrumental in restoring Half Moon Bay's fiscal health. The Great Recession combined with a multi-million dollar land use settlement put the city at the brink of bankruptcy. Through strategic decisions, collaboration and meticulous work, Marina and her fellow councilmembers managed to balance the budget and placed the city on solid financial footing. Today, Half Moon Bay is a thriving community and destination for people from all over the Bay Area and the country. Main Street is filled with a wide variety of small businesses and restaurants. It even features bike racks to make it user-friendly for bicyclists and pedestrians. Marina deserves credit for obtaining the funds for the racks.

Soon, Half Moon Bay will have a state-of-the-art library, thanks in large part to Marina's tenacious work. First considered in 2000, Half Moon Bay finally celebrated the library's ground breaking this summer. It will provide much needed community space and bring Silicon Valley technology to the coast to prepare the next generation for 21st century jobs. It may be called the Half Moon Bay library but in my mind it will also be called the Marina Fraser Half Moon Bay Library.

Marina also worked hard with my office and state and local agencies to replace the crumbling Pilarcitos Creek Bridge with a beautiful aluminum and cedar plank bridge in the winter of 2015 while she was mayor. She was one of many important negotiators in a very creative and complicated program that became locally

known as the Three-Way Land Swap. It involved an exchange of properties between the City of Half Moon Bay, San Mateo County and Peninsula Open Space Trust and resulted in restoration of a recreation field, the creation of affordable senior housing, and the preservation of bluff tops as open space.

You can surmise from these accomplishments that Marina, a learning and development consultant by training, is not afraid to take on difficult and large projects and to see them through. Marina is a person who doesn't give up. Even if she is defeated, she will try again. She first ran for the city council in 2001 and lost. I wrote her a letter encouraging her to run again, reminding her that Abraham Lincoln ran and lost many times before he succeeded. Sure enough, she won her seat on the council in 2003 and has served the residents of the coastsiders very well.

In addition to her council duties, Marina is always looking for ways to give back to the community and improve the lives of others. She has created activities and services for youths and seniors and volunteered with Friends of the Library, the Half Moon Bay Spanish Town Historical Society, and the Cougar Boosters.

Mr. Speaker, I ask the members of the House of Representatives to join me in honoring the public service of Councilmember and Mayor Marina Fraser on the Half Moon Bay City Council. While she may be leaving the council, her contributions will continue to shape life on the coastsiders for years to come and I have no doubt that she will remain an important voice in our community.

CONGRATULATING ERIC STARNES
ON HIS RETIREMENT FROM THE
EULESS POLICE DEPARTMENT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to congratulate Lieutenant Eric Starnes on his well-earned retirement from the Eules Police Department in the city of Eules, Texas, after twenty-three years of dedicated service.

Starnes' distinguished career with the Eules Police Department began in 1993 after completing his Bachelor of Science degree in Criminal Justice at Sam Houston State University and the Montgomery County Sheriff's Office Academy for his police certification. Additionally, while serving as an officer, Starnes was able to pursue a number of advanced degrees and certifications, including a Master's in Public Administration from the University of North Texas and a Juris Doctor degree from Texas Wesleyan School of Law. Starnes is also a member of the State Bar of Texas.

In his time as an officer, Starnes has served as a Field Training Officer, K-9 Officer, and a member of the Eules Police Tactical Unit. He has received over 2,500 hours of in-service police training which consisted of a variety of courses in patrol, criminal investigation, K-9 criminal interdiction, police instructor training, and police supervision. He received his Basic Police Certification in 1993, Intermediate Police Certification in 1998, Advanced Police

Certification in 1999, and his Masters Police Certification in 2001. In addition to these certifications, Starnes has received over forty commendations for professionalism and exemplary service to his community.

Mr. Speaker, it is a pleasure to recognize the tireless efforts that Lieutenant Eric Starnes has made in contribution to the safety and security of the City of Euless. I ask all of my distinguished colleagues to join me in congratulating Eric Starnes on his many years of service.

IN TRIBUTE TO THELMA SIAS

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. MOORE. Mr. Speaker, I rise today to recognize Thelma Sias, Vice President of Local Affairs for WE Energies, who is retiring on January 4, 2017. She has served the organization with distinction for over 31 years, beginning in 1986.

Thelma was born in rural Mayersville, Mississippi, growing up during the civil rights-era. Her father was a farmer. Her mother was a schoolteacher, farmer, and restaurateur. She is one of 11 children, all of whom graduated from college or technical college. Thelma Sias received an academic scholarship to Clark College in Atlanta where she ultimately received her degree. In 1976, Ms. Sias came to Wisconsin to work as the Supervisor of the Ethnic Heritage Recruitment Center for the University of Wisconsin-Green Bay, making the Badger State her new home.

Ms. Sias spent most of her career making an extraordinary impact on people in Wisconsin by seeking common ground and finding solutions. Over the years, she has sat on at least a dozen boards, including the Zoological Society of Milwaukee, Children's Hospital and Health System Foundation, Milwaukee Public Library Foundation, and the Milwaukee Area Workforce Investment Board. Thelma was paid to do what naturally was a part of her core: making connections and fostering relationships. It is also why she has been such an asset to WE Energies in serving their interests in a manner that supports the communities dear to my heart. In her position, she was able to help establish connections between people in need and those who can help through the corporation's separate, nonprofit arm, Wisconsin Energy Foundation, which has invested \$130 million into Wisconsin and Michigan communities since 1982.

Ms. Sias has a natural gift for connecting people, which she has to move the powerful to invest both financially and emotionally in economically distressed communities in a way that fosters sustainable solutions to problems. I am grateful to have had the opportunity to know and work with her for so many years. Thelma is political, but, more importantly, she is knowledgeable and she cares. She has remained an integral part of the community, maintaining her residence and remaining deeply committed to the Johnsons Park neighborhood community in central city Milwaukee. In addition to all her work with the Foundation

and the community, she has found time to be a fixture in every presidential campaign from Carter to Obama. I join her friends and husband of over 30 years, Stephen Adams, in congratulating her on her well-earned retirement. I wish her much success as she transitions into a different phase of her life.

Mr. Speaker, I am proud to honor Thelma Sias and I am proud to call her friend. The citizens of the Fourth Congressional District and the State of Wisconsin are privileged to have someone of her ability and dedicated service working on their behalf for so many years. Thelma, I thank you for all that you have done. I am honored for these reasons to pay tribute to Thelma Sias.

HONORING JOSEPH SILVA

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Joseph Silva for his 20 years of service on the Colma City Council, two of them as vice mayor. At 1,400 residents, Colma is the smallest town in San Mateo County on the San Francisco Peninsula. While Colma is best known as the City of Souls because it is home to 16 cemeteries, locals will point out its architectural charm created by Spanish-Mediterranean motifs, its modern infrastructure, including a BART station, and its central location that makes it easily accessible from anywhere in the Bay Area. Colma is a small town where residents and businesses happily coexist.

Joe Silva has been instrumental in creating or restoring the town's iconic buildings and structures. During his tenure, the town built the 5,500 square foot Colma Community Center that houses the restored historical museum and railroad depot, the Sterling Park Recreation Center and the Colma Police Department. He is also heavily involved in keeping the current renovation of the historic Town Hall on track.

Councilmember Silva and his fellow councilmembers are always striving to maintain a harmonious balance between old and new. Brick paved residential streets with ornamental street lights coexist with Interstate 280. The historic Town Hall and Community Center coexist with the modern Metro Center and Serramonte Shopping Center.

While on the council, Joe served on the Grand Boulevard Task Force, the Peninsula Clean Energy Board of Directors, and the C/CAG Board of Directors. He cares deeply about his community and improving the quality of life for everyone.

Joe has a "roll up your sleeves" and "can do" attitude. This was evident during the recession that started in 2008 when he helped strengthen the town's retail base by finding ways to entice people to shop at Colma's businesses and car dealerships. He collaborated with the Daly City-Colma Chamber of Commerce to think outside the box and come up with creative ideas. Joe's optimism and determination were instrumental in guiding his home town through one of the most challenging times since the Great Depression.

Joe also finds time to volunteer for good causes such as the Lutheran Hope School in Daly City, Habitat for Humanity, the North Peninsula Food Pantry and Dining Center of Daly City, and Club Dust, an organization building homes for extremely poor families in Mexico. He has participated eight times in the AIDS/LifeCycle Ride to End AIDS, a seven-day, 545 mile bike ride from San Francisco to Los Angeles that raises money and awareness for HIV and AIDS. If you do the math, that's 4,360 miles. For his continued dedication to the AIDS ride, he received the distinguished San Mateo County Mayors' Diversity Award in 2012.

Joe grew up in the Bay Area and attended Jefferson High School in Daly City. He moved to Colma 30 years ago and has lived here ever since with his wife, Cynthia. They have raised two daughters, Sandra and Nicole.

Mr. Speaker, I ask the members of the House of Representatives to join me in recognizing Councilmember Joseph Silva for two decades of service to the residents of Colma. While he is leaving the council, I have no doubt he will remain an active member of our community for many years to come.

RETIREMENT OF CALMAN COHEN,
PRESIDENT OF THE EMERGENCY
COMMITTEE FOR AMERICAN
TRADE

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. BRADY of Texas. Mr. Speaker, I rise today to congratulate Calman Cohen on his retirement after a distinguished and productive career. Dr. Cohen built on his public service at the Office of the U.S. Trade Representative and the Senate by leading the Emergency Committee for American Trade for many years, an organization of leading U.S. companies with a mission to support economic growth through the expansion of international trade and investment. He has effectively represented his member companies by working with Members of Congress and many Administrations on a broad range of trade and investment issues, including all major trade agreements during his tenure as well as Trade Promotion Authority. He has vigorously defended the needs of U.S. companies and their employees as they strive to compete in today's global marketplace, achieve market access for their exports, and create jobs here at home.

I send my best wishes to him, and his wife Susan, who is always by his side, during his retirement.

HONORING SUN VALLEY
ELEMENTARY SCHOOL

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Sun Valley Elementary School

which was selected as a 2016 National Blue Ribbon School by the U.S. Department of Education in recognition for its Exemplary High Performance as one of the top schools in the nation as measured by state and national assessments. This highly competitive award reflects outstanding academic achievement and the highest caliber of professional service, and family and community engagement.

With over 500 students from a variety of socioeconomic and ethnic backgrounds, Sun Valley Elementary School offers comprehensive educational programs that academically challenge and instill a joy of learning in its students and ensures every child has the skills and knowledge to reach their full potential.

Mr. Speaker, this hard-earned distinction reflects a true community success. From the "Super Star" students and their families, to the staff and administrators and the extended community, Sun Valley Elementary School has developed an education model for the state and nation, empowering students of today to be the problem-solvers, inventors, and pioneers of tomorrow. Please join me in congratulating Sun Valley Elementary School on this impressive achievement.

HONORING DAVID CANEPA

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Councilman David Canepa who is leaving the city council of Daly City to assume a new position as a member of the San Mateo County Board of Supervisors from District 5. David's service to Daly City began in the fateful year of 2008 when he was first elected to the council.

As we all know, 2008 and the next few years were financially difficult for many Americans. The budget of Daly City was not spared this stress. Working with his colleagues, David helped craft budgets that were balanced and that included difficult choices, including a reduction in city hall work days, while preserving essential life, health and safety services.

As a C/CAG representative, David Canepa represented Daly City as cities throughout San Mateo County joined together to resolve issues involving transportation funding, congestion management, and storm water management. C/CAG also establishes the public policy position of 21 cities and the County of San Mateo.

While serving as Vice Chair of the San Mateo County Transportation Authority, Councilman Canepa helped prioritize hundreds of millions of dollars in transportation projects throughout San Mateo County. This responsibility went hand-in-hand with his service on the Bay Area Regional Air Quality Management District where he again represented county cities in deliberations over air quality regulations and violations of the law by emitters.

David Canepa served as mayor in 2014 and was overwhelmingly re-elected to the city council in 2014. He is a fourth-generation resident of San Mateo and was born in Daly City.

He graduated from nearby Skyline College and the University of San Francisco. He and his wife, Ana, live in Daly City.

In his early career, he served as an aide to a state legislator. Through his work with the Housing Endowment and Regional Trust (HEART) and Housing our People Effectively (HOPE), Councilman Canepa has worked to create affordable housing for San Mateo County residents, many of whom are in a crisis because of skyrocketing rents and wages that cannot keep pace. He also served as a director of the North San Mateo County Sanitation District. In Daly City, he is known for his efforts to improve public safety, spur economic development, and to preserve both neighborhoods and the environment.

Mr. Speaker, Daly City is a remarkable place in San Mateo County. Its residents are friendly and the city has always been family oriented. Daly City is now losing a leader in local government, but it will gain an advocate at the county. The interests of the city will be joined to those of South San Francisco, Brisbane, Colma, Broadmoor and San Bruno which together with Daly City form District 5. From criminal justice to healthcare to environmental protection to transportation and dozens of other quality-of-life concerns, District 5 will have an important voice for residents in David Canepa. I wish him well as he seizes the opportunities to serve his constituents in the years ahead.

HONORING INVESTIGATOR MAGGI HOLBROOK WITH THE VANCOUVER POLICE DEPARTMENT

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. BEUTLER. Mr. Speaker, I rise today to honor the career of Investigator Maggi Holbrook with the Vancouver Police Department, and recognize her contributions to Southwest Washington during 16 years of public service.

Investigator Holbrook's dedication to the community can be seen through her long service to the Vancouver, Washington, Seattle, Washington, and Portland, Oregon areas. In the Vancouver Police Department, she established a Digital Evidence Cybercrimes Unit that has worked on or assisted all levels of crimes. In addition, Investigator Holbrook was an invaluable resource for the Washington State Internet Crimes Against Children (ICAC) Task Force and the Seattle Police Department. Her efforts of the task force to investigate, prosecute and convict those individuals who would harm vulnerable children are admirable.

As one of the first investigators in Washington certified in Peer to Peer child pornography investigations, Investigator Holbrook brought her proactive approach to child sexual exploitation investigations. She quickly became proficient in the very technical and labor intensive methods for identifying Internet Protocol addresses of offenders offering to share child pornography files across the Internet. Through these cases, she identified one child sexual-abuser after another and used the ex-

pertise and credibility she'd developed to convict them in court. Investigator Holbrook is considered a leading expert in these types of investigations, has certified hundreds of other investigators in the use of Peer to Peer investigative technology and assisted many more with investigations.

Due to Investigator Holbrook's hard work and collaborative nature, she paved the way for the Vancouver Police Department to become an Affiliate Agency for the Department of Justice's Internet Crimes Against Children Task Force in Washington State. Through this task force, Investigator Holbrook has made hundreds of referrals to agencies statewide and internationally that have resulted in the arrest and conviction of numerous Child Sexual Exploitation offenders.

For example, Investigator Holbrook was called to conduct the forensics on a particularly difficult child pornography case where proving possession was critical to obtain a successful prosecution. Investigator Holbrook initially identified a Peer to Peer user sharing child pornography and forwarded this information to Cowlitz County authorities for investigation. The resulting search warrant led to the identification and seizure of 13 child pornography files on the defendant's computer. Further investigation, however, revealed the defendant had successfully deleted hundreds of files that he had been sharing over the course of eighteen months. Holbrook assisted the Assistant U.S. Attorney Grady Leupold and the team who successfully litigated the perpetrator. Investigator Holbrook's selfless dedication to an investigation far beyond her case responsibility played a pivotal role in bringing this person to justice.

Over the years, Investigator Holbrook has been a tremendous and valuable partner to law enforcement agencies across the state as well as many federal partners: Department of Homeland Security Child Exploitation Unit, the Federal Bureau of Investigation, the U.S. Marshals Service, the United States Postal Service and the U.S. Secret Service.

Holbrook has had an outstanding career that has been dedicated in not only the successful criminal investigations and rescues of children, but in building resources to assist others in their efforts. Her work have contributed to training the next generation of investigators, forensic examiners and even prosecutors to carry on this extremely necessary and valuable work.

Southwest Washington is proud to have had such an extremely talented and dedicated individual as Investigator Holbrook. Her contributions and accomplishments in support of the Washington State ICAC Task Force mission will positively impact Southwest Washington for generations to come. I want to thank Investigator Holbrook for her tireless work and congratulate her on her retirement.

HONORING THE 50TH ANNIVERSARY OF LOBAR, INC.

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. PERRY. Mr. Speaker, today I offer my sincere thanks and congratulations to Lobar,

Inc. on its upcoming 50th Anniversary on January 19, 2017.

Lobar, Inc. is one of Central Pennsylvania's largest construction services firms. Family owned, Lloyd and Barbara Eichelberger started Lobar, Inc. in 1967 and quickly built a reputation for reliability. Today, Lobar Inc. is a multi-million dollar business that offers construction services throughout Pennsylvania.

Lobar Inc. has earned a reputation for excellence in customer relations and quality of work. Their mission statement sums up perfectly the reason for their success: "To provide superior construction services for our customers at fair prices and at the same time, have our customers enjoy working with Lobar, Inc. Our goal is to have our customers want Lobar, Inc. to do their construction work."

On behalf of Pennsylvania's Fourth Congressional District, I thank and congratulate the employees of Lobar, Inc., both past and present, on their 50th Anniversary and wish them continued great success in the years to come.

HONORING JOHN MULLER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor John Muller, better known as Farmer John, for his 10 years of public service on the Half Moon Bay City Council, including one year as mayor. As a farmer, John has deep roots in the community and always strives to nurture the quality of life of all residents of the coastside. I am very grateful to have worked with him for more than three decades and to call him a dear friend.

While on the council, Councilman Muller served on the Chamber Government Affairs Committee, the Sewer Authority Mid-Coastside, the League of California Cities Coastal Cities Issue Group, the San Mateo County Airport Land Use Committee, the Association of Bay Area Governments, and the City County Association of Governments.

John was instrumental in restoring Half Moon Bay's fiscal health. The Great Recession combined with a multi-million dollar land use settlement put the city at the brink of bankruptcy. Through strategic decisions, collaboration and meticulous work, John and his fellow councilmembers managed to balance the budget and placed the city on solid financial footing. Today, Half Moon Bay is a thriving community and destination for people from all over the Bay Area and the country. Main Street is a colorful collection of artisan stores, sustainable restaurants and small hotels. Signature events, such as the Pumpkin Festival, Farm Day, Nights of Light, the Seafood Festival, and Pacific Coast Dream Machines, show off the best that Half Moon Bay has to offer.

In addition to his duties on the council, John served on the Regional Water Quality Control Board for 21 years, 13 of them as chair, having been appointed by four California governors. He is also a former member and chair of the Coastside County Water District Board,

former chair of the Society of American Florists Government Relations Committee, former member of the Secretary of Agriculture's Special Committee to streamline management of the USDA, and a past president and current member of the San Mateo County Farm Bureau. He still serves on the U.S. EPA's Local Government Advisory Committee, the Agricultural Technical Advisory Committee for Fruits and Vegetables, and the California Agricultural Education Foundation.

With his council duties and the additional volunteer work, it is somewhat of a miracle that Farmer John still manages to do his day job. He is the owner of Daylight Farms and John's Pumpkin Farm in Half Moon Bay. He and his wife of 47 years, Eda, are also fixtures at the Half Moon Bay Farmers Market every week. I've had the pleasure of seeing John's connection to the land when he is tending to his pumpkins, produce and chickens in his fields. Not only does he grow beautiful decorative pumpkins that my office purchases for my annual senior conference, he also grows monster pumpkins that he enters into the World Champion Pumpkin Weigh-Off in Half Moon Bay.

John and Eda are true stewards of our planet. They were honored with the U.S. EPA's Presidential Volunteer Service Award for their leadership in sustainable, urban agriculture and with the Agriculture Water Quality Alliance award for exemplary efforts to protect water quality within the Monterey Bay National Marine Sanctuary.

John was born in Palo Alto in 1946 and served in the U.S. Navy from 1963 to 1966. He graduated from the FBI Citizens Academy in 2007.

Mr. Speaker, I ask the members of the House of Representatives to join me in recognizing John Muller for his dedication to public service and his lifelong commitment to our community and country. John is a man with a big heart who loves to share. He deeply cares for all the people on the coast and quietly and with great humility helps them out in any way he can—no fanfare, no attribution. He is a true Good Samaritan and a one of a kind leader. How lucky we have been to have him in elected office for a decade. I admire him and Eda more than they will ever know.

HONORING STEVEN KINSEY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of Steven (Steve) Kinsey as he retires from the Marin County Board of Supervisors after serving the people residing in the Fourth District, and Marin County, with exceptional distinction for nearly 20 years. Throughout his tenure, Supervisor Kinsey has been steadfast and passionate in his pursuit of social equity, protection of the agricultural landscape and historic ranching community in West Marin, and improved transportation infrastructure and services, among many other noble causes. Most importantly, he has been productive through the decades, accom-

plishing many victories for the people and places of Marin.

Born in Wilmington, Delaware in 1952, Supervisor Kinsey earned his B.A. in Architecture from Arizona State University. He moved to Forest Knolls in 1978 where he raised a family, owned and operated his own design/build business for 18 years, and volunteered in the community. As a member of the Marin Conservation League Board of Directors, he was recognized for promoting water conservation strategies and advocating for a Bayland Corridor to increase protections for bayside wetlands. A stalwart public school advocate, he secured for the Lagunitas School District funds for facilities improvements and school-based health and support services for its students and families.

Elected to the Board of Supervisors in 1996, Supervisor Kinsey took office on January 7, 1997, and served for five terms, representing all of the coastal areas of Marin County as well as several bay side communities. As an elected official, including five times as Board President, he focused on watershed and fishery restoration, sustainable agriculture, the integration of transportation and land use planning, and sound fiscal management. He championed the needs of children and families, and has worked closely with communities of color to reduce the barriers to equal opportunity.

He served on the boards of numerous organizations including the Board of the Marin Agricultural Land Trust, the Metropolitan Transportation Commission, Marin Transit, and the Transportation Authority of Marin, which he chaired from 1998 to 2011. He joined the California Coastal Commission in 2011, was its chairman three times, and served on the board of the California State Coastal Conservancy.

Under his leadership, Marin has become a national leader in biking and walking, including Safe Routes to School, and established the Bay Area Ridge Trail. During thirteen years as Chair of Marin's Transportation Authority and Congestion Management Agency, Supervisor Kinsey led Marin's efforts to improve mobility along the 101 corridor and throughout his district. Drawing on his consensus-building skills, he secured community support and funding for voter-highway improvements in the Twin Cities area, and extending the Sonoma Marin Area Rapid Transit (SMART) train to the ferry.

It has been my honor and pleasure to join with Supervisor Kinsey to solve significant and complex community issues. From defeating the proposed expansion of Death Row at San Quentin State Prison in 2011, to procuring affordable housing in surplus U.S. Coast Guard facilities in West Marin, to crafting a long-term solution to traffic congestion in Muir Woods and Muir Beach, to fighting to protect continued historic ranching families in Point Reyes National Seashore, and to ensuring the upcoming SMART system reaches its intended breadth of service up and down the line, Supervisor Steve Kinsey has been a tireless strategic and practical thinker, and an effective civic representative.

Steve Kinsey's legacy is one of dedicated service to the environment and health and well-being of Marin County. Please join me in congratulating him on his retirement, expressing deep appreciation for his long and exceptional career and outstanding contributions

throughout the County, and wishing him well in his next adventure.

HONORING OUR NATION'S
VIETNAM VETERANS

HON. RALPH LEE ABRAHAM

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Mr. ABRAHAM. Mr. Speaker, in honor of our Nation's and the State of Louisiana's Vietnam veterans, I introduce Louisiana House Concurrent Resolution 43.

This resolution recognizes November 13, 2013 through November 11, 2025, as the commemoration of the 50th Anniversary of the Vietnam War. It is important that we recognize our Nation's heroes who served with valor and honor through this long war, which in many ways defined an entire generation of Americans. By the end of the Vietnam War, nearly 3 million American servicemen and service-women had served within the borders of Vietnam in some capacity. We would like to take this time to honor all Vietnam veterans and, especially, the more than 58,000 patriots who paid the ultimate sacrifice during this difficult and painful period of war.

Of the millions of Vietnam veterans who served our country, over 106,000 reside in my home State of Louisiana. Though we remain thankful for all of those who have served our great Nation, we would like to take this time to remember the 50th Anniversary of the Vietnam War. It is important that we honor our veterans while they are still alive so that they can take honor for the sacrifices and know that they do not go unnoticed.

HCR NO. 43 A CONCURRENT RESOLUTION

To recognize November 13, 2013, through November 11, 2025, as the commemoration of the 50th Anniversary of the Vietnam War.

Whereas, in observance of the 50th Anniversary of the Vietnam War, it is important as a nation and state that we reflect upon the valor of a generation that served with honor and although long and controversial in nature, this war in many ways defined an entire generation of Americans; and

Whereas, although American involvement in the conflict of Vietnam spanned several decades and presidencies, the ground offensive officially began in March of 1965, with the deployment of 2,500 Marines and by the end of that year, nearly 200,000 American troops were in Vietnam. The strength of the Allied Armed Forces peaked at 543,482 troops during the Vietnam war; and

Whereas, we draw inspiration from our Louisiana heroes who suffered unspeakable tragedies. Approximately 153,303 veterans suffered nonmortal wounding, 14 were held as Prisoners of War, and 24 remain unaccounted for; and

Whereas, by the official end of the Vietnam War in April of 1975, nearly three million American servicemen and women had been on the ground, in the air, on the rivers, and at sea within Vietnam's borders serving in some capacity during the conflict. As a grateful nation, we honor more than 58,000 patriots who paid the ultimate sacrifice during this difficult and painful period; and

Whereas, of the 7,391,000 Vietnam veterans, the United States Department of Veterans Affairs estimates that roughly 106,148 reside

in Louisiana. In the half century since the official beginning of the Vietnam War, our nation has grappled with the sensitive effects of this struggle which accompanies all wars. Yet, we remain thankful to those who fought in this conflict and honor the legacy of service that they built; and

Whereas, the freedom and liberties we are blessed to enjoy today are a direct result of the courage, devotion, and sacrifice of the members of our Armed Forces. We are grateful for their brave service and draw inspiration and pride from all that they are; therefore, be it

Resolved, That the Legislature of Louisiana hereby recognizes November 13, 2013, through November 11, 2025, as the commemoration of the 50th Anniversary of the Vietnam War.

HONORING MARY ANN NIHART

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Mary Ann Nihart for her eight years of service on the Pacifica City Council. Her tireless commitment to her community has improved this wonderful coastal town for residents and visitors alike. Her service even helped shine a national spotlight on Pacifica. I am proud to count Mary Ann as a constituent, colleague and friend.

Mary Ann was first elected to the council in 2008 and served as mayor in 2011 and 2014. She was also the C/CAG representative to Pacifica, the Fog Fest Liaison, and she served on the North Coast County Fire JPA. Her council committee assignments included the Financing City Services committee, Economic Development, the Beautification Advisory Committee, and the Articulation Committee. Pacifica's quality of life was greatly improved through her representation on the San Mateo County Transportation Authority and at the Association of Bay Area Governments.

As mayor, Mary Ann re-instituted Mayor's Walks to personally connect local business owners with the city government and city staff. She also reinstated the Economic Development Committee to develop an economic plan for Pacifica. She helped her town receive transportation funding for shuttle services and street paving. She initiated and led the Beautification Task Force which designated 25 sites for make-overs. To date, nine of them have been completed. Among her proudest accomplishments was a city-wide effort to have Pacifica designated as one of the most scenic cities in America. The town was one of six finalists in the country.

Another of Mary Ann's priorities has been environmental protection. She initiated the process to designate Pedro Point Headlands as a priority conservation area and worked to complete the coastal trail from Pacifica to Devil's Slide, a San Mateo County Park with some of the country's most phenomenal ocean bluff views. She helped ban plastic bags and foam containers in Pacifica and supported protections for the Western Snowy Plover, a tiny shore bird listed as threatened under the Endangered Species Act.

During her tenure, Mary Ann continually strove to bring community members together

and to heal divides. This may be explained by the outstanding professional experience she brought to the council. Mary Ann is the Clinical Director and Chief Nurse of Mental Health Services at the San Francisco Veterans Affairs Health Care System. She holds a BSN and two Masters degrees in Nursing and in Clinical Psychology. Her passion to help veterans is noteworthy. There are thousands of veterans who owe their mental health in part to her management of outstanding psychiatric mental health treatment at our VA. Through her efforts and those of her colleagues, lives are saved each year. Mary Ann is also an Associate Clinical Professor at the University of California, San Francisco, and a past president of the American Psychiatric Nurses Association which honored her with the Psychiatric Nurse of the Year Award in 2012.

Mary Ann speaks nationally and internationally on the integration of biology into psychiatric nursing care, crisis intervention and de-escalation. She brought those skills to the coast after two tragic police shootings of mentally ill individuals in Pacifica and neighboring Half Moon Bay. She worked with local law enforcement to provide additional education and to amend the training for officers encountering mentally ill individuals in violent situations.

As you can surmise from this long yet incomplete list of accomplishments, Mary Ann Nihart is incredibly capable and gets things done. She will retire from the city council due to a flaw in federal law that I intend to fix. I for one will miss working with her on issues that connect local and federal jurisdictions, such as human trafficking, sea level rise and veterans' health.

Mr. Speaker, I ask the members of the House of Representatives to join me in honoring an outstanding professional and public servant who has left her mark on the community she loves. A leader with a big heart and a welcoming smile, Mary Ann Nihart's work is tightly woven into the fabric of Pacifica, a coastal community that I am very fortunate to represent.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 5, 2017 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

JANUARY 10

9:30 a.m.

Committee on Armed Services
To hold hearings to examine civilian control of the Armed Forces.

SH-216

Committee on the Judiciary

To hold hearings to examine the nomination of Jeff Sessions, of Alabama, to be Attorney General, Department of Justice.

SR-325

10 a.m.

Committee on Homeland Security and Governmental Affairs
Permanent Subcommittee on Investigations

To hold hearings to examine backpage.com's facilitation of online sex trafficking.

SD-342

JANUARY 11

9:30 a.m.

Committee on the Judiciary

To continue hearings to examine the nomination of Jeff Sessions, of Alabama, to be Attorney General, Department of Justice.

SR-325

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of Betsy DeVos, of Michigan, to be Secretary of Education.

SD-430

10:15 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Elaine L. Chao, to be Secretary of Transportation.

SR-253

2 p.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of General John F. Kelly, USA (Ret.), to be Secretary of Homeland Security.

SD-342

SENATE—Thursday, January 5, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, as our lips are open in prayer, so may our hearts be open to receive Your Spirit. Help us to bow to Your will and live lives devoted to Your providential leading.

Lord, bless our Senators in their work. Let faith, hope, and love abound in their lives. Help them to seek to heal the hurt in our Nation and world and to be forces for harmony and goodness. Remind them that they will be judged by their fruits and that You require them to be productive and faithful. May they seek to serve rather than be served, following Your example of humility and sacrifice. Open their minds and give them a vision of the unlimited possibilities available to those who trust You as their guide.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. ROUNDS). The majority leader is recognized.

OBAMACARE

Mr. McCONNELL. Mr. President, ObamaCare was sold to the American people with a lot of promises and a lot of fanfare—speech after speech, promise after promise, splashy PR campaigns, quirky YouTube videos.

But the American people never bought it, and the law never worked out the way it was promised. It opened up big problems and crashed computers on day one. Millions lost their health care plans and the doctors they were promised they could keep. Things only got worse from there. We have all gotten the calls and the letters. We have all seen the pain in our constituents' eyes. We all know how harmful this failed partisan experiment has been for those we represent.

We also understand our united mandate to do something about it.

The American people have hardly been subtle—hardly subtle—in their negative view of ObamaCare. That is borne out in the polling we have seen since the passage of this law 7 years ago. This past November, they again called out to Washington. Please help us, they said. Please get rid of this law that is hurting my family.

About eight in 10 favor changing ObamaCare significantly or replacing it altogether.

My message to the American people is this: We hear you. We hear you. We will act.

It is my sincere hope that Democrats will include themselves in that “we.”

I hope they will help us bring relief to the American people today and better health care solutions going forward. We want their ideas. We want their input. We value their contributions in the construction of durable, lasting, and effective reforms.

While I am not the kind of guy who believes history takes sides, I know some of our Democratic friends are, and by now, they must surely have concluded that the ObamaCare-or-nothing crowd cannot be anywhere but on the wrong side of history. There is no future with that crowd.

These are the guys who say ObamaCare's innumerable, well documented, clearly apparent problems are just a case of bad PR. They tried to laugh them off, literally. They tried to blame Republicans, blame the media, blame the American people themselves. They have even taken to denying reality altogether.

They say that ObamaCare has been “wonderful for America.” They call its implementation “fabulous.” Just before the election, President Obama actually said this: “The parade of horrors the Republicans have talked about haven't happened.” He really said that. He went further: “None of what they've said has happened.”

Really? So costs haven't gone up, then? Premiums just skyrocketed by double-digit increases—as high as 50 percent in some places. Deductibles have risen 10 times faster than inflation and nearly 6 times faster than paychecks.

So choice hasn't gone down then? Insurers are fleeing the exchanges, with more than half the country poised to soon have no more than one or two insurers to pick from. Americans are continuing to lose access to doctors and hospitals and health plans they like and were promised. Oh, they were promised they could keep those health care plans.

ObamaCare supporters may not like it, but these are simply the realities of this partisan law.

Now, you will notice they hardly talk about ObamaCare lowering costs or expanding choice anymore. They are down to just one or two talking points now, and even those are slipping away pretty fast. That is because, as Americans have unfortunately learned firsthand, having health insurance under ObamaCare is hardly the same thing as having health care. That is especially true for many who have been forced into Medicaid.

Let's just look at my home State as an example. Kentucky was once held up as a shining jewel of ObamaCare—well, no longer. ObamaCare predictably has become a mess in Kentucky, just as it has across the Nation. That has proved a bit confounding to some of our friends over on the left.

The technical rate of the insured ticked up, they say. So why are so many Kentuckians upset? Why are they upset? Well, when you force Kentuckians into ObamaCare plans that many of their doctors won't accept, what did you think would happen? When you shoehorn folks with modest incomes into a plan with ever-growing premiums and deductibles so high they are afraid to get sick, what do you expect?

In fact, across the Nation, about 4 in 10 adults in ObamaCare aren't even sure they will be able to afford care if they really need it.

ObamaCare isn't truly solving problems or making our country healthier. It is a box-checking regime devoid of true compassion or empathy, a green-eyeshade exercise that misses something important—the lives of real people.

So ObamaCare is making things worse, and we now have a moral imperative to repeal and replace it—to bring relief to families now.

I hope every Member of this body will consider their role in that process because the pain Americans are experiencing is deeply personal. The betrayal middle-class families are feeling is clearly palpable, and, unless we do something soon, Americans will continue to lose their health plans. They will continue to get stuck with insurance that costs more and offers less. Costs will continue to rise unsustainably. Choices will continue to shrink uncontrollably. No amount of ObamaCare happy talk—no amount of it—or reality denial is going to change that.

Some will just never accept the facts, though. They will say we need only to

tinker around the edges of ObamaCare. Everything will be fine. Others will try to claim that the failure of ObamaCare is a mandate for even more ObamaCare. They will claim that the solution is actually to move to the kind of fully government-run single-payer system that already collapsed in one of the most leftwing States in the Nation—the same system that 80 percent of voters just rejected in Colorado. Others will say we need only to install a massive new ObamaCare 2.0 system—ObamaCare 2.0—one that is mostly government-run.

We heard a lot of this so-called “public option” talk when Democrats thought they were on track to take the Senate and the White House. It was never a serious solution—just another admission of ObamaCare’s failure. In the words of one of our Democratic colleagues, it was a distraction as well. Of course, you can’t fix ObamaCare by piling on more ObamaCare.

Now, I am sure that won’t stop some from trying to convince us otherwise, but even amid the din, traces of reality continue to break through.

Consider what the Clintons said during the election. Former President Clinton called ObamaCare “the craziest thing in the world.” That is Bill Clinton.

Secretary Clinton said “lots of Americans” have insurance “too expensive for them to actually use.” That was the Democratic candidate for President of the United States.

The Democratic Governor of Minnesota said that “the Affordable Care Act is no longer affordable for increasing numbers of people.”

So reality is beginning to break through. Despite his ObamaCare pep rally yesterday, even the law’s namesake hasn’t been immune to sporadic admissions of the obvious. President Obama recently admitted that ObamaCare has “real problems,” he has bemoaned the human impact of his law as “premium increases” and “lack of competition and choice,” and admitted that, 7 years after ObamaCare’s passage—this is President Barack Obama of ObamaCare—“too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles, or pay their monthly insurance bills; struggle to navigate a complex, sometimes bewildering system, and remain uninsured.”

That pretty well sums it up. It is an indictment as damning as anything any Republican has said. It is something to keep in mind when you hear the predictable attacks from the far left.

Now, look, we already know their central contention is that Republicans somehow want to go back to the way things were before ObamaCare, which everyone, of course, knows is not true. It is an argument that conveniently leaves out the fact that things are now

worse for many than they were before ObamaCare. That is not all we can expect to hear either. We will hear that repeal will cause insurers to flee the exchanges, which, by the way, news flash, is already happening. We will hear that repeal will plunge ObamaCare into a death spiral, which, they might have missed, is here already and fast approaching terminal velocity—the death spiral—right now.

We long warned that ObamaCare would eventually collapse under its own weight. That is exactly what is happening. Democrats chose to rip apart our health care system 7 years ago and give us the chaos we are seeing, and things will only continue to get worse unless we act now.

It is time to finally bring relief. The status quo is simply unsustainable. The reality is, that by any measure, ObamaCare has failed. It didn’t deliver on its core promises. It hurt more than it helped. Many are finding they can’t even use the insurance they now have.

History will record ObamaCare as a failed partisan experiment, an attack on the American middle class, a lesson to future generations about how not to legislate. Let’s be clear. ObamaCare’s failure is the fault of ObamaCare and those who forced it on our country, not the American people, not the Republicans. We didn’t cause this problem, but we are now determined to provide relief. We are determined to live up to our promise to the American people and repeal this failed law.

Starting today, we will begin repairing the damage by passing the legislative tools necessary to repeal ObamaCare and begin to transition to more sensible health care solutions. We just laid down the ObamaCare repeal budget resolution this week. We will take it up soon, but repeal is only the first step. It clears the path for a replacement that costs less and works better than what we have now. Once repeal is enacted, there will be a stable transition period to a patient-centered health care system that gives Americans access to quality, affordable care.

We plan to take on this challenge in manageable pieces, not with another 2,700-page bill. That was one of ObamaCare’s initial mistakes and one we do not intend to repeat. Some of our friends across the aisle have mused publicly about their role in this process. I hope they will work with us. We hardly need another tired slogan from Democratic colleagues—after all, how does that move us ahead—but we do want their ideas, and we do want to work together to improve our health care system. That is the best way forward. That is certainly the way I prefer.

I hope our Democratic colleagues will join us in taking an important step forward soon by confirming TOM PRICE as HHS Secretary and Seema Verma as CMS Administrator. Some of

you may remember the “redtape tower” we used to wheel around here. It represented the fact that while the ObamaCare bill may have run about 2,700 pages, its regulations run to tens of thousands of pages. That is what PRICE and Verma can get to work on once confirmed, stabilizing the health care market and bringing relief.

It isn’t going to be easy. It is going to take time. There will be bumps along the way, but we are going to do everything we can to heal the wounds of ObamaCare and move forward toward real care. We are going to move step-by-step. We want the widest possible coalition working to achieve real solutions for the people who are hurting and calling for our help.

Let’s give them that help. Let’s give them some hope. Let’s leave ObamaCare in the past and work together instead on reforms and outcomes we can all be proud of.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

AFFORDABLE CARE ACT

Mr. SCHUMER. Mr. President, first, I appreciate the remarks of my colleague the Republican leader. I understand the Republican leader’s discomfort. There is a cry from his side to repeal, but it has been 6 years and they have no plan to replace. Repeal without replace leaves 20 million Americans who have had health care in the lurch; leaves college students who are 21 to 26 and have been on their parents’ plan in the lurch; leaves women who are now getting equal health care treatment to men in the lurch; and leaves those who have families who have preexisting conditions, and now can get insurance but without ObamaCare couldn’t, in the lurch.

I understand the Republican leader’s discomfort. Replace is not available because they can’t come up with a plan. I appreciate his request to work with us. He has two choices. Our Republican colleagues have two choices: Either, once they repeal, come up with a replacement plan, and we will give it a look—they haven’t been able to do it for 6 years; they are squirming right now because they don’t have one; they are leaving so many Americans who need health care in the lurch—or don’t repeal and come talk to us about how to make some improvements. We are willing to do that.

I will note that yesterday the vote to repeal without replace was totally partisan. My colleagues decreed that the vote originally for ACA was partisan. This is equally partisan, and it is going to create huge trouble for our colleagues. Again, I will say to my Republican colleagues, your job is not to

name call but to come up with a replacement plan that helps the people who need help—people who are now helped by the ACA but who will be left in the lurch once it is repealed.

CABINET NOMINATIONS

Mr. SCHUMER. Mr. President, I have another subject I wish to talk about, and maybe this one will be a little more constructive right now in terms of my Republican leader's response because he and I yesterday had a constructive meeting on the matter of processing the President-elect's nominations to the Cabinet. We are still working out several details, but on this issue I want to express my appreciation for the majority leader's willingness to have a dialogue and work in good faith toward a process both sides of the aisle can live with.

Our caucus thinks it is absolutely essential that the Senate has a chance to appropriately vet the nominees, and the American people deserve to hear their views and qualifications in public hearings, especially for the most powerful Cabinet positions. We all know Cabinet officials have enormous power and influence over the lives of everyday Americans. They run massive government agencies that do the actual work of implementing our laws, keeping our Nation safe from terrorism, protecting the environment and civil rights, promoting clean energy and affordable housing—on and on. Every facet of public life is governed by a very powerful Cabinet official.

It is only right that we in the Senate—and by extension the American people—get to thoroughly vet their baseline acceptability for these jobs. That means getting their financial records to make sure they don't come into public office with standing conflicts of interest, and if potential conflicts of interest are found, making sure they have a plan to divest the assets in question, making sure the FBI has had the time to complete a full background check. It means making sure the independent ethics officers of each agency can sign off on them.

All of these benchmarks are standard protocol. All were done by about this time 8 years ago by the Obama administration. They are not onerous requirements. They are necessary requirements to prevent conflicts of interest.

I remind my colleagues again, every Obama Cabinet nominee had an ethics agreement in before their hearing. Every Obama Cabinet nominee underwent a full FBI background check before the Senate considered their nomination. For such positions of influence in our government, it is the responsibility of the Senate to guarantee that we have all the information we need on each nominee and in a timely fashion.

Truth be told, the slate of nominations selected by President-Elect

Trump has made this process—standard for nominees of Presidents of both parties—immensely difficult. There are several nominees who have enormous wealth and own stock of enormous value. We have a CEO of one of the largest oil companies in the world, a billionaire financial services executive financier—oh, and another billionaire financial services executive.

Leaving aside for a moment what that says about the President-elect's priorities for his incoming administration, these nominees have potential conflict of interest challenges of epic proportions. At the very least—at the very least—they owe the American people the standard paperwork, and in fact we believe many of these nominees, given their financial holdings, should go one step further and provide their tax returns.

The minority only has ethics agreements in for four of the nominees so far. We only have financial disclosure forms from four of the nominees so far. We only have tax returns for four of the nominees so far. None of our committees has been notified that any nominees' FBI background check has been fully completed. Briefings have started, but they are far from complete.

As I said earlier, I hope the majority leader and I can work out an arrangement that works for both of our caucuses to process these nominees in a fair but thorough fashion. It certainly shouldn't be the case, as seems to be planned now, that six hearings—several on very important nominees—all occur on the same day and on the same day as a potential vote-arama. That is mostly unprecedented in the modern era of Cabinet considerations, happening only once in history. That is not the standard, but right now that is the case on January 11.

There are Members who sit on multiple committees. One of our Members chairs one of the committees, Judiciary, but has been very active on the Intelligence Committee—both nominees in a single day. That is unfair, not only to her, with her great knowledge, but to the American people. Each member deserves plenty of time to question each nominee, and if questions remain, they should be brought back for a second day of hearings.

After all, they are going to hold incredibly powerful positions for potentially the next 4 years. To spend an extra day or two on each nominee, if it takes a few weeks, several weeks, to get through them all in order to carefully consider their nominations, that is certainly worth it to the American people and, I would argue, to the new administration.

I have made these points to the majority leader, and I must say he has respectfully listened. I am hopeful we can find an agreement that alleviates the crunch and gives Senators and

committees the opportunity to process these nominations with the proper care and oversight, with all of the proper paperwork in place, thoughtfully and thoroughly.

I yield the floor.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017

The PRESIDING OFFICER. The clerk will report the concurrent resolution.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, the pending business in the U.S. Senate is to set the stage procedurally so the Republican majority of 52 to 48 can repeal ObamaCare, the Affordable Care Act. That is what we are about. That is the business of the day, the week, and probably the weeks to come. So we are addressing that issue and others related to the budget.

I would like to start by sharing a story that was told to me by a family who I represent, Richard and Mary Laidman, who live in Naperville, Illinois. They told me a story, and I will recount it to you.

My 13-year-old son Sam was diagnosed with leukemia one day after the "no pre-existing conditions exclusions for children" protection went into effect [under the Affordable Care Act.] The good news is that the form of leukemia has, so far, been effectively controlled by a magic-bullet drug. My son is currently a very robust young man and in otherwise good health (while the drug keeps him alive). The bad news is that the drug, as I understand it, costs [Blue Cross Blue Shield] about \$10,000 a MONTH! Without even going into the issue of "Big Pharma" pricing—

They wrote—

this means that it would take about \$6 million to get my son into his 60's. Obviously we are feeling dependent on all the clauses of the [Affordable Care Act] right now—no pre-existing conditions exclusions, no caps on benefits, allowing Sam to stay on our health insurance plan till [he reaches] age 26.

Mr. President, the bottom line according to the Laidman family of Naperville, IL, is that the Affordable Care Act is critical to their family's health and financial survival. That is what this debate is about. It is not about talking about promises made in campaigns or slogans one way or the other. It is about families like the Laidman family in Naperville who understand that were it not for the provisions in the Affordable Care Act, their son might not be here today or they may be penniless.

That is what it was like in the old days. If you had a son with leukemia and wanted to buy a family health insurance plan, good luck. If they would

sell it to you, you probably couldn't afford it. And secondly, many policies had limits on how much they would pay. Listen to what she tells us: \$10,000 a month just for this drug that keeps her son alive. There were policies that had \$100,000 limits on the amount they pay each year. Oh, they were affordable and cheap enough. What would the Laidman family have done if that is all they had to turn to?

Sadly, we know thousands, perhaps millions, of families across America face that. That is why the Affordable Care Act made a difference. That is why it is inconceivable that the Republicans are coming to the floor, saying they want to repeal the Affordable Care Act without any replacement.

They have had 6 years to come up with a better idea, 6 years to come up with a list of improvements, and they have failed and failed miserably. Why? Because it is hard. It is difficult. We found that when we wrote this law.

Let me concede a point to the Republican leader who was on the floor this morning. I am ready to sit down. I think other Democrats are as well. If you want to change and improve the Affordable Care Act to make sure that American families like the Laidmans of Naperville have a chance for these protections in a better situation, I want to be part of it, and I have wanted to be part of it for 6 years. But the Republican approach has been very simple: All we will propose is repeal. We will not come up with an alternative.

It is catching up with them this week in Washington. Have you noticed? Senators on the Republican side of the aisle and even some House Republicans are saying publicly: You know, we really ought to have a replacement.

It is not fair for us to say to America: We're going to repeal the only protection you have. Trust us. Some day in the future we might come up with a better plan.

The atmospherics have changed—maybe even changed with the President-elect. Remember a few weeks ago when he said he thought that provision about the preexisting conditions was a good idea? Well, he is right, and so is the provision to make sure you don't have limits under the policy, the provision that allows the Laidmans to keep their son under their family health insurance plan until he reaches the age of 26.

Yesterday, Mrs. Kellyanne Conway, Senior Advisor to President-Elect Trump, was on a morning show, and she said: "We don't want anyone who currently has insurance to not have insurance." That is a good statement. Then, when she was asked about whether the Republicans should come up with a replacement, she went on to say: "That would be the ideal situation. Let's see what happens practically."

Well, I don't know Mrs. Conway, but her observations square with what we

feel on this side of the aisle, and more and more Republicans are starting to say publicly that it is irresponsible for us to repeal the Affordable Care Act without an alternative. It invites chaos. We know what is likely to occur. We know that if there is no replacement that is as good or better, people are going to lose their health insurance.

Illinois' uninsured rate has dropped by 49 percent since the Affordable Care Act was passed. A million residents in my State now have health insurance who didn't have it before the Affordable Care Act. Illinois seniors are saving on average \$1,000 a piece on their prescription drugs because we closed the doughnut hole in the Affordable Care Act, which the Republicans now want to repeal. More than 90,000 young people in Illinois have been able to stay on their parents' health plan until age 26 under our current health care system, and 4.7 million Illinoisans, such as the Laidman family, no longer have annual or lifetime caps on benefits, and that protects them when there is a sick member of their family and they need it the most. Under our current health care system, 5.6 million Illinoisans with preexisting conditions no longer have to fear denial of coverage or high premiums.

I am going to close with this brief reference. Remember the first thing President-Elect Trump did when he went to visit the State where they were going to keep 800 jobs and not transfer them overseas? He took justifiable pride in the fact that he had jawboned the company into deciding to keep at least some of the jobs in the United States—800 jobs. That is good. America needs companies to make the decision to keep jobs here. We need all the good-paying jobs we can get, particularly in manufacturing. But do you know what the repeal of the Affordable Care Act means to jobs in Illinois? Well, the Illinois Health and Hospital Care Association knows. They told us that it would have a devastating impact on hospitals in Illinois. That includes many rural downstate hospitals, the major employers in their community. They estimate that we would lose between 84,000 and 95,000 jobs with the repeal of the Affordable Care Act. We could have a press conference for saving 800 jobs at Carrier, but are they going to have a press conference and celebrate when they are killing 84,000 jobs in Illinois with the repeal of the Affordable Care Act? They shouldn't. They should do the responsible thing.

Let's work together. Let's make the Affordable Care Act better, more affordable. We can do it, but the notion of repealing it first and then promising to get around to a substitute later invites chaos. That is going to make America sick again.

Mr. President, I yield.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first I want to thank Senator DURBIN for his comments about the policy of repealing the Affordable Care Act and not knowing what comes next, the impact it is going to have on people from Illinois. I am going to talk about people in Maryland. I have received similar letters showing that people are going to be adversely impacted.

I want to share with my colleagues the conversation I had with the secretary of health from Maryland. Maryland has Governor Hogan, a Republican Governor, and his secretary of health met with me several weeks ago to express his concerns about the impact on the people of my State of Maryland if the Affordable Care Act were repealed. What I heard from the secretary of health of Maryland was similar to what I heard from many of the health care stakeholders from the hospital association to physician groups, to health care advocates, to ordinary Marylanders who have contacted me about their concerns about what happens if we see a repeal of the Affordable Care Act.

Let me just give you some examples of how the Affordable Care Act is working in my State and, as Senator DURBIN indicated, in his State. The uninsured rate in Maryland has dropped from 12.9 percent to 6.6 percent. That is about a 50-percent drop in the uninsured rate. That benefits all Marylanders—all Marylanders. Yes, 400,000 Marylanders now have health coverage who didn't have health coverage before, and for those 400,000, that is a big deal. That means they can see a doctor and get a physical examination. If they are ill, they can get treated and know there are doctors and hospitals that will want to take care of them because they have third-party reimbursement. They no longer have to show up in emergency rooms because that is the only place they could get to. They can now go to a doctor and get a physical examination.

Mr. President, it benefits more than just those 400,000 Marylanders, who, thanks to the Affordable Care Act, have health coverage. It affects all Marylanders because we no longer have the amount of cost shifting of those who have health insurance paying for those who don't have health insurance because they use the system and don't pay for it. That dislocation has been dramatically changed in my State. So all Marylanders are benefiting from having 400,000 Marylanders who now have health coverage, but it goes beyond that. Many Marylanders who had health insurance didn't have adequate health insurance. They had restrictions on preexisting conditions. They had caps on their policies. It didn't cover preventive health care. They now have quality health coverage.

All of that is at risk. All of that is at risk because of what we are talking about doing, if I understand correctly.

Quite frankly, I am still trying to figure out what the Republicans are doing to the Affordable Care Act, but if I understand it, they are going to repeal it, and they are not going to tell us right now how they are going to replace it. So everything that is included in the Affordable Care Act is at risk.

I will give you one more example of costs because I think this is an important point. Under the Affordable Care Act, if an insurance company wants to increase rates more than 10 percent, there are certain procedures they have to go through, certain public disclosures. We have a much more public process, but the number of claims of those who wanted to increase their policies by 10 percent have dropped from 75 percent before the Affordable Care Act to now 14 percent nationally. We have seen one of the lowest growth rates in health care costs in modern history. Yes, the Affordable Care Act has helped us do that. Why? Because individuals who had insurance now have coverage for preventive health care and are saving us money. Those who didn't have health care coverage now have health care coverage, and they are seeing doctors, and they are saving us money because if they have a disease, it is being caught at an earlier stage, being treated in a more aggressive way, and they are saving more intensive health care costs. All that is benefiting the people of Maryland and our country.

Senator DURBIN mentioned several people in his State—a person in his State—and letters. I want to talk about people in Maryland whom I have talked to over the last several years about the impact of the Affordable Care Act and why they are so concerned about the policy now of repealing the Affordable Care Act.

I want to go back to 2007. That is a date that Marylanders know very well. I want to go back to a 12-year-old, Deamonte Driver. Deamonte Driver was a 12-year-old who lived about 10 miles from here. His mom tried to get him to a dentist, but he had no insurance coverage, and she couldn't find a dentist. She couldn't find a dentist who would take care of him. Deamonte Driver needed about \$80 of oral health care. He had an abscessed tooth that needed to be removed. It would have cost \$80, and he couldn't find care in 2007 in the wealthiest country, in America. As a result, his tooth became abscessed and it went into his brain. He had thousands of dollars of health care costs, and he lost his life. As a result of that incident, I, along with other members of Congress, took up the cause of pediatric dental care to make sure every child in America has access to pediatric dental care. That is included in the Affordable Care Act as an essential health benefit.

Before the Affordable Care Act, very few health policies included pediatric

dental; therefore, families were at risk as to whether they would actually use dental services because they did not have the money to pay for them. That was changed under the Affordable Care Act. That is at risk. That is at risk because, if I understand what is being suggested here, we are going to repeal the Affordable Care Act and the essential health benefits. We can't allow any more tragedies like Deamonte Driver in America, and yet we will be putting our children at risk if we repeal the Affordable Care Act.

There was another provision I worked very hard to get into the Affordable Care Act that I think is extremely important. We now have a National Institute of Minority Health and Health Disparities at the National Institutes of Health. We have agencies that deal with minority health and health disparities in all of our health care agencies thanks to the Affordable Care Act. That means we are now acknowledging that historically we have not done right for minority health in America. We looked at a lot of the research dollars; they were not spent in areas that minorities were impacted by. We see that access to care in certain communities is much more challenging because of minority status. We are looking at these issues and taking action.

The Institute sponsored a study in my home city of Baltimore. That study showed that depending on what ZIP Code you live in, your life expectancy could be as different as 30 years—a generation. Just your ZIP Code. We are taking steps to change that in Baltimore thanks to the National Institutes and the Institute on Minority Health and Health Disparities. Are the Republicans telling us that is not needed anymore, that we are going to repeal our efforts to look at minority health and health disparities? That is unconscionable. Yet, if I understand correctly, that is the course we are going to follow.

Mental health parity is another area we have talked about at great length here. We know we still have not reached that goal to make sure mental health receives the same attention as any other health need, but in the Affordable Care Act, we did amazing things to expand access to coverage for mental health and drug addiction. By expanding the Medicaid population, we have 1.6 million Americans who now have expanded coverage for mental health and substance abuse.

We have had great discussions in this body. I am very proud of the Cures Act, where we expanded coverage for drug addiction. Now Republicans are talking about taking a major step backward by repealing Medicaid expansion that allows access to coverage for mental health and drug addiction. To me, that is something that is unthinkable. Yet we are moving on that path by the legislation that is before us.

Let me share a letter I received from Lillian from Baltimore. In 2008 she lost her job. She has a history of abnormal mammograms. She could not get coverage. She could not get an insurance company to cover her because of the preexisting concerns. She wrote: The Affordable Care Act has worked. I have coverage.

No preexisting conditions. No longer is being a woman considered a preexisting condition in America. Are we now going to turn our backs on the women of America and allow these discriminatory practices that existed before the Affordable Care Act to come back? I will tell you, I am going to fight to do everything I can to make sure that does not happen, and I would hope my colleagues on both sides of the aisle feel the same. But you are marching down a path that puts women at risk, that puts Americans at risk.

We know about the caps that were in the law before the Affordable Care Act. What do I mean by caps? That is the maximum amount your health insurance policy will pay you. Some 2.25 million Marylanders had caps on their policies before the Affordable Care Act—not just the 400,000 new people who have come into the system, 2.25 million Marylanders will be impacted if we eliminate the protection against arbitrary caps.

The tragedy about caps is that when you really need coverage, that is when you are impacted. You get insurance to cover you. You discover you have cancer. It is extremely expensive to treat cancer in an aggressive way. All of a sudden, you are in the middle of treatment and you reach your cap. What do you do? What do you do? There are real, live examples from before we passed the Affordable Care Act. We are going to go back to those days in the United States of America? That is what repealing the Affordable Care Act means for 2.25 million Marylanders who are being put at risk.

Rebecca from Baltimore told me about her daughter Eva, who is 18 months of age and has severe congenital heart defects and has gone through numerous operations. If caps are in place, she cannot get adequate care for her 18-month-old daughter. Those are real, live examples of people who are impacted by the Affordable Care Act. She also told me: Thank you for the 26-year-old provision where you can stay on your parent's policy. At least she knows Eva will be able to stay on her policy until she is 26.

I heard from Nichole, who is a 22-year-old student at Towson University. She could not get affordable health coverage and was able to stay on her parents' policy. That is an important provision which is being repealed by the Affordable Care Act.

I helped work on the provision in the Affordable Care Act that provides preventive care coverage—immunizations,

cancer screening, contraception, no cost sharing. That saves money. Preventive health care saves money. It makes our health care system more cost-effective. That is why we decided to put a focus on preventive health care and expand it dramatically. Now, 2.95 million Marylanders benefit from the preventive health care requirements of the Affordable Care Act that is included in every health policy. That will be repealed, if I understand correctly what the Republicans are attempting to do on their repeal of the Affordable Care Act. We don't have a replacement. We don't know what it is going to look like. It is not easy to figure out how to put the pieces back together again.

There is a provision in the Affordable Care Act that deals with prevention and public health funds and that provides dollars to deal with some of the real challenges we have out there—obesity, tobacco abuse. My State is getting funds so that we can deal with healthy eating that will not only provide a better quality of life for those who have weight issues but also lead to a more cost-effective health care system. That will be gone with the repeal of the Affordable Care Act.

Let me talk for a moment about health centers because I know we made that a priority in the Affordable Care Act. Qualified health centers are centers that are located in, in many cases, challenging communities where it is hard to get doctors and hospitals to locate. We provide access to care for people who have limited means. The Affordable Care Act did two things that are extremely important in regard to health centers. First, it provided some significant new direct resources for those programs. Secondly, because they are in challenging neighborhoods, they have a much higher number of people who have no health coverage who go into these centers; therefore, their third-party reimbursement is much lower than other health centers that are located in better neighborhoods or more affluent neighborhoods.

The Affordable Care Act has worked in expanding dramatically the capacities of these qualified health centers. We have 18 that are located in Maryland. I could talk about all of them, but I have been to the Greater Baden Medical Services center several times. It is located in Prince George's County. They also have a center in St. Mary's County. I have been to them many times. I have seen their new facilities thanks to the Affordable Care Act. I have seen the building in which they provide mental health services and pediatric dental care and actually adult dental care also. They provide those services to the community thanks to the Affordable Care Act. They told me that in the very first year alone of the Affordable Care Act, they were able to reduce their uninsured rates by 20 per-

cent, meaning they get a lot more money coming in and they can provide many more services. All of that will be gone if the Affordable Care Act is repealed. I can't be silent about that. This center is providing incredible services. It is one thing to have third-party coverage; it is another thing to have access to care. We provided both in the Affordable Care Act. We are not going to go back.

I heard Senator DURBIN talk about Medicare. I just want to underscore this. This is not just about those under 65. It is about our seniors. It is about those on disability who are covered by Medicare.

We heard about the doughnut hole. We all understood. We were getting numerous letters from people who fell into that doughnut hole. Guess what. Those letters are tailing off dramatically. Why? Because the Affordable Care Act closes the doughnut hole for prescription drug coverage. In my own State of Maryland, 80,000 Marylanders benefited in 2014 from the Affordable Care Act and better coverage for prescription drugs, amounting to \$82 million, averaging over \$1,000 per beneficiary benefit. Those over 65 have better coverage for prescription drugs. You repeal the Affordable Care Act, and all of a sudden seniors figure out they have to pay another thousand dollars a year for prescription drugs. In my State, they don't have the money to do that. You are going to again hear about prescription drugs left on the counter at the pharmacy because of the repeal.

Guess what. It even does more than that. The Affordable Care Act provided greater solvency for the Medicare system. I have heard my Republican colleagues say: We are not going to do anything to hurt Medicare. Repealing the Affordable Care Act hurts Medicare. It hurts the coverage and it hurts the solvency. I don't want to be part of that. I would hope my colleagues don't want to be part of that. Yet repealing the Affordable Care Act does that.

Let me talk for a moment about affordability. It is one thing to have coverage; it is another thing whether you can afford that coverage. We heard all of these stories about the increased premiums, and we know, of course, that insurance premiums in America have gone up at a slower growth rate than they did before the Affordable Care Act. That is a fact. But we do hear about the individual market within the exchanges and how that has gone up by a significant amount, mainly because of the way it was originally rated. We have heard about that. But perhaps what many people don't know is that in my State and around the Nation, 75 percent of the people who qualify for private health insurance within the exchanges are eligible for credits. In other words, we are helping them with the affordability of their health care.

In my State, that was \$200 million a year to help Marylanders pay for health insurance. That will be gone with the repeal of this Affordable Care Act. That is wrong.

I received many letters from small business owners. One of the proud parts of the Affordable Care Act is that it helped our small business owners. Why? If you ran a small business, you wanted health insurance for your employees because you wanted to keep them well. You were discriminated against before the Affordable Care Act. You didn't have a big pool. God forbid one of your employees gets really sick during the year; your insurance premium goes through the roof. That is what was happening before the passage of the Affordable Care Act. Are we going to go back to the days where we tell small companies: You really can't get health insurance because if someone gets sick, you lose your policies basically. That is what we are talking about.

Annette of Bel Air, MD, wrote to me. She said she has saved significant money as a small business owner as a result of the Affordable Care Act. Tim from Laurel, MD, told me that in his small business, he saved \$7,000 a year thanks to the Affordable Care Act. The reason is simple: You have broader pools, and you get the same type of rates larger companies get now. You will lose that with the repeal of the Affordable Care Act.

Let me tell you about one of the tragedies of this that will happen immediately, affecting America's competitiveness and entrepreneur spirit. We know that a lot of people who work for big companies have great ideas, and they want to start out on their own. I have seen that over and over again in the biotech industries of Maryland. I go down the 270 corridor, the 95 corridor. I see small entrepreneurs who used to work for one of the giant defense contractors, and now they are pulling out and coming up with new ideas, doing things in a great way. That is what makes America a great nation. That is how we create jobs and how we deal with innovation.

Here is the situation. You are a 30-something-year-old, ready to leave that company and go out on your own. Your spouse has cancer. What do you do? You are not going to be able to get coverage. You are locked into that job. That will be a consequence of the repeal of the Affordable Care Act. We are dealing with real people and real people's lives. It is irresponsible to repeal the Affordable Care Act and not tell that young entrepreneur what he or she can expect. That is what is at stake.

There is one last point I want to talk about, and that is the Patients' Bill of Rights. I helped draft the Patients' Bill of Rights. It was not easy to pass the Patients' Bill of Rights. We were able

to get it in the Affordable Care Act. We were able to get in the right that—you go to an emergency room. Under a prudent layperson standard, you did the right thing. You find out you didn't have that heart attack even though you had chest pains. Then you wake up the next morning and find out your insurance company is not paying the bill because you didn't have that heart attack. We changed that in the Affordable Care Act.

Are we going back, eliminating those protections, the right to appeal decisions or are we going to repeal that part of the Affordable Care Act? Are we going to go back to medical loss ratios, where insurance companies can make obscene profits and not rebate those excess profits to their policyholders when we have millions of people receiving rebates today? All of that is gone with the repeal of the Affordable Care Act.

Mr. President, I could go on and on, but I see my colleague Senator Kaine is here and others who want to speak on this issue.

Let me conclude with this. This is the wrong way to go about this. I heard the leader say that for 6 or 7 years—for 6 or 7 years—Democrats have been trying to work with Republicans to make the law even better.

We have never passed a major law that didn't need to be revisited. We understand that. We have been working to try to improve the law—not repeal it—improve it, build on it, make it better, and we have gotten no help from Republicans, not any help whatsoever.

Republicans have blocked efforts to improve this law. Instead, they are stuck on this repeal without knowing what the replacement is going to be. That is wrong. We should be working together to improve our health care system, but to pass a repeal, to put Americans at risk will lead to uncertainty, which will lead to insurance companies abandoning the market, giving consumers less choice rather than more choice. To hurt millions of Americans is wrong, and I urge my colleagues to reject this approach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 8

Mr. Kaine. Mr. President, I call up amendment No. 8, which I send to the desk on behalf of Senator Murphy, me, and other Senators as well.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Virginia [Mr. Kaine] proposes an amendment numbered 8.

Mr. Kaine. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit legislation that makes America sick again)

At the end of title IV, add the following:

SEC. 4. DON'T MAKE AMERICA SICK AGAIN.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any legislation that makes America sick again, as described in subsection (b).

(b) LEGISLATION MAKING AMERICA SICK AGAIN.—For purposes of subsection (a), legislation that makes America sick again refers to any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that the Congressional Budget Office determines would—

(1) reduce the number of Americans enrolled in public or private health insurance coverage, as determined based on the March 2016 updated baseline budget projections by the Congressional Budget Office;

(2) increase health insurance premiums or total out-of-pocket health care costs for Americans with private health insurance; or

(3) reduce the scope and scale of benefits covered by private health insurance, as compared to the benefits Americans would have received pursuant to the requirements under title I of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 130) and the amendments made by that title.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. Kaine. Mr. President, I rise to offer this amendment, amendment No. 8, with Senator Murphy and other Senators, to the budget resolution we are currently considering, and the purpose of amendment No. 8 would be to create a point of order against considering any legislation that would either strip Americans of health insurance coverage, make health care more expensive, or reduce the quality of health coverage.

Our amendment creates a high hurdle to any legislation that would make America sick again, and basically that is what we are trying to do. If we are going to either strip coverage from people or make health insurance more expensive or reduce the quality of health coverage for Americans that they currently have, we shouldn't make that easy to do. We should have a high hurdle in place so we consider it before we do it.

The point of order is necessary because the entire purpose of this budget resolution is not to really address the budgetary matters facing the country. I say that as a member of the Budget Committee. In fact, the budget process was basically ignored in the last Congress.

This budget is only before us to set up a pathway to pass a fast-track repeal of the Nation's most consequential health care program in decades, a program that affects millions of people and a repeal being fast-tracked that would strip health care from millions of Americans.

I will come back to the health points in a second, but I want to address how we got to where we are on the budget question that was in the province of the Budget Committee.

I think it is a little strange that halfway into Fiscal Year 2017, which began in October 2016, we are going to be setting budget levels now. A budget resolution is a tool to set forth the guidelines for spending in Congress.

We know, in the history of this body, we are not always successful in passing a budget through both Houses of Congress and approving that budget through a conference process, but at least some progress is usually made; for example, both Houses doing their budget resolutions. As you know, that did not happen in 2016. Last year, our GOP counterparts in each House decided, for the first time in the modern budget era, not to hold a hearing on the President's submitted budget, not to have any activity on a budget in the Senate, either in the committee or on the floor.

To begin, I have to ask, if the budget wasn't important enough for us to consider last year, why is it now so important for us to be taking up a budget? The answer is obvious. We are debating a budget for the sole purpose—the sole purpose—of setting in motion a process to repeal health care coverage for tens of millions of Americans. This is really about an attack on people's health care.

I and many of my colleagues have said there is a significant need to make improvements to the Affordable Care Act and, more generally, to our health care system.

Mr. President, you were a chief executive of a State, just like I was. I learned something in my first year as Governor of Virginia, which was, when I looked at all the bills that were put on my desk for signature, amendment, or veto at the end of my State's legislative session, three-quarters of the bills were not new legislation or not repeals of legislation; three-quarters of the bills were improvements of existing law. That is the work of a legislative body. Overwhelmingly, it should be improvements to existing law. The Affordable Care Act needs significant improvement, just as other health care laws do, just as virtually everything we do needs improvement.

There is no reason, while we acknowledge the need for improvement, to repeal a law outright without having a sense of what the replacement will be because, by doing so, what we do is create chaos in the economy, chaos in the health insurance market, and especially chaos in the most intimate and important area of people's lives, their health.

Actually, on that subject, there was a wonderful letter that was sent on January 3 by the American Medical Association to the congressional leadership on

this very point, don't do a repeal that creates chaos for people. I am going to read some sections of the letter.

The AMA supported passage of the Affordable Care Act because it was a significant improvement on the status quo at that time.

We continue to embrace the primary goal of the law to make high-quality, affordable health care coverage accessible to all Americans. We also recognize that the ACA is imperfect, and there are a number of issues that need to be addressed.

Continuing the quote:

It is essential that gains in the number of Americans with health insurance coverage be maintained.

The letter concludes, from the American Medical Association, the largest organization representing American physicians:

Consistent with this core principle, we believe that before any action is taken, through reconciliation or other means, that would potentially alter coverage, policymakers should lay out for the American people, in reasonable detail, what will replace current policies. Patients and other stakeholders should be able to clearly compare current policy to new proposals so they can make informed decisions about whether it represents a step forward in the ongoing process of health reform.

The amendment Senator MURPHY and I propose is designed to accomplish exactly the goal, exactly the goal the AMA has specified in the letter of January 3.

We would create a 60-vote point of order against any legislation that would, first, reduce the number of Americans who are enrolled in public or private health insurance coverage, so there would be a 60-vote point of order against any proposal that would reduce coverage for Americans; second, the point of order would also lie against any plan that would increase health care premiums or total out-of-pocket health care costs for Americans with private health insurance; and, third, the point of order would lie against any proposed plan on the table that would reduce the scope and scale of benefits offered by private health insurance because the ACA was not only about affordable care and it was not only about coverage, it was also about the quality of care.

Could your coverage discriminate against you because you are a woman? Could your coverage expire once you get diagnosed with an illness and now have a preexisting condition?

These bill of rights protections for patients were an important and integral part of the Affordable Care Act, and the budget point of order that we would put on the table would establish a 60-vote threshold for considering any legislation if it triggered one of those three concerns: reduction in coverage, increase in cost, reduction in quality.

The point of order actually goes right to promises that the President-elect has made. In September of 2015, President-elect Trump said:

I am going to take care of everybody. I don't care if it costs me votes or not. Everybody is going to be taken care of much better than they are taken care of now.

He has made a promise to the American public that we will not rush into a new health care chapter that reduces coverage, that reduces quality, or that increases costs.

Just 2 days ago, the key spokesperson for the President-elect Kellyanne Conway said: We don't want anyone who currently has insurance to not have insurance.

She is not setting a threshold of 1 million people or 100,000 people or 10,000 people or 10 people. She is saying the threshold is this: We do not want anyone who has insurance to have that insurance jeopardized by actions of Congress.

This is what a repeal of the Affordable Care Act, without a replacement plan, will mean. It will have three significant consequences, and then I want to finish with some personal stories.

First, a repeal with no replacement will inflict a significant wound on the American economy. Health care is one-sixth of the American economy, one-sixth. You cannot inject uncertainty into one-sixth of the American economy without having significant negative effects on our Nation.

Congress should be in the business of increasing certainty, not increasing uncertainty, and if we go into the biggest sector of the American economy with a repeal, without any replacement strategy, it is the equivalent of, "I am now going to jump off a cliff and I will figure out how to land once I am in midair." This will be economic malpractice to affect that many people.

Second, the effect of the repeal of the Affordable Care Act is sort of an under-the-table tax cut for the wealthiest Americans. Millionaires, if the Affordable Care Act is repealed—there are two taxes on high earners that are part of the financing of the Affordable Care Act, and these taxes on high-earning Americans would expire, and this is hundreds of billions of dollars over 10 years of a tax cut. Millionaires would get 53 percent of the tax cuts from a repeal, which is more than double the same group's share of the 2001 and 2003 tax cuts that were done during the Bush administration.

Just to put that in some context, Americans in the top 0.1 percent economically would get an average tax cut of \$197,000 if the Affordable Care Act is repealed. That is one way to sort of look at this repeal without a replacement. It is essentially a tax cut for the wealthiest, financed by reductions of health care on the people who are most in need.

Third, the impact that is the most significant is the impact on the health care of average Americans. The Urban Institute did a study in December and said: If there is a repeal with no re-

placement or a repeal with a delayed replacement to something that we know not what it will be, there will be 30 million Americans who will lose their health insurance. About 20 million will be people who got health insurance under the Affordable Care Act, and an additional 10 million will be people who will lose their insurance because of the chaos created in the insurance market.

I want to put that number, 30 million, into a context because numbers can just sound big and mysterious. Here is what 30 million people is. The number of people who would lose health insurance because of an ACA repeal is equal to the combined population of 19 States: Wyoming, Vermont, North Dakota, Alaska, South Dakota, Delaware, Montana, Rhode Island, New Hampshire, Maine, Hawaii, Idaho, Nebraska, West Virginia, New Mexico, Nevada, Utah, Kansas, and Arkansas. Nineteen States' combined populations, that is 30 million people, and that is who is going to lose health care coverage if we go forward with a repeal without a replacement.

Eighty-two percent of these 30 million who would become uninsured are working families, 38 percent will be between the ages of 18 and 34, and 56 percent are non-Hispanic Caucasians. Eighty percent of the adults becoming uninsured are people who do not have college degrees. There will be 12.9 million fewer people who have Medicaid or CHIP coverage in 2019 if the repeal goes through. These are some sobering statistics. These statistics show that, at a minimum, what we are doing here is very, very consequential and very, very important and should not be rushed into in a partisan 51-vote budget reconciliation process.

I want to conclude and tell a couple of stories from Virginians of people who are going to be impacted by this. When we essentially recessed in the Senate on December 9—between then and now—I went around the State and talked to people. I heard a story that I want to share, and then I will tell a couple of quick ones.

I met with Ashley Hawkins, a young mother in Richmond, a mother of two kids. We sat around a conference table in a federally chartered community health center in Richmond and talked to stakeholders. Ashley told her story. She had a preexisting health condition. Before the Affordable Care Act, health insurance was unaffordable. After the Affordable Care Act passed, she could suddenly get insurance.

Ashley owns a small business. She runs a nonprofit group that provides community arts education that serves others. Because of the ACA, she has been able to sign up on exchanges and get health insurance. Because of her income, she can receive subsidies to make that health insurance affordable. She makes \$45,000 a year.

Without health insurance, the recent hospital bill for the birth of her youngest child would have been close to \$16,000. With the Affordable Care Act, she receives a subsidy, and she is able to access high quality health insurance for her and her two kids for \$280 a month. That is the difference between not being able to afford to go to a hospital and deliver a child and to be able to afford, as a small business owner, a health insurance policy that covers her and her two kids for less than \$300 a month.

This is what she said as we sat around the table and talked about what it means to have affordable insurance. She said: "It has to do with self esteem and security and well-being."

Having health insurance is about security, even when you are not sick. Obviously, when you are sick or when you are delivering a child, health insurance is needed. But when you are a mother of two children, even if you are at the peak of your health and even if your children are at the peak of their health, you would go to bed at night—and Ashley described this—wondering: What will happen tomorrow if my child gets sick? What will happen tomorrow if I am in an accident? Not having health insurance for a parent is a continuous agitating voice in your mind, an anxiety creator, about what is going to happen to my family if we get sick or get in an accident, which is something that happens to virtually every family. It has to do with self-esteem, with security, and with well-being. Without the protection for people with preexisting conditions, without the subsidies in the marketplace, people like Ashley will go back to not being able to afford coverage for their families.

After the Affordable Care Act passed, I happened to be in a position where I was trying to buy health insurance in the open market without an employer subsidy for the first time in my life. When I say I was doing this, what I mean is that my wife was doing all the work because she is the one who does all the work. She talked to two insurance companies who said: Hey, sorry, Anne, we can't afford your entire family because of preexisting conditions. One company would not cover me. One company would not cover one of my children. My wife said: Hold on a second. The Affordable Care Act just passed. You can't turn somebody down on a preexisting condition now.

In each case the insurance company said: I have to talk to my supervisor. They had to call back and say: You are right; we are wrong. We have to provide insurance for your entire family.

Can I tell you this? My family is the healthiest family in the United States. At the time my wife was making those phone calls, of the five of us, the only time any of us had ever been hospitalized was in the three occasions my wife

went to the hospital to give birth to our kids. We are a healthy family, and we were turned down twice because of a preexisting condition by insurance companies that had to say: We are wrong, and because of the Affordable Care Act, now we can write a policy for your entire family.

I had a woman write me a letter—a Virginian from Williamsburg—a couple of years ago who said: My husband and I are self-employed, and we could never afford insurance. Because we couldn't afford insurance, we decided that we couldn't have children. We couldn't pay a hospital bill. This is what the Affordable Care Act has meant to them. We often talk about life and death issues in the sense of illnesses, sicknesses, cancer diagnoses, and preexisting medical conditions. They can be life or death issues, but they can also be life issues, in the sense of this couple who wrote and said that because they could now get insurance as self-employed individuals with subsidies to make it affordable, they are now going to start a family because of the Affordable Care Act. They could start a family.

Finally—and I will always remember this because this gives me great motivation—as I was getting outside of my native Virginia and exploring other States on an interesting 105-day summer vacation as part of a national ticket, I went to the Iowa State Fair. I told this story once before on the floor, but I am going to tell it again. A grandfather came up with a little boy in his arms. I said: What is that child's name? Jude. Jude, the patron saint of lost causes. There is St. Jude Children's Research Hospital in Memphis, a place where children have been able to go to get medical care.

I knew there must be a story. I said: Hey, Jude, tell me about Jude. Jude was a 3½-year-old who was diagnosed with a congenital heart defect and by age 3½—as his grandfather told me the story, now mom and dad were coming around me as well—Jude had to have multiple heart operations at the Children's Hospital in Omaha. The grandfather said to me that Jude would not have been able to have those operations and Jude would be uninsurable for the rest of his life if it were not for the Affordable Care Act.

Then Jude's father put his hand on my shoulders. He was a big guy. He said to me: You have to tell me that you will do everything you can to make sure that Jude isn't stripped away and consigned again into the outer reaches of preexisting conditions and uninsurable, with an uncertain future for my son. I made a pledge to him. I said: I am only one person. I don't know what, at the end of the day, I can do, but I can tell you this. I can stand up to make sure that your child and other children—such as Ashley's two kids and the family that wrote me about wanting to have children—will

not be left high and dry and without the security of health insurance in the wealthiest and, to my way of thinking, still the most compassionate Nation on the face of this planet.

I encourage every Member of this body to ask their constituents for stories like Ashley's, like Jude's, like my family's, and like the family in Williamsburg about how an ACA repeal with no plan would impact them.

I will go back to the purpose of the amendment. The ACA is not perfect. We ought to be talking about reform. If Republicans want to call it replace and we want to call it reform or improvement, I don't care what we call it. We should have the AMA, hospitals, patients, and Members of Congress from both parties around the table to lay down what are our concern, what are our problems, and talk about how to fix them. There is so much we can do. There is so much we can improve. But by pushing an immediate repeal through a partisan budget process, we won't have the opportunity to work together to build on that common ground.

This is not a game. Sometimes we get into a budget vote-arama, and it has a little bit of a game aspect to it. I have been here until 2 a.m. or 3 a.m. when amendments are put on the table, there are 1-minute presentations of why it is good or bad, and we have a vote. It has a little bit of a feeling of a game. This is not a game. This is life and death.

Is there anything more important to someone than their health, because their health forms the foundation of their relationship with their spouse or their loved ones or their children? Health is what keeps a parent up at night worrying about the family. Health is what keeps a child worrying about an elderly parent. This is the most important thing to any person in this country, regardless of party, regardless of State, regardless of political persuasion. The worst thing we can do on a value of such importance is to rush and create chaos in the lives of millions of people.

So I conclude by saying that the amendment that Senator MURPHY, I, and others offer would seek to protect what we have—protect coverage, protect costs, protect quality—by making it harder to enact legislation that would strip these important items away from tens of millions of Americans.

We should be sitting down at the table to talk about reforms. So many of us want to do that. But we should not be rushing into a repeal that would jeopardize people's lives.

I urge my colleagues to please support amendment No. 8.

Thank you, and I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that all time be considered time on the resolution.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that during the periods of a quorum call, the time be equally divided between the two sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, what is happening on the floor right now is absolutely extraordinary. It is absolutely extraordinary that Republicans are using the budget process, the reconciliation process, in between the swearing in of the new Congress and the swearing in of a new President, to rip away from 20 million Americans health care insurance, to drive up rates for one-third of consumers in this country who have some form of preexisting condition—a sickness that without this law would make their rates go higher—and to throw the entire health care marketplace into chaos.

It is absolutely exceptional what is happening right now. No one in this body should normalize it. No one outside of this body should perceive this to be just politics as usual.

I was here when the Affordable Care Act passed. I was in the House of Representatives. Since then, I have heard my Republican friends say over and over and over again that they want to repeal the Affordable Care Act and replace it. I can't tell you the hundreds of times I have heard that phrase, "repeal it and replace it."

President-Elect Trump talked about that throughout the campaign, and then 2 days after he won the election, on Thursday night, he went on national television to double down on the promise that there would be an immediate replacement. He said: There will not be 2 hours between the Affordable Care Act being repealed and it being replaced with something better.

That is the second part of the argument the Republicans have made. The Affordable Care Act, in their minds, was deficient, despite the fact that there are 20 million people who have insurance today who wouldn't have it otherwise and despite the fact that there are hundreds of millions of Americans across the country who don't have to worry about them and their loved ones having their insurance rates jacked up because they are sick, and despite the fact that seniors are paying thousands of dollars less in prescription drugs than they were.

The Affordable Care Act isn't perfect—it never was—but the enthusiasm of Republicans to take away from Americans their health insurance and to drive rates up for millions more is really unthinkable.

We heard over and over again that the priority was to repeal it and replace it. Now we are repealing the Affordable Care Act with no plan for what comes next. We are driving forward with a repeal vote with no plan for how we keep the health care system together, how we prevent it from falling into chaos, how we continue to insure the millions of Americans who rely on it.

There is a cruelty to this enthusiasm for immediate repeal that is a little bit hard to understand—it is really hard to understand.

I think about somebody like Jonathan Miller. He lives in my State. He lives in Meriden, CT. He was born with cystic fibrosis. He is insured today through the Affordable Care Act. Here is what he said:

For me, I was able to live a relatively normal life growing up, wonderful family and friends, but health has always been the most important thing in my life. I spend even in a good health year probably one or two hospitalizations each year that require IV antibiotics, I am on a whole suite of medications, each day I take about 15 to 20 medications, some of those are pills, some are breathing treatments, and then there are the shots. Healthcare is the number one priority in my life, it's more important than income, more important than anything else, being able to maintain my health.

He is insured by the Affordable Care Act today, but he also receives the benefit of the insurance protections because Jonathan, without the Affordable Care Act, even if he had insurance, would lose it—probably a couple of months into the year—because of a practice prior to the Affordable Care Act of capping the amount of money you would be covered for in a given year or in a lifetime. Jonathan would have blown through that in a heartbeat.

It is not hyperbole when he says: "Without the Affordable Care Act, I'd probably be dead within months."

That is the reality for millions of people across this country. Without health insurance, they cannot survive. They can't afford their medication.

So this isn't just about politics, this isn't just about the words on the page, these are people's lives. This is about life or death, and the casualness of throwing out a law without any concept of what comes next—I have read so many quotes in the paper over the last few days of Republicans admitting they don't know yet what they are going to do in its place, but they still feel the need right now, in the lame-duck session, to begin the process of repealing this law without any concept of what comes next.

Why do it now? Why not take one step back? Why not reach across the

aisle to Democrats and say: Let's try to work to make this better. Let's try to answer the concerns the Republicans have, that President-Elect Trump has. Let's take some time to work through this, reform it in a bipartisan way. No. Instead, we are rushing forward with repeal, stealing health care for millions of Americans, plunging the health care system into chaos, with no guarantee that there is anything that is going to emerge in its place.

Senator Kaine and I have a very simple budget point of order. Senator Kaine has talked about it. It would prohibit the consideration of any legislation as part of budget reconciliation that would, No. 1, reduce the number of Americans who are enrolled in health insurance; No. 2, increase premiums or total out-of-pocket costs for those people with private insurance; or, No. 3, reduce the scope and scale of benefits that people have.

I have heard my Republican friends say: We are going to repeal the Affordable Care Act, and we are going to replace it with something better. We are not even committing you to replacing it with something better. We are just saying, if you are going to replace it, let's guarantee now that legislation is not going to take anybody's health care insurance away who has it now who wants it, it is not going to raise costs, and it is not going to reduce benefits.

I am going to be honest. The replacement isn't coming. It is not coming, and even if it comes, it can't meet those three tests. There is no way there is a replacement coming that is going to maintain the 20 million people who have insurance now, that is going to maintain cost controls and maintain benefits. It is not happening.

News flash to the American public: This law is being repealed under a budget reconciliation process that shuts out Democrats, and it is not going to be replaced by something that is equal in quality or better. At the very least, we can all put our names and our votes to a budget point of order that commits Republicans to the promise that they have made for 6 years, which is that if they repeal this, they will not put a piece of legislation before this Congress that doesn't guarantee that everybody keeps their health insurance, costs don't go up, and benefits don't come down.

I urge, when this comes up for a vote, a positive vote from my colleagues, and I urge my Republican friends to honor the promise they have made.

I thank Senator Kaine and others for joining me in offering it.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I would just say, I had the pleasure of sitting here listening to the Senator from Connecticut talk about his concerns about

repealing ObamaCare, and I would say it strikes me that their posture is that we sold the American people a lemon, and we insist they keep it.

Our position is that ObamaCare has been a failure. It has been a grand—in terms of scale—experiment, a national experiment that has failed.

Yesterday I talked about the fact that my constituents are writing me and telling me that their premiums, in many instances, have doubled, and their deductible has gotten to the point that they are effectively self-insured so their insurance does them virtually no good.

We will vote to repeal ObamaCare, but obviously we are not going to leave people hanging out to dry. We are going to make sure they have coverage that they choose and that they can afford. I welcome the assistance of our colleagues on both sides of the aisle to try to craft a bipartisan reform.

The biggest failure of ObamaCare was the fact that when our Democratic friends had 60 votes in the Senate and they had President Obama in the White House and a majority in the House, they jammed it down the throats of the American people. That is really why ObamaCare is unsustainable—because it was purely a partisan political exercise. We need to start over by repealing ObamaCare and then reforming our health care system so people can buy the coverage they want at a price they can afford. We are going to work very carefully to make sure the transition is thought out, methodical, and very carefully done.

NOMINATIONS

Soon, Mr. President, we will be considering and confirming men and women nominated by the President-elect to fill leadership roles throughout the administration. This is crucial to ensuring a smooth transition from one President to another, and it is important to make sure the next President has the people and resources he needs to help lead our country.

I have had some of the reporters in the hallway say: How in the world can you process so many nominees at the same time, so quickly?

I said: It is the tyranny of the calendar. We are going to have a new President on January 20, and wouldn't you want—for example, the President's CIA Director choice, the Attorney General, the Secretary of Defense, the head of the Department of Homeland Security, the Director of National Intelligence—wouldn't you want all of those key national security positions filled as soon as possible in case some of our adversaries decide to take advantage of this transition to try to threaten the United States?

It makes sense to me that we would work in an orderly sort of way with our colleagues across the aisle to make this transition a smooth one from President Obama to President Trump.

President Obama has said that is what he is working to do, and you would think it would make sense for us to be a part of the solution and not a part of the problem.

Holding up confirmations just for delay's sake is irresponsible and it is dangerous. As I speak, there is a hearing going on on the foreign cyber threats in the Senate Armed Services Committee. People are justifiably concerned about what our adversaries are doing in cyber space. But it is not related to just cyber space, it is related to nuclear threats from countries such as North Korea, obviously the ongoing humanitarian crisis and civil war going on in Syria and elsewhere, the threats from Russia not only in cyber space but also to our NATO allies in Europe, and I could go on and on talking about Iran and its nuclear aspirations, its ballistic missile capability.

This is a dangerous world we are living in, and why in the world would we want to make it even more dangerous just to let our colleagues delay for delay's sake President-Elect Trump getting to fill his Cabinet, particularly these important national security offices? The truth is, when it comes to wanting what is best for America, we are all on the same team. We should all want what is best for our country. It doesn't do our Democratic colleagues a bit of good to delay the inevitable because, thanks to former Democratic leader Harry Reid and the so-called nuclear option that changed the Senate confirmation rules, we know that President-Elect Trump's Cabinet members will be confirmed. It is going to happen because it takes 51 votes. Just delaying for delay's sake out of partisan pique really doesn't do anything to accomplish any goal but, rather, makes our country more dangerous and denies the President-elect the Cabinet he has chosen.

When President-Elect Obama was nominated to office, we acted very quickly. In fact, on the day he was inaugurated—January 20, 2009—seven of his Cabinet members were confirmed. We were not happy about the outcome of the election on this side of the aisle. We wished a different electoral outcome had occurred. But once the voters had spoken, we accepted their verdict, and we worked cooperatively to see a smooth transition from the Bush administration to the Obama administration. I believe it is our duty to do that. Nearly all of President Obama's Cabinet-level nominees were confirmed within the span of 2 weeks. We came together, understood that the people had spoken, and we went to work to cooperate in good faith, not necessarily because we were happy about the outcome but because it is our responsibility to do so.

Then there are some of the statements from some of our colleagues across the aisle that they now appear

to be walking away from. In the spring of 2015, Senator STABENOW, the senior Senator from Michigan, said: "When a President wins an election, they have the right to have their team." She said that on April 20, 2015. I hope that not only the Senator from Michigan but her other colleagues remember that position they took then and simply reciprocate in good faith during this transition.

Senator STABENOW is right, by the way. No matter which side you are on, we know that the voters have spoken. As President-elect, he has the authority to surround himself with those he sees fit to advise him and help him as he serves our country.

For some of our colleagues to suggest that keeping the President understaffed is somehow in the best interest of the American people is palpably false. It is ridiculous. I mentioned the national security nominations the President-elect has indicated. One of those first ones was Senator SESSIONS, our colleague here in the Senate, the junior Senator from Alabama, to serve as Attorney General of the United States. The Attorney General is not only the head of the Department of Justice and has an important law enforcement role, the Attorney General also has a very important anti-terrorism national security portfolio as well. So it is very important that people like Senator SESSIONS, the Attorney General nominee, be put in place on a timely basis for the safety of our community.

Talking about the nomination of Attorney General Loretta Lynch not even 2 years ago, the senior Senator from Vermont urged a quick confirmation, saying: "Confirming the top law enforcement position should be an urgent priority of the Senate." And he is right.

As the minority party is now considering the political strategy of obstruction, delay, and stall tactics, what has changed except that your preferred candidate did not win and our preferred candidate did win? That is the only thing that has changed.

Another nominee the Senate will consider is the President-elect's choice to fill the Supreme Court vacancy left by the death of Justice Scalia. Last year, after the death of Justice Scalia, we promised the American people that the next President, whether it was a Republican or a Democrat, would nominate the successor to Justice Scalia. We didn't say we would only vote to confirm a Republican President's nominees; we said that the American people had a right to a voice in who would make that choice, recognizing that the next Justice on the Supreme Court could serve 25 or 30 years.

Here we are 15 days before the President-elect is sworn in to the White House and the minority leader is already threatening to deny the voices

and the vote of the American people from last November by blocking any nominee indefinitely.

As shocking as it sounds, on Tuesday night, just hours after the 115th Congress was sworn in, Senator SCHUMER, the Democratic leader, was asked in an interview on MSNBC if he would “do his best to keep the seat open.” He answered with one word: “Absolutely.” Despite months of calling for a full Supreme Court, all nine members, even using the hashtag “We need nine,” the Democratic leader is now threatening indefinite obstruction.

Republicans were clear with the American people: We would respect their voice in whom they wanted to pick the next Supreme Court Justice, whether it was a Democrat or Republican in the White House, and we would move forward with that nominee in the new Congress.

I hope our Democratic friends don't slow-walk President-Elect Trump's nominees. It is one thing to obstruct, but it becomes an even bigger problem when they intentionally try to keep President Trump from doing the job the voters have given him the responsibility to do.

The American people made clear in November that they are done with business as usual here in Washington, DC. Frankly, I don't think it was a robust endorsement of either one of the political parties. We got an unconventional President-elect, and I think the American people expect him to shake this place up, and I think he will. We intend to work with him to make sure there is a positive outcome for the American people. I don't think they are interested in political stunts or delay for delay's sake, nor do they want us to return to the dysfunctional do-nothing Congress of the past. They want results, and they want a path forward toward a brighter future for themselves and their families.

Let's not keep from President Trump the men and women he has chosen to work alongside him. That would only make us less safe, our economy more fragile, and the government less efficient. After all, we are paying the bills as taxpayers. Why would we want a less efficient or less effective government? In short, it will not serve the interests of the American people well.

I know we are ready on this side of the aisle to roll up our sleeves and get to work. As I have learned through hard experience, the only time anything ever gets accomplished in the Senate is when we work together. I am not talking about people sacrificing their principles. We ought to fight like cats and dogs when it comes to our basic principles. There are a lot of things that are outside of the realm of principles where we can find common ground and work together and build consensus. I think we ought to take advantage of this historic opportunity to

do just that, starting with confirming the President's Cabinet and letting them get to work to help his administration as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I am going to talk about the resolution we are moving to that will allow us to repeal and begin the replacement for the President's health care plan.

A little over 3 years ago, President Obama hailed the start of the ObamaCare exchanges as a life-changing opportunity for Americans. For most Americans, it was life-changing, but it didn't turn out to be an opportunity. It was a life-changing experience because in many cases the insurance they had was no longer affordable, what they thought met their family's needs was no longer available, and the cost continues to go up.

When President Obama pushed the health care law through Congress without a single Republican vote, he repeatedly assured Americans that they would be able to keep the plans they had, that they would be able to keep the doctors they had, and that every family would have a significant reduction in their health care costs. He continued to make every one of those commitments until the plan actually was put in place and it was obvious those commitments were not going to be what happened. By the end of 2013, at least 4.7 million Americans had their plans canceled because they didn't meet the law's mandatory requirements. Remember, these were plans that 4.7 million people thought met their individual needs, and they could afford those plans. That is why they bought them. They might not have been perfect. They might have still been a stretch on their budget, but they decided: This is insurance I can afford, and it is insurance that meets the needs that I can afford to meet with the insurance I can buy.

The President's claims about everybody being able to keep their policies and keep their doctor were so far from reality that PolitiFact rated it as the lie of the year. I don't like to use that language as it relates to the President of the United States. I would say it must be really easy to become isolated in the Oval Office, and the President may get lots of information that sounds to him as if his plan is working, but the truth is that the President is not entitled to his own facts. He is entitled to his own opinion. He is entitled to his vision of what he thinks health care in America should look like, but he is not entitled to his own facts. If it is not happening the way he thinks it is happening, somebody needs to tell him. But, of course, in just a few days there will be a new President, and we have to deal with the chaos, frankly, that has been created under the old law.

President Obama said this law would mean more choice, more competition, and lower costs for millions of Americans. Nobody can find those Americans. A number of Americans got on Medicaid, another government program, who weren't on Medicaid before. But there aren't millions of Americans who have more choices, and there aren't millions of Americans who have more competition for their business, and there aren't millions of Americans who have lower costs. In fact, just the opposite would be the case in Missouri, where I live. A number of insurers pulled out of the exchange totally. Our neighboring States all have the same experience and, in some cases, even worse experience, but the competition, the choices, just aren't there because the system doesn't work.

We have 115 counties in our State, and in 97 of them, you have one choice; you have one insurer offering insurance. That one insurer may offer three different plans, but there is no competition for whatever level you are shopping for. There is only one place to get that level. This would be as if there is one shoe store in town and none of the shoes fit and they all cost too much, but if you didn't buy the shoes in that shoe store—and the chairman of the Budget Committee knows a lot about shoe stores—you would have to pay a penalty for not buying shoes that were available at that one location. Everybody would think: Well, that is unacceptable; you ought to at least be able to drive to another community and look for shoes. But that is not the case in 97 places, 97 counties. The vast majority of our State and a couple of States have no counties on the individual exchange that have competition. We went from several—every county a year ago in Missouri had at least two companies offering insurance, so there was at least a competitor. Some had more than two companies offering insurance. Now 97 have one company.

The promise was to bend the cost curve. The cost curve bent, but it bent the wrong way. The cost curve went up; it didn't go down. In our State, again, increased premiums have been as high as 40 percent.

In a number of States, they are in the 70-percent category. In one State, there is a 100-percent increase—not from when ObamaCare started but from last year—in places where the cost of insurance for individuals and families had too often already doubled, and now another add-on.

I was with somebody the other day, and I asked them about their insurance. He was a healthy guy in his mid-40s. His wife and two daughters were healthy. I said: What are you doing for insurance?

He said: I am self-employed. In 2009, there were four of us. We had insurance we thought met our needs. We were

paying \$300 a month. Now we are paying \$1,190 a month, and we have a \$7,500 deductible. If two of us are sick, we have to submit that deductible twice before we get any assistance from the insurance company—a \$15,000 deductible if two people in the family are sick with a \$1,190 monthly premium.

This is a family that had no health care problems. This is not a response to somebody who has a policy that they were using. This is a policy that wasn't being used and, of course, with a \$7,500 deductible unlikely to be used unless that family really has a catastrophic situation occur. What I believe that family found out a few months after I visited with them was that their policy went up closer to \$2,000 than \$1,190.

The average deductible for a mid-level plan—there are the gold plan, silver plan, the bronze plan. For the silver plan, the average deductible in the exchange last year was \$3,000. The average deductible in the bronze plan was \$5,000, and it is higher than that for many people.

To make matters worse, if you aren't able to afford the few options available on the exchange, you pay a penalty. So you have no competition. You are required to buy the product, and if you don't buy the product, there is a penalty. It could have been as much this year as \$2,045, but if your option is to pay \$15,000 or \$20,000 for insurance that has this high deductible, that is what many people have decided to do.

I have heard a lot of Missourians from the day this was initiated through today talking about the individual challenges they have seen. For example, Dave, a small business owner in Columbia, said that the premiums for his employees have doubled. Why would that be the case? One, the standards necessary for a policy change and, two, if you're losing all this money in the individual marketplace, the insurance companies make that up somewhere. So his premiums have doubled. At the same time, they have continually had to raise deductibles and seriously reduce benefits. The cost goes up and the coverage goes down. I think that is what President Clinton said when he said this is a crazy system. It is costing more all the time and covering less. That is what Dave has found out in his business, and he was told late last year that he should expect a 40-percent increase this year. He said: If that happens another time, we are no longer in the employee-employer provided insurance marketplace.

Another location that serves our State and happens to be headquartered also in Columbia is the Older Americans Transportation System, a not-for-profit. They provide critical transportation services to older Missourians, and they have it other places in the country—older Missourians to low-income people, to underserved parts of our State that don't have other trans-

portation options. The costs to insure their drivers have gone up by half a million dollars. The paperwork to comply with the law's requirements, as the executive director told me, is so complex and cumbersome, they had to spend additional money to hire a consultant to implement a software program to help them keep up with the new mandates. It suddenly got even harder to be a not-for-profit and break even.

Families and small businesses shouldn't be penalized because the law did not live up to its promise: If you like your health care, you can keep it. If you like your doctor, you can keep your doctor. Family costs will go down by \$2,500 after this plan is put in place. Those things didn't happen.

We are in a chaotic situation now, and it is time to move in a new direction. We will have a bill before us very shortly that will allow us to begin that transition to do things that will prevent Washington from getting in between health care providers and their patients. We will do things that will break down barriers that artificially restrict choice and prevent Americans from picking insurance that meets their family's needs that they can still pay for. What a concept that would be.

This is basically the system we had before. It wasn't a perfect system, and I will say the biggest straw man put forward in that system was that nobody else had any ideas. There were plenty of other ideas, ideas that would better serve American families, American job creators, American job holders, people—plans that would have allowed small businesses to band together and become a bigger group to seek group insurance for a number of businesses instead of just one business's health savings account, better use of health savings accounts, buying across State lines, and things that I proposed specifically on letting your family stay on your insurance a little bit longer. Frankly, that was a 4-page bill that adds 3 million people to insurance every year so you can stay on your family policy until you are 26. There are four pages with a lot of white space. This does not have to be that complicated. There is no cost to taxpayers. Frankly, you are adding young, healthy people, not much cost to anybody but fundamentally no cost to taxpayers. It is just an additional way to look at things like buying insurance across State lines would be. There are solutions here, but we have been prevented from moving to those solutions.

I urge my colleagues to support the resolution that will allow us to move forward. We will begin to eliminate the chaos of ObamaCare and restore the focus of health care to patients, people, the doctors they want to have, and the places they want to go to get their health care.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Wyoming. Mr. ENZI. Madam President, I ask unanimous consent that at 2:45 p.m. today, the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the budget process that began this week plays out: 30 million Americans from Portland, OR, to Portland, ME, will be in danger of being kicked off their health care plans; sharply rising health care costs for everybody else, even those who get their insurance through their employer; broken campaign promises about a replacement coming on day one. With this resolution, Republicans in the Congress are building a Trojan horse of tax cuts for the most fortunate in America.

I want to discuss each of those issues this morning, but first let us recognize the bottom line. What is at stake in this debate is whether or not America is going to go back to the dark days when health care was reserved for the healthy and wealthy. For nearly 7 years and through 4 punishing campaigns, Americans have heard and felt the steady, partisan drumbeat of repeal and replace from the other side. Dozens and dozens of show votes to repeal the Affordable Care Act have been held in either Chamber. There have been countless press conferences, speeches, and hearings, even a government shutdown, and the message is always the same. The President-elect himself said that repeal and replace would happen—his words, not mine—simultaneously.

The replacement plan was coming. It would be fully written, ready to plug in—no gap, no harm relevant to anyone in our country. The same words, "Coming Soon," have sat on that marquee for 7 years now. It seems to me it is time to admit that the show will not open. This is a broken promise, plain and simple. Americans are no longer looking at repeal and replace; now it is repeal and run. The consequences will be serious and immediate for tens of millions of Americans, both in access to health care and the bottom line for family budgets across the country. In short, it is a plan that will make America sick again. According to independent analysis, nearly 30 million Americans will lose their health insurance quickly after repeal. The first act of a new Congress: Kicking 30 million people off the insurance rolls—that is seven times the population of my home State.

The overwhelming majority of those 30 million Americans are not wealthy

people. They are not in a position to be able to afford to go out and pick an expensive plan once the insurance companies get back in the driver's seat. Millions come from working families who will lose tax cuts for health insurance. Millions of others toil, often working multiple jobs, but still what they bring home is just barely enough to keep them out of poverty.

For many, signing up for Medicaid brought an end to the years when they had to choose between visiting a doctor and putting food on the table. If repeal goes forward, Americans all over the country are going to face that dilemma once again. I think it is important to remember that the danger of repeal does not end with Americans getting kicked off their insurance plans.

Repeal will send costs skyrocketing for everyone across the board, even those Americans who get their insurance through work, including a lot of folks who say the Affordable Care Act has not touched them at all. They are going to get a gut punch, a gut punch with higher premiums and higher out-of-pocket costs. When you kick tens of millions off the insurance rolls and send the markets into chaos, there is going to be a ripple effect. Everyone is going to feel those harmful effects, even those who have had the same plan from a particular employer for years or decades. Rising costs are going to eat into paychecks, crowding out the pay raises that our people need so desperately.

Colleagues, if you are watching this budget debate at home, I am sure you are going to say: Why in the world would any lawmaker go forward with this plan? I am going to go back to what I just said. In my view, this is a Trojan horse of tax cuts for the wealthy and the most fortunate.

When you look at both sides of the ledger, you see how exceptionally unfair this scheme actually is. On one side, tens of millions of Americans lose insurance and suffer economic pain. That is the typical family. On the other side, there are substantial tax breaks for those at the top of the income scale.

One of the questions I am asked nearly every day in these halls, and I am asked this by many in the press and elsewhere, is whether Democrats are going to take part in this effort and what ideas Democrats would put forward. I want to take just a minute to describe why that question is so off the mark. First, you have to look at the nature of the reconciliation process itself. Budget reconciliation is inherently a partisan exercise. Inherently, it is not a process that brings people together. It is a process that drives people apart. It is inherently partisan.

A typical proposal that comes to the Senate floor is subject to unlimited debate and unlimited amendments. Usually it takes 60 Senators, Members

from both parties to come together and pass legislation. It is very rare that a party builds that kind of supermajority on its own, so the two sides have to work together. That is the Senate at its best.

I see my friend, the distinguished chairman of the Budget Committee, Senator ENZI. He and I have served on the Finance Committee. At its best, that is what the Finance Committee has always been about—trying to find common ground, working together to get a proposal that can get 60 votes.

Reconciliation throws those unique characteristics of bringing Senators together; basically, reconciliation just trashes it, throws it out the window. In my view, when you use reconciliation the way it is being used here, you are telling the other party you neither need nor want their votes. It puts a one-sided proposal on the fast track to passage, tight limits on debate and amendments, a bare majority of votes required to actually pass it.

I am very concerned that what is at issue now is a serious misuse of the reconciliation process. This is not a simplified procedure to address a budget issue; this is an effort to ram through repeal and run. Second, this is not your run-of-the-mill congressional debate where you have both sides bringing their best ideas forward to tackle a policy issue.

For years, my Democratic colleagues and I have said that we are ready to work on a bipartisan basis to solve this country's health care challenges. I think I have spent about as much time as anybody in the Senate working to try to find bipartisan solutions to the country's big health challenges. Back in 2008, 2009, we had a bipartisan proposal: seven Democrats, seven Republicans. We had never had that before. I can tell you, we Democrats are ready to work on a bipartisan basis to solve the country's health care challenges.

For me, essentially what I have tried to make my top priority for public service—health care is one-sixth of the American economy. It has always been the issue that Americans care the most about because if you and your loved ones don't have health, nothing else much matters. So we ought to be working on a bipartisan basis to solve the country's health care challenges, finding ways to bring costs down for families, making prescription drugs more affordable, upholding the promise of Medicare, and strengthening its guaranteed benefits.

When I was director of the Gray Panthers at home, a senior citizens group, we always said that Medicare was a promise. It was a promise of guaranteed benefits. We ought to strengthen that promise, particularly updating it to incorporate changes in the program that reflect the needs of the Americans who face chronic health conditions, which is where the vast majority of Medicare dollars are going.

That is what we ought to be doing, upholding the promise of Medicare, working together in a bipartisan way. But that is not what is happening here. From the other side, what we have heard again and again is repeal and replace, dozens of partisan votes producing legislation that burned out in the Senate or met the veto pen.

Now, with a new administration, the Trump administration coming in, the Republicans kick off a procedural scheme that slashes taxes for the most fortunate, raises costs for typical Americans, and takes insurance coverage away from tens of millions of people. No Democrat is going to buy in to that proposition. The reason they won't is that the American people are not going to buy into that proposition.

This scheme is going to bring on a manufactured crisis that does harm to millions of Americans across the land, rocks our health care sector, our providers, our plans—all of those who make up this health care system. One side is pushing it, but the other side is saying: No, let's not create this catastrophe.

That is why, in my view, the questions about Democrats signing on to flawed, bad proposals miss the point. Everyone recognizes that the strict and immovable strategy adopted by the other side 8 years ago paid dividends in elections. But politics is different from governing. Politics is different from governing because there are serious life-and-death consequences to actions that deprive Americans of health insurance. Families are going to feel economic pain when premiums and deductibles jump.

I believe Americans are going to speak out. They are going to rally against an unfair, unbalanced bill that cuts taxes for the most fortunate, while putting insurance companies back again in the driver's seat. What is at stake here is pretty simple; it is whether or not America is going to turn back the clock and go back to those dark days when health care in our Nation was reserved for the healthy and the wealthy.

My colleagues and I say no way. We are going to fight that unfair, imbalanced approach in every way we can.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

Mr. ENZI. Madam President, today I have been listening to the diatribes against the repeal resolution we are working on, and I think some things need to be answered.

The Republicans are not trying to throw 30 million people off of their insurance. What we have seen over the time of ObamaCare is that there were 30 million people who were uninsured when we started that debate, and today there are 30 million people who are uninsured. Now it is a different 30 million

people. The 30 million people who couldn't get insurance have insurance, and we want them to have insurance. And the 30 million people who are now off insurance used to have insurance, but they can no longer afford it. There has been a huge increase in the cost of health care. That is not how it was supposed to be. The prices were supposed to come down.

Yesterday we took the first step in fulfilling the promise of repealing ObamaCare, which will pave the way for real health care reforms to strengthen the doctor-patient relationships, expand choices, lower health care costs, and improve access to quality, affordable, innovative health care.

As I discussed yesterday, while Republicans will start by repealing ObamaCare immediately, we will ensure a stable transition in which those with insurance will not lose access to health care coverage. This will allow us to move step by step to a new set of reforms, listening carefully to the advice of millions of Americans affected and making sure we proceed wisely, doing no harm.

There is a common misconception that some of my friends across the aisle have promoted. It is the idea that ObamaCare was a success and that repeal will be tearing down a functioning program. That is not true. ObamaCare has put our health insurance markets on the brink of collapse in many parts of the country. And what Republicans face now is an imperative to do something that the Democrats couldn't bring themselves to do when they had control, and that is to fix the problems they created.

ObamaCare became the epitome of a sacred cow for them, and any changes, as you can see, unless done by Executive action, were out of the question.

Interestingly, President Obama recently admitted in October 2016 at Miami Dade College that the law has real problems and that, in his words, "There are going to be people who are hurt by premium increases or a lack of competition and choice." That is the President of the United States talking about ObamaCare. In that same speech, he went on to call these issues "growing pains." I think that is a troubling blind spot about this law that he and many of my Democratic colleagues share. Millions are facing impossibly high health insurance premiums for plans they may not even want to have. Costs are going up, and they can't afford it. Somehow these casualties of ObamaCare don't deserve relief, apparently; they are just written off as growing pains by the authors of the law.

My colleagues will recall ObamaCare architect Jonathan Gruber, who was paid in a number of different ways, who was famously exposed in 2014 for stating, amongst other things, that while crafting this bill, he believed that "the

lack of transparency is a huge political advantage" and that it "was written in a tortured way to make sure the CBO did not score the mandate as taxes." Mr. Gruber may have succeeded in masking the consequences of ObamaCare to obtain passage, but there is no way to hide the results.

A recent poll by the Gallup organization showed that more Americans continue to disapprove—53 percent—than approve—42 percent—of the law and that a majority of Americans want to see the law changed. Let me highlight that point again. A majority of Americans want to see ObamaCare either changed or replaced altogether. In fact, since passage of ObamaCare in 2010, there has never been a majority of Americans supporting the law. A quick glance around the Nation quickly explains why. For more and more Americans, there is only a single insurer from which they can select health plans, a monopoly. In fact, on Federal exchanges, one in five consumers will only be able to select plans from a single insurer. Many residents across the country only have one choice of health insurer. That is including my home State of Wyoming as well as the entire State of Alaska.

What does this lack of competition mean? Prices are surging for hard-working families who now have to choose between unreasonable insurance rates or an unreasonable fine. That doesn't even include the deductible problem we have. That doesn't even include the additional taxes and prices people are paying as a result of other things that are built into the law, which I will go into later—not in this speech.

The irony of a Democrat-led effort to help resulting in the creation of a lose-lose proposition for families ran true to voters in the most recent election when they voted for change. In Wyoming, some families would be forced to pay more than 30 percent of their total income on premiums to obtain health care coverage, which often includes deductibles of over \$1,000. One family faced premiums of more than \$1,600 per month. That is one family, \$1,600 a month. As an alternative, their tax penalty for not carrying coverage was only \$1,700 for the whole year. So guess what they did. They paid the fine because they couldn't afford the insurance premium. They could also see no way that they were going to be able to get a benefit from that.

For those lucky enough to be able to afford insurance, particularly in the individual market, under the new health law, premiums are expected to increase faster in 2017 than in previous years. Some States will see insurance premiums rise by as much as 53 percent. I think that makes it truly an emergency.

After discussing the why, it is important to talk about how we are going to

do this. Passing the repeal resolution we are currently debating today will allow Republicans to use the budget reconciliation process to untangle the country from this unworkable, unpopular, and unaffordable law. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare. Let me say that again. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare.

After Congress passes this repeal resolution, it can then move forward on reconciliation legislation that will provide for the repeal of ObamaCare and pave the way for real health care reforms. I think Members are looking forward to an open and serious debate about the future of America's health and its health care system and the importance of restoring the trust of hard-working taxpayers. I think that is something both sides can agree on, and that is what will happen.

This resolution we are debating does two things. It recognizes the point in the budget we are at considering the points of order and things that happened up to this point in time. We are just recognizing that is where this budget is. It still keeps in place the points of order to maintain some control over our spending, but the significant part is the repeal part. That is where we institute the reconciliation, and all that is, is an instruction to two committees on the Senate side and two committees on the House side. The two on the Senate side were the Finance Committee—they are the ones who deal with all of the taxes and the finance and the Medicare and the Medicaid, and they need to save \$1 billion over 10 years. That is peanuts around here. They will do much better than that, I am certain. And then the HELP Committee—Health, Education, Labor, and Pensions—also has an instruction to save \$1 billion. That is it.

This isn't a debate over what the changes are going to be to ObamaCare; this is a debate about whether we are going to give two committees, which have jurisdiction over this situation, the ability to consider it and bring us something. It has to conform with the budget requirements, and that is going to save some money. That is why we have a very low threshold, each of them saving \$1 billion. That is the time when we will have the debate on what is happening with health care. If somebody wants to raise the threshold of the \$1 billion for each of the two committees, that would be perhaps acceptable—unnecessary but perhaps acceptable. If somebody wants to change the budget, we are going to have an actual chance to change the budget right after we finish this process because there is a budget for 2018. We are already a third of the way through 2017, and

there are no spending bills approved. That is wrong, but that is what this budget reflects. That is where we are at this point in time on our spending. Hopefully, we will do well on the new budget and come up with a plan that is going to pull the United States out of the hole that we are in on our deficit spending, which results in huge debt.

I would like to make that distinction. Deficit is our overspending. Debt is the amount that we owe that we have to pay interest on—like pouring money down a hole—and that interest rate is going up. We get to make decisions on about \$1 trillion each year, and the interest rate right now spends \$200 billion right now by itself—that is at about 1 percent. If it goes to 5 percent, which is the norm for the United States, that would be \$1 trillion dollars. That is the amount we get to make decisions on. What shape will our country would be in if we have to spend \$1 trillion dollars on interest and that is all we have to make decisions on?

We have to do something. Health care is affecting more people in this country than anything else. So we will start immediately. We normally have a recess that would begin from the time we reorganize until the time the President is sworn in, but Republicans recognize that this is an emergency. This is something that needs to be taken care of. So we are going to stay around and get it solved.

We are going to do the processes we have to do. This is the first of the processes. There is another more important step, which has to be the actual savings part in order to do the reconciliation, and we are going to do that.

We will hear all kinds of stories of ways that people have been helped by health care, and we will hear stories about how people have been hurt by this health care. We need to fix it for both of them.

So I think Members are looking forward to an open and serious debate—I hope, a serious debate—about the future of America's health care system and the importance of restoring the trust of the hardworking taxpayers. I hope that is something we can both agree on.

Thank you. I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged to both sides.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Kansas.

Mr. MORAN. Madam President, in 2010 the American people were promised a number of things, but among those things was affordable, accessible, and quality health care. They were promised that if they liked their health care plans, if they liked their insurance, they could keep those insurance policies. They were promised a system that could get more folks covered at lower costs.

Instead, unfortunately, the Affordable Care Act has failed us and has failed to keep its promises. Canceled policies, elimination of certain plans, difficulties in identifying new plans, massive premium increases, sky-high deductibles, and limited options for doctors have really become a new standard for many American families.

At the end of last year, I completed another round of 105 townhall meetings in our State. There are 105 counties in Kansas. On occasion—it is pretty rare but on occasion someone will say: The Affordable Care Act was helpful to me and my family. My response to that is: I am glad, but surely we can come up with a proposal—a plan—that isn't so damaging to so many other people for the benefits that you claim you have acquired under the Affordable Care Act. Surely, we can come up with a plan that doesn't increase premiums, increase deductibles, increase copayments, eliminate plans, reduce the choice of the physician you see, and reduce your ability to keep the health care plan that you like. Because I am opposed to the Affordable Care Act does not mean I am opposed to trying to make sure Americans have better options and more affordable care.

I have also visited all 127 hospitals in our State. I have had conversations with the chief financial officer, the CEO, the trustees, the doctors, the nurses, and almost without exception the conversation is about how bad debt expenses increase, the ability for their patients—people who are admitted to the hospital—to pay their bills is less, not more, and that is because they can't afford the copayments and deductibles.

Unfortunately, ObamaCare—the Affordable Care Act—has taken away the freedom to make health care decisions from Americans, from us as individuals, and given way too much authority to the Federal Government. Kansans continue to ask me to help them get back to their former health care plans, to find a better way to do this, a plan that is more affordable with better coverage.

Over the last 6 years, I have advocated for a number of changes to our health care plan to help American families. Even before President Obama was President, we were talking about what we ought to do.

I had ideas of what we could do to improve the chances that people across Kansas and around the country would have a better opportunity to provide health care insurance for themselves and their family members. I am proud of some of the successes we have had in recent time.

I am a member of the Senate Appropriations Committee and a supporter of funding for NIH, or the National Institutes of Health. This is research that is essential to saving and improving lives, growing our economy, and maintaining

America's role as a global leader, but, most importantly, it saves lives and improves health care. In addition, it saves money—the cost of health care—if we can find the cure and treatment for cancer, for diabetes, for Alzheimer's. One of the ways we can help reduce the cost of health care and make it more affordable is to make certain that we make the necessary investments in finding those cures and treatments.

Last year, I supported, and this Senate and Congress passed, the 21st Century Cures Act. This takes us in additional directions in the way of finding those cures for life-altering diseases and, in the process, helps us to save our families' dollars. We have also worked hard to try to maintain the funding for Federal programs and agencies that work with universities and medical schools to train and recruit medical professionals who then go on to serve particularly in medically underserved areas. It is very typical of your State and mine, Madam President, in which we are experiencing the constant shortage of the necessary professionals to provide the necessary health care.

While this is progress, with a new Congress, a new year, and a new administration, we now have a tremendous opportunity to provide real substantive reform to our health care system. I mentioned the conversations I have had in townhall meetings. In addition to the health care side of the Affordable Care Act and the problems it has created for affordable and accessible health care, we have also had the challenges on the economic side—the job creation side—that the Affordable Care Act has unfortunately caused—the conversation about whether or not to expand a business, whether or not to exceed the 50-employee threshold. Those aspects of the Affordable Care Act are very damaging and need to be addressed and cured as well.

As we as a Senate, we as a Congress, and we as a country look for a replacement strategy, for something different—significantly different than the Affordable Care Act—we ought to focus on the practical reforms that embrace increased flexibility and allow American men and women to decide what is right for them and their individual family health care needs.

As we take this matter up in Congress, I wish to again put forth some specific ideas I have offered over the years as a blueprint for reform that we should try to put in place.

First, we should maintain preexisting condition protections for those with continuous coverage. Individuals with debilitating diseases and chronic conditions who have purchased health care should be reassured that their coverage will not be stripped in any future health care changes to our system.

Second, we can increase coverage by enabling Americans to shop for plans

from coast to coast, no matter what State they live in. This will lower the premiums by spurring greater competition in the insurance market.

Third, we should extend tax savings to those who purchase health care coverage, regardless of their employment. To assist low-income Americans, we can offer tax credits to help them obtain the private insurance of their choice. We also can expand access to care by supporting community health centers and other primary care access points.

Fourth, instead of limiting the choice of plans, let's give small businesses and organizations the ability to pool together in order to offer health insurance at lower premiums, similar to corporations and labor unions. We also need to make it possible for health insurance to travel with workers when they move from one job to another job throughout their careers.

Fifth, we ought to increase the incentives available to individuals to save now for their future and for long-term care needs by empowering them to utilize health savings accounts and other incentive plans. Doing so enables individuals to take ownership in their health, and that is important as well.

Sixth, we need not accept the idea that costs for currently available medical treatments will inevitably rise. Instead, let's continue to support those things that bring down the cost of health care by finding cures and treatments, as I mentioned, with the National Institutes of Health. Advancing lifesaving medical research and spurring innovation can help us accomplish health care savings, reducing the financial burden for those with diseases and their family members who care for them.

Seventh, we need to address shortages in our medical workforce by promoting education and programs at our universities and our medical schools that train physicians, nurses, and other health care officials and encourage them to practice in underserved areas through scholarship and loan repayment programs. Kansas is an example, as is your State, Madam President, where those rural areas and, additionally, those core centers of our cities lack so often the necessary health care providers.

Eighth, in order to curb the preventable costs that often occur through unnecessary emergency room visits and untreated symptoms of disease, we should provide coverage to low-income Americans, despite their limited financial means, in a financially sustainable way that ends up saving money in the long run. For all of us, the best reduction in health care costs is wellness, fitness, diet, and nutrition. That also means early preventive care. It means early diagnosis, and we make certain that Americans have access to that diagnosis and that early treatment. En-

surging access to quality care with a focus on preventive health is an effective way to limit high-cost health visits that place burdens on hospitals, physicians, our economy, and our health care system as a whole.

Lastly, we can reform our medical liability system and reduce frivolous lawsuits that result in inflated premiums and the practice of defensive medicine, where doctors order every possible test out of fear of potential lawsuit. Doing so can save tens of billions of dollars each year and make health care more affordable for more people.

The bureaucracy that goes with the providing of health care needs to be simplified. I have often looked behind the desk when I go see my family physician and wonder what all the people who are working there are doing. So much of it is not about patient care but navigating the system by which your health care bill, at least in part, gets paid. There is all the variety of insurance forms. I know this in my life—the ability to understand that insurance document that arrives in the mail and sits on our kitchen table waiting for my wife or me to figure out what this means. I have seen this with my own parents when they were living—the amount of documents, paperwork, and forms and checks for \$13.19 that arrived in my dad's mailbox and trying to figure out with my parents: What does that mean? Why am I getting this?

So much cost savings and so much anxiety and angst could be eliminated if we had a system that was much more uniform in its presentation, simplifying the way in which our health care bill gets paid by our insurance provider, by Medicare, by Medicaid, or out of our own pocket. I would defy most Americans to be able, unfortunately, to understand what is the stuff that comes in the mail and what it means to them.

As we move forward with trying to replace and improve access of Americans to health care—to affordable health care—I believe there are reforms that will provide us with a good blueprint for how to start helping Kansans and all Americans across the country who have suffered under the deficiencies and the costs and the damage that comes from ObamaCare.

I look forward to working with my colleagues—Republicans and Democrats—to find solutions to take advantage of this opportunity that we have. The American people—many American people, most American people—are hurting under this law, and they have spoken clearly numerous times. It is time for us to bring to them the changes that improve their lives by improving their health care, by improving their health, and by making sure that no American is worried about whether or not the necessary health care that

they need or their family member needs is outside of their reach.

Mr. CARPER. Will the Senator yield?
Mr. MORAN. I yield.

Mr. CARPER. It is great to see my friend from Kansas on the floor and looking forward to serving the next 6 years.

One of the things I focused on as a member of the Finance Committee on the Affordable Care Act was the idea that we have doctors, hospitals, and nurses who in some cases provide entirely too many tests and procedures and so forth that are needed to treat somebody just in order to cover—as Naval aviation used to say—our 6 o'clock. You didn't want to have somebody come up from behind you to shoot you down. So we talked about covering our 6 o'clock. Doctors, hospitals, and nurses spend a lot of time covering the 6 o'clock, as my friend knows.

I am an Ohio State boy. I am going to say something nice about Michigan, which is really out of character here. In Michigan, the University of Michigan Medical School and hospital came up with a policy called Sorry Works. If a doctor, hospital, or nurse made a mistake that adversely affected a patient, they apologized. The idea was to apologize, make up for it, make them whole, help them get well, cover their financial costs and so forth. It is called Sorry Works. It is a good idea.

I met a guy who is a doctor and a lawyer—a Republican—from Illinois who took the idea of Sorry Works and he put it on steroids and they called it Seven Pillars. It has been a great example of what actually works to reduce the incidents of medical mistakes in hospitals and nursing homes and also to get better health care outcomes. You reduce medical malpractice costs, and you also get more satisfaction from the patient side.

We have taken that idea in Delaware—Seven Pillars—at Christiana Care, which is the big health care delivery system in our State. We have taken that and have begun to incorporate it in the way they work. If I am your doctor and you are my patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened and try to make you whole. If you lost wages, if you have pain and suffering, they pay your health care costs and make you whole. Don't hide it. Don't put it under the rug but take full acceptance, responsibility. That is one of the approaches being used to try to deal with medical malpractice costs. I think it is a good one. It is not the only good one, but it is one.

I happened to be walking through the Chamber and heard my friend speaking, and I thought I would share that with you, with everyone.

When I was Governor of Delaware, we used to meet with my Cabinet. We

would be talking about a particular problem or challenge we faced in Delaware. I would say to my Cabinet: Some other State or some other Governor has actually addressed this issue. They figured out how to deal with this. Our challenge is to find out what works and do more of that and to see if it can be transferred to Delaware.

Sorry Works is a Michigan idea. It morphed into Seven Pillars in Illinois, and now it is being incorporated in my own little State in our big health care delivery system. It is something that works. I am not sorry that it works. I am glad that it works, and I am happy to share it with my friend from Kansas and whoever else might be interested.

I yield.

Mr. MORAN. I thank the Senator from Delaware, and I appreciate his comments. He did walk in just as I was talking about that particular issue of a series of things that I believe would improve the cost and affordability of health care. I thank the Senator for sharing his experience in Delaware and elsewhere and use that as an opportunity to indicate that the cost savings that comes from that kind of reform is a positive, but we also want to make sure those who, through no fault of their own, are actually harmed are made whole to the best of our ability that this can be accomplished.

Finally, I would use this as an opportunity to point out that this Senate ought to work in a way in which the ideas of all 100 Members are considered in a respectful way as we try to find solutions to the access and affordability of health care.

Again, I thank you for the time on the floor.

Mr. CARPER. Madam President, if I could speak through the Chair.

I failed to mention one thing about Sorry Works, Seven Pillars, and what we are doing in Delaware. If we have that meeting between the patient who had been harmed, the physician and provider, and they have the need where there is an apology and an offer to try to make the patient whole—no attorneys involved—if the patient says no, I am not interested in doing that, nothing that is said in that conversation between the two of them can be used in a court of law, which I think is an interesting approach. We are anxious to see how it works over the next couple of years.

Ironically, I was probably the only Democrat—maybe the only member of the Finance Committee—who was trying to get included in the Affordable Care Act provisions dealing with medical malpractice. I had this idea—not to let a thousand flowers bloom or ideas like that—to figure out five or six good ideas and put them on steroids to see if they actually work on a larger scale. I could not get a cosponsor on the other side of the aisle, which blew my mind. It still does. I could never

understand that. In the meantime, the ideas are starting to crop up and flourish, and, hopefully, we can find out what works and do more of that.

Thank you.

Mr. MORAN. Madam President, I would welcome a membership on the Finance Committee, but I don't have one at this stage or with my time in the Senate. Under either circumstance—membership on the Finance Committee or here in the entire Senate—I look forward to working with my friend and colleague, the diligent Senator from Delaware.

I yield my time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Madam President, I hear my Democratic colleagues praising ObamaCare. I had to smile yesterday. I heard a colleague talking about how ObamaCare was addressing high pharmaceutical costs. I had to start laughing—and kind of a bitter laugh. Tell that to a senior who is paying \$6,000 for her medicine, which before ObamaCare passed was a fraction of that.

We hear how great it is that ObamaCare has given so many people coverage. Say how great that coverage is to someone who has a \$6,000 deductible—a \$6,000 deductible—who does not have \$400 in her checking account. There is a friend of mine—people don't believe it so I put it on my Facebook page. He got his quote for him and his wife. They are 60 and 61 years of age. Their premium for 1 year was \$39,000, each of them with \$6,000 deductibles. Again, it is on my Facebook page because otherwise no one would have believed me.

So when people speak about the affordable health care act, I have to laugh. If this is affordable, what would be unaffordable? We can clearly do better than this.

I begin this speech by calling into question my Democratic colleague's defense of ObamaCare, but we can have common ground. I applauded and still applaud the goals of those who support the Affordable Care Act. They wish to have coverage for all. Now, that is important. For over 30 years, I have worked as a physician in a hospital for the uninsured. My medical practice has been geared toward bringing coverage, to bringing care to those who otherwise would not have it.

As I look at this issue, I have to thank them for their motivation but have to recognize that the Affordable Care Act has not achieved that in a way which most Americans find affordable. The other thing about ObamaCare is that it coerces Americans. It takes power from patients and States and gives it to Washington, DC, coercing the individual with mandates and penalties, taking away her right to choose. That is not where the American people wish to be.

I would like to believe Republicans and Democrats can find common ground. I have introduced a replacement plan that would give States the power. I am willing to concede, the minority leader believes that ObamaCare is working just fine in his State of New York. In my plan, we repeal ObamaCare on a Federal level, but if a State like California or New York thinks ObamaCare is working for them, God bless them.

Under my plan, a State legislature would have the right to stay on ObamaCare. So here Congress would pass the legislation giving States the choice, and the State would either have the option we advance, which I think is superior—but when Republicans say that you can keep your health insurance if you wish, and we mean it, we mean it. If a State decided they wished to stay on ObamaCare, they could or if a State truly decides they want to have nothing at all to do with any of this, they can totally opt away from the Medicaid expansion, from any help for others in their State to purchase insurance, period.

I think this recognizes that if the minority leader wants to claim it is working in New York, they can keep it, but clearly ObamaCare is not working in some other States. We can talk about Arizona, where briefly a county did not have a single insurance company providing insurance and where premiums increased by as much as 100 percent. We can look at Louisiana, my State, where that quote I gave earlier—a fellow and his wife, \$39,000 for 1 year's premium.

Clearly, ObamaCare markets are failing there. So let's repeal ObamaCare, give the States the power, allowing them to choose the system that will work for them. Now, health care cost is important. Under our bill, we make health care more affordable by giving the patient the choice, the power, if you will, of price transparency. Under ObamaCare, we have seen prices rise out of control. A lack of price transparency keeps providers from having to compete which takes away the consumer's power of choice.

You can see this power of choice price transparency. Fifteen years ago, LASIK surgery cost \$1,000 an eye or \$875 an eye, with more for astigmatism. Now you can drive down the street and you see a billboard—a billboard—that says: LASIK surgery \$275 an eye. So over a period of time, when everything has increased, LASIK surgery has come down—the power of price transparency.

Another example I like to use is of a woman, a physician, went for her mammogram. She wanted to pay cash. They talked her out of it. No. No. No. We don't even know what to charge you.

OK. I won't pay cash.

They billed her insurance company. She later found that if she had paid cash for her mammogram, it would

have cost her \$90. As it turns out, they billed the insurance company \$500. Her deductible was \$100. She was actually out \$10 because they billed her insurance company. She should have known that price going into it.

One more example. If a doctor orders a CT scan, the cash price, according to an LA Times article a few years ago in the Los Angeles Basin, varied from \$250 to \$2,500. Unless you are an investigative reporter for the LA Times, able to call up and get that cash price, you otherwise would not know. I guess maybe it sometimes helps to have another example. Would anyone buy a car if they did not know the price of the car beforehand? Yet that is routinely done with health care.

Under the legislation I and Senator COLLINS have introduced in the Senate, and I and PETE SESSIONS have introduced in the House of Representatives, people will know what the cash price is. I have found, working in a hospital for the uninsured, that when you give the patient the information and power they need to know to make the better decisions, you get better outcomes.

By the way, we have been told that Republicans don't have a plan. The plans I am speaking of now are drafted in legislative language—legislative language, again, that would repeal ObamaCare, put in price transparency, and return decisionmaking power to the patient. We should repeal the individual mandate, repeal the employer mandate, prevent the Federal Government, the long arm of the Federal Government from reaching into someone's household, forcing them to do something they don't wish to do.

There should be an alternative. Under both the World's Greatest Health Care Plan—the bill I introduced with PETE SESSIONS—or the Patient Freedom Act that I have SUSAN COLLINS as a cosponsor, we take all of the money a State would receive had they done the Medicaid expansion and those eligible to be signed up for the ObamaCare exchanges, and we give that money to the State to allow them to give tax credits to those who are eligible.

These tax credits could only be used for health insurance. If the patient did nothing, she would have a health savings account, catastrophic policy with a pharmacy benefit. She could use the health savings account as first-dollar coverage.

Now, under ObamaCare, \$6,000 deductible. Under our plan, the patient has first-dollar coverage, so if her daughter has an earache and she takes her daughter to the urgent care center, she can cover that visit with a health savings account that would be funded with this credit. They also have catastrophic major medical coverage, so if they get in that car wreck, take them to the emergency room, sky-high pric-

ing, they are protected from medical bankruptcy.

Under our replacement plan, we also give States the option to say that if someone in our State is eligible, they are automatically enrolled. I smile when I say that covers two populations, the person who may live under a park bench and does not have his life together to otherwise do it, and the other population would be my 22-year-old son and those like him, those young folks who never think they are going to get ill so they never sign up for insurance. Without them being in the pool, we end up with a sicker pool. That is what has happened with ObamaCare.

By the way, it would be easy to imagine you could end up with 95 percent enrollment of those eligible should the State decide to go this way. The timeframe for our replacement would be simple. In year one, say 2017 Congress passes the enabling legislation, which in year 2018 allows the State to choose between these three options; in 2019, the State would implement the option it chooses; and by the end of 2019, we have made the transition from repeal to replace, to implementation.

Folks ask: Would I lose my coverage? I am a physician. I am going to give my perspective: a patient I might see who has breast cancer. She does not like ObamaCare. She voted for Donald Trump, but she is on the bubble financially. She is not sure she can afford coverage, but she has breast cancer. As bad as ObamaCare is, at least she is getting some care.

Now she is having to put out all this money first, but still she is getting some care. If we keep her in the prism through which we look at this problem so that in the transition from ObamaCare to better coverage she continues to have her therapy, so at the end of this, not only does she have better coverage, but she has health and recovery from breast cancer, we have done our job. That is our Republican goal, to keep our prism as that woman who is vulnerable from a sickness she has now. In our transition, she does not lose coverage; she merely moves to better coverage.

I introduced the Patient Freedom Act with 12 Senate cosponsors in 2015 and then again teamed up with Representative PETE SESSIONS in 2016 to introduce the World's Greatest Health Care Plan. That is truly its name. TOM PRICE, our soon-to-be HHS Secretary, first introduced his Empowering Patients First Act to the House of Representatives in 2014. Speaker PAUL RYAN, Representative FRED UPTON, Senators RICHARD BURR, and ORRIN HATCH have also outlined plans for comprehensive health care reform.

All of these plans create a new system that returns power of choice to patients and to States. Simple provisions as I have described such as health sav-

ings accounts, instituting free market values, if we put them into a replacement plan now, we will quickly have an effect upon millions. Republicans have worked hard to lay the groundwork to repeal and replace ObamaCare.

President-elect Trump has said he wants repeal and replace to happen at the same time. He promised both. We should fulfill both promises. Our majority leader has said we can do a better job as Republicans covering more people. We have the principles, the ideas, and the plans ready to go so let's put them to use. We owe it to the American people to carry out that replacement now with a smooth transition so the insured population can grow without anyone losing coverage in the process.

Republicans are committed to creating and passing effective health care legislation to replace ObamaCare and to bring real coverage to all Americans. Now is the time to do so.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I rise today in support of S. Con. Res. 3 and the ongoing effort to repeal the most harmful elements of the so-called Affordable Care Act.

While our friends on the other side of the aisle have been trying to convince the American people that there is nothing to see here and that this poorly named law is working according to plan, the vast majority of our citizens know the truth: ObamaCare just doesn't work.

According to the results of a recent Gallup poll, 80 percent of Americans want Congress to either change the Affordable Care Act significantly or repeal and replace it altogether. Let me repeat that. Eight out of every 10 people in this country agree that the status quo is unacceptable and that we need a major change in what is going on around here.

We need a major course correction in our health care system. It is not hard to see why this is the case. After all, under ObamaCare, the cost of health insurance has increased dramatically and will continue to do so well into the future. Under ObamaCare, individuals and families are being left with fewer and fewer choices when it comes to buying health insurance. Under ObamaCare, patients have fewer options and reduced access to health care providers. Under ObamaCare, the American people have been hit with steep taxes, burdensome mandates, and a health care system that simply does not meet their needs.

This year alone, premiums in the benchmark plan for the ObamaCare exchanges have gone up by an average of 25 percent, and in some parts of the country, the increases have been significantly larger than that. In addition, over the past 2 years, insurance

plans have been dropping out of markets all over the country. As a result, it is estimated that more than half of the counties in the United States will have two or fewer available health insurance plans on the exchanges—and that is this year—and about a third of them have only one available option.

I am quite certain that every single Member of this Chamber has heard from a number of their constituents about these problems, about the problems they have faced as the Affordable Care Act has been implemented. I know I have. A number of Utahns have written to me to express their concerns about the increases in their insurance premiums. For example, last month, Austin from Provo, UT, told me that due to the growing cost of his insurance plan, “I’m going to have to drop the insurance and face the penalty next year. I’m worried because, as a young husband and father, I’m barely making ends meet, and I’m not sure I can afford to pay the penalty for not having insurance.” Similarly, Eryn from Spanish Fork, UT, noted that because her family’s previous insurer dropped out of the Utah marketplace, the remaining plan that best met her family’s needs was “a plan with a small list of in-network providers and no coverage for out-of-network providers.” She continued, saying that under this new plan, “We will have a higher deductible (\$13,000 for the family), we will have to pay the full cost of any visit to the doctor . . . and we will not be able to save as much money in our Health Savings Account each month because of the high premiums, which add up to \$11,000 a year. . . . The premium is basically another mortgage payment for us, only we have no property to show for it. This is too much.”

No family should have to choose between paying their mortgage and paying for their health insurance. Yet, with all of ObamaCare’s failures and broken promises, families throughout the country are currently having to make those kinds of choices.

Unfortunately, it does not get any better from here, not without a major change to the status quo. In fact, I think it is safe to say that if we fail to act, the worst is yet to come. Therefore, it is only fitting that we begin this new Congress by repealing ObamaCare and setting the stage for workable reforms that will actually bring down costs, provide more options, and let the American people—and not Washington bureaucrats—make their own health care choices. The budget resolution before us is the first step in this effort.

As we all know, the resolution contains reconciliation instructions to the relevant committees, including the Senate Finance Committee, which I chair, to draft legislation to repeal ObamaCare. So after approving this resolution, the next step will be for the

Finance Committee, the HELP Committee, as well as the Ways and Means and Energy and Commerce Committees over in the House, to get to work on putting together a repeal package. This process will be more difficult than it sounds. We don’t want to be reckless, and we don’t want to inflict more harm on the American people or our health care system; therefore, in addition to repealing ObamaCare, the legislation we draft pursuant to this budget resolution will have to include a stable transition period to give us the time and space we need to provide more sensible reforms.

Under the budget resolution, the legislation to repeal ObamaCare and provide that transition period will need to be reported to the Budget Committee by January 27. Then both the House and Senate will debate the legislation, hopefully passing it by simple majority votes and sending it to the desk of the incoming President. Once we pass this repeal legislation, we will come to the most important step in the process: replacing ObamaCare with a health care system worthy of the American people.

This will not be a simple endeavor. It is going to take a great deal of work, and it will almost certainly require the efforts of people from both parties. The Finance Committee is going to have a major role to play throughout this process of repealing ObamaCare, providing for a secure transition, and replacing the law with more effective reforms. Our committee has jurisdiction over all the major Federal health programs, including Medicare and Medicaid. In addition, we will have jurisdiction over the tax provisions, which include all of ObamaCare’s harmful taxes as well as the premium tax credits provided to purchase plans in the ObamaCare exchanges.

I have spoken at length to my Republican colleagues on the Finance Committee about these issues, and all of them are ready and willing to do whatever is necessary to put our Nation’s health care system on a more responsible path. We are going to get it done. In that I have no doubts.

To be sure, the first few steps in this effort are going to happen quickly. Once again, the plan is to produce repeal legislation before the end of this month. This, of course, is how it has to be. The American people don’t have the time for us to wait around on these issues, and we don’t have the luxury of sitting back and watching the problems get worse over time. The problems facing our health care system are growing by the day. We need to take the swiftest possible action.

We intend to act quickly and methodically to begin providing relief for the millions of Americans who are currently suffering as a result of ObamaCare and the unworkable system it has created. As I noted, if that effort is going to be successful, it should be

bipartisan. Both Congress and the incoming administration will need to work together.

CABINET NOMINATIONS

On that point, Madam President, I do want to note that my friends on the other side of the aisle have as recently as this morning made a number of statements and issued several demands with regard to the process for considering and confirming the President-elect’s Cabinet nominees. According to my colleagues’ statements, they want multiple rounds of hearings on every nominee, which, by the way, is unprecedented. This morning, they even went further, issuing demands that certain preconditions be met before hearings could even be held on a particular nomination. These tactics are, to put it bluntly, preposterous. My colleagues are certainly free to oppose any nominee and to try to convince others to do the same. It is unfortunate that they have decided to go further by politicizing the process by which we consider nominations.

Speaking for the Senate Finance Committee, I have to say that we have an established set of vetting procedures for all executive branch nominees. Republicans and Democrats alike have those particular procedures. That process has been in place for decades and has traditionally been bipartisan.

By all accounts, the Finance Committee’s longstanding vetting process is exceptionally thorough and fair, and it is deeply regrettable that some of our colleagues would try to undermine that process and not provide the incoming Trump administration’s nominees the same respect and regard our committee has provided for nominees in the Obama administration and prior administrations as well. As chairman, I take this process very seriously. I have made no efforts to abbreviate or shortcut our procedures for any nominee and have no intention of doing so in the future. I am certain all of our chairmen here in the Senate can say the same thing.

My hope is that my colleagues will stop politicizing this process at every step and allow the Senate to function as it has under both Republican and Democratic administrations. My friends on the other side may not like the results of the recent election, but their disappointment of the outcome is no justification for reinventing the way we do business here in the Senate.

I hope we will all take this into consideration and we will start cooperating with each other and get this government moving again and that we will support and sustain these people who are qualified and good people who are being chosen by the Trump-elect administration. I think it is important that we do these things and do them carefully and that we treat each other with the respect that is well deserved in this body. I hope that the petty, cheap politics will be discontinued.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I enjoyed listening to the comments of my colleague from Utah about the Affordable Care Act, and I wanted to expand on that a little if I could. I know we are having a discussion right now about whether to repeal and replace the Affordable Care Act, and we are focused a lot on what the timeframe might be and what the replacement might be, which is appropriate, but we also have to remind ourselves as to how we got here.

We got here because the Affordable Care Act has not met its promises and has let down the people of Ohio and people around the country. Millions of these families have already had a tough time experiencing really a middle-class squeeze of flat wages, even declining wages, on average, over the last decade or so, and now higher costs. That squeeze is accelerated by the cost of health care which has gone up dramatically.

In my own State of Ohio, the Ohio Department of Insurance has reported a 91-percent increase in the individual market in Ohio in the last 6 years, an 80-percent increase for small businesses that are purchasing Affordable Care Act-compliant plans. This is since the Affordable Care Act went into effect. Think about that. There has been almost a doubling of health care premium costs. Who can afford that? People certainly can't afford that as their wages are flat or even declining.

According to the Kaiser Family Health Foundation, average family premiums since the Affordable Care Act was put into place have increased by more than \$4,700. Recall that one of the promises of the Affordable Care Act was that costs would go down, on average, \$2,500 per family. Exactly the opposite has happened. In fact, there has been an almost doubling, with a \$4,700 increase. I don't think families got that kind of pay increase to be able to afford that. They certainly haven't in Ohio.

So this is a huge problem. To make matters worse, we think these cost increases are continuing to escalate in our State and around the country. In Ohio, premiums grew this year in 2017—on average, 13 percent higher than in 2016. So there have been double-digit increases in 1 year. With two plans in particular, premiums went up by 39 percent in Ohio. So for some families it was much worse than that. We have had good leadership in Ohio with Governor Kasich and Lt. Gov. Mary Taylor, who is also the insurance commissioner in our State, and because of that we have done a better job of trying to control these costs, but in many parts of the country, the situation is getting even worse.

Nationally, premiums are increasing by 25 percent just this year. In Arizona, they are doubling. In Tennessee, they are rising 63 percent. In Pennsylvania, right next door to Ohio, they are rising 32 percent. I can go on and on. I am sure North Dakota has had similar problems, as the Presiding Officer can tell us about. Some people might be able to afford these higher premiums, but I think we just can't afford it.

I heard Senator HATCH talk about having to make a choice between paying your rent or being able to pay your premium. That is what I hear in Ohio as I talk to people who are struggling and are now being hit with these huge expenses. Unless we take action, there is no light at the end of the tunnel.

The Congressional Budget Office, which is a nonpartisan group in Congress, and also the Joint Committee on Taxation projected that unless we do something to change the status quo, premiums will continue to skyrocket. They say they will grow by at least 5 percent per year over the next decade. By the way, that is far faster than they assume wages are going to grow so the squeeze will continue.

The law was advertised as something that would "bend the cost curve," meaning we would begin to see a reduction in the costs of health care, but health care costs have gone up, not down, and on top of that, American people had to pay hundreds of billions of dollars every year in taxes for this new law. There are 19 tax increases in the Affordable Care Act. Some of these, like the Cadillac tax, are very unpopular, even among Democrats and Republicans. So we are hoping we can deal with that with any kind of repeal effort immediately.

Another goal of this law, we were supposed to be increasing access to health care. Let's talk about that for a second. We heard different things on the floor about that. About 6 million people lost health insurance they liked as a direct result of this law going into effect. About 6 million Americans were told their coverage is no longer adequate because it didn't meet the mandates so they will lose their coverage. President Obama told the American people, I am told, 37 different times that if they liked their doctor, they could keep their doctor. Of course, that turned out not to be true. When you lose your health care plan and lose your doctor, you don't feel like those promises have been kept.

The outside fact checker called PolitiFact rated that as the Lie of the Year for 2013. That is the outside group that looks at what we elected officials say is going to happen and then compares it to what actually happens. By the way, it still is not true. One in five ObamaCare customers were forced to find a new insurance company for this year.

So the Congressional Budget Office that I mentioned and the Joint Com-

mittee on Taxation, these nonpartisan groups, now project that 27 million Americans are still uninsured today. Under the status quo, if we don't take action, they say that will be the case for the next decade. So this notion that everybody is going to get covered just hasn't happened. By the way, that is about 1 in 10 people in our workforce, even after hundreds of billions of dollars of taxpayer dollars have been spent on the Affordable Care Act, including these 19 new tax increases.

A lot of people have told me: ROB, I have health insurance, but I really don't because my deductible is so high. So, forgetting the premiums for a second, to pay for health care, just the annual deductible has gone out of sight. There are some plans where a deductible for a family might be \$8, \$9, \$10,000 a year. That is not really health care because you end up paying all that money out of pocket. The average deductible for a midlevel plan for ObamaCare, according to the Kaiser Family Foundation, went up to \$2,500 the year before last, 2015, to more than \$3,000 last year, an increase of about 25 percent in just 1 year. You see that in increases in deductibles and copays, not just in the premiums.

National insurers have lost billions of dollars on the Affordable Care Act exchanges, and a lot of them pulled their plans from the States. This is a real problem because if you don't have competition or choice out there, you will not get the costs down. I see in my own State of Ohio we lost one-third of the companies on the exchanges just this year. We have gone from 17 companies offering insurance on the exchanges in 2016, last year, to this year having just 11—so 17 companies going down to 11 companies. We now have 20 of our counties—there are 88 counties in Ohio—20 of our counties have only 1 insurer. This is also true nationally. About one-third of the counties around the United States only have one insurer. Again, this leads to higher costs, less choice, less competition. Quality also goes down because you don't have competition for the beneficiaries. It also affects the issue of premiums going up, deductibles going up, copays going up, and the middle-class squeezed.

So the President's health care law certainly failed at its own goals that were laid out in the promises that were made. It was supposed to create jobs, too, which is a different issue. What is the economic effect of this? Having more people covered is a good thing. We all want that. But what is the economic impact on the way the Affordable Care Act was put into place? We are looking at the weakest recovery in the history of our country from a recession still. Unfortunately, we haven't seen the strong economic growth we hoped for and had anticipated after a deep recession. Some of the reason for

that, in my view, is health care. Health care costs went up dramatically. People are paying a lot more for health care, not being able to get ahead, small businesses having higher and higher costs.

If you look at the latest jobs report, it is interesting. The Bureau of Labor Statistics tells us that 5.7 million Americans now are stuck in part-time work who want full-time work. These are people who are looking for a full-time job but only have a part-time job. Why is that? The economy is not working as it should. It is not generating enough growth to create job opportunities full-time, but it is also because of these mandates under the Affordable Care Act. I can tell you, economists may differ on the impact of this, but go talk to people about it.

I was in Chillicothe, OH, and someone came up to me and asked: Can you help me; because my employer is saying I can only work 28 hours a week. I figured out what it was about. She was a fast-food employee. I asked her: What did they say? And she said it was because of health care. What does that mean? It means that under ObamaCare, if you work under 30 hours a week, you are not covered by the mandates and the new costs, so some employers are going to say we are keeping you under 30 hours a week. That has led to more part-time work.

In this particular case, the woman said: I have to find another part-time job and I have kids at home and this is tough. And I said: Well, the answer to this, in part, is to change the health care law; that is, to take out some of the mandates and requirements and make it more pro-growth and pro-job rather than the current situation.

There are tens of thousands of new pages of regulations in this new law. It forces small businesses—and I am a small business person. I can tell you that I have burned a lot of time and effort to try to figure it out. You can go to consultants and pay them a bunch of money, and they will tell you they are not sure what it means either. This is one of the big issues that doesn't get talked about much with the Affordable Care Act; that it is really hard for businesses to figure out what they are supposed to do, particularly small businesses that don't have that kind of expertise inhouse. Those costs could go toward having more employees, they could go into reinvesting in business, plants and equipment, but they are going into trying to figure this thing out.

I don't doubt the good intentions of my colleagues on the other side of the aisle who support this legislation. We all want to see more coverage and see health care costs go down, but that is not what is happening.

Before the Affordable Care Act went into effect, the CBO estimated that 26 million Americans would be enrolled in

a plan in 2016. That is what they estimated. The Congressional Budget Office said 26 million would be enrolled in a plan in 2016. The actual number was 12.7 million, less than half. So, again, it hasn't met its own promises and projections.

The co-ops are another failure. There was a debate on the floor just before I got elected about should there be a public option so everybody would have an option to get into an exchange. We said let's put together these co-ops. They will be nonprofit. They will work great. We will set up co-ops around the country. There were 23 co-ops set up, including 1 in Ohio. We now see that 15 of the 23 co-ops have gone insolvent.

I will tell you that last spring, when 22,000 Ohioans lost their health care because the co-op went belly up, it was tough because they had to scramble and find a new health care plan quickly. More than 860,000 Americans—people who were encouraged by this law to sign up for these co-op plans—had to scramble to find new coverage because of a failed co-op. It is tough on these families.

It is also tough on the taxpayer. We did an investigation of this under the Permanent Subcommittee on Investigations, and we looked at what was happening to these families and we also looked at what was happening to the taxpayer. At that time, when only about half of the co-ops had gone under, rather than two-thirds, \$1.2 billion of taxpayer money had already been spent on these co-ops. That money isn't coming back to the Treasury, meaning this is money that will probably never be repaid. Again, part of the problem with our deficit is that ObamaCare and the Affordable Care Act is so expensive, and the co-ops in particular just wasted money. Among the surviving co-ops, 3 have not yet enrolled 25,000 members. In other words, they are not enrolling enough members even if they are surviving. So the non-partisan Government Accountability Office, GAO, issued a report in March which confirmed the results of our investigation, and it indicates that this money, the \$1.2 billion, has now increased substantially because more of the co-ops have gone under.

Many of those 22,000 Ohio families who were in the co-op had already paid deductibles in the plans they thought they could count on. Think about it. They paid hundreds of thousands of dollars in health care costs to get up to their deductible, and then all of a sudden they found out that they had to go to a new plan and they had to start all over again. So it is adding insult to injury. They lost their plan and they had to scramble to find one and then they found out they have all these out-of-pocket expenses again because although they met their deductible under the old plan, they have to start again in the new plan. This is not the way it

ought to be. It is just not fair. These families did nothing wrong. All they did was what they were told to do, to sign up for these co-ops.

I think these are just symptoms of the problem. The diagnosis is clear. The Affordable Care Act is a bad law, bad economics, and bad health care policy. It hasn't worked. I think it is difficult to make the other argument. The President's health care law hasn't worked, not because it didn't have good intentions but because it tried to achieve those good intentions by forcing millions of people to buy a product they didn't want after losing a product they did want, including a \$2 billion taxpayer-funded Web site that didn't work. If you recall, they had problems with the Affordable Care Act Web site and unfortunately potentially exposed a lot of personal information of many of these individuals to hackers.

As I talked about, even those who have insurance often have limited access to providers because the deductible is so high that they can't afford their health care.

With higher costs and fewer choices, the American people, by and large, are dissatisfied with the plan, the Affordable Care Act, just as they were when it was enacted. A CBS poll last month has shown that more people disapprove of the law than approve of it. A Gallup poll in November found that 8 in 10 Americans want the law repealed or significantly changed—8 in 10 Americans. Why? Because they have seen it.

By the way, most Americans were not in the exchanges, but they still felt it. Think about this. When a company is involved in the exchanges and losing money, and many of these companies are losing hundreds of billions of dollars a year, what they are doing is they are cost-shifting onto private plans, onto employer-based plans, and raising the costs for other Americans. This is part of the reason health care costs have gone up generally, not just in the exchanges but overall.

I have certainly seen this firsthand in Ohio. Constituents have been contacting me for the last 6 years to tell me how this health care law has affected them. There is a father of five who wrote to me after the cost of the family's insurance doubled. Another man saw his \$100 deductible soar to \$4,000 while his premiums hit \$1,000 a month.

I still remember the letter I received from Dean from Sandusky. He lost his job in 2009 as so many other Americans did during the recession. Because he lost his job, he had to go on the individual market to buy health insurance. He picked out a plan that worked for him and his family. He liked it and he bought it. Once the President's health care law went into effect, that plan was discontinued because it didn't meet the mandates and requirements of the new law. He found himself high and dry. He,

too, had to buy another plan that was twice as expensive, and it cost him more than half of his pension—because that is his income. It is his pension. So not only did he lose his job, but then he was saddled with a plan he couldn't afford and a much more expensive cost of living. He didn't do anything wrong, but because of a failed, mistaken approach that Congress took to health care reform, he has now had to struggle to make ends meet.

Susan from Batavia also wrote to me. She is a single mom. She lost the plan she liked because of the President's health care plan. She wrote and said: I stay in shape. I watch my diet. I exercise regularly. I do all the right things. I had a high-deductible, low-cost plan, but under the President's new health care law, I had to change my plan.

Her coverage, by the way, was for double the price of the premium. A single mom; tough to afford it.

Another, Susan from Columbus, OH, wrote to me and told me that she works for a small business of 12 employees. When the health care law went into effect, their rates went up nearly 30 percent in 1 year. Small businesses and new businesses cannot afford that. I cannot tell you how many small businesses I have been to where I asked them: What have your premiums done over the last several years, and they tell me: Double digit, ROB. Double digit. If we get an increase in the low double digit, that is a good thing. Again, there is no place for that to come from except for wages and benefits and cutting back on employees—in some cases, again, not expanding a plan that they otherwise would have because of this health care law.

It doesn't have to be this way. We can enact real health care reform that uses the market forces that help to increase competition, that requires insurance companies to compete for our business, that allows people to get the plan they want, looking all around the country for what works best for them. This burdensome health care law is standing in the way of real reforms right now. It is hurting families in Ohio and across the country.

The health care market was far from perfect before this law so I am not arguing that the status quo is acceptable. I think we have to do things not just to repeal ObamaCare but to replace the Affordable Care Act with reforms that make better sense. We had issues before, but it has gone to worse, not better. It accelerated the problems.

I hope that over the next couple of months, as we talk about this, we will be able to come up with a replacement plan that makes sense. Republicans and Democrats alike need to come to the table on this because, again, I have listed today all the reasons the current law is not working. The status quo is not acceptable. I think it is very hard to argue that it is. That means all of us

have a responsibility to say: OK. How do we fix this? How do we come together, Republicans and Democrats alike—not on a partisan basis as was done last time—to figure out a way to do it together? We need to come together to make sure the people we represent have the chance to get the health care they want for them and their families, that fits them, where they can have costs that are affordable, where they can have quality health care that is good for them and their families, where it can be patient-centered, and we can give people the affordable care they deserve.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that at 2:45 p.m. there be 2 minutes of debate, equally divided in the usual form, prior to the vote in relation to Kaine amendment No. 8.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. I yield the floor.

AMENDMENT NO. 8

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 8, offered by the Senator from Virginia, Mr. KAINE.

The Senator from Virginia.

Mr. KAINE. Mr. President, I have spoken about this previously. The budget that is on the floor really isn't a budget; it is more of a focused attack on health care for millions of Americans. Amendment No. 8, which I have offered with Senator MURPHY and others, is an attempt to stop the majority from passing a health care repeal through a fast-track process. The amendment does one thing: It creates a budget point of order against any legislation that would either reduce the number of Americans enrolled in public or private health insurance, increase health insurance premiums, or reduce the scope and quality of benefits provided.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this amendment is corrosive to the privilege of the budget resolution, meaning that it is outside the scope of what is appropriate for a budget resolution. Any inappropriate amendment could be fatal to the privilege of this resolution, which would destroy our efforts to repeal ObamaCare. In other words, a vote in favor of this amendment is a vote against repealing ObamaCare.

In addition, this amendment is not germane to this budget resolution.

This budget resolution is much more focused than a typical budget resolution. The Congressional Budget Act requires that the amendment to a budget resolution be germane. Since this amendment does not meet the standard required by budget law, a point of order would lie. As such, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 48, nays 52, as follows:

[Rollcall Vote No. 2 Leg.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeben	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

The PRESIDING OFFICER (Mr. CASIDY). On this vote, the yeas are 48, the nays are 52.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

Who yields time?

If no one yields time, the time will be charged equally to both sides.

The Senator from Texas.

UNITED NATIONS RESOLUTION ON ISRAEL

Mr. CRUZ. Mr. President, in the final days of the Obama administration's

second term, with all eyes focused on the President-elect, the temptation to try to take a dramatic action to seal a cherished policy legacy must have been almost irresistible. So it proved for President Obama on December 23, 2016, when he betrayed decades of robust bipartisan American support for Israel at the United Nations by abstaining from a completely biased resolution that condemns our close friend and ally Israel and condemns all the so-called settlement activity, defined as any construction in any territory won by Israel in the Six-Day War.

U.S. policy for decades has been to stand up for Israel at the United Nations, a hot bed of anti-Semitism that discriminately condemns Israel more than any country in the world, particularly when resolutions are being offered up that are outrageously biased, that attempt to predetermine the outcome of negotiations, that prejudice the basis for negotiations, or that try to dictate terms to Israel.

We have seen this pattern of appealing to the United Nations from the Obama administration over and over with disastrous deals—the nuclear deal with the Islamic Republic of Iran, as well as the U.N. Convention on Climate Change, two international agreements that significantly threaten the security and prosperity of the United States. Both of them should have been submitted to this body, the Senate, as treaties.

But the President chose instead to try to impose them through the United Nations because he knew that they would never be ratified by the Senate, even when this Senate had a Democratic majority. So the Obama administration's strategy, instead, has been to curb American power by subjugating our national interests to the globalist agenda of the U.N., a policy that he is now attempting to extend to Israel.

Here are some of the main problems with UNSC Resolution 2334. First, it is an attack on Israeli sovereignty, as it falsely defines as illegal under international law building activity within Israel's own borders, which should be an internal Israeli issue. The historical connection of the Jewish people to the land of Israel did not begin in 1967.

Let us not forget that the Six-Day War was a defensive war fought almost 50 years ago by the Jewish state against the Palestinians and their Arab enablers, who were gathering in a concerted effort to wipe Israel off the map. Against all odds, Israel won quickly and decisively and the map was redrawn to ensure that Israel was not endangered by its own borders, the weakness of which Israel's enemies had attempted to exploit.

Of course, the defeated party, the Palestinians, have not accepted this outcome. Israel has time and again invited them to negotiate a resolution—just one that involves Israel's contin-

ued existence as a Jewish state, something that the Palestinian Authority has over and over refused to acknowledge or accept.

Therein lies the bottom line for Israeli security. The pre-1967 lines proved indefensible. So rather than, as the Obama administration, treat them as some sort of gold standard, Israel's security interest has deemed them intolerable and any resolution to this issue should not be dictated by the United States or the United Nations but rather should be negotiated and decided upon directly by the sovereign nation of Israel and by the Palestinians.

Secondly, the resolution falsely claims that Israel's sovereignty over the eastern part of Jerusalem and areas that it controls after the Six-Day War, including Judea and Samaria, are supposedly "occupied Palestinian territory". This is nothing short of absurd. What that means is that, under the terms of the United Nations resolution that the Obama administration acquiesced to—indeed, there are considerable reports that the Obama administration, President Obama, and John Kerry actively encouraged and facilitated it—the Jewish Quarter, the Old City of Jerusalem, is illegal and illegitimate and not justifiably a part of Israel. Under the terms of that resolution, the location of holy sites for the Jewish people, including the most important holy site, the Temple Mount, is illegal and illegitimate to be a part of Israel. Under the terms of the resolution, the Western Wall, where Jews from all over the world go to pray, is deemed "occupied Palestinian territory," illegal and illegitimate.

It is more than a little ironic that President Obama went to the Western Wall to place a yarmulke there, pretending to show respect to Israel, and yet his administration, in an outgoing act of contempt, declares the Western Wall not part of the nation of Israel.

This couldn't be further from the truth. It was also an affront to Jews around the world that the resolution was adopted on the eve of Hanukkah. For 8 days, Jews lit candles all over the world to remember the miracle that happened there, and to commemorate the heroic battle fought by the Maccabees that liberated Jerusalem and restored their right to worship freely and the rededication of the Temple in Jerusalem. How ironic it is that on the eve of a celebration liberating Jerusalem and rededicating the Temple in Jerusalem, the Obama administration and the United Nations would declare that Jerusalem and the Temple are not legitimately part of Israel.

How disgraceful—the United States should be not be facilitating the adoption of a resolution that at its core attempts to distort and rewrite recent history as well as the historical connection of the Jewish people to the

land of Israel that goes back thousands of years.

Third, the resolution will also help fuel the Palestinian diplomatic, economic, and legal warfare campaign against Israel, particularly because of its provision that calls on states to make a distinction in their dealings with Israel between pre-1967 Israel and Israel beyond the 1967 lines, encouraging boycotts, divestments, and sanctions against Israel and potentially leading to Israelis and Americans being brought in front of the International Criminal Court.

Palestinian leaders are already promising to use this resolution to push the International Criminal Court to launch a formal investigation against Israel.

That was not an unintended consequence of this action. That was precisely the intent of the United Nations and the Obama administration—to facilitate assaults on the nation of Israel.

Yet even after this disgraceful United Nations resolution, it was clear that the administration was not yet done, with Secretary of State John Kerry delivering just days later a truly shameful speech attacking Israel. His speech, very much like Kerry's 2014 remarks likening Israel to an apartheid state, will only enflame rising anti-Semitism in Europe. It will encourage the mullahs, who hate Israel and hate America, and it will further facilitate "lawfare," the growing assaults on Israel through transnational legal fora.

President Obama and John Kerry's actions were designed to secure a legacy, and in that, they have succeeded. History will record and the world will note that Barack Obama and John Kerry are relentless enemies of Israel.

Kerry's speech drew a stunning moral equivalence between our great friend and ally Israel and the Palestinian Authority, which is currently formed by a "unity" government with the vicious terrorists of Hamas.

Secretary Kerry declared the Hamas regime and Gaza "radical" in the same way that he declared the duly elected Government of Israel "extreme." That moral equivalence is false, and it is a lie.

The IDF, defending the people of Israel, protecting people, and keeping them safe, is not the same moral equivalent of terrorists who strap bombs to their bodies and seek to murder innocent women and children.

Kerry declared the vicious terrorism sponsored by Hamas equal to the Israeli settlements in the West Bank, and he equated Israel's celebration of its birth with the Palestinian description of this event as the "disaster."

Unlike Barack Obama and John Kerry, I do not consider the existence and creation of Israel to be a disaster, and the Government of the United States should not be suggesting such a thing.

Kerry's speech attempted to lay out a historic and seismic shift toward the delegitimization of our ally Israel. It is a sign of their radicalism and refusal to defend American interests that Obama and Kerry chose to attack the only inclusive democracy in the Middle East—a strong, steadfast ally of America—while simultaneously turning a blind eye to the Islamic terrorism that grows daily.

Unfortunately, President Obama still has 2 weeks left in his Presidency, and he may not yet be done betraying Israel.

Next week, on Sunday, January 15, France is convening a conference with 70 other nations designed to serve as an extension of the U.N. resolution and the Kerry speech—an all-out assault on Israel. I am deeply concerned that what is decided at this conference will be used to try to further impose parameters or even audaciously to recognize a so-called independent Palestinian state through another Security Council resolution. The Security Council is scheduled to meet on January 17—conveniently, 3 days before Obama and Kerry leave office.

Let me speak a moment to our friends and allies across the globe.

When the President of the United States, when the administration of the United States attempts to encourage you to support their positions in the United Nations, that can be highly persuasive. It has been an arena, a forum that Barack Obama has flourished in, even as he has shown condescension and contempt for the Congress of the United States and the people of the United States.

But to our friends and allies, let me remind you: The Obama administration is coming to an end on January 20. If you desire to continue being a friend to America, if you desire a continued close working relationship with America, then I call upon our allies: Do not join in attacking Israel on January 15 in France or on January 17 at the Security Council.

The new administration—President-Elect Trump—has loudly condemned the U.N. resolution and the Obama administration's complicity in its passage.

I would encourage our friends and allies not even to attend the January 15 conference, or, if they do choose to attend, to oppose and stand up and speak out against any further attempts to attack or undermine or delegitimize America or Israel.

I want to commend my colleagues on both sides of the aisle for offering resolutions to repudiate this administration for their actions of the last few weeks. It says something when you see Republicans and Democrats in Congress coming together, united to say: This action by the Obama administration is beyond the pale.

Let me underscore again to our friends and allies, to our Ambassadors,

to heads of state, to friendships and relationships that we value so much: Listen to the bipartisan consensus of Congress, and do not go along with the bitter, clinging radicalism of the Obama administration, attempting to lash out and strike out at Israel with their last breath in office.

As commendable as these resolutions are, I believe the Senate and the Congress need to go further—that we need to take concrete steps so that there will be repercussions and consequences for the United Nations and the Palestinians for their behavior. That is why I am working with my colleague Senator LINDSEY GRAHAM on introducing legislation, along with other Members of this body, designed to cut the funding to the United Nations—designed to cut U.S. taxpayer funding going to the U.N.—unless and until they repeal this disgraceful anti-Israel resolution.

We know, previously, that one way to get the U.N.'s attention is to cut off their money. We know from the failure of other U.N. organizations to recognize so-called Palestine as a member-state after American tax dollars were withheld from UNESCO for doing so in 2011 that the U.N. over and over values its pocketbook over its leftist values.

However unintentionally, President Obama's misguided foreign policy has led to an unprecedented rapprochement between Israel and America's Arab allies, such as Egypt, Jordan, and the UAE. We have also seen hopeful signs of shifting positions at the United Nations, as countries such as Brazil, Mexico, Italy, and Australia have recently signaled that they may no longer vote reflexively in favor of the Palestinians.

Great Britain, although it voted for the resolution, has recently demonstrated an unprecedented degree of support for the Jewish state.

These changes represent a significant opportunity for the United States to bolster one of our most important allies, an opportunity we can preserve for the President-elect by not letting Mr. Obama squander it on the way out the door.

America should be leading the charge at the United Nations and around the world to rally burgeoning support for Israel, not trying to stab the Jewish state in the back.

Just over a week ago, I spoke with Israeli Prime Minister Netanyahu. I told the Prime Minister that, despite the disgraceful actions of the United Nations, America stands resolutely with the nation of Israel, that the American people stand with Israel, and that I believe there is a very real possibility that the extreme and radical actions of Obama and Kerry will, in fact, backfire.

It is not accidental that they waited until after the election to do this. They could have tried to do that this summer, but Obama and Kerry knew well

that the American people do not support their attempting to attack Israel. So they waited until after the election. They waited until they were on their way out the door.

Kerry, in his speech, said Israel cannot be both democratic and Jewish—one or the other, but not both.

This is an inanity that is deemed profound only in Marxist faculty lounges.

Israel is Jewish, it is democratic, and it is and should remain both. I believe that by revealing just how extreme they are, by removing the fake mask of support for Israel that Obama and Kerry have chosen to do in the last several weeks, it will help to galvanize support in this body and across the world for our friend and ally, the nation of Israel.

Israel is not only our friend and ally, but it is a partner of the United States. That alliance benefits the vital national security interest of America. Israel's military benefits the national security of the United States of America. The Israeli intelligence services benefit the United States of America. Israel's steadfastness against radical Islamic terrorism, which has declared war on both Israel and America, benefits the national security interests of this country.

It is Israel—the thriving, one and only Jewish state—that stands on the frontlines for America and, more broadly, Western civilization against the global threats we face. Our commitment to Israel must be restored and strengthened. I look forward to taking action with my colleagues—I hope on both sides of the aisle—in the near future to repudiate Obama's shameful attack on Israel, to repudiate the United Nations' efforts to undermine Israel, and to reaffirm America's strong and unshakable friendship and support for the nation of Israel.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 1

(Purpose: In the nature of a substitute)

Mr. ENZI. Mr. President, I call up amendment No. 1 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. PAUL, proposes an amendment numbered 1.

(The amendment is printed in the RECORD of January 4, 2017, under "Text of Amendments.")

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, with the permission of the chairman, I would like to ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, would the Senator mind if it comes off of the res-olution time?

Mr. WHITEHOUSE. I have no objec-tion to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is the 152nd time I have come to the floor for my “Time to Wake Up” speech, warning about the perilous ef-fects of climate change. I am going to continue this in the new Congress, con-tinuing to present the latest and most compelling scientific evidence of the changes that are coming our way driv-en by carbon pollution.

Nobody should take my word for it. I urge my colleagues to listen to their own home State’s climatologists, their own home State’s university research-ers, their own home State’s public health officials, and their own con-stituents who are out there fighting to protect their communities from the changes that are already happening right before their eyes.

In Rhode Island, we have a lot of fish-ermen, just as Louisiana has, Mr. President. The president of the Rhode Island Commercial Fishermen’s Asso-ciation is Chris Brown. Just this past week, he was the subject of a New York Times article. “Climate change is going to make it hard on some of those species that are not particularly fond of warm or warming waters,” he told the Times. “We used to come right here”—where he was on his boat, *The Proud Mary*—“and catch two, three, four thousand pounds a day, sometimes 10.” But the whiting, the fish he was after, have moved north to cooler waters.

The Times reports that two-thirds of marine species off the northeast coast have moved from their traditional ranges into deeper and cooler water.

John Manderson is a biologist at NOAA’s northeast fisheries science center, and he told the Times in that article that public policy needs to keep pace with the rapidly changing oceans, where species are shifting northward in response to warming 10 times as quick-ly as they do on the land. “Our ideas of property rights and laws are purely land-based,” he said, “but the ocean is all about flux and turbulence and movement.”

In Rhode Island, fishermen are get-ting clobbered by that flux.

Captain Dave Monti is a member of the Rhode Island Marine Fisheries Council. He wrote in the Providence Journal this week:

I often think about the fish and how im-portant it is to grow them to abundance so there are more fish for all to catch and eat. . . . In 2017 we need a fish-first agenda, or someday there may be no fish left to catch. Climate change, acidification, overfishing by world nations, and changing federal strate-gies could make it the worst of times for fish in 2017. . . . We need to make an effort to un-

derstand what is happening to the environ-ment and the fish, and then take that second step of communicating it to others to affect policy.

That is what I am being asked.

The Providence Journal also recently wrote about how in Rhode Island the sea is moving higher and farther in-land, as it is in Louisiana, which is the State losing ground fastest to the ocean of all the 50. They reported on StormTools, a program developed by Rhode Island’s Coastal Resources Man-agement Council director Grover Fugate and University of Rhode Island emeritus professor of ocean engineer-ing Malcolm Spaulding. StormTools provides 3D maps of the potential flooding damage along Rhode Island’s coast. The Journal described the project as “one of the most sophisti-cated models developed anywhere to project future damage from storm surges and sea level rise.” And we are taking the results seriously.

The Journal quoted William DePasquale, who is the director of planning in one of our cities, Warwick, RI. He said, “When I saw some of those scenarios, my jaw hit the ground.” That is what we are looking at, and Warwick is now using those maps to prepare for the future.

The Providence Journal has also re-cently written about Matunuck Beach in South Kingstown. Town manager Stephen Alfred warns that if the sea takes out Matunuck Beach Road, 240 homes will be totally cut off, without a water supply or access to emergency services.

The article features Kevin Finnegan, who owns the Ocean Mist, a renowned local establishment. The Journal said:

The Ocean Mist has occupied the same spot under different names since Prohibition ended in 1933. But the ocean has moved. Where once beach bathers had to plan a trek across sand to reach the water from the Mist, waves now flood the supports holding up the tavern’s deck.

Finnegan and the town of North Kingstown are scrambling to build sea-walls. Engineer Bill Ladd, who works for Finnegan and who the Providence Journal reports had his first beer at the Ocean Mist back when the drinking age was 18, estimates that the two walls may only buy Matunuck Beach 20 or 30 more years against the oncoming ocean. That is because, as The Inde-pendent—a local newspaper in the southern part of Rhode Island—re-ported in December, about 4 feet of Matunuck Beach is eroding every year. According to Director Fugate of the CRMC, that erosion will more than double by the end of the century. Rhode Island is not a big State. We cannot afford to have this much re-claimed by the ocean.

The Independent article quotes North Kingstown Town Council president Kerry McKay, who says that climate change threatens the property values of his community’s coastal homes,

which is a significant portion of the town’s revenue base.

He said historical values “will have to change” as coastal concerns rise, and resi-dents “have to be more receptive” to redoing building infrastructure, such as through ele-vating houses.

He also said that homes “may not be there” in 20 years, resulting in a “major revenue loss.”

Another Providence Journal article last week featured Tanner Steeves, a wildlife biologist with the Rhode Island Department of Environmental Manage-ment, which has to tear up roads and parking lots along the Sakonnet River as the seas rise. The Journal writes:

As the barrier beach just south of Sapowet Point has narrowed—losing nearly 100 feet since 1939—the salt marsh on the other side has become more susceptible to flooding.

The Independent made Rhode Island’s case for climate action in a December editorial. They said:

The signs are clear, if not immediately visible to most.

There are the well-documented, widely publicized shifts with global import, such as the loss of polar ice and the growing fre-quency of extreme weather events. Locally, there are changes in the ecology of Narra-gansett Bay, and locations at which the ef-fects of a rising sea level—sometimes subtle, sometimes less so—may be plainly seen. . . . But we encourage all Rhode Islanders, from coastal communities and beyond, to remain attuned to the situation—in terms of both what the sea is telling us and what is being proposed to prepare for coming changes. The stakes are enormously high, and the broad-est possible effort is required to meet the challenge.

That is the message to me from Rhode Island. That is why I give these speeches.

As I continue to push for honest de-bate on this issue in Congress, I also tour around the country to see folks on the ground in other States. I have now been to 15 States. In the closing months of 2016, I hit Texas and Penn-sylvania.

In Texas, I joined Representative El-liott Naishtat, the advocacy group Public Citizen Texas, and Texas envi-ronmental advocates at a public event in Austin to call out Congressman LAMAR SMITH, Republican chairman of the House Science, Space, and Tech-nology Committee, for his abuse of congressional power to harass public officials and climate scientists, includ-ing subpoenas demanding that States attorneys general divulge their inves-tigative materials relating to their in-quiries into ExxonMobil’s potentially fraudulent climate misinformation. The committee is also harassing the Union of Concerned Scientists, 350.org, Greenpeace, and various university sci-entists because they are exposing Exxon for years of misleading the pub-lic on its understanding of climate change. Texans are taking notice. The San Antonio Express-News, which had previously always endorsed Congress-man SMITH for reelection, decided not

to endorse him in this latest election cycle. The paper cited his “bullying on the issue of climate change” as behavior that “should concern all Americans.”

I joined a panel discussion with leading scientists from Texas universities to discuss their research into climate change in Texas. The panel included Dr. John Anderson from Rice University, Dr. Andrew Dessler from Texas A&M University, Drs. Charles Jackson and Kerry Cook from the University of Texas at Austin, and Dr. Katherine Hayhoe from Texas Tech University. They had a unified voice on the dangers of climate change.

Dr. Hayhoe said Texans are seeing changes all around them.

We get hit by drought. We get hit by heat. We get hit by storms. We get hit by sea level rise. And we’re starting to see those impacts today. . . . Texas is really at the forefront of this problem.

Dr. Anderson of Rice agreed that the Texas climate is already changing. He said:

Accelerated sea-level rise is real, not a prediction. Its causes are known—thermal expansion of the oceans and melting of glaciers and ice sheets—and it is causing unprecedented change along the Texas coast.

Dr. Dessler from Texas A&M laid out what he called “the fundamental and rock-solid aspects of climate science: humans are loading the atmosphere with carbon, this is warming the climate, and this future warming is a huge risk to our society and the environment. We should insist that our elected representatives rely on this sound science when formulating policy.”

I returned to Austin in November to speak to the Association of Public and Land-grant Universities. President David Dooley of the University of Rhode Island had invited me to join a panel that he moderated with, among others, Dr. John Nielsen-Gammon, Texas State climatologist and professor at Texas A&M University.

The bottom line was simple: Climate change is real, and the scientists at our universities will be increasingly forced to defend good science, academic freedom, and climate action. University leadership will have to defend their scientists against the onslaught of FOIA requests and personal attacks that are the modus operandi for climate deniers and against the phony science fronts propped up by the fossil fuel industry to spread calculated misinformation. The American scientific community faces a real threat from that operation.

On to Pennsylvania, I had the opportunity to spend a day traveling with my friend and colleague BOB CASEY around southeastern Pennsylvania getting a firsthand look at the effects of climate change and hearing about the work Pennsylvanians are doing to address it. At the University of Pennsylvania’s Morris Arboretum, leaders

from Children’s Hospital of Philadelphia’s Community Asthma Prevention Program, Moms Clean Air Force, Physicians for Social Responsibility, and other groups talked about kids with asthma and other conditions that worsen when temperatures and pollution levels are high.

In Malvern, we toured the LEED platinum North American headquarters of Saint-Gobain, the world’s largest building materials company. The company is demonstrating that green building materials and technologies can be married with stylish design to produce stunning results. With operations in Rhode Island, Pennsylvania, and around the globe, Saint-Gobain is developing innovative technologies to reduce pollution, generate clean energy, and improve air quality for millions of people.

From there, we visited the John Heinz National Wildlife Refuge, which is the Nation’s first urban wildlife refuge and Pennsylvania’s largest freshwater tidal wetland. Lamar Gore, the refuge manager, showed us how the refuge is at risk from the saltwater pushed in by rising sea levels. The refuge is adjacent to the Philadelphia International Airport, along the Delaware River.

As you can see from these graphics reproduced from the New York Times, at 5 feet of sea level rise, some of the city goes underwater and the refuge is in real trouble. Water encroaches upon the Philadelphia airport. At 12 feet of sea level rise, 6 percent of the city—including the refuge, airport, and parts of downtown Philly—is underwater. Projections that parts of Philadelphia will one day be uninhabitable due to sea level rise are one of the major drivers for forward-looking climate mitigation and adaptation policies of Philadelphia’s Office of Sustainability. Senator CASEY and I met with them too.

Being in Pennsylvania gave me a chance to connect with Dr. Robert Brulle of Drexel University. He is the scholar who documented the intricate propaganda web of fossil fuel industry-funded climate denial, connecting over 100 organizations, from trade associations, to conservative think tanks, to plain old phony front groups. The purpose of this climate denial apparatus is, to quote Dr. Brulle, “a deliberate and organized effort to misdirect the public discussion and distort the public’s understanding of climate.”

I will wrap up with a special thank-you to one of the folks who helped organize my Texas trip: Tom Smith, who has been director of Public Citizen of Texas for more than 30 years. Known by his friends and colleagues as Smitty and known for his signature straw hat, over his career he has testified more than 1,000 times before the Texas Legislature and Congress—Mr. Uphill Struggle indeed. He was successful, though, and central in creating the

Texas Emissions Reduction Program, which led to wide-scale deployment of solar and wind across Texas. A true environmental champion, Smitty retires this year.

I ask unanimous consent to have printed in the RECORD a recent tribute from the Texas Tribune entitled: “Analysis: ‘Smitty,’ a Texas Lobbyist for the Small Fry, Retiring after 31 years.”

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Texas Tribune, Sept. 21, 2016]

ANALYSIS: “SMITTY,” A TEXAS LOBBYIST FOR THE SMALL FRY, RETIRING AFTER 31 YEARS

(By Ross Ramsey)

Tom “Smitty” Smith, a colorful lobbyist and liberal activist who turned Public Citizen Texas into a strong voice on environmental, utility, consumer and ethics issues, is hanging up his spurs after 31 years.

In the early 90s—the heyday of consumer rights legislation and regulation in Texas—Robert Cullick, then a reporter at the Houston Chronicle, gave Tom “Smitty” Smith of Public Citizen Texas an unofficial title: Everybody’s Third Paragraph.

Smith, 66, announced his retirement Tuesday from his official post after 31 years, ending a long run of organizing and lobbying on behalf of consumers and citizens on a range of issues like utilities, insurance and political ethics. He was often the voice of the opposition in legislative fights and in the media, which earned him that reporter’s epithet.

He’s from that part of the Austin lobby that doesn’t wear fancy suits, doesn’t drive the latest luxury cars and doesn’t spend its time fawning over and feeding elected officials. Smitty has a beard, an omnipresent straw hat and, often, a colorful sheaf of flyers making his points on whatever cause he’s pushing at the time.

Smitty has been a leading voice for government intervention and regulation of big industries and interests in the capital of a state with conservative, business-friendly politicians from both parties who pride themselves on light regulation, low taxes and a Wild West approach to money in politics.

For the most part, Smith seems to have disagreed strongly, vociferously, but agreeably. He doesn’t wear his wins or his losses on his sleeve.

“The thing that I learned time after time, story after story, is that people standing up does make a difference,” Smith says. “It does change policy.”

“Citizen activism does matter, and it’s the only known antidote to organized political corruption and political money,” he says.

His causes over the years have included food security, decommissioning costs of the nuclear reactors owned by various Texas utilities, insurance regulations, ethics and campaign finance laws. He’s lobbied on environmental issues and product safety.

He counts the ethics reforms of 1991 as one of his big wins. As unregulated as Texas political ethics and campaign finance might seem today, things were a lot looser before reformers used a flurry of scandals and attendant media coverage to force changes. Smith is proud of a medical bill of rights that gave consumers some leverage with their doctors and their health insurers.

Public Citizen was a key player in the creation of the State Office of Administrative

Hearings, which took administrative courts out of several regulatory agencies and put them in a central office, farther from the reach of regulated industries and elected officials. Smith now points to the Texas Railroad Commission, which still has its own administrative hearings, as an example of a too-close relationship between regulators, the companies they regulate and the judges supposed to referee their differences.

He was an early and noisy advocate for renewable energy, urging regulators and lawmakers to promote wind and solar generation—and transmission lines to carry their power—as an alternative to coal plants and other generating sources. That looks easier from a 2016 vantage point than it did in 1989, when an appointed utilities regulator derided alternative energy in an open meeting by saying that he hadn't smoked enough dope to move the state in that direction.

That regulator is gone now, and Texas leads the nation in wind energy. Chalk one up for the environmental advocates.

Smitty is leaving with unfulfilled wishes. He'd like to have made more progress on Texas emissions and climate change, on campaign finance reforms and conflict-of-interest laws.

The ethics reforms of 1991 included creation of the Texas Ethics Commission and a number of significant regulations on the behavior of the Texans contending for and holding state office. There is always more, of course. Smith had a list of 13 reforms that year, and eight made it into law. Some of the remaining items remain undone 25 years later.

"All the time I've been working here, Texas politics has been largely controlled by organized businesses pooling their money together and making significant contributions to key legislators," Smith says. "Legislators are more concerned about injuring their donors than they are about injuring their constituents."

He illustrates that with stories, like one about a legislator asking, during a House debate, if his colleagues knew the difference between a campaign contribution and a bribe. "You have to report the campaign contribution." And another, when a member—former state Rep. Eddie Cavazos, D-Corpus Christi, who went on to become a lobbyist—was making a plea for cutting the influence of big donors. Cavazos recalls telling a story about getting simultaneous calls from a big donor and from someone who wasn't a political friend. He says he told his colleagues, "You know which one you're going to answer first."

"I'm sorry to see Smitty go," Cavazos said Tuesday. "He provided a large voice in the Legislature that was needed—a balancing voice. He's a good guy."

Mr. WHITEHOUSE. Mr. President, in the article, he is quoted as saying: "The thing that I learned time after time, story after story, is that people standing up does make a difference. It does change policy."

Good words to end the speech by. Thank you, Smitty.

Mr. President, I ask unanimous consent that the time during quorum calls be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOKER. Mr. President, I am really proud to stand here, having represented New Jersey now a little bit over 3 years in the U.S. Senate. I have to say that I have developed a great respect for my colleagues on both sides of the aisle. I have a deep belief that this is a body that can do good things for the American people. We don't always agree, and too many things are not getting done, but I have seen this body at its best. I have seen our ability to rise to the occasion. Along the way, I have made friendships and found respect for people and my colleagues across the aisle, as well as fellow Democrats.

I have witnessed occasions where Members of both parties have put principle before partisanship and evidenced a willingness to actually embrace personal political risk to stand up for what they believe is right and honorable and in the best interest of our country. Given this, this is a day in which I rise with painful disappointment. Frankly, I feel a deep sense of astonishment and even a sense of crisis. Thus, I feel a deepened determination to fight with everything I have against the efforts of my Republican colleagues that I believe will harm our country as a whole but particularly the most vulnerable people in our country.

This is about the Republican push, really the race—what I believe is a reckless race—to repeal the Affordable Care Act without putting forth any legislation, any proposal, any plan on how they intend to replace it. This is fundamentally dangerous, and it will hurt millions of Americans. I have heard over the past month people rightfully saying: Well, this is how the Affordable Care Act was implemented.

I understand the frustrations that have resulted from that, and people think this was jammed through along partisan lines many years ago using similar legislative tactics. The truth is, that is simply not the case. The Affordable Care Act went through a long and arduous process and received input from doctors, nurses, patient groups, medical specialists, medical professionals of all types.

The Affordable Care Act started with listening sessions, then hearings, then came the advice and counsel of policy experts, businesses, market experts, insurance companies, health nonprofits, hospitals—literally thousands and thousands of people over thousands of hours, often through public discourse, putting forth ideas that actually shaped and changed legislation. I wasn't in the body then. I was a mayor in Newark, NJ, but I know this occupied months of debate.

Years later, Republicans are seeking to undo this work with a kind of plan to move forward. They are saying that they have a plan, but no plan exists.

I am a big believer that there are things we can and we must do to improve health care in America, to improve the Affordable Care Act, but what I have to make clear is that it is profoundly irresponsible to repeal the Affordable Care Act and not put anything in place. There is no plan.

This is at a time that everyone agrees—people in the Republican Party and Democratic Party continue to talk about the achievements of the Affordable Care Act, things that they want to maintain, things they believe make a real difference. Those are things I have heard Republicans praise and even say again they want to protect. These things are making a lifesaving difference for millions of Americans.

Let's be clear. The overwhelming majority of Americans believe that we should not give the power back to insurance companies to deny people health insurance because of a pre-existing condition. Let's be clear. Most people believe that we should allow young people, young adults to stay on their parents' plans up to the age of 26. We also believe that requiring health plans cover preventive services is a profoundly important thing to do for individuals in this country, but it actually saves Americans money by pushing people to do preventive care—mammograms, birth control, and mental health care—without cost sharing. These are logical things that the majority of Americans believe in, such as closing the prescription drug coverage gap, which too many seniors on Medicare and people with disabilities have had to face, known as that doughnut hole. We believe in prohibiting insurance companies from charging women more money simply because of their gender. The overwhelming majority of Americans believe in requiring the insurance companies to spend more on patient care and less on administrative costs, and the insurance companies shouldn't be allowed to gouge the American people while making massive profits at the same time.

There is so much that people believe in and want to have preserved, and these are tremendous things for America. There are bank account savings; there are lifesaving policies, all of which are popular with Democrats, Republicans, and Independents. They are popular with people on both sides of the aisle in this body.

Some Republicans have said that what they are doing will not threaten these accomplishments, but this couldn't be any further from the truth. The way they are going about this puts the health care system in a perilous position. The health care system is complicated in nuance, and to think you

can repeal something without replacing it right away shows a lack of understanding of what is going to happen and what the consequences will be.

What the Republicans are doing now is quite contrary to what the Democrats did before the ACA passed in 2010. Republicans are not putting forth a proposal. They are not speaking to the health care needs of all Americans. They are not inviting professionals from all different backgrounds to help shape a plan for America. They are not even fulfilling what I heard countless Republicans on the campaign trail, including our President-elect, say: They would repeal and then replace. They are just not replacing.

The replace part put forth by the mantra of many Republicans has not materialized. It doesn't exist. There is no plan to replace, no statement of principles, no outline of features, no framework for a plan, no explanation of how they would pay for the things they claim they like. There is no specific timeline for when a plan might materialize or even any substantive hint of what many Republican colleagues plan on doing to address the crisis—the crisis that will surely come as a result of repealing the Affordable Care Act without giving forth any replacement.

I say time and again: Show us the plan before you repeal this legislation. If you do not do that, you will be responsible for pain, suffering, chaotic markets, and for many Americans' health care problems. There are many people who don't understand this. They listen to the political rhetoric, and they think: Hey, you might be that one who, if you are wealthy enough or secure enough, if you are a Member of this body, in fact, this concept of repealing and maybe figuring out a replacement down the road might sound good. But if you are one illness away from bankruptcy, if you know and remember the challenges of having a child with a preexisting condition, if you know that one injury, one unexpected fall could place your family in peril but for the insurance you have, if you are one of the 20 million Americans who used to be uninsured and now you have insurance, you know how perilous this moment is. You know that you can't afford the recklessness of any politician—a Republican move that equates to jumping off a cliff and then packing your parachute on the way down.

Repealing without replacing is simply irresponsible, it is dangerous, and it is threatening to our country's well-being. People—families, children, the elderly—will suffer.

This is a moment where we need Republican leaders to tell the truth and say: We want to improve our health care system. We may not believe in ObamaCare, but we can't tear it down unless we do the responsible thing and put forth a replacement.

Right now, what we have is political rhetoric that is not just rhetoric. It is perilous. It is dangerous. It is threatening to our Nation. This will inflict immediate catastrophe upon families, causing millions to lose their health insurance, and it will unleash chaos with market uncertainty and cost spikes.

There is no defense for what is being done. I don't understand it. There is no logic here whatsoever. Elections were won. You now have the floor and the ability to put forth your great vision for health care in America, but doing it backward and repealing something and not offering up a plan is truly putting politics before people. This is a move of grand political theater that comes with profound public consequences affecting millions.

As a Democratic Senator, some people will say that this is just political rhetoric, but these are not just partisan words. This is the truth and don't take my word for it. Look at the words of other more thoughtful—other very thoughtful people, Democrats and Republicans, businesspeople and nonprofit leaders, conservative think tanks and nonpartisan groups, speaking with a chorus to the point I am making. Experts across sectors, across industries, and across the country are taking a hard look at what a repeal will mean for the American people without a replacement. People from all across sectors of our country are saying what the Republicans are doing is reckless, and the consequences are dire.

Take the American Medical Association, the preeminent association of physicians. Mind you, this is an organization that opposed the enactment of the Affordable Care Act. They have urged—this chorus of doctors has urged that “before any action is taken, policymakers should lay out for the American people, in reasonable detail, what will replace current policies. Patients and other stakeholders should be able to clearly compare current policy to new proposals so they can make informed decisions.”

The American Medical Association isn't a political organization. They are thoughtful people whose fundamental concern is the doctors in this Nation and the health care of the people. Another respected organization representing American hospitals made it clear. The American Hospital Association warned that Republican action of repealing without a plan would result in an “unprecedented health care crisis.”

Are Republicans listening to doctors and hospitals or are they rushing forth, willing to risk a crisis for our country, and for what? They are a President for 4 years, a Congress for 2. What is the rush to put forth a plan and just repeal? Will they listen to these experts? What about the president of America's leading cancer group, the American

Cancer Society? Will they listen to them? They urge Congress to “consider the future of the Affordable Care Act. It is critically important that cancer patients, survivors and those at risk of the disease don't face any gap in coverage of prevention or treatment. . . . Delaying enactment of a replacement for 2 or 3 years could lead to the collapse of the individual health market with long-term consequences.”

This organization is respected by people on both sides of the aisle and is not playing partisan games. They are calling out the truth; that it is a reckless Republican move to repeal without replacing. Will Republicans listen to the American Diabetes Association? Folks with diabetes are Independents, Republicans, and Democrats, and this is an organization respected by people on both sides of the aisle. They say:

The Association strongly opposes going back to a time when . . . treatment for pre-existing conditions like diabetes could be excluded from coverage; when people could find their insurance coverage was no longer available just when they needed it most.

What is the Republican plan to address these concerns and to pay for these concerns? Will they listen to private businesspeople? They, too, join in the chorus of Americans urging that Republicans not endanger the lives and livelihoods of millions.

The Main Street Alliance. We all have main streets in our States and our communities. A group representing these small businesses from across the country urges lawmakers to consider the devastating effect a repeal without replace would have on small businesses:

Small business owners depend on healthy and vibrant communities to keep us profitable in the engines of economic growth. . . . Changes to our current health care system are needed, but not in the form of cuts to critical programs or through taking away our health coverage.

There are some Senators who are speaking out. It is not the entire Republican caucus. There are some who are saying exactly what I am saying. Yet we are still rushing toward a vote, even with Republican Senators having the courage to stand up. Just yesterday Republican Senator RAND PAUL of Kentucky, before voting to proceed to this measure, said: “It is imperative that Republicans do a replacement simultaneous to a repeal.” I respect my Republican colleague for saying what is common sense and speaking up against the reckless actions being taken by the Republican Party as a whole, and some fellow Republican Senators have joined him in similar statements, including LAMAR ALEXANDER, the chair of the Health, Education, Labor, and Pensions Committee. The Republican from Tennessee, who noted in an interview in November 2016 that when it comes to the ACA, “what we need to focus on first”—Senator ALEXANDER said—“is what would we replace it with and

what are the steps that it would take to do that?"

Republican Senator SUSAN COLLINS of Maine shared in an interview last month that she was "concerned about the speed in which this is occurring" and expressed concern over what would happen to her constituents in Maine who had signed up for insurance through the ACA, saying: "You just can't drop insurance for 84,000 people in my State."

I not only talk about Republicans in this body, but there are conservative think tanks focused on our country that are speaking out now as well. The American Enterprise Institute said in a 2015 report that "repealing the law without a plausible plan for replacing it would be a mistake."

So here we have it from all over the country, people across the political spectrum, experts, market analysts, insurance executives, doctors, nurses, hospital leaders, patient groups; these people in our country who are beyond politics and even beyond their opinions of the Affordable Care Act when it was enacted are now speaking in a chorus of conviction in one voice: Don't repeal the Affordable Care Act without a clear plan to preserve the things that are making America healthier and more financially strong and secure. Don't recklessly rush into a politically motivated move that would endanger the health care of millions of Americans, increase the costs for millions of Americans, throw insurance markets into chaos, endanger our hospitals' financial stability, and put our most vulnerable Americans into crisis: our seniors, people in nursing homes, retired coal miners, people recovering from drug addiction, the poor and other underserved communities.

We are America, and this is a time that we must call, not to party rhetoric but to who we are and what we stand for. We cannot let this repeal without replacement happen. We must know what the Republican plan is so experts, market analysts, insurance folks, doctors, everyone understands what will happen. Americans will be hurt. It is time to put our country and the people first. There is no rush. The voters gave this body 2 years. It gave the Presidency 4 years. We must now fight these efforts. We must resist. We must call to the conscience of neighbors and appeal to the moral compasses of our Republican leaders to do what they said they would do—put forth your plan. Let the American people know what they are going to do and do not thrust millions of your fellow country men and women off a cliff and shout promises to them as they fall: "Hey, don't worry. We will figure something out before you hit the ground." Where is the honor in that strategy? Call the public together, gather your experts, put forth a thoughtful process, and develop what

you think is better, what improves upon what we have now, what doesn't diminish our unassailable gains that we have had but build upon them. Give us a plan, not empty promises. Give America hope. Don't plunge millions into despair and uncertainty. Show decency, not costly craven politics. We know who we are as a country. Profound are the words, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men. . . ."

This government, this body, the United States Senate, led by Republicans here and in the House and in the White House, must stand for these ideals. Health care is critical to life. We must stand for these ideals. Health care is critical to liberty, our freedom from fear, our freedom from illness, our freedom from deprivation. We must stand for these principles. Health care is critical to the happiness, the joy, the greatness of America. To secure these rights, governments are instituted, and we were elected to stand for the American people, by the American people, to fight to defend our brothers and sisters. This government and actors must put our ideals first, not partisanship and not theater. Do not attack these ideals through a rash and reckless repeal. Be thoughtful. Be kind. Be unanimous. The well-being of our Nation is in the balance.

May God bless us in this time of crisis. May wisdom prevail over politics.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

TRIBUTE TO STEPHEN HIGGINS

Mrs. FISCHER. Madam President, I rise today to offer my warmest wishes to my legislative director, Stephen Higgins, as he begins the next chapter of his truly remarkable professional career. It is a career that is characterized by unshakable dedication to the common good and supreme attention to detail. These qualities make Stephen Higgins a true professional. His service is a labor of love for our country and this institution in particular.

Stephen has worked in the Senate longer than all but nine of its current Members, serving this Chamber for 23 years. Stephen still remembers his first day on payroll: March 21, 1994. He began with Senator William Cohen of Maine as a counsel on the Juvenile

Justice Subcommittee of the Judiciary Committee. There he began what would become a decades-long mission: to advance crime victims' rights.

A year later, Stephen joined the office of Senator Jon Kyl of Arizona, where he would distinguish himself as a committed, talented lawyer over the next 18 years, serving as chief counsel in Senator Kyl's personal office and for 14 years as chief counsel on his Judiciary Committee staff. During that time, Stephen played the lead role, supporting efforts to pass a bipartisan crime victims' rights constitutional amendment. The end result: After 8 years of hard work, a landmark statute was passed by a vote of 96 to 1. This is one of Stephen's proudest accomplishments. "We did something significant to help crime victims," he said. "We enshrined into law the rights of crime victims to be informed, present, and heard."

To put it simply, Stephen Higgins helped humanize America's criminal justice system. This work reflects his sincere beliefs about that system. "The criminal justice system is about seeking the truth," he said. "The truth matters."

For Stephen Higgins, the truth has always mattered. He is a man of high character and great personal integrity. These attributes made him exceptionally well-suited for work in another critical realm of the Senate: judicial nominations. "Judges hold people's lives in their hands," Stephen said. "Their decisions have life-altering consequences."

Most recently, Stephen played a key role in the nomination of Omaha attorney Bob Rossiter to serve as U.S. district court judge for the District of Nebraska, and last year, the Senate confirmed Judge Rossiter unanimously. This was a beautiful capstone to Stephen's Senate career.

He leaves the Senate now for a new position: managing director of the Human Ecology Institute at the Catholic University of America. This is an interdisciplinary research institute that will apply the rich intellectual tradition of the Catholic Church to contemporary problems in our society. As Stephen said, "I love the Senate. The only institution I love more is the Catholic Church." Sounds like a match made in Heaven. As he takes his new post, I know Stephen will work like it all depends upon him and pray like it all depends upon God.

I thank Stephen's wife of 18 years, Lauren, and their two children, James and Elizabeth, for loaning him to us here in the Senate, because it is a sacrifice. I know they are proud of you, Stephen, as are your parents, Joe and Shelley, and your brother, David.

So, Stephen, thank you so much for all you have done for my office, for the Senate, and for the people of this country. Good luck. God bless.

Madam President, I yield the floor.

The PRESIDING OFFICER. If no one yields time, the time will be divided equally.

The Senator from Utah.

BEARS EARS NATIONAL MONUMENT

Mr. LEE. Madam President, on January 20 of this year, change is coming to the White House. But until that day, it appears that President Obama will desperately cling to the status quo and continue to do what he has done on far too many occasions: abuse his Executive powers to put in place unpopular policies without the cooperation of Congress and then pretend as if everyone somehow supports him.

The most recent case in point involves President Obama's recent decision to designate as a new national monument some 1.35 million acres of public land in San Juan County, UT—the poorest county in the State of Utah, nearly the size of Delaware. This is a small county that is tucked into the southeast corner of our State. It includes—and the national monument is named after—the region's distinctive Bears Ears buttes, which mark the ancestral homeland and sacred site of many members of the Navajo and Ute Tribes who live in San Juan County, UT.

President Obama announced the Bears Ears National Monument on December 28, right between Christmas and New Year's Eve, as most Americans were busy enjoying the holiday season and when he was still enjoying time with his family in Hawaii. That same day, his administration released an explanatory document that was officially christened a "Fact Sheet." It was christened that way by the White House officials who wrote it. But, in reality, it reads much more like an elaborate book of fiction.

Of all the falsehoods peddled in this bogus fact sheet, the most egregious—and, in many ways, the most insulting—is the claim that the residents in San Juan County, including local members of the Navajo Nation and members of the Ute Tribe, supported the President's decision to turn Bears Ears into a national monument.

The document says:

The creation of the Bears Ears National Monument in Utah [. . .] follow[s] years of robust public input from tribes, local elected officials, and diverse stakeholders, and draws from legislation introduced in Congress. In addition to protecting more land and water than any administration in history—

And here is the kicker—

President Obama has taken unprecedented steps to elevate the voices of Native peoples in the management of our national resources.

"Unprecedented steps to elevate the voices of Native peoples." Nothing could be further from the truth in this situation. Perhaps if we replace the word "elevate" with the word "exploit," that sentence might apply to the situation in Bears Ears.

Now, there is no denying that many Native American people supported President Obama's designation of the Bears Ears National Monument. But the inconvenient truth too often ignored by the Obama administration and its supporters is that virtually all of this tribal support came from Native Americans residing outside of Utah, not inside Utah, and certainly not within San Juan County where this 1.35 million-acre designation occurred.

In fact, the most prominent Native American group that advocated for a national monument in Utah is actually an alliance called the Bears Ears Inter-Tribal Coalition, which is made up of several tribes, and most of its members reside outside of the State of Utah.

Yet, national monument advocates routinely invoke the Inter-Tribal Coalition as the authoritative mouthpiece of all Native Americans in the Southwestern United States.

So how did a coalition of Native American tribes from Colorado, Arizona, and New Mexico rise to such a position of prominence in a debate over a national monument in a remote corner of Utah? Well, part of the answer can be found in the cozy relationships between well-funded environmental advocacy groups, powerful outdoor retail companies, and tribal organizations.

Recent investigative reporting by the Deseret News shows how radical wealthy environmental organizations, supported by the outdoor recreational industry, channeled millions of dollars to the Bears Ears Inter-Tribal Coalition only after they realized that "hitching [their] success" to the Navajo Nation was the only way they could achieve their longstanding goal of creating a national monument in South-eastern Utah.

The ability of uber-rich environmentalists to essentially buy a national monument in Bears Ears explains why the people of San Juan County—including the Navajo residents, whose lives and livelihoods are intricately linked to the Bears Ears Utes—stand united in opposition to a monument designation.

For the people of the Navajo Nation who live in San Juan County, taking care of their ancestral land—protecting and preserving it for the next generation—isn't optional, it is a sacred duty. It is part of their faith. It is part of who they are.

The same is true in many respects in my own faith. As a member of the Church of Jesus Christ of Latter-day Saints, I share many of these views. My church teaches that the Earth is a divine creation that belongs to God. This means that human beings have a spiritual responsibility—an obligation to God—to be wise stewards over the Earth, to conserve it for our children and our grandchildren.

The Navajo people of San Juan County have always faithfully fulfilled their

responsibility in the Bears Ears region, and so have the Utes who reside in the area. Caring for their homelands—and respecting it as their forefathers did—is the cultural lifeblood of the Native American people of Southeastern Utah. Take away their access to their land—restrict their stewardship over the Earth's bounty for the sake of increasing the access of wealthy urbanites who use the outdoors for their own purposes—and it won't be long before their culture begins to fade away.

The people of San Juan County understand this. They have seen their worst nightmares become reality in other Utah counties as a result of Presidential national monument designations. That is why on December 29, the day after President Obama announced the Bears Ears monument, a crowd of Utahns assembled to hold a protest on the steps of the San Juan County Courthouse.

Braving the frigid weather of that day, they gathered together to demonstrate that they—the individuals and the families who will be most directly affected by a Bears Ears national monument—believe that the President has no business seizing vast stretches of land to be micromanaged and mismanaged by distant Federal land agencies.

But the protesters weren't just angry. They were resolute, confident about the future, and determined to keep fighting for their right to participate in the management of the land in their community—the land that most directly affects them.

Of course, environmentalists and national monument advocates want the people of San Juan County to believe that this fight is simply over, that they have lost, that there is nothing they can do about something that affects them in a very real, very personal, very intimate way. In their view, President Obama's proclamation of the Bears Ears National Monument is permanent. It is irreversible, as if it were carved into stone. As one White House official recently told the Washington Post: "We do not see that the Trump administration has authority to undo this."

But they say this only because they are not looking hard enough. The truth is what can be done through unilateral Executive action can also be undone the same way. Such is the impermanence of Executive power in our constitutional republic, where major policy changes require broad consensus, forged through legislative compromise, to endure the test of time.

In a recent Wall Street Journal article, two prominent constitutional scholars, Todd Gaziano and John Yoo, explain this point as it relates specifically to President Obama's use of the Antiquities Act to designate the Bears Ears National Monument. The Antiquities Act of 1906, as they explain, does

not create an irreversible monument. When a President uses it, its use is not necessarily indelible.

Gaziano and Yoo write:

After studying the President's legal authority [under the Antiquities Act], we conclude that he can rescind monument designations [. . .] the law's text and original purposes strongly support a president's ability to unilaterally correct his predecessor's abuses.

In other words, starting on January 20, President-Elect Trump can use his Executive powers to rescind President Obama's designation of the Bears Ears National Monument. I have asked the future Trump administration to do precisely that.

I have also recently cosponsored Senator MURKOWSKI's bill, the Improved National Monument Designation Process Act, which would require all future Presidents to obtain congressional and State approval prior to designating a national monument. I have done these things, and I will do more, because I believe the preponderance of evidence proves that President Obama abused his powers—the powers granted to him under the Antiquities Act—in designating the Bears Ears National Monument.

This isn't just my opinion. It is the opinion of most of my fellow Utahns, including those patriots who assembled on the county courthouse steps in the rural town of Monticello on December 29.

These are the people who were ignored by the Obama administration. These are the people who were cut out of the decisionmaking process that produced this particular national monument designation. These are the voices that were stifled by the wealthy, out-of-State, well-connected environmental groups that spent millions of dollars to lock up our land for their exclusive use.

So it is fitting to let one of them—one of the residents of San Juan County—have the last word today. I think Suzy Johnson put it best when she said:

Mr. Obama, you have failed the grassroots natives. A true leader listens and finds common ground. The fight for our land is not over. Your name will blow away in the wind.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I ask that the time I use be charged against the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Mr. VAN HOLLEN. Mr. President, this is the first time I have risen to speak on this Senate floor. I want to start by thanking my fellow Marylanders for the honor of representing them in this great United States Senate. I want to thank my colleague Mr. CARDIN, the senior Senator from Maryland, for joining us. I thank the new

Senator from California, Ms. HARRIS, for joining us as well. I want to say to my fellow Marylanders that I look forward to working every day for their benefit and for the benefit of our Nation. I want to say to my new colleagues in the Senate—Republicans and Democrats alike—I look forward to working with all of you in the years to come for the good of our Nation.

I understand it is somewhat unusual for a new Member to speak so soon on the Senate floor, but what we are witnessing today in the Senate is not business as usual, and these are not ordinary times. Having served as the lead Democrat on the House Budget Committee, I know that never before has the Senate rushed out of the gate so quickly to enact a budget procedure to deny the minority party—and by extension, hundreds of millions of Americans—their rights in this United States Senate. Yet here we are, speeding to use the budget process to fast-track a so-called reconciliation bill that will destroy the Affordable Care Act and, in doing so, wipe out access to affordable care for over 30 million Americans and create total chaos throughout the American health care system. That is reckless. It is irresponsible, and it violates the traditions of this institution.

I may be new to the Senate, but I am not new to the way this Senate has proudly been described by its Members, both Democrats and Republicans, both current and former Members. My colleague Senator HARRIS will attest that one piece of advice we all received from both Republican and Democratic Members of this Senate was to read the chapter in Robert Caro's book about Lyndon Johnson entitled "The Desks of the Senate," where Robert Caro talks about the burnished mahogany tops, and he tells the story of the Senate through the Senators who were protagonists in great debates throughout our history. He highlights the idea that this Senate is supposed to be a deliberative body that reflects on issues with a thoughtful exchange of ideas. Unfortunately, that certainly does not describe the Senate of this moment. Having just arrived from the House of Representatives, what we are witnessing today is much more like the tyranny of the majority characteristic of that body.

This Senate is supposed to be different, but at least for now it seems very much like the House I just left.

As a result of the fast-track process in the Senate, we will be overriding and roughshodding over the will of a majority of the American population, and Americans are just now waking up to learn about the bait-and-switch scheme that has been perpetrated on them. For more than 6 years, Republicans in this Senate and in the House of Representatives have said repeatedly that they would repeal ObamaCare but replace it—replace it with something,

they said, that will be much better. Now we know, as the clock ticks down, that has been a farce. There is no Republican replacement bill to provide the kind of coverage and benefits of the Affordable Care Act, and the consequences of that failure are going to be devastating for the country.

Let us take a moment to look at the human toll. First, there are the 22 million Americans who previously had no health insurance before the Affordable Care Act but are now covered through the health care exchanges and through expanded Medicaid. These are people who have been denied access to coverage because they had preexisting conditions or their kids had preexisting conditions—whether it was asthma, diabetes, heart conditions—so they were either outright denied by insurance companies or priced out of the market. That 22 million may be a big number, hard to comprehend, but behind that number are many families like Carlos and Isabelle Martins, who live not far from where I live in Silver Spring, MD. They could no longer afford health insurance through their employer. Shortly before the Affordable Care Act was enacted, Carlos was told he needed a liver transplant to survive. His wife Isabelle said that without the Affordable Care Act, he would never have received that lifesaving treatment.

There is the case of Diane Bongiorno, who now lives in Hyattsville, MD. She previously had open-heart surgery. When her Cobra expired, it was only because of the Affordable Care Act that she was able to get coverage and not be denied because of that earlier, relevant preexisting condition. Days after she was on the Affordable Care Act, a cardiologist told her one of her heart valves was failing and she would need another surgery immediately, and she has told us that she "would have died" had she not had that coverage.

In addition to Diane and Carlos and the other 22 million Americans who would have been denied affordable health care before the Affordable Care Act and Medicaid expansion, there are an additional 7 million Americans on the health care exchanges today who are projected to totally lose that coverage if Republicans pull the plug on the Affordable Care Act. That is over 30 million Americans who will lose access to affordable care directly.

There is no doubt that in those health care exchanges, we have seen increases in premiums and some of the copays, and we need to do something about it, which is why I and many of my colleagues have put forward ideas to address the increases we are seeing in the health care exchanges in terms of costs. We put those ideas on the table, and we would welcome our Republican colleagues to join us to improve the Affordable Care Act. You don't fix a health care system, you don't fix those problems by blowing up

the entire Affordable Care Act. That is not a solution.

I also want to focus for a moment on the tens of millions of Americans who are not included in that 30 million who benefit directly from the Affordable Care Act but who are benefitting right now from ObamaCare. They may not realize it now, but mark my word they are going to face very unpleasant and unexpected consequences if the Affordable Care Act is ripped apart.

First, let us take a look at the overwhelming number of Americans who get their health care not on the health care exchanges but through their private employer—most Members of this body, most Americans. The premiums in those plans have actually risen much more slowly since the Affordable Care Act was enacted than before. The overwhelming number of Americans who are on those plans have benefited dramatically from the reduction of costs. Why did that happen? Because all those people who had been previously denied access to health care who are in the ObamaCare exchanges, they used to show up in the hospital as their primary care provider or, since they weren't getting any care at all because they couldn't afford the bill, they were showing up at those hospitals when there was an emergency, when cost was most expensive. We don't deny people care in an emergency, and then they get the bill and they can't pay the bill. That is why so many people were going bankrupt in America before the Affordable Care Act. But somebody pays. Who pays? Well, everybody else in the system pays. Everybody else who has private insurance through their employer pays or taxpayers in States pay for the uncompensated care that hospitals would otherwise have to carry. In the end, people's premiums were going up really fast, but by providing the health care system through ObamaCare for those exchanges, however imperfect, it has helped those other tens of millions of Americans. Let us look at Medicare beneficiaries, millions of seniors. Watch out. Their costs are going to rise in three and maybe four ways right away.

First of all, their Part B premiums that every senior on Medicare pays are going to go up. Why is that? Because as part of the Affordable Care Act, we got rid of some of the overpayments, the excessive subsidies that were being paid to certain providers, including some of the managed care providers who were paid, on average, 115 percent more than fee for service. We said that makes no sense. That is a waste of Medicare beneficiaries' money. So we reformed that by saving the Medicare system money. We also save the Medicare beneficiaries money in their premiums because those premiums are set partly to the overall cost of Medicare. If you reduce the cost of Medicare in a

smart way, you reduce those premiums. That is why seniors have seen such slow increases in their Part B premiums since the enactment of the Affordable Care Act. Those will go right back up.

Second, seniors on Medicare no longer have to pay for preventive health screenings, cancer screenings, diabetes screenings, other kinds of preventive health care because we want to encourage them to identify the problems early and solve them for their own health care purposes but also because it saves money in the system. You get rid of the Affordable Care Act, those seniors are going to be paying premium copays for those preventive health services.

Prescription drug costs. Seniors—and there are millions and millions of them who face high prescription drug costs—are benefitting today from the fact that we are steadily in the process of closing the prescription drug doughnut hole. We had an absolute crisis in this country where so many seniors were faced with the difficult choices of getting the medications they needed to live day-to-day and keep a roof over their head. That is why we are closing the prescription drug doughnut hole. You get rid of the Affordable Care Act, all those seniors who, on average, have saved thousands of dollars with the Affordable Care Act are going to see their costs go up.

Finally, if you enact the plan that has been put forward by the Speaker of the House, PAUL RYAN, and by the person who President-Elect Trump has nominated to be his Secretary of Health and Human Services, TOM PRICE—I encourage every American to look at their plan because they want to voucherize Medicare, and they want to save the Medicare system money by raising the prices and the risks on every Medicare beneficiary. That is the result of that plan.

The Affordable Care Act benefits 30 million people directly, and we need to make sure we don't put them in harm's way, but it also benefits all these other people in the system, the people on the employer-provided health plans who have seen historically low premium increases and seniors on Medicare.

Rural hospitals will be particularly hard hit by repealing the Affordable Care Act. So the proposed Republican action is going to hit those 30 million Americans, including my neighbors in Silver Spring. It is also going to hit those other tens of millions of Americans who right now may not realize the extent to which they are benefitting from the Affordable Care Act. Yet our Republican colleagues have not put forward a single plan to help either the 30 million or all the other Americans who are benefitting from the Affordable Care Act. Instead, we see a rush to generate chaos throughout the health care system. That is counter to what the Presi-

dent-elect has said he wants. Here is what Donald Trump said on "60 Minutes":

Everybody's got to be covered.

Everybody.

I am going to take care of everybody.

Well, it is really important that the majority in the Senate and the House talk to the President—elect because they are not on the same road when it comes to that commitment. When the President-elect was asked about finding a way to keep the ObamaCare rules that prevent discrimination based on preexisting conditions, he said, "I like those very much." When he was asked about the provision that allows children to stay on their parents' insurance plans until they are 26 years old, he said, "We're going to very much try to keep that."

Here is the dirty little secret. Many people—Republicans and Democrats in this Chamber—know there are only a very few ways you can design a health care system that meets those conditions. One way, which many Democrats have historically supported, is the idea of Medicare for all. The other way is the ObamaCare model. It was not always known as the ObamaCare model.

The foundation for ObamaCare actually had its roots in the conservative Heritage Foundation think tank reports. It was an idea long promoted by Republicans, including many Republican Senators, some of them still here today. It is an idea rooted in the concept of personal responsibility, the idea that every American needs to do their part and help pay for their health insurance, otherwise, if they don't pay, they are going to force other people to pay when they go seek that care in the emergency room or wherever it may be. In order for that idea to work, the idea that was put forward by the Heritage Foundation, the idea in ObamaCare, everyone needs to have coverage because it would not make a lot of sense for us to be paying out all the time if we were able to wait until we got sick and then decide to pay. That is the idea of having everyone in the pool have insurance. The idea is, you don't want to use it, but you buy that protection. If other people don't buy the protection, then the rest of the folks feel like they are being taken advantage of, which is why everyone has to be in the pool, which is why it was an idea that came out of the Heritage Foundation.

In fact, I have the Heritage official report right here: Critical issues—a national health care system. This was back in 1989.

I want to read the three elements in the Republican plan.

Element No. 1, every resident in the United States must by law be enrolled in an adequate health care plan that covers major health care costs.

No. 2, for working Americans, obtaining health care protection must be a family responsibility.

No. 3, the government's proper role is to monitor the health market, subsidize needy individuals to allow them to obtain sufficient services, and encourage competition.

That sounds like a description of ObamaCare. It is—which is why, of course, it was dubbed "RomneyCare" when they adopted this model for the State of Massachusetts. He adopted it based on the Republican's Heritage model.

So here is the problem: Republicans can't come up with an alternative. That is why it has not happened for 6 years, because if you are going to come up with an alternative, you have to go to either one of two models. One is Medicare for all. The other is the idea that every American has to be in the system and the idea based on personal responsibility, which at its start was a Republican idea. When President Obama adopted it, for many months, some Republican Senators were willing to go along, but then the politics overtook them, and since then, we have had the Republicans opposing their own proposed model for providing health care. So rather than repeal and replace, since there is no replace, it is repeal and run.

Here is the problem for our colleagues politically, but more importantly, here is the problem for all Americans and all our constituents: No one is going to be able to hide from the devastating consequences of undoing the Affordable Care Act, which is going to hurt not just the 30 million Americans who are directly benefiting through the exchanges and the Medicare expansion, the Medicaid expansion, but also all those seniors on Medicare and the others getting health care through their private employers.

As I said at the outset, it is truly sad to see the Senate at this point and in this state, especially because of the terrible consequences it is going to have on the American people.

You know, the very first time I was ever on the floor of the Senate was in 1985. I was not thinking of running for office myself at that time. It was the farthest thing from my mind. I was actually working—it was in the middle of the Cold War. I was working on national security and foreign policy issues for a moderate Republican Senator by the name of "Mac" Mathias from the State of Maryland.

I talked about the desks of the Senate at the outset of my remarks. Senator Mathias sat right there, one seat behind the seat Senator BOOKER is sitting in right now.

Great to see you.

That is where Senator Mathias sat. The reason I happened to be sitting next to him that day is he was working with Senator Kennedy that day. Senator Kennedy was at a desk back there, I believe. It was the second from the aisle. It had been his brother Jack Ken-

nedy's desk in the Senate before him. Even though there were many desks between the desk of Senator Kennedy and the desk of Senator Mathias and the center aisle between them, they were able to work together for the good of the country, just as many Senators from both parties have done since. That is the way the Senate is supposed to work. That is the way the Senate was described in the Robert Caro book that Republicans and Democrats alike told us to read as new Members before we came here.

I am really glad to be here. I am excited to get to work on behalf of Marylanders and work for the good of our State and the country. I wish it could have been at a moment when the Senate was not hellbent on breaking the very traditions that have made it great, the tradition of being a deliberative body and not using right out of the gate, the very first thing, a process to short-circuit the will of the minority party. That is not what any of us were taught the Senate was about.

It is particularly troubling that the Senate is engaged in breaking that tradition in order to undermine affordable health care for tens of millions of Americans and generate chaos in our health care system. I will fight every day to prevent that from happening.

I will also fight every day to try to live up to the true tradition of the Senate, which is people trying to work together for the good of the country. It is disappointing to be here at a time when the Senate is embarked on violating that tradition in order to strip Americans of their health care. I hope we will not let that happen. I will fight every day to prevent that from happening and then work with my colleagues to try to make sure we address the real priorities and concerns of the American people.

I thank my colleagues for joining me on the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, because—

Mr. CARDIN. Mr. President, may I ask my colleague to yield for just one moment?

The PRESIDING OFFICER. Will the Senator from Iowa yield?

Mr. GRASSLEY. Yes, for one moment.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Thank you. I appreciate the courtesy. I just wanted to take this time to welcome Senator VAN HOLLEN to the Senate. Senator VAN HOLLEN gave his maiden speech from the desk that was held by Senator Mikulski. I know Senator Mikulski would be very proud of what he said here on the floor and very proud of Senator VAN HOLLEN being here in the Senate. I look forward to working with him.

I want to tell the people of Maryland and the people of this Nation that what

you heard tonight, you heard a person who is committed to making our system work, who is committed to working with every Member of the Senate. But he will stand up for the principles and will stand up on behalf of the people of Maryland.

Again, welcome. It is wonderful to have him here in the Senate.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I just want to add my commendation. It was such a well done, brilliant, articulate, carefully thought out speech. But it is not a surprise because our new Senator, the junior Senator from Maryland, is like that. We are so excited to have him and our freshman class—some of his colleagues came here today. We wish it had been larger in quantity, but they sure make up for it in quality, as Senator VAN HOLLEN's speech showed. And parenthetically, maybe he will be able to increase that quantity in one of his other new jobs.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, it is because of ObamaCare that the health insurance markets in this country are badly damaged. They have gotten worse each year. They are now near collapse.

You were told 8 years ago that if you like your health insurance, you can keep it. Millions can't. If you like your doctor, you can keep your doctor. Millions of Americans were not able to keep their doctor. You were told that your health insurance premiums would go down \$2,500. They have actually gone up probably \$3,500. Some people don't have a choice in plans. Some counties don't even have a plan in the exchange. If you could get a plan, you might not be able to afford it. If you could afford the plan, you might not be able to use it because of the high copayments you have to have. So it is not a very good situation.

It took 6 years for the health insurance market to get as bad as I just described. It will take time for those markets to be restored. The next few years in health care will be challenging if ObamaCare is repealed or even if it is not repealed. If ObamaCare is not repealed, it will be even longer before Americans have access to a functioning health insurance market and the insurance plans they want.

When it comes to health care, every second counts. We owe it to the American people who are sick or who could get sick, as well as families and businesses trying to plan for the future, to start fixing that problem right now. That is the result of the election. That is what the Senate is going to do.

The Affordable Care Act, which could more appropriately be called the Unaffordable Care Act, has been a case of over-promise and under-delivery.

People were told that their premiums would go down and that if they liked their doctor, their hospital, or their health care plan, they could keep all of it. The reality is much different. More than half of the country had two or fewer insurance plans from which to choose this year. Some regions had no insurance plans available at all. Even those who were strong supporters of the health care law, like the Minnesota Governor whom I like to quote, have said the Affordable Care Act “is no longer affordable to many Americans.”

In my State of Iowa, the Affordable Care Act premium increases this year were over 40 percent for many individuals. Few people, of course, can afford that. Families that did manage to purchase Affordable Care Act insurance found that they could no longer afford to use it.

One Iowan recently called my office and told me that his premiums have increased 400 percent in 3 years. He also said that his deductible went up to—can you believe it—\$14,000. Last year, one of his children had a major medical problem, and they had to pay for all of that care out of their pocket—not from the insurance. The family paid \$12,000 for the Affordable Care Act insurance, which did not pay for any health care. Of course, that just doesn’t make any sense whatsoever.

The problem is that the Affordable Care Act did nothing to address the underlying causes of the high cost of health care; that is, what it costs for a hospital or a doctor to purchase or maintain medical equipment, purchase medicines, carry malpractice insurance, and a lot of other costs they have.

Rather than address the actual cost to care, President Obama and his colleagues chose to bypass real health care reform for an unsustainable entitlement and bureaucratic mandates that have priced people out of the health insurance market, rather than provide those same people with affordable and quality coverage.

So we are at it now. It is time for real health care reform, not the misguided policies that we were promised 8 years ago that now have turned out to be what I describe as misguided policies. It is time to deliver to Americans what we were promised. It is time to provide accessible, affordable health care to all Americans. But my colleagues on the other side of the aisle need to work with us. They know that the Affordable Care Act is falling apart. They know it is unaffordable.

As we have heard in speeches this week, the other side is trying to distract attention from the Affordable Care Act collapse by using scare tactics, like you recently heard. It is time for the Democrats to step up, instead of doubling down. It is time for statesmanship, not gamesmanship. It is time for the Democrats to stop defending

the “un-Affordable Care Act” and deliver Americans what was promised.

I look forward to working with my colleagues and the Trump administration to deliver affordable health care to all Americans in the tradition of the Senate, which is what didn’t happen in 2009. It was strictly a one-party program put before the Congress to pass. That is why it has failed—because so many of the people who could have made a good bill pass in 2009 were shut out of the process because this body had 60 Democratic Members and they didn’t have to pay any attention to Republicans.

They spent maybe 8 or 9 months trying to work with the Republicans to negotiate a bipartisan deal. But before that was completed, they said: Take it or leave it. The Republican minority at that time was not going to be dictated to, and we were pushed out of the room.

Then what ended up being the Affordable Care Act was written in the big black hole of Senate Majority Leader Reid’s office, without the bipartisan input which has made so many social programs in America successful. I would name the Social Security Act. I would name civil rights legislation, Medicare legislation, and Medicaid legislation, which all had broad bipartisan support to get them passed. In the case of the Civil Rights Act, a higher proportion of Republicans voted for it than Democrats voted for it—just one example.

That is the tradition of the Senate when you have major social legislation that has been successful, and that is why the Affordable Care Act was not successful—because it was strictly a partisan approach that was used to have it become law.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, January 9, the Senate vote in relation to the Paul amendment No. 1; further, that the Senate vote in relation to the Sanders amendment No. 19 at 2:30 p.m. on Tuesday, January 10.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, it is my understanding that we will have a side-by-side amendment to the Sanders amendment, and we will circulate that amendment as soon as possible.

TO CONSTITUTE THE MAJORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 7, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 7) to constitute the majority party’s membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 7) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

The PRESIDING OFFICER. The minority leader.

TO CONSTITUTE THE MINORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 8, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 8) to constitute the minority party’s membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 8) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, these committee resolutions reflect the fact that Senator BLUNT will remain chair and Senator SCHUMER will remain

ranking member of the Rules Committee until the inaugural ceremonies have been completed.

It is my understanding that following the inauguration, Senator SHELBY will become chair and Senator KLOBUCHAR will become ranking member of the Rules Committee.

The PRESIDING OFFICER. The minority leader.

Mr. SCHUMER. Thank you, Mr. President.

We have just agreed to the committee resolution numbers on each committee. I would make just a couple of points, if I might.

Our caucus has some serious concerns about letting the Intelligence Committee and Armed Services Committee exclusively handle the issue of Russia's interference in the election.

While much of the information relating to Russia's interference in our election can be pulled together by the Intelligence and Armed Services Committees, the legislative actions that will be required to respond fully to Russia's interference need to be a wide-ranging endeavor that can only be done by a select committee.

I have spoken with Leader MCCONNELL. I have told him that we will let the committee organizing resolution go forward, but I did put the majority leader on notice that if the work of the Intelligence and Armed Services Committees is deemed insufficient or incomplete or taking too long, this matter may well need to be revisited before the committee funding resolution comes up in February.

Also, I understand additional information with respect to Russia's interference in our election will be released in the coming days, and that could also change our view as to the way we ought to proceed.

I have spoken to the majority leader about these concerns. He carefully listened, and we will keep a careful eye on how things are going in the Intelligence and Armed Services Committees with regard to Russia's interference in the election.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to engage in a colloquy with the Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE FUNDING

Mr. MCCONNELL. Mr. President, in the 112th Congress the Senate adopted a new funding allocation for Senate committees. This approach has served the Senate well for the past three Congresses. I believe this approach will continue to serve the interests of the Senate and the public, regardless of which party is in the majority, by helping to retain core committee staff with institutional knowledge. This funding

allocation is based on the party division of the Senate, with 10 percent of the total majority and minority salary baseline going to the majority for administrative expenses. However, regardless of the party division of the Senate, the minority share of the majority and minority salary baseline will never be less than 40 percent, and the majority share will not exceed 60 percent. It is my intent that this approach will continue to serve the Senate for this Congress and future Congresses.

Mr. SCHUMER. Mr. President, this approach met our needs for the last three Congresses, and I too would like to see it continue. In addition, special reserves have been restored to its historic purpose. We should continue to fund special reserves to the extent possible in order to be able to assist committees that face urgent, unanticipated, nonrecurring needs. Recognizing the tight budgets we will face for the foreseeable future, it is necessary to continue to bring funding authorizations more in line with our actual resources while ensuring that committees are able to fulfill their responsibilities. I look forward to continuing to work with the majority leader to accomplish this.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that a joint leadership letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOINT LEADERSHIP LETTER

We mutually commit to the following for the 115th Congress:

The Rules Committee is to determine the budgets of the committees of the Senate. The budgets of the committees, including joint and special committees, and all other subgroups, shall be apportioned to reflect the ratio of the Senate as of this date, including an additional ten percent (10%) from the majority and minority salary baseline to be allocated to the chairman for administrative expenses.

Special Reserves has been restored to its historic purpose. Requests for funding will only be considered when submitted by a committee chairman and ranking member for unanticipated, non-recurring needs. Such requests shall be granted only upon the approval of the chairman and ranking member of the Rules Committee.

Funds for committee expenses shall be available to each chairman consistent with the Senate rules and practices of the 114th Congress.

The division of committee office space shall be commensurate with this funding agreement.

The chairman and ranking member of any committee may, by mutual agreement, modify the apportionment of committee funding and office space.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 19

Mr. SANDERS. Mr. President, I call up amendment No. 19, which is at the desk.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS] proposes an amendment numbered 19.

Mr. SANDERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prevent the Senate from breaking Donald Trump's promise that "there will be no cuts to Social Security, Medicare, and Medicaid")

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD BREAK DONALD TRUMP'S PROMISE NOT TO CUT SOCIAL SECURITY, MEDICARE, OR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) result in a reduction of guaranteed benefits scheduled under title II of the Social Security Act (42 U.S.C. 401 et seq.);

(2) increase either the early or full retirement age for the benefits described in paragraph (1);

(3) privatize Social Security;

(4) result in a reduction of guaranteed benefits for individuals entitled to, or enrolled for, benefits under the Medicare program under title XVIII of such Act (42 U.S.C. 1395 et seq.); or

(5) result in a reduction of benefits or eligibility for individuals enrolled in, or eligible to receive medical assistance through, a State Medicaid plan or waiver under title XIX of such Act (42 U.S.C. 1396 et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 20

Mr. SANDERS. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 20.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for Ms. HIRONO, proposes an amendment numbered 20.

Mr. SANDERS. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect the Medicare and Medicaid programs)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE MEDICARE OR LIMIT FEDERAL FUNDING FOR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) privatize the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or turn the program into a voucher system;

(2) increase the eligibility age under the Medicare program; or

(3) block grant the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), impose per capita spending caps on State Medicaid programs, or decrease coverage under such program from current levels.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN CULTURAL EXCHANGE JURISDICTIONAL IMMUNITY CLARIFICATION BILL

Mr. HATCH. Mr. President, in the final hour of our legislative business early last December 10, we passed a remarkable bill. It had no ideological division, did not cost the taxpayers a dime, and will benefit Americans in every part of the country. And, like the House did, we passed it unanimously.

This bill had the somewhat unwieldy title of the Foreign Cultural Exchange Jurisdictional Immunity Clarification Act. While not lending itself to a catchy acronym, it is accurately descriptive. For more than 50 years, a Federal law has provided legal protection for art loaned by foreign governments for exhibition in the United States. Confidence in that protection is an essential piece of the complex arrangements that can take years to complete in order to bring wonderful exhibits to American museums for everyone to enjoy.

America has hundreds of museums of all sorts. The art museum at Brigham Young University, for example, is one of the largest and best attended in the Mountain West. When it began working on a major exhibition of art from Islamic countries, some of its loan requests were unexpectedly denied. It turns out that a 2007 Federal court decision had made such loans risky, rath-

er than secure. After that court decision, the act of lending, even after State Department review and approval, could actually lead to a new category of lawsuits against the foreign lenders.

This legislation, now signed into law, reverses that court decision and clarifies that lending art after State Department review does not raise the possibility of new litigation. Foreign governments can once again have confidence that lending art for exhibition will improve cultural understanding and enrich people's lives without the threat of new lawsuits.

The bill has two narrow exceptions. I want to thank Dr. Wesley Fisher, director of research at the Conference on Jewish Material Claims against Germany, and Rabbi Andrew Baker, director of International Jewish Affairs at the American Jewish Committee, for their help in drafting the exception for Nazi-era claims. The second exception covers comparable state-sponsored coercive campaigns of cultural plunder. Art that was looted in such a campaign should not be given protection for exhibition in the United States.

The senior Senator from California, Mrs. FEINSTEIN, was my principal partner in this effort. She and her staff have been patient, thoughtful, and dedicated; in particular, I want to thank her chief counsel, Eric Haren, and counsel Lartease Tiffith for working so diligently with my own chief counsel, Tom Jipping. The problem to be solved was clear, but it was challenging to find the right language to solve that problem without unintended consequences.

I also want to thank the Association of Art Museum Directors, their director of government affairs Anita Difanis, and their special counsel Josh Knerly. They have been committed to this goal from the start, and their effort began with educating many of us about this unique area of law and policy. They mobilized hundreds of art institutions and associations to support this bill. And they were flexible about many things while staying focused on the essentials.

I gratefully acknowledge the consistent support for this legislation from the BYU Museum of Art, the Utah Fine Arts Museum, and the Utah Museums Association. We have a vibrant art community in Utah, and this legislation means that these fine institutions have additional opportunities to bring new experiences to the people in our great State.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a letter from James S. Snyder, director of The Israel Museum in Jerusalem. He writes that the risk of new lawsuits has been "a disincentive to lend works to American museums," but that this legislation "will ensure that museums worldwide can continue to lend to American mu-

seums in the precise spirit of international cultural cooperation that U.S. Immunity from Seizure protection was intended to provide." That, in a nutshell, is the problem and the solution we are enacting today.

This legislation restores the confidence that foreign governments need to lend art for exhibitions that Americans across the country can enjoy. That is something we can all be proud of.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ISRAEL MUSEUM,
Jerusalem, March 17, 2013.

Hon. ORRIN HATCH,
U.S. Senate,
Hart Office Building, Washington, DC.

DEAR SENATOR HATCH: I am Director of The Israel Museum, Jerusalem, an encyclopedic museum embracing the history of material world culture from pre-historic archaeology of the ancient Holy Land through the rise of Judaism, Christianity, and Islam; Jewish world culture; and the fine arts of the Western and non-Western traditions. Our collections comprise over 500,000 objects, and our 600,000 sq. ft. campus sits on a signature 20-acre site in Jerusalem. We are internationally active as producers of temporary exhibitions in Jerusalem and internationally and as major borrowers and lenders from sister institutions worldwide.

Our international museum community, which enjoys a close and collegial relationship with our American counterparts, is concerned about the trend toward a weakening of the Immunity from Seizure protection customarily offered by U.S. museums when they request loans from foreign museums. These concerns are two-fold:

First, that foreign museums risk being sued in connection with works loaned to an American exhibition if there is a question that works on loan are held by their lending institutions in violation of international law. The act of lending can therefore be used as the basis to seek damages in a U.S. court, which is counter to the premise that Immunity from Seizure protects works on loan from legal action while they are on loan; and

Secondly, foreign museums that loan works with clear provenance to an American exhibition may nonetheless be sued with regard to other works in their collections that may lack full provenance. In this regard, the simple act of lending, in the spirit of international exchange, opens us to possible claims with regard to any and all works in our collections.

Each of these potential circumstances raises troubling concerns, and, taken together, they are a disincentive to lend works to American museums, given the potential risk of suit in U.S. courts. And this prospect is exactly what U.S. Immunity from Seizure was originally established to avoid.

Anything that you can do to strengthen Immunity from Seizure in the U.S. will ensure that museums worldwide can continue to lend to American museums in the precise spirit of international cultural cooperation that U.S. Immunity from Seizure protection was intended to provide.

Please let me know if I can answer any further questions in this matter.

Sincerely,

JAMES S. SNYDER,
Director.

TRIBUTE TO SARAH R. SALDAÑA

Mr. CORNYN. Mr. President, today I would like to pay tribute to a dedicated public servant and Texan, Sarah R. Saldaña. Ms. Saldaña is stepping down as Director of U.S. Immigration and Customs Enforcement, ICE, and retiring after many years of Federal service.

Born as the youngest of seven children to working-class parents in Corpus Christi, TX, Director Saldaña learned the importance of hard work and education at a young age. After she graduated from W.B. Ray High School in 1970, Director Saldaña attended Del Mar Junior College and graduated summa cum laude from Texas A&M, formerly Texas A&I, University in 1973. Shortly thereafter, she began her career as an 8th grade language arts teacher at D.A. Hulcy Middle School in Dallas. Later, she worked as a technician for the Equal Employment Opportunity Commission, EEOC, and as an investigator and management intern for the Department of Housing and Urban Development, HUD. Additionally, she worked as a Federal Representative for the Department of Labor Employment and Training Administration until 1981.

Ms. Saldaña then decided to pursue a legal education at Southern Methodist University, SMU, in Dallas, TX, where she earned her J.D. in 1984. Following graduation, she clerked for the Honorable U.S. District Judge Barefoot Sanders. As a trial attorney, Director Saldaña was an associate for the law firms of Haynes and Boone, and then Baker Botts, where she became partner in their trial department.

In 2004, she returned to public service and became an assistant U.S. attorney for the Northern District of Texas, where she prosecuted a variety of criminal cases. She also served as the deputy criminal chief in charge of the district's major fraud and public corruption section.

In 2011, Ms. Saldaña was nominated and confirmed to become the first Latina United States attorney in the history of Texas and only the second woman to hold that position in the 135-year history of Texas' Northern District—a region that includes the Dallas-Fort Worth Metroplex and spans 100 counties and stretches across 95,000 square miles.

In 2014, Ms. Saldaña was confirmed to lead the U.S. Immigration and Customs Enforcement. As ICE's Director, she helped to oversee the largest investigative agency within the Department of Homeland Security and to protect the safety and security of the United States.

Throughout her career, she has served with integrity and character. Ms. Saldaña has served the people of Texas and the United States with honor—fighting illegal immigration, public corruption, organized crime,

sexual predators, and other dangerous criminals.

Her legacy will continue to benefit the American people and I join with her family, friends, and coworkers in saying that her experience and dedication to public service will be missed.

I offer my appreciation to Sarah R. Saldaña for her service to our Nation and send my best wishes for the years ahead.

TRIBUTE TO DR. BETH BELL

Mrs. MURRAY. Mr. President, today I wish to recognize an exceptional public servant, Dr. Beth Bell, who is retiring from the directorship of the National Center for Emerging and Zoonotic Infectious Diseases, NCEZID, at the Centers for Disease Control and Prevention, CDC.

Dr. Bell began her career with the CDC in 1992, in my home State, as an epidemic intelligence service, EIS, officer assigned to the Washington State Department of Health, where she led a seminal investigation into E. coli infections. After completing her EIS training, she moved to CDC Atlanta to join the hepatitis branch in the division of viral and rickettsial diseases, later serving as chief of the epidemiology branch in the division of viral hepatitis. During her 13 years working on viral hepatitis, she led important efforts to better understand the epidemiology of hepatitis A in the United States, applying this knowledge to the development and implementation of hepatitis A vaccination policy. These extraordinary efforts contributed to reductions in national hepatitis A incidence of more than 95 percent. She also worked on implementation of global infant hepatitis A and B vaccination programs during the early days of the Global Alliance for Vaccines Initiative. She later served as the acting deputy director of the National Center for Immunization and Respiratory Diseases during the H1N1 influenza pandemic before being appointed director of the newly formed Center for Emerging and Zoonotic Infectious Diseases, NCEZID, in 2010.

In that role, Dr. Bell has been at the forefront of the agency's critical and complex emergency response efforts. In 2014–2015, Dr. Bell was called upon to lead the center through the largest Ebola epidemic in history. After reaching a near breaking point where, according to CDC Director Dr. Tom Frieden, it was "spiraling out of control" in late 2014, the epidemic was contained through the aggressive use of proven outbreak-control measures such as patient isolation and contact tracing.

In 2016, Dr. Bell found herself leading the response to yet another pandemic as Zika exploded in South and Central America, Puerto Rico and the Caribbean, and Florida. The impact of Zika

on women and children through microcephaly, a life-threatening condition in which children are born with unusually small heads, was heart-breaking and historically significant—never before has a mosquito-borne infection caused such devastating birth defects. CDC's early alert—under Dr. Bell's leadership—to people traveling to countries with Zika likely prevented an untold number of infections among women of child-bearing age; and, continuing through her very last day of Federal service, Dr. Bell was critical in CDC's support for U.S. territories, cities, and States—as well as other impacted countries.

In addition, Dr. Bell oversaw the Center's response to chikungunya spreading throughout the Americas in 2013–14, the second-largest outbreak of West Nile virus disease in the United States in 2012, and hundreds of outbreaks of foodborne disease. Her leadership of the Center during each of these outbreaks has been remarkable, and all Americans have benefited from her steady hand and commitment to service. Dr. Bell also held leadership roles during CDC responses to the 2001 anthrax attacks and Hurricane Katrina in 2005. Her outstanding leadership, scientific judgment, and expertise have been critical to the success of the Center in these endeavors.

In 2012, she was called upon to lead the Center's response to the fungal meningitis outbreak associated with contaminated steroid products—America's largest healthcare related outbreak ever. The New York Times called it "one of the most shocking outbreaks in the annals of American medicine." Following her testimony before the Senate HELP committee, Dr. Bell was lauded for CDC's prompt and decisive role in the response, which likely prevented many hundreds of infections and deaths among patients who would otherwise have received injections of fungus-contaminated medication.

She also directed two new cross-cutting infectious disease initiatives that have already shown benefits to the field of public health: the Advanced Molecular Detection, AMD, and the Antibiotic Resistance Solutions Initiatives. Together, these initiatives are helping scientists better understand how infections spread and transforming our national capacity to detect, respond, contain, and prevent drug-resistant infections. Because of Dr. Bell's leadership, our Nation will be better equipped to address the growing threat of antibiotic resistance, as well as a myriad of other public health threats.

Dr. Bell exemplifies steadfastness and courage in protecting the Nation's health. She has demonstrated an unwavering level of dedication and passion for public health at all levels, recognizing the important roles of State, local, county, tribal, and Federal partners.

Dr. Bell has been a true public servant. I ask that we honor Dr. Bell today for her invaluable leadership to the CDC and America's public health efforts.

TRIBUTE TO RAY MABUS

Ms. COLLINS. Mr. President, today I wish to congratulate Secretary Ray Mabus on his retirement as the 75th Secretary of the Navy. It has been a great pleasure to work with Secretary Mabus during his impressive and storied tenure as the longest serving Secretary of the Navy since World War I.

Since his confirmation in 2009, Secretary Mabus has continually reaffirmed his commitment to ensuring America's naval forces are second to none. During his more than 7 years of service, Secretary Mabus has also demonstrated an unwavering commitment to building our naval fleet and supporting America's shipbuilding industrial base. He has put 84 ships under contract across the country, more than the last three Navy secretaries combined, and invested significantly in our aging shipbuilding infrastructure.

Secretary Mabus's focus on increasing shipbuilding has allowed the men and women at Bath Iron Works, BIW, to continue building high-quality destroyers, which are the workhorses of our Navy. To allow the Navy to operate these ships to their fullest potential while remaining mindful of the budget constraints faced by our military, Secretary Mabus supported energy initiatives to reduce dependence on fossil fuels. His focus on power-saving technologies, like diesel-electric plants in new ships, has reduced the Navy and Marine Corps' fuel expenses by 30 percent.

In Maine, Portsmouth Naval Shipyard, PNSY, has received approximately \$100 million in modernization funds since 2009, enabling it to maintain its status as the gold standard for public naval shipyards and further hone its efficiency and effectiveness in submarine repair.

While advancing these reforms, Secretary Mabus visited Navy and Marine Corps installations across the globe, traveling over 1.3 million miles to over 150 countries and territories and all 50 States. When measured in distance, Secretary Mabus has travelled to the moon and back almost three times. In 2009, he and I visited the hard-working men and women at BIW and PNSY together. Since that first visit, Secretary Mabus has worked tirelessly to support our shipbuilding industrial base and ensure our Navy and Marine Corps have the tools they need to succeed.

In addition, Secretary Mabus's leadership in 2010 on the Gulf Coast's long-term recovery plan following the Deepwater Horizon oil spill was exemplary. His work securing the future of the Gulf Coast made Americans and cer-

tainly his home State of Mississippi proud.

Finally, his emphasis on platforms, power, and partnerships allowed our Navy to grow in strength, but Secretary Mabus never forgot those who make the system work: the people.

Secretary Mabus was instrumental in advancing the repeal of don't ask, don't tell in 2011, a harmful policy that barred Americans from serving their country simply because of their sexual orientation. His efforts helped to ensure that all patriots who willingly answer the call to arms may proudly serve their Nation.

Similarly, as discussions on military integration have evolved with a new focus on women in combat, Secretary Mabus again stepped up to become a leader on gender equality in the military. His support for integration of women into the Navy and Marine Corps, in all occupations and specialties, and his expansion of maternity leave have ensured that women can serve in the military jobs they love.

Secretary Mabus has also taken steps to support career flexibility, continuing education, and family well-being for all members of the Navy and Marine Corps. He worked to ensure that all those who serve in uniform are provided the mental health care they need and deserve. By supporting and empowering a dedicated, intelligent, and committed personnel base, Secretary Mabus has enabled our Navy to remain the powerful fighting force that it is today.

With his retirement, we lose a true patriot who served his country as a civilian, as well as in uniform, and we lose a visionary leader who saw how our Armed Forces could be better—and did everything in his power to make it happen. It has been a personal and professional pleasure to work with Secretary Mabus, and I wish him fair winds and following seas.

ADDITIONAL STATEMENTS

TRIBUTE TO JOHN AND STEPHANIE HEKKEL

• Mr. DAINES. Mr. President, today I have the honor of recognizing John and Stephanie Hekkel of Anaconda in celebration of the rebuilding of Club Moderne.

The bar had been considered an area landmark since its founding in 1937 and was truly a sight to behold. With its rounded front facade and Carrara glass panels, it reflected the Art Deco style of the time of its founding. It was designed by Bozeman-based architect Fred Willson and built by local carpenters and craftspeople under the direction of the first owner, John "Skinny" Francisco.

Until recently, the Club Moderne had changed very little since its opening

day, and in 1986, it was added to the National Register of Historic Places.

In 1997, the Francisco family sold the bar to a close friend, longtime bartender, and Anaconda native John Hekkel who continued its legacy as a flagship watering hole, especially for area law enforcement and firefighters, while maintaining its retro atmosphere.

A recent Yelp review described taking a step inside "like walking inside a time capsule!"

Last April, it also won the top award in The Big Tap: 2016 Historic Bars Tournament Championship, an online contest sponsored by the National Trust for Historic Preservation.

Unfortunately, Club Moderne was destroyed in a fire in October, a tragic loss to the Anaconda community.

The night the fire happened, I understand John Hekkel stayed at the bar until 4:00 in the morning and, after the fire was extinguished, grabbed a shovel and physically helped with the cleanup.

Just this week, I was thrilled to hear the Hekkel's announce plans to rebuild the bar and restore this historic establishment.

This is a true Montana story. Montanans pull themselves up by their bootstraps, even in times of hardship or loss.

I invite fellow Montanans to stop by to try whatever's on tap or a Moscow Mule, which is an Anaconda specialty.

The Hekkel's, through Club Moderne, have welcomed those just passing through our State and native Montanans alike for generations. As small business owners, they have brought their community together. I wish them all my best as they restore Club Moderne and renew it as a bright spot in the Anaconda community. I look forward to visiting with John and Stephanie there when they reopen.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:29 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed

the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 21. An act to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for “midnight rules”, and for other purposes.

H.R. 69. An act to authorize the Office of Special Counsel, to amend title 5, United States Code, to provide modifications to authorities relating to the Office of Special Counsel, and for other purposes.

H.R. 70. An act to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes.

H.R. 71. An act to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

H.R. 72. An act to ensure the Government Accountability Office has adequate access to information.

H.R. 73. An act to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.

H.J. Res. 3. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

MEASURES REFERRED

The following bills and joint resolution were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 21. An act to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for “midnight rules”, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 69. An act to reauthorize the Office of Special Counsel, to amend title 5, United States Code, to provide modifications to authorities relating to the Office of Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 70. An act to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 71. An act to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 72. An act to ensure the Government Accountability Office has adequate access to information; to the Committee on Homeland Security and Governmental Affairs.

H.R. 73. An act to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.J. Res. 3. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-1. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the President of the United States and the United States Congress to review the changes to the Federal floodplain management regulations to assess whether exceptions should be made for potential building projects; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 421

Whereas, Blight is a growing problem in many communities in this Commonwealth; and

Whereas, Changes made to the Federal floodplain management regulations were issued by executive order in January 2015; and

Whereas, Flood insurance is now required under the executive order, making the redevelopment and revitalization of older, blighted properties financially straining; and

Whereas, Federal agencies are obligated to apply these standards to all Federal actions, including federally approved permits, federally backed home loans and flood insurance regulations and many Housing and Urban Development programs, including the Low-Income Housing Tax Credit (LIHTC) program; and

Whereas, While these changes were intended to enhance the safety and security of citizens during floods and to diminish the risk of flood loss, the modifications to the Federal floodplain management regulations have hindered the ability of our older communities to develop creative, nonprohibitive ways to renovate abandoned buildings: Now, therefore, be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the President and the Congress of the United States to review the changes to the Federal floodplain management regulations to assess whether exceptions should be made for potential building projects so that applications can be submitted to the Pennsylvania Housing Finance Agency for review and consideration under the Low-Income Housing Tax Credit program and so that the applications are not at an economic disadvantage; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-2. A resolution adopted by the Legislature of the State of Florida urging the United States Congress to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico; to the Committee on Energy and Natural Resources.

HOUSE MEMORIAL 601

Whereas, the Commonwealth of Puerto Rico and the State of Florida share a strong cultural bond and are important trade partners, and

Whereas, the Commonwealth of Puerto Rico has experienced a prolonged and difficult economic recession that has led to mass unemployment in Puerto Rico and decreased trade opportunities with the State of Florida, and

Whereas, the Commonwealth of Puerto Rico has public debts in excess of \$72 billion, which continue to cripple Puerto Rico's abil-

ity to improve and sustain economic growth, and

Whereas, the 1984 amendments to the United States Bankruptcy Code prohibit the Commonwealth of Puerto Rico from authorizing its municipalities and public utilities to file for bankruptcy relief under Chapter 9 of the code, and

Whereas, the United States Bankruptcy Code amendments require Puerto Rico's municipalities and public utilities to engage in piecemeal negotiations with each of their creditors, rather than consolidating debt and developing a comprehensive plan for repayment, and

Whereas, the citizens of Puerto Rico are suffering greatly due to their government's inability to renegotiate the terms of this debt under a comprehensive plan, and

Whereas, the United States Government has an obligation to promote and assist the economic prosperity of the Commonwealth of Puerto Rico as an important territory of our nation, and

Whereas, the United States Congress eliminated a tax exemption for manufacturers from Section 936 of the Internal Revenue Code, greatly contributing to an increase in unemployment in the Commonwealth of Puerto Rico, and

Whereas, the Commonwealth of Puerto Rico would greatly benefit from new ideas and programs that promote economic development to bring high paying jobs back to Puerto Rico, and

Whereas, the Commonwealth of Puerto Rico and the State of Florida would both benefit from Puerto Rico's renewed economic prosperity, and

Whereas, the national debt of the United States is currently more than \$19 trillion. Now, therefore, be it

Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico consistent with sound fiscal principles necessary to reduce the national debt; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM-3. A resolution adopted by the Senate of the State of Michigan urging the President of the United States and the United States Congress to curb and clarify the role and authority of the United States Department of Education as it relates to the “supplement not supplant” provisions in the Every Student Succeeds Act; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 214

Whereas, The federal Every Student Succeeds Act (ESSA) requires that federal Title I funding to low-income students supplements, rather than supplants, state and local dollars. This provision is intended to keep local school districts from using federal Title I dollars as a replacement for state and local dollars in low-income schools; and

Whereas, To enforce this provision, the U.S. Department of Education has proposed burdensome regulations to require school districts to show that average per-pupil state and local spending in Title I schools is at least equal to the average spending in non-Title I schools. The rules allow several different options for districts to calculate

spending and demonstrate compliance with "supplement not supplant"; and

Whereas, The proposed regulations exceed the legal authority of the department and blatantly trample on explicit statutory prohibitions. Specific prohibitions in the "supplement not supplant" provisions include subdivision 1118(b)(4), which says, "Nothing in this section shall be construed to authorize or permit the Secretary to prescribe the specific methodology a local educational agency uses to allocate state and local funds to each school receiving assistance under this part"; and

Whereas, School district personnel have complained that the proposed regulations would be unworkable. The School Superintendents Association (AASA) stated that the proposed regulation "glosses over the realities of school finance, the reality of how and when funds are allocated, the extent to which districts do or do not have complete flexibility, the patterns of teacher sorting and hiring, and the likelihood that many students would experience the rule, as drafted, in a way that undermines true efforts aimed at increasing education equity". Now, therefore, be it

Resolved by the Senate, That we urge the President of the United States to direct the U.S. Department of Education to stop its federal overreach as it relates to the "supplement not supplant" provisions of the Every Student Succeeds Act; and be it further

Resolved, That we memorialize Congress to enact legislation that clarifies the Department of Education's role and authority as it pertains to "supplement not supplant" provisions; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the U.S. Department of Education as public comment on proposed rules.

POM-4. A resolution adopted by the Senate of the State of Michigan urging the United States Congress to pass the Americans with Disabilities Act (ADA) Education and Reform Act of 2015; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 204

Whereas, The ADA was enacted in 1990 to improve access and equality for disabled Americans. After 25 years in effect, the integrity of the ADA is in question because of the onslaught of lawsuits against small businesses due to minor and correctable infractions; and

Whereas, Small businesses provide goods and services that are vital to our economy and it is important that every effort is made to ensure disabled Americans have access to those goods and services. When there are minor and easily correctable ADA infractions, small businesses are increasingly being faced with lawsuits by individuals; and

Whereas, The threat or actual occurrence of a lawsuit places small business in the dilemma of choosing whether to settle the suit or face the potentially exorbitant cost of litigation in terms of both time and money. Additionally, plaintiffs who abuse the ADA system often file multiple cases, many with businesses and properties; and

Whereas, The ADA Education and Reform Act of 2015 proposes to provide business owners an opportunity to remedy alleged ADA violations before facing the cost of legal fees. The act would provide business owners a 120-

day window within which to make the public accommodation corrections that they were cited for under the ADA. It restores the ADA to its original purpose of enabling access and accommodation to disabled Americans. Now, therefore, be it

Resolved, That we, the Senators of the 98th Legislature of the state of Michigan, on behalf of all citizens of this state, respectfully urge the U.S. Congress to pass the Americans with Disabilities Act (ADA) Education and Reform Act of 2015; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-5. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress and the President of the United States to enact legislation to ensure that students from the State of New Jersey and throughout the United States have access to debt-free higher education at public colleges and universities; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY RESOLUTION NO. 183

Whereas, A college education is one of the most valuable investments a family can make, but it has never been more difficult for families to afford the dream of college as the cost has grown exponentially in recent decades; and

Whereas, According to the White House, the cost of college has risen more than 250 percent over the last three decades, while income for typical families grew by only 16 percent, making it difficult for a student to graduate without debt; and

Whereas, As a result, an increasing number of young Americans, including many from New Jersey, have been forced to borrow significant amounts to afford the cost of higher education. According to a study from LendEDU, New Jersey ranks ninth in the country in student loan debt, with the average student loan debt for New Jersey's public and private college and university graduates at over \$30,000 in 2016; and

Whereas, Student loan debt saddles the very students who most depend on a college degree to level the economic playing field with a burden that constrains their career choices, hurts their credit ratings, prevents them from fully participating in the economy, and threatens essential milestones of the American dream such as buying a home or car, starting a family, and saving for retirement; and

Whereas, Young people in the State of New Jersey and throughout the country should have the same opportunity offered to those who went to college in previous generations, including the ability to attend public colleges and universities without taking on burdensome debt; and

Whereas, Because of the importance of higher education to the nation's economy, the United States and its state governments should expand the opportunity to pursue and attain a college degree; and

Whereas, Public investment in higher education pays off, as evidenced by the fact that workers with college degrees earn more money, pay more taxes, and rely less on government services; and

Whereas, A national goal of establishing a debt-free public higher education system would include significant federal aid to states, including New Jersey. Now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. This House urges Congress and the President of the United States to enact legislation to ensure that students from the State of New Jersey and throughout the United States have access to debt-free higher education at public colleges and universities.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice-President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and every member of Congress elected from this State.

POM-6. A memorial adopted by the Legislature of the State of Florida applying to the United States Congress to call a convention under Article V of the United States Constitution with the sole agenda of proposing an amendment to the United States Constitution to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate; to the Committee on the Judiciary.

HOUSE MEMORIAL 417

Whereas, Article V of the Constitution of the United States requires Congress to call a convention for the sole purpose of proposing amendments to the Constitution upon application of two-thirds of the states, and

Whereas, a continuous and growing concern has been expressed that the best interests of the nation will be served by limiting the terms of members of Congress, and

Whereas, the voters of the State of Florida, by the gathering of petition signatures, placed on the general election ballot of 1992 a measure to limit the consecutive years of service for several offices, including the offices of United States Representative and United States Senator, and

Whereas, the voters of Florida incorporated this limitation into the State Constitution as Section 4 of Article VI, by an approval vote that exceeded 76 percent in the general election of 1992, and

Whereas, in 1995, the United States Supreme Court ruled in *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779 (1995), a five-to-four decision, that the individual states did not possess the requisite authority to establish term limits, or additional qualifications, for persons elected to the United States House of Representatives or the United States Senate, and

Whereas, upon reflecting on the intent of the voters of this state and their overwhelming support for congressional term limits, the Legislature, in its 114th Regular Session since Statehood in 1845, did express through a memorial to Congress the desire to receive an amendment to the Constitution of the United States to limit the number of consecutive terms that a person may serve in the United States House of Representatives or the United States Senate, and

Whereas, the Legislature, in its 118th Regular Session since statehood in 1845, does desire to see a convention called under Article V of the Constitution of the United States with the sole agenda of proposing an amendment to the Constitution of the United States on the subject of congressional term limits as specified in this memorial. Now, therefore, be it

Resolved by the Legislature of the State of Florida:

(1) That the Legislature of the State of Florida does hereby make application to Congress, pursuant to Article V of the Constitution of the United States, to call an Article V convention with the sole agenda of proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

(2) That this application does not revoke or supersede Senate Memorial 476 as passed by the 2014 Florida Legislature, but constitutes a separate, independent application addressing congressional term limits as specified in this application.

(3) That this application is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States with any agenda other than to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

(4) That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made application on the subject of congressional term limits as specified in this application.

(5) That this application be aggregated with the applications from other states on the same subject for the purpose of attaining the two-thirds majority needed to require Congress to call a limited Article V convention as specified in this application, but not be aggregated with any other applications on any other subject; and be it further

Resolved, That copies of this application be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the presiding officer of each house of the legislature of each state.

POM-7. A resolution adopted by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, expressing condemnation of publications and distribution of any and all images that purport to glorify or justify violence against law enforcement officers; to the Committee on the Judiciary.

POM-8. A resolution adopted by the Town Board of the Charter Township of Waterford, Michigan, relative to the Refugee Resettlement Program; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 32. A bill to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself, Mr. SULLIVAN, Mr. DAINES, Mr. HATCH, Mr. HELLER, Mr. FLAKE, Mr. LEE, Mr. MCCAIN, Mr. RISCH, Mr. GRASSLEY, Mr. TILLIS, Mr. MCCONNELL, Mr. BLUNT, Mr. INHOFE, Mr. JOHNSON, Mr. CRUZ, Mrs. CAPITO, Mr. WICKER, Mr. SESSIONS, Mr. RUBIO, Mr. CASSIDY, Mr. CRAPO, Mr. ROBERTS, Mr. COCHRAN, Mr. ROUNDS, and Mr. BARRASSO):

S. 33. A bill to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON:

S. 34. A bill to amend chapter 8 of title 5, United States Code, to provide for the en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. THUNE (for himself, Mr. ROUNDS, and Mr. ENZI):

S. 35. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. COTTON, and Mr. BOOZMAN):

S. 36. A bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes; to the Committee on the Judiciary.

By Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. SASSE, Mrs. FISCHER, Mr. THUNE, Mr. ROBERTS, Mr. MORAN, Mr. CRUZ, Mr. INHOFE, Mr. COTTON, Mr. WICKER, and Mr. CASSIDY):

S. 37. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 38. A bill to decrease the cost of hiring, and increase the take-home pay of, Puerto Rican workers; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. DAINES):

S. 39. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. HELLER:

S. 40. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Mrs. SHAHEEN, Ms. BALDWIN, Mr. KING, Mr. BROWN, Mr. LEAHY, Mr. FRANKEN, and Mr. KAINE):

S. 41. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Finance.

By Mr. HELLER:

S. 42. A bill to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach; to the

Committee on Commerce, Science, and Transportation.

By Mr. HELLER (for himself and Ms. HEITKAMP):

S. 43. A bill to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts; to the Committee on Finance.

By Mr. HELLER:

S. 44. A bill to amend the Fair Labor Standards Act of 1938 to improve nonretaliation provisions relating to equal pay requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. PERDUE, Mr. GRASSLEY, Mr. JOHNSON, Mr. RUBIO, Mr. INHOFE, Mr. SASSE, Mr. WICKER, Mr. BOOZMAN, and Mr. COTTON):

S. 45. A bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER (for himself, Mr. BLUNT, and Mr. BENNET):

S. 46. A bill to amend title XVIII of the Social Security Act to strengthen intensive cardiac rehabilitations programs under the Medicare program; to the Committee on Finance.

By Mr. RUBIO (for himself, Mrs. FISCHER, and Mr. MORAN):

S. 47. A bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect; to the Committee on Finance.

By Mr. HELLER (for himself, Ms. KLOBUCHAR, and Mr. LEAHY):

S. 48. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchasing of hearing aids; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 49. A bill to provide a leasing program within the Coastal Plain, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself and Ms. HEITKAMP):

S. 50. A bill to amend the Internal Revenue Code of 1986 to allow refunds for Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mrs. ERNST, Mr. MCCONNELL, Mr. LEE, Mr. CRUZ, Mr. MORAN, Mr. ROBERTS, Mr. SHELBY, Mr. INHOFE, Mr. WICKER, Mr. HATCH, and Mr. COTTON):

S. 51. A bill to make habitual drunk drivers inadmissible and removable and to require the detention of any alien who is unlawfully present in the United States and has been charged with driving under the influence or driving while intoxicated; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. TILLIS, Mr. CRUZ, Mr. INHOFE, Mr. BOOZMAN, and Mr. COTTON):

S. 52. A bill to make aliens associated with a criminal gang inadmissible, deportable, and ineligible for various forms of relief; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mr. SULLIVAN, and Mr. SCHATZ):

S. 53. A bill to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Ms. WARREN, Mr. SCHATZ, Mr. MARKEY, Mrs. MURRAY, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Ms. HIRONO, and Mr. WYDEN):

S. 54. A bill to prohibit the creation of an immigration-related registry program that classifies people on the basis of religion, race, age, gender, ethnicity, national origin, nationality, or citizenship; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 55. A bill to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Energy and Natural Resources.

By Mr. SULLIVAN:

S. 56. A bill to require each agency to repeal or amend 2 or more rules before issuing or amending a rule; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself, Mr. CRAPO, Mr. GRASSLEY, Mr. DAINES, Mr. FLAKE, and Mr. JOHNSON):

S. 57. A bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. McCONNELL:

S. Res. 7. A resolution to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. SCHUMER:

S. Res. 8. A resolution to constitute the minority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 16, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 18

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 18, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 21

At the request of Mr. PAUL, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 21, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 27

At the request of Mr. CARDIN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 30

At the request of Mrs. FEINSTEIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 30, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S.J. RES. 1

At the request of Mr. BOOZMAN, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S. CON. RES. 4

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution clarifying any potential misunderstanding as to whether actions taken by President-elect Donald Trump constitute a violation of the Emoluments Clause, and calling on President-elect Trump to divest his interest in, and sever his relationship to, the Trump Organization.

S. RES. 5

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 5, a resolution expressing the sense of the Senate in support of Israel.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Montana (Mr. DAINES), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. HOEVEN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr.

HATCH), the Senator from Idaho (Mr. CRAPO) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 32. A bill to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, today I am proud to introduce the Desert Protection and Recreation Act of 2017.

This bill, a decade in the making, charts a commonsense path forward for the California desert. The goal is simple: to manage California's fragile desert resources in a sustainable and comprehensive manner.

This bill provides something for everyone that appreciates the national treasure that is the California desert. That this bill provides something for everyone is a result of the painstaking effort to build consensus among the array of groups that use the desert, including: environmental groups; Federal, State, and local governments; the off-road community; cattle ranchers; mining interests; and energy companies and California's public utility companies.

As I will further describe later, the bill preserves 230,000 acres of wilderness and another 44,000 acres of national park land, each unrivaled for their unique natural landscapes. The bill also safeguards 77 miles of free-flowing rivers and the abundant life and rich biodiversity these rivers and streams often support.

Importantly, the bill provides certainty to off-road enthusiasts, establishing 142,000 acres of permanent off-highway recreation areas—a first for the Nation. I made a commitment to off-roaders to enact the entire bill, not just parts of the bill. I hope to fulfill that promise.

The efforts to protect the desert are a long time coming. This effort first began with the original California Desert Protection Act, signed into law more than twenty years ago.

Picking up where my predecessors left off, I introduced that bill only three months after I was sworn in as a Senator. Through hard work and perseverance, we were able to pass that law on the last day of the 103rd Congress, and President Clinton signed the bill into law in October 1994.

The original Desert Protection Act was a crowning achievement for desert conservation, establishing 69 new Wilderness areas, creating the Mojave National Preserve, and converting Death Valley and Joshua Tree National Monuments into National Parks. All told, we were able to protect, or increase protections for, about 9.6 million acres.

It continues to attract millions of tourists to southern California, which is a boon for the economy.

It has ensured that these enduring landscapes will be preserved for future generations.

Since we passed the 1994 desert conservation bill, we've tried to build on this legacy of conservation. After years of collaboration with an array of stakeholders, we introduced new legislation in 2009.

The goal of that bill was simple: to help manage California's desert resources through a comprehensive approach that balanced conservation, recreation, energy production, among other needs.

After years of work, including two hearings in the Senate, we reached a major milestone this past February, when President Obama designated three new national monuments in the California desert: Castle Mountains, Mojave Trails, and Sand to Snow.

Those monuments, based on the legislation I had introduced, created one of the world's largest desert reserves, encompassing nearly 1.8 million acres of America's public lands.

Those monuments connect vital wildlife corridors and habitats, preserve cultural resources, and establish an important buffer to the inevitable changes climate change will usher in for these fragile desert ecosystems.

While the newly-designated desert monuments formed a cornerstone for future desert protection, our work is not complete. That is why I am introducing this legislation today.

While I supported President Obama's decision to create three national monuments in the Mojave Desert, his authority under the Antiquities Act did not allow him to include the many other valuable provisions in the original legislation.

Our intention has always been to balance the many uses of the desert through legislation, and that remains the case today. That is why I reintroduced that legislation immediately following the President's designation, and that is why I am introducing a bill again today: to make the rest of the provisions a reality.

The legislation I am introducing today therefore includes all of the provisions the President was not able to enact through executive action under the Antiquities Act.

These negotiated provisions—which represent our best attempt to achieve consensus among desert stakeholders—deserve to become law.

That legislation includes many additional conservation areas and provides permanent protection for five Off-Highway Recreation Areas covering approximately 142,000 acres. Off-roaders were a vital part of the coalition we put together, and unfortunately those lands could not be designated under executive action. Off-roaders deserve certainty about their future use of the land, just as there is now certainty for conservation purposes. I gave them my word that I would fight for them, and I intend to do so again in this new Congress.

This bill would also expand wilderness areas in the desert, by designating five additional wilderness areas that cover 230,000 acres of land near Fort Irwin.

The bill would ensure clean and free-flowing rivers, through the designation of 77 miles of rivers as Wild and Scenic Rivers; add to our national parks, by expanding Death Valley National Park Wilderness by 39,000 acres and Joshua Tree National Park by 4,500 acres; expand National Scenic Areas, by adding 18,610 acres to the Alabama Hills National Scenic Area in Inyo County; and protect 81,000 acres of land in San Bernardino and Imperial County, and requires the Department of the Interior to protect petroglyphs and other cultural resources important to the surrounding tribes and communities.

Lastly, the bill will facilitate renewable energy development in a way that protects delicate habitat.

I want to highlight some of the key provisions of this legislation:

By designating five new wilderness areas, this bill protects fragile desert ecosystems across 230,000 acres of wilderness near Fort Irwin. This includes 88,000 acres of Avawatz Mountains, 8,000-acre Great Falls Basin Wilderness, the 80,000-acre Soda Mountains Wilderness, and the 32,500-acre Death Valley Wilderness.

The desert's sweeping desert vistas and rugged mountain terrain not only provide for a truly remarkable backcountry experience, but also provide vital refuge for everything from bighorn sheep and desert tortoises to Joshua Trees and Native American artifacts.

This bill is more than just wilderness, however. It also designates four new Wild and Scenic Rivers, totaling 77 miles in length. These beautiful waterways, carved through the heart of the arid desert, are Deep Creek and the Whitewater River in and near the San Bernardino National Forest, as well as the Amargosa River and Surprise Canyon Creek near Death Valley National Park.

The bill also releases 126,000 acres of land from their existing wilderness study area designation in response to requests from local government and recreation users. This will allow the land to be made available for other

purposes, including recreational off-highway vehicle use on designated routes.

We must also take into account another use of the desert land: renewable energy. I believe that we can honor our commitment to conservation while fulfilling California's pledge to develop a clean energy portfolio.

Balancing conservation, development and other uses is possible, we just need to come up with the right solutions. Thankfully, some of these compromises are already in place.

By April 2009, solar and wind companies had proposed 28 projects to be included in the Mojave Trails National Monument, including sites on former Catellus lands intended for permanent conservation. I visited some of those sites at the time, including one particularly beautiful area known as the Broadwell Valley, where thousands of acres of pristine lands were proposed for development. Seeing it first hand, I quickly came to the conclusion that those lands were simply not the right place for renewable energy development.

Since then, 26 of the 28 applications have been withdrawn. This is due in part to the state and federal governments' efforts to develop and finalize the Desert Renewable Energy Conservation Plan—an ambitious effort to comprehensively manage renewable energy, conservation, and recreation on 22.5 million acres of California desert.

By working with our state to develop this Plan, the federal government has shown it can be an effective partner in the State's efforts to combat climate change, all while protecting the magnificent, yet fragile, California desert landscape.

The bill also makes use of about 370,000 acres of isolated, unusable parcels of State lands spread across the California desert. These small isolated parcels of State land in wilderness, national parks and monuments would be exchanged for Federal lands elsewhere that could potentially provide the State with viable sites for renewable energy development, off-highway vehicle recreation, or other commercial purposes.

This blueprint will help identify pristine lands that warrant protection and direct energy projects elsewhere.

This is a fair balancing of priorities, and I think it provides a clear path forward.

I strongly urge my colleagues to take a good look at this legislation. I hope they understand that the many stakeholders involved have made their voices heard.

As you can see, there are many diverse interests in California's desert lands, and it is not easy to bring them all into agreement. But after years of painstaking efforts, they have reached agreement on this bill.

Desert conservation has never been a partisan issue. Over the years, legislators have come together across party

lines to preserve this great piece of land.

Given our past success, I am hopeful this Congress will take this legislation up and move it forward. Most importantly, I hope this body recognizes the simple fact that desert conservation has never been a partisan issue.

Over the years, legislators have come together across party lines to preserve this great piece of land. It's the right thing to do.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 49. A bill to provide a leasing program within the Coastal Plain, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to once again open a small portion of the Arctic coastal plain, in my home State of Alaska, to oil and gas development. I am introducing the bill because, now more than ever, new production in northern Alaska is vital not only to my state's future, but also to our Nation's energy and economic security.

It has been known for more than nearly 4 decades that the 1.5 million acres of the Arctic coastal plain that lie inside the northern one-eleventh of the Arctic National Wildlife Refuge are the most prospective lands in North America for a major conventional oil and gas discovery. The U.S. Geological Survey continues to estimate that this part of the coastal plain—which represents just 3 percent of the coastal plain in all of northern Alaska—has a mean likelihood of containing 10.4 billion barrels of oil and 8.6 trillion cubic feet of natural gas, as well as a reasonable chance of economically producing 16 billion barrels of oil. Even the relatively recent major finds in North Dakota's Bakken field and the recent estimates of shale oil in Texas' Wolfcamp formation pale in comparison, as ANWR is likely to hold over three times more conventional oil than any other onshore energy deposit in North America.

In the 1990s, opponents dismissed ANWR's potential and argued that the nearby National Petroleum Reserve-Alaska was forecast to contain almost as much oil. However, early this decade the U.S. Geological Survey significantly reduced its oil estimates in the 23 million acre reserve. Instead of containing somewhere between the 6.7 to 15 billion barrels as forecast in 2002, the USGS now forecasts a mean of 896 million barrels—a dramatic downward revision. While I still believe oil production must be allowed to proceed in NPRA and that development of satellite fields must be allowed to occur, the revised forecast means that opening a small area on shore to the east on the coastal plain, is now more vital than ever for America's economic and national security interests.

That is especially the case given that President Obama late last year closed almost all of Alaska's outer continental shelf oil and gas deposits to future exploration and development. That makes production of onshore deposits even more vital for Alaska's economic future, and for the Nation's long-term energy security.

America once received more than 10 percent of its daily domestic oil production from fields in Alaska. You heard correctly, production already occurs in Arctic Alaska, and has for nearly 40 years. We have successfully balanced resource development with environmental protection. Alaskans have proven, over and over again, that those endeavors are not mutually exclusive.

Today, however, we face a tipping point. Alaska's North Slope production has declined for years and now accounts for just under 5 percent of the Nation's daily production. It is now forecast to decline further to levels next decade that will threaten the continued operation of the Trans-Alaska Pipeline System. A closure of TAPS would shut down all northern Alaska oil production. This would devastate Alaska's economy, drag global oil prices even higher, and deepen our energy dependence on unstable petrostates throughout the world, especially once oil shale production peaks in the Lower 48 States.

Anyone who takes the long view on energy policy recognizes that no matter what energy policy our Nation pursues, we will use substantial amounts of oil well into the future. The more of that oil we produce at home, the better off our economy, our trade deficit, our employment levels, and the world's environment will be. To help meet future demand both here in America and throughout the rest of the world, and to help avoid a tremendous price spike in the event of supply disruptions, we need to take steps today to ensure new production is brought online, as soon as possible.

ANWR development will provide huge benefits for the U.S. Treasury. Let's examine this with some simple math. ANWR's mean estimate of over 10 billion barrels, at even today's \$50 per barrel price, means that there is half a trillion dollars worth of oil locked up beneath this small area in northern Alaska—and even more when prices rebound. That is half a trillion taxable dollars, and it is difficult to calculate or even fathom the corporate and payroll taxes that this would generate for our treasury. But we do know that there are hundreds of billions of dollars in pure Federal royalties since my bill devotes 50 percent of the value to a Federal share, rather than the 10 percent which current law allows.

As our Nation grapples with a huge budget deficit, nearly \$20 trillion in national debt, and a lack of capital to incentivize new energy development, it

is folly for America to further delay new onshore oil development from Alaska. The question is no longer, "Should we drill in ANWR?" Today, it has become, "Can we afford not to?"

I understand that no matter what happens, some will remain opposed to development in this region. The outgoing administration has attempted to not only prohibit oil and gas development onshore in the coastal plain—proposing to forever lock the area up into formal wilderness—but also has proposed to impede oil and even natural gas development from vast portions of NPRA and from the offshore waters of the Beaufort and Chukchi Seas. This mindset ignores Alaska's economic realities, it ignores the Nation's looming energy challenges, and it ignores the fact that Arctic oil production can proceed without any significant environmental impact. Our development has coexisted productively with polar bears, and will not harm the Porcupine caribou herd or any other form of wildlife on the Arctic coast. The groups who oppose my legislation seem totally oblivious to strides made in directional, extended reach drilling, three- and four-dimensional seismic testing, and new pipeline leak detection technology, all of which permit Alaskan energy development to proceed safely without harm to wildlife or the environment.

For all these reasons, I am reintroducing legislation to open the coastal plain of ANWR to development. At the same time, I am again focusing and narrowing that development so that just 2,000 acres of the 1.5 million acre coastal plain can be physically disturbed by roads, pipelines, wells, buildings or other support facilities. At most, just one-tenth of 1 percent of the refuge's coastal plain would be impacted. For comparison's sake, 2,000 acres is roughly the size of National Airport—compared to an area roughly three times the size of the state of Maryland. It is hardly a blip on the map.

Limiting development to such a small area is important. It will help guarantee—beyond any shadow of doubt—the preservation in a natural state of more than sufficient habitat for caribou, muskoxen, polar bear, and Arctic bird life. My legislation also includes stringent environmental standards.

The bill, named the Alaska Oil and Gas Production Act, AOGPA, which is being cosponsored by my colleague from Alaska, Senator DAN SULLIVAN, also includes guaranteed finding to mitigate any impacts in the region, and guarantees that the Federal Government will receive half of all revenues generated.

For decades, Alaskans, whom polls show overwhelmingly support ANWR development, have been asking permission to explore and develop oil in the

coastal plain. Finally, technology has advanced so that it is possible to develop oil and gas from the coastal plain with little or no impact on the area and its wildlife.

At this time of unsustainable debt, and an unstable global environment, we need to pursue domestic development opportunities more than ever. My ANWR bill offers us a chance to produce more of our own energy, for the good of the American people, in an environmentally-friendly way. I hope this Congress, given the new administration that will soon take office, will have the common sense to allow America to help itself by developing ANWR's substantial resources. This is critical to my state and the Nation as a whole. And with this in mind, I will work to educate the members of this chamber about ANWR. I will show why such development should occur, why it must occur, and how it can benefit our Nation at a time when we need the domestic jobs and energy security that ANWR will produce.

By Mr. BOOKER (for himself, Ms. WARREN, Mr. SCHATZ, Mr. MARKEY, Mrs. MURRAY, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Ms. HIRONO, and Mr. WYDEN):

S. 54. A bill to prohibit the creation of an immigration-related registry program that classifies people on the basis of religion, race, age, gender, ethnicity, national origin, nationality, or citizenship; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, today, I introduced the Protect American Families from Unnecessary Registration and Deportation Act of 2017, or the Protect American Families Act. This critical bill would advance civil and human rights by ensuring we protect American immigrants from being wrongfully targeted by the Federal Government because of who they are or how they worship. I thank Senators ELIZABETH WARREN, BRIAN SCHATZ, ED MARKEY, PATTY MURRAY, BERNIE SANDERS, PATRICK LEAHY, JEFF MERKLEY, MAZIE HIRONO, and RON WYDEN for joining me on this important legislation.

Enshrined in the Constitution are the ideas that all people are free to practice the religion of their choice and that we will not discriminate because of your faith or national origin. Creating a Federal immigration program that requires people to register their status with the Federal Government on the basis of their religion, race, ethnicity, gender, age, nationality, national origin, or citizenship is contrary to those values. Because the United States is the world's beacon of democracy, we must lead by example and live the values we preach.

Yet, in troubling times we have not always stayed true to our values. During World War II, soon after Imperial Japan attacked United States Naval

Base Pearl Harbor, President Franklin Roosevelt issued Executive Order 9066. That order authorized the Secretary of War to designate particular areas as military zones, which allowed for the removal of Japanese Americans from certain parts of the United States. Subsequently, more than 110,000 Japanese Americans were relocated to internment camps.

Similarly, in 2002, the year following the tragic terrorist attacks on September 11, the Federal Government created the National Security Entry-Exit Registration System, NSEERS. This Federal program required non-citizen visa holders from certain countries to register with the Federal Government. The registration process included fingerprinting, photographs, and interrogation. Once an individual registered, NSEERS required the person to regularly check in with immigration officials. Finally, NSEERS monitored people who registered with the program to ensure that no one remained in the country longer than the law permitted them.

Inconsistent with the American values of religious freedom and non-discrimination, the NSEERS program wrongly targeted males over 16 years old from the following countries: Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen, and North Korea. Thus, 24 out of the 25 countries listed in the NSEERS program were Arab and Muslim countries. This was another moment in our nation's history where our leaders succumbed to the politics of fear and adopted a program that tore at the very fabric of our country.

Immigration-registry programs do not make the public more safe. The purpose of NSEERS was to identify and capture terrorists. Yet, despite registering over 83,000 people, the program yielded zero terrorism convictions. Without proof of a single terrorist related conviction, the NSEERS program did not do its job of keeping the homeland safe.

But immigration-registry programs do result in discrimination. The fact that NSEERS led to the forced registry, interrogation, and deportations of immigrants from predominantly Muslim or Arab countries is proof that broadly defined enforcement programs often result in racial and religious profiling. That is why the United Nations and major American civil rights groups condemned NSEERS for unfairly singling out Muslims. By targeting Muslims, NSEERS sent the wrong message that America does not welcome immigrants from certain lands.

While the Obama administration dismantled the NSEERS program, this

alone will not prevent the incoming administration from attempting to follow through on its threats to create a registry based on religion or national origin. On the campaign trail President-elect Trump called for a "total and complete shutdown" of Muslim immigrants entering the United States. Additionally, he has called for "extreme vetting" of immigrants reminiscent of NSEERS. It is incumbent upon congressional leaders to ensure that the United States does not sacrifice its values in the face of fear.

Today, I introduce the Protect American Families Act to ensure that America protects the rights and liberties of American immigrants from overly broad, ineffective, and discriminatory registry programs. This bill would prohibit the Federal Government from requiring noncitizens to register or check in with the Federal Government simply because of their religion, race, ethnicity, age, gender, national origin, nationality, or citizenship. Banning the creation of a discriminatory registration program is not only consistent with our democratic values, but it allows law enforcement to focus resources on the real threats to our safety.

The bill has commonsense exemptions. Data collection is critical in our fight against terrorists, and the bill allows the government to collect routine data on the entry and exit of noncitizens. The bill would also protect important immigration programs like Temporary Protected Status, Deferred Enforced Departure, the Visa Waiver Program, and Deferred Action for Childhood Arrivals. This provision makes clear that legitimate Federal programs that confer immigration benefits are not prohibited by the ban on enforcement immigration programs that target immigrants and other vulnerable Americans.

In his First Inaugural Address, President Roosevelt said that "the only thing we have to fear is fear itself." Unfortunately, he failed to live up to that statement when he issued Executive Order 9066. But we have a chance to fulfill that vision. We have a chance to stand up against fear and stay true to our American values in the face of hardship. I am proud to introduce the Protect American Families Act today, and I urge my colleagues to support its speedy passage through the Senate.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 7—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. McCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 7

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Fifteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Roberts (Chairman), Mr. Cochran, Mr. McConnell, Mr. Boozman, Mr. Hoeven, Mrs. Ernst, Mr. Grassley, Mr. Sessions, Mr. Thune, Mr. Daines, Mr. Perdue.

COMMITTEE ON APPROPRIATIONS: Mr. Cochran (Chairman), Mr. McConnell, Mr. Shelby, Mr. Alexander, Ms. Collins, Ms. Murkowski, Mr. Graham, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Boozman, Mrs. Capito, Mr. Lankford, Mr. Daines, Mr. Kennedy, Mr. Rubio.

COMMITTEE ON ARMED SERVICES: Mr. McCain (Chairman), Mr. Inhofe, Mr. Sessions, Mr. Wicker, Mrs. Fischer, Mr. Cotton, Mr. Rounds, Mrs. Ernst, Mr. Tillis, Mr. Sullivan, Mr. Perdue, Mr. Cruz, Mr. Graham, Mr. Sasse.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Crapo (Chairman), Mr. Shelby, Mr. Corker, Mr. Toomey, Mr. Heller, Mr. Scott, Mr. Sasse, Mr. Cotton, Mr. Rounds, Mr. Perdue, Ms. Tillis, Mr. Kennedy.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Thune (Chairman), Mr. Wicker, Mr. Blunt, Mr. Cruz, Mrs. Fischer, Mr. Moran, Mr. Sullivan, Mr. Heller, Mr. Inhofe, Mr. Lee, Mr. Johnson, Mrs. Capito, Mr. Gardner, Mr. Young.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski (Chairman), Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Gardner, Mr. Sessions, Mr. Alexander, Mr. Hoeven, Mr. Cassidy, Mr. Portman.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Barrasso (Chairman), Mr. Inhofe, Mrs. Capito, Mr. Boozman, Mr. Wicker, Mrs. Fischer, Mr. Sessions, Mr. Moran, Mr. Rounds, Mrs. Ernst, Mr. Sullivan.

COMMITTEE ON FINANCE: Mr. Hatch (Chairman), Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, Mr. Toomey, Mr. Heller, Mr. Scott, Mr. Cassidy.

COMMITTEE ON FOREIGN RELATIONS: Mr. Corker (Chairman), Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Flake, Mr. Gardner, Mr. Young, Mr. Barrasso, Mr. Isakson, Mr. Portman, Mr. Paul.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Alexander (Chairman), Mr. Enzi, Mr. Burr, Mr. Isakson, Mr. Paul, Ms. Collins, Mr. Cassidy, Mr. Young, Mr. Hatch, Mr. Roberts, Ms. Murkowski, Mr. Scott.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Johnson (Chairman), Mr. McCain, Mr. Portman, Mr. Paul, Mr. Lankford, Mr. Enzi, Mr. Hoeven, Mr. Daines.

COMMITTEE ON THE JUDICIARY: Mr. Grassley (Chairman), Mr. Hatch, Mr. Graham, Mr. Cornyn, Mr. Lee, Mr. Cruz, Mr. Sasse, Mr. Flake, Mr. Crapo, Mr. Tillis, Mr. Kennedy.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Burr (Chairman), Mr. Risch, Mr. Rubio, Ms. Collins, Mr. Blunt, Mr. Lankford, Mr. Cotton, Mr. Cornyn.

SPECIAL COMMITTEE ON AGING: Ms. Collins (Chairman), Mr. Hatch, Mr. Flake, Mr. Scott, Mr. Tillis, Mr. Corker, Mr. Burr, Mr. Rubio, Mrs. Fischer.

COMMITTEE ON THE BUDGET: Mr. Enzi (Chairman), Mr. Grassley, Mr. Sessions, Mr. Crapo, Mr. Graham, Mr. Toomey, Mr. Johnson, Mr. Corker, Mr. Perdue, Mr. Gardner, Mr. Kennedy, Mr. Boozman.

COMMITTEE ON INDIAN AFFAIRS: Mr. Hoeven (Chairman), Mr. Barrasso, Mr. McCain, Ms. Murkowski, Mr. Lankford, Mr. Daines, Mr. Crapo, Mr. Moran.

JOINT ECONOMIC COMMITTEE: Mr. Lee (Vice Chairman), Mr. Cotton, Mr. Sasse, Mr. Portman, Mr. Cruz, Mr. Cassidy.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Blunt (Chairman), Mr. McConnell, Mr. Cochran, Mr. Alexander, Mr. Roberts, Mr. Shelby, Mr. Cruz, Mrs. Capito, Mr. Wicker, Mrs. Fischer.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Risch (Chairman), Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Ernst, Mr. Inhofe, Mr. Young, Mr. Enzi, Mr. Rounds, and Mr. Kennedy.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Isakson (Chairman), Mr. Moran, Mr. Boozman, Mr. Heller, Mr. Cassidy, Mr. Rounds, Mr. Tillis, Mr. Sullivan.

SELECT COMMITTEE ON ETHICS: Mr. Isakson (Chairman), Mr. Roberts, Mr. Risch.

SENATE RESOLUTION 8—TO CONSTITUTE THE MINORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 8

Resolved, That the following shall constitute the minority party's membership on the following committees for the One Hundred Fifteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow, Mr. Leahy, Mr. Brown, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand, Mr. Donnelly, Ms. Heitkamp, Mr. Casey, Mr. Van Hollen.

COMMITTEE ON APPROPRIATIONS: Mr. Leahy, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Reed, Mr. Tester, Mr. Udall, Mrs. Shaheen, Mr. Merkley, Mr. Coons, Mr. Schatz, Ms. Baldwin, Mr. Murphy, Mr. Manchin, Mr. Van Hollen.

COMMITTEE ON ARMED SERVICES: Mr. Reed, Mr. Nelson, Mrs. McCaskill, Mrs. Shaheen, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Hirono, Mr. Kaine, Mr. King, Mr. Heinrich, Ms. Warren, Mr. Peters.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Brown, Mr. Reed, Mr. Menendez, Mr. Tester, Mr. Warner, Ms. Warren, Ms. Heitkamp, Mr. Donnelly, Mr. Schatz, Mr. Van Hollen, Ms. Cortez Masto.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Nelson, Ms.

Cantwell, Ms. Klobuchar, Mr. Blumenthal, Mr. Schatz, Mr. Markey, Mr. Booker, Mr. Udall, Mr. Peters, Ms. Baldwin, Ms. Duckworth, Ms. Hassan, Ms. Cortez Masto.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Cantwell, Mr. Wyden, Mr. Sanders, Ms. Stabenow, Mr. Franken, Mr. Manchin, Mr. Heinrich, Ms. Hirono, Mr. King, Ms. Duckworth, Ms. Cortez Masto.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Carper, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Merkley, Mrs. Gillibrand, Mr. Booker, Mr. Markey, Ms. Duckworth, Ms. Harris.

COMMITTEE ON FINANCE: Mr. Wyden, Ms. Stabenow, Ms. Cantwell, Mr. Nelson, Mr. Menendez, Mr. Carper, Mr. Cardin, Mr. Brown, Mr. Bennet, Mr. Casey, Mr. Warner, Mrs. McCaskill.

COMMITTEE ON FOREIGN RELATIONS: Mr. Cardin, Mr. Menendez, Mrs. Shaheen, Mr. Coons, Mr. Udall, Mr. Murphy, Mr. Kaine, Mr. Markey, Mr. Merkley, Mr. Booker.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mrs. Murray, Mr. Sanders, Mr. Casey, Mr. Franken, Mr. Bennet, Mr. Whitehouse, Ms. Baldwin, Mr. Murphy, Ms. Warren, Mr. Kaine, Ms. Hassan.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mrs. McCaskill, Mr. Carper, Mr. Tester, Ms. Heitkamp, Mr. Peters, Ms. Hassan, Ms. Harris.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Warner (Vice Chairman), Mrs. Feinstein, Mr. Wyden, Mr. Heinrich, Mr. King, Mr. Manchin, Ms. Harris and Mr. Reed (ex officio).

COMMITTEE ON THE JUDICIARY: Mrs. Feinstein, Mr. Leahy, Mr. Durbin, Mr. Whitehouse, Ms. Klobuchar, Mr. Franken, Mr. Coons, Mr. Blumenthal, Ms. Hirono.

COMMITTEE ON THE BUDGET: Mr. Sanders, Mrs. Murray, Mr. Wyden, Ms. Stabenow, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Mr. Kaine, Mr. King, Mr. Van Hollen, Ms. Harris.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer, Mrs. Feinstein, Mr. Durbin, Mr. Udall, Mr. Warner, Mr. Leahy, Ms. Klobuchar, Mr. King, Ms. Cortez Masto.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mrs. Shaheen, Ms. Cantwell, Mr. Cardin, Ms. Heitkamp, Mr. Markey, Mr. Booker, Mr. Coons, Ms. Hirono, Ms. Duckworth.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Tester, Mrs. Murray, Mr. Sanders, Mr. Brown, Mr. Blumenthal, Ms. Hirono, Mr. Manchin.

SPECIAL COMMITTEE ON AGING: Mr. Casey, Mr. Nelson, Mr. Whitehouse, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Warren, Ms. Cortez Masto.

JOINT ECONOMIC COMMITTEE: Mr. Heinrich, Ms. Klobuchar, Mr. Peters, Ms. Hassan.

SELECT COMMITTEE ON ETHICS: Mr. Coons (Vice Chairman), Mr. Schatz, Mrs. Shaheen.

COMMITTEE ON INDIAN AFFAIRS: Mr. Udall (Vice Chairman), Ms. Cantwell, Mr. Tester, Mr. Franken, Mr. Schatz, Ms. Heitkamp, Ms. Cortez Masto.

AMENDMENTS SUBMITTED AND PROPOSED

SA 8. Mr. KAINE (for himself, Mr. MURPHY, Mr. DURBIN, Mr. CARPER, Mr. UDALL, Mr. BOOKER, Mr. LEAHY, Mr. BLUMENTHAL, Mr. BROWN, Mrs. SHAHEEN, Mr. MARKEY, Ms. BALDWIN, Mr. VAN HOLLEN, Ms. HASSAN, Mr.

CARDIN, Mr. CASEY, Ms. STABENOW, Ms. WARREN, Ms. KLOBUCHAR, Mr. FRANKEN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. COONS, Mr. SANDERS, Ms. HIRONO, Mr. KING, Mr. HEINRICH, Mr. WYDEN, and Mr. MERKLEY) proposed an amendment to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

SA 9. Ms. KLOBUCHAR (for herself, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEAHY, Mr. UDALL, Mr. DURBIN, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. KING, Mr. BROWN, Ms. BALDWIN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 10. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 11. Mr. MENENDEZ (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 12. Mr. MENENDEZ (for himself, Mr. CARPER, Mr. CASEY, Ms. STABENOW, Mr. BLUMENTHAL, Mr. MARKEY, Ms. HASSAN, Mr. DURBIN, Mr. BOOKER, Mr. BROWN, Mr. COONS, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MURPHY, Mr. REED, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Ms. DUCKWORTH, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 13. Mr. NELSON (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. UDALL, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. CASEY, Mr. LEAHY, Mr. KING, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 14. Mr. VAN HOLLEN (for himself, Mr. WARNER, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 15. Mr. VAN HOLLEN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 16. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 17. Mr. BLUMENTHAL (for himself, Mr. UDALL, Mr. COONS, Mr. MARKEY, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mrs. MURRAY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 18. Ms. BALDWIN (for herself, Mr. WARNER, Mr. WHITEHOUSE, Mr. KAINE, Mr. COONS, Mrs. MCCASKILL, Mr. VAN HOLLEN, Mr. KING, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 19. Mr. SANDERS (for himself, Mr. BROWN, Mr. BOOKER, Mrs. GILLIBRAND, Ms. STABENOW, Mrs. SHAHEEN, Mr. UDALL, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MARKEY, Mr. LEAHY, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. REED, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. CARDIN, Mr. CASEY, Mrs. FEINSTEIN, Ms. HAS-

SAN, Mr. COONS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 20. Ms. HIRONO (for herself, Mr. DONNELLY, Mr. BLUMENTHAL, Mr. CARDIN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra.

SA 21. Mr. PETERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 8. Mr. KAINE (for himself, Mr. MURPHY, Mr. DURBIN, Mr. CARPER, Mr. UDALL, Mr. BOOKER, Mr. LEAHY, Mr. BLUMENTHAL, Mr. BROWN, Mrs. SHAHEEN, Mr. MARKEY, Ms. BALDWIN, Mr. VAN HOLLEN, Ms. HASSAN, Mr. CARDIN, Mr. CASEY, Ms. STABENOW, Ms. WARREN, Ms. KLOBUCHAR, Mr. FRANKEN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. COONS, Mr. SANDERS, Ms. HIRONO, Mr. KING, Mr. HEINRICH, Mr. WYDEN, and Mr. MERKLEY) proposed an amendment to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title IV, add the following:

SEC. 4. DON'T MAKE AMERICA SICK AGAIN.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any legislation that makes America sick again, as described in subsection (b).

(b) LEGISLATION MAKING AMERICA SICK AGAIN.—For purposes of subsection (a), legislation that makes America sick again refers to any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that the Congressional Budget Office determines would—

(1) reduce the number of Americans enrolled in public or private health insurance coverage, as determined based on the March 2016 updated baseline budget projections by the Congressional Budget Office;

(2) increase health insurance premiums or total out-of-pocket health care costs for Americans with private health insurance; or

(3) reduce the scope and scale of benefits covered by private health insurance, as compared to the benefits Americans would have received pursuant to the requirements under title I of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 130) and the amendments made by that title.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 9. Ms. KLOBUCHAR (for herself, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEAHY, Mr. UDALL, Mr. DURBIN, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. KING, Mr. BROWN, Ms. BALDWIN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed

by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE REPEAL OF THE MEDICARE PART D NONINTERFERENCE CLAUSE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the repeal of the noninterference clause under the Medicare part D prescription drug program in order to allow the Secretary of Health and Human Services to negotiate for the best possible price for prescription drugs by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 10. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD AFFECT MEDICAID ENROLLMENT, BENEFITS, OR STATE SPENDING.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would affect the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) unless such legislation receives certification from the Congressional Budget Office and the Chief Actuary of the Centers for Medicare & Medicaid Services that the legislation would not result in—

(1) a decrease in enrollment in such program;

(2) a reduction in the benefits offered under such program, including benefits offered by States as optional additional services; or

(3) an increase in State spending under such program.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 11. Mr. MENENDEZ (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States

Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE MEDICAID BENEFITS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would affect the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) unless such legislation receives certification from the Congressional Budget Office and the Chief Actuary of the Centers for Medicare & Medicaid Services that the legislation would not result in a reduction of the benefits provided under such program, including benefits that are offered by a State as an optional additional service.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 12. Mr. MENENDEZ (for himself, Mr. CARPER, Mr. CASEY, Ms. STABENOW, Mr. BLUMENTHAL, Mr. MARKEY, Ms. HASSAN, Mr. DURBIN, Mr. BOOKER, Mr. BROWN, Mr. COONS, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MURPHY, Mr. REED, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Ms. DUCKWORTH, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PENALIZE MEDICAID EXPANSION STATES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would affect the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) unless such legislation receives certification from the Congressional Budget Office that the legislation would not result in—

(1) decreased enrollment in such program in States which have opted to expand eligibility for medical assistance under such program for low-income, non-elderly individuals under the eligibility option established by the Patient Protection and Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396 et seq.); or

(2) increased State spending on such program in such States.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An af-

firmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 13. Mr. NELSON (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. UDALL, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. CASEY, Mr. LEAHY, Mr. KING, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REPEAL THE HEALTH REFORMS THAT CLOSED THE PRESCRIPTION DRUG COVERAGE GAP UNDER MEDICARE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would repeal health reform legislation that closed the coverage gap in the Medicare prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 14. Mr. VAN HOLLEN (for himself, Mr. WARNER, and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

On page 49, strike lines 4 through 11.

SA 15. Mr. VAN HOLLEN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE THE PREMIUM TAX CREDITS PROVIDED BY THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce the pre-

mium tax credits provided by the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 16. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

Strike title II.

SA 17. Mr. BLUMENTHAL (for himself, Mr. UDALL, Mr. COONS, Mr. MARKEY, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mrs. MURRAY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST REDUCING FUNDING FOR DISEASE PREVENTION EFFORTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) result in a reduction or elimination of funding under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11);

(2) reduce the Federal resources provided to communities to invest in effective, proven prevention efforts; or

(3) increase the prevalence of disease amongst children.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 18. Ms. BALDWIN (for herself, Mr. WARNER, Mr. WHITEHOUSE, Mr. Kaine, Mr. COONS, Mrs. MCCASKILL, Mr. VAN HOLLEN, Mr. KING, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. SENATE POINT OF ORDER AGAINST RECONCILIATION LEGISLATION THAT WOULD INCREASE THE DEFICIT OR REDUCE A SURPLUS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any reconciliation bill or reconciliation resolution, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to a reconciliation bill or reconciliation resolution that would cause or increase a deficit or reduce a surplus in either of the following periods:

(1) The period of the current fiscal year, the budget year, and the ensuing 4 fiscal years following the budget year.

(2) The period of the current fiscal year, the budget year, and the ensuing 9 fiscal years following the budget year.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of deficit increases and reductions in a surplus shall be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

SA 19. Mr. SANDERS (for himself, Mr. BROWN, Mr. BOOKER, Mrs. GILLIBRAND, Ms. STABENOW, Mrs. SHAHEEN, Mr. UDALL, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MARKEY, Mr. LEAHY, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. REED, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. CARDIN, Mr. CASEY, Mrs. FEINSTEIN, Ms. HASSAN, Mr. COONS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD BREAK DONALD TRUMP'S PROMISE NOT TO CUT SOCIAL SECURITY, MEDICARE, OR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) result in a reduction of guaranteed benefits scheduled under title II of the Social Security Act (42 U.S.C. 401 et seq.);

(2) increase either the early or full retirement age for the benefits described in paragraph (1);

(3) privatize Social Security;

(4) result in a reduction of guaranteed benefits for individuals entitled to, or enrolled for, benefits under the Medicare program under title XVIII of such Act (42 U.S.C. 1395 et seq.); or

(5) result in a reduction of benefits or eligibility for individuals enrolled in, or eligible to receive medical assistance through, a State Medicaid plan or waiver under title XIX of such Act (42 U.S.C. 1396 et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 20. Ms. HIRONO (for herself, Mr. DONNELLY, Mr. BLUMENTHAL, Mr. CARDIN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE MEDICARE OR LIMIT FEDERAL FUNDING FOR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) privatize the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or turn the program into a voucher system;

(2) increase the eligibility age under the Medicare program; or

(3) block grant the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), impose per capita spending caps on State Medicaid programs, or decrease coverage under such program from current levels.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 21. Mr. PETERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD CAUSE VETERANS AND THEIR DEPENDENTS TO LOSE HEALTH CARE COVERAGE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would repeal any provision in the Patient Protection and Affordable Care Act (Public Law 111-148) prior to the enactment of a law to ensure that no veteran or dependent that gained health care coverage through such Act's Exchanges or Medicaid expansion will lose coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of

the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. BLUNT. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on January 5, 2017, at 9:30 a.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 5, 2017 at 3 p.m., to conduct a classified briefing entitled "Recent Administration Actions in Response to Russian Hacking and Harassment of U.S. Diplomats."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on January 5, 2017, at 2 p.m. in room SH-219 of the Hart Senate Office Building.

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that the following legislative fellows in my office be given floor privileges for the remainder of this Congress: Sophia Vogt, Emily Douglas, Kripa Sreepada, Katherine Tsantiris, Chris Jones, and Noah Ben-Aderet.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, JANUARY 6, 2017, AND MONDAY, JANUARY 9, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12:45 p.m., Friday, January 6; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following the prayer and pledge, the Senate stand in recess, to then proceed as a body to the Hall of the House of Representatives under the provisions of S. Con. Res. 2, for the counting of the electoral ballots; further, that upon dissolution of the joint session, the

Senate stand adjourned until 2 p.m., Monday, January 9; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. Con. Res. 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 12:45 P.M.
TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Friday, January 6, 2017, at 12:45 p.m.

NOMINATIONS

Executive nominations received by the Senate:

STATE JUSTICE INSTITUTE

MARY ELLEN BARBERA, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018. VICE JONATHAN LIPPMAN, TERM EXPIRED.

DAVID V. BREWER, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2019. (REAPPOINTMENT)

WILFREDO MARTINEZ, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2019. (REAPPOINTMENT)

CHASE ROGERS, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018. (REAPPOINTMENT)

EXPORT-IMPORT BANK OF THE UNITED STATES

CLAUDIA SLACK, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019. VICE PATRICIA M. LOUI, TERM EXPIRED.

HOUSE OF REPRESENTATIVES—Thursday, January 5, 2017

The House met at 10 o'clock and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of Heaven and Earth, we give You thanks for giving us another day.

Lord, You know our capabilities as a nation. You know our limitations better than we know ourselves. You see clearly the needs of our day and the steps that must be taken.

For the Members of the people's House, be a gentle light. Lead them forth day by day along the path of consistency and integrity, that the knots of contradiction would be unraveled and together Your people will walk with clarity of vision, determination of purpose, and a new depth of human understanding.

Bless all the people of our Nation, especially those in most need of Your mercy.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WALZ led the Pledge of Allegiance as follows:

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

READING OF THE CONSTITUTION

The SPEAKER. Pursuant to section 5(a) of House Resolution 5, the Chair now recognizes the gentleman from Virginia (Mr. GOODLATTE) for the reading of the Constitution.

Mr. GOODLATTE. Mr. Speaker, this morning, for the fourth time in the history of the House of Representatives, we will read aloud on the floor of the House the full text of the U.S. Constitution.

It is our hope that this reading will help demonstrate to the American peo-

ple that the House of Representatives is dedicated to the Constitution and the system it establishes for limited government and the protection of individual liberty. We also hope that it will inspire many more Americans to read the Constitution themselves.

The text we will read today reflects the changes to the document made by the 27 amendments to it. Those portions superseded by amendment will not be read.

In order to ensure fairness to all those interested in participating, we have asked Members to line up to be recognized on a first-come, first-served basis. I will recognize Members based on this guidance. Each Member will approach the podium and read the passage laid out for him or her.

In order to ensure relative parity and fairness, I may recognize Members out of order in order to ensure bipartisanship and balance. Additionally, because of his long-term leadership on civil rights issues, I will recognize the gentleman from Georgia, Representative JOHN LEWIS, to read the Thirteenth Amendment.

I want to thank the Members of both parties for their participation in this historic event. I will begin by reading the preamble to the Constitution:

"We the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

I now yield to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Article I, section 1: "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Mr. GOODLATTE. I now yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Section 2:

"The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Mr. GOODLATTE. I now yield to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. "No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the

United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

"The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. "The number of Representatives shall not exceed one for every thirty-thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three."

Mr. GOODLATTE. I now yield to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. "When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

"The House of Representatives shall chuse their Speaker and other officers; and shall have the sole power of impeachment."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Section 3:

"The Senate of the United States shall be composed of two Senators from each State, for six years; and each Senator shall have one vote.

"Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. BOST).

Mr. BOST. "The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. "No person shall be a Senator who shall not have attained to the age of thirty years, and been

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

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

nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. "The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

"The Senate shall chuse their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States."

Mr. GOODLATTE. I now yield to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. "The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two thirds of the Members present."

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. LOUDERMILK).

□ 1015

Mr. LOUDERMILK. "Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Section 4:

"The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of chusing Senators."

Mr. GOODLATTE. I now yield to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH. Section 5:

"Each House shall be the judge of the elections, returns and qualifications of its own Members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members, in such manner, and under such penalties as each House may provide."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. "Each House may determine the rules of its proceedings, punish its Members for disorderly behaviour, and, with the concurrence of two thirds, expel a Member.

"Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the Members of either House on any question shall, at the desire of one fifth of those present, be entered on the Journal."

Mr. GOODLATTE. I now yield to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. "Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Section 6:

"The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place."

Mr. GOODLATTE. I now yield to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a Member of either House during his continuance in office."

Mr. GOODLATTE. I now yield to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Section 7:

"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills."

Mr. GOODLATTE. I now yield to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. "Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States: if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. "If after such re-consideration two thirds of that House

shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law."

Mr. GOODLATTE. I now yield to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. "But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. DUNN).

Mr. DUNN. "If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. "Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

Mr. GOODLATTE. I now yield to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Section 8:

"The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States; . . ."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. CORREA).

Mr. CORREA. ". . . to borrow money on the credit of the United States;

"To regulate commerce with foreign nations, and among the several States, and with the Indian Tribes;

"To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. ". . . to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

"To provide for the punishment of counterfeiting the securities and current coin of the United States;

"To establish post offices and post roads; . . ."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. CARBAJAL).

Mr. CARBAJAL. “. . . to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries; . . .”

Mr. GOODLATTE. I now yield to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. “. . . to constitute tribunals inferior to the supreme Court;

“To define and punish piracies and felonies committed on the high seas, and offences against the law of nations; . . .”

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. BERA).

Mr. BERA. “. . . to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

“To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; . . .”

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. “. . . to provide and maintain a navy;

“To make rules for the government and regulation of the land and naval forces;

“To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions; . . .”

Mr. GOODLATTE. I now yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. “. . . to provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress; . . .”

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. “. . . to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; . . .”

Mr. GOODLATTE. I now yield to the gentleman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. “. . . and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Gov-

ernment of the United States, or in any department or officer thereof.”

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Section 9:

“The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.”

Mr. GOODLATTE. I now yield to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. “The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

“No bill of attainder or ex post facto law shall be passed.”

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. “No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

“No tax or duty shall be laid on articles exported from any State.”

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. VARGAS).

Mr. VARGAS. “No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.”

Mr. GOODLATTE. I now yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. “No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.”

Mr. GOODLATTE. I now yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. “No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.”

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Mr. GOODLATTE. I now yield to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Section 10:

“No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law im-

pairing the obligation of contracts, or grant any title of nobility.”

Mr. GOODLATTE. I now yield to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. “No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and controul of the Congress.”

Mr. GOODLATTE. I now yield to the gentleman from Kansas (Mr. YODER).

Mr. YODER. “No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.”

Mr. GOODLATTE. I now yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Article II, section 1:

“The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President chosen for the same term, be elected as follows:”

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. “Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.”

Mr. GOODLATTE. I now yield to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. “The Congress may determine the time of chusing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.”

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. “No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States.”

Mr. GOODLATTE. I now yield to the gentlewoman from Florida (Ms. CAS-TOR).

Ms. CASTOR of Florida. "The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them."

Mr. GOODLATTE. I now yield to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. "Before he enter on the execution of his office, he shall take the following oath or affirmation:—'I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.'"

Mr. GOODLATTE. I now yield to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Section 2:

"The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Mr. PAULSEN).

Mr. PAULSEN. "He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: . . ."

Mr. GOODLATTE. I now yield to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. ". . . but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments."

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. "The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

Mr. GOODLATTE. I now yield to the gentleman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Section 3:

"He shall from time to time give the Congress information of the State of

the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. ". . . he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. ". . . he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Section 4:

"The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors."

Mr. GOODLATTE. I now yield to the gentleman from Maryland (Mr. BROWN).

Mr. BROWN of Maryland. Article III, section 1:

"The judicial power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior Courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office."

Mr. GOODLATTE. I now yield to the gentleman from Washington and the majority conference chairman (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Section 2:

"The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Connecticut (Ms. ESTY).

Ms. ESTY. ". . . to controversies to which the United States shall be a party;—to controversies between two or more States,—between citizens of different States,—between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens or subjects."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA. "In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the supreme Court shall have original jurisdiction. In all the other cases before mentioned, the supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Mr. GOODLATTE. I now yield to the gentleman from New Hampshire (Ms. KUSTER).

Ms. KUSTER of New Hampshire. "The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed."

Mr. GOODLATTE. I now yield to the gentleman from Wisconsin (Mr. GALLAGHER).

Mr. GALLAGHER. Section 3:

"Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court."

Mr. GOODLATTE. I now yield to the gentleman from California (Ms. MATSUI).

Ms. MATSUI. "The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Article IV, section 1.

"Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mrs. MURPHY).

Mrs. MURPHY of Florida. Section 2: "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

"A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. FASO).

Mr. FASO. Section 3:

"New States may be admitted by the Congress into this Union; but no new

State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State."

Mr. GOODLATTE. I now yield to the gentleman from Indiana (Mr. HOLLINGSWORTH).

Mr. HOLLINGSWORTH. Section 4: "The United States shall guarantee to every State in this Union a Republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when legislature cannot be convened), against domestic violence."

Mr. GOODLATTE. I now yield to the gentleman from Washington (Ms. DELBENE).

Ms. DELBENE. Article V: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several States . . ."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. MOOLENAAR).

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Mr. MOOLENAAR. ". . . or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Mr. GOODLATTE. I now yield to the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. Article VI: "All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation."

"This Constitution, and the laws of the United States which shall be made

in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding."

Mr. GOODLATTE. I now yield to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. "The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States."

Mr. GOODLATTE. I now yield to the gentleman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Article VII: "The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. "Done in convention by the unanimous consent of the States present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the independence of the United States of America the twelfth in witness whereof we have hereunto subscribed our names."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. George Washington, President and deputy from Virginia.

Delaware: George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom.

Maryland: James McHenry, Daniel of St Thomas Jenifer, Daniel Carroll.

Virginia: John Blair, James Madison, Jr.

North Carolina: William Blount, Richard Dobbs Spaight, Hugh Williamson.

South Carolina: John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

Georgia: William Few, Abraham Baldwin.

Mr. GOODLATTE. I now yield to the gentleman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. New Hampshire: John Langdon, Nicholas Gilman.

Massachusetts: Nathaniel Gorham, Rufus King.

Connecticut: William Samuel Johnson, Roger Sherman.

New York: Alexander Hamilton.

New Jersey: William Livingston, David Brearley, William Paterson, Jonathan Dayton.

Pennsylvania: Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas FitzSimons, Jared Ingersoll, James Wilson, Gouverneur Morris.

Amendment I: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Mr. GOODLATTE. I now yield to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Amendment II:

"A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Amendment III: "No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law."

Mr. GOODLATTE. I now yield to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Amendment IV: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Mr. GOODLATTE. I now yield to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Amendment V:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. ". . . nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

Mr. GOODLATTE. I now yield to the gentleman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Amendment VI:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy

and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Amendment VII:

"In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Amendment VIII:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Amendment IX:

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Mr. GOODLATTE. I now yield to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Amendment X:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. SEAN PATRICK MALONEY).

Mr. SEAN PATRICK MALONEY of New York. Amendment XI:

"The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Amendment XII:

"The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; . . ."

Mr. GOODLATTE. I now yield to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. ". . . the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, . . ."

Mr. GOODLATTE. I now yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. ". . . the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a Member or Members from two-thirds of the States, and a majority of all the States shall be necessary to a choice."

Mr. GOODLATTE. I now yield to the gentlewoman from Delaware (Ms. BLUNT ROCHESTER).

Ms. BLUNT ROCHESTER. "The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; . . ."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. ". . . a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States."

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Amendment XIII, section 1:

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Section 2:

"Congress shall have power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I now yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Amendment XIV, section 1:

"All persons born or naturalized in the United States, and subject to the

jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE. ". . . nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Section 2:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. "But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the Members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

Mr. GOODLATTE. I now yield to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Section 3:

"No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a Member of Congress, or as an officer of the United States . . ."

Mr. GOODLATTE. I now yield to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. ". . . or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Section 4:

"The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in

suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Section 5:

"The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."

Amendment XV, section 1:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Section 2:

"The Congress shall have the power to enforce this article by appropriate legislation."

Amendment XVI:

"The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Amendment XVII:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: . . ."

Mr. GOODLATTE. I now yield to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. ". . . provided, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct."

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Amendment XIX:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

"Congress shall have power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I now yield to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. Amendment XX, section 1:

"The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

Section 2:

"The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day."

Section 3:

"If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. BISHOP).

Mr. BISHOP of Michigan. Section 4:

"The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them."

Section 5:

"Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article."

Section 6:

"This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

Amendment XXI, section 1:

"The 18th Article of amendment to the Constitution of the United States is hereby repealed."

Section 2:

"The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited."

Section 3:

"This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Amendment XXII, section 1:

"No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term."

Section 2:

"This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Amendment XXIII, section 1:

"The District constituting the seat of government of the United States shall appoint in such manner as Congress may direct:

"A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment."

Section 2:

"The Congress shall have power to enforce this article by appropriate legislation."

Amendment XXIV, section 1:

"The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or

any State by reason of failure to pay poll tax or other tax.”

Section 2:

“The Congress shall have power to enforce this article by appropriate legislation.”

Mr. GOODLATTE. I now yield to the gentleman from New York (Ms. TENNEY).

Ms. TENNEY. Amendment XXV, section 1:

“In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.”

Section 2:

“Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.”

Section 3:

“Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.”

Section 4:

“Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

“Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office until the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office.

“Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to

discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.”

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Amendment XXVI, section 1:

“The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.”

Section 2:

“The Congress shall have power to enforce this article by appropriate legislation.”

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Amendment XXVII:

“No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.”

Mr. GOODLATTE. Mr. Speaker, that concludes the reading of the Constitution. I would like to thank all of the Members who participated.

I ask unanimous consent that I may be allowed to revise and extend remarks and insert omitted material in the RECORD during the reading of the Constitution.

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

There was no objection.

RECESS

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

Accordingly (at 11 o'clock and 15 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at noon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

LAKE TRAVIS CAVALIERS

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

Mr. WILLIAMS. Mr. Speaker, I rise today to congratulate the 2016 Lake Travis Cavaliers on winning their sixth State championship in Texas. I am proud to say that the L.T. takeover of class 6A high school football is complete.

The Lake Travis Cavaliers, led by their head football coach, Hank Carter, defeated The Woodlands in grand fashion by a score of 41–13. Coach Carter has assembled a great coaching staff and built Lake Travis into one of the best high school football programs in the State of Texas. I look forward to seeing what the program will continue to accomplish in the coming seasons under Coach Carter's leadership.

I would also like to congratulate senior quarterback Charlie Brewer who was the Texas Associated Press Sports Editors' high school player of the year. Charlie led the offense to a big win and finished the season with a record-breaking 75 percent completions. I wish Charlie and the rest of the seniors the best of luck in their future endeavors.

This season will go down in the history books for Lake Travis High School. Great job to Coach Carter and the 2016 team.

Mr. Speaker, Texas is the greatest football State in America, and because Lake Travis High School is the greatest team in Texas, it most certainly must be the greatest high school team in the country, if not the world if you ask me.

Go Cavaliers. In God We Trust.

AFFORDABLE CARE ACT

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

Mr. GENE GREEN of Texas. Mr. Speaker, the Affordable Care Act works, but the majority of Republicans want to make America sick again. Republicans have voted more than 60 times to roll back the historic progress that has been made to expand health care to 20 million-plus Americans and to improve coverage for those who already have it. At every turn, they have undermined the law at the expense of American families and now are setting the path for full repeal.

2.6 million Texans stand to lose healthcare coverage, including 20,000 in our district. Fifty thousand of my constituents would gain coverage if Texas would have expanded Medicaid along with more than 1 million Texans. Texas stands to lose \$62 billion in Federal funding for Medicaid, CHIP, and financial assistance for marketplace coverage if the new President and Congress repeal the Affordable Care Act.

Making America sick again is not the solution. Let's don't have a repeal until we have a replacement.

THE LEGACY OF PRESIDENT
OBAMA

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

Mr. WILSON of South Carolina. Mr. Speaker, in an Associated Press article titled, "As Obama accomplished goals, the Democratic party floundered," the disastrous statistics of the Obama legacy were revealed.

The Associated Press analyzed:

There's one number you will almost never hear: more than 1,030 seats. That's the number of spots in State legislatures, Governor's mansions, and Congress lost by Democrats during Obama's Presidency. It is a statistic that reveals an unexpected twist of the Obama years.

The Associated Press went on to say:

The defeats have all but wiped out a generation of young Democrats, leaving the party with limited power in statehouses and a thin bench to challenge an ascendant GOP majority eager to undo many of the President's policies . . . but, say experts, Obama's tenure has marked the greatest number of losses under any President in decades.

When it comes time to the battle of programs, American families overwhelmingly choose limited government and expanded freedom over the alternative: Big Government and lesser freedom. This is clear with the failing of ObamaCare destroying jobs.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Congratulations to our colleague Congressman TED POE on his remission under treatment of cancer. God bless TED POE.

OPPOSITION TO GOP AGENDA TO
REPEAL THE AFFORDABLE CARE
ACT

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition of the GOP agenda which will repeal the Affordable Care Act and cause 30 million Americans to lose healthcare coverage.

Mr. Speaker, I ask the Republicans to please examine the harm that this will do. Because of the Affordable Care Act, the uninsured rate in Texas has fallen by 28 percent and still has the largest number of uninsured Americans, allowing 1.7 million Texans to gain coverage.

While Texas did not expand Medicaid, the State still benefits from many other reforms brought by the Affordable Care Act. For instance, Sean, a Ph.D. candidate in economic development at the University of Texas at Dallas and his wife, Jamie, relied on the Affordable Care Act when their son was born prematurely and with a heart de-

fect that required surgery and a transfer to another Dallas hospital. Sean was reassured that, with his family's ACA marketplace plan, his newborn son would not be denied coverage for lifesaving treatment.

It is unconscionable to me that the GOP refuses to look at what works and what needs improvement in this law instead of a full repeal as the only option. This will deeply harm American families.

ENDING THE REGULATION NATION

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

Mr. EMMER. Mr. Speaker, I rise today to talk about the problem of excessive government.

The United States of America, the land of the free and the brave, a country created to provide everyone an equal opportunity to survive and thrive, has now become the regulation Nation.

In my travels across the great State of Minnesota, I have met and talked with people from all walks of life: farmers and manufacturers, teachers and entrepreneurs, community bankers and credit unions, and they are all crying out for relief from the excessive, overly burdensome, and duplicative regulation that is stifling growth and stealing opportunity.

For the past 8 years, opportunity in America has been under attack by regulations and unelected regulators from Washington. If every American is to have the opportunity to pursue the American Dream, this must end. That is why policy reforms such as the REINS Act are so important.

Under this vital legislation, any major rules from a Federal agency will require congressional approval. This is a great step to end the regulation Nation. We in the people's House must continue to work together to make life easier for the American people, not more difficult.

In the 115th Congress, we must—and we will—work with the incoming administration to roll back excessive and unnecessary regulation so that American families and businesses not only survive but can once again thrive.

DON'T REPEAL THE AFFORDABLE
CARE ACT

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

Mr. PALLONE. Mr. Speaker, Americans today have better health coverage and health care, thanks to the Affordable Care Act.

The ACA has expanded and protected coverage for millions of Americans. More than 20 million previously uninsured Americans have newfound health security, including 95 percent of America's children.

I just want to mention two of my constituents who tweeted me within the last day or so about the ACA. One is from Laurence Harbor. It said: "The ACA provided additional health care for my autistic son who had aged out on my employer's health plan. Attempts in the interim to find a healthcare plan for him were thwarted by insurance companies that did not want to cover him."

Another one of my constituents from Marlboro, New Jersey, said: The "ACA helped me to stay on my parent's healthcare for 3 years after college, which was a huge relief in a tough job market."

There are so many cases, Mr. Speaker. I could go on all afternoon. The bottom line is the Affordable Care Act is also controlling costs for millions of Americans. Premium growth has slowed over the last 6 years, compared to the years before the ACA.

Mr. Speaker, if Republicans proceed with repealing the ACA, they will make America sick again. They will rip health care away from 30 million people and raise premiums for millions of others.

Repealing the ACA will move us from true care to total chaos. Republicans are blinded to the success of the Affordable Care Act. Repealing the Affordable Care Act is not logical, it is ideological, and I would strongly urge my Republican colleagues to start looking at this practically rather than ideologically.

REMEMBERING RONNIE HAWKINS

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

Mr. MCHENRY. Mr. Speaker, I rise today to honor a dear friend, constituent, and tremendous public servant in North Carolina, Cleveland County Commissioner Ronnie Hawkins.

Ronnie passed away right before Christmas, after a lengthy illness, but it wasn't one that slowed him. Throughout his illness, Ronnie displayed the same passion for helping others he showed throughout his career of public service.

A native of Cleveland County, Ronnie was an Army veteran and devoted husband to his wife, Libby. He was a respected and compassionate funeral director, comforting families in their time of need and grief. He took the same type of caring and compassionate approach to his service as one of Cleveland County's longest-serving elected officials, serving 16 years on the Cleveland County Commission, as well as 12 years on the Kings Mountain School Board. He never forgot who was actually his boss at home: his constituents.

Ronnie was a dear friend, and I extend my thoughts and prayers to his wife, Libby, his family, and his friends.

FEDERAL WORKERS

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

Mr. KILMER. Mr. Speaker, I rise today to defend jobs.

In my region, Federal workers at Olympic National Park, which brings millions of visitors to our area, help that park run smoothly. They provide needed health services and care for our veterans at local VA facilities. Federal workers serve our Nation and help our sailors and submariners be safe through their work at the Puget Sound Naval Shipyard, which has been operating for 125 years.

We should have admiration and respect for the work they do. I don't think that this Chamber did right by them this week. That is because the House approved a rule that would allow any Member to add an amendment to spending bills to cut Federal jobs and lower the pay of workers.

These workers shouldn't be unfairly singled out on the House floor. This is not the way to do business. Having worked in the private sector, you would never see a successful employer treat their employees with the disrespect that Congress treats the Federal workforce.

It is time to tell everyone at that shipyard, at the park, at the VA, and all Federal workers in my region and throughout this country that Congress respects and honors the work that they do. It is time to do away with this rule.

SMART BORDER ACT

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

Mr. POE of Texas. Mr. Speaker, I have traveled to the southern border dozens of times over the years, and the problem is always the same. The people who defend our border—really, defend our country—do the best they can with what they have got, but they are outmanned, outgunned, and outfinanced by the drug cartels and the people coming across from the other side.

The continued failure to protect our border threatens our national security and the sovereignty of America. The reality is that the majority of the southern border territory is controlled by someone other than the United States. Why? Because there is no workable plan. Also, there is no moral will by this administration to protect our border.

My bill, the SMART Border Act, outlines a robust border protection strategy that includes achieving operational control of the border within 1 year, provides smart border technology, and mandates more boots on the ground, including 10,000 National Guard troops at the request of the four border State Governors.

Mr. Speaker, we must have the moral will to protect our borders. All types of people are crossing the border into the United States illegally—the good, the bad, and the ugly—and those days need to end. No one should come into America without America's permission.

And that is just the way it is.

ACA AND WOMEN

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

Ms. DELBENE. Mr. Speaker, at this very moment, House and Senate leaders are working on a dangerous plan to dismantle the Affordable Care Act and strip more than 20 million Americans of their health insurance. And if they succeed, it will have devastating consequences for our constituents, particularly women.

Repealing the ACA means allowing insurance companies to charge women more, simply for being a woman; endangering access to care for 65 million women with preexisting conditions; and stripping more than 55 million women of free preventative care, like birth control and cancer screenings.

It is easy to forget how broken the system was before the Affordable Care Act. But make no mistake: dismantling it now means being a woman will once again be treated as a preexisting condition. It will mean fewer options, less access, and higher costs for tens of millions of women.

We should be building on the progress we have made, not turning back the clock. Women deserve better.

□ 1215

MEDIA SHOULDN'T DECIDE WHAT IS FAKE

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

Mr. SMITH of Texas. Mr. Speaker, you may have heard about this new phenomenon called fake news. Fake news usually consists of false and made-up stories. Actually, it is not new and it has been around as long as there have been media.

What is new is that a few liberal media organizations are going to label news stories suspect if they feel the stories are not true. This should be of great concern to anyone who believes in free speech.

It works this way: nearly half of all Americans get information from Facebook. Facebook has now decided to let liberal media like ABC News and the Associated Press determine whether news is fake or not. This represents the liberal mindset that the media know better than the American people what is good for them.

A better idea is to trust the American people and let them determine

what is real news and what is not. The American people will learn to discern the good from the bad if the media stops telling them what to think.

SAVING THE AFFORDABLE CARE ACT

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

Ms. MCCOLLUM. Mr. Speaker, today I rise in support of the Affordable Care Act, a law that has made a real difference in the lives of Minnesotans and Americans.

After 7 years of attacking the ACA, Republicans still have not come up with a plan to replace this law. Instead, they plan to work with President-elect Donald Trump to repeal the law and destroy the progress we have made.

Repealing the ACA would leave tens of millions of Americans uninsured. Repealing the ACA would let insurance companies deny coverage to more than 2 million Minnesotans with preexisting conditions. Repealing the ACA would eliminate free, high-quality preventive health care for hundreds of thousands of families in my district. Make no mistake, Republicans' ACA repeal plans would turn back the clock, leaving millions of Americans just one illness away from bankruptcy.

For the sake of Minnesotans and all Americans who have benefited from this law, join me in fighting to save the Affordable Care Act.

SUPPORT THE REINS ACT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as the House is set to begin debate on H.R. 26, the Regulations from the Executive in Need of Scrutiny Act, commonly referred to as the REINS Act, as a cosponsor of this bill, I rise to express my strong support for its passage.

This bill requires that any Federal regulation with a significant economic impact be subject to an up-or-down vote in both Chambers of Congress. Currently, the President has the power to implement regulations over executive agencies on a broad basis with little congressional consent.

The balance of power in Washington has often shifted increasingly toward the executive branch. This enables executive agencies to create regulations that Congress would never have approved. The pace and volume of Federal regulations and rules are increasing. In 2016 alone, the Obama administration broke all records in printing more than 97,000 pages and by issuing more than 3,800 rules and regulations in the Federal Register.

Unfortunately, the bureaucracy has been empowered to create punitive regulations rather than promoting collaborative efforts with States, businesses, and the average citizen. Mr. Speaker, I encourage each of my colleagues to think of the American people and vote "yes" on the REINS Act.

REDUCING GUN VIOLENCE

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

Mr. SCHNEIDER. Mr. Speaker, a little over a month ago, I attended the funeral of Javon Wilson. Javon was the grandson of my good friend, Congressman DANNY DAVIS, and he was just 15 years old when he was shot and killed in Chicago.

At the funeral, Javon's best friend remembered their talks. "We were going to be the ones that never died . . . if we get shot, we were never going to die," he said.

No child should grow up in a world where gun violence is so common that this talk seems normal.

This week, we turn the page to a new Congress. There is no reason that commonsense measures like universal background checks, making gun trafficking a Federal crime, and reinstating the ban on military-style assault weapons should fall victim to partisan gridlock.

Together, we have the opportunity to save lives and make our communities safer. This is a priority for me and my constituents, and I look forward to working with my colleagues on both sides of the aisle to make progress on reducing gun violence and building a safer future for all our children.

SUPPORTING OUR NATION'S VETERANS

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

Mr. BILIRAKIS. Mr. Speaker, as the 115th Congress kicks off this week, I remain committed to supporting our Nation's veterans. We made some good progress last year, but there is still much more work to be done.

While our military spends over 6 months preparing soldiers for assignment, we only spend 5 days preparing them to reintegrate to civilian life. I will be making it a priority to ensure veterans have a robust transition and support system for returning home.

We also must bring greater accountability and transparency to the VA. If a VA employee fails to do their duty to care for our Nation's heroes, they should be swiftly terminated. We need to turn around the culture of mediocrity at the agency. I look forward to working with Chairman ROE and my

colleagues on the House Committee on Veterans' Affairs this year to stand up for our men and women in uniform.

COOL SCIENCE TOPICS

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

Mr. MCNERNEY. Mr. Speaker, I rise to continue a series of 1-minute speeches on cool science topics. Today I recognize the work of scientists working in the McMurdo Dry Valleys of Antarctica to develop geological metal maps. Researchers developed a three-dimensional electronic mapping system that is being used to detect large precious metal deposits in the United States.

With funding from NSF, researchers mapped out the Nokomis deposit in northern Minnesota, which is estimated to contain 10 billion pounds of copper, 3.1 billion pounds of nickel, 4 million ounces of platinum, 9 million ounces of palladium, and 2 million ounces of gold. The value of these metal deposits will more than pay for the science investment to develop this technology.

Congress should support research that furthers the understanding of our incredible universe, including the ground beneath our feet.

HONORING THE LIFE OF A. WARREN KULP

(Mr. THOMAS J. ROONEY of Florida asked and was given permission to address the House for 1 minute.)

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I rise today to honor the life of A. Warren Kulp, Jr., better known as Sonny, who passed away on New Year's Eve in West Palm Beach at the age of 81.

Sonny's life was the American Dream personified. After graduating from Hilltown High School in Pennsylvania in 1953, he worked as a self-employed dairy farmer for most of his life. He also earned his real estate license and worked as the head of the real estate department for 8 years in Bucks County, Pennsylvania. After moving to Florida with his wife, Judy, he worked at the Palm Beach Kennel Club until his retirement in 2007.

Outside of work, Sonny pursued many different interests. He was a loyal, lifelong Republican and served as an officer and committee chairman for the Pennridge Republican Club in Pennsylvania. He was a consummate grassroots advocate and always could be relied upon for sound advice on both politics and sports.

Mr. Speaker, our thoughts and prayers are with Judy and the Kulp family and the entire community as they mourn his passing today. He will be greatly missed.

REPEALING THE ACA IS UNACCEPTABLE

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in opposition to the majority's efforts to repeal the Affordable Care Act and make America sick again.

It is atrocious that Republicans intend to repeal ObamaCare without any plan for replacement. It is barbaric to take health care away from 30 million Americans. It is cruel and disgraceful to go back to the dark times when there were annual and lifetime limits on care for all Americans. It is gutless to repeal the law that protected breast cancer survivors like me and up to 129 million Americans with preexisting conditions. It is fraudulent to tell the American people that we can keep popular provisions like that one without any mechanism to share risk to keep health care affordable.

It is greedy to give insurance and drug companies billions of dollars in tax breaks but cut funding for Medicaid expansion. It is heartless to take away free preventive services like cancer screenings from 55 million Americans, particularly seniors and people with disabilities in Medicare. It is indefensible to roll back the \$23.5 billion in prescription drug savings realized by seniors on Medicare in the donut hole.

It is past time—long past time—that my Republican colleagues understand from A to Z that repeal is unacceptable and a disaster waiting to happen.

LET'S GET TO WORK ON OBAMACARE

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

Mr. OLSON. Mr. Speaker, the American people gave my party control of the entire Congress and the White House because of the promise-breaking, job-killing bill known as ObamaCare, the craziest thing in the whole world, according to President Bill Clinton. On November 8, we were ordered to repeal ObamaCare, and that is just what we are going to do.

Fearmongers on the other side are telling Americans they will lose their health insurance like that. That will only happen if we follow their example and pass a bill that becomes law before we have the time to read it. House Republicans will take time to listen to doctors, nurses, hospitals, patients, the American people to give them the health care they deserve at a lower cost, higher quality with the doctor of their choice. We have our orders. It is time to go to work.

PROTECTING THE ACA

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

Mrs. DAVIS of California. Mr. Speaker, the Affordable Care Act is not a matter of politics. It is a matter of life or death for the people back home. In the San Diego region, repeal of the ACA would mean nearly 300,000 people could lose access to health care.

I heard from one constituent just this week who was diagnosed with an autoimmune disease where the rheumatoid arthritis is not just attacking her joints, but her organs as well. She needs a double lung transplant to stay alive. Her 7-year-old son, she writes me, tells her, "Mommy, I'm scared. I hope you get your new balloons soon." She lives with the anxiety and the fear of how the repeal of the ACA may affect her treatment every day because of her preexisting condition.

I implore my Republican colleagues to remember the people that this decision will impact. The effect of this repeal has much more important consequences than politics. Let's not be responsible for any child who sees a mother suffer or even lose her life without the treatment she needs.

OUR NEW ADMINISTRATION WILL SUPPORT ISRAEL

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

Mrs. WAGNER. Mr. Speaker, I stand today to express my extreme disappointment in the Obama administration's betrayal of Israel. The administration's destructive decision to undercut Israel has given leverage to anti-Israel boycotters and anti-Semites across the world.

This act screamed of personal vengeance and hostility, directly harmed American interests, and undermined peace in the Middle East. It was a cowardly and foolish parting shot for an administration that flagrantly ignores serious global challenges—Syria, Aleppo, ISIS, Iran, China, Russia, and the list goes on.

By abstaining from the vote to censure Israel, President Obama vetoed the U.S.-Israel alliance and violated the faith of the American people. I look forward to a new day, to a new administration that will support Israel and refuse to abandon our allies on the world stage.

THE AFFORDABLE CARE ACT

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

Mr. McEACHIN. Mr. Speaker, it has been my observation that often in this body there are people who would sug-

gest to us that their actions are motivated and guided by an adherence to the Judeo-Christian ethic.

Mr. Speaker, in Jesus' first sermon, He said, among other things, "The spirit of the Lord is upon me to bring good news to the poor." We have done that with the enactment of the Affordable Care Act.

Mr. Speaker, the notion of taking away the Affordable Care Act by repealing it, I would suggest to this body, is antithetical to those Judeo-Christian values. More than 20 million Americans of all socioeconomic backgrounds have benefited from this act.

Mr. Speaker, it is my hope that reason will prevail and that while we may tweak the Affordable Care Act, it will not be repealed.

□ 1230

TWO-STATE SOLUTION IN ISRAEL

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

Mr. GOHMERT. Mr. Speaker, we are going to be taking up a resolution that is designed to reflect our discontent with the resolution of the United Nations. I am totally in favor of expressing our discontent. I think we ought to cut our funds to the U.N. until such time as Resolution 2334 is repealed.

But the resolution today, at four different places, refers to our push in the United States for a two-state solution in Israel. Look, Hebron is in what was the promised land. David ruled from there for the first 7 years he was King over Israel. Hebron is part of the two-state solution going to the Palestinians. How did the Palestinians deserve the land that was given as the promised land 1,600 years before Muhammad even existed?

I can't vote for the resolution when we are advocating what Joel 3 says will bring judgment down upon our Nation for trying to partition Israel—can't do it.

WE MUST NOT MAKE AMERICA SICK AGAIN

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

Mr. BEYER. Mr. Speaker, I rise to read a letter from my constituent, Mrs. Karen O'Hern, of Alexandria, Virginia:

"Congressman BEYER,
"We are a family of four. The company my husband worked for went bankrupt in 2009 after the 2008 financial meltdown—losing income, retirement savings, and health care.

"He now owns a small business and we now get our healthcare insurance through healthcare.gov.

"We need you to defend the ACA. We depend on the availability of this insurance option.

"My son had surgery on December 30 at Fairfax Hospital to remove a brain tumor. His prognosis is good. I cannot imagine how we would manage financially without this health insurance.

"Please be strong on this matter and represent the needs of your constituents.

"I need my Affordable Care Act health insurance.

"Regards, Karen O'Hern."

Mr. Speaker, millions like Karen O'Hern will lose their coverage if the Affordable Care Act is repealed. We must not make America sick again.

WEST VIRGINIANS WANT THEIR VOICE TO BE HEARD

(Mr. JENKINS of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. JENKINS of West Virginia. Mr. Speaker, we are about to vote on the REINS Act, which will hold our agencies accountable to the people of America. I am a proud cosponsor of this regulation, this legislation. If a regulation has a high economic cost, then the people, through Congress, have to approve it before it goes into effect.

The REINS Act is one of several bills we will be considering this week to stop business as usual in Washington. We will be saying "no" to the over-regulations of the last 8 years, "no" to the radical anti-coal agenda that has closed coal mines and cost my State of West Virginia thousands of jobs, "no" to a Federal Government that won't even come to West Virginia to hear how their regulations affect us.

West Virginians have had enough. They want change. They want their voice to be heard. They want to work hard and put food on their table.

I am here to stand up for West Virginians: families, miners, and small businesses. I urge my colleagues to support the REINS Act.

OFFERING A 28TH AMENDMENT

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

Mr. DEUTCH. Mr. Speaker, we came together this morning to read the United States Constitution and its 27 amendments. I offer a 28th amendment, an amendment to overturn the Supreme Court's disastrous decision in Citizens United:

Section 1. To advance democratic self-government and political equality, and to protect the integrity of government and the electoral process, Congress and the States may regulate and set reasonable limits on the raising and spending of money by candidates and others to influence elections.

Section 2. Congress and the States shall have power to implement and enforce this article by appropriate legislation, and may distinguish between

natural persons and corporations or other artificial entities created by law, including by prohibiting such entities from spending money to influence our elections.

Section 3. Nothing in this article shall be construed to grant Congress or the States the power to abridge freedom of the press.

Mr. Speaker, Citizens United let unlimited money flood into our elections and compromise our democracy. I ask all of my colleagues in this 115th Congress to join our effort to overturn it.

REPEALING THE AFFORDABLE CARE ACT WILL BE DETRIMENTAL TO OUR HEALTHCARE SYSTEMS AND MEDICAL RESEARCH COMMUNITY

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

Mr. ESPAILLAT. Mr. Speaker, I rise today in support of the Affordable Care Act. It is a promise to the American people that we must keep. It guarantees access to affordable, high-quality health care as a right for all Americans. Backing out of this commitment is irresponsible, inexcusable, and reprehensible.

As a Member from a congressional district that houses some of the largest hospitals in the country, health is a crucial issue for my constituents. Under the ACA, millions of Americans now have access to affordable health care through individual marketplaces and Medicaid expansion. Children in New York can remain on their parents' plan through the age of 29. An insurance company cannot discriminate against patients with preexisting conditions.

Repeal will be detrimental to our healthcare systems and medical research community. Without a plan to replace the ACA, Republicans are openly gambling with the health care of millions, many of whom will be affected, like the elderly and disabled who cannot afford to return to the old system of skyrocketing costs.

I will fight for those Americans who rely on the ACA, and I urge my colleagues to do the same.

BENEFITS OF THE AFFORDABLE CARE ACT

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

Ms. LEE. Mr. Speaker, I rise today to discuss the lifesaving impact of the Affordable Care Act.

This week, I have heard from dozens of constituents who have been calling my office and reaching out on social media to tell me their ACA stories.

I heard from one constituent whose mother had two devastating lung diseases. While she had good insurance,

unfair lifetime spending caps priced her out of receiving the lifesaving treatment she needed. When the Affordable Care Act passed, we ended the cruel practice of lifetime spending caps. With these new protections, she was able to resume her treatment and stay healthy to spend time with her daughter and granddaughter.

Mr. Speaker, the ACA works. It reduces healthcare costs, enables young people to stay on their parents' insurance, and ensures low-income and struggling families that they can access the care they need.

If Republicans repeal this law without a viable replacement, there will be real consequences to real people. Let me be clear: by repealing the ACA, Republicans would end healthcare coverage for millions of families, put the insurance companies back in charge, and, yes, make America sick again.

I urge my colleagues to consider what is at stake here—real costs, real lives, not just a political football.

Let's do the right thing and protect families' health care.

PROVIDING FOR CONSIDERATION OF H.R. 26, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H. RES. 11, OBJECTING TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 2334

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 22 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 22

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall

not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 11) objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs.

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

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

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 22, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H. Res. 11, a resolution regarding United Nations Security Council Resolution 2334. It provides for 1 hour of debate on H. Res. 11, equally divided between the chairman and ranking member of the House Foreign Affairs Committee.

Additionally, this rule provides for consideration of legislation that I introduced, H.R. 26, the Regulations from the Executive in Need of Scrutiny, or REINS, Act. It makes in order 12 amendments from Members on both sides of the aisle, and provides for 1 hour of debate equally divided and controlled by the majority leader and the minority leader.

Yesterday, the Rules Committee received testimony from the Judiciary and Foreign Affairs Committees.

Mr. Speaker, the beginning of this new Congress is a time of hope and a time to establish clear priorities and

goals. This is a time to show the American people that we, as their elected representatives, will have the courage to stand on principles that made us worthy of their trust. This rule provides for two pieces of legislation that represent our commitment to the integrity and transparency of this institution.

H. Res. 11, introduced by Chairman ROYCE and cosponsored by Ranking Member ENGEL, objects to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace. It calls for the resolution's repeal and makes clear that the current administration's failure to veto the U.N. resolution violated longstanding U.S. policy to protect Israel from such counterproductive U.N. resolutions. Importantly, it also provides a foundation for the next administration to take action to counteract the damaging effects of the U.N. Security Council resolution.

Mr. Speaker, I support H. Res. 11, yet it shouldn't be necessary. President Obama's refusal to veto the U.N. Security Council's resolution was a radical and dangerous departure from U.S. precedent.

Prior to this most recent Security Council resolution, President Obama has exercised the veto power of the United States on every resolution relating to the Israeli-Palestinian conflict. His failure to do so this time jeopardizes and undermines our relationship with our strongest ally in the Middle East, and it has the potential to undercut the peace process.

I stood in this Chamber numerous times before and demanded support for Israel, and I am going to do so here again today. I refuse to sit idly by and watch misguided anti-Israel policies take root.

We have to take a stand. The administration's failure to act, to even participate in the vote, was an act of cowardice. It can't be erased, and we must take steps to address it. This resolution is a step in the right direction.

As a new President is sworn in this month, I am hopeful that we, as the House of Representatives, and the United States will reaffirm our support of Israel and return to policies that strengthen the relationships between our two nations.

Mr. Speaker, as the new Congress starts, we also must look at domestic policies and how to grow our economy. We are going to do that right here in the House by taking the lead on regulatory reform to help lift the burden of an intrusive government by jump-starting the economy.

□ 1245

As part of this effort, I introduced H.R. 26, the REINS Act. This bill was originally authored and introduced by former Congressman Geoff Davis in 2009. Last Congress, now-Senator TODD

YOUNG introduced the bill in the House. This Congress, I am proud to carry the torch for this commonsense legislation. I also thank Chairman GOODLATTE and his staff for all of their hard work on this bill.

Article I, section 1 of the United States Constitution grants legislative powers to Congress—we read about that right here on the floor this morning—but, for too long, Congress has ceded that power to the executive branch, which has resulted in an onslaught of regulation. This is a problem that we have seen under the administrations of both parties, and Members on both sides of the aisle should be concerned.

In recent years, this problem has exploded. In 2015 alone, the executive branch issued over 3,000 rules and regulations, and 76 of these regulations were major regulations. Let me explain that. Unelected bureaucrats, without input from the American people or their Representatives in Congress, issued 76 major regulations that would impact our economy by more than \$100 million each in 1 year alone. The consequences of these rules are massive. Even worse, we have seen this administration promote regulations with burdens that far outweigh their benefits. The REINS Act would require Federal agencies to submit major rules to Congress for approval. Under this bill, major rules would have to be accepted by both Chambers and signed by the President to become effective.

This bill restores accountability to the legislative process and ensures that lawmakers, not nameless bureaucrats, are the ones making the laws, just like our Constitution outlines. We have seen the harm that can come from an out-of-control regulatory regime. Right now, hardworking Americans across the country are paying the price. In fact, on average, each U.S. household is bearing an annual economic weight of \$15,000 in regulatory burdens. The oppressive costs of regulation, coupled with the impact on jobs, demand action.

One regulation, put forth by the Environmental Protection Agency in 2015, would have cost my home State of Georgia over 11,000 jobs; and we are all familiar with the waters of the United States rule, which, essentially, asserted authority over all groundwater in the country. If you have been to northeast Georgia, you know that water collects in pools and puddles and streams at certain times of the year. If all of that were to be regulated under this rule, it would be a disaster for not only my district but for all of the country, but that is what this administration has tried to do. That rule has been halted by a court, but were it to go into effect, it would cut farmers, ranchers, Realtors, and small businesses off at the knees.

With the number of major rules this administration has propagated, I could

far exceed my time in just illustrating the problems these regulations can create; but, with the REINS Act, we have a chance to carve out a better way in going forward. The American people elected us, in this body, to represent them. The REINS Act allows their voices to be heard more clearly.

Again, Mr. Speaker, it doesn't matter what party is in the executive branch because the legislative branch is the one that makes and accepts the bills, not the unelected bureaucrats. This bill creates a sensible way to move forward with legislative business while better protecting our economy from suffocating regulations that Americans never voted to enact.

I reserve the balance of my time.

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

I thank the gentleman from Georgia (Mr. COLLINS) for yielding the customary 30 minutes.

Mr. Speaker, before I speak on today's legislation, I want to take a moment to express my continued deep concern and uneasiness about the Russian hacking in order to influence the outcome of the 2016 Presidential election and the deeply troublesome response from our President-elect.

American democracy was attacked, in 2016, by Russian hackers who sought to tip our Presidential election in favor of Donald Trump. That is not I who is speaking—that is the CIA, the FBI, and 14 other United States intelligence agencies that have reached a clear consensus on this matter. Yet, even in the face of the overwhelming evidence, President-elect Trump has continued to sow seeds of confusion by publicly attacking and trying to discredit our country's intelligence agencies and the brave men and women who risk their lives every day to keep us safe.

Today, intelligence officials are testifying before the Senate on this matter. In one of his most alarming actions yet, President-elect Trump has said that he would rather trust the words of WikiLeaks founder Julian Assange—an accused sex offender, who is holed up in the Ecuadorian Embassy in the U.K.—than the consensus of the Directors of the U.S. intelligence agencies. When Speaker RYAN was asked about Julian Assange, he called him a sycophant for Russia who leaks, steals data, and compromises national security. Yet, America's next President puts more faith in him than in the 16 U.S. intelligence agencies that he will soon oversee.

This is not normal behavior by a President-elect, let alone by a President, and we cannot allow it to become normal. I appeal to my fellow Members of Congress, both Republicans and Democrats—and especially the Republican leadership—to reach out to the President-elect and ensure that there is a clear understanding about how damaging these statements and actions

are to America's credibility, to our national security, and to the morale and responsibilities of our intelligence agencies. I appeal to my colleagues to get him help now.

America faces serious threats across the globe, and we cannot afford to have a Commander in Chief at war with the very intelligence agencies that are responsible for keeping our country safe. Whatever his motivation, President-elect Trump must clearly and unequivocally join Republicans and Democrats who seek answers. We need a bipartisan, independent commission to uncover the truth about Russian hacking, and we need all of our leaders to support it.

It is time Mr. Trump's Twitter side-show comes to an end. It only confirms what many of us feared during the campaign—that he is temperamentally unfit to be President. We must be united in protecting the integrity of our elections against Russians and all foreign influence.

Now, Mr. Speaker, let me get to the underlying bills.

I rise in strong opposition to this rule, which provides for the consideration of H.R. 26, the REINS Act, under a structured process, and for H. Res. 11, a resolution objecting to a recent United Nations Security Council resolution on Israel, under a completely closed process.

Before I get into discussing the merits of the bill, Mr. Speaker, I would like to first express some serious concern with the process used to rush this legislation to the floor. The deadline for amendments to be submitted to the Rules Committee was 10 a.m. on Tuesday. That is 2 hours before Members were sworn in and before the 115th Congress officially began. Now, it is true that some of the amendments that were received after the deadline were made in order for consideration on the floor. But, really, is this the way we want to begin the consideration of legislation in this session of Congress? All Members should have had the opportunity to review the legislation and offer thoughtful amendments to the REINS Act. Wouldn't it have been something to have considered this bill under an open process? If you hadn't wanted to have done that, maybe you could have waited a couple of days before you brought it to the floor so that everybody, especially the freshmen, would have had an opportunity to evaluate it, and maybe they would have had some good ideas that they would have wanted to offer. But, here we are, right out of the gate, limiting the process and prohibiting Members from offering their ideas on the floor.

Mr. Speaker, we have a process for reviewing rules promulgated by the executive branch. Congress should—and, indeed, can—examine regulations. Not all regulations are perfect. There are such things as bad regulations, and we

should get rid of the ones that don't work. There is no debate on that. We have the ability to override regulations with new laws, and we have reauthorizations, appropriations, spending limitations, oversight hearings, investigations, GAO audits and studies, and the Congressional Review Act, just to name a few. We have a process that can and should work, but, because my Republican friends don't always get what they want, they want to undermine that process.

I don't think my Republican colleagues are really interested in a thoughtful review of these regulations. In fact, I find it hard to believe that this Republican Congress even has the capacity to utilize the process that is outlined in this bill so as to consider the 100 or so regulations—some of which are highly technical and would require experts in specialized fields to analyze—that could come up in any given year; but I guess that is the point. This bill would make it nearly impossible to implement much-needed regulations that ensure consumer health and product safety, environmental protections, workplace safety, and financial protections, just to name a few.

It would be a dream come true for industry and the wealthy, well-connected Republican donor class who, for example, are interested in blocking all attempts to rein in Wall Street, to combat climate change, or to protect workers and their public health. One simply needs to look at the intensive lobbying that has gone into fighting these regulations and supporting antiregulation legislation like the REINS Act—groups like the U.S. Chamber of Commerce, the Koch brothers, the American Petroleum Institute, just to name a few.

Industry groups already use their seemingly unlimited resources to delay and prevent commonsense regulations from taking effect by tying rules up in court. This bill is just one additional tool for the wealthy and powerful to delay and destroy commonsense consumer protections.

In short, this bill is not about creating jobs, so nobody should be fooled. It is about rewarding special interests, plain and simple. It is about making it more difficult to rein in Wall Street, to control polluters, or to protect workers. But this is in keeping with the philosophy of the Republican majority, so no one should be surprised. I urge my colleagues to strongly oppose this effort.

Finally, Mr. Speaker, let me just say a few words about the closed rule on H. Res. 11, the resolution condemning U.S. abstention on Israel at the U.N. Security Council.

The peace and security of the State of Israel are priorities for every Member of Congress. Let us not try to obscure or confuse that truth. I can't think of any Member of this House who

doesn't support peace in the Middle East and a safe and secure Israel. We may disagree about how to achieve those goals. Most of us believe that a two-state solution that provides peace, security, and prosperity to all of the peoples of the region—Israeli, Palestinian, and their Arab neighbors—is the best option to securing a just, lasting, and durable peace.

I have always voted in support of economic and military aid for Israel, but this does not mean that I always agree with the policies of a particular government in Tel Aviv. Sometimes I have been critical of the Israeli Government just as I am often critical of my own government and of other governments in the region.

For the past four decades or more, the United States, under Republican and Democratic Presidents alike, has strongly opposed the expansion of settlements and the demolition of Palestinian homes. This has been a bipartisan consensus. We oppose the settlements as a violation of basic human rights; we oppose them as creating obstacles to a lasting two-state solution; and we oppose their rapid expansion as potentially creating a reality on the ground that, therefore, closes any possibility of a two-state solution.

Since 1967, under Presidents Johnson, Nixon, Ford, Carter, Reagan, George H. W. Bush, Clinton, George W. Bush, and Obama, the United States has voted in favor or has abstained on more than 50 U.N. Security Council resolutions that are critical of Israel, including resolutions on settlements or the demolition of Palestinian homes. Of the more than 30 abstentions that have been cast by the U.S. over nearly five decades, only one was cast by the Obama administration—just one.

H. Res. 11 does not precisely express that fact accurately. It implies that the U.S. always opposes or vetoes such regulations when that is hardly the case, nor does U.N. Security Council Resolution 2334 impose a solution on Israel outside of direct bilateral negotiations to end the conflict. Some of us who are strong supporters of Israel have difficulties with some of the wording in H. Res. 11 on a straightforward factual basis.

Yesterday, in the Rules Committee, I offered an amendment to allow this House to debate a substitute offered by our colleagues, Congressman DAVID PRICE, Congressman ELIOT ENGEL, who is a cosponsor of H. Res. 11, and Congressman GERRY CONNOLLY. The Price-Engel-Connolly amendment expresses the House's strong support for Israel, a two-state solution, and direct negotiations between the parties to the conflict. It is reasonable and balanced and is very much deserving of debate and this House's attention.

Regrettably, the Republican majority on the House Rules Committee rejected allowing that amendment to be

brought before the House and debated. Instead, it decided to begin this new year and this new Congress with yet another closed rule—in fact, the second closed rule this week with no debate, with no thoughtful alternatives, and with no ability of the Members of this body to deliberate such serious issues and choose between alternative proposals—just politics, politics, politics, politics as usual.

I urge my colleagues to reject this rule and to please send a clear message to House leaders that we would like to be able to debate reasonable alternatives and amendments to bills, like the Price-Engel-Connolly amendment. If we don't start out the year demanding fairness and openness in our debates of important issues then I don't want to even speculate as to what the rest of the year will look like.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I do appreciate my colleague's concerns. I think it is interesting to note, though, that, if he were concerned about a closed rule, there were many of us who were very concerned about a closed voice from America at the U.N. Security Council in not defending Israel.

Also, on the other subject here, when we look at this going forward, there was a substitute that was actually offered in support of a resolution that does take a stand against what happened. It was not even mentioned in the substitute resolution.

Mr. Speaker, I yield 2½ minutes to the gentleman from Alabama (Mr. BYRNE), a fellow member of the Rules Committee.

□ 1300

Mr. BYRNE. Mr. Speaker, I rise to share my strong support for this rule and the underlying legislation.

Mr. Speaker, there is no greater friend to the United States than Israel. Israel is a beacon of hope in a very dangerous part of the world. They are an important economic and military partner of the United States, and they play a critical role when it comes to fighting radical Islamic terrorism.

Given the importance of the U.S.-Israel relationship, I was deeply disappointed to see the United States recently passed a flawed anti-Israel resolution that will only make it more difficult to achieve peace in the Middle East. Even more disappointing was the fact that the United States just stood by and did nothing as it happened. Instead of vetoing the resolution, the United States Ambassador abstained from voting at all.

In other words, the United States turned its back and looked the other way as the U.N. passed a flawed resolution attacking Israel. This represents a dangerous break in a longstanding and bipartisan policy to protect our sole democratic ally in the region from one-sided resolutions at the U.N.

Let's be clear, this resolution does absolutely nothing to make peace more likely in the region. Instead, it muddies the water and only further complicates what is already a very complex issue.

No solution to the ongoing problems with Israel and the Palestinian Authority is going to come from an international body like the United Nations telling them what to do. Any real solution must come through negotiations between the involved parties.

Honestly, given the many blunders of the Obama administration on the world stage, I guess this most recent action shouldn't be all that surprising. But this action is one of the most irresponsible acts ever by an outgoing President. It will be a dark stain on an already disastrous legacy.

By abstaining and allowing this resolution to pass, the Obama administration has upset decades of bipartisan policy as it relates to Israel and put a pathway to peace even further out of reach. Now is the time to be standing up for Israel, not turning away from them.

It is my hope and my belief that under President-elect Trump the United States will once again stand arm in arm with Israel, and this resolution is an important step in that direction.

I urge my colleagues to join me in supporting this rule and the underlying legislation.

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

I hope that my colleague from Alabama uses some of that passion to convince the President-elect to stop cozying up to Vladimir Putin, who is no friend of democracy, no friend of Israel, and no friend of human rights.

All we are trying to do here, Mr. Speaker, is to have a little democracy on the House floor. People can vote whichever way they want to vote. But the Rules Committee last night, staying true to form, actually denied us the ability to bring to the floor and debate an alternative, which we think is, quite frankly, more appropriate.

Mr. Speaker, I am going to urge that we defeat the previous question. If we do, I will offer an amendment to the rule that will make in order H. Res. 23, the David Price-Eliot Engel-Gerry Connolly resolution, to provide an alternative viewpoint.

Mr. Speaker, this resolution again was blocked by the Rules Committee, right along party line. Republicans said "no" to an open debate, even though it complies with all the rules of the House.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to discuss the proposal, I yield 3½ minutes to the distinguished gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise in strong opposition to this closed rule and the underlying resolution.

Mr. Speaker, there is a legitimate debate to be had concerning U.N. Security Council Resolution 2334 and the United States' decision to abstain, but H. Res. 11 does not engage on those issues. Instead, it misrepresents the motives of the Obama administration as it made the tough decision to abstain, and it distorts the content of the U.N. Security Council resolution, apparently for political purposes. In fact, H. Res. 11 runs a real risk of undermining the credibility of the United States Congress as a proactive force working toward a two-state solution.

As we enter a period of great geopolitical uncertainty, that principle has never been more important. In the face of new threats to democracy and stability, we must join together to reaffirm the most fundamental tenets of our foreign policy, including our strong and unwavering support for Israel. But we must also demonstrate to the world that we are still committed to diplomacy that defends human rights and promotes peace.

In an effort to make that unifying affirmation, I, Mr. ENGEL, and Mr. CONNOLLY offered an amendment in the Rules Committee yesterday in the nature of a substitute for H. Res. 11. Our substitute was intended to put forward clear, consensus language that omitted the flaws of the underlying legislation and reaffirmed America's longstanding commitment to Israel and to peace in the region.

Our alternative didn't attempt to solve all the region's problems. We didn't pass judgment on recent events at the United Nations. In fact, those of us working on this resolution have varying views on that question. Nor did our resolution include politically charged attacks on the foreign policy priorities of the other party.

Instead, our resolution is carefully designed to allow a broad, bipartisan consensus to speak in one voice in support of a two-state solution as the most credible pathway to peace.

Unfortunately, this substitute amendment was not made in order by the Rules Committee, which instead moved forward with the closed rule we have before us. The alternative resolution has now been introduced separately as H. Res. 23, and it is available for cosponsorship.

Today, however, we don't have that before us because of this rule.

Members don't have the opportunity to vote on this or any other resolution that accurately affirms both our vital relationship with Israel and the longstanding bipartisan consensus that

supports a viable two-state solution. Instead, we are presented with an extreme resolution that badly distorts the history—and we have heard that again here this morning—and that recklessly maligns U.S. diplomacy, all to embarrass the Obama administration for political gain. It is not worthy of this body.

I strongly urge my colleagues to vote “no” on the previous question, “no” on the rule, and “no” on the underlying resolution.—

Mr. COLLINS of Georgia. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. SESSIONS), the distinguished chairman of the Rules Committee.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Georgia (Mr. COLLINS), a bright young member of the Rules Committee who today is offering the rule on two very important issues that face this great Nation.

Mr. Speaker, I rise in support of the rule. I rise in support of the work that the Rules Committee did for the right reason and I will yield the right results.

The American people spoke on November 8, and they asked for change, a change from business as usual. Mr. Speaker, that does mean you can look at geopolitical facts and draw a conclusion as opposed to geopolitical facts and ignore things that happen in the world, and that is exactly what we are doing here today.

The American people no longer want unelected bureaucrats promulgating rules. They no longer want Washington to be so important in their lives. They want and need to be able to have an opportunity to make their own decisions and to work well within the law. They have spoken; and they want what I believe the Republican House, the Republican Senate, and a Republican President will bring to the country. It is called accountability.

The REINS Act, sponsored by Mr. COLLINS today, addresses many of the issues that I just discussed. The legislation requires that a joint resolution must be approved and must be passed by both Chambers of Congress and signed by the President before any major new rule or regulation is promulgated by the executive branch before it can take place. These are rules written by the Congress, rules then associated and determined by the executive, but with the intent of Congress to make sure that the American people are not further harmed.

Now, Mr. Speaker, we have just heard an opportunity to discuss what was—this discussion that we are having about Israel and the administration. The bottom line is that the chairman of the Foreign Affairs Committee, Representative ED ROYCE, came before the committee yesterday and said he really did not take issue with what they were doing. He would not support it because

it did not address the problem that occurred when the Obama administration, for political purposes, hung the people of Israel and the State of Israel out for the world to condemn and take advantage of. It bypassed years and years of American foreign policy. It stunned not only Members of Congress, but it also stunned people who recognize that Israel is in a fight for their life.

Mr. Speaker, we did not, based upon the determination of the Rules Committee, make in order the bill that they had asked for. They can bring it to the floor today, and we are not going to make it available because it does not even discuss the basic facts. That is, the President of the United States unilaterally allowed the State of Israel, who is a dear friend of the United States, to be hung out in the political and the economic world and the world of foreign affairs to be tarnished and taken advantage of.

Mr. Speaker, we are here to say that we were appalled by what our government did and we are going to stand up and call it for what it is. America should always be a trusted friend to Israel, and we are doing exactly that here today.

Mr. Speaker, I predict an overwhelming vote that will take place today to enunciate what we believe is correct and also what was wrong.

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

The distinguished chairman of the Rules Committee said that the American people don't want business as usual. Yet, here we are on this opening week and what we see is business as usual, more Putin-like, closed rules coming to the floor. The 113th and the 114th Congresses were the two most closed Congresses in the history of the United States. Here we are beginning the new session with, again, this closed process.

The Speaker, on opening day, made a promise to uphold the rights of the minority.

Well, you know what?

That means that the minority ought to be able to be heard on the House floor, that we ought to be able to bring amendments and substitutes to the floor. Yet, we get rejected time and time again.

This is not the way the most deliberative body in the world should be run. This is not the way Congress should be run. By closing down this process the way the majority does, it does a great disservice to the American people.

Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I stand in opposition to this rule, which was pushed through the Rules Committee as a closed rule and did not make in order an amendment, which I support,

offered by my colleagues, Mr. PRICE, Mr. CONNOLLY, and Mr. ENGEL.

Their amendment, like H. Res. 11, objects to the U.N. Security Council Resolution 2334, which I believe was an unfair and one-sided resolution that placed undue blame upon the State of Israel for the impasse on peace negotiations.

Like the Obama administration, I am frustrated by the lack of progress in recent years toward achieving a two-state solution to the Israeli-Palestinian crisis. However, I do not believe that the resolution passed by the Security Council contributes in any way to positively moving this process along.

Let's not mistake the fact that the Palestinian Government, which currently includes the terrorist faction Hamas, has done little to support peace negotiations. By refusing to publicly recognize Israel's right to exist as a Jewish state, condoning terrorist activity and pursuing unilateral actions at international institutions in violation of the Oslo Accords, the Palestinians have continuously placed roadblocks to achieving peace.

Let me be clear, the ongoing settlement activity sanctioned by the Israeli Government is also counterproductive to the peace process. If the Israeli Government wants to remain a beacon of freedom and democracy in the Middle East, they must recommit themselves to achieving a peaceful two-state solution where a Jewish Israel exists peacefully with the Palestinian state.

With the events of recent years, I am extremely fearful that the two-state solution is, if not dead, in critical condition. There are those within both the Israeli and Palestinian Governments who are actively working to ensure its demise. I think, as Members of Congress who strongly support Israel, we should be doing everything we can to convey to both the Israelis and the Palestinians that we will not stand by and watch them torpedo the hope of a peaceful solution to this crisis.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, I rise today in strong support of the rule governing these pieces of legislation and, in particular, the underlying legislation, the Regulations from the Executive in Need of Scrutiny, or REINS Act, H.R. 26.

Mr. Speaker, during the first two terms that I have served in this Congress, the most common question posed to me by my constituents in central and eastern Kentucky is: What is the biggest surprise that you have confronted as a Member of Congress?

Regrettably, Mr. Speaker, the biggest surprise that I have discovered as a Member of Congress is that Congress is no longer in charge. Regrettably, unelected, unaccountable bureaucrats in the executive branch run the country.

□ 1315

Most of the laws that are enacted in this country at the Federal level come out of unelected bureaucrats in administrative agencies in the executive branch. Members of Congress, even though we are elected by the American people to be the lawmaking branch under Article I of the Constitution, we can't stop it. We can't stop these rules and regulations.

So I am proud to have consistently supported the REINS Act because it reasserts the powers of this body and this Congress under Article I of the Constitution, which provides: "All legislative powers herein granted shall be invested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

What does this mean?

The most important word in Article I of the Constitution is that first substantive word, "all," implying that none of the legislative powers should be in any other branch of the Federal Government, and it certainly shouldn't be exercised by the executive branch. We know this as the nondelegation doctrine, the principle that Congress may not and should not delegate its administrative power to administrative agencies.

The nondelegation doctrine forces a politically accountable Congress to make policy choices rather than leave this to unelected administrative officials. Yet what we have seen over the last several decades, and especially over the last 8 years, has been the rise of an unaccountable, out-of-control administrative state. Over time, legislative powers that are vested exclusively in Congress by the Constitution have been increasingly and unconstitutionally claimed, assumed, and exercised by the executive branch.

Now unaccountable, unelected bureaucrats decide how you work, what goods and services you can buy and sell, and what you can do with your own property, all without accountability at the ballot box. So this state of affairs is fundamentally in conflict with the foundational, constitutional principle that Congress alone possesses the Federal legislative power.

Look, this has enormous economic consequences. It is costly to our economy, and I don't have to go into that. The estimates are \$1.8 trillion in costs to the American economy. But the bigger issue is that none of these rules from these agencies have been approved—let alone, even considered—by Congress, even though they have a profound impact on the economy. So the measure we are considering today would simply require those regulations with the greatest economic impact to be approved by both Houses of Congress prior to their implementation.

This has two positive outcomes. First, obviously, it has the effect of blocking costly rules. Secondly, and

more importantly, it will no longer allow Members of Congress to delegate their constitutional responsibility to the executive branch.

I will conclude, I heard my friend, the gentleman from Massachusetts, make the argument that Congress is not even interested in these regulations and we are not capable of seriously reviewing these rules. This is about making sure that experts with specialized expertise in the executive branch review and promulgate these rules. But what are we doing here if that is true? We should turn out the lights, lock the door and leave, and give the keys of the government to the executive branch.

We had a Democratic administration over the last 8 years. We have a Republican administration coming. This is not about Republicans and Democrats. This is not a partisan issue. This is about the integrity of the institution of Congress. Let's stand up for the Congress and pass the REINS Act.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman for yielding and for his steadfast commitment to ensuring global peace and security.

Mr. Speaker, I rise in opposition to this rule and H. Res. 11, which is a flawed and misguided effort as currently written. Let me be clear: H. Res. 11 would undermine longstanding and bipartisan U.S. policy on a two-state solution to the Israeli-Palestinian conflict. This resolution is deeply flawed because it does not accurately portray U.S. policy on Israeli settlements. What is worse, this resolution completely mischaracterizes the United Nations Security Council resolution and the United States' abstention vote.

Mr. Speaker, yesterday, the Rules Committee shamefully rejected an alternative introduced by Congressman PRICE, Congressman CONNOLLY, and Congressman ENGEL, which reflects current U.S. policy that would have reaffirmed our commitment to a negotiated and peaceful two-state solution. This is the only pathway to peace and security. It is appalling—but really, it is not surprising—that Republicans pushed through a closed rule and hurried this to the floor.

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

Mr. MCGOVERN. I yield the gentlewoman an additional 30 seconds.

Ms. LEE. Mr. Speaker, the lack of a debate is a disgrace. But you know what? There are some of us here who are not going to be gagged. There are some of us here who are going to speak our mind, and there are some of us here who are going to put forth our views. That is our constitutional responsibility. We have the right to debate, whether you agree or disagree. It is really, really a very sad day for our de-

mocracy when bills like this come to the floor with rules like this which don't allow debate. I urge a "no" vote.

Mr. COLLINS of Georgia. Mr. Speaker, I am so glad that the gentlewoman just got a chance to debate herself on the floor and to use that freedom of speech. That is what this floor is for.

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

Mr. ROSS. Mr. Speaker, I thank my friend from Georgia for yielding.

I rise today to support this rule and to express my strong disapproval of President Obama and his administration's refusal to veto the anti-Israel resolution adopted by the United Nations Security Council on December 23, 2016.

Since its establishment, Israel has worked tirelessly to forge peace with its neighbors. They have sought neither violence nor conflict. In fact, the territories discussed in the misguided U.N. resolution were areas Israel gained in self-defense during the 1967 Six-Day War. These areas include the Old City, with the Temple Mount and Western Wall, areas that, thousands of years ago, were the origin of the Israeli culture, heritage, and religion.

Israel did not seek to take this land. Rather, when threatened by their Arab neighbors in 1967, they were forced to act in self-defense and repel these attacks. Since that time, Israel has successfully reached peaceful agreements with many of the Arab countries who, at that time, sought to wipe them off the map.

Israel is the only thriving democracy in the Middle East who practices and protects human rights regardless of ethnicity, gender, religion, or citizenship. Additionally, the State of Israel has been committed to implementing initiatives to promote economic growth in the region, including creating opportunities for Palestinians and others. Israel is a shining example of taking care of those who are around them, even as they face constant threat of violence and terrorist attacks.

I have been appalled over what has taken place under the direction of President Obama and Secretary Kerry and others within the administration. In response, I also introduced a resolution condemning these intolerable actions. By failing to direct the United States to veto the one-sided, anti-Israel U.N. Security Council resolution, the President turned his back on Israel and, as a result, turned his back on America.

The anti-Israel resolution adopted by the U.N. Security Council threatens peace and stability in the Middle East. It will most likely incentivize further violence and radical boycotts.

While President Obama and Secretary Kerry's long list of foreign policy failures has been well-documented over the years, none to date have been

this deliberate and calculated. That is why I have come to the floor to support Chairman ROYCE's bipartisan resolution.

As Republicans and Democrats alike have expressed their contempt for the President's lack of action, I look forward to working with my colleagues and President-elect Trump in correcting President Obama's anti-Israeli tactics as we work to form a stronger bond with Israel and as we work to promote peace in the Middle East.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to say to Mr. ROSS, my friend, I agree with just about every single thing you say about the great State of Israel, but I disagree with you about this resolution. Let me explain why.

Israel is a Jewish democratic state. It has been our strong ally. We have supported it through thick and thin, most recently with a \$38 billion appropriation for their security over the next 10 years. I supported that. But this question that we face fundamentally comes down to whether we are going to support a two-state solution or move toward a one-state solution.

The bottom line here is that settlement activity, every settlement that is made—600,000 settlers living in the West Bank and Jerusalem—makes it ever-more difficult to achieve that two-state solution.

President Obama, in his abstention on that veto, was acknowledging what has been the policy of this country. Ronald Reagan was opposed to settlements. You know, you get a family that settles anywhere, but in the West Bank, they put down roots. They are good people. They have a belief that the West Bank belongs Biblically to Israel. That is their view. Many politicians, including Netanyahu, appear to be embracing that. That is not the international position. It is not the unified position in Israel. Many folks in Israel think the settlements are a threat to the possibility of achieving the secure borders and the security of Israel and the maintenance of it as a democratic Jewish state.

Mr. Speaker, there is another issue. With 600,000 settlers, with 4.5 million Palestinians in the West Bank and also living in the State of Israel and 6.5 million Jewish members of the State of Israel, the demographics, long term, are going to reach a tipping point where there could be more Arab voters than there are Jewish voters, and then the State of Israel will have to make the decision Jewish or democratic. I want the State of Israel to continue to be that Jewish and democratic state that it is, and that is why I oppose this resolution.

Mr. COLLINS of Georgia. Mr. Speaker, I am privileged to yield 1 minute to

the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Speaker, nothing unites Indiana's Sixth Congressional District quite like the simple phrase, "we must stand with Israel." Throughout most of my rural district that has far more Christian churches than synagogues, Hoosiers are united in their support of the Jewish state.

Hoosiers, myself included, were deeply distressed when the Obama administration stood silent as our great ally was demonized by the U.N. Israel is our most important friend in the region, and among America's best partners in the world. President Obama's silence and defection from Israel was unconscionable, and he has made our ally less safe and peace less likely.

I am eager to vote today to send a strong signal to the world that the American people reject the U.N.'s one-sided, shortsighted U.N. Security Council resolution, and the American people stand united with Israel. I urge my colleagues to support the rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, Israel is a special place in a troubled and storied landscape, sacred ground for three of the world's major regions.

Israel's security is important to me and the people I represent. The Jewish homeland is the only democracy in this broader region of continuing conflict. I abhor the terrorist acts. Israel's security merits our support, which is why the Obama administration, with Congress' approval, just awarded an unprecedented amount of military aid over the next 10 years.

But, unfortunately, Israel's future is being threatened by its own actions as well as by its adversaries. For years, reckless settlement expansion has been opposed by the United States and the rest of the world. They are confiscating Palestinian land in a way that is not just contrary to longstanding American policy, but is often illegal under Israeli law.

It looks like the incoming Trump administration is reconsidering 50 years of bipartisan policy, urged on by the extremist views of his proposed Ambassador whose position on settlement expansion is on the fringe of even Israeli politics.

H. Res. 11 sends the wrong signal to the incoming President, to Israeli politicians, and especially to the Israeli people. It drives a wedge between Israel and the majority of Americans, including the majority of Jewish Americans. It weakens that special relationship and furthers the isolation of Israel, in evidence as the resolution was approved unanimously by the other 14 countries. Israel will become more vulnerable and, candidly, it will likely embolden forces that are hostile to the Jewish state.

Instead of this resolution, we should reject the rule and support the resolution I cosponsored with Mr. PRICE that reaffirms our commitment to the longstanding American policy in support of a two-state solution and to help secure Israel's future as a stable, democratic, peaceful state.

□ 1330

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I support the REINS Act and the rule that brings it to us, but I want to underscore the point made earlier by Mr. BARR.

The REINS Act says that any regulation—that is, an act with the force of law—adopted by the executive branch and costs more than \$100 million must then be approved by Congress to take effect.

As necessary as this bill is in the current environment, I am afraid it has got it completely backwards. Under the Constitution read on this floor today, it is not the role of the executive branch to make law and for the legislative branch then to approve or veto it. Quite the contrary, making law is the singular prerogative of the legislative branch; the executive then approves or vetoes that law.

The REINS Act is necessary solely because for years Congress has improperly ceded its lawmaking powers to the executive, and it is time we restored the proper role of the legislative branch to make law and for the executive branch to faithfully execute it.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my good friend, Mr. MCGOVERN, for his leadership and for managing this rule.

Mr. Speaker, today I rise in opposition to the closed rule for H. Res. 11.

Ranking Member ENGEL, Mr. PRICE, and I have submitted an amendment to H. Res. 11 when it came before the Rules Committee. Our amendment offered a balanced approach and strongly reaffirmed longstanding, bipartisan principles that undergird U.S. policy on the Israeli-Palestinian conflict. We introduced that amendment as a reasonable alternative that would allow all of us to convene the broadest possible bipartisan coalition here in the House.

Personally, I believe the U.S. should have vetoed the U.N. Security Council resolution, and, notably, our resolution supported the U.S. veto of any one-sided or anti-Israel U.N. Security Council resolution or any resolution that seeks to impose a resolution to the conflict.

Our resolution also condemned boycott and divestment campaigns and

sanctions that target Israel, and it reiterated support for a negotiated settlement leading to a sustainable two-state solution that reaffirms Israel's right to exist as a democratic, Jewish state. We all agree that there can be no substitute for direct bilateral negotiations between Israel and the Palestinians. As we transition into a new administration and begin this new Congress, we should resist temptations to rewrite U.S. policy on the peace process in a misguided attempt to further drive a wedge where none should exist.

The point of H. Res. 11 seems to be to bash Obama on the way out, and the fact that there are distortions on history and fact seem not to bother us. On this point, I would note that H. Res. 11 mentions settlements but makes no attempt to reaffirm longstanding U.S. opposition to those very settlements. It is more important now than ever that Congress maintain its consistent, bipartisan policy toward the conflict. We believe the carefully constructed language in our resolution did just that, but we were not allowed the opportunity by the Rules Committee to bring it before the floor for a vote.

So I urge my colleagues, especially my Democratic colleagues, to vote "no" on H. Res. 11 and the rule and to support and cosponsor H. Res. 23, a much more bipartisan and balanced approach.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. MAST), who is a great new Member.

Mr. MAST. Mr. Speaker, I thank my good friend from Georgia for yielding.

Mr. Speaker, I rise today because the current administration has literally undermined peace with their shameful failure to veto U.N. Resolution 2334.

Condemning Israel is condemning the most peaceful country in the Middle East, and it is done simply to appease Palestinians—a group that has been historically defined by their responsibility for terror—and this does not bring us one step closer to peace.

I can tell you that after defending freedom in the U.S., I chose to volunteer alongside the Israeli Defense Forces because our countries do share the uncommon ideals of freedom, democracy, and mutual respect for all people. During my time with the IDF, I did learn at the tables of Israeli families just how much each one of them truly desire peace.

By failing to veto this hateful U.N. resolution, the administration has sent a terrible message. We must counter this underhanded condemnation of Israel with a unanimous show of support today for H. Res. 11.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this House contains many friends of Israel, Republican and Democratic. Indeed, as

long as I've been here, I have never found an enemy of Israel in this House. Certainly that friendship was very apparent when only a few weeks ago President Obama approved giving Israel \$38 billion of American tax money in military assistance. But like the Knesset in Jerusalem, we sometimes do disagree about what the best way is to ensure peace and security, and lively debate is important to that.

Unfortunately, this rule is about stifling Knesset-style debate. It restricts and denies any amendment and any alternative. This strict limitation on debate and this surprise presentation of today's measure with no public hearing and little warning show how fearful our Republican colleagues are of a legitimate discussion of this troubling issue. This is a horrible way to make critical foreign policy. It is only a step above doing it by tweets, which seems to be the approach of the day.

Today's resolution, which purports to support Israeli security, actually undermines that security. It favors going it alone with the current Israeli Government in defiance of our other allies and the 14 countries that unanimously voted for this Security Council measure.

Isolation—more and more isolation—is not the way to protect Israel. Those who demonstrate their friendship with Israel by following Mr. Netanyahu on one right turn after another are boxing in America and Israel. He is moving us further and further to the extremes so that we eventually go off a cliff into chaos. As Tom Friedman noted in urging a negotiated two-state settlement: "A West Bank on fire would become a recruitment tool for ISIS and Iran."

Vote for peace. Reject this resolution.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. HOLLINGSWORTH), who is another freshman that we welcome to the floor.

Mr. HOLLINGSWORTH. Mr. Speaker, I rise today in support of the rule and the underlying REINS Act because I was sent to Congress to help hardworking Hoosiers create jobs, keep jobs, and raise wages. As a small-business owner myself, I understand how difficult it is to build a business in today's economy, and I want the Hoosiers of Indiana's Ninth Congressional District to have control over their futures without fear of unaccountable government bureaucrats with political agendas creating regulations to restrict their pursuit of success.

I believe the REINS Act will ensure the constituents in Indiana's Ninth District will not only have a voice, but also a choice in the laws that govern this great Nation. Hardworking Hoosiers are shining examples of what Americans can do with the freedom to make their own economic decisions, and I don't want unelected bureaucrats

in Washington impeding the job-creating growth of Indiana's and America's businesses.

Mr. Speaker, I encourage my colleagues to vote "yes" on the rule and vote "yes" on the underlying bill.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. GAETZ), who is another new face that is looking forward to making a difference here.

Mr. GAETZ. Mr. Speaker, I thank the gentleman from Georgia for yielding.

Mr. Speaker, I support this rule and the underlying legislation. Today the Federal Government's rules exceed 97,000 pages—the most in American history. So we ask ourselves: Do we really need 20 pages of rules governing vending machines? Could we cover fuel standards in less than 578 pages? Would the Union crumble if we didn't have 61 pages of regulations on residential dehumidifiers?

Each of these rules has compliance costs that exceed \$100 million.

In my home State of Florida, we passed a version of the REINS Act. The result has been repeal or replacement of over 4,000 job-killing regulations. We can only make America great again if we make Americans free again—free from the tyranny of unelected Washington bureaucrats huddled in windowless cubicles dictating to Americans how they should live their lives, build their businesses, and protect their own property. Voters sent us here to drain the swamp, but with so many regulations, we would be lucky to get permission to mop up a puddle.

Mr. MCGOVERN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, it is my honor to address you and my privilege to be recognized by the gentleman from Georgia.

I wanted to address this rule, and I share some of the sentiment that came from the gentleman from Massachusetts. I like to have open rules. I like to have open debates. I would like to have more than one debate on what we might do with this resolution that is before us. I would like to have a debate on the one-state solution versus the two-state solution because I believe that the two-state solution has run its course and we need to pack up our tools, ship those off to the side, and start all over again with a new look.

I believe we needed to have a resolution that refreshes this in such a way that it completely rejected Resolution 2334, that vote that took place in the United Nations and said to the Trump administration: Let's start this fresh with a new look rather than a direction of being bound by implication to a two-state solution.

But that is not what we have ahead of us. What we have ahead of us is a resolution that has come to the floor under a closed rule that sends a lot of a good and right message to the rest of the world that America and the United States Congress reject what happened in the United Nations the other day and that decision to abstain from that vote. On the other hand, we really don't have the focus here to take on the rest of this issue. I am hopeful that we will.

I will be introducing a resolution later today that addresses the two-state resolution in a way I would like to have done it with a resolution here.

As I said to the gentleman from California, it is not my intent to blow up his bill or his initiative. I want to see the best success we can on what is going on here today.

Mr. MCGOVERN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROYCE), who is the distinguished chairman of the Foreign Affairs Committee.

Mr. ROYCE of California. Mr. Speaker, the problem with this U.N. resolution is not simply that it criticizes Israeli actions; it is that it is fundamentally one-sided. It is anti-Israel, and that is a departure from longstanding, bipartisan U.S. policy.

U.N. Security Council Resolution 2334 does not address the Palestinian Authority's failure to end incitement of hatred. Frankly, they encourage it. The violence that we see against Israeli civilians comes from the encouragement of PA officials. It doesn't address the Palestinian Authority's continued payments. An incentive payment in their budget—over \$300 million a year—is paid to those who would carry out attacks against Israeli civilians. The more mayhem you create, the longer the term you have in prison, the larger the stipend. That comes right out of the budget of the Palestinian Authority.

The U.N. resolution did not call upon Palestinian leadership to fulfill their obligations towards negotiations. The Middle East Summit is planned next month. So, first, the administration abstains on this, and next month in France there is real concern that another damaging Security Council resolution should follow.

That is why this dangerous policy must be rejected, hopefully unanimously, by this House.

Mr. MCGOVERN. Mr. Speaker, I have no further speakers, and I yield myself the remainder of my time.

Mr. Speaker, I urge my colleagues to vote against this rule. It is not fair. I urge my colleagues to vote "no" on the previous question so that Mr. PRICE, Mr. ENGEL, and Mr. CONNOLLY can bring up their alternative to H. Res. 11.

Mr. Speaker, let me say, finally, that I am deeply concerned that the institution of Congress has been undermined time and time again by this tendency to be overly restrictive and outright closed. We are supposed to be the greatest deliberative body in the world, but the problem is we don't deliberate very much. Everything that is brought to this floor tends to be a press release substituting for legislation.

□ 1345

There is no bipartisanship. There is none. There is no working together. There is none. And that is unfortunate. I think one of the messages of this last election for the American people was they want to see things happen here. Not just whatever the Republicans want or whatever the Democrats want, they want us to see us working together.

I served here as a staffer during a time when there was collegiality, when Republicans and Democrats came together and passed appropriations bills and authorization bills and passed major reform bills. That doesn't happen anymore.

On the issue of regulatory reform, I think you can actually get a consensus on regulatory reform. There is nobody in this House that thinks the regulatory process is perfect. The problem is, when you bring a bill to the floor that is so one-sided, that is poorly written, that is impractical, we can't support it.

On the issue of Israel, we could have come to a consensus, I think, and spoken with one voice to show our unwavering support for the State of Israel. But instead, we have a bill that comes to the floor that is politically charged—I think that is very clear, based on the tone of some of the speeches here today—but also has factual errors in it.

The frustration level has grown to the point where some of us in the minority have taken to protesting. We had a sit-in in response to the fact that we couldn't get legislation to the floor that said if you are on a terrorist list, you can't fly, then you can't buy a gun, and a bill that called for universal background checks.

We thought we had a promise to be able to bring some of this to the floor. My friends could have voted against it. But we were told, no, you don't even have the right to debate these bills.

I am going to say to my colleagues sincerely that, unless things change, you are going to see the discord, the anger, and the frustration build on this side of the aisle, and you are going to see it build throughout the country.

There is a reason why people hold Congress in such disdain. It is because they see this place not as an institution where we can solve problems but as a place where it is all about obstruction or "my way or the highway."

This is a lousy way to start the new year. Please vote "no" on the previous question and vote "no" on this rule.

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

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

It is amazing to me some of the stuff that I have just heard, Mr. Speaker, just in the last few minutes. And I appreciate my friend across the aisle, but the debate that we have been having here is amazing. So that is something I want to talk about, but also something that came up, just to take a few steps down the road.

It had been mentioned many times here on the floor today that a unanimous vote by the Security Council in some way implies that it was right or that it was proper. I am sorry, the groupthink of the United Nations Security Council on this issue was wrong.

The one that was left silent was the beacon of freedom to the world, the United States, and instead of engaging, instead of working as we have in the past abstained or voted against, there have been times when we actually, as my friend said a moment ago, Mr. Speaker, worked together. When that did happen in the past, there were times in which Israel and the U.S. worked together to soften or change, and we had, at that point in time, something that—not liked, but something that could be lived with. In this case, it was nothing Israel said. This is bad. America turned its back.

Where was the voice? It was silent. Where was the voice? We voted absent. That is not what the leader of the free world should do. That is not what the leader of the free world should do to his closest ally in the Middle East. That is why we are talking about this.

There are other things we can discuss today. There are other discussions on two-state solutions on another case on the settlement, but the bottom line here is that it goes deeper than the other issues. The deeper part here is that we simply sat silent while the world mocked and criticized our strongest ally, Mr. Speaker.

So don't talk to me about working together. I get it. But where was the working together on this? It was absent. A unanimous vote, especially of the United Nations Security Council, using that as your justification, I think we need to talk.

But also, Mr. Speaker, when we come to the end, regulatory environment, the REINS Act is simply saying: Congress, do what Congress is supposed to do. Congress, work as the voice of the American people. Work for the voice of helping companies start and create jobs. Work with the American people to relegate them forward instead of moving backward.

The REINS Act simply says: let's do our job here. Not the ones who are

closed off from input but the folks who are elected to come to this place, to come to these hallowed halls and debate what we are talking about today: debate the regulatory environment, debate the environment. When we do that, then that is what we need to do.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the rule and the underlying bill.

I oppose this rule because it makes in order H.R. 26, the Regulations from the Executive in Need of Scrutiny (REINS) Act, which is a radical measure that could make it impossible to promulgate safety regulations to protect the public.

I oppose this rule because it would effectively shut down the entire U.S. regulatory system, amending in one fell swoop every bedrock existing regulatory statute.

The legislation is clearly designed to stop all regulation dead in its tracks—no matter the threat to health, safety or the economy.

It would neuter the current system's reliance on science, expertise, and public participation in developing regulations.

H.R. 26 would reshape the regulatory system to work as it did in the 19th Century, before the abuses of the robber barons led Congress to create a modern and more efficient system to protect public health and safety.

The REINS Act would require both houses of Congress to approve any major rule within a limited period of time in order for it to take effect.

Effectively, this would allow either house of Congress to block rules simply through inaction, even when an existing statute required action.

The legislation would disempower every federal agency, effectively rendering their rule-making activities advisory opinions with no force of law.

Under REINS, even rules to handle emergencies could be in effect for only 90 days absent Congressional approval.

H.R. 26 is so grossly slanted against regulation that it will allow lawsuits to proceed against any regulation Congress could actually manage to approve.

And the latest version of the bill delays its effective date for a year so that any Trump Administration efforts to repeal existing regulations would not get caught up in the REINS Act trap—another indication that the REINS Act would be expected to stop any regulatory action from moving forward (because repealing regulations must be done through regulation, so repeals would in fact trigger REINS.)

In addition to representing an overwhelming threat to the public, H.R. 26 is also bad for business.

The legislation would require businesses to have to lobby Congress for each and every significant regulatory change they wanted—no matter whether those were new regulations, changes in regulation or repeal; no matter whether the regulatory issues involved disputes between different industries; no matter how technical the issues involved.

H.R. 26 would, in fact, make the regulatory system less predictable for industry and would

disadvantage any industry that did not have a large political presence.

It is difficult to exaggerate how fundamentally this alarming piece of legislation would change American government and how hard it would make it to protect the public.

This legislative effort is the ultimate give-away to special interests.

Under H.R. 26, any special interest could simply use its political clout in one chamber of Congress to sideline such vital public protections as limiting the amount of lead in children's products, preventing salmonella contamination in eggs, reducing emissions of toxic air pollutants or banning predatory banking practices.

The REINS Act constitutes the ultimate overreach as well, not only because of the impact it would have, but because Congress already has ample tools to control the regulatory system.

Congress is already vested with the authority to vote to block a specific regulation at any time.

And regulation is permitted only pursuant to statutes that Congress has passed and can amend or repeal.

Under current law, agencies must keep a record of their interactions with industry and other entities interested in the regulatory process and provide a clear record of their decision-making (which often must be able to hold up in court).

Because agencies often take years to review the scientific and technical evidence relevant to a decision, throwing every final decision to Congress would undermine this entire process.

In addition, courts can review regulations and an elaborate public process that can stretch out for years must be followed to issue a regulation.

Instead, under this legislation, Congress would have to make relatively rapid decisions, often behind closed doors, and it would not be legally held to any standard of technical review.

Businesses would no longer have an incentive to cooperate with agencies and provide arguments and evidence because they could just take their chances with the political process, which they would no doubt try to influence with campaign contributions.

Ultimately, decisions on regulations would be determined solely by political horse-trading among Members of Congress.

Agencies issue 50 to 100 major rules a year dealing with everything from Medicare reimbursement to railroad safety to environmental protection.

But, under H.R. 26, Congress would have 70 legislative days to second-guess each and every decision covered by the Act.

Because failure to take action would kill any safeguard, Congress would be forced to hold hearings in a short time on technical issues—or worse, forgo hearings and race the 70-day clock with even less information and debate.

This body has already allowed backlog to clog the channels of its current docket, and this legislation would require that as many as 100 additional measures come to the floor.

This is not an effort to drain the swamp; this is a divisive and manipulative tactic employed to clog the drain.

Mr. Speaker, make no mistake about it, this merry-go-round legislative scheme and the irresponsibility of the House majority in wasting time trying to shut down the entire regulatory system (because it cannot win through time-honored, Constitutional legislative processes) entirely disregard the administrative public support efforts in place to protect food safety, air and water quality and to limit the manipulation of our economic system by special interests.

The REINS Act is tantamount to a coup—a right-wing takeover to block future agency actions regardless of public desires.

The exceptional Americans we serve deserve a Congress that does its job and keeps our time-honored institutions functioning.

For these reasons and more, I oppose this rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 22 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

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

SEC. 3. Immediately upon the adoption of this resolution the House shall proceed to the consideration, without intervention of any point of order, in the House of the resolution (H. Res. 23) expressing the sense of the House of Representatives and reaffirming long-standing United States policy in support of a negotiated two-state solution to the Israeli-Palestinian conflict. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 23.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

The Republican majority may say "the vote on the previous question is simply a

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 235, nays 188, not voting 10, as follows:

[Roll No. 9]
YEAS—235

Abraham	Biggs	Buck
Aderholt	Bilirakis	Bucshon
Allen	Bishop (MI)	Budd
Amash	Bishop (UT)	Burgess
Amodel	Black	Byrne
Arrington	Blackburn	Calvert
Babin	Blum	Carter (GA)
Bacon	Bost	Carter (TX)
Banks (IN)	Brady (TX)	Chabot
Barletta	Brat	Chaffetz
Barr	Bridenstine	Cheney
Barton	Brooks (AL)	Coffman
Bergman	Brooks (IN)	Cole
Beutler	Buchanan	Collins (GA)

Comer	Johnson (LA)	Rice (SC)
Comstock	Johnson (OH)	Roby
Conaway	Johnson, Sam	Roe (TN)
Cook	Jordan	Rogers (AL)
Costello (PA)	Joyce (OH)	Rogers (KY)
Cramer	Katko	Rohrabacher
Crawford	Kelly (MS)	Rokita
Culberson	Kelly (PA)	Rooney, Francis
Curbelo (FL)	King (IA)	Rooney, Thomas J.
Davidson	King (NY)	Ros-Lehtinen
Davis, Rodney	Kinzinger	Roskam
Denham	Knight	Ross
Dent	Kustoff (TN)	Rothfus
DeSantis	Labrador	Rouzer
DesJarlais	LaHood	Royce (CA)
Diaz-Balart	LaMalfa	Russell
Donovan	Lamborn	Rutherford
Duffy	Lance	Sanford
Duncan (SC)	Latta	Scalise
Duncan (TN)	Lewis (MN)	Schweikert
Dunn	LoBiondo	Scott, Austin
Emmer	Long	Sensenbrenner
Farenthold	Loudermilk	Sessions
Faso	Love	Shimkus
Ferguson	Lucas	Shuster
Fitzpatrick	Luetkemeyer	Simpson
Fleischmann	MacArthur	Smith (MO)
Flores	Marchant	Smith (NE)
Fortenberry	Marino	Smith (NJ)
Fox	Marshall	Smith (TX)
Franks (AZ)	Massie	Smucker
Frelinghuysen	Mast	Stefanik
Gaetz	McCarthy	Stewart
Gallagher	McCaul	Stivers
Garrett	McClintock	Taylor
Gibbs	McHenry	Tenney
Gohmert	McKinley	Thompson (PA)
Goodlatte	McMorris	Thornberry
Gosar	Rodgers	Tiberi
Gowdy	McSally	Tipton
Granger	Meadows	Trott
Graves (GA)	Meehan	Troth
Graves (LA)	Messer	Turner
Graves (MO)	Mitchell	Upton
Griffith	Moolenaar	Valadao
Grothman	Mooney (WV)	Wagner
Guthrie	Mullin	Walberg
Harper	Murphy (PA)	Walden
Harris	Newhouse	Walker
Hartzler	Noem	Walorski
Hensarling	Nunes	Walters, Mimi
Hice, Jody B.	Olson	Weber (TX)
Higgins (LA)	Palazzo	Webster (FL)
Hill	Palmer	Wenstrup
Holding	Paulsen	Westerman
Hollingsworth	Pearce	Williams
Hudson	Perry	Wilson (SC)
Huizenga	Pittenger	Wittman
Hultgren	Poe (TX)	Womack
Hunter	Poliquin	Woodall
Hurd	Posey	Yoder
Issa	Ratcliffe	Yoho
Jenkins (KS)	Reed	Young (AK)
Jenkins (WV)	Reichert	Young (IA)
Johnson (GA)	Renacci	Zeldin

NAYS—188

Adams	Clarke (NY)	Ellison
Aguilar	Clay	Engel
Barragán	Cleaver	Eshoo
Bass	Clyburn	Espallat
Beatty	Cohen	Esty
Bera	Connolly	Evans
Beyer	Conyers	Foster
Bishop (GA)	Cooper	Frankel (FL)
Blumenauer	Correa	Fudge
Blunt Rochester	Costa	Gabbard
Bonamici	Courtney	Garamendi
Boyle, Brendan F.	Crist	Gonzalez (TX)
Brady (PA)	Crowley	Gotthelmer
Brown (MD)	Cuellar	Green, Al
Brownley (CA)	Cummings	Green, Gene
Bustos	Davis (CA)	Grijalva
Butterfield	DeFazio	Gutiérrez
Capuano	DeGette	Hanabusa
Carbajal	Delaney	Hastings
Cardenas	DeLauro	Heck
Carson (IN)	DelBene	Higgins (NY)
Cartwright	Demings	Himes
Castor (FL)	DeSaulnier	Hoyer
Castro (TX)	Deutch	Huffman
Chu, Judy	Dingell	Jackson Lee
Cicilline	Doggett	Jayapal
Clark (MA)	Doyle, Michael F.	Jeffries
		Johnson, E. B.

Jones	Meeks	Schneider
Kaptur	Meng	Scott (VA)
Keating	Moore	Scott, David
Kelly (IL)	Moulton	Serrano
Kennedy	Murphy (FL)	Sewell (AL)
Khanna	Nadler	Shea-Porter
Kihuen	Napolitano	Sherman
Kildee	Neal	Sinema
Kilmer	Nolan	Sires
Kind	Norcross	Slaughter
Krishnamoorthi	O'Halleran	Smith (WA)
Kuster (NH)	O'Rourke	Soto
Langevin	Pallone	Speier
Larsen (WA)	Panetta	Suozi
Larson (CT)	Pascarell	Swalwell (CA)
Lawrence	Payne	Takano
Lee	Pelosi	Thompson (CA)
Levin	Perlmutter	Thompson (MS)
Lewis (GA)	Peters	Titus
Lieu, Ted	Peterson	Tonko
Lipinski	Pingree	Torres
Loeback	Pocan	Tsongas
Lofgren	Polis	Vargas
Lowenthal	Price (NC)	Veasey
Lowey	Quigley	Vela
Lujan Grisham, M.	Raskin	Velázquez
Lujan, Ben Ray	Rice (NY)	Visclosky
Lynch	Richmond	Walz
Maloney.	Rosen	Wasserman
Carolyn B. Ruiz	Roybal-Allard	Schultz
Maloney, Sean	Ruppertsberger	Waters, Maxine
Matsui	Ryan (OH)	Watson Coleman
McCollum	Sánchez	Welch
McEachin	Sarbanes	Wilson (FL)
McGovern	Schakowsky	Yarmuth
McNerney	Schiff	

NOT VOTING—10

Becerra	Lawson (FL)	Rush
Collins (NY)	Mulvaney	Zinke
Davis, Danny	Pompeo	
Gallego	Price, Tom (GA)	

□ 1412

Messrs. NADLER and AL GREEN of Texas changed their vote from “yea” to “nay.”

Mr. GRAVES of Missouri changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. LAWSON of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 9.

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

RECOGNIZING TIM BERRY

Mr. MCCARTHY. Mr. Speaker, when we as Members of Congress are first elected, before we are sworn in, before we introduce our first bit of legislation, the first thing we do is begin to hire, to form a team, and much of the success that happens on this floor is a lot of work that is done behind the scenes by our staff. They do a tremendous job for this country in the public service they provide.

I personally count myself blessed to have had Tim Berry as my chief of staff for the whole time I have been in leadership. Today is his last day on our floor. Tim has had 18 years of service in this institution. He has been in other leadership offices. He went into the private sector, but when I got elected majority whip, I asked him if he was willing to come back.

Tim has always demonstrated political wisdom, personal resolve, dedication, but, most importantly, distinct moral clarity.

He has been here in some of the most difficult times in this institution. He was in the office when people were actually shot when an intruder came and took lives in this institution. He has worked on legislation, he has worked on friendships, and he has worked across the aisle. But if there were one thing I would define this man as, it is a family man.

Today, we are lucky to have his wife, Lisa, and daughter, Maeve, in the gallery with us. And to his other children, Ella and Chris, I want to thank you for your sacrifice on loaning your father. For every dinner he has missed, or every phone call he had to take, or maybe that one or two lacrosse games he couldn't coach, I want to thank you.

But to Tim, I want to thank you for your dedication, I want to thank you for your friendship, and I want to wish you the very best on behalf of a very grateful nation and institution. Thank you.

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Maryland, my colleague, the minority whip.

Mr. HOYER. Mr. Speaker, I thank my friend, the majority leader, Mr. MCCARTHY, for yielding.

I rise to thank and to pay tribute to Tim Berry.

Mr. Speaker, the American public sees us so often when we are confronting one another—disagreeing strenuously sometimes and disagreeing sometimes disagreeably. What they don't see is the staff working with staffs across the aisle in a constructive effort to reach consensus and to move democracy forward. What they don't see is the collegiality that is engendered through the years between staff who have the responsibility of ensuring not only that their Members have full knowledge of what is being considered and their advice and counsel, but also of assuring that there is positive communication across the aisle even when we disagree.

Tim Berry has been one of the most adept, most cordial, most positive, and most effective staffers in effecting that end. We Members sometimes mask how effective our staffs are. I am sure they will lament that from time to time.

Tim Berry, I want you to know—we are very proud—is from Silver Spring, Maryland. He grew up in Silver Spring and grew up in our State. Tim Berry is a proud son of our State. Yes, he is a Republican; yes, he has been on staff on the other side of the aisle; but he is an American first, who has cared about his country, who has cared about this institution, and who has cared about showing respect and concern for staffs on both sides of the aisle.

I have had a number of chiefs of staff, one of whom is Cory Alexander, now the vice president of UnitedHealth. Cory Alexander and Tim are good friends. They worked together very constructively when Tim was with Tom DeLay. Mr. MCCARTHY is in that office, and I had the privilege of using that office for 4 years. There was never a time when we walked down that hallway that we didn't think of Detective Gibson losing his life and Officer Chestnut losing his life outside that door. Tim Berry was there to serve. Tim Berry served, notwithstanding the dangers that were self-evident.

Lisa is in the gallery and his children who have been mentioned by Leader MCCARTHY. Young people, you can be extraordinarily proud of your dad. I know, Lisa, you are as well. He has made this institution a better institution. He has made the relationship between the parties more positive in times when it was greatly strained.

Tim, thank you. Thank you for your service to the Congress, thank you for your service to the country, and thank you for your service to each and every one of us. God bless you and Godspeed.

The SPEAKER pro tempore (Mr. HULTGREN). Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 231, noes 187, not voting 15, as follows:

[Roll No. 10]

AYES—231

Abraham	Burgess	Duncan (TN)
Aderholt	Byrne	Dunn
Allen	Calvert	Emmer
Amash	Carter (GA)	Farenthold
Amodei	Carter (TX)	Faso
Arrington	Chabot	Ferguson
Babin	Chaffetz	Fitzpatrick
Bacon	Cheney	Fleischmann
Banks (IN)	Coffman	Flores
Barletta	Cole	Fortenberry
Barr	Collins (GA)	Fox
Barton	Comer	Franks (AZ)
Bergman	Comstock	Frelinghuysen
Beutler	Conaway	Gaetz
Biggs	Cook	Gallagher
Bilirakis	Costello (PA)	Garrett
Bishop (MI)	Cramer	Gibbs
Bishop (UT)	Crawford	Gohmert
Black	Culberson	Goodlatte
Blackburn	Curbelo (FL)	Gosar
Blum	Davidson	Gowdy
Bost	Davis, Rodney	Granger
Brady (TX)	Denham	Graves (GA)
Brat	Dent	Graves (LA)
Bridenstine	DeSantis	Graves (MO)
Brooks (AL)	DesJarlais	Griffith
Brooks (IN)	Diaz-Balart	Grothman
Buck	Donovan	Guthrie
Bucshon	Duffy	Harper
Budd	Duncan (SC)	Harris

Hartzler	McCaul	Rutherford
Hensarling	McClintock	Sanford
Hice, Jody B.	McHenry	Scalise
Higgins (LA)	McKinley	Schweikert
Hill	McMorris	Scott, Austin
Holding	Rodgers	Sensenbrenner
Hollingsworth	McSally	Sessions
Hudson	Meadows	Shimkus
Huizenga	Meehan	Shuster
Hultgren	Messer	Simpson
Hunter	Mitchell	Smith (MO)
Hurd	Moolenaar	Smith (NE)
Issa	Mooney (WV)	Smith (NJ)
Jenkins (KS)	Mullin	Smith (TX)
Jenkins (WV)	Murphy (PA)	Smucker
Johnson (LA)	Newhouse	Stefanik
Johnson (OH)	Noem	Stewart
Johnson, Sam	Nunes	Stivers
Jordan	Olson	Taylor
Joyce (OH)	Palazzo	Tenney
Katko	Palmer	Thompson (PA)
Kelly (MS)	Paulsen	Thornberry
Kelly (PA)	Pearce	Tiberi
King (IA)	Perry	Tipton
King (NY)	Pittenger	Trott
Kinzinger	Poe (TX)	Turner
Knight	Poliquin	Upton
Kustoff (TN)	Posey	Valadao
Labrador	Ratcliffe	Wagner
LaHood	Reed	Walden
LaMalfa	Reichert	Walker
Lamborn	Renacci	Walorski
Lance	Roby	Walters, Mimi
Latta	Roe (TN)	Weber (TX)
Lewis (MN)	Rogers (AL)	Webster (FL)
LoBiondo	Rogers (KY)	Wenstrup
Long	Rohrabacher	Westerman
Loudermilk	Rokita	Williams
Love	Rooney, Francis	Wilson (SC)
Lucas	Rooney, Thomas	Wittman
Luetkemeyer	J.	Womack
MacArthur	Ros-Lehtinen	Woodall
Marchant	Roskam	Yoder
Marino	Ross	Yoho
Marshall	Rothfus	Young (AK)
Massie	Rouzer	Young (IA)
Mast	Royce (CA)	Zeldin
McCarthy	Russell	

NOES—187

Adams	DeGette	Khanna
Aguilar	Delaney	Kihney
Barragan	DeLauro	Kildee
Bass	DelBene	Kilmer
Beatty	Demings	Kind
Bera	DeSaulnier	Krishnamoorthi
Beyer	Kuster (NH)	Kuster (NH)
Bishop (GA)	Dingell	Langevin
Blumenauer	Doggett	Larsen (WA)
Blunt Rochester	Doyle, Michael	Larson (CT)
Bonamici	F.	Lawrence
Boyle, Brendan	Ellison	Lawson (FL)
F.	Engel	Lee
Brady (PA)	Eshoo	Levin
Brown (MD)	Espallat	Lewis (GA)
Brownley (CA)	Esty	Lieu, Ted
Bustos	Evans	Lipinski
Capuano	Foster	Loeb
Carbajal	Frankel (FL)	Loeb
Cárdenas	Fudge	Lowenthal
Carson (IN)	Gabbard	Lowe
Cartwright	Garamendi	Lujan Grisham,
Castor (FL)	Gonzalez (TX)	M.
Castro (TX)	Gottheimer	Luján, Ben Ray
Chu, Judy	Green, Al	Lynch
Ciçilline	Green, Gene	Maloney,
Clark (MA)	Grijalva	Carolyn B.
Clarke (NY)	Gutiérrez	Maloney, Sean
Clay	Hanabusa	Matsui
Cleaver	Hastings	McCollum
Clyburn	Heck	McEachin
Cohen	Higgins (NY)	McGovern
Cannolly	Himes	McNerney
Conyers	Hoyer	Meng
Cooper	Huffman	Moore
Correa	Jackson Lee	Moulton
Costa	Jayapal	Murphy (FL)
Courtney	Jeffries	Nadler
Crist	Johnson (GA)	Napolitano
Crowley	Johnson, E. B.	Neal
Cuellar	Jones	Nolan
Cummings	Kaptur	Norcross
Davis (CA)	Keating	O'Halleran
Davis, Danny	Kelly (IL)	O'Rourke
DeFazio	Kennedy	Pallone

Panetta	Sánchez	Takano
Pascrell	Sarbanes	Thompson (CA)
Payne	Schakowsky	Thompson (MS)
Pelosi	Schiff	Titus
Perlmutter	Schneider	Tonko
Peters	Scott (VA)	Torres
Peterson	Scott, David	Tsongas
Pingree	Serrano	Vargas
Pocan	Sewell (AL)	Veasey
Polis	Shea-Porter	Vela
Price (NC)	Sherman	Visclosky
Quigley	Sinema	Walz
Raskin	Sires	Wasserman
Rice (NY)	Slaughter	Schultz
Rosen	Smith (WA)	Waters, Maxine
Roybal-Allard	Soto	Watson Coleman
Ruiz	Speier	Welch
Ruppersberger	Suozzi	Wilson (FL)
Ryan (OH)	Swalwell (CA)	Yarmuth

NOT VOTING—15

Becerra	Meeks	Richmond
Buchanan	Mulvaney	Rush
Butterfield	Pompeo	Velázquez
Collins (NY)	Price, Tom (GA)	Walberg
Gallego	Rice (SC)	Zinke

□ 1430

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 26.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 22 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 26.

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

□ 1433

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with Mr. HULTGREN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, regulatory reform plays a critical role in ensuring that our Nation finally achieves a full economic recovery and retains its competitive edge in the global marketplace. Congress must advance pro-growth policies that create jobs and restore economic prosperity for families and businesses across the Nation and make sure that any administration and its regulatory apparatus is held accountable to the American people.

America's small-business owners are suffocating under mountains of endlessly growing, bureaucratic red tape; and the uncertainty about the cost of upcoming regulations discourages employers from hiring new employees and expanding their businesses. Excessive regulation means higher prices, lower wages, fewer jobs, less economic growth, and a less competitive America.

Today, Americans face a burden of over \$3 trillion per year from Federal taxation and regulation. In fact, our Federal regulatory burden is larger than the 2014 gross domestic product of all but the top eight countries in the world. That burden adds up to about \$15,000 per American household—nearly 30 percent of average household income in 2015.

Everyone knows it has been this way for far too long; but the Obama administration, instead of fixing the problem, has known only one response: increase taxes, increase spending, and increase regulation. The results have painfully demonstrated a simple truth: America cannot tax, spend, and regulate its way to economic recovery, economic growth, and durable prosperity for the American people.

Consider just a few facts that reveal the economic weakness the Obama administration has produced. In the December 2016 jobs report, the number of unemployed workers, workers who can only find part-time jobs, and workers who are now only marginally attached to the labor force stood at 9.3 percent. They number 15 million Americans. America's labor force participation rate remains at lows not seen since the Carter administration, and median household income is still below the level achieved before the financial crisis, which is after the entirety of the Obama administration.

The contrast between America's current condition and the recovery Ronald Reagan achieved as President is particularly stark in that, 4½ years after a recession began in 1981, the Reagan administration, through policies opposite to those of the Obama administration's, had achieved a recovery that created 7.8 million more jobs than when the recession began. Real per capita gross domestic product rose by \$3,091, and real median household income rose by 7.7 percent.

To truly fix America's problems, the REINS Act is one of the simplest,

clearest, and most powerful measures we can adopt. The level of new major regulation from the Obama administration is without modern precedent. Testimony before the Judiciary Committee during recent Congresses has plainly shown the connection between skyrocketing levels of regulation and declining levels of jobs and growth.

The REINS Act responds by requiring an up-or-down vote by the people's representatives in Congress before any new major regulation, which is defined in the bill generally as a rule that has an effect on the economy of at least \$100 million, can be imposed on our economy. It does not prohibit new major regulation. It simply establishes the principle: "no major regulation without representation."

The REINS Act provides Congress and, ultimately, the people with a much-needed tool to check the one-way cost ratchet that Washington's regulatory bureaucrats too often turn. During the 114th, 113th, and 112th Congresses, the REINS Act was passed multiple times by the full House of Representatives, each time with bipartisan support.

I thank Mr. COLLINS of Georgia for reintroducing this legislation, and I urge all of my colleagues to vote for the REINS Act.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I listened intently to my colleague's opening remarks, and he seemed to try to justify the passage of the REINS Act, which I rise in opposition to, by the way, by saying that it has been the Obama administration's job-killing regulations that have put our economy in its position, which is one that is not good.

Despite trying to convince the American people of that allegation, the American people are aware of the facts. They are aware of the fact that, 8 years ago, when President Obama came into office and under a Republican stewardship that used trickle-down economics as its model, this economy neared that of the Great Depression's. In fact, we call it the period of the Great Recession. This country almost went into a depression, and it went into a Great Recession because of George Bush's and the Republicans' policies of trickle-down economics, which Daddy Bush—George Herbert Walker Bush—once referred to as "voodoo economics," and he was right about that.

Let's look at where we were then and look at where we are now and ask ourselves: Are we not better off now than we were then?

There are not many voices that could say, No, we are not better off now than we were then, because they know, since then, there have been 81 straight months of positive private sector job growth.

They know that over 15.6 million new jobs have been added to our economy by President Obama. They also know that 30 million more people have health insurance and access to the healthcare system now than they did back then. They know that regulations had to ensue from the passage of the Affordable Care Act in order to enable those 30 million people to have coverage now. That is why they want to introduce this legislation to cut regulations. They want to try to hurt the Affordable Care Act. They also know that regulations had to spring forth from the Dodd-Frank, Wall Street regulation, legislation that was passed in this body. They know that those regulations have protected the finances and the financial security of Americans who are doing far better now than they were 8 years ago when President Obama took office.

The American people know that they are much better off now. They know that bankruptcies have gone down. They know that foreclosures have gone down. They know that they have better jobs. They know that things are better now than they were back then.

You will remember and the American people will remember that on the very day of President Obama's first inauguration, MITCH MCCONNELL and a cabal of Republicans met from both the House and Senate, crying in their beers at a Capitol Hill bar. They embarked on a strategy to—what?—make sure that President Obama would be a first-term President. So they resolved to oppose everything that he proposed, and they certainly did. Despite unprecedented opposition from the Republicans' just saying "no" to everything, the American people know that they are in a better position today than they were at this time 8 years ago when coming into the Obama administration.

The Republicans want to introduce legislation to do away with the rules and the regulations concerning the Affordable Care Act and the Dodd-Frank legislation, which has protected the financial security of Americans over the last 8 years. That is why they come forward with this so-called jobs bill. This regulatory reform bill called the REINS Act is not going to produce or create one single job. What it will do is cut measures to protect the health, safety, and well-being of Americans.

□ 1445

This misguided legislation would amend the Congressional Review Act to require that both Houses of Congress pass and the President sign a joint resolution of approval within 70 legislative days before any major rule issued by an agency can take effect. In other words, this bill would subject new major rules to nullification by Congress through an unconstitutional legislative veto by one Chamber of Congress.

Following Republican attempts earlier this week to gut ethics and oversight rules that are necessary to police corruption, it is telling that the REINS Act is the next bill that the House would consider in the 115th Congress. Americans should understand what the game plan is of the Republicans. They want the fox to guard the henhouse. That is why the very first act that they tried to get passed was reform of the House ethics regime. They wanted to neuter it, place it under the control of the Republican-controlled House Ethics Committee, where it would then languish and die like a prune on a vine that was unwatered.

That is the first thing they came up with, and the American people called them on it and wouldn't let them pass it. So they have postponed it. America needs to keep their eyes on this Congress to make sure that they don't follow through with that measure that would install the foxes over the henhouse. What they want to do is install the corporate foxes over America's henhouse with this REINS Act.

The REINS Act is central to the Speaker's so-called Better Way agenda, which is really only a better way for rich, corporate elites to further insulate themselves from public accountability and is emblematic of the same tired and crony-capitalist proposals that have been kicked around by opponents of environmental and public health protections since the 1980s. In fact, in 1983, Chief Justice John Roberts, who was then a counsel to President Reagan, criticized a similar proposal as unwise because it would hobble agency rulemaking by requiring affirmative congressional assent to all major rules and would seem to impose excessive burdens on the regulatory agencies.

In addition to being an unmitigated disaster for public health and safety, proposals like the REINS Act will actually do major harm to regulatory reform attempts, as the late Justice Antonin Scalia wrote in 1981. Then a professor at the University of Chicago Law School, Justice Scalia cautioned: "Those in the Congress seem perversely unaware that the accursed 'unelected officials' downtown are now their unelected officials, presumably seeking to move things in their desired direction; and that every curtailment of desirable agency discretion obstructs (principally) departure from Democrat-produced, pro-regulatory status quo."

Now, it is not often that I quote Justice Scalia, but, ironically, I do so today.

The REINS Act also imposes deadlines for the enactment of a joint resolution approving a major rule that could charitably be referred to as Byzantine. So as not to use too lofty language, I will just declare that this thing is like throwing a monkey wrench in a well-oiled machine.

Under new section 802, the House may only consider a major rule on the second or fourth Thursday of each month. In 2014, for example, there were only 13 such days on the legislative calendar. I think on the legislative calendar for 2017, there are only about 13, maybe 14 or 15, such days where we could consider these major rules on this legislative calendar. I would point out that there are approximately 80 such rules of importance that come through in a typical year.

Furthermore, under new section 801, Congress may only consider such resolutions within 70 legislative days of receiving a major rule. This creates a lot of red tape that threatens to end rulemaking as we know it, and that is the exact, precise intent of this Congress. Even if agencies reduce the number of major rules in contemplation of a bill's onerous requirements, Congress would still lack the expertise and policy justifications for refusing to adopt a major rule.

As over 80 of the Nation's leading professors on environmental and administrative law noted in a letter in opposition to a substantively identical version of this bill, without this expertise, any "disapproval is therefore more likely to reflect the political power of special interests, a potential that would be magnified in light of the fast-track process."

Lastly, by flipping the process of agency rulemaking so that Congress can simply void implementation by not acting on a major rule, the REINS Act likely violates the presentment and bicameralism requirements of Article I of the Constitution.

It is my pleasure to oppose this bill. I urge my colleagues on both sides of the aisle to do the same.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Mr. MARINO. Mr. Chairman, I rise today in strong support of the REINS Act. I would like to thank my colleague from Georgia (Mr. COLLINS) for taking charge of this bill in the 115th Congress and Judiciary Chairman GOODLATTE for quickly bringing it to the floor.

This week and next, the primary focus of debate here in the House is the stranglehold of regulation on the economy and its intrusion into the everyday lives of Americans. These onerous burdens are well-known to Members of Congress on both sides.

Over the past several years, I have spent countless hours traveling across the nearly 6,600 square miles of my district. I have met with my constituents in their homes, in their workplaces and social halls. They have pleaded with me for release from the regulations

that limit their ability to prosper, innovate, and grow.

Unlike the nameless, faceless, ever-growing bureaucracy here in Washington, we have listened to the people's concerns. We have made regulatory reform a priority and the focal point for jump-starting our economy. By placing final approval of major regulations in the hands of Congress, the REINS Act is an important launch point in our efforts to dismantle the administrative state and make government more accountable to the American people.

Our Founders vested in Congress—and Congress alone—the power to write the laws. Unfortunately, over our history, we have delegated much of that power away. The Founders could not have imagined our current scenario where the complaints of many fall on the deaf ears of an unelected few in Washington.

Thinking over the past 8 years, the REINS Act could have prevented numerous regulations that the American people knew were threats to their very way of life. Perhaps a trillion dollars in costs could have been avoided. I cannot even imagine how many jobs might have been saved or created if we avoided the regulatory barrage brought on by the Obama administration.

For example, we could have prevented the waters of the United States regulation that impacts the farmers near my home in rural Pennsylvania. The FCC's net neutrality rule might have been overturned, a classic rule-making bait and switch where the FCC ignored the mountains of public comment to achieve its own political ends. An unaccountable sum of environmental regulations might have been avoided before destroying large swaths of our industry and imposing huge costs on taxpayers.

Our prime takeaway from these instances and others is that the runaway regulators issued wide-ranging and economy-destroying regulations with complete disregard for the hard-working American citizens whose livelihoods were at stake.

Today we take an important step to reassert the voice of the American people in our government. The REINS Act reestablishes the Congress as the final judge of whether or not any particular regulation actually does what the Congress meant it to do.

Returning this responsibility to the branch of government most attentive and accountable to the people adheres to the principles of our Nation's founding. It is an effort that all elected to Congress should support.

I urge my colleagues to support the REINS Act.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 5 minutes to the eloquence of the gentleman from the great State of Tennessee (Mr. COHEN), my friend out of the great city of Memphis.

Mr. COHEN. Mr. Chairman, I don't know if I can live up to those words, but I certainly appreciate them.

I was the ranking member on this committee, and I was chair at one point. We have had this bill over the years. It is indeed a monkey wrench or a monkey in the wrench, as JOHN MCCAIN might have said. It will mess up the entire system that we have of Congress passing laws, delegating, giving the executive the ability to enact them in ways that make them functional and appropriate and come up with the details that the Congress does not have enough expertise to do.

The other side refers constantly to people that prepare these rules—which take many, many years and have much, much input—as bureaucrats, as if it is some type of pejorative. Bureaucrats are government employees who have expertise in certain areas and who study an area and become so much more expert than we are on the subject that they can come up with fine-tuned laws that are checked and balanced to make sure that the laws are implemented in the way that Congress intends. If Congress doesn't like it, Congress can pass a bill by both House and Senate to repeal it. We have already got that possibility.

Under this unique approach, either one of the houses of Congress can stop a regulation, a rule from going into effect because both Houses would have to approve a rule and the President would have to sign it before it could go into effect. That gives one House the ability to veto, basically, an executive action.

It is the executive in our system that has the power to veto acts of the legislature and not vice versa. We can pass laws in a bicameral spirit, which is what our Constitution has, when the House and the Senate agree. But neither House, independently, is given any power to veto laws or legislation. This would break that and, I believe, be unconstitutional. That is why I oppose H.R. 26, the Regulations from the Executive in Need of Scrutiny Act of 2017.

Indeed, the Executive in Need of Scrutiny Act is most appropriate this year as we start, because in 2017, 2018, 2019, and 2020, we are, indeed, going to have an executive in need of scrutiny. So I thank the Republicans for naming this bill appropriately because we are, indeed, in the times of an Executive in need of scrutiny.

We need scrutiny over income tax returns that have been hidden from the public that might disclose conflicts of interest or loans from characters that might be considered oligarchs and have some type of an influence over our foreign policy and our domestic.

We need an Executive in Need of Scrutiny Act that deals with these conflicts, with income taxes that haven't been released, with businesses in the District where people could go to hotels and curry favor with the Executive.

Indeed, we do have an Executive in Need of Scrutiny Act, so I appreciate

the well-named bill that the Republicans have brought us and the awareness that, through this bill, they have seen that we need some concern about the Executive coming because he certainly needs scrutiny.

□ 1500

This bill, though, is the worst of corporate special interest because it will give corporate special interests the opportunity to override rules that take effect unless both Houses pass them. It is difficult enough for this House and the Senate to get legislation passed in the days that we often give to legislation, but to have both Houses have to agree, in which case if you can't, it is, in essence, a pocket veto, and it doesn't even have to be scheduled for a vote because the House would have to positively pass and the Senate positively pass. So if the Speaker doesn't want to do it, the Speaker can pocket veto the regulation. It doesn't even have to be scheduled.

This is not draining the swamp. It will heighten the influence of corporate lobbyists in Congress where they can come to the Speaker and ask that agency rules they don't like that might protect the lives of children because they are regulations dealing with toys that seem to possibly be defective, or automobiles where they need safety devices, or other consumer protections that interfere with business interests—business is good and important, but sometimes businesses do things that are injurious to the public.

To give this opportunity to stop rules and regulations from going into effect that protect the public is wrong. It was suggested maybe it will help the economy, but at what cost? What is one life worth—or several lives—if lives are lost because safety regulations are not approved by this House and the Senate, or one or the other, and then don't go into effect? As I mentioned, this is seriously constitutionally defective.

The CHAIR. The time of the gentleman has expired.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. COHEN. Mr. Chairman, the ranking member mentioned Justice Scalia. I will mention Chief Justice John Roberts who criticized nearly identical legislation in the 1980s when he was a White House lawyer because it would “hobble agency rulemaking by requiring affirmative congressional assent to all major rules” such that it would “seem to impose excessive burdens on regulatory agencies.” That was John Roberts.

Some of the underlying facts given were about the economy. No matter what you say, President Obama has been effective on the economy. We saved the housing market. We saved this country from the Great Recession. We brought about recovery. That is not

something we should disparage but we should praise. The stock market has gone up to record highs. Unemployment is down. Jobs are up. The automobile industry has been saved.

I ask Members to reject this bill because it is unconstitutional. It will cost lives of American citizens because safety regulations won't be passed.

Mr. GOODLATTE. Mr. Chairman, it is my pleasure to yield 3 minutes to the gentleman from Texas (Mr. FARENTHOLD), a member of the Judiciary Committee.

Mr. FARENTHOLD. Mr. Chairman, our Founding Fathers intended for us to have a limited government. If they saw what we have today, they would be appalled. Our government has gotten huge. It is out of control, and an alphabet soup of government agencies and unelected bureaucrats are writing the laws. They call them regulations, but they have the effect of laws.

I am going to disagree with my friend and colleague from Tennessee, any power these agencies have to write regulations was delegated to Congress. We are pulling some of that power back, back to Congress, back to people elected by the people; in fact, to where the Founding Fathers put it in Article I of the Constitution.

That is why I am here today, to support the REINS Act. It says that if an agency enacts a regulation that has an economic impact of more than \$100 million, that has to come back before Congress for a positive vote before it takes effect.

Now, quite frankly, because the Constitution vests all of the legislative power in Congress, I think every single regulation that one of these agencies does should have to come back before Congress, but the REINS Act is a great start.

Throughout President Obama's administration, a flood of regulations has put extreme pressure and burdens on American job creators and American families. Take, for example, the EPA's waters of the U.S. rule. It is a power grab by the EPA attempting to regulate any body of water on a private land basically that is any bigger than a bathtub. It goes way beyond what the Clean Water Act says they can do.

Using its new interpretation of WOTUS, the EPA has full authority to bully land-owning American citizens like Wyoming rancher Andy Johnson who got a permit from the State and local government to build a stock pond so his cattle could have something to drink. Well, guess what, the EPA said, nope. They came in after the fact and said: if you don't take that out, we are going to hit you with \$37,500 a day in fines. Finally, after drawn-out litigation, the EPA was slapped back and Johnson's \$16 million in fines was erased.

This is just one of the many examples of the huge power grab these Federal agencies are doing.

We need people who are elected and answerable to the American people writing the laws, not unelected bureaucrats. That is why we need the REINS Act, and that is why we need to restore the constitutional power granted to this body in Article I. The REINS Act is a great start, and I urge my colleagues to join me in supporting it.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my friend from Texas cites Article I giving the legislative branch authority to make the laws, and no one can argue with that. However, I would point out that Article II, section 3 imposes upon the President, the executive, the obligation to take care that the laws are faithfully executed, and so rulemaking comes up under that authority, that constitutional authority. So what we have is a move by the legislative branch to intrude upon and to indeed regulate. And certainly we have that power to do so. But is it wise? Is it prudent? Or does it simply positively impact our campaign contributors, the people who put money into our campaigns? Is that the sole reason why we are doing this?

We need to give care and thought into what we are doing here in Congress in this House of Representatives even though one party has all of the power now. They have the majority in the House, they have the majority in the Senate, and they have an incoming President. It doesn't mean they should go off the rails with a philosophy that is not in keeping with where the American people are.

I would point out to them that there is no mandate that they have, even though they do have control of the legislative branch and the executive branch of government and they have held up, what some say actually stolen an appointment for the U.S. Supreme Court that President Obama was placed in a position to make last February upon the untimely demise of Justice Scalia. So since February, the U.S. Supreme Court has had to suffer through politics being played by the legislative branch in not confirming a presidential appointee, and now they have the opportunity to make that appointment under these conditions.

Even though they have played loose and fancy with the protections of the Constitution and with the well-being of the American people and indeed our Republic by playing these political games, I would ask my friends on the other side of the aisle to stop and think about what they are doing and the ramifications of it. Even though you want to get at the EPA to make it easier for oil companies to pollute our environment without regulations to prevent it from happening, is that good for our Nation? Is it good for our children? Is it good for our elderly? How does it leave us with regard to asthma

rates which have continued to skyrocket in this country? Do you want to gut the Dodd-Frank Wall Street reform to put us back in the situation where people are losing their homes and banks are being bailed out because they have become too fat to fail? Do we want to put ourselves back in that position again? Well, if we do then we will pass regulations like this one, the so-called REINS Act.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, at this time, it is my pleasure to yield 2 minutes to the gentleman from Michigan (Mr. BISHOP), a member of the Judiciary Committee.

Mr. BISHOP of Michigan. Mr. Chairman, I thank Chairman GOODLATTE for all of his leadership on this matter.

I rise today in strong support of H.R. 26, the REINS Act, which will restore the constitutional authority of Congress and rein in runaway government.

Mr. Chairman, as we have seen over the last 8 years, our economy has been strangled by Federal regulations which are burying small businesses and families. Federal regulations imposed on America's job creators and households created a staggering economic burden of almost \$2 trillion in 2014. That is almost \$15,000 per U.S. household, and 11.5 percent of America's real GDP.

But today, the House has an opportunity to cut through the red tape and restore the balance of powers. Economic growth cannot happen from Washington, D.C., it can only come from Main Street. That is why I adamantly oppose unelected and unaccountable bureaucrats issuing their own closed-door regulations in place of congressional regulations. The REINS Act will restore Congress' Article I powers and give a voice back to the American people. I urge my colleagues to join me in voting for H.R. 26.

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

Mr. GOODLATTE. Mr. Chairman, at this time, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. TROTT), currently a member of the Judiciary Committee but soon to move to another committee.

Mr. TROTT. Mr. Chairman, I thank Chairman GOODLATTE for yielding me the time.

Mr. Chairman, I rise today in strong support of H.R. 26, the REINS Act. In a minute, I want to share an experience I had a few months ago which will explain why, aside from the Constitution, I think it is important that we rein in unelected bureaucrats.

When we talk about regulatory reform, it is sometimes hard to understand the impact regulations have on our economy. That is for the simple reason that someone who goes in for a job interview never sits there and is told by the employer: I would love to offer you the job, but I can't because of the crushing regulatory burden coming

out of Washington. And that is because the crushing burden of regulations causes the job not to be created in the first place; and, hence, there is no interview for the job.

The experience I had a couple of months ago, I was back home, and I met with the Michigan Restaurant Association. There were 8 or 10 folks sitting around and telling me about the issues that are important to them. They said they were dying because of the EPA, because of the FDA, because of the EEOC, because of the ACA, because of the overtime rule from DOL, and because of the CFPB. I quickly surmised that the restaurant industry is dying, and it is death by acronyms. That is what is happening in this country. That is why we are not creating jobs.

If you come in from the airport, you come across the 14th Street bridge and you enter the city, all you see is cranes. There was never a recession in Washington. Today, there are 277,000 people who write and enforce rules in this country in Washington, D.C., and around the country. That is more than the entire employee base of the VA.

A few minutes ago, my friend from Tennessee said that all of these great regulations have saved our country. Well, if that had happened, I would have expected a different result on November 8.

A few minutes ago, my friend from Georgia, who I was proud to serve on the Judiciary Committee with, talked about all of the problems with our plan.

□ 1515

I say to my colleague, the next time you pull up in front of your favorite Outback Steakhouse restaurant and it is closed, it is not because the cook quit, it is not because of the cost of beef, and it is not because the restaurant was poorly managed. It is because of death by acronyms. I ask everyone to support H.R. 26. It is time we rein in unelected bureaucrats, follow the Constitution, and create some jobs.

Mr. JOHNSON of Georgia. Mr. Chairman, I am sorry to see my friend, Mr. TROTT, leaving the Judiciary Committee. We have appreciated his being there and we hate to see him go, but the gentleman is going on to bigger and better things.

I would say to the gentleman that it is surprising to me that the Bloomberg Government reports show that of all of the job cut announcements made by industry during the year of 2016—and that was a year, by the way, which was not unlike previous years. Basically, the Obama administration has created about 1.9 million new private sector jobs per year.

I am just startled by this statistic here for the year 2016 as far as the number of job cut announcements by reason. The reason given for govern-

ment regulation being responsible for the job cut is 1,580. That is out of 1.9 million new jobs created during the entire 2016 year, 1,580 jobs lost due to government regulation. That's almost as many as were lost due to the listeria outbreak, legal trouble, or grain downturn. Government regulation, 1,580 jobs lost out of 1.9 million created.

So this argument that we keep hearing from my friends on the other side of the aisle that there is a strangulation or a stranglehold on job creation by Obama's regulations, nothing could be more false than that.

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

Mr. GOODLATTE. Mr. Chairman, may I ask how much time is remaining on our side?

The CHAIR. The gentleman from Virginia has 15 minutes remaining. The gentleman from Georgia has 5 minutes remaining.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I thank Chairman GOODLATTE for yielding.

Mr. Chairman, I rise in strong support of H.R. 26, the REINS Act. This bill is the beginning of making America great again. That is because it puts Americans back in charge of the laws being imposed upon them.

How does the legislation do that?

Under our Constitution, we have three branches. The executive branch is supposed to enforce the law. The judicial branch is supposed to resolve disputes arising under the law. The legislature—this House and the Senate, the branch directly elected by the people—is supposed to make the law.

Over the last decades, we have seen more and more of the lawmaking in this country migrate to the unelected bureaucrats in the executive branch. Those bureaucrats churn out regulation after regulation that have the full force and effect of law. The problem with this setup is that the people of this country are supposed to consent to laws being imposed upon them. They do that through their elected representatives in Congress. In short, this legislation goes to the heart of what self-rule is all about.

Let me be clear: this legislation does not end regulation. It is the beginning of accountability for regulation. If there is a good regulation that a Member believes makes sense and does not unduly burden jobs and wages, that Member may vote to approve the regulation. If the people that Member represents disagree, they get to hold him or her accountable at the ballot box.

My colleagues across the aisle should not fear taking responsibility for the laws and regulations coming out of Washington, D.C. Over the last 7 years, Washington regulations have hurt many working families. We have seen

coal miners and power plant workers lose good jobs. We have seen small, Main Street community banks and credit unions forced into mergers. We have seen farmers worried about puddles on their farms. We have seen people lose their health insurance and their doctors, and we have seen the Little Sisters of the Poor have their religious freedom threatened—all without the consent of the people.

It is time for the people, Mr. Chairman, to put the American people back in charge and not the unelected bureaucrats. Let's take the power away from Washington. Let's restore self-rule. Let's pass this bill.

Mr. JOHNSON of Georgia. Mr. Chairman, I have just tallied up the number of jobs that would be created by passage of this legislation. I did that by multiplying by eight the figure of 1,580, which is the number of jobs lost due to government regulation in 2016. If I multiply that eight times, I come up with 12,640 jobs. That is how many jobs would be created by this legislation—a paucity.

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

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. YOUNG).

Mr. YOUNG of Iowa. Mr. Chairman, I rise today in support of the REINS Act, legislation that I and many of my colleagues are proud to have cosponsored to help bring expensive and expansive regulations under control.

Over the past several years, major regulations have cost small businesses, States, local government, and individuals billions of dollars and have cost them jobs. So this is a commonsense bill to enhance transparency and give Americans greater say in their government, and I thank Representative COLLINS of Georgia and Chairman GOODLATTE for their leadership on this issue.

By requiring Congress to approve any major regulation with an annual economic impact of \$100 million or more on the economy, the bill opens the process so our constituents—the people—can have their voice heard in the process.

I'm also pleased an amendment I offered last year, which was accepted by this body, is included in the bill's base text, section 801. That provision requires more transparency by forcing agencies to publish the data and justification they are using to issue the rule. It's important the American people have access to the information in which these conclusions are made. Section 801 directs the regulatory bodies to post publicly the data, studies, and analyses that they use to come up with their rules and conclusions so that we can all be on the same page. Transparency.

Too often I hear concerns from Iowans about how overreaching regulations are hurting their farms and businesses and impacting their daily lives. From how our kids are taught, how we manage our personal finances, or even drain the water in our communities, we have seen how regulations and those who craft them have an enormous impact.

I hear from constituents how these regulations are out of touch, don't reflect the basic, fundamental understanding of the important sectors driving our economy or the daily lives of Iowans and all Americans. These regulations, which have the full force of law, are putting Americans out of work and increasing costs for consumers.

The REINS Act is an important, commonsense bill to help address this problem. We must do more. I appreciate Chairman GOODLATTE's commitment to work with me on my Fingerprints bill to ensure further transparency and accountability by naming those who author and write these regulations. I thank Chairman GOODLATTE and Representative COLLINS of Georgia for prioritizing the REINS Act.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there are approximately 2.8 million civil servants out there. Americans who work for the Federal Government go to work every day. They work hard and play by the rules. They have a good, middle class job. Your jobs are at stake, Federal employees.

There are those who say that we have too many Federal employees. Well, the number of Federal employees that we have now is at the same level as they were in 2004, which was when President Bush was in office. Basically we are at a 47-year low, as far as the number of Federal employees, since 2013.

The Federal regulatory regime, which is just simply Federal workers—Federal civil servants—is not out of control, but your jobs are going to be lost when these Republicans finish doing what they want to do to these regulations.

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

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I thank Chairman GOODLATTE for his fine work on this important issue.

Mr. Chairman, I rise today in strong support of the REINS Act because it fulfills a promise Congress made to American businessowners to get onerous regulations off the backs of job creators.

It sets a very reasonable standard. If a new regulation has an economic impact of \$100 million or more, it needs to come to Congress for an up-or-down vote. Congress will then have a say. We

will debate the merits, and then we will decide.

The Obama administration handed down a record-breaking 600 major new regulations imposing hundreds of billions of dollars in costs on the U.S. economy and millions of hours of compliance busywork on the employers and employees across the country.

All of that excessive red tape places a huge burden on small- and medium-sized businesses that create jobs in New Jersey, the State I represent, and across the Nation. I have toured quite a few businesses, and the consensus is clear: let American workers innovate, build, and create, and not spend time complying with regulations that are impractical and often a waste of time and money.

The REINS Act is constitutional. It does not violate the Chadha doctrine because it does not permit Congress to overturn valid regulations. Also, a joint resolution satisfies the bicameralism and presentment requirements of the Constitution.

The REINS Act will bring an important check against out-of-control Federal regulations and foster stronger economic growth. It is an important start to the agenda of the 115th Congress, and I urge all of our colleagues to support this important piece of legislation.

Mr. JOHNSON of Georgia. Mr. Chairman, how much time do we have remaining on each side?

The CHAIR. The gentleman from Georgia has 3½ minutes remaining. The gentleman from Virginia has 9 minutes remaining.

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

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Chairman, I stand here today with an urgent plea to my colleagues. We were elected by the good men and women of the United States who believe in our vision of America and who believe in our dedication to doing whatever it takes to ensure the American Dream is alive and achievable. It is for these reasons the REINS Act must pass.

Federal regulations imposed on American the job creators and households, an estimated \$1.9 trillion burden in 2015.

Who pays that?

The American citizen does. It costs on an average, as Chairman GOODLATTE brought up, \$15,000 per U.S. household.

Could that money be better used to offset the cost of a college education or maybe the staggering cost of health care due to the Affordable Care Act?

Let me give you a real-life illustration from my district. A couple of years ago, a constituent, a dairy farmer, was targeted by an incredibly vague, broad, and costly EPA rule called WOTUS, Waters of the United

States. The EPA sued and won this case not due to environmental damage, but due to the vagueness of this rule and the determination in court. It cost my constituent over \$200,000 in fines and court costs for a natural depression in his pasture that the EPA determined could qualify as navigable waters.

The rule states that any water or any land that becomes seasonably wet is affected. I live in Florida. We get 54 inches of rain a year. That is my whole State of Florida.

This is downright outrageous. This is just one example of the many times the EPA has overstepped its authority by enforcing vague regulations unfairly on individuals. The REINS Act will prevent these costly job-killing regulations from going into effect and safeguard against Federal bureaucrats imposing the heaviest burdens on the American economy, and this will increase the livelihood of the American people.

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

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. GARRETT).

Mr. GARRETT. Mr. Chairman, I rise today in support of the REINS Act, H.R. 26, for any number of reasons.

I can't help but point out that I have heard my esteemed colleagues in opposition to this bill refer on multiple occasions to the Federal bureaucracy as a well-oiled machine. Mr. Chairman, there are, indeed, well-oiled machines that undergird this institution, but I would submit the Federal bureaucracy is not one of those.

We have heard that the regulatory burden, as it relates to the loss of jobs, is equal to a listeria outbreak. What I would submit is that if we could avoid a listeria outbreak, would we not choose to do just that?

□ 1530

While looking at the loss of jobs as related to Federal regulation, we overstep the argument by avoiding the jobs not created as a result of Federal regulations. Should these things also not be amongst the items that we consider?

A wise man once said that the bureaucracy will continue to expand to meet the expanding needs of the bureaucracy. In 2017, in the United States, indeed, it seems we find ourselves in that very situation.

Arguments that the REINS Act is contrary to the Constitution, I would submit, are actually 180 degrees from the truth. In fact, Article I of the Constitution gives the power to make law to this legislative branch of our government and gives the power to generate revenue, here, as well as spend.

The definition of "law," according to the Oxford Dictionary, is: "The system of rules which a particular country or

community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties.”

I will submit that the very regulatory overreach that we consider here today is, in fact, tantamount to law and extraconstitutional in and of itself.

My esteemed colleague from Pennsylvania suggested, and I agree, that the REINS Act is but a good start. The power to spend is Article I. The power to make laws is Article I.

REINS is a rudder on the ship of constitutionality that will right that ship and move it only in the correct direction. Regulations that have the power to take liberty or property rights or the wealth of those earned by their own labor are tantamount to law and, indeed, extraordinary constitutionally as it relates to an executive branch entity, and they should not be exercised.

Mr. Chairman, we hear that the people's House is responsible for this and the people's House is responsible for that. Well, the people's House is to ensure that the people have a voice in the matters of spending and lawmaking that our Founders who laid out Article I of the Constitution envisioned, and currently, that is simply not the case. H.R. 26 is simply a step back towards that right direction of constitutionality.

With that in mind, I strongly support the legislation.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. PERLMUTTER), my friend.

Mr. PERLMUTTER. Mr. Chairman, the gentleman just spoke about liberty. My friend from Pennsylvania spoke about self-rule. Today we are talking about bureaucrats, but what we really should be talking about is the effect of this bill on our agencies in Homeland Security and our intelligence agencies, given the unprecedented intrusion by the Russians in our elections and other affairs of this Nation. If we don't stay focused on that liberty and the foundation for freedom so that another country doesn't interfere with our affairs, we as Members of Congress are ignoring the oath that we just took 2 days ago.

So I would suggest to my friends that I appreciate there can be overregulation, but I would suggest you have to look closely at how this bill affects our ability to protect our liberties and our freedom. I am afraid it affects it badly, in the face of interference that we haven't seen from another country since 1776.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chairman, I come from the private sector; so when I come to the House and I listen to the debate going back and forth, I almost feel like I am somebody

not from a different planet, but from a different galaxy.

When we talk about overregulation, when we talk about the effects of unelected bureaucrats leveling on the American people \$2 trillion and an impact to the economy, then somebody ought to sit up and listen.

All we are talking about is scrutiny, scrutiny of any piece of legislation, any executive order that comes out that is going to have an impact of \$100 million or more on the economy. Around here, \$100 million sounds like nothing. From where I am from, it is unbelievable that we would even think that \$100 million should be the point that we look at.

What could be more common sense than to look at the heavy burden we are putting on everyday Americans and saying that, somehow, unelected bureaucrats who have never walked in their shoes, who have never done their job, who have never worried about meeting a payroll, who have never had to worry about regulation and taxation that make it impossible for them to compete, these poor, stupid folks just don't get it?

705,687 people in your districts are who you represent. Whether they voted for you or not is not the point. The point is we represent them. Why in the world would Congress cede its power to the executive branch and to unelected bureaucrats to determine what the American people are going to be burdened with? It is just common sense. Why can't we not see what is right in front of us right now?

I invite you to please go home to your districts, walk in those shops, walk in those little towns, talk to those people and find out the two things that really inhibit them from being successful are overtaxation and overregulation. We can handle both those things right here in the people's House.

This is not a Democratic House. This is not a Republican House. This is America's House. We should be looking at things that benefit the American people.

If we truly want to act in a bipartisan way, then let's stop this back-and-forth debate about what Republicans want, what Democrats want, and let's talk about what is good for the American people. That is who sent us. That is whose responsibility we have on our shoulders. If we can't do that, we ought to go home.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

As far as unelected bureaucrats that we have heard people rail against, speaker after speaker today being concerned, those are nothing more than the civil servants that make our government work. They protect our water, protect our air. They protect us, as a matter of fact—the FBI, the law en-

forcement. These are good people who go to work every day, work hard, like my dad did, for instance. He was a civil servant. I guess you could call him an unelected bureaucrat. He did everything during his job that he needed to do, and he retired with dignity.

There are so many others who work for the post office. They work for TSA, Homeland Security. They are doing nothing but working a job honestly, and they deserve more than to be referred to derisively. We need them.

Mr. Chair, I am in opposition to this legislation. We need real solutions for real problems. In stark contrast, however, the REINS Act attempts to address a nonexistent problem with a very dangerous solution.

We need legislation that creates middle class financial security and opportunity, not legislation that snatches that away.

We need sensible regulations that protect American families from economic ruin and that bring predatory financial practices to an end.

We need workplace safety regulations that ensure hardworking Americans who go to work each day are protected from hazardous environments on the job.

We need strong regulations that protect the safety of the food that we eat and the air that we breathe and the water that we drink.

Unfortunately, H.R. 26 does nothing to advance those critical goals. This explains why more than 150 organizations strongly oppose this legislation, including Americans for Financial Reform; the American Lung Association; Consumers Union; The Humane Society of the United States; the League of Conservation Voters; Public Citizen; the American Federation of State, County and Municipal Employees; Earthjustice; the Coalition for Sensible Safeguards; the American Public Health Association; the Environmental Defense Action Fund; the Center for American Progress; and the Trust for America's Health. I, therefore, urge my colleagues to oppose H.R. 26.

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

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time.

During this debate, my friends on the other side of the aisle have raised quite a few false alarms:

If this bill passes, all important regulation will stop, they say. But that is not true. All regulation that is worthy of Congress' approval will continue;

If this bill passes, expert decision-making will stop because Congress will have the final say on new, major regulations, not Washington bureaucrats. That is not true.

Congress will have the benefit of the best evidence and arguments expert agencies can offer in support of their new regulations. Congress is capable of determining whether that evidence and

those arguments are good or not and deciding what finally will become law. That is the job our Founding Fathers entrusted to us in the Constitution. We should not shirk from it.

I will tell you, though, what will stop if this bill becomes law: the endless avalanche of new, major regulations that impose massive, unjustified costs that crush jobs, crush wages, and crush the spirit of America's families and small-business owners. Think about what that will mean to real Americans who have suffered the real burdens of overreaching regulations.

Support the American people and listen to the major organizations across the country, which I include in the RECORD, who support H.R. 26, the REINS Act.

Support the American people. Support the REINS Act.

SUPPORT FOR H.R. 26, THE REINS ACT

American Center for Law and Justice, American Commitment, American Energy Alliance, American Fuel & Petrochemical Manufacturers, Americans for Limited Government, Americans for Prosperity—Key Vote, Americans for Tax Reform, Associated Builders and Contractors, Associated General Contractors, Club for Growth—Key Vote, Competitive Enterprise Institute, Credit Union National Association, Family Business Coalition, FreedomWorks—Key Vote.

Heating Air-conditioning & Refrigeration Distributors International (HARDI), Heritage Action—Key Vote, Let Freedom Ring, National Association of Electrical Distributors (NAED), National Association of Home Builders, National Center for Policy Analysis, National Roofing Contractors Association, National Taxpayers Union—Key Vote, R Street, SBE Council, Campaign For Liberty.

SMALL BUSINESS & ENTREPRENEURSHIP COUNCIL, Vienna, VA, January 3, 2017.

Hon. DOUG COLLINS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE COLLINS: Serious regulatory reform is needed to revitalize entrepreneurship, small business growth, our economy, and quality job creation. Therefore, the Small Business & Entrepreneurship Council (SBE Council) strongly supports the Regulations from the Executive In Need of Scrutiny (REINS) Act of 2017.

U.S. entrepreneurship and startup activity are in a frail state. While economic uncertainty and difficulties accessing capital present barriers to new business formation, excessive government regulation drives uncertainty and creates new obstacles. When the policy ecosystem becomes noxious for startups and small businesses, our entire economy suffers. For existing businesses, overregulation is driving costs higher and undermining confidence, investment and growth. The system is out-of-control, and common sense tools and solutions are needed to rein in the explosive growth of federal red tape.

The REINS Act requires that Congress take an up-or-down vote on every new major rule—defined as having an economic impact of \$100 million or more—before such a rule could be enforced. This substantive regulatory reform measure would serve as an im-

portant check on the regulatory system, and have a positive effect in terms of how regulation affects small businesses, and therefore, consumers, America's workforce and the economy.

The REINS Act will bring needed accountability to our nation's regulatory system, and SBE Council thanks you for your leadership in spearheading this important legislative effort.

Sincerely,

KAREN KERRIGAN,
President and CEO.

NATIONAL ROOFING
CONTRACTORS ASSOCIATION,
Washington, DC, January 3, 2017.

To All Members of the House of Representatives.

DEAR REPRESENTATIVE, The National Roofing Contractors Association (NRCA) strongly supports the Regulations from the Executive in Need of Scrutiny (REINS) Act and urges you to support this legislation when it comes to the House floor for a vote.

Established in 1886, NRCA is one of the nation's oldest trade associations and the voice of professional roofing contractors worldwide. NRCA has about 3,500 contractors in all 50 states who are typically small, privately held companies with the average member employing 45 people and attaining sales of about \$4.5 million per year.

The roofing industry has faced an avalanche of new regulations from numerous government agencies in recent years. The cumulative burden of often counterproductive regulations is highly disruptive to entrepreneurs who seek to start or grow businesses that provide high-quality jobs. Most important, federal agencies have failed to work with industry representatives to provide greater flexibility for employers in achieving regulatory goals and minimizing adverse impacts on economic growth and job creation.

NRCA strongly supports regulatory reform to provide small and midsized businesses with much-needed relief from burdensome regulations, and the REINS Act is a key component of regulatory relief. It would require Congress to approve, with an up-or-down vote, any new major regulation issued by a federal agency before the regulation would become effective. Under the REINS Act, a major regulation is defined as any rule that is estimated to have an economic impact of at least \$100 million on the private sector; would result in a major increase in costs or prices; and would have significant adverse effects on competition, employment, investment, productivity or U.S. competitiveness.

NRCA believes the REINS Act, by requiring major regulations undergo a vote in Congress to become effective, would substantially increase accountability among federal agencies seeking to issue new regulations. This legislation would help provide employers in the roofing industry with the certainty they need to invest in their businesses and create more jobs.

NRCA supports the REINS Act and urges you to vote for this legislation in the House. If you have any questions or need more information, please contact NRCA's Washington, D.C., office.

DENNIS CONWAY,
Commercial Roofers Inc., Las Vegas,
NRCA Chairman of the Board.

ASSOCIATED BUILDERS
AND CONTRACTORS, INC.,
Washington, DC, January 4, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of Associated Builders and Contractors (ABC), a national construction industry trade association with 70 chapters representing nearly 21,000 chapter members, I am writing in regard to the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2017 (H.R. 26) introduced by Rep. Doug Collins (R-GA) as well as the Midnight Rules Relief Act of 2017 (H.R. 21) introduced by Rep. Darrell Issa (R-CA).

From 2009 to present, the federal government imposed nearly \$900 billion in regulatory costs on the American people which requires billions of hours of paperwork. Many of these regulations have been or will be imposed on the construction industry. ABC is committed to reforming the broken federal regulatory process and ensuring industry stakeholders' voices are heard and rights are protected. ABC supports increased transparency and opportunities for regulatory oversight by Congress and ultimately, the American people.

The Obama administration issued numerous rulemakings that detrimentally impact the construction industry. In some cases, these regulations are based on conjecture and speculation, lacking foundation in sound scientific analysis. For the construction industry, unjustified and unnecessary regulations translate to higher costs, which are then passed along to the consumer or lead to construction projects being priced out of the market. This chain reaction ultimately results in fewer projects, and hinders businesses' ability to hire and expand.

ABC members understand the value of standards and regulations when they are based on solid evidence, with appropriate consideration paid to implementation costs and input from the business community. Federal agencies must be held accountable for full compliance with existing rulemaking statutes and requirements when promulgating regulations to ensure they are necessary, current and cost-effective for businesses to implement.

ABC opposes unnecessary, burdensome and costly regulations resulting from the efforts of Washington bureaucrats who have little accountability for their actions. H.R. 26 will help to bring greater accountability to the rulemaking process as it would require any executive branch rule or regulation with an annual economic impact of \$100 million or more to come before Congress for an up-or-down vote before being enacted. Moreover, H.R. 21 will further enhance congressional oversight of the overreaching regulations often issued during the final months of a president's term and help to revive the division of powers.

Thank you for your attention on this important matter and we urge the House to pass the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2017 and Midnight Rules Relief Act of 2017 when they come to the floor for a vote.

Sincerely,

KRISTEN SWEARINGEN,
*Vice President of Legislative
& Political Affairs.*

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

Mr. CONYERS. Mr. Chair, H.R. 26, the "Regulations from the Executive in Need of Scrutiny Act of 2017," otherwise known as the REINS Act, would amend the Congressional

Review Act to require that both Houses of Congress pass and the President sign a joint resolution of approval within 70 legislative days before any major rule issued by an agency can take effect.

Simply put, H.R. 26 would impose unworkable deadlines for the enactment of a major rule under procedures that could charitably be referred to as convoluted.

Under this bill, the House may only consider a resolution for a major rule on the second and fourth Thursday of each month. Keep in mind that typically 80 major rules are promulgated annually. Yet, there may be as little as just 15 days available to consider such measures based on the majority's legislative calendar for the current year.

Furthermore, Congress may only consider such resolutions within 70 legislative days of receiving a major rule. This process would constructively end rulemaking as we know it.

Now, Mr. Chair, the reason why my friends on the other side of the aisle say we need this kind of gumming-the-works legislation—is because they claim regulations stifle economic growth.

For example, they point to the outgoing administration and say that regulations promulgated during its tenure have hurt our Nation's economy.

What they fail to tell the American people is that it was the Republican George Bush's administration's economic policies that caused the Great Recession.

Without question, it was the lack of regulatory controls that facilitated rampant predatory lending, which nearly destroyed our Nation's economy.

It led to millions of home foreclosures and devastated neighborhoods across America. In fact, it nearly caused a global economic meltdown.

Nevertheless, as a consequence of strong regulatory policies implemented by President Obama through such measures as the Dodd-Frank Act, our Nation has recovered to a point where the unemployment has been cut nearly in half to less than 5 percent.

Yet, the REINS Act would reverse these gains by empowering Congress to control and override the rulemaking process, even in the absence of any substantive expertise.

More than 80 of the Nation's leading professors on environmental and administrative law have warned in connection with substantively identical legislation considered in the last Congress, that without this expertise, any congressional disapproval is more likely to reflect the political power of special interests.

Lastly, by upending the process for agency rulemaking so that Congress can simply void major rules through inaction, the REINS Act likely violates the presentment and bicameralism requirements of Article I of the Constitution.

As a leading expert on administrative law states: "The reality is that the act is intended to enable a single House of Congress to control the implementation of the laws through the rulemaking process. Such a scheme transgresses the very idea of separation of powers, under which the Constitution entrusts the writing of the laws to the legislative branch and the implementation of the laws to the executive branch."

The REINS Act will further encourage corporate giants to hold our country hostage through a deregulatory, profits-first agenda and facilitate a political influence process rivaling the destructive industrial monopolies from the past century.

In sum, H.R. 26, like the "Midnight Rules Relief Act" we considered yesterday on the House floor, is yet another blatant gift to big business to weaken the critical regulatory protections that ensure the safety of the air we breathe, the cars we drive, the toys we give our children, and the food we eat.

Accordingly, I strongly urge my colleagues to oppose this ill-conceived bill.

The CHAIR. All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 26

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Regulations from the Executive in Need of Scrutiny Act of 2017".

SEC. 2. PURPOSE.

The purpose of this Act is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. 3. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

"CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

"Sec.

"801. Congressional review.

"802. Congressional approval procedure for major rules.

"803. Congressional disapproval procedure for nonmajor rules.

"804. Definitions.

"805. Judicial review.

"806. Exemption for monetary policy.

"807. Effective date of certain rules.

"§ 801. Congressional review

"(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

"(i) a copy of the rule;

"(ii) a concise general statement relating to the rule;

"(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained

within sections 804(2)(A), 804(2)(B), and 804(2)(C);

"(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

"(v) the proposed effective date of the rule.

"(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

"(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

"(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

"(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

"(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

"(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

"(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

"(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

"(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

"(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

"(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

"(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

"(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

"(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President

makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

“(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

“(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

“(A) in the case of the Senate, 60 session days; or

“(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

“(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

“(i) such rule were published in the Federal Register on—

“(I) in the case of the Senate, the 15th session day; or

“(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

“(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

“(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

“(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

“§ 802. Congressional approval procedure for major rules

“(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

“(A) bears no preamble;

“(B) bears the following title (with blanks filled as appropriate): ‘Approving the rule submitted by _____ relating to _____.’;

“(C) includes after its resolving clause only the following (with blanks filled as appropriate): ‘That Congress approves the rule submitted by _____ relating to _____.’; and

“(D) is introduced pursuant to paragraph (2).

“(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

“(A) in the case of the House of Representatives, within 3 legislative days; and

“(B) in the case of the Senate, within 3 session days.

“(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

“(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

“(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

“(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5

legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

“(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

“(A) the joint resolution of the other House shall not be referred to a committee; and

“(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

“(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

“(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

“(h) This section and section 803 are enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

“(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

“§ 803. Congressional disapproval procedure for nonmajor rules

“(a) For purposes of this section, the term ‘joint resolution’ means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ‘That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.’ (The blank spaces being appropriately filled in).

“(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

“(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a

petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

“(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

“(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

“(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

“(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(1) The joint resolution of the other House shall not be referred to a committee.

“(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(B) the vote on final passage shall be on the joint resolution of the other House.

“§ 804. Definitions

“For purposes of this chapter:

“(1) The term ‘Federal agency’ means any agency as that term is defined in section 551(1).

“(2) The term ‘major rule’ means any rule, including an interim final rule, that the Ad-

ministrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

“(A) an annual effect on the economy of \$100,000,000 or more;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

“(3) The term ‘nonmajor rule’ means any rule that is not a major rule.

“(4) The term ‘rule’ has the meaning given such term in section 551, except that such term does not include—

“(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(B) any rule relating to agency management or personnel; or

“(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

“(5) The term ‘submission date or publication date’, except as otherwise provided in this chapter, means—

“(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

“(B) in the case of a nonmajor rule, the later of—

“(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

“(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

“§ 805. Judicial review

“(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

“(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

“(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

“§ 806. Exemption for monetary policy

“Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

“§ 807. Effective date of certain rules

“Notwithstanding section 801—

“(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

“(2) any rule other than a major rule which an agency for good cause finds (and incor-

porates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the Federal agency promulgating the rule determines.”.

SEC. 4. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

“(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”.

SEC. 5. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

SEC. 6. EFFECTIVE DATE.

Sections 3 and 4, and the amendments made by such sections, shall take effect beginning on the date that is 1 year after the date of enactment of this Act.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 115-1. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-1.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Subparagraph (A) of section 804(2) of title 5, United States Code, as proposed to be amended to read by section 3 of the bill, is amended to read as follows:

“(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;”.

The CHAIR. Pursuant to House Resolution 22, the gentleman from Virginia

(Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

I offer this manager's amendment to assure that, just as the REINS Act strengthens Congress' check on rules that impose major new costs on the economy, it does not unduly delay the effectiveness of major new deregulatory actions, those that alleviate regulatory burdens of \$100 million or more.

When first introduced in the 112th Congress, the REINS Act incorporated the definition of major rule in the underlying Congressional Review Act—generally, a rule that has “an annual effect on the economy of \$100,000,000 or more.”

This was done in the interest of consistency with prior terminology, and it swept in both actions that imposed costs and actions that lifted costs. But, especially after the regulatory onslaught we have witnessed during the Obama administration, it is time to revise that definition.

We should assure that the REINS Act focuses Congress' highest attention on the rules that hurt the economy the most: those that impose \$100 million or more in costs per year. We should likewise make sure that the REINS Act does not impose additional hurdles in the way of the most important and desperately needed deregulatory actions: those that free the economy of \$100 million or more in annual regulatory burdens. A deregulatory action with that level of economic effect is one that Congress should be encouraging, not slowing down.

This refinement of the REINS Act's major rule definition is also needed to assure consistency with the major Administrative Procedure Act reform legislation the House is due to consider next week, the Regulatory Accountability Act of 2017. That measure already modernizes the major rule standard for APA purposes to \$100 million or more in annual costs imposed on the economy. The REINS Act should mirror it.

I urge my colleagues to support this manager's amendment.

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

□ 1545

Mr. JOHNSON of Georgia. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, the Goodlatte amendment clarifies that a major rule is any rule with an annual cost on the economy of \$100 million or more adjusted for inflation. This amendment revises the bill's definition for a major rule to include any rule with an annual cost of \$100 million

or more as determined by the Office of Information and Regulatory Affairs, also known as OIRA.

I oppose this amendment because it focuses only on the cost of regulatory protections while completely overlooking the monetary benefits of these critical rules. It also strips OIRA's ability to consider the benefits of a rule in connection with a rule's cost. I don't understand the logic of that.

In 2015, The Washington Post's Fact Checker blog criticized cost-only regulatory estimates as misleading, unbalanced, and having serious methodological problems. Robert Weissman, president of Public Citizen, likewise observed in 2015 that ignoring the benefits of regulation is akin to grocery shoppers deciding to buy no groceries simply because groceries cost money. That doesn't make any sense to me.

Even Thomas Donohue, president of the U.S. Chamber of Commerce, has stated that “many of these rules we need, they're important for the economy, and we support them,” conceding that the benefits of regulatory protections must be considered hand in hand with their costs.

Indeed, under both Democratic and Republican administrations, the Office of Management and Budget regularly has reported to Congress that the benefits of regulations far exceed their costs. During the three hearings on the REINS Act in previous Congresses, we heard from three distinguished witnesses that the benefits of regulation routinely outweigh their costs, according to cost-benefit analysis done by the Office of Management and Budget under administrations of both parties.

For example, in the 112th Congress, Sally Katzen, a former administrator of the OMB's Office of Information and Regulatory Affairs, testified that “the numbers are striking: according to OMB, the benefits from the regulations issued during the ten-year period”—from fiscal year 1999 through 2009—“ranged from \$128 billion to \$616 billion.”

I will repeat. Benefits from regulations ranged from \$128 billion to \$616 billion.

“Therefore, even if one uses OMB's highest estimate of costs and its lowest estimate of benefits, the regulations issued over the past ten years have produced net benefits of \$73 billion to our society.”

Those are the words of Sally Katzen. That 10-year timeframe encompasses the Clinton, Bush, and Obama administrations.

We also heard in the 112th Congress from David Goldston, a former Republican House committee chief of staff, who testified that “administrations under both parties have reviewed the aggregate impact of regulations and found their benefits to have exceeded their costs (and not all benefits are quantifiable).”

Their testimony is bolstered by the Office of Management and Budget's 2016 Draft Report to Congress, which notes that estimated annual benefits of major Federal regulations reviewed by OMB over the past decade estimated annual benefits of regulatory protections are between \$269 billion and \$872 billion, while regulatory costs are between \$74 billion and \$110 billion.

Mr. Chair, I oppose this amendment, once again, because it focuses only on the cost of regulatory protections while completely overlooking the monetary benefits of these critical rules, and for that reason I oppose my colleague's amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time only to urge my colleagues to support this important amendment and not lose the opportunity to benefit from deregulatory reforms that will grow our economy and save America's economy hundreds of millions of dollars. I urge my colleagues to support the amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MESSER

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-1.

Mr. MESSER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Section 801(a)(1)(A) of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by inserting after “the Federal agency promulgating such rule” the following: “shall satisfy the requirements of section 808 and”.

Chapter 8 of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by adding at the end the following (and amending the table of sections accordingly):

“§ 808. Regulatory cut-go requirement

“In making any new rule, the agency making the rule shall identify a rule or rules that may be amended or repealed to completely offset any annual costs of the new rule to the United States economy. Before the new rule may take effect, the agency shall make each such repeal or amendment. In making such an amendment or repeal, the agency shall comply with the requirements of subchapter II of chapter 5, but the agency may consolidate proceedings under subchapter with proceedings on the new rule.”.

The CHAIR. Pursuant to House Resolution 22, the gentleman from Indiana (Mr. MESSER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. MESSER. Mr. Chair, I thank the gentleman from Virginia for his help on this amendment as well. It is an

amendment designed to take an already very good bill and make it just a little better.

A good friend of mine, former Indiana Governor Mitch Daniels, used to say “you’d be amazed how much government you’ll never miss” when talking about reducing the size of government bureaucracy.

So much of government’s excess is created by unelected officials who wield enormous influence over our everyday lives. Last year, Federal agencies issued 18 rules and regulations for every one law that passed Congress. That is a grand total of 3,853 regulations in 2016 alone. In 2015, Federal regulations cost the American economy nearly \$1.9 trillion—T, trillion dollars—in lost growth and productivity.

Think about that for a second. A \$1.9 trillion tax, a government burden on the American people. That means lost jobs, stagnant wages, and decreasing benefits for workers.

My amendment looks to help change all that. Very simply, my amendment requires every agency issuing a new rule to first identify, then repeal or amend at least one existing rule to offset any annual costs the new rule would have on the U.S. economy. This isn’t some new radical idea. President-elect Trump announced his administration will implement a new practice that for every new regulation, two would have to be repealed.

Governments in Canada, the United Kingdom, Australia, and the Netherlands have all implemented similar versions of one-in/one-out when addressing new rules and regulations. In fact, in Canada, bureaucrats used the new direction to find and cut more red tape than was even required by the law. My amendment gives the new administration that same flexibility.

Mr. Chair, it is past time we stop bureaucratic abuse and shift the balance of power from government back to the people, where it belongs. That can start today by passing the REINS Act and putting our government on a path to reduce the amount of red tape that our businesses and the American people deal with every day.

Mr. Chair, I urge my colleagues to support this commonsense amendment and the underlying bill.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chair, I rise in opposition to this amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I oppose the gentleman’s amendment, which would require that agencies offset the cost of new rules, no matter how critical or mundane these protections may be, prior to promulgating new rules. This proposal, also referred to as “regulatory cut-go,” appears as title 2 of H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act, or the

SCRUB Act, that was introduced in the previous Congress.

In the context of a veto threat of that bill, the Obama administration cautioned that this requirement would make the process of retrospective regulatory review less productive and, in the process, create needless regulatory and legal uncertainty, and that it would increase costs for businesses and for States, local and tribal governments, and it would also impede commonsense protections for the American public.

By enacting Federal statutes, tasking agencies with responsibilities, Congress authorizes agencies to carry out matters that are too complex, routine, or technical for Congress itself to administrate. We must ensure that agencies have the proper flexibility to issue new protections without encumbering other regulations with political obstructions. I urge my colleagues to oppose the amendment.

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

Mr. MESSER. Mr. Chair, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE), my good friend and the chairman of the House Committee on the Judiciary.

Mr. GOODLATTE. Mr. Chair, I thank the gentleman from Indiana for offering this amendment, and I rise in support of it.

The cumulative burden of Federal regulation will surely be reduced by the REINS Act, but that burden has two elements: the burden being added by new regulations and the burden already there.

This amendment adds a useful provision to the REINS Act to address the elimination of unnecessary burdens already in the Code of Federal Regulations. It does so, moreover, in a manner that parallels President-elect Trump’s promise to pursue a policy of one-in/two-out when it comes to new regulatory actions by his administration.

Mr. Chair, I support the amendment.

Mr. MESSER. Mr. Chairman, I think it is long past time to stop the runaway train of the Federal regulatory bureaucracy. I urge support for the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. MESSER).

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

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-1.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 801(a)(1)(A)(iv), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

In section 801(a)(1)(A)(v), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike the period at the end and insert a semicolon.

Insert after section 801(a)(1)(A)(v), title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

(vi) recognizing that climate change is real and caused by human activity, an accounting of the greenhouse gas emission impacts associated with the rule; and

(vii) an analysis of the impacts of the rule on low-income communities and on rural communities.

In section 804(2)(B), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

In section 804(2)(C), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike the period at the end and insert a semicolon.

Insert after section 804(2)(C), title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

“(D) an increase of 25,000 metric tons of carbon dioxide equivalent emissions per year or more; or

“(E) a potential increased risk to low income or rural communities for—

“(i) cancer;

“(ii) birth defects;

“(iii) kidney disease;

“(iv) respiratory illness; or

“(v) cardiovascular illness.”.

The CHAIR. Pursuant to House Resolution 22, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, for years my Republican friends have been trying to convince everyone that Federal agencies are scary and unpopular. In reality, Americans support Federal rules that protect them from injuries, diseases, and death. They always have and they always will. The people we represent don’t want those rules to go away. They want stronger rules to protect their jobs, their pay, their health, and their fair treatment in the workplace.

Let’s remember that it takes years to finalize most rules. Before an agency makes a rule, it considers science, costs, benefits, public stakeholder input, and public comments. Republicans have invented stories about surprise regulations that appear out of nowhere. These stories sound interesting until you realize they were invented to help their corporate friends get where they want. We know where this will lead us. Big banks got away with robbing us and creating a major recession because they weren’t regulated strongly enough. Republicans think the answer is making it harder to regulate them.

If this bill passes, it won't be the nameless, faceless, unelected corporate CEOs who feel the pain. It will be the Americans from big cities and small towns who need Federal standards to keep their environment clean, to keep their workplace safe, and to make sure the products they buy won't hurt their families.

My Democratic colleagues are offering amendments today that exempt certain kinds of rules from the unrealistic burdens this bill creates. I support these amendments.

My amendment is a little different. It is not nearly enough to save this terrible bill, but it takes a big step in the right direction. It acknowledges that doing nothing carries a major cost.

□ 1600

It acknowledges human-caused climate change and requires agencies that propose regulations to report on how a rule impacts greenhouse gas emissions. If we require reporting a rule's costs, we should also report its impacts to our planet and to our way of life.

It also requires an analysis of a rule's impacts on low-income and rural communities. My Republican friends are deeply concerned about whether new regulations make big business and Wall Street investors happy. I think it is time we assess the impacts of regulations on the urban poor, the rural poor, or on coastal Native American tribes already fleeing the impacts of climate change, or the farmers in the West and South struggling to cope with drought, flooding, and extreme weather.

Finally, my amendment requires congressional approval of any regulation that would increase carbon pollution by 25,000 metric tons or more, or could increase cancer, birth defects, kidney disease, or cardiovascular or respiratory illness.

If House Republicans are so eager to rewrite the regulatory process, they should be willing to cast recorded votes allowing the release of tens of thousands of metric tons of pollution into our air. They should publicly vote to increase the rates of these terrible diseases among their constituents.

Passing this amendment is the very least we can do to make sure the bill doesn't put Americans at risk of injury and death.

I urge a "yes" vote on the amendment.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. BYRNE). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment renders congressional findings on climate change and requires that agencies report to Congress on greenhouse gas impacts associated with a rule. It also requires agencies to

report on a rule's effect on low-income and rural communities.

Further, the amendment expands the definition of major rule to include rules that allow increases of carbon emissions by more than 25,000 metric tons per year or that might increase the risk of certain diseases in rural or low-income communities.

I oppose this amendment.

The REINS Act is not designed to address one or two subjects of regulation with heightened scrutiny but not others. It is to restore accountability to the people's elected representatives in Congress for the largest regulatory decisions, whatever subject is involved.

Further, and consistent with that, the addition of congressional findings in one policy area—climate change—but no other, has no place in the REINS Act.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, it should be noted that the REINS Act is one sweeping piece of legislation that does not take into account public health, does not take into account clean air, clean water, and the effects of constituents and the American people, the environment, or the cost attendant with increased illnesses. With that sweeping deregulation process that is being proposed by the majority, we have an exposure on issues of public health, clean air, clean water, and the regulations that are in place to protect the public health and the well-being of the American people.

My amendment just requires that, if these sweeping changes are to occur, Members of this body take the votes that would release additional metric tons into the atmosphere that would promote and increase the levels of disease in this country that is harmful to the American people. It is one of disclosure and accountability if the Members, indeed, are the ones that want to make the final decision.

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

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

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-1.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after "means any rule" the following: "(other than a special rule)".

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: ", and includes any special rule".

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

"(6) The term 'special rule' means any rule that will result in reduced incidence of cancer, premature mortality, asthma attacks, or respiratory disease in children."

The Acting CHAIR. Pursuant to House Resolution 22, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, my amendment makes an important exemption to the REINS Act to ensure that policies that protect children from cancer, premature death, asthma attacks, or respiratory disease are not delayed or denied.

For example, the Clean Air Act, which has been in place for over 40 years, and has improved our health and protected all Americans from harmful toxic air pollution, such as ozone, nitrogen dioxide, sulfur dioxide, and particle pollution, often requires updates based upon the best science, especially when it comes to our kids.

Toxic pollutants, such as ozone, which is a major component of smog, are linked to asthma, lung, and heart disease and result in thousands of deaths every year and up to 1 million missed days of school. Our kids are particularly susceptible to this type of pollution because their lungs are still developing. On average, they take deeper breaths and are more likely to spend long periods outdoors, placing them at higher risk.

The American Lung Association states that inhaling smog pollution is like getting a sunburn on your lungs, and often results in immediate breathing trouble.

I remember very well back in the early seventies, when I was a little girl, what the air was like in my hometown in Tampa. We had a lot of industrial users at the port of Tampa, a lot of industrial plants. I have seen the progress over time that the Clean Air Act has brought to this country. We are not like other countries in the world. We are stronger, and we are better, and we are healthier because of the Clean Air Act.

So let's not go backwards. Let's not throw a roadblock like the REINS Act into the mix here. But we do have to be

careful because there still are many communities in America that continue to suffer, and they are often the underserved, economically distressed communities.

Studies have shown that working class communities often bear the brunt of environmental pollution because the only homes they can afford are often located near industrial sites. According to the NAACP, 78 percent of African Americans live within 30 miles of an industrial power plant, and 71 percent of African Americans live in counties that violate Federal air pollution standards.

In addition to that, a study by the Environmental Defense Fund found that our Latino neighbors are three times more likely to die from asthma, often for those same reasons.

Let's not go backwards. Because here, what the REINS Act does is it really complicates the American system of checks and balances. Let's not go backwards. Because it is not only our families and neighbors that would suffer. It is also our economy that would suffer as well.

This type of regulatory scheme of mirrors and false promises would create great uncertainty for many of our businesses. The Clean Air Act is one example. These clean air protections in the United States have a great track record. We have grown as a country. The economic growth has tripled. Our economic base has more than tripled. Clean air protections and environmental protections go hand-in-hand with economic growth.

Since 1970, we have cut harmful air pollution by 70 percent, while our economy has grown like gang busters. I know many of you are probably going to have your eyes on the Tampa Bay area Monday night when we have the college football championship in Tampa with Alabama versus Clemson. I want you to take a look at our clean skies, the clean air. I wish we could all be there, but I think we are going to be back here in Washington, D.C. But just know, it hasn't always been that way. When you see the beautiful sunset across Tampa Bay with clear skies, that has been because of the Clean Air Act.

But if you bring a regulatory scheme, like the REINS Act, that says you have to come back to Congress for every single little new policy that is based on updates and new science, that is going to complicate everyone's lives. I worry at the outset of this new Congress, because the first bill passed yesterday was one that short-circuited public participation, and now this bill today appears to be a late Christmas gift to corporate polluters who put profits over people. We are better than that. You can prove me wrong, though, by supporting this amendment.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment exempts from the bill any rule reducing the incidence of cancer, premature mortality, asthma attacks, and respiratory diseases in children. But do not be fooled. This amendment is not about reducing these maladies. It is about transferring the power to decide how best to do so from elected representatives to unaccountable bureaucrats.

For example, government could substantially reduce teenage mortality by barring teenage drivers off the road. Of course, there would be a substantial cost to that policy, and there are surely less burdensome ways to achieve the same reductions in mortality. The right decision requires a delicate balancing of interest. Agencies can provide valuable expertise, but, when there is a lot at stake, the ultimate decision on how best to strike that balance is properly made by elected officials accountable to the people.

That is the intuition behind the REINS Act and the fundamental point that is lost on those who oppose it.

Reducing the incidence of mortality and serious disease is a goal that all Members share. This bill does not frustrate that goal. It merely ensures that elected representatives decide how best to achieve that policy so that our Republic remains a government by the people as the Constitution designed.

I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, of course, this legislative body has all the power to go back to policy-making after an administrative agency makes a determination, but we are not micromanagers. We are legislators. And I urge my colleagues to vote "yes" on the Castor amendment to protect children's health.

If you won't create an exception for children's health, I wonder, you are not willing to really recognize the fundamental constitutional basis of this government. It is one that relies on checks and balances as the basis of our government.

I urge my colleagues then to also support the Castor amendment but oppose the REINS Act in the end.

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

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Ms. CASTOR).

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

Mr. MARINO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-1.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert after "means any rule" the following: "(other than a special rule)".

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert before the period at the end the following: ", and includes any special rule".

Add, at the end of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, the following:

"(6) The term 'special rule' means any rule relating to the protection of the public health or safety."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, my amendment to H.R. 26 would exempt rules concerning public health or safety from the burdensome requirements of this legislation.

Simply put, when a rule is necessary to protect the health and safety of the public, it is critical that the rule be put into effect without unnecessary delay.

If this legislation is enacted without this amendment, it will create an untenable regulatory environment that will make it nearly impossible for agencies to safeguard the public welfare.

This legislation could bring to a grinding halt critical rulemaking such as rules relating to the transportation of hazardous materials by the Department of Transportation, clean air regulations by the EPA, and worker-protection standards by OSHA.

For example, the National Highway Traffic Safety Administration implemented an economically significant rule that, by May 2018, all new vehicles must have rearview cameras. This regulation will help drivers have better visibility behind their car, greatly reducing the likelihood of backover crashes which largely involves small children.

But under the REINS Act, this rule would require a joint congressional resolution with an unrealistic timeline for implementation. For every year this

rule would be delayed, the Traffic Safety Administration estimates that there would be, on average, 15,000 injuries and 267 fatalities resulting from backover crashes.

Proponents of this legislation may argue that H.R. 26 contains an emergency exemption which allows a major rule to temporarily take effect following an executive order stating that there is an imminent threat to public health and safety. Even when the threat is not imminent, the danger to the public health and welfare may be great and the fundamental responsibility to protect the public remains.

□ 1615

This legislation would substantially hinder the ability of agencies to fulfill this obligation, placing Americans at greater risk for the benefit of powerful corporate interests. In its present form, the Coalition for Sensible Safeguards and the alliance of more than 150 consumer, labor, faith, and other public interest groups predict that, by allowing Congress to even veto uncontroversial rules that protect public health and safety, the REINS Act “would make the dysfunction and obstructionism that plague our political process even worse.”

In echoing this sentiment, the American Sustainable Business Council, which represents over 200,000 businesses, opposes H.R. 26 because it would recklessly place the burden of proof on the taxpayers in order to protect themselves on environmental, health, and safety issues and would shift responsibility away from powerful corporate interests.

While my amendment will not cure all that ails this legislation—and there is a lot—it will address one of its most glaring flaws and preserve the ability of agencies to protect public health and safety. I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment exempts from the bill any rule pertaining to health or public safety.

Health and public safety regulations done properly serve important goals, and the bill does nothing to frustrate the effective achievement of those goals; but Federal health and public safety regulations constitute an immense part of total Federal regulation and have been the source of many of the most abusive, unnecessarily expensive, and job- and wage-destroying regulations. To remove these areas of regulation from the bill would severely weaken the bill’s important reforms to lower cumulative regulatory costs and increase the accountability of our reg-

ulatory system and the Congress to the people, so I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, the gentleman just made an assertion that, in fact, nothing in this legislation does anything to frustrate the goals of protecting health and safety; but, of course, it does. It prevents the implementation of rules which, in fact, protect public health and safety.

If my amendment were to pass, that statement would be true—it would do nothing to frustrate it—but without this amendment, it prevents the implementation of a rule that would, in fact, protect public health and safety. It is a reasonable exemption that will ensure that we protect the well-being and the health of our constituents. I urge all of my colleagues to support the amendment.

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

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CICILLINE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115-1.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after “means any rule” the following: “(other than a special rule)”.

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: “, and includes any special rule”.

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

“(6) The term ‘special rule’ means any rule that would provide for a reduction in the amount of lead in public drinking water.”.

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, my amendment would exempt from H.R.

26, the REINS Act, rules issued to reduce the amount of lead in public drinking water.

The ingestion of lead, of course, causes serious harmful effects on human health, even at low exposure levels. That is why the Environmental Protection Agency has set the maximum contaminant level for this toxic metal in drinking water at zero.

According to the EPA, young children, infants, and fetuses are particularly vulnerable to lead because the physical and behavioral effects of lead occur at lower exposure levels in children than in adults. The Agency reports that, in children, low levels of exposure have been linked to damage to the central and peripheral nervous systems, learning disabilities, shorter stature, impaired hearing, and the impaired formation and function of blood cells.

Take, for example, the Flint water crisis, which I have a little experience with, which was a preventable public health disaster. While much blame for the Flint water crisis lies with unelected officials who prioritize saving money over saving lives, the presence of lead in drinking water is, unfortunately, not unique to Flint. In fact, the drinking water of, potentially, millions of Americans may be contaminated by lead.

My amendment highlights one of the most problematic aspects of H.R. 26: that it could slow down or completely block urgent rulemakings that protect health and safety. This is because Members simply lack the requisite scientific or technical knowledge to independently assess the bona fides of most regulations, which are often the product of extensive research and analysis by agencies as well as input from effective entities and the public.

As a result, Members would have to make their own determinations based on their own—usually inexpert—views and limited information. Worse yet, some may be persuaded to disapprove of a rule in response to a wide-ranging influence exerted by outside special interests that favor profits over safety.

My amendment simply preserves current law with respect to regulations that are designed to prevent the contamination of drinking water by lead. Accordingly, I sincerely urge my colleagues to support this amendment.

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

Mr. MARINO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, the amendment seeks to carve out from the REINS Act’s reforms regulations that would reduce the amount of lead in public drinking water.

But, like other amendments, this amendment is not so much about

achieving a particular health or safety result. It is about taking the decision on how best to do that away from elected Representatives and handing it down to unaccountable bureaucrats. Agencies can provide valuable expertise, but when there is a lot at stake, the ultimate decision on how best to strike that balance is properly made by elected officials who are accountable to the people. This is the intuition behind the REINS Act, and the fundamental point is lost on its opponents.

Preventing dangerous levels of lead in our drinking water is a goal all Members share. This bill does not frustrate that goal. It merely ensures that elected Representatives decide how best to achieve that policy so that our Republic remains a government by the people, as the Constitution designed.

I urge my colleagues to oppose the amendment.

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

Mr. CONYERS. Mr. Chairman, I ask unanimous consent to reclaim my time.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Georgia (Mr. JOHNSON), a member of the Judiciary Committee.

Mr. JOHNSON of Georgia. I thank the gentleman.

Mr. Chairman, I rise in support of the gentleman's amendment.

Protecting the health and safety of our citizens is one of the core responsibilities of our government and Congress, and we trust much of its authority to Federal agencies to implement this obligation. This amendment simply preserves current law with respect to regulations that are designed to prevent the contamination of drinking water by lead.

As the Obama administration has observed, in the context of a veto threat to a substantively identical version of this bill in the last Congress, the REINS Act would delay and, in most cases, thwart the implementation of statutory mandates and the execution of duly enacted laws, create business uncertainty, undermine much-needed protections of the American public, and cause unnecessary confusion. Unfortunately, as I noted in my opening statement, the REINS Act would delay and, worse yet, possibly stop major rules from going into effect that are needed to protect the public's health, safety, and well-being, including those that require us to keep lead from drinking water.

Safety regulations are typically the product of a transparent and accountable process that includes extensive investigation, analysis, and input from the public and private sectors. It is no answer to say that H.R. 26 contains a

limited emergency exception. That provision is insufficient. It merely allows a major rule to temporarily take effect for 90 days without its having congressional approval.

I ask my colleagues to support this amendment.

Mr. CONYERS. I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, just to reiterate what our position is, it is about time that we in D.C.—in Congress—take our responsibility back from unelected bureaucrats and make these decisions. We have seen, over the past 8 years, what overburdensome regulation has done to this country as far as crushing jobs.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONYERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 115-1.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise as the designee of the gentlewoman from Texas (Ms. JACKSON LEE) to present her amendment in her absence.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert after "means any rule" the following: "(other than a special rule)".

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert before the period at the end the following: ", and includes any special rule".

Add, at the end of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, the following:

"(6) The term 'special rule' means any rule that pertains to the safety of any products specifically designed to be used or consumed by a child under the age of 2 years (including cribs, car seats, and infant formula)."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, the Jackson Lee amendment exempts from this bill's onerous requirements the congressional approval requirement of any proposed rule that is

made to ensure the safety of products that are used or consumed by children under the age of 2.

This amendment should pass for obvious reasons. If protecting public health and safety means anything, it surely must include the protection of our children. Because of the special vulnerability of young children, any regulation affecting their health and safety must not be delayed. Unfortunately, if this bill passes as written without this amendment, that is exactly what will happen. The young children will be vulnerable to products that are unsafe and that could hurt them. For this reason, SHEILA JACKSON LEE has offered this amendment, which I support.

An example is a regulation that is meant to protect a child from death or injury from contaminated formula. Such a rule would be impeded—or the promulgation of such a rule and the enactment of that rule would be impeded—by this administration.

This amendment would declare that, in that case, the rule would not apply. It would be exempted from this legislation. Toxic chemicals, dangerous toys, or deadly falls from unsafe products could be avoided. Therefore, this amendment would protect children under those circumstances. Those kinds of rules need to be implemented promptly to save lives.

For that reason, the Jackson Lee amendment deserves your support. I hope that you can support it out of your heart.

I reserve the balance of my time.

□ 1630

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chair, the amendment seeks to carve out from the REINS Act's reforms regulations intended to protect young children and infants from harm.

Child safety is a goal all Members share, but to shield bureaucrats who write child safety regulations from accountability to Congress is no way to guarantee a child's safety. The only thing that would guarantee is less careful decisionmaking and more insulation of faceless bureaucrats from the public.

The Constitution entrusts to Congress the authority to protect children—and all citizens—from harmful products flowing in interstate commerce. The public should be able to trust Congress—and we should trust ourselves—to make sure that Washington bureaucrats make the right decisions to protect child safety when we delegate legislative authority to regulatory agencies.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, the faceless, nameless, deadly bureaucrats out here who mean the public harm, those are our relatives. Those are our mothers, our fathers, who work for the Federal Government. They are the civil servants that serve us. They are not nameless and faceless people of bad will and bad intent. They are good people who go to work every day and try to protect us and protect our children.

All we are asking for with this amendment is for there to be a carve-out to protect the most vulnerable among us, our children.

This legislation is based on the faulty premise that the cost of regulations outweigh the benefits. What is the cost of a benefit when it comes to the health, safety, and well-being of a child?

The people who promulgate these rules mean to protect these children, and this amendment goes to that ability of the regulators to do that. Sometimes regulation is good.

Even though a couple of jobs might go away because of the regulation, isn't it worth the health, safety, and well-being of our children that a couple of jobs could not reach fruition? Everything is not a cost-benefit analysis. Sometimes there is some humanity in the mix that we have to consider.

I urge my colleagues to think about it one more time and be in favor of the very reasonable Jackson Lee amendment.

I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, the REINS Act doesn't prevent the bureaucracy, the agencies, from making recommendations and suggestions to Congress. It simply says Congress will have the last word and not a handful of bureaucrats, and many of them don't even have experience in these areas.

I urge my colleagues to not support this amendment but to support the REINS Act.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115-1.

Mr. JOHNSON of Georgia. Mr. Chair, I offer an amendment to H.R. 26.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after "means any rule" the following: "(other than a special rule)".

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: ", and includes any special rule".

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

"(6) The term 'special rule' means any rule that pertains to improving employment, retention, and earnings of workforce participants, especially those participants with significant barriers to employment."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chair, I rise in support of my amendment to H.R. 26, which would exempt from the bill rules that improve the employment retention and wages of workforce participants, especially those with significant barriers to employment. Since one of the justifications, or the main justification, for this underlying legislation is to promote job growth from corporate titans at the expense, by the way, of health and safety of Americans, at least, we could exempt from the bill rules that improve the employment, retention, and wages of workforce participants, especially those with significant barriers to employment.

When President Obama took office in 2009, he inherited the worst economic crisis since the Great Depression. This economic quagmire was created by misguided Republican policies that put profits ahead of people, resulting in reckless decisions on Wall Street that cost millions of Americans their homes and jobs. In other words, the Great Recession was caused by the collapse of the financial markets due to an unreliability and instability of the predatory lending market, which had taken hold. There was so much paper out there on Wall Street that was worthless because it was based on these homes that people couldn't pay the notes for, and all of that was caused by deregulation, lack of regulation.

Now we have a period with Dodd-Frank coming into play and the financial markets improving, the protection and economic security of American families increasing, being strengthened.

Now, at the beginning of this Congress, we get legislation to gut the Dodd-Frank regulation and other regulations that would protect people from excesses of the corporate community. I am just asking, in this amendment, that we don't let it apply in the case of

situations where the bill improves employment retention or wages or workforce participants, especially those with barriers to employment.

So, according to leading economic indicators, private-sector businesses have created more than 15.6 million new jobs. The unemployment rate has dropped to well below 5 percent to the lowest point in nearly a decade, and incomes are rising faster, while the poverty rate has dropped to the lowest point since 1968. This has all occurred during an administration that is proenvironment, proclean energy, and proworkplace safety.

In fact, during this time, our Nation has doubled our production of clean energy and reduced our carbon emissions faster than any other advanced nation. And the price of gas is down to roughly \$2 a barrel, despite all of these cumbersome and oppressive regulations by the Obama administration that the other side complains about.

Notwithstanding this progress that has been made, there is still much work to be done for the millions of Americans who remain out of work, underemployed, or have not seen significant wage growth postrecession.

Congress should be working tirelessly across party lines to find solutions to persistent unemployment and stagnant wages, such as a public investment agenda that will increase productivity and domestic output while turning the page on our historic underinvestment in our Nation's roads, bridges, and educational institutions.

Unfortunately, Mr. Chair, this bill, the REINS Act, is not a jobs bill. It is a legislative hacksaw to the critical public health and safety protections that ensure our Nation's air is clean, our water is pure, and our workplace vehicles, homes, and consumer products are safe.

I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chair, the amendment carves out of the REINS Act's congressional approval procedures regulations that attempt to improve employment, retention, and earnings, particularly for those with significant barriers to employment.

The danger in the amendment is the strong incentive it gives agencies to manipulate their analysis of a major regulation's jobs and wages impacts. Far too often, agencies will be tempted to shade the analysis to skirt the bill's congressional approval requirement.

In addition, regulations alleged to create new job prospects often do so by destroying real, existing jobs and creating new, hoped-for jobs associated with regulatory compliance. For example, the Environmental Protection

Agency (EPA) Clean Air Act rules have shut down existing power plants all over the country, throwing myriads of workers out of work. EPA and OMB attempt to justify that with claims that more new green jobs have been created as a result.

In the end, this is just another way in which government picks the jobs winners and the jobs losers, and there is no guarantee that all of the new green jobs will ever actually exist.

The REINS Act is not intended to force any particular outcome. It does not choose between clean air and dirty air. It does not choose between new jobs and old jobs.

Instead, the REINS Act chooses between two ways of making laws. It chooses the way the Framers intended in which accountability for laws with major economic impact rests with Congress. It rejects the way Washington has operated for too long in which there is no accountability because decisions are made by unelected agency officials.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 9 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 115-1.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert after "means any rule" the following: "(other than a special rule)".

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert before the period at the end the following: ", and includes any special rule".

Add, at the end of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, the following:

"(6) The term 'special rule' means any rule pertaining to nuclear reactor safety standards."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, my amendment would exempt from the bill any regulations that pertain to nuclear reactor safety. In other words, my amendment would allow the Nuclear Regulatory Commission or the NRC to continue to issue rules under the current system, thereby making it easier

to protect Americans from potential nuclear disaster.

The underlying legislation, the REINS Act, would grind the gears of rulemaking to a halt by requiring all major rules to be affirmatively approved in advance by Congress. A regulation would be blocked from being implemented if even one Chamber declines to pass an approval resolution. The goal of this legislation, quite simply, is to stop the regulatory process in its tracks, regardless of the impact on public health and safety.

One example that highlights the risks and dangers of this legislation is the subject of this amendment: Nuclear power.

The world watched in horror when an earthquake and resulting tsunami devastated the area around Fukushima, Japan, a few years ago. That disaster then caused its own disaster—the meltdown of three reactors at the Fukushima nuclear power plant. The meltdown led to the release of radioactive isotopes, the creation of a 20-kilometer exclusion zone around the power plant, and the displacement, consequently, of 156,000 people. Just last month, seaborne radiation from Fukushima was even detected on the West Coast of the United States.

The same year as the Fukushima meltdown, Virginia was struck by a relatively rare but strong earthquake, felt up and down the eastern seaboard. While the region was spared a similar disaster, the earthquake required a nuclear power plant near the epicenter to go offline as a precaution and served as a wake-up call that our nuclear reactors needed additional safety protocols.

For me, this concern hits close to home. A nuclear power plant, Indian Point, which has suffered numerous malfunctions in recent years, lies just less than 40 miles away from my New York City district, about 30 miles away from the city. Twenty million people live within a 50-mile radius around the plant, the same radius used by the NRC as the basis for the evacuation zone recommended after the Fukushima disaster.

□ 1645

Indian Point also sits near two earthquake fault lines and, according to the NRC, is the most likely nuclear power plant in the country to experience core damage because of an earthquake.

Because of the catastrophes that can result from disasters, be they natural or manmade at nuclear power plants, prevention of meltdowns is absolutely vital. Since Fukushima, the NRC has issued new rules designed to upgrade power plants to withstand severe events like earthquakes, and to have enough backup power so as to avoid a meltdown for a significant length of time.

The NRC must retain the ability to issue new regulations to safeguard the

health and well-being of all Americans. However, this bill is intentionally designed so that new and important regulations, including those to prevent a nuclear power plant meltdown which could affect millions of American, will likely never be put in place, thwarted by either chamber of Congress.

Congress delegates authority to executive agencies because we do not have the expertise or time to craft all technical regulations ourselves. We should defer to the engineers and scientists at the NRC who determine, after careful study, that a particular regulation is critical to our safety and to the safe operation of a nuclear power plant. This bill, however, would all too easily allow Members of Congress to substitute their own judgment or, most likely, the wishes of a narrow group of special interests.

This week we began a new Congress. Later this month we will have a new administration, all controlled by Republicans. Between this bill and the Midnight Rules bill we passed yesterday, they have chosen to make their first order of business the dismantling and destruction of the regulatory process, regardless of the impact on public health and safety. This gives us a good idea of the priorities we should expect to see in the next 2 years.

The least we can do is to try to ensure that the antiregulatory agenda of the Republicans does not have devastating consequences such as a nuclear meltdown. I urge my colleagues to support the Nadler amendment to exempt nuclear safety regulations from the onerous requirements of the underlying bill.

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

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, the amendment carves out of the REINS Act's congressional approval procedures all regulations that pertain to nuclear reactor safety standards. REINS Act supporters believe in nuclear safety. We want to guarantee that regulatory decisions that pertain to nuclear reactor safety are the best decisions that can be made.

That is precisely why I oppose the amendment. By its terms, the amendment shields from the REINS Act's congressional approval procedures not only major regulations that would raise nuclear reactor safety standards, but also regulations that would lower them.

All major regulations pertaining to nuclear reactor safety standards, whether they raise or lower standards, should fall within the REINS Act. That way agencies with authority over nuclear reactor safety would know that

Congress must approve their major regulations before they go into effect.

That provides a powerful incentive for the agencies to write the best possible regulations, ones that Congress can easily approve. It is a solution that everyone should support because it makes Congress more accountable and ensures agencies will write better rules. All Americans will be safer for it.

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

Mr. NADLER. Mr. Chairman, nuclear meltdowns are a tremendous danger to the life and safety of millions of Americans. The Congressional Review Act provides if the NRC makes such a regulation, Congress can say no. That is appropriate. But to say Congress has to approve any regulation in advance, when there may be thousands of regulations or hundreds of regulations from different agencies, they may not get to it. We may not have time to study it, and lives are at stake. It does not make sense. That is why this amendment at least cuts out nuclear meltdown regulations, nuclear safety regulations, to say Congress can veto them if they don't agree. But the agency should be able to promulgate it in the absence of congressional veto.

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

Mr. MARINO. Mr. Chairman, once again, this administration has proven how thousands of regulations have crushed jobs for the middle class people in this country. The REINS Act does designate and allows and wants agencies to make decisions as far as what they think the law should be and send it to Congress.

We do have the time. We have the resources and the knowledge. That is why we have full committees. That is why we have subcommittees and we have experts come in and testify. Yet, we still need to get back—that the 535 Members of Congress, the House and the Senate, make the final decision and not a handful of unelected bureaucrats.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 115-1.

Mr. MCNERNEY. Mr. Chairman, I rise to offer amendment No. 10 as the

designee of the gentleman from New Jersey (Mr. PALLONE).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after “means any rule” the following: “(other than a special rule)”.

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: “, and includes any special rule”.

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

“(6) The term ‘special rule’ means any rule intended to ensure the safety of natural gas or hazardous materials pipelines or prevent, mitigate, or reduce the impact of spills from such pipeline.”.

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, recent pipeline incidents have raised serious concerns about the condition of the Nation's pipelines that threaten the safety and health of American citizens. This amendment will ensure that any rule intended to guarantee the safety of natural gas or hazardous material pipelines is not considered a major rule under this bill and would, therefore, be easier to create.

Pipeline safety is a bipartisan issue. Congress has shown that issuing regulations related to pipelines is a priority, as evident with the enactment of the PIPES Act last year.

However, the bill before us today, H.R. 26, contradicts this historic precedent and would have the effect of delaying or preventing any rule on pipeline safety from going forward. Pipeline accidents cause major property damage, serious injuries or deaths, and harms the environment.

There are approximately 2.9 million miles of pipeline in the United States. They travel through rural and urban areas, Republican and Democratic districts, coastlines, inland areas. Everyone is impacted. Quality control measures, new infrastructure, and oversight are paramount.

Unfortunately, we have seen the devastating impact of pipeline incidents throughout the country, including several accidents and spills in California in recent years, such as the spill in Santa Barbara that released more than 100,000 gallons of crude oil.

We have also seen how liquid spills can devastate the people and economies in places like Michigan, and the irreplaceable natural resources like the Yellowstone River in Montana, or the precious coastline of Santa Barbara.

Additionally, these explosions and spills cause shortages and price increases that impact Americans far from the site of the accident.

A Colonial Pipeline accident this past September in Alabama leaked roughly 8,000 barrels of gasoline and saw prices increase by up to 31 cents a gallon in metropolitan areas in the Southeastern States.

I agree with my colleagues on the other side of the aisle that we want effective and efficient government. But, in reality, pipeline safety regulations are already subject to duplicative and time-consuming analyses, including a rigorous risk assessment and cost-benefit analysis required by the pipeline safety statute. These already duplicative review requirements are among the top reasons why the Pipeline and Hazardous Materials Safety Administration increasingly lags behind the congressional mandate to issue rules that protect Americans from dangerous pipeline incidents.

In fact, this was the subject of a great deal of discussion when the Energy and Commerce Committee marked up the pipeline safety reauthorization bill last year. I worked with Chairman UPTON and Ranking Member PALLONE to address this issue, as both sides of the aisle agreed that the duplicative reviews currently required are already slowing down these critical safety laws to a degree that is frustrating and dangerous.

While we make progress in the PIPES Act, I believe we can and should do more. The last thing we need is one more layer of bureaucracy to further slow down implementation of these critical protections for public health, safety, and the environment. We should work together to prevent spills and work to minimize impacts when spills or other incidents do occur. This includes automatic shut-off valves, leak detection, and technologies to reduce clogging and rupture.

A vote for this amendment is a vote for the safety of the public and the environment. It is a vote to protect the land and water that are threatened by oil spills. It is a vote for industry that wants certainty and clarity and doesn't want to—or benefit from—wait years for rules to be finalized. For these reasons, I urge my colleagues to support this amendment.

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

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, the amendment seeks to carve out from the REINS Act's reform regulations that concern natural gas or hazardous materials pipeline safety or the prevention of pipeline spills and their adverse impacts.

We all support pipeline safety and the prevention of harm from pipeline spills, but there is no assurance that the amendment would guarantee the achievement of those goals. On the contrary, the amendment would shield from congressional accountability procedures, regulations, that actually threaten to decrease safety. They also would shield from the bill's congressional approval requirements new, ideologically driven regulations intended to impede America's access to new sources of cheap, clean, and plentiful natural gas.

The legislative body is the legislative body. We are trying to have oversight over the bureaucracy. The House and the Senate is not a bureaucracy. It is a legislative body, according to the Constitution that represents the people of the United States. Therefore, the House and the Senate and the President should have the last say in whether something becomes law or not.

I urge my colleagues to oppose the amendment.

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

Mr. McNERNEY. Mr. Chairman, my opponent is right. It is the duty of Congress to provide rules and to provide guidelines and for the agencies to go into the details in creating these rules.

I know that the other side is opposed to the rules. They have been touting about regulations, but poor regulations reduces jobs, too. It creates monopolies. It creates pollution. But that is not what we are talking about.

What we are talking about is public safety. I think what we need to do is look at what is going to benefit the public safety and what is going to protect people, lives, property, and the environment. That is what this amendment does. It is simple. It exempts pipeline safety from H.R. 26.

I urge my colleagues to support the amendment.

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

Mr. MARINO. Mr. Chairman, what better group, such as the Committee on Energy and Commerce or other committees here, the full committees, the subcommittees, would be looking out and should be looking out for the public safety and the welfare than the 535 Members of Congress?

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. McNERNEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 115-1.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Section 804(4) of title 5, United States Code, as proposed to be amended to read by section 3 of the bill, is amended in subparagraph (B), by striking "or" at the end.

Section 804(4) of title 5, United States Code, as proposed to be amended to read by section 3 of the bill, is amended in subparagraph (C), by striking the period at the end and inserting "or".

Section 804(4) of title 5, United States Code, as proposed to be amended to read by section 3 of the bill, is amended by adding at the end the following:

"(D) any rule that pertains to workplace health and safety made by the Occupational Safety and Health Administration or the Mine Safety and Health Administration that is necessary to prevent or reduce the incidence of traumatic injury, cancer or irreversible lung disease."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, my amendment would exempt from coverage under the REINS Act any rule which pertains to workplace health and safety made by the Occupational Safety and Health Administration, OSHA, or the Mine Safety and Health Administration, MSHA, that is necessary to prevent or reduce the incidence of traumatic injury, cancer or irreversible lung disease.

I am offering the amendment because we should not be creating obstacles to the protection of life and limb. We should be concerned about repealing such workplace rules. Actually, this concern is not theoretical. There was a report from the chairman of the Freedom Caucus that actually calls for the repeal of multiple safety and health rules.

□ 1700

One OSHA rule, for example, will reduce slip, trip, and fall hazards, which are actually a leading cause of worker deaths and lost workday injuries. We found that this rule had not been updated since 1971, and OSHA has calculated that over 10 years the rule will prevent nearly 300 worker deaths and more than 58,000 lost-time injuries. The net benefit, cash benefit, of the rule is projected to be over \$3 billion over 10 years.

Another rule at risk is the modernization of OSHA's beryllium exposure limit, a 70-year-old standard that was obsolete even before it was issued.

Workers who inhaled beryllium can develop debilitating, incurable, and frequently fatal illnesses. One known as chronic beryllium disease also increased lung cancer.

In the 1940s, workers at the Atomic Energy Commission plants were contracting acute beryllium poisoning. To deal with the problem, two scientists agreed to set the exposure limit at 2 micrograms per cubic meter of air while sitting in the back of a taxicab on their way to a meeting. This discredited standard is often called the taxicab standard because there was no data to support it, and there is now significant scientific evidence that show that it has failed to protect workers.

One cost of keeping the so-called taxicab standard is estimated at the loss of nearly 100 lives a year. So we need to make sure that this rule is updated. It is in final stages after 18 years of development. The finalized rule is expected to come out soon. Other rules involve mine safety and other safety and health concerns.

The REINS Act would make it harder to protect workers' health and safety. The bill would create more bureaucracy by requiring that any major rule receive bicameral resolution of support within 70 legislative days prior to the rule taking effect.

This bill even provides for a reach back to consider rules issued last spring. Under this bill, a single House of Congress could block a rule. That raises significant constitutional concerns. By allowing a one-House veto, the bill violates the presentment clause of the Constitution of the United States.

My amendment ensures essential workplace safety protections are not jeopardized by this flawed legislation.

Mr. Chairman, I urge a "yes" vote on my amendment, and I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment carves out of the REINS Act's congressional approval procedures any workplace safety rules issued by OSHA or the Mine Safety and Health Administration to reduce traumatic injury, cancer, or lung disease.

But please do not be fooled. This amendment is not about reducing these maladies. It is about transferring the power to decide how best to do so from elected Representatives, being House Members and Senators, to unaccountable bureaucrats.

Arriving at the right decision requires a delicate balancing of interests. Agencies can provide valuable expertise, but when there is a lot at stake, the ultimate decision on how best to strike that balance is properly made by

elected officials accountable to the people. That is the intuition behind the REINS Act and the fundamental point that is lost on its opponents.

Preventing workplace injury is a goal all Members share. This bill does not frustrate that goal. It merely ensures that elected Representatives make the final call about major decisions so that our Republic remains a government by the people as the Constitution's Framers designed.

Mr. Chairman, I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in support of this amendment, which really is a life-or-death question before the Chamber.

On February 7, 2010, a bunch of workers who were at a natural gas plant construction site early in the morning lost their lives in a horrific explosion because there was a natural gas blow where they intentionally put natural gas through the pipe that was being installed as a way of cleaning it. This is a practice which the pipe suppliers, Siemens, GE, and others have issued serious warning is an unsafe practice. Unfortunately, it wasn't followed that day, so six men lost their lives. One of them was Ronnie Crabb, who was a dear friend of mine.

It never should have happened because, again, in the private sector, the workplace standard was there, but there was no workplace standard in OSHA, which is now, again, trapped in the Chemical Safety Board and the regulatory process.

This bill is just going to do nothing but, again, add additional obstacles so that preventive measures that OSHA is really about—it is about compliance, not retribution. There was a \$16 million fine imposed after the fact. The company, the contractor, went out of business and paid just a fraction of it. That is not the way to protect workers' lives. Let's allow a healthy regulatory process with private sector input so that people like Ronnie Crabb won't lose their lives in the future.

Mr. Chairman, again, I strongly support the Scott amendment.

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

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

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

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 115-1.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Chapter 8 of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by adding at the end the following (and conforming the table of sections accordingly):

"§ 808. Review of rules currently in effect

"(a) ANNUAL REVIEW.—Beginning on the date that is 6 months after the date of enactment of this section and annually thereafter for the 9 years following, each agency shall designate not less than 10 percent of eligible rules made by that agency for review, and shall submit a report including each such eligible rule in the same manner as a report under section 801(a)(1). Section 801, section 802, and section 803 shall apply to each such rule, subject to subsection (c) of this section. No eligible rule previously designated may be designated again.

"(b) SUNSET FOR ELIGIBLE RULES NOT EXTENDED.—Beginning after the date that is 10 years after the date of enactment of this section, if Congress has not enacted a joint resolution of approval for that eligible rule, that eligible rule shall not continue in effect.

"(c) CONSOLIDATION; SEVERABILITY.—In applying sections 801, 802, and 803 to eligible rules under this section, the following shall apply:

"(1) The words 'take effect' shall be read as 'continue in effect'.

"(2) Except as provided in paragraph (3), a single joint resolution of approval shall apply to all eligible rules in a report designated for a year, and the matter after the resolving clause of that joint resolution is as follows: 'That Congress approves the rules submitted by the ___ for the year ___.' (The blank spaces being appropriately filled in).

"(3) It shall be in order to consider any amendment that provides for specific conditions on which the approval of a particular eligible rule included in the joint resolution is contingent.

"(4) A member of either House may move that a separate joint resolution be required for a specified rule.

"(d) DEFINITION.—In this section, the term 'eligible rule' means a rule that is in effect as of the date of enactment of this section."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, first, I want to say that I have been a long and strong supporter of the REINS Act. I want to compliment Congressman Geoff Davis of Kentucky for introducing and crafting that legislation. While he was doing that, I was drafting a bill that I named the Sunset Act, and

I looked at this from the broad scope of this, that we have a lot of regulations that exist and have existed for decades. Some of them are burdensome and some of them are not.

The effect of the REINS Act, which I certainly will support on a final passage, hopefully with the King amendment adopted in it, but the REINS Act de facto simply grandfathers in existing regulations. So it is only prospective. It addresses the major regulations going forward, but not those that we are stuck with, such as the Waters of the United States, the Clean Power Plan, the overtime rule, the fiduciary rule, the net neutrality rule, the Dodd-Frank rules, and, heaven forbid, the ObamaCare rules if we should fail to repeal ObamaCare.

So what the King amendment does is it directs and allows the agencies and the executive branch of government to send a minimum of 10 percent of their regulations to the Congress each year for the duration of a decade encompassing a full 100 percent of all the regulations in place at the time of passage and enactment of the underlying legislation.

That gives Congress, then, authority and a vote over all of this. It gives us an ability to amend that legislation. We can pass them all en banc, we can amend them accordingly, or we can do what our Founding Fathers envisioned we should do. That is the essence of this.

By the way, President-elect Trump has made some strong pledges on dramatically reducing regulation in the United States. He doesn't have the tools without the King amendment.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the King amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I oppose this amendment, which establishes an idiosyncratic process establishing an automatic sunset of public health and safety protections. It requires that agencies conduct an annual review of current rules to designate 10 percent of its existing rules to be eliminated within 10 years of the bill's enactment unless Congress enacts a joint resolution of approval for eligible bills.

Now, I understand to the listening public that sounds kind of complicated, but the bottom line is they want to do away—my friends on the other side of the aisle—with net neutrality, which is something that a Federal agency requires. So if you want the Internet, which we all built and paid for through the Federal Government through our taxes and then we turned it over to the private sector, but we still have a public interest in the net being neutral so that all traffic flows equally over the

Web without some being slower than others according to how much you can afford to pay. That is not fair.

So this King amendment is a part of a regulatory scheme proposed by this legislation, the REINS Act, which is going to hurt Americans. It is going to hurt the health, safety, and well-being of the people when you are not able to have clean water, clean food, edible food, safe products, clean air, and clean water. These are the things that the REINS Act gets at. It doesn't want Americans to be healthy. It doesn't want the Internet to be neutral. Why? Because corporate America and Wall Street put people in office to do their bidding. That is what the REINS Act is all about. This King amendment will make it worse.

Under current law, Federal agencies already conduct an extensive retrospective review process of existing rules and have already saved taxpayers billions of dollars in cost savings. Since 2011, the Obama administration has made a durable commitment to ensuring retrospective review of existing regulatory protections. Under Executive Orders 13563 and 13610, the administration has required that of agencies.

According to Howard Shelanski, the administrator of the Office of Information and Regulatory Affairs under the Obama administration, the Obama administration's retrospective review initiative has achieved an estimated \$37 billion in cost savings, reduced paperwork, and other benefits for Americans over the past 5 years.

Furthermore, as the Obama administration has stated in the context of a veto threat of a similarly draconian antiregulatory proposal in a previous Congress, "It is important that retrospective review efforts not unnecessarily constrain an agency's ability to provide a timely response to critical public health or safety issues, or constrain its ability to implement new statutory provisions." That is what the King amendment would do.

In fact, because agencies are already committed to a thorough review process to identify and eliminate regulatory burdens, it may be impossible for agencies to make additional cuts without severely affecting public health and safety.

Lastly, while the majority has repeatedly noted that H.R. 26 is forward-looking legislation, this amendment would make the bill apply retroactively to protections and safeguards that exist at the bill's date of enactment, a bald attempt to gut protections adopted by the Obama administration, including net neutrality.

Mr. Chairman, I oppose the amendment, and I urge my colleagues to do the same.

I reserve the balance of my time.

STATEMENT OF ADMINISTRATION POLICY

H.R. 427—REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2015—REP. YOUNG, R-IN, AND 171 COSPONSORS

The Administration is committed to ensuring that regulations are smart and effective, and tailored to further statutory goals in the most cost-effective and efficient manner. Accordingly, the Administration strongly opposes House passage of H.R. 427, the Regulations from the Executive in Need of Scrutiny Act of 2015, which would impose an unprecedented requirement that a joint resolution of approval be enacted by the Congress before any major rule of an Executive Branch agency could have force or effect. This radical departure from the longstanding separation of powers between the Executive and Legislative branches would delay and, in many cases, thwart implementation of statutory mandates and execution of duly-enacted laws, create business uncertainty, undermine much-needed protections of the American public, and cause unnecessary confusion.

There is no justification for such an unprecedented requirement. When a Federal agency promulgates a major rule, it must already adhere to the particular requirements of the statute that it is implementing and to the constraints imposed by other Federal statutes and the Constitution. Indeed, in many cases, the Congress has mandated that the agency issue the particular rule. The agency must also comply with the rule-making requirements of the Administrative Procedure Act (5 U.S.C. 551 et seq.). When an agency issues a major rule, it must perform analyses of benefits and costs, analyses that are typically required by one or more statutes (such as the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, and the Paperwork Reduction Act) as well as by Executive Orders 12866 and 13563.

In addition, this Administration has already taken numerous steps to reduce regulatory costs and to ensure that all major regulations are designed to maximize net benefits to society. Executive Order 13563 requires careful cost-benefit analysis, public participation, harmonization of rulemaking across agencies, flexible regulatory approaches, and a regulatory retrospective review. In addition, Executive Order 13610 further institutionalizes retrospective review by requiring agencies to report regularly on the ways in which they are identifying and reducing the burden of existing regulations. Finally, agency rules are subject to the jurisdiction of Federal courts.

Moreover, for the past 19 years, the Congress itself has had the opportunity, under the Congressional Review Act of 1996, to review on an individual basis the rules—both major and non-major—that Federal agencies have issued.

By replacing this well-established framework with a blanket requirement of Congressional approval, H.R. 427 would throw all major regulations into a months-long limbo, fostering uncertainty and impeding business investment that is vital to economic growth. Maintaining an appropriate allocation of responsibility between the two branches is essential to ensuring that the Nation's regulatory system effectively protects public health, welfare, safety, and our environment, while also promoting economic growth, innovation, competitiveness, and job creation.

If the President were presented with H.R. 427, his senior advisors would recommend that he veto the bill.

Mr. KING of Iowa. Mr. Chairman, I would inquire as to how much time may be remaining for each side.

The Acting CHAIR. The gentleman from Iowa has 3½ minutes remaining. The gentleman from Georgia has half a minute remaining.

Mr. KING of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Chairman, first of all, I fully support Congressman KING's amendment. It improves the viability of the REINS Act and makes sure that the responsibility of legislation is in the hands of we legislators.

Let me just ask this simple question. My good friend on the other side says that we should let the agencies and departments regulate and make rules. Let me ask this: How has it been going in the last 20 years in this country?

We are \$20 trillion in debt, and 20 million people are out of work or underemployed.

Are we going to continue to let bureaucrats make these decisions that crush jobs?

No, I don't think so. It is our responsibility in the House and it is our responsibility in the Senate. We can hear from those individuals, as I have repeatedly said here, in those agencies. We need to make the final decision because just look at the track record over the last 20, 30 years of unelected bureaucrats making these rules, laws, and regulations.

Mr. JOHNSON of Georgia. Mr. Chairman, we can't blame a \$20 trillion deficit or debt on nameless, faceless bureaucrats. We can blame a lot of that debt on the George Bush administration and the legislators who voted for tax cuts for the wealthy that were not paid for and funded two wars that were not paid for. That is what we can blame that \$20 trillion debt on.

□ 1715

Again, if you are in favor of net neutrality, you should oppose this amendment.

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

Mr. KING of Iowa. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, first, I would say that yes, we can blame a lot of debt and deficit on a burden of regulations. We can blame it because there is a huge cost to our executive branch of government. That cost, much of it, the unnecessary component, all that goes against our debt and deficit.

We saw, as Barack Obama came in as President, we had a \$10 trillion debt, which he was very critical of throughout his campaign in 2007 and 2008. Now, as he leaves office here, thankfully, in a couple of weeks, it is a \$20 trillion debt, and we can start to ratchet this thing back down.

Looking at the Obama administration and their reports on the costs of regulation, they come up with this number reported to the Heritage Foundation that the annual cost of regulations to the United States, according

to the Obama administration, is \$108 billion, Mr. Chairman. So that is what we are looking at here for costs.

But I want to get at the real meat of this. Article I of the Constitution says Congress shall make all law. Yet, we have the courts making laws across the street, and we have regulations coming at us at a rate of—and I expressed to the gentleman from Georgia—ten-to-one. For every law we passed in the 114th Congress, there were at least 10 regulations that were poured over our head, and we are sitting in a place where we don't have the tools to undo them.

Now we have a President that is ready, and he wants to undo these regulations. If we make him march through the Administrative Procedure Act, it is heavy, it is burdensome, and it is time-consuming. But the King amendment gives the tools for the next President of the United States to work with Congress to trim this regulatory burden down. And the most important part is, it makes all of us in the House and the Senate accountable then for all of the regulations.

The APA was allowed to dish off this legislative responsibility to the executive branch. Congress took a pass. They ducked their responsibility of being accountable for all legislation and found a way to be producing less than 10 percent of the legislation that exists even in a given year.

The King amendment says that over the period of a decade, 10 percent a year at a minimum, Congress will have to review all the regulations. The people from across America—we the people—will weigh in on that regulation. And then an even better part is not only will we be accountable here in Congress—and we should be—but when the nameless, faceless bureaucrats are across the desk from our constituents and they refuse to listen to our constituents, there is going to be a little bug in the back of their ear that is going to be saying to them: You know what? This constituent that may be losing their business over this regulation, the next stop they make is going to be with their Congressman. These regulations that we promulgated are going to be subject then to being repealed by the United States Congress, as they should be.

Support the King amendment. It puts the authority back into the hands of Article I, we the people.

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

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

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

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Iowa will be postponed.

Mr. MARINO. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BYRNE) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, had come to no resolution thereon.

OBJECTING TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 2334

Mr. ROYCE of California. Mr. Speaker, pursuant to House Resolution 22, I call up the resolution (H. Res. 11) objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 22, the resolution is considered read.

The text of the resolution is as follows:

H. RES. 11

Whereas the United States has long supported a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security;

Whereas since 1993, the United States has facilitated direct, bilateral negotiations between both parties toward achieving a two-state solution and ending all outstanding claims;

Whereas it is the long-standing policy of the United States that a peaceful resolution to the Israeli-Palestinian conflict will only come through direct, bilateral negotiations between the two parties;

Whereas it is the long-standing position of the United States to oppose and, if necessary, veto United Nations Security Council resolutions dictating additional binding parameters on the peace process;

Whereas it is the long-standing position of the United States to oppose and, if necessary, veto one-sided or anti-Israel resolutions at the United Nations Security Council;

Whereas the United States has stood in the minority internationally over successive Administrations in defending Israel in international forums, including vetoing one-sided resolutions in 2011, 2006, 2004, 2003, 2002, 2001, 1997, and 1995 before the United Nations Security Council;

Whereas the United States recently signed a new Memorandum of Understanding with the Government of Israel regarding security assistance, consistent with longstanding support for Israel among successive Administra-

tions and congresses and representing an important United States commitment toward Israel's qualitative military edge;

Whereas on November 29, 2016, the House of Representatives unanimously passed House Concurrent Resolution 165, expressing the sense of Congress and reaffirming long-standing United States policy in support of a direct bilaterally negotiated settlement of the Israeli-Palestinian conflict and opposition to United Nations Security Council resolutions imposing a solution to the conflict;

Whereas on December 23, 2016, the United States Permanent Representative to the United Nations disregarded House Concurrent Resolution 165 and departed from long-standing United States policy by abstaining and permitting United Nations Security Council Resolution 2334 to be adopted under Chapter VI of the United Nations Charter;

Whereas the United States' abstention on United Nations Security Council Resolution 2334 contradicts the Oslo Accords and its associated process that is predicated on resolving the Israeli-Palestinian conflict between the parties through direct negotiations;

Whereas United Nations Security Council Resolution 2334 claims that "the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace";

Whereas by referring to the "4 June 1967 lines" as the basis for negotiations, United Nations Security Council Resolution 2334 effectively states that the Jewish Quarter of the Old City of Jerusalem and the Western Wall, Judaism's holiest site, are "occupied territory" thereby equating these sites with outposts in the West Bank that the Israeli government has deemed illegal;

Whereas passage of United Nations Security Council Resolution 2334 effectively lends legitimacy to efforts by the Palestinian Authority to impose its own solution through international organizations and through unjustified boycotts or divestment campaigns against Israel by calling "upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967", and will require the United States and Israel to take effective action to counteract the potential harmful impact of United Nations Security Council Resolution 2334;

Whereas UNSCR 2334 did not directly call upon Palestinian leadership to fulfill their obligations toward negotiations or mention that part of the eventual Palestinian state is currently controlled by Hamas, a designated terrorist organization; and

Whereas United Nations Security Council Resolution 2334 both sought to impose or unduly influence solutions to final status issues, and is biased against Israel: Now, therefore, be it

Resolved, That—

(1) it is the sense of the House of Representatives that—

(A) the passage of United Nations Security Council Resolution 2334 undermined the long-standing position of the United States to oppose and veto United Nations Security Council resolutions that seek to impose solutions to final status issues, or are one-sided and anti-Israel, reversing decades of bipartisan agreement;

(B) the passage of United Nations Security Council Resolution 2334 undermines the prospect of Israelis and Palestinians resuming productive, direct negotiations;

(C) the passage of United Nations Security Council Resolution 2334 contributes to the politically motivated acts of boycott, divestment from, and sanctions against Israel and represents a concerted effort to extract concessions from Israel outside of direct negotiations between the Israelis and Palestinians, which must be actively rejected;

(D) any future measures taken in international or outside organizations, including the United Nations Security Council or at the Paris conference on the Israeli-Palestinian conflict scheduled for January 15, 2017, to impose an agreement, or parameters for an agreement including the recognition of a Palestinian state, will set back the cause of peace, harm the security of Israel, run counter to the enduring bipartisan consensus on strengthening the United States-Israel relationship, and weaken support for such organizations;

(E) a durable and sustainable peace agreement between Israel and the Palestinians will come only through direct bilateral negotiations between the parties resulting in a Jewish, democratic state living side-by-side next to a demilitarized Palestinian state in peace and security;

(F) the United States should work to facilitate serious, direct negotiations between the parties without preconditions toward a sustainable peace agreement; and

(G) the United States Government should oppose and veto future United Nations Security Council resolutions that seek to impose solutions to final status issues, or are one-sided and anti-Israel; and

(2) the House of Representatives opposes United Nations Security Council Resolution 2334 and will work to strengthen the United States-Israel relationship, and calls for United Nations Security Council Resolution 2334 to be repealed or fundamentally altered so that—

(A) it is no longer one-sided and anti-Israel; and

(B) it allows all final status issues toward a two-state solution to be resolved through direct bilateral negotiations between the parties.

The SPEAKER pro tempore. The gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

GENERAL LEAVE

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

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), the esteemed Speaker of the House.

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to read you a quote:

“Peace is hard work. Peace will not come through statements and resolutions at the United Nations—if it were that easy, it would have been accomplished by now. Ultimately, it is the Israelis and the Palestinians who must live side by side.”

That was President Obama in 2011, and he was right.

I am stunned at what happened last month. This government—our government—abandoned our ally, Israel, when she needed us the most. Do not be fooled. This U.N. Security Council resolution was not about settlements, and it certainly was not about peace. It was about one thing and one thing only: Israel’s right to exist as a Jewish, democratic state.

These types of one-sided efforts are designed to isolate and delegitimize Israel. They do not advance peace. They make it more elusive.

The cornerstone of our special relationship with Israel has always been right here in Congress. This institution, the heart of our democracy, has stood by the Jewish state through thick and thin. We were there for her when rockets rained down on Tel Aviv. We were there for her by passing historic legislation to combat the boycott, divestment, and sanctions movement. And we have been there for her by ensuring Israel has the tools to defend herself against those who seek her destruction.

In every one of those instances, Republicans and Democrats worked together to get these things done. That is because our historic alliance with Israel transcends party labels and partisan bickering. We see that bipartisanship right here on the House floor today in condemning this anti-Israel resolution.

I want to thank our Chairman ED ROYCE, Ranking Member ELIOT ENGEL, and all of our Members on both sides of the aisle for speaking out on this issue and for helping assemble this legislation. It sends a powerful message, and it turns a page.

It is time to repair the damage done by this misguided hit job at the U.N. It is time to rebuild our partnership with Israel and reaffirm our commitment to her security. It is time to show all of our allies that, regardless of the shameful events of last week, the United States remains a force for good.

I ask the whole House to support this resolution on behalf of the American people.

Mr. ENGEL. Mr. Speaker, I yield 15 minutes to the gentleman from North Carolina (DAVID PRICE), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this measure, and I thank the Speaker for his words.

I want to start by thanking Chairman ED ROYCE, who authored this resolution. I am proud to be the lead Democratic cosponsor and glad to say that

more than 30 Democrats representing a broad cross-section of our party have signed on as cosponsors of this bipartisan legislation.

ED ROYCE and I have worked together for the past 4 years, and we believe that foreign policy should be bipartisan and that partisanship should stop at the water’s edge. Frankly, this is what we are doing today. We are condemning what happened because we think it is unfair and unjust.

I want to also mention that I join with my friend from North Carolina (Mr. PRICE) in authoring an amendment to this resolution that wasn’t accepted which emphasizes a two-state solution. I want to thank Mr. PRICE for his hard work on that approach, and I support it. We talk in this resolution about a two-state solution as well.

Mr. Speaker, throughout its entire history, the State of Israel has never gotten a fair shake from the United Nations. Year after year after year, member states manipulate the U.N. to bully our ally, Israel, to pile on with one-sided resolutions, placing all of the blame for the ongoing conflict on Israel.

We saw a resolution like this come before the Security Council a few weeks ago, and today the House of Representatives will go on record saying that that U.N. resolution is wrong, plain and simple. And frankly, we should not have voted for that.

The Security Council resolution is highly critical of Israel yet asks nothing directly of the Palestinians. That is biased, that is unfair, and that is not balanced. Again, we should have opposed it. We should have vetoed it.

The language about Jerusalem is not new but it remains deeply offensive to Jews, whose holiest site lies on the Temple Mount in East Jerusalem. The Kotel, the Holy Western Wall, is simply nonoccupied territory. And it is offensive to hear that.

So in the measure the House is considering today, we repudiate this flawed Security Council resolution. And at the same time, we will say once again that we support a two-state solution, that the only way to reach that goal is through direct negotiations between the Israelis and the Palestinians, and that this shameful Security Council resolution put that goal further out of reach.

Mr. Speaker, the international community faces the longest suppressing issues: mass killings in South Sudan, a crisis in Yemen, a humanitarian disaster in Syria, Russia’s illegal occupation of the Ukraine, and North Korea’s nuclear weapons program. Yet, rather than deal with those critical problems, the member states of the U.N. have chosen instead to use the international body to embarrass Israel. It is outrageous. This House Resolution that I am cosponsoring with Mr. ROYCE rightfully says that it is outrageous.

I think it was a mistake for the current administration to abstain on this vote in the U.N. I have been very clear about that, but I want to be fair. Before anyone turns this into another attack on President Obama, we should be aware of the history of this issue.

This is the first time in 8 years the Obama administration has allowed a resolution, opposed by Israel, to go forward. The George Bush administration allowed it to happen 6 times; the Clinton administration, 3 times; the first Bush administration, 6 times; and the Reagan administration, 10 times, including voting for one strongly condemning Israel for its “premeditated and unprecedented attack of aggression” when it wisely destroyed Iraq’s nuclear weapons reactor in 1981.

But regardless of that history, it doesn’t justify these latest abstentions. My mother used to say that two wrongs don’t make a right. And she was right. It was wrong then, and it is wrong now.

I think allowing governments to bully Israel and the U.N. is a mistake, no matter who is in power. Instead, let’s focus on what we should be doing when it comes to advancing the two-state solution.

This resolution calls for us to get back to the policy that many of us support: one, standing with Israel and the United Nations; two, stopping one-sided resolutions; and three, supporting direct negotiations as the only way to move toward a two-state solution.

This resolution says all that. Every one in this Congress should be voting for it because it is balanced. I am pleased to support this resolution, and I urge all Members to do the same.

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

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

I want to begin by thanking the ranking member, the gentleman from New York (Mr. ENGEL). I thank him for working with me in a bipartisan manner not just on this resolution but on the one that we worked on late last year—a unanimous vote by this body directing the administration not to take the steps that the administration has taken.

I appreciate the leader and the Speaker as well working with us to ensure this resolution was brought quickly to the floor of this House.

Today, we put Congress on record objecting to the recent U.N. Security Council resolution that hurt our ally, that hurt Israel, and I believe that puts an enduring peace further out of reach.

□ 1730

Mr. Speaker, the United States has long recognized that a solution to the Israeli-Palestinian conflict can only come about through direct bilateral negotiations between these two parties,

and that is why it is longstanding U.S. policy to veto the many one-sided, the many anti-Israel resolutions at the United Nations Security Council that violate that principle.

But just the other week, the Obama administration broke with this longstanding U.S. policy by failing to veto U.N. Security Council Resolution 2334. This dangerous resolution effectively states that the Jewish quarter of the Old City of Jerusalem and the Western Wall, Judaism’s holiest site, are, in the words of the resolution, “occupied territory.” Why would we not veto that?

It also lends legitimacy to efforts by the Palestinian Authority to put pressure on Israel through the U.N. rather than to go through the process of engaging in direct negotiations, and it puts wind in the sails of the shameful boycott divestment and sanctions movement.

Unquestionably, this U.N. Security Council action damages the prospects for peace. The resolution and the bullying and harassment of Israel that it will spur only happened for one reason: the Obama administration let it happen—and that went against the distinct warnings from this body.

Mr. ENGEL and I engaged in letters, in conversations with senior administration officials seeking their assurance that the United States would veto one-sided, anti-Israel resolutions. In November, the House unanimously, all of us, passed a resolution which warned the administration against taking such last-minute action.

With that resolution, H. Con. Res. 165, the House unanimously stated that the United States Government should continue to oppose and veto United Nations Security Council resolutions that seek to impose solutions to final-status issues or are one-sided and anti-Israel. Yet the administration rejected the call from Congress and chose a course that will bring harm for years to come by failing to veto U.N. Security Council Resolution 2334.

If the Palestinians want a lasting peace, they must accept that Israel, not the U.N., is their negotiating partner; and that means ending the incitement to violence against Israelis that goes on in so many of the mosques, that goes on in the schools, that goes on in the newspapers and on television there. It also means ending—and I think this is the most important fact, because leaving this out of the resolution at the U.N. is beyond me—their pay-to-slay scheme.

You talk about a lack of balance. Here we have a situation where, since 2003, it has been Palestinian law to reward Palestinian terrorists—terrorists—to go out, and they are given this incitement, this stipend for life. The more mayhem they create, the more horrific the number of civilians they attack and, therefore, the longer the sentence, the more they know: Well, I

can serve my time, and then when I get out, I can get this stipend for the rest of my life—and it is larger and larger, depending upon the amount of mayhem—and if I don’t make it, or if I am a suicide bomber, my family gets the stipend.

That, by law, is the way the Palestinian Authority has engineered this, costing the lives—and you can read about it every month of those civilians attacked on the streets. It is not just Israelis, of course. Taylor Force, a U.S. Marine, was killed simply because he was in Israel, but it was by someone responding to the incitement.

So \$300 million per year spent by the Palestinian Authority to do that. No mention of that, of course, by the United Nations. And that is why today’s action is so important, to demonstrate our united opposition to U.N. Security Council Resolution 2334, call for its repeal, to head off any more moves the Obama administration might have in the next few days with respect to the Paris conference next week as well, and to provide the foundation for the next administration to move forcefully to counteract its dangerous impact.

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

Mr. PRICE of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the ranking member, Mr. ENGEL, for yielding a portion of his time to opponents of this resolution. I also appreciate his willingness to work with me and other Members on our alternative resolution that is more accurate and less divisive, a resolution, unfortunately, the majority has denied a hearing for on the floor today.

Mr. Speaker, I rise in opposition to H. Res. 11. The resolution before us today fails to credibly reaffirm our Nation’s support for a two-state solution. It provides an inaccurate accounting of the United States’ longstanding policy toward the Israeli-Palestinian conflict. It includes reckless and divisive charges regarding the recent United Nations Security Council resolution, designed, it would appear, solely to embarrass the outgoing administration. It falsely claims, for example, that the Security Council resolution “contradicts the Oslo Accords.” It goes so far as to link the resolution to the boycott and divestiture movement.

Mr. Speaker, there is room for honest debate about the U.N. resolution and about the U.S. decision to abstain, but there is not room, there shouldn’t be room, for this kind of disgraceful distortion. H. Res. 11 doesn’t really engage the issues; it obscures and distorts them.

I would suggest that both those who support and oppose recent U.S. actions should oppose this irresponsible and divisive resolution. It does distort the

record. In fact, during the Obama administration, fewer U.N. Security Council resolutions related to the Israeli-Palestinian conflict have passed than under any other modern Presidency. In fact, the December resolution is the only one that has passed under President Obama's leadership; and if you want a fair and comprehensive account of the thinking that went into that difficult decision, I commend to every Member Samantha Power's statement at the United Nations, one of the finest statements of its sort that I have ever read.

H. Res. 11 also doesn't take into account the fact that Republican and Democratic administrations alike have allowed Security Council resolutions addressing the Israeli-Palestinian conflict to pass, many of which were opposed by Israel. The fact is H. Res. 11 runs a real risk of undermining the credibility of the United States Congress as a proactive force working toward a two-state solution.

In this period of great geopolitical turmoil and uncertainty, we must reaffirm those fundamental aspects of our foreign policy, including our strong and unwavering support for Israel, while also demonstrating to the world that we are committed to a diplomacy that defends human rights and promotes Israeli and Palestinian states that live side by side in peace and security, a formulation that has characterized our country's diplomacy for decades.

At best, Mr. Speaker, H. Res. 11 would muddy the waters of our diplomacy and foreign policy. At worst, it could undermine our decade-long efforts to achieve a just and lasting peace between Israelis and Palestinians. I can't, in good faith, support the adoption of this resolution, and I urge a "no" vote.

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

Mr. ROYCE of California. Mr. Speaker, in response briefly, we did have a substitute from Mr. PRICE, and we looked at that substitute, but it did not once mention the United Nations Security Council Resolution 2334.

Mr. ENGEL and I have worked hard together, in good faith and in a bipartisan manner, to develop a measure that rejects and repudiates this dangerous U.N. resolution that was passed; and also, ours warns the White House against taking additional measures in the last few weeks of the current administration. I think it is important to remind the body that this is very concerning, given the backdrop of the Paris conference on the 15th of this month and the very real concern that the President could take further steps at the U.N.

Again, Mr. PRICE's amendment did not include this urgent warning. I want to say that I am happy to work with Mr. PRICE in a bipartisan manner once

the Committee on Foreign Affairs organizes, but time is of the essence. We must act to reject United Nations Security Council Resolution 2334, not remain silent on it, and we have got to limit the damage that the administration has caused to prospects for a lasting peace.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chairman emerita of the Committee on Foreign Affairs.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank our esteemed chairman for the time.

This resolution, Mr. Speaker, will not undo the damage that has been done at the Security Council, but it sends an important message to the world that the United States Congress resoundingly and in a strong bipartisan manner disapproves of the vote taken on Resolution 2334, and it sends a warning to the nations that will gather in Paris next week to discuss the peace process that there will be repercussions if there is a move to introduce a parameters resolution before the 20th in an effort to further isolate Israel.

Our closest friend and ally, the democratic Jewish State of Israel, has been under constant attack by the United Nations. Abu Mazen and the Palestinians have pushed a campaign to delegitimize the Jewish state, to undermine the peace process, to achieve unilateral statehood recognition. We have seen it this year at UNESCO, where that sham of an institution voted on several occasions to deny and distance Jewish and Christian historical and cultural ties to Jerusalem.

We have seen it at the Human Rights Council, where Israel is constantly demonized and falsely accused of human rights violations while the real abusers of human rights go unpunished because that body has utterly failed to uphold its mandate. This is a body that allows the worst abusers of human rights—like Cuba, Venezuela, and China—to actually sit in judgment of human rights worldwide. What a pathetic joke. Yet the only thing they can agree on is to attack Israel, the only democracy in the Middle East and the only place in the region where human rights are protected.

We have seen this scheme to delegitimize Israel at the General Assembly, where, in its closing legislative session, the General Assembly passed 20–20—anti-Israel resolutions and only 4, combined, for the entire world.

These institutions have no credibility, and now we have the unfortunate circumstance of the White House deciding to abstain from this anti-Israel, one-sided resolution at the Security Council. Our ally was abandoned, and credibility and momentum were given to the Palestinian schemes to delegitimize the Jewish state, to undermine the peace process.

While the damage has been done, Mr. Speaker, by this act of cowardice at

the Security Council, we will have an opportunity to reverse that damage. In the coming weeks and months, this Congress and the incoming administration must show unyielding support for our ally Israel and undo the damage done.

This resolution by the chairman and the ranking member is an all-important first step that signals our intent. I urge my colleagues to support this measure, and I look forward to working with Chairman ROYCE and Ranking Member ENGEL in further strengthening our U.S.-Israel bond.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN), my good friend and senior member of the Committee on Foreign Affairs.

□ 1745

Mr. SHERMAN. Mr. Speaker, let's look at the historic timeline. The Reagan administration and other administrations have failed in the past to veto anti-Israel resolutions, and that failure has not been helpful to the cause of peace. Over the last two decades, Israel has frozen or removed settlements in an effort to negotiate peace, all to no avail.

On November 29 of last year, this House unanimously urged our U.N. Ambassador to veto any U.N. resolution that sought to impose peace settlement terms. But a month later, our U.N. Ambassador ignored the input of this House and allowed the U.N. to adopt a one-sided resolution that sought to impose peace terms on the parties.

Worse yet, that U.N. resolution equates the Western Wall, Judaism's holiest site, with outposts deep in the West Bank that are illegal under Israeli law.

Today we consider a House resolution that has over 30 Democratic cosponsors. It is not a pro-settlements resolution. It strongly and repeatedly reaffirms our support for a two-state solution, achieved through direct negotiations, and it objects to a U.N. resolution that set back the cause of peace. Vote "yes."

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the longtime chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding and for offering this important resolution, along with the ranking member, and I am proud to be a cosponsor.

President Obama's decision to abstain and not veto Security Council Resolution 2334 seriously undermines the peace process, abandons Israel at a critical hour in its life as a nation, and does serious injury to the historical record.

The egregiously flawed U.N. text says that all Israeli settlements after the 1949 armistice line including East Jerusalem and West Bank have no legal validity and constitutes a flagrant violation under international law.

The pending House resolution repudiates 2334 and makes clear that a durable and sustainable peace agreement between Israel and the Palestinians will only come through direct bilateral negotiations, not one-sided, anti-Israel U.N. resolutions.

Mr. Speaker, the U.N. resolution could open Israeli leaders and even average Israeli settlers to criminal prosecution. Israel's enemies are likely to exploit 2334 by seeking prosecutions in venues like the International Criminal Court for construction activities, even though the vast majority of this activity takes place legally, pursuant to Israeli law.

A few hours ago, the European Jewish press reported that "Leaders of the Conference of Presidents of Major American Jewish Organizations called for France to cancel or, at least, postpone what they called an 'ill-conceived, poorly timed and damaging' event—the Paris Mideast conference—scheduled for January 15."

I hope that we will also call upon our government not to go to this right before a transition of the White House and the Presidency and mischief that could be forthcoming from that.

They pointed out in their statement that "Israel has long sought direct talks" and "it is time for the Palestinian leaders to stop evading their responsibility and seeking to use international fora to avoid the only true path to a lasting peace"—and that is a negotiated settlement.

Nathan Diament of the Union of Orthodox Jewish Congregations of America pointed out that the U.N. has a long-established bias against Israel. As my good friend from Florida said a moment ago, 20 anti-Israel resolutions against just 4 in 2016—a bias and a discrimination against Israel.

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With over three thousand years of Jewish history bound up in East Jerusalem and the West Bank, it is preposterous to assert that Israel has no legitimacy in defending its connections to this extraordinary heritage. Sadly,

these kinds of prejudiced and revisionist claims are all too common in the United Nations where UNESCO voted just a couple months ago on measures that excise any mention of Judaism and Christianity's ancient ties to East Jerusalem.

Mr. Speaker, the UN Resolution could open Israeli leaders and even average Israeli settlers to criminal prosecution. Israel's enemies are likely to exploit 2334 by seeking prosecutions in venues like the International Criminal Court (ICC) for construction activities, even though the vast majority of this activity takes place legally, pursuant to Israeli law.

By calling on countries to distinguish between the State of Israel and Israeli settlements, 2334 enables the narrative of the anti-Semitic boycott, divestment, and sanctions movement, or BDS movement, that is aimed at delegitimizing Israel.

And in mere days, the error of 2334 could be further compounded.

A few hours ago the European Jewish Press reported that "Leaders of the Conference of Presidents of Major American Jewish Organizations called for France to cancel or, at least, postpone what they called an 'ill-conceived, poorly timed and damaging' event—the Paris Mideast conference—scheduled for January 15th."

"The international community should not plunge forward with the ill-conceived and poorly timed Paris conference," CPMAJO Chairman Stephen M. Greenberg and Vice Chairman and CEO Malcolm Hoenlein said in a statement . . . According to the Conference of Presidents, there are a number of compelling reasons to postpone the Paris event, including the impending transition to the Trump administration, just five days later. "It makes no sense that the next administration is precluded from participating in a discussion of an essential component of U.S. foreign policy with which it will be engaged," they explained.

"Israel has long sought direct talks, it is time for the Palestinian leaders to stop evading their responsibility and seeking to use international fora to avoid the only true path to a lasting peace," they added. Hoenlein cautioned it was possible the Obama administration could—following the recent passage of the anti-Israeli settlement Security Council resolution—take a 'further damaging step against the Jewish state before President-elect Donald Trump takes office.'

Nathan Diament, Executive Director of the Union of Orthodox Jewish Congregations of America, wrote me a letter today and said, "On December 23, 2016, the UN Security Council passed Resolution 2334, a blatantly anti-Israel resolution condemning Israel's building of settlements in the West Bank and East Jerusalem. It has long been U.S. policy that any progress toward an agreement in the region must be based on direct negotiations between Israeli and Palestinian leaders, not a vote of third-party nations at the UN."

"Unfortunately the UN has a long and established bias against Israel. In 2016 alone, the UN General Assembly adopted 20 anti-Israel resolutions and just four against other countries: North Korea, Syria, Iran and Russia. The World Health Organization condemned Israel as the world's only violator of 'mental, physical and environmental health,' while the

U.N. Women condemned Israel as the world's only violator of women's rights. The International Labor Organization condemned Israel as the world's only violator of labor rights. These same UN committees were silent on the issue of human rights violations in China, Libya, or the Congo."

"Clearly, the UN has an agenda to undermine and delegitimize the state of Israel, and in that regard UN support for Resolution 2334 was not surprising. What was surprising—and deeply concerning—was the silence of the United States on this issue. Rather than exercising its veto power, the United States chose to abstain from voting, and thereby threatened the trust and support Israel has long placed in its most important ally. Over the course of his presidency, Mr. Obama has repeatedly assured American Jews and others concerned about Israel's security and welfare that his commitment to U.S. support for Israel's security was 'unshakeable.' By allowing the UN Security Council's resolution to pass in the final weeks of his Administration, President Obama undermined his legacy and threatened the longstanding alliance between the United States and Israel."

"Whether the abstaining vote was a parting statement from the Obama Administration or the influence of anti-Israeli forces at the UN, the incoming Trump Administration and the 115th Congress must make the United States' support of Israel and our common goals of peace, democracy, and fighting terrorism—a pillar of its foreign policy. Today's resolution condemning UN Resolution 2334 will send an important message to the world that the United States stands with Israel and will continue to support our common goals."

Mr. Speaker, before concluding, I would like to note that many of us in Congress have been warning about these kinds of reckless gambits for months. Three-hundred and eighty of us in the House signed a letter in April to President Obama specifically calling on him to veto any one-sided resolution like 2443 if it were raised in the Security Council. In late November, the House voted overwhelmingly for H. Con. Res. 165 further stressing the need for the United States to stand by Israel and veto biased Security Council measures.

I urge my colleagues to support H. Con. Res. 11 to denounce this dangerous Security Council action. I look forward to working with President-elect Trump to align U.S. policy with the overwhelming consensus in Congress: that we are and remain committed to Israel's sovereignty and security.

OU ADVOCACY CENTER,
Washington, DC, January 5, 2017.

Hon. CHRIS SMITH,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SMITH: On behalf of the Union of Orthodox Jewish Congregations of America (Orthodox Union)—the nation's largest Orthodox Jewish umbrella organization—please accept our gratitude for your support of today's resolution opposing UN Security Council Resolution 2334, and thank you for submitting this letter to the official record of the House of Representatives.

On December 23, 2016, the UN Security Council passed Resolution 2334, a blatantly anti-Israel resolution condemning Israel's building of settlements in the West Bank and East Jerusalem. It has long been U.S. policy

that any progress toward an agreement in the region must be based on direct negotiations between Israeli and Palestinian leaders, not a vote of third-party nations at the UN.

Unfortunately, the UN has a long and established bias against Israel. In 2016 alone, the UN General Assembly adopted 20 anti-Israel resolutions and just four against other countries: North Korea, Syria, Iran and Russia. The World Health Organization condemned Israel as the world's only violator of "mental, physical and environmental health," while the U.N. Women condemned Israel as the world's only violator of women's rights. The International Labor Organization condemned Israel as the world's only violator of labor rights. These same UN committees were silent on the issue of human rights violations in China, Libya, or the Congo.

Clearly, the UN has an agenda to undermine and delegitimize the state of Israel, and in that regard UN support for Resolution 2334 was not surprising. What was surprising—and deeply concerning—was the silence of the United States on this issue. Rather than exercising its veto power, the United States chose to abstain from voting, and thereby threatened the trust and support Israel has long placed in its most important ally. Over the course of his presidency, Mr. Obama has repeatedly assured American Jews and others concerned about Israel's security and welfare that his commitment to U.S. support for Israel's security was "unshakeable." By allowing the UN Security Council's resolution to pass in the final weeks of his Administration, President Obama undermined his legacy and threatened the longstanding alliance between the United States and Israel.

Whether the abstaining vote was a parting statement from the Obama Administration or the influence of anti-Israeli forces at the UN, the incoming Trump Administration and the 115th Congress must make the United States' support of Israel and our common goals of peace, democracy, and fighting terrorism—a pillar of its foreign policy. Today's resolution condemning UN Resolution 2334 will send an important message to the world that the United States stands with Israel and will continue to support our common goals.

Again, thank you for your support of Israel and today's resolution. I urge all members of the United States Congress to stand with Israel and vote in favor of the McCarthy-Royce resolution.

Best Regards,

NATHAN DIAMENT,
Executive Director.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I stand here as a proud Jew and someone who, throughout my entire life, has been an advocate for the State of Israel, and I am standing here to oppose H. Res. 11.

As a Member of Congress, I have been committed to maintaining America's unwavering support for Israel, which has lasted from the very first moments of Israel's existence.

The U.S.-Israel bond is unbreakable, despite the fact that the United States' administrations have not always agreed with the particular policies of an Israeli Government. Contrary to the

assertions of H. Res. 11, the U.S. has often expressed those differences in the context of the United Nations. Presidents, from Lyndon Johnson to George W. Bush, have each vetoed and sometimes voted for a U.N. resolution contrary to the wishes of Israel's Government at the time. Only the Obama administration, until 2 weeks ago, never, ever cast a vote against what Israel wanted.

But opposition to the building of settlements on land belonging to Palestinians before the 1967 war—with the exception of the land, of course, that is going to be swapped, agreed to by both parties—has been the official U.S. policy for many decades, contrary, again, to the assertions of H. Res. 11.

It has also been the policy of the United States to recognize that the only long-term solution to the Israeli-Palestinian conflict—the violence, the loss of life—is to create two states: one for the Palestinians and one for Israel. A two-state solution is the only way Israel can continue as both a democratic and a Jewish state, living in the peace and security that has eluded her from the very beginning. The building of settlements is an obstacle to achieving that goal.

And, of course, settlements aren't the only obstacle to Israeli-Palestinian peace. The U.S. resolution reiterates the Palestinian Authority security forces must continue to counter terrorism and condemn all of the provocations.

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

Mr. PRICE of North Carolina. I yield the gentlewoman an additional 30 seconds.

Ms. SCHAKOWSKY. I urge a "no" vote.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), who has served for years as chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I thank the gentleman.

The recent stunt at the United Nations targeting Israel is the latest effort by this administration to cement a legacy of foreign policy that has failed, especially with our trusted ally Israel. It has been U.S. policy to veto any U.N. resolution dictating parameters on the Israeli-Palestinian peace process.

The reason is simple. True peace can only be achieved at the negotiating table between the Palestinians and the Israelis, not at the United Nations. The one-sided, anti-Israeli resolution will only make peace harder.

The U.N. adopted 20 anti-Israeli resolutions last year, while passing just 4 for the rest of the world. The U.N. is not fair and unbiased. While pointing the finger solely at Israel, the recent resolution did nothing to point out the Palestinians' lack of progress towards peace.

The Palestinian Authority has failed to stop violence against Jews. It continues to—get this, Mr. Speaker—make payments to jailed Palestinian terrorists who have harmed or killed Jews.

Over the years, Israel has traded land for promised peace. They have no peace. And soon, if the United Nations gets its way, they will have no land.

Despite the administration's policy of abandoning our trusted ally Israel, the United States Congress must stand with our ally Israel.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. ROSEN), one of our new Members, who has made support for Israel part of her entire life and is giving her first speech on the House floor in support of this resolution and support of Israel.

Ms. ROSEN. Mr. Speaker, I am proud to stand with my colleagues on both sides of the aisle today in support of this resolution and to lend my name as a cosponsor. The United States alliance with Israel is absolutely critical, and this is not the time to sow uncertainty about the state of our relationship.

This resolution does a number of important things, but the most important is that it reaffirms Congress' longstanding support for a bilateral settlement of the Israeli-Palestinian conflict and objects to the United Nations Security Council Resolution 2334. Paragraph 5 of that resolution is reminiscent of a recent U.N. Human Rights Council resolution that established a database of companies in the settlements, facilitating a boycott.

The UNSC resolution does nothing to advance the cause of peace and is, in fact, an obstacle to it. Strongly ensuring the security of Israel is the only pathway to a lasting settlement.

I urge my colleagues on both sides of the aisle to vote in favor of this resolution.

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I thank Chairman ED ROYCE for yielding. I appreciate your leadership for peace.

I am in strong support of the House resolution, which is taking a firm stand and clear stand objecting to the United Nations Security Council resolution as an obstacle to Israeli-Palestinian peace.

The United States has stood with Israel against one-sided, biased resolutions at the United Nations and in other international forums. Additionally, the United States has been adamant that a peaceful resolution will only come from direct, bilateral negotiations, not addressed by an international forum. The distorted ideology of moral neutrality is suicidal for civilization, encouraging what the chairman correctly identified as "pay for

slay," as evidenced by the murder of American tourist Taylor Force just last year.

On December 23, my constituents were shocked as the Obama administration betrayed the people of Israel, undermining the peace process by failing to veto the U.N. Security Council resolution. President Obama and Secretary Kerry's actions revealed dangerous irresponsibility, putting Israeli and American families at risk of more terrorist attacks. Fortunately, Governor Nikki Haley, President-elect Donald Trump's appointee, will soon be making a positive difference as U.N. Ambassador of the United States, promoting peace through strength.

Today, I am grateful to stand strong with Israel by being an original cosponsor of H. Res. 11. I appreciate the leadership of Majority Leader KEVIN MCCARTHY, Chairman ED ROYCE, and Ranking Member ELIOT ENGEL for sponsoring this resolution. I urge my colleagues to support it.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIÉRREZ. Mr. Speaker, my commitment to the State of Israel is steadfast, but my first loyalty is to peace—peace that is protected by genuine self-determination.

I know in my heart that the only path to peace is to have two separate, sovereign states that peacefully coexist. The two-state solution is at the heart of American foreign policy, and every President and every Congress since I got here in 1993 put the two-state solution at the heart of what America wants for her friend Israel.

As I said on the House floor on December 6, if we are ever going to achieve the permanent peace that allows Israel to exist without fear and Palestine to exist without occupation, we must continue to fight for the two-state solution. But under the current strongman government in Israel, all pretenses and illusions are being stripped away. From settlements, to water, to restricting the Muslim call to prayer in Jerusalem, it seems that anything goes.

Today, as America embarks on its own experiment with strongman politics, this Congress is falling in line. This Congress that allowed our Chamber to be used for an Israeli campaign rally and TV commercials is bending to pressure from abroad and pressure here at home.

Mr. Speaker, I do not doubt the commitment to peace of the American people, so I urge my colleagues to vote with their hearts and minds and defeat this House resolution.

Mr. Speaker, I include in the RECORD my remarks on the floor of December 6 in support of a two-state solution.

TWO STATE SOLUTION IS STILL THE PATH TO PEACE IN THE MIDDLE EAST

[Luis V. Gutiérrez Floor Remarks, Dec. 6, 2016]

Mr. Speaker, I am very concerned about what is going on in Israel and I think it has implications both for U.S. foreign policy and for domestic policy and for our great ally, Israel.

As the right-wing government of Benjamin Netanyahu consolidates power and becomes in many ways the one-party rulers of Israel, a number of things are changing that should be of concern to all Americans.

Specifically, the increasing dominance of the Likud Party as the one-party in Israel jeopardizes the two state solution that I and many others in the United States and Israel feel is the only way to achieve long-term peace in the Middle East.

There is a retrenchment of hard line policies—aimed at solidifying alliances with smaller religious and hardline parties that keeps Likud in power—that will make it harder for Israelis and their allies in America—and anyone who seeks a lasting peace—to maintain progress towards a two state solution.

Right now, the Knesset is considering legislation to legalize all Israeli settlements in Palestinian territory on the West Bank, even those constructed on private Palestinian land.

Boom, 400,000 people in settlements across the West Bank, it's all legal because they say it is legal. But it's not.

And Israel is destroying Palestinian homes at a pace faster than we have seen before.

It is provocative, sweeping, and designed to make it harder to ever reach an agreement with the Palestinians.

The plan to restrict the Muslim call to prayer in Jerusalem has been revived, again to placate hardline religious constituents, by Prime Minister Netanyahu.

There is no clearer statement to people of the Islamic faith that they do not matter, they do not belong, and they will not be tolerated than to restrict the Muslim call to prayer in Jerusalem, a city that has heard the Muslim call to prayer for thousands of years.

I think what is going on in Israel with Prime Minister Netanyahu presents a cautionary tale about the consequences of following a political strongman. The strongman has to keep proving that he is a strongman over and over.

Like other strongmen who ride fear into leadership—when you base your political career on injecting fear and resentment into political affairs—when you use the backdrop of terrorism and the understandable fear of the Israeli people as a political tool for years and decades—this is the kind of policy that results.

There is an appetite for constant escalation of what you are doing to stand up to the enemy you have constructed—an enemy based on, but not the same as the enemies that fight against the state of Israel and tolerance and peace in real life.

Strongmen construct a foil—in this case based on the Palestinians, but sometimes exaggerated beyond recognition—and they need to feed the thirst for more and more action to attack the caricature that has been constructed.

But strongman politics in Israel have the impact of making a long-lasting solution that brings peace to the Middle East harder to achieve.

The fundamental rights of Palestinians to have their own state, a state alongside the

Israeli state where they have the basic rights and dignity to govern themselves and raise their families in peace—that is what many Israelis, many Palestinians, and many around the world have been fighting for.

If we are ever going to achieve the permanent peace that allows Israel to exist without fear and Palestine to exist without occupation, we must continue to fight for the two state solution.

When I was just a freshman, almost 25 years ago, we celebrated the accomplishments of Rabin and Arafat and President Clinton to build towards a peace that recognizes the rights and dignity of Israelis and the rights and dignities of the Palestinian people.

For decades, the United States—under different leaders in different parties from Carter to Reagan to Bush and Obama—have recognized that peace will only come with mutual respect and tolerance.

That is what we have based our foreign policy on and should continue to base our foreign policy on.

Having talked with average people and with leaders on both sides of the Palestinian/Israeli conflict—I am convinced that it is the only path to peace.

America has been a catalyst—a constructive influence from outside—a nation based on religious freedom and democracy that has served as a model for both Palestinians and Israelis—and we have worked towards helping parties continue to move in the direction of two separate but mutually respectful countries, two nations that are not at war with each other or subservient to one another.

I fear, Mr. Speaker, that Israel herself is moving away from the two state solution as a goal and that we as her closest ally must remind her—and ourselves—of what is at stake if we lose sight of this important goal.

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I want to thank Chairman ROYCE and Ranking Member ENGEL.

Mr. Speaker, I rise today in support of the nation of Israel, one of our greatest allies in the Middle East.

I urge my colleagues to support H. Res. 11, Objecting to United Nations Security Council Resolution 2334.

U.N. Security Council Resolution 2334 calls for a Palestinian state but not a Jewish state. It does nothing to condemn or stop the Palestinian Authority's pay to slay, as we have heard talked over and over again, that rewarded over \$300 million to terrorists in Israeli jails last year for crimes committed against Israeli citizens and others. It legitimizes additional efforts to isolate and sanction Israel. It declares the Jewish Quarter of the Old City of Jerusalem, where the City of David has been excavated, and the Western Wall, Judaism's holiest site, as occupied territories.

□ 1800

This is absurd. Furthermore, the Obama administration refused to veto it. This shameful move broke with years of bipartisan U.S. efforts to protect Israel from deeply flawed and biased U.S. resolutions.

H. Res. 11 reasserts the U.S. position that the Israeli-Palestinian conflict can only be resolved through direct negotiations between the two parties. H. Res. 11 must pass to send a clear message to the outgoing Obama administration, to the U.N., and to the world that the United States stands with Israel.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from the great State of New York (Mr. SUOZZI), another new Member of Congress who is also making his maiden speech about the security of Israel and the U.S.-Israel partnership.

Mr. SUOZZI. Mr. Speaker, I rise as a cosponsor of the bipartisan H. Res. 11.

In 2002, during the Second Intifada, after the massacre in Hebron, I had the great, good fortune of meeting in Jerusalem with Shimon Peres, of blessed memory. He explained why a two-state solution is the only path to peace, and I will never abandon his dream of a two-state solution.

U.N. Security Council Resolution 2334, however, pushes the hope of a two-state solution farther away for three reasons:

One, it discourages direct negotiations between Israel and the Palestinians.

Two, it fails to distinguish between “long accepted” and “more controversial” settlements. “Long accepted” settlements, such as the long established Jewish neighborhoods in East Jerusalem, in the Jewish Quarter, places like the Western Wall, and the “consensus” settlements versus “more controversial” hilltop settlements in the West Bank, such as Amona, settlements that even the Israeli Supreme Court has declared illegal.

Three, it fails to explicitly condemn the number one impediment to a two-state solution: anti-Israel terrorism.

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. DESANTIS).

Mr. DESANTIS. Mr. Speaker, I condemn U.N. Security Council Resolution 2334.

This is an outrageous attack against the State of Israel, the world’s only Jewish state and the only democracy in the Middle East. I also condemn the Obama administration’s failure to veto such a resolution, because it betrayed Israel and it harmed our national security interests. The Obama administration’s actions, or lack of actions, were more than just a sin of omission in that they worked behind the scenes to move this resolution forward so that it could be voted on in the United Nations General Assembly. That is a sin of commission.

Now, we have to be honest about how the two sides have acted in this in putting pressure on Israel and not on the Palestinian Authority. Remember, when you talk about a two-state solution, the Palestinian Arabs rejected a

state in 1948. They tried to wipe Israel off the map. They tried to beat them in 1967. It has been a constant state of war, and they have chosen to get rid of the Jewish state as something that is more important to them than the creation of their own state, and we have to be honest about that.

I will support this resolution. I view it as a good statement, but as just a first step. We need something in the coming days that has teeth to deal with the United Nations and its outrageous conduct. It has become a hotbed of anti-Israeli activity where all of these tin-pot countries get together and rail against the world’s only Jewish state. They did 20 resolutions against Israel at the United Nations in 2016 and four against the rest of the world.

We need to take our power of the purse and defund the U.N. until U.N. Security Council Resolution 2334 is revoked.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 3 minutes to my colleague from Texas (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentleman.

Mr. Speaker, for what may or may not be their good intentions, this resolution and its authors undermined the security of families here and in Israel. This “go it alone” approach with the current Israeli Government—defying a unanimous vote of 14 countries and ignoring the concerns of many of our allies—is not a path to peace. We will not protect ourselves or our allies in Israel if we pursue the path of isolation.

For decades, we have enjoyed a bipartisan commitment to two states living in peace and security next door to one another. It has been a difficult goal to achieve, but now is not the time to give up on it. There are, sadly, some in Israel and some among the Palestinians who wholly reject this commitment. They believe it is all theirs. They believe in a divine entitlement to every piece of land west of the Jordan River. Their idea of a reasonable negotiation is that the other side gets next to nothing.

Few people who have worked on this difficult issue and have tried to overcome such zealotry and achieve a just resolution have done as much as Secretary of State John Kerry. Despite the insults and the intransigence, he has made near Herculean efforts to achieve peace. To be honest, the roadblocks that have been thrown in his path have not come just from one side. In no way do we condone the many, many wrongs of the Palestinians and the Palestinian Authority by saying that some of those roadblocks were initiated by the current Israeli Government.

Then, to talk of one sided, what irony. Indeed, I think it is hypocrisy to talk about a one-sided resolution when this is a one-sided resolution. If there had been the slightest interest in

bringing this body together—with all of us supporting Israel, with all of us supporting access to the Western Wall, with all of us supporting the security of our friend that was reflected in \$38 billion, which is the most money in military assistance we have ever provided to a single ally by this administration—instead of attacking the goodwill and the good faith of this administration, we wouldn’t be here today. There is no urgency for us to act today. There is an urgency—just as the new designee for the Ambassador to Israel has slandered some other people—for them to besmirch the efforts of this administration.

The truth is that ever-expanding Israeli settlements—many of them first constructed in total violation of Israeli law—are a significant obstacle, but they are certainly not the only one. The clearer goal of settlers is to have facts on the ground, to be irreversible in moving to split up any potential Palestinian Authority.

Protect our families and those of Israel by rejecting this resolution.

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I oppose U.N. Security Council Resolution 2334—an anti-Israel, anti-Jewish attempt on behalf of pro-Palestinian nations to delegitimize Israel and ethnically cleanse East Jerusalem and Judea and Samaria of the Jewish people.

The Israelis have long been willing to compromise large swaths of land in this region in pursuit of a two-state solution. It has been the Palestinians who have, time and again, declined real offers on the table for their own state. Just think about this reality. If the Israelis agreed right now to make all of the concessions this U.N. Security Council resolution calls for, there would still not be peace. A viable two-state solution isn’t just about Israel’s recognizing the Palestinians’ right to exist; it is also about the Palestinians’ recognizing Israel’s right to exist.

As for me, I stand for freedom, and America should stand strong—shoulder to shoulder—with Israel.

President Obama lit a menorah this year at the White House. He reflected on Hanukkah as a celebration of the Maccabees’ fight for freedom—the Maccabees, who lived, prayed, and fought on the land that this resolution now calls illegally occupied territory. It is an insult this resolution was passed just one day before the start of Hanukkah. Israel is one of America’s greatest allies and is a beacon of freedom and liberty in a very dark region of the world. The Obama administration, by allowing this resolution to pass, is attempting a dangerous shift in American foreign policy that cannot be allowed to stand.

I encourage all of my colleagues to support this resolution, and I thank Chairman ROYCE for his leadership.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. I thank the gentleman.

Mr. Speaker, I rise in great support of the Ross-Engel bill against this most deceitful and shameful U.N. resolution. That is what we are here for. This act was shameful and it was deceitful.

When the U.N. voted for this 2334 resolution, it was like cutting Israel's legs out from under it and then condemning Israel for being a cripple. Shameful and deceitful because they wanted to put all of the blame on Israel when it is the Palestinians who refuse to even meet to discuss or to even talk about a two-nation state. It is the Palestinians who say Israel doesn't even have a right to exist.

How in the hell are you going to meet with somebody to talk about a combined future when they will not give you decent recognition?

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

Mr. ENGEL. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. DAVID SCOTT of Georgia. I thank the gentleman because this part is very important.

Mr. Speaker, this Nation is blessed. We have been blessed with divine intervention all through our history to be that shining light on the hill, to let all of our great work show for the world. We have an opportunity here tonight for this Congress to stand up and show that light for Israel.

Stand up for Israel and show our great works to this world. That is what I say, so let it be written and let it be done.

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. TROTT).

Mr. TROTT. I thank the chairman.

Mr. Speaker, I rise today in support of H. Res. 11, which offers a strong objection to U.N. Security Council Resolution 2334.

President Obama started his foreign policy 8 years ago with an apology tour in the Middle East, and now, not surprisingly, he ends it with a slap in the face to our ally and friend, Israel.

For over 40 years, the United States Government—Republicans and Democrats—stood shoulder to shoulder with our ally, vetoing countless resolutions at the United Nations. However, this past December, President Obama broke that tradition and chose to allow this resolution to come before the Security Council for a vote. As Prime Minister Netanyahu said: "This was a disgraceful anti-Israel maneuver." Not only does this one-sided resolution blatantly target Israel, it seriously impedes the peace process.

Unfortunately, while I wholeheartedly reject what happened at the

United Nations, I cannot say that I am surprised. The Obama administration has been more concerned with appeasing nefarious actors like Iran and Cuba, all the while ignoring friends like Israel. I look forward to a new era of foreign policy in which our enemies fear us and our allies respect us.

Mr. PRICE of North Carolina. Mr. Speaker, may I inquire as to the time remaining for each side?

The SPEAKER pro tempore. The gentleman from North Carolina has 5 minutes remaining. The gentleman from California has 8½ minutes remaining. The gentleman from New York has 6¼ minutes remaining.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. I thank my colleague.

Mr. Speaker, as a strong supporter of a two-state solution, as a Jewish Member of Congress and as someone who has been to Israel and has seen the settlements firsthand, I rise in strong opposition to this resolution.

Settlements are an impediment to peace between Israelis and Palestinians. This resolution only provides ammunition to those who oppose a two-state solution—the approach that is our only hope for lasting peace. We all agree that the incitement of violence and terrorism must end, which U.N. Security Council Resolution 2334 discusses. But as Secretary Kerry so eloquently stated in his speech on December 28:

Some seem to believe that the U.S.' friendship means the U.S. must accept any policy regardless of our own interests, our own positions, our own words, our own principles—even after urging again and again that the policy must change. Friends need to tell each other the hard truths, and friendships require mutual respect.

□ 1815

Well, my friends, Israel must end settlement expansion, close their outposts, and get to the negotiating table. Prime Minister Netanyahu has not treated the Obama administration with respect, and this resolution does not offer the American people the honest, true debate we should be having about this critically important issue.

Mr. Speaker, I urge my colleagues to oppose this measure.

Mr. Speaker, I want to thank the Obama administration, especially Secretary of State Kerry, for their dedication in trying to find a path forward for a two-state solution. It is my hope that the principles laid out in Secretary Kerry's December 28, 2016 speech will help guide serious negotiations in the days ahead. To ensure that his remarks are a part of this debate, I will now read his entire statement.

Secretary Kerry said: Thank you very much. Thank you. Thank you very, very much. Thank you. (Coughs.) Excuse me. Thank you for your patience, all of you. For those of you who celebrated Christmas, I hope you had a wonderful Christmas. Happy Chanukah. And to ev-

erybody here, I know it's the middle of a holiday week. I understand. (Laughter.) But I wish you all a very, very productive and Happy New Year.

Today, I want to share candid thoughts about an issue which for decades has animated the foreign policy dialogue here and around the world—the Israeli-Palestinian conflict.

Throughout his Administration, President Obama has been deeply committed to Israel and its security, and that commitment has guided his pursuit of peace in the Middle East. This is an issue which, all of you know, I have worked on intensively during my time as Secretary of State for one simple reason: because the two-state solution is the only way to achieve a just and lasting peace between Israelis and Palestinians. It is the only way to ensure Israel's future as a Jewish and democratic state, living in peace and security with its neighbors. It is the only way to ensure a future of freedom and dignity for the Palestinian people. And it is an important way of advancing United States interests in the region.

Now, I'd like to explain why that future is now in jeopardy, and provide some context for why we could not, in good conscience, stand in the way of a resolution at the United Nations that makes clear that both sides must act now to preserve the possibility of peace.

I'm also here to share my conviction that there is still a way forward if the responsible parties are willing to act. And I want to share practical suggestions for how to preserve and advance the prospects for the just and lasting peace that both sides deserve.

So it is vital that we have an honest, clear-eyed conversation about the uncomfortable truths and difficult choices, because the alternative that is fast becoming the reality on the ground is in nobody's interest—not the Israelis, not the Palestinians, not the region—and not the United States.

Now, I want to stress that there is an important point here: My job, above all, is to defend the United States of America—to stand up for and defend our values and our interests in the world. And if we were to stand idly by and know that in doing so we are allowing a dangerous dynamic to take hold which promises greater conflict and instability to a region in which we have vital interests, we would be derelict in our own responsibilities.

Regrettably, some seem to believe that the U.S. friendship means the U.S. must accept any policy, regardless of our own interests, our own positions, our own words, our own principles—even after urging again and again that the policy must change. Friends need to tell each other the hard truths, and friendships require mutual respect.

Israel's permanent representative to the United Nations, who does not support a two-state solution, said after the vote last week, quote, "It was to be expected that Israel's greatest ally would act in accordance with the values that we share," and veto this resolution. I am compelled to respond today that the United States did, in fact, vote in accordance with our values, just as previous U.S. administrations have done at the Security Council before us.

They fail to recognize that this friend, the United States of America, that has done more

to support Israel than any other country, this friend that has blocked countless efforts to delegitimize Israel, cannot be true to our own values—or even the stated democratic values of Israel—and we cannot properly defend and protect Israel if we allow a viable two-state solution to be destroyed before our own eyes.

And that's the bottom line: the vote in the United Nations was about preserving the two-state solution. That's what we were standing up for: Israel's future as a Jewish and democratic state, living side by side in peace and security with its neighbors. That's what we are trying to preserve for our sake and for theirs.

In fact, this Administration has been Israel's greatest friend and supporter, with an absolutely unwavering commitment to advancing Israel's security and protecting its legitimacy.

On this point, I want to be very clear: No American administration has done more for Israel's security than Barack Obama's. The Israeli prime minister himself has noted our, quote, "unprecedented" military and intelligence cooperation. Our military exercises are more advanced than ever. Our assistance for Iron Dome has saved countless Israeli lives. We have consistently supported Israel's right to defend itself, by itself, including during actions in Gaza that sparked great controversy.

Time and again we have demonstrated that we have Israel's back. We have strongly opposed boycotts, divestment campaigns, and sanctions targeting Israel in international fora, whenever and wherever its legitimacy was attacked, and we have fought for its inclusion across the UN system. In the midst of our own financial crisis and budget deficits, we repeatedly increased funding to support Israel. In fact, more than one-half of our entire global Foreign Military Financing goes to Israel. And this fall, we concluded an historic \$38 billion memorandum of understanding that exceeds any military assistance package the United States has provided to any country, at any time, and that will invest in cutting-edge missile defense and sustain Israel's qualitative military edge for years to come. That's the measure of our support.

This commitment to Israel's security is actually very personal for me. On my first trip to Israel as a young senator in 1986, I was captivated by a special country, one that I immediately admired and soon grew to love. Over the years, like so many others who are drawn to this extraordinary place, I have climbed Masada, swum in the Dead Sea, driven from one Biblical city to another. I've also seen the dark side of Hizballah's rocket storage facilities just across the border in Lebanon, walked through exhibits of the hell of the Holocaust at Yad Vashem, stood on the Golan Heights, and piloted an Israeli jet over the tiny airspace of Israel, which would make anyone understand the importance of security to Israelis. Out of those experiences came a steadfast commitment to Israel's security that has never wavered for a single minute in my 28 years in the Senate or my four years as Secretary.

I have also often visited West Bank communities, where I met Palestinians struggling for basic freedom and dignity amidst the occupation, passed by military checkpoints that can make even the most routine daily trips to work or school an ordeal, and heard from business leaders who could not get the permits that

they needed to get their products to the market and families who have struggled to secure permission just to travel for needed medical care.

And I have witnessed firsthand the ravages of a conflict that has gone on for far too long. I've seen Israeli children in Sderot whose playgrounds had been hit by Katyusha rockets. I've visited shelters next to schools in Kiryat Shmona that kids had 15 seconds to get to after a warning siren went off. I've also seen the devastation of war in the Gaza Strip, where Palestinian girls in Izbet Abed Rabo played in the rubble of a bombed-out building.

No children—Israeli or Palestinian—should have to live like that.

So, despite the obvious difficulties that I understood when I became Secretary of State, I knew that I had to do everything in my power to help end this conflict. And I was grateful to be working for President Obama, who was prepared to take risks for peace and was deeply committed to that effort.

Like previous U.S. administrations, we have committed our influence and our resources to trying to resolve the Arab-Israeli conflict because, yes, it would serve American interests to stabilize a volatile region and fulfill America's commitment to the survival, security and well-being of an Israel at peace with its Arab neighbors.

Despite our best efforts over the years, the two-state solution is now in serious jeopardy.

The truth is that trends on the ground—violence, terrorism, incitement, settlement expansion and the seemingly endless occupation—they are combining to destroy hopes for peace on both sides and increasingly cementing an irreversible one-state reality that most people do not actually want.

Today, there are a number—there are a similar number of Jews and Palestinians living between the Jordan River and the Mediterranean Sea. They have a choice. They can choose to live together in one state, or they can separate into two states. But here is a fundamental reality: if the choice is one state, Israel can either be Jewish or democratic—it cannot be both—and it won't ever really be at peace. Moreover, the Palestinians will never fully realize their vast potential in a homeland of their own with a one-state solution.

Now, most on both sides understand this basic choice, and that is why it is important that polls of Israelis and Palestinians show that there is still strong support for the two-state solution—in theory. They just don't believe that it can happen.

After decades of conflict, many no longer see the other side as people, only as threats and enemies. Both sides continue to push a narrative that plays to people's fears and reinforces the worst stereotypes rather than working to change perceptions and build up belief in the possibility of peace.

And the truth is the extraordinary polarization in this conflict extends beyond Israelis and Palestinians. Allies of both sides are content to reinforce this with an us or—"you're with us or against us" mentality where too often anyone who questions Palestinian actions is an apologist for the occupation and anyone who disagrees with Israel policy is cast as anti-Israel or even anti-Semitic.

That's one of the most striking realities about the current situation: This critical decision

about the future—one state or two states—is effectively being made on the ground every single day, despite the expressed opinion of the majority of the people.

The status quo is leading towards one state and perpetual occupation, but most of the public either ignores it or has given up hope that anything can be done to change it. And with this passive resignation, the problem only gets worse, the risks get greater and the choices are narrowed.

This sense of hopelessness among Israelis is exacerbated by the continuing violence, terrorist attacks against civilians and incitement, which are destroying belief in the possibility of peace.

Let me say it again: There is absolutely no justification for terrorism, and there never will be.

And the most recent wave of Palestinian violence has included hundreds of terrorist attacks in the past year, including stabbings, shootings, vehicular attacks and bombings, many by individuals who have been radicalized by social media. Yet the murderers of innocents are still glorified on Fatah websites, including showing attackers next to Palestinian leaders following attacks. And despite statements by President Abbas and his party's leaders making clear their opposition to violence, too often they send a different message by failing to condemn specific terrorist attacks and naming public squares, streets and schools after terrorists.

President Obama and I have made it clear to the Palestinian leadership countless times, publicly and privately, that all incitement to violence must stop. We have consistently condemned violence and terrorism, and even condemned the Palestinian leadership for not condemning it.

Far too often, the Palestinians have pursued efforts to delegitimize Israel in international fora. We have strongly opposed these initiatives, including the recent wholly unbalanced and inflammatory UNESCO resolution regarding Jerusalem. And we have made clear our strong opposition to Palestinian efforts against Israel at the ICC, which only sets back the prospects for peace.

And we all understand that the Palestinian Authority has a lot more to do to strengthen its institutions and improve governance.

Most troubling of all, Hamas continues to pursue an extremist agenda: they refuse to accept Israel's very right to exist. They have a one-state vision of their own: all of the land is Palestine. Hamas and other radical factions are responsible for the most explicit forms of incitement to violence, and many of the images that they use are truly appalling. And they are willing to kill innocents in Israel and put the people of Gaza at risk in order to advance that agenda.

Compounding this, the humanitarian situation in Gaza, exacerbated by the closings of the crossings, is dire. Gaza is home to one of the world's densest concentrations of people enduring extreme hardships with few opportunities. 1.3 million people out of Gaza's population of 1.8 million are in need of daily assistance—food and shelter. Most have electricity less than half the time and only 5 percent of the water is safe to drink. And yet despite the

urgency of these needs, Hamas and other militant groups continue to re-arm and divert reconstruction materials to build tunnels, threatening more attacks on Israeli civilians that no government can tolerate.

Now, at the same time, we have to be clear about what is happening in the West Bank. The Israeli prime minister publicly supports a two-state solution, but his current coalition is the most right wing in Israeli history, with an agenda driven by the most extreme elements. The result is that policies of this government, which the prime minister himself just described as “more committed to settlements than any in Israel’s history,” are leading in the opposite direction. They’re leading towards one state. In fact, Israel has increasingly consolidated control over much of the West Bank for its own purposes, effectively reversing the transitions to greater Palestinian civil authority that were called for by the Oslo Accords.

I don’t think most people in Israel, and certainly in the world, have any idea how broad and systematic the process has become. But the facts speak for themselves. The number of settlers in the roughly 130 Israeli settlements east of the 1967 lines has steadily grown. The settler population in the West Bank alone, not including East Jerusalem, has increased by nearly 270,000 since Oslo, including 100,000 just since 2009, when President Obama’s term began.

There’s no point in pretending that these are just in large settlement blocks. Nearly 90,000 settlers are living east of the separation barrier that was created by Israel itself in the middle of what, by any reasonable definition, would be the future Palestinian state. And the population of these distant settlements has grown by 20,000 just since 2009. In fact, just recently the government approved a significant new settlement well east of the barrier, closer to Jordan than to Israel. What does that say to Palestinians in particular—but also to the United States and the world—about Israel’s intentions?

Let me emphasize, this is not to say that the settlements are the whole or even the primary cause of this conflict. Of course they are not. Nor can you say that if the settlements were suddenly removed, you’d have peace. Without a broader agreement, you would not. And we understand that in a final status agreement, certain settlements would become part of Israel to account for the changes that have taken place over the last 49 years—we understand that—including the new demographic realities that exist on the ground. They would have to be factored in. But if more and more settlers are moving into the middle of Palestinian areas, it’s going to be just that much harder to separate, that much harder to imagine transferring sovereignty, and that is exactly the outcome that some are purposefully accelerating.

Let’s be clear: Settlement expansion has nothing to do with Israel’s security. Many settlements actually increase the security burden on the Israeli Defense Forces. And leaders of the settler movement are motivated by ideological imperatives that entirely ignore legitimate Palestinian aspirations.

Among the most troubling illustrations of this point has been the proliferation of settler outposts that are illegal under Israel’s own laws.

They’re often located on private Palestinian land and strategically placed in locations that make two states impossible. There are over 100 of these outposts. And since 2011, nearly one-third of them have been or are being legalized, despite pledges by past Israeli governments to dismantle many of them.

Now leaders of the settler movement have advanced unprecedented new legislation that would legalize most of those outposts. For the first time, it would apply Israeli domestic law to the West Bank rather than military law, which is a major step towards the process of annexation. When the law passed the first reading in the Israeli parliament, in the Knesset, one of the chief proponents said proudly—and I quote—“Today, the Israeli Knesset moved from heading towards establishing a Palestinian state towards Israeli sovereignty in Judea and Samaria.” Even the Israeli attorney general has said that the draft law is unconstitutional and a violation of international law.

Now, you may hear from advocates that the settlements are not an obstacle to peace because the settlers who don’t want to leave can just stay in Palestine, like the Arab Israelis who live in Israel. But that misses a critical point, my friends. The Arab Israelis are citizens of Israel, subject to Israel’s law. Does anyone here really believe that the settlers will agree to submit to Palestinian law in Palestine?

Likewise, some supporters of the settlements argue that the settlers could just stay in their settlements and remain as Israeli citizens in their separate enclaves in the middle of Palestine, protected by the IDF. Well, there are over 80 settlements east of the separation barrier, many located in places that would make a continuous—a contiguous Palestinian state impossible. Does anyone seriously think that if they just stay where they are you could still have a viable Palestinian state?

Now, some have asked, “Why can’t we build in the blocs which everyone knows will eventually be part of Israel?” Well, the reason building there or anywhere else in the West Bank now results in such pushback is that the decision of what constitutes a bloc is being made unilaterally by the Israeli Government, without consultation, without the consent of the Palestinians, and without granting the Palestinians a reciprocal right to build in what will be, by most accounts, part of Palestine. Bottom line—without agreement or mutuality, the unilateral choices become a major point of contention, and that is part of why we are here where we are.

You may hear that these remote settlements aren’t a problem because they only take up a very small percentage of the land. Well, again and again we have made it clear, it’s not just a question of the overall amount of land available in the West Bank. It’s whether the land can be connected or it’s broken up into small parcels, like a Swiss cheese, that could never constitute a real state. The more outposts that are built, the more the settlements expand, the less possible it is to create a contiguous state. So in the end, a settlement is not just the land that it’s on, it’s also what the location does to the movement of people, what it does to the ability of a road to connect people, one community to another, what it does to the sense of statehood that is chipped away with each

new construction. No one thinking seriously about peace can ignore the reality of what the settlements pose to that peace.

But the problem, obviously, goes well beyond settlements. Trends indicate a comprehensive effort to take the West Bank land for Israel and prevent any Palestinian development there. Today, the 60 percent of the West Bank known as Area C—much of which was supposed to be transferred to Palestinian control long ago under the Oslo Accords—much of it is effectively off limits to Palestinian development. Most today has essentially been taken for exclusive use by Israel simply by unilaterally designating it as “state land” or including it within the jurisdiction of regional settlement councils. Israeli farms flourish in the Jordan River Valley, and Israeli resorts line the shores of the Dead Sea—a lot of people don’t realize this—they line the shore of the Dead Sea, where Palestinian development is not allowed. In fact, almost no private Palestinian building is approved in Area C at all. Only one permit was issued by Israel in all of 2014 and 2015, while approvals for hundreds of settlement units were advanced during that same period.

Moreover, Palestinian structures in Area C that do not have a permit from the Israeli military are potentially subject to demolition. And they are currently being demolished at an historically high rate. Over 1,300 Palestinians, including over 600 children, have been displaced by demolitions in 2016 alone—more than any previous year.

So the settler agenda is defining the future of Israel. And their stated purpose is clear. They believe in one state: greater Israel. In fact, one prominent minister, who heads a pro-settler party, declared just after the U.S. election—and I quote—“the era of the two-state solution is over,” end quote. And many other coalition ministers publicly reject a Palestinian state. And they are increasingly getting their way, with plans for hundreds of new units in East Jerusalem recently announced and talk of a major new settlement building effort in the West Bank to follow.

So why are we so concerned? Why does this matter? Well, ask yourself these questions: What happens if that agenda succeeds? Where does that lead?

There are currently about 2.75 million Palestinians living under military occupation in the West Bank, most of them in Areas A and B—40 percent of the West Bank—where they have limited autonomy. They are restricted in their daily movements by a web of checkpoints and unable to travel into or out of the West Bank without a permit from the Israelis.

So if there is only one state, you would have millions of Palestinians permanently living in segregated enclaves in the middle of the West Bank, with no real political rights, separate legal, education, and transportation systems, vast income disparities, under a permanent military occupation that deprives them of the most basic freedoms. Separate and unequal is what you would have. And nobody can explain how that works. Would an Israeli accept living that way? Would an American accept living that way? Will the world accept it?

If the occupation becomes permanent, over the time the Palestinian Authority could simply

dissolve, turn over all the administrative and security responsibilities to the Israelis. What would happen then? Who would administer the schools and hospitals and on what basis? Does Israel want to pay for the billions of dollars of lost international assistance that the Palestinian Authority now receives? Would the Israel Defense Force police the streets of every single Palestinian city and town?

How would Israel respond to a growing civil rights movement from Palestinians, demanding a right to vote, or widespread protests and unrest across the West Bank? How does Israel reconcile a permanent occupation with its democratic ideals? How does the U.S. continue to defend that and still live up to our own democratic ideals?

Nobody has ever provided good answers to those questions because there aren't any. And there would be an increasing risk of more intense violence between Palestinians and settlers, and complete despair among Palestinians that would create very fertile ground for extremists.

With all the external threats that Israel faces today, which we are very cognizant of and working with them to deal with, does it really want an intensifying conflict in the West Bank? How does that help Israel's security? How does that help the region?

The answer is it doesn't, which is precisely why so many senior Israeli military and intelligence leaders, past and present, believe the two-state solution is the only real answer for Israel's long term security.

Now, one thing we do know: if Israel goes down the one state path, it will never have true peace with the rest of the Arab world, and I can say that with certainty. The Arab countries have made clear that they will not make peace with Israel without resolving the Israeli-Palestinian conflict. That's not where their loyalties lie. That's not where their politics are.

But there is something new here. Common interests in countering Iran's destabilizing activities, and fighting extremists, as well as diversifying their economies have created real possibilities for something different if Israel takes advantage of the opportunities for peace. I have spent a great deal of time with key Arab leaders exploring this, and there is no doubt that they are prepared to have a fundamentally different relationship with Israel. That was stated in the Arab Peace Initiative, years ago. And in all my recent conversations, Arab leaders have confirmed their readiness, in the context of Israeli-Palestinian peace, not just to normalize relations but to work openly on securing that peace with significant regional security cooperation. It's waiting. It's right there.

Many have shown a willingness to support serious Israeli-Palestinian negotiations and to take steps on the path to normalization to relations, including public meetings, providing there is a meaningful progress towards a two-state solution. My friends, that is a real opportunity that we should not allow to be missed.

And that raises one final question: Is ours the generation that gives up on the dream of a Jewish democratic state of Israel living in peace and security with its neighbors? Because that is really what is at stake.

Now, that is what informed our vote at the Security Council last week—the need to pre-

serve the two-state solution—and both sides in this conflict must take responsibility to do that. We have repeatedly and emphatically stressed to the Palestinians that all incitement to violence must stop. We have consistently condemned all violence and terrorism, and we have strongly opposed unilateral efforts to delegitimize Israel in international fora.

We've made countless public and private exhortations to the Israelis to stop the march of settlements. In literally hundreds of conversations with Prime Minister Netanyahu, I have made clear that continued settlement activity would only increase pressure for an international response. We have all known for some time that the Palestinians were intent on moving forward in the UN with a settlements resolution, and I advised the prime minister repeatedly that further settlement activity only invited UN action.

Yet the settlement activity just increased, including advancing the unprecedented legislation to legalize settler outposts that the prime minister himself reportedly warned could expose Israel to action at the Security Council and even international prosecution before deciding to support it.

In the end, we could not in good conscience protect the most extreme elements of the settler movement as it tries to destroy the two-state solution. We could not in good conscience turn a blind eye to Palestinian actions that fan hatred and violence. It is not in U.S. interest to help anyone on either side create a unitary state. And we may not be able to stop them, but we cannot be expected to defend them. And it is certainly not the role of any country to vote against its own policies.

That is why we decided not to block the UN resolution that makes clear both sides have to take steps to save the two-state solution while there is still time. And we did not take this decision lightly. The Obama Administration has always defended Israel against any effort at the UN and any international fora or biased and one-sided resolutions that seek to undermine its legitimacy or security, and that has not changed. It didn't change with this vote.

But remember it's important to note that every United States administration, Republican and Democratic, has opposed settlements as contrary to the prospects for peace, and action at the UN Security Council is far from unprecedented. In fact, previous administrations of both political parties have allowed resolutions that were critical of Israel to pass, including on settlements. On dozens of occasions under George W. Bush alone, the council passed six resolutions that Israel opposed, including one that endorsed a plan calling for a complete freeze on settlements, including natural growth.

Let me read you the lead paragraph from a New York Times story dated December 23rd. I quote: "With the United States abstaining, the Security Council adopted a resolution today strongly deploring Israel's handling of the disturbances in the occupied territories, which the resolution defined as, including Jerusalem. All of the 14 other Security Council members voted in favor." My friends, that story was not written last week. It was written December 23rd, 1987, 26 years to the day that we voted last week, when Ronald Reagan was president.

Yet despite growing pressure, the Obama Administration held a strong line against UN action, any UN action, we were the only administration since 1967 that had not allowed any resolution to pass that Israel opposed. In fact, the only time in eight years the Obama Administration exercised its veto at the United Nations was against a one-sided settlements resolution in 2011. And that resolution did not mention incitement or violence.

Now let's look at what's happened since then. Since then, there have been over 30,000 settlement units advanced through some stage of the planning process. That's right—over 30,000 settlement units advanced notwithstanding the positions of the United States and other countries. And if we had vetoed this resolution just the other day, the United States would have been giving license to further unfettered settlement construction that we fundamentally oppose.

So we reject the criticism that this vote abandons Israel. On the contrary, it is not this resolution that is isolating Israel; it is the permanent policy of settlement construction that risks making peace impossible. And virtually every country in the world other than Israel opposes settlements. That includes many of the friends of Israel, including the United Kingdom, France, Russia—all of whom voted in favor of the settlements resolution in 2011 that we vetoed, and again this year along with every other member of the council.

In fact, this resolution simply reaffirms statements made by the Security Council on the legality of settlements over several decades. It does not break new ground. In 1978, the State Department Legal Adviser advised the Congress on his conclusion that Israel's government, the Israeli Government's program of establishing civilian settlements in the occupied territory is inconsistent with international law, and we see no change since then to affect that fundamental conclusion.

Now, you may have heard that some criticized this resolution for calling East Jerusalem occupied territory. But to be clear, there was absolutely nothing new in last week's resolution on that issue. It was one of a long line of Security Council resolutions that included East Jerusalem as part of the territories occupied by Israel in 1967, and that includes resolutions passed by the Security Council under President Reagan and President George H.W. Bush. And remember that every U.S. administration since 1967, along with the entire international community, has recognized East Jerusalem as among the territories that Israel occupied in the Six-Day War.

Now, I want to stress this point: We fully respect Israel's profound historic and religious ties to the city and to its holy sites. We've never questioned that. This resolution in no manner prejudices the outcome of permanent status negotiations on East Jerusalem, which must, of course, reflect those historic ties and the realities on the ground. That's our position. We still support it.

We also strongly reject the notion that somehow the United States was the driving force behind this resolution. The Egyptians and Palestinians had long made clear to all of us—to all of the international community—their intention to bring a resolution to a vote before the end of the year, and we communicated

that to the Israelis and they knew it anyway. The United States did not draft or originate this resolution, nor did we put it forward. It was drafted by Egypt—it was drafted and I think introduced by Egypt, which is one of Israel's closest friends in the region, in coordination with the Palestinians and others.

And during the time of the process as it went out, we made clear to others, including those on the Security Council, that it was possible that if the resolution were to be balanced and it were to include references to incitement and to terrorism, that it was possible the United States would then not block it, that—if it was balanced and fair. That's a standard practice with resolutions at the Security Council. The Egyptians and the Palestinians and many others understood that if the text were more balanced, it was possible we wouldn't block it. But we also made crystal clear that the President of the United States would not make a final decision about our own position until we saw the final text.

In the end, we did not agree with every word in this resolution. There are important issues that are not sufficiently addressed or even addressed at all. But we could not in good conscience veto a resolution that condemns violence and incitement and reiterates what has been for a long time the overwhelming consensus and international view on settlements and calls for the parties to start taking constructive steps to advance the two-state solution on the ground.

Ultimately, it will be up to the Israeli people to decide whether the unusually heated attacks that Israeli officials have directed towards this Administration best serve Israel's national interests and its relationship with an ally that has been steadfast in its support, as I described. Those attacks, alongside allegations of U.S.-led conspiracy and other manufactured claims, distract attention from what the substance of this vote was really all about.

And we all understand that Israel faces very serious threats in a very tough neighborhood. Israelis are rightfully concerned about making sure that there is not a new terrorist haven right next door to them, often referencing what's happened with Gaza, and we understand that and we believe there are ways to meet those needs of security. And Israelis are fully justified in decrying attempts to legitimize their state and question the right of a Jewish state to exist. But this vote was not about that. It was about actions that Israelis and Palestinians are taking that are increasingly rendering a two-state solution impossible. It was not about making peace with the Palestinians now—it was about making sure that peace with the Palestinians will be possible in the future.

Now, we all understand that Israel faces extraordinary, serious threats in a very tough neighborhood. And Israelis are very correct in making sure that there's not a terrorist haven right on their border.

But this vote—I can't emphasize enough—is not about the possibility of arriving at an agreement that's going to resolve that overnight or in one year or two years. This is about a longer process. This is about how we make peace with the Palestinians in the future but preserve the capacity to do so.

So how do we get there? How do we get there, to that peace?

Since the parties have not yet been able to resume talks, the U.S. and the Middle East Quartet have repeatedly called on both sides to independently demonstrate a genuine commitment to the two-state solution—not just with words, but with real actions and policies—to create the conditions for meaningful negotiations.

We've called for both sides to take significant steps on the ground to reverse current trends and send a different message—a clear message—that they are prepared to fundamentally change the equation without waiting for the other side to act.

We have pushed them to comply with their basic commitments under their own prior agreements in order to advance a two-state reality on the ground.

We have called for the Palestinians to do everything in their power to stop violence and incitement, including publicly and consistently condemning acts of terrorism and stopping the glorification of violence.

And we have called on them to continue efforts to strengthen their own institutions and to improve governance, transparency, and accountability.

And we have stressed that the Hamas arms buildup and militant activities in Gaza must stop.

Along with our Quartet partners, we have called on Israel to end the policy of settlement construction and expansion, of taking land for exclusive Israeli use and denying Palestinian development.

To reverse the current process, the U.S. and our partners have encouraged Israel to resume the transfer of greater civil authority to the Palestinians in Area C, consistent with the transition that was called for by Oslo. And we have made clear that significant progress across a range of sectors, including housing, agriculture, and natural resources, can be made without negatively impacting Israel's legitimate security needs. And we've called for significantly easing the movement and access restrictions to and from Gaza, with due consideration for Israel's need to protect its citizens from terrorist attacks.

So let me stress here again: None of the steps that I just talked about would negatively impact Israel's security.

Let me also emphasize this is not about offering limited economic measures that perpetuate the status quo. We're talking about significant steps that would signal real progress towards creating two states.

That's the bottom line: If we're serious about the two-state solution, it's time to start implementing it now. Advancing the process of separation now, in a serious way, could make a significant difference in saving the two-state solution and in building confidence in the citizens of both sides that peace is, indeed, possible. And much progress can be made in advance of negotiations that can lay the foundation for negotiations, as contemplated by the Oslo process. In fact, these steps will help create the conditions for successful talks.

Now, in the end, we all understand that a final status agreement can only be achieved through direct negotiations between the parties. We've said that again and again. We cannot impose the peace.

There are other countries in the UN who believe it is our job to dictate the terms of a solu-

tion in the Security Council. Others want us to simply recognize a Palestinian state, absent an agreement. But I want to make clear today, these are not the choices that we will make.

We choose instead to draw on the experiences of the last eight years, to provide a way forward when the parties are ready for serious negotiations. In a place where the narratives from the past powerfully inform and mold the present, it's important to understand the history. We mark this year and next a series of milestones that I believe both illustrate the two sides of the conflict and form the basis for its resolution. It's worth touching on them briefly.

A hundred and twenty years ago, the First Zionist Congress was convened in Basel by a group of Jewish visionaries, who decided that the only effective response to the waves of anti-Semitic horrors sweeping across Europe was to create a state in the historic home of the Jewish people, where their ties to the land went back centuries—a state that could defend its borders, protect its people, and live in peace with its neighbors. That was the vision. That was the modern beginning, and it remains the dream of Israel today.

Nearly 70 years ago, United Nations General Assembly Resolution 181 finally paved the way to making the State of Israel a reality. The concept was simple: to create two states for two peoples—one Jewish, one Arab—to realize the national aspirations of both Jews and Palestinians. And both Israel and the PLO referenced Resolution 181 in their respective declarations of independence.

The United States recognized Israel seven minutes after its creation. But the Palestinians and the Arab world did not, and from its birth, Israel had to fight for its life. Palestinians also suffered terribly in the 1948 war, including many who had lived for generations in a land that had long been their home too. And when Israel celebrates its 70th anniversary in 2018, the Palestinians will mark a very different anniversary: 70 years since what they call the Nakba, or catastrophe.

Next year will also mark 50 years since the end of the Six-Day War, when Israel again fought for its survival. And Palestinians will again mark just the opposite: 50 years of military occupation. Both sides have accepted UN Security Council Resolution 242, which called for the withdrawal of Israel from territory that it occupied in 1967 in return for peace and secure borders, as the basis for ending the conflict.

It has been more than 20 years since Israel and the PLO signed their first agreement—the Oslo Accords—and the PLO formally recognized Israel. Both sides committed to a plan to transition much of the West Bank and Gaza to Palestinian control during permanent status negotiations that would put an end to their conflict. Unfortunately, neither the transition nor the final agreement came about, and both sides bear responsibility for that.

Finally, some 15 years ago, King Abdullah of Saudi Arabia came out with the historic Arab Peace Initiative, which offered fully normalized relations with Israel when it made peace—an enormous opportunity then and now, which has never been fully embraced.

That history was critical to our approach to trying to find a way to resolve the conflict. And

based on my experience with both sides over the last four years, including the nine months of formal negotiations, the core issues can be resolved if there is leadership on both sides committed to finding a solution.

In the end, I believe the negotiations did not fail because the gaps were too wide, but because the level of trust was too low. Both sides were concerned that any concessions would not be reciprocated and would come at too great a political cost. And the deep public skepticism only made it more difficult for them to be able to take risks.

In the countless hours that we spent working on a detailed framework, we worked through numerous formulations and developed specific bridging proposals, and we came away with a clear understanding of the fundamental needs of both sides. In the past two and a half years, I have tested ideas with regional and international stakeholders, including our Quartet partners. And I believe what has emerged from all of that is a broad consensus on balanced principles that would satisfy the core needs of both sides.

President Clinton deserves great credit for laying out extensive parameters designed to bridge gaps in advanced final status negotiations 16 years ago. Today, with mistrust too high to even start talks, we're at the opposite end of the spectrum. Neither side is willing to even risk acknowledging the other's bottom line, and more negotiations that do not produce progress will only reinforce the worst fears.

Now, everyone understands that negotiations would be complex and difficult, and nobody can be expected to agree on the final result in advance. But if the parties could at least demonstrate that they understand the other side's most basic needs—and are potentially willing to meet them if theirs are also met at the end of comprehensive negotiations—perhaps then enough trust could be established to enable a meaningful process to begin.

It is in that spirit that we offer the following principles—not to prejudge or impose an outcome, but to provide a possible basis for serious negotiations when the parties are ready. Now, individual countries may have more detailed policies on these issues—as we do, by the way—but I believe there is a broad consensus that a final status agreement that could meet the needs of both sides would do the following.

Principle number one: Provide for secure and recognized international borders between Israel and a viable and contiguous Palestine, negotiated based on the 1967 lines with mutually agreed equivalent swaps.

Resolution 242, which has been enshrined in international law for 50 years, provides for the withdrawal of Israel from territory it occupied in 1967 in return for peace with its neighbors and secure and recognized borders. It has long been accepted by both sides, and it remains the basis for an agreement today.

As Secretary, one of the first issues that I worked out with the Arab League was their agreement that the reference in the Arab Peace Initiative to the 1967 lines would from now on include the concept of land swaps, which the Palestinians have acknowledged. And this is necessary to reflect practical reali-

ties on the ground, and mutually agreed equivalent swaps that will ensure that the agreement is fair to both sides.

There is also broad recognition of Israel's need to ensure that the borders are secure and defensible, and that the territory of Palestine is viable and contiguous. Virtually everyone that I have spoken to has been clear on this principle as well: No changes by Israel to the 1967 lines will be recognized by the international community unless agreed to by both sides.

Principle two: Fulfill the vision of the UN General Assembly Resolution 181 of two states for two peoples, one Jewish and one Arab, with mutual recognition and full equal rights for all their respective citizens.

This has been the fundamental—the foundational principle of the two-state solution from the beginning: creating a state for the Jewish people and a state for the Palestinian people, where each can achieve their national aspirations. And Resolution 181 is incorporated into the foundational documents of both the Israelis and Palestinians. Recognition of Israel as a Jewish state has been the U.S. position for years, and based on my conversations in these last months, I am absolutely convinced that many others are now prepared to accept it as well—provided the need for a Palestinian state is also addressed.

We also know that there are some 1.7 million Arab citizens who call Israel their home and must now and always be able to live as equal citizens, which makes this a difficult issue for Palestinians and others in the Arab world. That's why it is so important that in recognizing each other's homeland—Israel for the Jewish people and Palestine for the Palestinian people—both sides reaffirm their commitment to upholding full equal rights for all of their respective citizens.

Principle number three: Provide for a just, agreed, fair, and realistic solution to the Palestinian refugee issue, with international assistance, that includes compensation, options and assistance in finding permanent homes, acknowledgment of suffering, and other measures necessary for a comprehensive resolution consistent with two states for two peoples.

The plight of many Palestinian refugees is heartbreaking, and all agree that their needs have to be addressed. As part of a comprehensive resolution, they must be provided with compensation, their suffering must be acknowledged, and there will be a need to have options and assistance in finding permanent homes. The international community can provide significant support and assistance. I know we are prepared to do that, including in raising money to help ensure the compensation and other needs of the refugees are met, and many have expressed a willingness to contribute to that effort, particularly if it brings peace. But there is a general recognition that the solution must be consistent with two states for two peoples, and cannot affect the fundamental character of Israel.

Principle four: Provide an agreed resolution for Jerusalem as the internationally recognized capital of the two states, and protect and assure freedom of access to the holy sites consistent with the established status quo.

Now, Jerusalem is the most sensitive issue for both sides, and the solution will have to

meet the needs not only of the parties, but of all three monotheistic faiths. That is why the holy sites that are sacred to billions of people around the world must be protected and remain accessible and the established status quo maintained. Most acknowledge that Jerusalem should not be divided again like it was in 1967, and we believe that. At the same time, there is broad recognition that there will be no peace agreement without reconciling the basic aspirations of both sides to have capitals there.

Principle five: Satisfy Israel's security needs and bring a full end, ultimately, to the occupation, while ensuring that Israel can defend itself effectively and that Palestine can provide security for its people in a sovereign and non-militarized state.

Security is the fundamental issue for Israel together with a couple of others I've mentioned, but security is critical. Everyone understands that no Israeli Government can ever accept an agreement that does not satisfy its security needs or that risk creating an enduring security threat like Gaza transferred to the West Bank. And Israel must be able to defend itself effectively, including against terrorism and other regional threats. In fact, there is a real willingness by Egypt, Jordan, and others to work together with Israel on meeting key security challenges. And I believe that those collective efforts, including close coordination on border security, intelligence-sharing, joint cooperations—joint operation, can all play a critical role in securing the peace.

At the same time, fully ending the occupation is the fundamental issue for the Palestinians. They need to know that the military occupation itself will really end after an agreed transitional process. They need to know they can live in freedom and dignity in a sovereign state while providing security for their population even without a military of their own. This is widely accepted as well. And it is important to understand there are many different ways without occupation for Israel and Palestine and Jordan and Egypt and the United States and others to cooperate in providing that security.

Now, balancing those requirements was among the most important challenges that we faced in the negotiations, but it was one where the United States has the ability to provide the most assistance. And that is why a team that was led by General John Allen, who is here, for whom I am very grateful for his many hours of effort, along with—he is one of our foremost military minds, and dozens of experts from the Department of Defense and other agencies, all of them engaged extensively with the Israeli Defense Force on trying to find solutions that could help Israel address its legitimate security needs.

They developed innovative approaches to creating unprecedented, multi-layered border security; enhancing Palestinian capacity; enabling Israel to retain the ability to address threats by itself even when the occupation had ended. General Allen and his team were not suggesting one particular outcome or one particular timeline, nor were they suggesting that technology alone would resolve these problems. They were simply working on ways to support whatever the negotiators agreed to. And they did some very impressive work that

gives me total confidence that Israel's security requirements can be met.

Principle six: End the conflict and all outstanding claims, enabling normalized relations and enhanced regional security for all as envisaged by the Arab Peace Initiative. It is essential for both sides that the final status agreement resolves all the outstanding issues and finally brings closure to this conflict, so that everyone can move ahead to a new era of peaceful coexistence and cooperation. For Israel, this must also bring broader peace with all of its Arab neighbors. That is the fundamental promise of the Arab Peace Initiative, which key Arab leaders have affirmed in these most recent days.

The Arab Peace Initiative also envisions enhanced security for all of the region. It envisages Israel being a partner in those efforts when peace is made. This is the area where Israel and the Arab world are looking at perhaps the greatest moment of potential transformation in the Middle East since Israel's creation in 1948. The Arab world faces its own set of security challenges. With Israeli-Palestinian peace, Israel, the United States, Jordan, Egypt—together with the GCC countries—would be ready and willing to define a new security partnership for the region that would be absolutely groundbreaking.

So ladies and gentlemen, that's why it is vital that we all work to keep open the possibility of peace, that we not lose hope in the two-state solution, no matter how difficult it may seem—because there really is no viable alternative.

Now, we all know that a speech alone won't produce peace. But based on over 30 years of experience and the lessons from the past 4 years, I have suggested, I believe, and President Obama has signed on to and believes in a path that the parties could take: realistic steps on the ground now, consistent with the parties' own prior commitments, that will begin the process of separating into two states; a political horizon to work towards to create the conditions for a successful final status talk; and a basis for negotiations that the parties could accept to demonstrate that they are serious about making peace.

We can only encourage them to take this path; we cannot walk down it for them. But if they take these steps, peace would bring extraordinary benefits in enhancing the security and the stability and the prosperity of Israelis, Palestinians, all of the nations of the region. The Palestinian economy has amazing potential in the context of independence, with major private sector investment possibilities and a talented, hungry, eager-to-work young workforce. Israel's economy could enjoy unprecedented growth as it becomes a regional economic powerhouse, taking advantage of the unparalleled culture of innovation and trading opportunities with new Arab partners. Meanwhile, security challenges could be addressed by an entirely new security arrangement, in which Israel cooperates openly with key Arab states. That is the future that everybody should be working for.

President Obama and I know that the incoming administration has signaled that they may take a different path, and even suggested breaking from the longstanding U.S. policies on settlements, Jerusalem, and the possibility

of a two-state solution. That is for them to decide. That's how we work. But we cannot—in good conscience—do nothing, and say nothing, when we see the hope of peace slipping away.

This is a time to stand up for what is right. We have long known what two states living side by side in peace and security looks like. We should not be afraid to say so.

Now, I really began to reflect on what we have learned—and the way ahead—when I recently joined President Obama in Jerusalem for the state funeral for Shimon Peres. Shimon was one of the founding fathers of Israel who became one of the world's great elder statesmen—a beautiful man. I was proud to call him my friend, and I know that President Obama was as well.

And I remembered the first time that I saw Shimon in person—standing on the White House lawn for the signing the historic Oslo Accords. And I thought about the last time, at an intimate one-on-one Shabbat dinner just a few months before he died, when we toasted together to the future of Israel and to the peace that he still so passionately believed in for his people.

He summed it up simply and eloquently, as only Shimon could, quote, "The original mandate gave the Palestinians 48 percent, now it's down to 22 percent. I think 78 percent is enough for us."

As we laid Shimon to rest that day, many of us couldn't help but wonder if peace between Israelis and Palestinians might also be buried along with one of its most eloquent champions. We cannot let that happen. There is simply too much at stake—for future generations of Israelis and Palestinians—to give in to pessimism, especially when peace is, in fact, still possible.

We must not lose hope in the possibility of peace. We must not give in to those who say what is now must always be, that there is no chance for a better future. It is up to Israelis and Palestinians to make the difficult choices for peace, but we can all help. And for the sake of future generations of Israelis and Palestinians, for all the people of the region, for the United States, for all those around the world who have prayed for and worked for peace for generations, let's hope that we are all prepared—and particularly Israelis and Palestinians—to make those choices now.

Thank you very much. (Applause.)

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I rise in support of H. Res. 11. Contrary to the U.N. resolution that we are condemning today, which condemns the settlements that are taking place in Israel, the new settlements that the Israelis find themselves permitting are not undermining the cause of peace. Let's get this straight. This is what we just hear over and over again that the settlements are undermining peace.

What undermines peace is when the Palestinian people continue with their policies of terrorism, both attacking with missiles and rockets, as well as stabbings, as well as the Palestinian people and their leaders unwilling to

stand up and recognize that Israel exists. They don't have a right to flood into that country with a right of return. That is what undermines the peace.

The settlements wouldn't be taking place, except the Israelis and the United Nations and the supporters of the Palestinians have made a mockery of the deal that was made.

The Israelis withdrew from control of the territory. They withdrew, and they permitted the Palestinians to establish authority there with two promises: number one, they wouldn't use the territory to attack Israel; and number two, they would recognize Israel's right to exist, and this right of return permitting them to flood into Israel and eliminate it that way did not exist.

The Palestinians have given up nothing. The Israelis have given up territory and made themselves vulnerable to the type of attack that leaves Israelis dead every day from terrorist attacks.

No, the U.N. has it wrong. That resolution by the U.N. makes peace less likely.

Mr. ENGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I rise today to reiterate the strong, bipartisan support for our ally, Israel, in the United States Congress.

Support for Israel has always been a bipartisan value, and it reflects the values of our country. Although we are entering a period of one-party government, bipartisan support for Israel remains a strategic asset, and those who support Israel need to be careful not to jeopardize that. I think none of my colleagues do that. I want to make it clear.

In supporting this House resolution, we are expressing our deep concern regarding the decision to abstain in the U.N. Security Council Resolution 2334. Some may point out that the decision to abstain does not veer from the actions of past administrations. They would be right. It does not. That may be true, but it does not justify, in my view, this particular vote.

Allowing a one-sided resolution, which I perceived the U.N. resolution to be, to be adopted at this juncture sends the wrong signal and emboldens Israel's and America's enemies.

The United Nations is notorious for its disproportionate criticism of Israel. As Ambassador Samantha Power said before the U.N. Security Council vote on Resolution 2334: "As long as Israel has been a member of this institution, Israel has been treated differently from other nations at the United Nations."

She also noted that, in 2016 alone, the U.N. adopted more resolutions critical of Israel than it did nations that brazenly violate international law and violate human rights—more than Syria,

more than Iran, more than North Korea, more than South Sudan, more than Russia, combined.

A one-sided resolution that assigns exclusive blame to Israel for the continuation of the conflict—without addressing Palestinian incitement to violence, Hamas control of Gaza, or their continued insistence on the so-called right of return and refusing to accept Israel as a Jewish state—undermines prospects for a two-state solution.

Also deeply concerning is this resolution's reference of Israeli presence in East Jerusalem, including the Jewish Quarter of the Old City and the Western Wall, as illegal.

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

Mr. ENGEL. Mr. Speaker, I yield an additional 15 seconds to the gentleman from Maryland.

Mr. HOYER. The only way to achieve a real and lasting peace that enables Israel to protect its security and remain both a Jewish state and a democratic one is a two-state solution, which I strongly support.

There are two parties to this conflict. Both have responsibilities. Both need to take steps toward peace. For Israel, this means not building in areas envisioned in the long term as part of a future Palestinian state; and for Palestinians, it means ending incitement, ending terrorism, and affirmatively accepting Israel's right to existence.

I urge my colleagues to support this resolution.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise today in strong support of H. Res. 11.

The U.N. resolution, on the other hand, is vastly disproportionate and includes language that seems designed to provoke Israel. Categorizing the Western Wall, Judaism's holiest site, as occupied territory is entirely inappropriate.

I believe that President Obama should have directed the United States to veto the U.N. resolution. Instead, our Ambassador sat silent. Abstaining on this vote handed a victory to the forces that wish to delegitimize Israel.

This resolution erects a greater barrier between the two sides, hindering critical negotiations. The peace process must be negotiated bilaterally by Israel and the Palestinians with support, not provocation, by outside actors.

In this new year and new Congress, we should act to reassert a position of strength on the world stage. We must stand by our allies, including our strongest ally in the Middle East, Israel. This country should have exercised its veto power as it has done before and thwarted this divisive anti-Israel effort.

Please vote "yes" on this resolution.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, who are we kidding? I heard the ranking member say this isn't about Obama, and yet virtually every statement on the other side of the aisle is trashing President Obama.

If you want to simply condemn the U.N. resolution, let's do so. I will join you. But that isn't what this is about. It is subterfuge. This is about kicking a President on the way out one more time, enhancing a false narrative about his lack of support for our ally Israel. And it greases the skids to defund the United Nations while they are at it.

I say to my friends on my side of the aisle: Don't be fooled. Don't be enablers. That is what this agenda is about.

There was a viable alternative we could have had on the floor, and we were denied that right. We were even denied to have a motion to recommit for a reason: because they don't want to risk that. They want to control the platform that is negative and insidious and a resolution filled with insinuations and distortions of fact and history.

Vote "no" on H. Res. 11.

Mr. ROYCE of California. Mr. Speaker, just by way of the facts, what this resolution attempts to do is to reject the U.N. resolution that calls for a Palestinian state but not a Jewish state, a resolution that opens the door for those who want to impose boycott, divestment, or other sanctions measures against Israel or Israeli companies and, in essence, declares Judaism's holiest site as occupied territory. That is what is in this resolution. Those are the facts that we are debating here. Those are the facts that need to be rejected, my colleagues.

I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to condemn the U.N. resolution which hinders the path to peace and aims to undermine Israel, one of our country's top allies.

Our policy has long been that the Israeli-Palestinian conflict should be resolved by direct, bilateral talks between the two parties. This U.N. resolution contradicts our longstanding policy, first, by legitimatizing Palestinian Authority efforts to utilize international organizations to carry out its own solution; and second, by not providing for the Palestinian Authority to uphold their own responsibility as it relates to the peace negotiations.

The U.N. resolution disregards that Hamas, a terrorist organization, presently controls a portion of what would be the Palestinian state. That is an outrage, Mr. Speaker.

We must not sit on the sidelines or be silenced when anti-Israel resolutions are presented at international organizations. That is why I support H. Res. 11 today.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. SCHNEIDER). We are pleased that he is back.

Mr. SCHNEIDER. Mr. Speaker, for 19 years, when Jordan occupied East Jerusalem and the West Bank, Jews could not visit the Western Wall or the Jewish Quarter of the Old City. They were denied access to places where, for 2,000 years, they have continuously made a personal connection to their faith and their history.

It is impossible to separate Jewish identity from the Western Wall or the Western Wall from its Jewish identity or Jerusalem from the Jewish State of Israel, yet this is exactly what has been happening in the United Nations for years and exactly what Security Council Resolution 2334 sought to do.

In addition, the resolution overwhelmingly assigns blame to Israel, while avoiding direct criticism of Palestinian incitement and violence. That is why, last month, I strongly urged President Obama to veto the resolution.

The U.S. has and must continue to seek a sustainable two-state solution with a democratic, Jewish State of Israel and a demilitarized democratic Palestinian state living side by side in peace and security. But the only path to two states is through direct negotiations by the two parties. Efforts to force a solution at the U.N. or internationalize the issues are misguided and risk moving peace further away.

As an original cosponsor, I call on my colleagues to join me in supporting H. Res. 11.

Mr. ROYCE of California. I yield 1 minute to the gentleman from Arkansas (Mr. HILL).

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Mr. HILL. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong support of this resolution. We need to close ranks in the House of Representatives. We need to, as colleagues, support what for decades has been the cornerstone principle of American diplomacy towards Israel and Palestine, and that is direct negotiation between these two countries. That is the only way that peace can be achieved. The fact that our Ambassador to the United Nations went against decades of precedent by abstaining from this vote is appalling. It is another vote for tyrants and terrorists.

All of us need to close ranks to support a two-state solution between Israel and Palestine. I am proud to stand with my colleagues on both sides of the aisle tonight, Mr. ENGEL and Mr. ROYCE, in opposing this mistake that has been made by our U.N. Ambassador and by the U.N. resolution itself. Both are wrong. Both our decision to abstain and the drafting have been destructive.

I am proud to have this resolution in the House to once again undo this harm and support our ally.

Mr. PRICE of North Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I rise today in support of H. Res. 11 to reject the anti-Israel U.N. Security Council Resolution 2334. Since 1972, the United States has vetoed 42 anti-Israel resolutions; but all of that changed in 2016.

The facts are, in the very final days of his administration, President Obama left our only ally in the Middle East to stand alone by blatantly and deliberately violating longstanding U.S. policy. For crying out loud, either we are with Israel or we are not.

I could go on and on about the severity of the President's refusal to veto an anti-Israel U.N. resolution and his decision to abstain from a vote on it. Instead, I will let Prime Minister Netanyahu's words speak for themselves:

"The Obama administration not only failed to protect Israel against this gang-up at the U.N., it colluded with it behind the scenes."

Antagonizing our allies is not much of a foreign policy strategy. This is betrayal of the worst kind. Anti-Israel policies will not be tolerated. We are partners in this world and allies in democracy. I urge my colleagues to stand with Israel and support this legislation.

Mr. ENGEL. Mr. Speaker, it is now my great pleasure to yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the Appropriations Committee.

Mrs. LOWEY. Mr. Speaker, I rise in strong support of today's bipartisan measure. There are no shortcuts to peace. Only the Israelis and the Palestinians can resolve their complicated differences through direct negotiation. That is why it has been longstanding policy to defend our ally Israel against one-sided U.N. Security Council resolutions seeking to impose solutions.

Last year, Congresswoman GRANGER and I led a letter to President Obama signed by 394 Members of this body cautioning against one-sided U.N. initiatives that dangerously hinder the prospects for resuming direct negotiations. I believe the administration's abstention is a stain on our country's long and consistent record.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the gentleman for yielding me the time, and I thank our chair of the committee and our ranking member.

I am here to stand with Israel. The question of the best way to do that is one of legitimate debate. It is a debate that we are having here in the House. It is a debate that the folks in Israel are having there. There is no question

that the resolution before us is not the one that everyone would have written, or the one that was before the U.N. was the one everyone would have written. There is no question that there is fault on the side of the Palestinians with respect to coming to the table for peace.

But here is the question that is starting to really make an impact on the possibility of achieving the two-state solution that both sides by and large believe is essential, and that is something that is within the control of the Israeli Government: Will it continue to intensify the support for settlements in the West Bank? If it does, as it has been, there are 600,000 settlers now between the West Bank and east Jerusalem. If it continues to do that, it makes as a practical matter it virtually impossible the land-for-peace swap that we know is essential to get to a two-state solution. That is the practical challenge that we have.

We are all friends of Israel. All of us here believe in a Jewish state and a democratic state.

The second issue of major concern that is discussed in Israel as well as here is the fact that demographics are going to catch up and cause a real crisis in Israel to maintain that Jewish identity and that democratic tradition. There are 4.5 million Arabs who live between the West Bank and in Israel proper. There are 6.5 million Jewish citizens. If there is not some resolution, at some point a decision has to be made to maintain the Jewish character at the expense of democratic ideals or compromise democratic ideals in order to maintain that Jewish identity.

The Israeli State has a proud, strong tradition of being democratic, of being reliable, of standing up for civil and human rights. Many there, and some of us here, believe settlements are an impediment to that tradition.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. TAYLOR).

Mr. TAYLOR. Mr. Speaker, I thank the gentleman for yielding me the time.

A couple of weeks ago I stood in the Judea/Sumeria area in the West Bank speaking with numerous out of thousands of Palestinians working in factories, those who earn three times the salary that they would under the Palestinian Authority. They don't want their proudly made products boycotted. They don't want to lose their jobs. They don't want disruptive Palestinian Authority leaders to always speak for them—whose own area has 40 percent unemployment and no opportunity.

The Obama administration had 8 years to show their true colors. But when they didn't get their way, they insecurely, naively, and cowardly lashed out at our greatest and strongest ally in the Middle East.

Women, religious minorities, LGBT, and Jews would not have equal rights,

democracy, or peace in a Palestinian country. In fact, the Palestinian Authority punishes Palestinians by death if they sell their land to the Jewish people lawfully.

The current administration has used the United Nations to both legitimize a profoundly flawed Iran deal and delegitimize Israel. To think that settlements are the only thing that stands in front of peace is dangerously naive.

I urge my colleagues to stand with the bipartisan Royce-Engel resolution. I urge my colleagues to stand with Israel and to stand with the Palestinians in the West Bank.

Mr. ENGEL. Mr. Speaker, it is my pleasure to yield 1 minute to the gentleman from Florida (Mr. DEUTCH), my friend on the Foreign Affairs Committee and the ranking member of the Middle East Subcommittee.

Mr. DEUTCH. Mr. Speaker, in April of last year, 394 Members of this House sent a letter to the President urging him to oppose and veto if necessary any one-sided United Nations resolutions. Unfortunately, the resolution that passed the Security Council resolution without our veto was exactly that. It was one-sided.

The resolution contained no fewer than five provisions on Israeli settlement activity. It calls the Jewish neighborhoods of Jerusalem illegal, and it characterizes Jews praying at the Western Wall as being in flagrant violation of international law.

But even if you choose to accept every provision on settlement activity, the resolution included only one very general statement about violence. The U.N., which is historically biased against Israel, could not even condemn Palestinian terrorism against Israel as an obstacle to peace. It is, and the U.N. must acknowledge it. That is not balanced. It is one-sided.

Today's resolution clearly supports the goal of two states: a Jewish democratic State of Israel living next to a demilitarized Palestinian state as it stands against one-sided U.N. resolutions to take us further than this goal. Please support this resolution.

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

Mr. PRICE of North Carolina. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we are all friends of Israel, but that friendship requires more than demonizing the United Nations and the Obama administration. In fact, it requires the facing of hard truths, the destructive effect of incitement and violence on the Palestinian side, which the U.N. resolution explicitly acknowledges, and the threat to peace and to any conceivable two-state solution by relentless settlement expansion on the Israeli side, pushed by the right wing, unchallenged by H. Res. 11.

The majority, seeking to push this resolution through, has displayed little interest in what it would take actually to achieve peace, choosing instead to distort the history, to impugn the motives of those attempting to achieve peace. It is not worthy of this body. I urge its rejection.

I yield back the balance of my time.

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

When an unfair, one-sided resolution moves forward in the U.N., as Israel's ally, we have an obligation to say it is wrong. That is what this resolution does. This resolution also calls for a two-state solution. So my colleagues who are somehow portraying this resolution as not being for a two-state resolution, they are absolutely wrong.

I urge my colleagues, especially my Democratic colleagues, to continue to support the U.S.-Israel alliance, and you continue to support it by voting for this resolution. This is a fair resolution.

Let's remember, when Israel left Gaza and uprooted settlements, what did it get in return? Not peace, but terrorism. Stand with the people of Israel. Vote "yes" on this resolution.

I yield back the balance of my time.

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

Mr. Speaker, in short, United Nations Security Council Resolution 2334 has harmed our ally Israel. It has harmed the prospects for peace. It is one-sided. It is an anti-Israel resolution, the kind of which it has been longstanding U.S. policy to veto within the U.N. Security Council, and it is not hard to see why because this resolution opens the door for those who want to impose boycott, divestment, or other sanctions measures against Israel or against Israeli companies. And, in essence, it declares Judaism's holiest site, the Western Wall, as occupied territory.

Mr. Speaker, this is reminiscent of another action by the United Nations, the infamous "Zionism is racism" resolution whose damage took decades to undo.

Fortunately, the bipartisan rejection of the President's U.N. decision provides an opportunity for the House to rally around a more constructive policy and renewed U.S. leadership in the region.

I strongly urge my colleagues on both sides of the aisle to support this resolution so that the bipartisan policy of rejecting this harmful U.N. Security Council resolution and encouraging direct negotiation is endorsed loud and clear. It is far past time for the incitement to stop and the budgeting of \$300 million by the Palestinian Authority to pay people to slay Israeli civilians be discontinued.

I yield back the balance of my time.

Mr. SCHNEIDER. Mr. Speaker, I rise to speak in support of the bipartisan House Res-

olution 11 expressing opposition to UNSCR 2334.

In the summer of 1983 I visited the Western Wall in Jerusalem, Judaism's most holy site, for the first time. Merely 17 years earlier I could not have gone to the Wall, or for that matter anywhere in the Jewish Quarter of the Old City of Jerusalem.

From 1949 to 1967, when Jordan occupied Jerusalem, Jews could not visit the one place where for nearly 2000 years, they had continuously made a personal connection to their faith and their history.

It is impossible to separate Jewish identity from the Western Wall, just as it is impossible to separate the Western Wall from its Jewish identity, or Jerusalem from the Jewish State of Israel.

Yet this is exactly what has been happening in the United Nations for years, and exactly what the one-sided UN Resolution sought to do.

In addition to seeking to declare the eastern part of Jerusalem a settlement, the resolution overwhelmingly assigns blame to Israel, while averting direct criticism of Palestinian incitement and violence.

That is why last month I strongly urged President Obama to veto the resolution.

The U.S. has, and must continue to seek a sustainable two-state solution with a democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security.

But the only path to two states is through direct, bilateral negotiations between the two parties. Efforts to force a solution at the U.N. or to internationalize the issue are misguided, and risk moving peace further away, not closer.

Israel is our most important strategic ally in a most important and chaotic region of the world. The United States always has and always will ensure the security of Israel.

As an original co-sponsor, I call on my colleagues to join me in supporting House Resolution 11.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of House Resolution 11.

I'd like to thank Chairman ROYCE and Ranking Member ENGEL for bringing this resolution to the Floor.

Your continued bipartisan support for our friend and ally, Israel, sets the right tone for any discussion this body has regarding this vital relationship.

Almost 70 years ago, on May 14, 1948, with the support of fiercely Democratic president, Harry Truman, the nation of Israel was born.

Created in the aftermath of World War II, the special relationship that our two countries now enjoy was founded. For 70 years, our government has supported Israeli interest because they represent American interest.

Throughout the decades, from Dwight Eisenhower to Barack Obama, from the great Texan, and Speaker Sam Rayburn to Speaker RYAN, our government has worked across party lines and across branches of government to ensure the one, true democracy in the Middle East is able to grow and prosper without hindrance.

Recently, we have reaffirmed our support for Israel by signing a new Memorandum of Understanding and resoundingly telling the

world that we support our ally in the Middle East. UNSCR 2334 does not align with this affirmation.

It should be the policy of the United States to support a viable two-state solution, where Palestinians and Israelis live in prosperity and security. This does not mean negotiating out of fear or forced necessity.

I want to, again, express my gratitude and appreciation for this body and our friends on the Foreign Affairs Committee for leading by example.

U.S.-Israeli relations have always been bipartisan and should remain that way. It is my hope the new Administration will build on the foundation created by the Presidents and elected officials that came before us and support Israel in a bipartisan fashion.

I ask my colleagues to support House Resolution 11.

Mr. LEVIN. Mr. Speaker, any measure that seeks to promote a peaceful resolution to tensions between Israelis and Palestinians—whether coming from the United Nations or from this Chamber—should provide a balanced picture of the facts on the ground and the challenges confronting both sides. The recent UN Security Resolution on Israeli settlements failed that test by blaming Israel almost solely for impeding a two-states solution for peace and by using prejudicial language that places an unfair burden on Israel in depicting the basis for future negotiations. Calling any settlement activity by Israel since 1967 a major obstacle to peace, as the UN resolution does, ignores the reality that geographical adjustments will have to be made as part of any two-states solution reached by parties through direct negotiations.

However, the resolution before us today is also not balanced in that it too ignores conditions on the ground. Expressing the sense of Congress to repeal the UN Resolution does not focus on the increasingly fragile state of the two-states solution, and on conditions that make its potential achievement increasingly difficult to obtain. Prime Minister Netanyahu has called his government the most pro-settlement in history. President-elect Trump further diminishes chances for the two-states solution by choosing envoys who undercut the prospects for peace by expressing support for major settlement expansions, and whose opposition to a two-states solution reinforces opposition within the Israeli government. These positions threaten to continue to move momentum dangerously away from the possibility of a two-states solution.

I believe that the two-states approach, as challenging as it is to achieve, is the only way to ensure a Jewish and democratic state of Israel living in security with a non-militarized Palestinian state. It is important for peace in the Middle East and U.S. national interests.

This resolution is at present the only vehicle to express my concerns with the UN resolution, and I will therefore support it. However, I will continue to speak out on further actions that I believe will diminish the chance of a two-states solution and on other issues vital to peace in the Middle East.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition to H. Res. 11, Objecting to United Nations Security Council Resolution 2334

as an obstacle to Israeli-Palestinian peace. On December 23, 2016, the United Nations Security Council passed Resolution 2334 which describes Israeli settlements in the West Bank and East Jerusalem as illegal, with the United States abstaining from the vote.

Now, U.S. Congress has chosen to disapprove of President Obama's leadership and longstanding U.S. foreign policy on the Israeli-Palestinian conflict. UNSC Resolution 2334 merely reiterates the international community consensus and bipartisan U.S. policy that building settlements impedes the path to a lasting peaceful two-state solution. H. Res. 11 asserts that the UNSCR is "anti-Israel" and "one-sided," but it does not break new ground or create any new policy. For example, in 1987, the Reagan administration abstained and allowed the passage of UNSCR 605, reaffirming the application of the Geneva Convention which included Jerusalem in the "Palestinian and Arab Territories, occupied by Israel since 1967."

Instead, I am urging support of an alternative resolution introduced and led by Congressman DAVID PRICE. Instead of disapproving of a resolution that reaffirms longstanding U.S. policy, Congress would work towards the progress of a two-state solution. H. Res. 11 would undermine our decades-long efforts towards a peaceful situation between Israelis and Palestinians and it is not the best way to show our support for Israel, our strong ally. Our goal must be to reaffirm U.S. policy in the Middle East and to find solutions with the international community.

We must be steadfast in our commitment to a two-state solution and to longstanding U.S. policy. That is why I urge my colleagues to oppose H. Res. 11 and to support the alternative resolution introduced by Congressman PRICE.

Mr. KHANNA. Mr. Speaker, I rise to express my strong support for peace in the Middle East and between Israel and the Palestinians. That is why I am for a two-state solution and the end to new Israeli settlements.

However, the one-sided UN Security Council Resolution 2334 issued last month would declare the Western Wall and some Jewish holy sites, where many Jews live and pray, illegally occupied territory.

I am voting for H. Res. 11 today because the United States should veto any UN resolution that would require Israel to give away the Western Wall or the Jewish Quarters of Jerusalem. What the United States should encourage is an end to new settlements, a two-state solution and direct negotiations between Israel and the Palestinians. That is the only framework that can lead to a just and lasting peace.

Mr. DeFAZIO. Mr. Speaker, today I voted against H. Res. 11, the Object to UN Security Council (UNSC) Resolution 2334 as Obstacle to Israeli-Palestinian Peace resolution. The

resolution expresses the House's disapproval of UNSC Resolution 2334, which passed 14 to 0 with the United States abstaining from the vote.

H. Res. 11 mischaracterizes the UN resolution and falsely claims that the United States has never abstained from votes on similar resolutions. The UN resolution reaffirms that Israel's settlements in the West Bank and East Jerusalem are a "major obstacle" to peace, which has been long-standing U.S. policy. H. Res. 11 states that the Obama Administration took an unprecedented step by abstaining from the vote when in fact the decision is not unique. The Reagan Administration took a similar step when it abstained from voting on UNSCR 605 that identified Jerusalem as part of the Palestinian and Arab Territories which is now occupied by Israel. Both Republican and Democratic presidents have continued similar U.S. policies.

Representatives PRICE, ENGEL and CONNOLLY offered a more balanced resolution as an amendment to H. Res. 11, but unfortunately House leadership refused to allow it a vote. The text of the amendment is now H. Res. 23, of which I am a cosponsor.

H. Res. 23 supports the longstanding policy that it is in the best interest of the international community that a two-state solution is reached only through direct negotiations between Israel and the Palestinian Authority. It reiterates United States support for Israel by opposing any outside efforts to impose a solution on the parties but rather to help facilitate peace negotiations. It includes continued opposition to the Boycott, Divestment and Sanctions (BDS) campaign which calls for boycotting certain products and companies, divesting from various organizations, and encouraging the use of sanctions against Israel.

I have always supported a two-state solution with Israel and a Palestinian state through direct negotiations between the two parties. As an ally of Israel, the United States has an interest to ensure a lasting peace is reached between Israel and Palestine. Let me be clear, while I support the United States' strong relationship and alliance with Israel, Israel's proliferation of settlements around the West Bank and East Jerusalem is directly at odds with establishing a two-state solution.

Mr. PASCRELL. Mr. Speaker, I remain committed to a two-state solution, where a Jewish state of Israel and a Palestinian state can co-exist in peace. The best path to ultimately achieving this peace is through direct, bilateral negotiations between Israel and the Palestinians, not imposed solutions by international organizations. Instead of this Administration concluding its strong Israel record with the single largest pledge of military assistance in U.S. history, it chose to end on a perplexing note by choosing not to veto United Nations Security Council Resolution 2334.

The expansion of settlements in occupied territory has been long recognized on a bipartisan basis and in U.S. policy for decades as doing little to improve the confidence of Arabs that a final outcome can be freely and fairly negotiated. United Nations action does not help advance the cause of peace, nor does it bring about direct negotiations between Israelis and Palestinians so they might resolve their complicated differences and find a much

needed, lasting two-state solution, which I have supported my entire career.

Any action, whether coming from the United Nations or the Congress, must provide a complete picture of the facts on the ground and full appreciation for the challenges confronting all sides. Like the one-sided resolution from the United Nations Security Council, H. Res. 11 too ignores the reality of the conditions on the ground. While I don't believe either resolution is balanced, I am voting in favor of H. Res. 11 to express my displeasure with the actions of the UN, which make direct negotiations all the more difficult to resume. I will continue to speak out in support of efforts that lay the foundation for peace in the Middle East and vigorously oppose those that undermine a lasting two state solution.

Ms. ROYBAL-ALLARD. Mr. Speaker, I will vote for House Resolution 11, "Objecting to United Nations Security Council (UNSC) Resolution 2334 as an obstacle to Israeli-Palestinian peace," because I believe the UN resolution was not objective, but rather one-sided by placing the blame solely on Israel as the obstacle to peace.

For years, I have strongly advocated for direct peace negotiations between Israel and Palestine because I firmly believe peace can be achieved only if Israel and Palestine negotiate directly in good faith and on fair terms. I remain hopeful this will happen.

While I deeply oppose the continued building of settlements in the West Bank and the Gaza Strip, I believe the United Nations Security Council Resolution does more harm than good. Here's why:

First, Resolution 2334 passed by the UNSC does nothing to advance peace. Instead it bolsters Israel's enemies and pushes the two state solution to peace further out of reach by forcing nations to choose between supporting Israel or Palestine.

Second, while I agree the settlements serve as one of many obstacles to peace, the UNSC resolution singles out the settlements and ignores Palestinian violence, the role of Hamas and its refusal to recognize Israel as the Jewish state. These are essential and critical issues that must be addressed to achieve lasting peace.

This omission is unacceptable. My vote on Resolution 11 illustrates this belief and my strong desire for fairness and peace between Israelis and Palestinians which will enable Israel to protect its security and its existence as a Jewish and democratic state. This can only be achieved by a two state solution.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to H. Res. 11, Objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace.

H. Res. 11 is a gross mischaracterization of the U.S. position on U.N. Security Council Resolution 2334 and of President Obama's steadfast commitment to Israel.

The United States has always been, and will remain, a loyal friend of Israel. In fact, President Obama recently reinforced the U.S.-Israeli bond with the signing of an agreement providing Israel with \$38 billion in U.S. security assistance over the next decade, the largest agreement in the history of our security relationship with Israel.

While President Obama has been steadfast in preserving our relationship with Israel over

the course of his presidency, he also understands that friends need to tell friends hard truths. Lockstep U.S. support for all of Israel's policies is in fact counterproductive to maintaining the strong bonds of friendship between our two countries.

This is particularly true when it comes to the issue of illegal Israeli settlement expansion. This policy is one of the most serious obstacles to achieving a two-state solution, the only viable avenue to peace between Israel and the Palestinians. It has long been the bipartisan policy of U.S. administrations to oppose settlement expansion on land belonging to Palestinians before the 1967 war precisely because these settlements diminish the prospects of reaching a two-state solution and are not essential to Israel's security. Even President Ronald Reagan said of the issue in 1982 that "further settlement activity is in no way necessary for the security of Israel and only diminishes the confidence of the Arabs that a final outcome can be freely negotiated." It was for this reason that President Obama chose to abstain on U.N. Security Council Resolution 2334, and I strongly supported his decision to do so.

Unfortunately, H. Res. 11 ignores the history of this conflict, distorts decades of bipartisan U.S. policy and completely disregards the facts on the ground today. The U.S. abstention on U.N. Security Council Resolution 2334 was not an aberration in the history of our relationship with Israel. Dating back to President Johnson, both Republican and Democratic Administrations have repeatedly abstained from U.N. Security Council resolutions related to Israel. These abstentions have often been at odds with the position of the Israeli government.

Mr. Speaker, achieving a lasting peace between Israelis and Palestinians is not an easy task. It requires both sides to make hard choices and embrace steps necessary to making the two-state solution a reality. Right now, neither side seems willing to make the necessary sacrifices needed to resolve this conflict.

Unfortunately, H. Res. 11 embraces the extreme policies of the Netanyahu government that are designed to make the two-state solution impossible, and I oppose it precisely because I am committed to securing a lasting peace for both Israelis and Palestinians.

The SPEAKER pro tempore. Pursuant to House Resolution 22, the previous question is ordered on the resolution and on the preamble.

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

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

The yeas and nays were ordered. The vote was taken by electronic device, and there were—yeas 342, nays 80, answered "present" 4, not voting 7, as follows:

[Roll No. 11]
YEAS—342

Abraham	Allen	Bacon
Adams	Amodei	Banks (IN)
Aderholt	Arrington	Barletta
Aguilar	Babin	Barr

Barragán	Gibbs	McKinley
Barton	Gonzalez (TX)	McMorris
Beatty	Goodlatte	Rodgers
Bera	Gosar	McSally
Bergman	Gottheimer	Meadows
Beutler	Gowdy	Meehan
Biggs	Granger	Meng
Bilirakis	Graves (GA)	Messer
Bishop (MI)	Graves (LA)	Mitchell
Bishop (UT)	Graves (MO)	Moolenaar
Black	Green, Gene	Mooney (WV)
Blackburn	Griffith	Moulton
Blum	Grothman	Mullin
Bonamici	Guthrie	Mulvaney
Bost	Hanabusa	Murphy (FL)
Boyle, Brendan F.	Harper	Murphy (PA)
Brady (PA)	Harris	Nadler
Brady (TX)	Hartzler	Napolitano
Brat	Hastings	Neal
Bridenstine	Hensarling	Newhouse
Brooks (AL)	Hice, Jody B.	Noem
Brooks (IN)	Higgins (LA)	Norcross
Brown (MD)	Higgins (NY)	Nunes
Brownley (CA)	Hill	O'Halleran
Buchanan	Himes	Olson
Buck	Holding	Palazzo
Buchshon	Hollingsworth	Pallone
Budd	Hoyer	Palmer
Burgess	Hudson	Panetta
Byrne	Huizenga	Pascrell
Calvert	Hultgren	Paulsen
Cardenas	Hunter	Pearce
Carter (GA)	Hurd	Perlmutter
Carter (TX)	Issa	Perry
Castor (FL)	Jackson Lee	Peters
Chabot	Jeffries	Peterson
Chaffetz	Jenkins (KS)	Pittenger
Cheney	Jenkins (WV)	Poe (TX)
Ciçilline	Johnson (LA)	Poliquin
Clarke (NY)	Johnson (OH)	Polis
Cleaver	Johnson, Sam	Posey
Coffman	Jordan	Price, Tom (GA)
Cole	Joyce (OH)	Quigley
Collins (GA)	Katko	Raskin
Comer	Keating	Ratcliffe
Comstock	Kelly (MS)	Reed
Conaway	Kelly (PA)	Reichert
Cook	Kennedy	Renacci
Cooper	Khanna	Rice (NY)
Correa	Kilmer	Rice (SC)
Costa	Kind	Richmond
Costello (PA)	King (IA)	Roby
Courtney	King (NY)	Roe (TN)
Cramer	Kinzinger	Rogers (AL)
Crawford	Knight	Rogers (KY)
Crowley	Krishnamoorthi	Rohrabacher
Cuellar	Kustoff (TN)	Rokita
Culberson	Labrador	Rooney, Francis
Cummings	LaHood	Rooney, Thomas J.
Curbelo (FL)	LaMalfa	Ros-Lehtinen
Davidson	Lamborn	Rosen
Davis (CA)	Lance	Roskam
Davis, Rodney	Langevin	Ross
Delaney	Larsen (WA)	Rothfus
DeBene	Latta	Rouzer
Demings	Lawrence	Roybal-Allard
Denham	Lawson (FL)	Royce (CA)
Dent	Levin	Ruiz
DeSantis	Lewis (MN)	Ruppersberger
DesJarlais	Lieu, Ted	Russell
Deutch	Lipinski	Rutherford
Diaz-Balart	LoBiondo	Ryan (OH)
Donovan	Long	Sánchez
Duffy	Loudermilk	Sanford
Duncan (SC)	Love	Sarbanes
Dunn	Lowey	Scalise
Emmer	Lucas	Schiff
Engel	Luetkemeyer	Schneider
Espallat	Lujan Grisham, M.	Schweikert
Esty	Lujan, Ben Ray	Scott, Austin
Farenthold	MacArthur	Scott, David
Faso	Maloney	Sensenbrenner
Ferguson	Maloney, Carolyn B.	Sessions
Fitzpatrick	Maloney, Sean	Sewell (AL)
Fleischmann	Marchant	Sherman
Flores	Marino	Shimkus
Fortenberry	Marshall	Shuster
Foxx	Massie	Simpson
Frankel (FL)	Mast	Sinema
Frelinghuysen	Matsui	Sires
Fudge	McCarthy	Smith (MO)
Gaetz	McCaul	Smith (NE)
Gallagher	McClintock	Smith (NJ)
Garrett	McEachin	Smith (TX)
	McHenry	Smith (WA)

Smucker	Upton	Weber (TX)
Soto	Valadao	Webster (FL)
Stefanik	Vargas	Wenstrup
Stewart	Veasey	Westerman
Stivers	Vela	Williams
Suozzi	Velázquez	Wilson (FL)
Taylor	Visclosky	Wilson (SC)
Tenney	Wagner	Wittman
Thompson (PA)	Walberg	Womack
Thornberry	Walden	Woodall
Tiberi	Walker	Yoder
Tipton	Walorski	Yoho
Titus	Walters, Mimi	Young (AK)
Torres	Walz	Young (IA)
Trott	Wasserman	Zeldin
Turner	Schultz	Zinke

NAYS—80

Amash	Duncan (TN)	McCollum
Bass	Ellison	McGovern
Beyer	Eshoo	McNerney
Bishop (GA)	Foster	Meeks
Blumenauer	Gabbard	Moore
Blunt Rochester	Garamendi	Nolan
Bustos	Gohmert	O'Rourke
Butterfield	Green, Al	Payne
Carbajal	Grijalva	Pelosi
Carson (IN)	Gutiérrez	Pingree
Castro (TX)	Heck	Pocan
Chu, Judy	Huffman	Price (NC)
Clark (MA)	Jayapal	Schakowsky
Clay	Johnson (GA)	Scott (VA)
Clyburn	Johnson, E. B.	Serrano
Cohen	Jones	Slaughter
Connolly	Kaptur	Speier
Conyers	Kelly (IL)	Swalwell (CA)
Davis, Danny	Kihuen	Takano
DeFazio	Kildee	Thompson (CA)
DeGette	Kuster (NH)	Thompson (MS)
DeLauro	Larson (CT)	Tonko
DeSaulnier	Lee	Tsongas
Dingell	Lewis (GA)	Waters, Maxine
Doggett	Loeb sack	Watson Coleman
Doyle, Michael F.	Lowenthal	Welch
	Lynch	Yarmuth

ANSWERED "PRESENT"—4

Capuano	Lofgren
Evans	Shea-Porter

NOT VOTING—7

Becerra	Franks (AZ)	Rush
Collins (NY)	Gallego	
Crist	Pompeo	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1905

Mr. CASTRO of Texas changed his vote from "yea" to "nay."

Messrs. TIBERI and Mr. BEN RAY LUJÁN of New Mexico changed their vote from "nay" to "yea."

Mr. COHEN changed his vote from "present" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CRIST. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 11.

MOMENT OF SILENCE TO COMMEMORATE SIXTH ANNIVERSARY OF SHOOTING IN TUCSON

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

Ms. MCSALLY. Mr. Speaker, I rise today, along with my colleagues from

Arizona and around the country, to commemorate the sixth anniversary of the January 8, 2011, shooting in Tucson that killed six people and wounded 13 more.

Six years ago this week, Congresswoman Giffords was sworn into office, just like we were 3 days ago. Six years ago this week, she headed home to her district, just like we all will tomorrow. And 6 years ago, on Sunday, she was engaging in one of the most fundamental activities of representative government by meeting with her constituents to hear their thoughts, concerns, and ideas, just like we will all do in the days ahead.

As Representatives, we each carry out this critical discourse when home in our districts. Its exercise is vital to our free society, which is why this shooting wasn't just an attack on Tucson, but this body and our very democratic foundations.

The attack marked the first time in our country's history that an assassination attempt was made on a congressional Member while engaging with her constituents. It also is remembered as the first assassination of a congressional staffer, Gabe Zimmerman, in the line of duty.

As we remember those we lost, we also reflect on the renewed sense of compassion and civility that emerged from this tragedy. This weekend, in Tucson, we will commemorate how our community came together to support those grieving and provide an example of courage and unity that the entire country can follow.

It is in this spirit of unity that we stand here for a moment of silence to recognize the six lives that were cut tragically short that day:

Nine-year-old Christina Taylor Green;

Dorothy Morris;
Judge John Roll;
Phyllis Schneck;
Dorwan Stoddard; and

Congressional staffer Gabriel "Gabe" Zimmerman.

The SPEAKER pro tempore. The House will observe a moment of silence.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017

The SPEAKER pro tempore. Pursuant to House Resolution 22 and rule XVIII, the Chair declares the House in the Committee of the Whole on the state of the Union for the further consideration of the bill, H.R. 26.

Will the gentleman from Idaho (Mr. SIMPSON) kindly take the chair.

□ 1910

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the

further consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 12 printed in House Report 115-1 offered by the gentleman from Iowa (Mr. KING) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-1 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. MESSER of Indiana.

Amendment No. 3 by Mr. GRIJALVA of Arizona.

Amendment No. 4 by Ms. CASTOR of Florida.

Amendment No. 5 by Mr. CICILLINE of Rhode Island.

Amendment No. 6 by Mr. CONYERS of Michigan.

Amendment No. 7 by Mr. JOHNSON of Georgia.

Amendment No. 9 by Mr. NADLER of New York.

Amendment No. 10 by Mr. MCNERNEY of California.

Amendment No. 11 by Mr. SCOTT of Virginia.

Amendment No. 12 by Mr. KING of Iowa.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. MESSER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. MESSER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 185, not voting 13, as follows:

[Roll No. 12]
AYES—235

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin

Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Beutler

Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum

Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.

Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)

Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NOES—185

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas

Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings

Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster

Frankel (FL) Lofgren Ruiz
 Fudge Lowenthal Ruppertsberger
 Gabbard Lowey Ryan (OH)
 Garamendi Lujan Grisham, Sánchez
 Gonzalez (TX) M. Sarbanes
 Gottheimer Lynch Schakowsky
 Green, Al Maloney, Schiff
 Green, Gene Carolyn B. Schneider
 Grijalva Maloney, Sean Scott (VA)
 Hanabusa Matsui Scott, David
 Hastings McCollum Serrano
 Heck McEachin Sewell (AL)
 Higgins (NY) McGovern Shea-Porter
 Himes McMerney Sherman
 Hoyer Meeks Sinema
 Huffman Meng Sires
 Jackson Lee Moore Slaughter
 Jayapal Moulton Smith (WA)
 Jeffries Murphy (FL) Nadler
 Johnson (GA) Soto
 Johnson, E. B. Napolitano
 Kaptur Neal
 Keating Nolan
 Kelly (IL) Norcross
 Kennedy O'Halleran
 Khanna O'Rourke
 Kihuen Pallone
 Kildee Panetta
 Kilmer Pascarell
 Kind Payne
 Krishnamoorthi Pelosi
 Kuster (NH) Perlmutter
 Langevin Peters
 Larsen (WA) Pingree
 Larson (CT) Pocan
 Lawrence Polis
 Lawson (FL) Price (NC)
 Lee Quigley
 Levin Raskin
 Lewis (GA) Rice (NY)
 Lieu, Ted Richmond
 Lipinski Rosen
 Loeb sack Roybal-Allard

Boyle, Brendan F.
 Brady (PA)
 Brown (MD)
 Brownley (CA)
 Bustos
 Butterfield
 Capuano
 Carbajal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Costa
 Courtney
 Crist
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael F.
 Ellison
 Engel
 Eshoo
 Espaillat
 Esty
 Evans
 Fitzpatrick
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Garamendi
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene
 Grijalva

McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Mitchell
 Moolenaar
 Mooney (WV)
 Mullin
 Murphy (PA)
 Newhouse
 Noem
 Nunes
 Olson
 Jones
 Jordan
 Joyce (OH)
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger
 Knight
 Kustoff (TN)
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Latta
 Lewis (MN)
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marino
 Marshall
 Massie
 Mast
 McCarthy
 McCaul
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Stewart
 Stivers
 Taylor
 Tenney
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Posey
 Ratcliffe
 Reed
 Walden
 Walker
 Walorski
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Zeldin
 Zinke

NOT VOTING—13

Becerra
 Collins (NY)
 Crowley
 Denham
 Gallego

Price, Tom (GA)
 Rush
 Suozzi
 Price, Tom (GA)
 Rush
 Suozzi
 Price, Tom (GA)
 Rush
 Suozzi

NOT VOTING—10
 Becerra
 Collins (NY)
 Gallego
 Jenkins (KS)
 Messer
 Mulvaney
 O'Rourke
 Pompeo
 Price, Tom (GA)
 Rush

□ 1914

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

Stated against:
 Mr. SUOZZI. Mr. Chair, had I been present, I would have voted "nay" on rollcall No. 12.

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.
 The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
 The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 230, not voting 10, as follows:

[Roll No. 13]

AYES—193

Adams
 Aguilar
 Barragán
 Bass
 Beatty
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Blunt Rochester
 Bonamici

NOES—230

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barletta
 Barr
 Barton
 Bergman
 Beutler
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Fleischmann
 Cheney
 Coffman
 Cole
 Collins (GA)
 Comer
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Crawford
 Crawford
 Culberson
 Curbelo (FL)
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Farenthold
 Faso
 Ferguson
 Fleischmann
 Flores
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher
 Garrett
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guthrie
 Harper
 Harris

□ 1918
 So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. CASTOR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.
 The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
 The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 233, not voting 10, as follows:

[Roll No. 14]

AYES—190

Adams
 Aguilar
 Barragán
 Bass
 Beatty
 Bera
 Beyer
 Bishop (GA)
 Blumenauer

Blunt Rochester	Grijalva	O'Halleran	Hice, Jody B.	McKinley	Schweikert	Boyle, Brendan	Green, Gene	Norcross
Bonamici	Gutiérrez	O'Rourke	Higgins (LA)	McMorris	Scott, Austin	F.	Grijalva	O'Halleran
Boyle, Brendan	Hanabusa	Pallone	Hill	Rodgers	Sensenbrenner	Brady (PA)	Hanabusa	O'Rourke
F.	Hastings	Panetta	Holding	McSally	Sessions	Brown (MD)	Hastings	Pallone
Brady (PA)	Heck	Pascarell	Hollingsworth	Meadows	Shimkus	Brownley (CA)	Heck	Panetta
Brown (MD)	Higgins (NY)	Payne	Hudson	Meehan	Shuster	Bustos	Higgins (NY)	Pascarell
Brownley (CA)	Himes	Pelosi	Huizenga	Messer	Simpson	Butterfield	Himes	Payne
Bustos	Hoyer	Perlmutter	Hultgren	Mitchell	Smith (MO)	Capuano	Hoyer	Pelosi
Butterfield	Huffman	Peters	Hunter	Mooleenaar	Smith (NE)	Carbajal	Huffman	Perlmutter
Capuano	Jackson Lee	Peterson	Hurd	Mooney (WV)	Smith (NJ)	Cárdenas	Jackson Lee	Peters
Carbajal	Jayapal	Pingree	Issa	Mullin	Smith (TX)	Carson (IN)	Jayapal	Pingree
Cárdenas	Jeffries	Pocan	Jenkins (WV)	Murphy (PA)	Smucker	Cartwright	Jeffries	Pocan
Carson (IN)	Johnson (GA)	Polis	Johnson (LA)	Newhouse	Stefanik	Castor (FL)	Johnson (GA)	Polis
Cartwright	Johnson, E. B.	Price (NC)	Johnson (OH)	Noem	Stewart	Castro (TX)	Johnson, E. B.	Price (NC)
Castor (FL)	Jones	Quigley	Johnson, Sam	Nunes	Stivers	Chu, Judy	Kaptur	Quigley
Castro (TX)	Kaptur	Raskin	Jordan	Olson	Taylor	Cicilline	Keating	Raskin
Chu, Judy	Keating	Rice (NY)	Joyce (OH)	Palazzo	Tenney	Clark (MA)	Kelly (IL)	Rice (NY)
Cicilline	Kelly (IL)	Richmond	Katko	Palmer	Thompson (PA)	Clarke (NY)	Kennedy	Richmond
Clark (MA)	Kennedy	Ros-Lehtinen	Kelly (MS)	Paulsen	Thornberry	Clay	Khanna	Rosen
Clarke (NY)	Khanna	Rosen	Kelly (PA)	Pearce	Tiberi	Cleaver	Kihuen	Roybal-Allard
Clay	Kihuen	Roybal-Allard	King (IA)	Perry	Tipton	Clyburn	Kildee	Ruiz
Cleaver	Kildee	Ruiz	King (NY)	Pittenger	Trott	Cohen	Kilmer	Ruppersberger
Clyburn	Kilmer	Ruppersberger	Kinzinger	Poe (TX)	Turner	Connolly	Kind	Sánchez
Cohen	Kind	Ryan (OH)	Knigh	Poliquin	Upton	Conyers	Krishnamoorthi	Sarbanes
Connolly	Krishnamoorthi	Sánchez	Kustoff (TN)	Posey	Valadao	Cooper	Kuster (NH)	Schakowsky
Conyers	Kuster (NH)	Sarbanes	Labrador	Ratcliffe	Waladao	Correa	Langevin	Schiff
Cooper	Langevin	Schakowsky	LaHood	Reed	Wagner	Costa	Larsen (WA)	Schneider
Correa	Larsen (WA)	Schiff	LaMalfa	Reichert	Walberg	Courtney	Larson (CT)	Scott (VA)
Costa	Larson (CT)	Schneider	Lamborn	Renacci	Walden	Crist	Lawrence	Scott, David
Courtney	Lawrence	Scott (VA)	Lance	Rice (SC)	Walker	Crowley	Lawson (FL)	Serrano
Crist	Lawson (FL)	Scott, David	Latta	Roe (TN)	Walorski	Cuellar	Lee	Sewell (AL)
Crowley	Lee	Serrano	Lewis (MN)	Roe (TN)	Walters, Mimi	Cummings	Levin	Shea-Porter
Cuellar	Levin	Sewell (AL)	LoBiondo	Rogers (AL)	Weber (TX)	Davis (CA)	Lewis (GA)	Sherman
Cummings	Lewis (GA)	Shea-Porter	Long	Rogers (KY)	Webster (FL)	Davis, Danny	Lieu, Ted	Sinema
Davis (CA)	Lieu, Ted	Sherman	Loudermilk	Rohrabacher	Wenstrup	DeFazio	Lipinski	Sires
Davis, Danny	Lipinski	Sinema	Love	Rokita	Westerman	DeGette	Loeb sack	Slaughter
DeFazio	Loeb sack	Sires	Lucas	Rooney, Francis	Williams	Delaney	Lofgren	Smith (WA)
DeGette	Lofgren	Slaughter	Luettkemeyer	Rooney, Thomas	Wilson (SC)	DeLauro	Lowenthal	Soto
Delaney	Lowenthal	Smith (WA)	MacArthur	J.	Wittman	DeBene	Lowe	Speier
DeLauro	Lowe	Soto	Marchant	Roskam	Womack	Demings	Lujan Grisham,	Suozi
DeBene	Lujan Grisham,	Speier	Marino	Ross	Woodall	DeSaulnier	M.	Swalwell (CA)
Demings	M.	Suozi	Marshall	Rothfus	Yoder	Deutch	Luján, Ben Ray	Takano
DeSaulnier	Luján, Ben Ray	Swalwell (CA)	Massie	Rouzer	Yoho	Dingell	Lynch	Thompson (CA)
Deutch	Lynch	Takano	Mast	Royce (CA)	Young (AK)	Doggett	Lynch	Thompson (MS)
Dingell	Maloney,	Thompson (CA)	McCarthy	Russell	Young (IA)	Doyle, Michael	Maloney,	Titus
Doggett	Carolyn B.	Thompson (MS)	McCaul	Rutherford	Zeldin	F.	Carolyn B.	Tonko
Doyle, Michael	Maloney, Sean	Titus	McClintock	Sanford	Zelkin	Ellison	Maloney, Sean	Torres
F.	Matsui	Tonko	McHenry	Scalise	Zinke	Engel	Matsui	Tsongas
Engel	McCollum	Tsongas	Becerra	Jenkins (KS)	Rush	Eshoo	McCollum	Vargas
Eshoo	McEachin	Vargas	Collins (NY)	Mulvaney	Torres	Espallat	McEachin	Veasey
Espallat	McGovern	Veasey	Denham	Pompeo	Evans	Esty	McGovern	Veale
Esty	McNerney	Vela	Gallego	Price, Tom (GA)	Foster	Frankel (FL)	McNerney	Velázquez
Evans	Meeks	Velázquez			Frankel (FL)	Fudge	Meeks	Visclosky
Foster	Meng	Visclosky			Frankel (FL)	Gabbard	Moore	Walz
Frankel (FL)	Moore	Walz			Fudge	Murphy (FL)	Moulton	Wasserman
Fudge	Moulton	Wasserman			Gabbard	Nadler	Moore	Schultz
Gabbard	Murphy (FL)	Schultz			Garamendi	Napolitano	Murphy (FL)	Watson Coleman
Garamendi	Nadler	Waters, Maxine			Gonzalez (TX)	Neal	Nadler	Welch
Gonzalez (TX)	Napolitano	Watson Coleman			Gottheimer	Nolan	Napolitano	Wilson (FL)
Gottheimer	Neal	Welch			Green, Al	Nolan	Neal	Yarmuth
Green, Al	Nolan	Wilson (FL)					Nolan	
Green, Gene	Norcross	Yarmuth						

NOT VOTING—10

□ 1921

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 232, not voting 15, as follows:

[Roll No. 15]

AYES—186

Abraham	Burgess	Ellison
Aderholt	Byrne	Emmer
Allen	Calvert	Farenthold
Amash	Carter (GA)	Faso
Amodei	Carter (TX)	Ferguson
Arrington	Chabot	Fitzpatrick
Babin	Chaffetz	Fleischmann
Bacon	Cheney	Flores
Banks (IN)	Coffman	Fortenberry
Barletta	Cole	Fox
Barr	Collins (GA)	Franks (AZ)
Barton	Comer	Frelinghuysen
Bergman	Comstock	Gaetz
Beutler	Conaway	Gallagher
Biggs	Cook	Garrett
Bilirakis	Costello (PA)	Gibbs
Bishop (MI)	Cramer	Gohmert
Bishop (UT)	Crawford	Goodlatte
Black	Culberson	Gosar
Blackburn	Curbelo (FL)	Gowdy
Blum	Davidson	Granger
Bost	Davis, Rodney	Graves (GA)
Brady (TX)	Dent	Graves (LA)
Brat	DeSantis	Graves (MO)
Bridenstine	DesJarlais	Griffith
Brooks (AL)	Diaz-Balart	Grothman
Brooks (IN)	Donovan	Guthrie
Buchanan	Duffy	Harper
Buck	Duncan (SC)	Harris
Bucshon	Duncan (TN)	Hartzler
Budd	Dunn	Hensarling

Adams	Beatty	Blumenauer
Aguilar	Berra	Blunt Rochester
Barragán	Beyer	Bonamici
Bass	Bishop (GA)	

NOES—232

Abraham	Calvert	Fitzpatrick
Aderholt	Carter (GA)	Fleischmann
Allen	Carter (TX)	Flores
Amash	Chabot	Fortenberry
Amodei	Chaffetz	Fox
Arrington	Cheney	Franks (AZ)
Babin	Coffman	Frelinghuysen
Bacon	Cole	Gaetz
Banks (IN)	Collins (GA)	Gallagher
Barletta	Comer	Garrett
Barr	Conaway	Gibbs
Barton	Cook	Gohmert
Bergman	Costello (PA)	Goodlatte
Beutler	Cramer	Gosar
Biggs	Crawford	Gowdy
Bilirakis	Culberson	Granger
Bishop (MI)	Curbelo (FL)	Graves (GA)
Bishop (UT)	Davidson	Graves (LA)
Black	Davis, Rodney	Graves (MO)
Blackburn	Denham	Griffith
Blum	Dent	Grothman
Bost	DeSantis	Guthrie
Brady (TX)	DesJarlais	Harper
Brat	Diaz-Balart	Harris
Bridenstine	Donovan	Hartzler
Brooks (AL)	Duffy	Hensarling
Brooks (IN)	Duncan (SC)	Hice, Jody B.
Buchanan	Duncan (TN)	Higgins (LA)
Buck	Dunn	Hill
Bucshon	Emmer	Holding
Budd	Farenthold	Hollingsworth
Burgess	Faso	Hudson
Byrne	Ferguson	Huizenga

Table listing names of members of the House of Representatives, organized in columns. Includes names like Hultgren, Hunter, Hurd, Issa, etc.

NOT VOTING—15

Table listing names of members who did not vote, including Becerra, Collins (NY), Comstock, Gallego, Gutierrez.

□ 1925

Mr. FERGUSON changed his vote from "aye" to "no." So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 231, not voting 10, as follows:

[Roll No. 16]

AYES—192

Table listing names of members who voted 'aye' for Amendment No. 6, including Adams, Aguilar, Barragan, Bass.

Table listing names of members who did not vote, including Jenkins (KS), LaMalfa, Mulvaney, Palmer, Pompeo.

NOES—231

Table listing names of members who voted 'no' for Amendment No. 6, including Abraham, Aderholt, Allen, Amash, Amodei, Arrington, Babin, Bacon, Banks (IN), Barletta, Barr, Barton, Bergman, Beutler, Biggs, Bilirakis, Bishop (MI), Bishop (UT), Black, Blackburn, Blum, Bost, Brady (TX), Brat, Bridenstine, Brooks (AL), Brooks (IN), Buchanan, Buck, Bucshon, Budd, Burgess, Byrne, Calvert, Carter (GA), Carter (TX), Chabot, Chaffetz, Cheney, Coffman, Cole, Collins (GA), Comer, Comstock, Conaway, Cook, Costello (PA), Cramer, Crawford, Culberson, Curbelo (FL), Davidson, Davis, Rodney, Denham, DeSantis, DesJarlais, Donovan, Duffy, Duncan (SC), Duncan (TN), Dunn, Emmer, Farenthold, Faso, Ferguson, Fitzpatrick, Fleischmann, Flores, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gaetz, Gallagher, Comer, Garrett, Gibbs, Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (LA), Graves (MO), Griffith, Grothman, Guthrie, Harper, Harris, Hartzler, Hensarling, Hice, Jody B. Higgins (LA), etc.

NOT VOTING—10

Table listing names of members who did not vote, including Becerra, Collins (NY), Diaz-Balart, Gallego.

□ 1928

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 234, not voting 9, as follows:

[Roll No. 17]

AYES—190

Table listing names of members who voted 'aye' for Amendment No. 7, including Adams, Aguilar, Barragan, Bass, Beatty, Bera, Beyer, Bishop (GA), Blumenauer, Blunt Rochester, Bonamici.

Higgins (LA)	McMorris	Scalise	Butterfield	Higgins (NY)	Pascrell	Huizenga	McSally	Schweikert
Hill	Rodgers	Schweikert	Capuano	Himes	Payne	Hultgren	Meadows	Scott, Austin
Holding	McSally	Scott, Austin	Carbajal	Hoyer	Pelosi	Hunter	Meehan	Sensenbrenner
Hollingsworth	Meadows	Sensenbrenner	Cárdenas	Huffman	Perlmutter	Hurd	Messer	Sessions
Hudson	Meehan	Sessions	Carson (IN)	Peters	Peters	Issa	Mitchell	Shimkus
Huizenga	Messer	Shimkus	Cartwright	Jayapal	Peterson	Jenkins (WV)	Moolenaar	Shuster
Hultgren	Mitchell	Shuster	Castor (FL)	Jeffries	Pingree	Johnson (LA)	Mooney (WV)	Simpson
Hunter	Moolenaar	Simpson	Castro (TX)	Johnson (GA)	Pocan	Johnson (OH)	Mullin	Smith (MO)
Hurd	Mooney (WV)	Smith (MO)	Chu, Judy	Johnson, E. B.	Polis	Johnson, Sam	Murphy (PA)	Smith (NE)
Issa	Mullin	Smith (NE)	Cicilline	Keating	Price (NC)	Jones	Newhouse	Smith (NJ)
Jenkins (WV)	Murphy (PA)	Smith (TX)	Clark (MA)	Keating	Quigley	Jordan	Noem	Smith (TX)
Johnson (LA)	Newhouse	Smucker	Clarke (NY)	Kelly (IL)	Raskin	Joyce (OH)	Nunes	Smucker
Johnson (OH)	Noem	Stefanik	Clay	Kennedy	Rice (NY)	Katko	Olson	Stefanik
Johnson, Sam	Nunes	Stewart	Cleaver	Khanna	Richmond	Kelly (MS)	Palazzo	Stewart
Jordan	Olson	Stivers	Clyburn	Kihuen	Rosen	Kelly (PA)	Palmer	Stivers
Joyce (OH)	Palazzo	Taylor	Cohen	Kildee	Roybal-Allard	King (IA)	Paulsen	Taylor
Katko	Palmer	Temney	Connolly	Kilmer	Ruiz	King (NY)	Pearce	Tenney
Kelly (MS)	Paulsen	Thompson (PA)	Conyers	Kind	Ruppersberger	Kinzinger	Perry	Thompson (PA)
Kelly (PA)	Pearce	Thornberry	Cooper	Krishnamoorthi	Ryan (OH)	Knight	Pittenger	Thornberry
King (IA)	Perry	Tiberi	Correa	Kuster (NH)	Sánchez	Kustoff (TN)	Poe (TX)	Tiberi
King (NY)	Pittenger	Tipton	Costa	Langevin	Sarbanes	Labrador	Polliquin	Tipton
Kinzinger	Poe (TX)	Trott	Courtney	Larsen (WA)	Schakowsky	LaHood	Posey	Trott
Knight	Polliquin	Turner	Crist	Larson (CT)	Schiff	LaMalfa	Ratcliffe	Turner
Kustoff (TN)	Posey	Upton	Crowley	Lawrence	Schneider	Lamborn	Reed	Upton
Labrador	Ratcliffe	Valadao	Cuellar	Lee	Scott (VA)	Lance	Reichert	Valadao
LaHood	Reed	Wagner	Cummings	Leevin	Scott, David	Latta	Renacci	Wagner
LaMalfa	Reichert	Walberg	Davis (CA)	Lewis (GA)	Serrano	Lewis (MN)	Rice (SC)	Walberg
Lamborn	Renacci	Walden	Davis, Danny	Lieu, Ted	Sewell (AL)	LoBiondo	Roby	Walden
Lance	Rice (SC)	Walker	DeFazio	Lipinski	Shea-Porter	Long	Roe (TN)	Walker
Latta	Roby	Walorski	DeGette	Loeb	Sherman	Loudermilk	Rogers (AL)	Walorski
Lewis (MN)	Roe (TN)	Walters, Mimi	Delaney	Loeb	Sinema	Love	Rogers (KY)	Walters, Mimi
Long	Rogers (AL)	Weber (TX)	DeLauro	Lofgren	Sires	Rohrabacher	Rohrabacher	Weber (TX)
Loudermilk	Rogers (KY)	Webster (FL)	DelBene	Lowey	Slaughter	Rokita	Rooney, Francis	Webster (FL)
Love	Rohrabacher	Westerman	Demings	Lujan Grisham, M.	Smith (WA)	Rooney, Thomas J.	Rooney, Thomas J.	Westerman
Lucas	Rokita	Williams	DeSaulnier	Dingell	Soto	Marino	Rooney, Thomas J.	Williams
Luetkemeyer	Rooney, Francis	Wilson (SC)	Deutch	Speier	Swalwell (CA)	Marshall	Ros-Lehtinen	Wilson (SC)
MacArthur	Rooney, Thomas J.	Wittman	Dingell	Speier	Swalwell (CA)	Marshall	Ros-Lehtinen	Wittman
Marchant	J.	Womack	Doggett	Doyle, Michael F.	Takano	Massie	Roskam	Wittman
Marino	Ros-Lehtinen	Woodall	Doyle, Michael F.	Maloney, Carolyn B.	Thompson (CA)	Mast	Ross	Womack
Marshall	Roskam	Yoder	Ellison	Maloney, Sean	Thompson (MS)	McCarthy	Rothfus	Woodall
Massie	Ross	Yoho	Engel	Matsui	Thompson (MS)	McCaul	Rouzer	Yoder
Mast	Rothfus	Young (AK)	Eshoo	McCollum	Titus	McClintock	Royce (CA)	Yoho
McCarthy	Rouzer	Young (IA)	Españolat	McEachin	Tonko	McHenry	Russell	Young (AK)
McCaul	Royce (CA)	Zeldin	Esty	McGovern	Torres	McKinley	Rutherford	Young (IA)
McClintock	Russell	Zinke	Evans	McNerney	Tsongas	McMorris	Sanford	Zeldin
McHenry	Rutherford		Foster	Meeks	Vargas	Rodgers	Scalise	Zinke
McKinley	Sanford		Frankel (FL)	Meng	Veasey			

NOT VOTING—8

Becerra	Jenkins (KS)	Price, Tom (GA)
Collins (NY)	Mulvaney	Rush
Gallego	Pompeo	

□ 1936

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. MC NERNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCNERNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 8, as follows:

[Roll No. 19]

AYES—190

Adams	Beyer	Boyle, Brendan
Aguilar	Bishop (GA)	F.
Barragán	Blumenauer	Brady (PA)
Bass	Blunt Rochester	Brown (MD)
Beatty	Bonamici	Brownley (CA)
Bera		Bustos

NOES—235

Abraham	Calvert	Ferguson
Aderholt	Carter (GA)	Fitzpatrick
Allen	Carter (TX)	Fleischmann
Amash	Chabot	Flores
Amodei	Chaffetz	Fortenberry
Arrington	Cheney	Fox
Babin	Coffman	Franks (AZ)
Bacon	Cole	Frelinghuysen
Banks (IN)	Collins (GA)	Gaetz
Barletta	Comer	Gallagher
Barr	Comstock	Garrett
Barton	Conaway	Gibbs
Bergman	Cook	Gohmert
Beutler	Costello (PA)	Goodlatte
Biggs	Cramer	Gosar
Bilirakis	Crawford	Gowdy
Bishop (MI)	Culberson	Granger
Bishop (UT)	Curbelo (FL)	Graves (GA)
Black	Davidson	Graves (LA)
Blackburn	Davis, Rodney	Graves (MO)
Blum	Denham	Griffith
Bost	Dent	Grothman
Brady (TX)	DeSantis	Guthrie
Brat	DesJarlais	Harper
Bridenstine	Diaz-Balart	Harris
Brooks (AL)	Donovan	Hartzler
Brooks (IN)	Duffy	Hensarling
Bucher	Duncan (SC)	Hice, Jody B.
Buck	Duncan (TN)	Higgins (LA)
Bucshon	Dunn	Hill
Budd	Emmer	Holding
Burgess	Farenthold	Hollingsworth
Byrne	Faso	Hudson

NOT VOTING—8

Becerra	Jenkins (KS)	Price, Tom (GA)
Collins (NY)	Mulvaney	Rush
Gallego	Pompeo	

□ 1940

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 232, not voting 8, as follows:

[Roll No. 20]

AYES—193

Adams	Beyer	Boyle, Brendan
Aguilar	Bishop (GA)	F.
Barragán	Blumenauer	Brady (PA)
Bass	Blunt Rochester	Brown (MD)
Beatty	Bonamici	Brownley (CA)
Bera		Bustos

Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)

Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta

NOES—232

Abraham
Aderholt
Allen
Amash
Amodel
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Beutler
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess

Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer

Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tipton
Titus
McHenry
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Holding
Hollingsworth
Hudson
Huitenga
Hultgren
Hunter
Hurd
Issa
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McMorris
Rodgers

NOT VOTING—8

Becerra
Collins (NY)
Gallego

McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Rutherford
Sanford
Scalise
Schweikert

Jenkins (KS)
Mulvaney
Pompeo

Price, Tom (GA)
Rush

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

Price, Tom (GA)
Rush

Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Grandy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper

NOES—193

Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney

Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

□ 1944
So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.
The Clerk will redesignate the amendment.
The Clerk redesignated the amendment.

RECORDED VOTE
The Acting CHAIR. A recorded vote has been demanded.
A recorded vote was ordered.
The Acting CHAIR. This will be a 2-minute vote.
The vote was taken by electronic device, and there were—ayes 230, noes 193, not voting 10, as follows:

[Roll No. 21] AYES—230

Abraham
Allen
Amash
Amodel
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Beutler
Biggs
Bilirakis

Adams
Aderholt
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano

Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel

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

NOT VOTING—10

Becerra	Jenkins (KS)	Price, Tom (GA)
Collins (NY)	Mulvaney	Rush
Culberson	Pompeo	
Gallego	Price (NC)	

□ 1948

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, and, pursuant to House Resolution 22, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT

Mrs. MURPHY of Florida. Mr. Speaker, I have a motion to recommit at the desk.

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

Mrs. MURPHY of Florida. I am opposed.

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

The Clerk read as follows:

Mrs. Murphy of Florida moves to recommit the bill H.R. 26 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add, at the end of the bill, the following:

SEC. 7. EXCEPTION FOR CERTAIN RULES THAT PROHIBIT DISCRIMINATION BY INSURANCE ISSUERS AGAINST DEPENDENTS UNDER THE AGE OF 26.

Nothing in this Act, or the amendments made by this Act, shall apply in the case of any rule that pertains to prohibiting an insurance issuer from eliminating, weakening, or reducing health coverage benefits for dependents under the age of 26.

Mr. GOODLATTE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida is recognized for 5 minutes in support of her motion.

Mrs. MURPHY of Florida. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If the amendment is adopted, the bill will immediately proceed to final passage, as amended.

Like a number of my new colleagues on both sides of the aisle, I was not a Member of Congress in 2010 when Congress enacted the Patient Protection and Affordable Care Act. The law has now been in place for nearly 7 years, and it has become part of the fabric of our health care system, fundamentally changing the way that we provide and pay for health care in this country.

The Members of this Chamber, our counterparts in the Senate, and the incoming President will soon have a binary choice to make, and the stakes for patients, physicians, hospitals, and health insurance providers could not be higher.

The choice is this: Will we retain the many provisions in the Affordable Care Act that are functioning well and work together in a bipartisan manner to reform, refine, and rectify those provisions that need improvement; or, on the other hand, will we repeal the entire Affordable Care Act without a

clear and comprehensive plan in place to replace the law with something as good or better, which is almost certain to cause chaos in our health care system and disrupt the lives and livelihoods of millions of our constituents?

The Affordable Care Act is not perfect; but I believe the responsible and moral course of action for this body is to strengthen the law, not repeal it. A look to historic precedent gives us guidance here. In the past, when Congress enacted important legislation, like Social Security or Medicare, designed to address serious national problems, it rarely gets it perfectly right the first time. Congress almost always needs to revisit the law down the line to observe how the law has operated in practice, to see who the law has helped or who it may have inadvertently harmed, to learn from that experience, and then, based on the evidence and the counsel of our constituents, to work across party lines to make any necessary improvements to the law. The perfect must never become the enemy of the good.

Just as in business, when your business plan runs into challenges, you don't scrap the whole plan; you make left and right adjustments along the way and keep moving forward toward your goals. Health care is too central to the lives of our constituents to be rebooted every few years in a partisan, haphazard manner.

My specific amendment is consistent with this broader philosophy. One of the most popular and well-functioning provisions of the Affordable Care Act is a provision requiring certain health insurance plans to allow young adults to stay on their parents' health insurance plans until the age of 26. This provision has been particularly beneficial for my district in central Florida, which has one of the lowest median ages of any congressional district in the Sunshine State and which is home to the University of Central Florida—the Nation's second largest university, with over 63,000 enrolled students.

Prior to the Affordable Care Act, too many young adults in central Florida and around the country were uninsured either because they were not employed or because they were employed at jobs that did not provide affordable coverage or any coverage at all. If these young men and women were to become sick or get injured, the resulting medical bills could bankrupt them or their families. The Affordable Care Act sought to mitigate this risk, and the evidence indicates that it has done so successfully; and the American people have said, overwhelmingly, that they want to keep this popular provision.

Accordingly, my amendment would establish an exception to the REINS Act. It would ensure that any Federal regulation that executes or enforces the Affordable Care Act provision enabling young adults up to age 26 to obtain health insurance coverage through

their parents' plans will not be annulled by Congress. By voting for my amendment, you will send a signal that you support this provision, which has benefited millions of our constituents whether they live in red States, blue States, or purple States.

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

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion to recommit.

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

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

On the floor of this House in 2011, the President of the United States promised the American people "to reduce barriers to growth and investment . . . when we find rules that put an unnecessary burden on businesses, we will fix them."

But, Mr. Speaker, those were just President Obama's words. His actions were starkly different. Throughout the entire 8 years of the Obama administration, a flood of new, major regulations has been burying America's job creators and households at record levels; and to make matters worse, when Congress declined to legislate the President's misguided policies for him, he increasingly resorted to unilateral regulatory actions to legislate by executive fiat.

It is time to say, "Never again." The REINS Act, in one fell swoop, puts a stop to abuses like President Obama's and assures that Congress—the body to which the Constitution assigns the power to legislate—has the necessary tools to block the most overreaching regulations and mandates on the American people.

This motion to recommit seeks only to distract from the urgent need to reform our regulatory system and reduce unnecessary burdens on the public. When health care reform regulations are adopted, they should be adopted with the approval of this body.

I urge all of my colleagues to support this bill, reject this motion to recommit, and show America that Congress can act for the good of job creators and all Americans who desperately want and need jobs.

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

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

There was no objection.

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

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

RECORDED VOTE

Mrs. MURPHY of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 8, as follows:

[Roll No. 22]

AYES—190

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

NOES—235

Abraham	Bilirakis	Budd
Aderholt	Bishop (MI)	Burgess
Allen	Bishop (UT)	Byrne
Amash	Black	Calvert
Amodei	Blackburn	Carter (GA)
Arrington	Blum	Carter (TX)
Babin	Bost	Chabot
Bacon	Brady (TX)	Chaffetz
Banks (IN)	Brat	Cheney
Barletta	Bridenstine	Coffman
Barr	Brooks (AL)	Cole
Barton	Brooks (IN)	Collins (GA)
Bergman	Buchanan	Comer
Beutler	Buck	Comstock
Biggs	Bucshon	Conaway

Costello (PA)	Jordan	Roe (TN)
Cramer	Joyce (OH)	Rogers (AL)
Crawford	Katko	Rogers (KY)
Culberson	Kelly (MS)	Rohrabacher
Curbelo (FL)	Kelly (PA)	Rokita
Davidson	King (IA)	Rooney, Francis
Davis, Rodney	King (NY)	Rooney, Thomas
Denham	Kinzing er	J.
Dent	Knight	Ros-Lehtinen
DeSantis	Kustoff (TN)	Roskam
DesJarlais	Labrador	Ross
Diaz-Balart	LaHood	Rothfus
Donovan	LaMalfa	Rouzer
Duffy	Lamborn	Royce (CA)
Duncan (SC)	Lance	Russell
Duncan (TN)	Latta	Rutherford
Dunn	Lewis (MN)	Sanford
Emmer	LoBiondo	Scalise
Farenthold	Long	Schweikert
Faso	Loudermilk	Scott, Austin
Ferguson	Love	Sensenbrenner
Fitzpatrick	Lucas	Sessions
Fleischmann	Luetkemeyer	Shimkus
Flores	MacArthur	Shuster
Fortenberry	Marchant	Simpson
Fox	Marino	Smith (MO)
Foxo	Marshall	Smith (NE)
Franks (AZ)	Massie	Smith (NJ)
Frelinghuysen	Mast	Smith (TX)
Gaetz	McCarthy	Smucker
Gallagher	McCaul	Stefanik
Garrett	McClintock	Stewart
Gibbs	McHenry	Stivers
Gohmert	McKinley	Taylor
Goodlatte	McMorris	Tenney
Gosar	Rodgers	Thompson (PA)
Gowdy	McSally	Thornberry
Granger	Meadows	Tiberi
Graves (GA)	Meehan	Tipton
Graves (LA)	Messer	Trott
Graves (MO)	Mitchell	Turner
Griffith	Moolenaar	Upton
Grothman	Mooney (WV)	Valadao
Guthrie	Mullin	Wagner
Harper	Murphy (PA)	Walberg
Harris	Newhouse	Walden
Hartzler	Noem	Walker
Hensarling	Nunes	Walorski
Hice, Jody B.	Olson	Walters, Mimi
Higgins (LA)	Palazzo	Weber (TX)
Hill	Palmer	Webster (FL)
Holding	Paulsen	Wenstrup
Hollingsworth	Pearce	Westerman
Hudson	Perry	Williams
Huizenga	Pittenger	Wilson (SC)
Hultgren	Poe (TX)	Wittman
Hunter	Poliquin	Womack
Hurd	Posey	Woodall
Issa	Ratcliffe	Yoder
Jenkins (WV)	Reed	Yoho
Johnson (LA)	Reichert	Young (AK)
Johnson (OH)	Renacci	Young (IA)
Johnson, Sam	Rice (SC)	Zeldin
Jones	Roby	Zinke

NOT VOTING—8

Becerra	Jenkins (KS)	Price, Tom (GA)
Collins (NY)	Mulvaney	Rush
Gallego	Pompeo	

□ 2005

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 237, noes 187, not voting 9, as follows:

[Roll No. 23]

AYES—237

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

NOES—187

Adams	Bonamici	Cárdenas
Aguilar	Boyle, Brendan	Carlson (IN)
Barragan	F.	Cartwright
Bass	Brady (PA)	Castor (FL)
Beatty	Brown (MD)	Castro (TX)
Bera	Brownley (CA)	Chu, Judy
Beyer	Bustos	Cicilline
Bishop (GA)	Butterfield	Clark (MA)
Blumenauer	Capuano	Clarke (NY)
Blunt Rochester	Carbajal	Clay

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

NOT VOTING—9

Becerra	Jenkins (KS)	Price, Tom (GA)
Collins (NY)	Mulvaney	Rush
Gallego	Pompeo	Wilson (FL)

□ 2011

So the bill was passed.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. JENKINS of Kansas. Mr. Speaker, I was absent on rollcall votes 12 through 23 on the evening of January 5, 2017. Had I been present, I would have voted: "yea" on rollcall No. 12, "nay" on rollcall No. 13, "nay" on rollcall No. 14, "nay" on rollcall No. 15, "nay" on rollcall No. 16, "nay" on rollcall No. 17, "nay" on rollcall No. 18, "nay" on rollcall No. 19, "nay" on rollcall No. 20, "yea" on rollcall No. 21, "nay" on rollcall No. 22, "yea" on rollcall No. 23.

HOUR OF MEETING ON TOMORROW AND ADJOURNMENT FROM FRIDAY, JANUARY 6, 2017, TO MONDAY, JANUARY 9, 2017

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow, and further

when the House adjourns on that day, it adjourn to meet on Monday, January 9, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 25

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

(1) COMMITTEE ON ETHICS.—Ms. Sánchez.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 2015

PERVERSE TORTURE PERPETRATED BY HEARTLESS YOUNG ADULTS

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, today, four people were charged with a violent crime after a Facebook showed 30 minutes of horror. The criminal charges barely scratch the surface in describing the terror experienced by an 18-year-old boy who suffers from mental disabilities.

He was forced for 5 hours to cower in a corner scared, stunned, and powerless by people he thought were his friends. His mouth was duct taped shut. His hands and feet were tied. They cut his clothes, his hair, and scalp with a knife. He was burned, punched, and beaten. He was humiliated and berated. This was not just bullying, this was violent, perverse torture perpetrated by heartless young adults. His psychological trauma will haunt him for years.

He is not alone because children with disabilities are four times more likely to be assaulted than the general population.

We enacted major mental health reforms just a few weeks ago. Unfortunately, we cannot litigate compassion, mandate morality, nor legislate common decency for perpetrators who have no sense of shame. But today, as a Nation, we should all be ashamed and recommit to teach our children there is never any excuse to harm a disabled person. Never. I pray for the victim and his family.

IMPACT OF ACA REPEAL ON MOMS AND BABIES

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

Ms. ROYBAL-ALLARD. Mr. Speaker, as co-chair of the Maternity Care Caucus, I rise on behalf of mothers and babies who will suffer if Republicans repeal the Affordable Care Act.

It is undisputable that, with prenatal care, babies are born healthier. Before the ACA, approximately 10 percent of childbearing women had no health insurance, and the plans of 60 percent of all insured women had no maternity coverage.

With ObamaCare's Medicaid expansion and insurance subsidies, more than half of these women who were uninsured became eligible for maternity care. In addition, the ACA also requires health plans to cover maternity care and preexisting conditions. All of this will be lost with ACA repeal.

Women will also lose coverage for lactation counseling and the cost of breast pumps, a known barrier to successful breastfeeding which is one of the most effective ways to protect the health of babies.

I urge my Republican colleagues to consider the negative impacts repealing ObamaCare will have on our Nation's mothers and babies. We must protect the future health of our children by ensuring all moms have access to maternity care and breastfeeding support.

RECOGNIZING ACHIEVEMENTS OF LEROY BALDWIN

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

Mr. YOHO. Mr. Speaker, I rise today to recognize the life and achievements of Leroy Baldwin. A true American original, Leroy Baldwin was born and raised in Ocala, Florida, on December 15, 1932. Not coming from a family with a rich ag background, Mr. Baldwin bought his first calf when he was 6 years of age from the money he earned delivering newspapers.

Mr. Baldwin served honorably in the U.S. Army from 1952 to 1955 during the Korean war. After the war, he pursued his lifelong project, the Baldwin Angus Ranch. Starting with 40 acres, the ranch now spans 620 acres and has taken the Florida Angus breed all over the world.

Mr. Baldwin thanked God each and every day for the blessings his family and business enjoyed.

God, family, and country are the words he lived by, words vitally important to our Nation today. We have lost a true giant.

Mr. Baldwin, may God bless you, your family, and thank you for what you have done for Florida and our Nation's agriculture.

PATHWAY OF DESTRUCTION

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

Ms. JACKSON LEE. Mr. Speaker, today, in the Senate, the other body, unfortunately, joined the pathway of destruction for most Americans and voted to repeal the Affordable Care Act. These are not my words, the pathway of destruction, but is evidence what will happen to millions and millions of Americans. By repealing without a replacement, which does not exist, insurance will be taken away from 32 million working families. Now, some 4 million uninsured children will have no insurance.

Let me be very clear that many of these individuals do not have college degrees. Many of them, the voters of those who now will take the rein of government. Healthcare premiums will increase by 50 percent for millions of Americans. Hundreds of billions of dollars will go to tax breaks for insurance companies while eliminating the tax credits and subsidies for millions of working families.

It will take healthcare coverage away from millions of low- and moderate-income Americans by cutting Medicaid, and it will close rural hospitals and public hospitals that provide the lifeline for many Americans. It will cut off Federal funds for health care for women through Planned Parenthood. And yes, it will eliminate and have cuts in Medicare and Medicaid.

Mr. Speaker, this is a pathway of disaster. We should not repeal the Affordable Care Act.

STEMMING AVALANCHE OF REGULATIONS

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

Mr. MITCHELL. Mr. Speaker, I am proud that, in my first week as a Representative of Michigan's 10th Congressional District, we have passed two important pieces of legislation to stem the avalanche of Federal regulations.

The top concern I hear from employers of all sizes across my district is that regulation from Washington is making it harder for them to do business. I spent my career in business, so I have firsthand knowledge of the damage caused by excessive Federal regulations.

The Midnight Rules Act and the REINS Act will provide much-needed regulatory relief to families and businesses alike. Both pieces of legislation will make unelected bureaucrats accountable to Congress.

The American Dream is achievable, and, as the son of a General Motors line worker, my life is proof of it. But that dream is only possible when we give Americans the freedom they need to be successful and unleash their capabilities in our economy.

TRAVEL TO CUBA

The SPEAKER pro tempore (Mr. BANKS of Indiana). Under the Speaker's announced policy of January 3, 2017, the gentleman from South Carolina (Mr. SANFORD) is recognized for 60 minutes as the designee of the majority leader.

Mr. SANFORD. Mr. Speaker, I rise this evening to talk about a bill that JIM MCGOVERN of Massachusetts and I have that we will be offering tomorrow. I think it is an important bill from the standpoint of advancing and perpetuating this American notion called freedom. It is a bill that had 130 sponsors in the last Congress. I am joined on the bill by TOM EMMER and Mr. POE and Mr. AMASH as original cosponsors as we drop the bill tomorrow. It is quite simply entitled the Freedom to Travel to Cuba bill. It does what the name suggests, to lift the current restrictions in encumbering Americans' ability to travel to Cuba.

Why is that important?

I think it is important for a number of different reasons, first of which is tied to the basic, fundamental notion of American liberty. American liberty is built of many different things. The Supreme Court has actually determined that as real as what you choose to wear, what you choose to eat, or what you choose to read is this basic, fundamental right to travel.

In the American system, we can travel as we see fit. I can go here, I can go there. I am going to visit my grandmother in Des Moines, my cousin in Chicago. We choose without government control and without government edict where we come and where we go. It is a far cry from what we saw in the former Soviet Union where you had to have your papers to determine where you could travel.

I have a map of the globe here. Did you know that you or I could travel to any country on this globe except one? You or I could travel to North Korea. You or I could travel to Syria. You or I could travel to Iran. You or I could travel to Iraq. It may not work out well for you, it may not be the best of trips, but you or I could travel without government prohibition to any spot on this globe except one, and that one is Cuba.

That may have made sense in 1960. For security reasons in the time of the cold war, it may have made sense to have that prohibition in place. But the question is: Does it make sense today? I don't think it does for a whole variety of reasons.

One, this is about the basic, fundamental American right of travel as we see fit, not as government sees fit.

Two, this is about the American liberty and this fragile notion of, if we don't protect it, government tends to grow. Jefferson talked about this theme a long time ago. He talked about

the normal course of things for government to gain ground and for government to yield. So if we don't push back—and this is what the REINS Act was all about—if we don't push back about the government edict or laws that have outgrown their usefulness, what we are doing is we are allowing government to encroach on this fragile notion of liberty.

Fundamental to the notion of common sense is, if you tried something for 50 years and it has not worked, may we not try something different? I was here in the 1990s. I signed onto Helms-Burton. But it didn't work, and so we asked: Why not try something different?

What Ronald Reagan proposed at the time of the Iron Curtain was for Americans, kids with backpacks, to travel on the other side of that curtain. That personal diplomacy, that one-on-one diplomacy, would be key in bringing down that wall. That was the notion of engagement.

So I think this is about saying American policy has been the excuse that the Castros have used for 50 years. We have almost the longest-serving dictatorship in the history of globe there with the Castro brothers. What was oftentimes the case is they would blame the blockade, the embargo, Americans' inability to travel, whatever was going wrong with the country rather than simply addressing the real issue. The problem was communism and the way that it encumbers people and their hopes and their dreams. We gave them an excuse. So this is about pulling back the excuse and trying something different. It is about pushing back on a regulation that has not served its purpose.

Three, this is about engaging because that is part and parcel to American liberty. You know, I don't like some of the things that are going on in Russia. I don't like some of the things that are going on in China. I don't like some of the things that are going on in Vietnam. You can pick your country. But what we have chosen, as an American policy, is this notion of engagement, that we ultimately are going to be able to solve more by engaging with other countries. Again, that is why Ronald Reagan embraced it with countries of the former Soviet Union in helping to bring down that wall. So this is about perpetuating the notion of engagement and government regulation.

We have just passed the REINS Act, which is all about saying if something isn't making sense, let's peel it back. Let's not have the fourth branch of government going out and perpetuating all kinds of regulations without them going through Congress. Yet, with regard to travel to Cuba, you have to sign an affidavit as to why you are going there. You have to keep receipts for up to 5 years proving where you did or didn't spend money. If you fill out a

form wrong, you can be subject to a \$250,000 fine. Is that kind of regulation consistent with free travel that we all should enjoy as Americans?

Finally, I think that this bill is about bringing about change to Cuba. My interest is not primarily about Cuba. My interest is about American liberty and the need to perpetuate American liberty.

But one of the offshoots, one of the benefits is about bringing change to Cuba. Even the worst detractor of the bill, we are all about the same thing, which is bringing more freedom to that country and the 11 million people that make up that country.

I think that allowing Americans to go there and to tell folks about what you are hearing from your state-run radio station or television station is not the truth, here is what is really going on. It is part and parcel to bringing about a change in Cuba. It is part and parcel to eliminating the excuses that have been used by the communist regime there. It is continuing the theme of engagement that we have employed for more than 100 years. And most all, it is part and parcel to maintain this fragile notion of American liberty which always needs to be protected.

□ 2030

If something has encroached upon American liberty, it is not about a tangible result in the here and the now. It needs to be pushed back. So, fundamentally, this bill is about those five different things. It is for that reason I would ask that viewers talk to their House or Senate Member and ask them to sign on to this bill.

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

ISRAEL AND THE UNITED NATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, today we took up what was intended to be a very noble action on H. Res. 11 to rein in the out-of-control and outrageous actions of so many despots that occupy positions of authority in the United Nations. The United Nations, whether you go back to Libya being in charge of human rights, you have U.N. troops molesting so many females. There are all kinds of problems that have been wrought, and yet the U.N. has the gall to continually show how bigoted it is and how anti-Jewish and anti-Israeli that it is.

It is easy to find, if anyone bothers to check, that the United Nations never asked once for any other country to pony up land, much less demand that other countries like Jordan, who

is a good friend of the United States, but the U.N. never said: Look, you are occupying this land that they call Palestine, so you have to give it up. They never did until it was controlled by the Israeli people, thus making clear this is really a bigoted move by the U.N. to constantly slander and slam the nation of Israel.

Also, if one wants to conduct another test to check to see how bigoted, if it is, the U.N. is, you could check on the condemnations by the U.N. for activities of Israel. Compare the facts of those activities and self-defense efforts by Israel and compare them to acts of other nations—the genocide, for example, that even Secretary Kerry, as tough as it was for him to finally admit that there was a genocide of Christians going on in the Middle East.

Is there any outrage by the U.N.? No. In fact, the U.N. head of the refugees who is now the U.N. General Secretary made clear about over a year and a half ago or so that the reason that they weren't helping Christians to the extent that they were helping Muslim refugees is because of the historic importance Christians have in staying where they were—that means where they are being murdered, where they are having their throats slashed, being crucified, tortured, raped, incinerated. The U.N. General Secretary, when he was in charge of the refugee program, thought it was very important to leave Christians in the Middle East so they can be murdered in some of the most heinous and egregious fashions imaginable.

So it was just and proper, to borrow from history, that we condemn the United Nations Resolution 2334 as being an obstacle to peace in Israel. Palestinians have made clear they don't want peace with Israel. They want it eliminated from the map. They name holidays, squares, and all kinds of things for people who go out and kill innocent Jewish children and others just for being Jewish. They reward the families of those who go and blow themselves up, killing, in atrocious fashions, innocent Israeli people. The United Nations turns a blind eye to it since the U.N. has become so racist, so bigoted, and so anti-Israel, the most antiterrorist country in all of the Middle East, including north Africa—although Egypt is of great help in that regard these days, and there are those in Libya who would like to. But after President Obama helped turn Libya into absolute anarchy and chaos, then Egypt is having their problems even coming from Libya.

What has the U.N. had to say about all that? Not really anything because if the Muslim Brotherhood supports it, so does, basically, the U.N., and far too often so has the Obama administration.

That is why, I guess, Israel got the lecture from Secretary John Kerry. Secretary Kerry, even in the days when

he talked about the heinous acts of Genghis Khan, never bothered to mention the plight of the poor Palestinians before 1967 when they were under control of the most non-Israeli people you could imagine. There has been no discussion about that, only leveling really bigoted allegations at Israel.

So we have H. Res. 11 today, and I was thrilled because it meant that I was going to be able to come to the floor and vote to condemn the U.N. passage of U.N. Security Council Resolution 2334.

Unfortunately, as some of my friends here in Congress have pointed out, I am a bit anal at times. I actually want to read the things that we are going to vote on. So I got my copy of H. Res. 11, immediately noting that, in the very first whereas, it says the United States has long supported a two-state solution. It does say "sustainable two-state solution." It says: "Whereas since 1993, the United States has facilitated direct, bilateral negotiations between both parties toward achieving a two-state solution. . . ."

Well, it is the truth that President Clinton twisted the arm of the Israeli Prime Minister and convinced him to basically give Arafat almost everything he wanted. Now, if you believe what Scripture says about Moses going and pleading to Pharaoh to let the Jewish people, the children of Israel, go, we are told that God hardens Pharaoh's heart so that He could make a big demonstration of His power and glory down the road. Although there was suffering that came—great suffering—ultimately, incredible miracles were performed as a result of his hardened heart.

I think it is likely that when Arafat got everything he wanted—almost everything he wanted—in the offer from Israel, I thank God that Arafat turned him down. For anybody that has been in the military and goes to Israel, you can see readily, if Arafat had accepted what the Prime Minister of Israel had been willing, finally, to offer, it would have virtually made Israel indefensible unless they were using nuclear weapons or the threat of nuclear weapons.

Israel needs to be able to defend itself. King David was ruling from Hebron in the year around 1020 B.C. to around 1012 B.C. Then he moved, and he was ruling over Israel. What is now called the West Bank was actually called Israel—I mean, it was part of the nation of Israel. Solomon had control, but he did so from the City of David because that is where, up to Jerusalem, that David had moved the capital from Hebron, which is also where Abraham and Sarah are buried.

I have also visited the tomb of David's father, Jesse, that is there in Hebron. To be told: Oh, no, this needs to be Palestinian lands. The reason some of us think that Hebron, Judea, and Samaria should be Palestinian lands is

because 1,600 years after David ruled from Hebron and then Jerusalem, Mohammed came along. Some say it was a vision, some say a dream. Some say he actually, during one night, was taken by a winged horse or donkey and flown to Jerusalem. Some say he actually got there and back to bed before morning. Whatever the case, 1,600 years before that did or didn't happen, David was ruling over that whole country.

There is no one alive today descended from any occupants of the Promised Land, the land of Israel, descended from people who lived in that land predating King David and King Saul before him, King Solomon after him—nobody. Nobody alive today has a prior claim. There is nobody, no country, from whom the United Nations has demanded a secession of land back to people that attacked that country and the land was taken back in a defensive mode in protection from the attack.

So at page 3 of our H. Res. 11, it points out that the U.N. resolution is a major obstacle to the achievement of the two-state solution. At the bottom of page 5, it says: "A durable and sustainable peace agreement between Israel and the Palestinians will come only through direct bilateral negotiations between the parties resulting in a Jewish, democratic state living side-by-side next to a demilitarized Palestinian state in peace and security."

Mr. Speaker, there cannot be peace and security in the Middle East when a people are allowed to occupy an area, and those people continue, with the encouragement of the United Nations, with John Kerry and this President, to conduct intensive terrorism on the people of Israel and we continue to condemn the victims of that terrorism.

You can't have peace in a land where the most powerful nation—possibly the most powerful nation up to now. We were at one time. Our Navy is down, I think, to pre-World War I standards, and our troops are down below pre-World War II. But at one time, we were the most powerful nation. The most powerful or near most powerful nation is taking up for the victims and encouraging that the victims give away more of the land that they have already given so much of to those who are inflicting terror upon them. It is like my friends on the far left, constantly complaining about bullies, who never had been bullied like I was as a small child because I was very small in elementary school.

□ 2045

I got beat up a lot, and I defended myself, but it didn't matter. When people are coming after you that are a foot and a half taller than you are and they flunked two grades, you are not going to come out well.

My fifth grade teacher, after I got beat up trying to get back my football I got for Christmas, took me up in

front of the class. My nose is still bleeding, dripping down my shirt. She said: I want everybody to see what happens when the little boys try to play with the big boys.

She always took up for the bullies. And that is what this administration has been doing and this is what this United Nations has been doing: taking up for the terrorist bullies.

I am amazed that the nation of Israel has held back all hell breaking loose on the Gaza Strip because of the continued assaults day after day, sending rockets into Israel, Israel spending millions of dollars to protect themselves against the constant attack from the Gaza Strip.

And what happens? They try to protect themselves with a legitimate blockade to make sure nobody is taking rockets in, and the U.N. and world opinion goes nuts over that.

Page 6 of our resolution we voted on today goes on to say that the House of Representatives calls for United Nations Security Council 2334 to be repealed or fundamentally altered so that it is no longer one-sided and anti-Israel.

Here is my problem again. B, it allows all final status issues toward a two-state solution be resolved and have direct negotiations between the parties.

Nobody at the U.N., if we are a part of it, and nobody in the United States administration should even mention the little phrase "two-state solution." This body should not even mention in a resolution that we are in any way endorsing a two-state solution.

I know there are a lot of Christians that aren't as familiar with the Bible, perhaps, as they will be one day, but my friend, Joel Rosenberg, pointed out numerous times in the book of Joel, chapter 3:

For look. In those days and at that time I will return the exiles to Judah and Jerusalem. Then I will gather all the nations. I will bring them down to the Valley of Jehoshaphat. I will enter into judgment against them there concerning my people Israel, who are my inheritance, whom they scattered among the nations.

Then it lists the number one grievance that the God of the Bible, the God I believe in, had against those nations he is going to rain down only hell judgment on. The number one grievance is: they partitioned my land. They divided my land, the promised land.

When the United States Congress embraces, demands that Israel be divided into separate states instead of being able to live in, peacefully, the land that was occupied and promised over 3,000 years ago, I think we are making a big mistake. That is why I had to vote "no" on the resolution.

Now just as our leadership rushed this resolution to the floor, I am hopeful they will rush H. Res. 311 to the floor. I filed it today, this afternoon. H. Res. 311 is very basic. It says:

“To withhold United States assessed and voluntary contributions to the United Nations, and for other purposes.

“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

“Section 1. Short title.

“This Act may be cited as the ‘Refusing to Assist Paying for United Nations Actions Against Israel Act’”.

United States assessed involuntary contributions to the United Nations. That is section 2. And the operative wording says:

“No funds are authorized to be appropriated or otherwise made available for assessed or voluntary contributions of the United States to the United Nations or to any organ, specialized agency, commission, treaty or treaty body, or other affiliated body of the United Nations . . .”

It goes on: “. . . until such time as United Nations Security Council Resolution 2334, regarding Israel’s Settlements in the West Bank and East Jerusalem, is repealed in its entirety.”

Then, section 3 says: “No funds are authorized to be appropriated or otherwise made available to pay interest on assessed or voluntary contributions that are withheld under this Act.”

So the purpose of that is I am hoping and praying that this body will not just pay lip service to a U.N. resolution, and actually embrace, as John Kerry, apparently, was saying that day, not much difference between AIPAC’s position in supporting this resolution. He may not have mentioned they would support the resolution, but AIPAC’s position and John Kerry’s position. If you look at what is in the resolution, he may have something there.

This would actually put some teeth into it. This is something that would send a message to the United Nations and the nations around the world that if you are going to continue to be so anti-Israel, so bigoted, so racist, so anti-Jewish, then the United States is not going to continue to fund your outrageous, bigoted activities, your lush, lavish lifestyle.

I would think if we could pass this, the United Nations delayed in withdrawing that resolution or rescinding it, then that should ultimately lead to our denial of any visas to diplomats of the United Nations. Then, once that occurs, apparently under the deed to the United Nations, it was only for such time as the headquarters in New York—is the main headquarters of the United Nations. So if they can’t get diplomats there, they will have to move the headquarters elsewhere and that land would be ceded back to the foundation.

Hopefully, if we will go ahead and do something that has teeth in it and not embrace language that will be fatal to this nation of Israel, we can make a difference. That can bring peace in the

world. Terrorists only understand power, and sometimes power is conveyed in the way of money.

We should not be funding a United Nations that is so bigoted and so hateful to the nation of Israel.

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

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o’clock and 54 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, January 6, 2017, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

9. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department’s final rule — Amendment to the Egg Research and Promotion Rules and Regulations To Update Patents, Copyrights, Trademarks, and Information Provisions [Docket No.: AMS-LPS-15-0042] received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

10. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of multiple violations of the Antideficiency Act, Air Force case number 12-01, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

11. A letter from the Acting Under Secretary, Policy, Department of Defense, transmitting the Department’s Fiscal Year 2016 annual Regional Defense Combating Terrorism Fellowship Program Report to Congress, pursuant to 10 U.S.C. 2249c(c); Public Law 108-136, Sec. 1221(a)(1); (117 Stat. 1651); to the Committee on Armed Services.

12. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department’s final rule — Suspension of Community Eligibility (Chambers and Harris Counties, TX, et al.) [Docket ID: FEMA-2016-0002] [Internal Agency Docket No.: FEMA-8461] received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

13. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department’s final rule — National Flood Insurance Program (NFIP): Financial Assistance/Subsidy Arrangement [Docket ID: FEMA-2016-0012] (RIN:1660-AA86) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

14. A letter from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting the Department’s final rule — Modernizing HUD’s Consolidated Planning Process To Narrow the Digital Divide and Increase Resilience to Natural Hazards [Docket No.: FR 5891-F-02] (RIN: 2506-AC41) received January 3, 2017, pursuant to 5

U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

15. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department’s final rule — Narrowing the Digital Divide Through Installation of Broadband Infrastructure in HUD-Funded New Construction and Substantial Rehabilitation of Multifamily Rental Housing [Docket No.: FR 5890-F-02] (RIN: 2501-AD75) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

16. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department’s National Health Service Corps Report to Congress for the Year 2015, pursuant to 42 U.S.C. 254i; July 1, 1944, ch. 373, title III, Sec. 336A (as amended by Public Law 107-251, Sec. 307(b)); (116 Stat. 1649); to the Committee on Energy and Commerce.

17. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department’s Quarterly Report on the Transition of the Stewardship of the Internet Assigned Numbers Authority Functions, covering the activities from June 1, 2016 to October 24, 2016, pursuant to the Consolidated Appropriations Act, 2016, Public Law 114-113; to the Committee on Energy and Commerce.

18. A letter from the Deputy Director, Health Resources and Services Administration, Department of Health and Human Services, transmitting the Department’s final rule — 340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties Regulation (RIN: 0906-AA89) received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

19. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting the Board’s report titled “Report to the U.S. Congress and the Secretary of Energy; Board Activities for the Period January 1, 2013 — December 31, 2015”, pursuant to the Nuclear Waste Policy Amendments Act of 1987, Public Law 100-203; to the Committee on Energy and Commerce.

20. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

21. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

22. A letter from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department’s final rule — Russian Sanctions: Addition of Certain Entities to the Entity List, and Clarification of License Review Policy [Docket No.: 161206999-6999-01] (RIN: 0694-AH25) received January 3, 2017, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

23. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category XV [Public Notice: 9688] (RIN: 1400-AD33) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

24. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — International Traffic in Arms Regulations: International Trade Data System, Reporting [Public Notice: 9811] (RIN: 1400-AE07) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

25. A letter from the Legal Counsel, Equal Employment Opportunity Commission, transmitting notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

26. A letter from the Chairwoman, Federal Trade Commission, transmitting the Federal Trade Commission's Inspector General Semiannual Report to Congress for the period April 1, 2016 through September 30, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

27. A letter from the Administrator, Small Business Administration, transmitting the Administration's Office of Inspector General's Semiannual Report to Congress covering the period of April 1 through September 30, 2016; to the Committee on Oversight and Government Reform.

28. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Alaska; Subsistence Collections [NPS-AKRO-22487; PPAKAKROZ5, PPMRLE1Y.L00000] (RIN: 1024-AE28) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

29. A letter from the Secretary, Department of the Interior, transmitting the Annual Operating Plan for Colorado River System Reservoirs for 2017, pursuant to 43 U.S.C. 1552(b); to the Committee on Natural Resources.

30. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department's final rule — Inflation Adjustment of Civil Monetary Penalties (RIN: 1990-AA46) received December 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

31. A letter from the Director, Contract and Grant Policy Division, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Federal Acquisition Regulation Supplement: Contractor Financial Reporting of Property (2016-N024) (RIN: 2700-AE33) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

32. A letter from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at the Bozeman Yellowstone International Airport (BZN), Glacier Park International Airport (FCA), and Yellowstone Airport (WYS) in Montana will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers and that the screening company is owned and controlled by citizens of the United States, pursuant to 49 U.S.C. 44920(d)(1); Public Law 107-71, Sec. 108(a); (115 Stat. 613); to the Committee on Homeland Security.

33. A letter from the Chair, Board of Directors, Office of Compliance, transmitting the Office's report titled "Recommendations for Improvements to the Congressional Accountability Act", pursuant to Sec. 102(b) of the Congressional Accountability Act of 1995; jointly to the Committees on Education and the Workforce and House Administration.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OLSON (for himself, Mr. GOHMERT, Mr. WEBER of Texas, Ms. JACKSON LEE, Mr. DOGGETT, Mr. VEASEY, Mr. CUELLAR, Mr. VELA, Mr. GONZALEZ of Texas, Ms. GRANGER, Mr. CARTER of Texas, Mr. FARENTHOLD, Mr. MARCHANT, Mr. WILLIAMS, Mr. CULBERSON, Mr. MCCAUL, Mr. GENE GREEN of Texas, Mr. BARTON, Mr. CONAWAY, Mr. BABIN, Mr. RATCLIFFE, Mr. POE of Texas, Mr. CASTRO of Texas, Mr. THORNBERRY, Mr. BURGESS, Mr. AL GREEN of Texas, Mr. SAM JOHNSON of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HURD, Mr. HENSARLING, Mr. BRADY of Texas, Mr. SMITH of Texas, Mr. SESSIONS, Mr. FLORES, Mr. ARRINGTON, and Mr. O'ROURKE):

H.R. 294. A bill to designate the facility of the United States Postal Service located at 2700 Cullen Boulevard in Pearland, Texas, as the "Endy Nddiobong Ekpanya Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. CALVERT (for himself, Mr. HUNTER, Mr. NUNES, Mr. CRAWFORD, Ms. GRANGER, Mr. ROKITA, Mr. LAMALFA, Mr. KNIGHT, and Mr. ROHR-ABACHER):

H.R. 295. A bill to provide for a limitation on the number of civilian employees at the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. CHAFFETZ:

H.R. 296. A bill to amend the Internal Revenue Code of 1986 to exclude major professional sports leagues from qualifying as tax-exempt organizations; to the Committee on Ways and Means.

By Mr. CHAFFETZ:

H.R. 297. A bill to require greater accountability in discretionary and direct spending programs, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ:

H.R. 298. A bill to require additional entities to be subject to the requirements of sec-

tion 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; to the Committee on Financial Services.

By Mr. VALADAO (for himself, Mr. WALZ, Ms. STEFANIK, Mr. COURTNEY, Mr. ROSS, and Mr. LOBIONDO):

H.R. 299. A bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Iowa (for himself, Mr. BACON, Mr. BLUM, Mr. SHIMKUS, Mr. JODY B. HICE of Georgia, Mr. ROE of Tennessee, and Mr. GOWDY):

H.R. 300. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. TONKO, Ms. SLAUGHTER, Mr. SERRANO, Ms. NORTON, Mr. QUIGLEY, and Mr. CÁRDENAS):

H.R. 301. A bill to require the National Institute of Standards and Technology to establish a premise plumbing research laboratory, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. GUTHRIE (for himself, Mr. RICHMOND, Mr. ABRAHAM, Mrs. BLACKBURN, Mr. BUTTERFIELD, Mr. CARTER of Georgia, Ms. DELBENE, Mr. DUNCAN of Tennessee, Mr. FLORES, Mr. GRIFFITH, Mr. HENSARLING, Mr. JODY B. HICE of Georgia, Mr. JOYCE of Ohio, Mr. KILMER, Mr. KINZINGER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MEEHAN, Mr. MULLIN, Mr. PITTENGER, Mr. THOMAS J. ROONEY of Florida, Mr. ROYCE of California, Mr. RUIZ, Mr. COLLINS of New York, Mr. LOEBSACK, Mr. ROE of Tennessee, Mrs. NOEM, Ms. JENKINS of Kansas, Mr. WALBERG, Mr. BILIRAKIS, Mr. PERLMUTTER, Mr. ISSA, and Mr. CONYERS):

H.R. 302. A bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS:

H.R. 303. A bill to amend title 10, United States Code, to permit additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or combat-related special compensation; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON (for himself, Mr. BUTTERFIELD, Mrs. WAGNER, Mr. DUNCAN of South Carolina, Mrs. BLACKBURN, Mr. LIPINSKI, Ms. SCHAKOWSKY, Ms. BEUTLER, Mr. KNIGHT, Mr. SMITH of Texas, Mr. EMMER, Mr. BILIRAKIS, Mr. ABRAHAM, Mr. CUMMINGS, Mr. COHEN, Mr. HASTINGS, Mr. RUIZ, Ms. KELLY of Illinois, Mr. ROE of Tennessee, and Mr. BLUMENAUER):

H.R. 304. A bill to amend the Controlled Substances Act with regard to the provision

of emergency medical services; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mrs. DINGELL, Ms. JACKSON LEE, Mr. HUFFMAN, Ms. SLAUGHTER, Ms. SPEIER, Mr. POCAN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. THOMPSON of California, Ms. BROWNLEY of California, Mr. BEYER, Mrs. WATSON COLEMAN, Ms. MCCOLLUM, Mr. KIND, Mr. PERLMUTTER, Mr. COHEN, Mr. MCGOVERN, Mr. SOTO, and Mr. BLUMENAUER):

H.R. 305. A bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself and Mr. KINZINGER):

H.R. 306. A bill to amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DAVIDSON:

H.R. 307. A bill to ensure that Members of Congress and Congressional staff receive health care from the Department of Veterans Affairs instead of under the Federal Health Benefits Program or health care exchanges; to the Committee on House Administration, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON (for himself, Mr. ZELDIN, Mr. HENSARLING, Mr. TIBERI, Mr. BRAT, Mr. GOHMBERT, Mr. ABRAHAM, Mrs. WAGNER, Mr. HUDSON, Mr. KING of Iowa, Mr. BARR, Mr. KELLY of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. MARSHALL, Mr. MASSIE, Mr. GIBBS, Mr. BYRNE, Mr. MCCLINTOCK, Mr. TIPTON, Mr. GOSAR, Mr. DUFFY, Mr. TURNER, Mr. HARRIS, Mr. WALDEN, Mr. RODNEY DAVIS of Illinois, Mr. BLUM, and Mrs. LOVE):

H.R. 308. A bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect; to the Committee on Ways and Means.

By Mr. OLSON (for himself, Mr. LOEBSACK, Ms. DEGETTE, Ms. SINEMA, Mr. ZELDIN, Mr. DUNCAN of Tennessee, Mr. RYAN of Ohio, Mr. SERRANO, Mr. KING of New York, Mr. GUTHRIE, Mr. CUMMINGS, Mr. JOYCE of Ohio, Mr. DEUTCH, Mr. SESSIONS, Mrs. BLACKBURN, Mr. BUCHON, Mr. BILIRAKIS, Mr. HENSARLING, and Mr. ALLEN):

H.R. 309. A bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from in-

sulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEFAZIO (for himself and Mr. HUFFMAN):

H.R. 310. A bill to withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes; to the Committee on Natural Resources.

By Mr. GOHMERT:

H.R. 311. A bill to withhold United States assessed and voluntary contributions to the United Nations, and for other purposes; to the Committee on Foreign Affairs.

By Ms. BONAMICI (for herself, Mr. ROHRBACHER, Ms. BEUTLER, Mr. YOUNG of Alaska, Mr. CRIST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ISSA, Mr. DEFAZIO, and Ms. JAYAPAL):

H.R. 312. A bill to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Science, Space, and Technology.

By Mrs. BLACKBURN (for herself and Mr. HENSARLING):

H.R. 313. A bill to amend title II of the Social Security Act to establish a Social Security Surplus Protection Account in the Federal Old-Age and Survivors Insurance Trust Fund to hold the Social Security surplus, to provide for suspension of investment of amounts held in the Account until enactment of legislation providing for investment of the Trust Fund in investment vehicles other than obligations of the United States, and to establish a Social Security Investment Commission to make recommendations for alternative forms of investment of the Social Security surplus in the Trust Fund; to the Committee on Ways and Means.

By Mrs. BLACKBURN (for herself, Mr. HENSARLING, Mr. GUTHRIE, Mr. OLSON, Mrs. BLACK, and Mr. HUDSON):

H.R. 314. A bill to repeal title I of the Patient Protection and Affordable Care Act and to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Ms. ESHOO, and Ms. ROYBAL-ALLARD):

H.R. 315. A bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services; to the Committee on Energy and Commerce.

By Mr. CAPUANO:

H.R. 316. A bill to protect investors in futures contracts; to the Committee on Agriculture.

By Mr. CAPUANO:

H.R. 317. A bill to direct the Securities and Exchange Commission to require that repurchase-to-maturity transactions be treated as secured borrowings; to the Committee on Financial Services.

By Mr. CAPUANO:

H.R. 318. A bill to direct the Securities and Exchange Commission to require any person

subject to accounting principles or standards under the securities laws to show all transactions of such person on the balance sheet of such person; to the Committee on Financial Services.

By Mr. CAPUANO:

H.R. 319. A bill to amend the Federal Election Campaign Act of 1971 to reduce the limit on the amount of certain contributions which may be made to a candidate with respect to an election for Federal office; to the Committee on House Administration.

By Mr. CAPUANO:

H.R. 320. A bill to amend title 5, United States Code, to give members of the United States Capitol Police the option to delay mandatory retirement until age 60; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. COMSTOCK (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Ms. CLARK of Massachusetts, Ms. ESTY, Mr. KNIGHT, Mr. COSTELLO of Pennsylvania, Mr. TIP-TON, Mr. YOUNG of Alaska, Mrs. BLACKBURN, Ms. SINEMA, Mr. BUTTERFIELD, Mr. GRIFFITH, Mrs. WAGNER, Mr. ROE of Tennessee, Mr. BUCHANAN, Mr. POLIQUIN, Mr. JOYCE of Ohio, Mr. HULTGREN, Mrs. WALORSKI, Mr. POSEY, Mr. BYRNE, Mr. BISHOP of Michigan, Ms. MCSALLY, Mr. CRAMER, Mr. CALVERT, Mr. DENHAM, Mr. HILL, Mr. CARTER of Georgia, Mr. PERLMUTTER, Mr. MOOLENAAR, Mr. VALADAO, Ms. ADAMS, Mr. CHABOT, Mr. RODNEY DAVIS of Illinois, Mr. SHIMKUS, Mr. ROSKAM, Ms. SLAUGHTER, Mr. BOST, Mr. EMMER, Ms. BEUTLER, Mrs. MCMORRIS RODGERS, Mr. WESTERMAN, and Ms. ROS-LEHTINEN):

H.R. 321. A bill to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach; to the Committee on Science, Space, and Technology.

By Mr. DESANTIS (for himself, Ms. FOX, Mr. MASSIE, Mr. PALAZZO, and Mr. BLUM):

H.R. 322. A bill to amend title 5, United States Code, to provide for the termination of certain retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFITH (for himself, Mr. JOHNSON of Ohio, Mr. ROE of Tennessee, Mr. JENKINS of West Virginia, and Mr. MCKINLEY):

H.R. 323. A bill to amend the Black Lung Benefits Act to provide equity for certain eligible survivors, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KENNEDY (for himself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 324. A bill to amend title XIX of the Social Security Act to provide a higher Federal matching rate for increased expenditures under Medicaid for mental and behavioral health services, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE:

H.R. 325. A bill to expand and enhance existing adult day programs for younger people with neurological diseases or conditions (such as multiple sclerosis, Parkinson's disease, traumatic brain injury, or other similar diseases or conditions) to support and improve access to respite services for family caregivers who are taking care of such people, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE:

H.R. 326. A bill to amend the Public Health Service Act to create a National Neuromyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE:

H.R. 327. A bill to provide for United States participation in the Inter-Parliamentary Union, and for other purposes; to the Committee on Foreign Affairs.

By Ms. LEE:

H.R. 328. A bill to amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to the hiring of veterans in the field of renewable energy; to the Committee on Ways and Means.

By Ms. LEE:

H.R. 329. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for expenses for household and elder care services necessary for gainful employment; to the Committee on Ways and Means.

By Ms. LEE:

H.R. 330. A bill to prohibit monetary payments by the Federal Government to employees, officers, and elected officials of foreign countries for purposes of bribery, coercion, or any activity that is illegal or undermines the rule of law or corrupts a public officer or the office such officer represents, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself and Mr. BLUMENAUER):

H.R. 331. A bill to amend the Controlled Substances Act so as to exempt real property from civil forfeiture due to medical marijuana-related conduct that is authorized by State law; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Ms. MCCOLLUM, Mr. POCAN, Mr. RUSH, and Ms. MOORE):

H.R. 332. A bill to provide for the issuance of the Peace Corps Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Georgia:

H.R. 333. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both re-

tired pay and veterans' disability compensation, to extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of service, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. NADLER, Mr. GRIJALVA, Mr. HASTINGS, Mr. ELLISON, Mr. CONYERS, and Mr. SERRANO):

H.R. 334. A bill to direct the Secretary of State, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs to provide assistance for individuals affected by exposure to Agent Orange, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia:

H.R. 335. A bill to amend title XIX of the Social Security Act to provide parity among States in the timing of the application of higher Federal Medicaid matching rates for the ACA-expansion population; to the Committee on Energy and Commerce.

By Mr. MEADOWS (for himself, Mr. CONNOLLY, Mrs. COMSTOCK, Mr. SCHWEIKERT, and Mr. BEYER):

H.R. 336. A bill to provide transit benefits to Federal employees who use the services of digital transportation companies within the national capital region, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM:

H.R. 337. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself and Mr. HUDSON):

H.R. 338. A bill to promote a 21st century energy and manufacturing workforce; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN:

H.R. 339. A bill to amend Public Law 94-241 with respect to the Northern Mariana Islands; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 340. A bill to amend the Internal Revenue Code of 1986 to allow a credit against

tax for qualified manufacturing facility construction costs and to allow a credit against tax for qualified manufacturing facility construction costs; to the Committee on Ways and Means.

By Mr. SERRANO:

H.R. 341. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for start-up expenditures for business for 2017 and 2018; to the Committee on Ways and Means.

By Ms. SINEMA (for herself, Mr. MCCAUL, Mrs. BUSTOS, Mr. LOBIONDO, Mr. RUIZ, and Mr. SANFORD):

H.R. 342. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES:

H.R. 343. A bill to authorize the Secretary of Housing and Urban Development to establish a program enabling communities to better leverage resources to address health, economic development, and conservation concerns through needed investments in parks, recreational areas, facilities, and programs, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Education and the Workforce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK:

H.R. 344. A bill to amend the Forest Legacy Program of the Cooperative Forestry Assistance Act of 1978 to authorize States to allow certain entities to acquire, hold, and manage conservation easements under the program; to the Committee on Agriculture.

By Mr. TROTT:

H.R. 345. A bill to amend title 18, United States Code, to prohibit the President, the Vice President, Members of Congress, and other officers of the executive branch from lobbying on behalf of countries designated as countries of particular concern for religious freedom for 10 years after leaving office, and for other purposes; to the Committee on the Judiciary.

By Mr. TROTT:

H.R. 346. A bill to amend title 18, United States Code, to establish a uniform 5-year post-employment ban on lobbying by former Members of Congress, and for other purposes; to the Committee on the Judiciary.

By Mrs. WATSON COLEMAN (for herself, Mr. MCCAUL, Mr. THOMPSON of Mississippi, and Mr. PERRY):

H.R. 347. A bill to amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, and for other purposes; to the Committee on Homeland Security.

By Mr. YOUNG of Alaska:

H.R. 348. A bill to more accurately identify and transfer subsurface gravel sources originally intended to be made available to the Ukeagvik Inupiat Corporation in exchange for its relinquishment of related property rights; to the Committee on Natural Resources.

By Mr. COHEN (for himself and Mr. COOPER):

H.J. Res. 19. A joint resolution proposing an amendment to the Constitution of the

United States to abolish the electoral college and to provide for the direct election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. DUFFY:

H.J. Res. 20. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Ms. LEE:

H. Con. Res. 6. Concurrent resolution expressing the sense of Congress that the United States should provide, on an annual basis, an amount equal to at least one percent of United States gross domestic product for nonmilitary foreign assistance programs; to the Committee on Foreign Affairs.

By Mr. ROSS (for himself, Ms. KAPTUR, and Mr. HARRIS):

H. Con. Res. 7. Concurrent resolution directing the Joint Committee on the Library to accept a statue commemorating the Hungarian Revolution of 1956 for placement in the United States Capitol, authorizing the use of the rotunda of the Capitol for a ceremony for the presentation of the statue, and directing the Architect of the Capitol to place the statue in a suitable permanent location in the Capitol; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself, Mr. ENGEL, Mr. CONNOLLY, Mr. WELCH, Mr. BLUMENAUER, Mr. COURTNEY, Mr. GUTIÉRREZ, Mr. RASKIN, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ESHOO, Ms. PINGREE, Mr. DEUTCH, Ms. SCHAKOWSKY, Mr. CICILLINE, Mr. CAPUANO, Mr. ELLISON, Mr. KILMER, Ms. BONAMICI, Mr. YARMUTH, Ms. DELAURO, Mr. HUFFMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ADAMS, Ms. TSONGAS, Mr. NADLER, Mr. KILDEE, Mr. KIND, Ms. MCCOLLUM, Ms. BROWNLEY of California, Mr. KEATING, Mr. SIRES, Mr. TONKO, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. JEFFRIES, Ms. DELBENE, Ms. DEGETTE, Mr. BEYER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LEVIN, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mrs. DAVIS of California, Mr. CASTRO of Texas, Mr. NOLAN, Mr. SCHNEIDER, Ms. BASS, Mr. LYNCH, Mr. PERLMUTTER, Mr. MEEKS, Mr. COHEN, Mr. KRISHNAMOORTHY, Mr. CARTWRIGHT, Mrs. TORRES, Ms. BLUNT ROCHESTER, Mr. POLIS, Mr. RICHMOND, Ms. WASSERMAN SCHULTZ, Mr. AGUILAR, Ms. SLAUGHTER, Mr. SCHIFF, Mr. SUOZZI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SÁNCHEZ, Mrs. LOWEY, Ms. SHEA-PORTER, Ms. GABBARD, Mr. COSTA, Mr. TAKANO, Mr. CARBAJAL, Ms. ROSEN, Mr. BERA, Mr. PETERS, Mr. KHANNA, Mr. LOWENTHAL, Mr. ESPAILLAT, Ms. MATSUI, Mr. LIPINSKI, Mr. LEWIS of Georgia, Mr. SHERMAN, Mr. MCGOVERN, Mr. JOHNSON of Georgia, Mr. CUMMINGS, Mr. PANETTA, Ms. SINEMA, Ms. KELLY of Illinois, Ms. HANABUSA, Ms. VELÁZQUEZ, Mr. DELANEY, Ms. ESTY, Mr. TED LIEU of California, Mr. SERRANO, Mr. BISHOP of Georgia, Mr. FOSTER, Mr. MCNERNEY, Mr. HIMES, Ms. KAPTUR, Ms. SPEIER, Mrs. LAWRENCE, Ms. WILSON of Florida, and Mr. SCOTT of Virginia):

H. Res. 23. A resolution expressing the sense of the House of Representatives and re-

affirming long-standing United States policy in support of a negotiated two-state solution to the Israeli-Palestinian conflict; to the Committee on Foreign Affairs.

By Mr. CHAFFETZ:

H. Res. 24. A resolution expressing the sense of the House of Representatives that the Federal Government should not bail out State and local government employee pension plans or other plans that provide post-employment benefits to State and local government retirees; to the Committee on Education and the Workforce.

By Mr. CROWLEY:

H. Res. 25. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. JENKINS of West Virginia (for himself, Mr. ROGERS of Kentucky, Mr. MCKINLEY, Mr. GRIFFITH, and Mr. MOONEY of West Virginia):

H. Res. 26. A resolution expressing the sense of the House of Representatives that the provisions of the Patient Protection and Affordable Care Act that restored the original black lung benefits eligibility requirements should not be reduced but should be preserved and protected; to the Committee on Education and the Workforce.

By Mr. KING of Iowa:

H. Res. 27. A resolution rejecting the “two-state solution” as the United States’ diplomatic policy objective and calls for the Administration to advocate for a new approach that prioritizes the State of Israel’s sovereignty, security, and borders; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California (for herself, Mr. JOYCE of Ohio, and Mr. KING of New York):

H. Res. 28. A resolution expressing the sense of the House of Representatives that the United States Postal Service should take all appropriate measures to ensure the continuation of door delivery for all business and residential customers; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LIPINSKI introduced a bill (H.R. 349) for the relief of Corina de Chalup Turcinovic; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. OLSON:

H.R. 294.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CALVERT:

H.R. 295.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is Section 8 of Article I of the Constitution, specifically Clauses 1 (relating to providing for the general wel-

fare of the United States) and 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) of such section.

OR

The constitutional authority of Congress to enact this legislation is Article I, Section 8, Clause 1 and Clause 18.

By Mr. CHAFFETZ:

H.R. 296.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. CHAFFETZ:

H.R. 297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution

By Mr. CHAFFETZ:

H.R. 298.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; Article 1, Section 8, Clause 2; and Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. VALADAO:

H.R. 299.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution of the United States.

By Mr. YOUNG of Iowa:

H.R. 300.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. CARTWRIGHT:

H.R. 301.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

Article I; Section 8; Clause 18 of the Constitution states To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. GUTHRIE:

H.R. 302.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BILIRAKIS:

H.R. 303.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia

By Mr. HUDSON:

H.R. 304.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Ms. ESHOO:

H.R. 305.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sections 4 and 8 of the Constitution

By Ms. ESHOO:

H.R. 306.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article IV, Section 3 of the Constitution.

By Mr. DAVIDSON:

H.R. 307.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

The Congress shall have Power . . . To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. DAVIDSON:

H.R. 308.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—

“The Congress shall have Power To lay and collect taxes, duties, imposts and excises . . .”

By Mr. OLSON:

H.R. 309.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. DEFAZIO:

H.R. 310.

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. GOHMERT:

H.R. 311.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8, Clause 18: “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States . . .” and

Article I, Section 9, Clause 7: “No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.”

By Ms. BONAMICI:

H.R. 312.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mrs. BLACKBURN:

H.R. 313.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. BLACKBURN:

H.R. 314.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BURGESS:

H.R. 315.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight, Clause Three “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. CAPUANO:

H.R. 316.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE 1, SECTION 8, CLAUSE 3

By Mr. CAPUANO:

H.R. 317.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE 1, SECTION 8, CLAUSE 3

By Mr. CAPUANO:

H.R. 318.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE 1, SECTION 8, CLAUSE 3

By Mr. CAPUANO:

H.R. 319.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE 1, SECTION 4, CLAUSE 1

By Mr. CAPUANO:

H.R. 320.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE 1, SECTION 8, CLAUSE 17

By Mrs. COMSTOCK:

H.R. 321.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. DeSANTIS:

H.R. 322.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 6, Clause 1 of the U.S. Constitution: The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.

By Mr. GRIFFITH:

H.R. 323.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. KENNEDY:

H.R. 324.

Congress has the power to enact this legislation pursuant to the following:

Article 8, Section—to provide for the general welfare and to regulate commerce among the states.

By Ms. LEE:

H.R. 325.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 326.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 327.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 328.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 329.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 330.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 331.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 332.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, which says that: "The Congress shall have the power . . . to establish post offices . . . and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

By Mr. BISHOP of Georgia:

H.R. 333.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sect. 8, Clause 1: to provide for the common defense and general welfare.

Art. I, Sect. 8, Clause 12: to raise and support Armies.

Art. I, Sect. 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

Art. I, Sect. 8, Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.

Art. I, Sect. 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof

By Ms. LEE:

H.R. 334.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, which says that: "The Congress shall have the power . . . to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water . . . and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof"

By Mr. LEWIS of Georgia:

H.R. 335.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the

United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MEADOWS:

H.R. 336.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mrs. NOEM:

H.R. 337.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. RUSH:

H.R. 338.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SABLAN:

H.R. 339.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement ins submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

Congress has the power to enact this legislation pursuant to the following: Under Article I, Section 8, Clauses 1, 3 and 4 and Article IV, Section 3, Clause 2 of the Constitution of the United States.

By Mr. SERRANO:

H.R. 340.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the Constitution

By Mr. SERRANO:

H.R. 341.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the Constitution

By Ms. SINEMA:

H.R. 342.

Congress has the power to enact this legislation pursuant to the following:

Article. I. Section. 6.

By Mr. SIREs:

H.R. 343.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Ms. STEFANIK:

H.R. 344.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. TROTT:

H.R. 345.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. TROTT:

H.R. 346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. WATSON COLEMAN:

H.R. 347.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1
Article 1, Section 8, Clause 18

By Mr. YOUNG of Alaska:

H.R. 348.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 & Article 1, Section 8, Clause 3

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

"The Congress shall have the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes"

By Mr. LIPINSKI:

H.R. 349.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the Constitution provides that Congress shall have power to "establish a uniform Rule of Naturalization." The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in *Galvan v. Press*, 347 U.S. 522, 531 (1954), "that the formulation of policies [pertaining to the entry of aliens and their right to remain here] is entrusted exclusively to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government." And, as the Court found in *Kleindienst v. Mandel*, 408 U.S. 753, 766 (1972) (quoting *Boutillier v. INS*, 387 U.S. 118, 123 (1967)), "[t]he Court without exception has sustained Congress' 'plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden.'"

By Mr. COHEN:

H.J. Res. 19.

Congress has the power to enact this legislation pursuant to the following:

Article V

By Mr. DUFFY:

H.J. Res. 20.

Congress has the power to enact this legislation pursuant to the following:

Article V:

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this, Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 26: Ms. TENNEY.

H.R. 38: Mrs. LOVE, Mr. GOSAR, Mr. SHIMKUS, Mr. GROTHMAN, Mr. BUCSHON, Mr. TAYLOR, Mr. KELLY of Pennsylvania, Mrs. COMSTOCK, Mr. HARRIS, Mr. PERRY, Mr. KNIGHT,

Ms. BEUTLER, Mr. BOST, Mr. GIBBS, Ms. CHE-
NEY, and Mr. CULBERSON.

H.R. 66: Ms. JENKINS of Kansas.

H.R. 74: Mr. SENSENBRENNER and Mr.
TROTT.

H.R. 79: Mr. HULTGREN, Mr. CURBELO of
Florida, Mrs. WAGNER, Mr. BARR, Mr.
DELANEY, Mr. POLIS, Mr. COSTELLO of Penn-
sylvania, Mr. SCHNEIDER, and Mr. PETERS.

H.R. 99: Mr. THOMPSON of Mississippi and
Mr. LIPINSKI.

H.R. 111: Mr. KIND.

H.R. 173: Mr. MEEHAN and Mr. MEADOWS.

H.R. 184: Mr. LEWIS of Minnesota and Mr.
CÁRDENAS.

H.R. 244: Mr. LAMALFA, Mr. FARENTHOLD,
Ms. KUSTER of New Hampshire, Mr. TAKANO,
Mr. CRAMER, Mr. SENSENBRENNER, and Mr.
DONOVAN.

H.R. 246: Mr. BYRNE, Mr. FLORES, Mr.
HUIZENGA, Mr. ROE of Tennessee, Mr. SMITH
of Texas, and Mr. DAVID SCOTT of Georgia.

H.J. Res. 11: Mr. BYRNE, Mr. CRAMER, and
Mr. HARRIS.

H. Res. 11: Mr. TAYLOR, Mr. BUCK, Mr.
O'HALLERAN, Mr. ROUZER, Ms. BEUTLER, Mr.
WEBER of Texas, Mr. ROKITA, Mr. KUSTOFF of
Tennessee, Mr. BARR, Mr. FLORES, Mr.
VEASEY, Mr. GRAVES of Georgia, Mr. BYRNE,
Mr. BILIRAKIS, Mr. CORREA, Mrs. COMSTOCK,
Mr. RATCLIFFE, Mr. MAST, Mr. DESJARLAIS,
Mr. AMODEI, Mr. MESSER, Mr. KELLY of Penn-
sylvania, Mrs. LOVE, Ms. FOXX, Ms. TENNEY,
Mr. CURBELO of Florida, Mr. MCCLINTOCK,
Mr. KINZINGER, and Mr. CRIST.

H. Res. 14: Mr. HIGGINS of Louisiana and
Mr. MCCLINTOCK.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions
and papers were laid on the clerk's
desk and referred as follows:

1. The SPEAKER presented a petition of
Borough of Metuchen, County of Middlesex,
State of NJ, relative to Resolution 2016-261,
confirming for the record its support of H.R.
814 and urging the United States House of
Representatives and U.S. Senate to enact
this important legislation; to the Committee
on the Judiciary.

2. Also, a petition of Electors of the City of
Manitowoc, WI, relative to a resolution, sup-
porting the passage of an amendment to the
United States Constitution seeking to re-
claim democracy from the expansion of cor-
porate personhood rights and the corrupting
influence of unregulated political contribu-
tions and spending; to the Committee on the
Judiciary.

EXTENSIONS OF REMARKS

HONORING CLAYTON BENTCH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Clayton Bentch. Clayton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Clayton has been very active with his troop, participating in many scout activities. Over the many years Clayton has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Clayton has led his troop as the Patrol Leader, become a Brotherhood member of the Order of the Arrow, and holds the rank of Firebuilder in the tribe of Mic-O-Say. Clayton has also contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Clayton Bentch for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CHIEF DANIEL KEVIN BAUM COMPLETES FIRE OFFICER PROGRAM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Chief Daniel Kevin Baum of Pearland, TX, for successfully completing the Executive Fire Officer Program (EFOP).

Completion of this program provides senior fire officers with the skills and expertise that are needed to combat today's challenging environment. Daniel previously served as chief of the Pearland EMS agency, has a Masters in Emergency and Disaster Management, and has over 10 years of experience in fire administration. Our community is safer thanks to his commitment to fire safety awareness and protection.

On behalf of the Twenty-Second Congressional District of Texas, congratulations and thank you to Chief Daniel Baum for completing the Executive Fire Officer Program. We appreciate his hard work, dedication and service for Pearland.

HONORING CHRISTIAN CHARLES TORCHIA

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Christian Charles Torchia. Christian is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1351, and earning the most prestigious award of Eagle Scout.

Christian has been very active with his troop, participating in many scout activities. Over the many years Christian has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Christian contributed to his community through his Eagle Scout project. Christian restored a section of hiking trail in Green Hills of Platte Wildlife Preserve in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Christian Charles Torchia for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

BAY AREA REGIONAL MEDICAL CENTER ACHIEVES CHEST PAIN CENTER ACCREDITATION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Bay Area Regional Medical Center in Houston, TX for achieving Chest Pain Center Accreditation with PCI and Resuscitation from the Society of Cardiovascular Patient Care.

Bay Area Regional is the first and only hospital in Houston and only the fifth in Texas to achieve this outstanding recognition. This accreditation is achieved by hospitals proven to have a higher level of expertise regarding patients with heart attack symptoms. Bay Area Regional has stacked its staff with a dedicated and expert cardiology team that ensures its patients receive the best care and treatment, while also promoting community awareness to prepare and prevent heart attacks. Their hard work and success keeps Houstonians healthy.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Bay Area Regional Medical Center for achieving Chest Pain Center Accreditation. We are very proud and happy to have such an exceptional hospital so close to home. Thank you for all your hard work.

OPPOSITION TO H.R. 21

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. BLUMENAUER. Mr. Speaker, today, I voted against H.R. 21, a bill that would allow Congress to summarily reject any regulation finalized during the final year of a President's administration.

Current law, under the Congressional Review Act (CRA), already allows Congress to invalidate rules adopted in the final 60 legislative days of an outgoing Administration on a case-by-case basis, preventing agencies from promulgating that rule or any substantially similar rule.

Today's bill, however, would allow Republicans to invalidate important regulations protecting public health, consumer rights, and the environment en bloc, without debating each rule individually or providing the transparency and accountability that would come from a rule-by-rule vote.

This means that rules finalized after the thorough and public process set forth by law—or extended by lawsuits—that agencies must follow are invalidated, even if the underlying problems remain, and with no plan to fix those underlying problems. For instance, rules limiting horse soring or strengthening consumer protections regarding organic food could be blocked under this rule.

The voters elected President Obama to a second, full four-year term. This deeply anti-democratic effort by the Republican majority not only undermines the President, it also leaves Americans and our environment holding the bag. H.R. 21 is perhaps more detrimental than the Senate's refusal to fill the Supreme Court vacancy because this bill would allow Congress to invalidate an entire year of an entire administration's work.

HONORING JOEL MADDEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joel Madden. Joel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

Joel has been very active with his troop, participating in many scout activities. Over the many years Joel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Joel

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Joel Madden for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF THOMAS WILLIAMS, STATE DIRECTOR OF USDA RURAL DEVELOPMENT—PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Thomas Williams, State Director of U.S. Department of Agriculture Rural Development for Pennsylvania. Appointed to the USDA by President Obama in July 2009, Mr. Williams will retire from federal service on January 7, 2017.

As State Director for Pennsylvania, Mr. Williams was responsible for securing loans, grants, loan guarantees and technical assistance offered through 40 Rural Development housing, utility and business programs. Mr. Williams managed 106 employees and 9 regional offices across Pennsylvania, as well as the state office in Harrisburg. During his seven years with the USDA, Rural Development invested over \$5 billion in Pennsylvania infrastructure.

Prior to his tenure with the USDA, Mr. Williams served as a congressional aide to former U.S. Congressman Paul Kanjorski. Mr. Williams also worked with several communities in Pennsylvania and New York to assist local development and economic development efforts. Mr. Williams is a graduate of Wilkes University and received his Master's degree from Bloomsburg University. He currently resides in Mountain Top with his wife, Nancy.

It is an honor to recognize Thomas Williams for his service to our country, and I wish him all the best in his retirement.

KATIE HYDE EARNS GIRL SCOUT GOLD AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Katie Hyde of Sugar Land, TX, for earning her Girl Scout Gold Award.

The Gold Award is the highest achievement a Girl Scout can earn. To earn this distinguished award, Katie had to spend at least 80 hours developing and executing a project that would benefit the community and have a long-term impact on girls as well. Her Gold project included building sets of horse jumps for the therapeutic riding program at Southern Equestrian Center, which will make it easier for those with physical or mental disabilities to ride horses.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again

to Katie Hyde for earning her Girl Scout Gold Award. We are confident she will have continued success in her future endeavors. We are very proud.

HONORING RAYMOND PROBST, JR.

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Raymond Probst, Jr. Raymond is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

Raymond has been very active with his troop, participating in many scout activities. Over the many years Raymond has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Raymond contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Raymond Probst, Jr., for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF SHERIFF GLYNN COOPER

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal congratulations and best wishes to an outstanding leader and exceptional public servant, Chattahoochee County Sheriff Glynn Cooper. Sheriff Cooper will be retiring from his position as Sheriff and a surprise celebration will be held for him on Saturday, January 7, 2017 at 2:00 p.m. at the Roscoe Robinson Recreation Center in Cusseta, Georgia.

Glynn Cooper was born in Schley County, Georgia on April 15, 1934 to Wesley and Mozelle Cooper. He, along with his brothers, Fred, Leonard, and Drane, worked on farms in Stewart and Webster counties in Georgia.

He met the love of his life, Estelle, at a dance and they married on December 11, 1954. As a newlywed couple, they lived with his parents until Sheriff Cooper could secure a home in Cusseta, Georgia, where he still lives today. They welcomed a daughter, Glynda, on October 12, 1957. Estelle was Sheriff Cooper's partner, supporter, and best friend until she passed away in 1998.

Growing up on a farm taught Sheriff Cooper to be a jack of all trades. He worked at Preston's Garage in Columbus, Georgia until he opened Cooper's Garage in Cusseta. He and Estelle, who was Senior Clerk at the Post Office, began purchasing and building Cooper Rental Properties, a business which remains in the family to this day.

He had set his sights on being elected Sheriff of Chattahoochee County but initially suffered a loss. Never a quitter, he was elected Sheriff in 1973 and maintained a one-man office with the radio call number 651. He soon dubbed Estelle as 651½ on the radio. With his family's support, Sheriff Cooper has been a faithful servant to the people of Chattahoochee County for a remarkable 43 years. He has earned the distinction of being the second-longest-serving Sheriff in the state of Georgia.

Sheriff Cooper is also actively involved in the community. He previously served on the school board and City Council. He also volunteered his time and efforts to serving on numerous civic organizations. Raised in a Christian home, he joined Louvale Missionary Baptist Church at a young age. Today, he is a faithful member of Cusseta Baptist Church.

Dr. Benjamin E. Mays often said: "You make your living by what you get; you make your life by what you give." Not only has Sheriff Cooper made his living by keeping watch over the citizens of Chattahoochee County, but he has also made his life by giving back to the County in so many ways. We are all very grateful for his tireless advocacy in keeping our community safe. A man of great integrity, his efforts, his dedication, and his work ethic are unparalleled, but his heart for helping others utilizing these qualities has made his life's work truly special.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the more than 730,000 residents of Georgia's Second Congressional District in honoring Sheriff Glynn Cooper for his dedicated service to the people of Chattahoochee County as he retires from his position as Sheriff.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT TO ELIMINATE THE ELECTORAL COLLEGE AND PROVIDE FOR THE DIRECT ELECTION OF THE PRESIDENT AND VICE PRESIDENT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. COHEN. Mr. Speaker, I rise today in support of a constitutional amendment I introduced today to eliminate the electoral college and provide for the direct election of our nation's President and Vice President.

As Founding Father Thomas Jefferson said, "I am not an advocate for frequent changes in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might well as require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors."

For the second time in recent memory, and for the fifth time in our history, the national

popular vote winner will not become President because of the electoral college. This has happened twice to candidates from Tennessee: Al Gore and Andrew Jackson.

The reason is because the electoral college, established to prevent an uninformed citizenry from directly electing our nation's President, no longer fits our nation's needs.

When the Founders established the electoral college it was in an era of limited nationwide communication. The electoral structure was premised on a theory that citizens would have a better chance of knowing about electors from their home states than about presidential candidates from out-of-state. Electors were supposed to be people of good judgment who were trusted with picking a qualified President and Vice President on behalf of the people. They held the responsibility of choosing a President because it was believed that the general public could not be properly informed of the candidates and the values each held.

That notion—that citizens should be prevented from directly electing the President—is antithetical to our understanding of democracy today, and our electoral process has not evolved to match our abilities to communicate, collect information, and make informed decisions about candidates. The development of mass media and the internet has made information about presidential candidates easily accessible to U.S. citizens across the country and around the world. The people no longer need the buffer of the electoral college to be knowledgeable about and decide who will be president. Today, citizens have a far better chance of knowing about out-of-state presidential candidates than knowing about presidential electors from their home states. Most people do not even know who their electors are.

While our ability to communicate has evolved so has the electoral college, but not in a positive way. Electors are now little more than rubber stamps who are chosen based on their political parties and who represent the interests of those political parties, rather than representing the people. Most states legally bind their electors to vote for whomever wins that state's popular vote, so electors can no longer exercise individual judgment when selecting a candidate.

In our country, "We the People," are supposed to determine who represents us in elective office. Yet, we use an anachronistic process for choosing who will hold the highest offices in the land.

It is time for us to fix this, and that is why I have introduced this amendment today.

Since our nation first adopted our Constitution, "We the People," have amended it repeatedly to expand the opportunity for citizens to directly elect our leaders:

The 15th Amendment guarantees the right of all citizens to vote, regardless of race.

The 19th Amendment guarantees the right of all citizens to vote, regardless of gender.

The 26th Amendment guarantees the right of all citizens 18 years of age and older to vote, regardless of age.

And the 17th Amendment empowers citizens to directly elect U.S. Senators.

We need to amend our Constitution to empower citizens to directly elect the President and the Vice President of the United States.

Working together, I know we can make our electoral college fit the world we live in today, and make our Constitution better reflect the "more perfect Union" to which it aspires.

HONORING AARON JACOB
STOCKMAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Aaron Jacob Stockman. Aaron is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1394, and earning the most prestigious award of Eagle Scout.

Aaron has been very active with his troop, participating in many scout activities. Over the many years Aaron has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Aaron contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Aaron Jacob Stockman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN MEMORY OF MR. A. WARREN
KULP, JR.

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I rise today to honor the life of A. Warren Kulp, Jr., better known as Sonny, of Riviera Beach, Florida, who passed away on December 31st in West Palm Beach, Florida at the age of 81.

Sonny's life was the American Dream personified; after graduating from Hilltown High School in Pennsylvania in 1953, he worked as a self-employed dairy farmer for his entire life. He also earned his real estate license and worked as the head of the real estate department for eight years in Bucks County, Pennsylvania. After moving to Florida with his wife Judith, he worked at the Palm Beach Kennel Club until his retirement in 2007.

Outside of work, Sonny pursued many different interests. He was a loyal, lifelong Republican and served as an officer and committee chairman for the Pennridge Republican Club. Sonny was a member of Trinity United Methodist Church in West Palm Beach and he was also an avid Steelers fan. We are deeply saddened by the loss of such a prominent and active member of our community.

Sonny is survived by his loving wife Judith, his two sons Steven and Richard, his daughter, Patricia, and six grandchildren: Kiamesha, Brianna, Mary, Frances, Patrick III and Anthony.

Mr. Speaker, my thoughts and prayers are with Mr. Kulp's family and loved ones as they mourn his passing. He will be greatly missed.

TRIBUTE TO SAIPAN SHIPPING,
INC.

HON. GREGORIO KILILI CAMACHO
SABLAN

OF THE COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. SABLAN. Mr. Speaker, August 11, 1956 marks a watershed moment in the history of the Northern Mariana Islands. That was the day that Saipan Shipping, Incorporated, was established, setting the Marianas on a course for economic resiliency and self-sufficiency that endures today.

Seven years before the founding of Saipan Shipping, in the aftermath of World War II, Jose C. "Joeten" Tenorio started a small grocery store in Chalan Kanoa, Saipan. What started out as a way to help deliver goods to local customers eventually developed into one of the largest businesses in the Marianas.

However, as Joeten's business grew, he ran into a major obstacle: In 1956, regular Japanese liners from the war were gone, the Trust Territory government ships did not run regularly, and cargo bound for Saipan often sat in port on Guam for days or even weeks. The lack of reliable and affordable shipping service to Saipan increased the costs of goods shipped to a small and struggling island economy.

Not content to accept the status quo, Joeten decided to do something about it. He reached out to family and friends to buy 100 shares in a start-up shipping company, and, on August 11, 1956, they formed Saipan Shipping Company, Incorporated.

The company began with its first vessel, the M/V *Hope*, which was purchased for \$50,000 from Kenneth T. Jones Jr., President of Jones and Guerrero Company, Incorporated, on Guam. The converted minesweeper with twin screws and a wooden hull made weekly runs between Guam and Saipan, as well as occasional trips to the Northern Islands to pick up copra, which was sold to Japanese purchasers at the time. The boat also collected brass, copper, and other metals left from the war on the islands. Often these goods were delivered to Japan directly by the M/V *Hope* when it sailed there each year to dry-dock.

In May 1962, Saipan Shipping purchased the M/V *Four Winds*, also a former military and CIA vessel, from Bruan Shipping in Delaware. The *Four Winds* traveled a regular route between Saipan and Japan.

However, soon after the acquisition of the M/V *Four Winds*, Saipan Shipping would be challenged by two catastrophes. In November of 1962, just months after the acquisition of the *Four Winds*, the M/V *Hope* was struck by another vessel, the *Guam Bear*, which rendered the *Hope* unseaworthy. Days later, on November 11, Super Typhoon Karen hit Guam, sinking the *Hope* while it was in dry dock on Guam.

Despite these twin calamities, Saipan Shipping bounced back by taking the M/V *Four*

Winds out of the Japan run to handle the local service run between Guam and Saipan, as well as quarterly trips to the Northern Islands.

Saipan Shipping continued to evolve in the years that followed. In 1965, the company began chartering the *M/V Ran Annim* from the Trust Territory government. In 1966, after the *M/V Four Winds* was sold, the *Ran Annim* serviced the local route exclusively, until three years later, when it was replaced by the *M/V Mas Mauleg*, a larger vessel with passenger capacity.

In 1971, Saipan Shipping purchased the *M/V Normar* for local service and chartered the *M/V Mas Mauleg* to Micronesian Interocean Lines, Incorporated, a shipping company serving all the Micronesian islands. When Interocean Lines went bankrupt in 1974, Saipan Shipping saw an opportunity. The company started a joint shipping venture with Kyowa Shipping Company Limited, which marked the beginning of over 15 years of Saipan Shipping service to Micronesia and a partnership that endures to this day. The charters, however, were terminated in the late 1970s due to high costs caused by the global fuel crisis. Despite that termination, Saipan Shipping maintained service to Micronesia and the South Pacific by facilitating voyage space charters on the Kyowa vessels sailing these routes.

As the 1980s economic boom on Saipan dawned, Saipan Shipping flourished as it adapted to the changing needs of the island economy. In 1979, the company sold the *M/V Normar*, ending 23 years of almost continuous vessel ownership. The company then signed a charter contract with Transpac Marine in 1980 for weekly tug and barge service to Guam, Saipan, and Tinian. After Transpac Marine's barge #S-2009 ran aground on Guam in 1986, Marianas Tug & Barge became the charter company for Saipan Shipping.

In 1982, Saipan Shipping also negotiated a connecting carrier and agency agreement with American President Lines—a major U.S. shipping company, which supplemented the company's existing relationship with SeaLand Services.

These relationships resulted in Saipan Shipping becoming the primary carrier for American President Lines cargo loading and off-loading on Saipan. Combined with the company's existing relationship with Kyowa, Saipan Shipping was poised to profit from the 1980s economic boom brought on by the growth of tourism and the garment industry.

In 1983, the first shipment of garments—all sweaters—was delivered from Saipan to New York. Saipan Shipping took the first containers to Guam. At the time, only three garment manufacturers were on Saipan. But, over time, the industry grew to eleven in 1987, then 23 in 1990. By 1997, there were more than 30 clothing factories on Saipan. By 1999, the value of clothing produced on Saipan had hit \$1 billion, which translated into large profits for Saipan Shipping.

However, the expansion of the garment industry on Saipan also led to more competition in the shipping industry as shipping companies emerged to rival Saipan Shipping's foothold. Over time, though, Saipan Shipping pulled ahead. In 1996, American President Lines was purchased by Matson Navigation Company, a

change that Saipan Shipping leveraged to transform its business once more. From being simply a carrier's principal agent, the company transitioned into more of a local partnership, with Saipan Shipping employees regularly participating in Matson's training programs at the turn of the century and working hand-in-hand to meet the shipping demands of the garment industry.

In that same year, Saipan Shipping pushed ahead with transforming its business, partnering with Kyowa and private investors to establish Marianas Steamship Agencies, Incorporated. This new company served as the husbanding agent for Saipan Shipping on Guam, providing goods and services needed by Saipan Shipping boats or crew.

In the early 21st century, major policy shifts at the national and international levels altered the economic landscape in the Marianas and profoundly impacted the shipping industry. The end of international quota restrictions in the global garment trade made it cost prohibitive for the garment industry to remain on Saipan, which led to all 31 garment factories closing shop in the early 2000s.

As a testament to its resiliency, however, Saipan Shipping endured while other shipping companies closed. Moreover, the company expanded. In 2001, Saipan Shipping ended 21 years of chartering boats with the purchase of Marianas Tug & Barge. The purchase included all of MarTug's equipment, most importantly the tugs *Sea Husky* and *Don Juan Tenorio*, and barges *Francisca III* and *Francisca IV*. All operations of MarTug were thus assumed, including the subsidiary Mid-Pacific Salvage, effectively adding marine salvaging to Saipan Shipping's portfolio of services.

Then the terrorist attacks of September 11 rocked our nation, and the world. The global economy reeled in the aftermath of the attacks, and new challenges arose for the shipping industry as more stringent regulations were adopted to increase national security. Undeterred, Saipan Shipping demonstrated its adaptability once again by upgrading its information technology to increase efficiency and profitability. The company automated many aspects of its business, which helped streamline customs and quarantine processing, customer clearance processing, and physical clearance of cargo.

Still standing as the lone local shipping company in the Marianas, Saipan Shipping moved confidently into the new millennium. In 2005, the company entered into an agency agreement with Marianas-based vessel operator, Seabridge, Incorporated, serving inter-island trade between Saipan and Guam.

Tragedy struck again in 2015 with Super Typhoon Soudelor, which wreaked more havoc on Saipan's port than many previous storms. But Saipan Shipping stood strong, rebounding and reaching out into the community to deliver much needed relief supplies.

Today, with construction booming and a budding gaming industry on Saipan, Saipan Shipping is adjusting as it always has to meet the demands of the local economy. And while competition has emerged, yet again, Saipan Shipping has adapted, yet again, to work with competitors to help the island economy prosper, yet again.

Jose C. "Joeten" Tenorio probably could not have imagined the remarkable evolution and

many iterations of Saipan Shipping Company, Incorporated after its inception in 1956. But he would not have been surprised by Saipan Shipping's ability to adapt and thrive. Nor would Joeten have been surprised by the vital role that Saipan Shipping has played and continues to play in the local and regional economy.

After all, that is exactly why he helped start the company, to achieve the one purpose spelled out in its Articles of Incorporation in 1956 and to this day:

"The purpose of this Corporation is to engage in trade and commerce in and between [Saipan]", the Marianas, the Pacific, and, indeed, the world.

THE HONOR ROLL SCHOOL
CELEBRATES 25TH BIRTHDAY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to wish the Honor Roll School in Sugar Land, TX, a happy 25th birthday.

The Honor Roll School is a private school with a focus of developing well-rounded, lifelong learners, with the social, emotional and academic skills to excel in the future. The school is made up of students from over 50 countries and every continent in the world. To celebrate their 25th year, the Honor Roll School held an international themed birthday party, which included special guests and speakers, along with booths and tables showcasing various countries.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to the Honor Roll School for teaching and preparing our children for a successful future these past 25 years. We truly appreciate all they have done and look forward to the next generation of Texans to complete the program.

IN RECOGNITION OF JACQUELINE
NOONAN

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. LEVIN. Mr. Speaker, I rise today to recognize Jacqueline Noonan, who recently retired as Mayor after 29 years of service and dedication to the city of Utica. On January 8th, friends and family will gather to celebrate her retirement and pay tribute to her many accomplishments.

Jackie graduated from Oakland University with a Bachelor's Degree in Secondary Education. She found great joy in working with kids as a teacher and later as a volunteer in the Utica Community Schools where her children attended school. In fact, if there was a way to get involved in her community, Jackie found it. A committed and prolific volunteer, Jackie served as a member of the Utica Community Schools Enrollment Advisory Board, volunteered with the Girl Scouts and Boy

Scouts, was active in St. Lawrence Catholic Church, and helped new mothers with La Leche League International. While serving as Mayor, she continued to work closely with students as a spokesperson and advocate for the Macomb County Traffic Safety Association's "Don't Drink and Drive" alcohol education program. In 1991, she returned to the classroom teaching at Marlow Junior High and later at Eisenhower High School.

Jackie and her husband Jerry loved being a part of Utica's small town life where they ran a family business for 21 years. Jerry went to work for the Fire Department and later retired as the Assistant Fire Chief and Fire Inspector. Jackie was a founding member of the Friends of Utica Public Library and served on numerous committees throughout the community. She was elected to City Council in 1981 and was elected Mayor in 1987.

As Mayor, Jackie understood that in addition to serving its residents, the City of Utica also plays a vital role in strengthening the region as a whole. She led the efforts to improve essential city services and responsiveness to constituents and businesses. Jackie spearheaded efforts to improve local roads including the widening of important roadways like M-59 and Van Dyke Avenue. Working closely with her on this project, I saw firsthand her dogged determination. Jackie also saw the value in establishing strong working relationships with her neighboring communities of Sterling Heights and Shelby Township as they shared services and resources. They even held their annual State of the City addresses together.

I ask my colleagues to join me in congratulating Jackie and wishing her and her husband Jerry, and all their children and grandchildren the very best as they begin this next chapter. I am grateful to Jackie for her many years of dedicated public service, as well as for her friendship, and I am so pleased to join with the entire community in paying tribute to her, which is so deeply deserved.

BOND COUNTY BICENTENNIAL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the bicentennial anniversary of Bond County in my home state of Illinois.

Bond County was created on January 4th, 1817 by an act of the Illinois Territorial Legislature. This event occurred nearly two years before Illinois was admitted into the Union as the 21st state.

The initial dimensions of Bond County were quite unique, as it was only 24 miles wide, but stretched over 600 miles north to include a portion of Michigan's Upper Peninsula. The county gets its name from Shadrach Bond, who had been an army colonel in the War of 1812, and, given the county's initial layout, had farmed well north of present-day Bond County. Shadrach Bond also served as the first governor of Illinois.

Over time Bond County gave birth to numerous other counties in the state, and ceded some of its land to Wisconsin and Michigan as

well, so that today Bond County is one of the smaller counties in Illinois. Yet its rich history, along with the spirit and pride of its people, has outlasted all of these changes.

This year Bond County has planned a grand celebration in recognition of its bicentennial. This celebration began on January 5th with a commemorative program and a special proclamation by the County Board. Later this year, on July 2nd, the main celebration will occur with tours, a parade, food and many other activities, climaxing with a fireworks show.

I ask that we all join in that celebration as we pay tribute to the history and the people that made Bond County, and to the pioneering spirit that lives today in all of its citizens.

I stand today to salute Bond County on its 200th anniversary and to wish it the very best in the future.

KATE FOGLEMAN EARNS SPOT ON KIDS SWEETS SHOWDOWN

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kate Fogleman of Sugar Land, TX, for earning a spot on the Food Network show, Kids Sweets Showdown.

Kate is a 10-year-old girl who just loves to bake. She fell in love with watching kids baking competitions on the Food Network and was inspired to apply herself. After being turned down for the Kids Baking Championship show, she persevered and succeeded in earning a spot on the Food Network's new show, Kids Sweets Showdown. The show features talented kids preparing "merry sweet treats" in hopes of staying on the judges' "nice list." Kate was featured on two episodes of the show, Santa Express and Snow Day Doughnuts. When she's not baking, Kate spends her time on her schools yearbook committee and dancing competitively for Dance Works in Missouri City, TX.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kate Fogleman for earning a spot on Kids Sweets Showdown. We are extremely proud of her and look forward to her future success as a baker.

IN HONOR OF PATRICK J. MITCHELL

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. GRIJALVA. Mr. Speaker, I rise today to recognize the loss of a great Arizonan and American, Patrick J. Mitchell, 61, from Yuma, Arizona, who worked in Washington for many years, on November 27, 2016. Pat was a trusted advisor and advocate for many in Congress and he will be missed as a powerful advocate (with an Arizona perspective) for education, environment and natural resources, and labor issues in Washington, DC councils.

Born in Yuma, AZ, on April 13, 1955, Pat was an accomplished athlete at Yuma High School where he was elected student body president. He went on to his beloved University of Arizona where he was elected student body president and from which he graduated in 1977. He received his Juris Doctorate from Arizona State University in 1981. Pat spent the next 35 years in politics and government fighting to improve the lives of others. He served as a congressional aide to Arizona Senator Dennis DeConcini, chief of staff to Representative Louise Slaughter from New York, political advisor to Arizona Governor Janet Napolitano and the late Representative Mo Udall from Arizona, and senior advisor to two presidential campaigns, including serving with the Simon campaign in Iowa. Pat also was a special assistant attorney general for the State of Arizona. He went on to start his own government affairs firm, Strategic Impact in Washington D.C., where he focused on appropriations, water and land management, and higher education issues. A beloved Arizona Wildcat fan, Pat was a member of the UA Bobcat Senior Honorary Society and served on the university's alumni board. He was also deeply involved with the Yuma community and in supporting Yuma's Catholic High School.

Pat cherished his family and he is predeceased by his parents, Henry and Helen (Curry) Mitchell of Yuma, and is survived by his brother Bryan Mitchell, sister Kathleen Dyer, nephews Ian and Dan Mitchell, and grandnieces Erin and Emily Mitchell. He often spoke of his father's military service to the nation.

Pat worked hard to ensure that the working families of Arizona had a voice when it came to national policy and debates, whether related to access to higher education or the natural beauty of the Nation. Pat was among those that rose to the challenge in a Republic that needs the best to engage in these national discussions. Few in this world loved their state and its people more.

IN RECOGNITION OF GENEVIEVE M. KUZIA

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. KEATING. Mr. Speaker, I rise today in recognition of Genevieve M. Kuzia, who is turning 100 years old on January 5, 2017.

Gerry, as she is known to all, was one of seven daughters born to Stephanie and Anthony Kazmierczyk in Boston, Massachusetts. As a child Gerry moved with her family down to Delaware for three years so her father could work on the railroad. In 1923, they moved back to the Commonwealth and settled in Hyde Park. After finishing at Hyde Park High School in 1935, Gerry worked for a law firm in Boston for several years.

It was at the wedding of a family friend that Gerry met Francis A. Kuzia, who had just been honorably discharged from the Marine Corps. Francis, or Frank as he was known, and Gerry fell in love and were married on July 13, 1942 and settled in Hyde Park to

have three children—Paul, Susan and Robert. After raising three wonderful children and spending her time as a fulltime caring and loving mother, Gerry went back to work for the Hyde Park branch of the Boston Public Library where she worked for 16 years till her retirement in 1982.

After losing the love of her life, Frank, in 1993, Gerry moved to Braintree, Massachusetts before moving to the Cape Cod Senior Residences in 2009 due to failing eyesight. Always armed with a smile and a kind word, Gerry is beloved at Cape Cod Senior Residences.

Mr. Speaker, I am proud to honor Gerry on this joyous occasion. I ask that my colleagues join me in wishing her many more years of good health and continued happiness.

IN RECOGNITION OF MRS. ERICA
SARGENT

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. VALADAO. Mr. Speaker, I rise today to thank Mrs. Erica Sargent for her service to my office and the people of California's 21st Congressional District.

Mrs. Sargent was born on May 30, 1990 in Los Banos, California, where she grew up on her family's dairy farm with her parents, Joey and Charlotte Mello, her sister Trisha, and her brother Michael. As a child, Erica took part in Future Farmers of America, where she showed dairy cows, Holsteins, Jerseys, and swine.

After graduating from Los Banos High School, Mrs. Sargent went on to receive her Bachelor's Degree in Agriculture Business at California State University, Fresno in 2013. While in college, Erica was a member of Delta Gamma Sorority and worked as a nanny part-time. On September 3, 2016, Erica married her husband Brandon Sargent.

Mrs. Sargent has held several positions with my office, in both Washington, D.C. and California over the past 4 years. She first joined my team as Staff Assistant in my Washington, D.C. office in July 2013. As Staff Assistant, she was instrumental in supporting others in daily tasks and helping the office run smoothly. In December 2013, she was promoted to Scheduler. Mrs. Sargent relocated from Washington, D.C. back to California's Central Valley, where she remained on my team as a Field Representative in Fresno County. Mrs. Sargent was known for her hard work and excellent community outreach. She was respected by her peers and was able to create and foster connections with constituents, business leaders, and public officials, all of which are integral skills of congressional staffers.

Outside of work, Erica enjoys spending time with her family, especially her husband, sister, and niece, Sofia. She is currently pursuing a Master's Degree from National University and hopes to become a school counselor.

Mrs. Sargent's time with my office will come to a close today, January 5, 2017, when she leaves to begin an internship in Laton, California, as a school counselor. Knowing Mrs. Sargent, her character, and her work ethic, I have no doubt that she will achieve many great things in her future.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me in commending Mrs. Erica Sargent for her public service to the people of the Central Valley and wishing her well as she embarks on the next chapter of her life.

HOUSTON METHODIST SUGAR
LAND HOSPITAL EARNS AN "A"

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Houston Methodist Sugar Land

Hospital for earning an "A" for patient safety for the sixth year in a row.

Houston Methodist Sugar Land Hospital prides itself on the dedication of its physicians, nurses, technicians and staff to keep patients as healthy and safe as possible. Twice a year the Hospital Safety Score, part of The Leapfrog Group, grades hospitals based on how well they protect patients from errors, injuries, accidents and infections while in the hospital. Houston Methodist Sugar Land was one of 844 hospitals across the nation to earn an "A" grade in the fall 2016 survey.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Houston Methodist Sugar Land Hospital for earning an "A" for patient safety. We all benefit from their commitment to quality healthcare and we thank them for their hard work to keep Houstonians healthy.

PERSONAL EXPLANATION

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Ms. JENKINS of Kansas. Mr. Speaker, I was absent on Roll Call Votes 12 through 23 on the evening of January 5, 2017.

I am an original cosponsor of H.R. 26, the Regulations in Need of Scrutiny Act of 2017. I would have voted against all amendments that would weaken the underlying legislation, would have voted in favor of amendments that strengthen the underlying legislation, and would have voted in favor of final passage of this important legislation.

SENATE—Friday, January 6, 2017

The Senate met at 12:45 p.m. and was called to order by the Honorable THOM TILLIS, a Senator from the State of North Carolina.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, on this January 6, when a Joint Session of Congress is set to count electoral votes, ending officially the 2016 Presidential election, we pause to acknowledge Your sovereignty over the affairs of humanity.

Grant to this Nation a social conscience built on the vision of the ancient prophets who saw sufficiency for every person and a time when goodwill toward all would overcome fear.

Lord, hasten the day when the small and weak can make their contributions alongside the great and powerful. Lead us to the day when we will see peace among the nations of the Earth, when swords shall be beaten into plowshares.

Let Your glory cover the Earth as the waters cover the sea.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 6, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable THOM TILLIS, a Senator from the State of North Carolina, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. TILLIS thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS**MESSAGE FROM THE HOUSE**

At 12:47 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 26. An act to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 26. An act to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on Homeland Security and Governmental Affairs.

JOINT SESSION OF THE TWO HOUSES—COUNTING OF ELECTORAL BALLOTS**RECESS**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess to proceed as a body to the Hall of the House of Representatives under the provisions of S. Con. Res. 2 for the counting of the electoral ballots.

Thereupon, the Senate, at 12:48 p.m., took a recess, and the Senate, preceded by the Secretary of the Senate, Julie E. Adams, and the Deputy Sergeant at Arms, James Morhard, proceeded to the Hall of the House of Representatives for the purpose of counting electoral ballots.

ADJOURNMENT UNTIL MONDAY, JANUARY 9, 2017, AT 2 P.M.

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 1:41 p.m., the Senate adjourned until Monday, January 9, 2017, at 2 p.m.

HOUSE OF REPRESENTATIVES—Friday, January 6, 2017

The House met at noon and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

We thank You again today for Your divine inspiration, which led to the creation of the Republican democracy we enjoy today, mindful that our responsibility is to faithfully carry forward this legacy to all those Americans who will follow us.

By law, the Congress meets this day in joint session to count the electoral votes for President and Vice President of the United States. May all who attend to these proceedings, and those responsible for the management of government, be mindful that something greater than each and any of us gathered, or affected by these events, is coming to pass.

Bless our great Nation and those entrusted with its care throughout this first session of the 115th Congress, the 226th session of the Supreme Court, and the imminent administration of the 45th President. May all, by their actions, remember that we are a Nation which claims to put our trust in You.

And may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Mr. HOLDING) come forward and lead the House in the Pledge of Allegiance.

Mr. HOLDING led the Pledge of Allegiance as follows:

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

APPOINTMENT OF TELLERS ON THE PART OF THE HOUSE TO COUNT ELECTORAL VOTES

The SPEAKER. Pursuant to Senate Concurrent Resolution 2, 115th Con-

gress, the Chair appoints as tellers on the part of the House to count the electoral votes:

The gentleman from Mississippi (Mr. HARPER) and

The gentleman from Pennsylvania (Mr. BRADY).

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 12:55 p.m. today.

Accordingly (at 12 o'clock and 2 minutes p.m.), the House stood in recess.

□ 1300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 p.m.

COUNTING ELECTORAL VOTES—JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF SENATE CONCURRENT RESOLUTION 2

At 1 p.m., the Sergeant at Arms, Paul D. Irving, announced the Vice President and the Senate of the United States.

The Senate entered the Hall of the House of Representatives, headed by the Vice President and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The Vice President took his seat as the Presiding Officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left. Senators took seats to the right of the rostrum as prescribed by law.

The joint session was called to order.

The VICE PRESIDENT. Mr. Speaker and Members of Congress, pursuant to the Constitution and laws of the United States, the Senate and House of Representatives are meeting in joint session to verify the certificates and count the votes of the electors of the several States for President and Vice President of the United States.

After ascertainment has been had that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several States.

The tellers on the part of the two Houses will take their places at the Clerk's desk.

The tellers, Senator BLUNT and Senator KLOBUCHAR on the part of the Sen-

ate, and Mr. HARPER and Mr. BRADY of Pennsylvania on the part of the House, took their places at the desk.

The VICE PRESIDENT. Without objection, the tellers will dispense with reading formal portions of the certificates.

There was no objection.

The VICE PRESIDENT. After ascertaining that certificates are regular in form and authentic, the tellers will announce the votes cast by the electors for each State, beginning with Alabama.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Alabama seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 9 votes for President and Michael R. Pence of the State of Indiana received 9 votes for Vice President.

Mr. MCGOVERN. Mr. President, I object to the certificate from the State of Alabama on the grounds that the electoral votes were not, under all of the known circumstances, regularly given and that the electors were not lawfully certified, especially given the confirmed and illegal activities engaged in by the Government of Russia that were designed to interfere with our election and the widespread violations of the Voting Rights Act that unlawfully suppressed thousands of votes in the State of Alabama.

Mr. VICE PRESIDENT. Sections 15 and 17 of title 3 of the United States Code require that any objection be presented in writing, signed by a Member of the House of Representatives and a Senator.

Is the objection in writing and signed not only by a Member of the House of Representatives but also by a Senator?

Mr. MCGOVERN. Mr. President, the objection is in writing and is signed by a Member of the House of Representatives but not yet by a Member of the United States Senate.

Mr. VICE PRESIDENT. In that case, the objection cannot be entertained.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Alaska seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 3 votes for President and Michael R. Pence of the State of Indiana received 3 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Arizona seems to be regular in form and authentic, and

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

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

it appears therefrom that Donald J. Trump of the State of New York received 11 votes for President and Michael R. Pence of the State of Indiana received 11 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Arkansas seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 6 votes for President and Michael R. Pence from the State of Indiana received 6 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of California seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 55 votes for President and TIM KAINE of the Commonwealth of Virginia received 55 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Colorado seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 9 votes for President and TIM KAINE of the Commonwealth of Virginia received 9 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Connecticut seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 7 votes for President and TIM KAINE of the Commonwealth of Virginia received 7 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Delaware seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 3 votes for President and TIM KAINE of the Commonwealth of Virginia received 3 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the District of Columbia seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 3 votes for President and TIM KAINE of the Commonwealth of Virginia received 3 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Florida seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 29 votes for President and Michael R. Pence of the State of Indiana received 29 votes for Vice President.

□ 1315

The VICE PRESIDENT. For what purpose does the gentleman from Maryland rise?

Mr. RASKIN. Mr. President, I have an objection because 10 of the 29 electoral votes cast by Florida were cast by electors not lawfully certified because they violated Florida's prohibition against dual office holding.

The VICE PRESIDENT. Debate is out of order.

Section 15 and 17 of title 3 of the United States Code requires that any objection presented be in writing, signed by both a Member of the House of Representatives and a Senator.

Is the objection in writing and signed not only by the Member of the House of Representatives, but also by a Senator?

Mr. RASKIN. It is in writing, Mr. President.

The VICE PRESIDENT. Is it signed by a Senator?

Mr. RASKIN. Not as of yet, Mr. President.

The VICE PRESIDENT. In that case, the objection cannot be entertained.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Georgia seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 16 votes for President and Michael R. Pence of the State of Indiana received 16 votes for Vice President.

The VICE PRESIDENT. For what purpose does the gentlewoman from Washington rise?

Ms. JAYAPAL. Mr. President, I object to the certificate from the State of Georgia on the grounds that the electoral votes were not—

The VICE PRESIDENT. There is no debate. There is no debate.

Section 15 and 17 of title 3 of the United States Code requires that any objection be presented in writing, signed by both a Member of the House of Representatives and a Senator.

Is the objection in writing and not only signed by the Member, but by a United States Senator?

Ms. JAYAPAL. Mr. President, even as people waited hours in Georgia—

The VICE PRESIDENT. There is no debate. There is no debate.

If there is not one signed by a Senator, the objection cannot be entertained.

Ms. JAYAPAL. Mr. President, the objection is signed by a Member of the House, but not yet by a Member of the Senate.

The VICE PRESIDENT. It is over.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Hawaii seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 3 votes for President, and BERNIE SANDERS of the State of Vermont received 1 vote for President, and TIM KAINE of the Commonwealth of Virginia received 3 votes for Vice President, and ELIZABETH WARREN of the Commonwealth of Massachusetts received 1 vote for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Idaho seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 4 votes for President and Michael R. Pence of the State of Indiana received 4 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Illinois seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 20 votes for President and TIM KAINE of the Commonwealth of Virginia received 20 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Indiana seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 11 votes for President and Michael R. Pence of the State of Indiana received 11 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Iowa seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 6 votes for President and Michael R. Pence of the State of Indiana received 6 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Kansas seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 6 votes for President and Michael R. Pence of the State of Indiana received 6 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the Commonwealth of Kentucky seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 8 votes for President and Michael R. Pence of the State of Indiana received 8 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Louisiana seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 8 votes for President and Michael R. Pence of the State of Indiana received 8 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Maine seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 3 votes for President and Donald J. Trump of the State of New York received 1 vote for President and TIM KAINE of the Commonwealth of Virginia received 3 votes for Vice President and Michael R. Pence of the State

of Indiana received 1 vote for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Maryland seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 10 votes for President and TIM KAINE of the Commonwealth of Virginia received 10 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the Commonwealth of Massachusetts seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 11 votes for President and TIM KAINE of the Commonwealth of Virginia received 11 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Michigan seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 16 votes for President and Michael R. Pence of the State of Indiana received 16 votes for Vice President.

The VICE PRESIDENT. For what purpose does the gentlewoman from California rise?

Ms. LEE. Mr. President, I object because people are horrified by the overwhelming evidence of Russian interference in our elections.

The VICE PRESIDENT. Section 18, title 3 of the United States Code prohibits debate in the joint session.

Section 15 and 17 of title 3 of the U.S. Code requires any objection be presented in writing, signed by both a Member of the House and a Member of the Senate.

Is the objection in writing and signed not only by the Member of the House, but also by a Senator?

Ms. LEE. Mr. President, even with the malfunction of 87 voting machines at predominantly African—

The VICE PRESIDENT. There is no debate in order.

Ms. LEE. I have grave concerns—

The VICE PRESIDENT. The objection cannot be entertained.

Ms. LEE. Unfortunately, it is not yet signed by a Senator.

The VICE PRESIDENT. The Chair is prepared to proceed with the count.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Minnesota seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 10 votes for President and TIM KAINE of the Commonwealth of Virginia received 10 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Mississippi seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the

State of New York received 6 votes for President and Michael R. Pence of the State of Indiana received 6 votes for Vice President.

The VICE PRESIDENT. For what purpose does the gentlewoman from Texas rise?

Ms. JACKSON LEE. Mr. President, I object on the massive voter suppression that is provisional that denied individual ballots—

The VICE PRESIDENT. Debate is not in order. Debate is not in order.

The gentlewoman will suspend.

Section 15 and 17 of title 3 of the U.S. Code requires that any objection be presented in writing and signed by both the Member of the House of Representatives and a Senator.

Ms. JACKSON LEE. Mr. President, I have an objection.

The VICE PRESIDENT. Is it signed by a United States Senator?

Ms. JACKSON LEE. Not yet. We are seeking a United States Senator.

The VICE PRESIDENT. Well, in that case, the objection cannot be entertained.

We will proceed with the count.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Missouri seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 10 votes for President and Michael R. Pence of the State of Indiana received 10 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Montana seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 3 votes for President and Michael R. Pence of the State of Indiana received 3 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Nebraska seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 5 votes for President and Michael R. Pence of the State of Indiana received 5 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Nevada seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 6 votes for President and TIM KAINE of the Commonwealth of Virginia received 6 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of New Hampshire seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 4 votes for President and TIM KAINE of the Commonwealth of Virginia received 4 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of New Jersey seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 14 votes for President and TIM KAINE of the Commonwealth of Virginia received 14 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of New Mexico seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 5 votes for President and TIM KAINE of the Commonwealth of Virginia received 5 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of New York seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 29 votes for President and TIM KAINE of the Commonwealth of Virginia received 29 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of North Carolina seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 15 votes for President and Michael R. Pence of the State of Indiana received 15 votes for Vice President.

The VICE PRESIDENT. For what purpose does the gentleman from Arizona rise?

Mr. GRIJALVA. Mr. President, I object to the certificate from the State of North Carolina based on violations of the Voting Rights Act and confirmed hacking by the—

The VICE PRESIDENT. There is no debate in the joint session.

The Chair has previously ruled that a signature from a Senator is required. Is there a signature from a Senator?

Mr. GRIJALVA. There is a signature from the House of Representatives, myself, and—

The VICE PRESIDENT. The objection cannot be received without a signature from a Senator.

The tellers will continue the count.

Ms. JACKSON LEE. Mr. President,

The VICE PRESIDENT. For what purpose does the gentlewoman from Texas rise?

Ms. JACKSON LEE. Mr. President, I object to the 15 votes from the State of North Carolina because of the massive voter suppression and the closing of voting massive suppression that occurred from African American—

The VICE PRESIDENT. There is no debate. There is no debate. There is no debate.

The gentlewoman will suspend.

As the Chair has previously ruled, a signature from a Senator is required.

Ms. JACKSON LEE. Mr. Vice President, I do have in writing a signature

from myself, not yet a signature from a Senator.

The VICE PRESIDENT. The objection cannot be received.

The tellers will continue the count.

□ 1330

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of North Dakota seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 3 votes for President and Michael R. Pence of the State of Indiana received 3 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Ohio seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 18 votes for President and Michael R. Pence of the State of Indiana received 18 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Oklahoma seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 7 votes for President and Michael R. Pence of the State of Indiana received 7 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Oregon seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 7 votes for President and TIM Kaine of the Commonwealth of Virginia received 7 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the Commonwealth of Pennsylvania seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 20 votes for President and Michael R. Pence of the State of Indiana received 20 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Rhode Island seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 4 votes for President and TIM Kaine of the Commonwealth of Virginia received 4 votes for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of South Carolina seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 9 votes for President and Michael R. Pence of the State of Indiana received 9 votes for Vice President.

Ms. JACKSON LEE. Mr. President.

The VICE PRESIDENT. For what purpose does the gentlewoman from Texas rise?

Ms. JACKSON LEE. Mr. President, I object to the votes from South Carolina because—

The VICE PRESIDENT. The gentlewoman will suspend.

As the Chair has previously ruled, there is no debate in the joint session. As the Chair has previously ruled, a Senator is required to sign.

Ms. JACKSON LEE. Mr. President, I have it in writing. I am now seeking a signature from a United States Senator.

The VICE PRESIDENT. The objection cannot be received.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of South Dakota seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 3 votes for President and Michael R. Pence of the State of Indiana received 3 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Tennessee seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 11 votes for President and Michael R. Pence of the State of Indiana received 11 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Texas seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 36 votes for President, John R. Kasich of the State of Ohio received 1 vote for President, and Ron Paul of the State of Texas received 1 vote for President, and Michael R. Pence of the State of Indiana received 37 votes for Vice President, and Carly Fiorina of the Commonwealth of Virginia received 1 vote for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of Utah seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 6 votes for President and Michael R. Pence of the State of Indiana received 6 votes for Vice President.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Vermont seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 3 votes for President and TIM Kaine of the Commonwealth of Virginia received 3 votes for Vice President.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the Commonwealth of Virginia seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 13 votes for President and TIM Kaine of the Common-

wealth of Virginia received 13 votes for Vice President.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Washington seems to be regular in form and authentic, and it appears therefrom that Hillary Clinton of the State of New York received 8 votes for President, Colin Powell of the Commonwealth of Virginia received 3 votes for President, and Faith Spotted Eagle of the State of South Dakota received 1 vote for President, and TIM Kaine of the Commonwealth of Virginia received 8 votes for Vice President, ELIZABETH WARREN of the Commonwealth of Massachusetts received 1 vote for Vice President, MARIA CANTWELL of the State of Washington received 1 vote for Vice President, SUSAN COLLINS of the State of Maine received 1 vote for Vice President, and Winona LaDuke of the State of Minnesota received 1 vote for Vice President.

Mr. HARPER. Mr. President, the certificate of the electoral vote of the State of West Virginia seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 5 votes for President and Michael R. Pence of the State of Indiana received 5 votes for Vice President.

The VICE PRESIDENT. For what purpose does the gentlewoman from California rise?

Ms. LEE. Mr. President, I object on behalf of the million of Americans, including members of the intelligence community.

The VICE PRESIDENT. As the Chair has previously ruled, debate is prohibited.

As the Chair has previously ruled, a signature from a Senator is required. The objection cannot be received unless such a signature is obtained.

Ms. LEE. Mr. President, despite grave concerns of the intelligence—

The VICE PRESIDENT. The objection cannot be received.

Senator KLOBUCHAR, continue the tally.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Wisconsin seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 10 votes for President and Michael R. Pence of the State of Indiana received 10 votes for Vice President.

The VICE PRESIDENT. For what purpose does the gentlewoman from Texas rise?

Ms. JACKSON LEE. Mr. President, I object to the votes from the State of Wisconsin which should not be legally certified.

The VICE PRESIDENT. The gentlewoman will suspend.

As the Chair has previously ruled, a signature from a Senator is required. Is there such a signature?

Ms. JACKSON LEE. Mr. President, I do have a written document with my objection.

The VICE PRESIDENT. The objection cannot be received.

We will continue the tally.

Mr. BRADY of Pennsylvania. Mr. President, the certificate of the electoral vote of the State of Wyoming seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of New York received 3 votes for President and Michael R. Pence of the State of Indiana received 3 votes for Vice President.

The VICE PRESIDENT. For what purpose does the gentlewoman from California rise?

Ms. MAXINE WATERS of California. Mr. President, I do not wish to debate. I wish to ask: Is there one United States Senator who will join me in this letter of objection?

The VICE PRESIDENT. The gentlewoman will suspend.

The Chair has previously ruled a signature from a Senator is required. The objection cannot be received.

Members of Congress, the certificates having been read, the tellers will ascertain and deliver the result to the President of the Senate.

Senator BLUNT. Mr. President, the undersigned, ROY BLUNT and AMY KLOBUCHAR, tellers on the part of the Senate, GREGG HARPER and ROBERT A. BRADY, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term be-

ginning on the 20th day of January 2017.

The tellers delivered to the President of the Senate the following statement of results:

JOINT SESSION OF CONGRESS FOR THE COUNTING OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES—OFFICIAL TALLY

The undersigned, ROY BLUNT and AMY KLOBUCHAR tellers on the part of the Senate, GREGG HARPER and ROBERT A. BRADY tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the twentieth day of January, two thousand and seventeen.

Electoral votes of each State	For President							For Vice President						
	Donald J. Trump	Hillary Clinton	Colin Powell	John Kasich	Ron Paul	Bernie Sanders	Faith Spotted Eagle	Michael R. Pence	Tim Kaine	Elizabeth Warren	Maria Cantwell	Susan Collins	Carly Fiorina	Winona LaDuke
Alabama—9	9							9						
Alaska—3	3							3						
Arizona—11	11							11						
Arkansas—6	6							6						
California—55		55							55					
Colorado—9		9							9					
Connecticut—7		7							7					
Delaware—3		3							3					
District of Columbia—3		3							3					
Florida—29	29							29						
Georgia—16	16							16						
Hawaii—4		3				1			3	1				
Idaho—4	4							4						
Illinois—20		20							20					
Indiana—11	11							11						
Iowa—6	6							6						
Kansas—6	6							6						
Kentucky—8	8							8						
Louisiana—8	8							8						
Maine—4	1	3						1	3					
Maryland—10		10							10					
Massachusetts—11		11							11					
Michigan—16	16							16						
Minnesota—10		10							10					
Mississippi—6	6							6						
Missouri—10	10							10						
Montana—3	3							3						
Nebraska—5	5							5						
Nevada—6		6							6					
New Hampshire—4		4							4					
New Jersey—14		14							14					
New Mexico—5		5							5					
New York—29	29							29						
North Carolina—15	15							15						
North Dakota—3	3							3						
Ohio—18	18							18						
Oklahoma—7	7							7						
Oregon—7		7							7					
Pennsylvania—20	20							20						
Rhode Island—4		4							4					
South Carolina—9	9							9						
South Dakota—3	3							3						
Tennessee—11	11							11						
Texas—38	36			1	1			37					1	
Utah—6	6							6						
Vermont—3		3							3					
Virginia—13		13							13					
Washington—12		8	3				1		8	1		1		1
West Virginia—5	5							5						
Wisconsin—10	10							10						
Wyoming—3	3							3						
Total—538	304	227	3	1	1	1	1	305	227	2	1	1	1	1

ROY BLUNT,
AMY KLOBUCHAR,
Tellers on the part of the Senate.
GREGG HARPER,
ROBERT A. BRADY,
Tellers on the part of the use of Representatives.

The VICE PRESIDENT. The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of electors appointed to vote for President of the

United States is 538. Within that whole number, a majority is 270.

The votes for President of the United States are as follows:

Donald J. Trump of the State of New York has received 304 votes.

Hillary Clinton of the State of New York has received 227 votes.

Colin Powell of the Commonwealth of Virginia has received 3 votes.

John Kasich of the State of Ohio has received 1 vote.

Ron Paul of the State of Texas has received 1 vote.

BERNIE SANDERS of the State of Vermont has received 1 vote.

Faith Spotted Eagle of the State of South Dakota has received 1 vote.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of electors appointed to vote for Vice President of the United States is 538. Within that whole number, a majority is 270.

The votes for Vice President of the United States are as follows:

Michael R. Pence of the State of Indiana has received 305 votes.

TIM KAINE of the Commonwealth of Virginia has received 227 votes.

ANNOUNCEMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The joint session will be in order.

The Sergeant at Arms will remove the disturbance from the gallery.

The joint session will be in order.

ELIZABETH WARREN of the Commonwealth of Massachusetts has received 2 votes.

MARIA CANTWELL of the State of Washington has received 1 vote.

SUSAN COLLINS of the State of Maine has received 1 vote.

Carly Fiorina of the Commonwealth of Virginia has received 1 vote.

ANNOUNCEMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Sergeant at Arms will remove the protestors from the gallery.

The joint session will be in order.

Winona LaDuke of the State of Minnesota has received 1 vote.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 20th day of January 2017 and shall be entered, together with the list of the votes, on the Journals of the Senate and House of Representatives.

The purpose of the joint session having concluded, pursuant to the Senate Concurrent Resolution 2, 115th Congress, the Chair declares the joint session dissolved.

(Thereupon, at 1 o'clock and 41 minutes p.m., the joint session of the two Houses of Congress dissolved.)

The SPEAKER. Pursuant to Senate Concurrent Resolution 2, 115th Congress, the electoral vote will be spread at large upon the Journal.

□ 1522

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 29

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON APPROPRIATIONS: Mr. Rogers of Kentucky, Mr. Aderholt, Ms. Granger, Mr. Simpson, Mr. Culberson, Mr. Carter of Texas, Mr. Calvert, Mr. Cole, Mr. Diaz-Balart, Mr. Dent, Mr. Graves of Georgia, Mr. Yoder, Mr. Womack, Mr. Fortenberry, Mr. Thomas J. Rooney of Florida, Mr. Fleischmann, Ms.

Beutler, Mr. Joyce of Ohio, Mr. Valadao, Mr. Harris, Mrs. Roby, Mr. Amodei, Mr. Stewart, Mr. Young of Iowa, Mr. Jenkins of West Virginia, Mr. Palazzo, Mr. Newhouse, Mr. Moolenaar, and Mr. Taylor.

COMMITTEE ON ENERGY AND COMMERCE: Mr. Barton, Mr. Upton, Mr. Shimkus, Mr. Murphy of Pennsylvania, Mr. Burgess, Mrs. Blackburn, Mr. Scalise, Mr. Latta, Mrs. McMorris Rodgers, Mr. Harper, Mr. Lance, Mr. Guthrie, Mr. Olson, Mr. McKinley, Mr. Kinzinger, Mr. Griffith, Mr. Bilirakis, Mr. Johnson of Ohio, Mr. Long, Mr. Bucshon, Mr. Flores, Mrs. Brooks of Indiana, Mr. Mullin, Mr. Hudson, Mr. Collins of New York, Mr. Cramer, Mr. Walberg, Mrs. Mimi Walters of California, Mr. Costello of Pennsylvania, and Mr. Carter of Georgia.

COMMITTEE ON FINANCIAL SERVICES: Mr. King of New York, Mr. Royce of California, Mr. Lucas, Mr. McHenry, Mr. Pearce, Mr. Posey, Mr. Luetkemeyer, Mr. Huizenga, Mr. Duffy, Mr. Stivers, Mr. Hultgren, Mr. Ross, Mr. Pittenger, Mrs. Wagner, Mr. Barr, Mr. Rothfus, Mr. Messer, Mr. Tipton, Mr. Williams, Mr. Poliquin, Mrs. Love, Mr. Hill, Mr. Emmer, Mr. Zeldin, Mr. Trott, Mr. Loudermilk, Mr. Mooney of West Virginia, Mr. MacArthur, Mr. Davidson, Mr. Budd, Mr. Kustoff, Ms. Tenney, and Mr. Hollingsworth.

COMMITTEE OF WAYS AND MEANS: Mr. Sam Johnson of Texas, Mr. Nunes, Mr. Tiberi, Mr. Reichert, Mr. Roskam, Mr. Tom Price of Georgia, Mr. Buchanan, Mr. Smith of Nebraska, Ms. Jenkins of Kansas, Mr. Paulsen, Mr. Marchant, Mrs. Black, Mr. Reed, Mr. Kelly of Pennsylvania, Mr. Renacci, Mr. Meehan, Mrs. Noem, Mr. Holding, Mr. Smith of Missouri, Mr. Tom Rice of South Carolina, Mr. Schweikert, Mrs. Walorski, and Mr. Curbelo of Florida.

Mr. SMITH of Missouri (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore (Mr. HOLDING). The Chair announces, without objection, the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2017, and notwithstanding the requirement clause 11(a)(1)(D) of rule X, of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. CONAWAY, Texas
Mr. KING, New York
Mr. LOBIONDO, New Jersey
Mr. TOM ROONEY, Florida
Mr. POMPEO, Kansas
Ms. ROS-LEHTINEN, Florida
Mr. TURNER, Ohio
Mr. WENSTRUP, Ohio
Mr. STEWART, Utah
Mr. SCHIFF, California

PERMISSION TO PLACE IN THE RECORD A STATEMENT REGARDING THE JOINT SESSION OF ELECTION

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent to place in the RECORD a statement regarding the joint session of election, the county electoral ballots, and as well the appropriate letters of objection and documentation.

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

There was no objection.

ADJOURNMENT

Mr. SMITH of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until Monday, January 9, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

34. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Almonds Grown in California; Increased Assessment Rate [Doc. No.: AMS-SC-16-0045; SC16-981-2 FR] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

35. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's affirmation of interim rule as final rule — Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate [Doc. No.: AMS-SC-16-0084; SC16-987-1 FIR] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

36. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Cherries Grown in Designated Counties in Washington; Increased Assessment Rate [Doc. No.: AMS-SC-16-0077; SC16-923-1 FR] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

37. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

38. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A);

Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

39. A letter from the Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final order — Schedules of Controlled Substances: Temporary Placement of U-47700 Into Schedule I [Docket No.: DEA-440] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

40. A letter from the Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final order— Schedules of Controlled Substances: Temporary Placement of Furanyl Fentanyl Into Schedule I [Docket No.: DEA-448] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

41. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tetraconazole; Pesticide Tolerances [EPA-HQ-OPP-2015-0695; FRL-9955-74] received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

42. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Guideline on Air Quality Models: Enhancements to the AERMOD Dispersion Modeling System and Incorporation of Approaches to Address Ozone and Fine Particulate Matter [EPA-HQ-OAR-2015-0310; FRL-9956-23-OAR] (RIN: 2060-AS54) received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

43. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Ferroalloys Production [EPA-HQ-OAR-2010-0895; FRL-9958-01-OAR] (RIN: 2060-AS90) received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

44. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Nonattainment and Reclassification of the Houston-Galveston-Brazoria 2008 8-hour Ozone Nonattainment Area; Texas; Correction [EPA-R06-OAR-2016-0275; FRL-9957-57-Region 6] received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

45. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Electronic Reporting and Recordkeeping Requirements for New Source Performance Standards [EPA-HQ-OAR-2009-0174; FRL-9957-67-OAR] (RIN: 2060-AP63) received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

46. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chemical Substances When Manufactured or Processed as Nanoscale Ma-

terials; TSCA Reporting and Recordkeeping Requirements [EPA-HQ-OPPT-2010-0572; FRL-9957-81] (RIN: 2070-AJ54) received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

47. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Control of Air Pollution from Visible Emissions and Particulate Matter [EPA-R06-OAR-2014-0222; FRL-9956-55-Region 6] received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

48. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Butanedioic acid, 2-methylene-, telomer with sodium phosphinate (1:1), acidified, potassium salts; Tolerance Exemption [EPA-HQ-OPP-2016-0487; FRL-9954-53] received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

49. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R04-OAR-2014-0431; FRL-9957-93-Region 4] received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

50. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; TN Infrastructure Requirements for the 2010 NO₂ NAAQS [EPA-R04-OAR-2015-0252; FRL-9957-90-Region 4] received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

51. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acequinocyl; Pesticide Tolerances [EPA-HQ-OPP-2015-0829; FRL-9956-85] received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

52. A letter from the Administrator, Environmental Protection Agency, transmitting a report titled, "FY 2014 Superfund Five-Year Review Report to Congress", pursuant to Sec. 121(c) of the Comprehensive Environmental Response, Compensation and Liability Act; to the Committee on Energy and Commerce.

53. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Refuse to Accept Procedures for Premarket Tobacco Product Submissions [Docket No.: FDA-2016-N-1555] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

54. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Commerce Control List: Updates Based on the 2015 and 2016 Nuclear Suppliers Group

(NSG) Plenary Meetings; Conforming Changes and Corrections to Certain Nuclear Nonproliferation (NP) Controls [Docket No.: 161102999-6999-01] (RIN: 0694-AH20) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

55. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-552, "Enhanced Penalties for Distracted Driving Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

56. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-549, "Improving Access to Identity Documents Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

57. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-548, "Sporting Events Tobacco Products Restriction Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

58. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-547, "International Registration Plan Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

59. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-553, "Rent Control Hardship Petition Limitation Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

60. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-545, "Prohibition Against Selling Tobacco Products to Individuals Under 21 Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

61. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-554, "Commemorative Flag Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

62. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-543, "Electronic Cigarette Parity Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

63. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-555, "Adult Protective Services Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

64. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-542, "Statute of Limitations Clarifying Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

65. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-541, "Driver's License Fair Access and Equality Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87

Stat. 814); to the Committee on Oversight and Government Reform.

66. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-557, “Feminine Hygiene and Diaper Sales Tax Exemption Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

67. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-539, “Commission on Climate Change and Resiliency Establishment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

68. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-558, “Charitable Solicitations Relief Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

69. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-538, “Kennedy Street, N.W., Economic Development and Small Business Revitalization Advisory Committee Establishment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

70. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-568, “Comprehensive Youth Justice Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

71. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-559, “Department of Motor Vehicles Extension of Deadlines Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

72. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-537, “Access to Emergency Epinephrine in Schools Clarification Temporary Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

73. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-560, “Food, Environmental, and Economic Development in the District of Columbia Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

74. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-544, “Fiscal Year 2017 Budget Support Clarification Temporary Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

75. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-579, “Georgia Avenue Retail Priority Area Temporary Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

76. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-564, “Automatic Voter Registration Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

77. A letter from the Chairman, Council of the District of Columbia, transmitting D.C.

ACT 21-561, “Extension of Time to Dispose of the Stevens School Temporary Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

78. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-562, “Revised Wage Theft Prevention Clarification Temporary Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

79. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-563, “Public School Nurse Assignment Temporary Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

80. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-565, “Medical Marijuana Omnibus Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

81. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-566, “Residential Lease Clarification Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

82. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-567, “Relocation Expenses Recoupment and Lien Authority Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

83. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-569, “Specialty License Plate Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

84. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-570, “Department of Consumer and Regulatory Affairs Community Partnership Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

85. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-571, “Student Loan Ombudsman Establishment and Servicing Regulation Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

86. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-577, “Death with Dignity Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

87. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-578, “Sale of Synthetic Drugs Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

88. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-580, “Foster Parents Statement of Rights and Responsibilities Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

89. A letter from the Chairman, Council of the District of Columbia, transmitting D.C.

Act 21-581, “Protecting Students Digital Privacy Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

90. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-582, “Planning Actively for Comprehensive Education Facilities Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

91. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-546, “Department of Motor Vehicles Reform Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

92. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-556, “Vacant Property Enforcement Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

93. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-540, “Substance Abuse and Opioid Overdose Prevention Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

94. A letter from the Regulatory Specialist, LRA, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department’s interim final rule — Availability of Information Under the Freedom of Information Act [Docket ID: OCC-2016-0033] (RIN: 1557-AE12) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

95. A letter from the President, Overseas Private Investment Corporation, transmitting the Corporation’s Annual Management Report and Financial Statements, pursuant to 31 U.S.C. 9106(a)(1); Public Law 97-258 (as amended by Public Law 101-576, Sec. 306(a)) (104 Stat. 2854); to the Committee on Oversight and Government Reform.

96. A letter from the Acting Commissioner, Social Security Administration, transmitting a letter reporting to Congress on FY 2016 Competitive Sourcing efforts, pursuant to 31 U.S.C. 501 note; Public Law 108-199, Sec. 647(b); (118 Stat. 361); to the Committee on Oversight and Government Reform.

97. A letter from the Board Members, United States Capitol Police Board, transmitting a response to the GAO Draft Report, GAO 17-112, “U.S. Capitol Police Board: Fully Incorporating Leading Governance Practices Would Help Enhance Accountability, Transparency, and External Communication”; to the Committee on House Administration.

98. A letter from the Secretary, Department of Health and Human Services, transmitting the Department’s determination on a petition filed on behalf of workers at the Westinghouse Electric Corporation in Bloomfield, NJ, to be added to the Special Exposure Cohort, pursuant to 42 U.S.C. 7384q(c)(2); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(1)); (118 Stat. 2188); to the Committee on the Judiciary.

99. A letter from the Secretary, Department of Health and Human Services, transmitting the Department’s determination on a petition filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure

Cohort, pursuant to 42 U.S.C. 7384q(c)(2); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(1)); (118 Stat. 2188); to the Committee on the Judiciary.

100. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers at the Bliss and Laughlin Steel site in Buffalo, New York, to be added to the Special Exposure Cohort, pursuant to 42 U.S.C. 7384q(c)(2); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(1)); (118 Stat. 2188); to the Committee on the Judiciary.

101. A letter from the Assistant Secretary, Civil Works, Department of the Army, Department of Defense, transmitting a list of projects, or separable elements of projects, which have been authorized, but for which no funds have been obligated for planning, design or construction during the preceding five full fiscal years, pursuant to 33 U.S.C. 579a(b)(2); Public Law 99-662, Sec. 1001(b)(2) (as amended by Public Law 106-109, Sec. 8(d)); (113 Stat. 1497); to the Committee on Transportation and Infrastructure.

102. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Uniform National Discharge Standards for Vessels of the Armed Forces — Phase II Batch One [EPA-HQ-OW-2013-0469; FRL-9957-85-OW] (RIN: 2040-AD39) received January 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCHENRY (for himself, Mr. ABRAHAM, Mr. BOST, Mr. BUCSHON, Mr. BURGESS, Mr. CARTER of Georgia, Mr. CRAMER, Ms. FOXX, Mr. GOSAR, Mr. GRIFFITH, Mr. GROTHMAN, Mr. HUDSON, Mr. HUIZENGA, Mr. JONES, Mr. LAMALFA, Mr. LOUDERMILK, Mr. MOOLENAAR, Mr. MULLIN, Mr. PITTENGER, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. RYAN of Ohio, Mr. WALBERG, Mrs. WALORSKI, Mrs. MIMI WALTERS of California, Mr. WESTERMAN, Mr. MCCLINTOCK, Mr. ZELDIN, Mr. NOLAN, Mr. HOLDING, Mr. BROOKS of Alabama, Mr. COOK, Mr. EMMER, Mr. RENACCI, Mr. COOPER, Mr. CUELLAR, Mr. LONG, Mr. SENSENBRENNER, Mr. BRAT, Mrs. WAGNER, Mr. TIBERI, Ms. JENKINS of Kansas, and Mr. SMITH of Texas):

H.R. 350. A bill to exclude vehicles used solely for competition from certain provisions of the Clean Air Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SANFORD (for himself, Mr. MCGOVERN, Mr. AMASH, Mr. POE of Texas, Mr. MASSIE, Mr. EMMER, and Ms. LEE):

H.R. 351. A bill to allow travel between the United States and Cuba; to the Committee on Foreign Affairs.

By Mr. ROKITA (for himself, Mr. MESSER, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Mr. WESTERMAN, Mr. DESJARLAIS, Mr. MOOLENAAR, Mr. PALAZZO, Mrs. BLACK, Mr. SCHWEIKERT, Mr. JODY B. HICE of

Georgia, Mr. LOUDERMILK, Mr. PITTENGER, Mr. BISHOP of Utah, Mr. DUNCAN of South Carolina, Mr. COLE, Mr. OLSON, Mr. ROHRBACHER, Mr. CRAMER, Mr. MEADOWS, Mr. BRAT, Mr. STEWART, Mr. PEARCE, Mr. TROTT, Mr. BANKS of Indiana, Mr. BARR, and Mr. ALLEN):

H.R. 352. A bill to amend the Social Security Act to replace the Medicaid program and the Children's Health Insurance program with a block grant to the States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Rules, Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS:

H.R. 353. A bill to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes; to the Committee on Science, Space, and Technology.

By Mrs. BLACK (for herself, Mr. HENSARLING, Mr. FLEISCHMANN, Mr. MCCAUL, Mr. PITTENGER, Mr. KELLY of Mississippi, Mr. FARENTHOLD, Mr. WENSTRUP, Mr. OLSON, Mr. ROE of Tennessee, Mr. BLUM, Mr. ROHRBACHER, Mr. AUSTIN SCOTT of Georgia, Mr. GROTHMAN, Mr. BILIRAKIS, Mr. ABRAHAM, Mr. JODY B. HICE of Georgia, Mr. PEARCE, Mr. HUDSON, Mr. ROSKAM, Mr. DUNCAN of South Carolina, Mr. MULLIN, Mr. COLLINS of Georgia, Mr. SMITH of New Jersey, Ms. JENKINS of Kansas, Mr. MASSIE, Mr. GIBBS, Mr. LABRADOR, Mr. ROTHFUS, Mr. MOOLENAAR, Mr. JENKINS of West Virginia, Mr. FRANKS of Arizona, Mr. CONAWAY, Mrs. HARTZLER, Mrs. LOVE, Mr. LAMBORN, Mr. YOHO, Mr. GOSAR, Mr. CHABOT, Mr. HARRIS, Mr. ALLEN, Mr. HULTGREN, Mr. CARTER of Georgia, Mrs. BLACKBURN, Mr. MOONEY of West Virginia, Mr. CRAMER, Mr. ADERHOLT, Mr. KELLY of Pennsylvania, Mr. RATCLIFFE, Mrs. WALORSKI, Mr. BRAT, Mr. GRAVES of Missouri, Mr. CULBERSON, Mr. JONES, Mr. MARCHANT, Mr. BABIN, Mr. WOODALL, Mr. EMMER, Mr. ROKITA, Mr. MESSER, Mr. WILSON of South Carolina, Mrs. WAGNER, Mr. BRIDENSTINE, Mr. BYRNE, Mr. JOHNSON of Ohio, Mr. WESTERMAN, Mr. MEADOWS, Mr. DESJARLAIS, Mr. CRAWFORD, Mr. HILL, Mr. TURNER, Mr. GUTHRIE, Mr. GOHMERT, Mr. RUSSELL, Mr. FLORES, Mr. LONG, Mr. HARPER, Mr. PALAZZO, Mr. CARTER of Texas, Mr. BISHOP of Michigan, Mr. SENSENBRENNER, Mr. BARLETTA, Mr. BARR, Mr. PERRY, Mr. DAVIDSON, Mr. HOLDING, Mr. LATTA, Mr. SMITH of Nebraska, Mr. SANFORD, Mr. SHIMKUS, Mr. HUIZENGA, Mr. BANKS of Indiana, Mr. SMITH of Texas, Mr. SHUSTER, Mr. ROGERS of Alabama, Mr. CALVERT, Mr. POE of Texas, Mr. WILLIAMS, Mr. BRADY of Texas, Mr. SESSIONS, Mrs. ROBY, Mr. WITTMAN, Mr.

LOUDERMILK, Mr. BUCSHON, Mr. GRAVES of Georgia, Mrs. NOEM, Mr. DUFFY, Mr. WALBERG, Mr. STEWART, Mr. WALKER, Mr. KUSTOFF of Tennessee, Mr. GRIFFITH, Mr. LUETKEMEYER, Mr. PALMER, Mr. SMITH of Missouri, Mr. WEBER of Texas, Mr. VALADAO, Mr. SCALISE, Mr. ROUZER, Mr. POSEY, Mr. TIBERI, Mr. COLE, Mr. YODER, Mr. GRAVES of Louisiana, Mr. BIGGS, Mr. COMER, Mr. SAM JOHNSON of Texas, and Mr. LAHOOD):

H.R. 354. A bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina:

H.R. 355. A bill to provide for a 2-year delay in the effective date of a rule of the Department of Labor relating to the "Definition of the Term 'Fiduciary'; Conflict of Interest Rule-Retirement Investment Advice"; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWALWELL of California (for himself, Mr. CUMMINGS, Ms. JACKSON LEE, Mr. AGUILAR, Ms. BARRAGAN, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARBAJAL, Mr. CárDENAS, Mr. CARTWRIGHT, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CICCILLINE, Ms. CLARK of Massachusetts, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COOPER, Mr. CORREA, Mr. COSTA, Mr. COURTNEY, Mr. CROWLEY, Mr. CUELLAR, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Mr. DESAUNIER, Mr. DEUTCH, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. EVANS, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEG0, Mr. GARAMENDI, Mr. GONZALEZ of Texas, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HECK, Mr. HIMES, Mr. HOYER, Mr. HUFFMAN, Ms. JAYAPAL, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mr. KRISHNAMOORTHY, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Mr. LOEBACK, Ms. LOFGREN, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. MOULTON, Ms.

MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NORCROSS, Ms. NORTON, Mr. PALLONE, Mr. PANETTA, Mr. PASCRELL, Ms. PELOSI, Mr. PERLMUTTER, Mr. PETERS, Mr. PETERSON, Ms. PLASKETT, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Mr. RICHMOND, Ms. ROSEN, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SINEMA, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. SUOZZI, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VARGAS, Mr. VEASEY, Mr. VELA, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. YARMUTH, Ms. ADAMS, Ms. CLARKE of New York, Mrs. DINGELL, Mr. ESPAILLAT, Ms. GABBARD, Mr. HIGGINS of New York, Ms. KUSTER of New Hampshire, Mr. LOWENTHAL, Mrs. MURPHY of Florida, Mr. O'ROURKE, Mr. RUSH, Mr. SABLAN, Mr. SERRANO, Mr. SIRES, and Ms. WILSON of Florida):

H.R. 356. A bill to establish the National Commission on Foreign Interference in the 2016 Election; to the Committee on Foreign Affairs.

By Mrs. BUSTOS (for herself, Mr. GUTIERREZ, Ms. SEWELL of Alabama, Ms. MCCOLLUM, Mr. LOEBACK, Mr. POCAN, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. CARTWRIGHT, Mr. LYNCH, Mrs. WATSON COLEMAN, Mr. BRADY of Pennsylvania, Mr. RYAN of Ohio, Mr. SCHNEIDER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NOLAN, Mr. KRISHNAMOORTHY, Mr. LIPINSKI, Mr. FOSTER, Mrs. DINGELL, Mr. CONYERS, Mr. KILDEE, Mr. CLEAVER, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. CARSON of Indiana):

H.R. 357. A bill to require the President to develop and release a comprehensive national strategy to prevent United States employers from overseas outsourcing and offshoring practices that impact the United States workforce; to the Committee on Education and the Workforce.

By Mr. GRIFFITH (for himself, Mr. PALAZZO, Mr. BABIN, Mr. DUNCAN of South Carolina, Mr. BROOKS of Alabama, Mr. JOHNSON of Ohio, Mr. STEWART, Mr. MESSER, Mr. ABRAHAM, Mr. TIPTON, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. FARENTHOLD, Mr. ZELDIN, Mr. GIBBS, Mr. DUFFY, Mr. KELLY of Pennsylvania, Mr. LONG, Mr. OLSON, Ms. JENKINS of Kansas, Mr. HENSARLING, Mr. SAM JOHNSON of Texas, Mr. YOUNG of Alaska, Mr. JODY B. HICE of Georgia, and Mr. ROE of Tennessee):

H.R. 358. A bill to amend chapter 44 of title 18, United States Code, to more comprehensively address the interstate transportation of firearms or ammunition; to the Committee on the Judiciary.

By Mr. GRIFFITH:

H.R. 359. A bill to amend the Internal Revenue Code of 1986 to provide for waivers of user fees imposed with respect to applications for reinstatement of tax-exempt status

of small, subsidiary tax-exempt organizations; to the Committee on Ways and Means.

By Mr. GRIJALVA:

H.R. 360. A bill to designate the Greater Grand Canyon Heritage National Monument in the State of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. KING of Iowa:

H.R. 361. A bill to amend the Immigration and Nationality Act to increase the penalties applicable to aliens who unlawfully reenter the United States after being removed; to the Committee on the Judiciary.

By Ms. MCSALLY (for herself, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Ms. SINEMA, Mr. BIGGS, Mr. O'HALLERAN, Mr. GALLEGOS, Mr. GRIJALVA, Mr. SMITH of Washington, Ms. WASSERMAN SCHULTZ, Mr. PRICE of North Carolina, Mr. COSTA, Ms. ROYBAL-ALLARD, and Mr. FITZPATRICK):

H.R. 362. A bill to authorize the Secretary of the Interior to establish the January 8th National Memorial in Tucson, Arizona, as an affiliated area of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. MESSER:

H.R. 363. A bill to amend the Internal Revenue Code of 1986 to clarify eligibility for the child tax credit; to the Committee on Ways and Means.

By Mr. MULLIN (for himself, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. MCKINLEY, Mr. BISHOP of Utah, Mr. MARSHALL, Mr. JOHNSON of Ohio, Mr. RUSSELL, Mr. CRAMER, Mr. HENSARLING, Mr. OLSON, Mr. CULBERSON, Mr. BRIDENSTINE, and Mr. COLE):

H.R. 364. A bill to direct the Secretary of Transportation to ensure that on-duty time does not include waiting time at a natural gas or oil well site for certain commercial motor vehicle operators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PAULSEN (for himself, Mr. BLUMENAUER, and Mr. DENT):

H.R. 365. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain direct primary care service arrangements and periodic provider fees; to the Committee on Ways and Means.

By Mr. PERRY (for himself, Mr. MCCAUL, and Mrs. WATSON COLEMAN):

H.R. 366. A bill to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, and for other purposes; to the Committee on Homeland Security.

By Mr. PALAZZO (for himself, Mr. DUNCAN of South Carolina, and Mr. GOHMERT):

H.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States to limit Congress' power to impose a tax on a failure to purchase goods or services; to the Committee on the Judiciary.

By Mr. PERRY:

H.J. Res. 22. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources"; to the Committee on Energy and Commerce.

By Mr. RENACCI (for himself, Ms. SINEMA, Mr. O'ROURKE, Mr. COOPER,

Mr. BARTON, Mr. DAVIDSON, Ms. STEFANK, Mr. LIPINSKI, Miss RICE of New York, Mr. HUIZENGA, Mr. GOHMERT, Mr. SANFORD, Mr. COSTELLO of Pennsylvania, Mr. BYRNE, Mr. BURGESS, Mr. BUCSHON, Mr. WESTERMAN, Mr. MEEHAN, Mr. KILMER, Mr. TURNER, Mr. WEBSTER of Florida, Mr. JOYCE of Ohio, Mr. MCCLINTOCK, Mr. CALVERT, Mr. SENSENBRENNER, Mr. AMODEI, Mr. SMITH of Nebraska, Mr. JOHNSON of Ohio, Mr. PETERS, Mr. MOULTON, Mr. LAHOOD, Mr. BARLETTA, Mr. BISHOP of Michigan, Mr. VALADAO, and Mr. MARINO):

H. Con. Res. 8. Concurrent resolution providing for a joint session of Congress to receive a presentation from the Comptroller General of the United States regarding the audited financial statement of the executive branch; to the Committee on House Administration.

By Mr. SMITH of Missouri:

H. Res. 29. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. HASTINGS (for himself, Mr. GRIJALVA, Ms. FRANKEL of Florida, Mr. JOHNSON of Georgia, Mr. CONYERS, Mr. PERRY, Mr. ZELDIN, Ms. DELAURO, Mr. NADLER, Ms. DELBENE, Mr. CARTWRIGHT, Mr. SCHIFF, Mr. COHEN, Mr. BUCHANAN, Mr. YARMUTH, Mr. CONNOLLY, Mr. PAYNE, Mr. STIVERS, Mr. LOBIONDO, Mr. LEWIS of Georgia, Mr. SABLAN, Mr. SARBANES, Ms. MOORE, Ms. WILSON of Florida, Mr. DONOVAN, Mr. SWALWELL of California, Mr. DEUTCH, Mr. LANCE, Ms. TITUS, Mr. DEFAZIO, Ms. TSONGAS, Ms. CASTOR of Florida, Mr. POCAN, Ms. SÁNCHEZ, Mr. CÁRDENAS, Mr. BISHOP of Michigan, Mr. PERLMUTTER, Mr. BLUMENAUER, Ms. ROYBAL-ALLARD, Ms. PINGREE, Mr. LANGEVIN, Mr. WELCH, Ms. SCHAKOWSKY, Mr. COSTELLO of Pennsylvania, Mr. KEATING, Mrs. WATSON COLEMAN, Ms. MATSUI, Mr. SMITH of New Jersey, Mr. MURPHY of Pennsylvania, and Mr. UPTON):

H. Res. 30. A resolution condemning the Dog Meat Festival in Yulin, China, and urging China to end the dog meat trade; to the Committee on Foreign Affairs.

By Mr. MCKINLEY (for himself, Ms. KAPTUR, Mr. NOLAN, Mr. TONKO, Mr. JOYCE of Ohio, Ms. SÁNCHEZ, Mr. LAMALFA, and Mr. YOUNG of Alaska):

H. Res. 31. A resolution expressing the sense of the House of Representatives that the United States Postal Service should take all appropriate measures to restore service standards in effect as of July 1, 2012; to the Committee on Oversight and Government Reform.

By Ms. MENG:

H. Res. 32. A resolution recognizing July 28, 2017, as "World Hepatitis Day"; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII,

1. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Resolution No. 7, condemning in the strongest terms bigoted, racist, or misinformed descriptions of the immigrant community that serve only to foment hatred and violence and that the Senate supports a comprehensive and workable approach to solving our nation's historically

broken immigration system; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCHENRY:

H.R. 350.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "To regulate Commerce with foreign nations, and among the several states, and with the Indian Tribes."

Because the federal government has extended Article I, Section 8, Clause 3 beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3.

By Mr. SANFORD:

H.R. 351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the U.S. Constitution

By Mr. ROKITA:

H.R. 352.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (the Spending Clause) of the United States Constitution states that "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay for Debts and provide for the common defense and general welfare of the United States. The bill also makes specific changes to existing law in a manner that returns power to the states, in accordance with Amendment X of the United States Constitution.

By Mr. LUCAS:

H.R. 353.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mrs. BLACK:

H.R. 354.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. WILSON of South Carolina:

H.R. 355.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution

By Mr. SWALWELL of California:

H.R. 356.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. BUSTOS:

H.R. 357.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GRIFFITH:

H.R. 358.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution as well as Amendment II

By Mr. GRIFFITH:

H.R. 359.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution as well as Amendment XVI

By Mr. GRIJALVA:

H.R. 360.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

U.S. Const. art. IV, sec. 3, cl. 2, sen. a

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;

By Mr. KING of Iowa:

H.R. 361.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4

By Ms. MCSALLY:

H.R. 362.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. MESSER:

H.R. 363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, impost and excises shall be uniform throughout the United States;

By Mr. MULLIN:

H.R. 364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. PAULSEN:

H.R. 365.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—the power to lay and collect taxes

Article 1, Section 8, Clause 18—necessary and proper clause

By Mr. PERRY:

H.R. 366.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. PALAZZO:

H.J. Res. 21.

Congress has the power to enact this legislation pursuant to the following:

Article V: The Congress, whenever two thirds of both houses shall deem it nec-

essary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to year one thousand eighthundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

By Mr. PERRY:

H.J. Res. 22.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 5: Mr. SMITH of Texas, Mr. SESSIONS, Mr. YOUNG of Iowa, Mr. COLLINS of Georgia, Mr. FRANKS of Arizona, Mr. LABRADOR, Mr. HUIZENGA, Mr. JENKINS of West Virginia, Mr. TIPTON, Mr. HULTGREN, Mrs. WAGNER, and Mr. BYRNE.

H.R. 24: Mr. MCCLINTOCK, Mr. HARRIS, Mr. DESJARLAIS, Mr. MARCHANT, Mr. WILLIAMS, Mr. LOBIONDO, Ms. JENKINS of Kansas, Mr. CRAMER, Mr. OLSON, Mrs. LOVE, Mr. LEWIS of Minnesota, Mr. SMITH of Texas, Mr. GAETZ, and Mr. GIBBS.

H.R. 38: Mr. SIMPSON, Mr. COMER, Mr. GOHMERT, Mr. VALADAO, Mr. SESSIONS, Mr. POSEY, Mr. GARRETT, and Mr. MCHENRY.

H.R. 41: Mr. GARRETT.

H.R. 51: Mr. TAKANO, Mr. RYAN of Ohio, and Ms. PLASKETT.

H.R. 52: Mr. TAKANO, Mr. RYAN of Ohio, and Ms. PLASKETT.

H.R. 60: Mr. VARGAS, Mr. BARTON, Mr. RODNEY DAVIS of Illinois, Mr. LOWENTHAL, Mr. SERRANO, Mr. YOUNG of Alaska, Mr. DENT, Mr. BISHOP of Michigan, Mr. FITZPATRICK, and Mr. HURD.

H.R. 76: Mr. CRAMER, Mr. HARRIS, and Mr. SENSENBRENNER.

H.R. 140: Mr. DUNCAN of Tennessee and Mr. DAVIDSON.

H.R. 165: Mr. GRIJALVA.

H.R. 166: Mrs. NAPOLITANO.

H.R. 169: Ms. ESHOO and Mr. HECK.

H.R. 174: Mr. BLUM.

H.R. 244: Mr. COSTA, Mr. HURD, and Mrs. RADEWAGEN.

H.R. 245: Mrs. RADEWAGEN.

H.R. 253: Ms. BASS.

H.R. 277: Mr. DUNCAN of South Carolina, Mr. STEWART, and Mr. ALLEN.

H.R. 281: Mr. COLLINS of New York.

H.R. 299: Mr. PALAZZO, Ms. SINEMA, Mr. THOMAS J. ROONEY of Florida, Mr. RUPPERSBERGER, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. ZELDIN, Mrs. DINGELL, Ms. DELBENE, Ms. DELAURO, Mr. NEAL, Mr. KILDEE, Mr. MOONEY of West Virginia, Mr. MULLIN, Mr. CURBELO of Florida, Mr. WEBSTER of Florida, Ms. KUSTER of New Hampshire, Mr. KNIGHT, Ms. TSONGAS, Ms. SLAUGHTER, Mr. SERRANO, Ms. CLARK of Massachusetts, Ms. KELLY of Illinois, Mr. FARENTHOLD, Mrs. WALORSKI, Mr. RUSH, Mr. YODER, Mr. NUNES, Miss RICE of New York,

Mr. KELLY of Pennsylvania, Mr. BILIRAKIS, Mr. DEFAZIO, Mrs. NAPOLITANO, Mr. JONES, Mr. PETERS, Mr. HIMES, Mrs. BEATTY, Mr. LANGEVIN, Mr. MEEHAN, Mr. LARSEN of Washington, Mr. MOULTON, Mr. MASSIE, Mr.

WELCH, Mr. GALLEGRO, Mr. JOYCE of Ohio, and Ms. FRANKEL of Florida.
H.R. 305: Ms. MOORE, Mr. ENGEL, Mr. EVANS, Ms. CLARK of Massachusetts, Mr. DESAULNIER, and Ms. TITUS.
H.R. 312: Mr. KILMER.
H.J. Res. 6: Mr. BUCK.

H.J. Res. 11: Mr. RODNEY DAVIS of Illinois, Mr. SHIMKUS, Mr. GOSAR, Mr. LAHOOD, Mr. WESTERMAN, Mr. STIVERS, and Mr. COOK.

H.J. Res. 13: Mr. BLUM.

H. Con. Res. 5: Ms. PLASKETT, Mr. RASKIN, Mr. SERRANO, and Ms. MATSUI.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF JEF
"RUSTY" RUSSELL III

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. BABIN. Mr. Speaker, I rise to honor the life of Jef Chaison Russell III or "Rusty" as I knew him, who went to be with the Lord on December 31, 2016.

Rusty was a former Beaumont Convention and Visitors Bureau director who devoted himself to promoting tourism in the Beaumont region. He was known in many different convention and tourism circles having served as director of the Bureaus of Beaumont, Texas, Forth Worth, Texas and Eureka Springs, Arkansas. Rusty loved people and in turn people loved him.

Rusty and I have been friends since 1953 during our kindergarten days at Longfellow Elementary School in Texas. There was no finer man than Rusty. Among the many memories we share together there is one I will cherish forever; two years ago, he traveled to D.C. to take part in my being sworn into the 114th Congress. I am saddened by his passing, but I am so thankful for the years of friendship I had with my dear friend. We do not know the day, hour or minute that the good Lord will call us home; Rusty knew this and spent his days serving others and touching every life he could.

I will cherish the memories of our friendship. Rusty's family will continue to be in our prayers.

HONORING STEVE PENLEY

HON. TOM GRAVES

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. GRAVES of Georgia. Mr. Speaker, in 1964 Steve Penley was born into a family of musicians in Chattanooga, Tennessee. The family soon moved to Athens, Georgia and then Macon, Georgia where Penley attended First Presbyterian Day School. Following high school, he studied at The School of Visual Arts in New York and at The University of Georgia.

After college, Penley was working odd jobs while painting when his talent was recognized by an attorney and art enthusiast, Robert Steed. Penley quickly gained recognition for his bold brush strokes, vivid colors and historical icon paintings.

Penley is now one of America's most celebrated artists with works exhibited across the globe. He has created multiple projects for Fox News, major companies such as Coca-Cola, AirTran/Southwest, Kaiser Permanente,

as well as several U.S. Presidents and foreign heads of state. His work can even be found in the U.S. Capitol, where it's displayed on loan for visitors from across the country to enjoy.

Penley's paintings represent the very best of America and serve as a reminder of the leaders and institutions that make our country great.

In addition to his paintings, Penley has authored and illustrated several books, including books written by legendary University of Georgia football Coach Vince Dooley. He has also donated countless paintings to charities and organizations in his community and state, as well as across the nation. He is particularly honored to be involved with numerous organizations that benefit our active-duty servicemembers and our veterans.

Despite all of his professional accomplishments, Penley is proudest of his role as a father of three very talented artists and musicians: Lyall, Abbey and Parker.

Steve Penley is a legendary artist and a great American

PERSONAL EXPLANATION

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. O'ROURKE. Mr. Speaker, during the roll call votes on Thursday, January 5, 2017, I missed a vote on an amendment to the Regulations from the Executive in Need of Scrutiny Act.

Had I been present, on roll call number 13, I would have voted "Aye."

TRIBUTE TO JOE GALLEGOS

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. TIPTON. Mr. Speaker, I rise today to recognize Joe Gallegos, who served the County of Costilla, Colorado as a Commissioner for over ten years. Joe passed away on December 11, 2016, and will be greatly missed in the San Luis Valley.

Joe was a fifth generation farmer in San Luis, and his love for the land in the surrounding area inspired him to volunteer with non-profit community organizations to preserve water quality and find solutions to zoning issues. He was instrumental in the restoration of the old Costilla County Courthouse and the implementation of the Costilla County biodiesel pilot project.

Joe's fellow county commissioner, Lawrence Pacheco, said that Joe was the only true cowboy he knew, and at his last conference of

commissioners, he remained focused on his mission to promote sustainability, protect watersheds, and make sure the most vulnerable people in the community had a voice and seat at the table.

The magnitude of Joe's impact on the San Luis Valley is immense and it is a privilege to recognize his legacy of public service and hard work

HONORING THE LIFE OF JESSE
WILLIAM "J.W." RAY

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. BABIN. Mr. Speaker, I rise today to honor the life of Jesse William "J.W." Ray, who died on January 2, 2017.

J.W. lived an impressive life. He served as a Seabee 24th NCB in the United States Navy in the Pacific Theatre during World War II and was among the soldiers who fought in the Philippines and Okinawa before being honorably discharged on April 20, 1946.

After leaving the U.S. Navy, J.W. married and was blessed with four children. He spent thirteen years working with Texaco refinery as a pipefitter and two years working for the Southern Pacific Railroad. As a family man, J.W. decided to leave the railroad because it took him away from his loved ones for days at a time. He entered the insurance industry and founded his own insurance company in Woodville, Texas, which he ran for forty years.

When his first wife Cecil passed away in 2004, J.W. began Cecil's Pantry at the United Methodist Church in Warren, Texas. It still continues to help others today.

J.W. Ray was a kind man and I feel honored and privileged to have known him. He will be missed, and his family will continue to be in our prayers.

HONORING COMMUNITY CHAMPIONS
MARTIN AND MARTHA
JOHNSON

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today to recognize two of my constituents from Western Pennsylvania, Martin and Martha Johnson. The Johnson's are the founders and directors of Downtown Ministries INC. as well as several other groups serving under its umbrella including Fresh Grounds Coffeehouse, Sans MOCO Gallery, His Work—His Way, Keystone Bibles and Community Health Ministry.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

Created in 1994, Downtown Ministries is a charitable organization that serves as an avenue for Christians to connect, socialize and minister. Downtown Ministries strives to provide opportunity and vision to meet the physical and spiritual needs of our community.

In April 2010, Downtown Ministries established the Fresh Grounds Coffeehouse to connect with even more people in our community and positively impact our community. Fresh Grounds Coffeehouse is the face of Downtown Ministries and has been designated as Greenville, Pennsylvania's latest landmark. Fresh Grounds Coffeehouse is not just a meeting place but, more importantly, it is a ministry. The main objective of Fresh Grounds Coffeehouse is to honor and glorify God and create a special place where God's presence is felt and embraced. While it's not a traditional church ministry, Fresh Grounds Coffeehouse creates countless opportunities for Christian growth and allows customers to engage one another in nurturing relationships, which Martin and Martha Johnson have strived for over the years.

Martin Johnson had a vision, which ultimately became a reality, with the help of countless friends, volunteers, local businesses and churches. The unwavering dedication exhibited by Martin and Martha Johnson, as well as all volunteers involved, is heartwarming and speaks volumes about the giving spirit of the Greenville community.

As a unique ministry, the main focus of Downtown Ministries, and all groups that fall under its organizational umbrella, is to bring individuals to come to believe in Jesus Christ as their Lord and Savior. In serving God, the community, and all those in need of God's Grace, Martin and Martha Johnson are inspirations to us all. Their compassion and generosity have clearly influenced the lives of so many and will continue to do so for years to come. Therefore, on behalf of the Third Congressional District of Pennsylvania, I want to express my sincere gratitude and appreciation of Martin and Martha Johnson, they are true Community Champions.

HONORING PAMELA DUNLAP
PATTERSON

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of Pamela Patterson, as she retires from her career as the Chief Executive Officer of West Company and the Director of the Mendocino Small Business Development Center.

Born and raised in Virginia, Pamela Dunlap Patterson later obtained an Associate Degree at Massey Junior College in Atlanta and began a career in the retail industry. Pamela headed west to California in 1979 to become the Retail Merchandising Teacher for the Fort Bragg High School Regional Occupation Program. She then went on to serve as the literacy coordinator for the Mendocino County Library in Fort Bragg, and eventually, the coordinator for the "Read Right" program through

Georgia Pacific where she helped improve literacy for workers in the timber industry.

In 1998, Pamela Patterson began her long career with West Company, a pilot Women's Business Center funded by the Small Business Administration. In 2004, she took the helm of the organization which at the time was struggling financially. Under Pamela's leadership, West Company stabilized funding sources, and secured a contract as the Small Business Development Center in 2007. Over her term as the Chief Executive Officer she has secured millions of dollars in funding to help micro-entrepreneurs and small businesses to start and grow as means of improving the local economy.

Pamela Patterson's legacy is one of dedicated service to entrepreneurship and an educated workforce. Please join me in congratulating Pamela on her retirement and expressing our deep appreciation for her long and exceptional career, and her outstanding contributions to Mendocino County's workforce and economy.

PERSONAL EXPLANATION

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Ms. FRANKEL of Florida. Mr. Speaker, on roll call vote 6, I was not present because I was unavoidably detained. Had I been present, I would have voted "NAY."

HONORING WILLIAM HUDNUT, III

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor a beloved and iconic member of the Hoosier community, William Hudnut III. Bill, who served as Mayor of Indianapolis from 1976 to 1992, passed away on December 17th, 2016 at the age of 84. Bill was a vibrant, enthusiastic, and passionate individual. His larger than life persona and animated approach to being Mayor will not soon be forgotten. He was a mentor to many and will be sorely missed by our community, but we will remember him forever through the spectacular legacy he left behind. Bill entered political life with his election to Congress in 1972. After which he served 16 years as Mayor of Indianapolis, making him the longest serving Mayor of Indianapolis. Through his time as Mayor he transformed Indianapolis into a dynamic metropolitan city and the amateur sports capital of the world. The people of Indiana's Fifth Congressional District are forever grateful for Bill's contributions to our Hoosier community, and it is my privilege to honor him today.

Bill was born in Cincinnati, Ohio, in 1932. He attended the Darrow School in New York for high school, and graduated from Princeton University as an undergraduate, where he was elected to Phi Beta Kappa. In 1957, he graduated with a Master's Degree in Theology

from the Union Theological Seminary in New York, and, like his father and grandfather before him, Bill became an ordained clergyman. At the age of 30, Bill first became a Hoosier when he moved to Indianapolis and began work as the senior pastor of Second Presbyterian Church in Indianapolis. He served as Senior Pastor from 1964 to 1972, during which time he became interested in politics.

In the 1972 Republican primary for Indiana's 11th Congressional District, Bill defeated future Congressman Dan Burton and went on to win the general election against four-term Congressman Andrew Jacobs, Jr. During his term in the 93rd Congress, he was an original sponsor of seventeen bills and a cosponsor of 179 bills, five of which became law. He was a true statesman focused on good governance with dedication toward bipartisan solutions. After his time in Congress he came home to Indianapolis to run for, and serve in, the office of Mayor. Bill's interest in politics came from his passion for helping his community and his belief that politics was where he could make the greatest change for his community.

As Mayor he aimed to generate job growth, improve infrastructure, and develop projects to attract businesses to downtown Indianapolis. He aimed to not only draw businesses back downtown, but to bring back many citizens who had previously fled to the suburbs. Through his dedicated efforts to revitalize the city, he made Indianapolis a more attractive place to live and to do business. Over his tenure from 1976 to 1992, he oversaw more than 30 building projects, including renovations and expansions to Monument Circle, Indianapolis Union Station, the Indiana University School of Medicine, and the Indiana Convention Center. Many office buildings were constructed, and companies such as Eli Lilly and Company and American United Life committed to stay in Indianapolis.

In addition to spurring on local business, he also made unequalled contributions to Indiana's sports culture. He retained the NBA's Pacers, which were on the brink of failing if not for the efforts of Bill and others. He built the Hoosier Dome, hopeful that the infrastructure and investment would bring Indianapolis a national football team. Ultimately, he was able to bring home the Indianapolis Colts. He was also able to draw the Pan American Games to Indiana, bringing the world's eyes to Indiana and shining the International spotlight on Indianapolis. The Pan American Games had 38 nations represented by over 4,000 competing athletes. Bill was also instrumental in founding the Indiana Sports Corp, a nonprofit organization that has brought Indianapolis numerous sporting events that include the 1982 National Sports Festival, the 1991 World Gymnastics Championships, 19 Big Ten Women's Basketball Tournaments, 10 Big Ten Men's Basketball Tournaments, recently the 2012 Superbowl, and many other events. The Indiana Sports Corp has cemented Bill's legacy and continued to realize his vision of Indianapolis as a sporting destination. Bill helped put Indianapolis on the world map and paved the way for the city to be the sporting and convention destination that it is today.

Bill's work was not only greatly appreciated by Hoosiers but also recognized and awarded by his peers. He was the president of the National League of Cities and a member of their

board for over twenty years. In 1988, Bill was named City & State magazine's Nation's Most Valuable Public Official. In 1985, he earned the Distinguished Public Service Award from the Indiana Association of Cities and Towns and in 1986, a Woodrow Wilson Award for Public Service.

Bill leaves behind a larger than life legacy that is fitting for someone with his larger than life personality. In his time as Mayor, he revitalized downtown Indianapolis, transforming it into a world class city by changing it from what he called "India-NO-place" to "India-SHOW-place." Many can fondly remember his booming voice, his uncommon approach to being Mayor, his fun antics like dressing up as a Leprechaun for a St. Patrick's Day parade, and his vivacious personality. He dedicated his life to public service through his time as a pastor, his time in Congress and through his time as Mayor of Indianapolis. Bill will be remembered for his amazing compassion, charismatic and warm personality, as well as his unparalleled love for the city he served. I feel fortunate to have known him, and I know that his legacy lives on through the great contributions he made to Indianapolis, to Indiana, and to the country. On behalf of Indiana's Fifth District, I offer my condolences to his wife Beverly, the entire Hudnut family, and all who mourn his loss and cherish his memory.

REMEMBERING AND HONORING
THE LIFE OF CONOR IRWIN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. COURTNEY. Mr. Speaker, I rise today to mourn the loss and honor the life of Conor Irwin.

The child of Whit and Holly Irwin, Conor was a resident of Ledyard, CT. He graduated from St. Bernard School and was a freshman at Ledyard High School. He was just 14 years old.

In 2013, I had the honor of meeting Conor when he visited me to discuss the quality of food served in local schools. He had been a youth representative to the New London County Food Policy Council and was seriously concerned about the effect of poor food quality on health. Wonderfully precocious, he was full of good ideas that might help address this problem.

Like many 14 year-old boys, he loved soccer, playing outdoors, and listening to music. Just this past year, he even earned his first varsity letter for cross country. But those who knew Conor acknowledge something special about him. Even at so young an age, he was already a gentleman and true renaissance man. It may have been his voracious appetite for knowledge, his signature bow ties, or his love of travel and exploration. But mostly, it was his thoughtfulness that set him apart. He was always looking out for the younger kids, helping his mom with groceries, and holding the door for whomever may be passing by.

My thoughts and prayers are with Conor's family and friends as they mourn this terrible loss. Mr. Speaker, I ask my colleagues to join

me in expressing my condolences and honoring a truly special soul, Conor Irwin.

TRIBUTE TO GIGI DENNIS

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. TIPTON. Mr. Speaker, I rise today to honor Mrs. Gigi Dennis, of Alamosa, Colorado, who was recently named Colorado's Administrator of the Year for 2016 by the Association of County Administrators. Administrator Dennis was selected by her peers to receive this honor, and it is clear that through her dedication to public service, she has left a lasting impact on the community of Alamosa and across the state of Colorado.

Throughout her career, Administrator Dennis has served in a variety of state-wide positions, including as Colorado Secretary of State, State Senator, and most recently, Alamosa County Administrator. As a State Senator, she served as Vice Chair of the Transportation Committee, was a member of the Legislative Council, and Chair of the Majority Caucus. Administrator Dennis is a quality individual with a truly impressive record of public service.

Mr. Speaker, although this award recognizes individual achievements, Administrator Dennis credits her team for her success. Her modesty, commitment to fiscal responsibility, and passion for improving the lives of others is truly remarkable. I wish Administrator Dennis all the best and am thankful for her continued service.

RECOGNIZING ANGEL MARTINEZ
FOR HIS SECOND NATIONAL
TITLE IN THE U.S. YOUTH AMA-
TEUR BOXING DIVISION

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Angel Martinez, a shining young member of our Rockford community, who has been named a two-time national champion in the U.S. Youth Amateur Boxing Division.

Angel Martinez won his second USA boxing national title, allowing him the chance to attend the Olympic training facility in Colorado in hopes of achieving his Olympic dreams. He has dedicated himself to his sport since the young age of 11, and shows us all the value of perseverance and a strong work ethic. I am proud there is such young talent in our community, and to see him represent Rockford on the national stage.

Mr. Speaker, as a former college athlete, I know how important sports are to personal and professional growth. I want to again formally congratulate Angel Martinez on his title, and I join the rest of our community in wishing him every success in the future.

HONORING CLIFFORD A.
SCHULMAN

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is my privilege to honor South Florida philanthropist, business leader and prominent attorney, Cliff Schulman.

Mr. Schulman has 45 years of wide-ranging legal experience in the environmental and land use field from both the government and private sectors and is well known for his involvement in the community and commitment to charitable causes.

For 13 years, he has served as Chair of the Board of the Aventura Marketing Council and it is on this occasion that we celebrate his retirement from this position.

Under Mr. Schulman's leadership, the Aventura Marketing Council has thrived and grown to be recognized as one of the most respected organizations in Chambers of Commerce representing more than 400 businesses and non-profit organizations, supporting countless educational and regional events in South Florida.

Cliff had the unique ability to blend his sense of humor with his keen business acumen and Marketing Council members will certainly miss his "Cliff's Notes" at the opening of each meeting.

Cliff has also served as Vice Chairman of the Anchors Away Foundation, an Aventura Marketing Council program in cooperation with Miami-Dade County Public Schools, that provides sailing programs for physically and mentally challenged children from schools throughout the County. This program has literally changed the lives of so many kids who gain a sense of pride, independence and accomplishment.

Throughout his career, Mr. Schulman has been honored by the Anti-Defamation League, South Florida Business Leader Magazine, the South Florida Shomrim Society and countless organizations that have recognized his contributions to bettering our community for all those who call South Florida home.

I am proud to have Mr. Schulman and his wife Lauren as my constituents and am grateful for his years of dedication to Aventura and to South Florida.

It is my honor to pay tribute to his distinguished career and extend my heartfelt congratulations to him on this occasion.

TRIBUTE TO RYAN MOELLER

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. TIPTON. Mr. Speaker, I rise today to recognize Ryan Moeller, who was recently named to the 2016 First Team All-Pac 12 list. After playing football at Rifle High School, Ryan walked on to the Colorado Buffaloes football team as a special teams player. As a junior on the team this year, he earned nine

total tackles on special teams and forced six fair catches on punts.

Ryan also played 391 snaps on defense, recording 36 tackles, with two forced fumbles. His overall play supported the biggest turnaround by a football program in Pac-12 Conference history. After a 1–8 conference record in 2015, the Buffaloes went 8–1 in conference matchups this season. Ryan's accomplishments are the result of dedication, hard work and perseverance, qualities that will serve him well in life.

I am proud that such an outstanding athlete and upstanding young man calls the Third Congressional District of Colorado home, and I congratulate Ryan and the Buffaloes on an exciting and successful season.

REGARDING JOINT SESSION OF
CONGRESS TO COUNT ELEC-
TORAL BALLOTS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committees on the Judiciary and Homeland Security Committee; Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and the Congressional Voting Rights Caucus, I rise today to offer thoughts and reflections on the congressional responsibility to bear witness to the counting of electoral votes to determine formally the persons elected President and Vice President of the United States and on the campaign and election that brought us to this day.

Historians will surely record that the 2016 presidential campaign was one for the ages.

The two leading protagonists could not have been more dissimilar.

The Democratic candidate, Hillary Clinton of New York, was widely considered the most qualified person ever nominated for the office, having served as Secretary of State; elected by landslide margins to two terms as U.S. Senator from New York, the nation's only First Lady to win high elective office in her own right; valedictorian of her class at Wellesley University, a graduate of Yale Law School, and the first woman ever to win the presidential nomination of one of the nation's two major political parties.

Republican Donald Trump of New York, the other candidate, was *sui generis* as well, since he is the first person to gain an Electoral College majority with no experience whatsoever in elective or appointed governmental office or public service but possessing a remarkable talent for attracting media attention.

The 2016 was notable also for a number of other unprecedented occurrences.

For example, it was the first time in history that a Director of the Federal Bureau of Investigation had ever injected himself and his agency, unintentionally or not, in a presidential campaign when FBI Director James Comey held a July 5, 2016 news conference, during which he announced that the FBI had completed its investigation regarding the email

server of former Secretary of State Hillary Clinton and had concluded that no violation of law had been committed but offered unfavorable personal opinions *ex cathedra* regarding Secretary Clinton's conduct.

Compounding the damage inflicted on Secretary Clinton's campaign by his gratuitous commentary, FBI Director Comey exacerbated the damage already done when, a mere eleven days before Election Day, he sent a vaguely worded letter to partisan Congressional Republican opponents of Secretary Clinton allowing them to leak the letter to the media and claim falsely that the FBI had reopened the investigation for the sole purpose of inflicting electoral damage on Secretary Clinton.

These actions were taken in contravention of long-standing Department of Justice policy, practice, and custom enjoining Justice Department officials and employees from engaging any conduct or taking any legal action that could impact the outcome of an election to be held within the ensuing 60 days.

The 2016 presidential election was historic in another respect as well; it is the first American presidential election that the Intelligence Community has confirmed was the subject of cyberattacks and other subversive activities of entities allied with the Government of Russia that were undertaken for the express purpose of influencing the outcome of the 2016 presidential election to secure the election of its preferred candidate, Donald Trump.

It is also worth noting that the 2016 presidential campaign was the first in history in which one of the two leading candidates, Donald Trump, openly invited a hostile foreign power to launch cyberattacks against his political opponent.

In at least one respect, however, the 2016 presidential campaign was not unprecedented.

It was the fifth time in history, and the second in the last 16 years, that the candidate winning an Electoral College majority lost the popular vote.

But what is unusual is the historic margin of the popular vote defeat produced by the 2016 campaign that saw Hillary Clinton defeat Donald Trump by an astounding 2.86 million votes: 65,844,610 votes to 62,979,636, nearly six times more than Vice-President Al Gore's popular vote win in 2000, the next highest victory margin.

Indeed, Hillary Clinton received more votes for president than any person in history not named Barack Obama, which means that the two greatest vote getters in American political history are an African American male and white female, which in itself is a testament to how far America has travelled on the path to equality and opportunity for all in the past 240 years.

While it is true that a switch of less than 80,000 votes in just three states—Pennsylvania, Michigan, and Wisconsin—would have secured an Electoral College majority for Hillary Clinton, that fact is of little consolation and practical consequence to the situation and task now before us, which is to count the electoral votes cast for President and Vice-President of the United States and announce the results to the country and the world.

It is, as I noted at the outset, a duty imposed on Members of the House and the Senate by the Constitution and laws of the United States.

But because we are all called upon to bear witness to the counting of electoral votes does not mean our role is to be passive observers.

On the contrary, the Constitution and the law, specifically Section 15 of the Electoral College Act, 3 U.S.C. §1 *et seq.*, vests in Representatives and Senators the power and responsibility of objecting to the counting of any vote cast by an elector if in their judgment the vote was not "regularly given" or the person casting the vote was not "lawfully certified" as an elector.

The Constitution devolves this solemn duty upon the people's representatives, the Congress, because the linchpin of representative democracy is public confidence in the political system, regime, and community.

That confidence in turn rests upon the extent to which the public has faith that the system employed to select its leaders accurately reflects its preferences.

At bottom, this means that all citizens casting a vote have a fundamental right and reasonable expectation that their votes count and are counted.

This concern is particularly salient when it comes to today's counting of the electoral votes occurring in the aftermath of the unprecedented interference by a hostile foreign power to secure victory for its preferred candidate.

And the salience is heightened by the fact that the November 8, 2016 election is the first presidential election held since the Supreme Court issued the notorious decision in *Shelby County v. Holder*, which neutered the preclearance provisions of the Voting Rights Act and adversely affected the ability of hundreds of thousands of persons to cast a ballot and have their vote counted.

For these reasons, I owe it to my constituents and to the American people to consider each electoral vote certificate as it is presented and accept those that appear to be meritorious but to oppose those which in my judgment do not appear to satisfy the statutory requirement that the votes reflected on the lists were "regularly given" by "lawfully certified" electors.

I am particularly skeptical that this legal standard is met where there is evidence to support the following conclusions:

1. There is a failure to provide "distinct lists of votes" for the President and Vice President as required by U.S. Constitution, Article II, Section 1 and Amendment XII; and by 3 U.S.C. §9;

2. There is a failure of one or more elector to reside in the district from which elected as required under state law;

3. There appears to be a violation of state statutes prohibiting electors from holding multiple governmental offices of trust, honor, or profit;

4. There is compelling evidence that the illegal activities engaged in by individuals and entities allied with the Government of Russia that were undertaken for the purpose of benefiting the candidacy of Donald J. Trump deterred and dissuaded thousands of voters from exercising their franchise; or

5. There is compelling evidence that activities engaged in by state officials violated the Voting Rights Act of 1965 and disenfranchised thousands of voters and resulted in the unlawful certification of electors.

Finally, Mr. Speaker, let me say for the record that where, as is the case this year, the results in the Electoral College and of the popular vote diverge by the largest and most astounding margin in American history, it is particularly fitting, appropriate, and necessary to examine the electoral vote certificate presented for acceptance as carefully and fairly as possible and for as long as time permits.

The fate of our democracy is at stake. I now submit formal letters to the Vice President regarding objection to certification of Electors in certain states:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 6, 2017.

Basis of Objection: Failure of one or more elector to reside in district from which elected.

Hon. JOSEPH R. BIDEN,
Vice President of the United States and President of the Senate, Washington, DC.

DEAR VICE PRESIDENT BIDEN: We object to the 15 votes from the State of North Carolina for Donald J. Trump for President and Mike Pence for Vice President. Notwithstanding the certification by the Governor of the State of North Carolina, it is the opinion of the undersigned that these 15 votes were not regularly given because at least five electors were not "lawfully certified" and their votes were not "regularly given" since one or more electors does not reside in the district for which he or she was elected as required by state law.

Additionally, several activities engaged in by state officials in violation of the Voting Rights Act of 1965 disenfranchised thousands of North Carolina voters and resulted in the unlawful certification of electors. Accordingly, no electoral vote of the State of North Carolina should be counted for Donald J. Trump for President or for Mike Pence for Vice President.

Respectfully,

SHEILA JACKSON LEE,
U.S. Representative, State of Texas.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 6, 2017.

Basis of Objection: Violation of state statutes prohibiting dual-office holding.

Hon. JOSEPH R. BIDEN,
Vice President of the United States and President of the Senate, Washington, DC.

DEAR VICE PRESIDENT BIDEN: We object to the 20 votes from the State of Pennsylvania for Donald J. Trump for President and Mike Pence for Vice President. Notwithstanding the certification by the Governor of the State of Pennsylvania, it is the opinion of the undersigned that these 20 votes were not regularly given because they were cast by electors not lawfully certified since they are in violation of state law prohibiting dual-office holding.

Additionally, it appears that illegal activities engaged in by individuals and entities allied with the Government of Russia that were undertaken for the purpose of benefiting the candidacy of Donald J. Trump deterred and dissuaded thousands of voters from exercising their franchise and resulted

in votes not regularly given by electors not lawfully certified. Accordingly, no electoral vote of the State of Pennsylvania should be counted for Donald J. Trump for President or for Mike Pence for Vice President.

Respectfully,

SHEILA JACKSON LEE,
U.S. Representative, State of Texas.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 6, 2017.

Basis of Objection: Failure to provide "distinct lists of votes" for the President and Vice President.

Hon. JOSEPH R. BIDEN,
Vice President of the United States and President of the Senate, Washington, DC.

DEAR VICE PRESIDENT BIDEN: We object to the 10 votes from the State of Wisconsin for Donald J. Trump for President and Mike Pence for Vice President. Notwithstanding the certification by the Governor of the State of Wisconsin, it is the opinion of the undersigned that these 10 votes were not regularly given because they fail to comply with 3 U.S.C. §9, which requires that "electors shall make and sign six certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President and the other of the votes for Vice President[.]"

Additionally, it appears that illegal activities engaged in by individuals and entities allied with the Government of Russia that were undertaken for the purpose of benefiting the candidacy of Donald J. Trump deterred and dissuaded thousands of voters from exercising their franchise and resulted in votes not regularly given by electors not lawfully certified. Accordingly, no electoral vote of the State of Wisconsin should be counted for Donald J. Trump for President or for Mike Pence for Vice President.

Respectfully,

SHEILA JACKSON LEE,
U.S. Representative, State of Texas.

HONORING THE LIFE OF JANET POLINSKY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. COURTNEY. Mr. Speaker, today I rise to honor and remember the life of Janet Polinsky who passed away on September 26, 2016. Janet had a long and colorful career in the Connecticut General Assembly, serving as a State Representative for the 38th District for eight straight terms, from 1977 to 1993.

Janet was a 1953 graduate of the University of Connecticut, where she was the president of the Panhellenic Association. Her political career began on the Waterford Board of Education, followed by a stint on the Waterford Planning and Zoning Commission, of which she was the chairwoman. She then became the 38th District's State Representative.

During her time in the General Assembly, Janet was a mentor and inspiration to many

and a true giant of state politics. She was the chairwoman of the Appropriations Committee, and the first female to serve as Deputy Speaker of the House. I was honored to serve alongside her during my time as a State Representative from 1987 until she retired in 1993. Janet's career in public service continued as the commissioner of the Department of Administrative Services from 1993 to 1995, and later the Public Utilities Control Commission from 1995 to 1999. Observing her perform her duties in committee and on the floor of the General Assembly was a great inspiration for all on how to act as a public servant. She was smart, funny, honest, decent and ethical. She left a huge footprint on the state of Connecticut, raising the salaries of public school teachers, originating a prescription drug benefit for seniors, and at the same time balancing the state's finances. It was an extraordinary record.

The Waterford community and our entire state will miss Janet deeply. I ask my colleagues to join me in offering our condolences to her husband, Alexander, and the rest of her family as they mourn her passing. She was one of the greats.

TRIBUTE TO PAUL MUNDT

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 6, 2017

Mr. TIPTON. Mr. Speaker, I rise today to honor the life of Paul Mundt of Colorado Springs, Colorado. Known in Southern Colorado as KRDO's Paul Richards, he passed away on December 11, 2016. Paul leaves behind five children and his wife, Julie Halling, along with a lasting legacy.

Paul was the voice on five radio stations in Colorado Springs during his broadcasting career. Most recently, he was at KRDO where I had the privilege of getting to know him. After hearing of his passing, Paul's listeners immediately took to social media to share their memories of the man who played such a big part of their days and grieve with his family.

Paul was known to so many around the community as a morning broadcaster, but he will be especially missed for his volunteer work outside of the recording studio. Paul never missed a moment to help others.

Mr. Speaker, Paul's life ended much too early, but he truly lived it to the fullest while he was with us. It is an honor and a privilege to recognize Paul's work, service to his community, dedication to helping others and commitment to his family and friends. On behalf of Southern Colorado, and to the family and friends of Paul Mundt, I offer my condolences for the loss of their husband, father, and friend.

HOUSE OF REPRESENTATIVES—Monday, January 9, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 9, 2017.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

FAITHLESS ELECTOR PROBLEM

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

Mr. BYRNE. Mr. Speaker, last Friday the House and the Senate met to fulfill our solemn constitutional responsibility to count the votes of electors for President and Vice President. This year the joint session was confronted with a record number of so-called faithless electors—electors who were supposed to vote for the Presidential candidates named on their States' ballot, but, instead, voted for someone else.

Different States handle their faithless electors in different ways. In my view, the joint session rightly fulfilled its constitutional responsibility by simply taking the certified results of each State without intervention. This was in line with precedent set in 1969 and with the text of the Constitution.

Because I believe this decision to be correct, I did not file an objection during the counting process. However, I wish for the RECORD to contain my views on this matter and to express my concern that an avoidable constitutional crisis on this subject is a very real possibility in the future.

The faithless elector problem has often been seen as academic, but in 2000, Vice President Gore was three faithless electors away from the Presidency. As a point of reference, there were 10 faithless electors in this election. Thus, this is not a matter that should be taken lightly.

Article II, Section 1, Clause 2 of the Constitution gives the States the exclusive power to appoint electors in a manner decided by their State legislatures. Clause 4 provides the sole grant of authority to Congress in the process to determine the time for choosing electors and the day they cast their vote.

The process to count electors is outlined in Clause 3 and identical language which superseded it in the 12th Amendment. It provides that, "The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted. . . ." Under the 12th Amendment, the persons receiving a majority of the vote "shall be" the President and Vice President.

The extent of what Congress' powers are in the counting process has been the subject of over 200 years of debate. The CONGRESSIONAL RECORD from 1800 includes a lengthy speech by Senator Charles Pinckney, a Framers of the Constitution, who stated that as the Framers wished the President to be independent, "It never was intended . . . to have given to Congress . . . the right to object to any electoral vote."

The first successful effort to expand Congress' power in counting did not come until 1865, when Congress adopted a joint House-Senate rule on the subject. Under the rule, no electoral vote that incurred an objection could be counted unless both Houses agreed.

The joint rule was tempered by the Electoral Count Act of 1887, which still governs the counting process to this day. The law allows an objection signed by a House and a Senate Member. However, under the Electoral Count Act, unless there is a case of double returns, no electoral vote regularly given and lawfully certified shall be rejected.

In 1969, Dr. Lloyd Bailey, a Republican elector from North Carolina, was faithless, and the Governor of North Carolina certified the State's electoral certificate with knowledge of his vote.

The House and the Senate thoroughly debated whether Dr. Bailey's vote should be counted, but ultimately voted to reject the challenge. Opponents of the challenge, in my view,

properly argued that Congress lacked the power to exclude Dr. Bailey's vote under the Electoral Count Act and, more importantly, Congress had no power to exclude his vote under the Constitution. To do so would be a violation of the rights of the sovereign States.

Some have argued that the Bailey precedent is not applicable when an elector violates his or her State's law in casting a faithless vote. I find this argument constitutionally suspect. Unless no candidate reaches a majority, Congress' role in the counting process appears to be ministerial: to count votes and announce a result.

For that reason, the issue of faithless electors is rightly resolved at the State level, before the results reach Congress. At the present time, however, a hodgepodge of State laws exist to deal with faithless electors, some of which are ill-equipped to handle the problem.

Fortunately, the Uniform Law Commission has proposed the Faithful Presidential Electors Act, which has already been enacted in four States. The Faithful Presidential Electors Act provides a State-administered pledge of faithfulness, with any attempt by an elector to submit a vote in violation of that pledge constituting a resignation from the office of elector. In such case, the act provides a mechanism for filling an electoral vacancy.

At the conclusion of my remarks, I will include in the RECORD a copy of the Faithful Presidential Electors Act.

In short, Mr. Speaker, based upon my view of the Constitution, Congress properly handled the issue of faithless electors in this election. This election should, however, serve as a wake-up call to States that further action on their part may be necessary.

UNIFORM FAITHFUL PRESIDENTIAL ELECTORS ACT

(Drafted by the National Conference of Commissioners on Uniform State Laws and by it Approved and Recommended for Enactment in All the States at its Annual Conference Meeting in Its One-Hundred-and-Nineteenth Year in Chicago, Illinois July 9-16, 2010 Without Prefatory Note or Comments)

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UNIFORM FAITHFUL PRESIDENTIAL ELECTORS ACT

SECTION 1. SHORT TITLE. This [act] may be cited as the Uniform Faithful Presidential Electors Act.

SECTION 2. DEFINITIONS. In this [act]:
(1) "Cast" means accepted by the [Secretary of State] in accordance with Section 7(b).

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

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

(2) "Elector" means an individual selected as a presidential elector under [applicable state statute] and this [act].

(3) "President" means President of the United States.

(4) ["Unaffiliated presidential candidate" means a candidate for President who qualifies for the general election ballot in this state by means other than nomination by a political party.]

(5) ["Vice President" means Vice President of the United States.]

SECTION 3. DESIGNATION OF STATE'S ELECTORS. For each elector position in this state, a political party contesting the position[, or an unaffiliated presidential candidate,] shall submit to the [Secretary of State] the names of two qualified individuals. One of the individuals must be designated "elector nominee" and the other "alternate elector nominee". Except as otherwise provided in Sections 5 through 8, this state's electors are the winning elector nominees under the laws of this state.

Legislative Note: For a state wishing to accommodate unpledged electors, the following three sentences could be substituted for the first two sentences of Section 3: "Any political party [or unaffiliated presidential candidate] advancing candidates for elector positions in this state shall submit to the [Secretary of State] the names of two qualified individuals for each elector position to be contested. One of the individuals must be designated "elector nominee" and the other "alternate elector nominee". Any unpledged candidate for the position of elector who is not nominated by a political party or unaffiliated presidential candidate shall submit to the [Secretary of State], in addition to the individual's own name as "elector nominee", the name of another qualified individual designated as "alternate elector nominee"."

SECTION 4. PLEDGE. Each elector nominee and alternate elector nominee of a political party shall execute the following pledge: "If selected for the position of elector, I agree to serve and to mark my ballots for President and Vice President for the nominees for those offices of the party that nominated me." [Each elector nominee and alternate elector nominee of an unaffiliated presidential candidate shall execute the following pledge: "If selected for the position of elector as a nominee of an unaffiliated presidential candidate, I agree to serve and to mark my ballots for that candidate and for that candidate's vice-presidential running mate."] The executed pledges must accompany the submission of the corresponding names to the [Secretary of State].

Legislative Note: This act does not deal with the possibility of death of a presidential or vice-presidential candidate before the electoral college meetings, or with any other disabling condition or the discovery of disqualifying information. A state may choose to deal separately with one or another of these possibilities.

SECTION 5. CERTIFICATION OF ELECTORS. In submitting this state's certificate of ascertainment as required by 3 U.S.C. Section 6, the [Governor] shall certify this state's electors and state in the certificate that:

(1) the electors will serve as electors unless a vacancy occurs in the office of elector before the end of the meeting at which elector votes are cast, in which case a substitute elector will fill the vacancy; and

(2) if a substitute elector is appointed to fill a vacancy, the [Governor] will submit an amended certificate of ascertainment stating

the names on the final list of this state's electors.

SECTION 6. PRESIDING OFFICER; ELECTOR VACANCY.

(a) The [Secretary of State] shall preside at the meeting of electors described in Section 7.

(b) The position of an elector not present to vote is vacant. The [Secretary of State] shall appoint an individual as a substitute elector to fill a vacancy as follows:

(1) if the alternate elector is present to vote, by appointing the alternate elector for the vacant position;

(2) if the alternate elector for the vacant position is not present to vote, by appointing an elector chosen by lot from among the alternate electors present to vote who were nominated by the same political party [or unaffiliated presidential candidate];

(3) if the number of alternate electors present to vote is insufficient to fill any vacant position pursuant to paragraphs (1) and (2), by appointing any immediately available individual who is qualified to serve as an elector and chosen through nomination by and plurality vote of the remaining electors, including nomination and vote by a single elector if only one remains;

(4) if there is a tie between at least two nominees for substitute elector in a vote conducted under paragraph (3), by appointing an elector chosen by lot from among those nominees; or

(5) if all elector positions are vacant and cannot be filled pursuant to paragraphs (1) through (4), by appointing a single presidential elector, with remaining vacant positions to be filled under paragraph (3) and, if necessary, paragraph (4).

(c) To qualify as a substitute elector under subsection (b), an individual who has not executed the pledge required under Section 4 shall execute the following pledge: "I agree to serve and to mark my ballots for President and Vice President consistent with the pledge of the individual to whose elector position I have succeeded."

Legislative Note: As with Sections 3 and 4, adjustment of this Section is required for any state where unpledged electors are permissible. For a state wishing to accommodate unpledged electors, the language of subsections (b)(2), (b)(3), and (c) could be changed to the following:

(b)(2): "if the alternate elector for the vacant position is not present to vote but other alternate electors who were nominated by the same political party [or unaffiliated presidential candidate] are present, by appointing an elector chosen by lot from among those alternate electors of the same political party [or of the same unaffiliated presidential candidate]."

(b)(3): "if the vacant position is that of an unpledged elector and the alternate elector for that vacant position is not present to vote, or if there otherwise are no alternate electors eligible for the vacant position under paragraphs (1) and (2), by appointing any immediately available individual who is qualified to serve as an elector and has been chosen through nomination by and plurality vote of the remaining electors, including nomination and vote by a single elector if only one remains."

(c): "To qualify as a substitute elector for a vacant position associated with an elector who had executed a pledge, an individual who has not executed the pledge required under Section 4 shall execute the following pledge: "I agree to serve and to mark my ballots for President and Vice President consistent with the pledge of the individual to whose elector position I have succeeded"."

SECTION 7. ELECTOR VOTING.

(a) At the time designated for elector voting and after all vacant positions have been filled under Section 6, the [Secretary of State] shall provide each elector with a presidential and a vice-presidential ballot. The elector shall mark the elector's presidential and vice-presidential ballots with the elector's votes for the offices of President and Vice President, respectively, along with the elector's signature and the elector's legibly printed name.

(b) Except as otherwise provided by law of this state other than this [act], each elector shall present both completed ballots to the [Secretary of State], who shall examine the ballots and accept as cast all ballots of electors whose votes are consistent with their pledges executed under Section 4 or 6(c). Except as otherwise provided by law of this state other than this [act], the [Secretary of State] may not accept and may not count either an elector's presidential or vice-presidential ballot if the elector has not marked both ballots or has marked a ballot in violation of the elector's pledge.

(c) An elector who refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of the elector's pledge executed under Section 4 or 6(c) vacates the office of elector, creating a vacant position to be filled under Section 6.

(d) The [Secretary of State] shall distribute ballots to and collect ballots from a substitute elector and repeat the process under this section of examining ballots, declaring and filling vacant positions as required, and recording appropriately completed ballots from the substituted electors, until all of this state's electoral votes have been cast and recorded.

SECTION 8. ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.

(a) After the vote of this state's electors is completed, if the final list of electors differs from any list that the [Governor] previously included on a certificate of ascertainment prepared and transmitted under 3 U.S.C. Section 6, the [Secretary of State] immediately shall prepare an amended certificate of ascertainment and transmit it to the [Governor] for the [Governor's] signature.

(b) The [Governor] immediately shall deliver the signed amended certificate of ascertainment to the [Secretary of State] and a signed duplicate original of the amended certificate of ascertainment to all individuals entitled to receive this state's certificate of ascertainment, indicating that the amended certificate of ascertainment is to be substituted for the certificate of ascertainment previously submitted.

(c) The [Secretary of State] shall prepare a certificate of vote. The electors on the final list shall sign the certificate. The [Secretary of State] shall process and transmit the signed certificate with the amended certificate of ascertainment under 3 U.S.C. Sections 9, 10, and 11.

SECTION 9. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

SECTION 10. REPEALS. The following are repealed:

- (1) . . .
- (2) . . .
- (3) . . .

SECTION 11. EFFECTIVE DATE. This [act] takes effect . . .

NATIONAL LAW ENFORCEMENT
APPRECIATION DAY

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

Mr. REICHERT. Mr. Speaker, today is National Law Enforcement Appreciation Day.

Behind me are the faces of 135 men and women. They are the faces of those who paid the ultimate price serving and protecting us this past year so that our families and our children can live safe and enjoy our freedom. As you can see, freedom isn't free.

You may not know or recognize these faces, but you know the faces of others who have served or that are serving today. They are the faces of our brothers, sisters, mothers, fathers, and friends. Some were ambushed and executed. Some lost their lives responding to a call to save a life, someone who called for help.

Tacoma police officer Jake Gutierrez, from my home State of Washington, is one of the faces behind me. He lost his life in the line of duty just last month while trying to protect a woman from domestic violence.

Jake was supposed to have exchanged wedding vows with his fiancée in just a few weeks. Instead, she and his three daughters and granddaughter attended his funeral and tried to picture a life without Jake.

Tragically, again last month, a time meant for celebration was filled with another Washington family's sorrow. Veteran officer Mike McClaughry from the Mount Vernon Police Department was shot in the head while responding to a call for help. Today his children, wife, friends, and family sit by his hospital bed and his life now hangs in the balance in the hands of God and his doctors.

This feeling of loss is one that I am also familiar with. In 1982, my partner and best friend, Sergeant Sam Hicks, was shot to death attempting to arrest a murder suspect. He left behind his wife and five sons. That was over 30 years ago, but the loss of a loved one is a pain that cannot be forgotten, cannot be erased.

This national day of appreciation is not only a day to reflect and appreciate the service of those who have served, but those that are serving today. They are driving, walking, patrolling your neighborhoods, keeping us safe. They are ready to put their lives on the line, yes, but every day they do so much more for us that goes unnoticed.

The officer that took the stolen bike report on Christmas Day and the next day delivered a new bicycle to that little boy's home;

How about the officer who anonymously buys groceries for a needy family;

The officer who counseled a little girl who was being bullied because of the

clothes she wore and then bought her a new set of clothes;

How about the officer who went to a call where he had to cradle a 2-month-old baby in his arms, giving CPR to his little, fragile blue face, hoping for the best news, fearing the worst—and getting the worst—and then headed off to his next call;

The officer that held the hand of a dying man after a motorcycle accident and then sharing his last words with his family;

The officer who was spit on, ridiculed, and insulted by a man threatening to kill the officer and his wife and then minutes later saving that same man from taking his own life with a butcher knife.

These men and women are coaches, volunteers, and mentors, helping people find jobs, feeding the homeless, helping them find homes, and sometimes even taking them into their own homes. These are real people. They are your neighbors, they are your friends, and they are us. This is not a job for them. It is a calling. They serve because they want to help. They want to make a difference. They serve with the heart of a servant.

On this day, let us take a moment to appreciate all members of the law enforcement community across this Nation and their families by putting a blue light in your window or on your front porch. This is not just a sign of appreciation for law enforcement across this country, but a sign, a small symbol of unity for us all. We need that now in our Nation more than anything. Help us remember that we are one nation under God, indivisible, with liberty and justice for all.

Most people don't know, but I am a big James Brown fan and I really like the way he puts it in a not so well-known song from the sixties about America. He says:

America is the greatest country in the world. America is the greatest country in the world . . . Now Black and White they may fight, but when the enemy comes, we get together and we run 'em out of sight.

This is a Black man in the sixties with these positive words about our country.

Mr. Speaker, I say this: That we take James Brown's words, we take his advice, and we get together. The enemy is here. That enemy is hate. We get together and we run them out of sight.

Now, Mr. Speaker, I would like to observe a moment of silence, please, for two officers who were killed in Florida just today on National Law Enforcement Appreciation Day. These are two more officers killed today, just hours ago.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another year.

At the beginning of this new day, we are grateful as individuals and as a nation for all the blessings we have been given.

We ask Your blessing upon the Members of this people's House as they reconvene for this first session. May they anticipate the opportunities and difficulties that are before them, and before so many Americans, with steadfast determination to work together toward solutions that will benefit their countrymen. Grant that they be worthy of the responsibilities they have been given by their constituents and truly be the people You have called them to be.

May Your Spirit, O God, be in all of our hearts and minds and encourage us to do the works of peace and justice now and always.

May all that we do be done for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas (Mr. WOMACK) come forward and lead the House in the Pledge of Allegiance.

Mr. WOMACK led the Pledge of Allegiance as follows:

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

REMEMBERING DR. BILLY BERT
BAKER

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

Mr. WOMACK. Mr. Speaker, I rise today to pay respects to an admired, respected, and visionary educator, and a genuinely terrific person, Dr. Billy

Bert Baker, of Gilbert, Arkansas, who passed away on Friday, January 6, at the age of 84.

My relationship with Dr. Baker goes back decades. He was a family friend. After spending 17 years as a faculty member and administrator at my alma mater, Arkansas Tech, in 1974, he became the first employee of North Arkansas College in Harrison, served the college for more than 27 years, was its founding president, and retired at the age of 68.

Under his leadership, Northark achieved several firsts, one of the most noteworthy being the 1993 merger of Northark and Twin Lakes Technical College, the first consolidation of a community college and a technical college in Arkansas. Billy Bert was also instrumental in the creation of both Northwest Arkansas Community College in Bentonville and the ASU—Mountain Home campus.

Dr. Baker's own unofficial motto was to "help people grow, one at a time." That is exactly what he spent his life doing. He touched the lives of thousands—made them better men and women—and his legacy continues to enrich the lives of people throughout northern and northwest Arkansas through the institutions of higher learning that he envisioned decades ago.

Rest in peace, Dr. Baker. My deepest condolences are with Bonnie, your wife of 63 years; your two sons, daughter, grandchildren; and the entire Northark family in this time of great loss.

CHINA SHOULD TAKE THEIR CRIMINAL ILLEGALS BACK OR LOSE VISAS

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

Mr. POE of Texas. Mr. Speaker, Qian Wu was held up at knifepoint and brutally assaulted. Her attacker, a Chinese citizen who was illegally in America, was captured and sent off to prison for the assault. He should have been deported as soon as he finished his sentence, but China would not take back the outlaw. So, under American law, the attacker could not be held indefinitely in our prison and was turned loose on American streets. As soon as he was released from prison, he tracked down Qian Wu and murdered her.

Mr. Speaker, the law requires that a person who illegally enters the United States and is ordered deported must be repatriated to their native country. The lack of cooperation from countries that refuse or delay repatriation allows criminals like Qian Wu's killer to remain in America and commit more crimes.

My bill, the Timely Repatriation Act of 2017, restricts diplomatic visas to countries that deny the repatriation of

criminal aliens deported from the United States. Countries like China must take back their lawfully deported criminal citizens or pay the price of losing diplomatic visas.

And that is just the way it is.

FAKE NEWS INCLUDES CLIMATE CHANGE

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

Mr. SMITH of Texas. Mr. Speaker, a good example of fake news appeared in Sunday's New York Times. It is a column headlined, "As Trump Denies Climate Change, These Kids Die." This may be a new high—or maybe a new low—for climate alarmists and their exaggerations.

Two facts: first, most severe and persistent droughts occurred decades ago, not recently; and second, there is little connection between climate change and extreme weather, in general, according to numerous studies.

Climate alarmists tend to ignore scientific evidence and encourage media hype, and, of course, the liberal media is all too willing to go along. Climate discussions should be based on good science, not politically correct science.

GUANTANAMO BAY DETERS TERRORISTS

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

Mr. WILSON of South Carolina. Mr. Speaker, last month I was grateful that President Obama signed the National Defense Authorization Act into law—legislation that will clearly prevent the closure of the prison at Guantanamo Bay. Sadly, this has not stopped the President from releasing murderous terrorists, which, by weakness, encourages more attacks against American families that we can anticipate in the future.

Under President Obama, nearly 150 detainees have been released; and just last week, the President released four more hardened terrorists, creating a recruiting environment with a legacy of not being serious about murderous attacks in the future. The President should promote a legacy of peace, not more attacks.

The administration's own numbers reveal that as many as one-third of the terrorists from Guantanamo return to the battlefield to kill American families. In March, senior officials from the administration even testified that former prisoners from Guantanamo were responsible for American deaths.

I appreciate that President-elect Donald Trump does not support releasing terrorists from Guantanamo Bay, and I look forward to working with

him to keep Guantanamo open. He knows that imprisonment is a deterrent to protect American families.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

U.N. SECURITY COUNCIL RESOLUTION 2334

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

Mr. HOLDING. Mr. Speaker, just before Christmas, the U.N. Security Council passed a resolution condemning Israel.

I believe it goes almost without saying that Israel is our most trusted ally in the Middle East, which is why I find this so troubling, Mr. Speaker. The Obama administration had the power to veto the resolution and support one of our only allies in the region, but President Obama, less than a month from leaving office, dictated the United States would sit on the sidelines.

Well, Mr. Speaker, I am committed to preserving our alliance with Israel and ensuring a lasting peace is found in the region—a position that has been expressed multiple times on the floor of this House by my colleagues—and I believe we can't afford to sit on the sidelines anymore.

Mr. Speaker, the United States supports Israel. The Obama administration is leaving behind a failed foreign policy legacy, but our alliance with Israel will endure.

Former Senator Jesse Helms believed the United Nations required fundamental reform to address these kinds of problems. I believe this latest action by the Security Council underscores that need.

RECESS

The SPEAKER pro tempore (Mr. DENHAM). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NATIONAL CLINICAL CARE COMMISSION ACT

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 309) to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 309

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Clinical Care Commission Act”.

SEC. 2. ESTABLISHMENT OF A NATIONAL CLINICAL CARE COMMISSION.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following new section:

“SEC. 399V-7. NATIONAL CLINICAL CARE COMMISSION.

“(a) ESTABLISHMENT.—There is hereby established, within the Department of Health and Human Services, a National Clinical Care Commission (in this section referred to as the ‘Commission’) to evaluate, and recommend solutions regarding better coordination and leveraging of, programs within the Department and other Federal agencies that relate in any way to supporting appropriate clinical care (such as any interactions between physicians and other health care providers and their patients related to treatment and care management) for individuals with—

“(1) one or more complex metabolic or autoimmune diseases;

“(2) one or more diseases resulting from insulin deficiency or insulin resistance; or

“(3) complications caused by one or more of any of such diseases.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Commission shall be composed of the following voting members:

“(A) The heads (or their designees) of the following Federal agencies and departments:

“(i) The Centers for Medicare & Medicaid Services.

“(ii) The Agency for Healthcare Research and Quality.

“(iii) The Centers for Disease Control and Prevention.

“(iv) The Indian Health Service.

“(v) The Department of Veterans Affairs.

“(vi) The National Institutes of Health.

“(vii) The Food and Drug Administration.

“(viii) The Health Resources and Services Administration.

“(ix) The Department of Defense.

“(B) Twelve additional voting members appointed under paragraph (2).

“(C) Such additional voting members as may be appointed by the Secretary, at the

Secretary’s discretion, from among the heads (or their designees) of governmental or nongovernmental entities that impact clinical care of individuals with any of the diseases and complications described in subsection (a).

“(2) ADDITIONAL MEMBERS.—The Commission shall include additional voting members appointed by the Secretary, in consultation with national medical societies and patient advocacy organizations with expertise in the care and epidemiology of any of the diseases and complications described in subsection (a), including one or more such members from each of the following categories:

“(A) Clinical endocrinologists.

“(B) Physician specialties (other than as described in subparagraph (A)) that play a role in diseases and complications described in subsection (a), such as cardiologists, nephrologists, and eye care professionals.

“(C) Primary care physicians.

“(D) Non-physician health care professionals, such as certified diabetes educators, registered dietitians and nutrition professionals, nurses, nurse practitioners, physician assistants.

“(E) Patient advocates.

“(F) National experts in the duties listed under subsection (c).

“(G) Health care providers furnishing services to a patient population that consists of a high percentage (as specified by the Secretary) of individuals who are enrolled in a State plan under title XIX of the Social Security Act or who are not covered under a health plan or health insurance coverage.

“(3) CHAIRPERSON.—The voting members of the Commission shall select a chairperson from the members appointed under paragraph (2) from the category under paragraph (2)(A).

“(4) MEETINGS.—The Commission shall meet at least twice, and not more than 4 times, a year.

“(5) BOARD TERMS.—Members of the Commission appointed pursuant to subparagraph (B) or (C) of paragraph (1), including the chairperson, shall serve for a 3-year term. A vacancy on the Commission shall be filled in the same manner as the original appointments.

“(c) DUTIES.—The Commission shall—

“(1) evaluate programs of the Department of Health and Human Services regarding the utilization of diabetes screening benefits, annual wellness visits, and other preventive health benefits that may reduce the incidence of the diseases and complications described in subsection (a), including identifying problems regarding such utilization and related data collection mechanisms and make recommendations;

“(2) identify current activities and critical gaps in Federal efforts to support clinicians in providing integrated, high-quality care to individuals with any of the diseases and complications described in subsection (a);

“(3) make recommendations regarding the coordination of clinically based activities that are being supported by the Federal Government with respect to the diseases and complications described in subsection (a);

“(4) make recommendations regarding the development and coordination of federally funded clinical practice support tools for physicians and other health care professionals in caring for and managing the care of individuals with any of the diseases and complications described in subsection (a), specifically with regard to implementation of new treatments and technologies;

“(5) evaluate programs described in subsection (a) that are in existence as of the

date of the enactment of this section and determine if such programs are meeting the needs identified in paragraph (2) and, if such programs are determined as not meeting such needs, recommend programs that would be more appropriate;

“(6) recommend, with respect to the diseases and complications described in subsection (a), clinical pathways for new technologies and treatments, including future data collection activities, that may be developed and then used to evaluate—

“(A) various care models and methods; and

“(B) the impact of such models and methods on quality of care as measured by appropriate care parameters (such as A1C, blood pressure, and cholesterol levels);

“(7) evaluate and expand education and awareness activities provided to physicians and other health care professionals regarding clinical practices for the prevention and treatment of the diseases and complications described in subsection (a);

“(8) review and recommend appropriate methods for outreach and dissemination of educational resources that—

“(A) address the diseases and complications described in subsection (a);

“(B) are funded by the Federal Government; and

“(C) are intended for health care professionals and the public; and

“(9) carry out other activities, such as activities relating to the areas of public health and nutrition, that the Commission deems appropriate with respect to the diseases and complications described in subsection (a).

“(d) OPERATING PLAN.—

“(1) INITIAL PLAN.—Not later than 90 days after its first meeting, the Commission shall submit to the Secretary and the Congress an operating plan for carrying out the activities of the Commission as described in subsection (c). Such operating plan may include—

“(A) a list of specific activities that the Commission plans to conduct for purposes of carrying out the duties described in each of the paragraphs in subsection (c);

“(B) a plan for completing the activities;

“(C) a list of members of the Commission and other individuals who are not members of the Commission who will need to be involved to conduct such activities;

“(D) an explanation of Federal agency involvement and coordination needed to conduct such activities;

“(E) a budget for conducting such activities;

“(F) a plan for evaluating the value and potential impact of the Commission’s work and recommendations, including the possible continuation of the Commission for the purposes of overseeing their implementation; and

“(G) other information that the Commission deems appropriate.

“(2) UPDATES.—The Commission shall periodically update the operating plan under paragraph (1) and submit such updates to the Secretary and the Congress.

“(e) FINAL REPORT.—By not later than 3 years after the date of the Commission’s first meeting, the Commission shall submit to the Secretary and the Congress a final report containing all of the findings and recommendations required by this section. Not later than 120 days after the submission of the final report, the Secretary shall review the plan required by subsection (d)(1)(F) and submit to the Congress a recommendation on whether the Commission should be reauthorized to operate after fiscal year 2021.

“(f) SUNSET.—The Commission shall terminate 120 days after submitting its final report, but not later than the end of fiscal year 2021.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS).

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 309, the National Clinical Care Commission Act, introduced by Representative PETE OLSON and which was supported by over 229 cosponsors in the 114th Congress.

H.R. 309 establishes a clinical care commission to evaluate and recommend solutions regarding better coordinating and leveraging of Federal programs related to complex metabolic or autoimmune disorders, such as diabetes.

Metabolic disorders take a large toll on many Americans each year, and complications from these disorders can lead to catastrophic health outcomes. Currently, there are various programs across the Federal Government that touch on metabolic disorders—some focus on prevention and others focus on treatment—but there is a lack of coordination among these programs. Improving coordination of such efforts provides an opportunity to reduce costs while improving health outcomes.

This legislation received broad support from the Energy and Commerce Committee, passing through a full committee markup by a voice vote during the 114th Congress.

H.R. 309 provides no new spending and utilizes only existing funds at the Department of Health and Human Services.

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

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 309, sponsored by my Texas neighbor, Congressman PETE OLSON, and our other colleague on the Energy and Commerce Committee, DAVID LOEBSACK of Iowa, the National Clinical Care Commission Act.

This legislation aims to improve Federal efforts to treat and prevent metabolic disorders, autoimmune diseases,

and diseases resulting from insulin deficiency or insulin resistance.

The most common metabolic disorder in the U.S. is diabetes, which affects more than 29 million Americans. Racial and ethnic minority communities suffer increased rates of this condition. 15.9 percent of American Indians and Alaskan Natives, 13.2 percent of non-Hispanic Blacks, and 12.8 percent of Hispanics have diagnosed diabetes, compared to just 7.6 percent of non-Hispanic Whites.

Diabetes takes a huge toll on human health. It is the seventh leading cause of death in the United States. Additionally, all too often, diabetes leads to avoidable complications such as blindness, limb amputation, and kidney failure.

In addition to the effects on human health, diabetes care makes up a large percentage of U.S. healthcare expenditures. Currently, \$1 of every \$5 of healthcare costs is spent on caring for people with diabetes. The proportion of Medicare funding is even greater. Currently, \$1 of every \$3 of Medicare expenditures is spent caring for people with diabetes.

That is why it is important to improve Federal efforts that prevent avoidable cases of diabetes and metabolic disorders and ensure all Americans have treatment and management of services necessary to successfully manage this and other of these conditions.

I am glad to see this legislation move forward, and I urge my colleagues to vote “yes” on H.R. 309.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Speaker, I thank the gentleman from Denton, Texas (Mr. BURGESS) for yielding me time to speak about my bill, H.R. 309, the National Clinical Care Commission Act, a bipartisan bill that received unanimous support in the last Congress and was cosponsored by over half of my House colleagues.

It had this level of support because our Nation faces an epidemic. Diabetes or prediabetes affects over 100 million Americans. Nearly one in three of our neighbors is affected. This is in addition to all of the Americans whose diseases fall under complex metabolic, autoimmune, or insulin-resistant diseases.

When I first came to Congress in 2009, it was crystal clear that we had a big problem. The benefits of all the Federal research dollars going into these diseases were simply not making their way to patients. Researchers at the NIH, the CDC, the FDA, and even DOD weren’t sharing diabetes research.

It was clear to me in 2009, and it is clear today in 2017, that we need a laser-like focus on improving patient care by pursuing a strong Federal focus on research.

My bill accomplishes that goal by creating a national clinical care commission comprised of doctors who specialize in diabetes care for patients. This commission will have 3 years to strengthen their partnership between Federal stakeholders and health professionals, who will bring hands-on clinical experience to improve care.

This is not a new, unending bureaucracy. After 3 years, this commission will sunset. In 3 years, it will be gone.

We have already made a huge investment of taxpayer dollars into research. It is time for us to leverage that investment and translate that into meaningful prevention and effective treatment options.

So today, I ask my colleagues to again help those who suffer from diabetes or other complex metabolic and autoimmune disorders by voting for H.R. 309.

Mr. GENE GREEN of Texas. Mr. Speaker, I have no other speakers.

I reserve the balance of my time in case someone shows up.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER), a new member of the Energy and Commerce Committee.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 1192, the National Diabetes Clinical Care Commission Act, which establishes within the Department of Health and Human Services the national diabetes clinical care commission.

The commission will look into dissemination of information and resources to clinicians on best practices for delivering high-quality care and how best to effectively deploy new and emerging treatments and technologies.

As a pharmacist, I play an important role in diabetes care by screening patients who had a high risk for diabetes and educating patients to empower them to take better care of themselves. I believe all of my colleagues would agree that making government work to help evaluate and recommend solutions regarding diabetes is important.

The American Diabetes Association reports that there are almost 30 million people living with this disease. With better coordination and leveraging of Federal programs that relate to clinical care for people with diabetes and chronic diseases and conditions caused by diabetes, we will begin to stem the tide of this awful disease.

This legislation should be a priority for our country, and I urge my colleagues to support this bill.

Mr. GENE GREEN of Texas. Mr. Speaker, I want to welcome the gentleman from Georgia (Mr. CARTER) to the Energy and Commerce Committee.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I have no additional speakers at this time.

This is a good bill. It did pass at the end of last Congress. Maybe by passing at the beginning of this Congress, we

will give the other body ample time to take it up this year.

It is a good bill. It is worthy of our consideration again today. It provides no new spending.

I urge passage of H.R. 309.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 309.

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

A motion to reconsider was laid on the table.

IMPROVING ACCESS TO MATERNITY CARE ACT

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 315) to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Access to Maternity Care Act”.

SEC. 2. MATERNITY CARE HEALTH PROFESSIONAL TARGET AREAS.

Section 332 of the Public Health Service Act (42 U.S.C. 254e) is amended by adding at the end the following new subsection:

“(k)(1) The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall identify, based on the data collected under paragraph (3), maternity care health professional target areas that satisfy the criteria described in paragraph (2) for purposes of, in connection with receipt of assistance under this title, assigning to such identified areas maternity care health professionals who, without application of this subsection, would otherwise be eligible for such assistance. The Secretary shall distribute maternity care health professionals within health professional shortage areas using the maternity care health professional target areas so identified.

“(2) For purposes of paragraph (1), the Secretary shall establish criteria for maternity care health professional target areas that identify geographic areas within health professional shortage areas that have a shortage of maternity care health professionals.

“(3) For purposes of this subsection, the Secretary shall collect and publish in the Federal Register data comparing the availability and need of maternity care health services in health professional shortage areas and in areas within such health professional shortage areas.

“(4) In carrying out paragraph (1), the Secretary shall seek input from relevant provider organizations, including medical societies, organizations representing medical facilities, and other organizations with expertise in maternity care.

“(5) For purposes of this subsection, the term ‘full scope maternity care health serv-

ices’ includes during labor care, birthing, prenatal care, and postpartum care.

“(6) Nothing in this subsection shall be construed as—

“(A) requiring the identification of a maternity care health professional target area in an area not otherwise already designated as a health professional shortage area; or

“(B) affecting the types of health professionals, without application of this subsection, otherwise eligible for assistance, including a loan repayment or scholarship, pursuant to the application of this section.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS).

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous material in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 315, the Improving Access to Maternity Care Act, which I introduced with Representative ESHOO.

H.R. 315 increases data collection by the Department of Health and Human Services to help better place maternity care providers through the National Health Service Corps repayment program. Currently, maternity care providers participate in the National Health Service Corps through the primary care designation, but they are not always placed where they are needed the most. H.R. 315 will require increased data collection on maternity care providers who will then be placed in geographic areas within existing health professional shortage areas, again, where they are most needed.

This legislation enjoyed broad support on the Energy and Commerce Committee, passing through the full committee markup by a voice vote in the 114th Congress.

H.R. 315 provides no new spending, Mr. Speaker.

I urge all my colleagues to support this legislation.

I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 315, the Improving Access to Maternity Care Act.

This important legislation would require the Health Resources and Services Administration to better identify areas with increased need for maternity care services. This would help ensure the placement of maternity care providers within the National Health

Service Corps in areas with the most need for their services.

Improving access to maternity care providers in our most underserved communities will help reduce the poor health outcomes that can result when women don’t have access to quality, prenatal maternity services that they need. Those outcomes can include increased infant mortality, preterm births, low birth weight infants, and maternal mortality.

To provide just one example of how limited access to quality maternity care service is affecting American communities is that while global maternal mortality rates have fallen by more than a third from 2000 to 2015, the maternal mortality rate in the United States has increased. In 2015, 25 women lost their lives during pregnancy or childbirth per 100,000 births in the U.S., compared to 23 women who did so in only 2000.

It is clear that we must do more to reverse the troubling trend and other poor outcomes that result in limited access to maternity care providers. Congress must make it a priority to ensure our women have access to prenatal and maternity care services.

I support H.R. 315. I urge my colleagues to vote “yes.”

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. ROE), the chairman of the Veterans’ Affairs Committee and a fellow OB/GYN.

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Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of H.R. 315, the Improving Access to Maternity Care Act, sponsored by the gentleman from Texas (Mr. BURGESS), a fellow OB/GYN and chairman of the Health Caucus.

One of the easiest ways to ensure a safer and healthier pregnancy experience for both mother and child is through adequate maternity care. Unfortunately, there are pockets across the United States where women do not have access to needed OB/GYN care, which puts both mothers and babies at risk should a complication arise.

As an OB/GYN who spent 31 years in practice, I find it unacceptable that 1 million babies are born to mothers who did not receive adequate prenatal care. Without that proper care, babies born to these mothers are three times more likely to be born at a low birth weight and five times more likely to die than babies whose mothers did receive adequate maternity care.

With a large number of OB/GYNs nearing retirement age and a female population expected to increase by 36 percent by 2050, there is no more important time than now to ensure adequate access to maternity care for all mothers, no matter where they live. A woman living in rural east Tennessee or rural Texas should have the same

access to adequate maternity care as someone living in the city of Nashville, Memphis, Dallas, or wherever.

I am a proud cosponsor of this legislation that would require the Health Resources and Services Administration to designate maternity healthcare professional shortage areas and target maternity care resources where they are most needed, helping to ensure healthier pregnancies and healthier babies.

It was my job as an OB/GYN to make sure that mothers and their children were healthy during and after pregnancy, and I feel very strongly about that duty now that I am here in Congress. While this bill will not solve the entire shortage crisis, I think this bill is a meaningful start. I urge my colleagues to support this legislation.

Mr. GENE GREEN of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 315, the Improving Access to Maternity Care Act.

Our Nation is facing a critical shortage of maternity healthcare services and professionals. Many Americans in rural or medically underserved areas have little to no access to maternity care services, either due to geographical constraints or a shortage of healthcare providers. This bill would encourage physicians and other healthcare professionals to serve in rural and underserved communities by creating a maternity care designation in the National Health Service Corps.

The National Health Service Corps provides up to \$50,000 in student loan repayments for healthcare professionals who commit to providing care in health profession shortage areas for a minimum of 2 years. The program has already made great progress in increasing access and reducing provider shortages in dental care, mental health, and primary care.

Maternity health professionals can and do already serve in the National Health Service Corps, but they are placed in the same manner as primary care providers. This bill would create a separate designation for maternity care providers, ensuring that maternity health needs are more efficiently addressed in underserved communities that need them the most.

I urge my colleagues to support this bill.

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

Mr. BURGESS. Mr. Speaker, H.R. 315, once again, is a bill that passed with overwhelming support in the last Congress. I hope that by taking it up early in this Congress, we will allow time for

the other body to attend to this needed legislation. I urge my colleagues to support H.R. 315.

I yield back the balance of my time. Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 315, the bipartisan Improving Access to Maternity Care Act which I was pleased to introduce with Representative BURGESS.

Today, millions of expectant mothers in rural and underserved areas in our country face lengthy wait times and have to travel long distances to receive maternity care. Without adequate care, they are at increased risk for complications and their newborns are at higher risk to endure health problems. Access to maternal health care professionals including OB-GYNs and midwives is a critical component of consistent, high-quality maternal health care from conception through birth.

In my home state of California there are only 4,856 OB-GYNs according to the Pew Charitable Trust, for almost 40 million residents, a shortage which can result in dangerous health risks and long-term consequences for new mothers and their babies.

I'm proud to support H.R. 315, which takes an important first step toward meeting the growing need for maternal health care professionals across our country. By directing the collection of data about current access to maternity care, this legislation will identify the geographic regions of our country that face shortages in maternal health care professionals and will eventually result in the distribution of maternal health care professionals, including doctors and midwives to areas of the country where the full scope of their medical practice can be utilized and where they are needed most. This bill makes important progress toward ensuring that all Americans, expectant and new mothers have access to the healthcare they need and deserve.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 315.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

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

The yeas and nays were ordered.

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

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2017

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 302) to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 302

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sports Medicine Licensure Clarity Act of 2017".

SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.

(a) IN GENERAL.—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (b)(4) with respect to such athlete or athletic team—

(1) such medical professional liability insurance coverage shall cover (subject to any related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and

(2) to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team.

(b) DEFINITIONS.—In this Act, the following definitions apply:

(1) ATHLETE.—The term "athlete" means—

(A) an individual participating in a sporting event or activity for which the individual may be paid;

(B) an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) an individual for whom a high school or institution of higher education provides a covered sports medicine professional.

(2) ATHLETIC TEAM.—The term "athletic team" means a sports team—

(A) composed of individuals who are paid to participate on the team;

(B) composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) for which a high school or an institution of higher education provides a covered sports medicine professional.

(3) COVERED MEDICAL SERVICES.—The term "covered medical services" means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) at a health care facility; or

(B) while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.

(4) COVERED SPORTS MEDICINE PROFESSIONAL.—The term "covered sports medicine professional" means a physician, athletic trainer, or other health care professional who—

(A) is licensed to practice in the primary State;

(B) provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and

(C) prior to providing the covered medical services described in subparagraph (B), has disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.

(5) **HEALTH CARE FACILITY.**—The term “health care facility” means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) **NATIONAL GOVERNING BODY.**—The term “national governing body” has the meaning given such term in section 220501 of title 36, United States Code.

(8) **PRIMARY STATE.**—The term “primary State” means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional’s practice is underwritten for medical professional liability insurance coverage.

(9) **SECONDARY STATE.**—The term “secondary State” means, with respect to a covered sports medicine professional, any State that is not the primary State.

(10) **STATE.**—The term “State” means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. **BURGESS**) and the gentleman from Texas (Mr. **GENE GREEN**) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. **BURGESS**).

GENERAL LEAVE

Mr. **BURGESS**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the **RECORD** on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 302, the Sports Medicine Licensure Clarity Act of 2017, introduced by my colleague on the Health Subcommittee, **BRETT GUTHRIE**. The bill is identical to H.R. 921 from the last Congress, which passed by a voice vote in the House in September.

Team physicians and other licensed sports medicine professionals often travel with their athletes to away games and other sanctioned sporting events outside of their home State. When providing care to an injured player during the game or in the locker room afterwards, they are often doing so at great personal and professional risk. If they are sued, their home State license could be in jeopardy and their malpractice insurance may not cover them.

This commonsense bill would provide needed clarity.

First, by stating that their liability insurance shall cover them outside of their home State for limited services within the scope of their practice, subject to any related premium adjustments.

Second, to the extent that the healthcare professional is licensed under the requirements of their home State to provide certain services to an athlete or to a team, they shall be treated as satisfying corresponding licensing requirements of the secondary State in these narrowly defined instances.

H.R. 302 is supported by a wide range of professional medical associations as well as amateur and professional sports organizations. I urge my colleagues to join me in supporting this bill.

I reserve the balance of my time.

Mr. **GENE GREEN** of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 302, the Sports Medicine Licensure Clarity Act. This bill solves a problem unique to sports medicine professionals who are required to travel to different States with their teams. Medical licensure is regulated on a State-by-State basis and does not work across State lines. Thus, often when a sports medicine provider travels with a team to another State, they are technically practicing without a license, and their medical liability insurance is rendered null. This is not something that is not important.

This weekend, the Houston Texans are proud to be in the playoffs. They are going to New England, and we would like to have our Texas doctors making sure our players are safe.

This bill would ensure that sports medicine professionals who contract with a team are covered by their medical liability insurance while traveling with their team. It also provides that any incidents of medical malpractice occurring under the care of a traveling team sports medicine professional must be treated as if it occurred in the professional’s primary State of practice, regardless of where the game took place. Providers still would not be allowed to practice beyond the scope of their licenses, and they may only treat athletes on the field.

By working with the Energy and Commerce Committee and stakeholders last Congress, the sponsors of this bill have created a sensible solution to this distinct problem. I encourage my colleagues to vote “yes” on the bill.

I thank Mr. **GUTHRIE** from Kentucky and Mr. **RICHMOND** from Louisiana for their excellent work.

I reserve the balance of my time.

Mr. **BURGESS**. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Kentucky (Mr. **GUTHRIE**).

Mr. **GUTHRIE**. Mr. Speaker, I thank the gentleman for yielding.

Tonight, millions of Americans, including myself, will tune in to the College Football Playoff National Championship between the University of Alabama and Clemson University. As with any college or professional competition, both teams will have healthcare practitioners traveling with them to the game.

Unfortunately, many States do not provide legal protection for sports medicine practitioners who travel with these athletes since they are not licensed to practice medicine in the secondary State. The Sports Medicine Licensure Clarity Act, which I introduced with Mr. **RICHMOND** of Louisiana, would ensure that sports medicine professionals can provide high-quality and timely health care to athletes without having to worry about potential liability when traveling across State lines with their teams.

The nature of sports medicine professionals’ jobs require them to frequently travel between States so that athletes can receive proper care the moment they are injured. However, providers are at great personal and professional risk because medical liability insurance does not cover costs for lawsuits related to care provided in States in which they are not licensed. It is not a reasonable solution to require practitioners to become licensed in every State where their teams will play during a given season.

This came to my attention, and I talked to a friend of mine who is an emergency room physician in Auburn, Alabama. He travels with Auburn University. At the time, a few years ago, they were playing in what was then the BCS game. So here is a friend of mine, a physician, traveling with Auburn to the Rose Bowl in California. Fortunately, it didn’t happen, but what if he had to take care of Cam Newton, who was the quarterback at the time? First of all, the players want physicians that know them taking care of them, but think of the liability because he was in California when he is licensed to practice in Alabama and if something had gone wrong to as valuable an athlete as Cam Newton.

It is important that we do this. It is just pure common sense. It is very bipartisan. My friend Mr. **RICHMOND** and I have worked on this together.

I ask my colleagues to join me in supporting this commonsense, bipartisan bill to provide clarity for sports professionals performing their duties when caring for athletes. We passed this bill quickly last session. We are going to do it quickly again this Congress and give time for the other body to address this.

I would personally like to thank my longtime legislative director, who just took another job. She worked tirelessly on this. As simple and as commonsense as this bill is, there are a lot of details when you are trying to define details

about going across jurisdictions and State lines. I wish Megan Jackson well in her new endeavor.

I urge my colleagues to support this measure.

Mr. GENE GREEN of Texas. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 302, the Sports Medicine Licensure Clarity Act, and what it means for sports medicine professionals looking to provide comprehensive services to those in need.

Congressman GUTHRIE's legislation, which I have cosponsored, would overhaul the current system that leaves sports medicine professionals and athletic trainers vulnerable to liability issues. Athletic trainers and other sports medicine professionals can travel with a team to another State, and by providing care, they are opening themselves up to repercussions. These professionals provide preventive care as well as medical care and advice to athletes in the event of an injury. Currently, insurance companies don't fully cover those professionals who travel with their team or organization to a secondary State.

This legislation extends liability insurance coverage to those medical professionals to allow them to safely and fully carry out their responsibilities. They shouldn't have to decide if they can or can't provide care to the same people simply because they happen to be in a different location for a short period of time as part of their job. Within this bill, we can ensure that these professionals with the knowledge and experience to administer care will have the protections needed to safely and properly fulfill their duties.

I applaud the gentleman from Kentucky (Mr. GUTHRIE) for his work on this issue and the work of the Energy and Commerce Committee to address these reforms to the sports medicine field, and I urge passage of this important legislation.

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

□ 1700

Mr. BURGESS. Mr. Speaker, I urge passage of H.R. 302 by this body, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 302.

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

A motion to reconsider was laid on the table.

PROTECTING PATIENT ACCESS TO EMERGENCY MEDICATIONS ACT OF 2017

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 304) to amend the Controlled Substances Act with regard to the provision of emergency medical services.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 304

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Patient Access to Emergency Medications Act of 2017".

SEC. 2. EMERGENCY MEDICAL SERVICES.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsection (j) as subsection (k); and

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

“(j) EMERGENCY MEDICAL SERVICES THAT ADMINISTER CONTROLLED SUBSTANCES.—

“(1) REGISTRATION.—For the purpose of enabling emergency medical services professionals to administer controlled substances in schedule II, III, IV, or V to ultimate users receiving emergency medical services in accordance with the requirements of this subsection, the Attorney General—

“(A) shall register an emergency medical services agency if the agency submits an application demonstrating it is authorized to conduct such activity under the laws of each State in which the agency practices; and

“(B) may deny an application for such registration if the Attorney General determines that the issuance of such registration would be inconsistent with the requirements of this subsection or the public interest based on the factors listed in subsection (f).

“(2) OPTION FOR SINGLE REGISTRATION.—In registering an emergency medical services agency pursuant to paragraph (1), the Attorney General shall allow such agency the option of a single registration in each State where the agency administers controlled substances in lieu of requiring a separate registration for each location of the emergency medical services agency.

“(3) HOSPITAL-BASED AGENCY.—If a hospital-based emergency medical services agency is registered under subsection (f), the agency may use the registration of the hospital to administer controlled substances in accordance with this subsection without being registered under this subsection.

“(4) ADMINISTRATION OUTSIDE PHYSICAL PRESENCE OF MEDICAL DIRECTOR OR AUTHORIZING MEDICAL PROFESSIONAL.—Emergency medical services professionals of a registered emergency medical services agency may administer controlled substances in schedule II, III, IV, or V outside the physical presence of a medical director or authorizing medical professional in the course of providing emergency medical services if the administration is—

“(A) authorized by the law of the State in which it occurs; and

“(B) pursuant to—

“(i) a standing order that is issued and adopted by one or more medical directors of the agency, including any such order that may be developed by a specific State authority; or

“(ii) a verbal order that is—

“(I) issued in accordance with a policy of the agency;

“(II) provided by an authorizing medical professional in response to a request by the emergency medical services professional with respect to a specific patient;

“(III) in the case of a mass casualty incident; or

“(IV) to ensure the proper care and treatment of a specific patient.

“(5) DELIVERY.—A registered emergency medical services agency may deliver controlled substances from a registered location of the agency to an unregistered location of the agency only if—

“(A) the agency designates the unregistered location for such delivery; and

“(B) notifies the Attorney General at least 30 days prior to first delivering controlled substances to the unregistered location.

“(6) STORAGE.—A registered emergency medical services agency may store controlled substances—

“(A) at a registered location of the agency;

“(B) at any designated location of the agency or in an emergency services vehicle situated at a registered or designated location of the agency; or

“(C) in an emergency medical services vehicle used by the agency that is—

“(i) traveling from, or returning to, a registered or designated location of the agency in the course of responding to an emergency; or

“(ii) otherwise actively in use by the agency.

“(7) NO TREATMENT AS DISTRIBUTION.—The delivery of controlled substances by a registered emergency medical services agency pursuant to this subsection shall not be treated as distribution for purposes of section 308.

“(8) RESTOCKING OF EMERGENCY MEDICAL SERVICES VEHICLES AT A HOSPITAL.—Notwithstanding paragraph (13)(J), a registered emergency medical services agency may receive controlled substances from a hospital for purposes of restocking an emergency medical services vehicle following an emergency response, and without being subject to the requirements of section 308, provided all of the following conditions are satisfied:

“(A) The registered or designated location of the agency where the vehicle is primarily situated maintains a record of such receipt in accordance with paragraph (9).

“(B) The hospital maintains a record of such delivery to the agency in accordance with section 307.

“(C) If the vehicle is primarily situated at a designated location, such location notifies the registered location of the agency within 72 hours of the vehicle receiving the controlled substances.

“(9) MAINTENANCE OF RECORDS.—

“(A) IN GENERAL.—A registered emergency medical services agency shall maintain records in accordance with subsections (a) and (b) of section 307 of all controlled substances that are received, administered, or otherwise disposed of pursuant to the agency's registration, without regard to subsection 307(c)(1)(B).

“(B) REQUIREMENTS.—Such records—

“(i) shall include records of deliveries of controlled substances between all locations of the agency; and

“(ii) shall be maintained, whether electronically or otherwise, at each registered and designated location of the agency where the controlled substances involved are received, administered, or otherwise disposed of.

“(10) OTHER REQUIREMENTS.—A registered emergency medical services agency, under the supervision of a medical director, shall be responsible for ensuring that—

“(A) all emergency medical services professionals who administer controlled substances using the agency’s registration act in accordance with the requirements of this subsection;

“(B) the recordkeeping requirements of paragraph (9) are met with respect to a registered location and each designated location of the agency;

“(C) the applicable physical security requirements established by regulation of the Attorney General are complied with wherever controlled substances are stored by the agency in accordance with paragraph (6); and

“(D) the agency maintains, at a registered location of the agency, a record of the standing orders issued or adopted in accordance with paragraph (9).

“(11) REGULATIONS.—The Attorney General may issue regulations—

“(A) specifying, with regard to delivery of controlled substances under paragraph (5)—

“(i) the types of locations that may be designated under such paragraph; and

“(ii) the manner in which a notification under paragraph (5)(B) must be made;

“(B) specifying, with regard to the storage of controlled substances under paragraph (6), the manner in which such substances must be stored at registered and designated locations, including in emergency medical service vehicles; and

“(C) addressing the ability of hospitals, registered locations, and designated locations to deliver controlled substances to each other in the event of—

“(i) shortages of such substances;

“(ii) a public health emergency; or

“(iii) a mass casualty event.

“(12) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

“(A) to limit the authority vested in the Attorney General by other provisions of this title to take measures to prevent diversion of controlled substances; or

“(B) to override the authority of any State to regulate the provision of emergency medical services.

“(13) DEFINITIONS.—In this section:

“(A) The term ‘designated location’ means a location designated by an emergency medical services agency under paragraph (5).

“(B) The term ‘emergency medical services’ means emergency medical response and emergency mobile medical services provided outside of a fixed medical facility.

“(C) The term ‘emergency medical services agency’ means an organization providing emergency medical services, including such an organization that—

“(i) is governmental (including fire-based and hospital-based agencies), nongovernmental (including hospital-based agencies), private, or volunteer-based;

“(ii) provides emergency medical services by ground, air, or otherwise; and

“(iii) is authorized by the State in which the organization is providing such services to provide emergency medical care, including the administering of controlled substances, to members of the general public on an emergency basis.

“(D) The term ‘emergency medical services professional’ means a health care professional (including a nurse, paramedic, or emergency medical technician) licensed or certified by the State in which the professional practices and credentialed by a medical director of the respective emergency medical services agency to provide emergency medical services within the scope of the professional’s State license or certification.

“(E) The term ‘emergency medical services vehicle’ means an ambulance, fire apparatus,

supervisor truck, or other vehicle used by an emergency medical services agency for the purpose of providing or facilitating emergency medical care and transport or transporting controlled substances to and from the registered and designated locations.

“(F) The term ‘hospital-based’ means, with respect to an agency, owned or operated by a hospital.

“(G) The term ‘medical director’ means a physician who is registered under subsection (f) and provides medical oversight for an emergency medical services agency.

“(H) The term ‘medical oversight’ means supervision of the provision of medical care by an emergency medical services agency.

“(I) The term ‘medical professional’ means an emergency or other physician, or another medical professional (including an advanced practice registered nurse or physician assistant) whose scope of practice under a State license or certification includes the ability to provide verbal orders.

“(J) The term ‘registered location’ means a location that appears on the certificate of registration issued to an emergency medical services agency under this subsection or subsection (f), which shall be where the agency receives controlled substances from distributors.

“(K) The term ‘registered emergency medical services agency’ means—

“(i) an emergency medical services agency that is registered pursuant to this subsection; or

“(ii) a hospital-based emergency medical services agency that is covered by the registration of the hospital under subsection (f).

“(L) The term ‘specific State authority’ means a governmental agency or other such authority, including a regional oversight and coordinating body, that, pursuant to State law or regulation, develops clinical protocols regarding the delivery of emergency medical services in the geographic jurisdiction of such agency or authority within the State that may be adopted by medical directors.

“(M) The term ‘standing order’ means a written medical protocol in which a medical director determines in advance the medical criteria that must be met before administering controlled substances to individuals in need of emergency medical services.

“(N) The term ‘verbal order’ means an oral directive that is given through any method of communication including by radio or telephone, directly to an emergency medical services professional, to contemporaneously administer a controlled substance to individuals in need of emergency medical services outside the physical presence of the authorizing medical director.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS).

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 304, the Protecting Patient Access to Emergency Medications Act, introduced by the gentlemen from North Carolina, Mr. HUDSON and Mr. BUTTERFIELD.

H.R. 304 would update the Drug Enforcement Administration registration process for emergency medical services agencies with multiple locations, clarifying recordkeeping requirements related to the transportation and storage of controlled substances in the process.

Further, the bill would ensure that paramedics and other EMS professionals are able to continue to administer pain and antiseizure medications in emergency situations pursuant to standing or verbal orders when certain conditions are met.

This commonsense measure is supported by over a dozen EMS and trauma care organizations.

Mr. Speaker, I urge my colleagues to vote “yes” on H.R. 304, and I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 304, the Protecting Patient Access to Emergency Medications Act of 2017.

Ensuring that we have access to the right medicine at the right time is critically important in emergency situations. While controlled substances have abuse and diversion potential, they also have lifesaving potential. In fact, they are very often used by emergency medical services—EMS—providers in situations where every minute counts.

Currently, these providers must often administer controlled substances during emergencies using a standing order. However, it is unclear whether or not this is permissible under current law.

To help clarify the current law, H.R. 304 would amend the Controlled Substances Act to make clear that EMS personnel can, in fact, administer controlled substances in emergency situations under a standing order from an EMS medical director.

This bill helps guarantee that patients will have timely access to drugs they need during an emergency. It will also streamline the DEA’s emergency medical services registration process by allowing a single registration for a State EMS agency as opposed to a separate registration for each EMS agency location.

To help safeguard against diversion, the bill will hold registered EMS agencies responsible for receiving, storing, and tracking all controlled substances.

This bill passed the Energy and Commerce Committee and the House floor last Congress, and it incorporates important feedback from a wide range of stakeholders. I believe our efforts in this important bill will ensure that EMS professionals have the flexibility that they need to respond during emergencies, while preserving the DEA’s

ability to enforce controlled substances laws and regulations.

I urge my colleagues to join me in supporting the passage of H.R. 304.

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

Mr. BURGESS. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. WALDEN), the chairman of the full Committee on Energy and Commerce.

Mr. WALDEN. Mr. Speaker, I thank my colleagues on the Energy and Commerce Committee for this important piece of legislation, H.R. 304, the Protecting Patient Access to Emergency Medications Act.

This is a bipartisan bill. It was introduced by two of our colleagues from North Carolina, Representatives HUDSON and BUTTERFIELD. It previously passed the House by voice vote, no objection, back in November; but, unfortunately, it was not taken up by the Senate before the last Congress adjourned, meaning we have to be here today to restart this process.

This, along with three other Energy and Commerce bills that we are considering today, shows that the Energy and Commerce Committee is picking right up where we left off, in a bipartisan way, to produce quality legislation that will improve the public health.

Now, H.R. 304 is really an important bill because it enables our Nation's emergency medical services professionals to continue to provide quality emergency care by recognizing the unique nature of their practice.

Specifically, as you may have heard, the bill clarifies that paramedics and other EMS professionals can administer certain pain and antiseizure medications in emergency situations pursuant to standing or verbal orders. In other words, the doctor has said to the EMS person, you can do these things in emergencies.

Now, think about this. You are in a car wreck. The EMT shows up in the ambulance. They can't communicate with anybody because they are down in a valley or somewhere where they don't have communication. Without this legislation, it is uncertain now, because of this ruling out of the administration, whether or not they can give you antiseizure medication or pain relief medication until they can get in contact. This is not what any of us wants, so this legislation fixes that.

During this process, when this decision was made a while back, I heard from Dr. Paul Rostykus, an emergency physician in Jackson County, Oregon. He said that this is really critical to saving lives and reducing suffering, particularly in our remote and rural areas where these emergency technicians, EMTs, may struggle to call in emergencies and it can take much longer for patients to reach the nearest doctor.

I just implore you to talk to anybody that is running around the ambulances,

and they will tell you this is really, really important for patients.

I had an ambulance driver tell me—an EMT tell me it is important for them because sometimes in an accident, somebody is injured and they are kind of out of control and have a seizure. Now, I am not a doctor. We actually have one here who can tell us more. But they then are able to administer certain medications that will calm the patient, prevent them from hurting themselves or hurting the EMT.

So I urge my colleagues to support H.R. 304 as well as the other bipartisan Energy and Commerce bills that are on the floor today.

Mr. Speaker, I call on my colleagues to pass these important bills.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume. I thank Congressman HUDSON and Congressman BUTTERFIELD, both great members of our committee on this very bipartisan bill.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 304, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 304.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017

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

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT

Sec. 101. Public safety priority.

Sec. 102. Weather research and forecasting innovation.

Sec. 103. Tornado warning improvement and extension program.

Sec. 104. Hurricane forecast improvement program.

Sec. 105. Weather research and development planning.

Sec. 106. Observing system planning.

Sec. 107. Observing system simulation experiments.

Sec. 108. Annual report on computing resources prioritization.

Sec. 109. United States Weather Research program.

Sec. 110. Authorization of appropriations.

TITLE II—SUBSEASONAL AND SEASONAL FORECASTING INNOVATION

Sec. 201. Improving subseasonal and seasonal forecasts.

TITLE III—WEATHER SATELLITE AND DATA INNOVATION

Sec. 301. National Oceanic and Atmospheric Administration satellite and data management.

Sec. 302. Commercial weather data.

Sec. 303. Unnecessary duplication.

TITLE IV—FEDERAL WEATHER COORDINATION

Sec. 401. Environmental Information Services Working Group.

Sec. 402. Interagency weather research and forecast innovation coordination.

Sec. 403. Office of Oceanic and Atmospheric Research and National Weather Service exchange program.

Sec. 404. Visiting fellows at National Weather Service.

Sec. 405. Warning coordination meteorologists at weather forecast offices of National Weather Service.

Sec. 406. Improving National Oceanic and Atmospheric Administration communication of hazardous weather and water events.

Sec. 407. National Oceanic and Atmospheric Administration Weather Ready All Hazards Award Program.

Sec. 408. Department of Defense weather forecasting activities.

Sec. 409. National Weather Service; operations and workforce analysis.

Sec. 410. Report on contract positions at National Weather Service.

Sec. 411. Weather impacts to communities and infrastructure.

Sec. 412. Weather enterprise outreach.

SEC. 2. DEFINITIONS.

In this Act:

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

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

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

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

(5) WEATHER INDUSTRY AND WEATHER ENTERPRISE.—The terms "weather industry" and

“weather enterprise” are interchangeable in this Act, and include individuals and organizations from public, private, and academic sectors that contribute to the research, development, and production of weather forecast products, and primary consumers of these weather forecast products.

TITLE I—UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT

SEC. 101. PUBLIC SAFETY PRIORITY.

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

SEC. 102. WEATHER RESEARCH AND FORECASTING INNOVATION.

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

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

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

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

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

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

(B) aerial weather observing systems;

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

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

(i) the development of more effective mesoscale models;

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

(iii) enhanced global weather models; and

(iv) integrated assessment models;

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

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

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

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

(c) EXTRAMURAL RESEARCH.—

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

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

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

SEC. 103. TORNADO WARNING IMPROVEMENT AND EXTENSION PROGRAM.

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

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

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

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

SEC. 104. HURRICANE FORECAST IMPROVEMENT PROGRAM.

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

(b) GOAL.—The goal of the project maintained under subsection (a) shall be to de-

velop and extend accurate hurricane forecasts and warnings in order to reduce loss of life, injury, and damage to the economy, with a focus on—

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

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

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

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

SEC. 105. WEATHER RESEARCH AND DEVELOPMENT PLANNING.

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

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

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

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

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

SEC. 106. OBSERVING SYSTEM PLANNING.

The Under Secretary shall—

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

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

(3) identify current and potential future data gaps in observing capabilities related to

the requirements listed under paragraph (1); and

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

SEC. 107. OBSERVING SYSTEM SIMULATION EXPERIMENTS.

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

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

(A) global weather prediction;

(B) hurricane track and intensity forecasting;

(C) tornado warning lead times and accuracy;

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

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

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

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

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

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

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

(c) **IMPLEMENTATION.**—Observing System Simulation Experiments—

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

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

(d) **PRIORITY OBSERVING SYSTEM SIMULATION EXPERIMENTS.**—

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

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

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

SEC. 108. ANNUAL REPORT ON COMPUTING RESOURCES PRIORITIZATION.

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

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

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

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

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

SEC. 109. UNITED STATES WEATHER RESEARCH PROGRAM.

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

(1) in subsection (a)—

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

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

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

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

“(A) a list of ongoing research projects;

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

“(C) the 5 projects related to weather observations, short-term weather, or subseasonal forecasts within Office of Oceanic and Atmospheric Research that are closest to operationalization;

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

“(i) the potential benefit;

“(ii) any barrier to operationalization; and

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

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

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

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

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

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

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

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

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

“(c) **SUBSEASONAL DEFINED.**—In this section, the term ‘subseasonal’ means the time range between 2 weeks and 3 months.”.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

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

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

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

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

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

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

TITLE II—SUBSEASONAL AND SEASONAL FORECASTING INNOVATION

SEC. 201. IMPROVING SUBSEASONAL AND SEASONAL FORECASTS.

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

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

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

(3) by adding at the end the following:

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

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

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

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

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

“(B) snowpack; and

“(C) sea ice conditions; and
 “(4) develop an Internet clearinghouse to provide the forecasts under paragraph (1) and the information under paragraphs (1) and (3) on both national and regional levels.

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

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

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

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

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

“(f) FORECAST COMMUNICATION COORDINATORS.—

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

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

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

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

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

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

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

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

“(h) REPORTS.—

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

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

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

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

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

“(i) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

TITLE III—WEATHER SATELLITE AND DATA INNOVATION

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

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

(1) MICROSATELLITE CONSTELLATIONS.—

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

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

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

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

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

the status of the efforts of the Under Secretary to carry out such subparagraph.

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

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

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

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

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

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

(1) AGREEMENT.—

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

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

(2) STUDY.—

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

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

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

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

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

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

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

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

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

(3) ALTERNATE ORGANIZATION.—

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

(i) is not part of the Federal Government;

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

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

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

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

SEC. 302. COMMERCIAL WEATHER DATA.

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

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

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

(b) STRATEGY.—

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

(2) REQUIREMENTS.—The strategy shall include—

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

(B) an identification of methods to address planning, programming, budgeting, and exe-

cutation challenges to such approaches, including—

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

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

(iii) how to guarantee public access to all forecast-critical data to ensure that the United States weather industry and the public continue to have access to information critical to their work; and

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

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

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

(c) PILOT PROGRAM.—

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

(2) PILOT CONTRACTS.—

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 303. UNNECESSARY DUPLICATION.

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

TITLE IV—FEDERAL WEATHER COORDINATION

SEC. 401. ENVIRONMENTAL INFORMATION SERVICES WORKING GROUP.

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

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

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

(3) to identify opportunities to improve—

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

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

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

(b) COMPOSITION.—

(1) IN GENERAL.—The Working Group shall be composed of leading experts and innovators from all relevant fields of science and engineering including atmospheric chemistry, atmospheric physics, meteorology, hydrology, social science, risk communications, electrical engineering, and

computer sciences. In carrying out this section, the Working Group may organize into subpanels.

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

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

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

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

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

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

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

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

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

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

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

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

(c) ELEMENTS.—The program shall allow up to 10 Office of Oceanic and Atmospheric Research staff and National Weather Service staff to spend up to 1 year on detail. Can-

didates shall be jointly selected by the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service.

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

SEC. 404. VISITING FELLOWS AT NATIONAL WEATHER SERVICE.

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

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

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

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

(a) DESIGNATION OF WARNING COORDINATION METEOROLOGISTS.—

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

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

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

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

(c) RESPONSIBILITIES.—

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

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

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

(C) collaborate with such weather forecast offices and State, local, and tribal government agencies as the Director considers appropriate in developing, proposing, and implementing plans to develop, modify, or tai-

lor products and services of the National Weather Service to improve the usefulness of such products and services;

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

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

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

(d) ADDITIONAL RESPONSIBILITIES.—

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

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

(B) identify priority community preparedness objectives;

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

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

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

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

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

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

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

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

(b) ASSESSMENT OF SYSTEM.—

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

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

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

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

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

(B) Development of recommendations for—
(i) legislative and administrative action to improve the system described in paragraph (1)(A); and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) IMPROVEMENTS TO SYSTEM.—

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

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

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

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

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

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

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

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

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

(d) WATCHES AND WARNINGS DEFINED.—

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

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

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

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

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

(c) PROGRAM ELEMENTS.—

(1) NOMINATIONS.—Nominations for this award shall be made annually by the Weather Field Offices to the Director of the National Weather Service. Broadcast meteorologists, weather radio manufacturers and weather warning tool and application developers, emergency managers, and public safety officials may nominate individuals or organizations to their local Weather Field Offices, but the final list of award nominees must come from the Weather Field Offices.

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

(3) AWARD CEREMONY.—The Director of the National Weather Service shall establish a means of making these awards to provide

maximum public awareness of the importance of National Oceanic and Atmospheric Administration Weather Radio, and such other warning tools and applications as are represented in the awards.

SEC. 408. DEPARTMENT OF DEFENSE WEATHER FORECASTING ACTIVITIES.

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

(1) the impact on—

(A) the United States weather forecasting capabilities;

(B) the accuracy of civilian regional forecasts;

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

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

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

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

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

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

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

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

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

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

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

(4) The 5 most common positions filled by full-time equivalent contractors at the National Weather Service and the equivalent level of the General Schedule that most closely approximates the duties of such positions.

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

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

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

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

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

SEC. 411. WEATHER IMPACTS TO COMMUNITIES AND INFRASTRUCTURE.

(a) REVIEW.—

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

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

(b) REPORT AND ASSESSMENT.—Upon completion of the review required by subsection (a), the Under Secretary shall submit to Congress a report on the research, products, and services of the National Weather Service, including an assessment of such research, products, and services that is based on the review, public comment, and recent publications by the National Academy of Sciences.

SEC. 412. WEATHER ENTERPRISE OUTREACH.

(a) IN GENERAL.—The Under Secretary may establish mechanisms for outreach to the weather enterprise—

(1) to assess the weather forecasts and forecast products provided by the National Oceanic and Atmospheric Administration; and

(2) to determine the highest priority weather forecast needs of the community described in subsection (b).

(b) OUTREACH COMMUNITY.—In conducting outreach under subsection (a), the Under Secretary shall contact leading experts and innovators from relevant stakeholders, including the representatives from the following:

(1) State or local emergency management agencies.

(2) State agriculture agencies.

(3) Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) and Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

(4) The private aerospace industry.

(5) The private earth observing industry.

(6) The operational forecasting community.

(7) The academic community.

(8) Professional societies that focus on meteorology.

(9) Such other stakeholder groups as the Under Secretary considers appropriate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. LUCAS) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 353, the bill now under consideration.

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

There was no objection.

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

I first thank the gentleman from Texas, Chairman SMITH, for his continued leadership on the Science Committee.

H.R. 353, the Weather Research and Forecasting Innovation Act of 2017, prioritizes improving weather forecasting for the protection of lives and property at the National Oceanic and Atmospheric Administration. This bill does so by focusing research and computing resources on improved weather forecasting, quantitative observing data planning, next generation modeling, and an emphasis on research-to-operations technology transfer.

As a Representative from Oklahoma, I understand the need for accurate and timely weather predictions firsthand. Every year, the loss of life from deadly tornadoes in my home State is a stark reminder that we can do better to predict severe weather events and provide longer lead times to protect Americans in harm's way.

I am proud that the legislation has a dedicated Tornado Warning Improvement Program. The goal of this program is to reduce the loss of life from tornadoes by advancing the understanding of fundamental meteorological science allowing detection and notifications that are more accurate, effective, and timely. Constituents in my home State will benefit greatly from longer tornado warning lead times, which will save lives and better protect property.

H.R. 353 makes clear that NOAA will prioritize weather research and protect lives and property through a focused, affordable, attainable, forward-looking research plan at the agency's Research Office.

The bill also encourages innovations and new technology capacities by creating a joint technology transfer fund in NOAA's Office of Oceanic and Atmospheric Research. This transfer is essential to get new forecasting, models, and technologies out of the research side of NOAA and into our operational forecast to better protect our country.

The bill directs NOAA to develop plans to restore our country's leadership in weather forecasting. It is no secret that many people in our weather community are distraught that our forecasting capacities have deteriorated in recent years.

While other countries are making great strides in weather advancements, Americans are paying the price for diminished leadership with their lives and their wallets. This is yet another reminder that we can do better.

This legislation directs NOAA to actively consider new commercial data and private sector solutions to further enhance our weather forecasting capacities. The bill also includes a pilot project, which will provide NOAA a clear and credible demonstration of the valuable data from commercial technologies available today.

H.R. 353 is the result of 4 years of work to craft a meaningful package that will create new and real improvements to our country's weather forecasting systems. The time has come for Americans to have the most accurate and timely weather predictions. They deserve nothing less.

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

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, January 9, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: I write concerning H.R. 353, the Weather Research and Forecasting Innovation Act of 2017. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 353, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I appreciate you working with us on the base text of the bill and request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES,

Washington, DC, January 9, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 353, the "Weather Research and Forecasting Innovation Act of 2017." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will forego action on the bill.

The Committee on Science, Space, and Technology concurs with the mutual understanding that by foregoing consideration of H.R. 353 at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I appreciate your cooperation regarding this legislation and look forward to continuing to work with the Committee on Transportation and Infrastructure as the bill moves through the legislative process.

Sincerely,

LAMAR SMITH,
Chairman.

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

Mr. Speaker, I rise in support of H.R. 353, the Weather Research and Forecasting Innovation Act. This bill, introduced by my colleague, Mr. LUCAS, is a product of hard work and negotiation over the past two Congresses.

In addition to Mr. LUCAS, I thank Chairman SMITH and also Environment Subcommittee chair, Mr. BRIDENSTINE, and former chair, Mr. CHRIS STEWART, who were great partners in this process. The language before us today is a result of a truly bipartisan and bicameral effort.

The National Oceanic and Atmospheric Administration is responsible for many important tasks at the cutting edge of science and public service, and weather forecasting is one of the tasks most critical to our country.

In the northwest Oregon communities I represent, my constituents rely on timely weather forecasts to decide when to harvest their crops, when to go to sea to fish, how to navigate the roads safely when there is freezing rain or snow, and to prepare for possible flood conditions.

The National Weather Service provides excellent forecasting products to support our economy, but with the increasing frequency of severe weather events, there can be and should be improvements in our forecasting capabilities and delivery.

For example, forecasts can be more precise regarding what will happen and when. Improved forecasts can provide more lead time to allow communities to prepare, especially in severe weather events. Forecast information should also be communicated more effectively to the public and those in harm's way to reduce the loss of life and property. This bill is designed to address those important goals.

The bill connects the research side of NOAA, the Office of Oceanic and Atmospheric Research, more effectively to the forecasting needs of the National Weather Service. This research-to-operations pipeline is essential for

the continued improvement of our weather forecasting enterprise.

□ 1715

The bill contains several provisions that will improve interactions and information sharing between NOAA's researchers and the National Weather Service. It also improves communications between NOAA and the broader research and private weather communities.

The bill also establishes interagency coordination, through the Office of Science and Technology Policy, across multiple agencies outside of NOAA that share responsibilities for weather research and forecast communications. This is essential as we face budget constraints, and it will help speed the adoption of best tools and practices across the various agencies.

H.R. 353 also recognizes that even the best forecasts will not serve the public's needs unless there are effective communications systems. The bill directs NOAA to do more research, listen to experts, and improve its risk communications techniques.

The bill also reestablishes a program that allows NOAA to give awards to people who save the lives of others through NOAA's Weather Radio All Hazards program. The bill also formally establishes the pilot program currently operating at NOAA to engage in contracts with the commercial sector for weather forecasting data.

Additionally, the bill requires NOAA to examine the benefits and costs of different sensors by running simulations of different configurations of instruments and datasets on forecasting accuracy. It is important that these requirements are not too prescriptive so that NOAA can use the most efficient, accurate, and cost-effective model for this situation.

This legislation will produce advances in weather forecasting and capabilities that will result in better development of forecast innovations and technology. Ultimately, this will save American lives and property.

I thank the Members on both sides of the aisle for their input and support. Also, I would like to thank the hard-working committee staff on both sides of the aisle for their efforts to continue negotiations to move this bill forward.

I ask my colleagues to support this bill.

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

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE), my colleague who has worked very diligently on this effort for a number of years.

Mr. BRIDENSTINE. Mr. Speaker, every year that I have had the honor to serve Oklahoma's First Congressional District, I have also faced the unfortunate reality that I will lose constituents to tornadoes, as will many of us

who represent constituents in Oklahoma. This terrible fact has motivated me and others from our delegation to work hard for policies that will save lives and property and move us to a day where we have zero deaths from tornadoes or other extreme weather events.

I would like to thank Chairman SMITH, Vice Chairman LUCAS, and Environment Subcommittee Ranking Member BONAMICI for their tireless efforts to see this bipartisan legislation move forward.

The Weather Research and Forecasting Innovation Act of 2017 is the product of extensive negotiations between the Environment Subcommittee, which I chair, and the Senate Commerce Committee, and I am proud of the bipartisan and bicameral agreement that this bill represents.

H.R. 353 directs the NOAA Administrator to prioritize activities that will save lives and protect property. Again, this is critically important to my State, which is in the heart of tornado alley.

This legislation will help NOAA develop more accurate and timely warnings for hurricanes, tornadoes, and other high-impact weather events. It calls on NOAA to develop a plan to maintain forecasting capabilities that are second to none in the world, primarily because, by some metrics, we lag behind our counterparts in Europe, the U.K. and Canada.

The bill encourages better cooperation across NOAA offices and enhances collaboration with universities, such as the University of Oklahoma, which is a national leader in weather research.

It will also ensure that innovative methods and technologies, such as warn on forecast, currently being developed at the National Severe Storms Laboratory in Norman, Oklahoma, are rapidly deployed in operational status so that the American people can benefit.

Further, beyond improvements to short-term forecasts of extreme events, the bill directs NOAA to improve our understanding of seasonal forecasts, which can be immensely useful to industries such as agriculture.

Mr. Speaker, I am particularly pleased this bill finally authorizes a commercial weather data pilot program. H.R. 353 authorizes \$24 million over the next 4 years for a pilot program for NOAA to purchase commercial space-based weather data and test it against NOAA's proprietary data. This can improve forecasts and save the Federal Government money. This will allow NOAA to continue to expand upon the two pilot contracts it awarded in September of last year.

Mr. Speaker, this has the potential to be a paradigm-shifting provision. Commercial weather data can augment the data we receive from systems such as JPSS and GOES, while also serving

as a mitigation strategy in the event we experience a gap in weather data from these systems. More data from innovative sources has a real potential to improve our forecasting capabilities.

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

Mr. LUCAS. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. BRIDENSTINE. Mr. Speaker, I believe there will come a time when there will be zero deaths from tornadoes. I think this bill will help us implement the necessary steps to get there.

I once again thank my colleagues on the Science, Space, and Technology Committee for all their very hard work to get this done, and I encourage our counterparts in the Senate to move this legislation to the President's desk quickly.

I urge my colleagues to support this bill.

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

Mr. LUCAS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH) who has guided the Science, Space, and Technology Committee ever so carefully for a number of years.

Mr. SMITH of Texas. Mr. Speaker, first of all, I thank the gentleman from Oklahoma and the vice chairman of the Science, Space, and Technology Committee for yielding, and I thank both him and Mr. BRIDENSTINE, another gentleman from Oklahoma and a member of the Science, Space, and Technology Committee, for taking the initiative and introducing this legislation.

H.R. 353, Weather Research and Forecasting Innovation Act of 2017, will transform our Nation's weather-gathering efforts and help save lives and property.

Severe weather routinely affects large portions of the United States. Nearly every year, we witness the devastating effects of tornadoes across our country. The deaths and the damage from these events underscore the need for a world-class weather prediction system.

H.R. 353 improves weather observation systems by the use of observing system simulation experiments and next generation computing and modeling capabilities. This bill strengthens the underlying atmospheric science, while advancing innovative technology and reforming operations to provide better weather data, models, and forecasts. It prompts NOAA to actively employ new commercial data and solutions through a multiyear commercial weather data pilot program.

Further, it directs NOAA to consider commercial data options rather than rely on slow, costly, and continually delayed government-owned satellites.

For far too long, our government has relied on these massive, multibillion-dollar government satellites. The

Science, Space, and Technology Committee has jurisdiction over NOAA's satellite office and has conducted ongoing oversight of the agency's satellite program. Our conclusion is that it is in real need of reform.

Over the years, events at NOAA have revealed mismanagement, cost overruns, and delays of its weather satellites. This detracts from our ability to accurately predict our weather, which unnecessarily endangers Americans.

This bill will right the ship and allow NOAA the flexibility to buy new, affordable, and potentially better sources of data from the private sector, which has the power to make real improvements to our weather forecasting capabilities.

It also creates a much-needed technology transfer fund in NOAA's Office of Oceanic and Atmospheric Research to help push technologies developed through NOAA's weather research into operation. This will ensure that the technologies that are developed are effectively employed and do not idle on the lab bench.

Again, I thank Mr. LUCAS and Mr. BRIDENSTINE for their initiative on this issue. Americans from coast to coast will now be better prepared for severe weather with the passage of this bill.

I urge my colleagues to support the bill.

Ms. BONAMICI. Mr. Speaker, I have no further requests for time, and I urge my colleagues to support this bill.

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

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

Mr. Speaker, I wish to take a moment to thank the gentlewoman from Oregon (Ms. BONAMICI) for all of her efforts to bring us to this point. We still have a ways to go ultimately, but great strides have been made.

I thank my colleague from Oklahoma (Mr. BRIDENSTINE) for his input and efforts and, of course, again, the chairman of the full Science, Space, and Technology Committee, Mr. SMITH of Texas, for helping in that critical role of being the catalyst for all of this.

From the perspective of a farmer, some will say: What does this really mean? But when it comes to trying to gauge how to plant your crops, how to harvest your crops, whether you are a truck driver driving up and down the highways and bi-ways of America, a citizen moving around the country, someone along the coast, or, as Ms. BONAMICI pointed out, a fisherman, this information will make your life more efficient, it will make your life safer, and it will enhance the productive capacity of this country. This is one of those investments that we will all gain from.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 353, the

Weather Research and Forecasting Innovation Act of 2017.

This bill is the culmination of more than four years of compromise and negotiation, and demonstrates that the issues of weather and climate can be addressed in a bi-partisan way.

In that regard, I want to recognize the efforts of JIM BRIDENSTINE and SUZANNE BONAMICI, as well as the bill's sponsor, FRANK LUCAS. Their leadership and commitment has really driven this process forward.

Mr. Speaker, weather affects all of us everyday. It is a constant presence in our lives.

Tropical storms batter homes and disrupt lives from my home state of Texas all the way to Maine. States like Oklahoma, Illinois, and again Texas are some of the most tornado prone areas in the entire world.

Sadly, turning on the television to see a part of our country devastated by tornados, or hurricanes, or other severe weather incidents, has become a far too familiar occurrence. To help Americans avoid and cope with these potentially devastating events, we need to have the very best weather forecasting and warning capabilities.

The National Weather Service and the Office of Oceanic and Atmospheric Research at NOAA play a central role in protecting the lives and property of every American.

The bill before us today will help accelerate innovation, and turn cutting-edge weather research into essential weather forecasting tools and products; tools which forecasters can then use to protect American lives.

The legislation removes barriers that exist between the weather research community, our nation's forecasters, and the private-sector weather enterprise. Improving collaboration and cooperation within NOAA, and also between the agency and the broader weather community, will impact the accuracy and timing of our weather predictions. These improvements will ultimately save lives and make our communities safer.

Strengthening our resilience to severe weather events is both vital and necessary to strengthen our nation's economic security. H.R. 353 will advance our weather forecasting capabilities and I urge my colleagues to support its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 353.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 26 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. DONOVAN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 315, by the yeas and nays;

H.R. 304, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

IMPROVING ACCESS TO MATERNITY CARE ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 315) to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 405, nays 0, not voting 28, as follows:

[Roll No. 24]

YEAS—405

Abraham	Bucshon	Courtney
Adams	Budd	Cramer
Aderholt	Burgess	Crawford
Aguilar	Bustos	Crist
Allen	Byrne	Crowley
Amash	Calvert	Cuellar
Amodei	Capuano	Culberson
Arrington	Carbajal	Cummings
Babin	Cárdenas	Curbelo (FL)
Bacon	Carson (IN)	Davidson
Banks (IN)	Carter (GA)	Davis (CA)
Barletta	Carter (TX)	Davis, Rodney
Barr	Cartwright	DeFazio
Barragán	Castor (FL)	DeGette
Barton	Castro (TX)	Delaney
Bass	Chabot	DeLauro
Beatty	Chaffetz	DelBene
Bera	Cheney	Demings
Bergman	Chu, Judy	Denham
Beutler	Cicilline	Dent
Beyer	Clarke (MA)	DeSantis
Biggs	Clarke (NY)	DeSaulnier
Bilirakis	Clay	DesJarlais
Bishop (MI)	Cleaver	Deutch
Bishop (UT)	Clyburn	Diaz-Balart
Black	Coffman	Dingell
Blackburn	Cohen	Doggett
Blum	Cole	Donovan
Blumenauer	Collins (GA)	Doyle, Michael
Bonamici	Collins (NY)	F.
Bost	Comer	Duffy
Brady (PA)	Comstock	Duncan (TN)
Brat	Conaway	Dunn
Bridenstine	Connolly	Ellison
Brooks (AL)	Conyers	Emmer
Brooks (IN)	Cook	Engel
Brown (MD)	Cooper	Eshoo
Brownley (CA)	Costa	Españillat
Buck	Costello (PA)	Esty

Evans	Larson (CT)	Roby
Farenthold	Latta	Roe (TN)
Faso	Lawrence	Rogers (AL)
Ferguson	Lawson (FL)	Rogers (KY)
Fitzpatrick	Lee	Rohrabacher
Fleischmann	Levin	Rokita
Flores	Lewis (GA)	Rooney, Francis
Fortenberry	Lewis (MN)	Rooney, Thomas
Foster	Lieu, Ted	J.
Foxx	Lipinski	Rosen
Frankel (FL)	LoBiondo	Roskam
Franks (AZ)	Loeb sack	Ross
Frelinghuysen	Lofgren	Rothfus
Fudge	Long	Rouzer
Gabbard	Loudermilk	Roybal-Allard
Gaetz	Love	Royce (CA)
Gallagher	Lowenthal	Ruiz
Gallego	Lowe y	Ruppersberger
Garamendi	Lucas	Rutherford
Garrett	Luetkemeyer	Sánchez
Gibbs	Lujan Grisham,	Sanford
Gohmert	M.	Sarbanes
Gonzalez (TX)	Luján, Ben Ray	Scalise
Goodlatte	Lynch	Schakowsky
Gosar	MacArthur	Schiff
Gottheimer	Maloney,	Schneider
Gowdy	Carolyn B.	Schweikert
Granger	Maloney, Sean	Scott (VA)
Graves (GA)	Marchant	Scott, Austin
Graves (LA)	Marino	Scott, David
Graves (MO)	Marshall	Sensenbrenner
Green, Al	Massie	Serrano
Green, Gene	Mast	Sessions
Griffith	Matsui	Sewell (AL)
Grothman	McCarthy	Shea-Porter
Guthrie	McCaul	Sherman
Hanabusa	McClintock	Shimkus
Harper	McCollum	Shuster
Harris	McEachin	Sinema
Hartzler	McGovern	Sires
Hastings	McHenry	Slaughter
Heck	McKinley	Smith (MO)
Hensarling	McMorris	Smith (NE)
Hice, Jody B.	Rodgers	Smith (NJ)
Higgins (LA)	McNerney	Smith (TX)
Higgins (NY)	McSally	Smith (WA)
Hill	Meadows	Smucker
Himes	Meehan	Soto
Holding	Meeke s	Speier
Hollingsworth	Messer	Stefanik
Hoyer	Mitchell	Stewart
Hudson	Moolenaar	Stivers
Huffman	Mooney (WV)	Suo zzi
Huizenga	Moulton	Swalwell (CA)
Hultgren	Mullin	Takano
Hunter	Murphy (FL)	Taylor
Hurd	Murphy (PA)	Tenney
Issa	Nadler	Thompson (CA)
Jackson Lee	Napolitano	Thompson (MS)
Jayapal	Neal	Thompson (PA)
Jeffries	Newhouse	Thornberry
Jenkins (KS)	Noem	Tiberi
Jenkins (WV)	Nolan	Tipton
Johnson (GA)	Norcross	Titus
Johnson (LA)	Nunes	Tonko
Johnson (OH)	O'Halleran	Torres
Johnson, E. B.	O'Rourke	Trott
Johnson, Sam	Olson	Tsongas
Jordan	Palazzo	Turner
Joyce (OH)	Pallone	Upton
Kaptur	Palmer	Valadao
Katko	Panetta	Vargas
Keating	Pascrell	Veasey
Kelly (IL)	Paulsen	Vela
Kelly (MS)	Payne	Velázquez
Kelly (PA)	Pearce	Walberg
Kennedy	Pelosi	Walden
Khanna	Peters	Walker
Kihuen	Peterson	Walorski
Kildee	Pingree	Walters, Mimi
Kilmer	Pittenger	Walz
Kind	Pocan	Wasserman
King (IA)	Poe (TX)	Schultz
King (NY)	Poliquin	Waters, Maxine
Kin zinger	Polis	Watson Coleman
Knight	Posey	Weber (TX)
Krishnamoorthi	Price (NC)	Webster (FL)
Kuster (NH)	Quigley	Welch
Kustoff (TN)	Raskin	Wenstrup
Labrador	Ratcliffe	Westerman
LaHood	Reed	Williams
LaMalfa	Reichert	Wilson (FL)
Lamborn	Renacci	Wilson (SC)
Lance	Rice (NY)	Wittman
Langevin	Rice (SC)	Womack
Larsen (WA)	Richmond	Woodall

Yarmuth	Yoho	Young (IA)
Yoder	Young (AK)	Zeldin
NOT VOTING—28		
Becerra	Duncan (SC)	Price, Tom (GA)
Bishop (GA)	Grijalva	Ros-Lehtinen
Blunt Rochester	Gutiérrez	Rush
Boyle, Brendan	Jones	Russell
F.	Meng	Ryan (OH)
Brady (TX)	Moore	Simpson
Buchanan	Mulvaney	Visclosky
Butterfield	Perlmutter	Wagner
Correa	Perry	Zinke
Davis, Danny	Pompeo	

□ 1853

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN RECOGNITION OF VICTIMS OF THE TWO MOST RECENT TRAGEDIES IN FT. LAUDERDALE AND ORLANDO

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today with the Florida delegation and other colleagues with the heaviest of hearts. In the last few days, our State has witnessed two horrific tragedies.

The first occurred Friday, in my congressional district, when a gunman mercilessly unleashed a hail of gunfire on passengers in the baggage claim area at the Fort Lauderdale-Hollywood International Airport, murdering five and injuring six other innocent victims. Our thoughts and prayers are with the victims, the wounded, their families, and the countless others traumatized by this tragedy.

I commend both the Broward County Sheriff's officers who swiftly took down the perpetrator and minimized the loss of life and the airport personnel who are tirelessly reuniting passengers with 23,000 personal items left behind in the chaos that ensued, stranding many of them without identification or an ability to travel.

The second tragedy occurred today when Orlando Police Officer Debra Clayton was slain by a murder suspect. Later, Orange County Sheriff's Deputy Norman Lewis went looking for her killer and died in a traffic accident.

On behalf of the Members from Orlando, I want to say, to lose two officers on Law Enforcement Appreciation Day is an unspeakable tragedy. Mr. Speaker, I ask, on behalf of my colleagues, for this moment of silence to remember these victims.

The SPEAKER pro tempore. The House will observe a moment of silence.

PROTECTING PATIENT ACCESS TO EMERGENCY MEDICATIONS ACT OF 2017

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 304) to amend the Controlled Substances Act with regard to the provision of emergency medical services, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 29, as follows:

[Roll No. 25]

YEAS—404

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodi
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beutler
Beyer
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Ciilline

Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Españillat
Esty
Evans
Farenthold

Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudgett
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)

Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudgett
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)

McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Peters
Peterson
Pingree
Pittenger
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Lujan, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley

Schiff
Schneider
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Zeldin

NOT VOTING—29

Becerra
Bishop (GA)
Blunt Rochester
Boyle, Brendan
F.
Buchanan
Butterfield
Correa
Davis, Danny
Duncan (SC)
Grijalva
Gutiérrez
Jones
Meng
Messer
Mulvaney
Perlmutter
Perry
Pompeo
Price, Tom (GA)
Rice (SC)
Ros-Lehtinen
Rush
Russell
Ryan (OH)
Simpson
Visclosky
Wagner
Young (AK)
Zinke

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5, REGULATORY ACCOUNTABILITY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 79, HELPING ANGELS LEAD OUR STARTUPS ACT

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-2) on the resolution (H. Res. 33) providing for consideration of the bill (H.R. 5) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes, and providing for consideration of the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law, which was referred to the House Calendar and ordered to be printed.

NATIONAL LAW ENFORCEMENT APPRECIATION DAY

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

Mr. PAULSEN. Mr. Speaker, I rise today on National Law Enforcement Appreciation Day to recognize and support our many men and women bravely serving and protecting their communities all across Minnesota and our country.

Law enforcement officers are heroes. They put their lives on the line to keep our neighborhoods, homes, businesses, and schools safe and secure, as was evidenced by the tragedy that took place in Orlando. We owe them so much for the many risks and difficult decisions they make every single day.

It is important that we don't take their service for granted. Our communities are better, thanks to their unwavering commitment. That is why recognitions like today or National Night Out in August, where we promote police community partnerships through neighborhood block parties and cookouts with officers, are so critically important in strengthening the bond between community and law enforcement.

Our men and women in uniform, as well as their families and loved ones, make tremendous sacrifices for the safety and security of their neighbors. We thank them and recognize them for their daily service.

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

HONORING LAW ENFORCEMENT OFFICERS KILLED IN ORLANDO

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

Mrs. DEMINGS. Mr. Speaker, I rise today to honor the lives of Master Sergeant Debra Clayton of the Orlando Police Department and Deputy Norm Lewis of the Orange County Sheriff's Office.

As the former Orlando police chief, I had the honor of knowing both Sergeant Clayton and Deputy Lewis. Sergeant Clayton was violently murdered while responding to a call this morning. Deputy Lewis was killed while responding to a scene during the search for the suspect. As we recognize Law Enforcement Appreciation Day, we mourn the deaths of these two public servants.

Sergeant Clayton was a fine officer, wife, and mother. She was 42 years young, and had just celebrated her first anniversary with her husband.

Deputy Lewis was deeply admired by all of his colleagues. He loved helping people, and it showed in his work. He was just 35.

Mr. Speaker, I respectfully ask all Members to join me in observing a moment of silence to honor and remember these heroes during this difficult time.

COMMEMORATING NAT HENTOFF

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

Mr. ROTHFUS. Mr. Speaker, I rise today to commemorate the late Nat Hentoff, a man who constantly defied expectations. He died this weekend on January 7.

Nat defined himself as a "Jewish, atheist, civil libertarian, left-wing pro-lifer." A writer for the *Village Voice* and brilliant jazz critic, he joined forces with constituents across political, ideological, and religious spectrums if he believed he shared common ground with them.

He was not afraid to alienate his fellow liberals by agreeing with pro-life heretics, as he once jokingly called them, nor was he afraid to speak to crowds of Christian pro-lifers, even when many of them said being atheist and pro-life were mutually exclusive.

Rather than worry about their judgment, he cared too much about fairness and equality to remain silent. He was more concerned with expressing what he believed to be true: that the unborn have great potential and that, with their own unique genetic code, they are human persons with as much a right to life as any of us.

I commend Nat Hentoff for his courage and intellectual integrity. It is not easy in our culture to swim upstream. It takes a certain spirit, grit, and determination. These are characteristics Nat Hentoff possessed in abundance.

May he rest in peace and may his family be consoled.

□ 1915

NECESSARY STEPS TO RESTORE OUR DEMOCRACY

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

Mr. KHANNA. Mr. Speaker, I am the son of immigrants, born in Philadelphia as the Nation celebrated our bicentennial. I ran for Congress because we have lost sight of our founding ideals. In *Federalist 10*, James Madison warned that factions, with their own special interests, may undermine the public good.

Today, Congress is crippled by these factions: powerful PACs and lobbyists. This must change. I am proud to be one of six Members who refuse all contributions from PACs, and we need a bipartisan caucus to eradicate their influence.

We also cannot let congressional seats become feudal estates. The turnover rate here in the people's House is less than European monarchies. Congress desperately needs a 12-year term limit like there is in the California legislature.

Mr. Speaker, banning PAC money and instituting term limits are necessary steps to restore our democracy.

RECOGNIZING SANDRA MYERS

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

Ms. FOXX. Mr. Speaker, today I rise to recognize Sandra Myers of Laurel Springs, North Carolina. This remarkable and talented woman is retiring after spending her entire 40-year career with the Social Security Administration.

Since the age of 18, Sandra has worked in the Wilkesboro field office where she started in an entry-level position and currently serves as branch manager. My district staff and I have had the pleasure of working with her for many years now, and we have always found her to be a kind, caring person who is dedicated to serving others.

Sandra and her husband, John, are nearly lifelong members of their church. Upon her retirement, she plans to continue to assist the community by helping elderly members at her church complete errands, remain active, and attend services.

Sandra Myers is a perfect example of servant leadership, as well as the incredible work ethic that so many of my constituents in the Fifth District share. Allegheny County is fortunate to call this hardworking citizen one of its own.

NATIONAL LAW ENFORCEMENT APPRECIATION DAY

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

Mr. LAMALFA. Mr. Speaker, today is National Law Enforcement Appreciation Day, and I think it is very appropriate in this body to stand up and show that appreciation, especially in these confused times where signals come out of this place that don't show appreciation but, instead, depict our law enforcement in very unflattering terms.

To our friends in law enforcement, we want you to know that the vast majority of us believe in what you do and that we value you and what you do every day out there to keep us safe, to keep us secure in our homes and our communities. We also honor those—too many—whom we have lost tragically in the line of duty.

I know their families pray every night that they will return home safely. Too often, just in 2016, many of these families' worst fears were realized, as 135 fathers, sons, mothers, and daughters never returned home from the line of duty. In my home State of California, 11 officers lost, one even from my own district, Deputy Jack Hopkins of the Modoc County Sheriff's Department. We recognize him, and we recognize all the brave men and women around this country who sacrifice, who stand as a thin blue line between us and a lot of mayhem. We are truly grateful and want to take time this day to recognize what you do for us. God bless you all. Amen.

REAL LEADERSHIP TACKLES ISSUES

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

Mr. RICHMOND. Mr. Speaker, I rise today to defend an 18-year-old school student who expressed his life experiences, and he did it in the form of art protected by the First Amendment to our Constitution.

But what I also want to do is make sure that we, as Members of Congress, don't use our bully pulpit in this very prestigious and most elite body in the United States to condemn the actions of an 18-year-old who is only expressing what he sees on a daily basis.

What real leadership is is to talk to that young man and ask him why, in his community, this is his perception; ask him why he fears the police; and ask him why, in his neighborhood, they fear the police. We, as Members of Congress, understand the sacrifice of law enforcement and the fact that they put their lives on the line every day, and we honor them.

But when there is a question on any segment of our society that they don't

get equal justice, equal protection of the laws, and that the Pledge of Allegiance rings hollow when you say “and justice for all,” what real leadership does is tackle that issue as opposed to jumping on an 18-year-old high school student.

COMMENDING LAW ENFORCEMENT OFFICERS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today on Law Enforcement Appreciation Day to commend the law enforcement officers throughout our Nation who answer the call to serve their communities. Law enforcement officers face increasingly difficult circumstances while working to serve and protect the public. It is a dangerous job, and often it is a thankless job.

Just last week, Pennsylvania mourned the loss of a 23-year-old Pennsylvania State Police trooper who was shot and killed while investigating a domestic incident.

Our officers put on their uniforms each day knowing that they can be in harm's way at any moment. They answer the calls in times of distress, they follow the rules, and they wear the badge proudly.

We must remember that our officers are mothers and fathers, sons and daughters, and husbands and wives. They are human, and they arguably have one of the most difficult jobs in America. So today, and each day, let's honor our brothers and sisters in blue. Let's thank them for the important work they do to keep us all safe.

WE SHOULD BE HELD TO A HIGHER STANDARD

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

Mr. YOHO. Mr. Speaker, the 115th Congress has a unique opportunity to clean the swamp, especially of Members who were convicted of committing felonies while serving in office and drawing a retirement check from the taxpayers.

I reintroduced the Trust Restored to the United States Taxpayer Act, which eliminates the taxpayer-funded portion of congressional pensions for Members who were convicted of a felony while serving. I applauded the 10 fellow Members of the House who cosponsored TRUST, and, in doing so, demonstrated they were willing to hold themselves accountable to their employers, the American taxpayers.

We are willing to hold ourselves to the same standards we hold those who serve in our military and elsewhere. If

Members of Congress are serious about cleaning up Washington and are truly accountable for their actions then supporting this bill is common sense. If we break the law and break the trust of the people who have placed us in power as their representatives then we should be willing to forfeit the taxpayer-funded portion of our retirement.

We are not above the law. If anything, we should be held to a higher standard. I encourage my colleagues to support this.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LEWIS of Minnesota). The Chair will recognize Members for Special Order speeches without prejudice to the resumption of legislative business.

ISSUES AND CHALLENGES FACING OUR COUNTRY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Louisiana (Mr. RICHMOND) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. RICHMOND. Mr. Speaker, I ask unanimous consent that all Members be given 5 days to revise and extend their remarks.

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

There was no objection.

Mr. RICHMOND. Mr. Speaker, it is an honor and a privilege to have this opportunity to stand on the House floor and to anchor the Congressional Black Caucus' Special Order hour, where today we want to discuss some of the issues and challenges confronting this country that we hope this newly constituted Congress will be prepared to take up as we move into the 115th Congress.

The first and most glaring issue confronting the Congressional Black Caucus is the nomination and confirmation of JEFF SESSIONS to be the Attorney General of the United States. The members of this caucus, since its inception, have fought for equality and justice, and we do it because it is the right thing to do, and that is how we were raised.

JEFF SESSIONS' record is atrocious when it comes to equal rights, equal protection, justice for all, and voting rights. At worst, he was a coconspirator in the promotion of segregation and discrimination. At best, he lacked the courage and motivation to fight for equality, equal protection, and justice.

In the words of Maya Angelou: “When someone shows you who they are believe them. . . .” President-elect

Trump has shown us time and time again exactly who he is through his words and his actions. His Cabinet nominations offer further evidence of who he is and what he values. Each of these individuals have shown us who they are as well.

Mr. Speaker, tonight you will hear from many passionate, educated, experienced freedom fighters from our communities, and they will each address their concerns with the nominations coming from the President-elect. We do it out of an obligation to continue to fight for the least of those, those who cannot hire a lobbyist, those who are struggling to make ends meet, those who wake up every day trying to figure out how to put clothes on their kids' back, food on the table, a house, a roof over their head, and to continue to fight for the American Dream, opportunity for their children.

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

IMPACT OF CABINET NOMINATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. VEASEY) is recognized for the remainder of the hour as the designee of the minority leader.

Mr. VEASEY. Mr. Speaker, I want to welcome you to tonight's Congressional Black Caucus Special Order hour that will examine the negative impact of President-elect Trump's nominations for the position of U.S. Attorney General, Secretary of Education, and Secretary of Health and Human Services.

Let's be honest here, the 2016 Presidential election showed us both the worst and the best of American politics. The most disturbing development of the election season, of course, was the President-elect's campaign that was an “us versus them” type of campaign that really divided the Nation. It was really sad for people to see that on display.

On November 9, after winning the Presidency, the President-elect tweeted: “Such a beautiful and important evening! The forgotten man and woman will never be forgotten again. We will all come together as never before.”

But will he keep his promise of doing all that he can to repair our divided nation? So far he has been very disappointing. And when you look at the nominations of Senator SESSIONS, Betsy DeVos, and TOM PRICE to key positions in his administration, it seems like he has forgotten, that he has forgotten and ignored our Nation's dark history of oppression, particularly to the African American community.

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The President-elect's nominees represent everything that the Congressional Black Caucus has vehemently

fought against. As a caucus, we fought to ensure that the African American community is empowered with the tools it needs to achieve the American Dream. Mr. Trump's Cabinet nominations are set to push the dream back so far out of reach for millions and millions of Americans.

Mr. Speaker, we have a list of Members that would like to speak tonight.

I yield to the gentleman from Michigan (Mr. CONYERS), the dean of the United States House of Representatives.

Mr. CONYERS. Mr. Speaker, I thank my colleague from Louisiana (Mr. VEASEY) for opening up this part of our Special Order for which the Congressional Black Caucus has come together to more critically examine the nomination of Senator JEFF SESSIONS.

As the ranking member of the House Judiciary Committee, I led a joint statement in November that was signed by every Democratic member of the Judiciary Committee opposing Senator SESSIONS' nomination for United States Attorney General. The Attorney General is the chief law enforcement officer of the United States, charged with the administration of the criminal justice system and the enforcement of our civil rights. Senator SESSIONS is clearly unsuitable to lead the Department of Justice.

In 1986 testimony before the Senate Judiciary Committee, witnesses said that Mr. SESSIONS had referred to the NAACP, the National Association for the Advancement of Colored People, the Southern Christian Leadership Conference, and other civil rights groups, as both un-American and communist inspired. One prosecutor in the Alabama United States Attorney's Office testified that Mr. SESSIONS referred to him as "boy" and counseled him to be careful of what you say to White folks.

His appointment to the Federal branch was opposed by the Leadership Conference on Civil Rights, the National Association for the Advancement of Colored People, and other organizations. Senator SESSIONS has criticized the section 5 preclearance provisions in the Voting Rights Act, which I and many others have been fighting to restore since the 2013 Supreme Court *Shelby County v. Holder* decision.

In the 114th Congress, Senator SESSIONS opposed bipartisan criminal justice reform efforts. He has also opposed the reauthorization of the bipartisan Violence Against Women Act and nearly every immigration reform bill that has come before the Senate.

A vote to confirm JEFF SESSIONS as Attorney General is a vote against freedom and equality. So I join with many of my colleagues today in urging the Senate to oppose his nomination, and I thank my colleague for yielding to me.

Mr. VEASEY. Mr. Speaker, I thank Mr. CONYERS very much for his words as the dean of the House.

Mr. Speaker, I yield to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Speaker, I rise today to encourage opposition to the nomination of JEFF SESSIONS to the Attorney General's Office by this President-elect.

We have been asked and we are constantly asked: Are you saying he is a racist? He defined himself. He defined himself long ago when he was denied a Federal judgeship in 1986 after having been appointed by Ronald Reagan. He was denied because his colleagues said they heard him use the N-word.

Also, it was very well documented that after two of the members of the KKK killed an African American man, he said: Oh, I thought the KKK was okay until I learned they smoked marijuana. This is the same man that said, again, that the NAACP and the SCLC were un-American, that they were communist inspired, and it goes on and on and on. And it is not whether or not we are calling him or we think of him as a racist; he defined himself in that manner. He was denied the appointment to the Federal judgeship, including by Republicans who voted against him.

So here we have a man who is going to be considered for the Attorney General's Office where we have the Civil Rights Division. Should we be worried about that? You bet your bottom dollar we should be worried about that. Not only has he defined himself as a racist, but this is a throwback. This is a man who is a setback. This is a man who does not agree with his colleagues on criminal justice reform. This is a man who loves mandatory minimum sentences. This is a man who does not want the Justice Department to work with local police departments who are in trouble, like what happened in Ferguson. This is a man who is against voting rights. This is a man who has shown himself to be against women. This is a man who does not support the LGBT community. Why would we want him to have this very important, prestigious position as the Attorney General overseeing civil rights? I don't think so.

I advise everybody who is listening and all of our colleagues to support him not being appointed to that position and to get the word over to the Senators that they should not support him, they should not vote for him.

Mr. VEASEY. Mr. Speaker, I thank the gentlewoman from California (Ms. MAXINE WATERS).

Mr. Speaker, I yield to the gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank Mr. VEASEY for help-

ing organize this Special Order on a topic that is of great concern to me and many of my constituents.

The Attorney General, as we know, serves as the United States' chief law enforcement official. He or she does not serve certain States, certain classes of people, nor is their service limited to a particular party. The Attorney General is there to serve all of us.

With that in mind, I stand here on the floor of the House concerned with Senator SESSIONS' nomination to become the next Attorney General. Based on his record, there are a number of reasons why I believe that Senator SESSIONS is unfit to lead the Department of Justice.

First, at his 1986 confirmation hearing to serve as a Federal judge for the Southern District of Alabama, it was revealed that Senator SESSIONS had called the NAACP and the ACLU un-American and communist inspired. I am a life member of the NAACP and a participating member in the ACLU. Neither one of those organizations are un-American or communist inspired.

A Department of Justice attorney also testified that Sessions said he believed that the Southern Christian Leadership Conference, Operation PUSH, and the NAACP taught anti-American values. Well, if being free, if being able to exercise your right to vote, being able to not determine one's color as a condition for participation, then I am not certain what Mr. SESSIONS was talking about; but I do know that he has called a Black attorney "boy," and he also talked about a White civil rights attorney as a "race traitor."

Also, what I am more concerned about is, in the aftermath of the shooting at Emanuel African Methodist Episcopal Church in Charleston, South Carolina, he opposed taking down the Confederate battle flag. Now, if there is one symbol that we all understand that represents hate, it is the confederate battle flag. I am concerned that Senator SESSIONS continued to try to defend that symbol. I can't imagine someone being the Attorney General having that kind of attitude and that operation.

Mr. Speaker, I join the chorus of other members of the Congressional Black Caucus who raise their voice in opposition to what would be a travesty to the Department of Justice if Senator JEFF SESSIONS is confirmed.

Mr. VEASEY. Mr. Speaker, I thank the gentleman from Mississippi (Mr. THOMPSON) for his timely comments.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), my fellow Texan from Houston.

Ms. JACKSON LEE. Mr. Speaker, let me thank Mr. VEASEY for his leadership. Let also thank the chair of the Congressional Black Caucus, Mr. RICHMOND, for his leadership.

Before I start, let me offer my appreciation to law enforcement officers

across America—this is Law Enforcement Appreciation Day—and join my colleague, VAL DEMINGS, particularly acknowledging the sadness in Orlando today in the loss of two law enforcement officers in the line of duty.

I rise today for not a personal statement or a statement that has to do with personality. As the President-elect said of Mr. SESSIONS, he is a fine and decent fellow. I have no interest in determining whether that is true or false. But I do want to hold the President-elect accountable for the words that he said on election night that he pledged to the Nation that he would be a President for all Americans. That pledge, I believe, will ring hollow for tens upon tens of millions of Americans with the nomination of the Secretary of Education, who is against public schools, the nomination of the Secretary of Health and Human Services, who has no plan for health care, and, finally, the nomination for Attorney General.

Rather than select someone who is championing and protecting, rather than opposing and undermining the precious right to vote, the constitutionally guaranteed right of privacy, criminal justice reform, and the support for reform of the Nation's immigration system, it is quite the contrary in the nomination of Senator SESSIONS—a person who opposed *Shelby County v. Holder* in terms of the basis of trying to constructively support voting rights, an individual who is hostile to comprehensive immigration reform, and certainly someone who has constantly not sought to fix, but has sought to undermine.

So, for example, as a U.S. attorney, he was the first prosecutor in the country to bring charges against civil rights activists of voter fraud. But, Mr. Speaker, listen to this: he didn't just bring charges; he had 29 counts of voter fraud that resulted in civil rights activists facing 100 years in prison.

He has repeatedly denied the disproportionate impact of voting restrictions on minorities and has been a leader in the effort to undermine the protections of the Voting Rights Act, and he did nothing to reconstruct the Voting Rights Act and restore section 5 when tens upon tens of Members of Congress worked diligently to try to fix the *Shelby* case.

He criticized Attorney General Eric Holder for challenging State election laws, claiming they are necessary to fight voter fraud. Evidence supports that voter fraud is almost nonexistent, with 31 confirmed cases out of more than a billion ballots cast.

Senator SESSIONS fought to continue practices that harm schools predominantly attended by African American students. He led the fight to uphold the State of Alabama's inequitable school funding mechanism after it had been deemed unconstitutional by the Alabama Circuit Court.

Finally, in the State of Alabama, nearly a quarter of African American students attend what is called apartheid, or what can be called apartheid schools, meaning the school's White population is less than 1 percent.

Now we understand that the Senator has taken credit for desegregation efforts in the State of Alabama. There is no evidence of his participation in the desegregation of Alabama schools or any school desegregation lawsuits filed by then-Attorney General SESSIONS.

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I would say to you as I close, we who are vulnerable look to the Department of Justice as the solid rock of justice for the Nation. Whether we are immigrant, whether we are a woman who is trying to fight against violence, whether we need civil rights, whether we are LGBT, whether we are those who are seeking religious freedom or freedom of expression, the Department of Justice is a solid rock of justice for this Nation.

With that in mind, I believe that this nominee, who now stands with the criteria evidenced by the record, stands not prepared, not fit to hold this position of the Attorney General of the United States—a sacred position of law and justice.

Mr. Speaker, as a senior member of the House Committees on the Judiciary and Homeland Security Committee; Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and the Congressional Voting Rights Caucus, I rise today to express my views regarding the President-Elect's nomination of U.S. Senator JEFFERSON BEAUREGARD "JEFF" SESSIONS III of Alabama to be the next Attorney General of the United States.

On Election Night the President-Elect pledged to the nation that he would be a president to all Americans.

That pledge will ring hollow to tens of millions of Americans in light of his announced intention to nominate one of the U.S. Senate's most far-right members, Senator JEFF SESSIONS (R-AL) to be the next Attorney General of the United States.

Perhaps nothing would do more to reassure the American people that the President-Elect is committed to unifying the nation than the nomination and appointment of a person to be Attorney General who has a record of championing and protecting, rather than opposing and undermining, the precious right to vote; the constitutionally guaranteed right of privacy, criminal justice reform, and support for reform of the nation's immigration system so that it is fair and humane.

The nomination of Alabama Senator SESSIONS as Attorney General does not inspire the necessary confidence.

As a U.S. Senator from Alabama, the state from which the infamous Supreme Court decision in *Shelby County v. Holder* originated, Senator SESSIONS has failed to play a constructive role in repairing the damage to voting rights caused by that decision.

He was one of the leading opponents of the reauthorization of the Violence Against Women Act.

He is one of the Senate's most hostile opponents of comprehensive immigration reform and was a principal architect of the draconian and incendiary immigration policy advocated by the President-Elect during the campaign.

And his record in support of efforts to bring needed reform to the nation's criminal justice system is virtually non-existent.

In 1986, ten years before Senator SESSIONS was elected to the Senate, he was rejected for a U.S. District Court judgeship in view of documented incidents that revealed his lack of commitment to civil and voting rights, and to equal justice.

And his Senate voting record and rhetoric has endeared him to white nationalist websites and organizations like Breitbart and Stormfront.

As a U.S. attorney, Senator SESSIONS was the first federal prosecutor in the country to bring charges against civil rights activists for voter fraud.

Senator SESSIONS charged the group with 29 counts of voter fraud, facing over 100 years in prison.

Senator SESSIONS has repeatedly denied the disproportionate impact of voting restrictions on minorities and has been a leader in the effort to undermine the protections of the Voting Rights Act.

Senator SESSIONS has spoken out against the Voting Rights Act, calling it "a piece of intrusive legislation."

Senator SESSIONS criticized Attorney General Eric Holder for challenging state election laws, claiming they are necessary to fight voter fraud.

However, evidence supports that voter fraud is almost nonexistent, with 31 confirmed cases out of more than 1 billion ballots cast.

As Attorney General of the state of Alabama, Senator SESSIONS fought to continue practices that harmed schools predominantly attended by African-American students.

Senator SESSIONS led the fight to uphold the state of Alabama's inequitable school funding mechanism after it had been deemed unconstitutional by the Alabama circuit court.

In the state of Alabama nearly a quarter of African-American students attend apartheid schools, meaning the school's white population is less than one percent.

Although Senator SESSIONS has publically taken credit for desegregation efforts in the state of Alabama, there is no evidence of his participation in the desegregation of Alabama schools or any school desegregation lawsuits filed by then Attorney General SESSIONS.

I call upon the Senate Judiciary Committee to subject the nomination to the most comprehensive, searching, and withering examination.

The United States has been blessed to have been served as Attorney General by such illustrious figures as Robert Jackson, Robert Kennedy, Herbert Brownell, Ramsey Clark, Nicholas Katzenbach, Eric Holder, and Edward H. Levi.

The duty of the U.S. Attorney General is to lead the Department of Justice in protecting and expanding the civil rights of all Americans and the pursuit of equal justice for all, not to turn back the clock on hard won rights and liberties.

No senator should vote to confirm the nomination of JEFF SESSIONS as U.S. Attorney

General if there is the slightest doubt that he possesses the character, qualities, integrity, and commitment to justice and equality needed to lead a department, the headquarters building of which is named for Robert F. Kennedy, one of the nation's greatest and most indefatigable champions of civil rights and equal justice for all.

Mr. VEASEY. I thank very much Ms. SHEILA JACKSON LEE of Texas.

Mr. Speaker, I now yield to the gentleman from California, Ms. BARBARA LEE.

Ms. LEE. Let me thank Representative VEASEY for hosting this important discussion on President-elect Trump's disturbing nomination and for the gentleman's commitment to defend civil and human rights for all Americans. Now, more than ever, the voices of the CBC's are so important in this fight.

I would also like to recognize our new chair, CEDRIC RICHMOND, as he takes the helm of the CBC during these very challenging times; but I know that, under his leadership, our caucus will continue to fight in a very strong and aggressive way for equality and justice.

The President-elect, Mr. Speaker, ran one of the most divisive and racially tinged campaigns we have witnessed in modern history. Since winning the Presidency, President-elect Donald Trump has nominated individuals to serve in his Cabinet, proving that he will govern just as he campaigned. There is no greater example of this disturbing reality than in Senator JEFF SESSIONS' nomination to serve as our country's Attorney General. The Justice Department is our best tool in protecting civil and human rights and voting rights. By appointing Senator SESSIONS to lead this department, President-elect Donald Trump is making it clear that he will abandon these fundamental values.

Senator SESSIONS has a long history of opposing civil rights and equality. He has called the Voting Rights Act a piece of intrusive legislation. He said that the Supreme Court's disastrous decision to gut voting rights was good news for the South. In the 1980s, he was rejected from serving as a Federal judge due to his blatantly racist comments.

Any one of these statements should be disqualifying. In the proposed, bigoted Trump administration, frankly, I am not surprised; but I am appalled that the President-elect would choose such an extreme and divisive figure to serve as Attorney General. Clearly, someone who has publicly displayed prejudice and intolerance is not qualified to serve as our chief law enforcement officer for our civil rights laws.

By that standard alone, one thing is clear: Senator SESSIONS is wholly unfit to serve as Attorney General. Senator SESSIONS has forcefully degraded the LGBT community, has voted against the Violence Against Women Act, and

has undermined the cornerstone of the civil rights movement and the Voting Rights Act. His nomination really is a chilling indication of how a Trump administration intends to govern. This country has made tremendous progress in the fight to protect, preserve, and expand civil rights for all Americans. We will not allow a Trump administration to drag us back into the past.

As the conscience of the Congress, the Congressional Black Caucus is a voice for the marginalized. Our message to the Trump administration and to President-elect Donald Trump is simple: A vote to confirm Senator JEFF SESSIONS is a vote against justice. We will fight to protect any rollback on civil or human rights. We will not be silent.

I call on all of my colleagues to oppose Senator SESSIONS' nomination as the United States Attorney General because his history disqualifies him for this important position.

Mr. VEASEY. I thank very much Representative LEE. I really appreciate the gentleman's remarks.

Mr. Speaker, I now yield to someone who, over the last 20 years, has been in nearly every battle in the United States Congress when it comes to the issue of civil rights. He is Representative BOBBY SCOTT of Virginia.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for organizing this Special Order.

I will be brief. There are a lot of people who want to speak. I will just speak to the jurisdiction of the Education and the Workforce Committee, on which I have the honor of serving as the ranking member.

Mr. Speaker, as we consider appointments to the Departments of Labor, Education, and Health and Human Services, we shouldn't just look at people's personalities, but at what the policy implications are of their appointments. The Senate must reject those nominees who will fail to stand up to the goals and aspirations of America's children and workers.

The first nominee I will speak to is that of Secretary of Labor, Mr. Puzder, who was the CEO of CKE Restaurants. He has spoken out many times in opposition to an increase in the minimum wage. Many States have recognized that the minimum wage is so low that people who work full time fail to make a wage that exceeds the poverty level.

What is his position going to be on increasing the minimum wage? With overtime, are people entitled to work overtime after 40 hours?

The regulation is in place. Will he enforce that new regulation? Or will he try to overturn the regulation that recognizes and honors the 40-hour workweek, whereby those who work more than 40 hours will get time and a half?

If you look at CKE's retirement plan, it leaves a lot to be desired in terms of fees.

What will his position be?

When you look at the fiduciary rule—which requires financial advisers, when they are looking at somebody's retirement fund, to have the worker's best interest in the forefront, not their personal profits and what they can rip off from someone but to look at the worker's views as paramount—will he change that so that we can go back to the days in which people could take advantage of unsophisticated workers and sell them products that are not in their best interests?

What are his positions going to be on enforcing Federal regulations?

CKE Restaurants has been found in violation of many wage regulations.

Will he vigorously enforce those?

Those are the kinds of things that we need to look at when we look at the Secretary of Labor.

The Secretary of Education, Betsy DeVos, is best known for her support of vouchers. Vouchers in Michigan have shown that they fund schools that are actually worse than the average, so they have not done any good.

Will she support public education? Or will she support the privatization of education?

Finally, Health and Human Services: Will we privatize Medicare? Will we repeal without replacing the Affordable Care Act?

A lot has been said about repeal and then replace later. Let me tell you, until you have seen a plan, you can just count on the repeal; there will probably never be a replace.

What will happen to everybody if there is no plan?

Twenty million people—maybe 30 million—will lose their insurance, and the insurance market for everybody else will be in chaos. We need to make sure that we look at this and get these decisions straight before we confirm anybody.

All of the nominees and others should be reviewed not on their personalities, but on the policy decisions they will be making. The next generation of Americans will base their education, their jobs, and their health care on the decisions these nominees will make. The Senate should reject any of the nominees that will take us in the wrong direction.

Mr. VEASEY. I thank Mr. SCOTT of Virginia very much.

Mr. Speaker, I inquire as to how much time I have left.

The SPEAKER pro tempore. The gentleman has 32 minutes remaining.

Mr. VEASEY. Mr. Speaker, I next yield to the lone voice in the State of Wisconsin, someone who is always speaking out on these issues not just for her district, but for the many people around her State who want that voice from the CBC: Ms. GWEN MOORE of Wisconsin.

Ms. MOORE. I thank Mr. VEASEY so much, and I thank our new chair of the

Congressional Black Caucus for his tremendous effort in putting this very important Special Order hour together.

Mr. Speaker, I rise this evening because I am extremely concerned about the nomination of Senator JEFF SESSIONS.

Certainly, President-elect Trump has a right to nominate people and have them be presented before our Senate, and, certainly, you don't expect a Republican to necessarily agree with all of your positions; but I am concerned about Senator SESSIONS because I think he has aligned himself with extreme ideological views that won't best serve all of the people of the United States.

During the last 7 years, the Department of Justice has investigated at least 23 law enforcement agencies in response to rampant civil rights abuses. I fear that, under an Attorney General JEFF SESSIONS, those consent decrees and that very important work in resolving the conflicts between, particularly, African American communities and police officers will be lost.

I am extremely concerned, as are at least 70 civil rights organizations and organizations that serve women, with an Attorney General JEFF SESSIONS. They are concerned about not just the anti-abortion views that Senator SESSIONS has displayed, but about the zealous anti-choice positions that he has taken—his association and alignment, again, with extreme anti-abortion organizations. They believe that he is not capable of fair and impartial action as Attorney General.

What is so chilling, as an example, is when Senator SESSIONS was asked about President-elect Trump's Access Hollywood scandal in that he said he didn't characterize the grabbing of a woman's genitals as necessarily a sexual assault. Very, very chilling and disturbing.

In being from Wisconsin, where we have fought egregious and unfair voter ID laws that were designed to disenfranchise, particularly, African Americans, Mr. SESSIONS has indicated that the gutting of the Voting Rights Act has actually had no impact and that no one has been denied the right to vote. He seems to be tone deaf to the cries of African Americans across this country to protect their voting rights.

I encourage the Senate to look very carefully at this nominee, because, in fact, the United States Attorney General's only charge is to protect the civil rights of all of the citizens. I don't know that he will be willing or able to do that.

Mr. VEASEY. I thank Representative MOORE. I appreciate the gentlewoman's comments and I thank her for mentioning some of the issues with voter ID in Wisconsin, which may have tilted the election results in that State.

Mr. Speaker, I now yield to my good friend from Brooklyn in the Empire State, Representative YVETTE CLARKE.

Ms. CLARKE of New York. I thank Mr. VEASEY for his leadership this evening. I thank our chairman, CEDRIC RICHMOND, for his vision and his timeliness in bringing this to the floor today.

Mr. Speaker, I rise on behalf of the people of the Ninth Congressional District of New York in opposition to Donald Trump's nominee for the position of Attorney General of the United States, Senator JEFF SESSIONS of Alabama. I stand with my colleagues in the Congressional Black Caucus as we raise our voices on behalf of the millions of Americans who depend on this caucus to speak as the conscience of the Congress—speaking truth to power.

Mr. Speaker, I struggle to understand how Senator SESSIONS can even be considered to lead the Department of Justice when time and time again throughout his political career he has actively opposed the mission and purpose for which the Department of Justice was created. For the better part of my life—at least a half a century—the Department of Justice has assumed a position of leadership in the fight for the civil rights of African Americans who seek the uninhibited right to vote, for young women who seek protection against sexual assault on college campuses, for disabled individuals who fight for equitable access to basic services, and for immigrants who aspire to pursue their visions of the American Dream.

The nomination of Senator SESSIONS does not support the legacy of progress that has been made under the auspices of the modern-day Department of Justice. As a young prosecutor, he directed racial slurs at his African American colleagues. Senator SESSIONS spoke highly of the Ku Klux Klan. He actively targeted and persecuted activists like Mr. Albert Turner—one of Dr. Martin Luther King's advisers—for simply trying to register disenfranchised voters.

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When he became Attorney General of Alabama, Senator SESSIONS, a product of segregated education, worked tirelessly to prevent predominantly African American public schools from accessing an equal share of resources that had been long denied to Black students.

As a Member of the Senate, Senator SESSIONS has been an outspoken opponent of criminal justice reforms that many of his Republican colleagues support. He is a leader in the effort to define undocumented Americans as “the other” and forcibly separating families in the United States.

The women and men who lead the Department of Justice are called upon to pursue justice; but with such a documented history of hostility toward the most vulnerable populations—people of color, women, disabled individuals, and immigrant families—we cannot expect

Senator SESSIONS to pursue justice on their behalf.

I absolutely and unequivocally oppose the nomination of Senator SESSIONS. He has demonstrated his disdain for the most basic of human principles: equality, justice, and fairness. These principles represent the promise of our Constitution. The Senate considering and confirming Mr. SESSIONS would break that very promise.

Mr. Speaker, I stand with the CBC today asking the Senate of the United States to uphold the virtues of the Constitution and reject this divisive nomination.

Mr. VEASEY. Mr. Speaker, I would also like to remind Members that we have 3 minutes per Member left of speaking time. I wanted to just remind Members of that so everyone will have an opportunity to speak on this very important matter.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I congratulate Representative CEDRIC RICHMOND as he takes the helm of the CBC and manages this exercise tonight; and also Representative MARC VEASEY, who will be the point man for doing these Special Orders.

We are called upon tonight at a critical time in the Nation's history. We have a new President coming in who is polarizing, divisive, inexperienced, and immature. He is making some selections for his appointments, and the Senate has the opportunity to weigh in on those appointments.

So what is happening is that there are incomplete and missing answers to the Senate questionnaires that appointees like Senator JEFF SESSIONS, who I rise in opposition to, have completed and sent in. This puts the Office of Government Ethics that vets these candidates at a severe disadvantage of not having the information that they need in order to vet these appointees, like Senator JEFF SESSIONS. They don't have the information that they need.

So we also have a compressed schedule of nominees to be considered over the next few days. This, combined with the incomplete answers, puts us in a position of not having enough information to conduct full, fair, thorough, and sifting analysis and vetting for the American people. These are the people who are going to serve them into the future.

So I am very concerned, especially about a guy like Senator SESSIONS who has a history of being opposed to civil rights for certain Americans. Now, there are those who would say that this took place 30 years ago, all of the things that he said and did prior to becoming a Senator 20 years ago. Some will say that all of these things that have been cited about Senator SESSIONS are 30 years old.

We have to look at what has occurred in the life of Senator SESSIONS to make

us think that he has changed. It takes a courageous person like George Wallace to come forward and say: I was wrong for being a racist. It takes a strong person like Lee Atwater to say: I was wrong.

Senator SESSIONS has not said he was wrong. There is nothing that Senator SESSIONS has written that says: I apologize for what I did back then. There is nothing that he said. Certainly his legislative record, which is only nine bills over the last 20 years—three of which were ceremonial in nature—there is nothing in that legislation that would lead us to conclude that he has changed. So he is going to be bad for the Attorney General's office.

I conclude by asking my Senate colleagues to think carefully about what you are about to do and say "no" to Senator JEFF SESSIONS.

Mr. VEASEY. Mr. Speaker, I now yield to the gentleman from New York (Mr. PAYNE), my classmate and a voice from the New York area.

Mr. PAYNE. Mr. Speaker, I thank the gentleman from Fort Worth (Mr. VEASEY). I was looking forward to a potential clash with his team next week, but I guess you have to get out of Green Bay before you can go to Dallas.

Mr. Speaker, the job of the U.S. Attorney General is to protect the rights and freedoms of every single American. Senator SESSIONS' record and public statements suggest that, if confirmed, he will not uphold our Constitution's values of fairness, justice, and equality for all. Since the election, President-elect Trump's victory has been marred by allegations of voter intimidation and suppression in key States.

It is clear that we need to restore the full protections of the Voting Rights Act. Yet, Senator SESSIONS has called the Voting Rights Act an intrusive piece of legislation. When he was the United States Attorney in west Alabama, Senator SESSIONS used the power of his office to intimidate and dissuade African American voters.

Americans recognize the need for Congress to find a bipartisan solution to immigration reform. Yet, Senator SESSIONS has been one of the loudest opponents of comprehensive immigration reform. He has even fought against legal immigration, arguing, instead, for immigration moderation.

Americans also recognize the dire need for criminal justice reform. Yet, Senator SESSIONS has opposed bipartisan legislation to modernize prison sentencing for low-level drug offenders.

On every measure, Senator SESSIONS has shown that he will be detrimental to African Americans and other minority communities as our Nation's next Attorney General.

The next Attorney General must build on the progress of the last few years under Attorney General Lynch and Attorney General Holder. He or she

must safeguard civil rights, prosecute hate crimes, protect the right of due process, and uphold the Constitution and our basic values and freedoms.

Every indication is that Senator SESSIONS is too extreme and unwilling to protect the safety and the rights of every American. If confirmed as U.S. Attorney General, Senator SESSIONS will pose a grave threat to our justice system and to the communities that system is meant to protect. His ideologies are in direct contrast with the Justice Department's mission.

Mr. VEASEY. Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. BEATTY), my classmate from the Buckeye State, representing the Columbus, Ohio, area.

Mrs. BEATTY. Mr. Speaker, I thank my colleague and chair of this Special Order hour (Mr. VEASEY) and the chair of the Congressional Black Caucus (Mr. RICHMOND). It is indeed an honor, Mr. Speaker, for me to stand here with these colleagues tonight.

We come tonight with a strong message. We are here to speak out against President-elect Trump's Cabinet nominations who, based on their records, are, in my opinion, too divisive, too extreme, too out of touch, and unable to protect the interests and the safety of all Americans—individuals like JEFF SESSIONS and Betsy DeVos.

Trust me, Mr. Speaker, these nominees need to be vetted. The American people deserve to know who will be in charge of these critically important Federal agencies.

We are extremely concerned with Senator JEFF SESSIONS' nomination to be the U.S. Attorney General. SESSIONS, as you have heard tonight and you will continue to hear, has continuously obstructed the progress we have made with the enactment of the historic civil rights legislation of the 1960s.

He has consistently, Mr. Speaker, fought to block legislative efforts to ensure racial equality, including his staunch opposition to full enforcement of the Voting Rights Act—the very bill, Mr. Speaker, if confirmed, he would be in charge of enforcing and protecting.

Mr. Speaker, I join my colleagues. We cannot allow that to happen.

Next up in Trump's Cabinet of cronies is his nominee for Education Secretary, Betsy DeVos, who has pushed to expand taxpayer-funded vouchers for private and religious schools and has absolutely zero experience as an educator or an educational leader. She has, however, Mr. Speaker, spent millions of dollars lobbying for school choice proposals which harm disadvantaged and at-risk communities.

Now, I am from the great State of Ohio, and to have someone owe our Ohio Elections Commission \$5.3 million, we cannot allow that to happen. We have to be the voice for the people. Especially those people who are voiceless.

Mr. Speaker, let me end by saying that as a member of the Congressional Black Caucus, I stand here tonight wanting the public to know that we are concerned and we are exercising our right and our voice.

Mr. VEASEY. Mr. Speaker, I yield to the gentleman from New York, the Empire State, (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank my distinguished colleague and classmate, Representative MARC VEASEY, for his leadership today; and the chairman of the Congressional Black Caucus, Representative CEDRIC RICHMOND, for convening us and for the leadership that he has already shown.

We have a President-elect who, for 5 years, perpetrated the racist lie that Barack Obama was not born in the United States of America, and who ran one of the most divisive campaigns in the Nation's history and then promised that he was going to bring all of us together.

Then you have got his colleagues on the other side of the aisle who have said: Well, Democrats, people in the civil rights community, African Americans, we should give the new President a chance.

This is the same group of people who declared war on Barack Obama on day one of his Presidency and governed themselves under the following approach: Obstruction today, obstruction tomorrow, obstruction forever.

That should sound familiar to folks from Alabama and the Deep South.

Now they want us to give them a chance. You can't lecture us on Presidential etiquette. You have no credibility in that area. We will decide how we want to engage. As it relates to your pick to head the Department of Justice, it is totally unacceptable, unreasonable, unjust, and unconscionable, not because of anything that he may have said 30 years ago, as offensive as that may be, but because of the positions that Senator JEFF SESSIONS has taken today.

Today, in 2017, based on his recent track record, he supports the Confederate battle flag, not 30 years ago, but today. Today he supports voter suppression efforts that are advanced by his unwillingness to repair section 4 and section 5 of the Voting Rights Act. That is not 30 years ago. I don't care that you showed up in Selma, Alabama, for a photo op. Your position on the Voting Rights Act is unacceptable today.

□ 2015

Today you support mass incarceration, the failed drug war, and the prison industrial complex. And because of your position today, reasonable Americans should oppose your ascension to the Department of Justice.

Mr. VEASEY. I thank the gentleman. Mr. Speaker, I now yield to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank all of my colleagues from the Congressional Black Caucus for coming out and speaking out.

I rise today to express concern and strong opposition to President-elect Trump Cabinet nominations for Attorney General, Secretary of Education, and Secretary of Health and Human Services. President-elect Trump chose not to practice what he preached, and he didn't drain the swamp. Instead, he nominated politically divisive individuals to serve in his administration.

Throughout a public service career spanning more than 30 years, Senator SESSIONS used the power of the courts to discriminate against civil rights leaders. He allegedly used racially charged language to disparage minorities, expressed support for the KKK, and then tried to dismiss it as a joke. He celebrated the gutting of the Voting Rights Act and opposed same-sex marriage. He denied the constitutionality of *Roe v. Wade* and voted against greater access to health care for veterans. He blocked the Paycheck Fairness Act and voted against the reauthorization of the Violence Against Women Act. He does not respect the rights of minorities or women, and he has proven himself to be unfit to serve as United States Attorney General.

Education is the great equalizer. One of the most important investments families make is in their children. The Secretary of Education must be committed to providing a free, world-class education to all students regardless of race, gender, ability, status, financial means, or geography.

Unfortunately, Betsy DeVos has consistently fought for private school vouchers that divert funds from public schools, our communities, and our children who need these investments the most. She has even used her personal wealth to lobby against important transparency and accountability measures that would have provided necessary safeguards for Michigan students.

DeVos' track record of undermining public education and her lack of commitment to defending the civil rights of students causes me great pause in her quest to become Secretary of Education. I can't support it. Betsy DeVos, absolutely no.

Finally, Chairman PRICE. He has made it clear that his budget priorities are highly partisan. We can expect that if he is confirmed, he will strip 20 million people of affordable health care, women would be denied their right to contraception and reproductive health care, and devastating cuts would be levied against Medicaid funding. We can't go back to a time when being a woman is a preexisting condition for insurance coverage. Chairman PRICE's nomination offers just that.

These folks will not unite the American people, and they cannot be trusted

to advocate for our most vulnerable populations, so I urge my Senate colleagues to oppose the confirmations of Senator JEFF SESSIONS, Betsy DeVos, and Chairman TOM PRICE.

Mr. VEASEY. I thank the gentlewoman.

Mr. Speaker, I now yield to the gentlewoman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, I rise today to take a stand against those who seek to further divide our Nation. We face the greatest chaos not by the acts of outsiders or foreign intruders, but by the division and war with each other. The nomination of JEFF SESSIONS as our Attorney General threatens our strength as Americans. Over three decades of a career in public service, JEFF SESSIONS' words and actions lead to one question: Who is included and excluded from the public he chooses to serve?

JEFF SESSIONS has referred to the Voting Rights Act as a "piece of intrusive legislation." The first Federal prosecutor in the country to bring charges against civil rights activists for voter fraud since the passage of the VRA in 1965, SESSIONS has called the *Shelby v. Holder* case, which eliminated the preclearance formula, "good news . . . for the South."

SESSIONS has referred to the NAACP and ACLU civil rights groups saying they have done more harm than good by trying to force civil rights down the throats of the good people of the United States. He has referred to these organizations as un-American and communist inspired.

African Americans and other people of color are disproportionately affected by acts of voter suppression and the criminal justice system. Those, among others, are the key areas in which SESSIONS has shown deliberate disregard for the justice and equality of all Americans.

This is a pivotal moment in our Nation's history, and we simply cannot treat the American people like a social experiment. History will reflect on this moment in time, and our action and inaction will be accounted for.

Mr. VEASEY. I thank the gentlewoman.

Mr. Speaker, I now yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Speaker, I thank my colleagues who have spoken this evening.

As I have said, I would have liked to have spent this transition period working with the President-elect on ways to solve our Nation's issues. I would have liked to have been reassured that, despite disparaging and divisive rhetoric, his actions would have worked to unite us all. Instead, we are battling against a nominee who has already been deemed unfit for a Federal judgeship. So what can possibly make him fit to

serve as our Nation's top law enforcement officer?

The definition of justice is the quality of being just, impartial, or fair. Synonyms include equity, objectivity, and neutrality. Senator SESSIONS has built a reputation and a voting record that does not align with justice. I do not wish to relitigate the past, and while it cannot be ignored, we don't have to look too far back to identify Senator SESSIONS' priorities. In 2006, he voted to renew the Voting Rights Act. In 2013, he supported the Supreme Court decision to strike key provisions of that law.

Following being denied a Federal judgeship, Senator SESSIONS cosponsored legislation to honor Rosa Parks with a Congressional Gold Medal while also voting against legislation in 2009 to extend Federal hate crime protections against people targeted because of their sexual orientation. Further, he has been the ringleader to immigration reform.

How can we in good faith recommend, nominate, or confirm a person to a post that is solely responsible for protecting the civil rights of all Americans, including those who are vulnerable, disadvantaged, and discriminated against?

This administration is continuing to ask us to put aside our intellect and to trust their intentions. I refuse. This administration would like us to support a man who, throughout his career, has determined the rights of those who look like me, like constituents I serve, as inferior. I refuse, and I ask the Senators to please consider this as they listen to whether or not this gentleman deserves to be confirmed.

Mr. Speaker, as I've said before, I would have liked to have spent the transition period working with the President-Elect, Trump, on ways to solve our Nation's issues.

I would have liked to have been reassured that despite disparaging and divisive campaign rhetoric—President-Elect Trump's actions would work to unite us all.

Yet, instead we're here battling against the nominee for the 84th attorney general of the United States who was already rejected as a federal judge.

His disqualification was rooted in allegations that he called a black attorney "boy" and his suggestions that a white lawyer working for black clients was a race traitor.

Not only that but Senator SESSIONS found humor in his only issue with the Ku Klux Klan was their drug use, and accused civil rights groups as being "un-American" organizations trying to "force civil rights down the throats of people who were trying to put problems behind them."

So what could possibly make him fit to serve as our Nation's top law enforcement officer at the Department of Justice?

The definition of justice is the quality of being just, impartial, or fair.

Synonyms for justice include equity, objectivity and neutrality.

Senator SESSIONS has built a reputation and, most importantly, a voting record that does not align with that definition.

I do not wish to re-litigate the past as I would not want to be judged on my actions and thoughts of 30 years ago. However, Senator SESSIONS' growth and commitment to inclusivity—even 30 years later—remains to be seen.

Following being denied a federal judgeship, in the early 90s, Senator SESSIONS co-sponsored legislation to honor Rosa Parks with the Congressional Gold Medal, while also voting against 2009 legislation that extended federal hate crime protections to people targeted because of their sexual orientation or gender identity.

While in 2006 he voted to renew the Voting Rights Act, just years later in 2013 he supported the Supreme Court's decision to strike key provisions of the law.

Furthermore, he has been the ringleader of opposition for immigration reform.

How can we in good faith recommend, nominate, or confirm this person to the post that is solely responsible for protecting the civil liberties of all Americans—including those who are vulnerable, disadvantaged, and discriminated against.

This administration is continually asking us to put aside our intellect and to trust their intention. I refuse.

This administration would like us to support a man who throughout his career has determined the rights of those who look like me and the constituents I serve are inferior. I refuse.

This administration would like us to sit idly by as Donald Trump tries to overwhelm us into tacit submission to his dangerous agenda. I refuse.

A Trump-Sessions Department of Justice would be not only an attack on our civil rights and equality; it would be an insult to the intelligence of the American people.

Mr. VEASEY. I thank the gentlewoman.

Mr. Speaker, I now yield to the gentleman from Virginia (Mr. MCEACHIN).

Mr. MCEACHIN. I thank the gentleman from Louisiana for organizing this hour today.

Mr. Speaker, I stand here today because I believe that confirming JEFF SESSIONS as Attorney General for the United States would jeopardize the progress we have made for equal rights and against discrimination.

Mr. Speaker, it is an affront to common sense to confirm someone who has criticized the Voting Rights Act of 1965 and believes that this landmark law, which provides all Americans with the right to cast a ballot for candidates in our democratic process, is intrusive. It is an affront to common sense, Mr. Speaker, to confirm a nominee who views an old advertisement calling for the death penalty of people who are later exonerated as a mark of conservatism.

Mr. Speaker, it is an affront to common sense to confirm someone who was previously rejected as a choice for a Federal judgeship to lead a Department that, in part, vets future Federal judges. It is an affront to common sense, Mr. Speaker, to confirm some-

one who does not believe in justice for all to lead the Department of Justice.

Mr. Speaker, it is clear that this nominee would not act in the best interest of all Americans, regardless of color, gender, country of origin, sexual orientation, or economic status. Mr. Speaker, it is my fervent hope that the Senate of the United States will deny the confirmation of this nominee.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, President-elect Donald Trump's cabinet nominations are nothing short of alarming. With the United States Senate expected to begin nomination hearings this week, we need to ensure that Congress follows a fair and thorough vetting process as we evaluate the suitability of these individuals to fill the various cabinet positions.

One source of concern is the process by which Republicans in Congress are choosing to conduct these nominations. The recent Republican effort to rush the nominees through the process does not invite confidence in our ability to properly consider each individual on their merits. Walter Shaub, Jr., Director of the Office of Government Ethics, raised his concerns of this very fact given that his office is charged with conducting ethics screening reviews of the nominees. The aggressive hearing schedule to consider these nominees is unprecedented and has placed an undue burden on the Office of Government Ethics (OCE) and its ability to conduct thorough ethics reviews. These ethics reviews are essential to the process and help us to identify potential conflicts of interest or other ethical considerations before we confirm these individuals to serve in public office. Director Shaub has stated that it is unprecedented for the Senate to conduct a confirmation hearing before the ethics review process has concluded. This is simply unacceptable and undermines the democratic process.

The nominees themselves are also cause for concern. Namely, I believe that the nomination of Senator JEFF SESSIONS for Attorney General of the U.S. Department of Justice threatens the best interests and safety of the American people. Senator SESSIONS has served in the United States Senate for twenty years, during which his record on civil rights and other national issues was questionable at best. For example, he voted several times against the reauthorization of the Violence Against Women Act, which aimed to hold offenders of violence against women accountable for their actions. He has also taken a very clear position against rights for the LGBT community, which would deny these Americans basic human rights. His positions on criminal justice and government reforms are also disturbing.

Mr. Speaker, I have serious concerns about the means by which my Republican colleagues are approaching the nomination process this Congress. If we are to properly evaluate the qualifications and the ethical suitability of these nominees, we must conduct an exhaustive examination of each nominee based on their merits—not on their politics. The Republicans are failing to uphold these basic principles through their recent actions. In the

name of protecting the American people and doing what is best for our country, I urge my Republican colleagues to return to normal order and delay these nomination hearings until OCE can conclude its ethics reviews of the nominees.

The SPEAKER pro tempore (Mr. COMER). Members are reminded to refrain from engaging in personalities against Members of the Senate and the President-elect.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 34

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

(1) Committee on Armed Services—Mr. Smith of Washington.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2017, of the following Members of the House to the Permanent Select Committee on Intel-

Mr. HIMES, Connecticut
Ms. SEWELL, Alabama
Mr. CARSON, Indiana
Ms. SPEIER, California
Mr. QUIGLEY, Illinois
Mr. SWALWELL, California
Mr. CASTRO, Texas
Mr. HECK, Washington

HOPE IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it is an honor to be here tonight at the beginning of this new year. It has been great being in east Texas this weekend, last weekend, hearing all of the hope that has arisen as we have entered this new year, 2017. I think it is going to be a good year.

I am told that just on the basis of a new President coming in who is promising to throttle back, remove so much of the heavy, iron boot off of the throat of the economy that firms are starting

to hire again. Businesses are making plans to expand and grow. And then we are seeing reports of plants that are deciding to stay in the United States instead of going elsewhere. There is a lot of optimism out there.

There are young people that are asking what was it like back when you came out of college and had multiple job opportunities for most of the people coming out of college instead of opportunities to live with your parents or your grandparents or a parent or the other parent. They actually had multiple job opportunities, and that optimism has arisen.

As we entered this year, also, it is very sad to see a form of racism and negativity that arises. I have said before publicly, and I think it is still true, we need go back no further than the confirmation hearing for Clarence Thomas to the Supreme Court. But the more you look, the more you find that the most persecuted person to be in America these days is a conservative African American. If you are Black and you are conservative, you can expect slings and arrows and hate from all over the country—vicious, mean.

And it was yet another slap, as if the high-tech lynching of the Senate confirmation hearing, as grossly unfair as it was, that woman that withheld any complaints whatsoever, followed a man from job to job, never raised a complaint until he gets ready to be confirmed to the United States Supreme Court, raised allegations that can't possibly be denied or supplemented, verified—not effectively.

□ 2030

You raise them 20-plus years. That is why we have laws on the books to protect from allegations too many years after the fact. We have statutes of limitations.

If you sit on something and don't tell people for years and years, and then all of a sudden, for political reasons, you raise up allegations against someone who is basically defenseless—the thing is Clarence Thomas was not defenseless. There were like 15 people, 15 women, who came forward and said: Look, I was there around Anita Hill when these things were going on. Those things never happened. Clarence Thomas is a brilliant, fine man, over and over.

Does any of that come up when HBO talks about him? Of course not because they were out to slander him, libel him, make him appear to be some crazy guy.

The guy is brilliant, absolutely brilliant. Some say: well, yeah, of course the only way he got into Harvard—which, at the time, was too conservative, he thought, for him, law school after Holy Cross, and then it was too conservative, and he ends up applying to Yale and going there, one he didn't think quite as conservative.

But he began to notice, as he points out in his book, that the liberals would talk to him about sports and oppression of Black people in America, and that is all they wanted to talk about. But he began to notice that two or three other conservatives, the few that there were in Yale at the time, Yale Law School, basically would talk to him about anything, and I have had a conversation, in prior years, with him about that at Yale.

But it is interesting. You know, the liberals say: oh, yeah, we are the ones that care. Now you are only here because we pushed for affirmative action. You couldn't possibly be smart enough to be in a place where I am, the liberals think. So yeah, it is because of us liberals you are here.

No, the guy is brilliant; he deserved to be there on his own merit, on his own intellect. He deserves to be a member of the United States Supreme Court. He deserves the acclaim that he has never properly gotten. But people who have clerked at that Court know the integrity, the intellect, the consistency of Clarence Thomas.

He was maligned. They thought, basically, it was an effort to “Bork,” as it has come to become, or become a verb, what was done to Justice Bork, accuse him of outrageous offenses, derail his confirmation, so that this conservative, principled, qualified individual doesn't make it to the Supreme Court.

Well, the effort worked on assassinating so grossly unfairly the character of Justice Bork, but it didn't work on Clarence Thomas because he is a man of steadfast faith, integrity, and not just the brilliant intellect.

And it is really heartbreaking. I mean, I thought—even though I didn't support President Obama because I didn't want him taking us down a socialist road, a socialist health care road. He talked about these things. The videos were out there. He wanted to get us to where the government controlled health care, single-payer, in other words, socialized medicine, where the government gets to decide whether you get health care or whether it is any good or not and, of course, it ends up not being, most of the time, once the government has total unfettered control.

I didn't want to go those places he wanted to go, but, I think the good thing is, it shows that America is above racism, and this is a man who can bind up this Nation as never before.

And yet, he has spent right at 8 years now creating more division in this country than we have had since the sixties. And who was stirring it up back then? Well, he was in the middle of groups that were stirring it up back then, protege of Bill Ayers. First fundraiser he had in the home of someone who felt like it was a good idea to kill police, at least try to.

I hear constant allegations that are so unfair. Those who know JEFF SESSIONS make some very fair observations. I noted the great fairness of someone with whom I disagree often, but Senator SUSAN COLLINS.

This article from CNN Politics says: “. . . a moderate Republican elected to the Senate the same year as Sessions in 1996, admits that she and Sessions ‘don't agree on a host of issues,’ but she was happy to accept his”—JEFF SESSIONS—“request to introduce him at his confirmation hearing alongside senior Alabama Sen. RICHARD SHELBY.”

“‘He's a decent, honorable, patriotic individual,’ Collins said in an interview in her Senate office. ‘I felt bad he was not getting a fair shake from those who were denigrating him.’”

“‘The Maine lawmaker’—SUSAN COLLINS—“is referring to allegations of racial insensitivity—the same Democrats used to block SESSIONS from moving through committee thirty years ago.”

“Collins explained that she is basing her endorsement of SESSIONS' character on her own experience working with him over the past 20 years.”

Well, isn't that a good thing, Mr. Speaker? You have a Senator that says: You know what? I'm not going to listen to the slings and arrows. I'm going to go based on the evidence that I have seen, heard, and known for myself.

You can denigrate someone all you want, but we are going based on what is real, what is factual; and God bless her for doing so.

“I don't know what happened more than 30 years ago, when JEFF was nominated to be a district court judge, and his nomination failed,” she said. “But I do know the JEFF SESSIONS that I have worked with in the past 20 years. And he is a good person, and I believe that he will perform very well as attorney general.”

“Another Republican colleague who went out of his way to get to know SESSIONS is Sen. TIM SCOTT, the only African-American GOP Senator. In December, SCOTT invited SESSIONS to visit his home state of South Carolina, where the two lawmakers met with criminal justice professionals in Charleston.”

And, you know, I have such great regard for my colleagues across the aisle, but I am heartbroken that 30 years after the denial of JEFF SESSIONS a judicial bench, when the JEFF SESSIONS that I have come to know in the 12 years I have been in Congress—I have come to know him, I feel like, pretty well. He is a good, decent, fair man. He tries to follow the teachings of Jesus Christ. He tries to treat people fairly and equally.

I saw this quote from assistant—he was Assistant District Attorney Thomas Harrison, who had started in helping prosecute regarding the lynching of a 19-year-old—just horrific—19-year-old

African American, Michael Donald in Alabama. And the Assistant District Attorney Harrison, at the time, who prosecuted the case in State Court, he was quoted as saying: "Sessions asked what we needed"—because Sessions was U.S. Attorney, what they needed, in other words, to go after the culprits that would do such a horrendous criminal act. And he says: ". . . I said, in order to get a capital murder conviction, we need these things, and he"—talking about JEFF SESSIONS—"said that in that regard whatever the federal agents did or the FBI did he would make those things available. He did in fact do that."

I don't know, that is the kind of JEFF SESSIONS I have gotten to know over the years, and it is a little heart-breaking to hear allegations about a guy. I really like him.

And then to hear allegations that I have heard made about me in a grossly unfair manner. And I can't explain all of the allegations about—that are so grossly unfair about JEFF SESSIONS. But I can address some of the things that have been alleged to make him unfit to be Attorney General that I know are ridiculous.

One of the points that was made was regarding his concern or opposition to the new Voting Rights Act extension, I guess that is what they were talking about, and I know a great deal about that. That comes through the Judiciary Committee, and I know my friend, fellow Republican, JIM SENSENBRENNER, had reached an agreement with Democrat JOHN CONYERS and others, and they weren't letting amendments get through.

I was trying to make the point clear, if you want to save the Voting Rights Act, you can't keep punishing a State because they did something wrong 50 years ago. That is not constitutional. And if you insist on continuing to put these punitive positions in the Voting Rights Act that will continue to punish southern States that have recorded these days, and it was pretty well true across the South, they had less racial disparity than places in the North, in Wisconsin, in Massachusetts, in California.

Yet, people from these other States, because they made a majority, said: we don't care that they are—there is less racial disparateness in those southern states. There was harm 50 years ago, and there was, and it needed to be cleaned up. It desperately needed to be cleaned up, and we needed a Voting Rights Act in order to help cure the evils.

But what was pushed through in a voting rights extension, with my opposition—and I don't know what JEFF's arguments were, but I know how wrong it was. And I came down here, and my friend—and I mean that—my friend, JOHN CONYERS, was sitting right there, and it was toward the end of the year.

And I said: Look, I have talked to liberal law deans from different parts of the country, New York, California, Texas; and when we discuss what you have put in the Voting Rights Act, you are still treating States punitively that are now doing better than California, New York, Massachusetts, at least some districts in those States. Wisconsin had a district with a huge problem.

You can't do that. It is going to be ruled unconstitutional. And I still cannot support it, but why don't we do a joint amendment and fix this?

And my friend, JOHN CONYERS, he is a very honorable man, and he said: Let me talk to some of our folks. And when I talked to him before the end of the year, he said: We think it is okay, and the people I talked to think it is okay. We don't need to amend it. We are going to leave it just like it is.

Well, it is wrong. Whether it is in a Voting Rights Act, whether it is in a criminal bill, a civil bill, if you are punishing people for the sins of their grandfathers or fathers, it is wrong. It is un-American. And I don't know if JEFF SESSIONS has called something like that un-American, but I will.

When you try to punish an individual for something their father or grandfather did, that is un-American. That is wrong.

And lo and behold, the liberal law professors and deans that I have talked to across the country, before I begged—well, I begged JIM SENSENBRENNER. He was sitting at the back right back there.

□ 2045

He said: Nope, we are not touching that bill.

They were happy to let it go to the Supreme Court one day just the way it was. Just as I explained to JOHN CONYERS right here, just as I explained to JIM SENSENBRENNER right back there, this should be struck down if the U.S. Supreme Court is going to be fair and partial and follow the Constitution.

You can't keep punishing people for something their fathers or grandfathers did when they are doing better than people in your own State and you vote to punish them. Why? Because you can. Their fathers or grandfathers committed a wrong many years ago. A grievous wrong it was, and it needed correction. There are some places where it still does, but you don't keep punishing people 50 years after they bring up their problem.

So I hear people say JEFF SESSIONS is not fit because he opposed the Voting Rights Act. I tried to clean it up. It had an un-American provision in there.

I just can't believe anybody on either side of the aisle would continue to support the idea that we should punish children or grandchildren for something their father or grandfather did many years ago. This child has become

an adult and they have made sure there is fairness abounding. Well, there is always going to be injustice.

One of the great problems in this Justice Department is that it was always quick to take up for someone who had been shot by policemen—before they knew any of the facts—and demonize the local police. Sometimes—in rare cases, but every now and then—they did deserve demonizing. But the Department of Justice should not demonize them before we find out the facts.

In most of those cases, when we find out the facts, whether it is Baltimore or other places, most of the time people or even a professor of some kind, like the President, said he acted stupidly, talking about the policeman. It turned out the policeman conducted himself very reasonably. We never did hear whether the President apologized to the policeman or not, but the point is that the President and the Justice Department have spent 8 years dividing us in ways I did not believe were possible 8 years ago.

So I hear my friends come in here and start condemning a man as not being fit to serve because of things like opposing an unconstitutional, un-American provision in the Voting Rights Act. It was then, it is today. If somebody tries to pass a punishment of some group of people for something their grandparents did, it is wrong, it is un-American. I will say it to the day I die.

Now, it is very unfair. I saw it as a felony judge. It broke my heart. In chambers, but never in the courtroom itself, it would bring me to tears. I would break down when I saw the suffering of children because of the sins of their parents. But the government should not be in the business of punishing people intentionally. There was a provision in the Voting Rights Act that did just that.

I also heard an allegation about JEFF SESSIONS either opposing a hate crime extension or hate crime bill. I can tell you from conversations I had years past, back when we were talking about hate crimes bills, we did not need hate crime laws.

What was the fake news that was trotted out here in Washington, trotted out around the country?

Remember what happened down in south Texas?

It wasn't in my district, but I am familiar with what happened down there. There were three White guys that took a poor, decent African American, used a chain, tied him to their truck, and drug him until he was dead. It was in print and publicly.

I would personally have no problem with a jury ordering a sentence, if we could put it in the law, so that the family of that victim could decide what they were going to use to drag the defendants and the terrain they

would drag those White defendants over, but that is not the law.

The law in Texas is that our juries can find you guilty and sentence you. Well, the juries don't actually sentence death. That is left to the judge. The juries answer three questions. I know. I have put it to juries three times.

On one occasion the jury came back locked up, so I sentenced that defendant to life. On two occasions of three capital murder cases I tried to completion, the jury found unanimously, number one, he committed the murder and he knew that a murder was going to be committed; number two, that he is a future danger to society; and number three, there was no evidence that mitigated against the imposition of the death penalty.

The jury comes back with yes, yes, and no; and it is left to a judge like me to look a man in the eyes and tell him that I sentence him to death. There is nothing that goes to your soul like looking someone in the eye and saying: You are going to be taken to the Texas Department of Criminal Justice and you are going to be put to death for the crimes you have committed.

I believe in the death penalty, but I believe with all my heart you have to make sure due process occurs. I could care less about race.

I hear these allegations about JEFF SESSIONS. I know JEFF and I know this is ridiculous. As I was listening to some of these broad statements just taking a swat at JEFF SESSIONS, a really fine, decent man, it took me right back to 20 years or so ago when I was that felony district judge in Texas and I tried capital murder cases, murder cases. Never mind the fact that I was court-appointed to appeal the capital murder conviction of an African American man and I did everything I possibly could ethically and within the law for my client, who I believed was wrongly convicted in this case.

His case was overturned after my argument. I was the only one arguing for our side. I was the one that solely did the brief. Even though the family paid thousands of dollars to somebody from another State, I did the whole thing. I did it all. I didn't have a clerk do it. I did it all.

His capital murder conviction was reversed. His mother used to bring me wonderful food. I loved her. I went to her funeral. She was just an incredible Christian woman and her funeral did her justice. Of course, then her daughter ran against me for Congress three times, but that is another story.

Nonetheless, I can remember back when I was a felony judge and I got served with a subpoena by a defense lawyer. They had taken the position in a pleading in another court that, because I had allegedly appointed a disparate number of White people to be grand jury foremen over African Americans, I must be bigoted. Therefore,

convictions in Smith County should be overturned. I think they subpoenaed another district judge or two. We had three.

I knew that lawyer. He knew I wasn't a racist. He subpoenaed me and made allegations in print before he even knew who had been on my grand juries during those years I was a felony district judge, but he made the broad-based allegation that I must be racist and we have got to throw out these cases.

Before I came to testify, he actually got the list of my grand jurors. I didn't get to choose the grand jurors. Those were chosen by grand jury commissioners. The commissioners chose the grand jury members. I got to choose the grand jury foremen. I didn't care about race. I didn't care about gender. I appointed people because, when I looked at the background, the little bios we had on each of the grand jury members, I wanted somebody that was going to be a leader on that grand jury. I didn't care about race.

When the criminal defense lawyers did their homework after they made allegations, they notified me that I would not be called as a witness because I appointed too many African American grand jury foremen. Therefore, it was a disparate number of African Americans. It was too many. Therefore, I would hurt their case because I would show that maybe I was more biased for African Americans than against them. I didn't care about race.

I can remember a couple of grand jury foremen. One of them was, I think, an assistant school superintendent. I knew the guy. He was a solid citizen. I had seen him in action. He was a real leader in the community. He was an honest, fair man. I thought he would be great as a grand jury foreman. And he was.

Probably the best grand jury foreman I ever appointed—she was a saint—was Ms. Glass. I knew enough about her when I saw she was on the grand jury, I knew she would be the foreman. That woman was a saint. She was organized and she called things like they were. You couldn't help but fall in love with Ms. Glass if you were around her for any length of time at all.

Those memories of getting a subpoena alleging that I am a racist until they actually did their homework and found out, oops, he may be too pro-African American, we don't want him to testify, I got that same feeling when I was hearing those allegations against JEFF SESSIONS. It is not based on facts. It is: Oh, we just had the feeling that maybe he was being unfair.

I think somebody mentioned the Southern Poverty Law Center or something. I know that the Southern Poverty Law Center, in my opinion, after they incited hatred against the Family Research Council, incited hatred

against other people. The Southern Poverty Law Center was supposed to be the antithesis of hate. Yet, they stirred up a guy so much that he would go into their lobby and try to kill people at the Family Research Council. It is more of this craziness.

The Bible warns of us a day when up will be down, right will be wrong. I keep wondering, Are we there?

We hear from people at the civil rights commission that maybe Christians are the big hate group in the country. Really?

□ 2100

It is the only religion that is truly based on love because to be a Christian, you have to believe God so loved the world that He gave His only Son, that whoever believed in His Son would not perish but have everlasting life. And then His Son so loved the world that He laid down His life for people, even as they called Him names and mocked Him. It is a religion of love. It is not a religion of hate. Yet, right is wrong, up is down, let's call somebody that wants justice and fairness a racist.

Really, is that fair?

So, supposedly, JEFF SESSIONS—I think this was alleged at him at one point—is not fit to serve as Attorney General because he is for vouchers. Mr. Speaker, when you hear from African Americans here in Washington, D.C., about how their children have suffered under horrendous gang conditions in a school, and then for this Camelot-type moment they got vouchers—they won the lottery—that Republicans pushed for, they got to go to great schools. These kids that had been oppressed and shoved in either being in gangs or dealing with gangs, they got to go get a good education because they got a voucher.

When you have an African American mom cry before you and say: My other kids, are they going to have to go face the gangs? Why can't they go be a doctor or an engineer?

I don't think it is hate. I don't think it is prejudice that has your heart ache for a mom like that and says: Yeah, yeah, why don't we give moms and dads or whoever is taking care of the kids money.

You go to the school. It is not an indictment of public schools. We didn't have kindergarten. All 12 years of mine were in public schools. I had fantastic teachers, incredible, inspiring.

I was going to major in history at A&M on an Army scholarship, so it didn't matter much what I majored in. I knew I was going in the Army for 4 years. I hoped to go to law school some day if we weren't at war. But my math teachers in public schools—7th grade, Ms. Edwards. In high school I had fantastic math teachers. Although some students didn't like them, I loved them. They were great.

College algebra, we had a professor who let us either turn in our homework

that we had to do for every—it was a Monday, Wednesday, Friday class—turn in the homework or he would give you one question at the beginning of each class. If you didn't want to do the homework, you had to take that one question. If you answered it wrong, you got a zero for the day. I didn't open my book until 15 minutes before the final and never did the homework because my 7th grade teacher, Ms. Edwards, and all my math teachers in high school were so good. I had the foundation. It was there. Of course, I enjoyed math, but I made an A. It was easy because of the public school training I got, but not every public school has that advantage.

I had the advantage of having an 8th grade English teacher for a mother, and she was in public school until the brain tumor took her. That is a burden. You come home after football practice: "I am going to go lay down. I am exhausted, Mom."

"Oh, what are you going to lay when you get there?"

"Okay. All right. I am going to lie down. Are you happy? Just cut me some slack. I am going to go lie down."

Well, that is living with a public schoolteacher. I miss her and love her.

But because I think—or if JEFF SESSIONS feels the same way—I think he may—heck, if schools are not teaching children to read and write so they can excel and become president of their company or President of the country, then let them go to a school. I think public schools will end up winning out. They have got the wherewithal to have the best schools. They just don't have any incentives. That was the purpose of vouchers, to provide incentive.

I have heard the allegation that Trump, you know, was a birther. I haven't had a lot of conversations with Trump. I have had a number of them. But my impression was that he never said that—maybe he did, I just didn't hear him say Obama was not born in America. But I know I have heard people say repeatedly that, I, LOUIE GOHMERT, am a birther. Which is a lie. I have never, ever, ever said that. Yet, it became such a credo of the left, some guy on FOX News one night—I think he was on Megyn Kelly, a Democratic consultant. She says, Tell me somebody that hates—Well, LOUIE GOHMERT is a birther, he said. And if I recall correctly—I am pretty sure I do—he later wrote an article: Okay, okay, Gohmert never actually said that Barack Obama was not an American citizen, but he did support the birther bill, therefore, he is a birther.

Well, that takes me back to August—I guess it was July of 2009; I believe it was—and my friend BILL POSEY from Florida had a little 2-page bill. It may have been 2 and just a hair at the top of the third page. I think it was a little bit at the top of the third page, just over 2 pages. And it was a good bill. I

read the bill. I try to do that before I will ever agree to support a bill. And I read the bill.

I recall that The New York Times and The Washington Post, I think around January of 2008, raised the issue of whether or not JOHN MCCAIN was qualified under the Constitution to be President of the United States because, apparently, he was born in the Panama Canal Zone.

Gee, is that being a natural citizen, born in the Canal Zone?

His dad was in the Navy, military. So, yeah, maybe so. The New York Times and The Washington Post raised the issue.

I was in Israel during August when I got word that I was being accused of being a birther. I can recall out here in the Speaker's lobby a whole slew of reporters wanting to know about my being a birther. One of them, at the time, was with The Washington Post. I knew she was a good reporter. That is why she is not there now. I couldn't believe it. It was kind of: Et tu, Brute? Really, you think I am a birther?

Well, I understand from the White House that you signed on the bill, and, if I recall the words correctly, it was to delegitimize the President and have him thrown out of office.

I said, wow. I think those were the words. It was something like that, but it was exactly the words that every reporter who approached me was using: You are trying to delegitimize the President and have him thrown out of office?

I think Doonesbury used words like that.

So when, privately, this one reporter caught me in another place and said: I understand you are a birther; you are on the birther bill?

I said: Are you talking about BILL POSEY's bill?

She said: Yeah, the birther bill.

I said: Have you read it?

She said: Well, no, but I know it is trying to delegitimize the President and have him thrown out of office.

I said: Tell you what, I haven't been giving statements to these ridiculous allegations. I think I gave a written one I dictated from Israel, but when I was here, it was just absurd.

I said: I tell you what, you read the Posey bill. It is just barely over 2 pages. You read that bill, and if you still want a statement from me, I will give you as long a statement as you want.

The next time I saw her, I said: Did you read the Posey bill?

She said: Yeah. It didn't do anything they said it was going to do.

Exactly. It was a very well-conceived bill. It was not a birther bill. But in the mind of Rahm Emanuel, he saw it as an opportunity to allege that someone was racist, a birther, accusing the President of not being an American citizen. Because my thought was: Well, if

he is born to an American mother, what difference does it make? Is it really—

But I do still find it interesting that the President wouldn't come forward, as anybody else in America would, and say: Here is my birth certificate.

It took Donald Trump making a demand for him to finally come forward. Who knows if that is the right one or not. But I never had any issue with Barack Obama being an American citizen. I didn't have any question. I do think he should have come forward and shut down the noise much sooner, but I think he and Rahm Emanuel liked using that and liked to call people like me a birther even though it was an absolute lie. I never believed the President was not an American citizen.

Yes, I signed on to that BILL POSEY bill. What BILL POSEY's bill has been for, what, 11 years now—well, no, I am sorry, 8 years now it has been called a birther bill. All it did—anybody can go read POSEY's bill from back in 2009—it said, before a candidate for his or her party's nomination, or pursues his or her party's nomination for President, the party must make a determination that that individual meets the qualifications of the Constitution. And it would not kick in until 2012.

So the crud these reporters were getting from somebody in the White House—maybe Rahm Emanuel. Who knows? It sounded like Rahm. But whoever sent them the information, whoever sent Garry Trudeau the false lies that he used for a strip never bothered to read the bill and see that the allegations of birtherism—whatever that is—was just a lie. It said beginning in 2012. Nobody was trying to get anybody thrown out of office, but that made perfect sense. So the next time The Washington Post and The New York Times raised an issue of whether or not somebody like JOHN MCCAIN was really qualified to be President, you would get it resolved long before that person got elected President.

I couldn't imagine a worse horror for America than to have someone elected President and then get thrown out after they are elected. We are talking about massive riots. We are talking about destroying this country, just dividing it even worse than this administration has been able to do on its own. I didn't want to yank a President out of office, but I thought BILL POSEY thought of a very fair way to deal with it.

By the way, those who were concerned about my friend TED CRUZ being appropriate to be President, meeting the constitutional requirements, I thought, well, gosh, if the left hadn't so demonized BILL POSEY's bill, he had the framework that would get this all out of the way long before you ever got to a party nomination so that the party had it all resolved, and you couldn't come in at the last minute

after the nomination, saying: Nope, you didn't go to the—it would take care of it.

I had a Supreme Court Justice say years ago: Gee, if there is no legislation that sets up a foundation or an enabling process, then don't come running to the Supreme Court. If you are not going to do your job and set it up or have enabling legislation come out of Congress, don't come running to us to fix what you are not doing.

□ 2115

And he wasn't talking about anything specific, but I thought about those comments. Well, great, the Posey bill would be terrific enabling legislation. And if the White House wasn't so freaked out over BILL POSEY's legitimate bill, the Ted Cruz issue would not have been an issue at all. It would have been long determined long before we got into a heated race in the primary, because before a party chair could accept the application to become a candidate, it had to determine whether or not that candidate met the constitutional requirements. And if somebody wanted to challenge, then they would need to come forward and do it at that point, and you get it all worked out. It was a good bill.

But poor BILL POSEY has been so vilified for coming up with a good idea that was branded as a racist birther. It was a really legitimate bill. And I keep coming back to this. It reminds me of what I am hearing being said about JEFF SESSIONS—a very decent man.

I don't try to push my religious beliefs on others, but it is a part of who I am as a Christian. I try to forgive others, and I have been amazed by the grace of God how I have been able to forgive people who have really jerked me around and even work with people that have really stabbed me in the back before. But I have been amazed.

JEFF SESSIONS was called all kinds of things in 1986, yet 10 years later he is elected to the Senate. He never sought

any kind of revenge against those who did him so unfairly and unjustly because he cared about justice and doing the right thing.

This country needs to heal. If people are going to keep screaming racism when it appears the biggest source of racism may have been all those people who told me, well, I wanted to vote for the first Black American in our history and I really didn't know much about politics, you mean you voted for someone because of the color of their skin? Yes, I wanted to be able to tell future generations I voted for the first Black President.

I wanted to do that, too. That is why I voted for Alan Keyes in 1996. Sorry, Phil Gramm; I know you are from my State, but I just really thought a lot of the intellect and integrity of Alan Keyes, and I still do. That is why his son works for me. He is brilliant, fair, smart, and pretty doggone funny too.

But I don't care about race, and we need to quit throwing this "racist" term about. Enough already. Let's give JEFF SESSIONS a fair hearing. Let's look at what his record really is. And if he, like I did, opposed an unconstitutional punishment of a future generation who had done no wrong for something grandparents had done, then he is right. That is unconstitutional. It is un-American. I am grateful that Donald Trump has nominated a man like JEFF SESSIONS for the Senate. God bless JEFF SESSIONS.

I yield back the balance of my time.

SENATE BILL APPROVED BY THE PRESIDENT PRIOR TO SINE DIE ADJOURNMENT

The President, prior to sine die adjournment of the Second Session of the 114th Congress, notified the Clerk of the House that on the following date, he had approved and signed a bill of the Senate of the following title:

December 23, 2016:

S. 2943. An act to authorize appropriations for fiscal year 2017 for military activities of

the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SENATE BILL APPROVED BY THE PRESIDENT AFTER SINE DIE ADJOURNMENT

The President, after sine die adjournment of the Second Session, 114th Congress, notified The Clerk of the House that on the following date, he had approved and signed a bill of the following title:

January 6, 2017:

S. 3084. An act to invest in innovation through research and development, and to improve the competitiveness of the United States.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PERRY (at the request of Mr. MCCARTHY) for today on account of illness.

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

Mr. CORREA (at the request of Ms. PELOSI) for today on account of attending a funeral.

Mr. DANNY K. DAVIS of Illinois (at the request of Ms. PELOSI) for today and January 10 on account of district issues and events.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 10, 2017, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third and fourth quarters of 2016, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DANIEL SILVERBERG, EXPENDED BETWEEN OCT. 25 AND OCT. 28, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Daniel Silverberg	10/26	10/28	Poland .....	.....	468.04	.....	14,295.26	.....	.....	.....	14,763.30
Committee total .....	.....	.....	.....	.....	468.04	.....	14,295.26	.....	.....	.....	14,763.30

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DANIEL SILVERBERG, EXPENDED BETWEEN DEC. 11 AND DEC. 16, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Daniel Silverberg	12/12	12/15	India		1,133.00		13,217.00				14,350.00
Committee total					1,133.00		13,217.00				14,350.00

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DANIEL SILVERBERG, Dec. 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. John J. Duncan	7/29	7/31	Spain		507.15		18.79		36.43		562.37
	7/31	8/4	Italy		1,799.49		1,614.15		290.49		3,704.13
	8/4	8/7	Ireland		1,489.47		659.59		555.78		2,704.84
Hon. Daniel Lipinski	8/20	8/22	Israel		1,036.00						1,036.00
	8/22	8/24	Poland		535.87						535.87
	8/24	8/24	Latvia								0.00
	8/24	8/25	Germany		269.15						269.15
	8/25	8/29	Italy		914.52		1,780.96				2,695.48
Committee total					6,551.65		4,073.49		882.70		11,507.84

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BILL SHUSTER, Chairman, Dec. 21, 2016.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

103. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of multiple violations of the Antideficiency Act, Army case number 16-05, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

104. A letter from the Executive Secretary, Board of Actuaries, Department of Defense, transmitting the 2016 Report of the Department of Defense Board of Actuaries, pursuant to 10 U.S.C. 183(c)(1); Public Law 110-181, Sec. 906(a)(1); (122 Stat. 27); to the Committee on Armed Services.

105. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Report to Congress On Enhancing Tracking and Tracing of Food and Record-keeping, pursuant to 21 U.S.C. 2223(a)(3); Public Law 111-353, Sec. 204(a)(3); (124 Stat. 3930); to the Committee on Energy and Commerce.

106. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Postmarketing Safety Reporting for Combination Products [Docket No.: FDA-2008-N-0424] (RIN: 0910-AF82) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

107. A letter from the Regulatory Specialist, LRA, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major final rule — Industrial and Commercial Metals [Docket No.: OCC-2016-0022] (RIN: 1557-AD93) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

108. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's Report to Congress on the Global Supply and Trade of Elemental Mercury, pursuant to Sec. 6 of the Mercury Export Ban Act of 2008; to the Committee on Energy and Commerce.

109. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted in Feed and Drinking Water of Animals; Feed Grade Sodium Formate [Docket No.: FDA-2015-F-4282] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

110. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Increase in the Maximum Amount of Primary Nuclear Liability Insurance [NRC-2016-0164] (RIN: 3150-AJ81) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

111. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's withdrawal — Withdrawal of Regulatory Guides 1.3, 1.4, and 1.5 [NRC-2016-0246] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

112. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Compressors [Docket No.: EERE-2014-BT-TP-0054] (RIN: 1904-AD43) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

113. A letter from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons and Revisions to Entries on the Entity List; and Removal of a Person From the Entity List [Docket No.: 161221999-6999-01] (RIN: 0694-AH23) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

114. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's interim final rule — DoD Freedom of Information Act (FOIA) Program [DOD-2007-OS-0086] (RIN: 0790-AI24) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

115. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department of Housing and Urban Development's Office of Inspector General Semiannual Report to Congress for the period April 1, 2016, through September 30, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

116. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation (GSAR); Update Contract Reporting Responsibilities [GSAR Change 80; GSAR Case 2016-G508; Docket No.: 2016-0020; Sequence No.: 1] (RIN: 3090-AJ80) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

117. A letter from the Archivist, National Archives and Records Administration, transmitting the National Archives' report on the gift of a Learning Center and other physical

improvements for the Gerald R. Ford Presidential Museum in Grand Rapids, MI, pursuant to 44 U.S.C. 2112(a)(4); Pub. L. 90-620 (as amended by Public Law 99-323, Sec. 3(a)); (100 Stat. 496); to the Committee on Oversight and Government Reform.

118. A letter from the Director, Office of Government Ethics, transmitting the Office's interim final rule — Freedom of Information Act Regulation (RIN: 3209-AA39) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

119. A letter from the Deputy Chief Financial Officer and Director for Financial Management, Office of CFO and Assistant Secretary for Administration, Department of Commerce, transmitting the Department's final rule — Civil Monetary Penalty Adjustments for Inflation [Docket No.: 161220999-6999-01] (RIN: 0605-AA47) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

120. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule — Post-Employment Conflict of Interest Restrictions; Revision of Departmental Component Designations (RIN: 3209-AA14) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

121. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Amendments To Streamline Importation of Distilled Spirits, Wine, Beer, Malt Beverages, Tobacco Products, Processed Tobacco, and Cigarette Papers and Tubes and Facilitate Use of the International Trade Data System [Docket No.: TTB-2016-0004; T.D. TTB-145; Ref: Notice No. 159] (RIN: 1513-AC15) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

122. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Syndicated Conservation Easement Transactions [Notice 2017-10] received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

123. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Definitions and Reporting Requirements for Shareholders of Passive Foreign Investment Companies [TD 9806] (RIN: 1545-BK66) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

124. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2017 Section 1274A CPI Adjustments (Rev. Rul. 2016-30) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

125. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Maintaining certification as a certified professional employer organization (Rev. Proc. 2017-14) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

126. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the Commission's report titled "Medical Malpractice: Evidence on Reform Alternatives and Claims Involving Elderly Patients", pursuant to 42 U.S.C. 280g-15(h)(3); July 1, 1944, ch. 373, title III, Sec. 399V-4 (as added by Public Law 111-148, Sec. 10607); (124 Stat. 1013); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 33. Resolution providing for consideration of the bill (H.R. 5) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes, and providing for consideration of the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law (Rept. 115-2). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DUNCAN of South Carolina (for himself, Mr. CARTER of Texas, Mr. GENE GREEN of Texas, Mr. AUSTIN SCOTT of Georgia, Mr. BIGGS, Mr. GOSAR, Mr. HUDSON, Mr. LAMALFA, Mr. HARRIS, Mr. WESTERMAN, Mr. OLSON, Mr. CHAFFETZ, Mr. HENSARLING, Mr. CARTER of Georgia, Mr. LABRADOR, Mr. BROOKS of Alabama, Mr. SMITH of Texas, Mr. BISHOP of Utah, Mr. BRAT, Mr. ABRAHAM, Mr. PALMER, Mrs. LOVE, Mr. BRIDENSTINE, Mr. STEWART, Mr. MARSHALL, Mr. EMMER, Mr. RATCLIFFE, Mr. JODY B. HICE of Georgia, Mr. BUCK, Mr. WEBER of Texas, Mr. MESSER, Mr. MOONEY of West Virginia, Mr. DESANTIS, Mr. NEWHOUSE, Mr. SMITH of Missouri, Mr. GRAVES of Georgia, Mr. LAMBORN, Mr. WENSTRUP, Mr. ROGERS of Alabama, Mr. DESJARLAIS, Mr. MASSIE, Mr. KING of Iowa, Mr. GOHMERT, and Mr. YODER):

H.R. 367. A bill to provide that silencers be treated the same as long guns; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAWFORD (for himself, Mr. ADERHOLT, Mr. HARPER, Mr. WESTERMAN, Mr. HILL, Ms. SEWELL of Alabama, Mr. PALAZZO, and Mr. WOMACK):

H.R. 368. A bill to provide the force and effect of law for certain regulations relating to the taking of double-crested cormorants to reduce depredation at aquaculture facilities and protect public resources; to the Committee on Natural Resources.

By Mr. ROE of Tennessee:

H.R. 369. A bill to eliminate the sunset of the Veterans Choice Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FLORES:

H.R. 370. A bill to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, the Judiciary, Natural Resources, Rules, House Administration, Appropriations, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARK of Massachusetts (for herself, Mr. NEAL, Mr. CONYERS, Mr. WELCH, Mr. CICILLINE, Mr. CUMMINGS, Ms. DELAURO, Mr. QUIGLEY, Mr. GARAMENDI, Mr. HUFFMAN, Ms. VELAZQUEZ, Mr. MEEKS, Mr. LANGEVIN, Mrs. NAPOLITANO, Ms. SCHA-KOWSKY, Mr. DEUTCH, Mr. SCHIFF, Mr. GALLEGOS, Ms. BONAMICI, Ms. PINGREE, Mr. CAPUANO, Mr. KIND, Mr. EVANS, Mr. NADLER, Mr. COHEN, Mr. PETERS, Mr. SARBANES, Mrs. WATSON COLEMAN, Mr. TED LIEU of California, Ms. HANABUSA, Ms. MENG, Mr. DOGGETT, Mr. MOULTON, Mr. O'ROURKE, Mr. CONNOLLY, Ms. MCCOLLUM, Mr. BEYER, Mr. SERRANO, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. TSONGAS, Mr. BLUMENAUER, Mr. SOTO, Mr. DESAULNIER, Ms. BROWNLEY of California, Ms. MOORE, Mr. JOHNSON of Georgia, Mr. ENGEL, Mr. KENNEDY, Ms. TITUS, Ms. MATSUI, Ms. SPIER, Mr. KEATING, Mr. POLIS, Ms. LEE, Ms. KAPTUR, Mr. MCGOVERN, Mr. CARSON of Indiana, Mr. ELLISON, Mr. LOEBSACK, Ms. JACKSON LEE, Mr. TAKANO, Mr. AL GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Washington, Mr. DEFazio, Mr. THOMPSON of Mississippi, Ms. BASS, Mr. COOPER, Ms. PLASKETT, Mr. CLAY, Mr. LYNCH, Mrs. LAWRENCE, Mr. SCOTT of Virginia, Mr. HIMES, Mr. PASCARELL, Mr. LOWENTHAL, Mr. POCAN, Mr. LEVIN, Mr. GRIJALVA, Mr. FOSTER, Ms. KUSTER of New Hampshire, Ms. JUDY CHU of California, Mrs. DINGELL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. KELLY of Illinois, Ms. SLAUGHTER, Mr. RASKIN, Mr. PALLONE, Mr. PERLMUTTER, Ms. CASTOR of Florida, Mr. KILMER, Ms. SHEA-PORTER, Mr. YARMUTH, and Mr. SHERMAN):

H.R. 371. A bill to address financial conflicts of interest of the President and Vice President; to the Committee on Oversight and Government Reform, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. BRAT, Mr. BROOKS of Alabama, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mr. GOHMERT, Mr. JONES, Mr. KING of Iowa, Mr. ROE of Tennessee, Mr. AUSTIN SCOTT of Georgia, Mr. YOHO, Mr. FERGUSON, Mr. WITTMAN, Mr. BABIN, and Mr. SMITH of Texas):

H.R. 372. A bill to restore the application of the Federal antitrust laws to the business

of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Mr. GOHMERT:

H.R. 373. A bill to withhold United States assessed and voluntary contributions to the United Nations, and for other purposes; to the Committee on Foreign Affairs.

By Ms. BEUTLER (for herself, Mr. KILMER, Mr. HUFFMAN, Mr. THOMPSON of California, and Mr. DEFAZIO):

H.R. 374. A bill to remove the sunset provision of section 203 of Public Law 105-384, and for other purposes; to the Committee on Natural Resources.

By Mrs. BLACKBURN (for herself, Mr. ROE of Tennessee, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mrs. BLACK, Mr. KUSTOFF of Tennessee, Mr. COHEN, and Mr. COOPER):

H.R. 375. A bill to designate the Federal building and United States courthouse located at 719 Church Street in Nashville, Tennessee, as the "Fred D. Thompson Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CAPUANO (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONNOLLY, Mr. CONYERS, Mr. CUMMINGS, Mr. DEUTCH, Mr. ELLISON, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Ms. MOORE, Ms. NORTON, Ms. PINGREE, Mr. SARBANES, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Ms. TITUS, Ms. TSONGAS, Mr. YARMUTH, Mr. QUIGLEY, Mr. KEATING, Ms. CASTOR of Florida, and Ms. ESHOO):

H.R. 376. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Financial Services.

By Mr. DIAZ-BALART (for himself, Mr. GOHMERT, Ms. GRANGER, Mr. FRELINGHUYSEN, Mr. WEBER of Texas, Ms. ROS-LEHTINEN, Mr. FLEISCHMANN, Mr. GROTHMAN, Mr. DUNCAN of South Carolina, Mrs. BLACK, Mr. MCCAUL, Mr. TROTT, Mr. DESJARLAIS, Mr. CRAMER, Mr. BARLETTA, Mr. HUDSON, Mr. POSEY, Mr. ROSS, Mr. KING of Iowa, Mr. ROUZER, and Mr. YODER):

H.R. 377. A bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary.

By Mr. FLEISCHMANN (for himself and Mr. COOPER):

H.R. 378. A bill to amend title 5, United States Code, to enhance the authority under which Federal agencies may pay cash awards to employees for making cost saving disclosures, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS:

H.R. 379. A bill to assist members of the Yazidi and Christian communities residing in Iraq and Syria, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Armed Services, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL:

H.R. 380. A bill to direct the Secretary of State to submit to Congress a report on the

designation of Iran's Islamic Revolutionary Guard Corps as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCLINTOCK (for himself, Mr. COOK, Mrs. MIMI WALTERS of California, Mr. ROHRBACHER, Ms. MATSUI, Mr. HUNTER, Mr. SWALWELL of California, Mr. ROYCE of California, Mr. LAMALFA, Mr. VALADAO, Mr. GARAMENDI, Ms. LOFGREN, Ms. SANCHEZ, Mr. CARDENAS, Mr. RUIZ, Ms. SPEIER, Mr. COSTA, Mr. THOMPSON of California, Mr. HUFFMAN, Mr. SCHIFF, Mr. TAKANO, Mr. DENHAM, Mr. NUNES, Mr. LOWENTHAL, Mr. MCCARTHY, Mr. ISSA, Mr. KNIGHT, Mr. CALVERT, and Mr. TED LIEU of California):

H.R. 381. A bill to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point"; to the Committee on Natural Resources.

By Ms. MENG (for herself and Mr. ZINKE):

H.R. 382. A bill to amend the Department of Agriculture program for research and extension grants to increase participation by women and underrepresented minorities in the fields of science, technology, engineering, and mathematics to redesignate the program as the "Jeannette Rankin Women and Minorities in STEM Fields Program"; to the Committee on Agriculture.

By Mr. POSEY:

H.R. 383. A bill to amend title 18, United States Code, to extend the post-employment restrictions on lobbying by Members of Congress and officers and employees of the legislative branch; to the Committee on the Judiciary.

By Mr. POSEY:

H.R. 384. A bill to provide that a former Member of Congress or former senior Congressional employee who receives compensation as a lobbyist shall not be eligible for retirement benefits or certain other Federal benefits; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. RADEWAGEN (for herself and Mr. SABLAN):

H.R. 385. A bill to amend the Expedited Funds Availability Act to clarify the application of that Act to American Samoa and the Northern Mariana Islands; to the Committee on Financial Services.

By Mr. SENSENBRENNER:

H.R. 386. A bill to amend the Internal Revenue Code of 1986 to increase the amount excludable from gross income for dependent care assistance and dependent care flexible spending arrangements and to provide for a carryover of unused dependent care benefits in dependent care flexible spending arrangements; to the Committee on Ways and Means.

By Mr. YODER (for himself, Mr. POLIS, Mr. GOODLATTE, Mr. CONYERS, Mr. POE of Texas, Ms. DELBENE, Mr. HURD, Mr. NADLER, Mr. COLLINS of Georgia, and Ms. JUDY CHU of California):

H.R. 387. A bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH:

H.J. Res. 23. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms that a Member of Congress may serve to four in the House of Representatives and two in the Senate; to the Committee on the Judiciary.

By Mr. MARINO:

H.J. Res. 24. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of years an individual may serve as a Member of Congress; to the Committee on the Judiciary.

By Mr. MARINO:

H.J. Res. 25. A joint resolution proposing an amendment to the Constitution of the United States to end the practice of including more than one subject in a single law by requiring that each law enacted by Congress be limited to only one subject and that the subject be clearly and descriptively expressed in the title of the law; to the Committee on the Judiciary.

By Mr. CROWLEY:

H. Res. 34. A resolution electing Members to Certain Standing Committees of the House of Representatives; considered and agreed to.

By Mr. DUNCAN of Tennessee (for himself and Mr. ROE of Tennessee):

H. Res. 35. A resolution expressing the sense of the House of Representatives relating to automated external defibrillator (AED) training in the Nation's schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DUNCAN of South Carolina:

H.R. 367.

Congress has the power to enact this legislation pursuant to the following:

With this Resolution, Congress is defending the 2nd Amendment prerogative to keep and bear arms. The legislation protects the hearing of those who choose to pursue their rights under the 2nd Amendment without undue government burden. Also, Article I, Section 8, Clause 1 gives Congress the right to lay and collect taxes.

By Mr. CRAWFORD:

H.R. 368.

Congress has the power to enact this legislation pursuant to the following:

Article VI, Clause 2 of the United States Constitution as upheld by the Supreme Court in *Missouri v. Holland*, 252 U.S. 416 (1920).

By Mr. ROE of Tennessee:

H.R. 369.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. FLORES:

H.R. 370.

Congress has the power to enact this legislation pursuant to the following:

H.R. 305: Mr. YARMUTH and Mr. QUIGLEY.
 H.R. 309: Mrs. RADEWAGEN, Miss RICE of New York, Mr. NOLAN, Mr. ROE of Tennessee, Ms. FRANKEL of Florida, Mr. TIBERI, Mr. MULLIN, and Mr. SWALWELL of California.
 H.R. 312: Mr. HECK and Mr. BLUMENAUER.
 H.R. 314: Mr. MCCLINTOCK.
 H.R. 315: Mr. YOUNG of Iowa, Miss RICE of New York, Ms. BEUTLER, Mrs. RADEWAGEN, Mr. DEFAZIO, and Mr. ROE of Tennessee.
 H.R. 321: Mr. KILDEE, Ms. ESHOO, Mr. HURD, Ms. STEFANIK, Mr. LOUDERMILK, Mr. TAYLOR, Mr. MCKINLEY, Ms. HANABUSA, Mr. ROUZER, Mr. WALZ, Mr. DENT, Mr. REICHERT, Mrs. RADEWAGEN, Mr. COLLINS of Georgia, Mr. KILMER, Mr. NORCROSS, Mr. WOODALL, Mr. CULBERSON, Mr. ROGERS of Alabama, Mr. ROYCE of California, Mr. LIPINSKI, Mr. PALAZZO, Mr. PEARCE, Ms. BORDALLO, and Mr. COFFMAN.
 H.R. 323: Mr. MURPHY of Pennsylvania.
 H.R. 329: Mrs. RADEWAGEN and Mr. GRIMALVA.
 H.R. 350: Mr. SANFORD, Mr. GARRETT, Mr. BISHOP of Georgia, Mr. MOONEY of West Virginia, and Mr. LOBIONDO.
 H.R. 352: Mr. HUIZENGA and Mr. BUCK.
 H.R. 353: Mr. BRIDENSTINE, Mr. SMITH of Texas, Mr. ROHRABACHER, Mr. STEWART, Mrs. RADEWAGEN, and Ms. BONAMICI.
 H.R. 355: Mrs. LOVE, Mr. MEADOWS, Mr. BRIDENSTINE, Mr. CRAWFORD, and Mr. THOMPSON of Pennsylvania.
 H.R. 356: Mr. BECERRA, Mr. BEYER, Ms. HANABUSA, Mr. LIPINSKI, Mr. O'HALLERAN, Mr. PAYNE, Ms. PINGREE, Mr. BERA, Ms. BLUNT ROCHESTER, Mr. CRIST, Ms. DELBENE, Mrs. DEMINGS, Mr. GOTTHEIMER, Mr. LAWSON

of Florida, Mr. SEAN PATRICK MALONEY of New York, Mr. NOLAN, Mr. WALZ, and Mr. VISCLOSKY.
 H.R. 357: Mr. CICILLINE and Mr. VISCLOSKY.
 H.R. 358: Mr. POSEY, Mr. PEARCE, and Mr. HUDSON.
 H.R. 364: Mr. BABIN.
 H.J. Res. 6: Mr. BACON and Mr. MEADOWS.
 H. Res. 15: Mr. CÁRDENAS, Ms. SPEIER, Mr. COSTELLO of Pennsylvania, Mr. LANGEVIN, Mr. THOMPSON of Pennsylvania, and Mrs. NAPOLITANO.
 H. Res. 28: Mr. CÁRDENAS, Ms. SPEIER, Mr. LANGEVIN, Mr. COSTELLO of Pennsylvania, Mrs. NAPOLITANO, and Mr. THOMPSON of Pennsylvania.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CHABOT

The provisions that warranted a referral to the Committee on Small Business in H.R. 5 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in Clause 9 of rule XXI.

OFFERED BY MR. CHAFFETZ

The provisions that warranted a referral to the Committee on Oversight and Government Reform in H.R. 5 do not contain any

congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 5 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Chairman GOODLATTE, or a designee, to H.R. 5, the Regulatory Accountability Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. HENSARLING

H.R. 78 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

OFFERED BY MR. HENSARLING

H.R. 79 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

OFFERED BY MR. HENSARLING

The provisions in H.R. 238 that warranted a referral to the Committee on Financial Services do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

SENATE—Monday, January 9, 2017

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

We acknowledge today, O Lord, Your power, mercy, and grace. We need Your power, for the challenges we face require more than human wisdom and strength. We need Your mercy, for we transgress Your law and fall short of Your glory. We need Your grace, for we cannot offer anything to merit Your favor or gain Your love.

Lord, empower our Senators for today's journey. Give them confidence to draw near to You, that they may find grace to help them in this time of need. May they pass their days in the companionship of Your everlasting mercy. Enable them to learn the stewardship of time, energy, and abundance. Temper their gifts with Your wisdom, as You help them with their decisions. Remind them that leadership can work miracles with cooperation, but accomplishes little with criticism and bitterness.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SULLIVAN). Under the previous order, the leadership time is reserved.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. Con. Res. 3, which the clerk will report.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

Pending:

Enzi (for Paul) amendment No. 1, in the nature of a substitute.

Sanders amendment No. 19, relative to Social Security, Medicare, and Medicaid.

Sanders (for Hirono/Donnelly) amendment No. 20, to protect the Medicare and Medicaid programs.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATIONS

Mr. SCHUMER. Mr. President, last week, I expressed my sincere hope that the majority leader and I could come to some agreement on the process of nominations. He has negotiated in good faith, and we have made some progress. I sincerely appreciate his willingness to work with us so far. I do want to clarify why Democrats are doing this.

Yesterday, my friend the majority leader went on television and suggested that we were raising concerns about the nominations out of pique or anger. He chalked up these "little procedural complaints" to "sour grapes," and he suggested that Democrats "grow up."

We are not doing this for sport. Democrats feel very strongly that pushing for a thorough and thoughtful vetting process is the right thing to do. Here is why. The Democratic minority was and is concerned about the hearing schedule, which is so jammed right now that several high-importance hearings will fall on the same day, depriving Senators and the American people a chance to properly participate in the vetting process of these nominees.

Our caucus was and is concerned about the timely completion of the standard paperwork and ethics clearance for nominees before proceeding full steam ahead with confirmation hearings and votes. Bear in mind, President-Elect Trump's nominees pose particularly difficult ethics and conflict-of-interest challenges. Many of them come from enormous wealth. Many have vast holdings in stocks, and very few have experience in government so they have not been appropriately vetted for something like a Cabinet post before.

What had been standard practice for the vast majority of nominees—the completion of a preliminary ethics review before their nomination—was skipped over for the vast majority of President-Elect Trump's nominees. In fact, the independent Office of Government Ethics went so far as to send a letter warning that "their [the Republicans] schedule has created undue pressure on OGE's staff and agency ethics officials to rush through these important reviews."

The OGE office is nonpartisan. It has never been political so this has nothing

to do with politics. "I am not aware," wrote the Director, Walter Schaub, "of any occasion in the four decades since OGE was established when the Senate held a confirmation hearing before the nominee had completed the ethics review process."

The very same majority leader, my friend Senator MCCONNELL, who suggested that Democrats were raising concerns out of pique or resentment, in fact, raised the same concerns in 2009 when he was minority leader. In fact, then-Minority Leader MCCONNELL sent then-Majority Leader Reid a letter laying out his prerequisites for time agreements on the floor for President Obama's nominees. They are almost exactly what Democrats requested.

I don't bring this up to play gotcha. I am doing it to show that our requests are eminently reasonable and, in fact, have been shared by leaders of both parties. I am going to read the letter because it is amazing how it mirrors our requests. It was sent to Harry Reid from MITCH MCCONNELL in 2009, just as President Obama became President.

Dear Harry:

The Senate has the Constitutional duty to provide its Advice and Consent on Presidential nominations, a duty which we take seriously. In consultation with our Ranking Members, we reaffirm our commitment to conduct the appropriate review of these nominations, consistent with the long standing and best practices of committees, regardless of which political party is in the majority. These best practices serve the Senate well, and we will insist on their fair and consistent application.

Therefore, prior to considering any time agreements on the floor on any nominee, we expect the following standards will be met:

1. The FBI background check is complete and submitted to the committee in time for review and prior to a hearing being noticed.
2. The Office of Government Ethics letter is complete and submitted in time for review and prior to a committee hearing.
3. Financial disclosure statements (and tax returns for applicable committees) are complete and submitted to the committee for review prior to a hearing being noticed.
4. All committee questionnaires are complete and have been returned to the committee. A reasonable opportunity for follow-up questions has been afforded committee members, and nominees have answered, with sufficient time for review prior to a committee vote.
5. The nominee is willing to have committee staff interviews, where that has been the practice.
6. The nominee has had a hearing.
7. The nominee agrees to courtesy visits with members when requested.
8. The nominee has committed to cooperate with the Ranking Member on requests for information and transparency.

There will be additional requirements, honoring the traditions of the Senate, for judicial nominees. These common sense standards and long standing practices will ensure

that the Senate has had the opportunity to fairly review a nominee's record and to make an informed decision prior to a vote.

Sincerely,

MITCH MCCONNELL,
Republican Leader.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
OFFICE OF THE REPUBLICAN LEADER,
February 12, 2009.

Hon. HARRY REID,
*Majority Leader, U.S. Senate,
Washington, DC.*

DEAR HARRY: The Senate has the Constitutional duty to provide its Advice and Consent on Presidential nominations, a duty which we take seriously. In consultation with our Ranking Members, we reaffirm our commitment to conduct the appropriate review of these nominations, consistent with the long standing and best practices of committees, regardless of which political party is in the majority. These best practices serve the Senate well, and we will insist on their fair and consistent application.

Therefore, prior to considering any time agreements on the floor on any nominee, we expect the following standards will be met:

1. The FBI background check is complete and submitted to the committee in time for review and prior to a hearing being noticed.

2. The Office of Government Ethics letter is complete and submitted to the committee in time for review and prior to a committee hearing.

3. Financial disclosure statements (and tax returns for applicable committees) are complete and submitted to the committee for review prior to a hearing being noticed.

4. All committee questionnaires are complete and have been returned to the committee. A reasonable opportunity for follow-up questions has been afforded committee members, and nominees have answered, with sufficient time for review prior to a committee vote.

5. The nominee is willing to have committee staff interviews, where that has been the practice.

6. The nominee has had a hearing.

7. The nominee agrees to courtesy visits with members when requested.

8. The nominee has committed to cooperate with the Ranking Member on requests for information and transparency.

There will be additional requirements, honoring the traditions of the Senate, for judicial nominees. These common sense standards and long standing practices will ensure that the Senate has had the opportunity to fairly review a nominee's record and to make an informed decision prior to a vote.

Sincerely,

MITCH MCCONNELL,
Republican Leader.

Mr. SCHUMER. Mr. President, I plan to return the exact same letter to my friend, the majority leader, with the same requests. In 2009, the then-minority leader called these benchmarks "common sense standards" and "long standing practices."

I agree with him. These standards do not indicate a lack of maturity. They show an abundance of common sense, just as his letter said. I remind the majority that several, if not most, of the

nominees have actually failed to meet the qualifications laid out by this letter given the hearing schedule.

The majority leader is fond of mentioning that many Obama nominees passed quickly in 2009 and he asks that we do the same, but there is a big difference between 2009 and today. President Obama's nominees met all the standards laid out in then-Minority Leader MCCONNELL's letter. President-Elect Trump's nominees have not.

In 2009, every Obama Cabinet nominee had an ethics agreement in before their hearing. Every Obama Cabinet nominee underwent a full FBI background check before the Senate considered their nomination. President-Elect Trump's nominees are way behind that mark.

I only ask, respectfully, that the Republican majority follow the same set of standards they had in 2009 when the shoe was on the other foot, especially because these nominees raise particular concerns. The standards we have laid out as leaders of both parties address conflict of interest and security concerns.

Of course, those are prime concerns, but there is another concern as well. These nominees have, even collectively, very little experience or record in government. Many of them have taken positions quite different from the President-elect. They need to be thoroughly vetted, not just before the U.S. Senate but before the American people. If, for instance, Representative PRICE is for the privatization of Social Security, but President-Elect Trump said he is not, what position is nominee PRICE going to take? Jamming all these hearings into 1 or 2 days, making members run from committee to committee makes no sense. After all, these nominees are going to hold incredibly powerful positions for potentially the next 4 years. To spend an extra day or two on each nominee, even if it takes a few weeks to get through them all in order to carefully consider their nominations, is well worth it. It is only fair that they are given a thorough and thoughtful vetting and they abide by the "long standing" ethics practices that were established—and laid out quite clearly by the majority leader himself—to ensure Cabinet officials were in good standing to work on behalf of the American people.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARRASSO). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

OBAMACARE

Mr. MCCONNELL. Mr. President, earlier today I had a good conversation up in New York with President-Elect Trump about a number of pressing issues. We talked about the upcoming Senate agenda, the President-elect's nominees, and the way forward on repealing and replacing ObamaCare. As I told him, the Senate's focus this week will remain on the process to repeal ObamaCare and keep our commitment to the American people.

ObamaCare has been a flawed system from the start, and things have gotten progressively worse over the last 7 years. From skyrocketing premiums to dwindling insurers in the exchanges, ObamaCare has corroded insurance markets across the country to a point that is simply unsustainable. That is why we are taking action to bring relief to countless American families who have been hurt by ObamaCare. Unfortunately, there are some who will never accept the realities of this failed partisan law. They seem more interested in messaging exercises than replacing ObamaCare with real solutions to improve health care. Catchy slogans, expensive campaigns, or messaging amendments are not going to undo the damage ObamaCare has caused.

Our Nation cannot continue on this trajectory as ObamaCare continues to unravel at every level, leaving Americans to pick up the pieces.

We may not be responsible for the damage of this law, but we are committed to bring relief nonetheless. We will continue working this week to pass the legislative tools necessary to begin clearing the way for repeal and then a different way forward that will lower costs and increase choices from where they are now.

There is no quick fix to undoing the damage created by this broken and complex law, and repeal is just the first step in that process, but the sooner we act, the sooner we can begin bringing relief to those who need it. Let us continue working to keep our promise to the American people by passing legislation that will help us finally move beyond ObamaCare's broken promises.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I rise to speak about this impending attack upon the Affordable Care Act and the impact it can have on the hospitals of our country, in terms of draining revenue from them; on the issue of the impact on community health centers across our country and the impact it can have upon them; upon the impact that the repeal of the Affordable Care Act would have on the access of those who are addicted to opioids who need help for opioids, who are in a situation where they are going to need the Affordable Care Act, the access to coverage, so their problems can be taken care of.

So this is no small threat. In fact, this goes right to the core of what started in Massachusetts back 10 years ago when we as a Commonwealth decided that care for people who needed health care was going to be made available to them. We have proven in Massachusetts that we are able to provide health care for 98 percent of our population, at the same time having an unemployment rate of 3.2 percent, while simultaneously having the highest scores for kids in the 4th, 8th, and 10th grades in math, verbal, and science, while having the strongest protections for the environment in the United States, while having an energy efficiency standard that is the tops in the United States.

We have proved conclusively that it is possible to ensure that people do, in fact, receive access to the health care which they need while simultaneously discharging our responsibilities to the economy, to education, to the environment, to all of the other interests, all of the other important stakes that we have in our country to ensure that they are given the attention which they need.

It would be tragic if what we did as part of the Affordable Care Act was to once again flood the emergency rooms of America with people who otherwise would have had health care coverage under the Affordable Care Act. That is a system we have used for 100 years, and it doesn't work because it winds up with the insurance rates of people who do have coverage going up in order to cover it. It winds up with the whole rest of the medical system, in a very chaotic way, being forced to deal with the consequences.

If we begin simultaneously to defund the community health centers across the country and their ability to provide health care, then what we have is a cascading impact that ultimately hits those people who are the poorest, those people who are the most vulnerable. They are the ones who are caught in the crosshairs of this incredible, almost unbelievable attack which the Republicans are waging upon a health care system that has already transformed the lives of 22 million people in the United States.

It is unimaginable to me that we could be in that kind of discussion right now on the floor of the Senate, but I understand it. This is ideological. It is something that is completely and totally detached from the reality of the benefits of the Affordable Care Act, as they have in fact already positively affected tens of millions of families inside the United States.

This week we are about to have an incredible battle waged against the Affordable Care Act. Understand this, right in the crosshairs are the hospitals of our country, not just the famous, big hospitals we all know the names of but Catholic hospitals across

our country, hospitals that provide the service for people now under a much more orderly system than they would have done if we had never put the Affordable Care Act on the books in the first place.

At the forefront of all these issues, though, is this largest of all public health epidemics that has ever faced the country, the heroin and prescription opioid epidemic, like OxyContin, which is claiming the lives of more than 90 people every single day across this country. In Massachusetts alone, when all the final numbers have been gathered, 2,000 people will have died in the State of Massachusetts in the year 2016, and 1,500 of them will have been found to have had fentanyl in their blood system. This is an epidemic of unbelievable proportions. Fentanyl is the Godzilla of opioids. It is powerful and deadly and knocking people down the streets all over Massachusetts, all over New England, and all over our country. People are being robbed of their potential and God-given abilities from this epidemic that knows no socioeconomic, ethnic, or political boundaries, and Congress has recognized the importance of tackling the Tsunami of heroin and prescription opioid addiction that is laying waste to these communities.

Just 1 month ago, on the Senate floor, Republicans and Democrats came together and passed a bill to provide \$1 billion in new resources to States to address the opioid crisis, resources that can be and are being dedicated to increasing access to treatment for opioid use disorders. Yet, today, pending before the Senate is a Republican budget whose entire premise is to repeal coverage for the exact same vulnerable people who need access to treatment. Not only is that nonsensical, it is downright cruel for all those families and individuals who finally felt a sense of hope, the hope that new resources could mean the difference between life and death for their loved ones. If you kicked this policy in the heart, you would break your toe. That is how heartless it is going to be in terms of its impact upon ordinary families. With this budget, Republicans are repealing the hope that has given families a reason to ensure that they will have the coverage. This is going to make the problem even worse.

Medicaid pays \$1 out of every \$5 for substance use disorder treatment in the United States. Without Federal investment in the Medicaid program, States like Massachusetts, New Hampshire, Ohio, West Virginia, and Kentucky, which are bearing the brunt of the opioid epidemic today, will have to find even more money in their already dwindling State budgets to aid those who need treatment. We all know what happens in this scenario when States cannot find that money. The most vulnerable among us, the ones who don't

have a voice, are the ones who will suffer the most.

The repeal of Medicaid expansion would rip coverage from an estimated 1.6 million newly insured individuals with substance use disorders. At the same time, repeal will put big insurance companies back in charge. If the Republicans have their way, insurance companies would be able to discriminate against people, including individuals with a preexisting condition like an addiction disorder. OxyContin, heroin, fentanyl coverage—gone under the proposal the Republicans are making on the Senate floor this week.

Let's recognize that the Republicans are not just repealing ObamaCare; they are repealing hope. Those suffering from addiction don't have time for Republicans to come up—possibly, maybe, potentially soon, sometime, in the indefinite future—with a replacement plan.

There are 1.6 million people who have insurance for substance disorders right now for heroin, for OxyContin, for fentanyl. These are the people who could potentially die because they don't have medical coverage. What is the plan the Republicans have to deal with these 1.6 million people who are already under a substance disorder medical coverage plan? What is their plan for these families who are already desperate for the medical help they are going need in order to stay alive, in order to get the help they and their families need? Those families know that any delay in a replacement being put on the books could be the difference between getting clean or getting buried.

This repeal effort is the worst kind of bait and switch. It is happening at a time when the American people can least afford it. Repeal is being done at the same time the Republican budget gives billions, tens of billions, hundreds of billions of dollars to corporations and to the wealthy in tax breaks. So look at that as the balance we are talking about: 1.6 million people who have an addiction, a substance abuse problem, lose their coverage, but billionaires and corporations get the money through tax breaks that are going to be saved from cutting those programs for those who have a medical problem. That is immoral, ladies and gentlemen. That is plain and simply immoral.

You cannot give tax breaks to the wealthiest in our country until you take care of those who are the sickest, until you take care of those who are most in need, until you take care of those with substance abuse disorders in our country. It is immoral to cut the programs so you can give tax breaks to the wealthiest within our society.

We will not save lives and stop this scourge by paying lip service to providing treatment, but this is not the only casualty of this misguided budget before us. The hospitals that each and

every one of our constituents depends upon are also at risk. The Affordable Care Act became law in no small part due to the support of those hospitals across the country. During that debate they knew full well the impact that a lack of insurance had not just on individuals but on the entire health care system.

The hospitals are on the frontlines of witnessing the financial burden that uninsured patients have on the system. We tell them they can never turn away a patient in need; then, when these patients cannot afford to pay for the care, it is up to the hospitals to foot the bill. So the hospitals told us that if we worked to reduce the number of uninsured they had to care for, then they would help us pay for improving the entire system.

They did pay, in no small part. That is why we have a new system in our country. As part of the ACA, the hospitals agreed to give up over \$150 billion in payment reductions between 2010 and 2019. Those payment reductions came largely from Medicare and were attacked relentlessly by opponents of ObamaCare as an act to destroy the program, but the prophesied destruction did not occur, and the impact on Medicare has been quite the opposite.

Since passage of the Affordable Care Act, Medicare has seen its lowest per-member rate of spending growth in its 50-year history. Premiums paid by enrollees in Medicare Parts B and D have gone down. Perhaps most importantly, the savings have contributed to keeping our promise to America's seniors by ensuring that the program will continue to be there for them. Medicare's projected insolvency in the year 2017 has been extended for over a decade. All of this is possible, thanks to America's hospitals.

Here is what the Republicans are saying to Grandma and Grandpa: Yes, the Affordable Care Act extended the solvency of Medicare 10 years beyond 2017. We are repealing that bill. So, insolvency comes almost immediately to the Medicare system. What a great signal to send to Grandma and Grandpa this year with this bill on the Senate floor: insolvency of the Medicare system, the one thing that Grandma and Grandpa, and, by the way, everybody else inside every family in America is depending upon to take care of Grandma and Grandpa.

So will the budget before us return the savings they are expecting from this bill to the hospitals to help them cover the cost of Grandma and Grandpa? No. For that to happen, Medicare costs will go up. Higher costs will lead to higher premiums for every enrollee in Medicare Parts B and D. These higher costs will also be realized in the entirety of the Medicare Part A program, reducing the time of insolvency from 2028, down to 2024, 2023, 2022, or even earlier.

Those results are unacceptable to the Members of this Chamber and to their constituents, so it is now going to be a historic debate that we have. We can decide instead to simply not cut off the 20 million Americans from the insurance they need. We can ensure that hospitals have the resources to focus on the care for patients when it matters most. We can keep the promise to America's seniors that Medicare will be there to cover their needs when necessary.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I look forward to having this discussion this afternoon about the Affordable Care Act and the many votes and actions that are going to be taking place. I especially look forward to having this discussion with the Presiding Officer because I know his State is greatly impacted by the health care delivery system and its shortfalls, and I look forward to discussing with him some of the many ideas that our colleagues have.

I will say this at the outset of my comments. I am willing to work with anybody to improve our health care delivery system. I am willing to discuss with anybody what we need to do to improve the quality of health care for Americans, and I am specifically interested in making sure that we improve the outcomes of many Americans' health care and that we also lower costs.

It has been the hallmark of what the Northwest health care delivery system has been all about. Yes, that is right. We get less money and deliver better outcomes. It is not because we all like to hike, although there are many Washingtonians who like to hike. It is because we have had to make do with less, and we have built a better system. We hope the rest of the country can move forward along similar lines.

So I am here to talk about the Affordable Care Act and the many aspects of it that are so important to our Nation in actually slowing health care costs and reducing our deficit. That is one of the cornerstones of why we did delivery system reform and why we did health care reform. We needed to slow the rate of health insurance increases, and we needed to lower the costs for us as a nation as well for the private sector. That was the task at hand. So to my colleagues who are ready to repeal all that, I ask you to wait. I ask you to

stop and think about what we are doing, and before you repeal, think about what we are going to put in its place because this is such an important issue.

What does the Affordable Care Act mean? One of the aspects that I think is getting lost in this debate is that people are talking about what has happened in a percentage of the individual market. They are talking about the plans as they related to last October and what happened with rate increases. Some people said: Oh, well, a lot of providers went out and offered a lot of low-ball coverage costs and came back with higher rates later. Some people said: Some of the pools aren't big enough. Some people said: Well, the coverage we are going to guarantee is going to help. But the issue is that the Affordable Care Act is much more than just what we tried to do in the individual markets. It is about providing affordable coverage, but it is also about reducing costs, improving the health care delivery system, protecting women's health, and saving the taxpayers money. I hope my colleagues on the other side of the aisle will think about all of these issues—providing affordable coverage, reducing costs, improving the health care delivery system. I warn my colleagues that if you repeal the Affordable Care Act and take away its improvements to the delivery system, you are going to balloon the deficit, and that is something that we cannot afford.

What am I talking about when I say "affordable coverage"? Well, let's take Washington State, for example. I am sure the Presiding Officer could take his State also, but in our State, there are 3 million Washingtonians with pre-existing conditions who are guaranteed coverage; there are 50,000 young adults who can keep coverage through their parents' plans; and more than 600,000 Washingtonians have been covered by the Medicaid expansion.

To me, the Medicaid expansion is about simple math. Medicaid is expanded because it is the most cost-effective, economical way for that population to get health care coverage and to be part of the health care system, keeping our costs down and keeping that population healthy.

Depending on what State you are from and what philosophy you have as an individual, you may not be for Medicaid expansion. There have been many times that across the aisle we have been able to come to terms on Medicaid expansion and on the CHIP program because we believe that having a healthier population is a good economic policy for our Nation. After the Affordable Care Act implementation, we actually have results, studies, and analysis by various States in the Nation that have said that expanding the Medicaid population has helped our economy and has helped our States

overall. So I would say to my colleagues, please do not repeal the Medicaid expansion. Please do not put these people back on the street with their health care problems and health care issues and increase the cost of uncompensated care. That is not a strategy.

What else do we want to do? We want to drop the rate of uninsured Americans. The Affordable Care Act has done that, decreasing by more than 40 percent the number of uninsured Americans. Less than 9 percent of Americans are now uninsured. In our State, the uninsured rate has dropped to 5.8 percent, which is a nearly 60-percent decrease. For us in the State of Washington, we have more people covered. The Affordable Care Act is covering more people, so we have taken more people out of the uninsured market.

The way the other side of the aisle would like to describe this is that the whole thing is falling apart because of some changes and shifts in the individual market, but the facts are there that the law is not only expanding coverage but lowering costs. Looking at what health care costs would have been over the last decade has always been a tricky issue. The rates of health care costs were going up. I like to say that we may want health care costs to keep pace with the rate of inflation—and I will give health costs a little bit of an inflationary bump because of technology and new innovation. It is not the same as the rate of inflation for everything else, but at the same time, we shouldn't be seeing double-digit increases in the costs of health care. Our goal was to change the system to the degree that we would see health care costs more in line or a little bit above the rate of inflation.

This chart shows the national expenditures for health care on the dotted line on these actual and most recent projections of what the health care system is doing now compared to what it would have been before the Affordable Care Act. So again, people are debating over what these increases are, when in reality we were seeing double-digit increases, and now we are seeing the cost growth of health care go down.

So going back to the chart for a second, this projection is so big because of many factors. This is about changing the delivery system; this is about making sure that there are not exorbitant amounts of uncompensated care; and this is about making sure that we don't overspend on the health care delivery system. I can imagine that for some States this must be the most frustrating issue, particularly if the reimbursement rate has led to a population that is constantly underserved because no one wants to see those patients. We in the Northwest have had that frustration because we get somewhere between \$1,000 to \$2,000 less—maybe even more—per Medicare beneficiary than

many other States in the country. That has led to a situation where people don't even see Medicare beneficiaries in parts of our State. That is right. People have to travel a great distance to find a doctor because they can't find one because of the Medicare reimbursement rate.

My solution is, if we are providing health care in my State with better outcomes and lower costs, I shouldn't be penalized for that; I should be rewarded. Every other State should try to practice medicine that actually helps us lower the costs.

So why are we working on this issue? The Affordable Care Act has contributed to slower cost growth. Medicare spent \$473 billion less in the 5-year period from 2009-2014 compared to the benchmark—compared to what would have been done if we did nothing. So, my colleagues on the other side of the aisle, I know you are all for repeal. Where will you replace this money? Where are you going to come up with those savings? If you come to the floor and say that you don't want to repeal the delivery system reform that we fought so hard for and crafted, that you are willing to make those changes and keep the delivery system, we will be listening with open arms and great receptivity because there are many people on this side of the aisle who have worked very, very hard on these reforms.

In the private sector, we have also slowed the rate of growth in insurance premiums. I am talking now about the employer-based plans. We slowed the rate to one-third of what it was before.

Individuals are seeing lower increases than what they would have had to pay before these reforms.

So what is the debate about now? What we are trying to do in health care reform is improve health care by decreasing costs, having better patient outcomes, and helping doctors spend more time with their patients than with their paperwork. This is critically important because what we are seeing in the United States is doctors spending more time on the paperwork of the system than on the actual outcomes of their patients.

We want everybody to have a medical home. We want everybody to have a delivery system that rewards outcomes, and that is what we are driving for, but the debate in Washington has not been over this issue of where Americans get their insurance coverage. As you can see from this chart, 49 percent of Americans get insurance through work, 34 percent of them through Medicare and Medicaid and other public programs, and then a much smaller percentage are uninsured or in the individual market. The debate now is over the individual market. The debate is over the 7-percent number.

In some States, the individual market was out of whack for a variety of

reasons. Maybe the risk pool was too small, maybe insurers went too low on their original estimates, maybe they made some changes that didn't work in that marketplace, but that doesn't mean we throw out all of the Affordable Care Act that is doing such great work just because 7 percent of the population in the individual market needs further attention. It doesn't mean that we repeal all of this. It certainly doesn't mean that we give this uncertainty to the American people about whether they are going to have health care coverage and give the illusion that the other side of the aisle is doing anything but taking the system and capping Medicare and Medicaid, giving out a check that never keeps pace with inflation, and then taking the savings from the system and channeling it into corporate tax reform relief. No, no, no, no, no. We need to make the health care delivery system work for the American people, deliver better outcomes, and continue to make reforms.

What are the innovations that we are talking about in the delivery system? Well, my colleague, the Presiding Officer, will know, because he understands health care, that the innovation in health care is about everybody having a medical home. Why do you need a medical home? You need a medical home because you need to be seen, not by the emergency room physician but by your doctor and someone who is going to understand your health care needs.

We need to make investments in primary care and prevention and wellness. I am sure the Presiding Officer understands that we don't have enough primary care providers in the United States. We need to change our system for the GME; that is, graduate medical education, so we can get more primary care providers.

We also need to focus on health and wellness. That is what the Affordable Care Act does. It starts to look at the system and rewards prevention and wellness. The Affordable Care Act says: OK, let's try to do this in a new way. Accountable care organizations aim for a global budget instead of all the paperwork that has to happen. A provision I authored, the Basic Health Plan, which is being used in the State of New York, is showing results in lowering the costs of premiums, giving affordability to people well beyond what they were able to otherwise get.

The other idea is rebalancing nursing care to community-based care. Twenty-one States applied for and were approved to do rebalancing. A lot of these States were Republican States in the South that took the money from the Affordable Care Act and bought into this really smart notion. It says: Let's rebalance away from nursing home care into community-based care, and we as the Federal Government will help incent that. So all the Republican

Governors that took that money from the Affordable Care Act to try to rebalance their population away from a very expensive delivery system to a new delivery system, are they now going to pay us back? Is that what repeal is going to mean, that we are going to ask them to pay us the money back or that we are going to forgo this notion that moving people out of nursing homes and keeping them in their community homes is more important?

I will tell you this. We have a problem of an aging population in the United States of America, and the best thing we can do is help change the delivery system so it is more cost effective for the future. That is what the Affordable Care Act did.

The Center for Medicare & Medicaid Innovation, which is also a part of the Affordable Care Act, drove in some incredible efficiencies. The Secretary just spoke today at the National Press Club, talking about focusing on better managing care for many people affected with diabetes because they are one of the biggest cost drivers. So all of this innovation is part of the Affordable Care Act. Are we going to repeal that, too? Are we going to repeal all those health care delivery reforms that are helping reduce the cost of health care?

So what does repeal actually mean?

I am taking it from two different sources here; that is, a full Republican repeal of the Affordable Care Act will increase the deficit by \$350 billion over 10 years.

Why does the Congressional Budget Office and the Committee for a Responsible Federal Budget say that? Why do they say that? Why would they make such a claim? Because they know that built into the Affordable Care Act are changes to the health care delivery system that improve access, focus on better outcomes, and change our system for the better. We cannot afford to repeal this as a way to try to say to our base: This is a better way of delivering health care.

What does the Affordable Care Act come down to?

The philosophy we pushed through is to put the patient at the center of the health care delivery system so that it works for them. The repeal attempt by the other side is nothing more than basically saying we are going to come up with a model where you are not at the center of this, you are going to get a check that no longer pays for your full health insurance costs, you are going to get capitated and so is Medicare and Medicaid—or at least that is all we can get out of the other side right now about their plans.

It is very important to me that we do not repeal the Affordable Care Act and that we certainly don't repeal the Affordable Care Act without any idea what it is that we are going to be doing instead. We have millions of Americans

who will not be covered, and we are going to throw away our whole system, which has managed to save private employers and individual families millions of dollars—I would say billions of dollars over the time period of this legislation and put us on the right track. If we have to make some changes and adjustments to the system, let's make some adjustments and changes to the system, but let's not throw out the entire legislation, and certainly let us not steal away the Affordable Care Act from the American people.

Basically, that is what repeal is. Repeal is stealing away the affordability they have been granted over these last several years and instead taking it for some other corporate interest. I hope it is not to stuff it into a tax reform bill to give relief to corporate America because that is not what we need. We need a delivery system that works for everyone. We need to save those individuals by making sure there is a cost-effective health care option for them and the marketplace, and I look forward to seeing real and serious legislation—not a poster board but a solution.

I love working with my colleagues who want to work on these ideas. I do. I will because this is a solvable problem. It is. We have shown that. We have enough results. We have to make some adjustments, but repealing is just stealing health care from hard-working Americans. I urge my colleagues to turn that down.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER (Mrs. CAPITO). The Senator from Louisiana.

Mr. CASSIDY. Madam President, I rise to address a very important issue in regard to the health care of our poorest Americans and discuss my plan, the Medicaid Accountability and Care Act, or the MAC Act, which is also included in my ObamaCare replacement plan which would address the failings of our current Medicaid system. My colleague from Washington just extolled the virtues of ObamaCare. As she pointed out, Medicaid clearly is a major part of the ObamaCare kind of response so it is apropos I would follow.

I wish to first tell you my perspective. I am a physician, and I had been working in a hospital for the uninsured for 25 to 30 years, until they blew it up. I saw prisoners, the uninsured, and Medicaid patients. You might say: Wait a second, Medicaid, it is insurance. Why would somebody with Medicaid insurance be seen at a hospital for the uninsured?

It is because in my State, like in most others, Medicaid pays beneath the physician's cost of seeing a patient. To paraphrase Saint Paul, it is the illusion of coverage without the power of access.

I will point out, the week ObamaCare passed, there was an article in the New York Times, written by a very re-

spected journalist, Robert Pear, tracking a Medicaid patient in Michigan. The physician, the oncologist seeing her, had so many Medicaid patients, the oncologist was going bankrupt because she could not afford to pay her bills so she had to discharge the Medicaid patients from her practice.

I followed up to find out what would happen, and 2 weeks after being discharged from this oncologist's practice, the patient died. This is Medicaid, which is so critical to the purported success of ObamaCare.

Is it that we are not spending enough money; that maybe if we just spent a little bit more on Medicaid it would all be better.

A study from MIT found that 60 percent—let me stop. The State of Oregon did an expansion of Medicaid so researchers from MIT and elsewhere went to study it. This study found that 60 percent of the dollars used for the Oregon Medicaid expansion went to institutions, not for patients—as little as, say, 20 percent to 40 percent—but as little as 20 percent of the money that was put toward the Medicaid Program actually was a benefit for the patient. Let me repeat this. As much as 60 percent went to benefit institutions, not patients. They also found that patients on Medicaid did not have improved outcomes. Think about this. We are giving everybody all of this coverage. It is supposedly wonderful. Yet when they went back 1 year later and 2 years and 3 years later and looked at the patients covered on Medicaid—versus those who were not, those who continued to be uninsured—there were no better health outcomes among those who are on Medicaid.

If we can't agree this is a program to reform, it is going to be hard to agree on anything.

For those who are not familiar with Medicaid, let's talk a little bit about the program. Medicaid is a Federal-State program. The Federal Government provides a certain percentage—a different percentage for each State—but the State actually administers the program. In some States, the Federal Government pays 50 percent of the cost. It can go up as much as 75 percent of the cost. In Mississippi, they put up \$25, they get \$75. In a State such as New York, they would put up \$50 and get back \$50 so it is a 1-to-1.

This open-ended financing structure is based solely on how much the State spends. I will agree with my colleague from Washington State. We should not reward States that spend incontinently. We should not reward States that just spend, but under Medicaid, the State is rewarded. The more it spends, the more it draws down from the Federal Government.

I always smile when people speak about the economic development of Medicaid expansion. Medicaid expansion is not about economic development. It should be about taking care of

patients, but I understand that perspective because they pull down at least \$1 for every dollar the State spends, sometimes at the 75-percent ratio. Under the ObamaCare Medicaid expansion, States have been drawing down 100 percent of what they spend. If the State is going to draw down 100 percent of what it spends on the Medicaid expansion population—surprise, surprise—they are actually spending at a higher rate on the expansion population than on those Medicaid patients for whom the State actually has to cover part of the cost.

The Federal Government has very little ability to weed out the corruption of the inefficient programs. Again, this matching incentive disincentivizes States from looking for ways to be more efficient, but, still, States have to balance their budget every year and Medicaid is either the second largest or largest budget item in every State. Even though the Federal Government is paying 50 percent to 75 percent of the traditional Medicaid population and 100 percent of the expansion population, the State taxpayer is still on the hook for a lot. On average, States spend 17 cents of every State dollar on Medicaid. My State of Louisiana has the highest percentage. Nineteen percent of our budget goes to Medicaid. The percentage is steadily increasing, nearly doubling since 2000. Sooner or later, even though the Federal Government covers the majority of the cost, the budget crunch gets more difficult because the rate of Medicaid spending is climbing faster than the State tax base.

Because of all the Federal requirements on what a State can change in the Medicaid Programs, in order to come up with the State match, States have two options. They can pay providers less or they can cut other programs such as education and move the money to the Medicaid Program.

First, paying physicians less brings us back to the situation Robert Pear described in his New York Times article, where the oncologist was going bankrupt because she could not afford to see more Medicaid patients.

Let's speak a little bit about education. I am just going to use my hands. In 1963, the State government used about that much for education and when Medicaid started in 1964 or 1965, about that much for Medicaid. In 2009, for the first time ever, on average, States spent more on Medicaid than on education. Now the percentage on Medicaid continues to climb, if you will, cannibalizing the State dollars that could be used to support higher education, primary and secondary education.

Let's look at the effect of the ObamaCare Medicaid expansion. Let's look not at my own State but Kentucky, a State which has been at this for a little bit longer. The previous

Governor, Governor Beshear, implemented the ObamaCare Medicaid expansion—just kind of traditional Medicaid—and expanded it.

Again, my colleague from Washington State was extolling how much ObamaCare has lowered costs. When Kentucky originally implemented it, they expected the long-term cost of Medicaid expansion to be only a 4-percent increase in their current State spending on Medicaid. After only 1 year of the expansion, updated projections showed the expansion cost the Federal Government more than half a billion dollars more than Governor Beshear had projected for 2014, and this will double in the coming years, meaning that the Medicaid expansion will cost \$1 billion more per year than expected. Again, this was the projected cost. This is the actual cost.

If this is saving money—oh, my gosh. What would happen if we actually lost money? By anybody's calculation, this is losing money. This has been the situation across the country. States that have expanded Medicaid have turned out to be far more expensive for the Federal taxpayer than originally anticipated. Again, it just isn't a Federal program. Like many other States across the Nation, Kentucky is facing serious fiscal issues. They do not have \$1 billion lying around.

On its current path, Kentucky's own projections suggest the State will start losing \$45 million in perpetuity beginning in 2021. This is a 10-percent increase. The Federal Government is putting up most, but Kentucky itself will have to put up an extra \$45 million per year.

Also, given that the Federal taxpayer—you and me, us, the people watching on TV and in the Gallery—given that we, the Federal taxpayer, put up 90 percent of Kentucky's costs—well, every State's costs, we just happen to be speaking about Kentucky—but every State's costs are 90 percent of the costs in perpetuity. As this cost grows, taxpayers are on the hook for 90 percent of it. Such a deal.

It doesn't have to be this way. Let me compliment Indiana. When Vice President-Elect MIKE PENCE was Governor of Indiana, rather than adopting kind of ObamaCare's let's do the traditional Medicaid and watch the cost explosion—he took an innovative approach and created the Healthy Indiana Plan or HIP as an alternative to simply doling out the dollars. The plan gave each beneficiary a high-deductible plan in combination with a health savings account. It was capitated. Again, my colleague from Washington who just spoke kind of criticized these capitated plans, which means there is a set amount, and the person is, if you will, engaged in managing her dollars.

The State will put up a certain amount on a sliding scale based upon the income of the Hoosier who en-

rolled. The plan empowered low-income enrollees to become better consumers of health care. Hoosiers who participated—for those not from Indiana, I have learned you don't say Indianans, you say Hoosiers. So Hoosiers who participated changed behaviors. They use 40-percent less charity care than traditional Medicaid patients. Seventy percent contributed to their own HSA. Once they started contributing, virtually all continued to do so regularly. That is despite 83 percent of those participants in the Healthy Indiana Plan earning less than the Federal poverty level. Those Healthy Indiana Plan patients also saw clear improvements in care over traditional Medicaid. They decreased their emergency room utilization by 40 percent relative to Medicaid's average. Thousands more physicians chose to take Medicaid patients. Remember, at the beginning, I discussed how physicians often can't see Medicaid patients. It pays them below the cost of their seeing patients. In Indiana, thousands more chose to take Medicaid patients, improving access to quality care. Clearly, the Healthy Indiana Plan was able to work for Indiana patients. This is the sort of quality innovation that States can devise if we give them the power.

Now, revising the current funding structure would also encourage States to follow Indiana's example and develop innovative Medicaid programs to increase the efficiency in which the program spends money. Again, that is Federal taxpayer money. That is our money. For those watching right now, it is our money. We want to encourage States to be efficient with how they spend it. There should be greater flexibility to design the Medicaid program to better meet the needs of State residents. States will be given the latitude and the freedom to develop various coverage options and specialized delivery systems for different Medicaid patient populations.

This is why I developed the Medicaid Accountability and Care Act, which we call the MAC Act. It reforms the flawed financing of Medicaid by giving each State a set amount according to how many people each State has enrolled in the different categories that each State's Medicaid program treats. That is a mouthful, but it is basically exactly like the Federal Employees Health Benefits Program or like any employer who goes to an insurance company and says: I want to give you a set amount of money per employee who enrolls in your plan. For that matter, it is like Medicaid managed care, where the State will go to a managed care company and give the managed care company a set amount per enrollee in that plan.

Now, I hear people say: Oh, my gosh, it is a set amount. That is all we do in health care, except in Medicaid, where we reward inefficient spending. So if it

is good enough for the State to do it to the Medicaid managed care program, why isn't it good enough for the Federal taxpayers to do it to the State? I am not quite sure I understand the critics of this approach.

But, again, under the Medicaid Accountability and Care Act, or the MAC Act, each State would tell the Federal Government how many beneficiaries it has in different categories of Medicaid and the Federal Government would give each State the amount of money appropriate for that number of enrollees in each category. The advantage of this is it is a set amount. It allows the Federal Government to do that, which it does not do now; and that is, to say to the State government: If you recover fraud, you can keep that money.

Now, let's go back. Under the current situation, the Federal taxpayer pays 50 to 75 percent of the State's Medicaid costs. If there is fraud—and there is lots of fraud in Medicaid—and the State government recovers it, it has to give back to the Federal taxpayers whatever the percent was the Federal Government put up. So if the State goes out and recovers \$1 million—spends money on the attorneys, spends money on the investigation, on the court case, and it recovers \$1 million—it has to give half a million to \$750 million back to the Federal taxpayers. It is responsible for the prosecution, the investigation, but it gives most of the money back to the Feds. So the States don't investigate because it is a disincentive to go after fraud.

Under the MAC Act, if the State goes out and gets \$1 million worth of fraud, the State keeps the money. That is good for the State. It encourages the State to root out that fraud and to keep the money and to make sure that fly-by-night scam artists never get to become Medicaid providers in the first place.

The MAC Act's reforms will result in improved health care for Medicaid patients.

I will go back to where I started.

I am a physician who worked in a hospital for the uninsured and Medicaid patients. These are my patients. If this proposal was not about improving patient care, I would not advance it. But recall that Oregon, with their Medicaid program, upon review by MIT, found no improvement in patient outcomes. Then let's go to Indiana, which actually set up health savings accounts and engaged the patient in managing their own health, and there, we do see better outcomes. We should all be about patients having better outcomes.

Along the way, we do other things, such as equalizing the amount of money the Federal Government gives to each State per beneficiary. Again, my colleague from Washington State pointed out that folks in Washington get less money from the Federal Gov-

ernment than do other States. I would attempt to equalize that with the MAC Act.

So let me finish. The American people have been voting against ObamaCare for the last 8 years. Whatever its proponents may say, the American people have found it wanting. One aspect of it that has been wanting is Medicaid. We have a proposal before us based upon my experience of treating patients in the hospital for the uninsured and Medicaid but also taking States like Indiana and elsewhere in which we attempt to give States the initiative to create specialized programs that focus on patient-centered care. In that way, we will see better outcomes. The current Medicaid funding system under ObamaCare works against States, penalizing them for addressing fraud, abuse, and waste. This must change. We need to change this broken framework with a system that will work with States to get their Medicaid programs back on track, benefiting their patients as much as possible.

With that, I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JEFF SESSIONS

Mr. CORNYN. Madam President, as my colleagues know, this week we will take up the nominations of the men and women who President-Elect Trump has selected for his Cabinet. I have to say, for myself, that looking at the quality of the people the President-elect has nominated gives me quite a bit of reassurance about what his administration will be like, starting with the Vice President, MIKE PENCE. Mr. PENCE is somebody well known to those of us here in the Congress, having served 12 years in the House of Representatives, and then he went on to be the Governor of Indiana for 4 years. He is eminently qualified to help the administration and the President-elect navigate the perils and pitfalls of the legislative process here in the Senate and in the House.

Then we look at the other people who have been nominated, whether it is for Secretary of State, Secretary of Defense, or the Department of Homeland Security. In some cases, they are unconventional choices, but, in every case I can think of, they are people who have eminent qualifications to offer to the administration and to the country in this new administration.

This is one of the most important responsibilities a Senator has—to make sure we conduct the advice and consent

process and make sure we vet the nominees for these important posts. But in one case in particular, it is not going to be all that hard because we have served alongside Senator JEFF SESSIONS, for 15 years in my case and for 20 years in other cases.

We should be working together, as President Obama himself has said, recognizing the importance of a smooth transition from the outgoing administration to the new one. That should be true no matter what side of the aisle you are on. Unfortunately, I think some of our Democratic friends are still in some shock from the election on November 8.

I remember a book written on the grieving process, describing that first comes denial, then comes anger, and then ultimately acceptance. I think what our Democratic colleagues have to work through is their denial and anger to get to acceptance of the fact that President-Elect Trump and Vice President-Elect PENCE won the election.

So what is our responsibility? It is to work in a bipartisan basis to make sure that they have the people around them that they need in order to run the government.

We are simply trying to stick to the same standard set under President Obama. In 2009, our Democratic colleagues held seven confirmation hearings in one day. That is more than we are planning to do on Wednesday. So my response to our friends across the aisle is to listen to the junior Senator from Connecticut, who told a reporter: "I can figure out how to walk across the hall and attend two hearings occurring simultaneously."

One of the most important hearings, in my mind, we will hold is the hearing we are going to have in the Judiciary Committee starting tomorrow on the President-elect's nominee as Attorney General—our friend Senator JEFF SESSIONS. As I said, the junior Senator from Alabama has a lengthy history serving his State and country in law enforcement, but his passion for public service started long before that.

Before we knew him in the Senate, JEFF SESSIONS was an Eagle Scout from Hybart, AL. He later served in the Army Reserves. After college, he taught at Goode Street Elementary School in Montgomery, AL. I bet even those of us who have known him a long time did not know that he taught at Goode Street Elementary School in Montgomery, AL, after college. Then he went on to become a lawyer, receiving his law degree from the University of Alabama. He later worked as a Federal prosecutor, including 12 years as a U.S. attorney for the Southern District of Alabama. Then—where I got to know him—he became his State's attorney general.

Senator SESSIONS' record is one of a person not afraid to go after those who

are abusing power. From State judges and senators to county commissioners and school board members, JEFF SESSIONS has rooted out and punished corrupt officials as was his job as a U.S. attorney. As U.S. attorney, he fought to secure the rights of African Americans to vote and successfully advocated to uphold the death penalty sentence of Ku Klux Klan member and murderer Henry Hays.

Here in the Senate, he served on the Senate Judiciary Committee for 20 years, where I have come to know him well. Working with him has shown me not only his sharp mind but his passion for the people of this country and his commitment to the rule of law. He is a hard worker and a person who makes his decisions based on what he thinks is the right thing to do and his own integrity. I know many of us can attest to this, including my colleagues on the other side of the aisle. While holding true to his principles, JEFF SESSIONS has found common ground with folks across the ideological spectrum on many issues, including ones he will work on as Attorney General of the United States.

For example, in 2003, Senator SESSIONS worked closely with the late-Senator Teddy Kennedy, whom I have called the liberal lion of the Senate. Perhaps, I am not the first one, but he certainly was that. He was a larger-than-life personality and somebody who personified our political opposition across the aisle. But JEFF SESSIONS and Teddy Kennedy worked together to help fight sexual assault in prison in a way that was both proactive and pragmatic. Senator SESSIONS crafted legislation to encourage State governments to take affirmative measures that reduced the frequency of sexual assault in jails and prisons. We continue to see the benefits of this legislation today, as more and more States get serious and crack down on this crime. Last Congress, I was proud to work with Senator SESSIONS and Senator LEAHY, the ranking member in the 114th Congress, and others in this Chamber, to pass the Justice for All Reauthorization Act, which created additional tools that strengthened the Prison Rape Elimination Act.

Then there is the work Senator SESSIONS has done with the assistant minority leader, the Democratic whip, and the senior Senator from Vermont, two of this Chamber's more liberal Members, to address sentencing disparities between crack cocaine and powder cocaine. It became obvious over time that many people living in our inner cities were using crack cocaine, but their fellow countrymen living in more affluent areas caught with powder cocaine were subject to far lesser sentences than those in the inner cities using crack cocaine. The work Senator SESSIONS did with Senator DURBIN and Senator LEAHY, called the Fair Sen-

tencing Act, was signed in to law by President Obama in 2010. Senator SESSIONS saw the harsh penalties many young African-American men experienced for possession of crack, compared to the lighter punishments given to suspects found with powder cocaine, who as a group tended to be more White or Hispanic. To me, this is the sort of thing that offends the most basic sensibilities of JEFF SESSIONS—somebody who believes unequivocally in color-blind justice and equal justice under the law. Of course, the utmost responsibility of the U.S. Department of Justice is to enforce the law and ensure equality for all Americans under our Constitution.

Senator SESSIONS has demonstrated that he is qualified and prepared to serve as the Nation's top law enforcement officer—not only thanks to a proven track record but, because at his core, he understands the importance of justice for all and upholding the rule of law. Now, you don't have to take my word for it. Here is what some of our leading Democratic colleagues have had to say about working with Senator SESSIONS over the years:

The incoming Democratic leader, Senator SCHUMER of New York, called JEFF SESSIONS “straightforward and fair.”

Senator DURBIN, the Democratic whip, in June 2010, working with him to eliminate the disparity between crack cocaine and powder cocaine called JEFF SESSIONS “a man of his word.”

Then, perhaps, there is an unlikely person to compliment Senator SESSIONS, because of some of the positions Attorney General Holder took that I think Senator SESSIONS found objectionable—particularly when injecting too much politics into the work of the Department of Justice and not enforcing what Senator SESSIONS saw to be the rule of law. Nevertheless, former Attorney General Eric Holder on January 2016, 2009, called Senator SESSIONS “a great U.S. attorney.”

Senator SESSIONS has both the temperament and experience to restore the faith of all Americans in our justice system, and we have the responsibility to grant him a fair confirmation hearing starting tomorrow. I suspect our Democratic colleagues agree, because in 2015 they penned a letter that said:

The Attorney General plays a pivotal role in administering our nation's laws and protecting our national security. This is why the Senate, regardless of the party in control, has historically given swift consideration to Attorney General nominees.

Those were our Democratic colleagues. The chance to do so is right before all of us, and I hope they will assist us in a fair and swift confirmation process for a truly honorable and deserving candidate for Attorney General.

I know we will miss Senator SESSIONS in the Senate. Not that we al-

ways agreed with him, but he always disagreed in the most congenial sort of manner and in a way that we knew he had respect for people of widely divergent views. But the fact is that our country needs him to lead the Department of Justice now more than ever.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Wyoming.

Mr. ENZI. Madam President, I thank the Senator from Texas for his comments about the Senator from Alabama. Senator SESSIONS has been an outstanding Senator. He came to the Senate at the same time I did. He has served for 20 years. That is a lot of votes that a person can pick apart, if they want to. But here is how it came out. I don't think we have emphasized enough that Senator SESSIONS didn't have a primary opponent in Alabama. I don't know how many Senators in the Senate haven't had primary opponents. Even more unusual, he didn't have a general election opponent. I am not sure if that has happened before. I know it hasn't happened for a long time. But that says something about the kind of respect he has in his home State, which has a wide variety of people. So I thank the Senator for his comments on that.

Madam President, I ask unanimous consent that following disposition of the Paul amendment, there be 2 minutes of debate, divided in the usual form, and that the Senate then vote in relation to the Hirono amendment No. 20.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Madam President, I yield the floor.

The PRESIDING OFFICER. If no one yields time, the time will be divided equally.

The Senator from Hawaii.

AMENDMENT NO. 20

Ms. HIRONO. Madam President, I rise today to ask the Senate to adopt the Hirono-Donnelly amendment to protect Medicare and Medicaid. During his campaign, President-Elect Trump made the American people a promise that he will protect Medicare and Medicaid.

Today, we are giving Senate Republicans an opportunity to reaffirm this promise to the American people, but I am deeply skeptical that they will do the right thing because they are committed to repealing the Affordable Care Act. Senate Republicans fought for years to repeal the Affordable Care Act, which would drastically cut Medicaid funding for the States, and the President-elect's nominee for Secretary of Health and Human Services is the architect of the Republican plan to privatize Medicare. The assault on the ACA is an assault on Medicare and Medicaid. Both of these programs can be dismantled through the language in the budget that Congress is debating right now.

The President-elect and congressional Republicans might be willing to break their promise to the American people. Instead, I, along with my like-minded colleagues, will do whatever we can, whenever we can, to protect these social safety net programs.

I am fighting for seniors like Anne and Lanny Bruder from Kauai. Lanny is 80 years old, but he is still working three jobs to make ends meet after losing the family home during the 2008 mortgage crisis. Anne has glaucoma and pays what she calls a ridiculous amount for eye drops. Lanny survived a heart attack and has two artificial knees.

Like many of our kupuna—or seniors—living on a fixed income, they simply could not afford the extra \$6,000 a year they would be forced to pay if Republicans succeed in their effort to privatize and voucherize Medicare.

I am also fighting for young people like Anne, who walked into the Kokua Kalihi Valley Clinic 3 years ago. She had no health insurance, and she was pregnant at the age of 15. The doctors at the clinic helped Anne apply for Medicaid, which helped her afford prenatal care and gave her support to stay healthy and, very importantly, to stay in school. Medicaid helped Anne and her husband Dan, age 17, welcome a healthy baby boy named Joseph. Today Anne is a graduate of Farrington High School, works part time, and has plans to become a pediatric nurse practitioner. Anne, Dan, and Joseph now have insurance through Dan's employer.

These stories—and there are thousands of similar stories in Hawaii—demonstrate just how important Medicare and Medicaid are to millions of people across the country. It is why we are fighting tooth and nail to prevent any cuts that would jeopardize these social safety net programs.

The Hirono-Donnelly amendment would prevent any partisan attempt to harm Medicare and Medicaid. Specifically, it would block congressional Republicans from using budget reconciliation to privatize Medicare or increase eligibility standards. It would also prevent changes to Medicaid that reduce State funding from current levels.

Adopting this amendment would send a clear message to seniors and working families that Congress is serious about protecting their access to quality, affordable health care.

I urge all of my colleagues to support the Hirono-Donnelly amendment.

I yield the floor to Senator DONNELLY.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Madam President, I rise today in support of the amendment Senator HIRONO and I are offering to protect Medicare and Medicaid for the millions of Americans who currently count on these programs for health coverage.

This week, some of our colleagues are beginning the process of repealing the health care law. I want to be clear. I don't think it is a perfect law. In fact, I have long agreed with many of my colleagues in saying it has work to do, and for years we put forward ideas on ways we can work together to improve it.

The repeal strategy we are debating this week, however, is not about improving the health care system. It is about taking people's health care away. And make no mistake, the consequences are very real. A repeal strategy, particularly with no alternative, would throw our health care system into chaos, taking away coverage from nearly 30 million people, increasing premiums on working Hoosiers and families across this country, and threatening to take us back to a time where anyone with a preexisting condition could not get coverage.

It doesn't have to be this way. If we are serious about improving health care in this country, we can do this work together. That is what the American people expect. Just as Hoosiers go to work every day to make life better for their families, they expect us to come to work and do the same thing. At the very least, they expect us to do no harm. Doctors swear by the Hippocratic Oath, where they pledge first and foremost to do no harm when they are treating patients. We should appreciate this. We should approach this debate in the same manner. Do no harm. That is the basis of the Hirono-Donnelly amendment.

"Do no harm" means not cutting Medicare benefits or turning it into a voucher program. "Do no harm" means protecting the health care of those who use the Medicaid program, many of whom have health care for the first time.

Here is what we know: Repealing the health care law reduces Medicare's insolvency by 5 years to 2021. We know that some in Congress, including the nominee to run the Department of Health and Human Services, are intent on privatizing Medicare or turning it into a voucher program, ending the program as we know it.

The Hirono-Donnelly amendment makes it clear that we will not privatize Medicare. The amendment protects Medicare both for the seniors who count on the program to age in dignity and for the tens of millions of Americans who are contributing to the program with the expectation that it will be there when they retire.

"Do no harm" also means we will protect insurance coverage for those who get their care through the Medicaid program, which, after the passage of the health care law, enabled millions of our friends and our neighbors to access affordable coverage for the first time in their lives. I know this is true because I worked with and supported

our soon-to-be Vice President, MIKE PENCE, when he used ObamaCare to establish a program we call the Healthy Indiana Plan, or HIP 2.0. The innovative plan expanded health care coverage to over 200,000 of my neighbors in our beloved State and helped reduce the uninsured rate among Hoosiers by 30 percent. The HIP 2.0 program has been critical in our ongoing effort to provide treatment to those struggling with opioid abuse and heroin use in our State. Don't just take my word for it. In his farewell address as Governor to Hoosiers yesterday, Mr. PENCE said:

Our innovative Healthy Indiana Plan is a national model of how to provide affordable health care coverage to our most vulnerable citizens. . . . With HIP 2.0, we have also made great strides expanding treatment for those who struggled in the grip of drug addiction.

I agree with the Vice President-elect that HIP 2.0 is something we can be very proud of because it helps Hoosier families across our State every single day. And it was done by working together, Republicans and Democrats, using the health care law to provide access to our friends and neighbors who wouldn't be able to obtain insurance otherwise. That is a great result.

The repeal plan before us today takes all of this away, including the very program that Vice President-Elect Pence and I worked to put in place. The amendment Senator HIRONO and I put forth is simple. It says to seniors and to people participating in HIP 2.0 and Medicaid plans across the country: We will do no harm.

I am happy to work with anyone to strengthen the health care law, but we are not going to take away the health care people have come to rely on. I urge my colleagues to support the Hirono-Donnelly amendment. Instead of going forward with a plan that creates chaos by repealing the health care law with no alternative, we should work together to improve it. That is just common sense. Most of all, we should strive to do no harm. That should be our guiding principle in the Senate. My colleagues on both sides of the aisle can demonstrate their commitment to this principle by supporting our amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I would like to reclaim the time that Democrats have to talk about the Hirono-Donnelly amendment. We are expecting some of our colleagues to be here. I see Senator BLUMENTHAL.

Thank you.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am proud to join my colleagues Senators Hirono and Donnelly. I thank them for their very impressive and steadfast efforts on behalf of Medicare

and Medicaid, during a time of tremendous uncertainty in our health care system, as, unfortunately, our friends on the other side of the aisle work toward repeal of the Affordable Care Act without any replacement and any clear plan on what the alternative will be.

Not only would repeal of the Affordable Care Act impact children and families but most particularly our seniors who have worked hard and have earned the benefits of Medicare. Any additional changes to the program that have been previously suggested by Republicans, whether changing the eligibility age or privatization, have no place in a reconciliation that has not been fully debated by the House and Senate and without a hearing from constituents and stakeholders about what those changes would mean.

That is why we are here in support of the very important amendment offered by my colleagues. The Congressional Budget Office has estimated that full repeal of the ACA would increase Medicare spending by \$802 billion from 2016 to 2025. This increase in potential spending could lead to higher Medicare premiums, deductibles, and cost sharing for beneficiaries.

Medicare, as it stands, as we all know, benefits our Nation's seniors who have worked hard and earned this program, but they would rather privatize or gut the program. So this action really should be decided not under reconciliation but by a 60-vote margin after hearings and an opportunity to be heard for our constituents.

Similarly, any replacement plan must not include fundamental or restrictive changes to the Medicaid Program. The bottom line is, Medicaid continues to work to provide potential health care to our most vulnerable citizens. I come from a State that is truly making a commitment to make sure our Medicaid Program works. In fact, Connecticut was the first State to take advantage of the Medicaid expansion in the Affordable Care Act, allowing the State to cover 72,000 more of our people in the State of Connecticut.

In Connecticut, the State has also utilized existing flexibility in the Medicaid Program to improve outcomes through the patient-centered medical home. As a result, in 2016, Medicaid hospital admissions decreased by 5.4 percent, emergency department visits fell 4.3 percent, and people requiring intensive case management saw a reduction of hospital inpatient admissions of nearly 40 percent.

These statistics are of staggering scope and scale and profoundly significant. We cannot make mean-spirited changes to the Medicaid Program, such as block granting, that would weaken the safety net, and we cannot allow gutting Medicare, endangering millions of seniors. We will not allow it without a fight. I am determined to join my colleagues in working and fighting for

this amendment and keeping the pressure on our colleagues who disagree.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I am very pleased to be able to join Senator DONNELLY, Senator HIRONO, and Senator BLUMENTHAL on this extraordinarily important issue that goes right to the heart of what we want health care to be in this country. I have always felt that the really big issues, the really important issues, need to be bipartisan. You need to find a path to some common ground.

As Senator DONNELLY and our colleagues have pointed out, what is being discussed now is an inherently partisan process for dealing with one of the most sensitive and most important issues of our time; that is, Medicare and what it represents. I had a chance to listen to Senator DONNELLY and Senator HIRONO discuss this issue. It made me recall my days when I was director of the Oregon Gray Panthers, the senior citizens group. I was director of the group for almost 7 years before I was elected to Congress. This was back in the days when I had a full head of hair and rugged good looks.

We always talked about Medicare being a promise. It was a promise of guaranteed benefits. They were going to be there. They were going to be secure. They were going to be defined. In effect, all who supported Medicare said they would oppose unraveling that promise, unraveling that pledge of guaranteed benefits. It seems to me, without strong legislation, the kind of legislation my colleagues are advocating, we are putting that promise at risk.

I think when you look back at the history of what was available for older people before Medicare, you would see why this promise and this pledge is so important. For so many older people, there was, essentially, what amounted to poor farms. We had one not far from where we lived at home in Oregon. When Medicare was being debated, people brought out those pictures. They talked about what it meant, in a country as strong and good and rich as ours, for older people not to have a life of dignity and security and decent health care.

When Medicare was adopted in 1965, it was all about the promise. It was all about the guarantee. That is what Senator DONNELLY and Senator HIRONO are standing up for as part of this debate. I know that some who don't share our view are going to say: Well, there are tremendous challenges with respect to Medicare. There is no question about that—10,000 people turning 65 every day for years and years—but there is so much that can be done, Democrats and Republicans, if you want to reject something that is partisan like reconciliation and come together. You can

come together around updating the Medicare guarantee. I say this to my friends Senator DONNELLY and Senator HIRONO, who have done such good work on this.

We are not saying there aren't any challenges. The fact is that Medicare today in 2017 is very different than Medicare when it began in 1965. It is dominated by chronic illness: cancer, diabetes, heart disease. But we can come up with fresh, practical approaches for dealing with those challenges, consistent with what Senator DONNELLY and Senator HIRONO are talking about, which is keeping the Medicare promise, keeping the Medicare guarantee, not allowing the program to be privatized.

We started on that with the Affordable Care Act. There were a number of us in the Senate. Senator ISAKSON was very involved. At the time, Senator MARKEY was a Member of the other body. We advocated for something called Independence at Home, which allowed the Medicare Program to begin to take care of those with chronic illness at home.

So I am very appreciative of what Senator DONNELLY and Senator HIRONO are doing because what they are saying is this: Instead of gambling on the health of older people with a partisan reconciliation process, let's work in a bipartisan way to build on the promise of Medicare, the promise of those guaranteed benefits.

We can do that. We can do that by creating more options for caring for older people at home. We can do it by expanding telemedicine and using new technology. We can do it by creating more opportunities for nonphysician providers. These are all ways that we can build on the Medicare promise and the Medicare guarantee and deal with the challenges of our time. But we are not going to be able to deal with those challenges through partisan approaches like reconciliation that would privatize the program and unravel the promise.

So I am very pleased to be able to have a chance to be out on the floor with my colleagues who have been strong advocates for Medicare, who rightly put this issue front and center in the debate, because I think a lot of what is being discussed is really getting lost. A big part of this debate really seems to be about creating a Trojan horse to give tax cuts to some of the most fortunate, while, in effect, raising health care costs for millions of others and breaking the Medicare promise, which is what my colleagues are seeking to protect in their amendment No. 20.

We are going to be talking more about this. Certainly, as the senior Democrat on the Senate Finance Committee, we will be having significant debates about these issues in the committee. But I am very appreciative

that Senator DONNELLY and Senator HIRONO have allowed us to jump-start what this debate is really all about; and that is, keeping the promise of Medicare, keeping the promise of guaranteed benefits, working in a bipartisan way to update the guarantee to deal with chronic illness and improve options for home care. I commend them both for their good work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO ERNESTINE HAYES

Mr. SULLIVAN. Madam President, I want to talk a little bit about Alaska this afternoon. Alaska is a beautiful State. Anyone who has visited knows that. Those who have watched any of the numerous television shows featuring my State know that. We have the mountains that seem to go on forever, fish-filled rivers and streams and oceans, miles and miles of beautiful tundra, calving glaciers.

People save their whole lives to take a trip to Alaska, to see the wildlife, to see the bears, the salmon in the wild. There is no doubt Alaska is physically beautiful, but for those of us who live there, the true beauty of our State comes from our people. From our urban areas to the hundreds of smaller towns and small villages that dot our State, we have so many great citizens doing so many great things throughout all of our communities.

What I want to do is to recognize some of our citizens and tell their stories. So every week I will be doing that. Every week I will be recognizing an Alaskan who has made a special contribution to our great State and great Nation. For the kickoff of the Alaskan of the Week, I think it is appropriate to recognize a storyteller.

Narratives keep the people in my State connected to one another. They keep history and culture alive in our great State. That is what Juneau resident Professor Ernestine Hayes does for us in her writing. Professor Hayes was recognized by the Alaska Humanities Forum and the Alaska State Council on the Arts as the current Alaska State Writer Laureate.

The recognition is well deserved. Professor Hayes teaches writing at the University of Alaska Southeast and is the author of two extraordinary award-winning memoirs, the "Blonde Indian," and the "Tao of Raven." Her books chart her unique experiences of growing up in Juneau as a Tlingit at a time when Alaska Natives were denied basic rights and "No Native" signs were common on storefronts.

Her career as a writer and a teacher began in her fifties. Living the principle that learning should be a lifetime passion, she graduated from the University of Alaska Southeast—magna cum laude, I might add—when she was 55 years old. In between, she moved to California, where she struggled to find

purpose, and, as she put it, she was determined to go back home to Alaska or die facing north.

Thankfully, for us, she made it back home. In the "Tao of Raven," she weaves in the story of Raven and the box of light. Professor Hayes writes about the importance of giving back to the community. "Although Raven could well have decided to keep light and luster and blinding brilliance for only his own pleasure," she writes, "he knew that to keep riches to oneself guarantees their decline."

I congratulate Professor Hayes for being chosen as our State's Writer Laureate and our first inaugural Alaskan of the Week. Thank you, Professor Hayes, for sharing your blinding brilliance.

I yield the floor.

Mr. WYDEN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MORAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kentucky.

AMENDMENT NO. 1

Mr. PAUL. Mr. President, tonight we will vote on a conservative budget that balances within about 5 years and saves the country from trillions of dollars of new debt.

This budget that will be presented as an alternative also allows us to repeal ObamaCare at the same time. We have taken the identical language from the underlying budget, put it into the replacement budget, but we have done something different. Instead of allowing spending to continue to grow unabated, instead of allowing spending to grow at such a rate that we will add \$9.7 trillion to the debt, we do something novel—something that I consider to be the conservative vision for our country. We actually freeze spending. We just say: no more spending. Interestingly, the budget will balance. The country's budget would actually balance, and we wouldn't add \$9.7 trillion if we simply freeze spending. I think there is something in my version of the budget for both Republicans and Democrats because mine calls for a freeze in spending but would allow the different Appropriations subcommittees to decide where the spending would be cut.

So, for example, if you decided that we needed more military spending but you thought that maybe we could spend less on corporate welfare, you might cut out the Department of Commerce. You might not know it once we did it. You might not know that the Department of Commerce really could be eliminated and you really wouldn't notice that it was gone.

We look at the budget and we look at the spending every year, and we re-

count all of these terrible wasteful episodes of spending. Yet they never get fixed. Why? Because we continue to give government more money. The current budget that we will vote on will increase spending at about 5 percent a year.

You will hear from people this "Washingtonese"—this language that says: Well, we are just holding to the baseline. All this is the baseline. Son, just vote for the baseline. Jump on the team and vote for the baseline. The problem is that the baseline is not flat. The baseline is inclined, and that increase in spending every year is what is bankrupting the country. Spending is going up 5 percent a year. That is what the baseline is. So when people say that we are going to cut trillions of dollars or this is a frugal budget, they are talking about cutting spending from the proposed increases in spending.

To illustrate that, the budget I am offering isn't even a cut of any kind. It is a freeze. Has anybody in America ever had their income frozen? Has anybody in America ever had to take a cut? Why shouldn't government? Why shouldn't we force government to look at their finances and say: You know what, this spending is good, and this is not so good.

I will give you an example. We spent \$700,000 last year studying Neil Armstrong's statement on the moon. Neil Armstrong landed on the moon and said: "That's one small step for man, one giant leap for mankind." Your government, in its infinite wisdom, spent \$700,000 to study that to determine whether Neil Armstrong said "one small step for a man" or "one small step for man." After spending \$700,000, your government concluded that they still don't know.

They spent \$500,000 studying selfies. If you take a selfie of yourself and you smile, will you feel better later? They spent \$2 million studying whether or not if you are standing in a food line at a buffet and the guy in front of you sneezes on the food, are you more or less likely to eat the food.

You can't make this stuff up. Yet the budget that we are being offered does nothing to fix any of that. It just puts a stamp down and says: We are going to keep doing things the same way we have always done them. Well, my friends I think we should do things differently.

I think a \$20 trillion debt is alarming. I think it is the No. 1 problem we face as a country, and someone ought to do something about it. So I didn't have much luck saying: You know what, guys, we should produce a balanced budget.

So what we got is \$9.7 trillion, and I can't support that. So I offer an alternative for people who believe that debt is a problem. They can vote for my alternative, and it still maintains the

exact same language that the underlying budget has for repealing ObamaCare. You can do both. Why should it be an either/or? Why should it be that, well, we have to vote for a crummy budget, but that is the only way we can get to ObamaCare. Why don't we vote for a budget that balances? I thought that was what we were for.

I remember a time when Republicans talked about not only freezing spending, but some actually said we should reduce the size and scope of government. That is what Ronald Reagan said. Yet government grows inexorably. Over and over, year after year, government grows. We had Republicans in charge about 10 years ago. Remember? George W. Bush was President. We controlled, I think, both branches for at least one period of time, and yet the debt doubled under George W. Bush's administration from \$5 trillion to \$10 trillion. Under President Obama, it has gone from \$10 trillion to \$20 trillion. Now you have Republicans saying: Put us in charge. Put us in charge of the House. You did, in 2010. Put us in charge of the Senate. You did, in 2017. Put us in charge of all three branches, and we will make a conservative vision for the country. We will balance budgets. We will reduce spending. Yet this is an all-Republican Congress where only Republicans will vote on the budget today, and yet we will be voting on a budget that will add \$9.7 trillion.

I am told by some: This really isn't a budget; we are going to call it the vehicle to repeal ObamaCare.

That is not what it is called. It is sitting right here. It is called the concurrent resolution on the budget for 2017—because, whoops, we didn't get to it last year, but we are getting to it this year.

This is the budget. It does have numbers in it, and I think the numbers in the budget are of significance. I think, when we look at the numbers, we should make them mean something. But people say to me: Well, numbers don't mean anything. Just vote for it so we can repeal ObamaCare. We have to repeal ObamaCare. So just vote for the numbers, no matter what they are.

I guess my response is this: If the numbers don't mean anything, why don't we put good numbers in there? If the budget is inconsequential and means absolutely nothing and only Republicans are going to vote for it, why don't we put numbers in it that lead to balance, because then we can go home to the people who voted for us and said they wanted us to balance the budget and wanted us to restrain ourselves and we can say we did what you told us to do. Instead, I have to go home and tell people that the Republicans introduced a budget that allows \$9.7 trillion. I am told that we are going to do a better job, and 3 or 4 months from now we will do it again. I fear that in 3 or 4 months,

when we come back, they will say: Well, you already voted for it once. Why don't you vote for it again? It is the same thing you voted for last time, and it is just a baseline. Well, the baseline is not flat. The baseline is increasing at 5 percent a year, and that is a problem.

We have to look at spending across the board. All of the spending has to be looked at. The great thing about what I offered as an alternative is that, whether you are a liberal or conservative, it doesn't define exactly where you have to have the cuts come from. It says what the overall number will be, and it will keep us from increasing spending. What you could do to get to a freeze is you could cut or eliminate some parts of the government, like maybe the \$700,000 we spent studying Neil Armstrong's statement, which could be eliminated completely, and maybe the \$30 billion we spend on corporate welfare in the Department of Commerce. Maybe that can be eliminated and not one poor person would go hungry. Maybe a couple of rich CEOs will have to fly in their own jet instead of flying in a taxpayer jet when they are flying around the world. You could eliminate the Department of Commerce and you could keep spending for other items. If you think the military is bloated, you can actually cut money in the military and spend it on other items in the budget.

The bottom line is, if you vote for this amendment, you will be voting for fiscal conservatism that says: Enough is enough. We have a \$20 trillion debt. We are borrowing \$1 million a minute, and enough is enough. If you are a fiscal conservative, if you are worried about the debt of the country, I hope you will support my amendment, which replaces the underlying budget with a Federal on-budget spending freeze and actually leads the budget into balance in the near future.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, it is my understanding there is 2 minutes equally divided between the proposer and the opposition.

The PRESIDING OFFICER. Who yields time?

The Senator from Kentucky.

Mr. PAUL. Mr. President, I propose the Senate vote for this budget because it leads to balance, it is fiscally conservative, it allows the Senate and the Congress to decide where money will be spent and where it will not be, it will eliminate waste, and—above all—will get us on the right track toward eliminating or at least staying the expansion of a \$20 trillion debt. I think this is the biggest problem we face as a country.

As much as I think ObamaCare is a mistake, just ignoring the debt to get to ObamaCare is also a mistake.

For those who are or claim to be fiscally conservative, I ask that you will consider voting for a budget that actually balances and continues to have the underlying language in it that would also allow us to repeal ObamaCare.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I begin by thanking Senator PAUL. He has shown a lot of courage for standing and exposing the hypocrisy of the Republican budget resolution.

Year after year, we have heard from our Republican colleagues that the United States is going broke, that we have huge deficits, that we have a \$19 trillion national debt, that we have to cut Social Security, we have to cut Medicare, we have to cut Medicaid, we have to cut funding for education, we have to deal with the deficit.

As Senator PAUL has indicated, if the Republican budget resolution passes, the Federal deficit would more than double over the next decade, going from \$571 billion this year to over \$1.3 trillion 10 years from now.

I hope all of the deficit hawks on the Republican side hear what Senator PAUL has to say and support him.

I will not support him because I understand that the cuts that he is proposing are devastating to working families, to the elderly, to the children, to the sick, and to the poor. They would mean massive cuts in Medicare, Medicaid, Federal aid to education, and a variety of programs people desperately need, so I will oppose the amendment.

All of my Republican friends who talk about the deficit year after year, here is a vote you should cast.

Thank you.

The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to the amendment.

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), and the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 14, nays 83, as follows:

[Rollcall Vote No. 3 Leg.]

YEAS—14

Crapo	Lankford	Rubio
Cruz	Lee	Sasse
Daines	Moran	Scott
Flake	Paul	Toomey
Kennedy	Risch	

NAYS—83

Alexander	Fischer	Murphy
Baldwin	Franken	Murray
Barrasso	Gardner	Nelson
Bennet	Gillibrand	Perdue
Blumenthal	Grassley	Peters
Booker	Harris	Portman
Boozman	Hassan	Reed
Brown	Hatch	Roberts
Burr	Heinrich	Rounds
Cantwell	Heitkamp	Sanders
Capito	Heller	Schatz
Cardin	Hirono	Schumer
Carper	Hoeven	Sessions
Casey	Inhofe	Shaheen
Cassidy	Isakson	Shelby
Cochran	Johnson	Stabenow
Collins	Kaine	Sullivan
Coons	King	Tester
Corker	Klobuchar	Thune
Cornyn	Leahy	Udall
Cortez Masto	Manchin	Van Hollen
Cotton	Markley	Warner
Donnelly	McCain	Warren
Duckworth	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Wyden
Ernst	Merkley	Young
Feinstein	Murkowski	

NOT VOTING—3

Blunt	Graham	Tillis
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The amendment (No. 1) was rejected.

AMENDMENT NO. 20

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 20 offered by the Senator from Vermont, Mr. SANDERS, for the Senator from Hawaii, Ms. HIRONO.

Who yields time?

The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today to urge my colleagues to vote for amendment No. 20. What this amendment does is to protect Medicare and Medicaid in a way that will help millions of people in our country, and it comports with President-Elect Trump's promise to protect Medicare, Social Security, and Medicaid. So I urge my colleagues to vote for amendment No. 20.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this amendment is corrosive to the privilege in the budget resolution, meaning that it is outside of the scope of what is appropriate for a budget resolution. Any inappropriate amendment could be fatal to the privilege of this resolution, which would destroy our efforts to repeal ObamaCare. In other words, a vote in favor of this amendment is a vote against repealing ObamaCare.

In addition, this amendment is not germane to this budget resolution. This budget resolution is much more focused than a typical budget resolution. The Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment does not meet the standard required by budget law, a point of order would lie against it; as such, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 47, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—49

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Heller	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Casey	King	Stabenow
Collins	Klobuchar	Tester
Coons	Leahy	Udall
Cortez Masto	Manchin	Van Hollen
Donnelly	Markley	Warner
Duckworth	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Murphy	
Gillibrand	Murray	

NAYS—47

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Hoeven	Rounds
Cassidy	Inhofe	Rubio
Cochran	Isakson	Sasse
Corker	Johnson	Scott
Cornyn	Kennedy	Sessions
Cotton	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	McCain	Thune
Daines	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NOT VOTING—4

Blunt	Graham
Carper	Tillis

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, there was debate on the Senate floor that went on for years. It was a personal thing, a personal issue with two Senators—one was a Republican, the other

a Democrat. The Republican was Senator Pete Domenici of New Mexico. The Democrat was Senator Paul Wellstone of Minnesota. The two of them had teamed up with a very simple goal in mind. They wanted to make sure every health insurance policy in America covered mental illness.

When you think about the fact that so many Americans suffer from some form of depression and that mental illness is something that so many families—at some point or another—face, you wonder: Well, why didn't the health insurance policies cover mental illness? The reason, of course, was that it takes some extended, and oftentimes expensive, care to help those with mental illness. In other cases, there was an argument made that you will not find a cure.

Things have changed a lot in the world of mental illness over the last few decades and changed for the better. There are new medications that are available and some even better ones on the way. There is new treatment available and more hope for people. Pete Domenici, a Republican from New Mexico, and Paul Wellstone, a Democrat from Minnesota, did not give up. They insisted on it, and they won.

They won with the requirement that health insurance policies cover not just mental illness and treatment but also substance abuse treatment. I will be honest with you. I followed that debate closely. I did not pay that much attention, at the time, to the substance abuse treatment part of their effort. Now I have. I think many people across America have. There was a supplement in the Chicago Sun Times this morning, published by USA TODAY. It is entitled "Obamacare repeal jeopardizes mental health, addiction coverage."

I tore it out of the paper on the airplane to bring it to the floor of the Senate because this a good day for us to reflect on what this article has to say. We are now in the midst of the budget resolution effort that is designed by the Republican majority to repeal ObamaCare.

The Republicans hate ObamaCare. They hate it almost as much as the devil hates holy water. They have tried for 6 years to repeal it with a singular focus. I don't know how many times they voted in the House—some said over 60 times—to repeal it. They have said that for so many years, and we have said to them: What will you do after you repeal it? They said: Well, we have a plan. For 6 years, they have said: We have a plan to replace it.

We have never seen it. No one has ever seen it. It raises the question about whether they do have a plan. They certainly have a plan to repeal it, but when it comes to replacing it, they don't offer anything—but they are going to go ahead with it. They are bent on doing this regardless of the outcome. For a lot of people across

America, this could be devastating. This article talks about a family in Kentucky, the home State of the Republican leader. Melissa Fleckinger of Edgewood, KY. She had to pay for heroin treatment for her daughter Amanda before the Affordable Care Act. Her son Brian's treatment for heroin addiction was covered by the ACA, but unfortunately he died of an overdose in 2015.

This article goes on to talk about what it means to have children who are addicted to drugs and parents who are desperately trying to find treatment. Some of the things that are said in the course of this are really worrisome because this article spells out what happens to families without health insurance that covers substance abuse treatment. They become helpless, unable to take care of their kids.

The Republicans have come back and said: Well, we will just do a partial repeal of the Affordable Care Act. Listen to what this articles says:

Almost any route taken on Capitol Hill leads to an unraveling of addiction and mental health coverage for those people. Even the partial ACA repeal Congress is considering would eliminate the tax credits that reduce the premiums for about 85 percent of the people who buy insurance on the exchanges. Most of those who get the tax credits pay less than \$100 a month for health insurance and have very low out-of-pocket costs that make it possible for them to afford coverage.

What they go on to say here is that putting a requirement in the health insurance policy that it cover mental health illness and substance abuse treatment means nothing if the people cannot afford to pay the premiums for the health insurance policy. So the Republican plan that would eliminate the tax credits families need to be able to afford the policy means there is no way they are going to get coverage for themselves and their kids.

Who is going to be affected by that? I will tell you what I found in Illinois. What I found in Illinois is that the current opioid and heroin epidemic is everywhere. There is no town too small, and there is no suburb too wealthy to avoid it—story after story of teenagers and young people addicted who have no place to turn.

If the Republicans have their way in the Senate and the House, they will close the door for many of these young people. I see my colleague from the State of New Hampshire. I was stunned to read—I don't know if it is still the case, but I was stunned to read several months ago that when you look at the average number of deaths from opioids and heroin across the Nation—and Illinois is, I am not making any excuses here, we are average—the rate of death for heroin-opioid overdoses in West Virginia is twice the national average, and the rate in New Hampshire is three times the national average.

Listen to what the repeal of the Affordable Care Act would mean in New Hampshire. I might say to the Senator from New Hampshire that she is quoted in this article.

Repealing the ACA would cause [in New Hampshire] nearly 120,000 people to lose coverage in the State, where federal data show a nearly 200% increase in overdose deaths in the past five years. More than 48,000 Medicaid claims were for substance use disorder in 2015, making an ACA repeal [in the words of Senator SHAHEEN] "literally a matter of life and death."

Ohio. At the Cincinnati Center for Addiction Treatment, CEO Sandra Kuehn said about 30% of Kuehn's patients are covered for treatment because of the expansion [under ACA]. Overdose deaths in Ohio climbed from 2,531 in 2014 to 3,050 in 2015, up more than 20 percent.

Kentucky.

The home State of the Republican Senate leader.

Overdose deaths here totaled 1,248 in 2015, up 17% from the previous year. Fentanyl—which is much stronger than heroin—was involved in 420 fatal overdoses in 2015, up nearly 250% over the previous year.

The lady who was quoted earlier who lost her son to the overdose was not surprised. She knows several other people who have overdosed and many others who have died, including one last week.

Chicago.

I am proud to represent it.

Up to 30% of the 9,000 inmates in the Cook County Jail have a diagnosed mental illness. . . . "The ACA has been a game changer for those who were in and out of Cook County Jail," says Mark Ishaug, CEO of Thresholds, a Chicago treatment provider. It costs less than \$20,000 a year for Threshold's highest level of community-based mental-health care with a housing voucher. . . .

So \$20,000 a year or less than that. Do you know what it costs to incarcerate that same person? It costs \$70,000 a year to incarcerate them. About one-third of the patients being treated by Thresholds are covered by the Affordable Care Act. What is the alternative, I say to my Republican friends. They can't wait to repeal this, but they don't have an alternative.

Meanwhile, in Illinois, in New Hampshire, in Maine, and every State in the Nation, mental illness is still a challenge, and substance abuse is on the rise and people are dying from heroin and opioid overdoses. This is the height of irresponsibility, to repeal this measure with no replacement. It is sad to say we have reached this point where a political score has to be settled now that the Republicans are in control of the House and the Senate.

Now that they have an incoming President, the Republicans finally get their day. Someone said to me: Why is public sentiment starting to change on this issue and even among Republican politicians? I said: They have been saying irresponsible things for a long time, but now people are taking them seriously. As they take them seriously,

they realize what a devastating impact it is going to have.

Nicholas Kristof wrote in the New York Times last week:

If the Republicans ran a home renovation business, they would start tearing down your roof this month and promise to return in 2019 with some options for a new one—if you survived.

Last week, Senator RAND PAUL of Kentucky wrote an op-ed arguing that repeal should not be done without simultaneously being replaced. Senator BOB CORKER, Republican of Tennessee, has said that repealing the law without replacing it is "a flawed concept" and that having a replacement ready first would be a more "prudent approach" in the Republican Senator's words.

Senator SUSAN COLLINS, Republican of Maine, has said she would like to see "detailed framework" accompanying any repeal.

Senator TOM COTTON, Republican of Arkansas, said: "I don't think we can just repeal ObamaCare and say we are going to get the answer 2 years from now."

Over and over again, these Republican Senators are realizing how totally irresponsible it would be if we go forward with this proposal. I will tell you what troubles me as a representative of a State that has the great city of Chicago and a wonderful metropolitan area. I come from the other end of the State, the rural part of our State. I wonder what is going to happen to our rural hospitals if the Affordable Care Act is repealed. I think about Franklin Hospital in Benton, IL, population, 7,300. The hospital has been there 60 years. In the past 15 years, it has been teetering on the brink of bankruptcy. It all changed 6 years ago with the passage of the Affordable Care Act and the expansion of our Medicaid Program in Illinois.

Because of those changes, Franklin Hospital found they could survive. Expanding Medicaid cut Franklin Hospital's uncompensated care in half. In Franklin's emergency room, they saw 600 fewer no-pay patients and 428 more Medicaid patients compared to the previous year. This, combined with increases in Medicaid funding, allowed Franklin Hospital to invest in much needed improvements and to consider bringing nuclear medicine and a retail pharmacy to Benton, IL. What does that mean in that city? Well, it means all the difference in the world. There is something else that has to be said. If that hospital—Franklin Hospital in Benton—closes, it will not just mean a longer drive for critical health care, it is going to mean job losses. It will mean the loss of 4,300 jobs in the 12th congressional district, where Franklin Hospital is located.

So when the President-elect talks about saving 6 or 800 jobs at Carrier Corporation, good; I am glad. But then for his party to turn around and pass a

measure which could kill 84,000 to 95,000 jobs in Illinois, that is a move in the wrong direction. I say to my Republican friends, go home and talk to the people you represent. Listen to what they have to say about what we are doing—addiction, mental illness, and rural hospitals that are on the brink of closing, if you have your way politically. This is no victory for the people of America to repeal the Affordable Care Act without a replacement that is as good or better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, my colleague from Illinois has addressed very clearly what some of the human consequences of this are going to be. I am going to take a few minutes as well to describe it. I am very pleased our colleague Senator MURRAY is here because she has really led the effort—and I have been very pleased to join her—in terms of trying to promote expanded health care services for vulnerable women in America.

I say to Senator MURRAY, I saw there was a comment made by some who advocate the repeal of the Affordable Care Act. They said: Nobody was going to get hurt—nobody in America was going to get hurt. The reality is, that is not true for the hundreds and hundreds of thousands of women who depend on Planned Parenthood for basic health care, for preventive health services, for essential services, for example, like cancer screens.

So this notion that somehow nobody is going to get hurt by repealing the Affordable Care Act is simply contradicted, from rural Oregon to rural Maine, when you see the kind of pain and suffering this is going to end up generating for some of the poorest and most vulnerable women in our country. The fact is, what has been set in motion by Republicans here in the Senate is a scheme that I call repeal and run. It is about very large tax breaks for the most fortunate, paid for by taking health insurance away from millions of working people. Under it, the insurance companies are back in the driver's seat, health care costs skyrocket across the board, and that is true even for those who get their insurance at work.

The replacement plan our colleagues on the other side have promised for years is somehow hidden away, with tens of millions of Americans in the dark about what is coming next for their health care.

Whenever I hear about the replacement, the whole notion of what would be there for families in the future, it reminds me of what used to be the old movie house in town. It had a big marquee up at the top of it, and it would always talk about the movie "coming soon," but the movie never actually got there. When I hear about the re-

placement, what I think about is that everybody is going to be sitting in the dark again.

What is essentially at stake here is whether America is going to go back to the days when health care was for the healthy and the wealthy. That is what health care used to be all about. If you were healthy, no problems, nothing to worry about. If you were wealthy, you could just write out checks when you had a whole host of preexisting conditions.

What the Senate is going to vote on this week is whether to green-light the first step in this scheme to go back to the days when health care was for the healthy and wealthy with a budget resolution.

I think it is fair to say budget resolutions usually aren't the prime topic at dinner table conversations in America, but this year there are serious consequences—serious consequences—personal, life-and-death consequences because of this scheme that is being pushed through the Senate. That is where I believe the focus ought to be and why I am going to spend the remainder of my time talking about persons whose lives in Oregon are going to be directly affected and, in some cases, endangered.

Maleta Christian is from Douglas County, OR, a beautiful rural community. She is a personal support worker, providing care to adults with intellectual and developmental disabilities. She had always carried health insurance until she was unexpectedly laid off from her job. She was without coverage for more than a year, but then she was able to buy a plan through the Affordable Care Act.

For Maleta, having insurance meant cancer screenings that, very likely, saved her life. Doctors found tumors that had to be removed. Later, she was diagnosed with a degenerative hip and back problems that caused her pain every day, making it difficult to get through a physically demanding and grueling job.

Her prescription drug coverage, which she gets through a plan under the Affordable Care Act, is what makes it possible for Maleta to get up every morning and get through that workday. Thanks to the care she has received, Maleta made it to her daughter's wedding, and she was proud that she even baked the cake.

Another Oregonian, Rita from Salem, comes from a family who has been struggling with depression. It is a condition that has been stigmatized for far too long in this country.

I know something about this because my late brother, Jeff, faced the stigma of mental health. He was a schizophrenic, and he passed at far too early an age. Far too many of those with mental illness have been denied care and shunted to the fringes of society.

Before Rita got coverage through the Affordable Care Act, she was forced to

pour a staggering share of her income into health-related expenses. It was nearly two-thirds in 2011. Even then, she didn't have access to the mental health treatments she needed. Her depression used to keep her out of work.

With coverage from the Affordable Care Act tax credits that made it affordable, Rita's costs have fallen substantially. She now gets the prescription and therapy that help her manage her condition, and she can live a healthier life.

Another of my constituents is Mary, who lives in Milwaukie, OR, with her husband and 7-year-old daughter. She has a hereditary disease known as HAE. It is a rare genetic condition that causes dangerous swelling, lasting days at a time, affecting various parts of the body. If Mary goes without treatment, attacks come on regularly, even multiple times a week. When they do, it is completely disabling.

Before she got insurance through the Affordable Care Act, she rotated through health plans and insurers to maintain coverage and avoid hitting caps on treatments. She sought out clinical studies to get free care, typically participating in one each year.

So on top of holding down a job, raising a daughter, battling a life-threatening condition that affects 1 in 50,000 Americans, she was basically out trying to cobble some decent health care together. The system was so badly broken, she basically sewed her own health care safety net, but the ACA protected patients like Mary from discrimination and guaranteed access to care.

These are three Oregonians. They come from different backgrounds, and they have battled different conditions, but they share a lot in common with each other and with people around the land.

Not long ago, in the eyes of insurance companies, the women who I just mentioned would have worn their preexisting conditions like scarlet letters. But the insurance they have now gives them the opportunity for healthier, more productive lives, and that is what is endangered because of the scheme that is being pushed through Congress, pushed through the Senate by Republicans right now.

Costs are going to shoot up if the plan goes forward. The premium subsidies millions of Americans count on to buy insurance could be eliminated. Even if Americans with preexisting conditions have access to health care after this repeal scheme goes through, it doesn't mean they can afford it.

What my colleagues on the other side have said repeatedly for years is that they were going to repeal and replace—no gap, no harm done to anybody. The replacement would be ready on day one.

It sure looks as though that promise is going to be broken. The replacement

is still hidden somewhere, but the process of repeal is rolling forward. In the meantime, millions of Americans are left guessing what is going to happen to their care if this plays out.

The bottom line for me and my colleagues is really this. If Members on the other side want to debate how to solve this country's health care challenge, we will have that debate.

I would say to my colleagues on the other side: I have spent about as much time as anybody here in this body looking for bipartisan approaches to address health care. So let's find ways to bring down costs for families. Let's make prescription drugs more affordable. Let's uphold the promise of Medicare because that is what it is; it is a promise of guaranteed benefits. But we are not going to be able to do that on a partisan scheme called the budget resolution and reconciliation. That is not about bringing people together for a bipartisan effort. That is about tearing things down, tearing down the Affordable Care Act, so I want that understood.

My colleague Senator MURRAY is here. She and I work together closely because of our committees. We feel very, very strongly about how uniquely important this time is because this is a time when our country has to decide not to go back to the dark days when health care was reserved for the healthy and wealthy. That is what the other side has on offer right now. It is a proposition that my colleagues and I are going to fight with all our strength.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor of the Senate tonight with my colleagues to share the stories of families in our home States whose lives are now healthier or have even been saved because of the Affordable Care Act, including those who depend on Medicare and Medicaid, people whose voices now more than ever need to be heard here in Washington, DC.

But first, I am going to make clear how the Republican plan to repeal the Affordable Care Act will rip apart our health care system. And after what came to light late last week, I also come to the Senate floor tonight to stand with the millions of women, men, and families nationwide who are rightly outraged that this reckless and harmful effort also includes a plan to defund Planned Parenthood.

For 7 years now, congressional Republicans have made all kinds of empty promises about how undermining families' health care isn't going to hurt anyone; that if the Republican-controlled Congress privatizes Medicare, cuts Medicaid, defunds the Nation's largest provider of women's health care, and guts public health and pre-

vention programs, somehow families are going to be magically better off.

Well, let me be clear. Ripping apart our healthcare system with no plan to replace it will create chaos. This is a view shared not just by the Senate Democrats who are here tonight but by independent experts. In fact, it is a view shared increasingly by State Republican leaders across the country, including some Senators and Congressmen.

Last Friday, just to cite one example, the Republican Governor of Arizona urged his party in Congress not to rush to repeal the Affordable Care Act, saying: "I don't want to see any Arizonan have the rug pulled out from underneath them in terms of changing this law."

Mr. President, if Republicans repeal the Affordable Care Act, it is women and kids and seniors and patients with serious illness and people with disabilities who will bear the burden. Premiums will skyrocket. Out-of-pocket prescription drug costs will rise, and overall health care costs will increase. It is a perfect storm to make America sick again and is absolutely the wrong direction for our families and our economy.

Mr. President, I have to say, I have never seen a start like this to a Congress, where the majority is jamming legislation through on a fast-tracked basis with no hearings for public debate or actual legislative text. As a former chairman of the Budget Committee, I have to say I have never seen such an abuse of the budget process.

What many of my Republican colleagues are doing right now is unprecedented, but it gets worse. As if all of their harmful plans weren't enough, House Republicans announced last week after meeting with Vice President-Elect Pence that they plan to defund Planned Parenthood in this budget. In other words, congressional Republicans are not only trying to undo a law that protects women from being charged more than men for their health care and ensures birth control is covered without a copay, they are also going after the Nation's largest provider of women's health care as well. They are doubling down on their shameful and tired obsession with undermining women's access to health care, and it will have devastating consequences for women's health and rights and economic security.

So I am here with a very clear message: not on my watch. I, along with my colleagues and women and men across the country, have fought this fight before in 2011, in 2013, in 2016, and we will fight it in 2017. We know what Planned Parenthood means to millions of patients—men and women—who have trusted it for over 100 years for cancer, STD screenings, for HIV tests, birth control, and so much more. We are not going to let extreme politics

get in the way of their health care. So if Republicans think causing chaos in our health care system, heightening economic uncertainty, attacking women's health and rights, and burdening our seniors and their families with higher health care costs somehow makes our country "greater," they are obviously not listening to millions of families who did not vote in November for higher premiums or a health care system thrown into chaos.

I have gone back to my home State of Washington, and I have heard from moms and dads and grandparents who are finally experiencing some stability and are able to cover their families with quality, affordable health insurance—many for the very first time. There was a mom from Bellingham, WA, who sent me a story about how the Affordable Care Act helped save her son's life when doctors found a life-threatening blood clot during a routine physical. She was not only able to afford the preventive check-up that found the clot because of her new coverage, but her son's treatment was then covered by the Affordable Care Act through the Medicaid expansion.

I heard from a small business owner from Spokane, WA, who told my office about his wife, a retired nurse of 62, and how she was able to get a better plan thanks to the Affordable Care Act. He told us what this meant for his wife and his family. You bet he gets upset when he hears Republicans say the law hasn't worked for anyone or that they want to privatize Medicare by turning it into a voucher program.

Finally, I want to share the story of Kalon, who is a software engineer from Seattle, and his son Bryce. Kalon reached out to my office right after the November election. Two years ago, his son Bryce was kayaking in West Virginia and he injured his back. The pain in Bryce's back didn't go away for months. What doctors first suspected as a stubborn muscle strain ended up to be a rare type of bone cancer called Ewing's sarcoma, a horrible illness. Thankfully, his family had health insurance.

Today Bryce is getting excellent treatment at Seattle Children's Hospital, where doctors have been able to ease some of his pain, and he is responding well now to chemotherapy. Bryce, who is now almost 18, will need care—expensive care—for many years to come, and Bryce's dad, Kalon, is greatly concerned that, if the Affordable Care Act goes away, the pre-existing condition protection that we fought so hard for in this law will go away, and his son will not be able to afford health care or get the benefits or treatments he is going to need in the future.

Those are just three stories, but they represent many of the more than 600,000 people in my State who are part of the 30 million Americans across the

country who are benefitting from this law today. Of course, there is more we need to do. I said it before. The work didn't end when the Affordable Care Act was passed—far from it. Democrats are ready. We have always been ready to work together to make health care more affordable and more successful and better for our families.

I hope Republicans reverse course right now and agree to work with us on improvements to the health care system. That is the path to take if they are truly serious about helping families. If they don't, and if they continue rushing to take away families' health care with no alternative plan, they will be fully responsible, and they certainly will be held accountable. The real impact will be on millions of families across our country, families like the ones I just talked about and those you are going to hear about throughout tonight—Democrats, Republicans, and Independents who do not want to see this law repealed and want us to work together to improve it instead.

I hope Republicans are listening. I urge them to make the right choice.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise in opposition to the budget resolution that the Senate will vote on this week. We are nearly half way through the fiscal year, and the Republicans have offered this budget resolution not to set a path forward for spending for the year but to give them the ability to repeal the Affordable Care Act through the budget process, requiring less support than is needed under regular order. This budget is nothing more than a sham, being used to take away health insurance from more than 20 million Americans. What is worse is that my Republican colleagues intend to do so without any plan in place to mitigate the impact and protect the people who will be harmed.

The uninsured rate is at its lowest point in recent history. Since the implementation of the ACA in my State of Rhode Island, the uninsured rate has fallen from 12 percent to under 4.5 percent. In real terms, that means that over 100,000 people in Rhode Island have gained coverage because of the ACA. That is about 10 percent of my State's population. Over 30,000 middle-income Rhode Islanders get tax credits averaging \$250 a month to help them afford coverage on the State's health insurance marketplace.

We cannot go back to a system that allows private insurers to deny coverage for preexisting conditions or charge more to those who need insurance the most. In fact, the Republican plan for repealing the ACA means that nearly half a million Rhode Islanders with preexisting conditions, about half the State's population, will be denied coverage or will be charged more.

Again, as Senator MURRAY described so eloquently in the case of a young man who needs years of expensive treatment, if preexisting conditions are once again possible and if that young man is dropped from his parents' plan at 21, both of those factors will probably deny him the coverage that he enjoys today, and that is not what we want to do. I hope that is not what we want to do.

In my State, there are over 106,000 Rhode Islanders with diabetes, over 112,000 with asthma, and nearly 63,000 cancer survivors who will be forced to pay more for coverage. These are huge numbers in my State—roughly 1 million people in population. They have these conditions, and insurance companies said in the past: We won't cover you, or, by the way, you will be spending 2, 3, 5, 10 times as much for the coverage we extend to someone else.

We have also been able to improve coverage through the ACA for those who are getting their care through their employer. Before the ACA, insurance plans, including employer-sponsored health coverage, could impose annual or lifetime limits on coverage, meaning that coverage could end when it was most needed. You could have a job, and you could have insurance at a job, but if you have a serious condition, when you reach that limit, that is it—no more responsibility by the company. That is exactly the time you need the help because you have already either exhausted some of your own resources or you are in a position where you have been sick for so long that your ability to go back into the workplace is practically nonexistent. The ACA prohibits these limits, along with ensuring free preventive care and coverage of dependents up to age 26, ensuring real coverage for nearly 600,000 workers in Rhode Island with employer coverage.

There is a perception out there that the ACA doesn't apply to employer coverage and that it has no effect—that if it is repealed, it is fine because I get my health insurance from my employer. That is not the case. The impact will be there, and it could leave many people devastated.

Additionally, the ACA strengthened the rate review processes to help control premiums. Prior to the ACA, double-digit increases were always the norm. When I served in the House and in my first years in the Senate, invariably, when trade associations came to visit me, the first or second issue on the list was this: Our insurance coverage just went up 20 percent. We can't afford it anymore. We are dropping coverage or telling our workers: Do you want a raise, or do you want coverage? You can't get both.

Well, we have to do more to keep premiums under control and bring down costs, but there has been an improvement under the ACA in my State and

in many other States. In 2 of the last 3 years, premiums actually went down from the previous year in Rhode Island. During open enrollment for 2017, Rhode Islanders saw decreases of as much as 5 percent in their premiums. In fact, due to the ACA, consumers in Rhode Island have saved nearly \$220 million since 2012, according to the State resource.

This program has done something that we were feverishly trying to do, which was to somehow bring costs under control and reduce them if we could but certainly eliminate the double-digit growth, when every year every employer group was coming in and saying: We can't afford this. We want to cover our workers, but we can't. We are giving them that choice, or we will have to sadly say we can't give you insurance anymore. Repealing the ACA would end all of these consumer protections and put insurance companies back in charge.

One other thing that it has done is that we actually required that a significant amount of the premium be used for health care, not overhead. We actually built into the law that, if you are going to charge a premium, it better go to help people get health care, not just to boost your profits, dividends, or anything else. That is another factor that has helped positively this rate and premium structure.

Then, of course, there is a huge economic impact of ACA repeal. For years I have heard my Republican colleagues very sincerely and adamantly declare that the ACA is a job killer, that it was going to destroy millions of jobs. That was one of the refrains that echoed throughout this Chamber as we were debating the ACA for months and years afterwards. But what has happened? We have had an unprecedented 75 consecutive months of job growth—something we haven't seen since 1939. Repealing the ACA would wreak havoc on this progress. Premiums for everyone, not just those in the individual market, will skyrocket. Large businesses will see their health care costs go up, which means workers will forgo pay increases as their employers struggle to simply maintain health care coverage or they will drop the coverage entirely.

We have come a long way since the economic downturn in 2008, and we have much more work to do to keep things moving in the right direction, but one of the worst things we can do for the economy is to repeal the ACA.

Rhode Island stands to lose over \$7 billion in Federal funding over the next 10 years with repeal. Again, that is a staggering number in my State—\$7 billion. That would be devastating for the State because they would have to step up as best they could, and frankly, they don't have the kind of resources to replace that loss. It would have an effect on hospitals and other health care providers. Hospitals in Rhode Island stand to lose nearly \$2 billion in

funding on top of the added expenses of emergency room care for the newly uninsured. We remember the old model of health care. The old model was that, if you didn't have insurance, you went to the emergency room. Those emergency rooms were crowded with people. They were much more expensive to treat because they were there without any previous experience with the physicians and without health records, in many cases. They had to do diagnostic tests that were not available and that are now available at the health care facilities because they have insurance. All of that would come undone. It will be a huge impact on the economy.

One of the largest employers in the State of Rhode Island is the hospital system. I don't think we are alone. If you go out into the rural parts of the United States, in many cases, the biggest employer in many counties is the health care system, the hospital system. When they can no longer make their books balance, they are going to have to start closing down operations, laying people off. That is what is going to happen. This is not farfetched. We have seen it before. We have seen struggling hospitals struggling under emergency room uncompensated care. We have seen all these things happen before. Repealing the ACA would lead to a combination of all these factors—skyrocketing premiums and the loss of Federal funding in health care for States, which would have a ripple effect throughout the country.

If Rhode Island or any other State has to step in and partially make up for the loss of Medicaid funds or any other aspect of this program, where are they taking it from? Where are they taking it from? Education, infrastructure, public safety. They will suffer. Ultimately, it is the jobs—the jobs of the people in my State and the jobs of people across the Nation.

So there are things we can do to strengthen the bill. Senator MURRAY was very clear about attempts we have made. She has been one of the great leaders in this effort to make improvements. We have been working on and improving Medicare since 1965, and we still have some work to do, but that was a different program. That was a program that was a bipartisan program, one that was embraced and developed and supported. In fact, one of the ironies today is some of the staunchest supporters and protectors of Medicare are Republicans, as well as Democrats, but that was a program that took several decades to work through, and we are still working through issues with respect to Medicare. We are prepared to do that with the Affordable Care Act in a principled, thoughtful, practical, pragmatic way, not to score political points, but to make it a system that is more affordable, more effective, and that gives more American families a chance.

Frankly, you don't have much of a chance for a good education, a good job, or a secure retirement when your health is in jeopardy and your finances are equally in jeopardy.

At this point, the Republicans have offered no plan to replace the ACA, and it is a tough task. I served on the HELP Committee as we were drafting this, and we spent over a year on this law. We spent countless moments reaching out to our colleagues on the Republican side asking: Can we make this better? What improvements can we make? We had numerous folks in the mix. It is tough work. To suggest that we can just repeal this and something will magically appear, I don't think that is particularly logical, obvious, or will happen.

Roughly, 7 years have gone by since the passage of this bill, where the Republicans have had a chance to prepare a detailed plan to replace aspects of the ACA or replace it. I don't think that plan is out there. It is certainly not being communicated.

We have to ensure—and Senator MURRAY was very effective in making this point—that we can improve ACA, not demolish it, that, if we get into a legislative process, we produce a better outcome for the American people, not an outcome of denial of health care and financial uncertainty and perhaps even financial ruin.

So we have to get to work. I think we are prepared to do this but in the context of something pragmatic and productive for the benefit of the American people.

Let me switch gears, just for a moment, and talk about Medicare and Medicaid because, when people talk about Medicare and Medicaid, they usually don't make an association with the ACA. They think that is something else. I can recall being in a public discussion in August of 2009, when we were discussing ACA before it became law, and something came up that was very critical about the program because they didn't want publicly funded insurance in any way, shape, or form, and I asked: Where do you get your health care?

Well, I have a private provider.

Again, I asked: Where do you get your health care?

I am on Medicare.

Medicare is, as I recall, a single-payer national system of health care, a funded entitlement by the government, with some copayments by participants.

Medicare and Medicaid are effective in a significant way. We made historic improvements to these programs, enhancing benefits. Indeed, we added 9 years of solvency to the Medicare trust fund. One of the great issues that reverberates throughout this Chamber is we have to control entitlements. We have to prepare for the future. We have to make sure these social programs like Medicare, Social Security, Med-

icaid, and others are solvent. We added years of solvency to the program in the ACA. If it is repealed, subtract 9 years of solvency from the Medicare trust fund. Tell seniors and people in their fifties who are getting ready to enjoy the benefits: Just take 9 years off your expected benefits, or at least a portion of the benefits.

The ACA made a number of other improvements. They closed and are closing the doughnut hole for prescriptions, they eliminated cost sharing for cancer screenings, for example, for Medicare recipients. Over 15,000 Rhode Islanders saved \$14 million on drugs in 2015. That is an average of \$912 per Medicare beneficiary because of what we did with respect to the doughnut hole. In the same year, over 92,000 Rhode Islanders—huge numbers in my State—took advantage of free preventive services, representing over 76 percent of the beneficiaries. Seventy-six percent of the Medicare beneficiaries in my State took advantage of free services. Otherwise, they would have paid out of their pocket, and, frankly, many seniors don't have the resources to do that. Repealing the ACA means these benefits go away, and it shortens the trust fund by about a decade.

Repeal would also mean cutting \$270 million in Federal funds to help pay for health coverage for low-income adults, children, seniors, and people with disabilities through Medicaid. The ACA expanded eligibility and streamlined enrollment and made it easier for the most vulnerable to access quality health care coverage. As a result, approximately 70,000 Rhode Islanders were able to access coverage for the first time through Medicaid—their previous source of health care: most times, the emergency room, if they could get there.

I want to point out a couple of things about Medicaid. Medicaid has become a program for our senior citizens that happens to also help struggling Americans. Seniors make up a small percentage of the Medicaid population but account for approximately half of Medicaid spending nationwide. Nearly 60 percent of nursing home residents are covered by Medicaid. Think about that. Sixty percent of all nursing home residents need Medicaid. The next time you hear someone casually suggest drastic cuts and changes to Medicaid, think about that. Those cuts will work their way back to nursing homes throughout your State. Those families of those seniors are not all people who have been poor and on the margins all of their lives; they are our neighbors, and they will feel it.

In Rhode Island, over 30,000 seniors access health care coverage through Medicaid. My colleagues across the aisle want to make drastic cuts to Medicaid. Make no mistake, cuts to Medicaid mean cuts to nursing home services for seniors and a return to pre-

Medicaid times when the elderly had few options. In the 1950s and 1960s, before Medicare and Medicaid, your grandmother or grandfather was in your living room in a hospital bed being taken care of by typically your mother. That is the way you grew up back in the 1950s and 1960s in most middle-income neighborhoods. That was at least my experience. If you want to go back, that is what would happen, in some respects, if we repeal this law.

If Republicans want to come and work with us, we are ready—more than ready—but we can't stand by and allow them to do the damage they propose: to take away coverage from 20 million Americans and cut benefits to seniors. That is not the right direction for America and for our country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here to join so many of my colleagues to oppose efforts to repeal the Affordable Care Act. Outright repeal without a replacement plan will hurt hundreds of thousands of people in New Hampshire as well as millions across this country. The estimate is anywhere from 20 million to 30 million people who will lose their health insurance coverage.

There are all kinds of reasons why this is a bad idea. Many of those have been addressed by my colleagues very eloquently. I wish to speak about a couple of those reasons.

The first is one Senator DURBIN alluded to earlier; that is, what repeal of this law will mean for the heroin and opioid epidemic that is facing New Hampshire and so many States across this country. Repeal will dramatically worsen that epidemic because it will deny treatment for people who are abusing substances, and it will also deny them access to mental health services. That will mean a surge in overdose deaths, and it will reverse so much of the progress we are beginning to make.

I understand that sweeping health care reform is not easy. We all know the Affordable Care Act is not perfect. It needs work. The way to address it is not to repeal it, it is to work together to make it better. Rather than rush to destroy the Affordable Care Act with no replacement in sight, we should be working together, on a bipartisan basis, to make commonsense improvements to the law. It can be done. I know, because TIM SCOTT and I worked together to pass the PACE Act last year to make it easier for us to control health care insurance increases and to allow States to make the determination about group size for health insurance plans.

One of the things I am hopeful about is that President-Elect Trump, in the course of many visits to New Hampshire over the last year, again and

again pledged to take robust action to combat the opioid epidemic in New Hampshire and across America. Yet, by repealing the Affordable Care Act, President-Elect Trump and the Republican leadership in Congress will make the opioid crisis so much worse. This would be a broken promise to communities all across this country that are struggling with addiction.

The Affordable Care Act has given millions of Americans access to treatment and recovery and saved countless lives, and repealing it would deny treatment to people suffering from substance use disorders. It will cost lives. It will take a terrible toll on communities across America.

In New Hampshire alone, health care reform has helped over 100,000 people gain access to health care coverage—people like Keith from Rindge, NH. Keith was one of the thousands of Granite Staters able to access quality, affordable health insurance through our State's Medicaid expansion program.

Keith told my office that the Medicaid expansion literally saved his life. Keith was suffering from several health issues when he went to see his doctor after he signed up for the New Hampshire Health Protection Plan, which is what we call our expansion of Medicaid. He told us that had he not had insurance, doctors likely would not have caught his kidney cancer early like they did, but because he had that health insurance, Keith was able to afford and quickly access treatment for his cancer. He is thankfully now cancer-free, and he credits having insurance through Medicaid expansion with saving his life.

As I said, New Hampshire is in the midst of a heroin and opioid epidemic. We have talked about the grim statistics frequently in the last year as we have come to the floor. In 2014, we lost 47,000 Americans due to heroin and opioid overdoses. In New Hampshire, when all of the analysis is in for 2016, we are expecting to have lost almost 500 people due to overdose deaths. As Senator DURBIN pointed out, we have one of the highest percentages of overdose deaths in the country.

It doesn't have to be that way because addiction is an illness. It is an illness that doesn't have a cure, but we have made progress in treating it. The Affordable Care Act ensures that substance misuse services are covered by insurance. As a direct result of the Affordable Care Act, many of those suffering finally have access to counseling and therapy like medication-assisted treatment.

In addition to covering substance misuse counseling, the Affordable Care Act is also built on mental health parity provisions that require group health plans and insurers offering coverage of mental health services to provide comparable coverage to what they

provide for other medical care when it comes to substance misuse.

The Affordable Care Act extended these parity goals by requiring mental health services to be covered as essential health benefits, and it also helped expand access to these services by insuring more patients.

We worked very hard, in a bipartisan way, over the last year in this Chamber to pass the Comprehensive Addiction and Recovery Act and to pass the 21st Century Cures Act that provided \$1 billion to address heroin and opioid problems in this country. Both of those bills provide significant benefits to people who are suffering from substance misuse. If we repeal the Affordable Care Act, we are going to undo all of the progress we have made through these supplemental pieces of law because it would reverse the treatment access so many people in New Hampshire and across this country have. Why would we deliberately take away access to this lifesaving treatment from so many people who are struggling to overcome addiction?

Repealing the Affordable Care Act will affect people like Ashley Hurteau of Dover, who said her access to health care as a new Medicaid enrollee was critical to her addiction recovery. She told our newspaper, the Union Leader: "I am living proof that, by giving individuals suffering with substance use disorders access to health insurance, we, as a society, are giving people like me the chance to be who we really are again."

I had the opportunity last Friday to visit a program called Hope on Haven Hill in Rochester, NH. It provides help for women with substance misuse issues who are pregnant or who have just delivered babies. It works because these young women are enrolled in our Medicaid expansion program. Without that, they would lose any opportunity for treatment for their substance misuse. When I visited them, they talked about what it was like to be in a place where it was like a home, where people wanted to help them so that they could provide a better life for themselves and their children.

Without access to lifesaving addiction treatment, many people like Ashley and like those young women at Hope on Haven Hill would succumb to their addiction. Again, what is so frustrating about this situation is that it is completely preventable. It is not only the right thing to do, but it is the economic thing to do because the cost of failing to provide treatment for people who have substance misuse disorders is to make sure that they cannot become profitable, taxpaying members of our society.

One other benefit of the Affordable Care Act that, as Senator MURRAY said, is so critical to 50 percent of our population is access to health care for women. Before the Affordable Care Act,

women paid more for health insurance, and contraceptives were something that made insurance cost more. Particularly for women who don't have the economic means, the Affordable Care Act has, for the first time, made contraceptives available to women without cost-sharing requirements like copays, deductibles, and coinsurance. Study after study has shown that access to contraceptives is one of the greatest indicators of success for women. When women are able to plan their pregnancies, they are more likely to graduate from high school, to enroll in college, to have stable and higher paying jobs, and to make sure that their health outcomes are better for themselves, their children, and their families.

It is especially frustrating that last week our Republican colleagues in the House leadership announced that they are going to use the budget processes not only to repeal the Affordable Care Act and the help that it provides to women for contraceptive coverage, but they are also going to use this vehicle to defund Planned Parenthood. This is not only irresponsible, it is dangerous.

Just this morning, Senator HASSAN and I visited a Planned Parenthood clinic in Exeter, NH. We talked with women who have benefited from the vital services this center provides to thousands of Granite Staters. They talked about how 94 percent of the services provided in New Hampshire Planned Parenthood clinics are related to prevention. This is what one of the volunteers said in talking about the women with whom she had met who had come to Planned Parenthood clinics: What they tell me is that Planned Parenthood saved me.

For so many women who have economic challenges, for low-income women who need access to services in New Hampshire and across the country, they don't have any other place where they can get services if we close down Planned Parenthood clinics. Two counties in New Hampshire don't have community health centers and a place where women can readily go. So defunding Planned Parenthood, closing the doors to Planned Parenthood health centers—in New Hampshire and across this country—would put millions of women in a situation where they have nowhere to go to access basic health care services. This will cost women and their families access to preventive care, and, ultimately, it is going to cost the lives of women.

Repealing the Affordable Care Act is going to actively worsen health outcomes. It will provide less access to care for our most vulnerable populations. It will increase unplanned pregnancies. It will mean that people who have preexisting conditions will not be able to access health insurance in the future. The list goes on and on. The repeal of the Affordable Care Act

will not only throw millions of people off their health care, but it will also impact the coverage of millions of others because millions of Americans will see their premiums rise. They will see reinstatement of lifetime limits. They will see reinstatement of expensive cost-sharing requirements, higher deductibles, a reinstatement by health insurance companies of coverage denials, or sky-high premiums because of preexisting conditions. Why would we go back to those exclusionary and detrimental practices? Why would we go back to a time when we had over 20 million fewer people in this country who had access to health insurance?

Now is the time for us to come together. Instead of scrapping this law, we should be working together to improve it, to make it work for all Americans.

Make no mistake, repealing the Affordable Care Act without a replacement plan, stripping away health insurance for tens of thousands of Granite Staters and over 20 million Americans is not only counterintuitive but it is dangerous. We can do better in America.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Massachusetts.

Ms. WARREN. Mr. President, for 8 years Republicans have complained about health care in America. They have blamed everything in the world on President Obama. They have hung out on the sidelines, name-calling, making doomsday predictions, and cheering every stumble that they could blame on someone else. They spent a lot of energy rooting against families who needed help paying for health insurance or who wanted coverage but were frozen out because of preexisting conditions. They jeered and carried on. But what they didn't do—ever—was lift a finger to try to improve health care in America. But they are in charge now. They get to call the shots.

So what is the first thing on the Republican agenda now that they are in control? Is it working to help improve health care in America, working to bring down premiums and deductibles, making fixes to expand the network of doctors and the number of plans that people can choose from—any of those? No, the very first thing on the Republican agenda in the 115th Congress is to shatter health care in America. The first thing is to rip health insurance out of the hands of millions of Americans who need it. The first thing is to massively raise the cost of health insurance for everyone who has it. The first thing is to create chaos for hospitals, clinics, and insurance companies, and send their costs spiraling out of control. The first thing is to abandon the people they were elected to represent. The first thing is to repeal and run away.

Republicans have been rushing around Capitol Hill for the past couple of weeks, huddling in meetings and trying to come up with a plan to replace the Affordable Care Act. They are shocked—shocked—to discover that guaranteeing Americans access to health care is a complex business, and they don't have any good ideas.

Now, after 8 years of complaining, they are trying to convince each other that it will all be OK if they just repeal health care access, with nothing to replace it. They are trying to reassure each other that they know what they are doing.

Get real. They don't have a clue what to do next. For 8 years they have had no plan, and they don't have a plan now.

Let's be very clear about what is going on here. Republicans want to tear apart our Nation's health care system—a health care system that protects kids with cancer, protects women getting mammograms, protects independent contractors, protects new moms, protects college kids, protects grandparents, protects disease survivors, and protects so many of America's families. They want to tear it apart, and they don't have the first clue what to do with it afterwards. Repeal and run, that's the Republican plan.

In Massachusetts, we know how important health reform is because we have been working on it now for years—long before the Affordable Care Act was even a spark on the horizon in Washington.

My Republican colleagues could learn a lot from our work in Massachusetts. In Massachusetts, the belief that everyone should have access to affordable health insurance coverage is a shared value that Democrats, Republicans, business leaders, hospitals, insurers, doctors, consumers, and advocates have all worked to implement over the past decade. It is not just the lip service we are hearing right now here in Washington. It is real commitment, and, because of it, in Massachusetts we got real results.

Just because we are all behind this effort together in Massachusetts doesn't mean that health care reform has been a cake walk. Finding ways to cover more people and bring down costs, all while improving the quality of care, is a tough job. You have to be in it for the long haul. That is why, in Massachusetts, we didn't just pass one health care law in 2006 and then just run away. We came back a couple of years later with additional legislation to make fixes and adjustments. We formed commissions to study how things were working and to make recommendations for more changes. We passed amendments. We revised our regulations where they needed to be changed to support implementation. We worked to make coverage more affordable. We set standards to make

sure insurance is a good value. We invested in prevention programs to keep people healthy in the first place. We got more coverage for more people, and we lowered health care costs.

We kept working month after month, year after year because we knew what it meant for a family to have the peace of mind that comes with affordable, high-quality health insurance coverage. We kept working because we knew it was the right thing to do. We kept working because we knew that is what Massachusetts residents expected us to do. Once we started something, we had to see it through. When it got tough, we worked harder. We didn't repeal and run.

When the Affordable Care Act was signed into law in 2010, Massachusetts went all in. We expanded our Medicaid program. We used Federal funds to cover people who still lacked insurance even after our State reforms. We set up a State health insurance exchange, the Health Connector, and we combined Federal and State dollars to make sure that insurance was truly affordable.

Just 2 months ago, we signed an ambitious new Medicaid agreement with the Federal Government that will allow us to set up innovative partnerships among health providers, insurers, and community organizations so we can better serve Medicaid patients in our State.

We have a great deal to be proud of in Massachusetts. More than 97 percent of our citizens are insured. People have coverage. They have good coverage—coverage they can afford. This wasn't something we got done overnight, but it is something we worked at, and it is something we can achieve in every State if we are willing to do the work.

Democrats and nonpartisan government officials have worked for years here in Washington to try to make this health system work, and we have made real progress. Now Republicans in Congress are ready to throw away these years and years of progress. They are ready to threaten the collapse of our insurance markets. They are ready to threaten the health and the safety of millions of Americans simply to make a political point. They are ready to repeal and run.

In Massachusetts, right now, families are watching this debate, and they are worried about what happens to them. Kids with diabetes and moms with cancer are worried. Hospitals and insurers are watching, too, and they are worried—worried about an irresponsible Republican Party that is more interested in political stunts than in helping Americans get access to health care.

I don't blame them for being worried because this isn't a game. There is no magic replacement plan that will suddenly make everything all better. In Massachusetts, we can't just snap back to our old health insurance system if

Republicans decide to rip up the Affordable Care Act. Other States across the country are also facing the terrifying prospect that they will be left high and dry as a result of the Republicans' reckless actions.

Every Senator here has ideas about how to improve health care in America, but no Democratic Senator will vote to destroy it today based on the vague assurance that maybe at some point Republicans might think up some kind of replacement plan later on. The Republicans' strategy is repeal and run. Repeal and run. That is not governing. That is not leadership. It is one of the most reckless and irresponsible things that has ever been proposed in this Congress. I know some Republican Senators agree with that. I know they are worried about whether this is the right move forward, given all that hangs in the balance. I hope their consciences get the better of them and they scuttle this plan before it is too late. I hope they remember that every single Senator who votes to destroy health care in America will be responsible for the disastrous consequences that come next.

If Republicans actually want to improve health care in America, let's talk about how to do that. That is what we were sent here to do. That is what voters—conservative and liberal, Republican and Democratic—expect us to do. If Republicans want to destroy health care in America, I will fight them every step of the way. The stakes are too high for the millions of Americans whose futures are about to be sacrificed so one party can make a political point.

Let's stay and do the work that needs to be done to make sure every American gets access to high-quality, affordable health care. Repeal and run is for cowards.

Mr. President, I yield.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I rise, along with Senator WARREN and my other colleagues this evening, to oppose this action by President-Elect Trump and congressional Republicans to take health care away from tens of thousands of New Mexicans.

Let me be clear. What President-Elect Trump and Republicans are doing now will throw health care into chaos. It is reckless. It will hurt thousands of New Mexicans and millions of Americans. The worst part is, the Republicans have no plan to replace care they will take away.

The Affordable Care Act is not a perfect law. I have always said we should work to improve it. It has helped thousands of people in my home State of New Mexico. Before we passed the Affordable Care Act, New Mexico had a high rate of people without health insurance. It was one of the highest in our region and in the country. Since

2010, that number has gone down 44 percent—pretty incredible.

Countless people have written me, called my office, and stopped me on the street to tell me how relieved they are to have health care. Others tell me we can't afford to go back to having insurance companies in charge, we can't go back to caps on coverage, back to allowing corporations to deny care because of a preexisting condition, and back to lifetime limits.

Tonight I want to share what just a few of my constituents have told me.

"Save my daughter." That was the heartbreaking plea that came to me from one of my constituents, Kevin from Albuquerque. Kevin's 33-year-old daughter Amber has multiple sclerosis. It is a tough disease, as we all know.

To treat her MS, Amber must follow an exact and rigorous drug regimen, coupled with regular visits to her neurologist and annual MRIs. The retail cost of her drugs is \$60,000 per year. Her doctor visits and MRIs would run into the thousands of dollars.

Amber works. In fact, she has a good-paying job, but her employer does not provide health insurance. Amber purchases health insurance through the individual open market without Affordable Care Act subsidies. Amber is able to work because she gets the medical care she needs through insurance. Kevin fears his daughter will lose the right to health insurance if the Affordable Care Act is repealed. The ACA makes it illegal for an insurance company to deny you coverage if you have a preexisting condition such as MS.

The Affordable Care Act provides assurance that Amber will get the coverage she needs to remain healthy, to lead a normal life, to work, to contribute to society, and to stay off public assistance, and to survive. This one provision protects an estimated 861,000 New Mexicans and an estimated 134 million Americans. It is a safe bet that all of us here know at least one person like Amber. It isn't surprising that the vast majority of Americans—close to 70 percent—want to keep this protection.

The Kaiser Family Foundation estimates more than one-quarter of all adults under age 65 have health problems and that could make them uninsurable without the Affordable Care Act. If President-Elect Trump and the Republicans get their way, all of this will be at risk. Kevin is also scared because the cost of treating Amber's disease is so high. Without the ACA, any insurance company could cut off her health coverage if her medical expenses exceeded the company's lifetime limit. This provision protects an estimated 550,000 New Mexicans and an estimated 105 million Americans.

People who need medical care the most, people with serious medical problems, have some of the highest medical costs. If President-Elect Trump and Republicans have their

way, care for people like Amber would be wiped away. I am the father of a daughter, and I am angry this father has to worry about whether his daughter will get the medical care she needs to live a healthy and productive life.

Let me tell you about Pam and Mike. They are a husband and wife from Placitas. They own a small business. They signed up for an insurance plan under the Affordable Care Act as soon as they could because premiums before the ACA were too expensive and Pam had a preexisting condition. Using their new preventive care, they found out that Mike had an aggressive form of cancer. Thankfully, doctors caught the cancer at an early stage. Mike was treated at the New Mexico Cancer Center and is now cured. Pam says there is no question that the ACA saved her husband's life.

Because of the ACA, private health plans must cover a range of free preventive services—everything from cancer screening to flu shots. Over 730,000 New Mexicans now benefit. Discovering a disease early saves lives and reduces health care costs, but preventive care is expensive if you are uninsured or poor.

An overwhelming majority of Americans—83 percent, in fact—support making preventive health care free. What would President-Elect Trump and Republicans do to make sure Pam and Mike and millions of others can keep getting cancer screenings? Nothing. They have no plan. They talk but no plan.

Next, I want to tell you about Karen from Albuquerque, the mother of two college-aged children. Karen's son graduates next May and turns 23. She is worried he will not get health insurance for an entry-level job. Her concern is well-founded since young adults have the lowest rate of access to employer-based insurance. Young adults do get sick, and one in six has a chronic illness such as cancer, diabetes, or asthma. Karen wants her son to have medical care if he needs it.

Today, the ACA allows him to stay on her insurance policy until he turns 26. This is one of the ACA's most popular provisions. The vast majority of Americans—85 percent—want young adults to be able to get insurance, but President-Elect Trump and congressional Republicans would leave an estimated 15,000 New Mexicans, like Karen's kids, and an estimated 2.3 million Americans without coverage because they have no plan to replace the Affordable Care Act.

New Mexico is not a wealthy State. A lot of working people qualify for Medicaid. New Mexico wisely adopted the Medicaid expansion under the ACA, allowing 82,000 more people to get health care. Before the ACA, the only place many New Mexicans could get health care was in the emergency room. Now many are scared that President-Elect

Trump and Republicans will take their health care away.

Take Amy, her husband, and her four boys—ages 13 to 19. Amy and her husband own a family business in Sante Fe. Before the ACA, they went without health insurance because they couldn't afford it. They just hoped nothing catastrophic happened to them. As soon as she could, Amy applied for health insurance under the Medicaid expansion. It covers her, her husband, her oldest son. Amy says she is grateful that because of the ACA, medical bills will not "drain us financially."

There are 8.4 million people across this country like Amy. Like Amy, many are low-income workers. They have jobs but no health insurance. They couldn't afford health insurance before the ACA, and they will not be able to afford it if President-Elect Trump and congressional Republicans have their way and repeal it with no plan to replace it.

These hard-working Americans deserve good medical care. Americans agree. Eighty percent favor the Medicaid expansion for low-income, uninsured adults.

Finally, we have 19 pueblos—Indian pueblos—and 4 tribes in New Mexico. Native Americans make up more than one-tenth of our population. As vice chair of this body's Indian Affairs Committee, I represent all of Indian Country. Native Americans are eligible to receive care through the Indian Health Service, but it is severely underfunded.

Long delays are common. As a result, many tribal members rely heavily on Medicare, Medicaid, and the ACA health exchanges. More than 132,000 tribal members are enrolled in Medicaid in New Mexico alone. The All Pueblo Council of Governors, which represents all 19 pueblos, tells me, without the ACA, more tribal members will go back to the days of long delays, many will see their coverage cut.

This is also the subject of an amendment I will be offering. Indian Health Services' hospitals are heavily dependent on third-party collections for clinical services. In fact, current Federal funding covers less than half of their operational costs. Fortunately, increases in revenue from the Medicaid expansion have offset those annual costs. But without that revenue, necessary services may no longer be available throughout Indian country. This is unconscionable. My amendment would protect the Indian Health Service from any cuts in Federal funding if the Affordable Care Act is repealed.

There are tens of thousands of stories in New Mexico like those of Kevin, Pam, Mike, Karen, and Amy. Over 360,000 New Mexicans have gained health care since the Affordable Care Act was passed, and over 21 million Americans have health insurance because of ObamaCare. I have heard from New Mexicans who are terrified be-

cause there is no plan to replace the Affordable Care Act's protections, benefits, and rights.

Republicans have called to repeal and replace the Affordable Care Act for years. They have had years to figure out how to replace it, and they have not. They have no plan. Repeal and replace is not a sound public policy. It is only a sound bite.

Health care is a basic human right. Providing adequate medical care for everyone should be our guiding principle for health care policy. What is the guiding principle of repeal and replace? Act now; figure it out later.

I have said it before: The Affordable Care Act is not perfect, but it was historic—the biggest expansion of health care since the 1960s. It has helped millions of Americans get care. Many of them now can see a doctor regularly for the first time ever.

We need to work to improve, not repeal the Affordable Care Act.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I am here tonight to join my colleague the senior Senator from New Mexico and all my other colleagues on the Senate floor to stand up for hundreds of thousands of my constituents in New Mexico who will lose their health care coverage if Republicans repeal the Affordable Care Act and throw our Nation's health care system into chaos.

It is absolutely criminal for Republicans to strip millions of their health care without even a conceptual replacement plan in place. To my colleagues on the other side of the aisle, I want to make it clear that "we will fix it later" simply doesn't cut it.

They promised repeal and replace, and now they are giving us repeal and run, and that will cause chaos in our health care system. In my home State of New Mexico, according to the Urban Institute, an estimated 266,000 people will lose their health care coverage. This is not a change to their plan or a different premium. They will lose their coverage in its entirety. Thousands more of our State's 2 million residents will lose access to birth control and other preventive services and Medicare prescription drug coverage. Nearly everyone will be subjected to higher costs for lower quality insurance, especially those with preexisting conditions. Dismantling our health care system would also put at risk many of the gains we made in protecting the 860,000 New Mexicans who have preexisting conditions like cancer, diabetes, and heart disease. These individuals will be forced to pay more for their health care coverage and possibly lose access altogether.

This is not a game; this is a matter of life and death. Without any plan in place, this repeal and run maneuver

will cause health care costs for all Americans to skyrocket. Dismantling our health care system literally means taking hundreds of dollars each month away from hard-working families. In my book, that is highway robbery. How? It is simple. This reckless Republican repeal and run will strip away the tax credits that help many working Americans afford their premiums. More than 32,000 New Mexicans rely on those tax credits, which average about \$200 a month—well over half of their monthly premium for health care coverage. Many of the sickest, oldest, and the poorest of our neighbors and family members will lose their health care coverage altogether.

Over 20,000 New Mexican seniors will be forced to pay \$1,000 more per year for their prescription drugs. Fixed income seniors can't afford to pay more for prescription drugs.

Dismantling our health care system is particularly problematic in our Nation's rural areas, including much of the State of New Mexico. Last fall I went on a multiday rural health care listening tour across communities throughout Northeastern New Mexico. Rural hospitals like those in Raton, Clayton, and Santa Rosa are often the only health care providers for hundreds of miles in any direction. Under the Affordable Care Act, rural hospitals agree to exchange higher rates of insurance coverage for their patients for a reduction in reimbursement rates. In other words, they aren't being paid as much per patient as they once were, but the number of patients who come in without any insurance is dramatically lower. Now Republicans are going to take away coverage from a quarter million New Mexicans, but they aren't going to give rural hospitals their higher reimbursement premiums back. This repeal and run maneuver will cause many rural hospitals that already are operating on the margins to shut their doors or to simply turn away sick patients.

Nationwide, nearly 700 local hospitals in rural communities face the risk of imminent closure. Think about that. That is nearly one-third of the Nation's hospitals. Almost all of them would be forced to turn away patients if the Republicans move forward in dismantling our Nation's health care system. In New Mexico, that would mean forcing many of my constituents to drive for hours to access critical lifesaving care. It would also shake our State's economy to its core.

Health care jobs were one of the few economic bright spots in New Mexico over the past 6 years, particularly in rural communities, but this reckless plan—or I should say lack of one, to be accurate—throws our Nation's health care system into chaos and scars New Mexico's rural communities for years to come. A community whose hospital shuts down may never recover. That is

what is at stake here. Denying a family health care, denying a whole community health care is reckless and immoral.

You might hear Republicans say they want to tear everything apart now, but we shouldn't worry because they will fix it later. Let me be clear: We have the capacity to fix and improve our current health care system in a bipartisan way without throwing it all into chaos, but Republicans have to make that choice before it is too late. I would welcome honest attempts to find ways to improve our Nation's health care laws, to make them work better for all Americans.

In the past, I have taken the lead on commonsense fixes to our Nation's health care policies. In 2010, in the House of Representatives, I led the fight to extend coverage to the children of military families covered by TRICARE up until the time they are 26 years old. After hearing from many small businesses in New Mexico, I fought to repeal unnecessary 1099 tax reporting requirements for small businesses. To this day, I continue to work with Republicans like DEAN HELLER of Nevada to eliminate the so-called Cadillac tax that would place an incredibly unfair tax burden on employer-provided health insurance that many working families rely on.

Republicans need to put partisan politics aside and remember why Congress passed the ACA in the first place: To expand access to quality health care for all Americans. Before we passed health care reform, New Mexico had the second highest rate of uninsured citizens in the entire Nation.

I have heard from a lot of New Mexicans who have told me how access to health care coverage has impacted their lives, even saved their lives. I would like to tell you just one story of one of those New Mexicans.

Karen from Santa Fe is a registered nurse, and she is a breast cancer survivor. As a nurse, Karen has seen how health care reform and the reduction of uninsured and uncompensated care has helped community hospitals better serve their patients. But the real impact of health care reform for Karen has been personal. When she was diagnosed with breast cancer in 2002, Karen's insurance company dropped her coverage. When she had to pay out of pocket for her coverage, her costs doubled. As she went through several more recurrences of cancer, Karen went bankrupt. She lost her home.

In a letter to me, she said: "Cancer is hard enough, but not to be able to afford my co-pays and appointments caused me so much stress it made me more vulnerable for complications."

Today, Karen is able to afford health care coverage even with her preexisting condition. But Republicans are threatening to take that all away from her and from hundreds of millions of other Americans.

Karen went on to say in her letter:

No one should go without health care because of income. Good health is not a privilege for a wealthy few, but a human right.

It is hard to say it any better than that. No American has sent their elected representative to Washington to score political points and threaten the health and finances of hard-working Americans. Republicans need to realize that is exactly what they are doing. What they are doing means chaos. It means less health care. It is that simple.

I wish we could be here today talking about pragmatic policy solutions to reduce health care costs and improve how providers actually deliver that care. Instead, and unfortunately, we are here trying to stop Republicans from turning bumper sticker governance into a very real disaster for thousands of my constituents and millions of Americans. This reckless effort threatens the very lives and the livelihoods of the people of New Mexico.

I will not stand for that, and I know my constituents will not either.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, like my colleagues here today, I rise to talk about the Republican effort to repeal and replace the Affordable Care Act. I have been talking to a lot of people in Minnesota who have health insurance, thanks to the Affordable Care Act, or whose lives are changed by the protections in the ACA that benefit every American. Frankly, they are scared, hard-working people for whom this is literally life or death. If their health insurance is taken away, they do not know what they are going to do.

Today, on their behalf, I have one request for my Republican colleagues: Show us your health care plan. You must have one. We would like to hear it. We would like to see it now. You can understand the question, right? If your child had cancer and the Affordable Care Act was the reason you could get health insurance, you wouldn't want to rip up the ACA before knowing what would replace it. I am not the only Senator with constituents whose lives are on the line here, so I know that you don't intend to rip up the Affordable Care Act and leave them with nothing. You have to have a plan, right? So let's just see it.

Last week, President Obama said that if Republicans produce a plan that is "demonstrably better than ObamaCare," he would support it, and so will I. Just show it to me. President-Elect Trump clearly has a plan. He laid it out, laid it all out during his campaign. His plan was, he said, to "repeal ObamaCare and replace it with something terrific." That is what he said. Then he went into a little more detail and explained that "something terrific" would be "so much better, so much better, so much better."

Terrific. So much better. That sounds great. Let's see it. One of Trump's top advisers said on MSNBC: "We don't want anyone who currently has insurance to not have insurance." Great. Neither do we. Speaker RYAN said that there will "be a bridge so that no one is left out in the cold, so that no one is worse off." That is wonderful. No one being worse off is exactly what we want to see.

I am sure Speaker RYAN's staff was mistaken when they later told a reporter that the "no one worse off" applied only to the transition period, not to the replacement period. Show me the plan, please. Please show me the plan that keeps coverage for the 20 million people who have gained coverage that would continue to bend the cost curve so the cost of the entire health care system continues to grow less quickly than it did before ACA was adopted, the plan that would ensure that nobody gets denied coverage when they need it or has to unfairly pay more than someone else because of their gender or a preexisting condition. Show me that plan.

I know Republicans have put forward some different plans, a lot of different plans, but a lot of plans is not a plan. A lot of plans is not a plan. We want to see the plan, you know, the one you have been working on for 6 years. I was here in 2009 when we passed the ACA. I know how hard it was. If I could, let me offer you something. Some of your Republican friends actually did come up with a health care plan a while ago. It all started at the Heritage Foundation, which is a bona fide conservative think tank.

Over at Heritage, they did not like the idea of single-payer health care insurance, where the government is everyone's insurer. So what they wanted to come up with was a way to use the magic of the marketplace to solve the problem of providing everyone access to insurance.

Here is what they came up with, a three-legged stool. The first leg is, insurance companies can't deny coverage to people with a preexisting condition. They can't charge them more. We can all agree on that, right? President-Elect Trump and I agree on that, for sure. It is a great idea—great idea—but there is a catch. If you can not turn people down because of preexisting conditions, you cannot charge them more, well then everyone would just wait to buy health insurance until they get sick and need care. But the whole idea of health insurance is that at any given moment, most of the people paying premiums are healthy. So their premiums cover the cost of the people who are sick.

If the only people with insurance are sick, the premiums will skyrocket. So you need a way to get healthy people into the system to bring the cost of insurance down, which brings us to leg

No. 2. Everyone has to be insured, otherwise known as the individual mandate. Everyone has to be insured. The Heritage Foundation said that. They called it the free rider syndrome. They said, no, everyone has to be insured.

This is what conservatives now say they hate; that the government says everyone has to buy insurance. But if you have to sell everyone insurance, then everyone has to buy it or the cost explodes. Now, look, if you have a better way to keep people covered and keep costs down, show me the plan. Show me the plan. But this is the best one the Heritage Foundation could come up with.

But wait, what if someone can't afford that health insurance? That brings us to the third leg. The government will subsidize insurance for people who can't afford it. Voila. There you have it, the Heritage Foundation plan, which a Republican Governor then implemented in a State to huge success.

Let me ask you, my Republican friends, is that your plan? Because if it is, it works for me. Guess what. Then we don't even have to repeal the Affordable Care Act in order to replace it with this plan because this plan was the model for the Affordable Care Act. The Affordable Care Act is not perfect. Premiums went up a lot this fall for people buying insurance through the marketplace.

It is often ignored that subsidies cover the cost increases for about 70 percent of those folks, but for many those increases genuinely hurt. That is a real problem. Then the solution to it is to recognize that subsidies don't provide enough help and don't go to enough people. Let's fix that. There are places where there is not enough competition. The best and most direct solution that I know of is to introduce a public option.

If my Republican colleagues have another idea about how to address these costs and competition issues that would ensure that people don't lose their coverage, I am ready to roll up my sleeves and go to work. While we are honest about the shortcomings, let's not forget the bottom line. As a primary care doctor for Indiana University's Health Physicians said, "I've been a registered Republican my whole life, but I support the Affordable Care Act because it allows patients to be taken care of."

For 6 years, you have been blasting the ACA, promising to replace it with something better. Let's see what you have, but don't just tell me your plan. I want you to join me on a trip to Minnesota to see Dolly. Dolly is one of my constituents who wrote to me about her husband's pulmonary embolism. Before the ACA, she and her husband both had jobs that did not offer health insurance, but once the ACA passed, they were able to buy insurance and go to the doctor.

The doctor discovered her husband's embolism and saved his life. I would like you to look Dolly in the eye and explain how your plan—your plan—will ensure that her husband's life will not be endangered.

I would like you to join me in talking to Gina. Before the ACA became law, Gina's father was undergoing treatment for leukemia. Then one day he was told he had hit the lifetime maximum on his insurance coverage. From that point on, the family would have to pay for his treatment out of pocket, but they did not have the money so they stopped treatment. Gina's father died 3 days later.

Since then, Gina's fiance was diagnosed with Crohn's disease. So I want you to explain to Gina how exactly under your plan Gina will not face the same kind of impossible financial situation with her future husband's condition that she did with her dad. Sit down with Gina and tell her that.

Now, once you are done calming Gina's concerns about what your plan might do to her family, we will go over and talk to Leanna. Leanna's 3-year-old son Henry has been diagnosed with acute lymphoblastic leukemia. His treatment will last until at least April of 2018. He often needs around-the-clock care to manage his nausea, vomiting, pain, and sleepless nights. Little Henry's immune system is so compromised that he is not supposed to go to daycare. So Leanna has left her job to take care of him. They are supported by her spouse, but they could not pay for his treatment on one salary.

Leanna says:

It is because of the ACA that Henry gets proper health care. Henry can get therapy and the things he needs to maintain his health and work towards beating cancer. Henry is still with us because of the ACA.

Let me say that again. "Henry is still with us because of the ACA." I want you to sit down with Leanna, as she holds her precious 3-year-old son, and explain how Henry will still be with us under your plan. Show us your plan. Show us your plan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to be here tonight with my very eloquent colleague Senator FRANKEN from Minnesota and also with two colleagues who will follow me shortly, Senator SCHATZ and Senator MARKEY, all of them great champions of better, more affordable health care for all the people who live in this great country.

This is the greatest country in the history of the world because we care about each other and we care about the common good. That is what the Affordable Care Act represents. It is not perfect. No great social reform ever is the

first time around, including Social Security, but it can be repaired and improved without completely repealing it.

So repeal without a replacement is the height of irresponsibility. The first order of business for the Republican leadership during this session of Congress is to tear down and rip apart the Affordable Care Act, not to deal with job creation or economic growth. In fact, the Affordable Care Act provides 3 million jobs in our country, and repealing it would eliminate those jobs. No, it is to destroy and decimate a program that has literally saved lives, opened new futures, transformed the existences of millions and millions of Americans who would lose health care coverage if this measure is just repealed.

In fact, 22 million people across the country and more than 100,000 in Connecticut would lose that critical insurance. Preexisting conditions would become, again, an excuse for the health care industry and insurance companies to deny coverage. Women would be charged more simply because they are women. And young people would be denied access to their parents' health care coverage up to the age of 26.

Those kinds of losses just begin the list, but among the most egregious of the profound defects to this approach is the effect on the Prevention and Public Health Fund. I know it isn't a household term: Prevention and Public Health Fund. It is not exactly on everyone's tongue, but it is a measure that is profoundly important to the future of this Nation if you care about lives and dollars. And if you care about dollars, the \$931 million from the Prevention and Public Health Fund is allocated to provide funding for things like diabetes prevention, preventing healthcare-associated infections, chronic disease management, smoking prevention, lead poisoning, suicide prevention, and Alzheimer's disease prevention.

You may not consider these kinds of challenges—smoking prevention, lead poisoning, Alzheimer's disease, hospital-acquired infections—as the most glamorous, but treating them costs millions and millions and millions of dollars—in fact, billions of dollars.

Just to give you one example, the Tips From Former Smokers campaign, which the Prevention and Public Health Fund supports, has led to an estimated 1.6 million smokers attempting to quit smoking and has helped 100,000 Americans quit smoking. Tobacco use is the single largest preventable cause of disease and premature death in the United States. The country spent \$133 billion on tobacco-related healthcare costs between 2000 and 2012.

I just made I think an error. I said \$133 million. In fact, it is \$133 billion. How easy it seems to confuse billions

with millions—\$133 billion by investing this kind of money from the Prevention and Public Health Fund. We can literally save tens of billions of dollars on smoking-related diseases and premature deaths.

Improving public health outcomes and preventing the public from getting sick and dying are important goals in and of themselves because the human suffering and the premature deaths they cause are important, humane causes to our Nation, a nation that cares about people. But the \$1.3 trillion in treatment costs and lost productivity every year—let me repeat that—\$1.3 trillion in treatment costs and lost productivity every year on chronic diseases like cancer, diabetes, heart disease, and stroke can be reduced and, dare I say at some point, reduced by so much that we may look back, and we will say: That Prevention and Public Health Fund was one good investment, but not if it is decimated and destroyed by the repeal of the Affordable Care Act, which costs us money as well as lives.

In Connecticut, the fund has invested over \$27 million in our communities since 2010, improving the lives and well-being of the people of Connecticut literally every day.

This strong investment has provided more Connecticut women with screenings for cancer, mammograms, other critical, preventive care, and it has given our State health department the ability to prevent diabetes, heart disease, and stroke and to fight obesity through improved physical activity.

It has allowed our State to address school health much more effectively, and we are talking about the Nation's children—preventing obesity, smoking, diabetes, which, as we know, more and more affects our children.

It has staved off disease outbreaks by providing Connecticut with millions of dollars to provide vaccinations for young people who otherwise would go without, children who would be denied this essential means of preventing emotionally crippling, if not physically debilitating, diseases that can transform their lives forever.

Perhaps most importantly, the Prevention Fund has relied on the communities impacted by the money for solutions. That means stronger collaboration between community organizations and the health system to prevent suicides, for example, in the Community Transformation Grants Program that encourages healthier lifestyles across our State.

The ACA, in short, has reflected a historic shift. We are trying to prevent, not just treat the disease, and that kind of investment from the Prevention and Public Health Fund in my State and many others has already produced a return on that investment which is of invaluable importance.

I have authored an amendment, which currently has 12 cosponsors, to

create a budget point of order against any piece of legislation that would take away funding for preventive care. It is very simple. If we are going to work toward reducing the cost of health care in this great country, we should not be talking about getting rid of effective and efficient ways of preventing disease. We ought to be talking about reducing drug prices, stopping costly addictions, preventing disease, and improving the quality and efficiency of care.

I want to stress, again, the importance of reducing pharmaceutical drug prices, which has been a concern to me for years in this job and for many more years when I served as our State's attorney general.

But reducing health care costs and improving quality is not what our Republican colleagues are trying to do. They are trying to make good on campaign rhetoric and political promises to completely repeal the Affordable Care Act without any replacement, without following through on their commitment to provide health insurance to our Nation's people. We are expected to just wait and see what they have in the plan. Meanwhile, millions of people will be left without health care, and the health care industry will be in confusion and chaos as insurance companies wonder what comes next.

The simple fact is that our Republican colleagues have no idea, no clue, no plan. In their view, the Earth is flat. They can abolish something and promise to replace it because they know something will come. That is unacceptable, and I will fight to ensure that the Affordable Care Act continues to mean access to affordable health care for millions of Americans. Most importantly, fairness and effectiveness in health care means prevention. The Prevention and Public Health Fund is critical to that effort.

I hope my colleagues will recognize the importance of prevention, safeguarding our health, and heed the voices and faces that have been so dramatic and powerful to me, so inspiring in their courage and strength, as they were just this morning when I met with and presented to the people of Connecticut at an event we did there. Three brave women came forward to talk about what the Affordable Care Act had meant to them and what its loss would mean as well. These perhaps not immediately visible voices and faces should be a stirring reminder to our colleagues that we need to do better, improve the Affordable Care Act, make it better—but not simply trash it, decimate it, destroy it, and abandon the great hope and ideal of assuring affordable care for all.

I yield now to my colleague from Hawaii, Senator SCHATZ, who has been a champion of affordable care in this Nation and is a great credit to his State of Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank the senior Senator from Connecticut for his leadership on this and so many other issues on behalf of the people of his home State.

Before I get into prevention as a policy issue, I just want to reiterate a process point.

Here we are in the world's greatest deliberative body—the world's greatest deliberative body—and there really are so many talented individuals who come from county counsels, who come from State assemblies, who come from State senates, who come from the U.S. House, and find themselves in the U.S. Senate, the world's greatest deliberative body. And here we are debating one of the biggest public policy issues over the last decade, arguably over the last generation. Here we are.

I am thinking about my early days in the Hawaii legislature and what we would do. If we wanted to move a bill along but we weren't sure exactly what to do, we would flaw the effective date because we knew the language didn't work yet, but we wanted to take it to conference committee. We didn't want it to be enacted into law, but we wanted it to move through the process. So what we would do is we would flaw the effective date. We would say "Effective year 2100," so that even if it were accidentally enacted into law, it wouldn't have the force of law.

Yet once in a while, a staffer or a member would make a clerical error and actually enact something with a delayed effective date into law, and they were humiliated. This was a mistake. This was a clerical error, and this showed that it was amateur hour. This showed that somebody didn't know what they were doing. This showed that somebody wasn't a very serious legislator.

Yet here we are in the Nation's legislature, here we are in the world's greatest deliberative body, and we are doing that on purpose. We are doing that right away. We are doing this with the Affordable Care Act after 7 years of blasting this law because they know they can't repeal the parts that are popular. So what they are going to do is eviscerate the revenue attached to the bill and leave themselves, as one of my colleagues said, in a "box canyon" so the only thing they can do is shovel money to insurance companies—borrowed money—to maintain the benefit because they don't want to deal with the political ramifications of what they had done to their constituents on preexisting conditions, on coverage for people up to the age of 26, on prevention.

This is the most unserious effort I have seen in this legislative body. This is absolutely unserious. And whatever your political persuasion is, you should ask every Member of the Senate to

stand up and be counted and say what they want to do about health care in the United States.

The answer can no longer be because it is an article of faith that because the Affordable Care Act has "Obama" in its name—it is ObamaCare—it must be bad, and it must be repealed root and branch. That is no longer acceptable.

This President is only President for another 10 days, and we have an obligation to our constituents to say what we are going to do about this law. We all know that we should get a regular check-up from our doctor, eat fruits and vegetables, and exercise as much as possible, as difficult as it is for all of us at times. Why do we do this? Any doctor will tell you that it is better to stay healthy and prevent disease than to get sick. It is not just common sense. It is not only less painful for people, but it is less costly to prevent illness than to treat it.

The same is true for public health. If we can prevent drunk driving or the spread of diseases such as Zika, we could save lives and save the public money. That is why Senator CASSIDY and I introduced the Public Health Emergency Response and Accountability Act last Congress. Our bill, on a bipartisan basis, recognized, basically, that we should be able to respond quickly to public health threats before they spread and harm more Americans and cost more money.

That is what the ACA does through its Prevention and Public Health Fund. The fund serves a very important dual purpose, investing Federal dollars in effective programs that prevent disease and also it saves money.

It is a simple concept. We should stop diseases from developing or spreading before they start. This sounds like common sense to almost everybody, but here is the problem. In the partisan battle around the ACA, even a really good idea within the Affordable Care Act must be bad because it is part of ObamaCare. This is insane.

This is the Prevention and Public Health Fund that provides money to the Centers for Disease Control. The CDC did an incredible job with the U.S. Public Health Service, with the U.S. military in addressing the Ebola crisis. The CDC did an incredible job, again, with the National Institutes of Health and others in addressing the potential Zika crisis, which looks to have abated. The CDC does incredibly important work in tobacco prevention and cessation, and this Prevention and Public Health Fund has gotten 1.8 million individual smokers to call and try to quit smoking. That is hundreds of thousands of lives saved, not just in blue or purple States but all across the country. This Prevention and Public Health Fund helps our elderly to avoid falls. It helps our elderly to avoid falls. I know there are people of goodwill on both sides of the aisle. I know that we

are all responsive to our senior citizens in our individual communities, and I know that this is a smart and humane use of public health money. If we can prevent an elderly citizen from falling in their own home or falling on the way to a bus stop or to church or to a family member's home, that is money well spent, not just morally but fiscally.

This is my great regret when it comes to the Affordable Care Act and the debate that is happening. The only time I hear a serious-minded, good-faith debate between a Republican and a Democrat in the Senate when it comes to the Affordable Care Act is in private, because if you look at this side of the Chamber, there is only one Member of the Republican caucus who is here. We are not having the world's greatest deliberative body deliberate over the Affordable Care Act. We have an empty Chamber, full of Republicans who are absolutely bound and determined to walk off this cliff and take 22 million Americans with them.

Public health prevention works. Public health prevention is fiscally prudent, and it is the humane thing to do. That is just one of the many attributes of the Affordable Care Act that ought to be preserved.

If there is to be a good faith conversation about how to improve upon the Affordable Care Act, we are all ears. I can guarantee you that there are 48 of us who want to have that conversation, but do not put the whole country into this box canyon. Excuse me for mixing my metaphors. Do not take the whole country off this cliff because it is going to be very, very difficult for us to make good policy after that.

With that, I yield the floor to the senior Senator from Massachusetts.

Mr. MARKEY. Thank you. I yield to Senator DAINES.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent that it be in order to call up the Flake amendment No. 52, and that at 2:30 p.m. tomorrow, the Senate vote in relation to Flake amendment; further, that following the disposition of the Flake amendment, there be 2 minutes of debate, equally divided in the usual form, prior to the vote in relation to the Sanders amendment No. 19.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNIVERSARY OF DECEMBER/
JANUARY FLOODING

Mr. DURBIN. Mr. President, I come to reflect on the 1-year anniversary of rain and winter storms that swept across the State of Illinois, causing widespread flooding and devastation.

In the midst of the holidays, heavy rainfall of over 7 inches a day in some areas caused water levels on rivers in Illinois to reach record, or near record, heights. The Mississippi River at Thebes reached its highest crest level on record at 47.7 feet.

Flooding forced many communities to evacuate their homes for their own safety. Damages to property in these Illinois communities totaled more than \$15 million.

Sadly, these storms were so severe that flooded roadways tragically claimed the lives of 10 people whose vehicles were swept away by flooding.

Alexander and Randolph counties were two areas most impacted by this flood. I went to visit two towns in these areas—Olive Branch, IL, and Evansville, IL—and I saw miles of flood damage to agricultural lands, homes, and businesses. What I saw was heart-breaking.

I spoke with residents who were concerned about being able to recover from the flood and resulting damages and who were concerned about what could happen if levees overtop and breach again in the future.

People like Bruce Ford, from Olive Branch, IL, worked day and night to clean out debris and move equipment back into their businesses, but he worried about how long he would be out of business and whether or not he would be able to rebuild in the event of another disaster. And he is not alone—many residents in these communities worry that they will not have the means to fix properties and businesses all over again.

The Governor declared 23 counties State disaster areas, and State and local emergency responders were dispatched to affected areas. I supported his request for a Federal disaster declaration for 21 counties in the State.

The State disaster declaration allowed people in affected communities whose homes and businesses were damaged to start repairs and receive the help they needed.

And I want to say thanks for the hard work and dedication of James Joseph, head of the Illinois Emergency Management Agency; he was there when his constituents and communities needed him the most.

The State provided over 997,000 sandbags, over 4,000 tons of sand, and 117 Illinois Department of Transportation trucks for flood mitigation and response efforts.

The Small Business Administration also made loans available to homeowners and businesses in Christian, Ir-

gomery, Sangamon, Shelby, and Vermillion Counties.

I want to acknowledge the dedication of the State and Federal employees who pitched in at every level, from the Federal Emergency Management Agency and the Army Corps of Engineers to the Illinois Emergency Management Agency.

Finally, I can't overstate how proud I am of the volunteers, National Guard members, and local law enforcement agencies who came forward to keep our communities safe. Before flooding began, local law enforcement and emergency responders went door-to-door to advise residents to evacuate and move to higher ground, saving the lives of many who heeded the call and sought out shelter with family and friends before the flooding began.

There is still work to be done, but the people who live and work in the damaged communities have made incredible progress rebuilding. Thousands of volunteers have helped with the cleanup. People from all over the State pitched in to help their neighbors and even strangers get back on their feet. Hearing these kinds of stories make me proud to be from Illinois.

Our thoughts remain with the many people who lost their loved ones, their homes, and other property last year.

I want to thank everyone who has been engaged in the rescue and cleanup.

We are rebuilding—as Illinoisans always do—and we will be stronger for it.

SECRETARY OF STATE KERRY'S
SPEECH ON A TWO-STATE SOLUTION
TO THE ISRAELI-PALESTINIAN
CONFLICT

Mr. LEAHY. Mr. President, last week the junior Senator from Texas spoke about Secretary of State Kerry's recent speech explaining the administration's decision to not veto U.N. Security Council Resolution 2334 and supporting a two-state solution to the conflict between Israel and the Palestinians. The Senator asserted that Secretary Kerry "equated" Israel and Hamas, that President Obama and Secretary Kerry are "relentless enemies of Israel" who "consider the existence and creation of Israel to be a disaster." He said their actions toward Israel were intended to "facilitate assaults on the nation of Israel." He also accused them of "turning a blind eye" to terrorism.

Anyone who reads Secretary Kerry's speech will recognize the fallacy of those baseless and inflammatory accusations. To the contrary, Secretary Kerry eloquently and compellingly and with a foreboding sense of urgency about the receding prospects for a two-state solution reaffirmed the administration's condemnation of terrorism and incitement, its unprecedented support for Israel's security, and his own

longstanding commitment to Israel's survival as a democratic state, living in peace with its Arab neighbors.

I urge all Senators to read his speech and to arrive at their own conclusions. The situation the Secretary describes should be alarming to anyone who wants peace and security for Israel and a viable, independent state for the Palestinian people, which are of vital importance to the national interests of the United States. While the Secretary's speech is too long to be printed in the RECORD in full, I ask unanimous consent that the first half of his remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS OF JOHN KERRY, SECRETARY OF STATE, THE DEAN ACHESON AUDITORIUM, WASHINGTON, DC, DECEMBER 28, 2016

Thank you very much. For those of you who celebrated Christmas. I hope you had a wonderful Christmas. Happy Chanukah. And to everybody here. I know it's the middle of a holiday week. I understand. But I wish you all a very, very productive and Happy New Year.

Today, I want to share candid thoughts about an issue which for decades has animated the foreign policy dialogue here and around the world—the Israeli-Palestinian conflict.

Throughout his Administration, President Obama has been deeply committed to Israel and its security, and that commitment has guided his pursuit of peace in the Middle East. This is an issue which, all of you know, I have worked on intensively during my time as Secretary of State for one simple reason: because the two-state solution is the only way to achieve a just and lasting peace between Israelis and Palestinians. It is the only way to ensure Israel's future as a Jewish and democratic state, living in peace and security with its neighbors. It is the only way to ensure a future of freedom and dignity for the Palestinian people. And it is an important way of advancing United States interests in the region.

Now, I'd like to explain why that future is now in jeopardy, and provide some context for why we could not, in good conscience, stand in the way of a resolution at the United Nations that makes clear that both sides must act now to preserve the possibility of peace.

I'm also here to share my conviction that there is still a way forward if the responsible parties are willing to act. And I want to share practical suggestions for how to preserve and advance the prospects for the just and lasting peace that both sides deserve.

So it is vital that we have an honest, clear-eyed conversation about the uncomfortable truths and difficult choices, because the alternative that is fast becoming the reality on the ground is in nobody's interest—not the Israelis, not the Palestinians, not the region—and not the United States.

Now, I want to stress that there is an important point here: My job, above all, is to defend the United States of America—to stand up for and defend our values and our interests in the world. And if we were to stand idly by and know that in doing so we are allowing a dangerous dynamic to take hold which promises greater conflict and instability to a region in which we have vital interests, we would be derelict in our own responsibilities.

Regrettably, some seem to believe that the U.S. friendship means the U.S. must accept any policy, regardless of our own interests, our own positions, our own words, our own principles—even after urging again and again that the policy must change. Friends need to tell each other the hard truths, and friendships require mutual respect.

Israel's permanent representative to the United Nations, who does not support a two-state solution, said after the vote last week, quote, "It was to be expected that Israel's greatest ally would act in accordance with the values that we share," and veto this resolution. I am compelled to respond today that the United States did, in fact, vote in accordance with our values, just as previous U.S. administrations have done at the Security Council before us.

They fail to recognize that this friend, the United States of America, that has done more to support Israel than any other country, this friend that has blocked countless efforts to delegitimize Israel, cannot be true to our own values—or even the stated democratic values of Israel—and we cannot properly defend and protect Israel if we allow a viable two-state solution to be destroyed before our own eyes.

And that's the bottom line: the vote in the United Nations was about preserving the two-state solution. That's what we were standing up for: Israel's future as a Jewish and democratic state, living side by side in peace and security with its neighbors. That's what we are trying to preserve for our sake and for theirs.

In fact, this Administration has been Israel's greatest friend and supporter, with an absolutely unwavering commitment to advancing Israel's security and protecting its legitimacy.

On this point, I want to be very clear: No American administration has done more for Israel's security than Barack Obama's. The Israeli prime minister himself has noted our, quote, "unprecedented" military and intelligence cooperation. Our military exercises are more advanced than ever. Our assistance for Iron Dome has saved countless Israeli lives. We have consistently supported Israel's right to defend itself, by itself, including during actions in Gaza that sparked great controversy.

Time and again we have demonstrated that we have Israel's back. We have strongly opposed boycotts, divestment campaigns, and sanctions targeting Israel in international fora, whenever and wherever its legitimacy was attacked, and we have fought for its inclusion across the UN system. In the midst of our own financial crisis and budget deficits, we repeatedly increased funding to support Israel. In fact, more than one-half of our entire global Foreign Military Financing goes to Israel. And this fall, we concluded an historic \$38 billion memorandum of understanding that exceeds any military assistance package the United States has provided to any country, at any time, and that will invest in cutting-edge missile defense and sustain Israel's qualitative military edge for years to come. That's the measure of our support.

This commitment to Israel's security is actually very personal for me. On my first trip to Israel as a young senator in 1986, I was captivated by a special country, one that I immediately admired and soon grew to love. Over the years, like so many others who are drawn to this extraordinary place, I have climbed Masada, swum in the Dead Sea, driven from one Biblical city to another.

I've also seen the dark side of Hizballah's rocket storage facilities just across the bor-

der in Lebanon, walked through exhibits of the hell of the Holocaust at Yad Vashem, stood on the Golan Heights, and piloted an Israeli jet over the tiny airspace of Israel, which would make anyone understand the importance of security to Israelis. Out of those experiences came a steadfast commitment to Israel's security that has never wavered for a single minute in my 28 years in the Senate or my four years as Secretary.

I have also often visited West Bank communities, where I met Palestinians struggling for basic freedom and dignity amidst the occupation, passed by military checkpoints that can make even the most routine daily trips to work or school an ordeal, and heard from business leaders who could not get the permits that they needed to get their products to the market and families who have struggled to secure permission just to travel for needed medical care.

And I have witnessed firsthand the ravages of a conflict that has gone on for far too long. I've seen Israeli children in Sderot whose playgrounds had been hit by Katyusha rockets. I've visited shelters next to schools in Kiryat Shmona that kids had 15 seconds to get to after a warning siren went off. I've also seen the devastation of war in the Gaza Strip, where Palestinian girls in Izbet Abed Rabo played in the rubble of a bombed-out building.

No children—Israeli or Palestinian—should have to live like that.

So, despite the obvious difficulties that I understood when I became Secretary of State, I knew that I had to do everything in my power to help end this conflict. And I was grateful to be working for President Obama, who was prepared to take risks for peace and was deeply committed to that effort.

Like previous U.S. administrations, we have committed our influence and our resources to trying to resolve the Arab-Israeli conflict because, yes, it would serve American interests to stabilize a volatile region and fulfill America's commitment to the survival, security and well-being of an Israel at peace with its Arab neighbors.

Despite our best efforts over the years, the two-state solution is now in serious jeopardy. The truth is that trends on the ground—violence, terrorism, incitement, settlement expansion and the seemingly endless occupation—they are combining to destroy hopes for peace on both sides and increasingly cementing an irreversible one-state reality that most people do not actually want.

Today, there are a similar number of Jews and Palestinians living between the Jordan River and the Mediterranean Sea. They have a choice. They can choose to live together in one state, or they can separate into two states. But here is a fundamental reality: if the choice is one state, Israel can either be Jewish or democratic—it cannot be both—and it won't ever really be at peace. Moreover, the Palestinians will never fully realize their vast potential in a homeland of their own with a one-state solution.

Now, most on both sides understand this basic choice, and that is why it is important that polls of Israelis and Palestinians show that there is still strong support for the two-state solution—in theory. They just don't believe that it can happen.

After decades of conflict, many no longer see the other side as people, only as threats and enemies. Both sides continue to push a narrative that plays to people's fears and reinforces the worst stereotypes rather than working to change perceptions and build up belief in the possibility of peace.

And the truth is the extraordinary polarization in this conflict extends beyond

Israelis and Palestinians. Allies of both sides are content to reinforce this with an us or—"you're with us or against us" mentality where too often anyone who questions Palestinian actions is an apologist for the occupation and anyone who disagrees with Israel policy is cast as anti-Israel or even anti-Semitic.

That's one of the most striking realities about the current situation: This critical decision about the future—one state or two states—is effectively being made on the ground every single day, despite the expressed opinion of the majority of the people.

The status quo is leading towards one state and perpetual occupation, but most of the public either ignores it or has given up hope that anything can be done to change it. And with this passive resignation, the problem only gets worse, the risks get greater and the choices are narrowed.

This sense of hopelessness among Israelis is exacerbated by the continuing violence, terrorist attacks against civilians and incitement, which are destroying belief in the possibility of peace.

Let me say it again: There is absolutely no justification for terrorism, and there never will be. And the most recent wave of Palestinian violence has included hundreds of terrorist attacks in the past year, including stabbings, shootings, vehicular attacks and bombings, many by individuals who have been radicalized by social media. Yet the murderers of innocents are still glorified on Fatah websites, including showing attackers next to Palestinian leaders following attacks. And despite statements by President Abbas and his party's leaders making clear their opposition to violence, too often they send a different message by failing to condemn specific terrorist attacks and naming public squares, streets and schools after terrorists.

President Obama and I have made it clear to the Palestinian leadership countless times, publicly and privately, that all incitement to violence must stop. We have consistently condemned violence and terrorism, and even condemned the Palestinian leadership for not condemning it.

Far too often, the Palestinians have pursued efforts to delegitimize Israel in international fora. We have strongly opposed these initiatives, including the recent wholly unbalanced and inflammatory UNESCO resolution regarding Jerusalem. And we have made clear our strong opposition to Palestinian efforts against Israel at the ICC, which only sets back the prospects for peace.

And we all understand that the Palestinian Authority has a lot more to do to strengthen its institutions and improve governance.

Most troubling of all, Hamas continues to pursue an extremist agenda: they refuse to accept Israel's very right to exist. They have a one-state vision of their own: all of the land is Palestine. Hamas and other radical factions are responsible for the most explicit forms of incitement to violence, and many of the images that they use are truly appalling. And they are willing to kill innocents in Israel and put the people of Gaza at risk in order to advance that agenda.

Compounding this, the humanitarian situation in Gaza, exacerbated by the closings of the crossings, is dire. Gaza is home to one of the world's densest concentrations of people enduring extreme hardships with few opportunities. 1.3 million people out of Gaza's population of 1.8 million are in need of daily assistance—food and shelter. Most have electricity less than half the time and only 5 percent of the water is safe to drink. And yet

despite the urgency of these needs, Hamas and other militant groups continue to re-arm and divert reconstruction materials to build tunnels, threatening more attacks on Israeli civilians that no government can tolerate.

Now, at the same time, we have to be clear about what is happening in the West Bank. The Israeli prime minister publicly supports a two-state solution, but his current coalition is the most right wing in Israeli history, with an agenda driven by the most extreme elements. The result is that policies of this government, which the prime minister himself just described as "more committed to settlements than any in Israel's history," are leading in the opposite direction. They're leading towards one state. In fact, Israel has increasingly consolidated control over much of the West Bank for its own purposes, effectively reversing the transitions to greater Palestinian civil authority that were called for by the Oslo Accords.

I don't think most people in Israel, and certainly in the world, have any idea how broad and systematic the process has become. But the facts speak for themselves. The number of settlers in the roughly 130 Israeli settlements east of the 1967 lines has steadily grown. The settler population in the West Bank alone, not including East Jerusalem, has increased by nearly 270,000 since Oslo, including 100,000 just since 2009, when President Obama's term began.

There's no point in pretending that these are just in large settlement blocks. Nearly 90,000 settlers are living east of the separation barrier that was created by Israel itself in the middle of what, by any reasonable definition, would be the future Palestinian state. And the population of these distant settlements has grown by 20,000 just since 2009. In fact, just recently the government approved a significant new settlement well east of the barrier, closer to Jordan than to Israel. What does that say to Palestinians in particular—but also to the United States and the world—about Israel's intentions?

Let me emphasize, this is not to say that the settlements are the whole or even the primary cause of this conflict. Of course they are not. Nor can you say that if the settlements were suddenly removed, you'd have peace. Without a broader agreement, you would not. And we understand that in a final status agreement, certain settlements would become part of Israel to account for the changes that have taken place over the last 49 years—we understand that—including the new democratic demographic realities that exist on the ground. They would have to be factored in.

But if more and more settlers are moving into the middle of Palestinian areas, it's going to be just that much harder to separate, that much harder to imagine transferring sovereignty, and that is exactly the outcome that some are purposefully accelerating.

Mr. LEAHY. Mr. President, the complete text of the Secretary's speech, which, again, I urge all Senators to read in its entirety, can be found at the following Web site: <https://www.state.gov/secretary/remarks/2016/12/266119.htm>.

REMEMBERING STANLEY RUSS

Mr. BOOZMAN. Mr. President, today I wish to pay tribute to former Arkansas State Senator Stanley Russ of Conway, AR.

Stanley Russ was born in Conway in 1930. He graduated from Conway High School in 1948 and went on to attend Arkansas Tech University and Arkansas State Teachers College, now the University of Central Arkansas, before earning a bachelor of science in education from the University of Arkansas in Fayetteville.

Russ also served his country in multiple ways, including in the U.S. Army from 1952 to 1954, where he completed officer candidate school. Later, he served as a company commander in the Arkansas National Guard. Russ was inducted into the U.S. Field Artillery OCS Hall of Fame at Fort Sill in 1995.

Senator Russ served in the Arkansas Senate from 1975 to 2000. He was the president pro tempore from 1995 to 1997 and served as the majority leader in 1997. During his time in public office, he was known as an advocate for public, private, and higher education.

Russ was named one of the Ten Outstanding State Legislators in the United States by the Assembly of State Government Employees in 1981. Four years later, he was honored for Distinguished Service by the Municipal League of Arkansas. He was elected into the Arkansas Tech University Hall of Distinction in 1994 and the Arkansas Agriculture Hall of Fame in 2000.

Stanley Russ was a beloved public servant who devoted his life to Arkansas. He was a leader who worked with colleagues on both sides of the aisle and didn't care who got the credit as long as the goal was accomplished. Stanley showed kindness and consideration to everyone who approached him. I sincerely appreciate his devotion to our State and its citizens.

He will be greatly missed by all. My thoughts and prayers go out to his family during this difficult time.

ADDITIONAL STATEMENTS

TRIBUTE TO NELL PAYNE

• Mr. COCHRAN. Mr. President, I wish to commend Nell Payne for her distinguished career in public service.

For the past 16 years, she has served as the director of government relations for the Smithsonian Institution, where she has been a tireless advocate for the Smithsonian. She has worked to advance the institution's mission of promoting the increase and diffusion of knowledge.

Her professionalism, expertise, and integrity have helped the Smithsonian improve on its reputation as the premier museum system in the world. Her leadership and vision have directly benefited the millions of Americans and international travelers who enjoy Smithsonian exhibits and programs each year.

She also served our country in the U.S. Senate on the staff of the Budget

Committee and in the White House as a special assistant to the President.

I congratulate Nell Payne on her retirement and thank her for the important contributions she has made to the Smithsonian Institution and throughout her professional career.●

REMEMBERING TONY REYNA

• Mr. HEINRICH. Mr. President, for generations, Tony Reyna served his people in Taos Pueblo and northern New Mexico as a respected community leader and constant source of wisdom and kindness.

Last year, Mr. Reyna joined friends, family, and community members to celebrate his 100th birthday, which the New Mexico State Legislature officially proclaimed as Tony Reyna Day. After a full life of service and dedication to his community Mr. Reyna passed away last month surrounded by his family and loved ones.

Mr. Reyna was the last remaining survivor from Taos Pueblo of the Bataan death march. On April 9, 1942, Mr. Reyna and 1,800 other members of the New Mexico National Guard were among the more than 75,000 American and Filipino soldiers who were taken as prisoners of war by Japanese forces.

The Bataan death marchers were forced to endure 3 and a half years of brutal captivity. They were marched for days in the scorching heat through the Philippine jungles. Thousands died. Those who survived faced the hardships of a prisoner of war camp. Others were wounded or killed when unmarked enemy ships transporting prisoners of war to Japan were sunk by U.S. air and naval forces.

After returning to Taos after the war, Mr. Reyna opened Tony Reyna's Indian Shop in 1950, which has remained open to this day. He served two terms as governor of Taos Pueblo. He also served the Town of Taos as a police commissioner and as a museum board member. He was a lifetime member of the Taos Pueblo tribal council.

He leaves behind an enduring legacy thanks to his lifelong efforts to preserve the culture, resources, and traditions of Taos Pueblo. He played a vital role in the return of Blue Lake, the Pueblo's sacred headwaters in 1970. And in 1992, when Mr. Reyna was serving his second term as governor, UNESCO designated Taos Pueblo as a World Heritage Site.

In 2015, at a Veterans Day ceremony at the Indian Pueblo Cultural Center in Albuquerque, Mr. Reyna, then age 99, said, "I served my country. I served my people. I'm still serving. I'm available anytime they ask me!"

The people of Taos Pueblo and all of us in New Mexico owe an enormous debt of gratitude to Mr. Reyna for his full lifetime of service.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting nominations which were referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER (for himself and Mr. HEINRICH):

S. 58. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. MORAN, and Mr. PAUL):

S. 59. A bill to provide that silencers be treated the same as long guns; to the Committee on Finance.

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 60. A bill to designate the Federal building and United States courthouse located at 719 Church Street in Nashville, Tennessee, as the "Fred D. Thompson Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mr. WYDEN, Mrs. MURRAY, Mr. MERKLEY, and Mrs. FEINSTEIN):

S. 61. A bill to remove the sunset provision of section 203 of Public Law 105-384 and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 62. A bill to authorize the Secretary of the Interior to establish the January 8th National Memorial in Tucson, Arizona, as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MORAN (for himself, Mr. CRAPO, Mr. DAINES, Mr. FLAKE, Mr. GARDNER, Mr. JOHNSON, Mr. LANFORD, Mr. MCCAIN, Mr. THUNE, Mr. WICKER, and Mr. RISCH):

S. 63. A bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to the Committee on Indian Affairs.

By Mr. MCCAIN:

S. 64. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. CARDIN, Mrs. FEINSTEIN, Mr. COONS, Mr. DURBIN, Mr. MERKLEY, Mr. LEAHY, Mrs. MURRAY, Mr. WYDEN,

Mr. REED, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. BENNET, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, and Ms. DUCKWORTH):

S. 65. A bill to address financial conflicts of interest of the President and Vice President; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER (for himself and Mr. TESTER):

S. 66. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes; to the Committee on Armed Services.

By Mr. CRUZ (for himself and Mr. INHOFE):

S. 67. A bill to direct the Secretary of State to submit to Congress a report on the designation of Iran's Revolutionary Guard Corps as a foreign terrorist organization, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRUZ (for himself, Mr. HATCH, Mr. INHOFE, and Mr. ROBERTS):

S. 68. A bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes; to the Committee on Foreign Relations.

By Mr. ROBERTS (for himself, Mr. BLUNT, Mr. FLAKE, Mr. CRAPO, and Mr. WICKER):

S. 69. A bill to codify and modify regulatory requirements of Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ENZI (for himself and Mr. BARASSO):

S. 70. A bill to designate the mountain at the Devils Tower National Monument, Wyoming, as Devils Tower, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 71. A bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty; to the Committee on Finance.

By Mr. NELSON:

S. 72. A bill to require that certain information relating to terrorism investigations be included in the NICS database, and for other purposes; to the Committee on the Judiciary.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 73. A bill to provide standards for physical condition and management of housing receiving assistance payments under section 8 of the United States Housing Act of 1937; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON:

S. 74. A bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. 75. A bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. PAUL, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 16, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 23

At the request of Mr. CASSIDY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 23, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes.

S. 27

At the request of Mr. CARDIN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 30

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 30, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S. 41

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 41, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 42

At the request of Mr. HELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 42, a bill to inspire women to enter the aerospace field, including science, technology, engineering, and

mathematics, through mentorship and outreach.

S. 45

At the request of Mr. CRUZ, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 9 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

S. 51

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 51, a bill to make habitual drunk drivers inadmissible and removable and to require the detention of any alien who is unlawfully present in the United States and has been charged with driving under the influence or driving while intoxicated.

S. 57

At the request of Mr. CASSIDY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 57, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S.J. RES. 1

At the request of Mr. BOOZMAN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S.J. RES. 2

At the request of Mr. CRUZ, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Utah (Mr. LEE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Mississippi (Mr. WICKER), the Senator from Missouri (Mrs. MCCASKILL), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Georgia (Mr. ISAKSON), the Senator from South Carolina (Mr. SCOTT), the Senator from Colorado (Mr. GARDNER), the Senator from North Carolina (Mr. TILLIS) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

AMENDMENT NO. 9

At the request of Ms. KLOBUCHAR, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of amendment No. 9 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 12

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 12 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 13

At the request of Mr. NELSON, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Michigan (Ms. STABENOW), the Senator from West Virginia (Mr. MANCHIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Ms. WARREN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 13 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 15

At the request of Mr. VAN HOLLEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 15 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 17

At the request of Mr. BLUMENTHAL, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Ohio (Mr. BROWN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of amendment No. 17 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 18

At the request of Ms. BALDWIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a co-

sponsor of amendment No. 18 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 19

At the request of Mr. SANDERS, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mr. SCHUMER), the Senator from Washington (Mrs. MURRAY), the Senator from Connecticut (Mr. MURPHY) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 19 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 20

At the request of Ms. HIRONO, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Michigan (Ms. STABENOW), the Senator from New Mexico (Mr. UDALL), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mr. SCHUMER), the Senator from Illinois (Mr. DURBIN), the Senator from Montana (Mr. TESTER), the Senator from New Hampshire (Ms. HASSAN), the Senator from Rhode Island (Mr. REED), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. SANDERS), the Senator from California (Mrs. FEINSTEIN), the Senator from Vermont (Mr. LEAHY), the Senator from Ohio (Mr. BROWN), the Senator from Oregon (Mr. MERKLEY), the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs. MURRAY), the Senator from New Jersey (Mr. BOOKER), the Senator from Delaware (Mr. CARPER), the Senator from Delaware (Mr. COONS), the Senator from Massachusetts (Ms. WARREN), the Senator from Michigan (Mr. PETERS), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 20 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

At the request of Mr. DONNELLY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 20 proposed to S. Con. Res. 3, supra.

AMENDMENT NO. 21

At the request of Mr. PETERS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Delaware (Mr. CARPER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 21 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. CORKER (for himself, Mr. PORTMAN, Ms. COLLINS, Mr. CASSIDY, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table.

SA 23. Mr. CORKER (for himself, Mr. PORTMAN, Ms. COLLINS, Mr. CASSIDY, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 24. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 25. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 26. Mr. COONS (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 27. Mr. COONS (for himself, Mr. CARPER, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 28. Mr. COONS (for himself, Mr. CASEY, Mr. BROWN, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Ms. BALDWIN, Mrs. FEINSTEIN, Ms. STABENOW, Ms. DUCKWORTH, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 29. Mr. CARDIN (for himself, Ms. HIRONO, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 30. Mr. CARDIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 31. Mr. CARDIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 32. Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Ms. HASSAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 33. Ms. KLOBUCHAR (for herself, Ms. HASSAN, and Mr. VAN HOLLEN) submitted an

amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 34. Mrs. SHAHEEN (for herself, Mr. VAN HOLLEN, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 35. Mrs. SHAHEEN (for herself, Mr. COONS, Mr. VAN HOLLEN, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 36. Mrs. SHAHEEN (for herself, Mr. VAN HOLLEN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 37. Mrs. SHAHEEN (for herself, Mr. VAN HOLLEN, Ms. STABENOW, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 38. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 39. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 40. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 41. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 42. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 43. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 44. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 45. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 46. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 47. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 48. Mr. WHITEHOUSE (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 49. Mr. WHITEHOUSE (for himself, Mr. COONS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 50. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 51. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 52. Mr. FLAKE submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 53. Mr. FRANKEN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 54. Mr. FRANKEN (for himself, Ms. HEITKAMP, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 55. Mr. BOOKER (for himself, Mrs. SHAHEEN, Mr. BROWN, Mrs. MURRAY, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 22. Mr. CORKER (for himself, Mr. PORTMAN, Ms. COLLINS, Mr. CASSIDY, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

On page 45, line 15, strike "January 27" and insert "March 3".

On page 46, line 11, strike "January 27" and insert "March 3".

SA 23. Mr. CORKER (for himself, Mr. PORTMAN, Ms. COLLINS, Mr. CASSIDY, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

On page 45, strike line 2 and all that follows through page 46, line 14, and insert the following:

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the Senate, not later than March 3, 2017, the Committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving all such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

SEC. 2002. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall

submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the House of Representatives, not later than March 3, the committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the House of Representatives to carry out this section.

SA 24. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 3 ____ . **DEFICIT-NEUTRAL RESERVE FUND RELATING TO ACCELERATING GENERIC DRUG COMPETITION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reducing the cost of prescription drugs, which may include removing incentives to enter into pay-for-delay exclusivity agreements between brand and generic pharmaceutical manufacturers, by rescinding the 180-day exclusivity period for generic pharmaceutical manufacturers entering into a pay-for-delay agreement, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 25. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 3 ____ . **DEFICIT-NEUTRAL RESERVE FUND RELATING TO UNFAIR TAX BREAKS TO DRUG COMPANIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the deduction for advertising and promotional expenses for prescription drugs, which may include reducing the cost of prescription drugs by disallowing the deduction for direct-to-consumer advertising of prescription drugs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the

deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 26. Mr. COONS (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 3 ____ . **DEFICIT-NEUTRAL RESERVE FUND RELATING TO REQUIRING NOTICE BY THE PRESIDENT REGARDING CUTS IN BENEFITS, LOWER QUALITY INSURANCE, OR ELIMINATION OF INSURANCE AS A RESULT OF REPEALING THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to requiring the President to notify any individual or family who will receive a cut in benefits, receive lower quality insurance, or have their insurance eliminated as a result of any repeal of all or part of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119), or an amendment made by that Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 27. Mr. COONS (for himself, Mr. CARPER, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 ____ . **POINT OF ORDER AGAINST SHIFTING THE COSTS OF TREATING THE NEWLY UNINSURED TO WORKING AMERICANS WITH EMPLOYER-SPONSORED COVERAGE.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would result in increases in premiums, deductibles, copayments, or other out-of-pocket costs for working Americans with employer-based health insurance coverage compared to the premium and out-of-pocket costs working Americans and their employers would have paid, as projected in the most recent Congressional Budget Office baseline during the period of fiscal years 2017 through 2026, as determined by the Congressional Budget Office.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An af-

firmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 28. Mr. COONS (for himself, Mr. CASEY, Mr. BROWN, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Ms. BALDWIN, Mrs. FEINSTEIN, Ms. STABENOW, Ms. DUCKWORTH, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 ____ . **POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE HEALTH CARE BENEFITS AND CONSUMER PROTECTIONS FOR INDIVIDUALS WHO LOST A JOB, WAGES, OR BENEFITS DUE TO OUTSOURCING, TRADE DEALS, AUTOMATION, OR OTHER TYPES OF ECONOMIC DISRUPTION.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce the health care benefits and consumer protections provided through the Patient Protection and Affordable Care Act (Public Law 111-148) for individuals (and their families) who lost a job, wages, or benefits due to outsourcing, trade deals, automation, or other types of economic disruption, unless legislation is enacted to provide comparable benefits and protections for such individuals and their families.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 29. Mr. CARDIN (for himself, Ms. HIRONO, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 ____ . **POINT OF ORDER AGAINST REDUCING ACCESS TO, OR AFFORDABILITY OF, HEALTHCARE SERVICES FOR MINORITY AND DISENFRANCHISED POPULATIONS OF THE UNITED STATES.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce access to, or affordability of, healthcare services for minority and disenfranchised populations of the United States, including American Indians and Alaskan Natives, Asian Americans, African Americans, Latino Americans, and

Native Hawaiians or other Pacific Islanders, by reversing the significant gains in access to and affordability of healthcare services made by the Affordable Care Act, including—

(1) the expansion of Medicaid coverage to low-income Americans with incomes up to 138 percent of the Federal poverty level in the States that have implemented the Medicaid expansion, benefitting 51 percent of American Indians and Alaska Natives, 32 percent of African Americans, 26 percent of Asian Americans, and 25 percent of Latino Americans; and

(2) the establishment of the cost-sharing reduction tax credits, allowing 19 percent of American Indians and Alaska Natives, 23 percent of African Americans, 18 percent of Asian Americans, and 16 percent of Latino Americans to become newly eligible for essential healthcare coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 30. Mr. CARDIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE ACCESS TO MENTAL HEALTH SERVICES AND PROTECTIONS, WORSENING THE MENTAL HEALTH CRISIS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate or reduce access to mental health services by repealing the mental health protections applied by the Patient Protection and Affordable Care Act to Medicaid alternative benefit plans.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 31. Mr. CARDIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD ELIMINATE OR LIMIT ACCESS TO PEDIATRIC DENTAL CARE AND PROTECTIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate, limit access to, or reduce affordability of pediatric dental services by repealing all or parts of the Patient Protection and Affordable Care Act (Public Law 111-148), block granting the Medicaid program or imposing a per capita limit on Federal funding for State Medicaid programs, or otherwise negatively impacting children's access to coverage and services for pediatric dental care.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 32. Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Ms. HASSAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPORTATION OF PRESCRIPTION DRUGS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to requiring the Secretary of Health and Human Service to promulgate regulations permitting American consumers to legally and safely import into the United States from approved Canadian pharmacies prescription drugs for personal use by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 33. Ms. KLOBUCHAR (for herself, Ms. HASSAN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRESCRIPTION DRUGS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to eliminating anticompetitive pay-for-delay patent settlements between branded drug and generic drug manufacturers that delay competition and increase prescription drug costs by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 34. Mrs. SHAHEEN (for herself, Mr. VAN HOLLEN, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE FUNDING FOR DIABETES RESEARCH, TREATMENT, AND PREVENTION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that reduce funding for diabetes research, treatment, and prevention.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 35. Mrs. SHAHEEN (for herself, Mr. COONS, Mr. VAN HOLLEN, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST WEAKENING OR ELIMINATING THE SMALL EMPLOYER HEALTH INSURANCE CREDIT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that weakens or eliminates the tax credit to help small businesses purchase health insurance under section 45R of the Internal Revenue Code of 1986.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 36. Mrs. SHAHEEN (for herself, Mr. VAN HOLLEN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

(a) **POINT OF ORDER AGAINST LEGISLATION THAT PROHIBITS THE USE OF FOREIGN AID FOR ABORTION SERVICES IN THE CASE OF RAPE, INCEST, OR DANGER TO THE LIFE OF A PREGNANT WOMAN.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that interprets section 104(f)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(f)(1); commonly referred to as the “Helms amendment”) as prohibiting recipients of United States humanitarian aid from using such funding for abortion services in the case of rape, incest, or danger to the life of a pregnant woman.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 37. Mrs. SHAHEEN (for herself, Mr. VAN HOLLEN, Ms. STABENOW, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. **POINT OF ORDER AGAINST LEGISLATION THAT WOULD LIMIT CONTRACEPTION COVERAGE UNDER THE TRICARE PROGRAM.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would limit contraception coverage under the TRICARE program under chapter 55 of title 10, United States Code, including long-acting reversible contraceptives and emergency contraception, contraception education and counseling, and providing emergency contraception for all sexual assault survivor servicewomen at all military treatment facilities.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 38. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congres-

sional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO HIRING ADDITIONAL VETERANS JUSTICE OUTREACH SPECIALISTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to requiring or authorizing the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 39. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO ELIMINATING PREVAILING WAGE MANDATES AND REQUIREMENTS FOR FEDERALLY FUNDED INFRASTRUCTURE CONSTRUCTION PROJECTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to eliminating prevailing wage mandates and requirements under subchapter IV of chapter 31 of title 40, United States Code, for federally-funded infrastructure construction projects by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 40. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO WESTERN AREA POWER ADMINISTRATION RATE-PAYER TRANSPARENCY AND RESPONSIVENESS.**

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the establishment and implementation of a program to reduce unobligated balances in the Western Area Power Administration and to provide for transparency and responsiveness with respect to customers for power and transmission service from the Western Area Power Administration by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 41. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING HEALTH SAVINGS ACCOUNTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding health savings accounts, which may include the use of such accounts in connection with the replacement of policies enacted by the Patient Protection and Affordable Care Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 42. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO DELAYING THE ENFORCEMENT OF THE 2015 OZONE STANDARDS AND REQUESTING A NEW RULEMAKING.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to delaying the enforcement of the final rule entitled “National Ambient Air Quality Standards for Ozone” (80 Fed. Reg. 65292 (October 26, 2015)) until January 1, 2025, and requesting a new rulemaking to implement national primary and secondary ambient air quality standards for ozone by the

amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 43. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING FOREST HEALTH.**

(a) **IN GENERAL.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the forest health improvements described in subsection (b) by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

(b) **FOREST HEALTH IMPROVEMENTS DESCRIBED.**—The forest health improvements referred to in subsection (a) are any of the following:

- (1) Increasing timber production from Federal land and providing bridge funding to counties and other units of local government until timber production levels increase.
- (2) Decreasing forest hazardous fuel loads.
- (3) Improving stewardship contracting.
- (4) Reforming the process of budgeting for wildfire suppression operations.

SA 44. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO DROUGHT PREVENTION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to updating flood control operations, water conservation in the Colorado River Basin, invasive riparian species control, assisting the States in carrying out drought prevention plans, watershed protection programs, or the authority of the Secretary of the Interior to designate funds for rural water projects and Indian irrigation and water settlement projects by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over ei-

ther the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 45. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE SECRETARY OF VETERANS AFFAIRS FROM EMPLOYING FELONS AND MEDICAL PERSONNEL WITH REVOKED OR SUSPENDED LICENSES OR CREDENTIALS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the Secretary of Veterans Affairs from employing individuals who have been convicted of a felony and medical personnel who have ever had their medical licenses or credentials revoked or suspended, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 46. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO BRINGING ADDITIONAL INDEPENDENT OVERSIGHT TO U.S. CUSTOMS AND BORDER PROTECTION POLYGRAPH EXAMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to bringing additional independent oversight to U.S. Customs and Border Protection polygraph exams, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 47. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026;

which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 _____. **POINT OF ORDER AGAINST EARMARKS.**

(a) **IN GENERAL.**—When the Senate is considering a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report, if a point of order is made by a Senator against an earmark, and the point of order is sustained by the Chair, that earmark shall be stricken from the measure and may not be offered as an amendment from the floor.

(b) **FORM OF THE POINT OF ORDER.**—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)).

(c) **CONFERENCE REPORTS.**—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to subsection (a), and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(d) **SUPERMAJORITY WAIVER AND APPEAL.**—In the Senate, this section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of Members of the Senate, duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) **DEFINITION.**—In this section, the term “earmark” means—

(1) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives.

SA 48. Mr. WHITEHOUSE (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO ACCESS TO MEDICARE FOR ALL AMERICANS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between

the Houses, motions, or conference reports relating to providing all Americans, regardless of age, the ability to buy into the Medicare program to secure quality, affordable health insurance coverage by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 49. Mr. WHITEHOUSE (for himself, Mr. COONS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . **DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING THE PRESCRIPTION OPIOID ABUSE AND HEROIN CRISIS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to fully funding all programs authorized by the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198) by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 50. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . **DEFICIT-NEUTRAL RESERVE FUND RELATING TO PERMANENTLY EXTENDING THE ENHANCED FEDERAL MATCHING RATE FOR MEDICAID EXPANSION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to permanently extending the 100 percent Federal medical assistance percentage to State Medicaid programs to maintain coverage expansion by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 51. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S.

Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . **DEFICIT-NEUTRAL RESERVE FUND RELATING TO CONTINUING STATE OPERATED HEALTH INSURANCE EXCHANGES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to allowing State-operated exchanges to continue and maintaining advance premium tax credits and cost-sharing reductions at current levels for eligible individuals in those States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 52. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . **DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTIONS FOR THE ELDERLY AND VULNERABLE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protections for the elderly and vulnerable, which may include strengthening Social Security and Medicare, improving Medicaid, housing reform, and returning regulation of health insurance markets to the States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 53. Mr. FRANKEN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . **POINT OF ORDER AGAINST LEGISLATION THAT WOULD DRIVE UP HEALTH INSURANCE COMPANY PROFITS.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill,

joint resolution, motion, amendment, amendment between the Houses, or conference report that would enable health plans to use less than 80 percent of premium income to pay for claims and quality improvement measures.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 54. Mr. FRANKEN (for himself, Ms. HEITKAMP, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . **POINT OF ORDER TO PROTECT THE RURAL HEALTH WORKFORCE.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report if the Congressional Budget Office has determined that such legislation would—

(1) reduce the number of doctors, nurses, and health care providers in rural communities;

(2) reduce financial or other incentives for such providers to practice in rural communities, including programs that provide loans, loan repayment, scholarships, or training, including the National Health Service Corps funding established under the Patient Protection and Affordable Care Act (Public Law 111-148); or

(3) otherwise undermine the support for the health care workforce in rural communities as outlined by title V of the Patient Protection Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 55. Mr. BOOKER (for himself, Mrs. SHAHEEN, Mr. BROWN, Mrs. MURRAY, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENCOURAGING PRIMARY HEALTH CARE PROVIDERS TO PARTICIPATE IN THE MEDICAID PROGRAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to encouraging primary health care providers, including board-certified family physicians, to participate in the Medicaid program and provide important primary care services to beneficiaries, through measures such as reinstating the enhanced matching rate for primary care services, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Michael Martin and Jeremy Gelman, fellows in my office, be granted privileges of the floor for the remainder of this session of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JANUARY 10, 2017

Mr. DAINES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Tuesday, January 10; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. Con. Res. 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017—Continued

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate resume consideration of S. Con. Res. 3.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. DAINES. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks from my Democratic colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. MARKEY. Thank you, Mr. President.

I just want to follow up on the statements made by the Senator from Connecticut, Mr. BLUMENTHAL, and the Senator from Hawaii, Mr. SCHATZ. They have laid out in eye-watering detail the problems that the Republicans are creating by their attempt to repeal the Affordable Care Act. What Senator SCHATZ and Senator BLUMENTHAL did was just get to the heart of this matter.

What the United States did for 100 years was to not run a health care system but to run a sick care system—a system that spent 97 cents on what happens after people got sick and only 3 cents of every dollar on trying to prevent people from getting sick. For the first time in American history, that changed in the Affordable Care Act.

What President Obama did, what America did was to create a Prevention and Public Health Fund, and that fund in the Affordable Care Act is spent on prevention programs. It is spent on looking at people who could get asthma, diabetes, heart disease, obesity, high blood pressure, stroke, or die from too much smoking and just say for the first time, in a comprehensive way, that the United States was going to put programs in place that would prevent people from getting the diseases that every preceding generation of Americans have suffered from. That is what the prevention fund is all about. That is what the Republicans are going to repeal, take off the books—this fundamental change to the direction toward prevention, toward wellness that all Americans of all generations want to see remain on the books.

In Massachusetts, if you are in New Bedford or Fall River or if you are in Springfield, those programs target racial minorities, they target low-income families, they target seniors who would otherwise be vulnerable to diseases that these programs can help to prevent. That money is just going to be sliced out of the Federal budget. What will be the consequences? Well, quite clearly, it will cost America a lot more money.

For example, my father died from lung cancer, smoking two packs of Camels a day. How many other fathers, mothers, sisters, and brothers die from a totally preventable disease? Well, ladies and gentlemen, this prevention fund put into place the kind of funding on a consistent basis not just for antismoking programs but for all programs across the books.

I will give you a good example. Back in the 1930s, no women, for the most part, died from lung cancer in the United States. But in the 1950s and 1960s, the tobacco industry hired the smartest PR person in America. This campaign basically said: "You've come a long way, baby." You have an equal right to get cancer, as your husband, boyfriend, father, or brother has, and 20 years later, unbelievably, women

began to die in the United States from lung cancer at a rate that was higher than the number of women who were dying from breast cancer.

Now that is a public relations success of the first and highest magnitude. We didn't have prevention programs in place. We didn't have a warning system to say to women, to say to kids: This is dangerous to your health. What did we see? We saw just about every family in America with somebody who died from lung cancer—pretty much every family—and it was totally preventable.

Well, inside of the Affordable Care Act we have this huge, great, innovative breakthrough—a health and prevention program that could be used in every city, every town, and every State across the whole country, targeting the most vulnerable, the most likely to be targeted, the ones most likely to be engaging in dangerous behaviors that are otherwise preventable. We have cured most of the diseases that our grandparents died from. The diseases that people die from today are the diseases that they give to themselves. They are behavioral choices. They are environmental situations into which they are placed that then result in them, unfortunately, contracting the chronic diseases that wind up first harming them and ultimately killing them.

What is a good example? Well, a good example is opioids. Opioids are now a killer of a magnitude that is almost incomprehensible. In Massachusetts, 2,000 people died in 2016 from opioid overdoses. Now, we are only 2 percent of the population of the United States of America. If you multiply that by 50, it is 100,000 people dying from opioid overdoses if they die at the same rate as the people who are dying in Massachusetts—100,000 a year, two Vietnam wars of deaths every single year from opioid overdoses. If ever there was a preventable disease, if ever there was something that was completely and totally subject to having programs put in place that could help people avoid ever getting into that addiction situation—or, once they did, giving them the program money which they need—then opioid addiction is it.

Well, what the Republicans are doing here is just wiping it out. They are wiping out that prevention fund. Moreover, just for the sake of understanding how incredible everything they are considering is going to be in terms of prevention of opioid disease, Medicaid right now pays \$1 out of every \$5 for substance use disorder treatment in the United States of America. In other words, without these prevention funds, without Medicaid funding, the only choice for these families is either getting help or getting buried. That is the bottom line. What the Republicans are doing is just wiping out the help.

So the option is going to be not just 2,000 in Massachusetts multiplied by 50,000, 100,000 deaths a year, we are just

going to see this number skyrocket because without public health, without prevention programs, this is an inexorability, it is an inevitability. This is the future. This is just a repetition of everything America did for the preceding 100 years before we put the Affordable Care Act on the books. It doesn't make any difference whether you come from Connecticut or Hawaii, from Virginia or Michigan, from Massachusetts or from any other State in the Union, there are no barriers to opioid overdose, tobacco deaths, obesity, all of these preventable diseases. It is all coming as a preview of coming attractions to families all across the country. Here it is. This is what the Republicans are promising you: your family, once again, exposed.

Listen to this number. When the Affordable Care Act gets repealed by the Republicans, if they are successful—listen to this number: 1.6 million people who right now are covered for substance use disorders will no longer have coverage. Let me say that again: 1.6 million people who have coverage for substance use disorders will no longer be covered. So we have the prevention fund over here, we have the insurance over here—both gone.

I say to my colleagues, these Republicans—it is almost unbelievable. If you kick them in the heart, you are going to break their toe. We are talking about the most vulnerable people in our country. We are looking at the children. We are looking at people who have substance abuse disorders. We are looking at people who otherwise would never have smoked a day in their life if prevention programs were in place. We are looking at people who would never have to suffer through a life of obesity because the programs were put in place.

What are they saying? They are saying we are going to substitute and create a new program. When? Maybe soon. Maybe just around the corner. Maybe next year. Maybe whenever we get to it. What do you say to those families? What do we say to them?

This isn't just health care; this is also hope. This is also hope for these families who have chronic diseases, these families who have diseases that were otherwise preventable.

What the Republicans are saying is, we are just going to pull a bait and switch on you. We are going to repeal right now and replace at some point of our choosing in the future, even though we have harbored an ancient animosity toward the creation of a national law in the first place, and the American people are supposed to gullibly accept that argument. Well, we know what they have always wanted to do: leave all of these health care programs, from Medicare to Medicaid, to Social Security, as death-soaked relics of the programs as they have been created by Franklin Delano Roosevelt, by Lyndon

Johnson, by Bill Clinton, by Barack Obama. They have always harbored that animosity toward those programs. This is just the beginning of an assault upon generations of promises to American families who have been transformed by these programs.

Let us fight hard, I say to my colleagues, to make sure these prevention funds are not taken off the books. It is the transformative way of looking at health care which the Affordable Care Act introduced into our society. I thank my friend Senator BLUMENTHAL for leading us on this charge and Senator SCHATZ.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise with my colleagues, and I am thrilled to be here with them, to save our health care and to try to convince our colleagues that a repeal of the Affordable Care Act would be health care malpractice, and because health care is one-sixth of the American economy, it would be economic malpractice as well.

What I thought I would do basically is just tell two stories. I am going to tell a Virginia story from before the passage of the Affordable Care Act, and I am going to tell a Virginia story since the passage of the act.

I was first elected to statewide office in 2001, and I became the Lieutenant Governor of Virginia. Shortly after, I started to attend, on a fairly regular basis, a most amazing annual event. It is called the Remote Area Medical clinic in Wise County, VA. It is in the heart of Appalachia, in a community on the border of Kentucky where my wife's family is from. This was an annual medical clinic that was set up by some Catholic nuns who were driving a van around trying to offer medical care to people who didn't have it, and they decided they would recruit volunteers. They would set up at a dusty county fairground, the Virginia-Kentucky fairground in Wise, VA, and open the doors on Saturday to people who didn't have health care. It had been going for many years when I first went as Lieutenant Governor. I had heard so much about it, and I was anxious to go see it.

Here is what I saw when I first went there. People start to come on about Tuesday of the week when it is going to open on Friday, and they come in groups of three or four families, and then they come in groups of ten or dozens, and then hundreds, and then thousands, to this dusty county fairground in late July—hot in Southwestern Virginia. They gather so that on Friday morning, at about 7 o'clock when it opens, they have gotten a number, they know where they are in the line, and sometime over the course of Friday and Saturday, they will be able to see a doctor, in some instances for the first time in their lives. There are doctors, dentists, medical students, the Lions

Club volunteers to give vision screenings, hundreds of volunteers, and thousands of people seeking medical care.

The first year I went to this, I was overwhelmed at the magnitude of the philanthropic spirit of the volunteers, and I was also overwhelmed at the depth of the need. Something made it more palpable by walking around the parking lot to see where people had come from.

This is a community that is on the border of Virginia and Kentucky so I wasn't surprised to see Virginia license plates and Kentucky license plates. It is kind of near West Virginia so I wasn't surprised to see West Virginia license plates. It is near Tennessee. I saw Tennessee license plates. I saw North Carolina license plates. What struck me as I went through the parking lot was to see license plates from Georgia and license plates from Alabama and license plates from as far away as Oklahoma.

We are the richest Nation on Earth. We are the most compassionate Nation on Earth. Yet, in order to get medical care, people would get in their cars and drive for days, and then camp for days, for the chance to see a doctor or a dentist.

It reminded me that first year, and it reminds me still, of the way health care was delivered in the poor country of Honduras where I served as a missionary in 1980 and 1981. There wasn't really a health care network. Occasionally, missionaries or others would set up a clinic in a mountain community once a year—maybe less than that—and people would gather, and that was the way we were delivering health care in a successful State, in the most compassionate and wealthiest Nation on Earth. It is just not right. It is just not right.

The RAM clinic still goes on. It hasn't gone away, but I will tell my colleagues what has happened since the passage of the Affordable Care Act. The percentage of Americans without health insurance has dropped from over 16 percent to about 8 percent. It has almost been cut in half, and the uninsurance rate in this country is at its nearly lowest percentage since we have been able to record that number. That means there is less of a need for the RAM clinics because more people can have a medical home and can seek care. That decline has also been significant because in Virginia, we were about 14 percent uninsured in 2010, and that number has now come down to about 9 percent.

So that first story—the story of this RAM clinic, pre-Affordable Care Act, with one in six Americans not having health insurance—we have done a good thing as a Congress to provide access to dramatically reduce that number.

Let me tell my colleagues a second story. The second story is just about a

family, a story in a letter that I received just a few days ago. It is a different aspect of the Affordable Care Act. It is not so much about the reduction in the uninsured, but it is about more peace of mind and security for the majority of Americans who do have health insurance.

Dear Senator KAINE,

As a Senator, you have been charged with an immense task. Your constituents rely on you to work on our behalf to uphold and protect the freedoms we enjoy as Virginians and Americans. We also rely on you to safeguard the legislation that exists to keep our family and so many of our friends and neighbors healthy and safe.

When I graduated from the University of Virginia, I was fortunate to enter a career through which I received excellent benefits. I taught second grade and kindergarten in both Chesterfield and Albemarle Counties. My health insurance was comprehensive and affordable. I didn't know how good I had it.

After years in the classroom, I put my career on hold while I stayed at home with our children. We were so lucky to have been in a position to be able to make that choice. I know that being able to rely on a single income is not a reality for many Virginians. We enrolled in a private health insurance plan through my husband's company, a small business based out of Richmond, Virginia.

Our new plan came at a higher cost than my excellent public-school teachers' insurance, but it was comprehensive and it allowed my husband and me, and especially our children, access to outstanding health care. Just this past year, my husband, who was by then a part-owner in the company, left his position to open his own Financial Advisory firm. It was a move that was made easier because we had the option of enrolling in a health insurance plan through the Affordable Care Act, which we did in July of 2016.

In addition to well checkups, sick visits, prescriptions for antibiotics, and vaccinations, we rely on our health insurance made affordable through "ObamaCare" to, quite literally, save our children's lives.

Our oldest son is "medically complex." He was diagnosed with multiple and severe food allergies when he was just 10 months old. Though he was initially highly reactive to over 13 foods, with the help of a vigilant pediatric allergist, multiple blood draws, tens of skin prick tests, and four in-office, hours-long oral food challenges, my son can now safely eat all foods except for nuts, peanuts, milk, and shellfish. Still, we pay a premium for life-saving prescriptions that we hope he'll never need: Epi-pens. He needs one at school and one that travels with him from home to extracurricular activities. Even after insurance, we pay nearly \$1,000 each year for these prescriptions.

In addition to his pediatrician and allergist, we have been to a psychologist for his anxiety and a cardiologist for a detected heart murmur. More recently, after his pediatrician became concerned about his stagnation on his growth chart, my nine-year old has been subjected to more blood draws, weight checks, countless hemoglobin level checks, and a consultation with a gastroenterologist. Next week he will undergo an endoscopy and a colonoscopy to, hopefully, diagnose a treatable condition that, once known and treated, will enable him to get back on that weight chart and thriving.

Because of our health insurance, we have the peace of mind of being able to afford

these doctors' visits, lab work, and medical procedures for our son. Our medical insurance through the Affordable Care Act allows us access to the best medical care and professionals in our area.

Please do what is right for our family. Please do what is right for your constituents. Please do what is right for our country. Please save the Affordable Care Act.

Thank you for taking the time to read one little piece of our family's story.

Sarah Harris, Crozet, VA.

My first story was about people who didn't have health insurance. My second story is about people who do have health insurance, but the health insurance is now affordable and comprehensive. My second story about the Harris family is also about something else important. Her husband was able to leave a job with health benefits to start his own company, which we want to encourage in this country. We want to encourage entrepreneurs. We want to encourage innovators. Before the Affordable Care Act, somebody like Mr. Harris couldn't leave his job and start a company because he wouldn't have been able to buy insurance that would have covered a child with a preexisting condition. Imagine being a parent with a dream, like so many have, of starting your own business, and realizing you could not achieve that dream and you would have to put it on hold because if you changed your job, you would not be able to get health insurance for your child.

I gave a speech about this on the floor last week. I will just conclude and say this. Health insurance is to provide a protection for you when you are ill or injured, but that is not all it is about because if you are a parent, even if your child is healthy, but you do not have health insurance, you go to bed at night wondering what is going to happen to my family if my child gets sick tomorrow or if I am in an accident tomorrow. Who is going to be there? How is my family going to be taken care of?

So what the Affordable Care Act is about is, as Sarah Harris said, peace of mind. It is about coverage, but it is also about the peace of mind that you need as a parent to know that your child will be protected if you are ill or if your child is injured. That is what the Affordable Care Act has done for the Harris family of Crozet, VA. That is what it has done for tens of millions of Americans.

The Urban Institute indicated that if the Affordable Care Act is repealed without a replacement, or even a delayed replacement, it could cause 30 million Americans to lose their health insurance—and 30 million Americans is the combined population of 19 States in this country. This is not a game. This is very, very serious, life and death, that we are grappling with in this body. My strong hope is that our colleagues will join together and decide that we want to fix and improve the health care system of our Nation but not break it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Virginia for his leadership. He recently led a letter which a number of us joined in on to suggest that we make reforms to this bill. I said the day it passed that the Affordable Care Act was not an end but a beginning.

But we have not had opportunity, save for just a few examples where we changed some tax-reporting provisions under 1099. I was one of the people who led the successful efforts to suspend the medical device tax—something the Presiding Officer cares a lot about in his home State—but in truth, we have not had the opportunity that Senator KAINE suggested to make changes to this bill. Instead, we have been faced with the thought of just simply repealing this bill, with no replacement, with no plan in place. So we would all say to our colleagues across the aisle: Show us the plan. Show me the plan. Once we see that, we can start talking, but that is not what is happening today.

Additional changes could be made to the act, including increasing the amount of subsidies available to exchange enrollees, something important in my State; establishing perhaps State-based reinsurance programs; doing something about the pharmaceutical prices, something I have long advocated for. I have been ready and willing to work with my colleagues on both sides of the aisle and to find additional commonsense improvements to the law, but repealing without a replacement plan is simply unacceptable. It is chaos.

As my colleague from Virginia reminded us with a touching letter that he read from his constituent, let's remember what health care reform means to families across this country, why we have this bill in the first place. Americans with preexisting conditions, like asthma, diabetes, heart disease, and cancer, can no longer be denied access to health insurance coverage. Children can stay on their parents' plans until they are 26, a dramatic change that helps so many families across America. Women are no longer charged more than men for health insurance.

We had a lot of issues when we debated this bill, making sure that being a woman or being a victim of domestic violence was not a preexisting condition. I see the Senator from Michigan, Ms. STABENOW, who fought for maternity benefits. I will never forget the story in her committee, when one of the Senators suggested that maybe maternity benefits shouldn't be mandatory as part of a plan because he had never used them. Without missing a beat, Senator STABENOW looked across the table and said: I bet your mother did.

The point is, we made good changes in this bill that help people. There are

no longer annual or lifetime limits on how much health insurance companies will cover. All health insurance plans must now cover a basic set of services, which includes mental health care, addiction treatment, prescription drug coverage.

If the ACA is repealed, nearly 30 million Americans could lose access to health insurance, increasing the number of uninsured by 103 percent. More than 80 percent of these Americans are members of working families. In Minnesota, it is estimated that 380,000 fewer people would have health insurance in 2019 if full repeal is successful.

Many Minnesotans have contacted me in the last few months, frightened about the future of their health care coverage.

I heard from a man in Orono. His wife was diagnosed with cancer this year. On top of everything his family is now dealing with, he is terrified that his family will lose coverage if there is a repeal. He wrote to me, begging me to help. He and his family will be bankrupt by the cost of his wife's treatment if they lose their health insurance.

I heard from a 24-year-old young woman from St. Paul. She has a chronic disease, and her medication would cost \$4,000 a month. Thanks to the ACA, she has been able to stay on her dad's health insurance plan, which covers a significant amount of these costs. If she isn't able to remain on her dad's plan, she will not be able to afford the lifesaving medication she needs.

I heard from small business owners in Aurora. Before health care reform, one of the owners had a lifelong preexisting condition and was denied access to health insurance. Once the Affordable Care Act took effect, she was finally able to purchase coverage through her small business. She also qualified for the small business tax credit. She reached out to me because she fears she will lose the coverage she needs to stay healthy and be able to run her business.

I heard the story of a woman from Crystal. She works two part-time jobs, neither of which offers health insurance. Before health care reform, she couldn't afford to go to a doctor. Thanks to the Affordable Care Act, she gained coverage through Minnesota's Medicaid expansion and was able to get treatments she needed and wouldn't have been able to afford without her insurance. Now she is scared she will lose her coverage. If the Medicaid expansion is repealed, she knows she will not be able to afford any of the treatment she needs.

These are just some of the heart-breaking stories of people who have contacted my office. There are many more. The Affordable Care Act repeal will have real consequences for families in Minnesota and across the country, but families aren't the only ones who will see the negative impacts.

They are going to see it through rural hospitals. Health care reform provided a lifeline to these hospitals by extending coverage to millions of patients who can now get prescription drugs and treatment without having to turn to emergency rooms for assistance. This lifeline was helpful in three ways.

First, the health care reform law included a provision to extend prescription drug discounts—between 25 and 50 percent—to over 1,000 rural hospitals through the 340B Program. The River-View Health facility in Crookston used the savings from the 340B Program to recruit orthopedic surgeons and oncology specialists, update equipment, start a clinic, and start a 24/7 onsite lab.

Second, the Medicaid expansion, under health care reform, provided coverage for millions of previously uninsured patients in rural States. This means crucial new revenue for rural hospitals.

Third, health care reform enabled nearly 2 million rural Americans, including in my State, to purchase subsidized private coverage on exchanges last year alone—which is an 11-percent increase from 2015. Even with these gains, the National Rural Health Association recently said that most rural hospitals have been “operating on a break-even margin or at a loss in certain cases.” These hospitals can't afford to see a repeal of the ACA with no replacement that works for them.

As we look to improvements, I would mention a few things with prescription drug prices. According to a 2016 Reuters report, prices for 4 of the Nation's top 10 drugs increased more than 100 percent since 2011. The report also shows that sales for those ten drugs went up 44 percent between 2011 and 2014, even though they were prescribed 22 percent less. In any given month, about half of all Americans and 90 percent of seniors take a prescription drug.

So what has happened? The price of insulin has tripled in the last decade. The price of the antibiotic doxycycline went from \$20 a bottle to nearly \$2,000 a bottle in 6 months. As was pointed out, naloxone, a rescue medication for those suffering from opioid overdose, was priced at \$690 in 2014 but is \$4,500 today. This is a rip-off, and this cycle can't continue. A recent study showed that one in four Americans whose prescription drug costs went up said they were unable to pay their medical bills. They are skipping mortgage payments. They are not being able to pay their bills.

So what are some solutions? I recently introduced and am leading a bill, with a number of other Senators, for negotiation for prices under Medicare Part D. The President-elect has voiced support for this kind of effort. Let's get it done.

Secondly, drug importation. Senator MCCAIN and I introduced and reintro-

duced our bill again, which allows for less expensive drugs to come in from Canada so we finally have some competition. It would simply require the FDA to establish a personal importation program that would allow Americans to import a 90-day supply of prescription drugs from an approved and safe Canadian pharmacy. We wouldn't need this if we didn't have these escalating prices.

Third, Senator GRASSLEY and I have a proposal to crack down on pay-for-delay that prevents less expensive generic drugs from entering the market.

Finally, Senators LEAHY, GRASSLEY, MIKE LEE, and I have introduced our bipartisan Creating and Restoring Equal Access to Equivalent Samples Act, to make it easier for generics to enter the market and stay in the market. The answer to this is competition, and we are not going to have competition if we deny access to that competition.

In conclusion, no family should be forced to decide between buying food and filling a prescription or paying the mortgage and taking a drug as prescribed. It is time to pass legislation to ensure that Americans have access to the drugs they need at the prices they can afford. I am more than happy to talk to my colleagues about some of these proposals, but we simply cannot repeal this bill with no plan on the table to replace it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise this evening to speak about the Republican effort in the Senate, by way of a budget resolution, which includes so-called reconciliation instructions to repeal the Patient Protection and Affordable Care Act, in this case, unfortunately, without any replacement for that legislation we passed a number of years ago.

In a word, I think this is a plan for chaos—chaos certainly for insurance markets but more particularly chaos and damage done to middle-class families whose costs will go up. Of course, their coverage will be affected adversely. A repeal act without replacement would raise the price of prescription drugs for older Americans across our country, put insurance companies back in charge of health care, cost our economy millions of jobs, and devastate funding for rural hospitals and rural communities in Pennsylvania and across the country.

I think, on a night like tonight, where we are just beginning a long debate about how to bring affordable care to Americans and how to continue that, we should reflect back on where things were before the Patient Protection and Affordable Care Act.

Over 50 million Americans were uninsured in 2009—50 million people. People with any sort of medical condition were routinely denied health insurance

or were charged exorbitant rates because of their health histories. Women in the United States were routinely charged more than men for their health insurance. This is not an exhaustive list. Finally, individuals who were ill were routinely dropped from their health care coverage because they had reached arbitrary caps on the amount of care an insurer would pay for a given year.

So let us talk about what has happened since then. Since the passage of the Affordable Care Act in 2010, we have come a long way. More than 20 million Americans, including almost 1 million in Pennsylvania, have received health insurance as a result of this one piece of legislation. One hundred five million Americans are protected from discrimination due to preexisting conditions. Those are 105 million Americans with preexisting conditions who are no longer barred from treatment or coverage as they were before. Nine million Americans have received tax credits to help them cover the cost of their insurance. Eleven million seniors have saved over \$23 billion from closing the Medicare Part D prescription drug plan's so-called doughnut hole. Doughnut hole is a benign way of saying burn a hole—costs that were burning a hole in the pockets of America's seniors.

Finally, hospitals in States like Pennsylvania are getting a lot of help due to the legislation. In Pennsylvania, our hospitals have saved \$680 million due to reductions in uncompensated care. I think, in the end, most of this is about real people and real families and their real lives and, unfortunately, the real consequences that would adversely impact their lives.

Among the 3 million Pennsylvanians with preexisting conditions, there are two remarkable young women whose mother first contacted me in 2009—Stacie Ritter, from Manheim, PA. Stacie is a mother of four children, including twin girls, Hannah and Madeline. That is a picture of Hannah and Madeline a number of years ago. Hannah and Madeline were diagnosed at the age of 4 with a rare and dangerous type of leukemia, at such a young age.

Stacie and her husband went bankrupt. They literally went bankrupt trying to pay for their daughters' medical bills. She wrote to me at the time, saying that without health care reform "my girls will be unable to afford care, that is if they are eligible for care that is critically necessary to maintain this chronic condition. Punished and rejected because they had the misfortune of developing cancer as a child."

So said Stacie Ritter, one mother in one community in Pennsylvania in 2009. She was talking about her daughters being punished and rejected, as if they had any control over the cancer they were diagnosed with. Fortunately, Hannah and Madeline are healthy young women today. Madeline and

Hannah are freshmen at Arcadia University and are doing well. The Affordable Care Act protects them by assuring they will have access to affordable coverage, whether on their parents' plan or on a plan in the market. Because of their medical histories, they have ongoing health care needs, and they don't know what they would do without the Affordable Care Act.

Here is a picture of them today, and you can see what a difference health care makes in the life of a child—in this case, the life of two children who are now young women and in college. I don't even want to think about it, but we should think about what would have happened without this legislation. We should not ever put children and their families in that circumstance.

If you are talking about a new plan, you better have a plan that would cover children like Hannah and Madeline, and you better be able to pay for it. You can't just talk about it. You can't just promise it. You have to be able to pay for it, as we did in this legislation.

While we are on the question of costs, let's talk about it in human terms—human terms meaning young women like Hannah and Madeline. We have heard an awful lot from Republican Members of the Senate and Republican Members of the House of Representatives. They have been promising to come up with a "better plan" than the Affordable Care Act since 2010. Since March of 2010, when this passed, you would think that by now they would have a plan—a plan that would replace what they had repealed. That is part one. Part two is a plan that is better, because that is what they promised. They used other words to describe it as well.

Now almost 7 years later—and it will be 7 years in March—where is their plan? I don't think anyone has been able to find their plan. Some Members of the Senate on the Republican side of the aisle have said recently that they have a plan but they haven't released it yet, or they have parts of a plan or different plans but they are putting them together, and we will see them soon. Others don't seem to know whether there is a plan or not. So they promised to replace the Affordable Care Act only after they repealed it and only after millions of Americans would lose their insurance.

Where is the plan after 7 years? You would think, if you were serious about a matter of public policy—something as substantial and as consequential in the lives of families—that after 6-plus, almost 7 years you would have a plan ready to go, and that plan would be comprehensive, and that plan would cover at least 20 million people, maybe more.

That plan would have all the protections that I spoke of earlier. Young women like that, when they were chil-

dren, would not have their treatment capped. Someone with a preexisting condition would be protected. Women would not be discriminated against. All of those protections, including the coverage, would be part of that plan—you would think.

It seems as if to find the Republican plan here in Washington, you would need to hire a really good private investigator to look in every corner of Washington. Maybe it is in some of the desks here. Maybe we just haven't found it yet. So far, there is no plan—no plan. There is a lot of talk and a lot of hot air about repeal but no plan.

What does the Brookings Institution say? They say that the number of uninsured Americans would double if the act is repealed. To be precise, that would leave 29.8 million people without insurance. It would go from 28.9 to 58.7 million people. I started tonight talking about 50 million uninsured in 2009. If you repeal this legislation and you don't replace it with something that is very close to comparable, that means you no longer have 50 million uninsured like we did in 2009, you have 58.7 million—let's round it off to 59 million Americans without insurance—despite all the gains we have made in the last number of years.

What does that mean for Pennsylvania? Since the bill was passed, 956,000 Pennsylvanians stand to lose their coverage because that is how many have gained it. The Congressional Budget Office, which is the Congress's referee or scorecard, estimates that insurance premiums would rise by 20 percent if the act is repealed without a replacement.

The Commonwealth Fund, in a recent report, estimated that repealing the act would cost our economy 2.5 million jobs per year—not over 5 years or 10 years but 2.5 million jobs per year.

Pennsylvania is a State where, despite having huge urban areas in both Philadelphia and Pittsburgh and a lot of cities in between, we have millions of people literally that live in so-called rural communities, rural counties. By one estimate of our 67 counties, 48 of them could be categorized as rural counties. We have a lot of people who live in, make their living in, and work very hard in rural communities.

One of the headlines that caught my attention last week was from the Fiscal Times. This is from January 5. You can't see it from a distance, but the headline reads: "Obamacare Repeal Could Push Rural Hospitals to the Brink." It is all focusing on rural hospitals and the cost of repeal.

We know that a couple of years ago there was a report by First Focus that focused specifically on rural children and their health care. Here is what the conclusion of that report was. As of 2012, the year they examined, Medicaid and the Children's Health Insurance Program covered 47 percent of rural

children, compared with 38 percent of urban children. Almost half of rural children, as of this report, received their health care from Medicaid or the Children's Health Insurance Program. Both would be adversely impacted by both the repeal of the Affordable Care Act and the implementation of the House Republican budget, which I think is the most extreme budget ever proposed in Washington.

That is the reality just for rural children and their health care and, also, the predictions about what will happen to rural hospitals. A lot of people employed in Pennsylvania—tens of thousands—are employed in rural hospitals in our State.

One of the individuals who contacted us to talk about this issue in the context of being in a somewhat rural community but someone who is actually doing farming—and, of course, farming does not occur just in rural areas—is Julia Inslee, from Coatesville, PA. That is in Southeastern Pennsylvania, where we have a lot of farms, as well, just like we do in the middle of the State and in the western, northeastern, and northwestern part of the State. Julia turned her family's hobby farm into a full-time operation. Here is what she wrote to her office in November.

I am one of the millions of people who have benefited greatly from affordable access to health care. I work part time as a tutor at a community college and nearly full time as a farmer. Neither one of these jobs provides me with health care, nor do I make enough to pay several hundred dollars in premiums per month. The government subsidy is what makes it possible for me to have healthcare. If Obamacare is taken away, I will most likely have to give up farming, and if anything, we need more farmers, not fewer.

That is what she says. "If Obamacare is taken away, I will most likely have to give up farming."

Why would we do that? Why would we say that to someone who has achieved success in any profession or any job or any career—but especially something as fundamental to the economy of Pennsylvania? By one estimate, our largest industry is agriculture in Pennsylvania. Why would we say to that farmer: They have this idea to get rid of legislation in Washington. You are just going to have to come up with a new profession. Why would we force people to give up farming in order to meet the demands of some people in Washington?

Julia is facing the likelihood, if the act is repealed, of losing her ability to support herself because her insurance would be too expensive.

I have to ask: Is this a "better plan"? Is this what Republicans have come up with? We shall see.

Rebecca Seidel is a dairy farmer as well. She is from Douglassville, PA. Rebecca co-owns a herd of dairy cows, and she talked with me just last week about how dangerous farming can be and how scary it is not to have insurance. She says:

As the daughter, granddaughter, and great-granddaughter of Pennsylvania dairy farmers, I've seen my share of agricultural catastrophes. Between equipment and large animals, every day comes with potential hazards. Will I break a rib getting between two cows who are fighting? Will a blade come loose from the bedding chopper and hit me? Will my hand be broken through miscommunication with someone operating the skidloader? These are realities with which I live every day and I am able to go about my job bravely because I know none of these events would financially destroy my family.

She said the Affordable Care Act allowed her to work, and she wrote:

Threats to the ACA are threats to our future, Senator, and to the future of small businesses, agriculture, and families.

Rebecca and her husband don't know what to expect with repeal of the law. They want to start their own business, allowing their current employer to hire more people, but they don't know what they will be able to afford in such an environment of uncertainty. Rebecca and her husband don't know if they will be able to realize their plans to start a new business. How is this a better result for them, we would have to ask.

Finally, we have a story of a businessman, Anthony Valenzano. Anthony is a small business owner who has been successful with the hard work of one employee who purchases an affordable and comprehensive plan through Pennsylvania's health insurance marketplace. This is what Anthony said as a small business person:

It is my opinion that the Affordable Care Act is the best thing the federal government has ever done for a real small business like mine. This bill paved the way for entrepreneurs to strike out on their own, knowing that they have a way to get health insurance. The bill allowed these entrepreneurs to attract professional employees who would otherwise have never left a corporate job to join a small startup.

His business relies on his one employee—in this case, he has one who is central to his business—being able to purchase affordable health insurance, since, with only one employee, he cannot get her on employer-sponsored coverage. He said, "Looking forward, we plan to do even bigger and better things, but she still needs health insurance to do it, and if we lose the Marketplace, iQ Product Design will likely lose its key employee and will be unable to create the next big market-changing product."

He is asking: What is going to happen? Is there a replacement plan? What happens to his employee? What happens to his business? We have a long way to go to debate these issues. But I have to ask again, if there is such a better idea here after almost 7 years now, where is this replacement plan? We haven't heard one word about the details of it. Where is it? I think that is what a lot of Americans are asking. We know what Republicans want to do:

Repeal the Affordable Care Act or patient protections in the Affordable Care Act for all those people with insurance who had much better protections solely because of this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first I want to thank my good friend and colleague from Pennsylvania who serves with great distinction with me on the Agriculture Committee. I love that he is speaking about our farmers. In a few minutes, I am going to talk about Sonya, who is a blueberry farmer and small business owner from Michigan. We know there are so many small business owners and farmers who finally have been able to find affordable health care because of what was passed in the health care reform act.

I want to thank Senator CASEY for being such a strong advocate for those dairy farmers. We have a few dairy farmers in Michigan, as well, and we appreciate very much his advocacy.

I want to take a step back and look broadly for a moment at what is really happening here and why we are so concerned and why we have spent all of this evening and are going on into the night to talk on behalf of the people we represent on the impact of what repealing the Affordable Care Act without having a replacement that is as good or better in place at the time would really mean for people.

Republicans get sick. Democrats get sick. Independents get sick. People who don't vote get sick. This is not a partisan issue. This is about one of the most basic human needs, most basic things that we care about for our families. People go to bed at night and say: Please God, don't let the kids get sick. Make sure Mom is OK, Dad is OK.

Because of the Affordable Care Act, because of the increases in access to affordable health care that we were able to pass a number of years ago, fewer people are having to worry. There are still people worrying, and there are still issues. There are still costs, and there are still things to do. I am anxious to get about the business—all Democrats are anxious to get about the business of making sure that health care is more affordable and doing more to bring down the cost of prescription drugs. I am also concerned about small businesses. There are things that we can do together, that we should be doing on a bipartisan basis, but we shouldn't be repealing health care and unraveling the entire system and creating chaos in the entire system instead of focusing on how we make health care better for families.

The bottom line of what is being proposed—and what this budget resolution is really all about—is going to make America sick again. That is the bottom line. We are going to create a situation where more Americans will be sick and

not be able to see a doctor, not be able to find affordable insurance, or not be able to have the protections that they currently have under what we like to call the Patient's Bill of Rights—the patient protections for everybody. Seventy-five percent of Americans get their health insurance through their employer, and every one of them—all of us—have benefited from changes in health care that have taken total control out of the hands of insurance companies and given us more assurances that if we get sick, we are not going to get dropped. If we have an illness or our child has juvenile diabetes or cancer or Alzheimer's or leukemia or high blood pressure or if you are a woman of child-bearing age, which is viewed as a preexisting condition so you have higher rates—all of those things were changed in the interest of the American people.

Basically, when we look at it, there are four different areas where health care reform has made a difference in people's lives and what we are fighting for tonight. We are fighting for these things. We are fighting to have them not taken away and to have the system not ripped up and not create a situation where we cause incredible harm by what Republican colleagues are talking about doing.

The first general category is putting insurance companies back in charge by repealing the patient protections. That is what is being talked about: keeping young people, your son or your daughter, on your insurance until age 26. They graduate from college; they probably already have mounds of debt. Letting them get started in the workplace and stay on your insurance has made an incredible difference for hundreds of thousands of young people across the country. That is gone.

Guaranteed access to essential health benefits. I did fight very hard so that we had a benefit package that includes simple things, important things for women, like maternity care. Prior to health care reform, about 70 percent of the insurance policies that were available in the private market—if a woman were to go out and try to find insurance, about 70 percent didn't provide basic maternity care. Now all the policies have to provide maternity care. Policies have to include mental health and addiction services like physical health, so we are saying that if you have an illness above the neck, it ought to be treated the same as an illness below the neck. These are patient protections for all of us.

In health care today, you can't have your services capped. I have seen and spoken with so many doctors who treat cancer in children and adults. Families talk about the fact that in the past there would be a financial cap or a number of visits or a number of treatments as a limit, and if you were done with your treatment and your doctor

didn't feel that you received enough treatments, too bad. Your yearly cap is up or the lifetime cap is up. Right now, that is gone. But with the repeal, those caps come back.

Preventive services with no copay. We want folks getting a wellness visit, getting a mammogram, being able to get contraceptive coverage, being able to get preventive cancer screenings. Doing that without a copay has made a tremendous difference in people being able to get the preventive care they need.

There are so many other things that have been put in place for everyone who has insurance. All of that gets ripped away with repeal, and there is no excuse for that. There is no way we are going to allow that to happen without continuing to fight as hard as we can. It is outrageous.

The second thing is cutting Medicare and Medicaid. All of the health care system is tied together. When we made changes in Medicare, we lengthened the solvency of the trust fund—12 more years of solvency in the trust fund, 12 more years of making sure it is solid, financially viable. That goes away.

My colleagues have talked about prescription drugs and the fact that we have closed this gap in coverage. If you have high bills related to the cost of medicine, right now you are covered. When you get to a certain point and there is a complete gap in coverage and you are not covered anymore, and then you are covered again—folks call that the doughnut hole. We are closing that so there is no gap in coverage.

With repeal, the doughnut hole comes back. Coverage is lost. Costs for medicine go up. Preventive services under Medicare are ripped away if we see a repeal. And there is not a replacement that is put in place that is equal to or better than what we currently have.

Medicaid. We have so many people who are working for minimum wage, working really hard at minimum wage jobs, who never had the opportunity to have health insurance before, and now they do. That is gone if the whole system is ripped up. Most of Medicaid goes for seniors in nursing homes, long-term care. If you look at the nominee for Secretary of Health and Human Services, who has proposed completely rewriting, ripping up Medicare as we know it, as well as health reform and the Affordable Care Act—if you put all that together with this repeal and somebody who wants dramatic changes—I believe it is \$1 trillion in cuts proposed by the current chairman of the Budget Committee or the gentleman who now is being proposed for Secretary of Health and Human Services—Medicare and Medicaid are seriously threatened by all that is talked about right now.

We are talking about, in total, kicking 30 million Americans off their in-

surance. In Michigan, all together, counting Medicaid and those who are purchasing through the new insurance pools, it is over 2 million people. One out of five people in Michigan and their families will lose their access to a doctor and medical care.

What does all of this mean? It means costs are going to go up both for coverage and prescription drugs. And for Republican colleagues who say: Well, we are going to repeal it now, but not really because we are going to say it is repealed and then we are going to wait 2 or 3 years—first of all, Republicans have had 6 years of talking about repeal. It has been over 50 times in the House of Representatives. You would think within that time they would have been able to come up with a plan, not a bunch of ideas but a plan to show that, in fact, these things aren't going to happen; that they are not going to unravel the health care system; that they have something bigger, better, greater, but that is not what we are hearing. We are hearing: Well, we don't have it yet; we don't know if we are going to have it. We will try to figure it out somehow, and we will wait 2 or 3 years.

What happens in the insurance market when insurance companies don't have predictability? Rates go up. What happens when hospitals—and I have already been told this in Michigan—don't know what is coming? You pull back. You pull back on investments. You pull back on what you are doing in terms of coverage because you don't know what is coming.

This makes no sense whatsoever. I understand politics. I understand slogans. I understand all the rhetoric that has been said for years about repealing health care reform, but this is the most irresponsible thing I have ever seen in my life if there is a repeal with no replacement immediately that at least equals what people have today—the protections, the coverage, the strengthening of Medicare, the lowering of prescription drug prices under Medicare, the help for people who work hard every day on minimum wage and are finding access to a regular doctor instead of using the emergency room, which, by the way, raises health care costs.

The truth is, we all are here because we care deeply about this. If our colleagues want to stop this craziness of running the cow off the cliff and decide that maybe we are going to work on just fixing it together, we are ready, willing, and able to do that. We know, as with any major change in form, that after they work a while, you have to figure things out and you have to fix problems. We are more than willing; we want to do that. We have been offering to do that and suggesting that for the last several years. But this approach is outrageous and completely irresponsible, and, in fact, it will make America sick again.

Let me conclude by just sharing a couple of stories from constituents in Michigan. I have heard from a lot of people, particularly small business owners, people who have the freedom now to be able to leave their job where they were working only because of the insurance. That has happened to my own family and friends, where folks are in a job that does not work for them but at least they have insurance.

The Affordable Care Act has given the flexibility for someone to step away, to be able to start their own business or their own farm, like Sonia who is a blueberry farmer in Michigan. She has written me, indicating they are extremely fearful that they are going to lose their insurance under the new administration because of what Republicans are talking about.

She says:

A number of years back in 2000 I quit my traditional job and my husband, who had been laid off, and I bought my step-dad's blueberry farm. He had passed away in 1995, and we took care of my mom who had inherited the farm, and lived with us for a year and a half until her death. We are full-time farmers, small farmers, about 15 acres of blueberries. We also have a small garden center, Sweet Summer Gardens, which is open from May to September, and a small bead store, the Enchanted Bead. It is open year round.

She says:

We are hard-working people who love the life that we have carved out for ourselves, but there some drawbacks to being self-employed and small business owners. In 2012, I tore the meniscus in my right knee. I did nothing to take care of it because I did not have insurance. But then in April of 2015, 3 years after the injury, I finally got to the point where I could no longer take the pain. Luckily, we had signed up for insurance through the Affordable Care Act. I was able to have the severe tear repaired.

Then she goes on to talk about how a little later there was a cancer scare, and she had to go in for ultrasounds and lab work and an outpatient D&C.

Because she was able to do that, she was fortunately able to find out it was not cancer, thank goodness. Again, because of the Affordable Care Act and her insurance, she was able to get the services she needed. She goes on to talk about a number of different health challenges for them, including the following:

Finally we have coverage for preventive care. My husband had a physical, the first time since high school, and we found out that there was an issue that needed to be addressed. He was referred to an orthopedic surgeon, discovered he had severe arthritis. It was causing constant pain. Again, we were able to have insurance coverage. Because of the Affordable Care Act, he was able to have this repaired.

She says:

We are hard-working people. We have never asked for help. But we are extremely concerned because we could not afford our insurance right now without the tax credit—the subsidy.

She says:

This morning, watching the news, we were met with a story that the Republicans are all ready to repeal ObamaCare. They said that while they couldn't take away the insurance, they could take away the subsidies. This would put insurance out of our range and we would no longer be able to afford it. My husband Larry said to me, "they couldn't just throw us out to the dogs, could they?"

She says:

My reply was, "anything is possible."

I know the Affordable Care Act isn't perfect. I know that not everyone has taken advantage of it, but there has to be a way to fix it without hurting the millions of people who have been helped by it.

In fact, Sonia, there is a way to fix it without hurting you and your husband, full-time farmers and small business owners. I have a number of other stories. I am going to pause because I have other colleagues who I know want to speak who care deeply about this as well. I will share those at a later point.

Let me just say, what we are talking about is not a game. It is not. This is about real people with real lives who are encountering situations that could happen to any of us. Too many people are not in a situation, without Medicare or Medicaid coverage or access to health care through the exchanges, to be able to see the doctor and get the care they need. That has changed in the last number of years.

There is more to do. We can work together to make it even better, but the idea that people are not being helped today, that small business owners and farmers and families are not getting medical care today because of what was done is just not true. It is just not true. The reality is, we are in a better spot with more to do. Pulling the thread and unraveling the entire system and creating chaos in the entire system makes no sense.

So we as Democrats are going to do whatever we can. We know that ultimately the votes are there. If the Republicans in the House and the Senate and the new President want to completely dismantle the health care system, unravel the health care system, weaken Medicare, and weaken Medicaid, you can do it. You have the votes to do it.

People right now who get care, the millions of people, the over 2 million people in Michigan alone who have been directly helped by the Affordable Care Act, they know that. They will know when that is no longer available to them. It will hurt many, many people. We hope colleagues will take a second look and decide to work with us in a way to move forward on health care that will allow people to get the care they need at an affordable price for themselves and their families.

I know that is what we all want for our families. We should be doing everything humanly possible to make sure people have the affordable care they need and the protections they need to get care when they need it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I would like to welcome the Presiding Officer to the Senate and just say thank you very much for your willingness to sit here this evening. To my colleagues, thank you for being here. The hour is getting late so I am not going to take up a lot of time with my own words, but I did want to come to the floor and read the words of people who have written my office, Coloradans who took the trouble to tell me what their concerns were with this suggested repeal of the Affordable Care Act.

Given the fact that they took the time to write, I wanted to have the opportunity to be here tonight to read their words into the RECORD. It matters to a lot of people in my State because more than 600,000 people are now insured in Colorado who were not insured before the Affordable Care Act. We have had one of the largest drops of the uninsured rate in the country. We have dropped from 14 percent to 7 percent, really importantly from the point of view of saving money. The amount of uncompensated care has gone down by 30 percent. So those are at the hospital. Those are statistics, but the letters tell the human dimension, the human story that so often is lost in the Chambers of this Capitol.

A letter from Kathryn from Denver who wrote:

The Affordable Care Act has been crucial to my family the last several years. . . . My sister, a Type 1 diabetic since age 10, is now a Colorado business owner.

The Affordable Care Act allowed her to pursue business ownership because—for the first time in her life—she could get individual health insurance coverage without being denied due to her preexisting condition. ACA allowed her to leave her full-time job and start a part-time business and get benefits through ACA.

I truly believe so much good has begun to come from this legislation and repealing it will have catastrophic consequences for my family and for so many others.

Terry from Denver writes:

I am writing concerning the Affordable Care Act (ACA). In 2010, I left my conventional job and took a risk, forming a company to perform engineering consulting services. Since that time, I have helped multiple organizations improve the safety and reliability of their products and consider my efforts to be quite successful.

However, I would not have taken the chance to go off on my own if it had not been for the Affordable Care Act (ACA).

The ACA gave me options in health insurance that I would not have had prior to its passage. There are millions of people like me who count on the security of the ACA. These people are entrepreneurs, freelancers, the self-employed, early retirees, and the like who would not have health insurance if not for the ACA.

Therefore, I am asking you to continue your support for the ACA.

Catherine, a nurse from Aurora:

I want to tell you a personal story, in the hopes that you will think about the people in

your state who might be affected if the Affordable Care Act is repealed.

That is whom we are here to talk about tonight. That is whom we are here to think about tonight. Catherine wrote:

I have a daughter with Schizophrenia. . . . When we had to bring her home from college, we were terrified about what might happen to her and where she would find treatment.

Because of the Affordable Care Act, she was able to stay on our insurance for the next 3 years, even though she was no longer a student.

That is one of the most popular provisions of the Affordable Care Act.

Although it was a long process and not easy, we were able to help find quality mental health care providers and her care was covered because of provisions in the law that provided for mental health coverage.

Provisions that I know the Senator from Michigan worked on.

She is now doing very well. She is married and able to work part time and function as an active member of society.

As a nurse, I have cared for many people over the years who had chronic conditions through no fault of their own. Before this law was passed, many would not get insurance, or if they did, the cost was beyond their reach.

Nicholas from Denver:

My wife was diagnosed with stage IV colon cancer at the age of 38, almost 4 years ago. We have been living with it as a chronic disease and she is in stable condition.

Health care costs have been about \$15,000 a year for us out of pocket, but we've been able to manage because of the protections afforded by the ACA, specifically no caps on annual or lifetime benefits and no denials for preexisting conditions. . . .

Please assure me you will do all you can to keep those protections we so desperately rely on from disappearing.

Sarah writes:

On June 20, 2016, my second child, my daughter Emma, was born. . . . She was born six weeks early and weighed 3 lbs. 10 oz. At birth. We knew prior to her birth that she had a heart defect (a hole in her heart) that would need to be repaired through open-heart surgery during the first year of her life.

We also knew that she wasn't growing properly and she might have other issues. . . . During the past five months, Emma has undergone more surgeries and procedures than most people will undergo in their entire lives. . . . I haven't recently tallied the cost of Emma's medical care, but I believe she will easily reach \$1 million (or much) in medical expenses before she turns 1.

I have become extremely anxious about how my family will meet Emma's ongoing needs if the ACA is repealed and insurance companies are allowed to reinstate lifetime maximums and to discriminate against pre-existing conditions. . . .

I beseech you to do everything you can to preserve the provisions that will help my family—and to do everything possible to ensure that the millions who have finally been able to acquire health insurance since the ACA was passed don't lose their insurance.

People have received probably hundreds of thousands of these letters in

the Senate. It seems to me—I mean, yes, we should be having a conversation about how to make the law better. I have said from the very beginning that I don't think it is perfect. I think there were big problems with our health care system before we passed the Affordable Care Act. I think there are big health care problems with our health care system today. That is a fact that anybody in America ought to be able to notice. And the Senate ought to be able to notice that and say: Why don't we make it better? Why don't we improve it? We should improve it.

I would love to meet with colleagues here to talk about how we deal with the fact that in rural Colorado, there is not enough competition in health insurance for people. I would love to be able to have a conversation here about how to drive the cost of insurance down in rural Colorado, rather than continue to see those costs increase.

I would say this. If there is somebody here with a solution to that problem, on either side of the aisle, I would be happy to write that amendment with them. But the problem I have with where we are in this debate—and I will close with this—is that we are talking about throwing out all the protections that all of these people have come to rely upon, that all of these people have come to count on in America with our health care system. We are going to throw them out, but we are not going to tell you what we are going to put in its place. In fact, for all you know, we are not going to put anything in its place because what we have heard is that there is no consensus on the other side about how we should move forward.

Part of the problem I have had with this legislation since the beginning is that we have been unable to forge a bipartisan consensus on how to deal with the fact that this country is spending 16 percent of its GDP on health care when every other industrialized country in the world is spending about half that or, in some cases, less than half that and delivering better results. I would love to see a bipartisan consensus. But what we have come to understand in the days leading up to this debate is that there is not a consensus on the Republican side about how we should go forward.

After 7 or 8 years, you would think we would have the opportunity to see a plan. It is not hard to think about what the values would be underlying a plan—the values that would say: Let's try to maximize coverage where we can. Let's try to increase quality where we can. Let's try to drive prices down where we can. Let's try to spend less, as a country, on health care where we can.

Those are not Democratic or Republican ideals. It would seem to me that those values would have the virtue of being able to inform Democratic pieces

of legislation and Republican pieces of legislation. But in 8 years, we haven't seen a plan.

Here we are tonight, talking about repealing the protections that Coloradans are counting on every single day for their peace of mind and so they can plan for the sake of putting nothing in its place. It reminds me—and, colleagues, I will close with this—of the complaints that I have had in my office and as I travel the State of Colorado, where people say: Michael, we paid into our health insurance company. Month after month after month, we paid our premiums. Then, when my kid got sick and I called them up, their response was to keep me on the phone as long as possible without an answer in the hope that I would give up and go home and that the claim wouldn't have to be paid.

To be honest, colleagues, I have heard that before we passed the Affordable Care Act, and I have heard that since we have passed the Affordable Care Act. We have more to do. That is the honest thing to say here.

But for us to talk about repealing this, taking away the benefits that people have, the protections that people have, the security and peace of mind that people have, and replacing it with the equivalent of leaving the American people on hold so they will give up, so they will move on to the next thing is beneath the dignity of this place and is not worthy of the Members of the Senate.

I want to close by saying what I have always said. I will work with anybody—Democrat or Republican—to make sure that we really do have affordable health care in this country for the American people, for the people whom I represent in Colorado, and I look forward to our getting to a place where that is the politics we are pursuing in this Chamber, instead of the politics we have seen over the past number of years.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise this evening to join my colleagues—Democrats, Independents—to fight together to protect the health and economic security of the American people.

In 2012, when I was elected to the Senate, I can assure you that the people of Wisconsin did not send me here to take their health care away.

We are barely into the second week of the new Congress, and the Republican establishment is already wielding its power to accomplish just one thing, making America sick again.

The budget resolution that we are considering this week will repeal the Affordable Care Act, put insurance companies back in charge of people's health care, strip health care away from millions of Americans, and raise premiums. It will take us from affordable coverage to chaos.

This is the first step toward higher costs, fewer people with health insurance, and more uncertainty for American families. In short, the Republicans believe they have a mandate to make America sick. By repealing the law and taking away the health care that families already have, Republicans are forcing 30 million Americans to lose their insurance.

Republicans are putting the health care coverage of over 200,000 Wisconsinites at risk, and they are raising taxes on more than 190,000 Wisconsinites who rely on and receive premium tax credits to help them afford high quality health insurance.

Instead, they are giving tax breaks to big corporations and handing over control to the insurance companies, which will be free, once again, to deny coverage if you have a preexisting condition, to jack up premiums simply because you are a woman, and to drop your coverage if you get sick or have a baby.

I could continue to list some very disturbing facts and statistics of what this Republican repeal of health care reform will do to our working class and what it will mean to rip away protections from families struggling with cancer or other serious illnesses, but these facts seem to fall flat on the other side of the aisle. So, instead, I am demanding that my Republican colleagues listen—not to me but to the calls from the real people who we are here to represent and fight for, our constituents back home.

I demand that they listen to Randy. Randy is from Rhinelander, WI. Randy told me that the Affordable Care Act has been a “savior” for his wife, who was diagnosed with kidney failure more than 2 years ago as a result of an autoimmune disease. She has to have dialysis three times a week.

The law eliminated her lifetime maximum limit, and that helps them afford her lifesaving care, and it prevents her from being denied coverage because of her preexisting condition.

Randy said that repealing the law will force them to face the harsh reality of not only losing insurance but also declaring bankruptcy.

I also heard from Sheila, from Neenah, WI. Sheila is a small business owner who relies on the premium tax credits that helped her purchase her health plan through the marketplace. She writes:

I just wanted to let you know how devastating it will be for my family if the Affordable Care Act is repealed. To take away the subsidies would pretty much turn the plan into the Unaffordable Care Act.

Sheila has owned a small hair salon for 35 years and said that the premium tax credits under the law have made it possible for her to buy decent health insurance for the first time in her whole career.

I want my Republican colleagues to listen to Joel. Joel is a physician from

Milwaukee. He is on the frontlines of delivering high quality health care, and he told me that he had witnessed tremendous good that has occurred as a result of the health care law. He has been able to provide his patients with better care because they have increased coverage. He is especially aware of the positive impact of allowing children to stay on their parents' health plans until age 26.

But Joel remembers the days before the Affordable Care Act. He said that he has seen firsthand the insurance companies callously denying or dropping coverage for families with preexisting conditions or those struggling with a new diagnosis. He doesn't want to go back to the days when insurance companies were in charge and literally dictated his patients' health.

I want my Republican colleagues to listen to Chelsea from Shelby, WI. When Chelsea was pregnant with her daughter Zoe, she learned that Zoe would be born with a congenital heart defect. At just 5 days old, Zoe had to have open heart surgery. She had it at Children's Hospital in Wauwatosa, WI, and was fighting for her life. Thankfully, she is recovering, and she is living a healthy life.

Chelsea wrote to me:

The Affordable Care Act protects my daughter, it allows her to have health care access and not be denied. I'm pleading to you as a mother to fight for that and follow through on that promise. There are so many kids in Wisconsin with heart defects (as well as other kids with pre-existing conditions) that are counting on you to protect that right.

So for Zoe, I want to call on my Republican colleagues to stand with me—with all of us—to protect these health care rights and benefits for all of our families.

These are our families who are benefiting right now from the protections in the law and the quality, affordable health care options it provides. They are calling on Congress, calling on the Republican majority to stop their plot that is going to take this all away.

I could continue to share stories of real Wisconsinites whose coverage is at risk today, but I want to take a moment to illustrate what life was like before the Affordable Care Act was the law of the land, before these sweeping reforms and protections had been put in place.

Now, during my time in the House of Representatives, Sue from Beloit, WI, reached out to me. She told me:

My husband was diagnosed with lung cancer. After treatment began, we found out that the insurance company had a small loophole. Under our insurance, they have a \$13,000 limit per year on radiation and chemotherapy.

That amount did not even cover the first treatment of either radiation or chemo.

I was not going to have my husband die for lack of treatment, so we started to use our savings and our available credit to pay for medical expenses.

My husband later died.

She told me:

After having completely depleted our savings and facing insurmountable credit card debt, I had no choice but to file bankruptcy. . . .

Sue's devastating ordeal was a common story all across our country, almost 8 years ago, before health care reform was enacted to prohibit lifetime caps and to restrict annual limits on care.

Before the health law, I heard from too many working Wisconsin families that went bankrupt, sold their homes, and even spent their entire life's savings just to get the health care that they needed. This was when America was sick and when lawmakers prioritized the health of insurance companies over the health of the American people. Republicans will take us back to those days when they vote to make America sick again.

I want to share one last story about life before the Affordable Care Act, and that is my own. As many of you may know, I was raised by my maternal grandparents in Madison, WI. When I was just 9 years old, I was diagnosed with a serious childhood illness similar to spinal meningitis, and I spent 3 months at the age of 9 years old in the hospital. My grandparents had health insurance but learned that their plan didn't cover me. Since their insurance didn't cover me, they made incredible sacrifices to pay for the care that I needed. When I got better, my grandparents did what any responsible parent or grandparent would do: They looked for an insurance policy that would cover me into the future, but look as they might, they discovered that because of my previous illness, they couldn't find a policy. They couldn't find it from any insurer at any price, and at 9 years old I had been branded with those magic words: pre-existing condition.

Well, thanks to the Affordable Care Act, children today have new protections, and no one can be denied insurance coverage because of a preexisting condition. My family experience helped inspire me to enter public service and to fight to ensure that every American has quality, affordable health care as a right, not a privilege. This is what I fought for and will continue to fight with my colleagues to protect, these vital benefits that the health care law guarantees to all Wisconsinites and families across this great country.

But we cannot fight alone. Republicans are hard at work making America sick again, taking us back from affordable care to chaos, handing over the reins to insurance companies and driving up health care costs for all Americans. I call on them to stand accountable to our families. It is the American people that we are charged to represent. I call on them to join us to fight for Sue who was forced into

medical bankruptcy. I call on them to fight to protect Zoe from predatory insurance companies who want to deny her coverage because of her heart condition, to fight for Sheila and other entrepreneurs like her, and to fight for our health care professionals, nurse's aides, occupational therapists, physical therapists like Joel, and to fight for Randy and his wife as they battle her kidney failure.

We have been ready for over 6 years to work together to keep all that works with the Affordable Care Act and to fix what doesn't, but instead of working on bipartisan reforms to improve the Affordable Care Act, this Republican plan to repeal historic health care reforms will create nothing short of chaos. I know I speak for my colleagues, my Democratic colleagues and Independent colleagues, in saying that we are here and we will stay here on the floor because we are ready. We are ready to work across the aisle to protect coverage and to improve the Affordable Care Act, but we will not help you make America sick again and we will not help you take away people's health care.

I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Oregon.

Mr. MERKLEY. Mr. President, the Hippocratic Oath that guides health care practitioners begins with these powerful words: "First, do no harm." This is certainly good guidance for our doctors and other health care practitioners, but isn't it good guidance also for those who are in the realm of health care policy, for those who are health care policy practitioners, as well as the doctors themselves? "First, do no harm."

Those powerful first words of the Hippocratic Oath, very relevant to this discussion, are being ignored by my colleagues across the aisle, by the Republicans who have come to power and said: We are going to dismantle health care across this Nation for millions of Americans, and we don't know what we are going to do next. We are going to repeal this plan, and we are going to run away, and in a few years we might figure out how to replace these health care provisions. This is an irresponsible perspective. We hold in our hands the health care challenges of America, and to repeal and run will do a tremendous amount of harm.

The irresponsibility of it is terrifying families across America. They are scared of what the future holds, of the uncertainty that awaits them under this strategy of making America sick again. Folks are afraid that if they have ever been sick or injured they will soon be denied coverage because they have a preexisting condition. They are afraid that they may be one of the more than 20 million Americans who will lose insurance, having gained insurance and access to affordable qual-

ity health care through the ACA. They are scared that premium hikes will make health care unaffordable to lower and middle-income Americans. They are afraid of an unforeseen emergency wiping them out financially, driving them into bankruptcy.

Our seniors are afraid as well. They remember the situation that existed before they reached 65 or if they had health care needs and didn't have insurance, they had to wrestle between paying for their prescriptions or paying their heating bills. They don't want to be in that position again. They know how much progress we have made by filling the doughnut hole that paid for prescriptions throughout the continuum, and they don't want us to go backward.

From so many different directions, Americans are terrified of the Republican repeal-and-run strategy threatening to do harm to their lives. How do I know this? I know this because they are writing to me and to my colleagues, and we are sharing those stories tonight.

The letter I have from a young woman in Portland starts out:

I must implore you to protect the ACA. Its existence saves the lives of millions, including mine. I was born in full renal failure. I currently maintain Stage 3 renal function with the help of prescription medication. If I am unable to afford my medication, I will enter end-stage renal function, i.e., kidney failure. I will die.

She ended her message by saying:

I am so scared. . . . I am only 26, I have so much more to do.

Cameron of Beaver Creek writes:

My wife and daughter both have chronic health conditions, and the ACA has allowed us to have them covered by health insurance despite having preexisting conditions. If the ACA is repealed, we will lose this protection and I don't know how we could afford to pay for their medical costs directly.

Lisa in Wilsonville wrote to me about the impact that repealing the ACA will have on her special needs daughter. Lisa says: "If the ACA is repealed, we lose funding that directly impacts her programs, her respite care, her Medicaid, and I will no longer get support to take care of my daughter."

Just before Christmas I got a message from Nick in Portland. Nick wrote to share his story of a recent medical emergency that threatened his life. He said:

Without notice this past March, my heart suffered a debilitating viral infection which resulted in congestive heart failure. As things stand, I require a new heart, and await that occurrence with patience and resolve. Thanks to the ACA, I was able to purchase health insurance the month prior to that diagnosis. Without it, I don't know how I could have paid for my initial three-week hospitalization. . . . Without it, my ability to obtain a replacement organ would be uncertain. And without it, I envision a bankruptcy filing as the only viable financial option.

Those individuals are writing about their challenges as patients, but doc-

tors are also writing to share their observations as folks who see hundreds of patients in the course of a year.

Meg writes:

I have practiced both before and after the Affordable Care Act, and witness the sense of hope and relief the expansion of Medicaid in Oregon brought to my patients who are facing serious illnesses. We have been able to participate in community and state level innovations to help transform health care delivery, lowering costs, improving outcomes, and making people's lives better.

Isn't that what we should be about? Not a strategy of doing harm to millions of Americans but a strategy to make these people's lives better.

A physician from Roseburg, a hand surgeon, wrote about the challenges that he and his wife face, the serious medical challenges, and says:

Prior to the Affordable Care Act, we were uninsurable due to these preexisting conditions. It seems clear that the ACA will be repealed, and we, among millions of other Americans, will again be uninsurable. This will not simply be a matter of insurance being expensive; it will be a matter of the insurance not being available at any cost.

And he continues:

So I am pleading to you to enact legislation prohibiting insurers from denying the ability to sell policies to individuals with prior medical conditions. The health of millions of Americans rests on your shoulders.

And I might add that the health of millions of Americans rests on the debate and the discussion and the decision of the U.S. Senate.

Angela, another doctor in Portland, wrote about her work with the LGBTQ community, saying:

The loss of the affordable care act will be devastating to my community. We have only just won the right for patients to access medical care, hormones and surgery in the last year. I have seen a great improvement in my patients' well-being and mental health over the last year with these new privileges. With the loss of the affordable care act many of my patients will be devastated. There is a 50 percent suicide rate in the transgender community already. Please help me prevent any further suicides by protecting the affordable care act.

There is message after message after message saying "first, do no harm." That means we as a body need to come together and move away from this reckless repeal-and-run strategy being proposed by the Republicans. People are writing to express their fears and frustrations and they are calling on us to do the right thing—folks like Meg and Nick and Cameron and Lisa and Douglas. Their lives are better because we enacted the Affordable Care Act.

These folks are writing because they are among the millions of people who are affected by the changes in this law—the millions who gained insurance coverage because of the law or they are among those who gained coverage because of the extension of Medicaid or they gained coverage because tax credits made health care affordable to lower and middle-income families or

they are among the 27 million Americans who live with preexisting conditions who couldn't get insurance on the private market or they are among those who lost coverage because of annual or lifetime limits before the ACA. These stories are powerful because these individuals are on the frontline, and health care is essential to their quality of life, not just in America but in any location on this globe.

There is enormous stress connected with a faulty health care system, and what we have achieved with the Affordable Care Act is peace of mind for millions of Americans—peace of mind that there will be the care in place when they need it, that they will be able to afford it and they won't be bankrupt, that their loved ones will be able to have their health care challenges addressed.

Folks used to come to my townhalls and say: Senator, I am just trying to stay alive till I reach 65 because I have a preexisting condition and I can't get medical care. Can you imagine the stress involved with that? Folks would say: I would love to get insurance and address the health care issues I have, but I can't because I can't afford it. And now they can afford it because of the subsidies provided through the ACA.

There was a woman who came up to me at a multiple sclerosis fundraising march and she said: Senator, things are so different this year.

I said: What do you mean? What has changed?

She said: A year ago, in the MS community, if you got a diagnosis and you didn't have insurance, you wouldn't be able to get insurance because you had a preexisting condition.

She said: If you did have insurance, it is a mysterious and expensive disease, and because of annual limits or lifetime limits, you would probably run out of health care. Now we have the peace of mind to know our loved ones will get the care they need.

That is what we are fighting for—to first do no harm and, second, make life better for millions of Americans. Let's come together and defend these massive advances that we have achieved over the last few years and not destroy it with this reckless, irresponsible repeal-and-run strategy.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise to join my colleagues in raising the alarm about the possible impact for all of us in America and, in particular, for my constituents in my home State of Delaware should we indeed as a body proceed with barreling forward and repealing the Affordable Care Act without a plan to replace it, as seems to be the intention of the majority.

When I was first elected to the Senate back in 2010, the Affordable Care

Act wasn't even a year old. Yet Republicans were already trying to repeal it, without offering any comprehensive plan with which to replace it. Now, more than 6 years and 60 repeal attempts later, it is truly disheartening to see that when it comes to plans for the American health care system, seemingly nothing has changed. Instead of working across the aisle to find constructive fixes to this Affordable Care Act that could win bipartisan support, instead of finding new ways to invest in infrastructure or strengthen American manufacturing or coming together to respond to the Russian attack on American democracy or even waiting a week to take this upcoming vote so we Senators can give our full focus to vetting the President-elect's Cabinet nominees, instead of pursuing any of these priorities, it seems we are once again spending—even wasting—the American people's time to fulfill a misguided and, in my view, mean-spirited promise to repeal the Affordable Care Act at all costs, without a clear plan to replace it. Sadly, in that sense, nothing has changed since I first came here in 2010, not so for the American people, as plenty has changed for them and for my home State of Delaware.

More than 20 million Americans now have gained access to high-quality health insurance across our whole country, including 38,000 more Delawareans. Now, 38,000 is not a big number of people, but in my little State of 900,000, 38,000 more people who couldn't get access to health insurance before and can now is a big deal. Across the whole country, the rate of uninsured Americans is at a record low of just 11 percent, and in Delaware fewer than 8 percent, and this is well down below pre-ACA levels.

Let me focus on what I think is the biggest, broadest, and most important benefit of the Affordable Care Act, not just those tens of thousands in my State who have gotten coverage on the exchanges, but in my little State of 900,000, 560,000 Delawareans get their health insurance through their employer, as the vast majority of Americans do. For those half a million or more Delawareans, they have gained lifetime improvements to the quality of the health insurance they have through the ACA: no discrimination against preexisting conditions, young people can stay on their parents' health insurance until they turn 26, free preventive care, no lifetime limits on coverage and recovery, and a requirement that insurance companies spend 80 cents of every dollar on health care versus overhead. These five key consumer protections have been the center of the best of what the Affordable Care Act has delivered to Delawareans and Americans. Americans no longer have to make the phone calls they used to make to their Senators, their Congressmen, their local rep-

resentatives, pleading that they could somehow find access to quality and affordable coverage. These reforms have made a real and tangible impact on Americans across the country.

I have also come to this floor, on a number of occasions over many years, and recognized the challenges of the Affordable Care Act, the ways in my home State that it has fallen short of our hopes and goals when it was initially passed, and I have offered, with an open hand, to work across the aisle to find vehicles to repair and improve elements of it that haven't worked as had been hoped.

Before I turn to that, though, let us focus for a few minutes on hearing the stories of Delawareans who have reached out to me because at the end of the day, my passionate defense of the Affordable Care Act is rooted in individuals I have met and heard from, people whose lives have been changed by access to quality, affordable, accessible health care.

As Republicans move us forward to a repeal vote, it is my hope that they will listen to these and other stories and think about what possible alternative pathway there might be that would save the opportunity for them to have access to decent, quality health care.

I grew up in this tiny town of about 1,500 called Hockessin, DE, and Nicole is also from Hockessin. She reached out to me to tell me her 2-year-old daughter has cystic fibrosis. She spends at least an hour every day administering her daughter's breathing treatments and at least \$5,000 a month. Her medications aren't cheap. Nicole is confident that without the Affordable Care Act, she would have exceeded her annual cap on medical expenses well before the end of each year.

Nicole makes it pretty clear to me that without the consumer protections put in place by so-called ObamaCare—the ACA—she would have one of three choices, choices tragically faced by many Delawareans and Americans before the Affordable Care Act. One, hope she somehow qualifies for Medicaid, which she probably doesn't because she is hard-working enough and successful enough that her income makes her ineligible for Medicaid. Option No. 2, go into deep debt to pay for her daughter's needed and lifesaving treatment. Option No. 3, stop giving her daughter some of the medication she depends on and just hope and pray that she will not suffer needlessly. That is all assuming that her daughter's cystic fibrosis was not a preexisting condition, preventing her from getting any insurance at all.

Let me review that because Nicole's story starkly outlines the reality that millions of Americans could face if we continue barreling down this misguided path of repealing the Affordable Care Act wholesale without coming together

around a plan for replacement. That reality for so many sick Americans or Americans with sick children is this: First, hope you don't get sick. If that fails and you don't qualify for some other form of government assistance, either go into debt or try to get by without health care. That is it. That is what it was before the Affordable Care Act, and following its repeal, that may sadly be what it is again.

Over the last few weeks, I have heard many other stories, and I will cover a few quickly, if I may. Kim, from Wilmington, DE, is a thyroid cancer survivor who was able to get insurance because her cancer is no longer considered a preexisting condition. Will her ability to access affordable, quality health care be repealed?

There is Sue from Frankford, DE, whose husband got sick a decade ago—desperately sick—and hasn't been able to work since. They are retired but not quite eligible for Medicare. Yet, despite his illness, they have been able to find coverage now on the individual market. Will repeal of the Affordable Care Act deny Sue and her husband access to quality health insurance?

There is Carla from Odessa, DE, whose son was able to stay on her health insurance when his employer didn't cover it. Not only that, but Carla's sister—a self-employed gardener with a 40-year history of insulin-dependent diabetes, also known as a preexisting condition, was able to get health insurance when she tragically divorced at age 63 and lost coverage through her husband's employer.

There is Matthew from Wilmington, whose son was diagnosed with brain cancer. The year before his son's diagnosis, Matthew and his family were on a non-ACA-compliant health insurance plan. As Matthew wrote me, "Our family was all young and healthy, and we thought this plan was right for us. Then, my 11-year-old got sick right out of the blue. It can happen to anyone at any time."

Matthew is right. Illness can strike any one of us at any time—and not just the flu, not just a cold, but tragic, expensive, terminal illnesses can strike any family in America at any time.

Just listen to the story of Kerry from Wilmington, DE, a massage therapist who considers the Affordable Care Act, as she puts it, "nothing short of miraculous." Here is why. Kerry signed up for health insurance in 2014 thanks to the subsidies, the tax credits provided through the Affordable Care Act. She had long had nagging abdominal and lower back pain. She didn't think much of it considering she had no family history of terrible diseases and had never even had a stitch before. Fast forward to January of 2015, when a routine diagnostic procedure covered by her new health insurance revealed that Kerry had stage III colon cancer. She had surgery a week later, followed by 6

months of chemotherapy, and ended up facing no out-of-pocket expenses besides her annual deductible. Kerry's cancer has now been in remission since September of 2015, and as she writes, "The ACA came along at the last possible moment to save my life. I am certain that without it, I would have just continued to live and work with the discomfort and try to self-treat until the cancer was so advanced it could not have been successfully treated."

I have many more, but stories like Kerry's and Matthew's and Carla's and Sue's and Kim's have been pouring into the inboxes of my colleagues in States around the country.

My Democratic colleagues and I know, and have known since the day it was signed into law, that the ACA is not perfect. I have talked to small businesses that want to offer health insurance for their employees but have struggled to find affordable options in Delaware. I have met plenty of Delawareans whose deductibles or premiums are higher than they would like to see, and I have heard from economists and budget forecasters who know our country's fiscal health depends on doing even more to control health care costs.

That is exactly why 2 years ago I came to this floor with a simple, commonsense request of my Republican colleagues: work with us to make the Affordable Care Act better. A colleague, a physician from the State of Louisiana, happened to be listening that day, and we have had a number of constructive and positive conversations since. Sadly, despite many attempts over many years, I so far have been unable to find a Republican partner willing to actually cosponsor meaningful, constructive fixes to the law.

In my view, and as I said 2 years ago, no conversation about the Affordable Care Act and how to improve it can be complete without reconciling the reality of the millions of Americans it has helped and the many others for whom it has fallen short.

I have sought to address the affordability of health care coverage for all families. I have cosponsored bills to increase tax credits to make it more affordable for small businesses, looked for ways to make sure there is more competition in the marketplace, especially in small States like Delaware, and pursued commonsense regulatory reforms and cost-containment efforts to further slow the growth in health care costs. For years, my colleagues and I have asked our Republican friends to put aside their rhetoric and focus on pursuing bipartisan fixes like these.

Today, the bottom line is still this: I know the Affordable Care Act has helped millions of Americans just like the Delawareans whose stories I have read. Kerry, Carla, Matthew, Sue, and

Kim today live healthier, safer, and more secure lives.

Let's take a look at the alternative. There is no single proposed plan. There are dozens of bills in the House and Senate that would do lots of different things, but it would be very hard to predict with precision what the alternative really is. We know what repeal will do. As of today, the alternative—let's call it TrumpCare—is nothing more than a wholesale repeal with no clear plan to replace.

TrumpCare, a simple repeal, by one estimate would kick 26 million Americans—more than 50,000 Delawareans—off their health insurance. Even for those who don't lose their insurance, those hundreds of thousands of Delawareans who get their insurance through their employer, it would be much lower quality because it would remove all the consumer protections that we have all come to embrace. It would give a nearly \$350 billion tax cut to the wealthiest 1 percent of our country and a nearly \$250 billion tax cut to big corporations. While tax cuts have their day and their reason, pushing aside all of that revenue with no plan for how to replace the Affordable Care Act and how to pay for it will become a desperate and dangerous move. TrumpCare, a simple repeal of the Affordable Care Act, would cut 3 million jobs and trigger negative economic impacts well beyond the health care sector by creating profound uncertainty. Lastly, it would burden State and local governments, which would lose nearly \$50 billion in tax revenue.

That is the reality. Describing a repeal of the Affordable Care Act as anything other than the injection of wild uncertainty into our daily lives, into the health insurance and health care markets is just not square. That is the reality. Describing it any other way is political rhetoric, and that is, sadly, what this debate is about. It is repeal without replace.

Matthew from Wilmington, whose 11-year-old son was diagnosed unexpectedly with brain cancer, concluded his note to me with one last thought. He wrote of his son: "He's my hero and I will fight for him and all others who continue to suffer similarly every day."

Thank you, Matthew. Thank you for sharing your story and continuing the fight. I promise you and all the Delawareans who have reached out to me to do my level best to stand with you and fight for you every step of the way every day until we find a better path together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, my colleagues have spoken tonight eloquently about a number of consequences that would follow from the repeal of the Affordable Care Act: increasing drug

costs for seniors, a devastating impact on rural hospitals, elimination of consumer protection in everybody's health insurance—not just those on the Affordable Care Act—and limitations on mental health coverage and substance abuse. All of those issues have been presented eloquently and passionately.

I want to do something a little different. This isn't easy for me, but I want to tell my own story and why I feel so strongly about the issue of health insurance for all of our people.

Forty-three years ago—I think it was just about this week—I was a young staff member here in the Senate. I was a junior staff member who was covered by health insurance provided by my employer, the U.S. Senate. I paid a share, and the Senate paid a share. The health insurance that I had, as part of it, had free preventive care—exactly like that required by the Affordable Care Act.

The other thing the plan I chose had was a Wednesday night doctor's session. So because I had a free checkup and because it was on Wednesday night and I didn't have to miss any work, in late January or early February of 1974, I went in for a checkup—the first one I had had in 8 or 9 years. Everything looked fine. As I was putting my shirt back on, the doctor said: Well, you have a mole on your back, ANGUS, and I think you ought to keep an eye on it.

That night, I went home and mentioned it to my wife. The next morning, she said: I don't like the looks of that thing. Let's have it taken off.

I went back in the following Wednesday night because they had Wednesday night hours and I didn't have to take off from work. I had coverage so I didn't have to worry about what it was going to cost me, and the mole was removed. When they called me to come back in—I will never forget this moment as long as I live—the doctor said: ANGUS, I think you had better sit down. He told me that I had what was called malignant melanoma.

At the time, I didn't know what it meant. I thought it was simply a skin cancer. You hear about those all the time. You have them taken off, and it is no big deal. No, malignant melanoma is one of the most virulent forms of cancer. One of its characteristics is that it starts with a mole, but if you don't treat it, it then gets into your system and goes somewhere else. If you don't catch it in time, you will die.

I caught it in time. I had surgery. They took out a big hunk of my back in surgery and up under my arm. To this day, my shoulder is still numb from that surgery, but here I am.

It has haunted me since that day that I was treated and my life saved because I had health insurance. I know to a certainty that had I not had that coverage, had I not had that free checkup, I would not be here today. It has always stayed with me that somewhere

in America that week, that month, that year, there was a young man or a young woman who had a mole on their arm or their back or their neck, couldn't do anything about it, didn't really think about it, didn't do anything about it until it was too late, and they are gone. And I am here. I don't know why I was saved. Maybe I was saved in order to be here tonight. But for the life of me, I cannot figure out why anyone would want to take health insurance away from millions of people. It is a death sentence for some significant percentage of those people.

In 2009, the American Journal of Public Health did a study—a comprehensive study. What they concluded was that for every million people who are uninsured, you can predict about 1,000 premature unnecessary deaths. So the math is pretty simple. Right now, we are talking about over 20 million people who have been afforded health insurance, either through the exchanges or through the expansion of Medicaid, who didn't have it before. If we take that away, that is 22,000 deaths a year. How can we do that with good conscience? How can we sentence people to death? We are talking about bankruptcies. We are talking about all the kinds of stories we have heard. They are all valid. They are all important. But for me, this is personal. This is about life itself. It is about our ethics, our morality, and our obligation to our fellow citizens.

Like all the other speakers, I know there are lots of problems with the Affordable Care Act. I wasn't here when it passed. It isn't exactly the way I would have worked on it or written it. I am ready to sit down with anybody who wants to talk about finding a solution, but let's not talk about the solution being ripping coverage away from people who desperately need it. It is just wrong.

I understand the political impulse. Folks on the other side of the aisle have been talking about this for 6 years, and, by golly, they are going to repeal it and get rid of it, and people cheer and all of that kind of thing. But now it is real. This isn't rhetoric anymore. This isn't a bumper sticker anymore. This isn't a rally anymore. This is real people's lives.

So let's just slow down. If people want to come up with a different solution, if they want to modify the current system, if they want to try to make changes that make it easier for small businesses and change the hours of work and the definition of full time—all of those things can be discussed. I don't care who leads it. I don't care whether we call it TrumpCare, McConnellCare, or RyanCare. We can call it whatever we want, but the fundamental principle here is that health insurance is a life or death matter, and we should honor the commitment that has been made to

those millions of people—including over 80,000 people in Maine—who have taken advantage of this program, many of whom have never had health care before, many of whom have had tragic stories that we have heard all night about children born with birth defects or children that had some disease at a young age or an adult who, as we just heard a few minutes ago, finds they had cancer and if they hadn't had the coverage and gone in, they wouldn't be here.

This isn't politics. This is people's lives. I can't believe that the good people that I know in this body on both sides of the aisle can't figure out a way to say: Let's slow down. Let's slow down and talk about how to fix it, how to change it, how to replace it. But put that before repeal because once repeal occurs, there are all kinds of bad results, even if they are grandfathered.

People say we are going to repeal and delay. That is repeal and chaos. The insurance industry is going to start to pull back. The health care industry is going to say: Well, we don't know what the situation is going to be. We are going to have to slow down. We are going to stop hiring. We are going to lay people off.

All those changes are going to start happening right away. They can't be prevented. To tell people don't worry, we are going to cover you—that is cruel. I don't think my colleagues intend to be cruel. There is not a mean-spirited person in this body. We just have a different view of how to achieve these results. But the fundamental results should be people have health insurance so they don't have to risk their lives every day and live under that threat. That is what this discussion is all about. That is why I am here.

I view this as much more than a political issue. I understand the differences, I understand the history, and I understand the politics of it, but I just think that now that it is real, let's slow down and find another way to solve this problem that protects the gains that have been made and sands off the rough edges of the law but allows us to protect the fundamental idea of helping people to find health insurance they can afford and keep them from being denied health insurance for reasons through no fault of their own.

I think this is a moral and ethical issue, and I go back and I feel so strongly about this because of my own experience. I feel I owe it to that young man in 1974 who didn't have insurance, who didn't have the checkup, who had melanoma, and who died. I have an obligation to that young man to see that doesn't continue to happen in the wealthiest, most developed society on Earth.

This is something we have within our power to do. I deeply hope that we can take a deep breath, back away from this idea that we have to repeal, and

talk about fundamental principles of helping people to cope with this most serious and personal of issues.

I have confidence in this body. I have confidence in the good will of this body and of the American people. If we can get away from talking about it in the abstract as a political issue, we can talk about real people. That is what I hope we can do over the next weeks and months, and I am convinced we can come to a solution—not that will make everybody happy but that will save lives and make our country a better place.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, first, let me thank my good friend from Maine for his usual eloquent remarks.

I thank my colleague from Connecticut, who is one of our great speakers and mainstays, who has let me sneak in ahead of him. So I will be brief.

My Democratic colleagues are holding the floor tonight to demonstrate our solidarity and our commitment to defending the Affordable Care Act. It is not just defending some abstract law. It is not about protecting President Obama's legacy or Democrats' legacy. It is about people. It is about the American people and their access to affordable health care. It is about defending a health care system that has been made fairer, more generous, more accessible, and more affordable for the American family. It is about men and women and children whose stories we have heard tonight from Member after Member, one part of the country to the other, and their lives have been changed. In many cases, their lives have been saved by health care reform.

That is why Democrats have held the floor tonight. Though the hours have waned on, we will fight this repeal with every fiber of our being. We will not go gently into that good night.

The history of health care reform has been cast and recast by both parties, but there is a truth to be told amidst a lot of fiction. Here is a truth. Before the Affordable Care Act, our health care system was a mess. Health care costs were growing at a rate much faster than they are today, eating into workers' paychecks, dissuading them from taking risks and changing jobs lest they lose good coverage. A debilitating illness could wipe away a lifetime of hard-earned savings because insurers could put limits on how much treatment they would cover. Women were charged more for the same health care coverage. Many couldn't get insurance if they had a preexisting condition. Some insurance companies would simply delete you from the rolls if you got sick; in short, premiums spiraling up, spotty coverage, discriminatory practices, a marketplace out of balance. I remember the days before

health care reform, before ACA. Everyone was complaining about the system. This idea that everything was hunky-dory and then ACA came in is fiction.

I was involved. We knew health care reform would be difficult. It is a \$3 trillion industry with complicated rules and procedures. The politics were arduous. For that reason, health care reform had bedeviled Congresses and Presidents for decades. We knew in 2009 that we had a rare opportunity and that it was too important to let politics or lobbyists or special interests or fear stand in the way.

In the past, Democrats were able to make progress on smaller slices of the overall pie. The CHIP program, my dear friend who is no longer here, Senator Jay Rockefeller, championed it. Getting generic prescription drugs on the market, I was involved in that, along with the Senator from Utah. Never, never was a Congress able to pass a comprehensive package of reforms to the health care system until the ACA—the greatest leap forward in American health care, certainly since the passage of Medicare and Medicaid.

You can measure the results. The law has helped bend the health care costs curve down, insured more Americans than any time in our Nation's history since we started measuring the uninsured rate, all while providing higher quality health care.

Is the act perfect? No, no one ever said it was. I have listened to my friend the majority leader and our Republican colleagues on the floor these past few weeks. They used quotes from President Obama saying the law could use improvements as proof that it is failing.

That doesn't hold up. Go look at the full quotes. No one ever said the law would be perfect. We all know it could use some fixes. I, for one, am for a public option—we nearly had it in 2009—to increase competition in marketplaces where there is still too little. But scrap the whole thing and go back, back to a chaotic marketplace, inconsistent coverage, skyrocketing premiums? No way. Back to 40 million uninsured Americans, back to discriminating against women and Americans with preexisting conditions? No way.

Democrats don't want to make America sick again. We don't want to repeal the largest expansion of Affordable Health Care since Medicare and Medicaid and leave chaos in its wake—chaos instead of affordable care. That is what the Republican plan would do, sure as I am here tonight.

This evening, as colleague after colleague has come to the floor to describe how the ACA is helping their constituents, helping nurses, helping rural hospitals, helping students, helping seniors, I hope my Republican friends may have listened to them. The American people certainly are. They have been watching this debate. We

have been talking to them on the phones, and they will carefully consider the consequences of repealing this law, and I hope our Republican colleagues will—particularly without a viable comprehensive replacement.

With the close of this long night, I make a simple plea to my Republican colleagues: Turn back. It is not too late. You are already hearing the grumblings from Members on the left side of your caucus and the right side of your caucus.

Well, they are starting to say, now that you have some power here, you are in the majority, maybe we shouldn't repeal without replace, even though for 6 years you have been unable to come up with a replacement.

The Republican Senators from Maine, Arkansas, Tennessee, and Kentucky, former Senator Rick Santorum, even the President-elect says that maybe we should replace and figure out how to replace before we repeal, but with this vote, it would just repeal it.

My simple advice to my Republican colleagues is turn back. The health care of Americans hang in the balance. Affordable care for every American hangs in the balance. If Republicans repeal the ACA without a detailed comprehensive plan to replace it, not a mere framework, not a set of principles, not a bunch of small-ball policies cobbled together, they will create utter chaos, not affordable care.

It is not too late. Work with us Democrats. If you tell us tomorrow you are giving up on repeal, we will work with you to improve it. We know there needs to be some improvements, but don't scrap the law, leaving all those in the lurch and then come to us and say: Now let's fix it.

You better have a replacement. Something you haven't been able to do for 6 years. It is not too late. Work with us Democrats on improving the law. Work with us on making it better. Don't scrap it and make America sick again. Turn back before it is too late. It will damage your party. It will hurt millions of Americans, far more importantly, and hurt our great country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, once again, congratulations on your election. I haven't gotten a chance to talk with the Presiding Officer in detail about his path to the U.S. Senate, but I have had a chance to talk to a lot of my colleagues about how they got here, and I think we can all agree it is not often a real pleasant experience. You get your name dragged through the mud. You get called all sorts of names. You have to call lots of friends and strangers and ask them for money. It is no walk in the park to run for political office or to put your name out there and be the subject of both praise and a lot of ridicule.

It is not surprising the reason that people do this. The reason that the 100 of us have decided to run for office and to put ourselves out there in the public spotlight is because we deeply care about our neighbors, about the people who live in our States. We are doing this job, to a man and woman, because we want to make life better for people; in particular, people who have been just thrown big curveballs by life.

I grew up in a pretty economically secure house, but I understand a lot of kids don't have that opportunity, and I feel like both Republicans and Democrats are here because we want to lift those kids up. I have had a pretty healthy life, a few bumps and bruises along the way, but I feel like both Republicans and Democrats are here because we get that other people aren't as fortunate. They got sick. They got diagnosed with something terrible. Our role should be to try to help get them some cures or some treatments.

We are here not because we think it is fun to run elections, we are not here because we like the look of our name on the door, we are here because we care desperately about people. I think this is what Senator KING was getting at in his remarks. All of the tabloids and the TV news shows, they spend 80 percent of their time focusing on politics, and we end up chasing our tail off in here because if the daily political rags and the cable news shows are talking about politics, then maybe we should be talking and thinking about politics as well, but that is not why we decided to do this. We decided to run for the Senate because we care about people.

Why we are here tonight is pretty simple. Ultimately, the repeal of the Affordable Care Act, with no replacement, with no plan for what comes next, will hurt millions of real people in very real ways. In the end, I don't believe that my Republican colleagues want to cast a vote that will do that.

This tall guy right here is Josh Scussell. He lives in Connecticut. He is from Guilford. He is standing next to his bone marrow donor and her boyfriend. This is Josh's wife. Josh was diagnosed with stage IV non-Hodgkin's lymphoma in 2012.

Here is what Josh says. He will tell you the unvarnished truth. Josh says: "The ACA is entirely responsible for me still being alive."

He relapsed after an additional diagnosis before he turned 26, and the only way he was able to get insurance was because of the Affordable Care Act, which allowed him to stay on his mother's insurance up until he turned 26. During the course of his treatments, he underwent stem cell transplants, which could be up to \$200,000 each. Because of those transplants, he needed ongoing weekly treatments at a cost of \$10,000 per treatment.

He recalled how he was getting his first stem cell transplant and he was in

the hospital during the Supreme Court deliberations on the Affordable Care Act. He said, "I was in a hospital bed watching the TV, when the Supreme Court approved the ACA, and just the feeling I had in my body was a feeling that I had never experienced before because I knew that I was going to be taken care of."

Josh is in remission. In a few more years of being cancer-free, the doctors tell him he might be out of the woods. He says, "I'm more fearful for other people in my position. . . . Because there's no way I would have been able to afford any of those treatments" if it wasn't for the Affordable Care Act.

This little guy, his name is Rylan. This is his mother Isabelle. Rylan was born with a congenital heart defect. One day he had to be rushed to Connecticut Children's Medical Center for emergency open-heart surgery to keep him alive. Isabelle says that she never really thought about health insurance. She knew she had it, but she didn't really think about it until Rylan went for that emergency surgery. She thought: Oh, no, is our insurance going to cover it? Will they cover all the treatments he needs going forward now that he will have had a preexisting condition? She found out that the Affordable Care Act protected her because it eliminated a common practice of insurance companies to cap the amount of coverage you get in any one given year or over the course of your lifetime.

Isabelle tells it plainly. She says:

Without the Affordable Care Act, we would have never been able to afford the care for Rylan. We would have had to make awful decisions—decisions about whether we kept our house, kept our car, whether we could still afford to work.

It was the Affordable Care Act that protected her and her family.

Finally, this is John. John is a hero in my book. John was born with cystic fibrosis. John tells the story about how health care is the most important thing to him in the world. It is more important than salary. It is more important than his job. It is more important than friends. He struggles every day to live. The only way he lives is that he is able to take medications that allow him to continue to breathe and that allow his lungs to continue to function amidst this crippling disease and diagnosis.

John is on the Affordable Care Act, and John will tell you, just as plainly as Josh and Isabelle, that without the Affordable Care Act, he would die—not 2 years from now, not 3 years from now. John would die within a matter of weeks because without his medications, he cannot live.

It is not hyperbole to suggest that the absence of the Affordable Care Act is a matter of life and death. John will tell you that without the Affordable Care Act, he doesn't have insurance. Without insurance, he cannot afford

the medications to keep him alive. Without the medications to keep him alive, John disappears from this Earth.

These are real people. I care about them because I know them, and I have had the chance to meet John and Isabelle and Josh. But you have these people in your State as well. My Republican colleagues have just as many of them. Some of the biggest numbers of enrollment in the Affordable Care Act aren't in States represented by Democrats; they are in States represented by Republicans. And this mythology that the Affordable Care Act hasn't worked or that it is in some death spiral is just political rhetoric. It is not true.

This is an AP fact check story from today, I believe. Here is the beginning of it. It says:

President-elect Donald Trump says that President Barack Obama's health care law "will fall of its own weight."

House speaker Paul Ryan says the law is

"in what the actuaries call a death spiral." And Senate Majority Leader Mitch McConnell says that "by nearly any measure, ObamaCare has failed."

The AP says:

The problem with all these claims: They are exaggerated, if not downright false.

The Affordable Care Act has not failed for the 20 million Americans who have insurance now because of it. The Affordable Care Act has not failed for the millions more who are paying less because insurance companies can no longer discriminate against them if they have a preexisting condition. The Affordable Care Act has not failed for seniors all across this country who are on Medicare and are paying less for prescription drugs.

There is no doubt that the Affordable Care Act isn't perfect. Medicare wasn't perfect when it was passed. We amended it 18 different times. The Affordable Care Act needs to be amended and perfected, as well, but if you really care about people instead of political headlines, then the prescription here is simple: Stop. Take a step back. Don't lurch the entire health care economy into chaos when you don't have to.

I am pretty sure that Donald Trump is going to be President for the next 2 years. I am pretty sure that Republicans are going to control the Senate and the House of Representatives for the next 24 months. You have time. You don't need to prove some point to the political talk show hosts and the conservative radio commentators. You can step back and rescue these real people from the fate that you are about to subject them to by—instead of engaging in a partisan repeal with no replacement for what comes next—reaching out across the aisle and working with Democrats to try to fix this law.

I have been here the last 6 years. I was part of the passage of this law when I was in the House of Representatives. I have listened to my colleagues say, literally tens of thousands of times in Washington and across the

country, that their priority was to repeal and replace this law. I watched on TV our President-elect say in response to a question about the process for health care repeal going forward:

No, we are going to do it simultaneously [repeal and replace the law]. It'll be just fine. We are not going to have, like, a two-day period and we are not going to have a two-year period where there is nothing. It will be repealed and replaced.

There will not be a 2-day period in between repeal and replace. And that is what I heard from my Republican colleagues: Put your vote where your mouth has been because the alternative is a death spiral.

The Associated Press calls the mistruths out and says: No, the Affordable Care Act is not in a death spiral. But those same health care economists who are quoted in that story will tell you that if you repeal this bill without any replacement for what happens next, that is what creates the death spiral. Why? Because when you put a clock ticking on the life of the Affordable Care Act, then a couple of things happen. First, people who need some procedure done rush into those exchanges and they drive up the actuarial cost, and insurers just look at themselves and say: Why would you hang around for that? And they bolt. So the Affordable Care Act falls apart if you telegraph to people that you have only 1 year or 2 years left.

You don't have to do this. You don't have to visit that kind of harm on real people. I know that is not why Republicans ran for office. I know we have philosophical differences on how to get health care to people, about how to insure more people, but let us sit down and figure out a middle ground so we can save the lives of all these people who are relying on us.

What we are doing right now is extraordinary. This is absolutely extraordinary. We were sworn in less than a week ago. The new President has not even been inaugurated. There isn't even a conceptual plan for what will replace the Affordable Care Act, and we are rushing forward with repeal. There is an enthusiasm to this cruelty that is hard to understand.

I hope that some of the Republicans who just in the last 24 hours have called for a delay in this debate are heard by Republican leadership. I know that Democrats will continue to be on this floor to make this case. I guess I am still optimistic enough about what is still a pretty broken town that, in the end, my Republican friends aren't so cold-hearted, aren't so barbaric as to take away insurance from people like those we have been talking about here today when there is an alternative, when there is another way, when there is no political imperative to do this kind of damage to people right now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I want to thank the junior Senator from Connecticut for his leadership on ACA. Since we arrived in the Senate together, he has been stalwart, not just on the many benefits of ACA but specifically on mental health and the benefits and the destigmatization of mental health care in the context of ACA.

It wasn't so long ago that people wouldn't step up and say: I need help. I need mental health care. But now I think it is broadly accepted on both sides of the aisle, partly because of CHRIS MURPHY's leadership, that mental health is health and that just as if you tweak your shoulder or need something with your lungs or have a crick in your neck, if you have some mental health issues, you need to get them taken care of.

The plan to repeal the Affordable Care Act with no replacement reminds me of a car I used to have. It was an OK car. I remember I bought it in 2006. It was a 2005, but it was new—one of those in the back of the lot. I got it for \$2,500 less than MSRP. It was a station wagon. It was ugly. It was purple, and I just sort of rode it into the ground. I kept driving it. I didn't take great care of it. I have gotten better about taking care of my cars. At the time I just rode it and rode it. The AC busted, and I didn't fix it. There was a fender bender, and I didn't fix that. The car was OK. It needed some TLC, but it got me around. What if I had taken this car to Jiffy Lube in Honolulu just to get a little tuneup and left it, and then I came back an hour later and it had been dismantled? That is what the Republicans are doing with the Affordable Care Act. Instead of fixing what is wrong and keeping what is working, they are going to destroy the American health care system.

I try very hard not to be too apocryphal with my language. I try very hard not to be too nasty and too partisan on this floor, but this is factual. They are going to destroy the American health care system. That is what repeal and replace is all about. They are going to remove a law from the books and come up with something terrific in a few months or a few years, but they are also going to keep the stuff you like.

Here is the first thing that everybody across the country needs to know about this process. It is not on the level. There is no way around it. This is just not on the level. Anybody who has spent any time thinking about health care policy knows that covering people with preexisting conditions like cancer, mental illness, and diabetes is a popular thing to do. It is the right thing to do. People also know that the only way to do that is to create a risk pool that includes healthy people. If you are going to insure folks, you can't just be paying out for the expensive cases; you also have to be bringing in

revenue and not paying out, so you need young people in the risk pool. You need professionals in the risk pool. You need nonsick people in the risk pool. That is how this all works. Everybody understands that.

Everybody who is working on this in good faith understands that you need to create a risk pool in order to cover more people. So they know that if they eliminate the individual mandate, they eliminate the benefit, but they are stuck with a promise they made to repeal this law totally, root and branch—not to improve upon the law.

Just remember that it was an article of faith that we couldn't make even the most modest improvements to this law at any point in the last 6 or 7 years; that if you did so, you ran afoul of Republican orthodoxy. It is not that they wanted to fix the law. It is that they had told everybody it was so bad—partly because it was ObamaCare—that there was nothing good in it; there was nothing worth preserving about the Affordable Care Act.

Now they are into repeal and replace. They are stuck with the promise they made to repeal this law totally, and they know people are about to be very, very angry because President Obama is the President only for another 10 days, and people are not going to accept the premise that we are going to rip health care out from under you, but don't you hate health care because it is called ObamaCare? That is an argument that may have worked 3, 4, or 5 years ago, but with a new President-elect and a new Congress, we have an obligation to have a better strategy than that.

Republicans do not have a replacement plan. If they had one, they would be adopting it shortly. It has been 7 years. It has been 7 years, and we haven't seen any legislative language—none. They have no plan at all for American health care other than to cause immediate harm and to try to blame it on the law that they are repealing.

There are only a few ways this could end up. I will give you a couple of them. First there could be the equivalent of a health care cliff, which is similar to what we have done with our fiscal situation where they have to periodically shovel money at the problem and bail out the insurance companies. What will happen is they are basically eviscerating the revenue that provides the subsidies for individuals, but they are going to realize: Hey, these subsidies are quite popular, but we just eliminated the revenue. We don't want to increase taxes so let's borrow money and keep shoveling money at the insurance companies or they may make minor reforms in the ACA and call it a replacement. That would be great. I do not see that they are on this path right now or they are really going to repeal the law and take health care coverage away from millions of Americans. This is completely irresponsible.

So what happens when they repeal ACA? Twenty-two million people will have their health care coverage ripped away from them, more than 22 million men, women, and children. For those of you who still have coverage, I want you to know that this impacts you too. If you have a preexisting condition as common as diabetes or high blood pressure or mental health issues or cancer or Crohn's disease or Lupus or in a lot of instances pregnancy is a preexisting condition, you are not going to be able to keep your coverage.

If you are a woman, you are likely going to lose access to preventive health care services like birth control. If you live in a rural area—everybody in rural America should understand this.

There is this thought that there are rural States and nonrural States. Every State is both a rural State and a nonrural State. I know the Presiding Officer has an urban area and plenty of rural areas. I have one of the densest cities in the United States, and then I have far-flung, very small towns that are old plantations. Everybody in the Senate represents rural America in some form or fashion.

If you live in a rural area, chances are that your local hospital will lose millions of dollars in funding, which will force many rural hospitals to turn away patients and close their doors. This is not an exaggeration. I encourage every Republican Member of the Senate, Member of the House, citizen out there to ask their health care leaders in rural hospitals what is about to happen. They are in a panic.

Let's be totally clear about what this means. You lose rural hospital money and you lose rural hospitals. For a lot of small towns, from Hawaii to the Dakotas, to the Carolinas, and everywhere in between, the rural hospital is the economic center of the community. It is often by far the largest employer. I want you to understand, if a rural community loses its rural hospital, a lot of the working-age folks leave. They move to a more urban area.

What happens is, the elderly citizens also have to leave because if you need access to emergency services but you are nowhere near any of that care, you are going to have to go too. So there is not a single thing we can do in the Congress that would harm rural communities quicker than what is being done this week by the Republicans.

I want to be really clear about how much harm is about to be done to rural communities, not just rural health care providers, not just nurses and doctors and technicians and admins and janitors and everybody who works at those rural hospitals.

That is important because in a lot of instances, that is the economic driver of a small town. It is also about, people start to make choices with their own life and with their own planning, espe-

cially as they get older, and they think to themselves: How do I stay close to health care? If that rural hospital goes away, that rural town goes away.

We have seen it in Hawaii. That is why we fight for Molokai Community Hospital. That is why we fight for Lanai Community Hospital. That is why we fight for Waiānae Coast Comprehensive Treatment Center. That is why everybody fights so hard for their community rural hospitals—because it is the center of a community, not just economically, but without it, you basically have no community.

All of this will cause the entire insurance market to unravel, raising costs for everyone. This means families are going to pay more for prescription drugs, pay more on their premiums, and pay more for out-of-pocket costs.

So if the Republicans are still unfazed by the health impacts of the repeal I just outlined, and have been outlining for the last 4 or 5 hours, over the last 3 or 4 days, there is another reason to be extremely cautious about what is about to happen. As we know, the vehicle for this is a budget resolution, right? They are trying to characterize this as, no, it is not a budget resolution.

The only reason they are doing it as a budget vehicle is so they can do reconciliation. What does that mean? That means they only need 51 votes, where otherwise they would need 60 votes, but this is a budget. If it were not a budget, they would not be subject to the 51-vote threshold. This is the Federal budget. This Federal budget increases the deficit by trillions of dollars.

This Federal budget increases the deficit by trillions of dollars—not trillions of dollars at a flat line with the previous Federal budget, this is trillions of dollars more than last year's Federal budget.

So if you are a fiscal hawk, gosh, you must be swallowing hard over the next couple of days. This must be a bitter pill to swallow because on the one hand, boy, do you hate ObamaCare. On the other hand, boy, do you hate running up the national deficit—not the debt, deficit—by trillions of dollars. This is insane. This deficit—what we are doing to the debt and deficit in the next 2 or 3 days makes everything that we have done in the last 3 or 4 years pale in comparison.

If you are a fiscal hawk, I cannot see how you get to yes on this. You cannot vote to increase the national debt by trillions of dollars and then still call yourself a fiscal hawk. So we have a choice in front of us. Do we build on the progress of the Affordable Care Act or do we strip millions of Americans of their health care coverage, leave those with preexisting conditions out in the cold, and raise the national debt?

We know ACA has its flaws. No one ever said it was perfect. Let us be

clear. Every major piece of legislation, every signature piece of legislation that this body has ever passed has been flawed in some way. What do we do when we are a functioning world's greatest deliberative body? We iterate it. We work on a bipartisan basis to fix it. That is what we should do.

The benefits of ACA are undeniable. That is what we should be debating, improvements to the ACA, not an implosion. So let's keep our eye on the ball and remember what our common goal is: giving every American the opportunity to get quality, affordable health care they deserve.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from New Jersey.

Mr. BOOKER. Mr. President, the hour is late, even though you look like you have a lot of work there to do, sir. I think I am going to be merciful and keep this short. I want to thank the Senator from Hawaii, the senior Senator from Hawaii, for his remarks.

I just want to wrap up. We have had multiple speakers now driving home a number of points. Two of them I just want to reiterate, which is the fact that as I look at a lot of more moderate and conservative outlets, from the American Enterprise Institute all the way to the American Medical Association, that did not support ObamaCare in the first place, you have this chorus growing of responsible, thoughtful people who said: Hey, we may want to repeal ObamaCare, but to do it without putting up a plan and showing the American public what you are going to replace it with is not only contrary, obviously, to a lot of the political rhetoric we heard during the campaign season, but it is against the logic, it is not prudent, it is actually reckless, and it is going to hurt a lot of people.

This is what we have to understand. I say it is akin to pushing someone off a ledge and telling them, as they are falling down, that, hey, we are going to get a plan, don't worry. The problem is, people are going to get hurt in the interim. The cost of medical care, not having that kind of business certainty that you need, it is going to spike markets and make things very difficult.

I just want to say that this body, which I respect—and I am happy to hear voices like Senator RAND PAUL and others on the Republican side begin to come out and say that we should not be repealing this without replacing it. I want to offer my gratitude to them because I think there are a lot of people—I even heard CHUCK SCHUMER say himself that he is ready to roll up his sleeves and talk about ways to improve this.

We have heard from the President-elect, saying that he is going to have a health care system that is better and that costs less. I think he used the word "terrific" to describe what he is going to bring to the American people.

Well, where is it? Where is the plan? What is the idea? Because there are too many people right now in our country who are fearful of what might happen. When I say “fearful,” it is a base fear; for example, some people from my State of New Jersey. This is Martha, who lives in a town called Montclair—not quite the same town that the Senator from Hawaii was speaking of before, which I cannot pronounce yet. I hope he will help me with that. Mahalo; is that right? I am doing all right.

But this young lady from Montclair very dramatically writes:

I want to take a moment to thank you for fighting as hard as you have to protect those of us who are disabled and vulnerable to financial ruin, medical crisis, and debt if the ACA is repealed. I am a psychotherapist in private practice for over 20 years. I have served my community by keeping one-third of my caseload no fee or low fee for those who have had no insurance.

For over 20 years, I have purchased my insurance privately and paid dearly for my medical coverage. Two months ago, I was diagnosed with an extremely rare cancer in my central nervous system. I am fortunate that doctors believe that it can be controlled, but not cured, by my taking a low dose of oral chemotherapy for life. I now, as a result of this condition, have zero chance of being able to afford reasonable medical coverage purchased from an unregulated open market.

My life, literally without hyperbole, depends on my being able to maintain continuity of care and insurance regulations that eliminate exclusions for preexisting conditions. My energies are limited due to my illness. So I thank you for doing all you can to fight for my life and my family. The idea that people with preexisting conditions aren't contributing to the economic health of our country is a distortion. I personally address gaps in our health care system as a provider by sliding my scale.

The safety net is us, and if I lose my health coverage and can no longer afford it, I will no longer be able to afford to devote one-third of my caseload to those who cannot afford it. It becomes a profound domino effect.

That is where we are right now. I have heard so many of my colleagues, Republican and Democratic, speak to the things they like about ObamaCare or at least they like in the abstract, not giving ObamaCare any credit. They like the fact that people with preexisting conditions can get insurance. They like this idea that there will be no lifetime caps. That means that a child who might have leukemia and beats it and then becomes an adult can't find insurance because nobody wants to insure him because they have exceeded these ideas of lifetime caps. They have gotten rid of this idea that you cannot stay on your parent's insurance just because you have turned 23, 24. Now you can do it until you are 26. There are so many aspects of ObamaCare that people say they like. One thing that even Republican Governors talk about liking is just the idea

of Medicaid expansions that have occurred in 32 States and have enabled millions of Americans, hard-working families, their children, people living in nursing homes, those who suffer from addiction, and the poor and the underserved, to get access to quality health care.

That is what is incredible. We have people who are coal miners and sick who have benefited from this. We have folks who are in nursing homes who have benefited from this. We have folks who are suffering in this opioid crisis with addictions who have been able to get access to coverage and access to care. More than this, we have now created a system that equates and understands that mental illness and physical illness is in parity—that insurance companies have to offer that as well.

In addition to all of that, we now have a system that says to anybody that you cannot be denied for the kind of reasons you were denied before and find yourself falling into the trap that so many Americans did; that the No. 1 reason—or at least one of the top reasons people were declaring bankruptcy was because they could not afford their medical bills. These are all things that are universally—or at least the overwhelming majority of Americans want.

So we all agree on many of the basic goals. The question is, How do get there? It has been indicated by the President-elect and others that they have a plan to get there, to preserve all of these things that are now being savored by Americans, that are literally, as Martha from Montclair points out, saving people's lives. The question is, How are you going to get there? By the way, if you try to shortcut it and don't tell us how you are going to get there and just repeal ObamaCare, then you introduce uncertainty to the market. Insurance companies are speaking up. The American Medical Association is speaking up. The American Diabetes Association is speaking up. The American Cancer Society is speaking up. All of these nonpartisan or maybe even conservative folks are speaking up, saying: You can't do the repeal unless you put forward what you are going to replace it with.

Free market folks know you don't introduce uncertainty into the markets without consequences, and those consequences would be a disruption to the individual marketplace, the spiking of prices, people pulling out, and that death spiral.

I believe in the prudence of this body. I have seen it from people on both sides of the aisle—the thoughtfulness that they won't rush to embrace a pure political victory at the expense of real people. Well, this is one of those moments.

What are we going to do as a body? Are we going to repeal and not replace?

Or are we going to have a great discussion about what that replacement will be?

So tonight we have heard from a lot of my colleagues. I am really proud that folks have taken to the floor. I am even more proud that, from my office, we are hearing from people on both sides of the political aisle. Not everybody likes ObamaCare. Not everybody voted Democratic. It is people from both sides of the aisle. They do not understand why we would rush forward doing the repeal without the replace.

I want to thank everybody who has spoken tonight. The hour is late, and I just want to thank a lot of the folks who don't normally keep these kinds of hours. There are some pretty incredible people who work up around the President's desk.

We have a lot of pages here who do not get enough thanks on both sides—Republican pages and Democratic pages. I want to thank them, as well, for staying late, even though, technically—and I hate to call them out on this—if they have to stay up past 10 p.m., they don't have to necessarily do their homework and show up for school the next day. That is what I hear. So we might have done you a favor. But either way, I want to thank everybody tonight.

Mr. President, I want to suggest the absence of a quorum.

Oh, I am sorry. I want to—what do I want to do? I want to just drop the mic.

Mr. SCHATZ. That is the first time the Senate has ever ended with that one.

ADJOURNMENT UNTIL TODAY

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 12 noon today.

Thereupon, the Senate, at 12:16 a.m., adjourned until Tuesday, January 10, 2017, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JEREMY D. KARLIN
IRAHAM A. SANCHEZ

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MATHEW M. LEWIS

EXTENSIONS OF REMARKS

HONORING GARY GIACOMINI

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today in memory of Gary Giacomini, who passed away on December 2, 2016, after a lifetime of service to his community.

Born in San Francisco in 1939, Mr. Giacomini spent most of his life as a resident of Marin County. He attended St. Mary's College in Moraga, and earned his law degree at San Francisco Hasting College of Law in 1965 as an honor student. A stalwart, civic-minded community member, Mr. Giacomini occupied many roles over the course of his highly productive professional and political career. Renowned for his bedrock strength, and sometimes cantankerous demeanor, he was always straightforward and clear about his principles and convictions.

Political from a young age, Mr. Giacomini was student body president of Marin Catholic High School. He won a seat on the Lagunitas School Board in 1968, and was elected to represent Marin's 4th District on the Board of Supervisors in 1972, where he served until 1996. Upon his retirement from the Board of Supervisors, he was the longest-serving county supervisor in the history of California. In addition, he was a member of 25 other state and regional boards and commissions, including 10 years on the California Coastal Commission and 20 years on the Golden Gate Bridge District. In 2007, Marin Magazine named him one of the 13 most influential people in county history.

Chief among his many exceptional accomplishments for Marin's residents and environment, Mr. Giacomini led the movement to preserve West Marin open space, protect the environment, and preserve the county's historic ranchlands. In appreciation for his enduring resolve and track record protecting these lands, in 2001 a 1,500-acre open space preserve in the San Geronimo area was named for Giacomini. He was dubbed as one of the heroic group of Rebels with a Cause for his work to save a vast stretch of Marin's coastline for parks and farms. He also instigated, with his colleagues, public ownership of the Southern Pacific Railroad right-of-way from Marin to Eureka in the 1980s, paving the way to Sonoma-Marin Area Rail Transit's future use of the tracks, where service is expected to begin this year.

In 1985, Mr. Giacomini coordinated a strenuous battle to ensure the Buck Trust, bequeathed to Marin for its needs and programs by Ross philanthropist Beryl Buck, was not dispersed outside Marin. This culminated in the formation of the Marin Community Foundation in 1986. After leaving public service in 1996, Mr. Giacomini went on to serve two

terms on the board of the Marin Community Foundation, including time as Chairman of the Board.

Over the years, Mr. Giacomini developed a well-earned reputation, as noted by the Marin Independent Journal, for his ability to promote common ground between the interests of Marin's diverse agricultural community and preservationists. He is survived by his wife, Linda; two sons, Andrew and Antony; a sister, Roberta Powers; and five grandchildren. He has left an indelible mark not just on his family and the community of Marin, but on children and families far and wide.

A formidable force whose presence will be greatly missed, it is my honor, Mr. Speaker, to recognize the breadth and depth of Mr. Giacomini's legacy of commitment and his many victories for the people and places of Marin. It is therefore appropriate that we pay tribute to him today and honor his memory.

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Mr. FRANKS of Arizona. Mr. Speaker, on January 5, 2017, during the vote on roll call 11, on H. Res. 11, I inserted my voting card believing that my YEA vote had been recorded. It was my intention to vote YES on H. Res. 11.

TRIBUTE TO KAYE FRANCES WILLIAMS

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor the extraordinary life of Kaye Frances Williams, formerly of Selma, Alabama—a childhood friend, outstanding lawyer, devoted wife, doting aunt, amazing sister, loving daughter and special friend to many.

Born on January 4, 1962, Kaye was the eldest daughter of the late Martha and Fred D. Williams, Jr. and the sister to my childhood best friend Kimberly Joyce Williams, whom I affectionately called "Kimmie Jo".

Every childhood memory I have includes the Williams family. I can still see that house in Lakewood and I will never forget that home telephone number. I am so grateful for the love and support I received from the Williams family. I spent so much time with them that I even called their parents Uncle Fred and T-Mart. I can still smell the aroma of their mother's homemade fried chicken—Colonel Sanders had nothing on T-Mart's chicken.

Kaye grew up a true "Southern Belle" from the most affluent African American family in the historic town of Selma, Alabama. The Williams were the epitome of black high society in Selma. The Williams family owned Black Selma—they were the premier florist, owning Fred's Flower and Gift Shop as well as JH Williams Funeral Home. They were the top educators, entrepreneurs, doctors and philanthropists. The Williams family had it "go on". They even summered at Cape May—when black folks in Selma didn't even know Jersey had a shore.

Deprived of female siblings myself, Kim was my sister/BFF and Kaye was "our big sister". Kaye had it all—she was beautiful, smart, fun and talented—Kaye was the girl we all wanted to be.

Kaye Frances Williams was a trailblazer. She blazed the trail that so many of us in Selma aspired to follow. I set my own goals by the achievements of Kaye Williams. I wanted to be a debater because Kaye was the first black debater at Selma High School. I wanted to be in student government because Kaye was the first black President of the Selma High Student Council. I wanted to be the val- edictorian because Kaye graduated top of the Class of 1979 at Selma High and then attended Goucher College and Georgetown Law School. I wanted to be a securities lawyer because Kaye was a top lawyer at the Securities Exchange Commission. Like so many others, I spent my life trying to live up to Kaye's exceptionalism.

I will never forget the summer of 1984 when Kim and I, as college students, lived in Kaye's apartment and worked in Washington, DC while Kaye was a summer associate in a Los Angeles law firm. What a summer—Kim and I knew we were truly grown—living in DC in our big sister's apartment with a car. Being a responsible elder, Kaye left us a list of "Dos & Don'ts" which we promptly ignored. What precious memories Kim and I made that summer—all because of Kaye. Those were the days.

Kaye emanated a bright light that blazed a path that will shine on in the lives of the many people she impacted. She was beloved by her family and she was the "Best Aunt ever" to Kim's children—McKenzie and Madison. Kaye met every challenge in life with the same fierce determination and indomitable spirit that helped her succeed in every endeavor she undertook. She graciously assumed the mantle of the matriarch of the Williams family when her parents died and she was the devoted caregiver to her loving husband Earl.

On December 7, 2016, that bright light dimmed far too soon. Kaye Williams had many more miles to go before she slept. Although Kaye will be missed by us all, let us find comfort in the fact that she will forever live in the hearts of so many people she nurtured, influenced, and affected. Kaye would not want us to mourn her but rather she would want us to

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

celebrate the extraordinary life she led and be inspired by the example she set.

I know that I would not be Alabama's first black Congresswoman had Kaye Frances Williams not been my "Big Sister". My gratitude is immeasurable and I will seek to repay that debt by ensuring that the path she blazed in Selma, Alabama shall never be extinguished but will continue to light the way for the next generation of brilliant, beautiful and talented African American women.

On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in celebrating the life and accomplishments of Kaye Frances Williams.

IN RECOGNITION OF MR. JACOB BENNETT MIZNER

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Jacob Bennett Mizner for his service to my office and California's Central Valley.

Mr. Mizner was born on July 16, 1994 in Tulare, California to Kevin and Sharon Mizner. After graduating from Tulare Western High School in Tulare, California in 2012, Mr. Mizner graduated from Fresno Pacific University in Fresno, California in 2016. While attending Fresno Pacific University, Mr. Mizner, a lover of music, was involved in Fresno Pacific Concert Choir.

Mr. Mizner has been a Field Representative in Kings and Tulare County, California from June 1, 2016 to January 5, 2017. As Field Representative, Mr. Mizner was known for his friendly, optimistic personality throughout both counties. He is a hard, dedicated worker who was highly respected by his peers and was able to create and foster connections with constituents, business leaders, and public officials, all of which are integral skills of congressional staffers.

Outside of work, Mr. Mizner enjoys music; he is an avid saxophone player and enjoys singing in choir, as well. Mr. Mizner is a member of California Baptist University Choir and Orchestra.

Mr. Mizner's time with my office came to a close on January 5, 2017 when he left to pursue an eleven-month mission trip with The World Race to serve needy groups in eleven countries in Central America, Asia, and Africa. Knowing Mr. Mizner, his character, and his work ethic, I have no doubt that he will achieve many great things in his future.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Mr. Jacob Mizner for his public service to the people of the Central Valley and wishing him well as he embarks on the next chapter of his life.

INTRODUCING THE JUSTICE FOR YAZIDIS ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to introduce the Justice for Yazidis Act, legislation that will expand mental health, physical therapy, and other health services to religious minority groups that have suffered the greatest persecution under the Islamic State (IS). These programs, though modest, are greatly needed and will help victims of genocide begin the long process of healing. In addition, this legislation establishes a P2 Processing system for Iraqi and Syrian religious minority groups, allowing these groups and individuals to apply directly to the United States for refugee status without compromising the rigorous vetting standards already in place.

The crimes committed by IS are horrifying and brutal. Countless articles have been published detailing the unimaginable abuse that groups like the Yazidis have endured. Apart from the mass killings, the beheadings and torture, IS created a system of organized kidnapping, rape, forced marriage, and sexual slavery primarily targeted against girls from religious and ethnic minority groups. It's not hidden: they sell captives in the open, like cattle at market, where militants come and go as they please to select slaves as young as nine years old. Once sold, girls and women are traded among fighters for months at a time. Fighters believe they are entitled—and obligated—to enslave, rape, and forcibly convert these girls. They even published a pamphlet in December 2014 on how to treat female slaves.

Thousands of women remain enslaved. For those who have escaped or been rescued, the road to recovery in war-torn Syria and Iraq is daunting. The United States, through the Department of State and the United States Agency for International Development (USAID) has provided services and goods for these groups, but the need continues to grow on a daily basis.

Human Rights Watch recently documented the severity of the need for trained trauma specialists, explaining that "doctors need to be better trained in examining women who have been victims of sexual assault . . . otherwise, the exams could be harmful and humiliating for women and girls, and make them feel like they have no control over their bodies—which is what they felt when they were abducted by ISIS." By dedicating specific resources dedicated to providing access to trauma-informed counseling, the United States can play a significant role in rehabilitating these traumatized and often suicidal survivors of IS.

Mr. Speaker, I hope this body will expeditiously pass this measure. Doing so will reaffirm America's commitment to those around the world suffering from great injustice.

CONGRATULATIONS AND THANK YOU TO RETIRING SHERIFF MICK EPPERLY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Mr. LONG. Mr. Speaker, I rise today to recognize Sheriff Mick Epperly of Barry County, Missouri, who is retiring after 28 years of service in law enforcement.

Sheriff Epperly took his first oath as Sheriff of Barry County on January 1, 1997. Now, 20 years later, he has become the longest serving sheriff in Barry County's history.

During his career, Sheriff Epperly has come to be known as the "working sheriff." On the job, Sheriff Epperly has consistently been an active sheriff arriving first on the scene for search and rescue missions, going into work at all hours, even on weekends and holidays, regularly going on patrols with his officers and working every homicide case that the Sheriff's Office has been involved in during his tenure.

I am honored to recognize Sheriff Epperly's years of service and hard work on the job for the people of Barry County. On behalf of Missouri's Seventh Congressional District I ask all of my colleagues to join me in wishing Sheriff Epperly the best in retirement and thanking him for 28 years of work in law enforcement.

IN MEMORY OF RIVERSIDE COUNTY SUPERVISOR JOHN BENOIT

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize and honor the life of Riverside County Supervisor John Benoit, who passed away on December 26, 2016 at the age of 64. John was a lifelong public servant, having spent 31 years in law enforcement prior to his first foray into elected office in 1999 as a board member for the Desert Sands Unified School District.

In 2002, John was elected to the California State Assembly, where I had the pleasure of calling him a colleague. I was always impressed with John's keen understanding of developing sound public policy on behalf of his constituents. He was a true statesman in every sense of the word. John was elected to the California State Senate in 2008 and was eventually appointed to the Riverside County Board of Supervisors in 2009 by California Governor Arnold Schwarzenegger.

On the Riverside County Board of Supervisors, John represented the largest and, arguably, most diverse district in the county. Yet, he never let his partisan leanings interfere with his duty to serve his constituents. This, undoubtedly, will be one of John's many lasting legacies.

John is survived by his wife, Sheryl; son, Ben; daughter, Sarah; and two grandchildren, Abrielle and Nick. On behalf of the U.S. House of Representatives, I would like to offer our condolences to John's family and friends during this difficult time. May he rest in eternal peace.

HONORING LAW ENFORCEMENT
OFFICERS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today—on National Law Enforcement Appreciation Day—to honor the commitment, courage, and sacrifice of law enforcement officers in Georgia's Ninth District and throughout the United States.

As the son of a Georgia State Trooper, I have always had an admiration for the commitment that law enforcement officers make to their communities. Despite the challenges and costs that come with the oath to protect and serve, these brave men and women diligently work to make their communities safe.

The risk that law enforcement officers take has become all too evident, highlighted even more so by incidents in recent months. In fact, less than a month ago, Lavonia Police Officer Jeffery Martin and Captain Michael Schulman were both shot after stopping a suspect driving a stolen vehicle. Thankfully, despite sustaining injuries, both of them survived the attack.

Others haven't been as fortunate. During that week alone, six law enforcement officers in Georgia were shot. The enormous risk that these officers take every day became the ultimate sacrifice for two of those officers, who tragically joined the ranks of the fallen last December. They joined 133 fellow law enforcement officers who lost their lives in the line of duty in 2016, which saw a 10 percent rise in officer fatalities over 2015.

I ask that we all keep these officers and their families in our hearts and prayers. We should remember the sacrifices of law enforcement officers every day, but today serves as a particular reminder to thank our men and women in blue.

We must continue to support law enforcement officers throughout the country as they tirelessly serve to protect our neighborhoods, families, and friends.

NATIONAL LAW ENFORCEMENT
APPRECIATION DAY AND THE
SIX-MONTH ANNIVERSARY OF
THE DALLAS SHOOTING

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to join communities and individuals all across the United States in recognizing Law Enforcement Appreciation Day. Today is just one of many opportunities throughout the year when we come together to recognize the bravery and sacrifice of our fellow men and women in law enforcement, who work day in and day out to protect our families, friends, and communities.

Our recognition here today is timely, given that the six-month anniversary of the shooting in Dallas on July 7, 2016 took place over the weekend. This tragic shooting claimed the lives of four Dallas Police officers and one DART officer, while injuring nine others. It was a traumatic day for our city. However, the people of Dallas came together in unprecedented numbers to honor the fallen and support the Dallas Police Department through this most trying time. It was a testament to the focus and resolve of the American people as individuals from all across the country came together to denounce the violence and support our law enforcement officers.

Last year alone, 135 law enforcement officers lost their lives in the line of duty. This was the highest number of line of duty deaths in five years, and represents a ten percent increase over 2015. While I do not believe that this is a normal trend, we need to be cognizant of the violence within our communities and ensure that we are taking steps in our everyday lives to reduce the tension between law enforcement and the communities they protect.

Mr. Speaker, I am proud to stand with my colleagues today in honor of this day of recognition. Law enforcement officers—including the brave men and women of the Dallas Police Department—perform their duties often without praise or recognition of the day-to-day challenges that they face. While it is important to recognize law enforcement officers on special occasions such as these, we must not forget that these brave men and women are patrolling our streets each and every day and rightly deserve the same recognition.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 10, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 11

9 a.m.

Committee on Foreign Relations

Business meeting to consider protocol to the North Atlantic Treaty of 1949 on

the Accession of Montenegro (Treaty Doc. 114-12); to be immediately followed by a hearing to examine the nomination of Rex Wayne Tillerson, of Texas, to be Secretary of State.

SD-106

9:30 a.m.

Committee on the Judiciary

To continue hearings to examine the nomination of Jeff Sessions, of Alabama, to be Attorney General, Department of Justice.

SR-325

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of Betsy DeVos, of Michigan, to be Secretary of Education.

SD-430

10:15 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Elaine L. Chao, to be Secretary of Transportation.

SR-253

JANUARY 12

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nomination of James N. Mattis, to be Secretary of Defense; to be immediately followed by a business meeting to consider legislation to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

SD-G50

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nomination of Benjamin Carson, of Michigan, to be Secretary of Housing and Urban Development.

SD-538

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Wilbur L. Ross, Jr., to be Secretary of Commerce.

SR-253

Committee on Foreign Relations

To continue hearings to examine the nomination of Rex Wayne Tillerson, of Texas, to be Secretary of State.

SD-106

Select Committee on Intelligence

To hold hearings to examine the nomination of Mike Pompeo, of Kansas, to be Director of the Central Intelligence Agency.

SH-216

1 p.m.

Select Committee on Intelligence

To hold closed hearings to examine the nomination of Mike Pompeo, of Kansas, to be Director of the Central Intelligence Agency.

SH-219

SENATE—Tuesday, January 10, 2017

The Senate met at 12 noon and was called to order by the Honorable TED CRUZ, a Senator from the State of Texas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our hope for years to come, we worship You. Your Name is great, and we offer You our adoration and praise.

Bless our Senators. Open their eyes so that they can discern Your involvement in human affairs. Prepare their hearts and minds for today's challenges, inspiring them to conduct themselves with courtesy and honor. Keep their motives pure, their words true, and their actions constructive.

Almighty God, we acknowledge that our lives are in Your hands. So please keep our feet from stumbling.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 10, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TED CRUZ, a Senator from the State of Texas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. CRUZ thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CABINET NOMINATIONS

Mr. MCCONNELL. Mr. President, Senate committees have been working

for many weeks to process President-Elect Trump's Cabinet nominations. I commend the committees and their staffs for their very hard work. Now we begin the next phase of this process with committee hearings. In fact, it just began this morning in the Senate Judiciary Committee.

I would like to say a word about our colleague from Alabama. Each of us knows Senator SESSIONS. We have worked with him. We know he cares about his country and the Department he will be tasked to lead. We know he is a forthright colleague, an experienced lawyer, and someone who believes strongly in the rule of law. We know that he will reach across the aisle as well.

He supported President Obama's first Attorney General nominee, Eric Holder. He worked with our late colleague Ted Kennedy on prison reform. He worked with our current colleague Senator DURBIN on sentencing reform.

Senator DURBIN, in fact, noted that Senator SESSIONS is "a man of his word." Senator LEAHY called him "wonderful to work with." Senator SCHUMER, the Democratic leader, said he is "straightforward and fair."

Let me quote from a former Democratic Senate colleague who knows Senator SESSIONS after having served with him for 16 years:

I always found JEFF to be an honorable and trustworthy person, a smart and good lawyer, and a thoughtful and open-minded listener.

He then continued with this:

I believe that he will be a principled, fair, and capable Attorney General. If I was in the Senate today, I would vote "aye" on his nomination.

That is the former Democratic candidate for Vice President of the United States, Senator Joe Lieberman.

But it is not just our Democratic colleagues who have praise for Senator SESSIONS. Let me read another letter from one of Senator SESSIONS' constituents in Alabama, Albert F. Turner, Jr. Here is what he had to say:

My family and I have literally been on the front line of the fight for civil rights my whole life. I believe that [Senator SESSIONS] is someone with whom I, and others in the civil rights community, can work with if given the opportunity. I believe that he will listen, as he has in the past, to the concerns of my community. More than most I am very familiar with him. I believe he will be fair in his application of the law and the Constitution; as such I support his nomination to be the next Attorney General of the United States.

Now, a lot of unfair things have been said about our colleague from Alabama in recent weeks. I am glad he is finally

getting the chance to show Americans and the committee the Senator SESSIONS we all know and serve with. I look forward to the Senate's fair treatment of our colleague's forthcoming nomination, just as it fairly processed an incoming President Obama's pick for Attorney General—a nominee, whom, as I noted, Senator SESSIONS supported.

So let me turn to a larger point. The nominations process for an incoming President is important. As President Obama recently said when he met with President-Elect Trump, the Presidency "is bigger than any one person, and that's why ensuring a smooth transition is so important."

I certainly agree. When President Obama was elected, Republicans worked across the aisle to confirm seven—seven—of his nominees on inauguration day and five more by the end of his first week. These nominees were hardly centrists. We had reservations about many of them. But Democrats had won the Presidency and the Senate, and we hadn't. I ask our friends across the aisle to now demonstrate the same courtesy and seriousness for President-Elect Trump's nominees, especially his national security team.

The Senate has a longstanding tradition of confirming the Cabinet nominees of a newly elected administration in a timely fashion, and the Senate and its committees are now following the same standard for President-Elect Trump and his nominees as we have for past Presidents.

I know some are urging Democrats to play partisan games and needless delay. I hope they will not. The American people will see through it, anyway.

Here is a perfect example. The Democratic leader has been quoting a letter I sent to then-Senator Harry Reid in 2009. He apparently missed the fact that the letter he has been quoting was not only sent after every one of President Obama's eligible nominees had hearings but after all but one had been confirmed. So it is actually an important reminder of how Republicans fairly treated incoming President Obama's Cabinet nominees and how Democrats should now do the same.

This is time for serious consideration and cooperation. Americans aren't looking for partisan games. We are a nation at war. We are a nation grappling with a slow economy. Americans want the incoming President to have his national and economic security teams in place to get to work. They want us to work together across the aisle to get this done.

That is what Republicans did in 2009, it is what we are doing now, and it is what we invite our Democratic friends to join us in getting accomplished.

OBAMACARE

Mr. McCONNELL. Mr. President, families across the country have been hurt by ObamaCare's rising costs and limited choices, and we continue to hear the stories from constituents back home.

My own home State of Kentucky was once championed as a success story by ObamaCare supporters. That is hardly the case today. Too many Kentuckians are watching their insurance premiums grow higher and higher. They are struggling to meet deductibles so high that their insurance is almost useless. They are watching their friends and neighbors lose their plans or access to family doctors. They sit around the kitchen table and try to budget for their family's future. They know one thing for sure: The promises of ObamaCare have failed them.

ObamaCare promised lower costs, but premiums have skyrocketed. It promised families could keep their plans or doctors, but many have seen their options, in fact, limited. Kentuckians want to see lower costs, more choices, and better care. But after 7 long years of rising costs and diminishing options, ObamaCare has not delivered, and the people of Kentucky are demanding change. They have been loud and clear in their distaste for ObamaCare.

Like other Members here, I have received letters, emails, and phone calls. I have met with constituents directly who are feeling the pain of higher costs and fewer choices.

Consider this mom in Kentucky. She is facing a higher cost of health insurance, and she literally doesn't know what to do. Here is what she said:

My family is being pushed out of the middle class by the ObamaCare law. How can we pay almost \$1,200 a month on health insurance?

Listen to this veteran and father from Louisville. After his plan was discontinued, he tried to buy insurance through ObamaCare, only to find that his children's pediatrician wouldn't accept it. This dad worries that unless something is done, he will be "one of thousands of Kentuckians that will find that they do not have insurance options."

I have heard from many constituents expressing similar frustration, disappointment, and anger about the outcomes of ObamaCare. They expected the law to deliver on its promises, but, instead, they paid more and received less.

This year the cost of insurance premiums in Kentucky spiked up to 47 percent. These price increases are a direct result of instability injected into the market by ObamaCare. Families

across Kentucky are scrambling to find ways to fit the extra expenses into their budgets.

To make matters worse, the choices that families once had for health insurance continue to disappear. Nearly half of the counties in Kentucky only have one option for a health insurance provider on the exchange, and, when there is only one choice, there is really no choice at all.

For the people of Kentucky and for people across the country, repeal means relief. The time to act is now.

However, our friends on the other side of the aisle are doing everything they can to stop us from fulfilling our promise to help the American people. Instead of continuing to push their political agenda, I urge them to help us. I ask them to listen to the American people, who are demanding change. A recent Gallup poll showed that 8 out of 10 Americans wanted to see ObamaCare significantly changed—significantly changed—or completely replaced.

It is time to admit it. ObamaCare has failed. This partisan experiment is hurting more than it is helping. It is time to finally move past it and replace it with something that works. The repeal resolution is the first step to bring relief to hardworking Americans and to prevent health insurance markets from imploding. Next, we need to work together to replace ObamaCare with health care policies that actually work for families. Once we repeal ObamaCare, we can use the stable transition period to deliver on another promise.

I would encourage colleagues on both sides to offer their input as we work to lower costs, increase choices, and promote better care. But one thing is certain. Republicans will continue to follow through on our promises and act on behalf of our constituents to bring relief from ObamaCare.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

CABINET NOMINATIONS

Mr. SCHUMER. Mr. President, as hearings for the President-elect's nominees get underway starting today, I want to reiterate that a fair and thorough vetting process is a top priority, not only for my caucus but for the American people.

Chief to achieving that is a fair hearing schedule and process. First, it means hearings that are sufficiently spaced out so Members who sit on multiple committees can actually attend all the hearings. It means only holding hearings after the full committee paperwork—OGE review, FBI background check, and a full divestment plan—has

been received and Senators have adequate time to review the information. That means, if there are Senators with remaining questions that weren't covered in a first hearing, they can have the nominee come back for a second day.

Our caucus and much of America was alarmed and disappointed by the announcements of the hearing schedule this week, which did not meet these basic courtesies and best practices that have always been extended in the past. However, I am happy to say that after negotiating with my friend the majority leader and his respective committee chairs, we have been able to make some progress on a fair hearing process.

I appreciate the majority leader's openness and efforts to accommodate our caucus in the last few days. Originally there were six hearings scheduled for this Wednesday, all especially important Cabinet posts: State, Attorney General, Education, Transportation, Homeland Security, CIA. That was largely unprecedented. We have looked back in history and can only find one instance where there were that many hearings of important Cabinet members on one day like that.

After negotiations with the majority leader, we have moved things around so that there are now only three hearings scheduled for Wednesday: Secretary of State, Transportation, and the second day of the AG hearings. All of these nominees have their paperwork in. The nominee for Secretary of Education, who does not yet have a signed ethics agreement and whose paperwork is not close to complete, was moved. That hearing will take place next week, pending her paperwork being submitted with time for Senators to review.

It is still a busy week. It is a little too busy for my personal taste, but it is a good first step. I hope we can continue to negotiate in good faith, to sort out the schedule in a way that is acceptable to both of our caucuses.

I also want to make clear that this progress does not mean our caucus is any less intent on having the President-elect's nominees complete the standard ethics forms, questionnaires, and FBI background checks required of every nominee. To have all this information come in after the hearing is sort of like "Alice in Wonderland"—it makes no sense and has things upside down. I am still concerned, for example, that we don't have a completed FBI background check for the nominee for Secretary of State. His hearing starts tomorrow. And today there are reports in the media that under Rex Tillerson's leadership, Exxon conducted business with Iran, potentially in violation of U.S. sanctions law. There are serious questions that need to be answered.

In this particular case, Mr. Tillerson should release all his tax returns and

promise to answer any questions on the Iran dealings that members ask. This is too serious a subject to have questions ducked. It demands a completely open airing of all relevant information. Did Mr. Tillerson go around our Iran sanctions simply to line Exxon's pockets? That would be a very bad thing. The American people ought to know about it before the Senate has to vote to confirm. For Rex Tillerson to answer the questions, and particularly questions about Exxon setting up a separate subsidiary to get around our Iran sanctions, is what the Founding Fathers wanted us to do when they enumerated in the advise and consent process.

This is not a partisan game. We are not doing this for sport. These aren't obscure procedural complaints. This is standard process. As I reminded my friend the majority leader yesterday, this is the same exact process my counterpart demanded in 2009 when the shoe was on the other foot. Just as then-Minority Leader MCCONNELL laid out in his 2009 letter to then-Majority Leader Reid, Democrats expect each nominee to have all the prerequisites, with time to review, before we move forward with the hearings. President Obama's nominees completed all of their paperwork in 2009 before the hearings. We expect nothing less from President-Elect Trump's nominees. Particularly, we expect the paperwork to be all in with time to review. Having the paperwork in at 7 a.m. and holding a hearing at 10 a.m. is unacceptable. We expect there will be adequate time for followup questions on a second day of hearings if Senators are unable to finish their questions.

Today my colleague the majority leader said: Well, most of the Cabinet nominees were in already when this letter came out. But the letter doesn't specify who. It includes Cabinet members, and there were future Cabinet members who would come forward. It is a good standard. We are all for it. We are asking our friends on the other side of the aisle to stick with it. What was good for them in 2009 is good for the country in 2017.

We are insistent on the process because it is the right thing to do; it is the American thing to do. We don't hide nominees and rush them through. They have huge power. If the President-elect and our Republican colleagues are as proud of the nominees as they state, then they should be happy to have them answer a lot of questions in a hearing that is not rushed. It is how we will ensure that Cabinet officials, who are imbued with an immense power in our government, are ethically and substantively qualified for these positions.

If there is any group of Cabinet nominees that cries out for this process, it

is this group of nominees. This proposed Cabinet is unlike any other. It is wealthier than any other. It has complex webs of corporate connections—so many of the nominees—that pose huge potential conflict of interest problems. Frankly, it is the most hard-right Cabinet in its ideology. It is quite different from the way President-Elect Trump campaigned. The potential conflicts of interest for multimillionaires such as Rex Tillerson or Betsy DeVos or Steve Mnuchin are enormous.

As I said, the nominees have views far to the right of what the President campaigned on. The most glaring example is Representative PRICE. His whole career has been focused on ending Medicare as we know it. My colleague the majority leader said the American people want us to move forward and give President-Elect Trump his nominees. If they knew that one of the nominees had been dedicated to basically getting rid of Medicare, would they want us to vote for him? I will bet not. It sure explains why they want to rush these nominees through.

They don't want all of these things brought to light, but that is the wrong thing to do. We are going to fight to get to the right thing to do. The American people have a right to know if they voted for a President who might be going back on one of his key campaign promises. They deserve nothing less than open and deliberate hearings going forward. Will Representative PRICE stick with what President-Elect Trump said—no cuts to Medicare, Medicaid—or will he pursue his lifelong dream of privatizing and limiting them? We shall see, but we need answers at hearings before we vote. The American people are entitled to it.

Once again, I thank the majority leader for dealing in good faith and trying to address our concerns. I hope for the sake of the national interests that our two parties can come together on an agreement for the remainder of the process, as we have for the process so far.

AFFORDABLE CARE ACT

Mr. SCHUMER. Mr. President, last night the Senate Democrats held the floor late into the night to demonstrate our solidarity and commitment to defending ACA, to defending the tens of millions of Americans who have been afforded the opportunity to access care for the first time and the tens of millions more whose coverage is fairer, more generous, and more affordable because of the law.

More than 35 Members participated on the floor or on Facebook Live, Snapchat, or Twitter. I thank each and every one of the Members on my side—the vast majority of our caucus—for participating. Many of them discussed

the threat the Republican plan to make America sick again poses to the health care of 300 million Americans. Beyond that, the Republican budget resolution calls for a massive increase in the Federal debt.

Yesterday Shaun Donovan, the Director of the Office of Management and Budget, released a letter explaining that this budget resolution would allow publicly held debt to increase by \$9.5 trillion, from \$14.2 trillion in 2016 to \$23.7 trillion in 2026.

Our colleagues have talked about being deficit hawks. Democrats bring up ideas. They say: Can't do it; it increases the deficit. Well, is that going to apply to this, which increases the deficit by massive amounts? The deficit would exceed \$1.3 trillion in 2026. That is almost as high as the \$1.4 trillion at the depths of that recession and financial crisis President Obama had to meet. Are my colleagues now going to do a 180-degree reversal and say that now a debt increase of such dramatic numbers is OK? I hope not. It wouldn't be right. It wouldn't be fair. It wouldn't be consistent.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of Director Donovan's letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, January 9, 2017.

Hon. JOHN A. YARMUTH,
Ranking Member, House Budget Committee,
House of Representatives, Washington, DC.

Hon. RICHARD E. NEAL,
Ranking Member, House Ways and Means Committee,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN YARMUTH AND CONGRESSMAN NEAL: I am writing in response to your letter requesting OMB's analysis of the Republican budget resolution and its impact on the budget outlook.

On January 3, 2017, Republicans in the Senate Budget Committee introduced an FY 2017 budget resolution. Based on the numbers provided in the resolution, the Republican budget includes virtually no deficit reduction and would allow debt held by the public to increase by roughly \$9.5 trillion, from \$14.2 trillion in 2016 to \$23.7 trillion in 2026. After a sustained period of historically fast deficit reduction under the President's leadership, the Republican budget would allow for a relatively steady increase in annual deficits, with the annual on-budget deficit increasing to over \$1 trillion by 2026.

Assuming that Republicans will not make cuts to off-budget programs like Social Security, unified annual deficits will be even larger: growing to over \$1 trillion by 2022 and reaching more than \$1.3 trillion by 2026.

Comparisons of debt and deficit totals over time are best viewed as a share of the economy. Based on the Congressional Budget Office's most recent economic projections, it is clear that the Republican budget would fail the key fiscal test of stabilizing debt as a share of the economy.

REPUBLICAN BUDGET RESOLUTION AND CBO ESTIMATES OF THE PRESIDENT'S 2017 BUDGET

(On-Budget Deficits, Unified Budget Deficits, and Debt Held by the Public, Billions of Dollars)

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
On-Budget Deficits:										
Resolution	-\$583	-\$542	-\$674	-\$729	-\$785	-\$897	-\$893	-\$863	-\$946	-\$1,009
PB17	-447	-386	-500	-536	-566	-671	-665	-614	-669	-675
Unified Budget Deficits:										
Resolutions	-571	-548	-710	-798	-891	-1,043	-1,080	-1,094	-1,226	-1,341
PB17	-433	-383	-518	-585	-651	-791	-826	-813	-917	-972
Debt Held by the Public:										
Resolution	14,593	15,199	15,955	16,792	17,714	18,787	19,901	21,033	22,302	23,692
PB17	14,454	14,906	15,484	16,121	16,818	17,656	18,532	19,402	20,379	21,417
Difference										2,275

Sources: <http://www.budget.senate.gov/imo/media/doc/S.Con.Res.RepealResolution.pdf>, pp. 5-6; <https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/51383-APB.pdf>, Table 2; Resolution unified deficits derived using off-budget deficits from <https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/51384-marchbaseline.pdf>, table 1

Compared to the President's Budget, which drives down deficits as a share of the economy and maintains our fiscal progress through smart savings from health care, immigration, and tax reforms while making critical investments in economic growth and opportunity, the Republican Budget would lead to significantly larger deficits in each year and add more than \$2 trillion in debt over the next decade.

Notably, the budget resolution also contains exceptions to existing Congressional budget rules that seem targeted towards making it easier to pass legislation that would further increase deficits.

Sincerely,

SHAUN DONOVAN,
Director.

Mr. SCHUMER. Mr. President, many of my Republican colleagues like to claim they care about the deficit. During President Obama's administration, there was an obsession over deficit and debt reduction—and, by the way, no praise for the President for reducing the deficit by a dramatic amount. Now many of those same Members who chastised President Obama for much smaller deficits than proposed in their budget are supporting this budget resolution.

I wish to say to my colleagues, you can't claim to be a fiscal hawk and support a budget that piles on trillions in additional debt. That is not being fiscally conservative; it is being fiscally hypocritical in the extreme. So far, my friend Senator PAUL of Kentucky has made this point forcefully. My question is, Will other Republicans stand with him and stand up against this fiscal hypocrisy?

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 3, which the clerk will report.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year

2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

Pending:

Sanders amendment No. 19, relative to Social Security, Medicare, and Medicaid.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate recess from 1 p.m. to 2 p.m. for the weekly conference meetings and the time in recess count equally against S. Con. Res. 3; further, that Senator SANDERS or his designee control the time from 2 p.m. to 2:30 p.m.; and finally, that there be 2 minutes equally divided in the usual form prior to the vote on the Flake amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THUNE. Mr. President, clarifying that recent request, I ask unanimous consent that the Senate recess from 1 p.m. to 2 p.m. for the weekly conference meetings but that that time not count against S. Con. Res. 3.

The ACTING PRESIDENT pro tempore. Without objection, the modified request is agreed to.

Mr. THUNE. Mr. President, last week the Senate began consideration of the ObamaCare repeal resolution, which is the first step in the process of repealing the law. It is time for repeal.

Seven years ago, ObamaCare was sold to the American people with a lot of promises. The law was going to reduce premiums for families. It was going to fix problems with our health care system without hurting anyone who was happy with their health coverage. If you like your health plan, you will be able to keep it, people all across this country were told over and over again. If you like your doctor, you will be able to keep your doctor—also a promise and claim that was made over and over again. As everyone knows, every one of these promises was broken. Premiums for families have continued to rise. Millions of Americans lost health care plans that they liked. Americans regularly discovered that they couldn't keep their doctors and that choice of replacement was often limited.

These broken promises were just the tip of the iceberg. The law hasn't just failed to live up to its promises, it is actively collapsing, and the status quo

is unsustainable. Premiums on the exchanges are soaring. Deductibles regularly run into the thousands of dollars. For 2017, the average deductible for a bronze-level ObamaCare plan is rising from \$5,731 to \$6,092. With deductibles like that, it is no wonder that some Americans can't afford to actually use their ObamaCare insurance.

I receive a lot of mail from constituents in my State struggling to pay for their health care. One constituent contacted me to say: "My ObamaCare premium went up from \$1,080 per month to \$1,775 per month," a 64-percent increase, \$21,300 a year for health insurance. Let me just repeat that, a 64-percent increase in premiums, \$21,300 a year for health insurance. That is like paying another mortgage. That is a lot more than many people pay for their mortgage, and of course that is before any deductibles or other out-of-pocket costs are considered.

Another constituent wrote to tell me, "Today I received a new premium notice from my ObamaCare insurance. My policy rate for myself, my wife and my teenage son has increased by 357 percent."

The problems on the exchanges aren't limited to soaring costs, unfortunately. Insurers are pulling out of the exchanges right and left. Health care choices are rapidly dwindling. Narrow provider networks are the order of the day. One-third of American counties have just one choice of health insurer on their exchange.

This is not the health care reform the American people were looking for. So it is no surprise that a recent Gallup poll found that 80 percent of Americans want major changes to ObamaCare or want the law entirely repealed and replaced or that 74 percent of American voters ranked health care as a very important voting issue for them in the 2016 elections. ObamaCare has not fixed our Nation's health care problems. It has made them worse. The American people deserve better.

Last week, the Senate started considering the ObamaCare repeal resolution, and we are continuing that process this week. This resolution will provide us with the tools we need to repeal the law, and then committees will get to work on the actual repeal bills. Then we will work step-by-step to replace

ObamaCare with real health care reform that focuses on personalized, patient-centered care.

One massive problem with ObamaCare is the fact that it puts Washington in charge of health care decisions that should be made at a much lower level. The ObamaCare reform the Republicans pass will focus on fixing this. We are going to move control from Washington and give it back to States and the individuals. Health care issues don't have one size-fits-all solutions. It is time to stop acting like they do.

States should have the power to innovate and embrace health care solutions that work for the individuals and the employers of their States. Individuals should be able to make health care decisions in consultation with their doctors, not with Washington, DC. Another thing we are going to focus on is breaking down the ObamaCare barriers that have artificially restricted choice.

As I said earlier, ObamaCare has defaulted to a one-size-fits-all solution when it comes to health care, and that means that many Americans have found themselves paying for health care they don't need or want. We need much more flexibility in insurance plans. A thriving health care system would offer a wide variety of choices that would allow Americans to pick a plan tailored to their needs, that would be a competitive system that gives people in this country more choices, and inevitably what happens in those circumstances, that pushes the cost down.

We also need to give Americans the tools to better manage their health care and control costs. Of course, any reform plan has to make sure small businesses have the tools they need to provide the employees with affordable health coverage. ObamaCare has placed huge burdens on small businesses that have made it difficult for them to thrive and even to survive. It is time to lift these burdens and free up these businesses to grow and create jobs.

Our health care system wasn't perfect before ObamaCare. We all acknowledge that, but ObamaCare was not the answer. Instead of fixing the problems in our health care system, it just made things worse. Republicans are ready to implement the kind of health care reform the American people are looking for: more affordable, more personal, more flexible health care coverage that meets their needs and is less bureaucratic.

The American people are ready for health care reform that actually works, and that is exactly what Republicans are going to give them starting right now.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I would like to congratulate my colleague from South Dakota for his comments. I am hearing the same thing in Wyoming that he has been hearing about the ObamaCare health care law and the impact on people in his State. I am hearing the same thing. I heard it this past weekend in Wyoming talking to people about what impact ObamaCare has had on their lives.

It is very interesting because people all around the State of Wyoming are talking about the fact that their costs have gone up and choices have gone down. Many who had insurance that worked for them lost that insurance all related to a law passed in the House and the Senate and signed into law by President Obama.

Tonight, in Chicago, President Obama is going to give a farewell address. I am assuming he will talk about ObamaCare, and I am assuming he paints a very different picture than the American people have seen and are living with. The President is using scare tactics about what Republicans plan to do. No matter what President Obama wants, the American people have spoken. They have voted, and 8 out of 10 people say that what this costly and complicated health care law has done to them, they would like to see it either significantly changed or repealed and replaced. They know better than to believe what the Democrats are continuing to tell them because they have been living with it every day.

Seven years ago, Democrats made one false claim after another when they were trying to sell this law to the American people. Democrats said: If you like your doctor, you can keep your doctor. They said: If you liked your health care plan, you could keep your health care plan. That one was labeled the Lie of the Year a few years ago. They said premiums for the average family would go down by \$2,500. None of it was true. Now Democrats are out telling more tales about ObamaCare. All of these new stories are going to be just as false as the ones they told us all in the past. For one thing, Democrats have been saying that millions of Americans are going to lose their health insurance if we repeal the ObamaCare health care law.

In a letter just last week, Senators SCHUMER and SANDERS said that Republicans are planning to take health care coverage away from more than 30 million Americans. It is not going to happen. The Democrats absolutely know it is not going to happen. It doesn't stop them from saying it.

The fact is, this should never have been about health insurance in the

first place. As a doctor, I will tell you this should have been about health care and patients. Republicans are going to make sure that is where the focus is from now on. The number of people with good health insurance coverage under ObamaCare actually has been a lot less than what the Democrats are claiming. That is because lots of people who bought ObamaCare coverage only did it because the health care law forced them to give up the insurance they already had and liked and worked for them. I have heard many stories from people in Wyoming who had insurance. It worked for them. They chose it because it was best for them and their family, and they lost it because the President said it wasn't good enough for him. These are people who were hurt by the broken promises and by President Obama's well-earned award of Lie of the Year.

With the health care law, most of the people who got insurance for the first time were actually forced into the broken system called Medicaid. Most of those people were actually eligible for Medicaid before the law was even signed, but for people who didn't have insurance before, a lot of them still can't afford care now because they may have insurance, but the deductibles are so high they can't afford to use it. Half of ObamaCare enrollees say they are skipping doctor visits in order to save money. If a family's health insurance doesn't cover the care they need, then the number of people covered is totally meaningless.

Democrats are out there saying that if we try to replace ObamaCare with a better solution, that it is just going to, in their words, cause chaos in the health insurance industry. Where have they been? There is chaos everywhere because of ObamaCare. When you look at what Democrats did to America's health care system, what you see is chaos. Premiums are up 25 percent in 1 year. That is chaos. Deductibles are up by an average of \$450 in a year. That is chaos. There is no functioning marketplace for ObamaCare in one-third of the country. That is chaos. When Americans look at this, what they see is already chaos, and ObamaCare caused it.

I want to mention one of the false claims the Democrats are making, and it has to do with Medicaid. That is because Medicaid was broken long before ObamaCare. All the health care law did was add more people onto this broken program. One reason Medicaid is struggling is the same reason the rest of ObamaCare isn't working—because Medicaid tries to impose too many rules and regulations from Washington. It tries to make one size fit all.

There are different needs in every State. States know what those needs are, and they know much better than Washington about the people who live in those States. There are Republican

Governors like Mike Pence of Indiana who understood this very important fact—and I am glad he is soon going to be Vice President. Governors like Mike Pence fought for waivers, waivers to make sure they could do what the people of their States needed. Every Governor should have that kind of freedom to look out for the best interests of the people in their home States. They shouldn't have to ask permission from some unaccountable, unelected Washington bureaucrat before making improvements to their own Medicaid Program. Giving States the freedom to come up with better solutions is just one of the things Republicans are going to do to replace ObamaCare with real health care reform. States need and deserve to have that freedom, and people should be free to buy the health insurance that meets their needs, not what meets the needs of the President of the United States.

People shouldn't have to pay more for coverage that isn't a good value for them. That is why so many people aren't even signing up in the first place and would rather pay the penalty—a penalty that, in my mind, is still unconstitutional. Families should have more flexibility to save for their own medical care. That is a way to make sure they are not stuck with empty coverage they can't afford to use. People shouldn't be mandated to buy this overpriced, unusable insurance or face a penalty from the IRS. It is one of the most outrageous parts of the entire health care law. To me, it is the first thing that has to go on the chopping block.

Republicans are going to repeal damaging and destructive ideas like ObamaCare's many taxes, mandates, and penalties. Then we are going to walk through better solutions one-by-one, step-by-step. I hope some of the Democrats in Congress will join us.

The Democratic Senators must be heading home on weekends and listening to people who have been impacted the way I described the people of Wyoming believe they have been impacted by the health care law. They have to realize there are things we must do better and more freedoms that must be given to the American people.

The American people have suffered long enough with the chaos created by ObamaCare. It took years for health insurance markets to get this bad, and it is going to take time to get things fixed.

This resolution we have submitted to repeal ObamaCare is the start.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank my colleague from Wyoming, the doctor, the Senator who has been involved in health care all of his adult life and particularly since he got to the Senate. He has been looking at alternatives to

what we have and will play an intricate part in any replacement that we do.

We know what the problems are, and we are in the land of denial right now with the Democrats making speeches about the fearmongering of what might be changed. This isn't the point at which it gets changed. This is the point at which it gets set up so that it can be changed, and I look forward to actually doing the repeal and the replacement under the guidance of Senator BARASSO from Wyoming.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Mr. President, let me first say to the distinguished chairman of the Budget Committee that we look forward to seeing the replacement as well because that is really the key right now. People across the country are saying: Wait a minute. You are going to unravel a system. You are going to repeal and take away the health care that I have and the patient protections that I have, and we don't even know if it will be better.

Why in the world would that be done if the new system wasn't going to be better than the old system?

Right now we don't see anything. We see 6 years of repeals coming from the House and Senate and no plans. We still don't see a plan, and we have no idea. More importantly, there are millions of people with insurance who are either getting patient protections or affordable care they couldn't get before or have Medicare strengthened or Medicaid support, and no one knows what will happen next. Doctors, nurses, health care providers—no one knows what is going to happen next. I think it is the most irresponsible approach to addressing one of the basic needs for all of our families that we could ever have. So we know that in the end, when you pull the thread, essentially, you unravel the whole system. That, minimally, creates instability in the entire economy. There is no plan being held up that would improve health care, which we are all for. I am all for making the health care system more affordable for families, strengthening health care. Let's do it. Unravelling and creating chaos in the health care system—no. It makes absolutely no sense, and we know that it is just going to make America sick again.

I want to share a couple of stories. First, we hear from Mary of Dundee, who owns a small business and has a 20-year-old daughter with a preexisting condition. For her, coverage—but, also, what we call the Patients' Bill of Rights—is absolutely critical. That is part of the Affordable Care Act that affects everybody with insurance. Seventy-five percent of Americans get their insurance through their employer. In the past, they could get dropped if they got sick, if they had diabetes or had a child with juvenile dia-

betes or had a heart condition or high blood pressure. Women who were of childbearing years could be viewed as having a preexisting condition. In the past, insurance companies had total control to decide who got coverage, when they got dropped, what would happen when you got sick and needed medical care. That changed with a Patients' Bill of Rights in the Affordable Care Act. There are a whole range of protections to make sure the insurance you pay for every month actually provides the medical care when you need it for you and your family.

Let's start with Mary's story. She wanted to express her concern about repealing the Affordable Care Act, and I appreciate very much the fact that she shared her story with me. She says:

My family and I have purchased our coverage through the [ACA] marketplace for 2015, 2016, and 2017. This opportunity has allowed us to become self-employed. . . .

They could open their own business. They weren't tied to their job because of the need of health insurance. They now have opened their own small business in Dundee, MI.

Prior to the ACA, I was working to provide coverage—

How many times have we heard that? I have heard that even in my own extended family—

then I lost my full time status and as a part-time employee, the hours I worked barely covered my portion of my employer provided healthcare.

By enrolling for coverage through the marketplace, I was able to pick the coverage needed for our family at an affordable price . . . not knowing what the future held becoming self employed. We have three daughters. Our oldest has life threatening allergies and asthma. I did not need to worry that we would be denied coverage due to preexisting conditions.

As Congress proceeds to dismantle the ACA, I am concerned for my oldest daughter who is in her sophomore year at the University of Michigan-Dearborn. She is 20 years old. . . . Will she continue to have coverage through our insurance until she is 26 as the ACA provides? If not, what kind of coverage will she be able to afford due to her preexisting conditions? Why put more obstacles in the way of our young adults?

That is a really good question, Mary. It makes no sense to do that.

She goes on to say:

The ACA, we're sure, has faults . . . and like everything, could be improved, but to scrap it and not use it at least as a "seed" to grow and improve is beyond my understanding. To suggest that there is nothing to keep is absurd and 20-30 million Americans enrolled . . . agree with us.

I agree with you as well, Mary. Thank you for sharing your story.

The coverage in the Affordable Care Act and the strengthening of Medicare and Medicaid are critical, as are the patient protections—the Patient Bill of Rights that affects people who buy insurance now, who finally got control back from insurance companies that made every single decision. Being able

to know that, if, in fact, you get sick or your child has a serious health condition, they won't be denied care for the rest of their lives, and also being able to have them on your insurance as they start off in life—there are so many protections. The caps on treatments and the number of treatments and services provided have been eliminated. The Patients' Bill of Rights is absolutely critical.

I want to take just a moment to speak about another piece of this, which relates to the Patients' Bill of Rights as it relates to women. In the past, the majority of plans—about 70 percent of the insurance plans in the private sector that a woman might try to choose and purchase—wouldn't cover basic maternity care. I couldn't believe it when I first heard that. Wait a minute. It wouldn't cover basic maternity care? Now every plan has to cover basic maternity care. It makes sense. No longer is just being a woman a preexisting condition. That is part of the Patients' Bill of Rights.

The capacity to now get preventive care, a mammogram, cancer screenings, and other types of preventive care is done without a copay. So we want people to go and get that checkup and, if there is a problem, to be able to tackle it early. That is most important because it is better for the person, but it also means there will be less cost to the health care system if you can catch something early. So the Patients' Bill of Rights is really critical to that.

There is something else that is also in here that is appalling to me and goes directly to the question of women's health care, and that is the fact that this bill repeals Planned Parenthood services and, basically, guts health care for women across Michigan and women across the country. For 75 percent of the women who use a Planned Parenthood clinic in Michigan, their visit will be the only health care they get all year.

We have rural counties in northern Michigan where the only health care clinics doing preventive care—cancer screenings, basic services, OB/GYN visits—are the Planned Parenthood clinics. So many women across Michigan will see their access to health care denied if this passes and Planned Parenthood loses its funding. There were 71,000 patients, the majority of them women, in Michigan in 2014, who received care—breast exams, Pap smears, prenatal visits. Again, tying this all together, we want to cover maternity care, but we also want healthy moms and healthy babies, and that means prenatal care. We have communities in these small towns, as well as in the big cities. But it affects small towns and rural communities around Michigan, where women are going to be denied services, and it is the only clinic that is there.

I want to share a story from Laurie in Jonesville about the Affordable Care Act and her particular situation. She said:

I have had type I diabetes for 54 years and when I needed to retire early at the age of 62 because of complications related to diabetes, I looked at the ACA for health insurance. . . . I couldn't afford COBRA.

I was able to buy health insurance at what I consider an affordable price with a small copay for my medications, the most expensive one being insulin at a retail price of \$296 a month. As you know, my preexisting conditions of type I diabetes, heart disease and a visual impairment, both complications of diabetes, would have been uninsurable without the ACA. I would have been uninsurable.

That is without the Patients' Bill of Rights, which says she has a right to be able to purchase health insurance.

In June of 2016 I was diagnosed with breast cancer, luckily diagnosed at Stage I in a routine mammogram. Without the ACA I wouldn't have been able to afford the mammogram or the subsequent treatment without depleting our life savings. I quickly reached my maximum out of pocket cost and while some people would complain about having to pay that, not me! My total bill so far is over \$150,000. . . .

That is for her cancer treatment.

There is the combination here of repealing Planned Parenthood funding for health clinics that allow someone like Laurie to go in and get a mammogram rather than waiting until she has a level of breast cancer that cannot be effectively treated or might otherwise cause loss of life. She was able to catch this early because she was able to get a screening—a mammogram—the kind of treatment that women in small towns all over Michigan have the capacity to do now because of the reasonable copays for care and partly because there is no copay for that mammogram but also because they have a clinic available in their community where they can get the care. All of this fits together—the access to preventive care for women, the health care clinics that are available around Michigan and around the country, and the Patients' Bill of Rights, which says you have a right to care. This is not just about the insurance company basing every decision on the fact that they want to make more money rather than cover you. You have a right to make sure that when you get sick, you don't get dropped, and, if you have breast cancer or diabetes, you have a right to have access to affordable health care.

So I would hope that our colleagues would join together, stop this craziness of trying to repeal health reform and protections for every single American, and, instead, sit down together and look at how we can make it better.

Our Republican colleagues will find willing partners in making the system more affordable and better, but we will continue to be the strongest possible opponents of ripping the system apart and creating chaos for American families.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

AMENDMENT NO. 52

Mr. ENZI. Mr. President, I call up amendment No. 52 and ask unanimous consent that it be reported by number.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. FLAKE, proposes an amendment numbered 52.

The amendment is as follows:

(Purpose: To strengthen Social Security and Medicare without raiding it to pay for new Government programs, like Obamacare, that have failed Americans by increasing premiums and reducing affordable health care options, to reform Medicaid without prioritizing able-bodied adults over the disabled, and to return regulation of insurance to State governments)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTIONS FOR THE ELDERLY AND VULNERABLE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protections for the elderly and vulnerable, which may include strengthening Social Security and Medicare, improving Medicaid, housing reform, and returning regulation of health insurance markets to the States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 1:01 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, as the ranking member of the Budget Committee, I want to take this opportunity to make several points in opposition to the Republican side-by-side amendment and in support of the amendment that I have offered.

Like many Republican proposals, if you read the Republican amendment, it sounds good on the surface, but if you probe half an inch into it, you recognize what an incredible disaster it will

be for working families of this country—nice words, but devastating impacts. So I want to talk about that.

No. 2, I want to talk about what it will mean if, in fact, the Republicans are successful in doing what they want to do, which is repealing the Affordable Care Act—something which I, and I think virtually every Democrat, will do our best to oppose—and what it will mean to the American people if the Affordable Care Act is repealed without any alternative to replace it.

What that, in fact, will mean is throwing 30 million people off of their health insurance. Thirty million people will lose their health insurance. I have not seen any Republican studies as to how many of those people will die, but certainly many thousands of them will die because if you are sick and you don't have any money and you don't have any health insurance, you cannot get to a doctor or you cannot get to a hospital. In fact, there have been some studies suggesting that thousands of people will die, and certainly many others will become much sicker than they should be. That is what happens when you simply throw 30 million people off of health insurance and you have no alternative plan.

Nobody in the Senate thinks the Affordable Care Act is perfect, least of all me. I think it needs significant changes. Let's work together to change it. But you cannot just repeal it without any alternative.

Not only will a repeal throw 30 million people off of health insurance, it will devastate millions and millions of low- and moderate-income families by making major cuts to Medicaid, and that includes many middle-class families who use Medicaid to support payments for their parents who are in nursing homes.

If you repeal the Affordable Care Act without a replacement, you are going to significantly increase the cost of prescription drugs for senior citizens, many of whom have a hard time right now paying for their medicine. And while you have thrown millions off of health insurance, while you make devastating cuts to Medicaid, while the repeal of the Affordable Care Act will raise the cost of prescription drugs for seniors, a repeal would do something else, which is not terribly surprising coming from Republicans. It would provide \$346 billion in tax breaks to the top 2 percent. Millions lose their health care, the costs of prescription drugs go up, middle-class families will not be able to afford nursing home care for their parents, but, importantly, from the Republican perspective, \$346 billion in tax breaks will go to the top 2 percent.

Now, this is a set of priorities which I, frankly, believe the American people do not support.

Also this afternoon I want to touch on another issue that is actually even

more important than the previous two, and that is, to my mind, in a Democratic society, a candidate for President—in this case Mr. Trump—cannot simply say one thing over and over again, cannot go out to the American people and make campaign promises, but the day after the election, forget about what those promises were about.

Now, here is the purpose of the Republican amendment. This is what is in front of all of us right now.

Purpose: To strengthen Social Security and Medicare without raiding it to pay for new Government programs, like ObamaCare, that have failed Americans by increasing premiums and reducing affordable health care options, to reform Medicaid without prioritizing able-bodied adults over the disabled, and to return regulation of insurance to State governments.

That is the exact quote of the purpose of the Republican amendment that we will be voting on in a few moments. It sounds pretty good. But let us translate it into English, and let us be very clear about what these words actually mean and why this amendment should be opposed by every Member of the U.S. Senate.

The Republicans say in their purpose that they want to “strengthen Social Security and Medicare.” Well, count me in. That is exactly what I want to do. But how do they propose to go about doing that? They are going to strengthen Social Security and Medicare by making devastating cuts to Social Security and Medicare. That is a strange way to strengthen a program.

As we speak right now, the Republican chairman of the House Ways and Means Subcommittee on Social Security—the committee that has jurisdiction over Social Security—has introduced legislation which will make devastating cuts to Social Security. That is a very unusual way to strengthen that program.

My Republican friends will tell us that the only way we can “strengthen Social Security” is, in fact, to cut Social Security. Now, talk about fake news; talk about Orwellian language. We are strengthening Social Security by cutting Social Security. To all those seniors and disabled veterans who are out there and who are trying to get by on \$13,000, \$14,000, \$15,000 a year in Social Security benefits, my Republican colleagues are going to “strengthen” Social Security and they are going to do it by cutting your benefits. That is a very strange way to strengthen Social Security.

It seems to me that if we are serious about really strengthening Social Security, what that means in plain English—not Orwellian language—is, No. 1, if you want to strengthen it, we have to extend the life of Social Security. Social Security now can pay out every benefit owed to every eligible American for 17 years. That is OK. It means we are not in a crisis, but it is not good enough. I want to see Social

Security be solvent for another 50 or 60 years. That is strengthening Social Security.

When we talk about strengthening Social Security, that means increasing benefits, not cutting benefits. The truth is that seniors in this country cannot make it on \$13,000 or \$14,000 a year in Social Security benefits; we need to increase and expand their benefits.

Thirdly, if we are serious about strengthening Social Security, we need to end the absurdity of seniors who this year got a COLA of three-tenths of 1 percent, and in recent years have gotten COLAs of zero percent because the formula that determines COLAs for people on Social Security is totally inadequate and an incorrect formula, not really measuring the cost-of-living expenditures of senior citizens.

That is what we have to do to strengthen Social Security.

How do we do that? I have legislation that will do just that. But do my colleagues know what? Despite all of the talk of my Republican colleagues wanting to strengthen Social Security, we have zero Republican cosponsors on that idea.

The way we do it—a concept supported by many of the major senior organizations in this country—would eliminate the earnings cap on all taxable income above \$250,000. Right now, if you make \$1 million a year, \$10 million a year, you contribute the same amount into the Social Security trust fund as somebody who makes about \$118,000. That is wrong. That is unfair. Lifting that cap, starting at \$250,000 and above, would impact only the top 1.5 percent. If we do that, we can extend the life of Social Security for well over 50 years and we could expand benefits for people living on less than \$16,000 a year by more than \$1,300 a year. That is how we strengthen Social Security. But I have not heard one Republican in this body speak in support of that proposal.

Now, Republicans say they want to strengthen Medicare without raiding it to pay for new government programs like ObamaCare. That is what they state in their purpose. So let me be absolutely clear. That is a totally false statement. It is not true. The so-called raid was an effort to save some \$700 billion over a 10-year period by making Medicare more efficient and more cost effective.

My Republican friends talk every day about the need to bring increased efficiencies into government programs. They are right. We need to do that. And that is precisely what the Obama administration did. My Republican friends will not get up here and tell us that there was one nickel of Medicare benefits cut as a result of the creation of the Affordable Care Act. There was not one nickel of benefits cut. They know it. I know it. They will not say otherwise.

So the \$700 billion was in savings, doing the right thing—not cutting a nickel of benefits from Medicare. I hope my Republican colleagues will not continue to try to spread this mistruth.

The Republican amendment that we are going to be voting on talks about reforming Medicaid without prioritizing able-bodied adults over the disabled. It sounds good. What are they talking about in real English? What they want to do is “reform” Medicaid without prioritizing able-bodied adults over the disabled. What does that mean? It means not only do they not want to see Medicaid expanded, as over 30 States have done, what they want to do, and what this language is really about, is to throw millions of people off of Medicaid. We are the only major country on Earth that does not guarantee health care to all people. Some 28 million Americans today have no health insurance. They want to throw millions more off health insurance.

So if you are an “able-bodied” adult making the Federal minimum wage of \$7.25 an hour—which, by the way, they don’t want to raise. Vermont has raised its minimum wage to \$10 an hour. I don’t know what it is in Wyoming—\$7.25. But if you are in a State where minimum wage is still \$7.25 and you are able-bodied, do the arithmetic. If you have a couple of kids, health insurance will cost you \$10,000, \$15,000 a year. How do you afford that when you are making \$8, \$9, \$10 an hour? You don’t afford it. That is able-bodied.

The last I heard, it is not criminal activity to be working and making \$8, \$9, \$10 an hour. Unfortunately, that is what millions of people do. They cannot afford health insurance. What many of us have tried to do is expand Medicaid so that they will get health insurance, but what the Republican proposal and their language is about is the denying health insurance for the so-called able-bodied. Let’s get rid of the word “able-bodied.” Let’s talk about working people at starvation wages who cannot afford health insurance. That is what that language means in English.

The Republican’s proposal we will be voting on also talks about “returning regulation of insurance to State governments.” OK. It sounds good. What does that mean in the real world? That means you could be denied coverage for a preexisting condition.

I just met a woman last night dying of breast cancer. That is her reality, but she was able to get health insurance, despite having a very severe situation, because we abolished the insurance companies’ ability to say no to her and to millions of other people who have preexisting conditions.

When you want to return regulation of insurance to State governments, that is precisely what they can do—the law is gone. The insurance companies

can say: You have cancer; we are not going to cover you because you are going to cost us too much money, and we can’t make any money from you. Insurance companies could refuse to cover needed things like maternity care, prescription drugs, or high-cost diseases like HIV and many others. That is what they mean when they talk about returning regulation of insurance to State governments, doing away with all of the patient protection we have passed here in Washington that is widely supported by the American people. Go out to Wyoming, go to Vermont, go to Oregon, go to any State and ask the people if we should repeal preexisting conditions so insurance companies can discriminate against people with illness, and they will tell you overwhelmingly no.

So the Republican proposal, which sounds nice, is in fact a devastating amendment that would very negatively impact many millions of people. I hope every Member of the Senate will reject that Republican amendment and in fact vote for an amendment I will be offering which addresses two very important issues:

No. 1, at a time of massive income and wealth inequality, at a time when a tiny sliver of our population—the people on top—are getting phenomenally wealthy, phenomenally richer, we have an explosion of billionaires in recent years while the middle class continues to shrink. At a time when we are the only major country on Earth not to guarantee health care as a right to all of our people, it would be absolutely unacceptable to take away health insurance from 30 million Americans, unacceptable to privatize Medicare, unacceptable to slash Medicaid, unacceptable to increase the costs of prescription drugs for seniors, unacceptable to defund Planned Parenthood—a high-quality health care organization providing health care to over 2 million Americans, many of whom are low income women. So a vote for the Sanders amendment rejects all of those very bad ideas.

If we throw 30 million people off health insurance and if we do not have a plan to replace it, I would hope my Republican colleagues would have the decency to tell us how many of those 30 million people will die. If we are going to be considering this legislation and throwing 30 million people off who can no longer get to a doctor, can no longer get to the hospital because they don’t have the money, how many of them will die? Tell us. Tell us so we can hold that in consideration as we look at this proposal.

For years, it is no secret Republican leaders like PAUL RYAN and Congressman TOM PRICE have wanted to end Medicare as we know it. That is what they have told us. It is not what I am saying. It is not a great secret.

What does that mean? What does it mean if we end Medicare as we know it

and if we turn it into a voucher program, handing a 65-year-old senior who has been diagnosed with cancer an \$8,000 check and telling them to go out to a private insurance company and buy insurance on their own. That is what privatizing Medicare is about. It is a voucher program. Here is a check. You go out to the private insurance companies. You do your best.

If you are an 80-year-old suffering with cancer and you have a check for whatever it may be—\$8,000, \$9,000 a year—and you go to an insurance company and you say: What do I get for my \$8,000 check, they will laugh at you. They will laugh at you because they understand the cost of your care—your hospital care, your prescription drugs—will go well beyond 8,000 in the first week, let alone year. You will get nothing. That is what the Republican idea is in terms of privatizing Medicare.

Let me get to the last point I want to make, and that gets well beyond the Affordable Care Act and well beyond Medicaid, Medicare, and Social Security. It gets to the essence of what our political system is supposed to be about, and that is, if we run for office—and every person in the Senate has run for office. If you run for President, you cannot say over and over again that you are going to do this, and the day after the election decide you are not going to do it. That is why so many people in this country are disgusted with the political process. They see people saying: Hey, vote for me. I am going to do A, B, and C, and the day after the election you do the very opposite, D, E, and F.

When he ran for President, Donald Trump ran a very unconventional campaign. That is for sure. He said: I am not a typical Republican. That is what he said. He said: If I am elected President, I, Donald Trump, am not going to cut Social Security, I am not going to cut Medicare, and I am not going to cut Medicaid. He didn’t say that once. He wasn’t caught in an ambush interview. That was the heart and soul of his campaign. That is what he said to the elderly and to working-class Americans, and many voted for him precisely because he said he would not cut Social Security, Medicare, and Medicaid.

On May 7, 2015, Mr. Trump tweeted: “I was the first and only potential GOP candidate to state there will be no cuts to Social Security, Medicare, and Medicaid.”

April 18, 2015, Trump said:

Every Republican wants to do a big number on Social Security. They want to do it on Medicare, they want to do it on Medicaid, and we can’t do it. And it’s not fair to the people that have been paying in for years. Now, all of a sudden they want to cut it.

August 10, 2015, Trump said:

I will save Medicare, Medicaid, and Social Security without cuts.

Without cuts.

We have to do it. People have been paying in for years and now many of these candidates want to cut it.

March 29, 2016, Trump said:

You know, Paul [Ryan]—

PAUL RYAN is, as we all know, the Speaker of the House—

wants to knock out Social Security, knock it way down. . . . He wants to knock Medicare way down.

Two things. You will lose the election if you are going to do that. I am not going to cut it, and I am not going to raise ages, and I am not going to do all the things that they want to do. Welcome to “they.” That is what the Republicans are trying to do.

Back to the quote:

But they want to really cut it, and they want to cut it very substantially—the Republicans—and I am not going to do that.

That is where we are today. Republicans have a proposal which will make devastating cuts to Social Security over in the House, and here by repealing the Affordable Care Act, they are going to cut Medicare and Medicaid.

In December of 2011, Trump wrote:

Now, I know there are some Republicans who would be just fine with allowing Social Security and Medicare to wither and die on the vine. The way they see it, Social Security and Medicaid are wasteful entitlement programs. But people who think this way need to rethink their position. It's not unreasonable for people who paid in to a system for decades to expect to get their money's worth. That's not an entitlement. That's honoring a deal. We as a society must also make an ironclad commitment to providing a safety net for those who can't make one for themselves.

On May 21, 2015, Trump tweeted:

I am going to save Social Security without any cuts. I know where to get the money from. Nobody else does.

On and on and on. These are just some of the quotes. This is not like a statement in the middle of the night. This is what he campaigned on.

What this amendment is about and says to my Democratic colleagues and says to my Republican colleagues is, do we hold and support the process in which a candidate runs for office and over and over and over again tells working families and the elderly he will not cut Social Security, Medicare, or Medicaid—do we hold him to his word or do we just say: Hey, that is just campaign rhetoric. He lied. That is OK. That is politics in America. It doesn't matter what he said. This is the reality. We are going to cut Social Security, Medicare, and Medicaid.

So this amendment tells us that if we go forward with what the Republicans want to do, it will be devastating to the American people, but perhaps, more importantly, what this amendment says is that in a democratic society, we must have faith with the American people. You cannot run a campaign, make promises, and the day after forget about everything you said.

I would hope very much that my Republican colleagues will join all of us

on this side in supporting what democracy is supposed to be about. We have differences of opinions. Mr. ENZI and I disagree on a lot of things, but I have never suggested that Mr. ENZI—when he campaigns, I believe he says what he believes. People vote for him or they vote against him. It is called democracy. Now you have a situation where a candidate for President goes to the working class and says: I will not cut Social Security, Medicare, and Medicaid. Let us tell Mr. Trump: Let us keep faith with the American people. We heard what you said, and we are going to hold you to your word. Let us support the Sanders amendment.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, today, Senate Democrats will be voting to protect three programs—Medicare, Medicaid, and Social Security. These programs represent core commitments our Nation has made to seniors, low-income Americans, children, and those living with disabilities.

Social Security, Medicare, and Medicaid reflect who we are as Americans. At one time or another throughout our lives, most of us have or will count on these programs for health care or for financial stability.

During last year's Presidential debate, President-Elect Trump sought to distinguish himself from the field of Republican candidates by stating he was the first and only Republican candidate who would promise not cut Social Security, Medicare, or Medicaid. Yet, in their first major action of the new Congress, Republicans have taken the first step to dramatically alter and decimate core programs that comprise our safety net. Congressional Republicans want to gut funding, limit benefits, constrict eligibility, and turn guaranteed earned benefits into a voucher and a “good luck” wish. Their approach would violate the pledge we have made to millions of Americans and truly disrupt lives. This is unacceptable. That is why I am cosponsoring Senator SANDERS' amendment to prohibit the Senate from considering any legislation that would violate Donald Trump's promise of not cutting Medicare, Medicaid, or Social Security.

I am committed to ensuring that we meet the promise we made to Americans. Sixty million Americans, including 2 million Illinoisans, depend on Social Security for their well-being, and we must make sure that this vital program is there for both current and future generations.

By 2034, without any reform, Social Security will be unable to fulfill its promise to its beneficiaries. If Congress does not act, beneficiaries would immediately see their benefits reduced by one-fifth.

It remains Congress's responsibility to look to the future and protect the long-term solvency of Social Security

while ensuring benefits meet the needs of beneficiaries, especially the most vulnerable among us.

Waiting until tomorrow to do what we could do today—an approach that I have seen fail in Illinois—only makes the task more difficult and likely to cause disruption.

I was a member of the Simpson-Bowles Commission, where we tried to address our budget challenges and the long-term solvency of Social Security. I voted for the Commission's report because I believe we must face the difficult reality that doing nothing may harm the very people we are trying to protect—beneficiaries that rely on the promises we have made. I firmly believe that we, as Members of Congress, have a duty to have these debates and make difficult decisions, not just wait for the inevitable.

While I did not support everything in the final Commission's report, I believe the report included some commonsense options to improve the longterm solvency of Social Security: accelerating the alignment of payroll taxes to their intended level of 90 percent of wages and realigning benefits to reflect current poverty levels among seniors.

I believe there can and should be evenhanded, bipartisan agreement on a path forward. To do so, we need a collaborative and good-faith partnership to examine the universe of policy options.

Make no mistake—I oppose privatization of Social Security. And recent solvency changes have weighed heavily on beneficiaries. That is why conversations should be balanced and targeted. There must be a dual goal of ensuring the adequacy of benefits, especially for those who rely on Social Security the most, and the long-term solvency of this program.

I look forward to working across the aisle in the future to maintain and build upon our promise to Americans.

AMENDMENT NO. 52

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 52, offered by the Senator from Wyoming, Mr. ENZI, for Mr. FLAKE.

The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise today to speak in favor of the Flake amendment, No. 52, to protect the elderly and vulnerable.

I think the Senator speaking on the other side of the aisle talking about Republicans wanting to cut Medicare and Social Security has it a little backward. According to the non-partisan Congressional Budget Office, under current law Social Security's disability insurance trust fund will be exhausted by 2022 and its retirement fund will be exhausted by 2030. Once exhausted, Social Security beneficiaries could be subject to a cut in their benefits as high as 31 percent if we do nothing, unless we fix these programs.

The problem with the other side of the aisle right now is they don't want to fix these programs. If we adopt the Sanders amendment, it will make it difficult to actually go in and reform these programs in a manner that will make sure they survive for future generations.

We all know we have to have entitlement reform. We want to do it in a way that protects future generations. Unless we reform these programs—and they go in 2022 and 2030—if these benefits are exhausted, people might be subjected to a 31-percent cut. That is not what we want. That is why we have to go in and reform them, and that is why we need to adopt my amendment.

With that, I yield back.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, when my friend Senator FLAKE talks about reforming Social Security, what he is talking about is cutting Social Security. He is suggesting that is the only way we can save Social Security. Of course, that is nonsense. I would urge my good friend from Arizona to get on board legislation that I will be offering. Do you know what it does? It extends the life of Social Security for 55 years and expands benefits, and it does that by lifting the cap so that billionaires contribute more into the Social Security trust fund.

To suggest that nobody on this side wants to do anything is inaccurate. We do want to do something. We want to raise benefits and extend the life of Social Security. And, yes, some campaign donors—billionaires—may have to pay more in taxes.

I urge my colleagues to reject the Flake amendment and support the Sanders amendment.

Mr. President, I raise a point of order that the pending amendment, No. 52, is not germane to the underlying resolution and therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of the act and applicable budget resolutions for the purpose of the Flake amendment, No. 52, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Alabama (Mr. SESSIONS) and the

Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 31, nays 67, as follows:

[Rollcall Vote No. 5 Leg.]

YEAS—31

Burr	Gardner	Portman
Cassidy	Graham	Risch
Collins	Heller	Rubio
Corker	Hoeven	Sasse
Cotton	Inhofe	Scott
Crapo	Johnson	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Toomey
Ernst	McCain	Young
Fischer	Moran	
Flake	Murkowski	

NAYS—67

Alexander	Franken	Nelson
Baldwin	Gillibrand	Paul
Barrasso	Grassley	Perdue
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Blunt	Hatch	Roberts
Booker	Heinrich	Rounds
Boozman	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Isakson	Schumer
Capito	Kaine	Shaheen
Cardin	Kennedy	Shelby
Carper	King	Stabenow
Casey	Klobuchar	Tester
Cochran	Leahy	Udall
Coons	Manchin	Van Hollen
Cornyn	Markey	Warner
Cortez Masto	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Duckworth	Menendez	Wicker
Durbin	Merkley	Wyden
Enzi	Murphy	
Feinstein	Murray	

NOT VOTING—2

Sessions Tillis

The PRESIDING OFFICER. On this vote, the yeas are 31, the nays are 67.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 19

Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 19, offered by the Senator from Vermont, Mr. SANDERS.

The Senator from Vermont.

Mr. SANDERS. Mr. President, this amendment does two basic things. No. 1, it says that the Senate should not go on record in throwing 30 million people off of health insurance, raising the cost of prescriptions drugs for seniors, and privatizing Medicare.

But it also does something else maybe even more important. It says that we should support President-Elect Trump when he campaigned throughout this country saying that I, Donald Trump, will not cut Social Security, will not cut Medicare, will not cut Medicaid. Let's tell the American people that we think that when a candidate for President says something over and over and over, when he promises the working people and the elderly that he will not cut Social Security,

Medicare, and Medicaid, we stand with him and we are going to support him and make sure that there are no cuts to Social Security, Medicare, and Medicaid.

Thank you.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I don't think that is exactly what this is about. This amendment is corrosive to the privilege of the budget resolution, meaning it is outside of the scope of what is appropriate for a budget resolution. Any inappropriate amendment could be fatal to the privilege of this resolution, which would destroy our efforts to repeal ObamaCare.

In other words, a vote in favor of this amendment is a vote against repealing ObamaCare. In addition, this amendment is not germane to this budget resolution. This budget resolution is much more focused than a typical budget resolution. The Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment does not meet the standard required by budget law, a point of order would lie; as such, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Vermont.

Mr. SANDERS. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Alabama (Mr. SESSIONS) and the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 6 Leg.]

YEAS—49

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Collins	Leahy	Udall
Coons	Manchin	Van Hollen
Cortez Masto	Markey	Warner
Donnelly	McCaskill	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	
Franken	Murray	

NAYS—49

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeben	Rubio
Cochran	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Toomey
Daines	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NOT VOTING—2

Sessions	Tillis
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The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 49.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Vermont.

Mr. LEAHY. Mr. President, the 115th Congress convened just last week. I had hoped that with all the turmoil in the country that we would begin the year with a renewed sense of cooperation. But I am sorry to say, my friends in the Republican Party have chosen a different path.

The very first thing on the agenda is to press forward with a sham budget. If you ask why we have a sham budget, a fake budget, an unrealistic budget—we find out that its only purpose is to set up a process to repeal the Affordable Care Act with a simple majority vote. Why? Because they know the American people would never allow a repeal to pass otherwise.

So instead of working to finalize appropriations bills for this year—already more than 3 months in—or to invest in our Nation's critical infrastructure, or to truly bolster our Nation's cyber security, when we see countries such as Russia and other places attacking our cyber systems, or even to improve the Affordable Care Act so we can ensure that more people can receive affordable coverage, I am afraid the Republicans are recklessly rushing forward solely to fulfill an ill-considered campaign promise.

They are pushing American families over the cliff with the vague promise: Yeah, we will repeal it, but don't worry because eventually we will come up with a plan to replace it.

Jump first, plan later is anything but a responsible formula for someone's health, for sound decisions; and all the more so when the health insurance of tens of millions of Americans and American families all over the country—Republicans, Democrats, and Independents alike—is at stake.

The majority leader and others have said the repeal of the Affordable Care Act is only the first step. They say that a full repeal is necessary to pave the way for a replacement. They say:

Let's leave ObamaCare in the past. Well, when you strip away the rhetoric and get rid of it, the only alternative they offer the American people is don't get sick—because if you get sick, you are in trouble.

The American people have a right to know what a vote to repeal the Affordable Care Act really means. A repeal of this law would not just take away the rights and care of millions of patients and their families; it would eliminate insurance coverage for millions more—especially the aging, the elderly, men and women with preexisting conditions, and the most vulnerable children.

A repeal of the Affordable Care Act would turn back the clock to a bad time in this country where once again women would have to pay more for health insurance than men, where insurance companies could rescind a health insurance policy simply because someone gets sick, and coverage could forever be denied to someone born with a disease or ailment, and that includes children. So you could buy a health insurance policy so you were covered in case you got sick, but the insurance companies could then say: Oh, you are sick. Sorry, no more insurance.

Now, in my State of Vermont, the Affordable Care Act has reduced the number of Vermonters without insurance by 53 percent. Tens of thousands have gained coverage under the expansion of Medicaid. And because the Affordable Care Act closed the prescription drug "donut hole," more than 10,000 Vermont seniors saved \$12 million in prescription drugs in 2015 alone. And this is just in the second smallest State in the Union. Can you imagine what it is like in larger States?

I have heard stories from many Vermonters about how vital this law is to them and their families. I have heard from family doctors, like one in the southwest corner of our State in Bennington, who remembers when his patients couldn't afford treatment because of lifetime and annual limits on health care coverage, something that was very common. Or a woman from Westminster, VT, whose family hit hard times—she moved from job to job. She couldn't afford continuous health coverage until the Affordable Care Act offered her a quality plan she could keep. Now, we are talking about throwing her off.

Other young Vermonters are able to pursue careers in public service or the arts because they can stay on their parents' health insurance until age 26. Countless others have underscored that because of previous health issues, such as diabetes or cancer, health coverage would otherwise be unaffordable.

It would be a vicious cycle. They had a disease, but they couldn't afford to do anything about it, and they would go into greater debt. Now, even though they have a preexisting condition, they

have guarantees and subsidies provided by the Affordable Care Act so they can have health coverage, instead of health coverage being unaffordable.

Opponents of the Affordable Care Act have gone to new lengths to repeat and prolong this political battle. And that is all this is. They have had 6 years to propose a better alternative. Instead, congressional Republicans and the President-elect have decided to put the cart before the horse. They want to dismantle our health care system, and they don't want to figure out how to fix it. They just want to figure out how to get rid of it. And, by the way, they say somebody is going to come up with a bright idea for something better.

The American people rightly expect us to work together and make progress on the many challenges that we face today. Instead, we are engaging in dangerous political gamesmanship that will not affect Members of the Congress, but the millions of families we represent throughout this country because they will not have health insurance, and their children will not have health insurance. Just think what this is eventually going to cost Americans—a lot more than we pay now.

I will not support a return to less protection, less coverage, less fairness, and higher costs because that is what a repeal means. The Affordable Care Act extended health insurance to millions of families, not only in Vermont, but across the country. Those who represent the American people in Congress should stand ready to get to work for their constituents. Not to make their constituents sick, but to give them a program that works.

I will not support an effort to reverse the many reforms and achievements we have made through the Affordable Care Act and instead cobble back together a broken system that for too long burdened most American households with health coverage uncertainty and crippling costs.

I am not going to go and tell Vermonters: Too bad that you have cancer. Tough. We just fixed it so you can't have insurance. Too bad that you have diabetes. We just fixed it so you can't get insurance. Too bad that your child was born with a physical defect. Too bad. We just fixed it so you can't get insurance. Or to the person who just lost a job who doesn't have insurance: Too bad that you are without health insurance. Better pray you don't get sick because, if you do, you will lose a lot more than your job.

No, I can't look Vermonters in the eye and say that is what I support.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. FLAKE. Madam President, I rise to speak on a subject that often goes overlooked in this body.

The subject of wasteful spending on parochial pet projects is often treated as a trivial matter—simply the cost of doing business around here. Imagine if every Member of Congress were as obsessed with searching for government waste as the players of the mobile game Pokemon Go are obsessed with finding the elusive Pokemon, as the chart shows here.

Just like the monsters in the popular game, government pork projects come in all shapes and sizes. They pop up just about everywhere. As individual expenses, these pet projects can seem rather harmless—cute, even. But taken together, their cost adds up to one very menacing boondoggle debt monster that continues to grow and threaten every taxpayer. In fact, within days, the U.S. national debt will top \$20 trillion.

As we debate the budget resolution, we need to get serious about controlling the debt like the true national security challenge it is. We start by eliminating unnecessary spending and catching government waste.

My friend and former colleague Senator Tom Coburn of Oklahoma created an annual report cataloging some of the most egregious ways Washington wastes our tax dollars. It is called the Wastebook. Today, I am releasing the latest installment, which profiles 50 new examples of questionable expenditures. This year's edition is entitled "Wastebook: PORKemon Go."

Like the Pokedex, which lists the various Pokemon for players to catch, Wastebook provides an index of questionable expenditures lurking throughout the Federal budget. These collectively cost taxpayers more than \$5 billion, but instead of Pikachu, we are looking out for PORKachu.

The top entry in this year's Wastebook is a spaceport—which is just a fancy word to say a rocket launch site—all the way over in Alaska. It has been derided as space pork, not because it is launching an elite unit of porcine astronauts into the big trough in the sky, it is because Congress used earmarks to force the Department of Defense to build the facility, over the objections of the military, as part of an illegal kickback scheme.

A midlevel DOD employee, who was sentenced to prison for masterminding the plot, eventually confessed that building the launch facility "doesn't make sense." He said the Pentagon "just paid for meaningless work." Keep in mind, this was a contractor on that project. After sitting unused for several years, the Pentagon is now sinking another \$80 million into the spaceport.

This is despite the fact that it is not even equipped with the type of missiles that DOD plans to launch for the site.

Another entry, the National Comedy Center in New York must be laughing all the way to the bank with \$1.7 million from the Economic Development Administration, or EDA. This will be spent to bring Lucille Ball back to the stage as a hologram. The three-dimensional illusion of Lucy is formed with light beams from a laser, which will replicate standup routines using existing audio recordings.

Holograms of other comedians who are no longer with us will also take the stage in the center's comedy club. Other features will include a boot camp on how to deliver jokes—maybe I need that one—as well as a heckle booth, which we can do without. This is likely to once again make Washington the punch line of jokes, but it is no laughing matter for taxpayers.

Next up, the U.S. Department of Agriculture, USDA, has a program that allows taxpayer-funded farm loans to literally be paid back with peanuts. This program shelled out \$74 million in the past year. In typical Washington fashion, the government pays more for the peanuts than the market price, which has turned the program into a cash cow, or pig—however you want to view it—and the pile of surplus peanuts the government has amassed is so large that government can't even give it away.

Here we have a farm program where we are giving loans to farmers to grow peanuts. If they check at the end of the year and the market price for peanuts isn't very good, they can unload those peanuts on the government and keep the cost of the loan. Then, government has to store these peanuts, which we do in warehouses all over the country.

Based on USDA's own numbers, the Congressional Research Service is warning that the storage costs alone could pile up to \$1 billion a year. That is not just peanuts; that is enough to make anyone salty about our debt and deficit.

Instead of filling potholes, \$35,000 from the Department of Transportation literally went to pot. The money was paid for a giant glow-in-the-dark doobie displayed in Denver that was intended to remind motorists who smoke marijuana not to drive while they are stoned; \$35,000 for a big poster or banner on a building of a giant joint.

Even the Nation's most prestigious science agencies are spending taxpayer funds investigating subjects that most of us would consider obvious or rather offbeat. Studies on the habits of college students funded with \$5 million of NIH grants counted more than 500 different drinking games that are popular on college campuses.

According to researchers, "All of these games have the same goal—causing participants to become intoxi-

cated." I think that is rather obvious. They observed that fraternity brothers drink, smoke, and generally party more than other students, and they also sleep in later. This led the researchers to speculate that "one explanation for this finding is that Greek students recognize their sleep needs." A more likely reason is that they are sleeping off their partying lifestyle, but you are paying for it.

NIH is also drilling down to determine why some people are afraid of the dentist as part of another \$3.5 million research project. The researchers found that—surprise here—"fear of pain has been shown to be a critical component."

The monkey business doesn't end there. NIH spent nearly \$1 million to study the evolution of monkey drool and another \$230,000 to determine if the color red makes female monkeys feel more romantic. In case you are wondering, it does.

As part of an effort supported by both the National Science Foundation and DOD to teach computers how to understand computer behavior, the machines were programmed to watch television shows. After viewing over 600 hours of "Desperate Housewives," "The Office," and other shows, the computers were still unable to predict how humans would behave in most situations. Anybody who has watched those shows realizes that is rather obvious.

A \$1 million NASA project is preparing the world's religions for the possible discovery of extraterrestrial life forms—\$1 million to prepare the world's religions for the possible discovery of extraterrestrial life forms. Do we need to spend that, really?

A major sticking point for the participants was defining what life is: "Much of the discussion centered on the question, 'What is life?' It turns out that life is notoriously difficult to define," they concluded.

The fishiest study of all tested how long a fish can run on a treadmill. This was part of a study paid for by a \$565,000 grant from the National Science Foundation. Everyone remembers the infamous shrimp on a treadmill funded by NSF. It turns out that last year's competitor had a leg, or several, up on the competition. With five pairs of walking legs and five pairs of swimming legs, the shrimp could run for hours. The latest NSF-funded treadmill study participant was literally a fish out of water. The experiment forced mudskippers to "run" for as long as 15 minutes at a time on a treadmill. These fish possess the unique ability to survive out of water for extended periods of time, using their fins like legs, although they didn't appear to enjoy running on the treadmill, as you can imagine.

Certainly, we have bigger fish to fry with our Federal research dollars and, I might add, better puns to find as well.

I could go on and on with examples of completely unnecessary spending identified by this year's Wastebook. There is waste in every department, every agency. All you have to do is look. Ferreting out every bit of wasteful spending, no matter how small, is the only way to reduce our debt and to rein in the cost of our Federal Government. It can be a daunting task because, much like Pokemon, these programs are good at hiding. Our mission is simple: You have to catch them all.

Madam President, I yield back.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, I rise this afternoon to supplement some remarks I made on the floor last evening about the Affordable Care Act. Last night, I talked about my own experience as a young staff member in the U.S. Senate 43 years ago when, because I had an insurance policy provided by my employer—that policy had preventive care as part of the policy, just as Affordable Care Act policies do today—I had a routine physical checkup. It was the first I had in a number of years, which caught malignant melanoma, a particularly virulent form of cancer. Because it was caught early and because I was treated, here I am today.

As I mentioned last night, it has always haunted me that someone who didn't have insurance, a young man or a young woman somewhere in the country who was in exactly my situation, because they didn't have insurance, they didn't have preventive care, didn't get the checkup, the disease wasn't caught, and they are gone.

I find it very hard to justify that, to understand that. It doesn't seem fair. It doesn't seem ethical. It doesn't seem moral. Today I wanted to also bring to the attention of the Senate some stories from today about the effect of the Affordable Care Act in Maine, where we have over 80,000 people enrolled, many of whom had never been able to have insurance before.

A young woman, Whitney, who graduated from college in 2013, said:

I graduated . . . with a degree in wildlife ecology, [but it was very difficult to find a job.]

Thanks to the ACA, I was able to stay on my family health insurance plan through this period of unemployment. I did finally get employed in my field, but permanent, year-round jobs with benefits are the equivalent of winning the lottery.

Many young people are in that situation. It even has a name. It is called the gig economy, people who work gigs, who work short periods of time, several months here, several months there, but there are no benefits attached to those jobs. She said:

Many of us work seasonal jobs, building trails on the Appalachian Trail, rescuing lost hikers, managing volunteers, and running programs for veterans to reconnect with Maine's woods. We do good work in this

state. Before the ACA we worked dangerous outdoor jobs that only provided minimum worker's comp. . . . But with the ACA and the tax credit, I could afford a silver plan, I could get dental for my teeth, could go to the doctor again, get flu shots and get my joints looked at.

It is important to realize that without the ACA, this young woman would have literally no options. A health savings account is unrealistic for somebody who is making \$15,000 to \$20,000 a year. Buying insurance across State lines isn't going to help this young woman.

She said getting the ACA coverage "was life changing. I know it is not perfect but I am terrified of going back to [where we were] before, where health and financial ruin was one wrong step away."

Another letter from an older adult:

My wife is sixty-three years old she is no longer able to work full time. She has had major back surgery and has arthritis in her neck. Because of these health issues she had to reduce her work hours.

Here is the catch-22. She had to reduce her work hours. Therefore, her employer dropped her from her health care coverage.

We were fortunate [enough] to obtain coverage for her through the Affordable Care Act. It is expensive and is not the best coverage—

Nobody in this body says it is best possible result and that the law is perfect. We all agree it needs to be repaired and fixed and modified. The writer goes on to say—

but it is good enough for us to know that a major health issue will not bankrupt us.

We are appealing to you as our representative to insure that a reasonable replacement will be put in place when the Affordable Care Act is ended. Better yet, improve it, don't destroy it.

I couldn't have said it better myself. Donald, in his letter to me, says: "Better yet, improve it, don't destroy it." That is what we ought to be talking about.

This letter is from a fellow named Ryan in North Central Maine. He also makes an important point about the Affordable Care Act. The term that I refer to is "job lock." There are hundreds of thousands, if not millions, of people in this country who are locked into the jobs they have that they don't really like, that isn't giving them the satisfaction they want because they can't afford to leave their health care.

One of the hidden benefits of the Affordable Care Act is it has allowed those people to follow their dreams, to start a business and not have to worry about having health insurance. This is an entrepreneur in Maine, a small business person. He said:

Affordable healthcare is a major roadblock to those calculating whether they can take the leap to become self-employed. As we prepare for next year's ice cream season, I am about to leave my benefit-providing job in order to commit to making the volume of ice cream we need. This is a scary and question-

able decision given our financial situation and the fact that we are raising our two small children of four and seven years old. The first comment I hear from everyone who finds out I am leaving my job is, "Are you sure? What are you going to do about health insurance??"

The answer is, the Affordable Care Act. It enables this young man, this gentleman, to follow his dream, to start his business, to commit to his business, and this is good for the country. This is a hidden benefit that is rarely discussed about the Affordable Care Act to allow people to give vent to their dreams and their innovation and their contribution to the economy.

Here is how he ends his letter. He says:

Please don't let me down. Please don't let my family down. Please don't let down the millions of families who really are on the bottom of this country and are the very ones that all of you from every party claim to support. I don't care about the details of how it gets done, whether the ACA is thrown out, or just revised, or what compromises have to be made by either party, but please make sure there is a health care option available and that it is at an affordable price for those of us with the guts to take a stab at our own small business. The key is "Affordable Care." It matters.

As in my own case, health insurance also saves lives. There was a study done by the Journal of Public Health in 2009, which basically concluded that for every million people without health insurance, there are a thousand premature deaths. It is pretty easy math. Before the Affordable Care Act, we had 45 million people without health insurance in this country. The calculation in this extensive study was that 46,000 deaths were attributable to not having health insurance. I am living proof of that. If I hadn't had health insurance, I would be gone. With the disease that I had, either you catch it in time or you are a goner. That is why I am so passionate about this.

We would not let people die in our front yards. If we saw somebody who was in danger of losing their life, we wouldn't stand by. Nobody in this body would stand by and say: Sorry, we can't help you. But not providing health insurance to people is a death sentence to 10, 20, 30, 40,000 people.

The Affordable Care Act is now covering something like 25 million people. That is 25,000 lives saved. If we take it away, it will be 25,000 lives lost.

Here's the letter:

I am a Maine woman in my late 30s, who works 2 part-time jobs and also run my own business.

Because we were on [ACA] health insurance that had an affordable deductible, after not feeling well for a while, my husband went to a doctor and had a CT scan of his lungs. . . . It turned out he had a very rare form of an illness, even though he was only 38 at the time. Had we not had this insurance and such an affordable premium and deductible, he would never have gotten that CT scan done. This insurance saved his life and covered every expense we've had over the

last 2 years with multiple stays at MidCoast Hospital and Maine Med, 2 surgeries, pick-lines, medications, therapies, the list goes on. There is no cure for what he has but he's doing better now, thanks to the ACA.

Another person from Maine:

My sisters and I watched my mom die. We were physically in the room when it happened. We cried for probably half an hour straight.

Before the Affordable Care Act, most of her illnesses were considered pre-existing conditions. She survived cancer three times . . . but had to pay exorbitant monthly premiums just to have to pay most of her treatment out of pocket.

He said:

I don't care about the ACA because of some theory or ideology. I watched my mom die, sooner than she needed to, because she couldn't afford to get preventative care early enough. I watched my mom die because market solutions refused to solve her problems. An open insurance market actively refused to compete to cover my mom. The insurance market before the ACA is one of a number of factors that led to my mom's death.

This is a real, physical, immediate memory for me whenever someone talks about healthcare, and it always comes to mind when people talk about it in vague terms and market forces. I am crying even as I write this, and it has been years.

He writes to me:

I am begging you, as a son who watched his mom who was younger than you—

Than me—

die in a hospital because she couldn't afford the care she needed, please protect the Affordable Care Act. Protect it as a legislator, protect it by recognizing how appointments you choose to confirm or deny will affect my family's ability to stay healthy and alive. Through grants and research, you've worked to improve access to health care. Please, protect the ACA.

Another one—one more. This is a letter I received just back in the fall, a little before Christmas:

I have an incurable, generally non-lethal form of bone cancer and have been under treatment for over 12 years. The multiple surgeries [and costs] . . . I cannot afford to pay for ongoing treatment without insurance. I am very pleased the current ACA does not allow for "preexisting disqualification" and I would hate to see that removed. Having this condition is naturally stressful, debilitating and undesired. I do not want or need the added stress of having to worry about the details of coverage.

Additionally I have two boys, aged 23 and 26, both of whom have benefited from remaining on our family insurance policy. That is a great policy and my boys are healthier as a result.

Finally, access to quality health care is and must be a right as it benefits both the individual and society. Health is key to happiness and success and happy successful people pay taxes, support the government, [and] give back to the community.

I understand the debate that surrounded this. I understand the emotion. I understand the pressure that people feel in order to maintain a campaign promise or to meet promises made over the last several years. But we are not talking about maybe what will happen; we are talking about real

cases, real people. I am talking about real people in Maine, in small towns and cities. I am talking about rural hospitals that are on the verge of being rendered financially incapacitated because if this law is repealed, it will take away a significant part of their support. I am talking about seniors having to pay more for drugs. But mostly, I am talking about people's lives.

These cases are people who can give specific examples. There are thousands, tens of thousands, and millions that we can't articulate—people who are saved who don't even know it because they went in to get that checkup, who are saved the stress of wondering how they are going to pay for some kind of treatment.

As a parent, I remember having to stress about whether to take my child to a doctor because I didn't know whether I could afford to pay that bill. Yet we all know that is the proper course. We shouldn't have to make those kinds of choices. We have a vehicle, imperfect as it is. Imperfect as it is, we have a vehicle for providing that care.

Let's slow down. Let's take a breath and say: OK. We talked about repeal, but it isn't really practical. We can't harm that many people. Let's talk about what we are going to replace it with. The idea that we are going to repeal it today and replace it 3 years from now is just cruel. That is what I am hearing from people: Don't put us through that. People who finally got insurance after preexisting conditions, who have insurance and have a condition now—they depend upon that insurance. Let's not make them go through that pressure, the financial anxiety added to the health anxiety. We have an opportunity to rise above politics. This really shouldn't be political or a policy or something that divides us.

There is nobody in this body who wants to see people suffer, who wants to unnecessarily put people through the pressure of both health problems and financial problems. We ought to be able to find a solution. Every other industrialized country in the world has found a solution. It is not like this is some impenetrable box.

I realize that part of the solution has to involve controlling costs and facing the fact that we pay twice as much for health care per capita as anyone else in the world. That is an issue the Affordable Care Act does not sufficiently address, in my view, and we have to talk about that.

In the meantime, let us remember those people who are counting on us for their very lives. That is a commitment I believe we can respect and should meet.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, we are engaged in the first step to debate what is important to virtually every American. What we want to do is to find good ways to reform and replace ObamaCare and then repeal the provisions of it that have damaged so many Americans.

Before we start talking about a big subject, sometimes it helps to ask the question: Exactly what are we talking about? So, very quickly, where do Americans get our health care insurance? It might be interesting to note that 91 percent of us have some sort of health insurance—290 million. We get it from four places, basically. One is Medicare—18 percent of us with insurance. This is not a bill to change Medicare. That is a discussion for another day. So we are talking about these three areas.

One is employers, on the job. Sixty-one percent of us with insurance get it on the job—178 million people.

Medicaid, managed by States, paid for by the Federal and State governments—22 percent of covered Americans there get their insurance through Medicaid.

Then there is the individual market, people who buy it on their own. That includes the exchanges we hear so much about. Here is where all the news is; here is where the turmoil is. That is just 6 percent of everyone who is insured, although that is 18 million Americans. This is information from the U.S. Census.

Who is not insured? That is interesting too. According to the Kaiser Family Foundation, there are 27 million people who aren't insured, but 17 million of those are eligible for some help to get insurance and just haven't taken it. Of the 11 million who are not eligible for any help, nearly half of them—5 million—are illegally here. Of the rest, some make too much money to be eligible for assistance, and some dropped through the Medicaid coverage gap. So it is fair to say that 91 percent of us are insured one way or the other. Then, of the 27 million—the 9 percent who are not insured—17 million of those are eligible for some sort of assistance.

How should we approach this? Following the Presidential election, President-Elect Donald Trump said on "60 Minutes" that replacement and repeal of ObamaCare would be done "simultaneously." To me, that means at the same time.

Just today, Speaker of the House PAUL RYAN said that repeal and replacement of ObamaCare would be done concurrently. To me, simultaneously and concurrently mean ObamaCare should finally be repealed only when there are concrete practical reforms in place—that give Americans access to truly affordable health care. Let me say that again: ObamaCare should be repealed, finally, only when there are

concrete, practical reforms in place that give Americans access to truly affordable health care.

The American people deserve health care reform that is done in the right way for the right reasons and in the right amount of time. It is not about developing a quick fix. It is about working toward a long-term recovery that works for everyone.

Here is one way to think about what simultaneously or concurrently might mean. I would ask you to think about ObamaCare as if it were a local bridge in, say, South Dakota that is collapsing—because that is just what is happening with ObamaCare. According to the Tennessee Insurance Commission, the ObamaCare insurance market in our State is “very near collapse.” Across the country, premiums and copays are up. Employers have cut jobs to afford ObamaCare costs. Medicaid mandates are consuming State budgets. In one-third of America’s counties, citizens with Federal subsidies have only a single choice of a company to buy insurance from on an ObamaCare exchange. Without quick action this year, next year, these Americans may have zero choices. Their subsidies may be worth about as much as a bus ticket in a town where no buses run.

If your local bridge in South Dakota or Wyoming or Tennessee were very near collapse, what would you do? I think the first thing you do is to send in a rescue crew to repair it temporarily so no one else is hurt. Then you start building a better bridge—or more accurately, many bridges—as States develop their own plans for providing truly affordable health care to replace the old bridge.

Finally, when the new bridges are finished, you close the old bridge. That is how we propose to proceed: to rescue those trapped in a failing system that is ObamaCare, to replace that system with a functional market or markets, and then repeal ObamaCare for good.

First, we will offer a rescue plan so that the 11 million Americans who buy insurance now on the exchanges can continue to do so while we build a better set of concrete, practical alternatives.

Second, we will build the better systems. Note that I say systems, not one system. If anyone is expecting Senator MCCONNELL to roll a wheelbarrow onto the Senate floor with a great big comprehensive Republican health care plan, they are going to be waiting a long time because we don’t believe in that. We don’t want to replace a failed ObamaCare Federal system with another failed Federal system.

We want to create many systems across this country, step-by-step, to give Americans more choices of insurance that cost less. We will do this by moving more health care decisions out of Washington and into the hands of State and patients and by reducing

harmful taxes. We will do it carefully, step-by-step, so that it is effective.

Finally, we will repeal what remains of the law that did all of this damage and created all of this risk. That is what we will do.

Here is what we will not do. This is not a bill for Medicare reform. That will be handled separately.

Second, you won’t be disqualified from getting insurance if you have a preexisting health condition. If you are under the age of 26, you will still be able to be covered under your parents’ plan.

That is what, in my opinion, we mean by repeal and replace “simultaneously,” as the President-elect said, or “concurrently,” as Speaker RYAN said.

Here are three steps we will take beginning immediately. No. 1 is the rescue plan. Six percent of Americans with insurance buy their insurance in this individual market, about two-thirds of those on the ObamaCare exchanges. This is where today’s turmoil is. This is where the copays are up, the premiums are up, where insurance companies are pulling out of the markets.

While we build replacements, we want the 11 million Americans who now buy insurance on the exchanges to be able to continue to buy private insurance. This will require Congress and the President to take action before March 1, which is when the insurance companies begin to decide whether they will offer insurance in these markets during 2018.

In general, the goal is to get as close as possible to allowing any State-approved plan to count as health insurance under ObamaCare rules while we are transitioning to new systems. Among the actions that will help are to allow individuals to use their ObamaCare subsidies to purchase State-approved insurance outside the ObamaCare exchanges; to adjust ObamaCare’s special enrollment periods; to approve the temporary continuation of cost-sharing subsidies for deductibles and copays; to allow States more flexibility to determine so-called essential health benefits, age rating rules, and small group restrictions; to expand health savings accounts; eventually, to provide tax credits to help lower-income Americans buy insurance; and to repeal the individual mandate when new insurance market rules are in place.

When the new administration rewrites the guidance on ObamaCare section 1332 State innovation waivers to allow for more State flexibility, States will have the authority to further innovate to build more modern health systems.

Now, second is employer insurance. Remember, that is where 61 percent of us get our insurance—on the job. We will repair the damage ObamaCare has

done so that employers can offer employees more personalized patient-centered care. We will do that by repealing ObamaCare’s employer mandate penalty. We will allow States to determine the so-called essential health benefits and thereby lower costs for small businesses. We will repeal ObamaCare’s restrictions on grandfathered health plans, on wellness benefits, on small group plans, and provide more flexibility for small businesses so they can work together to buy insurance—a proposal for which the Senator from Wyoming has championed for years.

This will mean more State authority, more choices, and lower costs for the 178 million Americans who obtain insurance on the job.

Third is Medicaid. Twenty-two percent of all insured Americans are covered by Medicaid. We will give States more flexibility to offer those 62 million citizens more options by making Federal Medicaid waivers more flexible.

So in summary, we will first send in a rescue crew to repair temporarily a collapsing health care market so no one else is hurt. Second, step-by-step, we will build better systems—that give Americans access to truly affordable health care. We will do this by moving health care decisions out of Washington, DC, and back to States and patients.

Finally, when our reforms become concrete practical alternatives, we will repeal the remaining parts of ObamaCare in order to repair the damage it has caused Americans. This is what I believe we mean when we say ObamaCare should be repealed and replaced simultaneously and concurrently.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Wyoming.

Mr. ENZI. Mr. President, I want to thank the Senator from Tennessee, Mr. ALEXANDER, who is also the chairman of the Health Committee—that is, the Health, Education, Labor, and Pensions Committee—for the succinct speech that he gave. I will be encouraging everybody on both sides of the aisle to read that speech. I know that many were not here to listen. But it is a fault that we have in this Chamber. We often speak to an empty Chamber.

But it is all recorded thanks to the people who do that for a job. You placed that so well that there should not be much doubt about what we are going to try to do. You heard it from the chairman of the Health Committee. He is the one that will be in charge of the health aspects of this.

The Finance Committee is a part of the bill too. But they are in charge of the monetary part of this. But without the health care part, that does not work. I love the way you expressed that in the way of taking care of a collapsed bridge, because I think people

across America do realize that the bridge on health care has collapsed and they want to know what we are going to do about it.

You stated that very well. That should relax a lot of people. It probably won't because of the process that we are in, but I certainly hope that it does. So I thank you for your words and your effort and know that it is in good hands as we lead it through this process.

All that this resolution we are doing right now does is set it up so that this can be done. This really does not change any health care at this point. It sets it up so that we can do reconciliation, so that we can repeal what we can, so we can replace what we can, and then we can set up that system of bridges that will get us to the point where all Americans who want insurance can have insurance, but more importantly, so that all Americans can get the health care they need and deserve.

I thank the Senator for his comments.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the distinguished chairman of the Budget Committee, who has spent a great deal of time on this. I like the way he put that because I think what we want to assure people of—at least, I think that is what almost all of us feel—is that this is step 1. It involves reforms, replacing, and repealing—as the President-elect has said, “simultaneously,” and as the Speaker has said, “concurrently.” It involves not just one big system replaced by another big system. In our view, the one big system needs to be replaced step-by-step by many different systems as we move more decisions to the States.

For example, on employer insurance, or people who get their insurance on the job, we know right now steps that we can take to repeal ObamaCare, which damaged the employer system and which increased costs for employers. I remember sitting around with a group of restaurant company chief executive officers 6 years ago when ObamaCare passed. They pointed out that they were going have to hire fewer people to afford the cost of ObamaCare.

We don't want that to happen. We would like for them to be able to hire more people and to offer more people insurance. How would we do that? Well, if we repeal the Washington rules in an orderly way and transfer back to the States responsibility for regulating most insurance, the insurance commissioners have told us they believe they can do that very well—do it one way in South Dakota, another way in Tennessee, another way in Wyoming, and fit the needs of that community, reduce costs, increase choices, and have truly affordable health care.

So we can repeal those provisions that interfere with employer insurance

and make sure that that repeal does not go into effect until South Dakota, Wyoming, Tennessee, and other parts of the market have in place concrete practical alternatives so they go together. But we have to get started. This is step 1.

Now, we can do the same with Medicaid. We have a former Governor of South Dakota in the Chair. Governors spend most of their time trying to figure out how to afford Medicaid. They almost feel that, if Washington would just allow the States to have more flexibility in terms of how the available money is spent, we could cover more people better, offer more options.

Well, we can do that. But we are not going to do that tomorrow. We will have to sit down with the Governors and say: How do you suggest we do this? Then, as we do that, we can repeal the extensive Federal regulation that creates a jungle of redtape for Medicaid. But it only would take effect as the States tell us that there are concrete practical alternatives in effect. So this is the step-by-step way to go about making those kind of changes.

Finally, as the Senator said, we have to have a rescue team here. I mean, the ObamaCare market is in turmoil. It is only 6 percent of all of those who have insurance, but that is millions of people. If we don't act before March 1 to make sure insurance companies are selling into those markets, we will have many millions of people who will not be able to buy insurance. This will be, as I said, like having a bus ticket in a hometown with no buses running.

So that is really one of the first things we have to do—get that rescue team going. I like the analogy of the collapsing bridge. ObamaCare is collapsing in Tennessee, and I would say it is around the country, if you have one-third of the counties where you can only choose insurance from one company.

So, if a bridge is collapsing, you send in a crew to deal with that emergency so no one else is hurt. Then you start building these new bridges. After a while, in a prudent way, as you build each of those systems, as States build their systems, then you close that old broken-down bridge that was damaging so many people.

So that is an orderly way to go about things. I hope that, over time, we will have bipartisan support for these. We need a consensus. We don't, in the end, want to have just a partisan bill. But we have been acting like the Hatfields and McCoys in West Virginia for 6 years, arguing with each other about ObamaCare—Republicans and Democrats.

So it may take a little while to get there. But we can start, and we are starting under the leadership of Senator ENZI. Then, we will move concurrently and simultaneously to reform, replace, and repeal ObamaCare so that

Americans have access to truly affordable insurance. By the time we get to that, I am hopeful that we will begin to have a consensus within this body that involves Democrats and Republicans both.

Mr. ENZI. Mr. President, I only need to add one footnote to that fantastic summary; that is, that the Senator from Tennessee is the chairman of the Health, Education, Labor, and Pensions Committee. For years we heard about the difficulties with No Child Left Behind. There were a lot of efforts to build a different bridge, and they never got completed within the timeframe that was necessary, even though both sides recognized there was a problem.

The Senator from Tennessee undertook that, got bipartisan solutions on it, and put forward a bill that did kind of what we are talking about with ObamaCare. It sent it back to the States. It got rid of the national school boards, and that passed, I think, with 88 votes in the Senate. That is very bipartisan. That is the kind of an effort he puts forth. You can tell from the comments he has made about what we need to do that he has that well in mind, and I am certain some from the other side will join us to make sure we can get that done as well.

I thank the Senator, and I yield the floor.

I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PETERS. Mr. President, today I rise to express my strong opposition to partisan attempts to engage in a fast-track process to take health insurance away from hundreds of thousands of individuals in my State and millions across our country. In Michigan alone, 887,000 people are in jeopardy of losing their health coverage if Republicans have their way and repeal the Affordable Care Act without a replacement. Important protections for people with preexisting conditions will disappear. Not only will they lose them but so will their spouses and children.

We will be repealing reforms that have benefited seniors and saved more than 5 million beneficiaries an average of over \$1,000 in drug costs in 2015. Repealing the Affordable Care Act will significantly increase drug costs for those seniors and threaten long-term solvency for Medicare. Republicans are rushing a process that increases Medicare costs for seniors and weakens the program for future generations. Our

Nation's seniors have worked hard their entire lives, and they deserve our best efforts to ensure they can depend on Medicare to help them enjoy a dignified and secure retirement.

Over 1 million seniors are enrolled in Medicare in Michigan, and they deserve a health care program that will cover the costs of prescription drugs and other health care services they need. Since 1965, Medicare has done a tremendous job of giving seniors the care they need, and we should be working to strengthen this successful program, not putting it at risk.

Let's be clear. Reforms in the ACA extend the solvency of Medicare by over a decade. Let me say that again. It extends the solvency of Medicare for over a decade.

Given these challenges, we have to ask: Why are we rushing to dismantle these reforms?

We are rushing a process that will ultimately hurt the Medicare Program, our Nation's seniors, and so many others.

Many of my colleagues on the other side of the aisle suggest that we can simply keep or quickly reinstate the popular parts of this law, such as preventing discrimination based on pre-existing conditions, allowing children to stay on their parents' coverage until they are 26, and helping seniors afford their prescriptions. I would pose this simple question to any of my colleagues advocating for repeal: What comes next? Show us your plan. Just show us your plan.

Former Governor Cuomo of New York famously said: "You can campaign in poetry, but govern in prose." We are now facing a majority that campaigned on a bumper sticker and is trying to govern with an IOU. Enacting a repeal of the ACA that takes effect at some undetermined point in the future will create chaos in our insurance markets. Health care reform is not a stand-alone program that can be removed overnight without creating widespread ramifications for our economy.

Yesterday, I attended the North American International Auto Show in Detroit. As a Michigander, I am always thinking about cars. Let me suggest an analogy. Many Republicans in Congress talk about the ACA like it is some sort of after-market addition on a car—a flashy rear spoiler, perhaps, or new rims that can just be unbolted and removed. Well, the ACA is actually like the antilock brakes that keep a driver from getting into an accident in the first place and the airbags that deploy to protect everyone inside when the worst happens.

I agree that our health care system needs a tuneup, but we cannot start ripping out safety features without a plan to help keep us safe on the road. We need to fix the Affordable Care Act. We need to do more for small business owners who want to do right by their

employees and provide them with quality, affordable health care coverage.

I have offered and supported several proposals to fix the Affordable Care Act, including measures to help our Nation's small businesses. I am ready to work with my colleagues across the aisle to improve this law. However, repealing the ACA without showing the American people their plan for replacement is quite simply irresponsible.

I understand Americans want to see positive changes to the Affordable Care Act, and I agree with them. We should be working together to enact bipartisan improvements through regular order, not fast-tracking repeal. The fact is that most Americans do not want to have this law repealed entirely. In the New York Times, a woman named Patricia Meadows from Macomb County, MI, who voted for President-Elect Trump, stated that she hoped that President-Elect Trump would not repeal the Affordable Care Act. Ms. Meadows revealed that, because of the Affordable Care Act, her daughter was able to obtain insurance coverage for just \$50 a month.

Another constituent from my State, Ben Irwin, revealed to CNN that the Affordable Care Act allowed him to take his dream job at a small firm that didn't provide health insurance. Because of the ACA, Ben was able to get private insurance at an affordable cost. Without the ACA, he would have been forced to work at a larger company just to have access to affordable health care.

Ben's story is not unique. I heard from countless entrepreneurs that the Affordable Care Act ended job lock and has enabled them to start their own businesses and pursue careers and dreams they otherwise would not be able to pursue.

I heard from a constituent in Saline, MI, who contacted my office to say that the ACA provided her with the coverage she needed to fight her son's aggressive cancer. This same woman later discovered during her first appointment, after gaining her own ACA coverage, that she, too, had cancer. The ACA gave her and her son the coverage they needed to fight their cancer without fear of being kicked off of their insurance plan.

I have also heard from a father in Traverse City, MI. He contacted my office to say that the expanded health coverage under the ACA literally saved his son's life. Before the ACA, his son only had access to emergency room care. His father often wondered: Why is it that I had to wait until my son tried to kill himself before I could get help? Now, due to the ACA, this father and his son have the health coverage they need to appropriately treat his son's mental illness.

These stories are just a fraction of the thousands upon thousands of stories my staff and I have heard about

how the ACA has positively impacted people's lives.

I am asking my colleagues to just take a moment and think about the individuals they will be hurting. We are talking about mothers and fathers, children, seniors, and even our Nation's veterans.

As a former lieutenant commander in the U.S. Navy Reserve, I understand the tremendous sacrifice our men and women in uniform undertake to defend our freedom. I believe we have a duty to honor their service to the best of our ability, both during and after service.

Since the passage of the Affordable Care Act, hundreds of thousands of uninsured veterans have gained insurance coverage. Between 2013 and 2015, when key provisions of the Affordable Care Act were implemented, such as the Medicaid expansion and the private exchange, the number of uninsured veterans decreased by 42 percent. Uninsured rates for spouses of veterans and their dependents have decreased as well. These veterans represent a small fraction of the individuals this fast-track process will hurt.

I have proposed an amendment that will simply require Republicans to show us their plan for providing these veterans the health care benefits they deserve before they vote to repeal the ACA and take it away. Every American deserves to know what will happen to their health benefits before Republicans vote to take them away. Please, just show us your plan.

But our Nation's veterans, who have risked their lives and health to keep us safe, should have the right of knowing how Republicans will ensure that veterans who gained health care coverage following enactment of the ACA do not lose their coverage.

The damage of repealing the ACA stretches beyond affected individuals and families. It will disrupt hospitals and businesses and create tremendous economic uncertainty.

Hospitals in my State, especially rural facilities, are absolutely terrified about what the ACA repeal means for them and their ability to stay open and to serve patients in their community. Executives from two hospitals in the rural Upper Peninsula of Michigan have told my office about how coverage expansions under ACA have allowed many critical access hospitals in Michigan's rural communities to afford their operations for the first time ever. If the ACA is repealed, they tell me that these critical access hospitals will be forced to close—forcing residents in rural communities to drive over 2 hours to seek hospital care.

A recent report by the Urban Institute predicts that if the ACA is repealed without replacement, uncompensated care costs sought from hospitals and doctors will reach \$1.7 trillion over the next 10 years. This will

bankrupt many of our Nation's hospitals, killing jobs, and severely limiting access for their patients. We can and must do better.

We owe the American people a better health care system and not a bigger deficit. Unfortunately, that is exactly what we are going to be getting under repeal. This budget resolution before us would increase annual deficits by upwards of \$1 trillion. It will add more than \$9 trillion to the Federal debt over 10 years, leaving our entire economy on shaky ground, while ripping health care from millions of Americans.

In their rush to repeal the ACA and fulfill years of campaign promises, I am concerned my colleagues on the other side of the aisle have not fully considered the far-reaching ramifications their actions might have. They have refused to slow this process down and fully think through the actions they are about to take.

A University of Michigan study published in the *New England Journal of Medicine* just last week found that Medicaid expansion in my State alone generates at least 30,000 jobs every year. In addition, a recent study by the nonpartisan and independent Commonwealth Fund found that the ACA repeal could lead to significant economic disruption and substantial job losses in every State, including over 100,000 private sector jobs in Michigan and 2.6 million jobs around our Nation.

By any and all means, the level of uncertainty repealing the ACA will create is bad business practice, and I assure my colleagues that it is very bad for business. We owe it to our constituents to do our homework, to govern with facts, and to be informed.

Republicans have refused to listen to health care experts who tell them that enacting a repeal of the ACA will cause insurance premiums to skyrocket. Republicans have refused to listen to economists when they tell them this will spike our national debt and lead to substantial job losses. Republicans have refused to listen when the nonpartisan Congressional Budget Office has told them that repealing the Affordable Care Act will cause millions of Americans to lose their health coverage. And Republicans have refused to listen when actuaries state that the ACA repeal will weaken Medicare and increase drug costs for seniors.

Republicans have refused to listen when Democrats have simply asked them to slow down, come to the table, and work in a bipartisan way to find solutions to make the health care system work even better. Instead, Republicans have opted to move full steam ahead with this process that will certainly make America sick again.

Why move forward with this fast-track process to repeal the Affordable Care Act? Why repeal all of the great things that Americans appreciate

about the Affordable Care Act instead of just making it better?

Republicans are trying to take us backwards. They are moving ahead with a dangerous process that will hurt working-class Americans, hurt seniors, and hurt our Nation's most vulnerable, while providing a huge payout for wealthy Americans and special interests.

Republicans are voting to give billions in tax breaks to corporations and the wealthy and raising taxes on the rest of us.

The nonpartisan Tax Policy Center estimates that the top 1 percent of earners would get an average tax cut of about \$33,000 and individuals in the top one-tenth of 1 percent would get an average tax cut of about \$197,000. If you are not in this group of American earners, then tough luck. This legislation will not help you.

We need to get serious, put politics aside, and do what is best for the American people. This fast track repeal of the Affordable Care Act is not the answer.

I stand ready and willing to work with my colleagues on both sides of the aisle to make our Nation's health care system better. We cannot simply repeal this law and leave the American people with another empty IOU.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BEARS EARS NATIONAL MONUMENT

Mr. DURBIN. Mr. President, on December 28, 2016, President Obama designated the Bears Ears National Monument in Southern Utah, and I wish to commend him on protecting these important lands. This designation is an important step forward in the conservation of some of southern Utah's important national treasures.

The 1.35-million acre monument, which spans from forested mesas to redrock canyons and plateaus, will protect the region's abundant cultural resources, including well-preserved cliff dwellings, rock and art panels, artifacts, and Native American burials.

The Bears Ears National Monument, which derives its name from twin buttes that lie at the heart of the majestic Cedar Mesa, was requested by a coalition of five Native American tribes that united to protect a landscape revered in their shared histories and cultures. The Hopi Tribe, the Navajo Nation, the Ute Mountain Ute Tribe, the Pueblo of Zuni, and the Ute Indian Tribe have all passed through the area at some time, leaving behind scores of fragile dwellings, pottery, petroglyphs, and pictographs. The Bears Ears region is a living natural and cultural landscape, where the people of these tribes still use the lands to collect herbs and medicines and pass their stories to the next generation.

I have fought to protect this area's resources through the America's Red Rock Wilderness Act, a bill I have introduced every Congress since 1997. My bill would safeguard 9.2 million acres of wilderness in Utah—some of the last great wild places in the lower 48 States.

Historically, national monuments have been the first step in protecting some of our most beloved public lands—the Grand Canyon, the Grand Tetons, and indeed, four of Utah's five national parks. Not only do these monuments help preserve precious habitat, landscapes, and history, they create jobs and invigorate nearby communities.

President Obama's decision to protect the Bears Ears came after significant public input in Utah, with the administration holding multiple listening sessions. Those sessions made clear that even diverse stakeholders agreed the Bears Ears is special and needs to be protected. It is the right decision for the present, and it is the right decision for the future.

Republican President Theodore Roosevelt signed the Antiquities Act into law in 1906, and a review of its history and its controversy showed that, time and again, the temporary anger over designated lands was overshadowed by the long-term benefits to our Nation. Teddy Roosevelt said it best, "Of all the questions which can come before this nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us."

I urge my colleagues to join me in celebrating the Bears Ears National Monument and defending it and the Antiquities Act that made it possible.

SENATOR DIANNE FEINSTEIN BECOMING RANKING MEMBER OF THE SENATE JUDICIARY COMMITTEE

Mr. LEAHY. Mr. President, today, the Senate Judiciary Committee convenes for the first time in the 115th

Congress, and we mark an historic moment in the committee's 200-year history. Last week, Senator DIANNE FEINSTEIN was named the committee's ranking member, the first time in American history that a woman has served in this capacity. It is striking that 352 Members have served on the committee, and only six of those—all Democrats—have been women. Three of those six women are proudly serving on this important committee today: Senator FEINSTEIN, Senator KLOBUCHAR, and Senator HIRONO, whom we welcome back to the committee.

Senator FEINSTEIN has long been a leading voice on this committee. I have enjoyed working with her on countless issues ranging from national security to immigration reform to Supreme Court nominations. Senator FEINSTEIN has broken down barriers throughout her career, and her new role as ranking member of the Judiciary Committee is only the latest example. As the committee grapples with some of the most pressing issues facing our country, we will all be counting on Ranking Member FEINSTEIN's leadership. We should all congratulate her on this historic moment.

REMEMBERING DR. PIERS SELLERS

Mr. NELSON. Mr. President, on December 23, 2016, the world lost a true hero.

Dr. Piers Sellers was a scientist and an astronaut, having flown three times on the space shuttle. On his first mission, he flew aboard the Space Shuttle Atlantis to the International Space Station, where he completed nearly 20 hours of space walks outfitting and assembling the orbiting outpost.

Several years later, following the tragic loss of the Space Shuttle Columbia, Piers returned to space and to the International Space Station aboard Discovery, carrying out the second of two test flights NASA needed to test critical on-orbit inspection and repair procedures resulting from the Columbia accident investigation.

On his third and final mission, he once more flew aboard Atlantis to the ISS. On this mission, he served as the robotics officer, again playing a key role in assembling and outfitting the space station.

His career as an astronaut exploring the frontier of space is by itself sufficient to justify Piers' status as a national hero; yet his service as an astronaut and explorer is a small subset of the contributions Piers made to our country and to our entire civilization.

Piers was a renowned climate scientist, specializing in using computer modeling and space-based observations to understand and predict the dynamics of our changing planet. He was also a brilliant communicator, whether testifying at a Commerce Committee field

hearing in Miami about the impending dangers of sea level rise or standing in front of NASA's "hyperwall" video system narrating stunning and informative visualizations of the massive data sets that embody the "vital signs" of planet Earth. Countless policymakers, industry leaders, and even other scientists owe much of their understanding of the complex interactions of Earth's systems and of the alarming and undeniable signs that our civilization's carbon emissions are warming the planet to Piers.

Yet Piers' most heroic deed may be the decision he made shortly after being diagnosed with stage IV pancreatic cancer. He simply decided to keep going to work. To those that knew Piers, this was no surprise. A three-time shuttle astronaut and very capable manager, scientist, and engineer, Piers no doubt had many lucrative offers for employment following his final shuttle flight in 2010. Instead he chose to remain a civil servant scientist at NASA's Goddard Space Flight Center because he felt that was where he could contribute most to the future of our home planet. A few years later, when Piers received the devastating news that he had not long to live, he chose to spend his remaining time continuing his work at NASA and communicating climate science to the public in the calm and charming manner that was uniquely his.

In a short video Piers recorded shortly before his death, despite his body having been ravaged by cancer and surely knowing that he had very little time left, he appeared as cheerful and hopeful as ever. In the video, he said "to reach a safer future, we will need the resources of everybody here. The scientists, the policy makers, and the industrialists, all working together towards a common goal. And that goal is a planet that can continue to support life, including all of us."

These words are even more powerful knowing that they came from a man who contributed the most precious resource available to him—the small number of days he had remaining in his life—toward the common goal he speaks of.

We would do well to follow the advice of Piers and to follow his heroic example.

MESSAGE FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 302. An act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

H.R. 304. An act to amend the Controlled Substances Act with regard to the provision of emergency medical services.

H.R. 309. An act to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes.

H.R. 315. An act to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

H.R. 353. An act to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 302. An act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; to the Committee on Health, Education, Labor, and Pensions.

H.R. 304. An act to amend the Controlled Substances Act with regard to the provision of emergency medical services; to the Committee on Health, Education, Labor, and Pensions.

H.R. 309. An act to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 315. An act to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-273. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propiconazole; Extension of Pesticide Tolerance for Emergency Exemptions" (FRL No. 9956-54) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-274. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Methyl Isobutyrate and Isobutyl Isobutyrate; Exemption from the Requirement of a Tolerance" (FRL No. 9955-82) received

during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-275. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isobutyl acetate and isobutyric acid; Exemption from the Requirement of a Tolerance" (FRL No. 9950-40) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-276. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Butanedioic acid, 2-methylene-, telomer with sodium phosphinate (1:1), acidified, potassium salts; Tolerance Exemption" (FRL No. 9954-53) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-277. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acequinocyl; Pesticide Tolerances" (FRL No. 9956-85) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-278. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tetraconazole; Pesticide Tolerances" (FRL No. 9955-74) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-279. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that involved fiscal years 2006 through 2010 Air Force Operations and Maintenance funds, and was assigned case number 12-01; to the Committee on Appropriations.

EC-280. A communication from the Executive Secretary, Board of Actuaries, Department of Defense, transmitting, pursuant to law, the 2016 Report of the Department of Defense (DoD) Board of Actuaries; to the Committee on Armed Services.

EC-281. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Commerce Control List: Updates Based on the 2015 and 2016 Nuclear Suppliers Group (NSG) Plenary Meetings; Conforming Changes and Corrections to Certain Nuclear Nonproliferation (NP) Controls" (RIN0694-AH20) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-282. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Alaska; Subsistence Collections" (RIN1024-AE28) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2016; to the Committee on Energy and Natural Resources.

EC-283. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of Kentucky Underground Injection Control (UIC) Class II Program; Withdrawal of Primacy Approval" (FRL No. 9925747-OW) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-284. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of Kentucky Underground Injection Control (UIC) Class II Program; Primacy Approval" (FRL No. 9957-48-OW) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-285. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Action on the November 2016 Section 126 Petition From Maryland" (FRL No. 9957-29-OAR) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-286. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Action on the November 2016 Section 126 Petition From Delaware" (FRL No. 9957-28-OAR) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-287. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Water Act Methods Update Rule for the Analysis of Effluent" (FRL No. 9957-24-OW) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-288. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, South Coast Air Quality Management District" (FRL No. 9955-94-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-289. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Great Basin Unified Air Pollution Control District" (FRL No. 9955-62-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-290. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York Prevention of Significant Deterioration of Air Quality and Nonattainment New Source Review; Infrastructure State Implementation Plan Requirements" (FRL No. 9957-08-Region 2) re-

ceived during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-291. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS" (FRL No. 9957-16-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-292. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; KY; RACM Determination for the KY Portion of the Louisville Area 1997 Annual PM2.5" (FRL No. 9957-39-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-293. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; Volatile Organic Compounds Definition" (FRL No. 9955-89-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-294. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia; Procedures for Testing and Monitoring Sources of Air Pollutants" (FRL No. 9957-52-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-295. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to National Emission Standards for Radon Emissions from Operating Mill Tailings" (FRL No. 9957-54-OAR) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-296. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the Near-road NO2 Minimum Monitoring Requirements" ((RIN2060-AS71) (FRL No. 9957-78-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-297. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Partial Disapproval of Attainment Plan for the Idaho Portion of the Logan, Utah/Idaho PM2.5 Nonattainment Area" (FRL No. 9957-16-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-298. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation/Termination or Suspension of Permits; Procedures for Decisionmaking" (FRL No. 9956-53-OARM) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-299. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Arizona Air Plan Revisions; Ajo and Morenci, Arizona; Second 10-Year Sulfur Dioxide Maintenance Plans and Technical Corrections" (FRL No. 9957-64-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-300. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Rhode Island; Clean Air Act Infrastructure State and Federal Implementation Plans" (FRL No. 9957-27-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-301. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Louisiana; State Boards" (FRL No. 9956-45-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-302. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Redesignation of the Cleveland, Ohio Area to Attainment of the 2008 Ozone Standard" (FRL No. 9957-80-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Environment and Public Works.

EC-303. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Uniform National Discharge Standards for Vessels of the Armed Forces—Phase II Batch One" ((RIN2040-AD39) (FRL No. 9957-85-OW)) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-304. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Guideline on Air Quality Models: Enhancements to the AERMOD Dispersion Modeling System and Incorporation of Approaches to Address Ozone and Fine Particulate Matter" ((RIN2060-AS54) (FRL No. 9956-23-OAR)) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-305. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants" ((RIN2040-AS90) (FRL No. 9958-01-OAR)) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-306. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Nonattainment and Reclassification of the Houston-Galveston-Brazoria 2008 8-hour Ozone Nonattainment Area; Texas; Correction" (FRL No. 9957-57-Region 6) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-307. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Electronic Reporting and Recordkeeping Requirements for New Source Performance Standards" ((RIN2060-AP63) (FRL No. 9957-67-OAR)) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-308. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chemical Substances When Manufactured or Processed as Nanoscale Materials; TSCA Reporting and Recordkeeping Requirements" ((RIN2070-AJ54) (FRL No. 9957-81)) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-309. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Control of Air Pollution from Visible Emissions and Particulate Matter" (FRL No. 9956-55-Region 6) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-310. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Alabama; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard" (FRL No. 9957-93-Region 4) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-311. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; TN Infrastructure Requirements for the 2010 NO₂ NAAQS" (FRL No. 9957-90-Region 4) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Environment and Public Works.

EC-312. A communication from the Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-313. A communication from the Deputy Director, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties Regulation" (RIN0906-AA89) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-314. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education Agency Financial Report for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-315. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Annual Financial Report for the Office of Government Ethics for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-316. A communication from the Senior Manager, Equal Opportunity Compliance, Tennessee Valley Authority, transmitting, pursuant to law, the Authority's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-317. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Board's fiscal year 2016 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC-318. A communication from the Chair of the Board of Directors, Office of Compliance, transmitting, pursuant to law, a report relative to recommendations for improvements to the Congressional Accountability Act; to the Committee on Homeland Security and Governmental Affairs.

EC-319. A communication from the Vice President (Acting) for Congressional and Public Affairs, Millennium Challenge Corporation, transmitting, pursuant to law, the Corporation's Agency Financial Report for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-320. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report entitled "Report on the Continuing Need for Authorized Bankruptcy Judgeships"; to the Committee on the Judiciary.

EC-321. A communication from the Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Revision of Import and Export Requirements for Controlled Substances, Listed Chemicals, and Tableting and Encapsulating Machines, Including Changes To Implement the International Trade Data System (ITDS); Revision of Reporting Requirements for Domestic Transactions in Listed Chemicals and Tableting and Encapsulating Machines; and Technical Amendments" ((RIN1117-AB41) (Docket No. DEA-403)) received in the Office of the President of the Senate on January 4, 2017; to the Committee on the Judiciary.

EC-322. A communication from the Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances; Temporary Placement of Fentanyl Into Schedule I"

(Docket No. DEA-448) received in the Office of the President of the Senate on January 4, 2017; to the Committee on the Judiciary.

EC-323. A communication from the Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Establishment of a New Drug Code for Marijuana Extract" (RIN1117-AB33) (Docket No. DEA-342) received in the Office of the President of the Senate on January 4, 2017; to the Committee on the Judiciary.

EC-324. A communication from the Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Temporary Placement of U-47700 Into Schedule I" (Docket No. DEA-440) received in the Office of the President of the Senate on January 4, 2017; to the Committee on the Judiciary.

EC-325. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that involved fiscal year 2007 Operations and Maintenance, Army, and was assigned case number 16-05; to the Committee on Appropriations.

EC-326. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons and Revisions to Entries on the Entity List; and Removal of a Person from the Entity List" (RIN0694-AH23) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-327. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN7100-AE64) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-328. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Burma: Amendment of the Export Administration Regulations Consistent with an Executive Order that Terminated U.S. Government's Sanctions" (RIN0694-AH18) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-329. A communication from the Chairwoman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-330. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-537, "Access to Emergency Epinephrine in Schools Clarification Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-331. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-538, "Kennedy Street, N.W.,

Economic Development and Small Business Revitalization Advisory Committee Establishment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-332. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-539, "Commission on Climate Change and Resiliency Establishment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-333. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-540, "Substance Abuse and Opioid Overdose Prevention Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-334. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-541, "Driver's License Fair Access and Equality Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-335. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-542, "Statute of Limitations Clarifying Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-336. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-543, "Electronic Cigarette Parity Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-337. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-544, "Fiscal Year 2017 Budget Support Clarification Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-338. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-545, "Prohibition Against Selling Tobacco Products to Individuals Under 21 Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-339. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-546, "Department of Motor Vehicles Reform Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-340. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-547, "International Registration Plan Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-341. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-548, "Sporting Events Tobacco Products Restriction Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-342. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-549, "Improving Access to Identity Documents Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-343. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-552, "Enhanced Penalties for Distracted Driving Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-344. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-553, "Rent Control Hardship Petition Limitation Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-345. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-554, "Commemorative Flag Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-346. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-555, "Adult Protective Services Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-347. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-556, "Vacant Property Enforcement Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-348. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-557, "Feminine Hygiene and Diaper Sales Tax Exemption Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-349. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-558, "Charitable Solicitations Relief Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-350. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-559, "Department of Motor Vehicles Extension of Deadlines Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-351. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-560, "Food, Environmental, and Economic Development in the District of Columbia Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-352. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-561, "Extension of Time to Dispose of the Stevens School Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-353. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-562, "Revised Wage Theft Prevention Clarification Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-354. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-563, "Public School Nurse Assignment Temporary Amendment Act of

2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-355. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-564, "Automatic Voter Registration Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-356. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-565, "Medical Marijuana Omnibus Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-357. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-566, "Residential Lease Clarification Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-358. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-567, "Relocation Expenses Recoupment and Lien Authority Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-359. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-568, "Strengthening Youth Services and Rehabilitation Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-360. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-569, "Specialty License Plate Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-361. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-570, "Department of Consumer and Regulatory Affairs Community Partnership Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-362. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-571, "Student Loan Ombudsman Establishment and Servicing Regulation Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-363. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-577, "Death with Dignity Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-364. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-578, "Sale of Synthetic Drugs Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-365. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-579, "Georgia Avenue Retail Priority Area Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-366. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-580, "Foster Parents State-

ment of Rights and Responsibilities Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-367. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-581, "Protecting Students Digital Privacy Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-368. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-582, "Planning Actively for Comprehensive Education Facilities Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-369. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation (GSAR); Fair Opportunity Complaints on GSA Contracts" (RIN3090-AJ79) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-370. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report on the gift of a Learning Center and other physical improvements for the Gerald R. Ford Presidential Museum in Grand Rapids, Michigan; to the Committee on Homeland Security and Governmental Affairs.

EC-371. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice and Procedure" (RIN3064-AE52) received in the Office of the President of the Senate on January 5, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-372. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Availability of Information Under the Freedom of Information Act" (RIN1557-AE12) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-373. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Receiverships for Uninsured National Banks" (RIN1557-AE07) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-374. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Industrial and Commercial Metals" (RIN1557-AD93) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-375. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting,

pursuant to law, the report of a rule entitled "Metropolitan Planning Organization Coordination and Planning Area Reform" (RIN2132-AB28) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-376. A communication from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Metropolitan Planning Organization Coordination and Planning Area Reform" (RIN2125-AF68) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-377. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revisions to Inspection Application Requirements" (Docket No. AMS-SC-16-0063) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-378. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "DoD Freedom of Information Act (FOIA) Program" (RIN0790-AI24) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Armed Services.

EC-379. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Department of Defense Personnel Security Program Regulation" (RIN0790-AJ55) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Armed Services.

EC-380. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Compressors" (RIN1904-AD43) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Energy and Natural Resources.

EC-381. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps" (RIN1904-AD71) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Energy and Natural Resources.

EC-382. A communication from the Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting, pursuant to law, an annual report relative to the Strategic Petroleum Reserve for calendar year 2014; to the Committee on Energy and Natural Resources.

EC-383. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "Medical Malpractice: Evidence on Reform Alternatives and Claims Involving Elderly Patients"; to the Committee on Finance.

EC-384. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendments To Streamline Importation of Distilled Spirits, Wine, Beer, Malt Beverages, Tobacco Products, Processes Tobacco, and Cigarette Papers and Tubes and Facilitate Use of the International Trade Data System" (RIN1513-AC15) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2017; to the Committee on Finance.

EC-385. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress: Improving Medicare Post-Acute Care Transformation (IMPACT) Act of 2014 Strategic Plan for Accessing Race and Ethnicity Data"; to the Committee on Finance.

EC-386. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2017 Section 1274A CPI Adjustments" (Rev. Rul. 2016-30) received in the Office of the President of the Senate on January 5, 2017; to the Committee on Finance.

EC-387. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Syndicated Conservation Easement Transactions" (Notice 2017-10) received in the Office of the President of the Senate on January 5, 2017; to the Committee on Finance.

EC-388. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 831(b) Micro-Captive Transactions" (Notice 2017-08) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

EC-389. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Maintaining certification as a certified professional employer organization" (Rev. Proc. 2017-14) received in the Office of the President of the Senate on January 5, 2017; to the Committee on Finance.

EC-390. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Updated FFI Agreement" (Rev. Proc. 2017-16) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

EC-391. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified Intermediary Agreement" (Rev. Proc. 2017-15) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

EC-392. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2017-14" (Rev. Proc. 2017-14) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

EC-393. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2017-5" (Rev. Proc. 2017-5) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

EC-394. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2017-3" (Rev. Proc. 2017-3) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

EC-395. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definitions and Reporting Requirements for Shareholders of Passive Foreign Investment Companies" ((RIN1545-BK66) (TD 9806)) received in the Office of the President of the Senate on January 5, 2017; to the Committee on Finance.

EC-396. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Regarding Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons, Information Reporting and Backup Withholding on Payments Made to Certain U.S. Persons, and Portfolio Interest Treatment" ((RIN1545-BL17 and RIN1545-BN74) (TD 9808)) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

EC-397. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Relating to Information Reporting by Foreign Financial Institutions and Withholding on Certain Payments to Foreign Financial Institutions and Other Foreign Entities" ((RIN1545-BL72 and RIN1545-BN79) (TD 9809)) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. CAPITO:

S. 76. A bill to amend the Internal Revenue Code of 1986 to provide additional new markets tax credits for distressed coal communities; to the Committee on Finance.

By Mr. FLAKE:

S. 77. A bill to amend the Agricultural Act of 2014 to repeal the forfeiture rule for peanuts under the nonrecourse marketing assistance loan program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEE (for himself, Mr. CASSIDY, Mr. CARPER, Mr. BOOKER, and Mr. JOHNSON):

S. 78. A bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KING (for himself, Mr. RISCH, Mr. HEINRICH, Ms. COLLINS, and Mr. CRAPO):

S. 79. A bill to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector; to the Committee on Energy and Natural Resources.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 80. A bill to protect the right of individuals to bear arms at water resources development projects; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 81. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself and Mr. BLUMENTHAL):

S. 82. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. HELLER):

S. 83. A bill to authorize the National Science Foundation to support entrepreneurial programs for women; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCAIN:

S. 84. A bill to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces; to the Committee on Armed Services.

By Mr. ROBERTS (for himself and Ms. HEITKAMP):

S. 85. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; to the Committee on Finance.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 86. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program; to the Committee on Veterans' Affairs.

By Mr. TOOMEY (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. INHOFE, Mr. COTTON, Mrs. CAPITO, Mr. PERDUE, Mr. BOOZMAN, Mr. JOHNSON, Mr. WICKER, Mr. BLUNT, and Mrs. FISCHER):

S. 87. A bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States; to the Committee on the Judiciary.

By Mrs. FISCHER (for herself, Mr. BOOKER, Mr. GARDNER, and Mr. SCHATZ):

S. 88. A bill to ensure appropriate spectrum planning and interagency coordination to support the Internet of Things; to the Committee on Commerce, Science, and Transportation.

By Mrs. MCCASKILL (for herself, Mr. BLUNT, Mr. BROWN, Mr. PORTMAN, Mr. CASSIDY, Mr. COTTON, and Mr. BOOZMAN):

S. 89. A bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the

owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 90. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 91. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes; to the Committee on Indian Affairs.

By Mr. MCCAIN (for himself and Ms. KLOBUCHAR):

S. 92. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. ERNST (for herself, Mr. GARDNER, and Mr. HELLER):

S. 93. A bill to allow women greater access to safe and effective contraception; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATCH (for himself, Mr. ROBERTS, Mr. WHITEHOUSE, Mr. COTTON, Ms. DUCKWORTH, Mr. FLAKE, and Mr. GARDNER):

S. Res. 9. A resolution honoring in praise and remembrance the extraordinary life, steady leadership, and remarkable, 70-year reign of King Bhumibol Adulyadej of Thailand; to the Committee on Foreign Relations.

By Mr. MARKEY (for himself and Mr. RUBIO):

S. Res. 10. A resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China; to the Committee on Foreign Relations.

By Mr. SCOTT (for himself, Mr. PORTMAN, Mr. RUBIO, Mr. BOOKER, Mr. PAUL, and Mr. BROWN):

S. Res. 11. A resolution encouraging the development of best business practices to fully utilize the potential of the United States; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. SASSE, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 17, a bill to ensure the Government Accountability Office has adequate access to information.

S. 27

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cospon-

sor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 36

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 36, a bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes.

S. 53

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 53, a bill to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes.

S. 63

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 63, a bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

S. 74

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 74, a bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, and for other purposes.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from Nebraska (Mr. SASSE), the Senator from Alabama (Mr. SHELBY), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from California (Ms. HARRIS) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

AMENDMENT NO. 2

At the request of Mr. COONS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 9

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of amendment No. 9 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 17

At the request of Mr. BLUMENTHAL, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 17 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 19

At the request of Mr. SANDERS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 19 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 26

At the request of Mr. COONS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 26 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 27

At the request of Mr. COONS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 27 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 28

At the request of Mr. COONS, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of amendment No. 28 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 29

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of amendment No. 29 intended to be proposed to S. Con. Res. 3,

a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 29

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 30 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 31

At the request of Mr. CARDIN, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 31 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 32

At the request of Ms. KLOBUCHAR, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 32 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 33

At the request of Ms. KLOBUCHAR, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 33 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 34

At the request of Mrs. SHAHEEN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Massachusetts (Ms. WARREN), the Senator from Indiana (Mr. DONNELLY) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of amendment No. 34 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 35

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware

(Mr. CARPER) was added as a cosponsor of amendment No. 35 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 36

At the request of Mrs. SHAHEEN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Mr. CARDIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 36 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 37

At the request of Mrs. SHAHEEN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 37 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 49

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. LEAHY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 49 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 54

At the request of Mr. FRANKEN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 54 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. BLUMENTHAL):

S. 82. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, I am reintroducing the Stop Subsidizing Mul-

timillion Dollar Corporate Bonuses Act with Senator BLUMENTHAL. This legislation would end special tax exemptions for huge CEO bonuses by closing a glaring loophole that allows publicly traded corporations to deduct the cost of multimillion-dollar bonuses from their corporate tax bills. If executives perform, companies may compensate them however they wish, but U.S. taxpayers shouldn't have to subsidize these massive bonuses.

Under current tax law, when a publicly traded corporation calculates its taxable income, it is generally permitted to deduct the cost of compensation from its revenues, with limits up to \$1 million for some of the firm's most senior executives. However, a loophole relating to performance-based compensation has allowed many public corporations to avoid such limits and freely deduct excessive executive compensation. To illustrate how this loophole works, if a CEO receives \$1 million in cash compensation and \$14 million in performance-based compensation in a given year, the public corporation's taxable income would decline by \$15 million. With the current corporate tax rate at 35 percent, the corporation in this case would receive a tax giveaway of \$5.25 million.

The Stop Subsidizing Multimillion Dollar Corporate Bonuses Act puts an end to that giveaway and limits public corporations to a single \$1 million per employee deduction as was originally intended. Using the same example above, a profitable public corporation could deduct \$1 million of the CEO's \$15 million compensation package but could not claim a deduction on the remaining \$14 million. So instead of claiming \$5.25 million in Federal subsidies for the CEO's pay, this public corporation will be contributing \$4.9 million toward improving our roads, our schools, and our military—costs that middle-class families are already underwriting.

Indeed, over a 10-year window, the Joint Committee on Taxation, in their most recent assessment, estimated that closing this loophole would save U.S. taxpayers over \$50 billion.

Specifically, our legislation first applies section 162(m) of the Tax Code to all employees of publicly traded corporations so that all compensation is subject to a deductibility cap of \$1 million. Publicly traded corporations would still be permitted to pay their executives as much as they desire, but compensation above and beyond \$1 million would no longer be subsidized by other hard-working taxpayers through our Tax Code.

Second, our bill removes the exemption for performance-based compensation, which currently permits compensation deductions above and beyond \$1 million when executives have met performance benchmarks set by the corporation's board of directors. As a

result, publicly traded corporations would still be able to incentivize their executives, but all such incentives would be subject to a corporate deductibility cap of \$1 million.

Finally, our legislation makes a technical correction to ensure that all publicly traded corporations that are required to provide quarterly and annual reports to their investors under Securities and Exchange Commission rules and regulations are subject to section 162(m). Currently, this section of the Tax Code only covers some publicly traded corporations who are required to provide these periodic reports to their shareholders. Discouraging extravagant compensation packages shouldn't turn on whether a publicly traded corporation falls into one SEC reporting requirement or another, and our bill closes this technical loophole.

Even our President-elect has acknowledged the problem of excessive CEO pay. When asked about this issue on CBS's "Face the Nation" on September 13, 2015, then-Presidential Candidate Trump said, "Well, it does bug me. It's very hard if you have a free enterprise system to do anything about that. The boards of companies are supposed to do it. But I know companies very well. And the CEO puts in all his friends. And so you will take a company like, I could say Macy's or many other companies, where they put in their friends as head of the company, and they get whatever they want, because the friends love sitting on the board. So that's a system that we have. And it's a shame and it's disgraceful. And, sometimes, the boards rule. But I would say it's probably less than 10 percent. And you see these guys making these enormous amounts of money. It's a total and complete joke."

Our legislation tackles this issue head on by ending the public subsidy of excessive CEO compensation, derailing the lavish tax breaks that exclusively benefit public corporations. This is simply a matter of fairness, ensuring that corporations—and not hard-working taxpayers who face their own challenges in this economy—are paying for the multimillion-dollar bonuses they have decided to dole out to their CEOs.

We need to prioritize tax breaks that grow our economy and strengthen the middle class. This bill would eliminate some of the inequity in the Tax Code. Again, companies are free to pay their executives as much as they want, but the American taxpayer shouldn't help foot the bill for a CEO's multimillion-dollar bonus.

I thank Public Citizen, Americans for Financial Reform, the AFL-CIO, International Brotherhood of Teamsters, and MIT professor Simon Johnson for their support. I also want to thank Senator BLUMENTHAL for working with me on this issue, and I urge our colleagues to join us in cosponsoring this legislation.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 90. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 90

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Red River Gradient Boundary Survey Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) AFFECTED AREA.—

(A) IN GENERAL.—The term "affected area" means land along the approximately 116-mile stretch of the Red River, from its confluence with the north fork of the Red River on the West to the 98th meridian on the east.

(B) EXCLUSIONS.—The term "affected area" does not include the portion of the Red River within the boundary depicted on the survey prepared by the Bureau of Land Management entitled "Township 5 South, Range 14 West, of the Indian Meridian, Oklahoma, Dependent Resurvey and Survey" and dated February 28, 2006.

(2) GRADIENT BOUNDARY SURVEY METHOD.—The term "gradient boundary survey method" means the measurement technique used to locate the South Bank boundary line in accordance with the methodology established in *Oklahoma v. Texas*, 261 U.S. 340 (1923) (recognizing that the boundary line along the Red River is subject to change due to erosion and accretion).

(3) LANDOWNER.—The term "landowner" means any individual, group, association, corporation, federally recognized Indian tribe or member of such an Indian tribe, or other private or governmental legal entity that owns an interest in land in the affected area.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(5) SOUTH BANK.—The term "South Bank" means the water-washed and relatively permanent elevation or acclivity (commonly known as a "cut bank") along the southerly or right side of the Red River that—

(A) separates the bed of that river from the adjacent upland, whether valley or hill; and

(B) usually serves, as specified in the fifth paragraph of *Oklahoma v. Texas*, 261 U.S. 340 (1923)—

(i) to confine the waters within the bed; and

(ii) to preserve the course of the river.

(6) SOUTH BANK BOUNDARY LINE.—The term "South Bank boundary line" means the boundary, with respect to title and ownership, between the States of Oklahoma and Texas identified through the gradient boundary survey method that does not impact or alter the permanent political boundary line between the States along the Red River, as outlined under article II, section B of the Red River Boundary Compact enacted by the States and consented to by Congress pursuant to Public Law 106-288 (114 Stat. 919).

SEC. 3. SURVEY OF SOUTH BANK BOUNDARY LINE.

(a) SURVEY REQUIRED.—

(1) IN GENERAL.—The Secretary shall commission a survey to identify the South Bank boundary line in the affected area.

(2) REQUIREMENTS.—The survey shall—

(A) adhere to the gradient boundary survey method;

(B) span the length of the affected area;

(C) be conducted by surveyors that are—

(i) licensed and qualified to conduct official gradient boundary surveys; and

(ii) selected jointly by and operating under the direction of—

(I) the Texas General Land Office, in consultation with each affected federally recognized Indian tribe; and

(II) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe; and

(D) be completed not later than 2 years after the date of enactment of this Act.

(b) APPROVAL.—

(1) STATE APPROVAL.—

(A) IN GENERAL.—Not later than 60 days after the date on which the survey under subsection (a)(1) is completed, the Secretary shall submit the survey for approval to—

(i) the Texas General Land Office, in consultation with each affected federally recognized Indian tribe; and

(ii) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe.

(B) TIMING OF APPROVAL.—Not later than 60 days after the date of receipt of the survey under subparagraph (A), the Texas General Land Office, in consultation with each affected federally recognized Indian tribe, and the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe, shall determine whether to approve the survey.

(C) SURVEYS OF INDIVIDUAL PARCELS.—

(i) IN GENERAL.—Surveys of individual parcels in the affected area shall be conducted in accordance with this section.

(ii) APPROVAL OR DISAPPROVAL.—A survey of an individual parcel conducted under clause (i) shall be approved or disapproved, on an individual basis, by the Texas General Land Office, in consultation with each affected federally recognized Indian tribe, and the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe, by not later than 60 days after the date of receipt of the survey.

(2) NO FEDERAL APPROVAL REQUIRED.—The survey conducted under subsection (a)(1), and any survey of an individual parcel described in paragraph (1)(C), shall not be submitted to the Secretary for approval.

(c) NOTICES.—

(1) SECRETARY.—Not later than 60 days after the date on which a survey for an individual parcel is approved by the Texas General Land Office and the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma, under subsection (b)(1)(C), the heads of those offices shall submit to the Secretary—

(A) a notice of the approval of the survey; and

(B) a copy of—

(i) the survey; and

(ii) any field notes relating to the individual parcel.

(2) ADJACENT LANDOWNERS.—Not later than 30 days after the date on which the Secretary receives a notice relating to an individual parcel under paragraph (1), the Secretary shall provide to each landowner of land adjacent to the individual parcel—

(A) a notice of the approval of the survey; and

(B) a copy of—

(i) the survey; and

(ii) any field notes relating to the individual parcel.

SEC. 4. EFFECT OF ACT.

Nothing in this Act—

(1) modifies any interest of the State of Oklahoma or Texas, or the sovereignty, property, or trust rights of any federally recognized Indian tribe, relating to land located north of the South Bank boundary line, as established by the survey;

(2) modifies any land patented under the Act of December 22, 1928 (45 Stat. 1069, chapter 47; 43 U.S.C. 1068) (commonly known as the “Color of Title Act”), before the date of enactment of this Act;

(3) modifies or supersedes the Red River Boundary Compact enacted by the States of Oklahoma and Texas and consented to by Congress pursuant to Public Law 106-288 (114 Stat. 919);

(4) creates or reinstates any Indian reservation or any portion of such a reservation; or

(5) alters any valid right of the State of Oklahoma or the Kiowa, Comanche, or Apache Indian tribes to the mineral interest trust fund established under the Act of June 12, 1926 (44 Stat. 740, chapter 572).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this Act \$1,000,000.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 9—HONORING IN PRAISE AND REMEMBRANCE THE EXTRAORDINARY LIFE, STEADY LEADERSHIP, AND REMARKABLE, 70-YEAR REIGN OF KING BHUMIBOL ADULYADEJ OF THAILAND

Mr. HATCH (for himself, Mr. ROBERTS, Mr. WHITEHOUSE, Mr. COTTON, Ms. DUCKWORTH, Mr. FLAKE, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 9

Whereas His Majesty King Bhumibol Adulyadej enjoyed a special relationship with the United States, having been born in Cambridge, Massachusetts, in 1927 while his father was completing his medical studies at Harvard University;

Whereas King Bhumibol Adulyadej ascended to the throne on June 9, 1946, and celebrated his 70th year as King of Thailand in 2016;

Whereas, at the time of his death, King Bhumibol Adulyadej was the longest-serving head of state in the world and the longest-reigning monarch in the history of Thailand;

Whereas His Majesty dedicated his life to the well-being of the Thai people and the sustainable development of Thailand;

Whereas His Majesty led by example and virtue with the interest of the people at

heart, earning His Majesty the deep reverence of the Thai people and the respect of people around the world;

Whereas His Majesty reached out to the poorest and most vulnerable people of Thailand, regardless of their status, ethnicity, or religion, listened to their problems, and empowered them to take their lives into their own hands;

Whereas, in 2006, His Majesty received the first United Nations Human Development Award, recognizing him as the “Development King” for the extraordinary contribution of His Majesty to human development;

Whereas His Majesty was recognized internationally in the areas of intellectual property, innovation, and creativity, and in 2009, the World Intellectual Property Organization presented His Majesty with the Global Leadership Award;

Whereas His Majesty was an anchor of peace and stability for Thailand during the turbulent decades of the Cold War;

Whereas His Majesty was always a trusted friend of the United States in advancing a strong and enduring alliance and partnership between the United States and Thailand;

Whereas His Majesty addressed a joint session of Congress on June 29, 1960, during which His Majesty reaffirmed the strong friendship and goodwill between the United States and Thailand;

Whereas the United States and Thailand remain strong security allies, as memorialized in the Southeast Asia Collective Defense Treaty (commonly known as the “Manila Pact of 1954”) and later expanded under the Thanat-Rusk Communique of 1962;

Whereas, for decades, Thailand has hosted the annual Cobra Gold military exercises, the largest multilateral exercises in Asia, to improve regional defense cooperation;

Whereas Thailand has allowed the Armed Forces of the United States to use the Utapao Air Base to coordinate international humanitarian relief efforts;

Whereas President George W. Bush designated Thailand as a major non-NATO ally on December 30, 2003;

Whereas close cooperation and mutual sacrifices in the face of common threats have bound the United States and Thailand together and established a firm foundation for the advancement of a mutually beneficial relationship; and

Whereas, on October 13, 2016, at the age of 88, His Majesty King Bhumibol Adulyadej passed away, leaving behind a lasting legacy for Thailand: Now, therefore, be it

Resolved, That the Senate—

(1) honors the extraordinary life, steady leadership, and remarkable, 70-year reign of His Majesty King Bhumibol Adulyadej of Thailand;

(2) extends our deepest sympathies to the members of the Royal Family and to the people of Thailand in their bereavement;

(3) celebrates the alliance and friendship between Thailand and the United States that reflects common interests, a 183-year diplomatic history, and a multifaceted partnership that has contributed to peace, stability, and prosperity in the Asia-Pacific region;

(4) congratulates His Majesty King Maha Vajiralongkorn on his accession to the throne; and

(5) building on the strong foundation of alliance nurtured during the reign of the father of His Majesty King Maha Vajiralongkorn, looks forward to deepening the bonds of friendship between Thailand and the United States.

SENATE RESOLUTION 10—EXPRESSING THE SENSE OF THE SENATE REGARDING THE TRAFFICKING OF ILLICIT FENTANYL INTO THE UNITED STATES FROM MEXICO AND CHINA

Mr. MARKEY (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 10

Whereas the United States continues to experience a prescription opioid and heroin overdose epidemic that claimed almost 30,000 lives in 2014;

Whereas fentanyl is a synthetic opioid and the euphoric effects of fentanyl are sometimes indistinguishable from the euphoric effects of heroin or morphine;

Whereas the effect of fentanyl can be up to 50 times stronger than heroin and 100 times stronger than morphine;

Whereas although pharmaceutical fentanyl can be diverted for misuse, most fentanyl deaths are believed to be linked to illicitly manufactured fentanyl and illicit versions of chemically similar compounds known as fentanyl analogs (collectively referred to in this preamble as “illicit fentanyl”);

Whereas illicit fentanyl is potentially lethal even if only a very small quantity is ingested or inhaled;

Whereas across the United States, illicit fentanyl use and related deaths are rising at alarming rates;

Whereas illicit fentanyl is cheaper to manufacture than heroin and the sale of illicit fentanyl is highly profitable for drug dealers;

Whereas illicit fentanyl is sold for its heroin-like effects and illicit fentanyl is often mixed with heroin, cocaine, or methamphetamine as a combination product, with or without the knowledge of the user;

Whereas illicit fentanyl is often produced to physically resemble other opioid pain medicines, such as oxycodone, which sell for high amounts on the street;

Whereas drug users often overdose on illicit fentanyl because users are unaware that they are ingesting illicit fentanyl and do not anticipate the toxicity and potential lethality of illicit fentanyl;

Whereas, according to the Centers for Disease Control and Prevention, between 2013 and 2014, the death rate from overdoses caused by synthetic opioids, including illicit fentanyl and synthetic opioid pain relievers other than methadone, increased 80 percent;

Whereas, in 2015, the Drug Enforcement Administration (referred to in this preamble as the “DEA”) issued a National Drug Threat Assessment Summary, which found that Mexican transnational criminal organizations are—

(1) one of the greatest criminal drug threats to the United States; and

(2) poly-drug organizations that use established transportation routes and distribution networks to traffic heroin, methamphetamine, cocaine, and marijuana throughout the United States;

Whereas, in 2016, the DEA issued a National Heroin Threat Assessment Summary, which found that “starting in late 2013, several states reported spikes in overdose deaths due to fentanyl and its analog acetyl-fentanyl”;

Whereas the 2016 National Heroin Threat Assessment Summary found that—

(1) Mexican drug traffickers are expanding their operations to gain a larger share of eastern United States heroin markets; and

(2) the availability of heroin is increasing throughout the United States;

Whereas between 2013 and 2014, there were more than 700 fentanyl-related deaths in the United States;

Whereas the number of deaths attributable to illicit fentanyl may be significantly underreported because—

(1) coroners and medical examiners do not test, or lack the resources to test, routinely for fentanyl;

(2) crime laboratories lack the resources to test routinely for fentanyl; and

(3) illicit fentanyl deaths may erroneously be attributed to heroin;

Whereas, in March 2015, the DEA issued a nationwide alert on illicit fentanyl as a threat to health and public safety;

Whereas illicit fentanyl has the potential to endanger public health workers, first responders, and law enforcement personnel who may unwittingly come into contact with illicit fentanyl by accidentally inhaling airborne powder;

Whereas, according to the DEA—

(1) Mexico is the primary source for illicit fentanyl trafficked into the United States; and

(2) distributors in China are the source of the fentanyl analogs and the precursor chemicals to manufacture fentanyl analogs that are found in Mexico and Canada;

Whereas fentanyl produced illicitly in Mexico is—

(1) smuggled across the southwest border of the United States, or delivered through mail and express consignment couriers; and

(2) often mixed with heroin or diluents in the United States and then distributed in the same United States markets in which white powder heroin is distributed; and

Whereas United States law enforcement officials have recently seen—

(1) an influx of illicit fentanyl into the United States directly from China;

(2) shipments of the equipment to manufacture illicit fentanyl, such as pill presses; and

(3) some illicit fentanyl products being smuggled into the United States across the northern border with Canada: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the use of illicit fentanyl in the United States and the resulting overdose deaths are a public health crisis;

(2) the trafficking of illicit fentanyl into the United States, especially the trafficking of illicit fentanyl by transnational criminal organizations, is a problem that requires close cooperation between the United States Government and the Governments of Mexico and China;

(3) the United States Government and the Governments of Mexico and China have a shared interest in, and responsibility for, stopping the production of illicit fentanyl and its trafficking into the United States;

(4) the United States should—

(A) support efforts by the Governments of Mexico and China to stop the production of illicit fentanyl and its trafficking into the United States; and

(B) take further measures to reduce and prevent heroin and fentanyl consumption through—

(i) enhanced enforcement to reduce the illegal supply; and

(ii) increased use of evidence-based prevention, treatment, and recovery services; and

(5) the United States Government, including the Secretary of State, the Attorney General, the Secretary of Homeland Security,

and the Director of the Office of National Drug Control Policy, should use the broad diplomatic and law enforcement resources of the United States, in partnership with the Governments of Mexico and China, to stop the production of illicit fentanyl and its trafficking into the United States.

SENATE RESOLUTION 11—ENCOURAGING THE DEVELOPMENT OF BEST BUSINESS PRACTICES TO FULLY UTILIZE THE POTENTIAL OF THE UNITED STATES

Mr. SCOTT (for himself, Mr. PORTMAN, Mr. RUBIO, Mr. BOOKER, Mr. PAUL, and Mr. BROWN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 11

Whereas the Rooney Rule, formulated by Daniel Rooney, chairman of the Pittsburgh Steelers football team in the National Football League (referred to in this preamble as the “NFL”), requires each NFL team with a job opening for a coach or general manager position to interview at least 1 minority candidate for that position;

Whereas the Rooney Rule has been successful in increasing minority representation in higher leadership positions in professional football, as shown by the fact that, in the 80 years between the hiring of Fritz Pollard as coach of the Akron Pros and the implementation of the Rooney Rule in 2003, only 7 minority head coaches were hired but, since 2003, 15 minority head coaches have been hired;

Whereas the Rooney Rule has demonstrated that once highly qualified and highly skilled diversity candidates are given exposure during the hiring process, the abilities of those diversity candidates can be better utilized;

Whereas the RLJ Rule, formulated by Robert L. Johnson, founder of Black Entertainment Television (commonly known as “BET”) and The RLJ Companies, and based on the Rooney Rule from the NFL, similarly encourages companies to voluntarily establish a best practices policy to identify minority candidates and minority vendors by implementing a plan to interview—

(1) not fewer than 2 qualified minority candidates for each managerial opening at the director level and above; and

(2) not fewer than 2 qualified minority-owned businesses before approving a vendor contract;

Whereas, according to Crist-Kolder Associates, as cited in the Wall Street Journal, at the top 668 companies in the United States, less than 10 percent of Chief Financial Officers are African-American, Hispanic, or of Asian descent;

Whereas underrepresented groups contain members with the necessary abilities, experience, and qualifications for any position available;

Whereas business practices such as the Rooney Rule or the RLJ Rule are neither employment quotas nor Federal law but rather voluntary initiatives instituted by willing entities to provide the human resources necessary to ensure success;

Whereas experience has shown that people of all genders, colors, and physical abilities can achieve excellence;

Whereas the increased involvement of underrepresented workers would improve the economy of the United States and the experience of the people of the United States; and

Whereas ensuring the increased exposure, and resulting increased advancement, of diverse and qualified candidates would result in gains by all people of the United States through stronger economic opportunities: Now, therefore, be it

Resolved, That the Senate encourages each corporate, academic, and social entity, regardless of size or field of operation, to—

(1) develop an internal rule modeled after a successful business practice, such as the Rooney Rule or RLJ Rule, and, in accordance with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), adapt that rule to specifications that will best fit the procedures of the individual entity; and

(2) institute the individualized rule described in paragraph (1) to ensure that the entity will always consider candidates from underrepresented populations before making a final decision with respect to selecting a business vendor or filling a leadership position.

AMENDMENTS SUBMITTED AND PROPOSED

SA 56. Mr. KING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table.

SA 57. Mr. KING (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 58. Mr. KING (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 59. Mr. KING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 60. Mr. KING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 61. Mr. CASEY (for himself, Mr. CARDIN, Mr. BROWN, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 62. Mr. MANCHIN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 63. Mr. MANCHIN (for himself, Ms. BALDWIN, Mr. MARKEY, Mr. DURBIN, Ms. HASSAN, Mr. BROWN, Mr. UDALL, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. LEAHY, Mr. KING, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. CARPER, Mrs. FEINSTEIN, Ms. STABENOW, Mr. DONNELLY, Mr. KANE, Mr. WARNER, Mr. CARDIN, Mrs. SHAHEEN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 64. Mr. MANCHIN (for himself, Mr. DURBIN, Mr. HEINRICH, Mr. UDALL, Mr. FRANKEN, Ms. KLOBUCHAR, Ms. HEITKAMP, Mr. VAN HOLLEN, Mr. CASEY, Mr. TESTER, Mr. BENNET, Ms. BALDWIN, Ms. STABENOW, Mr. DONNELLY, Mrs. SHAHEEN, Mr. WARNER, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 65. Mr. MANCHIN (for himself, Mr. WARNER, Mr. BROWN, Mr. COONS, Mr. VAN HOLLEN, Mr. KAINE, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 66. Mr. REED (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 67. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 68. Mr. CARDIN (for himself, Mr. BROWN, and Mr. CARPER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 69. Mr. BENNET submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 70. Mr. BENNET (for himself, Mr. KING, and Mr. CARPER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 71. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 72. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 73. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 74. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 75. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 76. Mr. BOOKER (for himself, Mr. MARKEY, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 77. Mr. BOOKER (for himself, Mr. MARKEY, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 78. Mr. DURBIN (for himself, Ms. HEITKAMP, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 79. Mr. DURBIN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 80. Mr. DURBIN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 81. Ms. BALDWIN (for herself, Mr. VAN HOLLEN, Ms. STABENOW, Mr. BOOKER, Mr. KING, Mr. BROWN, Mr. COONS, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 82. Mrs. GILLIBRAND (for herself, Ms. HIRONO, Mrs. MURRAY, Ms. HASSAN, Mr.

BLUMENTHAL, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. SCHUMER, Ms. STABENOW, Mr. BROWN, Mr. CARPER, Mr. UDALL, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 83. Mr. MENENDEZ (for himself, Mr. DURBIN, Ms. HASSAN, Mr. LEAHY, Mr. HEINRICH, Mr. FRANKEN, Mrs. FEINSTEIN, Mr. REED, Mrs. MURRAY, Mr. CARPER, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. HIRONO, Mr. MARKEY, Mr. MURPHY, Mrs. SHAHEEN, Mr. UDALL, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. WYDEN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 84. Mr. DURBIN (for himself, Mr. BROWN, Mr. MURPHY, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 85. Ms. HASSAN (for herself, Mr. BROWN, Mrs. SHAHEEN, and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 86. Mr. BROWN (for himself, Mr. REED, Ms. STABENOW, Mr. CARPER, Mr. UDALL, Mr. CASEY, Mr. BOOKER, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. DURBIN, Ms. BALDWIN, Ms. WARREN, Mr. CARDIN, Mr. KING, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 87. Mr. WARNER (for himself, Ms. STABENOW, Mr. KAINE, Mr. PETERS, Mr. MARKEY, Mrs. GILLIBRAND, Mr. KING, Mr. NELSON, Ms. WARREN, and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 88. Mr. WARNER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 89. Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 90. Mr. CARPER (for himself, Mr. DURBIN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 91. Ms. STABENOW submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 92. Ms. STABENOW submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 93. Ms. STABENOW (for herself, Mr. CARPER, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 94. Ms. STABENOW (for herself, Mr. CARDIN, Mr. MURPHY, Mr. DURBIN, Ms. CANTWELL, Mr. FRANKEN, Mr. CARPER, Ms. BALDWIN, Mr. PETERS, Mr. BROWN, and Mr. UDALL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 95. Mr. MARKEY (for himself, Mr. FRANKEN, and Mr. BROWN) submitted an

amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 96. Mr. MARKEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 97. Mr. BLUMENTHAL (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 98. Mr. MURPHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 99. Mr. MURPHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 100. Ms. CANTWELL (for herself, Mr. CARPER, Mr. BENNET, Mr. WHITEHOUSE, Mrs. SHAHEEN, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 101. Mr. BENNET submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 102. Mr. BENNET (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 103. Mr. TESTER (for himself, Mr. BROWN, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 104. Mr. TESTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 105. Mr. TESTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 106. Mr. CORKER (for himself, Mr. PORTMAN, Ms. COLLINS, Ms. MURKOWSKI, and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 107. Mr. HEINRICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 108. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 109. Mr. UDALL (for himself, Mr. TESTER, Ms. CANTWELL, Mr. FRANKEN, Ms. HEITKAMP, Mr. HEINRICH, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 110. Mr. HEINRICH (for himself, Mr. BENNET, Mr. WYDEN, Mr. UDALL, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 56. Mr. KING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States

Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRESERVING AND EXTENDING MATERNAL, INFANT, AND CHILD HEALTH THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to preserving and extending maternal, infant, and child health through the Department of Health and Human Services by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 57. Mr. KING (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE NATIONAL HEALTH SERVICE CORPS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to maintaining, preserving, sustaining, and expanding the National Health Service Corps program, which may include increasing the number of clinicians fulfilling a service obligation in exchange for scholarship or loan repayment, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 58. Mr. KING (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO COVERAGE OF CERTAIN FALL PREVENTION SERVICES UNDER THE MEDICARE PROGRAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate,

and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to requiring coverage of certain fall prevention services under the Medicare program by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 59. Mr. KING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO MENTAL HEALTH AND SUBSTANCE USE DISORDER HEALTH CARE COVERAGE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the provision of health care for mental health and substance use disorders by ensuring that such care is included as essential health benefits and providing Federal parity protections for mental health and substance use disorders by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 60. Mr. KING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE HEALTH INSURANCE ACCESS AND AFFORDABILITY FOR INDIVIDUALS BASED ON THEIR OCCUPATION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce health insurance access and affordability for individuals based on their occupation, unless legislation is enacted to provide comparable benefits and protections for such individuals.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 61. Mr. CASEY (for himself, Mr. CARDIN, Mr. BROWN, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD MAKE PEOPLE WITH DISABILITIES AND CHRONIC CONDITIONS SICK AGAIN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) limit, reduce, or eliminate access to care for anyone with a pre-existing condition, such as a disability or chronic condition, as provided under section 2704 of the Public Health Service Act (42 U.S.C. 300gg-3), as amended by the Patient Protection and Affordable Care Act (Public Law 111-148);

(2) place a lifetime or annual cap on health insurance coverage for an individual with a disability or a chronic condition, as provided under section 2711 of the Public Health Service Act (42 U.S.C. 300gg-11), as amended by the Patient Protection and Affordable Care Act; or

(3) allow a health plan or a provider to discriminate on the basis of an applicant's physical health, mental health, or disability status to increase the cost of care, provide for fewer benefits, or in any way decrease access to health care as afforded under title I of the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 62. Mr. MANCHIN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST AN INCREASE IN THE DEFICIT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution, that would increase the on-budget deficit or cause an on-budget deficit, as calculated under subsection (b), in any of fiscal years 2017 through 2026.

(b) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the

basis of estimates made by the Chairman of the Committee on the Budget of the Senate and shall be calculated without regard to any adjustment made under section 3001 or 3002.

(c) FORM OF THE POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)).

(d) SUPERMAJORITY WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 63. Mr. MANCHIN (for himself, Ms. BALDWIN, Mr. MARKEY, Mr. DURBIN, Ms. HASSAN, Mr. BROWN, Mr. UDALL, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. LEAHY, Mr. KING, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. CARPER, Mrs. FEINSTEIN, Ms. STABENOW, Mr. DONNELLY, Mr. KAINE, Mr. WARNER, Mr. CARDIN, Mrs. SHAHEEN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE ACCESS TO SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SERVICES AND WORSEN THE OPIOID EPIDEMIC.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce the expansion of access to substance use disorder prevention, treatment, and recovery services established through the expansion of the Medicaid program under section XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the consumer protections in the health insurance market, including protections for individuals with pre-existing conditions, the establishment of mental health and substance use disorder services as essential health benefits, the requirement that preventive services such as substance use disorder screenings be covered without cost-sharing at the point of service, and the expansion of mental health parity and addiction equity law to cover health plans in the individual market, and in so doing, worsen the opioid epidemic.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 64. Mr. MANCHIN (for himself, Mr. DURBIN, Mr. HEINRICH, Mr. UDALL, Mr. FRANKEN, Ms. KLOBUCHAR, Ms. HEITKAMP, Mr. VAN HOLLEN, Mr. CASEY,

Mr. TESTER, Mr. BENNET, Ms. BALDWIN, Ms. STABENOW, Mr. DONNELLY, Mrs. SHAHEEN, Mr. WARNER, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD FINANCIALLY HARM RURAL HOSPITALS AND HEALTH CARE PROVIDERS BY REDUCING THE NUMBER OF PEOPLE IN RURAL COMMUNITIES WITH ACCESS TO HEALTH INSURANCE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report if the Congressional Budget Office has determined that it would—

(1) cause an increase in the rate of uninsured individuals and families in rural communities by an amount sufficient to substantially weaken the financial viability of rural hospitals (including small hospitals), clinics (including community health centers), or other health care providers; or

(2) reduce Federal funds upon which rural hospitals and community health centers rely.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 65. Mr. MANCHIN (for himself, Mr. WARNER, Mr. BROWN, Mr. COONS, Mr. VAN HOLLEN, Mr. KAINE, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE BLACK LUNG BENEFITS FOR MINERS DISABLED BY BLACK LUNG DISEASE AND THEIR SURVIVORS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate or weaken the amendments to the Black Lung Benefits Act (30 U.S.C. 901 et seq.) made by section 1556 of the Patient Protection and Affordable Care Act (Public Law 111-148), which—

(1) require the presumption of total disability or death caused by pneumoconiosis for coal miners who worked for at least 15 years in underground mining and who suffer or suffered from a totally disabling respiratory impairment; and

(2) provide automatic entitlement for eligible survivors of miners who were themselves

entitled to receive benefits as a result of a lifetime claim.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 66. Mr. REED (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST CUTTING LONG-TERM SERVICES AND SUPPORTS FOR SENIORS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would cut long term services and supports for seniors, including nursing home care and home and community-based care, under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 67. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD ELIMINATE OR REDUCE ACCESS TO PREVENTIVE SERVICES THAT ARE CURRENTLY OFFERED WITHOUT COPAYMENT OR COST-SHARING UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate or reduce access to preventive services that are currently offered without copayment or cost-sharing under the Patient Protection and Affordable Care Act (Public Law 111-148), including blood pressure screening, colorectal screening, breast cancer screening, cervical cancer screening, and domestic and interpersonal violence screening and counseling.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of

the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 68. Mr. CARDIN (for himself, Mr. BROWN, and Mr. CARPER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD ELIMINATE OR REDUCE THE CONSUMER PROTECTIONS PROVIDED BY THE PATIENT'S BILL OF RIGHTS UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate or reduce the consumer protections provided by the Patient's Bill of Rights under the Patient Protection and Affordable Care Act (Public Law 111-148), including the ban on health plans discriminating against adults and children with pre-existing conditions, dropping coverage, limiting coverage under a health plan, limiting choice of doctors, or restricting emergency room care; the guarantee of an health plan enrollee's right to appeal; coverage of young adults under their parents' health plans; and coverage under a health plan of preventive care with no cost.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 69. Mr. BENNET submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT REDUCES ACCESS TO, OR RESULTS IN THE CLOSING OF, RURAL HOSPITALS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that reduces Medicare or private health insurance payments under the Patient Protection and Affordable Care Act to rural hospitals that could lead to a reduction in health care services provided or the closure of a rural or critical access hospital.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of

the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 70. Mr. BENNET (for himself, Mr. KING, and Mr. CARPER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST PHYSICIAN AND NURSE SHORTAGES IN RURAL AND UNDERSERVED AREAS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that reduces access to primary medical care, dental, and mental health services in areas designated as Health Professional Shortage Areas or Medically Underserved Areas or Populations, including the repeal of provisions in the Patient Protection and Affordable Care Act that—

(1) expand the number of National Health Service Corps providers trained to provide health care services in shortage areas through the National Health Service Corps Loan Repayment Program; or

(2) encourage provider training specifically in rural areas.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 71. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. . . . SENSE OF THE SENATE THAT MEDICAID IS ONE OF OUR NATION'S MOST IMPORTANT POVERTY-REDUCING PROGRAMS.

(a) FINDINGS.—The Senate finds the following:

(1) In 2015, more than 60,000,000 Americans relied on Medicaid for comprehensive, affordable health care coverage.

(2) According to the Journal of Health Economics, in 2010, Medicaid helped to keep at least 2,600,000 Americans, including adults with disabilities, the elderly, children, and racial and ethnic minorities, out of poverty.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Medicaid is one of our Nation's most important poverty-reducing programs; and

(2) the Medicaid expansion under the Affordable Care Act has expanded coverage to

millions of Americans, which not only ensures that more people have access to quality, affordable health care, but improves Americans' financial security.

SA 72. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE COVERAGE FOR CHILDREN WITH AUTISM SPECTRUM DISORDERS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce coverage for children with Autism Spectrum Disorders by—

(1) block granting or imposing per capita caps on State Medicaid programs; and

(2) repealing the financial assistance available to families to purchase coverage on the health insurance marketplace created under the Patient Protection and Affordable Care Act (Public Law 111-148).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 73. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING THAT STATE MEDICAID PROGRAMS' PAYMENT POLICIES ARE ALIGNED WITH THEIR PERIODICITY SCHEDULES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that the payment policies of State Medicaid programs are aligned with the periodicity schedules of such programs by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 74. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States

Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST REDUCING CHILDREN'S ACCESS TO THE EARLY AND PERIODIC SCREENING, DIAGNOSTIC, AND TREATMENT BENEFIT UNDER THE MEDICAID PROGRAM.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce children's access to the Early and Periodic Screening, Diagnostic, and Treatment benefit under the Medicaid program by block granting or imposing per capita caps on State Medicaid programs.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 75. Mr. BOOKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST DECREASING ACCESS TO HEALTH CARE BY IMPOSING UNREASONABLE WORK REQUIREMENTS ON MEDICAID BENEFICIARIES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would decrease access to health care by imposing unreasonable work requirements on Medicaid beneficiaries, especially those beneficiaries struggling with mental health conditions, substance abuse issues, and homelessness.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 76. Mr. BOOKER (for himself, Mr. MARKEY, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST HARMING HOSPITALS AND CLINICS BY REPEALING THE MEDICAID EXPANSION AND THE FINANCIAL ASSISTANCE OFFERED ON THE HEALTH INSURANCE MARKETPLACE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would harm hospitals and clinics, particularly those in underserved areas, by repealing or cutting Federal financial assistance for the Medicaid expansion and for the financial assistance offered on the health insurance marketplace.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 77. Mr. BOOKER (for himself, Mr. MARKEY, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST INCREASING PREMIUM COSTS ON THE HEALTH INSURANCE MARKETPLACE BY REPEALING THE MEDICAID EXPANSION UNDER THE AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase premium costs on the health insurance marketplace by repealing the Medicaid expansion under the Affordable Care Act which has lowered premiums costs on the health insurance marketplace by 7 percent in States that have expanded Medicaid under the Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 78. Mr. DURBIN (for himself, Ms. HEITKAMP, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING FUNDING FOR FEDERAL INVESTMENTS IN CHILD TRAUMA PREVENTION, SCREENING, AND SUPPORT SERVICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing funding for Federal investments in the prevention, screening, and support (including treatment) for children and youth who have experienced or are at risk of experiencing trauma, which may include the early identification, screening, and expeditious referral to appropriate support services (including treatment) of children and youth, or the implementation of trauma-informed training, workforce capacity, and interventions by appropriate providers and in settings that may come into contact with children and youth who have experienced or are at risk of experiencing trauma, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 79. Mr. DURBIN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING STEADY, PREDICTABLE GROWTH FOR BIOMEDICAL RESEARCH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to supporting at least 5 percent real growth (above inflation) to medical research conducted by each of the National Institutes of Health, the Centers for Disease Control and Prevention, the Defense Health Program, and the Medical and Prosthetics Research Program of the Department of Veterans Affairs by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 80. Mr. DURBIN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD RESULT IN A REDUCTION OF FUNDING FOR BIOMEDICAL RESEARCH AGENCIES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would result in a reduction of funding for the National Institutes of Health, the Centers for Disease Control and Prevention, the Defense Health Program, or the Medical and Prosthetics Research Program of the Department of Veterans Affairs.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 81. Ms. BALDWIN (for herself, Mr. VAN HOLLEN, Ms. STABENOW, Mr. BOOKER, Mr. KING, Mr. BROWN, Mr. COONS, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . DON'T MAKE YOUNG PEOPLE SICK AGAIN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would make young people sick again.

(b) LEGISLATION THAT MAKES YOUNG PEOPLE SICK AGAIN.—For the purposes of subsection (a), the term “would make young people sick again” with respect to legislation refers to any provision of a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report, that would—

(1) reduce the number of young Americans enrolled in public or private health insurance coverage, as determined based on the March 2016 updated baseline budget projections by the Congressional Budget Office;

(2) weaken dependent coverage of children to continue until the child turns 26 years of age as afforded to them under Patient Protection and Affordable Care Act (Public Law 111-148);

(3) weaken access to care by increasing premiums or total out of pocket costs for young Americans with private insurance.

(c) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 82. Mrs. GILLIBRAND (for herself, Ms. HIRONO, Mrs. MURRAY, Ms. HASSAN, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. SCHUMER,

Ms. STABENOW, Mr. BROWN, Mr. CARPER, Mr. UDALL, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . DON'T MAKE WOMEN SICK AGAIN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that makes women sick again by eliminating or reducing access to women's health care, including decreases in access to, or coverage of, reproductive health care services including contraceptive counseling, birth control, and maternity care, and primary and preventive health care as afforded to them under the Patient Protection and Affordable Care Act (Public Law 111-148).

(b) LEGISLATION THAT MAKES WOMEN SICK AGAIN.—For the purposes of subsection (a), the term “makes women sick again” with respect to legislation refers to any provision of a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report, that would—

(1) allow insurance companies to discriminate against women by—

(A) charging women higher premiums for health care based on their gender;

(B) allowing pregnancy to be used as a pre-existing condition by which to deny women coverage;

(C) permitting discrimination against providers who provide reproductive health care benefits or services to women; or

(D) otherwise discriminating against women based on their gender;

(2) reduce the number of women enrolled in health insurance coverage, as certified by the Congressional Budget Office; or

(3) eliminate, or reduce the scope or scale of, the benefits women would have received pursuant to the requirements under title I of the Patient Protection and Affordable Care Act (Public Law 111-148) and the amendments made to that title.

(c) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 83. Mr. MENENDEZ (for himself, Mr. DURBIN, Ms. HASSAN, Mr. LEAHY, Mr. HEINRICH, Mr. FRANKEN, Mrs. FEINSTEIN, Mr. REED, Mrs. MURRAY, Mr. CARPER, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. HIRONO, Mr. MARKEY, Mr. MURPHY, Mrs. SHAHEEN, Mr. UDALL, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. WYDEN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the

appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST ELIMINATING OR REDUCING FEDERAL FUNDING TO STATES UNDER THE MEDICAID EXPANSION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate or reduce funding to States available under law in effect on the date of the adoption of this section to provide comprehensive, affordable health care to low-income Americans by eliminating or reducing the availability of Federal financial assistance to States available under section 1905(y)(1) or 1905(z)(2) of the Social Security Act (42 U.S.C. 1396d(y)(1), 1396d(z)(2)) or other means, unless the Director of the Congressional Budget Office certifies that the legislation would not—

(1) increase the number of uninsured Americans;

(2) decrease Medicaid enrollment in States that have opted to expand eligibility for medical assistance under that program for low-income, non-elderly individuals under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII));

(3) reduce the likelihood that any State that, as of the date of the adoption of this section, has not opted to expand Medicaid under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) would opt to use that eligibility option to expand eligibility for medical assistance under that program for low-income, non-elderly individuals; and

(4) increase the State share of Medicaid spending under that eligibility option.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 84. Mr. DURBIN (for himself, Mr. BROWN, Mr. MURPHY, and Mr. KING) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND RELATING TO REMOVING THE MEDICAID IMD EXCLUSION AND INCREASING FUNDING FOR FEDERAL INVESTMENTS IN MENTAL HEALTH AND SUBSTANCE USE DISORDER TREATMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports

relating to increasing funding for Federal investments in mental health and substance use disorder treatment, including for the Medicaid expansion population, and which may include allowing Federal funding for services provided under State Medicaid plans to treat individuals with substance use disorders in institutions for mental diseases, notwithstanding the limitation of subdivision (B) following paragraph (29) of section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)), or supporting workforce and infrastructure capacity to treat individuals suffering from mental illness or substance use disorders, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 85. Ms. HASSAN (for herself, Mr. BROWN, Mrs. SHAHEEN, and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD WORSEN THE OPIOID EPIDEMIC BY REDUCING ACCESS TO MEDICATION ASSISTED TREATMENT FOR SUBSTANCE USE DISORDER.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce access to medication assisted treatment for substance use disorders, including opioid addiction, by making changes to the policies enacted by the Patient Protection and Affordable Care Act unless the Congressional Budget Office certifies that such changes would not—

(1) reduce or limit Federal funding for medical assistance provided by States to low-income, non-elderly individuals under the Medicaid eligibility option established by the Patient Protection and Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396d(a)(10)(A)(i)(VIII)) or result in fewer individuals receiving such assistance under such option (including the 1,600,000 Americans with substance use disorders who currently receive such assistance and were uninsured prior to the establishment of such option);

(2) reduce the expansion of coverage resulting from the individual market consumer protections of the Patient Protection and Affordable Care Act, including protections for individuals with pre-existing conditions, the establishment of behavioral health as an essential health benefit, the expansion of mental health parity and addiction equity law to the individual market, and coverage of preventive services without cost-sharing;

(3) reduce the number of Americans enrolled in public or private health insurance coverage, as determined based on the March 2016 updated baseline budget projections by the Congressional Budget Office;

(4) increase health insurance premiums or out-of-pocket costs for Americans with private health insurance coverage; or

(5) reduce the scope and scale of benefits covered by private health insurance plans

pursuant to the requirements of title I of the Patient Protection and Affordable Care Act and the amendments made by that title.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 86. Mr. BROWN (for himself, Mr. REED, Ms. STABENOW, Mr. CARPER, Mr. UDALL, Mr. CASEY, Mr. BOOKER, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. DURBIN, Ms. BALDWIN, Ms. WARREN, Mr. CARDIN, Mr. KING, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD UNDERMINE ACCESS TO COMPREHENSIVE, AFFORDABLE HEALTH COVERAGE FOR AMERICA'S CHILDREN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that makes changes to the Medicaid program under title XIX of the Social Security Act (42 U.S.C. et seq.), the Children's Health Insurance Program under title XXI (42 U.S.C. 1397aa et seq.), or Federal requirements for private health insurance coverage unless the Congressional Budget Office certifies that such changes would not result in lower coverage rates, reduced benefits, or decreased affordability for children receiving coverage through the Medicaid Program, the Children's Health Insurance Program, or the private insurance markets established under the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 87. Mr. WARNER (for himself, Ms. STABENOW, Mr. KAINE, Mr. PETERS, Mr. MARKEY, Mrs. GILLIBRAND, Mr. KING, Mr. NELSON, Ms. WARREN, and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND TO INCREASE ACCESS TO HEALTH CARE FOR VETERANS.

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing health care access for veterans, which may include legislation that authorizes the Secretary of Veterans Affairs to carry out certain major medical facility leases of the Department of Veterans Affairs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 88. Mr. WARNER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION AFFECTING MEDICARE HOSPITAL INSURANCE SOLVENCY.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution that—

(1) reduces the actuarial balance by at least 0.01 percent of the present value of future taxable payroll of the Federal Hospital Insurance Trust Fund established under section 1817(a) of the Social Security Act (42 U.S.C. 1395i(a)) for the 75-year period utilized in the most recent annual report of the Board of Trustees provided pursuant to section 1817(b)) of such Act (42 U.S.C. 1395i(b)); or

(2) would cause a decrease in Medicare Federal Hospital Insurance surpluses or an increase in Medicare Federal Hospital Insurance deficits relative to the levels set forth in the applicable resolution for the first fiscal year or for the total of that fiscal year and the ensuing fiscal years for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)).

(b) MEDICARE LEVELS.—For purposes of subsection (a)(2), Medicare Federal Hospital Insurance surpluses equal the excess of Federal Hospital Insurance income over Federal Hospital Insurance outlays in a fiscal year or years with such an excess and Federal Hospital Insurance deficits equal the excess of Federal Hospital Insurance outlays over Federal Hospital Insurance income in a fiscal year or years with such an excess.

(c) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 89. Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States

Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST LEGISLATION THAT WOULD RESULT IN A REDUCTION OF THE COVERAGE OF OBESITY REDUCTION COUNSELING UNDER MEDICAID OR PRIVATE INSURANCE PLANS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would result in a reduction in the coverage of obesity reduction counseling services under the Medicaid program or private insurance plans.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 90. Mr. CARPER (for himself, Mr. DURBIN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST LEGISLATION THAT WOULD RESULT IN A REDUCTION IN TOBACCO CESSATION COVERAGE UNDER MEDICAID OR PRIVATE INSURANCE PLANS.

(a) FINDINGS.—The Senate finds the following:

(1) Tobacco use is the leading cause of preventable deaths in the United States.

(2) Each year, tobacco use leads to \$170,000,000,000 in healthcare spending on illness caused by tobacco use and \$150,000,000,000 in lost productivity.

(3) Tobacco use is more than twice as common among the overall Medicaid population (including individuals covered under the Medicaid expansion added by the Affordable Care Act) than among individuals with private insurance coverage.

(4) The Affordable Care Act—

(A) requires that State Medicaid plans cover tobacco cessation services for pregnant women and individuals covered under the Medicaid expansion with no cost-sharing;

(B) requires that private health insurance plans cover tobacco cessation products and services without cost-sharing; and

(C) prohibits the exclusion of tobacco cessation drugs from coverage under Medicaid.

(5) Expanded coverage for tobacco cessation leads to better health outcomes and lower health costs.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would result in a reduction in the coverage of items and services related to the cessation of tobacco under the Medicaid program or private insurance plans.

(c) WAIVER AND APPEAL.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

SA 91. Ms. STABENOW submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST CHANGES TO THE ACA.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that make changes to the Patient Protection and Affordable Care Act without obtaining a budget score by the Congressional Budget Office (based on annual projections, a 10-year projection, and a 30-year projection) that includes the estimated effect of the legislation on the number of uninsured individuals (broken down by economic subgroup and State), the effect of such legislation on average premiums (broken down by marketplace and employer sponsored insurance), and the effect of such legislation on uncompensated care costs (broken down by State, projected for both providers and State government spending).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 92. Ms. STABENOW submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINTS OF ORDER AGAINST CERTAIN LEGISLATION RELATING TO MEDICAL CARE.

(a) COST ESTIMATE.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would make changes to the Medicare program under title XVIII of the Social Security Act unless a cost estimate of the Congressional Budget Office is made available to the Senate prior to consideration of such legislation that includes the estimated effect of such legislation on both current and future Medicare beneficiary out-of-pocket expenses, including premiums and cost-sharing, over the next 30 years.

(b) BENEFICIARY OUT-OF-POCKET EXPENSES.—It shall not be in order in the Sen-

ate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase Medicare beneficiary out-of-pocket expenses under the Medicare program, including premiums and cost-sharing, as determined by the Congressional Budget Office in the cost estimate described in subsection (a) with respect to such legislation.

SA 93. Ms. STABENOW (for herself, Mr. CARPER, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE AMERICANS' ACCESS TO HIGH QUALITY MATERNITY CARE COVERAGE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that, according to the Congressional Budget Office, would reduce the number of Americans with insurance coverage of maternity care and childbirth as afforded in the Patient Protection and Affordable Care Act (Public Law 111-148).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 94. Ms. STABENOW (for herself, Mr. CARDIN, Mr. MURPHY, Mr. DURBIN, Ms. CANTWELL, Mr. FRANKEN, Mr. CARPER, Ms. BALDWIN, Mr. PETERS, Mr. BROWN, and Mr. UDALL) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST REDUCING OR ELIMINATING ACCESS TO MENTAL HEALTH CARE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that the Director of the Congressional Budget Office determines would reduce access to mental health care and services or reduce the number of individuals with mental illness enrolled in insurance coverage, relative to the Congressional Budget Office's March 2016 updated baseline, by means such as—

(1) eliminating or reducing Federal financial assistance currently available to States under section 1905(y)(1) or 1905(z)(2) of the Social Security Act (42 U.S.C. 1396d(y)(1), 1396d(z)(2)) or otherwise eliminating or reducing mental health protections established

by the Affordable Care Act, including the addition of mental health services to the list of services covered under section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u-7(b)(5)); or

(2) reducing the affordability of coverage established by the Affordable Care Act's consumer protections, including—

(A) the expansion of mental health parity and addiction equity law to individual health insurance coverage;

(B) the prohibition on discriminating against enrollees with pre-existing conditions such as mental illness;

(C) coverage of preventive services like depression screenings without cost-sharing; and

(D) the establishment of mental health services as an essential health benefit.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 95. Mr. MARKEY (for himself, Mr. FRANKEN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD PENALIZE STATES FOR IMPROVING CONTINUITY BETWEEN CRIMINAL JUSTICE AND PUBLIC HEALTH SYSTEMS.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would penalize States for improving the continuity of care between the criminal justice and public health systems, including by ensuring that individuals who are enrolled in a State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) have their enrollment in such program suspended, but not terminated, in the event that they are incarcerated, or by providing for the automatic enrollment of eligible individuals in a State Medicaid program upon their release from incarceration.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 96. Mr. MARKEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD INCREASE THE MEDICARE PART B PREMIUM.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase the Medicare part B premium for Medicare beneficiaries, as determined by the Congressional Budget Office.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 97. Mr. BLUMENTHAL (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING DRUG PRICING TRANSPARENCY FOR CONSUMERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving drug pricing transparency for consumers by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 98. Mr. MURPHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT FAILS TO ENSURE THE SAME PATIENT BILL OF RIGHTS THAT CONSUMERS HAVE TODAY.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would fail to ensure that consumers have the same patient bill of rights as they have on the date of such consideration. Such patient bill of rights includes the rights of consumers under the Patient Protection and Affordable Care Act (111-148) to—

(1) appeal health plan decisions;

(2) maintain health coverage without fear of an arbitrary rescission by their insurance company;

(3) choose a doctor;

(4) fair treatment of emergency care;

(5) health insurance coverage without annual or lifetime limits on essential health benefits; and

(6) enhanced access to preventive services.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 99. Mr. MURPHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT INCREASES UNCOMPENSATED CARE COSTS FOR HOSPITALS.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase uncompensated care costs for hospitals.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 100. Ms. CANTWELL (for herself, Mr. CARPER, Mr. BENNET, Mr. WHITEHOUSE, Mrs. SHAHEEN, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST ANY CHANGES TO MEDICARE, MEDICAID, OR THE PREMIUM TAX CREDITS PROVIDED BY THE AFFORDABLE CARE ACT THAT WOULD WEAKEN AND REDUCE INVESTMENTS IN HEALTH CARE DELIVERY SYSTEM REFORMS THAT IMPROVE PATIENT HEALTH AND REDUCE COSTS.

(a) **FINDINGS.**—The Senate finds the following:

(1) The Affordable Care Act is moving the health care system of the United States from a fee-for-service system that frequently incentivizes the overutilization of health care services and wasteful health care spending to a value- and performance-based health care system that promotes patient-centered and team-based care to keep Americans as healthy as possible, improve health outcomes, and lower health care costs.

(2) Because of the investments in health care delivery system reforms made by the

Affordable Care Act, a third of Medicare payments to health care providers are now based on the overall quality of patient care and health outcomes achieved by such providers.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would change the Medicare program, the Medicaid program, or the premium tax credits provided by the Affordable Care Act in a manner that would result in hospitals, health care centers, and physicians and other health care providers reducing their investments in health care delivery system reforms that improve patient health outcomes and reduce costs.

(c) WAIVER AND APPEAL.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

SA 101. Mr. BENNET submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING THAT THE TOP 15 PERCENT SICKEST MEDICARE BENEFICIARIES WITH CHRONIC CONDITIONS HAVE ACCESS TO MEDICARE ACCOUNTABLE CARE ORGANIZATIONS OR OTHER INNOVATIVE MEDICARE PILOT PROGRAMS, INCLUDING PATIENT-CENTERED MEDICAL HOMES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that the top 15 percent sickest Medicare beneficiaries with chronic conditions have access to Medicare accountable care organizations or other innovative Medicare pilot programs, including patient-centered medical homes, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 102. Mr. BENNET (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT REDUCES PRICE TRANSPARENCY FOR CONSUMERS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that removes price transparency of health care services or price comparisons that enable consumers to have greater knowledge in making health care decisions, including requirements set forth by the Patient Protection and Affordable Care Act (Public Law 111-148).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 103. Mr. TESTER (for himself, Mr. BROWN, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING CHILDREN ELIGIBLE FOR HEALTH CARE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS TO RETAIN SUCH ELIGIBILITY UNTIL AGE 26.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to supporting children who are eligible to receive health care furnished under the laws administered by the Secretary of Veterans Affairs, including by allowing such children to retain such eligibility until age 26, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 104. Mr. TESTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD WEAKEN THE ABILITY OF THE DEPARTMENT OF VETERANS AFFAIRS TO DIRECTLY FURNISH HEALTH CARE TO VETERANS.

It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that authorizes

funding for non-Department of Veterans Affairs-provided care, funded by the Department of Veterans Affairs, which would reduce the availability of services directly provided by the Department of Veterans Affairs, including primary health care, mental health care, rural health care, and prosthetic care.

SA 105. Mr. TESTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD EXTEND THE CHOICE PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS WITHOUT ADDRESSING PROBLEMS WITH THE THIRD PARTY ADMINISTRATION OF THE PROGRAM.

It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that extends the sunset date of the Choice Program under section 101 of the Veterans, Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) unless the Secretary of Veterans Affairs certifies that problems relating to the third party administration of the program have been addressed or the legislation extending the sunset includes provisions addressing such problems.

SA 106. Mr. CORKER (for himself, Mr. PORTMAN, Ms. COLLINS, Ms. MURKOWSKI, and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

On page 45, line 15, strike “January 27” and insert “March 3”.

SA 107. Mr. HEINRICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT TAXES THE HEALTH BENEFITS OF HARD-WORKING AMERICANS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that directly or indirectly taxes the health benefits of hard-working Americans.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of

the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 108. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST CUTTING FEDERAL FUNDING TO MEDICAID EXPANSION STATES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce the Federal funding received by States for the provision of medical assistance under State Medicaid programs under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) to low-income, non-elderly individuals under the eligibility option established by the Patient Protection and Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396d(a)(10)(A)(i)(VIII)).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 109. Mr. UDALL (for himself, Mr. TESTER, Ms. CANTWELL, Mr. FRANKEN, Ms. HEITKAMP, Mr. HEINRICH, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST ELIMINATING OR REDUCING FEDERAL PAYMENTS RECEIVED BY AN INDIAN HEALTH PROGRAM OR BY AN URBAN INDIAN ORGANIZATION UNDER MEDICAID FOR SERVICES PROVIDED TO INDIANS AND ALASKAN NATIVES WHO ARE ELIGIBLE FOR BENEFITS UNDER THAT PROGRAM.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that the Director of the Congressional Budget Office determines would eliminate or reduce, relative to the Congressional Budget Office's March 2016 updated baseline, Federal payments received by an Indian health program or by an urban Indian organization under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) for services provided to Indians and Alaskan Natives who are eligible for benefits under such title.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 110. Mr. HEINRICH (for himself, Mr. BENNET, Mr. WYDEN, Mr. UDALL, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST THE SALE OF FEDERAL LAND TO REDUCE THE FEDERAL DEFICIT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide for the sale of any Federal land (other than as part of a program that acquires land that is of comparable value or contains exceptional resources or that is conducted under the Federal Land Transaction Facilitation Act (43 U.S.C. 2301 et seq.)) that uses the proceeds of the sale to reduce the Federal deficit.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. ENZI. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on January 10, 2017, at 9:30 a.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 10, 2017, at 3:30 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on January 10, 2017, at 9:30 a.m., in room SR-325 of the Russell

Senate Office Building, to conduct a hearing entitled "Attorney General Nomination."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on January 10, 2017, at 1 p.m. in room SD-106 of the Senate Dirksen Office Building.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 10, 2017, at 10 a.m., to conduct a hearing entitled, "Backpage.com's Knowing Facilitation of Online Sex Trafficking."

PRIVILEGES OF THE FLOOR

Mr. THUNE. Mr. President, I also ask unanimous consent that Matthew Taylor, a congressional fellow in Senator COCHRAN's office, be granted floor privileges for the remainder of the 115th Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that Mara Greenberg, a detailee on the Senate Judiciary Committee, and Zachary Blau, a fellow on the Senate Judiciary Committee, be granted Senate floor privileges for the duration of the 115th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Elizabeth Joseph, a health policy fellow in Senator COCHRAN's office be granted floor privileges through July 31, 2017.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDERS FOR WEDNESDAY,
JANUARY 11, 2017**

Mr. ENZI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Wednesday, January 11; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. Con. Res. 3, with 3 hours of debate remaining on the resolution for the majority and 3 hours for the minority.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. ENZI. Mr. President, if there is no further business to come before the

Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. I yield the floor.

I suggest the absence of the quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION DRUG PRICES

Mr. BROWN. Mr. President, skyrocketing drug prices are crippling far too many American families. The Kaiser Family Foundation found that nearly 8 in 10 Americans believe the cost of their prescription drugs is too high and that Congress should work to lower the price of medication that people need.

This should be our top health priority for 2017, lowering drug costs for families, not taking health care away from Americans with no plan to replace it. Think about that. This Congress is hell-bent on, instead of attacking one of the major causes of health care inflation—and we have done a good job the last 10 years, by and large, of keeping prices from going much higher than they would have otherwise. Keep that in mind while we hear the generally specious arguments against the Affordable Care Act. Instead of doing that, the majority party has fallen all over itself to try to take away health insurance from 900,000 people in my State; taking away from 1 million seniors the Medicare consumer protections and Medicare services of preventive care, such as osteoporosis screening, diabetes screening, physicals, all that the doctors order; taking away from 100,000 young people the ability to stay on their parents' health care plan; and stripping from virtually all Ohio citizens the consumer protections of denying people coverage because of previous conditions, cutting people off their insurance policy because they happen to get too sick and might have cost the insurance companies too much money.

This health care coverage that has saved 24,000 American lives each year since 2014, just think what could happen if we took away their health care coverage.

Instead, lowering drug prices should be something we can come together on. Americans of all political parties and Americans who don't even bother voting are all facing skyrocketing pharmacy bills. There are concrete actions

we can take right now to lower the cost of prescription drugs.

Senator FRANKEN and I led 18 of our colleagues in outlining 5 of them in a letter to the President-elect in December, including putting an end to abusive price gouging, requiring more transparency from drug companies, boosting competition and innovation in the market, and allowing the Secretary of Health and Human Services to negotiate better prices for seniors. That is what we do with the Veterans' Administration. The VA, on behalf of 7 million veterans, negotiates directly with the drug companies to get a significantly better price for the cost of drugs—saves taxpayers, saves veterans. Medicare should do the same thing.

Senator KLOBUCHAR and I worked with several colleagues to reintroduce the Medicare Prescription Drug Price Negotiation Act. Negotiating better prices for seniors will save significant taxpayer dollars.

Instead of focusing on the priorities that the vast majority of Americans agree on, Congress and President-Elect Trump are working to throw 30 million Americans and some 900,000 Ohioans off their health insurance with no plans to replace it. It is reckless and dangerous. It will cause premiums to skyrocket. It will cause costs to go up for everyone. Do you know what it does? It gives a \$30 billion tax break to drugs companies and tens of billions of dollars in tax cuts to the richest Americans.

On the one hand, Congress will not do anything about drug prices because the pharmaceutical industry, frankly, gave too much money to far too many of my colleagues. On the other hand, this same Congress is going to strip away health care and consumer protections to seniors on Medicare and people of all ages and at the same time give a tax break to the drug companies. We must fight against these attempts to decrease coverage and increase costs for working families.

Whether you support the Affordable Care Act or not, we all agree you can't ask people to change horses midstream without giving them a second horse.

Last week, I spoke with one of my constituents, Kathy, who wrote to my office last November with the heart-breaking story of her husband Lee. He is fighting stage IV cancer. Before 2010, insurance companies denied Kathy and her family the family coverage she needed because her husband's cancer was a preexisting condition. Thankfully, the Affordable Care Act stopped insurance companies from abusive practices like this. It allowed Kathy's family to buy health insurance through the marketplace, helping them afford the care he needs to fight this devastating disease. Still, like so many Ohio families, Kathy continues to struggle to afford the prescription

medicines she and her husband need. She fears what will happen when a family like hers is simply kicked off their insurance.

Imagine 900,000 Ohioans with insurance and, like that—because of partisan politics here, because so many of my colleagues ran for President, in some cases, or ran for the Senate or ran for the House by saying they are going to get rid of the Affordable Care Act, and they are going to get rid of it and not replace it for a couple of years maybe.

Governor Kasich, Republican Governor in my State—also in the Presidential race with my friend in the Presiding Officer's chair—has said to the Senate and House, to Ohio's Republican Members: Don't cancel the Affordable Care Act. Don't throw people off insurance unless you are going to replace it with something right now that will take care of those people; 700,000 people on Medicaid expansion, another 200,000 people, 26-year-olds, on their parents' plan, people on the exchanges, people getting insurance in other ways.

When I was talking to Kathy the other day, she was choked up talking about the stress and heartache dealing with a loved one with cancer, how she can't even bear the thought of adding more insurance worries on top of that. I was speaking to a hospital administrator today at one of Ohio's great hospitals. He said he thinks what this Republican Congress is going to do in the Affordable Care Act is morally reprehensible. He said: How do I explain to people right in the middle of their treatment that we can't do it anymore? Because we will not have the resources if the Affordable Care Act is repealed and the insurance is canceled and the Medicaid expansion is gone and hospitals can't take care of everybody like they are pretty much now. How do I explain to somebody right in the middle of cancer treatment, right in the middle of another kind of long-term or short-term illness that their insurance has been cut off?

Instead of kicking people off their insurance with no plan to replace it and handing billions of dollars in tax breaks to the drug companies, let us make our first priority lowering drug costs for the people whom we say we are serving.

I yield the floor.

ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 6:30 p.m., adjourned until Wednesday, January 11, 2017, at 12 noon.

HOUSE OF REPRESENTATIVES—Tuesday, January 10, 2017

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 10, 2017.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

The Chair recognizes the gentleman from Pennsylvania.

HARRY DEITZ: 17 SIMPLE WAYS TO IMPROVE THE WORLD IN 2017

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, when we came back from break, starting 2017, I wanted to share some thoughts on how we can all improve ourselves and our country here in 2017, but last week there was such a flurry of activity, I didn't have the opportunity to do so.

I came across an editorial in the Reading Eagle, a newspaper with circulation in my district. Harry Deitz, the editor of the Reading Eagle, had an editorial entitled, "17 Simple Ways to Improve the World in 2017." I thought it was so absolutely excellent that I would like to share it with the American public verbatim:

"Imagine how much better the world could be if all of us resolved to make the world a better place. Imagine how much better it could be if just one of us did that.

"It really isn't difficult. We just need to make up our minds to do positive

little things that will add up to positive big things. Often, they are things that don't take much time or energy. They may not cost anything. But the rewards—the paybacks—are immeasurable.

"So, in the spirit of a new year, here are 17 simple things we can do in 2017 to improve the world around us.

"1. There's an old caution sign at railroad crossings: Stop, look and listen. It also should apply to communication and understanding. Think how much better things would be if we stopped or at least slowed down, looked a person in the eye and really listened to what he or she has to say. That certainly would derail some of the anger and misunderstandings in the world.

"2. Say something positive to someone every day. You may never know how much a kind word or a compliment will mean to the person, but you will feel better after you've done it.

"3. Make a donation to charity. Money helps, but donations also come in the form of your time.

"4. Don't make judgments. There are people in the world who judge us before they know us. They judge us before they know all the facts. They disapprove when we have different opinions. Sometimes there isn't right or wrong—there is just different. Don't just talk tolerance—practice it.

"5. Say hello to a stranger. How much effort does it take? What is the real risk? Many of our best relationships began with a simple 'hello.'

"6. Give something anonymously to someone in need. Don't look for recognition or appreciation. Focus on what you can do for 'he' or 'she,' instead of asking, 'what's in it for me?'

"7. Have a conversation with a child. Not a lesson or a lecture. You may be surprised at how much you can learn and how much you can teach when you talk and listen.

"8. Make a call to someone you haven't spoken with in years. Better yet, visit that person.

"9. Don't wish away a single day. How often have we been anxious for a day to be over? We only have so many days, and we don't know how many. So even when things are going really badly, don't give up on that day. Think positive, and make every day special. And consider tomorrow a new opportunity to do what we weren't able to do today.

"10. Say you are sorry. It's never too late, and it's not as painful as it may seem.

"11. Forgiveness isn't only one of the best things you can do for others. It

also is one of the greatest gifts you can give to yourself. It removes burdens. It helps you see clearly. It repairs what is broken. Time may reduce our pain but doesn't always remove it. Forgiveness will.

"12. Take a quiet walk. Look at the world around you. How can you help but marvel at God's creation when you push away all of the distractions in your life?

"13. Happiness isn't something we are given. It's something we choose. So choose happiness.

"14. Cherish your memories more than your possessions. They not only are more important, but they will last much longer.

"15. Smile. I can't think of an expression that can have a more positive impact on someone else—and on yourself. It's difficult to be angry or cranky when you're smiling.

"16. Pray for peace. If you believe in prayer, you already understand its power. If you don't, what do you have to lose?

"17. Tell people you love them. It's something you can't do too often. It's something they will never tire of hearing."

Words well spoken, Harry Dietz.

MATERNAL HEALTH CARE

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise in support of H.R. 315, the Improving Access to Maternity Care Act.

As we look to strengthen health care, one area where we must continue to show leadership is in the delivery of quality and timely maternal and prenatal care. Certain areas of the country, though, suffer from a shortage of professionals to provide this essential care.

For over 40 years, the National Health Service Corps has helped to place primary, dental, and mental health providers in underserved areas. This bill would use data collected from the National Health Service Corps to designate and place maternal healthcare providers in those areas of the country where they are most needed. This will help to solve the shortage of maternal healthcare professionals and ensure new and expecting mothers have access to the care they need.

Mr. Speaker, the statistics don't lie: mothers without access to prenatal care are more likely to experience serious but avoidable complications during birth, which makes passage of H.R. 315, the Improving Access to Maternity Care Act, which I am proud to support, such an important bill.

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

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

CONFRONTING THE REALITY OF HEALTH CARE

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

Mr. BLUMENAUER. Mr. Speaker, the campaign rhetoric and politics of the last 7 years now must confront the reality of health care.

No political party can repeal the basic economics. All of the features that make health insurance policies better today—the elimination of lifetime limits on health insurance payments; preventing denial for pre-existing conditions; charging women the same premium as men, not more; keeping children on their parents' insurance policies until age 26—are wildly popular, but they all increase the cost of insurance.

We cannot allow people to wait until they are sick to get a policy. That undermines the very concept of insurance, hence, the mandate to have health insurance.

The truth is that the impact of the Affordable Care Act has resulted in healthcare costs rising more slowly than before the act. We have expanded coverage and subsidized care for millions of Americans, while improving the quality of health insurance. All of these reforms are, in fact, working.

A reckless act to repeal something that is now baked into the healthcare system on which millions of Americans rely and benefit from—indeed, the entire system benefits from—would have serious destabilizing effects beyond the loss of coverage for almost 30 million Americans. Republican efforts to weaken Medicaid for the poor and disabled and undermine Medicare for the elderly means that almost 100 million Americans have their health care at risk.

We will begin the battle fighting any effort by the new administration and the suddenly empowered Republican majority to act on their campaign rhetoric abolishing ObamaCare but not providing a replacement. A repeal without a clear alternative replacement at the same time is unacceptable. It is not just unacceptable to Democrats in Congress. It is unacceptable to millions of recently insured Americans—in fact, millions found in red States—unacceptable to healthcare professionals, insurance companies, hospitals, and the vast array of other people involved with the healthcare industry. Most importantly, it is unacceptable to our families.

The most unpopular feature of ObamaCare was the name, suggesting, perhaps, a simple solution. When identified with the President, the Affordable Care Act provisions were 20 percent more unpopular than when the act was described in exactly the same terms but the name was different. So perhaps we just allow the Republicans to abolish "ObamaCare" and then get

back down to work doing what we should have been doing for the last 7 years: making the Affordable Care Act better.

By all means, let's look for ways to make the system less burdensome. We can continue to demand accountability, but allow some competition with value-based purchasing and negotiation of prescription drug prices by the largest pharmaceutical customer in the world: the Federal Government. Dealing with skyrocketing prescription drug prices and other outrageous practices by some in the pharmaceutical industry will find broad support in and out of Congress.

When the Republican majority and the new administration get serious about a replacement that keeps all of their campaign promises and protects the industry from chaos and consumers from loss of essential coverage, there will be plenty of bipartisan cooperation. But any effort of breaking that fundamental promise by denying coverage and upsetting the healthcare applecart will be met with strong opposition, and, ultimately, they will lose.

For the sake of the American families and the people who provide health care, not only should they lose, they must lose. We must stand strong and united on that proposition.

TRIBUTE TO DEAN BORG

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

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor veteran Iowa journalist Dean Borg and to offer my congratulations on his upcoming retirement from Iowa Public Television's "Iowa Press."

Dean Borg is a leader in Iowa, in our community, and his contributions to over four decades of "Iowa Press" are unparalleled. His presence on Iowa Public Television's respected weekly news program will surely be missed.

A native of Forest City, Borg attended Iowa State University and began his journalism career at WOI Radio while still a student. Earning degrees in journalism and public education from Iowa State University and the University of Iowa, Borg served as a reporter and later as news director for WMT Radio and WMT Television stations in Cedar Rapids. His career path is an example of how Iowa hard work, talent, and dedication can set you on the path to achieving remarkable successes in life.

Dean Borg's first appearance on "Iowa Press" took place on January 16, 1972, during the program's fourth episode, as a panelist, while still working for WMT News. The other panelists who joined him that day were Iowa State Representative Frank Bowers, a Democrat from Orange City, and John McCormally, of the Burlington Hawk

Eye newspaper. Borg later went on to host the television program for decades, providing the insightful commentary and leadership of discussions with numerous guests from around the State and country.

Borg's commitment to Iowa Public Television, work moderating nationally broadcast Presidential debates and beyond, has set the bar high for aspiring journalists in Iowa and across the country.

From his contributions to the show's decades of broadcasts to his documentary reporting from around the world, Dean Borg has spent a career dedicated to providing folks with national and statewide news. With this type of commitment, it is not surprising Borg has interviewed every President since Lyndon B. Johnson and many of the Presidential contenders who travel through our first-in-the-Nation State.

I can attest to Dean Borg's dedication to his craft personally, as I have had the honor of getting to know him—I have been on the "Iowa Press" show with him—as a Member of Congress and throughout my career working for the people of Iowa.

He is the longest serving program host in Iowa Public Television history, a significant feat. He is an award-winning journalist, an Iowa State distinguished alumnus, and a trailblazer in Iowa journalism, defending the craft and defending journalists.

While Dean will officially retire from "Iowa Press" this month, I look forward to his return for special occasions and live broadcasts.

Dean is the epitome of Iowa nice: a humble, but bold Iowan putting the interests of his fellow Iowans over himself, dedicated to truth, to his craft, and dedicated to service, dedicated to his fellow Iowans. Dean is a very good and true man.

Mr. Speaker, please join me in congratulating Dean Borg on his distinguished career and wishing him the best in his retirement.

Dean, I will miss you. If I don't see you soon, I will see you at the Iowa State Fair.

□ 1015

DANGERS OF REPEALING THE AFFORDABLE CARE ACT

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

Ms. ESTY. Mr. Speaker, I rise today to encourage my colleagues to put people before politics. As we speak, the Senate is moving to strip millions of families of their healthcare coverage and replace it with, well, nothing.

Now, I know that some of my colleagues ran on a platform of repealing the Affordable Care Act, and now they feel boxed in by politics. But let's be very clear about this. The political

stakes of repealing the Affordable Care Act without a replacement are nothing compared to the terrible human cost.

I would like to share with my colleagues the experience of Suzie Clayton, my constituent from North Canaan, Connecticut. “The ACA had a huge, positive impact on my life,” Suzie wrote to me last week. Because Suzie is a breast cancer survivor, a pre-existing condition, it was nearly impossible for her to get decent healthcare coverage before the ACA.

“All that we had put away in retirement funds, nearly \$70,000, had to be tapped in order to cover our health costs,” she wrote. If it weren’t for the coverage she gained through the Affordable Care Act, she and her husband would have lost everything they had worked for, quite likely, including their home.

Instead, with the ACA, her family is once again saving for retirement, completing some overdue home repairs, and getting their medical needs taken care of at an affordable price. All of that will go away if this House follows through on its political crusade to wipe away the Affordable Care Act without a replacement.

Mr. Speaker, there are millions of Suzie Claytons in this country, millions of people who will lose their homes, lose their savings, and some will even lose their lives if this Congress repeals the Affordable Care Act without a replacement.

In my home State of Connecticut alone, 180,000 people who have gained coverage since the ACA was implemented stand to lose their health care. That includes 43,000 children.

Think about that for a moment. If Congress repeals the ACA and doesn’t replace it with anything, 43,000 children just in my State will lose their health coverage. When those children get sick, too many of their parents will be faced with a heart-wrenching choice: bankrupt the family to pay for their child’s medical care or go without the health services their child needs to get better. All of us here who are parents know that that isn’t really a choice.

Mr. Speaker, I ask my colleagues who are beating the drum for wholesale elimination of the Affordable Care Act: How can you, in good conscience, take away the health care from 43,000 children in my State just to score a political point? How can you throw our healthcare system into chaos just because you are in a political jam?

Let’s work together. Let’s work together to improve our healthcare system. Let’s forge a sensible, bipartisan approach to lower healthcare costs and ensure access to quality care for everyone.

The politics of ObamaCare, no matter how fraught and divisive, should not, must not take priority over the well-being of the American people that we are here to serve.

WOMEN’S MARCH ON WASHINGTON

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

Mr. GUTIERREZ. Mr. Speaker, let me tell you where I will not be on Inauguration Day. I will not be here or outside at the inauguration ceremony. I will be in Washington late that evening because the event that I am going to is on January 21. It is the Women’s March on Washington.

You can get more information on Facebook, which is how I heard about it, or should I say, how my wife, Soraida, heard about it. I said to her a little after the election: You know, honey, I don’t think I can go to D.C. and watch Donald Trump get sworn in.

And she said: Oh, you are going to D.C., just not for that. And she told me about the Women’s March. She said: You and I are going together.

Now, I can already hear the phones ringing in my office with people calling to say: Oh, you Democrats are sore losers and you just hate Republicans.

No. I went to George Bush’s inauguration and I work with Republicans all the time. Just read Breitbart, which seems to write an article anytime I even glance favorably at a Republican colleague.

But this is different. I knew that George W. Bush and I would disagree on many issues from trade to health care, to the war in Iraq, but I never thought that George W. Bush was trying to make my own country hostile to me personally, to my wife, to my daughters, to my grandson. I never felt he was a threat to the Nation that I love so deeply and have served now for more than a quarter of a century.

The reason that I am not going is that I cannot bring myself to justify morally or intellectually the immense power we are placing in that man’s hands.

I could not look at my wife, my daughters, or my grandson in the eye if I sat there and attended as if everything that the candidate said about the women, about the Latinos, the Blacks, the Muslims or any of the other things he said in those speeches and tweets, and that all of that is okay or erased from our collective memory.

We all heard the tape when Donald Trump was bragging—bragging—about grabbing women by their private parts without their consent. It is something I just can’t unhear, bragging to that guy on TV that he would grab women below the belt, as if that was hitting on them. Sorry. It is never okay. It is never just locker room talk. It is offensive and, if he ever actually did it, it is a crime.

I hang out with Republicans, with Republican-elected officials in an actual locker room in the Rayburn Building, and if they ever started talking like that, I wouldn’t just walk away. I would tell them to their faces that

they are wrong, and I wouldn’t allow it to go unnoticed or dismissed as normal or excusable. I don’t know a Republican colleague of mine in this body who would let that type of comment just slide as if it were just okay.

So that is why I will hold hands with my wife and march with the women on January 21 in D.C. And that is why I am calling on all of my progressive allies to come and march with the women as well. If you care about a living wage, come and join the women. If you care about the environment, come and join the march. We know as a society that when women win, we all win. So I plan to be there.

It is deeply personal and deeply patriotic to march, to make my opinions known by walking with my allies arm in arm. I want to be able to look at my two beautiful Latina daughters and my beautiful half-Puerto Rican, half-Mexican, but 100 percent American grandson, Luis Andres, in the eye with a clear conscience.

When the new President denigrates Latinos or Mexicans or immigrants as drug dealers and criminals, I want to be able to say that I did not condone or allow that type of speech to go mainstream. That was not normalized on my watch.

Because the future President said that the American-born children of immigrants were not capable of being American judges, I cannot sit there as if this inauguration is okay and I forgave him.

I am deeply honored to return to the U.S. Congress, and I want to thank the people of the Fourth Congressional District. My constituents knew that when they voted for me, I would be a fighter; and I don’t intend to let them down.

If the new President comes for the Muslims, I will be a Muslim. If they come for Planned Parenthood, I will stand with Planned Parenthood. When they deny climate science, I will make my voice heard.

I will use whatever peaceful means available to make sure the words and the actions of our new President do not become the new mainstream and normal in America.

That, Mr. Speaker, is why I will not be here for Inauguration Day and why I will be marching with my wife and with a million women from across this country.

THE AFFORDABLE CARE ACT—DO NO HARM

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

Mr. BERA. Mr. Speaker, today I rise not as a Member of Congress, but as a doctor. When I graduated medical school and took that oath, there are two core ethics that we take when we take that oath: to do good. And that is exactly what we tried to do when this

body passed the Affordable Care Act. It was about doing good. It was about giving people basic access to health care. That is a good thing.

The Affordable Care Act is not perfect, but let's keep doing good. Let's fix it. Let's address the cost of health care. Let's make sure people can afford their medications. That is doing good.

Another core ethic that we take when we enter the profession of medicine as a physician is to do no harm. If this body repeals the Affordable Care Act, we are going to harm 20 million Americans that now have access to health care that didn't have it prior to the Affordable Care Act. We shouldn't do harm.

Let me put it into real context. I am a primary care internist. My wife is also a primary care internist. You can tell we have exciting conversations at our house. I was asking her the other day what the Affordable Care Act meant to her as a physician, and she was sharing a story of a patient that she had cared for for years.

This was a patient that had diabetes and hypertension, high blood pressure. We know these are silent killers. If you don't control your diabetes, if you don't control your blood pressure, it can have devastating consequences leading to heart attacks, leading to strokes. It is one of the leading causes of death in America. But if you control it, you can prevent all of these illnesses and people can live a normal, healthy life.

So my wife—she is a very good doctor—had her patient under good control. The patient stopped coming in to see her—maybe the patient moved away or something happened—for a couple of years. And then about 2 years ago, the patient came back in. Once she came in, her blood sugars, her diabetes was out of control; her blood pressure was out of control.

My wife looked at this patient and just said: Well, what happened? How come you stopped taking your diabetes medicine? How come you stopped taking your blood pressure medicine?

She said: Well, Doc, in the recession, I lost my job. I lost my health insurance coverage. I couldn't get the medications.

And then she said: But you know what? With the Affordable Care Act with Covered California, I was able to get health insurance again. I was able to come in and see you.

It wasn't too late for this patient. My wife was able to get her back on her medications, get her back on her blood pressure medicine, get her blood pressure and diabetes under control, and, hopefully, there is no permanent damage.

But if we do harm and repeal the Affordable Care Act, we are going to do irreparable damage to 20 million and more Americans who are just like this patient, who need their health care

covered, who need their access to medications. That is what this is about.

Mr. Speaker, let's do what we are trained to do as physicians and what this body should do. Let's do good by making sure people have better coverage, affordable coverage, and better access to health care. Let's definitely make sure we do not do any harm by repealing the Affordable Care Act. Let's make sure we fix it and make it better.

STATE SPONSORS OF TERROR REVIEW ENHANCEMENT ACT—115TH CONGRESS

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

Mr. YOHO. Mr. Speaker, today I will reintroduce my bill, the State Sponsors of Terrorism Review Enhancement Act. This legislation passed the full House last Congress unanimously. I hope this Chamber will once again take up this commonsense legislation and pass it as soon as possible.

The designation of a foreign government as a "State Sponsor of Terrorism" is one of the United States' most powerful statements that we can give on another statement.

Besides imposing sanctions, the stamp of "State Sponsor of Terrorism" labels a state untouchable to the international community.

□ 1030

This pariah status is much deserved as these are states that support the killing of innocent people as a matter of policy.

Under current law, in order for a state to be delisted, the President of the United States only needs to certify that the country being considered for delisting has not engaged in supporting terrorism for a paltry 6 months. We are talking 6 months to be delisted. Considering the heinous acts of violence these countries have supported in the past, we should not be allowing them to be delisted after only 6 months.

To address this, my legislation will—and, again, it passed last Congress unanimously—quadruple the time a designated country must refrain from sponsoring terrorism, before the President can remove it from the sponsor list, from 6 to 24 months; increase congressional oversight by doubling the time Congress has to review the President's proposed removal from 45 to 90 days; establish a uniform process through which Congress can disapprove of the President's decision to remove a country from that list; and require the administration to notify and brief Congress upon initiating a review of a designated country's potential removal from the list.

This legislation will assert congressional scrutiny and oversight and hopefully bring to an end politically moti-

vated delistings. Successive administrations—both Republican and Democrat alike—delisted countries based on their presidency's legacy rather than the facts. This will stop absurd delistings like that of North Korea in 2008.

North Korea was delisted in exchange for their promises of dismantling their nuclear program. However, 9 years and 5 nuclear tests later, they remain off the list. This rescission from the list has enabled North Korea to engage in supporting terrorism abroad. By increasing the amount of time for a state to not be engaged in terrorism and increasing congressional oversight and scrutiny, my legislation will not allow mistakes such as this delisting of North Korea's to take place.

I want to remind people that this passed unanimously, and we hope that we will get the support again.

SECRETARY OF EDUCATION NOMINEE BETSY DEVOS

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

Mrs. BEATTY. Mr. Speaker, I come to the House floor today to join my colleagues from the great State of Ohio. I come here because we have a statement that we want to make to voice to not only the citizens of Ohio but to this great country.

I am honored to join Congresswoman MARCY KAPTUR and Congresswoman MARCIA FUDGE, two women who have been in the battle for our citizens, but, more importantly, for our students, for education, and for our teachers.

So today, Mr. Speaker, I demand that Betsy DeVos, President-elect Trump's nominee for Secretary of Education, repay the \$5.3 million—yes, Mr. Speaker, I am going to say that again—\$5.3 million in fines owed by her political action committee, All Children Matter, to my home State of Ohio.

The PAC's contempt for Ohio campaign finance laws by illegally funneling contributions from a nationwide PAC to an unregistered Ohio affiliate is troublesome. And its refusal to pay these fines to the State of Ohio is disgraceful as the debt is nearly a decade old.

Can you imagine what would happen if a student refused to pay something that they owed to a university or to the State? I don't have to answer that. We all know what would happen.

Mr. Speaker, I ask: How can the public trust Ms. DeVos to ensure borrowers repay their student loans in a timely manner when the group she chaired failed to pay fines that were imposed nearly a decade ago? The fines owed to the State of Ohio—the \$5.3 million—belongs to the taxpayers of Ohio. And every time, Mr. Speaker, I say \$5.3 million, I am going to say it twice because she owes \$5.3 million that belongs to

the taxpayers of Ohio. This is money that could be used to pay for more teachers and other initiatives to help educate Ohio's children.

We cannot let her skirt the system and cheat Ohio taxpayers. No, we cannot let her be nominated and confirmed to be over our educational system.

I urge her to repay the \$5.3 million in fines prior to her Senate confirmation hearing next week.

PRESIDENT-ELECT TRUMP'S CABINET

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

Ms. KAPTUR. Mr. Speaker, in America, we expect no one to be above the law. But, what happens if someone is super rich and breaks the law?

Today, I rise to place on the Record a demand that the President-elect's Cabinet nominee for Secretary of Education, Betsy DeVos of Michigan, immediately pay fines she owes to the State of Ohio.

These obligations total \$5.3 million, just as Congresswoman JOYCE BEATTY stated in her opening statement, and also Congresswoman MARCIA FUDGE, who will speak subsequent to my own remarks. This is an enormous amount of money owed to the State of Ohio in unpaid fines and levied late penalties for Ms. DeVos' political organization for campaign finance violations in Ohio. They broke Ohio law. These are the largest fines ever levied in Ohio history, dating back to 2008. Essentially, the political organization Ms. DeVos led violated Ohio's election laws.

Betsy DeVos of Michigan was in charge of the political action committee known as All Children Matter, based in Virginia. During her chairmanship, she broke Ohio's election laws which impose spending donation limits of \$10,000 per candidate. She, in fact, violated those limits by funneling national PAC money, over \$870,000 of it, to Ohio's State candidates—incidentally, all Republican candidates.

Mr. Speaker, I include in the RECORD these names and the amounts of money they received.

OHIO CANDIDATES WHO RECEIVED DIRECT CONTRIBUTIONS FROM BETSY DEVOS' FEDERAL PAC—ALL CHILDREN MATTER

Blackwell, J. Kenneth & Raga, Thomas, \$10,000; Husted, Jon A., \$10,000; Raussen, Jim, \$7,500; Bacon, Kevin, \$6,000; Harris, Bill, \$5,000; Montgomery, Betty, \$5,000; Taylor, Mary, \$5,000; Bulp, Danny, \$4,000; Coughlin, Kevin, \$4,000; Luther, Brant, \$4,000.

Patton, Thomas F., \$4,000; White, Dan, \$4,000; Adams, John W., \$3,000; Bowling, Marcus U., \$2,500; Buehrer, Stephen, \$2,500; McGregor, Jim, \$2,500; Brinkman, Thomas, \$2,000; Cousineau, Thomas, \$2,000; Fink, Deborah Owens, \$2,000; Mandel, Josh, \$2,000.

McLaurin, Donald K., \$2,000; Farmer, Kyle J., \$1,500; Goodman, David, \$1,500; Peterson,

Jon M., \$1,500; Seitz, William J., \$1,500; Setzer, Arlene J., \$1,500; Batchelder III, William G., \$1,000; Dolan, Matthew J., \$1,000; Faber, Keith Lloyd, \$1,000; Hite, Cliff, \$1,000.

Jordan, Kris, \$1,000; Niehaus, Tom, \$1,000; Schindel, Carol-Ann, \$1,000; Wagoner, Mark, \$1,000; Adams, Richard N., \$500; Jones, Shannon, \$500; Ohio House Republican Campaign Cmte, \$500; Rankin, Tim, \$500; Whiston, Tom, \$500; Young, Tom, \$500.

Source: The Columbus Dispatch and FollowtheMoney.org

Ms. KAPTUR. All these candidates pledged to advocate for privatizing public school education through vouchers once elected into office.

The Ohio Election Commission, comprised of an equal number of Republicans and Democrats, swiftly and unanimously levied a record fine against her organization in 2008. Their decision was subsequently vetted and upheld by a Republican judge in a State court.

Yet, now nearly a decade later, neither Betsy DeVos nor All Children Matter has paid their penalty of \$5.3 million to the citizens of Ohio.

Indeed, the State of Ohio prior to her violations had even informed Ms. DeVos by issuing a legal opinion that such contributions from her national PAC would be illegal to State candidates, and she willfully ignored them and that opinion. No one, no matter how wealthy, should be above the law.

And who exactly were the State candidates that received a direct campaign contribution from Betsy DeVos' political action committee All Children Matter? You will notice a few candidates still serving in Ohio office, including Lieutenant Governor Mary Taylor, Secretary of State Jon Husted, State Treasurer Josh Mandel, and Ohio Senate President Keith Faber. Former Ohio gubernatorial candidate J. Kenneth Blackwell also received a direct contribution. Mr. Blackwell now leads the President-elect's domestic policy transition team.

In addition, according to the Center for Responsive Politics, Betsy DeVos gave direct contributions to at least 20 current Members of the United States Senate. These are the same Senators who will now confirm her for her Secretary of Education position.

Talk about pay to play and a real need to drain the swamp, the President-elect ought to start in his own backyard.

The \$5.3 million fine that Betsy DeVos' political organization owes to Ohio could pay for better education for Ohio's children. It is outrageous that a candidate for Secretary of Education holds herself above the law and fails to make good on outstanding fines imposed nearly 10 years ago. Public records indicate she personally has a net worth of over \$5.1 billion.

The New York Times today has a front page story by Noam Scheiber that includes a quote from a writer and scholar who observes about the life of Ms. DeVos.

Mr. Speaker, I include in the RECORD this article as well.

[From the New York Times, Jan. 9, 2017]

BETSY DEVOS, TRUMP'S EDUCATION PICK, PLAYS HARBALL WITH HER WEALTH

(By Noam Scheiber)

After Tom Casperson, a Republican state senator from Michigan's Upper Peninsula, began running for Congress in 2016, he assumed the family of Betsy DeVos, President-elect Donald J. Trump's nominee to be education secretary, would not oppose him.

The DeVoses, a dominant force in Michigan politics for decades with a fortune in the billions, had contributed to one of Mr. Casperson's earlier campaigns. But a week before his primary, family members sent \$24,000 to one of his opponents, then poured \$125,000 into a "super PAC," Concerned Taxpayers of America, that ran ads attacking him.

The reason, an intermediary told Mr. Casperson: his support from organized labor. "Deceitful, dishonest and cowardly," was how Mr. Casperson's campaign described the ads, complaining that the groups running them "won't say who they are or where their money is coming from." On Primary Day, Mr. Casperson went down to defeat.

In announcing his intention to nominate Ms. DeVos, Mr. Trump described her as "a brilliant and passionate education advocate." Even critics characterized her as a dedicated, if misguided, activist for school reform. But that description understates both the breadth of Ms. DeVos's political interests and the influence she wields as part of her powerful family. More than anyone else who has joined the incoming Trump administration, she represents the combination of wealth, free-market ideology and political hardball associated with a better-known family of billionaires: Charles and David Koch.

"They have this moralized sense of the free market that leads to this total program to turn back the ideas of the New Deal, the welfare state," Kim Phillips-Fein, a historian who has written extensively about the conservative movement, said, describing the DeVoses.

Ms. DeVos declined to be interviewed for this article.

Like the Kochs, the DeVoses are generous supporters of think tanks that evangelize for unrestrained capitalism, like Michigan's Acton Institute, and that rail against unions and back privatizing public services, like the Mackinac Center.

They have also funded national groups dedicated to cutting back the role of government, including the National Center for Policy Analysis (which has pushed for Social Security privatization and against environmental regulation) and the Institute for Justice (which challenges regulations in court and defends school vouchers). Both organizations have also received money from the Koch family.

Indeed, the DeVoses' education activism, which favors alternatives to traditional public schools, appears to derive from the same free-market views that inform their suspicion of government. And perhaps more than other right-wing billionaires, the DeVoses couple their seeding of ideological causes with an aggressive brand of political spending. Half a dozen or more extended family members frequently coordinate contributions to maximize their impact.

In the 2016 cycle alone, according to the Michigan Campaign Finance Network, the family spent roughly \$14 million on political

contributions to state and national candidates, parties, PACs and super PACs.

All of this would make Ms. DeVos—whose confirmation hearing has been delayed until next week amid mounting pressure that her government ethics review be completed beforehand—very different from past education secretaries.

“She is the most emblematic kind of oligarchic figure you can put in a cabinet position,” said Jeffrey Winters, a political scientist at Northwestern University who studies economic elites. “What she and the Kochs have in common is the unbridled use of wealth power to achieve whatever political goals they have.”

BIRTH OF A POWER COUPLE

Ms. DeVos, 59, grew up in Holland, Mich., the daughter of a conservative auto parts magnate who was an early founder of the Family Research Council, a conservative Christian group. When she married Dick DeVos in 1979, it was akin to a merger between two royal houses of western Michigan. Her husband’s father, Richard Sr., co-founder of the multilevel marketing company Amway, was an active member of the Christian Reformed Church that preached a mix of social conservatism and self-reliance. He once told the church’s official magazine that Chicago’s poor dwelled in slums because that was “the way they choose to live,” according to a Washington Post story from the 1980s.

A fan of Rolls-Royces and pinkie rings, Richard Sr. wrote books with titles like “Ten Powerful Phrases for Positive People.”

A similar air hung over his business. Amway sales representatives, which the company calls “independent business owners,” make money both by selling the company’s products—everything from perfume to toilet bowl cleaner—and by recruiting other sales representatives.

The Federal Trade Commission once investigated the company for running a pyramid scheme before concluding that it had misled potential recruits about how much they could expect to earn.

The flip side of the family’s proselytizing for capitalism, according to Professor Phillips-Fein, has been an effort to dismantle much “that would counterbalance the power of economic elites.”

Amway funded a nationwide ad campaign in the early 1980s, protesting high taxes and regulations. Not long after, the company pleaded guilty to cheating the Canadian government out of more than \$20 million in revenue.

The family had a more winning public face in Dick DeVos, who combined the practiced empathy of a pitchman with the entitlement of an heir, spending over \$30 million on an unsuccessful run for governor of Michigan in 2006. The Detroit Free Press described him that year as the wealthiest man to seek office in the state’s modern history.

Betsy DeVos, who served as chairwoman of the Michigan Republican Party for most of the decade between 1996 and 2005, has often played the role of strategist in the relationship. She was a key adviser in her husband’s run for governor and publicly brooded that he had been too gentlemanly in his first debate against the incumbent.

“He’s very good with people, a retail politician who looks you in the eye, shakes your hand, listens to what you say,” said Randy Richardville, a former Republican leader of the Michigan Senate, describing the couple’s strengths. “I would never underestimate Betsy DeVos in a knife fight.”

Ms. DeVos has sometimes lacked her husband’s finesse, once famously blaming many

of the state’s economic woes on “high wages.” She has won detractors, by their account, by browbeating legislators into voting her way.

“Betsy DeVos was like my 4-year-old granddaughter at the time,” said Mike Pumford, a former Republican state representative who once clashed with her. “They were both sweet ladies as long as they kept hearing the word ‘yes.’ They turned into spoiled little brats when they were told ‘no.’”

But Ms. DeVos has often made up for what she lacks in tact through sheer force of will.

Mr. Richardville said he and Ms. DeVos disagreed over term limits, which she supported as party chairwoman and he opposed: “I said, ‘I don’t think you should be setting policy. You should be supporting those of us who do make policy.’ But she never backed down.”

While Dick and Betsy DeVos appear to practice a more tolerant form of Christianity than their parents—Ms. DeVos has spoken out against anti-gay bigotry—as recently as the early 2000s they funded some groups like Focus on the Family, a large ministry that helps set the political agenda for conservative evangelicals. They have also backed groups that promote conservative values to students and Christian education, including one with ties to the Christian Reformed Church.

Their economic views are strikingly similar to the elder Mr. DeVos’s.

According to federal disclosures, Amway, which Dick DeVos ran between 1993 and 2002, has lobbied frequently over the last 20 years to reduce or repeal the estate tax. Only the top 0.2 percent wealthiest estates paid the tax in 2015.

The company has also opposed crackdowns on tax shelters.

Ms. DeVos has been an outspoken defender of unlimited contributions known as soft money, which she described in a 1997 editorial as “hard-earned American dollars that Big Brother has yet to find a way to control.”

After Congress later passed a major campaign finance reform bill, a nonprofit that Ms. DeVos helped to create and fund masterminded the strategy that produced Citizens United, the 2010 Supreme Court decision laying the groundwork for super PACs funded by corporations, unions and individuals to raise and spend unlimited amounts in elections.

And then there are the family’s efforts to rein in the labor movement.

Through their contributions to think tanks like the Mackinac Center, as well as Mr. DeVos’s direct prodding of Republican legislators, the family played a key role in helping pass Michigan’s so-called right-to-work legislation in 2012. The legislation largely ended the requirement that workers pay fees to unions as a condition of employment.

Unions in the state bled members in 2014, the first full year the measure was in effect.

Allies say the DeVoses fight for their beliefs. “Betsy and Dick see themselves as principled conservatives,” said Frederick Hess of the American Enterprise Institute. “It kind of seems healthy and admirable to give resources to folks who are going to fight for causes you believe in.”

But the fights can appear to be as much about consolidating power as ideology. Unions were arguably the family’s most formidable political opponent in Michigan, one of labor’s traditional strongholds.

CHANGES IN MICHIGAN

The DeVos family’s roots as education activists date back at least to when Richard

DeVos Sr. was running Amway and an institute based at the company’s headquarters trained teachers to inject free-market principles into their curriculum.

According to an interview Ms. DeVos gave to *Philanthropy* magazine, she and her husband became interested in education causes when they began visiting a Christian school that served low-income children in Grand Rapids in the 1980s.

“If we could choose the right school for our kids”—by which she appeared to mean primarily private schools—“it only seemed fair that they could do the same for theirs,” she told the magazine.

The family spent millions of dollars on a ballot proposal in 2000 asking if Michigan should legalize vouchers, in which students can use taxpayer money to attend private schools.

Many critics, like the education historian Diane Ravitch, argue that the point of vouchers is to destroy public education and teachers’ unions. The group Americans United for Separation of Church and State has documented how conservative Christians have long supported vouchers, which could fund religious schools.

After voters objected by more than a two-to-one ratio, Dick DeVos gave a speech at the Heritage Foundation saying such efforts would have to shift to state legislatures, where groups backed by deep-pocketed donors could offer “a political consequence for opposition, and political reward for support of education reform issues.”

It is not unusual for the wealthy—who devote nearly 50 percent of their philanthropic dollars to education, according to the group Wealth-X—to spend aggressively in the political realm to impose their preferred reforms.

Even by these standards, however, the DeVoses stand out for the amount of money they spend trying to advance their goals through politics rather than philanthropy, such as research into reforms or subsidizing schools.

As Sarah Reckhow, an expert on education philanthropy at Michigan State University, put it: “The DeVoses are like: ‘No, we know what we want. We don’t need to have all this window dressing.’”

Ms. DeVos has led two nonprofits that have spent millions of dollars electing governors and legislators sympathetic to school vouchers around the country.

Matt Frendewey, a spokesman for one of the groups, said the efforts had frequently been bipartisan, and that the amount of money they had spent has been dwarfed by contributions from teachers’ unions opposed to reform. Yet in Michigan, at least, the family’s political strategy has not been subtle.

After he defied Ms. DeVos on a key charter school vote, Mr. Pumford, the former Republican legislator, survived an effort by the Great Lakes Education Project, a nonprofit the DeVoses bankrolled, to defeat him in his 2002 primary.

But shortly after, the House speaker told him the Education Committee chairmanship he coveted would not be forthcoming. “I said, ‘Why?’” Mr. Pumford recalled. “He said: ‘You know why. The DeVoses will walk away from us.’” Mr. Pumford added: “She told me that was going to happen.”

(Rick Johnson, the House speaker, said he did not recall the conversation but also that he had not promised Mr. Pumford the chairmanship and would not have explained his reasons for withholding it.)

Over time, the Great Lakes Education Project helped elect Republican majorities

sympathetic to the DeVoses' agenda. But the DeVoses' lobbyists and operatives also discovered less messy ways to advance legislation.

Late one night of their last workweek in 2015, the Michigan House and Senate were about to approve some uncontroversial changes to campaign finance law, when the bill abruptly grew by more than 40 pages.

After the legislators discovered what they had voted for, many said they were horrified.

Tucked away in the new pages was a provision that would have made it much harder for local bodies like school boards to raise money through property tax increases.

"Michigan schools will likely suffer the brunt of the impact because the vast majority rely on periodic voter approval of local operating levy renewals for property taxes," the ratings agency Moody's wrote of the measure the following month.

"I was fooled into voting for something I opposed," said Dave Pagel, a Republican representative. "I consider it the worst vote I've made."

The chief culprits, according to Mr. Pagel and others at the state Capitol when the bill passed, were lobbyists closely tied to the DeVoses.

Tony Daunt, a spokesman for the Michigan Freedom Fund, a nonprofit headed by the DeVoses' longtime political aide, and whose political spending arm they have funded generously, said the group was "part of the discussion process with people in the legislature" about the proposal and "had consistently expressed support for the policy."

The law was later blocked by a federal judge, but the group has vowed to try again.

RADICAL SUSPICIONS

Ms. DeVos's advocates see in these fights the toughness to take on entrenched opponents of expanding reforms like charter schools and vouchers.

In promoting Ms. DeVos in *The Washington Post*, Mitt Romney, the Republican Party's 2012 presidential nominee, emphasized that her wealth gave her the independence to be "someone who isn't financially biased shaping education." He added, "DeVos doesn't need the job now, nor will she be looking for an education job later."

But critics see someone with an unmistakable agenda. "The signs are there that she will do something radical," said Jack Jennings, a former general counsel for the House education committee. "Trump wouldn't have appointed this woman for this position if he didn't intend something radical."

Ms. KAPTUR. The article states: "She is the most emblematic kind of oligarchic figure you can put in a cabinet position. . . . What she and the Kochs have in common is the unbridled use of wealth power to achieve whatever political goals they have."

If confirmed, Betsy DeVos would be responsible for administering our Nation's student loan portfolio and would have to ensure borrowers repay their loans in a timely manner. Yet, how can we believe she will demonstrate sound judgment in her responsibilities or be a role model when her own political organization has blatantly avoided paying legally obligated fines for her violations of Ohio's election laws?

Mr. Speaker, Betsy DeVos' attempt to subvert the law and buy influence are diametrically opposed to everything the President-elect advised was

wrong with America. He wants to drain the swamp. No one in America should be above the law, and neither should Betsy DeVos be above the law. She ought to pay the \$5.3 million she owes the people of Ohio.

SECRETARY OF EDUCATION NOMINEE BETSY DEVOS

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

Ms. FUDGE. Mr. Speaker, I rise today with my colleagues, Representatives BEATTY and KAPTUR, to address the Secretary of Education.

Mr. Speaker, Betsy DeVos is an imminent and present danger to all of America's children. She does not support public schools. Public schools are where 93 percent or better of all America's children attend. She opposes increased accountability and transparency in for-profit schools, and has a privatization agenda that can set public education back more than 50 years. Even more alarming, she breaks laws and does not pay her bills. DeVos has owed my home State of Ohio \$5.3 million since 2008 for violating campaign finance laws. Despite repeated attempts to collect the money, she has failed to pay those fines.

As ranking member of the Subcommittee on Early Childhood, Elementary, and Secondary Education, I am deeply concerned about DeVos' nomination for Secretary of Education. As a member of the Ohio delegation, I am appalled by her deliberate refusal to pay millions in fines she owes our State. We cannot give the purse strings of America's education system to someone only concerned with her own bank account. And we cannot entrust the future of our children to a person who breaks the law, cozies up to Wall Street, and calls public schools, which I believe are the bedrock of our education system, a dead end.

I urge my Senate colleagues to vote "no" on DeVos. The future of our country and our children are at stake.

RECESS

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

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

□ 1200

AFTER RECESS

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

PRAYER

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

God of the universe, we give You thanks for giving us another day.

As the early days of the 115th Congress play out, we are mindful and grateful that our Nation has once again experienced something so often lacking in our world's experience: the peaceful transition of government.

Though major change of party control did not take place in this Chamber, it is still the American experience that our streets are peaceful and winners and losers of elections move on with their lives in dignity.

We thank You again for the inspiration of our Nation's Founders and the legacy they left us with. May the Members of this assembly, and all Americans, be worthy of that legacy.

And may all that is done in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

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

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

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

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Mr. BERGMAN led the Pledge of Allegiance as follows:

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

SWEARING IN OF MEMBER-ELECT

The SPEAKER. Will the Representative-elect please present himself in the well.

Mr. SCHRADER of Oregon appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take

this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 115th Congress.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath of office to the Member-elect, the whole number of the House is now 435.

ANNOUNCEMENT BY THE SPEAKER

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

CONGRATULATIONS TO THE NATIONAL CHAMPION CLEMSON UNIVERSITY TIGERS

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

Mr. WILSON of South Carolina. Mr. Speaker, early this morning, the Clemson University Tigers achieved the College Football National Championship in what was one of the most stunning and unforgettable endings to a football game. Trailing behind the formidable University of Alabama for the majority of the game, the Clemson Tigers refused to be defeated, culminating in a come-from-behind win at literally the last second.

Throughout the entire season, the Clemson football team has shown guts, grit, and determination to their team, their school, and the State of South Carolina. This was a well-deserved win for a remarkable school and a remarkable program. I join my two sons, Julian and Hunter, who graduated from Clemson, and Clemson fans from across the Nation in celebrating this historic victory.

Congratulations to Clemson superstars Deshaun Watson and Ben Boulware, who were named most valuable players for the game. Congratulations as well to President Jim Clements and his wife, Beth. They are continuing in the world class tradition of Jim and Marcia Barker.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Congratulations, Dabo Swinney and the entire Clemson football family. Go Tigers.

AFFORDABLE CARE ACT

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

Ms. ADAMS. Mr. Speaker, I rise today to express strong opposition to any attempted repeal of the Affordable Care Act. In North Carolina, more than 552,000 people have gained affordable health care through the Affordable Care Act. One of those residents is Mrs. Darlene Harris of Charlotte, North Carolina, who was born with a hole in her heart. Each and every breath she has taken has been a miracle.

When her heart was beats away from rupturing, her husband's insurance saved her life. Following his death, Darlene tried to cope without that insurance, gambling with her own life. Thanks to the ACA, she is free from that awful burden.

A repeal of the Affordable Care Act would condemn millions of hard-working Americans and their loved ones to the nightmare of the past when preexisting conditions were not covered. It is imperative that we not ignore the pleas of our fellow Americans. It has and will continue to save the lives of our family, neighbors, and friends. I urge my colleagues to absolutely object to any repeal of the Affordable Care Act.

THE GREATEST SHOW ON EARTH

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

Mr. WALBERG. Mr. Speaker, this week kicks off the North American International Auto Show in Detroit. As a car guy all my life, I never missed the world's premier automotive event, the greatest show on Earth. This year there is plenty to celebrate.

Just yesterday, Fiat Chrysler announced it would create 2,000 jobs and invest \$1 billion to modernize manufacturing plants in Michigan and Ohio. Last week, Ford scrapped plans for its facility in Mexico and instead promised to invest \$700 million at the Flat Rock plant. This move will bring 700 new jobs to Michigan. These are exciting developments for our State's economy and good paying jobs for our dedicated and talented workforce.

Mr. Speaker, as everyone will see at this year's auto show, Michigan continues to lead the way in car manufacturing. Working together, we can keep Michigan on the forefront of innovation and mobility and keep making the best cars and trucks in the world right in our backyard, the motor capital of the world.

AFFORDABLE CARE ACT

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, let's not make America sick again.

I am deeply disappointed my Republican colleagues are moving forward

with their plan to undo the historic progress we have made by expanding health coverage under the Affordable Care Act, repealing it and leaving millions of Americans with no coverage.

While repeal and replace was an abstract talking point for years, it is clear that there is no plan for replacement, no plan. The new phrase "repeal and delay" will, in effect, be repeal and chaos, with no plan in place.

Repeal will have real-life, personal impact on 30 million Americans who will stand to lose their health insurance. The options for the 129 million Americans with preexisting conditions who have newfound health security would disappear. We would be returning to a time of lifetime limits, annual caps for care, and consumers will be sold junk health plans at high costs.

Not only will the newly insured suffer, repeal would destabilize the individual health insurance market and send the healthcare system into disarray. Let's don't make America sick again. Let's have no repeal without a replacement.

THANK YOU TO MICHIGAN'S FIRST CONGRESSIONAL DISTRICT

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

Mr. BERGMAN. Mr. Speaker, I rise today to say thank you to the people of Michigan's First Congressional District for giving me the opportunity to represent them in Congress. I would also like to thank my wife, Cindy, and our children and grandchildren for their constant and unwavering support.

It is truly an honor and a privilege to be here, and I am so humbled to be doing the people's work in the House of Representatives. I came to Congress not only to restore common sense and fiscal sanity to the Federal Government but, most importantly, to serve the constituents of Michigan's First District and to be their voice in Washington.

We have a new opportunity ahead of us to bring industry and prosperity back to the American people, but it is up to us here in Congress to do the work and put in the long hours it will take to get there. My promise today is that I will work tirelessly for my district and do everything I can to make sure we are leaving a better country for our children and grandchildren.

Again, thank you to the people of Michigan's First Congressional District for this opportunity.

DON'T TURN YOUR BACK ON MILLIONS OF FAMILIES

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

Ms. TSONGAS. Mr. Speaker, since the Affordable Care Act was signed

into law, millions of Americans have gained access to valuable healthcare services, and every American has seen their health insurance benefits improve.

While there are ways the Affordable Care Act can be improved, we cannot afford to go back to the days when big insurance companies had the power to decide what care Americans could receive, deny coverage to children with diagnosed conditions, cancel coverage when people got sick, and place limits on the amount of care people can receive.

Last week, Carol Lodi from Harvard, Massachusetts, in my district, called and told her story. She and her husband gained healthcare coverage under the Affordable Care Act. She is 61. Her husband is 63. They are self-employed. She said: "If we lose the insurance, we don't know what we'll do."

Mr. Speaker, please listen to the Lodi family and millions of other families like them. Don't turn your back on them and make America sick again.

HONORING DR. PRISCILLA THOMAS

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Dr. Priscilla Thomas, a commissioner in Chatham County, Georgia, a champion of our area's local youth and a Savannah native.

In 1990, Dr. Thomas was first elected to serve as a commissioner in Chatham County. During her tenure, she became chairman pro tem and later the first minority and female vice chairman. However, long before she entered government, Dr. Thomas was already dedicated to creating more opportunities and better lives for young people.

She worked as a principal at Haven Elementary School in Savannah after earning her Ph.D. in educational administration from the University of North America. When she was elected to serve as commissioner in 1990, she continued to use her passion for young people to provide entertaining and enlightening activities for them, including the Chatham County Youth Commission and the Summer Bonanza Partnership.

On December 16, 2016, Dr. Thomas attended her final county commission meeting and retired from her 26 years as a Chatham County commissioner. She will always be remembered for being one of the toughest, fairest, and most well-informed members of our local government and for her 60 years serving young people. She certainly will be missed.

OPPOSING THE CONFIRMATION OF JEFF SESSIONS AS ATTORNEY GENERAL

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

Mr. ESPAILLAT. Mr. Speaker, I rise today to voice my strong opposition to the confirmation of JEFF SESSIONS as Attorney General.

In a 2006 speech, then-Senator SESSIONS wrongfully misstated: "Fundamentally, almost no one coming from the Dominican Republic to the United States is coming here because they have a provable skill that would benefit us and that would indicate their likely success in our society."

When I was 9 years old, Mr. Speaker, I immigrated to the United States from the Dominican Republic without any papers, and now I am a Member of the U.S. Congress. Mr. SESSIONS, have I not succeeded in America?

On behalf of millions of Dominican Americans and notable Americans such as fashion designer Oscar de la Renta, Pulitzer Prize winner Junot Diaz, Secretary of Labor Thomas Perez, and baseball giant Big Papi, I stand here on the floor of the United States House of Representatives as a proud Dominican American. I say to Mr. SESSIONS: you are wrong, wrong in thinking, and wrong for our country.

I urge my colleagues to join me in opposing the confirmation of JEFF SESSIONS as Attorney General. Hateful speech and racist rhetoric have no place in our American society.

□ 1215

NATIONAL LAW ENFORCEMENT APPRECIATION DAY

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

Mr. HILL. Mr. Speaker, I rise today to pay tribute to our Nation's law enforcement men and women.

I respect and appreciate the important work of our police throughout the Nation who are charged with the critical work of protecting the people in our States and our local communities. The heartbreaking violent targeting of our Nation's police officers, recently, demonstrates the dangers these men and women face every day.

Every American is so proud as our many neighbors and fellow citizens get up every morning, put on their local law enforcement uniform and badge, kiss their families good-bye, and go out and serve us, keeping our cities and towns safe, trying to build trust and faith among all of our citizens.

Monday was National Law Enforcement Appreciation Day, and our law enforcement men and women in Arkansas and throughout the country deserve our gratitude and respect. I proudly

displayed a blue light in my office window to honor our law enforcement men and women, and I thank them for their selfless service.

FORT LAUDERDALE AIRPORT SHOOTING

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

Mr. DEUTCH. Mr. Speaker, last week, we observed a moment of silence to remember the victims 6 years after the Tucson shooting. Just yesterday, another moment of silence to remember the five people killed and six wounded when they were shot while waiting at the Fort Lauderdale Airport baggage claim.

In those awful moments after the shooting, the airport was thrown into chaos and confusion. Yet, before we knew anything of the circumstances, every American could tell you what would come next because Congress has developed a well-worn routine in response to gun violence: first, shocking news of a deadly shooting, followed by thoughts and prayers, followed by a moment of silence on this floor, followed by a complete failure to take action.

To truly honor the victims, moments of silence must be followed by productive discussions of policy: What will we do to keep our community safer? I ask my Republican colleagues, meet with me. Let's at least start a conversation here on the House floor. We can no longer remain silent during this epidemic of gun violence. Thoughts and prayers are all that we have offered the American people, and that is not enough.

OBAMACARE

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to talk about the families that are feeling the burden of ObamaCare.

Premiums have skyrocketed an average of 19 percent in our State, and insurers are fleeing the market left and right. In fact, 73 percent of counties in Florida only have one insurance provider, leaving people with higher costs and less choice when it comes to their health care. That is why the President's healthcare law has failed the people of Florida.

Now, Republicans are offering up solid solutions to make our Nation's healthcare system work for everyone, without pulling the rug from anybody's feet. We are focused on a more affordable, more personalized healthcare plan that empowers patients, not Washington.

I am proud to serve on the Energy and Commerce Health Subcommittee

as we begin our first steps this week to bring relief to the people of Florida and our Nation.

OBAMACARE

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

Mrs. BLACKBURN. Mr. Speaker, as we were home over the Christmas holiday break, so many calls that came into my office dealt with the ObamaCare issue—the rise in premiums, the lack of affordability.

Here is one example. A 64-year-old man, his premiums \$30,000, deductible \$12,000—indeed, too expensive to afford and too expensive to use.

But we do have a plan for repealing and replacing. You will find it at A Better Way. This will help lift the financial burden from many Americans who are currently facing high costs due to ObamaCare. Our plan allows patients greater access to affordable care and affordable insurance.

Our next step includes my legislation, H.R. 314. It is the Health Care Choice Act of 2017. What it will do is allow greater access, more choice, and more options by allowing across-State-line purchasing of health insurance. You find the plan that is most suited to you and your family at a price that you can afford.

It is time for us to repeal and replace with good patient-centered options.

PRESIDENT-ELECT DONALD TRUMP'S PROMISE TO BUILD A WALL WITH MEXICO AND MAKE THE MEXICAN GOVERNMENT PAY FOR IT

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

Mr. POLIS. Mr. Speaker, you might recall, during the campaign, President-elect Donald Trump promised to build a wall with Mexico and, of course, make the Mexican Government pay for it.

Well, now we are hearing that Republicans intend to come to this body, Congress, to spend your hard-earned money and mine, American taxpayer money, to build a wall with Mexico. They are estimating \$10 billion to \$12 billion.

Well, do you know what? In comprehensive immigration reform, which I was proud to support last session, we had over \$40 billion for border security. So apparently Donald Trump is building one-quarter of the wall, all directly with deficit spending.

In comprehensive immigration reform, we not only paid for that border security, not only paid for that \$40 billion and required people who were here illegally to pay fines and register and

get right with the law, it actually would reduce the budget deficit by over \$200 billion over 10 years.

So what we have is one-quarter of the wall and deficit spending with Donald Trump. With Democrats, four times the wall and reduce the deficit by \$200 billion.

Mr. Speaker, the choice is obvious.

LAW ENFORCEMENT APPRECIATION DAY

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

Mr. LAHOOD. Mr. Speaker, I rise today to commemorate Law Enforcement Appreciation Day, a day we set aside to thank those who risk their lives to protect our communities nationwide.

These men and women are the hidden heroes of our country, and they deserve our respect and our gratitude. When they put on their badge and kiss their family good-bye each day, these officers have no certainty that they will return home safely. They willingly face that risk to keep the rest of us safe.

This past year, 135 law enforcement officers made the ultimate sacrifice. One of those courageous individuals was our own Officer Scot Fitzgerald, who lost his life serving on duty with the South Jacksonville Police Department, located in my district.

Last night, throughout the Capitol, blue lights were lit to honor our heroes in blue. In my office, we lit our blue candle in remembrance of fallen Officer Scot Fitzgerald.

In 2016, more officers lost their lives on duty than in any of the previous 5 years. Let us show our admiration and appreciation to the sworn law enforcement officers across the State of Illinois and the 900,000 who serve and face danger in the United States every day. Not just this week, but throughout the year, we need to honor our law enforcement officials.

PAYING TRIBUTE TO JUDGE BRUCE MOSIER

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

Ms. JACKSON LEE. Mr. Speaker, I sadly rise today to pay tribute to Judge Bruce Mosier, who lost his life yesterday; to his lovely and beautiful wife, Diane; beautiful daughter; and extended family.

The whole of Harris County in Texas loved and respected Judge Bruce Mosier. Oh, he was a strong and vibrant Democrat, but he was a man that, whenever you called upon him, he would serve. He loved the law, practiced, and continued to represent individuals, many of whom could not help themselves. And, of course, he stood by

his wife's side, championing every effort she made to empower people to vote. He was a stalwart in the last Presidential election. He continued to encourage and support all of us to do what is right and to ensure the rights of all people to vote.

Judge Bruce Mosier served his neighborhood, served his county, served his State, and served this Nation. I will miss Judge Mosier. I will miss his friendly smile and his kindness, his willingness to help those who were just starting in their political or legal career, his willingness to lift up this country and to be the kind of American that always had an open mind to anyone, no matter how different they might be.

So today, my dear friend, Judge Bruce Mosier, may you rest in peace.

Diane, we will continue to love you and honor his legacy, work with you to continue his dreams and aspirations, and encourage those in this Nation, our county, and our State to be participatory participants in the wonderment of democracy in this Nation that is, that was, Judge Bruce Mosier.

REPEAL OBAMACARE

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

Mr. OLSON. Mr. Speaker, on November 8, the American people gave my party control of the entire Congress and the White House because of the promise-breaking, job-killing law known as ObamaCare—the craziest thing in the whole world, according to President Bill Clinton. The fearmongers on the other side are telling Americans they will lose their health care in a snap. They should talk to Martha.

Martha is a self-employed CPA who developed a nasty leukemia a couple of years ago. She was told to get ready for the end of her life. A miracle happened. Experimental treatment reduced her cancer from grade III to grade I. The drugs to save her life cost \$15,000 per month. On October 20, because of ObamaCare, she was told that she had to pay 50 percent of that cost instead of 30 percent. That is tough for her to afford.

Martha got to hold her fifth grandkid this past summer. House Republicans want her to hold her sixth and seventh grandkid in the future. We have our orders to repeal ObamaCare. It is time to go to work.

ELK COUNTY CATHOLIC STUDENTS PERFORM AT PEARL HARBOR

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize

seven Elk County Catholic High School band students who performed on December 7 at Pearl Harbor, Hawaii, for the 75th anniversary of the tragic attacks that brought the United States into World War II. This anniversary marks one of the major milestones, which may be one of the few opportunities for survivors of the attacks to participate.

Elk County Catholic represented the Commonwealth, alongside the survivors of the USS Pennsylvania, one of the eight battleships in Pearl Harbor on that fateful day in 1941.

I am so proud of how the students paid tribute to World War II veterans who served at Pearl Harbor and all of the military men and women that fought for our Nation.

This event was especially close to the heart of baritone saxophone player, Luke Ferragine, whose grandfather is a World War II veteran. Also performing in the honor band was Emily Miller, Kendra Smithbauer, Holly Kim, Andrew Wingard, Simon Glatt, and Nathan Schlosser. Congratulations to each of them.

CELEBRATING 10 YEARS OF GIVING BY FRIENDS OF ST. JUDE—MIAMI

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the 10th anniversary of the founding of Friends of St. Jude—Miami.

St. Jude Children's Research Hospital, located in Memphis, Tennessee, is a leading institution in the fight against pediatric cancer and other diseases that harm children.

Friends of St. Jude—Miami is made up of young professionals in south Florida, who, like my dear friend Wendy Grant, are dedicated to St. Jude's lifesaving mission and who have continued to help the organization to ensure that no family ever receives a bill for the world-class care their son or daughter requires.

To Wendy and, indeed, all of the members of the Friends of St. Jude in south Florida, thank you for the difference you continue to make in the lives of children across our Nation and across the world.

□ 1230

DESHAUN WATSON, A MAN OF CHARACTER

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

Mr. COLLINS of Georgia. Mr. Speaker, last night, as we all watched football, no matter who you rooted for,

team sports also still comes down to individuals. Last night, a young man named Deshaun Watson—the favorite son of Gainesville, Georgia, my hometown—showed the character that I have witnessed since he was a young boy, playing with my son in the 7- and 8-year-old little flag football league.

His athletic ability has never been questioned, and last night it was on full display for the world to see. I believe that he is the best college football player in the country. Beyond football playing, he is a better man. He is looking forward to the leadership of his team, to the leadership of his classmates, and the leadership he has shown in his community back in Gainesville is exemplary and will not be forgotten.

Gainesville is proud of its favorite son, Deshaun Watson, and of the national championship that he won last night with his team, Clemson, during the football game. But, as with everything in life, as the game ended, it reminded us that the games are played by men of character. Deshaun Watson is a man of character, and I look forward to watching his career as he goes forward.

CONGRATULATIONS TO UNIVERSITY OF FLORIDA'S MACHINE INTELLIGENCE LABORATORY ENGINEERING TEAM

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

Mr. YOHO. Mr. Speaker, I rise to recognize and congratulate the other Gainesville—the University of Florida's Machine Intelligence Laboratory Engineering Team.

On December 12, 2016, the University of Florida's Machine Intelligence Laboratory Engineering Team won a world championship and beat 12 teams from five countries at the Maritime RobotX Challenge in Hawaii. This team, which is comprised of UF students, designed a vessel that completed a number of different obstacles, including navigating through buoys and self-parking—all without human intervention.

As a supporter of scientific research, I am proud of the inspiring work being done in Florida's Third Congressional District. The dedication displayed by these students and professors is an outstanding example of the success that comes from hard work. It is the dreams of the students and scientists, like these of today, that will propel them to go on and create the innovations of tomorrow that will make this country great again. I am honored to announce their accomplishments, and I look forward to witnessing their continued success.

As a UF alumnus, I would be remiss not to say, "Go Gators."

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 36

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON ARMED SERVICES: Mr. Jones, Mr. Wilson of South Carolina, Mr. LoBiondo, Mr. Bishop of Utah, Mr. Turner, Mr. Rogers of Alabama, Mr. Franks of Arizona, Mr. Shuster, Mr. Conaway, Mr. Lamborn, Mr. Wittman, Mr. Hunter, Mr. Coffman, Mrs. Hartzler, Mr. Austin Scott of Georgia, Mr. Brooks of Alabama, Mr. Cook, Mr. Bridenstine, Mr. Wenstrup, Mr. Byrne, Mr. Graves of Missouri, Ms. Stefanik, Ms. McCally, Mr. Knight, Mr. Russell, Mr. DesJarlais, Mr. Abraham, Mr. Kelly of Mississippi, Mr. Gallagher, Mr. Gaetz, Mr. Bacon, Mr. Banks of Indiana, and Ms. Cheney.

COMMITTEE ON THE BUDGET: Mr. Tom Price of Georgia, Mr. Diaz-Balart, Mr. Cole, Mr. McClintock, Mr. Rokita, Mr. Woodall, Mr. Sanford, Mr. Womack, Mr. Brat, Mr. Grothman, Mr. Palmer, Mr. Westerman, Mr. Renacci, Mr. Johnson of Ohio, Mr. Lewis of Minnesota, Mr. Bergman, Mr. Faso, Mr. Smucker, Mr. Gaetz, Mr. Arrington, and Mr. Ferguson.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE ATTENDANCE OF THE HOUSE AT THE INAUGURAL CEREMONIES OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. COLLINS of Georgia. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 37

Resolved, That at 10:30 a.m. on Friday, January 20, 2017, the House shall proceed to the West Front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stands adjourned until noon on Monday, January 23, 2017 for morning-hour debate and 2 p.m. for legislative business.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5, REGULATORY ACCOUNTABILITY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 79, HELPING ANGELS LEAD OUR STARTUPS ACT

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on

Rules, I call up House Resolution 33 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 33

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject

to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HULTGREN). The gentleman from Georgia is recognized for 1 hour.

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

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 33, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for the consideration of H.R. 5, the Regulatory Accountability Act, and H.R. 79, the Helping Angels Lead Our Startups, or HALOS, Act.

The rule provides for 1 hour of debate for each bill, equally divided between the majority leader and the minority leader and the chairman and the ranking member of the Financial Services Committee, respectively. The rule also provides for a motion to recommit for both pieces of underlying legislation.

Yesterday, the Rules Committee had the opportunity to hear from Congressman TOM MARINO and Congressman HANK JOHNSON, on behalf of the Judiciary Committee, and from Congressman HUIZENGA, on behalf of the Financial Services Committee. We also heard from several Members on both sides of the aisle who testified on their amendments. The Rules Committee made in order both amendments submitted for the HALOS Act and 16 amendments from Members on both sides of the aisle for the Regulatory Accountability Act.

Mr. Speaker, I spoke from this podium last week about the positive, pro-growth agenda we in the majority are advancing. The bills before us today are additional pieces of that puzzle, and they help us to return to common-sense governance that fosters economic success.

H.R. 79, the HALOS Act, was introduced by my friend from Ohio, the

chairman of the Small Business Committee, Mr. STEVE CHABOT. Last Congress, very similar legislation passed the House with my support and by an overwhelming bipartisan majority. The HALOS Act ensures that so-called angel investors, who serve as the largest funding source for startups in the United States, are able to effectively hold educational economic development events, like "demo days." The bill also helps to ensure that startups can connect with angel investors who can serve as funding sources, mentors, or outside directors.

In plain English, the HALOS Act helps to ensure that small, innovative companies and startups have access to the necessary capital. This, in turn, enables these companies to expand and generate jobs that put Americans back to work while fueling our economy as a global hub of innovation.

Mr. Speaker, in order to keep America's market competitive, we must relieve American job creators and employees from suffocating regulations. We can move toward this by helping government function as our Founders intended. Our Constitution lays out a system of three coequal branches of government, which is meant to fulfill unique roles and to provide checks and balances for one another.

Over time, we have allowed cracks to form in that system, and we have gradually seen executive agencies usurp power from the elected officials of the legislative branch—to the detriment of hardworking Americans and the separation of powers. We, too often, see unelected bureaucrats handing down regulations that have enormous impacts on small businesses, family farmers, individuals, and families. In an unfortunate irony, these bureaucrats are isolated from the very entities they are trying to regulate.

Congress must stop ceding authority to the executive and reassert the power of the legislative branch to write law. The Regulatory Accountability Act helps us do just that. It helps us to ensure that burdensome rules that handcuff American business with red tape aren't crushing our economy, our competitiveness, or our future. It also restores common sense to the rule-making process.

H.R. 5, the Regulatory Accountability Act, combines six bills that have previously passed the House. I am a proud cosponsor of this legislation.

I thank Chairman CHABOT, Chairman GOODLATTE, and Chairman MARINO for their thoughtful and diligent work on this legislation. Additionally, Congressman RATCLIFFE and Congressman LUETKEMEYER contributed important provisions to this package.

The bill reforms the process by which Federal agencies analyze and formulate new regulations and guidance documents, clarifies the nature of judicial review of agency interpretation, and

calls for more complete analysis of the potential impact of rules on small entities.

H.R. 5 includes the text of the Separation of Powers Act, which amends the Administrative Procedures Act to overturn two doctrines that call for judicial deference to agency interpretations of statutory and regulatory provisions: the Chevron and Auer doctrines.

In plain English, the Separation of Powers Restoration Act prevents Federal bureaucrats from interpreting the legality of their own regulations at the expense of hardworking Americans and the constitutional separation of powers.

Title I of the Regulatory Accountability Act requires agencies, when establishing new rules, to consider the lowest cost option that meets statutory requirements. The bill also provides for more public input in the rule-making process. Title IV of the bill, the Providing Accountability through Transparency Act, requires agencies to publish plain-language summaries of new proposed rules online. These proposals are not farfetched. Instead, they provide more information and a voice to the American people while reigning in agencies that have gotten drunk on their rulemaking power.

Mr. Speaker, our current administration issued over 600 major regulations with an economic impact of over \$740 billion. These numbers show the staggering number of rules put forth by the executive branch, but nowhere are the true costs of regulations highlighted better than in the stories that I hear from my constituents. I know other Members hear similar stories, and all across the Nation, we are seeing the toll that overregulation has taken on growth and competitiveness.

Back home in northeast Georgia, Elbert County is known as the granite capital of the world, but a rule put forth by OSHA that is related to silica levels threatens to jeopardize that industry; and, of course, there is the waters of the United States rule, which could negatively impact everyone from farmers to ranchers to Realtors. The menu labeling rule is yet another example of a misguided regulation that the administration has put forth without impunity. That rule would raise costs for businesses, from restaurants to convenience stores, leading to higher costs for consumers—in actuality, hurting the very ones that it proclaims to help.

This is the irony of many of these regulations. Sadly, they are borne out in the costs to the American people.

Last year, the EPA finalized a rule that established Federal standards for residential wood heaters. In rural districts like mine, many individuals may count on wood heaters to keep their families warm. This EPA rule will raise costs for consumers and undermine

families' decisions about what type of heater may work the best for them.

Mr. Speaker, is this really where we want to go, having the Federal Government decide things like this, away from the scrutiny of the elected body? I think not.

The examples from this administration are numerous, but, importantly, this problem of overregulation is not unique to this administration. This is not a Republican or a Democratic problem. This is a balance of power problem; this is a problem between branches not doing what they are supposed to be doing and staying within that.

□ 1245

The Regulatory Accountability Act helps ensure that this administration and future administrations do not ignore Congress by writing law through regulation. It returns transparency to the process. It restores Congress' rightful place as the legislative branch and reins in the unelected fourth branch that regulators have become.

Mr. Speaker, many of the bills in this package have previously passed with bipartisan support. I hope my colleagues can continue to agree that Congress should make the laws and that we should do so in such a way that encourages growth, innovation, and American ingenuity.

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

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

We will get to the content of the bills in a moment, but there is a procedural issue here that disenfranchises millions of American citizens in this process.

We are in the 115th Congress since the founding of this country. We were just sworn in last week to begin that. There are 56 new Members who just started serving last week that have never served in this body before, and there were 56 people that served in the last session who are no longer with us. What we are doing here is we are taking bills that those former Representatives worked on and new Representatives have not worked on and advancing them to the floor without going through committee, without going through the regular order.

So, for example, you have two bills, H.R. 5 and H.R. 79. We will talk about them in a moment. These are Committee on Financial Services bills. They should have gone to that committee, and members of that committee, Democratic and Republican, would have had the chance to amend those bills in that committee and mark it up before it comes to the floor. That is the normal process. Both parties are now constituting those committees; we are putting people on them.

I heard you, Mr. Speaker, read just before we began this debate how a

number of Members were officially appointed to those committees. That is what we do in our first week or two.

Fifty-six new Members should have a say on these bills. They will get a vote on the floor on these bills, but they were completely excluded from the committee process that wrote these bills. That is wrong, Mr. Speaker, to not allow 56 new Members of this body to be the lawmakers that the people of their districts elected them to do. In fact, it disenfranchises the tens of millions of people collectively that those 56 Members represent. And I hope that, for future legislation, we can move through regular order and allow the new Members, as well as those who are returning, to be part of the lawmaking process.

With regards to these bills, we have largely seen these bills in prior sessions that people who are no longer in this body worked on.

The HALOS Act, I was proud to support last session and I am proud to support again. It addresses a potentially real problem. There is guidance from the SEC that—in our Rules Committee meeting yesterday I questioned the subcommittee chair—largely also addresses those concerns, but it is better to do it in statute and it is better to do it in the broader language that is included in the bill, which is why many Democrats—I hope a majority—support the HALOS Act.

The United States is the leader in innovation in the global economy, and this is a small piece of that. What we are talking about here are demo days where entrepreneurs can pitch their idea. I, personally, have been able to attend a number of those, and it is a question of who can be in the room when that occurs.

Should it only be millionaires who are allowed in that room? Or can it be the next great generation of entrepreneurs? Can it be students? Can it be aspiring entrepreneurs? Can it be community members who want to learn what it means to pitch and how to do it and how ideas are spread, or maybe they are looking for a job?

It doesn't change who can invest in those startup companies. They still have to be qualified investors. By the way, I hope we have the opportunity to work with Republicans on the definition of "qualified investor" because I think it is unfair to restrict investment opportunities to multimillionaires. We need to allow educated and qualified investors of all levels.

Just because somebody is rich doesn't mean that they are a good investor, and just because somebody has not yet earned a lot of money doesn't mean that they can't be trusted to invest \$10,000 or \$50,000 of their own money.

We made progress in the original JOBS Act with the result of crowdfunded investing, but that is only

a small piece—almost an insignificant piece. Private placements are the much larger piece of capital formation for venture-stage startups in our country. If there is a way we can have an alternative to the net worth test that allows individuals to, perhaps, take a qualitative test of their knowledge and, therefore, qualify as an investor, they ought to be able to do that, too.

This bill does not do any of that. That is a controversial area. It is one that it will take Democrats and Republicans working together on to help fund tomorrow's great companies and allow opportunity for all people, not just millionaires and billionaires.

What this bill does is it continues to restrict the actual investors to the millionaires. Okay? But it allows other people in the room at least. That is a start. It allows an MBA student who him- or herself wants to, perhaps, come up with their own company to hear 10 or 20 companies pitch so they can assemble their own deck; somebody who might have a great amount of value to give as a mentor who themselves is a veteran of a number of companies. Maybe they are not quite worth a couple of million dollars. Maybe they are worth only—only, right?—\$500,000. Maybe they were a reasonably successful person worth \$500,000, but they have a lot of knowledge to give.

Without the HALOS Act, it would be unclear whether that person would even be allowed in that room. So we want to make sure that mentors, up and coming, young entrepreneurs, and, frankly, up-and-coming entrepreneurs of all ages have access to the knowledge and the learning that can occur in these pitch events.

Congress has a role in making sure we have laws in place that really help build an environment that promotes innovation. When we passed the JOBS Act in 2012 that allowed for crowdfunding, Congress took a step forward. We have room to go there, room to go with private placements.

The HALOS Act is a small step, but it is a good one and a noncontroversial one. It creates a clear path for startups to participate in demo days, sponsored by government entities, nonprofits, angel investment groups, et cetera, and a clear safe harbor from the SEC with regard to the definition of general solicitation to make it clear that business experts and others can be in the room, while maintaining that only existing accredited investors can actually participate in offerings under Regulation D for the purchases or sale of securities that are mentioned in those demonstrations.

Currently, sponsors of demo days are relying on the 12-year-old, no-action letter by the SEC to make sure that they don't face the consequences of failing to comply. The guidelines outlined by the SEC's no-action letter are actually incorporated into the HALOS

Act. So, in many ways, this clarifies and puts in statute something that has been at the whim of the SEC for too long.

The gentleman from Georgia (Mr. COLLINS) and others will join me in talking about the importance of angel investors for early stage capital to create jobs, to allow tomorrow's great entrepreneur who might not have any resources of their own today to raise the resources they need to hire people and succeed.

The Center for Venture Research estimates that U.S. angel investors invested \$24.6 billion in about 71,000 small businesses in every area, every congressional district of our country. Many of those were startups in the early stages of building a company.

Tomorrow's company that employs 10,000 or even 50,000 people is today's garage startup trying to figure out how to get \$50,000 or raise \$100,000 to make their payroll or buy their inventory.

Angel investors focus their investment on local startups and much more so than, for instance, national venture capital firms that tend to be clustered at the coast. It is an important way we can continue to grow the economy in every ZIP code in this country, across the heartland and the middle of the country, not just the coasts where the venture capital firms themselves are situated.

The Colorado-based digital home design firm, Havenly, started by two sisters, utilized demo days as networking opportunities to perfect their pitch to investors, a very common path. After participating in a 500-startup demo day, the pair received nearly \$13 million in investment capital from qualified investors. Now Havenly is a thriving business, employs hundreds of interior designers across the country, and I am proud to say it has a staff of 40 people in their Colorado headquarters. Havenly is a perfect example of how demo days provide opportunities to startups that create real jobs for real people in our country.

The HALOS Act simply gives the same opportunities to other startups that thousands of others have had when getting off the ground.

I believe the HALOS Act is the appropriate approach to regulatory relief. I appreciate the bipartisan nature of the legislation. It is targeted to provide clarity around a specific potential problem and certainty around what these events can entail.

Now, there is another bill under this rule as well. It is a bad bill. It is not a strong bipartisan bill. It is called H.R. 79. Since we began the 115th Congress here, the Republicans are promoting a deregulation agenda. Often this agenda results in this body, Congress, potentially being buried in having to do inordinate amounts of work to review the executive branch of government.

Now, we all believe in oversight of the executive branch. Believe me, Mr.

Speaker, you are going to hear many Democrats speaking up about how important oversight of the executive branch is, particularly for the incoming administration.

We are not the executive branch. Congress delegates authority to agencies, under the laws we write, to fill in gaps and decide how best to implement the law. If we disagree, we can always change or amend the authorizing statute to make more clear the intent of this body.

However, these bills being brought to the floor by the Republicans would either require Congress to spell out exactly what ways to implement a policy in a changing world or give the authority of how to interpret and implement law to the judicial system, neither of which are wise or expedient choices regardless of who occupies the Presidency.

While I certainly will have more sympathy with this approach with President Trump in the White House than President Obama in the White House, I still believe this is the wrong way to go about the separation of powers under our Constitution.

This bill sets out 60 new analytical requirements that agency actions must meet before they can be implemented. In other words, any attempt by agencies to protect the public from toxic substances, make sure our planes and trains are meeting safety regulations, or make sure our food is toxin free would be subject to 60 new bureaucratic hurdles, effectively creating more and more red tape to tie the bureaucracy up rather than make their work quicker and more efficient, which is what Democrats seek to do.

This bill would bury the agency rule-making process under a blizzard of bureaucratic hurdles and documentation requirements, literally burying the executive and administrative branch of government in red tape and paperwork. This bill would hold the regulatory process hostage to the whims of the very corporations and bureaucrats whose rulemaking it is designed to address.

The process that the bills call for have been roundly discredited by so many experts on regulatory policy from the left and the right and consumer advocates as well. The administrative law and regulatory practices section of the American Bar Association stated that these burdens would reduce transparency, reduce public input, threaten public safety, and, most importantly, not result in any better rules.

This bill is nothing other than a recycled effort that 56 Members of this body have not had a chance to participate in writing through the committee process to slow down the government and get in the way of agency rulemakings that are critical for protecting public health, safety, and our environment.

We are simply failing our constituents that we are elected to serve by spending time on legislation that would deliberately sabotage our own ability for our government to function efficiently. This is a bill that would make government less efficient. That is not what I hear when I am back home from my constituents—Democrat, Republican, Independent. I don't hear: Go to Washington to make government less efficient. My constituents want government to be more efficient.

Finally, this bill is being considered under a structured rule limiting the amendment process. There were over 30 amendments filed. Yet, we are only considering 16 amendments under this very overly restrictive rule. This is particularly onerous because, again, there was no opportunity for the 56 new Members through the committee process to amend this bill.

There was a new Member that appeared before the Rules Committee yesterday. Unfortunately, he was not even allowed to advance his amendment to the floor under this rule.

Another example is an amendment offered by a new Member, Ms. BLUNT ROCHESTER, who filed an amendment that would ensure that LGBT employees are protected from workplace discrimination. It would allow Federal agencies that are tasked with protecting the civil rights of employees to continue to do their work without being hamstrung with unnecessary requirements.

Civil rights protections do not fit neatly into a corporate monetary analysis, and our government has a responsibility to ensure that all Americans are protected from arbitrary or unjust discrimination based on race, gender, sexual orientation, or gender identity.

Given the breadth and scope of this legislation, an open amendment process would have allowed this amendment to be debated if the majority wanted, perhaps even voted down, although I hope the majority would have approved it. It would have produced a more thoughtful piece of legislation. Yet, we are not even allowed to have that debate on the floor of the House, which is why this rule is wrong and why I stand in strong opposition to it.

We should be considering legislation to create permanent, high-paying jobs, investing in infrastructure to grow our communities, fixing our broken immigration system, and streamlining and improving our tax system through tax reform rather than recycling old bills that 56 Members have not even had the opportunity to put their imprint on.

I urge my colleagues to vote "no" on the rule for those very reasons.

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

□ 1300

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think there is no better way to start this Congress fresh but with some understanding. It is very clear, and it has become obvious to Members here on the floor, that there is a discussion going on. And, Mr. Speaker, if Members would like to see the difference that is being portrayed here on the floor today, it is very obvious. There is one party that is really concerned about tying the hands of bureaucrats; and there is one party, the majority, that is looking to untie the hands of the American people. I think I will side on the side of the American people and job creators and job promoters, and those who go out every day and earn a living.

We worked on this last Congress, and I will talk about it again here. Let's not start the strongman that Republicans are wanting to do away with all regulations. We do not. We want government to operate in the most efficient manner possible and do what it needs to do, but also get out of the way.

The problem with government, many times the government has overstepped where it needs to be, and it needs to be out of the way to start with.

Also, I would like to at least clear the record and make something understood. At the beginning of the year, we are bringing a rule. We had a full Rules Committee hearing yesterday, and Members were able to offer amendments. Not all amendments were made in order. Sixteen amendments were made in order on both sides of the aisle. I would like to remind Members, Mr. Speaker, as we go back in history, we are promoting discussion here in the Rules Committee and bringing to the floor and allowing Members to talk about amendments and give them the opportunity.

I will just remind Members, Mr. Speaker, in the 111th Congress, which was controlled by my friends on the other side of the aisle, in the very first rule bill they brought, the rules for the House, they put two major bills in the rules package that did not even get a rules hearing, that did not get anything except just pushed to the floor. I think we will stand firm that we are pushing to the floor stuff that Americans care about, and also doing it in a way that Members can participate.

Speaking of that, the American people, especially the good folks of Nebraska, have sent to us a new Member, and I have gotten the chance to know him.

Mr. Speaker, it is a privilege to yield 3 minutes to the gentleman from Nebraska (Mr. BACON), and I welcome him to the floor.

Mr. BACON. Mr. Speaker, I rise today in support of the rule and the underlying bill which provides for H.R. 5, the Regulatory Accountability Act of 2017.

I promised my district in eastern Nebraska that I would work my hardest

to rein in an out-of-control bureaucracy that is burdening our Nation with over 3,000 new regulations each year. The cumulative cost of all of these regulations passed each year cost approximately \$2 trillion, almost 10 percent of our GDP. That is a tremendous burden, and it largely falls on our small businesses, farmers, and community banks.

I meet often with our local, small business owners. The top concern that I hear, and they are loud and clear, and I hear it over and over, is that regulations and ObamaCare are preventing them from growing, and, in some cases, making it very difficult for them to stay afloat. There is anger that the health of our businesses are not being undermined by competition or new technology, but they are being undermined by their own government, and they are angry about it.

I have promised my district that I will be aware and push back on these regulations and on a bureaucracy that is on steroids. That is what we are doing today by passing H.R. 5 and by passing these rules.

I think one of the Members of the very first Congress and the writer of our Constitution would be proud to see H.R. 5 passed. James Madison thought the separation of powers was vital to the safeguarding of our Republic. In recent years, we have seen that separation of powers undermined by an overzealous bureaucracy that creates laws, then executes those laws, and then acts as their own appeal authority. Madison said the accumulation of powers—legislative, executive, and judiciary—in the same hands is the very definition of tyranny. Today, we move toward the right balance, toward restoring the separation of powers and lifting the burden that has been put on our small businesses and farmers.

I urge support for the rule and the underlying bill.

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

Mr. Speaker, when we defeat the previous question, I will offer an amendment to the rule to bring up a bill that would establish a national commission to investigate foreign interference in the 2016 election.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, we have all been very concerned about the reports from our own intelligence agencies about foreign interference in the 2016 American elections.

I yield 4 minutes to the gentleman from Maryland (Mr. CUMMINGS) to discuss our proposal, the ranking member of the Committee on Oversight and Government Reform.

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong opposition to this rule so that it can be amended to include consideration of H.R. 356, Protecting Our Democracy Act, which is sponsored by the gentleman from California (Mr. SWALWELL) and yours truly.

Mr. Speaker, we are presently in a struggle for the soul of our democracy. This legislation would create an independent commission to examine Russian attacks on our electoral process. I am pleased that all of my House Democratic colleagues have joined in this bill and that similar legislation has been introduced in the Senate.

I want to be clear about why we are here today. It is not just about the past. It is about the future. The CIA, the FBI, and the NSA have issued a declassified report warning that Russian entities acted under the orders of Vladimir Putin to execute “an influence campaign,” and they say they did this “to undermine public faith in the United States democratic process.” Again, I say: our democracy is under attack.

Our intelligence agencies explain that Moscow’s attacks will not end with the attacks they launched in 2016. They warn that Moscow “will apply lessons learned from its campaign aimed at the U.S. Presidential election to future influence efforts in the United States and worldwide. . . .” Democracy under attack.

These Russian attacks on our electoral process were attacks on our Constitution, our people, and they are attacks on our great Nation. Our intelligence agencies are warning that if we do not respond now, the Russians will attack us again.

Mr. Speaker, we must not take our democracy for granted. We must guard this democracy. We must guard the fundamental foundation of that democracy, and that is a vote, and a vote with integrity. We are all Members of the Congress of the United States of America. We have taken an oath to protect and defend our Constitution and our great Nation. That is what this legislation is about. It is not about Donald Trump. It is not about Hillary Clinton. It is not about Republicans, Democrats, or independents. It is not even about 2016. It is about our future, and it is about generations yet unborn. We cannot allow ourselves to be distracted from our solemn duty and our solemn oath. We cannot allow foreign attacks on our electoral process to become normal or inevitable. They are neither.

This legislation attempts to rise above politics. If there was any moment in our history when we should be rising above politics, it is this moment. This commission is intended to be truly bipartisan, to have an equal number of Democrats and Republicans, to examine how Russia and any other for-

eign powers interfered with our elections, including hacking Federal and State political parties and disseminating fake news stories intended to warp public opinion.

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

Mr. POLIS. I yield an additional 1 minute to the gentleman from Maryland.

Mr. CUMMINGS. Most importantly, this bipartisan and independent commission will make recommendations to try to prevent any foreign power from interfering in our elections again. I sincerely hope Republicans, including the President-elect, who, for the first time ever, will swear his own oath to protect and defend our Constitution, will join us in supporting this independent commission.

I urge all Members to vote “no” on the previous question so this rule can be amended to require consideration of the Protecting Our Democracy Act.

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

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the distinguished ranking member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Colorado, and I thank my good friend from Georgia. It is important to take note of the value of democracy and the discourse on this floor, and my friendship with the gentleman from Georgia, but absolute disagreement with him on our purposes here.

Yes, regulation should be fair, and it should cede to the administrative process and the administrative laws that dictate how they should be formulated, and that fairness should be their underpinnings. But I think my constituents, in terms of the regulatory scheme, are far more interested in clean water and clean air. They are far more interested in making sure that consumer products that impact toddlers and babies are enforced. They are far more interested in ensuring that there is competition to the FTC, and that there are fair energy laws to the Federal Energy Regulatory Commission.

Having said that, I am disappointed as well that we are moving forward on H.R. 5, which is a bill that went through the Judiciary Committee, and, as my colleague from Colorado said, with 56 new Members, it did not go through regular order. We are recycling the same bad bill again.

I rise today to express concern over the number of amendments that were presented that were good amendments that did not get in. Before I speak to the amendment I am concerned about, first, I want to speak to the previous question. I support the gentleman from

California (Mr. SWALWELL) and the gentleman from Maryland (Mr. CUMMINGS) on a very important statement, and that is in the tragedy and the heinousness of 9/11, we formulated the 9/11 Commission.

Mr. Speaker, there is no more heinousness than a foreign nation interfering with the just and fair voting of every American. There are many who lost their life in the name of one vote, one person. For that reason, I would make the argument that it is imperative that this bill be amended to create the commission that will address the question of foreign intrusion, particularly Russian intrusion and hacking in our election.

I believe this election was skewed, in spite of the peaceful democratic transfer of government, which we will all adhere to, but there is no doubt. This does not compete to 2001 with President Bush in Florida. It does not compete to 2004 with Mr. Kerry. It is beyond any kind of comprehension of what happened in this election, a direct intrusion and skewing of this election. But, more importantly, protecting the systems of election and the voting rights, the preciousness of the voting rights, is crucial to democracy.

This commission, independent of any of the committees that should be working—and I agree, Congress should be working. Senator MCCAIN has already begun working—a Republican—but this commission would be a vital asset. So I am certainly disappointed that the amendment I had that was crucial as relates to cybersecurity to deal with the question of cyber intrusion was not made in order. It would have been appropriate for us to have an amendment that would have spoken directly to the idea of identifying new tactics or techniques that a malicious actor might deploy, or detect and disrupt an ongoing intrusion, in addition to protecting the data that enables cybersecurity firms and other network defenders to identify certain malware that the Russian intelligence services use.

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

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. I thank the gentleman.

This amendment would have been vital to have not only a vigorous discussion on the floor but also to recognize that cybersecurity has now become a potential weapon. I have worked on this issue for a decade as the former chairwoman of the Transportation and Infrastructure Subcommittee. It was under my subcommittee that we began to look at electric grids and began to see the enormous power of the cyber world. My amendment should have been included because we are now faced with what the cyber world used as a weapon can

do. I am disappointed that that amendment was not made in order. I am disappointed that H.R. 5 is again before us without regular order, and would hope that we have the opportunity to vote for and support the previous question to find out what happened and who conspired to alter our elections in 2016.

Mr. Speaker, I rise in strong opposition to the rule and the underlying bill.

I strongly oppose this rule because it makes in order H.R. 5, the Regulatory Accountability Act of 2017, which is a radical measure that could make it impossible to promulgate safety regulations to protect the public.

I oppose this rule because it would effectively shut down the entire U.S. regulatory system, amending in one fell swoop every bedrock existing regulatory statute.

My opposition to H. Res. 33 is amplified by the Rules Committee's decision to decline to make in order the Jackson Lee Amendment, "to provide an exception for regulations that help prevent cyberattacks on election processes or institutions."

Apparently, House Republicans are still reluctant to debate the subject—undisputed by our Intelligence community—of Russian cyberattacks on American cyber networks and infrastructure.

Key Judgments in the Intelligence Community Assessment's declassified version of a highly classified report entitled, "Assessing Russian Activities and Intentions in Recent U.S. Elections," have confirmed that 2016 witnessed the first American presidential election that was the subject of cyberattacks.

These and other subversive activities have been confirmed to have been perpetrated by entities allied with the Government of Russia and were undertaken for the express purpose of influencing the presidential contest to secure the election of its preferred candidate, Donald Trump, who made history by becoming the first presidential candidate to invite a hostile foreign power to launch cyberattacks against his political opponent.

All three agencies, CIA, FBI and NSA, agree with this judgment.

The so-called Regulatory Accountability Act (RAA), in addition to this rule, demonstrates the deceptive design of the majority to make it harder to establish regulations to protect the public by tilting the entire regulatory system significantly toward special interests.

The bill allows Federal courts without expertise on technical issues to substitute their judgment for those of the expert federal agencies.

These agencies are staffed with career subject matter experts that are deeply knowledgeable of the background, context, and history of agency actions and policy rationale.

For this reason, courts have long deferred to agency experts who are in the best position to carry out the statutes.

The RAA would end this well-established practice and allow far less experienced judges to second-guess expert opinion—essentially sanctioning judicial activism.

The Jackson Lee Amendment, however, would have attuned this dangerous legislation to provide an exception for regulation upon which Americans so greatly rely on their government to help prevent cyberattacks on our

highly coveted and esteemed election processes and institutions.

The bill promoted by the majority, calling for accountability from our Administrative Agencies—fails to answer in accountability to the threat posed by foreign and domestic invaders on our national cyber networks.

As the new Congress commences in the People's House, obstructionist Republicans are circumventing the very procedures by which elected officials answer the cries of outrage and dismay of desperately concerned constituents.

To the obstructionist majority perpetuating this restrictive rule, let me stand firm in the American convictions laid bare by the Jackson Lee amendment—the system of Checks and Balances established by the Separation of Powers clause of the Constitution will not be thwarted.

The spirit of the H.R. 5 is clearly designed to stop all regulation dead in its tracks—no matter the threat to cyber networks, national security, economy, or the very health and safety of the American people.

We know that Russia's cyber activities were intended to influence the election, erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, and undermine confidence in the institutions of the U.S. government. These actions are unacceptable and will not be tolerated.

The mission of the Intelligence Community is to seek to reduce the uncertainty surrounding foreign activities, capabilities, or leaders' intentions.

On these issues of great importance to U.S. national security, the goal of intelligence analysis is to provide assessments to decision makers that are intellectually rigorous, objective, timely, and useful, and that adhere to tradecraft standards.

Applying these standards helps ensure that the Intelligence Community provides U.S. policymakers, warfighters, and operators with the best and most accurate insight, warning, and context, as well as potential opportunities to advance U.S. national security.

This objective is difficult to achieve when seeking to understand complex issues on which foreign actors go to extraordinary lengths to hide or obfuscate their activities.

My amendment would have improved H.R. 5 by exempting only those regulations critical to making cyber networks invulnerable to attack from foreign and domestic agencies and individuals.

Specifically, the amendment that the Rules committee disallowed for presentation on a vote here on the floor today would have provided the American people an exemption to allow for the prevention of tampering, alteration, or misappropriation of information by agents of foreign countries with the purpose or effect of interfering with or undermining election processes or institutions.

In particular, restrictions put forth in H.R. 5 could result in further delay to agencies attempting to take action to help network defenders better identify new tactics or techniques that a malicious actor might deploy or detect and disrupt an ongoing intrusion, in addition to protecting data that enables cybersecurity firms and other network defenders to identify certain malware that the Russian intelligence services use.

The Regulatory Accountability Act provides no accountability to the American public.

Instead, it allows polluting industries and special interests to game the system and escape accountability for any harm they inflict.

It makes it incredibly difficult, if not impossible, to secure new public protections and arms industry with numerous tools to avoid their legal obligations.

The increasing use of cyber-enabled means to undermine democratic processes at home and abroad, as exemplified by Russia's recent activities, has made clear that a tool explicitly targeting attempts to interfere with elections is also warranted.

We cannot afford to let global terroristic threats, in the form of cyber activities, erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, influence elections, or undermine confidence in the institutions of the U.S. government.

My amendment would have offered protections guarding the integrity of our cyber networks, while at the same time allowing the bill to achieve the proponents' major purposes.

The exceptional Americans we serve deserve a Congress that does its job and keeps our time-honored institutions functioning.

For these reasons and more, I oppose this rule and the underlying bill.

□ 1315

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

Mr. POLIS. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Mr. Speaker, I thank the gentleman for yielding.

I urge my colleagues to defeat the previous question and allow an amendment to be put forward on H.R. 356, the Protecting Our Democracy Act.

A public report was released on Friday by the FBI, the CIA, and the NSA, and it was chilling. It declared that Russia attacked our democracy in the past Presidential election. It said that the attack came from the Russian services themselves. It was ordered by Vladimir Putin and, most concerning, that Russia had a preferred candidate and that they sought to denigrate Secretary Clinton along the way.

Going forward, this is not about re-litigating the past. Donald Trump will be the next President. This is about preserving the integrity of our democracy and saying that our dialogue, our democracy, these fights between our parties, they belong to us.

The report also said that Russia intends to do this again. We know that Russia has done this before across the globe to our allies. They are doing it right now to other countries as they seek to move forward in their democracies. Now other foreign adversaries of ours will look at what Russia did, if we do nothing, and see an opportunity to strike us again.

So we have an opportunity, as Republicans and Democrats, to come together and say that the victims may

have been the Democratic Party in this past election and, if history has its way, in the next election it may be a different party.

The constant will always remain this: both parties will unite to say, We believe that this democracy, which has been fought and sacrificed for, is worth defending. To do that, we should have an independent, bipartisan, appointed commission to look at how this was able to occur, why our democracy was so vulnerable, and, most importantly, make recommendations to the public to ensure that this never happens again.

We should do this so, first, we can devote ourselves fully—with an independent commission, you have full-time members and full-time staffs—to understanding what happened.

Second, we should do this to depoliticize what has occurred. The incoming President has continuously undermined the findings of our 17 intelligence agencies that Russia was responsible. We should depoliticize this by taking this out of Congress and having an independent commission, once and for all, sign off on who was responsible and, again, make recommendations to protect us going forward.

We should also declassify, to the extent possible, the evidence behind the findings.

Finally, once this commission is formed and once congressional investigations also take place, the American people have to come together. We have to come together because we can never again let an outside meddler influence our elections. So we have every single House Democrat cosponsoring this legislation.

This legislation should not be partisan at all. When you talk to Republicans and you talk to Democrats in our districts and you talk to Independents, they all express a concern about what Russia did. So what we can do in this House is say: We are united. We are united to get to the bottom of what happened.

So I invite my Republican colleagues to join us in the search for what happened. Join us in this responsibility to do everything we can to tell our constituents that, in the next election, we won't let it happen again. Defeat the previous question and support H.R. 356, the Protecting Our Democracy Act.

Mr. COLLINS of Georgia. Mr. Speaker, are there any more speakers the gentleman from Colorado has?

Mr. POLIS. Mr. Speaker, I am prepared to close if the gentleman from Georgia is.

Mr. COLLINS of Georgia. I am prepared for the gentleman to close. I reserve the balance of time.

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

Mr. Speaker, so, in summary, when we defeat the previous question, we will then bring forward our bill to es-

tablish an independent report on foreign interference in this most recent 2016 election, something that the American people deserve to see, that we need to see. We need to put safeguards in place to prevent our election system from being hijacked by foreign powers.

With regard to the rule, Mr. Speaker, it is a bad, closed rule, particularly given the chance that 56 new Members of Congress have not had the opportunity to add their imprint to the bills that are before us.

The gentleman mentioned, oh, the Democrats did this 10 years ago. Well, that is hardly an excuse that the American people buy. There were many things about the Democrats' tenure in this body the American people didn't like; and to simply cite some of those less popular elements of Democratic leadership and now say: Well, now we Republicans are going to do earmarks; now we Republicans are going to have a closed process that doesn't allow amendment; now Republicans are going to gut the ethics rule.

In over 200 years, you can always cite some precedence for that from both Democrats and Republicans, but those aren't good things. We want to learn from our mistakes, I hope, and not say, just because some Democrat or some Republican did this in 1952, it is a good thing to do today.

Mr. Speaker, we are 6 days into the next Congress. After we defeat the rule, hopefully, and defeat the previous question, we can bring forward an independent study on foreign interference.

With regard to these two bills, I urge my colleagues to join me in voting "yes" on the HALOS Act and, of course, oppose the ridiculously broad H.R. 5, Regulatory Accountability Act, which would simply add more paperwork to the bureaucracy, further reducing the efficiency of a branch of government that many Americans believe is already too inefficient.

I urge my colleagues to vote "no" on the previous question and "no" on the rule.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I serve a wonderful part of the world. With all due respect to all the other Members of Congress, I do believe it is one of the fairest in the country.

As I go around and travel, one of the things I have not heard, Mr. Speaker—and I am not sure if you have or other Members sitting here—I have never been hit, when I run into something saying the fact that government is efficient, and I am really wanting it to be efficient in a sense that it is working for me.

It is a very obvious statement here, and what we see time after time after time after time is rules and regulations

that most of the American folks are saying: Government, do what you are supposed to be doing. Get us back on a fiscal financial path that is solid, that balances, that gets us back in understanding that we can't spend more than what we make or bring in, and that we have to have a strong national defense. Let's get back to the things that make America the shining light all around the world.

One of the things I do not hear them asking me to do, Mr. Speaker, is make it easier on bureaucrats in Washington. I have not had them beg and bring petitions to my table and say: Please make it easier on bureaucrats to run our lives.

That is not what we do. What we are trying to do is simply say: Let's get up, go out to work, do the regulations that matter. Make sure that government does what it is supposed to do. Make sure that the balance of power is honored and not looked upon with disgrace. It is looked upon as something that should be taken care of. Let the legislative body be the legislative body. Let the executive be the executive, and let the judicial be the judicial.

I have no problem putting before the American people the choice: Do you want a party that will defend a bureaucracy that stifles them? Or a party of the majority, like we are, that are putting forward regulation reform that says, We want to help you; we are concerned about you?

Obvious choice, Mr. Speaker. Today we have two opportunities to this rule. They both look at our economic engines in the country and reviving it again.

The HALOS Act helps us ensure that small businesses have access to the capital necessary to grow and succeed. Small business is the backbone of our economy, and it makes sense to enact policies that promote the viability and growth.

The Regulatory Accountability Act restores simple checks and balances so that Congress, once again, makes laws so they work better for those who elected us.

It is time we demand the voice of the American people be heard rather than letting the others up here, separated in cubicles, decide what is best. When we look at that, the obvious choice is clear. You pass this rule, you vote "yes" on these bills, and you say to the American people: I agree with the majority.

We are looking after those that get up every day and have the American Dream in front of them and get up and say: I want to be better and I want my government to be out of the way.

When we understand that, Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 33 OFFERED BY
MR. POLIS OF COLORADO

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2

(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 356) to establish the National Commission on Foreign Interference in the 2016 Election. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

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

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

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Repub-

lican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on agreeing to the resolution, if ordered; and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 234, nays 179, not voting 21, as follows:

[Roll No. 26]

YEAS—234

Abraham	Bishop (UT)	Carter (GA)
Aderholt	Black	Carter (TX)
Allen	Blackburn	Chabot
Amash	Blum	Chaffetz
Amodei	Bost	Cheney
Arrington	Brady (TX)	Coffman
Babin	Brat	Cole
Bacon	Bridenstine	Collins (GA)
Banks (IN)	Brooks (AL)	Collins (NY)
Barletta	Brooks (IN)	Comer
Barr	Buchanan	Comstock
Barton	Buck	Conaway
Bergman	Bucshon	Cook
Beutler	Budd	Costello (PA)
Biggs	Burgess	Cramer
Bilirakis	Byrne	Crawford
Bishop (MI)	Calvert	Culberson

Curbelo (FL)	Kelly (MS)	Rogers (AL)
Davidson	Kelly (PA)	Rogers (KY)
Davis, Rodney	King (IA)	Rohrabacher
Denham	King (NY)	Rokita
Dent	Kinzinger	Rooney, Francis
DeSantis	Knight	Rooney, Thomas J.
DesJarlais	Kustoff (TN)	Ros-Lehtinen
Diaz-Balart	Labrador	Roskam
Donovan	LaHood	Ross
Duffy	LaMalfa	Rothenfus
Duncan (TN)	Lamborn	Rouzer
Dunn	Lance	Royce (CA)
Emmer	Latta	Russell
Farenthold	Lewis (MN)	Rutherford
Faso	LoBiondo	Sanford
Ferguson	Long	Scalise
Fitzpatrick	Loudermilk	Schweikert
Fleischmann	Love	Scott, Austin
Flores	Lucas	Sensenbrenner
Fortenberry	Luetkemeyer	Sessions
Fox	MacArthur	Shimkus
Franks (AZ)	Marchant	Shuster
Frelinghuysen	Marino	Simpson
Gaetz	Marshall	Smith (MO)
Gallagher	Massie	Smith (NE)
Garrett	Mast	Smith (NJ)
Gibbs	McCarthy	Smucker
Gohmert	McCaul	Stefanik
Goodlatte	McClintock	Stewart
Gosar	McHenry	Stivers
Gowdy	McKinley	Taylor
Granger	McMorris	Tenney
Graves (GA)	Rodgers	Thompson (PA)
Graves (LA)	McSally	Thornberry
Graves (MO)	Meadows	Tiberi
Griffith	Meehan	Messer
Grothman	Mitchell	Mitchell
Guthrie	Moorenar	Trott
Harper	Mooney (WV)	Turner
Harris	Mullin	Upton
Hartzler	Murphy (PA)	Valadao
Hensarling	Newhouse	Wagner
Hice, Jody B.	Noem	Walberg
Higgins (LA)	Nunes	Walden
Hill	Olson	Walker
Holding	Palazzo	Walorski
Hollingsworth	Palmer	Walters, Mimi
Hudson	Paulsen	Weber (TX)
Huizenga	Pearce	Weber (FL)
Hultgren	Hunter	Webster
Hunter	Pittenger	Westrup
Hurd	Poe (TX)	Westerman
Issa	Poliquin	Williams
Jenkins (KS)	Posey	Wilson (SC)
Jenkins (WV)	Ratcliffe	Wittman
Johnson (LA)	Reed	Womack
Johnson (OH)	Reichert	Woodall
Johnson, Sam	Renacci	Yoder
Jordan	Rice (SC)	Yoho
Joyce (OH)	Roby	Young (AK)
Kaptur	Roe (TN)	Young (IA)
Katko		Zeldin

NAYS—179

Adams	Clyburn	Fudge
Aguilar	Cohen	Gabbard
Barragán	Connolly	Gallego
Bass	Conyers	Garamendi
Beatty	Cooper	Gonzalez (TX)
Bera	Correa	Gottheimer
Beyer	Costa	Green, Al
Bishop (GA)	Courtney	Green, Gene
Blumenauer	Crist	Grijalva
Blunt Rochester	Cuellar	Gutiérrez
Bonamici	Cummings	Hanabusa
Boyle, Brendan	Davis (CA)	Hastings
F.	DeFazio	Heck
Brady (PA)	DeGette	Higgins (NY)
Brown (MD)	Delaney	Himes
Brownley (CA)	DeLauro	Huffman
Bustos	DelBene	Jackson Lee
Butterfield	Demings	Jayapal
Capuano	DeSaulnier	Jeffries
Carbajal	Deutch	Johnson, E. B.
Cárdenas	Doggett	Keating
Carson (IN)	Doyle, Michael	Kennedy
Cartwright	F.	Khanna
Castor (FL)	Ellison	Kihuen
Castro (TX)	Engel	Kildee
Chu, Judy	Eshoo	Kilmer
Cicilline	Espallat	Kind
Clark (MA)	Esty	Krishnamoorthi
Clarke (NY)	Evans	Kuster (NH)
Clay	Foster	Langevin
Cleaver	Frankel (FL)	Larsen (WA)

Table listing names of members of the House of Representatives, organized in columns. Includes names like Larson (CT), Lawrence, Lawson (FL), Lee, Levin, Lewis (GA), Lieu, Ted, Lipinski, Loebbeck, Lofgren, Lowenthal, Lowey, Lujan Grisham, M., Lujan, Ben Ray, Lynch, Maloney, Carolyn B., Maloney, Sean, Matsui, McCollum, McEachin, McGovern, McNerney, Meeks, Meng, Moore, Moulton, Murphy (FL), Nadler, Napolitano, Neal, Nolan, Norcross, O'Halleran, O'Rourke, Pallone, Panetta, Pascrell, Payne, Pelosi, Peters, Peterson, Pingree, Pocan, Polis, Price (NC), Quigley, Raskin, Rice (NY), Rosen, Roybal-Allard, Ruiz, Ruppertsberger, Sanchez, Sarbanes, Schiff, Schneider, Schrader, Scott (VA), Scott, David, Serrano, Sewell (AL), Shea-Porter, Sherman, Sinema, Sires, Slaughter, Smith (WA), Soto, Speier, Suozzi, Swalwell (CA), Thompson (CA), Thompson (MS), Titus, Tonko, Torres, Tsongas, Vargas, Veasey, Vela, Velazquez, Visclosky, Walz, Wasserman, Schultz, Waters, Maxine, Watson Coleman, Welch, Yarmuth, Coffman, Cole, Collins (GA), Collins (NY), Comer, Comstock, Conaway, Cook, Costello (PA), Cramer, Crawford, Culbertson, Curbelo (FL), Davidson, Davis, Rodney, Denham, Dent, DeSantis, DesJarlais, Diaz-Balart, Donovan, Lewis (MN), LoBiondo, Long, Loudermilk, Love, Lucas, Luetkemeyer, MacArthur, Marchant, Marino, Marshall, Massie, Mast, McCarthy, McClintock, McHenry, McKinley, McMorris, Rodgers, McSally, Meadows, Meehan, Messer, Mitchell, Moolenaar, Mooney (WV), Mullin, Murphy (PA), Newhouse, Noem, Nunes, Olson, Palazzo, Palmer, Paulsen, Pearce, Perry, Pittenger, Poe (TX), Poliquin, Posey, Ratcliffe, Reed, Reichert, Renacci, Rice (SC), Jenkins (WV), Johnson (LA), Johnson (OH), Johnson, Sam, Jordan, Joyce (OH), Katko, Kelly (MS), Kelly (PA), King (IA), King (NY), Kinzinger, Knight, Kustoff (TN), Labrador, LaHood, LaMalfa, Lamborn, Lance, Latta, Lewis (MN), LoBiondo, Long, Loudermilk, Love, Lucas, Luetkemeyer, MacArthur, Marchant, Marino, Marshall, Massie, Mast, McCarthy, McClintock, McHenry, McKinley, McMorris, Rodgers, McSally, Meadows, Meehan, Messer, Mitchell, Moolenaar, Mooney (WV), Mullin, Murphy (PA), Newhouse, Noem, Nunes, Olson, Palazzo, Palmer, Paulsen, Pearce, Perry, Pittenger, Poe (TX), Poliquin, Posey, Ratcliffe, Reed, Reichert, Renacci, Rice (SC), Roby, Roe (TN), Rogers (AL), Rogers (KY), Rohrabacher, Rokita, Rooney, Francis, Rooney, Thomas J., Ros-Lehtinen, Roskam, Ross, Rothfus, Rouzer, Royce (CA), Russell, Rutherford, Sanford, Scalise, Schweikert, Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (MO), Smith (NE), Smith (NJ), Smith (TX), Smucker, Stefanik, Stewart, Stivers, Taylor, Tenney, Thompson (PA), Thornberry, Tiberi, Tipton, Trott, Turner, Upton, Valadao, Wagner, Walberg, Walden, Walker, Walorski, Walters, Mimi, Weber (TX), Webster (FL), Wenstrup, Westernman, Williams, Wilson (SC), Wittman, Womack, Woodall, Yoder, Yoho, Young (AK), Young (IA), Zeldin, Jayapal, Jeffries, Johnson, E. B., Kaptur, Keating, Kennedy, Khanna, Kihuen, Kildee, Kilmer, Napolitano, Neal, Nolan, Norcross, O'Halleran, O'Rourke, Pallone, Panetta, Pascrell, Payne, Pelosi, Peters, Peterson, Pingree, Pocan, Polis, Price (NC), Quigley, Raskin, Rice (NY), Richmond, Rosen, Roybal-Allard, Ruiz, Ruppertsberger, Sanchez, Sarbanes, Schiff, Schneider, Schrader, Scott (VA), Scott, David, Serrano, McEachin, McGovern, McNerney, Meeks, Meng, Moore, Moulton, Murphy (FL), Nadler, Napolitano, Schiff, Schneider, Schrader, Scott (VA), Scott, David, Serrano, Slaughter, Smith (WA), Soto, Speier, Suozzi, Swalwell (CA), Thompson (CA), Thompson (MS), Titus, Tonko, Torres, Tsongas, Vargan, Veasey, Vela, Velazquez, Visclosky, Wasserman, Schultz, Waters, Maxine, Watson Coleman, Welch, Wilson (FL), Yarmuth

NOT VOTING—21

Table listing names of members who did not vote, including Becerra, Crowley, Davis, Danny, Dingell, Duncan (SC), Hoyer, Johnson (GA), Jones, Kelly (IL), Mulvaney, Perlmutter, Pompeo, Price, Tom (GA), Richmond, Rush, Ryan (OH), Schakowsky, Smith (TX), Takano, Wilson (FL), Zinke

□ 1346

Messrs. MCEACHIN, BROWN of Maryland, SCOTT of Virginia, SCHNEIDER, and LAWSON of Florida changed their vote from "yea" to "nay."

Mr. HILL changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. WILSON of Florida. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 26.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 233, noes 183, not voting 18, as follows:

[Roll No. 27]

AYES—233

Table listing names of members who voted 'aye', including Abraham, Aderholt, Allen, Amash, Amodeli, Arrington, Babin, Bacon, Banks (IN), Barletta, Barr, Barton, Bergman, Beutler, Biggs, Bilirakis, Bishop (MI), Bishop (UT), Black, Blackburn, Blum, Bost, Brady (TX), Brat, Bridenstine, Brooks (AL), Brooks (IN), Buchanan, Buck, Busch, Budd, Burgess, Byrne, Calvert, Carter (GA), Carter (TX), Chabot, Chaffetz, Cheney

NOES—183

Table listing names of members who voted 'no', including Adams, Aguilar, Barragan, Bass, Beatty, Bera, Beyer, Bishop (GA), Blumenauer, Blunt Rochester, Bonamici, Boyle, Brendan F., Brady (PA), Brown (MD), Brownley (CA), Bustos, Butterfield, Capuano, Carabajal, Cardenas, Carson (IN), Cartwright, Castor (FL), Castro (TX), Chu, Judy, Cicilline, Clark (MA), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly, Conyers, Cooper, Correa, Costa, Courtney, Crist, Crowley, Cuellar, Cummings, Davis (CA), DeFazio, DeGette, Delaney, DeLauro, DelBene, Demings, DeSaulnier, Deutch, Doggett

Table listing names of members who did not vote, including Doyle, Michael F., Ellison, Engel, Eshoo, Espallat, Esty, Evans, Foster, Frankel (FL), Fudge, Gabbard, Gallego, Garamendi, Gonzalez (TX), Gottheimer, Green, Al, Green, Gene, Grijalva, Hanabusa, Hastings, Heck, Higgins (NY), Himes, Hoyer, Huffman, Jackson Lee

NOT VOTING—18

Table listing names of members who did not vote, including Becerra, Davis, Danny, Dingell, Duncan (SC), Gutierrez, Johnson (GA), Jones, Kelly (IL), McCaul, Mulvaney, Perlmutter, Pompeo, Price, Tom (GA), Rush, Ryan (OH), Schakowsky, Takano, Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1357

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 248, nays 162, answered "present" 3, not voting 21, as follows:

[Roll No. 28]

YEAS—248

Table listing names of members who voted 'yea', including Abraham, Aderholt, Allen, Amodei, Arrington, Babin, Bacon, Banks (IN), Barletta, Barr, Barton, Beatty, Bergman, Biggs, Bilirakis, Bishop (GA), Bishop (MI), Budd, Bustos, Blackburn, Byrne, Calvert, Carabajal, Carson (IN), Carter (TX), Cartwright, Chabot, Cheney, Brown (MD), Buchanan, Budd, Bustos, Butterfield, Byrnes, Calvert, Carabajal, Carson (IN), Carter (TX), Cartwright, Chabot, Cheney, Chu, Judy

Ciilline
Cleaver
Cole
Collins (NY)
Comer
Comstock
Conyers
Cook
Cooper
Correa
Courtney
Cramer
Crawford
Cuellar
Culberson
Cummins
Davidson
Davis (CA)
DeGette
DeLauro
DelBene
Demings
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
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Schakowsky
Sinema
Takano
Zinke

□ 1405

So the Journal was approved.
The result of the vote was announced
as above recorded.

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

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 39

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

(1) Committee on House Administration—Ms. Lofgren.

The resolution was agreed to.
A motion to reconsider was laid on the table.

HELPING ANGELS LEAD OUR STARTUPS ACT

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill, H.R. 79, to clarify the definition of general solicitation under Federal securities laws, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 33 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 79.

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

□ 1408

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law, with Mr. BOST in the chair.

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

The gentleman from Texas (Mr. HENSARLING) and the gentleman from Missouri (Mr. CLAY) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I rise in strong support of H.R. 79, the Helping Angels Lead Our Startups Act, also known as the HALOS Act.

I remind all Members that the House passed this bill just a few months ago with overwhelming support from both Republicans and Democrats by a vote of 325–89, Mr. Chairman, almost 4 to 1. It is hard to get more bipartisan than that.

It has received overwhelming bipartisan support because then and now the HALOS Act will help create needed jobs and grow our economy. I think we all know, Mr. Chairman, from listening to our constituents, jobs in the economy continue to be the number one issue of concern of the American people.

I commend the bipartisan sponsors of this bill, Mr. CHABOT, the chairman of the Small Business Committee, who we will hear from soon, and Ms. SINEMA, who serves with me on the Financial Services Committee. I also thank the six Republicans and four Democrats who joined them as original cosponsors.

These Members reached across the aisle and produced legislation that is especially important to America's small businesses. Let's remember, Mr. Chairman, that half—half—the people who work in this country earn or work at small businesses, which historically create two-thirds of all the new jobs in America. So small business—small business—is the job engine of America.

Our economy clearly works better for working Americans when small businesses thrive and they can focus on

creating jobs rather than navigating bureaucratic red tape, red tape that disproportionately hurts the small businesses and startup companies that we are counting on to create jobs for our constituents.

Burdensome regulations make it harder for entrepreneurs to access startup capital, and they place credit out of reach for many who wish to start up a small business. Many of these harmful regulations arise from complicated laws, like the Dodd-Frank Act. Overall, small business loans are at a 25-year low, in large part due to regulatory burdens on our community banks and credit unions.

Even the former Director of the Small Business Administration, appointed by President Obama, admitted as much when she said: "Small banks have been laden with excessive costs and confusion from overlapping regulations, which are getting in the way of their ability to make small business loans."

We simply must not allow our security laws to inhibit the free flow of investment capital to Main Street. The HALOS Act provides an important regulatory solution to make it easier for small businesses to attract investments and put both the "open for business" and "we are hiring" signs on their front doors.

The bill provides a clear path for startups to connect with angel investors and allows investors to make their own informed decisions. Angel investors, Mr. Chairman, have a huge impact on economic growth. Famous companies like Amazon, Costco, Google, Facebook, and Starbucks were all first funded by angel investors. That is just how important this matter is. Today, approximately 600,000 employees earn their paychecks from working for these specific companies.

Unfortunately, when Washington bureaucrats get involved, we often see the dreaded "unintended consequences" of red tape. Five years ago, Congress passed the bipartisan JOBS Act to make it easier for business startups to gain access to critical capital. But the Securities and Exchange Commission instead issued regulations on angel investors that have the complete opposite effect. This is a problem Congress can easily fix by passing a bipartisan HALOS Act, which will ensure that funding from angel investors remains available to small business startups.

Mr. Chairman, you cannot have employees, unless you first have employers. You cannot have jobs without job creators. And that is what this bill is all about—jobs. It is about helping small businesses overcome misguided Washington red tape so they can create jobs.

I urge all Members to support this commonsense bipartisan bill.

I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 79, the Helping Angels Lead Our Startups Act. This bill, under the guise of helping angel groups attract additional investors for small businesses and startups, would alter the balance between capital formation and investor protection that we sought to achieve in the JOBS Act.

Let me remind my colleagues of what we did in the wake of the financial crisis when bank lending was scarce. Our Nation's startups had trouble getting off the ground and attracting new capital. Previously, they had done so using rule 506, which allows companies to sell private securities to accredited investors who are financially savvy and have the means to bear their heightened risks and lack of SEC oversight. As a condition to using rule 506, however, companies could not solicit purchasers from or advertise to the general public.

□ 1415

This condition was viewed as a barrier to capital formation for startups. Therefore, Democrats worked with Republicans to provide companies in the JOBS Act with an alternative so that they could broadly advertise and solicit new investors.

Recognizing the need to balance investor protection with this expansion, Ranking Member WATERS offered an amendment requiring companies to take reasonable steps to verify that the ultimate purchaser was an accredited investor. This verification requirement is a necessary investor protection designed to prevent unsophisticated investors from purchasing—either accidentally or by fraudulent means—risky, illiquid, and lightly regulated Rule 506 securities.

I would remind my Republican colleagues that this amendment was agreed to unanimously, in part because the amended provision struck the appropriate balance between capital formation and investor protection. Nevertheless, here we are today seeking to alter it in H.R. 79.

This bill would remove the verification requirement and allow companies to broadly solicit and advertise their private stock at any event sponsored by a college, nonprofit, government organization, angel investor group, or other group. That means that America's college students can walk into an event on campus and be talked into buying stock that they don't understand and may not ever be able to sell. Having created this initial relationship, the company can then sell the students stock without ever checking if they are accredited investors.

What is more, the bill would make it much easier for fraudsters to swindle unsophisticated investors by, for example, encouraging the unsophisticated investors to buy stock in a fake or failing company, only to sell off their own stock at artificially inflated prices.

Republicans claim that the bill is merely a clarification; that these demo days are not merely solicitations or advertisements in and of themselves and can be used by companies to generally discuss investment opportunities along with their products and services with the general public. But that is not the case.

Companies can already go to a broadly advertised, widely attended demo day and discuss their businesses and not implicate the securities laws if they don't offer securities for sale or otherwise condition the market for their security, but the bill would allow them to offer securities or condition the market by describing the type and amount of stock they are offering, the intended use of the proceeds, or any of the other information in subsection (a)(4) of the bill.

Therefore, today, a company discussing such information would have two options: one, to ensure that the event is limited to persons with whom they or the event organizer has a pre-existing, substantive relationship or have been contacted through an informal personal network; or two, verify at the time of purchase that their investors are accredited by, for example, looking at bank statements, W-2s, or third-party verification letters.

The bill would allow companies to avoid both options and broadly advertise their stock, solicit purchases from the general public, and never check to make sure they are financially sophisticated, accredited investors. The only limitation—that the stock offerings only be at events sponsored by certain groups—does not provide a meaningful investor protection. Phony private universities or nonprofits that may be guilty of fraud themselves can hardly be held accountable for policing it in stock offerings.

So rather than clarify existing law and preserve the compromise we struck in the JOBS Act, H.R. 79 provides a potential loophole that is overbroad and harmful to investors.

Mr. Chairman, I am even more troubled that Republicans have brought this bill and another Financial Services Committee bill to the floor this week without a hearing or a committee markup. In fact, there are 10 new Republican Members and 4 new Democratic Members on our committee that have never even considered this bill.

Collectively, they represent millions of Americans that are being denied the right to better understand this legislation. It is deeply troubling that Republicans have decided to use their newfound power to rush through changes under cover of night without the benefits of an open, public process.

For these reasons, I oppose H.R. 79.

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

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds just to say that

hearings have been held in a markup in the last Congress on this bill and the 10 new Republican Members are anxious to vote on this. I am unaware of any new Democrat Members having been appointed to our committee as of yet.

I am now very happy to yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), coauthor of the HALOS Act, a champion for small business because he is, indeed, the distinguished chairman of the Small Business Committee.

Mr. CHABOT. Mr. Chair, I thank the gentleman for yielding and for his leadership on this issue. I rise in strong support of H.R. 79, the bipartisan HALOS Act.

As the chairman of the House Small Business Committee, I have the honor and pleasure of hearing and speaking with many of America's small-business owners and their employees almost every day. I hear case after case of small-business owners working days and nights and weekends. I hear stories of sacrifice. I hear inspiring stories of success.

But all too often, I hear about how the government continues to make it difficult for small businesses to prosper and grow and create more jobs, which is, obviously, very important to our Nation and its economy.

Perhaps one of the most common and most alarming concerns is just how difficult it is for entrepreneurs who are starting out to access the capital they need in order to grow. We must provide entrepreneurs a better way to build their businesses. The HALOS Act does just that.

The Helping Angels Lead Our Startups Act expands access to capital by ensuring small businesses are able to continue to connect and interact with angel investors. One popular way in which small businesses connect with angel investors is through demo days. These exciting events are sponsored by universities, nonprofits, local governments, and many other groups that allow entrepreneurs to showcase their products and informally meet investors and customers. However, SEC regulations are threatening to force these events out of business by imposing unwieldy regulations that dictate who is and who is not allowed to simply attend.

These ill-considered regulations would force everybody who merely walks through the door to go through what is essentially a full financial examination—handing over tax documents, bank statements, paycheck information, and on and on. This just doesn't make sense. We should be encouraging participation in demo days, not creating obstacles. We should be allowing the largest group of attendees to gather in the room, not be limiting who can walk through the door. After all, not only are these events places to connect people with our communities' small businesses, but they also provide

a great opportunity for our next generation of entrepreneurs to ask questions and learn what it takes for a business to open its doors and be successful.

I thank Chairman HENSARLING for his leadership as well as Representatives SINEMA and SCHNEIDER for working in a cooperative and bipartisan manner.

An identical bill, as the chairman mentioned, passed this House in the last session of Congress in an overwhelmingly bipartisan fashion. We must continue to work together to create an environment in which our small businesses—the engines of our economy—grow and flourish. This bill is one more step in that direction.

I urge my colleagues to support H.R. 79.

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

Mr. HENSARLING. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. HUIZENGA), the distinguished chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee of the Financial Services Committee.

Mr. HUIZENGA. I thank the chairman for his leadership.

Mr. Chairman, we all know that small businesses and entrepreneurs are what drive the American economy. We meet them in our districts and we see firsthand the benefits that their dreams and hard work provide to our constituents and to our communities.

These innovators, entrepreneurs, and risk-takers are really small-business people who are critical for our country's economic prosperity. Small businesses helped to create more than 60 percent of the Nation's net new jobs over the past two decades. So if our Nation is going to have an economy that provides opportunities for every American, then we must promote and encourage the success and growth of our small businesses and our startups.

In order to succeed, these companies need capital and credit—the lifeblood for growth, expansion, and job creation. Yet, the government continues to construct arbitrary walls that cut them off from essential financing as smaller companies are caught up in red tape that was created, frankly, for the largest public companies, but those public companies have the financial means to hire lawyers and accountants and management consultants and all of those things that would then guide them through the sheer weight, volume, and complexity of the Federal securities laws.

Congress has made strides in tailoring the regulatory environment for smaller companies, most notably when we passed with strong bipartisan support the Jumpstart Our Business Startups, or JOBS Act, in 2012. The JOBS Act's benefits are notable as more and more companies use its provisions to raise investment capital in both the public and private markets.

One essential form of capital for many startups comes from angel investors—sophisticated, high net-worth individuals who invest their own money into startups and other early stage companies. Not many college students of whom I am aware would fit that definition of a sophisticated, high net-worth individual. In 2015, angel investors deployed over \$24 billion to about 71,000 startups—many of these investments going to companies in their own communities and States. Beyond capital, angels provide advice and guidance to help these companies succeed and create jobs.

Mr. Chairman, I believe that it is important to note that companies such as Amazon, Costco, Facebook, Google, and Starbucks, among a myriad of others that we have not necessarily heard of as public names, were all initially funded by angel investors. Without angel investors, these very successful companies would have never gotten off the ground.

Yet, the Securities and Exchange Commission, whose neglect of its statutory mission to facilitate capital formation necessitated that Congress pass the JOBS Act in the first place, has further restricted startups from interacting with angel investors at demo days and similar pitch events. Startups rely on demo days and similar events to build relationships with angels and other investors and generate interest in their companies and their ideas. These events existed prior to the JOBS Act, but the SEC's rules jeopardize their future.

H.R. 79, the Helping Angels Lead Our Startups, or HALOS Act, is a commonsense, bipartisan bill that is aimed at removing a significant regulatory hurdle for innovative companies and startups that seek early stage equity investments. Specifically, the HALOS Act would clarify that these demo days, which are sponsored by angel investor groups, universities, municipalities, and nonprofits, are not considered to be general solicitations and would, instead, ensure that angel funding remains available to those businesses that seek investment capital. These are really educational opportunities.

□ 1430

Mr. Speaker, some of our colleagues on the other side of the aisle will claim that the HALOS Act guts critical investor protections and will subject honest, hardworking Americans to rampant fraud. We just had an example of college students being brought up. That is simply not true.

A company that offers securities to investors under these rules may only sell their securities to sophisticated or accredited investors. If these individuals do not meet the standards of an accredited investor, they are not then eligible or even allowed to invest in these types of startups that would participate in a demo day.

Instead, the HALOS Act is a simple, bipartisan, bicameral, and, I might add, short bill that will provide small innovative companies and startups the ability to interact with angels and other investors who can provide the capital that they need to succeed, grow, and create jobs.

Indeed, Senator CHRIS MURPHY of Connecticut said it best when he introduced the HALOS Act last Congress: "I have heard from local entrepreneurs and interested backers alike that the most important thing we can do to help these businesses is to make it easier for angel investors to put capital behind them—and that is exactly what our bipartisan HALOS Act will do."

The CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. Mr. Chair, I yield an additional 30 seconds to the gentleman.

Mr. HUIZENGA. Mr. Chair, that was Senator CHRIS MURPHY of Connecticut.

I commend the efforts of Representatives CHABOT and SINEMA for working together across the aisle on a bipartisan, positive solution.

Last Congress, the HALOS Act passed this very body with an overwhelming bipartisan vote of 325-89. I have high hopes that H.R. 79 will enjoy another strong, bipartisan vote.

I encourage all my colleagues to support its adoption.

Mr. CLAY. Mr. Chair, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Chairman, I thank the gentleman from the Subcommittee on Capital Markets and Government Sponsored Enterprises for yielding to me and, also, thank Chairman HENSARLING for his work.

Today, I am proud to speak in support of the Helping Angels Lead Our Startups, or HALOS Act. I would also thank Chairman CHABOT and Congressman SINEMA for putting forth this important bipartisan legislation, and I am a proud cosponsor.

I am fortunate enough to regularly hear from innovators across Illinois and through my work on the House Science, Space, and Technology Committee. These are the people who harness technology to accomplish the impossible, whether that is making life-changing medical breakthroughs or just finding a better way to do everyday tasks.

As we all know, startups are the job creators that drive our economy by creating new jobs that can get our constituents back to work.

Angel investors play a key role in the earliest stages of these startups. They provide the initial rounds of funding to help these life-changing ideas get off the ground. We shouldn't have unnecessary barriers in place for our innovators to have access to the capital they need to grow.

The situation we currently find ourselves facing is frustrating for startups and potential investors. There is some regulatory uncertainty from implementation of the JOBS Act. In short, Regulation D may imply a demo day is a general solicitation, which would require companies to identify if investors meet the definition of accredited.

If demo days are treated as general solicitations, startups and investors are required to comply with burdensome, third-party verification rules. However, the purpose of these demo days is not to seek investors. It simply is to promote good ideas. No solicitations or sales of securities take place. This confusion may prevent any conversation—even a very informal one—between angel investors and startups from happening. This can be easily clarified by the legislation under consideration today.

As I mentioned, startup companies frequently participate in demo days to increase the visibility of their company, explain their ideas, and hope to informally attract investors. These demo days are sponsored by a variety of organizations interested in promoting innovation and job creation. For example, the University of Illinois' Research Park told me that this bill would make things like the Cozad New Venture Competition, Urbana-Champaign Angel Network or UCAN angel presentations, the Share the Vision technology showcase, pitch practice at EnterpriseWorks, and other public forums for startups in Illinois problematic. They want to encourage showcases of startups without fear of these programs constituting a formal fundraising solicitation to report to the SEC.

The bill simply clarifies SEC regulations to ensure startups may participate in educational demo days without having to verify that attendees are accredited investors. That is a common-sense, technical fix, and it is no surprise that we had such a strong bipartisan vote of approval in the House last Congress.

I encourage all of my colleagues to support this job-creating legislation.

Mr. CLAY. Mr. Chair, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chair, I yield 2 minutes to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chair, I rise today not only in strong support of the HALOS Act but for the entrepreneurs everywhere in this country.

The facts are simple. Angel investors provide vital, often necessary capital for startup companies. Unfortunately, after the passage of the JOBS Act, the SEC made this more difficult, placing unnecessary burdens on companies who are just starting out.

Mr. Speaker, the positive impact these startups often have on a community are staggering. In the City of Aus-

tin, which I am proud to represent, startup companies provide more than just new technologies. They provide jobs, they generate taxes, and they give back to their local community. In 2015 alone, tech companies in Austin were able to raise almost a billion dollars in new capital. With our economy still on the mend from the financial collapse in 2007, it is time to give businesses, both large and small, the resources they need to compete in an often competitive environment.

H.R. 79 rightly amends the SEC Act of 1933 to formally define an angel investor group and exempts them from having to comply with burdensome, third-party verification rules. The HALOS Act provides essential protection for trade associations that often facilitate such meetings between investors and fund managers, continuing to cultivate small business capital formation relationships. This change may be small, but the impact will be great.

Mr. Speaker, I will end my remarks by saying this: If the 115th Congress is serious about jobs, serious about turning our economy around, and serious about real change, passing bills like the HALOS Act will be paramount to our success.

I urge all Members to support Chairman CHABOT's bill.

Mr. CLAY. Mr. Chair, I continue to reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. KUSTOFF), a new member of the House Financial Services Committee.

Mr. KUSTOFF of Tennessee. Mr. Chairman, I rise today in support of H.R. 79, the Helping Angels Lead Our Startups Act. This important legislation has the ability to produce real results that Congress continually promises their constituents.

When I decided to seek office, a major driving force was the governmental overreach that I saw at home in west Tennessee. The financial crisis of 2008 crushed the middle class and lower classes across America.

West Tennesseans were hit hard. Far too many faced unemployment, struggled to pay their bills, and lost their homes and businesses that meant everything to their livelihoods. There has been no doubt that it has been a slow recovery under these last 8 years. Thankfully, many areas of the country have begun to bounce back.

West Tennessee, my home, still needs strong workforce development so we, too, can bounce back. As I traveled throughout the Eighth District of Tennessee last year, I met amazing people, great Americans who were ready to work hard to provide for their families and for their communities. Too often, I heard stories of burdensome mandates and regulations that are preventing these hardworking Tennesseans from moving forward.

With this legislation, we can keep our promise to help alleviate the burden of Federal regulations on small businesses. There is no doubt that angel investors are the backbone of startups; and unless we find a solution to unreasonable restrictions, small businesses could continue to suffer as they struggle to compete with large, established companies.

We need to keep our promise to the American people. We need to focus on creating good-paying jobs. And I believe that this bipartisan legislation is a step in the right direction.

I urge my colleagues to vote “yes” on this important legislation.

Mr. CLAY. Mr. Chair, I continue to reserve the balance of my time.

Mr. HUIZENGA. Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. SCHNEIDER) for 2 minutes.

Mr. SCHNEIDER. Mr. Speaker, I rise in support of H.R. 79, the Helping Angels Lead Our Startups or the HALOS Act.

I was proud to have introduced this bill with Representative CHABOT during the 113th Congress and have been pleased to see this commonsense legislation continue to gain bipartisan support. I want to thank Representatives CHABOT and SINEMA for continuing to advocate for this important legislation.

Small businesses and startup companies are tremendous assets and sources of economic growth for our country. Economists have shown that when the economy is healthy, startups and young, fast-growing firms are the fundamental drivers of job creation. But to succeed, innovative entrepreneurs with ideas need access to capital. These investments give new companies the resources to take their idea from concept to startup to success.

Congress should support this process and pass legislation that makes it easier for accredited investors to find creative, aspiring entrepreneurs. Unfortunately, certain legislation has had the unintended consequence of often making it more difficult for entrepreneurs and inventors to meet investors and access critical investment capital.

The JOBS Act of 2012 has placed additional restrictions on individuals who want to invest in startups. This has adversely affected programs where young companies demonstrate their products and meet potential investors and mentors, and the legislation has curtailed startups’ access to individual or angel investors and angel groups.

During my more than two decades of business experience, I saw firsthand how angel investors often provide more than just funding for young companies. They offer wisdom, advice, and guidance as small businesses seek to grow. The HALOS Act would reopen the path for innovative individuals and young companies to more easily connect with angel investors, while still maintaining important investor protections.

This bill will help small businesses better access the resources they need to thrive and ultimately create jobs, ensuring the United States remains the best place in the world to start and grow a new business.

I urge my colleagues to join me in supporting this important legislation.

Mr. CLAY. Mr. Chair, I continue to reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, may I inquire as to the balance of time remaining on both sides.

The CHAIR. The gentleman from Michigan has 8 minutes remaining, and the gentleman from Missouri has 22 minutes remaining.

Mr. HUIZENGA. Mr. Chair, I yield 2 minutes to the gentlewoman from Arizona (Ms. SINEMA), the coauthor of this bill.

Ms. SINEMA. Mr. Chair, I thank my colleagues on the other side of the aisle for working with me, yet again, on this bipartisan bill to help entrepreneurs and startup companies create jobs and grow our economy.

American startup businesses are growing both in number and diversity. Entrepreneurs are finding new and better ways to bring together talent, innovation, and investment capital in an increasingly competitive small business environment.

The HALOS Act clarifies SEC regulations to ensure small businesses may participate in educational demo days without the burden of having to verify that attendees are accredited investors. Demo days provide invaluable opportunities for entrepreneurs to meet and exchange ideas with students, professors, business professionals, and potential future investors.

The HALOS Act creates a clear path for startups to participate in demo days sponsored by a government entity, nonprofit, angel investor group, venture association, or other entity permitted by the SEC. Specifically, the act clarifies the definition of general solicitation to exempt communications and presentations at these events where advertising for the event does not make specific investment offerings and where no specific securities offering information is communicated at the event.

This permits startups to connect with business experts, potential future investors, and other entrepreneurs, all while maintaining existing accredited investor verification requirements and exemptions under Regulation D for the actual purchase or sale of securities. It does not, in any way, permit the sale of securities to unaccredited investors at demo days.

Companies such as Amazon, Costco, Facebook, Google, and Starbucks were all initially funded by angel investors. As we work to make America more competitive in the new global economy, we need to encourage the growth of innovative startups and job-creating small businesses.

Again, I thank Representative CHABOT for working with me on this commonsense, bipartisan bill. I am committed to working with my colleagues on both sides of the aisle to ensure that Arizona startups have the support they need to grow their businesses and create jobs.

□ 1445

Mr. CLAY. Mr. Chairman, I have no further speakers, and I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. MURPHY) and welcome her as a new Member.

Mrs. MURPHY of Florida. Mr. Chairman, I rise in support of the bipartisan HALOS Act because it will help startup companies with angel investors without compromising important investor protections.

When working in the private sector, I participated in numerous so-called demo days where early-stage entrepreneurs make presentations. I have counseled multiple startups and small firms through this process, particularly women and minority-owned businesses. I have seen firsthand as they struggled to overcome regulatory hurdles and to obtain access to much-needed capital when traditional financing sources, such as banks, may not be feasible.

It is important for the government at all levels—Federal, State, and local—to promote economic growth and encourage innovation by connecting people with good ideas to people with the capital and courage to bankroll those ideas. Robust entrepreneurial ecosystems is how great products come to market and how well-paying jobs are created. This is particularly important for my district in central Florida, which has a growing innovative and entrepreneurial startup community.

Based on personal experiences and on the experiences conveyed to me by Floridians with expertise in this area, the current Federal regulations governing demo days can be made more clear and less burdensome so that they better promote the flow of capital through our economy while continuing to protect nonaccredited investors.

Because I believe the HALOS Act achieves these dual objectives, I urge my colleagues to join me in voting “yes” on H.R. 79.

Mr. CLAY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, both Democrats and Republicans want to help facilitate capital formation, particularly for groups such as angel investors, who have substantial experience in the private securities market, and for small companies like startups who are seeking funding to innovate and grow. But as Members of Congress, we also have the responsibility to protect investors and ensure that the rules of the road

are reasonable and appropriate. This is especially important for retail investors, those of us who are looking to save for retirement or to buy a house or to support our children's education.

That is what concerns me about the bill we have before us today. We cannot create loopholes in the securities laws that could have a serious negative impact on Americans' nest eggs, so we must strike the right balance between capital formation in our securities markets and investor protection.

It is with these goals in mind that Democrats supported the current rules in place. Companies can raise money to grow and support their businesses in our securities markets under the purview of the SEC and State regulators. The regulatory framework we have set up allows for different activities and oversight depending on the nature of the security offering.

For example, public offerings provide robust information to investors about the risks and rewards of a particular securities purchase. They require the SEC or State securities regulator to preapprove and review an offering, and they provide legal recourse to investors that may be deceived. This is a strong regulatory framework that ensures our markets are safe and sound. In exchange for complying with these rules, companies can advertise and sell their stock to anyone in the general public.

On the other hand, private offerings do not come with the same regulatory requirements and protections, which can make it easier and less costly for firms to raise money. This means less information for investors, less legal recourse, and little to no scrutiny by regulators. So we put in place procedures to ensure these private offerings, which are inherently riskier, are only sold to accredited investors.

Private offerings now play a significant role in the market. Unregistered securities have surpassed registered securities in terms of capital formation. They have accounted for more than \$2 trillion in new capital. Moreover, \$71 billion has been raised since 2012 through the general solicitation and advertising exemption that we put in place in the JOBS Act. This is clearly an important and growing segment of our market, and, as such, I believe we need to be even more cautious about who is participating in it.

In fact, the SEC's Investor Advisory Committee said we should do more, not less, to protect investors in the general solicitation and advertising market for private offerings. They think we don't have enough guardrails in place. And yet this bill would do the opposite, by expanding the exemptions on general solicitation without similarly protecting the investor.

The bill also undercuts an important amendment Ranking Member WATERS offered to the JOBS Act, which was approved unanimously. It required com-

panies to verify that the purchaser is an accredited investor and is financially sophisticated enough to bear the risks involved in private offerings. By effectively allowing purchasers to "self-certify" at or after demo days sponsored by certain groups, the bill could open the door to financial ruin for a retail investor who may not have understood the consequences of his or her investment. So I oppose this bill.

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

I have actually had the pleasure and the honor of sitting through a number of these demo days and seeing these pitches being made. People are coming in, and they are literally laying out their dreams, their hopes, and, frankly, their hard work because they wouldn't be there that day if it wasn't for their hard work. They are looking for a couple of things. As small businesses and entrepreneurs, they are looking for capital and credit. We use the word "capital" a lot around here, but think of it as cash and credit. They really are looking for someone who will buy into their dream, who will look at their hard work, and who will understand that their dreams can become a reality with hope. This bill is trying to do that.

Members are hearing a lot of doom and gloom on the other side. In fact, I think the phrase was just thrown out, financial doom for the retail investor. Let's talk about these retail investors.

For you to become an accredited investor, someone who would qualify to be able to invest in these startup companies, according to SEC rule 501, you need to be married, jointly; \$300,000 in income; and \$1 million of net worth, excluding your home. So you cannot include a million-dollar home. You have to have \$1 million net worth outside of your home and have an income of \$300,000. Earlier, college students were brought up. Not a whole lot of college students that I am aware of have \$300,000 annual income or \$1 million net worth.

These are people who are sophisticated, typically. They are high net worth, by definition. Interestingly enough, as Members of Congress, if we allowed some of these amendments to go through and these restrictions to go through, as Members of Congress, we would be excluded from the room. We would be excluded. We couldn't even go in there to educate ourselves about how this process works. That, ultimately, is what this is about.

Those pitch days are not just for those people who are going to invest. Those pitch days are not just for the people who are going to do the investing. Those pitch days are for others to learn, to have an understanding.

If you are a college student sitting in the back row, to understand what it looks like to become an entrepreneur,

to really become a part of that engine of the American economy, you should be in the room. If you are someone who might be making a pitch later on and want to see how this happens and works, you ought to be in the room. Let's not exclude those people.

Why would we have a government closed off, closed room, a government-sanctioned closed room that would keep people from understanding and achieving their hopes and dreams and success?

I am pleased to be up here and to talk about this issue because we know that for our standing in the world, we need to have a dynamic economy. Our dynamic economy starts with our entrepreneurs and the risk-takers who are willing to invest in those ideas.

I just want to commend the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Ohio (Mr. CHABOT) for working in a bipartisan manner. I expect we are going to see a massively bipartisan vote for this bill, and I eagerly await that. I ask my colleagues to support H.R. 79.

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

The CHAIR. All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 79

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Helping Angels Lead Our Startups Act" or the "HALOS Act".

SEC. 2. DEFINITION OF ANGEL INVESTOR GROUP.

As used in this Act, the term "angel investor group" means any group that—

- (1) is composed of accredited investors interested in investing personal capital in early-stage companies;
- (2) holds regular meetings and has defined processes and procedures for making investment decisions, either individually or among the membership of the group as a whole; and
- (3) is neither associated nor affiliated with brokers, dealers, or investment advisers.

SEC. 3. CLARIFICATION OF GENERAL SOLICITATION.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Securities and Exchange Commission shall revise Regulation D of its rules (17 CFR 230.500 et seq.) to require that in carrying out the prohibition against general solicitation or general advertising contained in section 230.502(c) of title 17, Code of Federal Regulations, the prohibition shall not apply to a presentation or other communication made by or on behalf of an issuer which is made at an event—

- (1) sponsored by—
 - (A) the United States or any territory thereof, by the District of Columbia, by any State, by a political subdivision of any State or territory, or by any agency or public instrumentality of any of the foregoing;
 - (B) a college, university, or other institution of higher education;

(C) a nonprofit organization;
 (D) an angel investor group;
 (E) a venture forum, venture capital association, or trade association; or
 (F) any other group, person or entity as the Securities and Exchange Commission may determine by rule;

(2) where any advertising for the event does not reference any specific offering of securities by the issuer;

(3) the sponsor of which—

(A) does not make investment recommendations or provide investment advice to event attendees;

(B) does not engage in an active role in any investment negotiations between the issuer and investors attending the event;

(C) does not charge event attendees any fees other than administrative fees; and

(D) does not receive any compensation with respect to such event that would require registration of the sponsor as a broker or a dealer under the Securities Exchange Act of 1934, or as an investment advisor under the Investment Advisers Act of 1940; and

(4) where no specific information regarding an offering of securities by the issuer is communicated or distributed by or on behalf of the issuer, other than—

(A) that the issuer is in the process of offering securities or planning to offer securities;

(B) the type and amount of securities being offered;

(C) the amount of securities being offered that have already been subscribed for; and

(D) the intended use of proceeds of the offering.

(b) **RULE OF CONSTRUCTION.**—Subsection (a) may only be construed as requiring the Securities and Exchange Commission to amend the requirements of Regulation D with respect to presentations and communications, and not with respect to purchases or sales.

The CHAIR. No amendment to the bill shall be in order except those printed in part B of House Report 115-2. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. VELÁZQUEZ

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-2.

Ms. VELÁZQUEZ. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 18, strike “and”.

Page 3, after line 24, insert the following:

(E) provides attendees with a disclosure, as prescribed by the Securities and Exchange Commission by rule, describing the nature of the event and the risks of investing in the securities being advertised; and

Add at the end the following:

(c) **NO PRE-EXISTING RELATIONSHIP BY REASON OF EVENT.**—Attendance at an event described under subsection (a) shall not qualify, by itself, as establishing a pre-existing relationship between an issuer and a purchaser, for purposes of Rule 506(b).

The CHAIR. Pursuant to House Resolution 33, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

When we think of a startup business, the early days of Apple or Google usually come to mind. Their stories are familiar—hardworking entrepreneurs who beat the odds. Like these companies, most successful startups have several common ingredients: a new product or service, a willingness to take risks, and leadership that can navigate the complexities of today's economy. And successful firms also have a way of securing capital to both get off the ground and to grow.

This last ingredient can present serious obstacles as startups face unique financing challenges. Many do not have positive cash flow, putting traditional bank loans out of reach. While some of these firms participate in incubator or accelerator programs that provide a small amount of seed capital, they must find new sources of funding when their initial capital runs out.

One avenue for securing additional capital is by participating in demo days or pitch days. At these events, entrepreneurs have an opportunity to showcase their companies and innovations to potential investors.

Today's bill will alter SEC rules to exempt the use of general solicitation for presentations made at demo days. In other words, demo day organizers will not have to comply with the usual procedures verifying that the investors they are attracting to the event are accredited.

Despite the well-intended goal of expanding the use of demo days to better meet startups' capital needs, it is easy to see how unscrupulous actors could exploit this exemption to deceive ordinary people that were drawn to the event by a public advertisement. My amendment makes improvements to ensure attendees at demo days have an opportunity to be informed about the nature of these presentations and the risks of investing in startups.

□ 1500

Typically, demo days are limited to select groups of potential investors. Let's be clear, these are not science fairs, but they are sophisticated business presentations designed to raise capital for the entrepreneurs and their startups.

However, the underlying bill allows colleges and universities and nonprofits to host these events and advertise them to the public. It is easy to see how some attendees might not know the true nature of the presentation.

My amendment will address this by requiring event sponsors to provide an

SEC-created disclosure outlining the nature of the event and investment risks. By creating a uniform disclosure, the SEC can take the burden off the sponsors and issuers on what to disclose.

This amendment would also clarify that attendance at a demo day alone does not constitute a preexisting relationship and does not allow a stock issuer to sidestep their obligation to verify that an investor is accredited. Without this clarification, it is possible that issuers could defraud less-sophisticated retail investors.

Demo days are a great way for our Nation's entrepreneurs to raise capital, but they should be making presentations to the right investors, those that understand the risks of investing in risky startup businesses, not just anyone who saw an advertisement.

My amendment would both expand the ability of small businesses to raise capital by tapping into demo days while ensuring that the right kind of investors, those accredited and fully informed, are participating in the small business capital markets.

Mr. Chairman, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I claim the time in opposition to this amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, so here is the alternate reality you are expected to believe in this scenario that has been created. You are going to have somebody wander off the street with their checkbook in their pocket, listen to a 3- to 5-minute pitch on an idea that is going to change the world, and then they are going to sign away their financial future and life savings. That is the scenario that is being painted for you out there today by the opponents of this commonsense legislation.

Again, to be an investor, you must be an accredited investor, according to the SEC rules, Rule 501, that says you have \$300,000 of income annually and a net worth of \$1 million outside of your home. Owning your house doesn't count towards that.

I have been to these pitch days. You know what you are walking into. You don't just stumble on it and go: Wow, what's going on here?

I have never thought about this. Tell you what, I am going to write a five- or six- or seven-figure check today and put myself into financial ruin. That is not how these things work.

Mr. Chairman, at the end of the day, I think it is important to just review a little bit of the history here.

First of all, this amendment isn't necessary. It would create yet another SEC-required disclosure and further burden the ability for startups to present their ideas to demo days.

I would note that this amendment could have been offered last March, either in committee or while we here in the House had consideration last April 2016. However, in both cases that didn't occur.

Let's remember why we are here today, Mr. Chairman. When the SEC promulgated the rules to implement Title II of the JOBS Act, the agency made something that was legal prior to April 5 of 2012 suddenly illegal. The SEC decided that demo days that bring together those entrepreneurs and those companies suddenly became a general solicitation.

That isn't the case, and this amendment would require the SEC to prescribe a disclosure that "describes the nature of the event and the risks of investing in securities being advertised."

There is no sale that day, Mr. Chairman. No sale at all is going to happen. There is no exchange that happens at that event.

This amendment is unnecessary, overly broad, and would delay the return to the certainty that the pre-JOBS Act had brought.

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

Ms. VELÁZQUEZ. Mr. Chairman, may I inquire as to how many other speakers the gentleman has?

Mr. HUIZENGA. Mr. Chairman, I have no further speakers on this amendment.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

First of all, I am the author of the amendment, and in the amendment, there is no place in which it requires anyone to sign anything. This is a reasonable, straightforward, simple amendment that provides transparency and protection to the investors.

The gentleman says that this is not an offering. While some presentations may not explicitly be offering securities for sale, these demo days are not a simple science fair. They are sophisticated business presentations designed to generate hype and investor interest.

If a sponsor wants to advertise such events to the public, it is reasonable that they also provide information regarding the risk of investing in startups.

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

Mr. HUIZENGA. Mr. Chairman, you just heard the author of the amendment make the case that this is a complicated process in general that an unaccredited person is not going to be allowed to invest in. So it requires the event sponsor to provide attendees with a written disclosure outlining the nature of the event and the risks of investing in the securities for sale. It is not an offering that is happening at those demo days. I would ask my colleagues to oppose this amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from New York (Ms. VELÁZQUEZ).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CLAY

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-2.

Mr. CLAY. Mr. Chairman, I rise as the designee for Ms. WATERS' amendment to improve H.R. 79.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 18, strike "and".

Page 3, after line 18, insert the following:

(D) does not receive any compensation for making introductions between investors attending the event and issuers, or for investment negotiations between such parties; and

Page 3, line 19, strike "(D)" and insert "(E)".

At the end of the bill, insert the following:

(c) DEFINITION OF ISSUER.—For purposes of this section and the revision of rules required under this section, the term "issuer" means an issuer that is in day-to-day operations as a business, is not in bankruptcy or receivership, is not an investment company, and is not a blank check, blind pool, or shell company.

The CHAIR. Pursuant to House Resolution 33, the gentleman from Missouri (Mr. CLAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CLAY. Mr. Chair, I move for the adoption of the amendment. This amendment, combined with Velazquez amendment, if adopted, would ensure that the bill strikes the appropriate balance between capital formation and investor protection.

First, the Waters amendment would prohibit event sponsors from collecting finders' fees for connecting potential investors to companies. This prohibition helps ensure that event sponsors, including colleges, nonprofits, and trade associations, don't have perverse incentives to drum up sales of stock.

Second, the Waters amendment would require the company selling securities to be a company operating in the real economy, not a hedge fund, shell company, or company going through bankruptcy. Not only does this provision protect investors from purchasing shares of an opaque or speculative firm, but it also ensures that the bill is targeted to provide relief to our Nation's startups and small businesses.

These two provisions are common-sense changes that I hope will receive

bipartisan support. I move for the adoption of the amendment.

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

Mr. HUIZENGA. Mr. Chairman, I claim the time in opposition to this amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, once again, we are seeing an unnecessary, duplicative amendment here. The amendment, as it is laid out, creates a new definition of an issuer. The Securities Exchange Act already defines an issuer, and Ms. WATERS' definition is vague, confusing and, frankly, unnecessary.

Demo days are opportunities for startup companies to present their ideas to potential investors that are accredited. Again, accredited. At this point, all of America is shouting back at C-SPAN, saying, \$300,000 in income per year with \$1 million net worth, excluding their home. We get this out there. This is not a solicitation or offering a security.

So what I am, quite honestly, concerned about and maybe a little confused about is the point of the HALOS Act trying to fix a problem. It is trying to fix a problem.

Remember, we want to expose entrepreneurs and their ideas to the broadest pool of potential investors that includes angel investment community, again, of accredited investors. This requirement raises serious compliance concerns for angel investors. It would require entrepreneurs and startups to perform a compliance function that they may not have the physical or financial means to do so. Again, it is just an additional burden and barrier to entry for entrepreneurs.

Again, these are—the entrepreneurs typically aren't the ones that have \$300,000 of annual income or \$1 million net worth because, frankly, then they wouldn't have to be at the pitch. They could fund it themselves.

The idea is to make sure that those ideas, those people who are looking for an opportunity are given the broadest opportunity possible. And I think what we are seeing here is a reaction to the notion that, you know what? Maybe people can handle this on their own instead of the government needing to step in and be so overly prescriptive and control every decision that they are making.

You are seeing a reaction on the other side to that, to that notion of freedom, that idea of an entrepreneurial spirit; this idea that we all need to be wrapped in bubble wrap as we go out into the world. That is not government's role or job.

Outside of those prescriptions that are already in place, again, we are talking about a narrow group of investors with \$300,000 of net income annually, and \$1 million net worth who would even qualify to invest in those.

Why we would wall this off from others seeking to learn and to see an opportunity, I just simply don't understand.

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

Mr. CLAY. Mr. Chair, just in closing, let me say that, again, this amendment will bring some balance to the legislature and ensure that the bill is targeted to provide relief to our Nation's startup and small businesses, and I urge its adoption.

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

Mr. HUIZENGA. Mr. Chairman, in closing, I cannot support an amendment that makes it more difficult for startups to receive the crucial funding that they need to grow and create new jobs. Again, these are people pursuing their dreams, their hopes. They need capital and credit. They need cash and credit to go fulfill those.

Mr. Chairman, I actually believe in the SEC. I believe that the rules that they operate under are sufficient. I believe in the JOBS Act. I believe in the HALO Act that will provide the proper protections to investors, again, qualified investors with a \$300,000 income and a \$1 million net worth.

There are proper protections in place. This amendment does nothing but add additional burden to those seeking the investment and those seeking to invest. I request opposition from my colleagues.

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

The CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. CLAY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CLAY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

□ 1515

Mr. HUIZENGA. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OLSON) having assumed the chair, Mr. BOST, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

ENERGY EFFICIENT GOVERNMENT TECHNOLOGY ACT

Mr. OLSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 306) to amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 306

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Energy Efficient Government Technology Act".

SEC. 2. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

(a) IN GENERAL.—Subtitle C of title V of the Energy Independence and Security Act of 2007 (Public Law 110-140; 121 Stat. 1661) is amended by adding at the end the following:

"SEC. 530. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

"(a) DEFINITIONS.—In this section:

"(1) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

"(2) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given that term in section 11101 of title 40, United States Code.

"(b) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this section, each Federal agency shall coordinate with the Director, the Secretary, and the Administrator of the Environmental Protection Agency to develop an implementation strategy (that includes best practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies, taking into consideration the performance goals established under subsection (d).

"(c) ADMINISTRATION.—In developing an implementation strategy under subsection (b), each Federal agency shall consider—

"(1) advanced metering infrastructure;

"(2) energy-efficient data center strategies and methods of increasing asset and infrastructure utilization;

"(3) advanced power management tools;

"(4) building information modeling, including building energy management;

"(5) secure telework and travel substitution tools; and

"(6) mechanisms to ensure that the agency realizes the energy cost savings brought about through increased efficiency and utilization.

"(d) PERFORMANCE GOALS.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information technology.

"(2) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall recommend best practices for the attainment of the performance goals, which shall include Federal agency consideration of, to the extent applicable by law, the use of—

"(A) energy savings performance contracting; and

"(B) utility energy services contracting.

"(e) REPORTS.—

"(1) AGENCY REPORTS.—Each Federal agency shall include in the report of the agency under section 527 a description of the efforts and results of the agency under this section.

"(2) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2017, the Director shall include in the annual report and scorecard of the Director required under section 528 a description of the efforts and results of Federal agencies under this section."

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 is amended by adding after the item relating to section 529 the following:

"Sec. 530. Energy-efficient and energy-saving information technologies."

SEC. 3. ENERGY EFFICIENT DATA CENTERS.

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(D)(iv), by striking "determined by the organization" and inserting "proposed by the stakeholders"; and

(B) by striking paragraph (3); and

(2) by striking subsections (c) through (g) and inserting the following:

"(c) STAKEHOLDER INVOLVEMENT.—The Secretary and the Administrator shall carry out subsection (b) in collaboration with information technology industry and other key stakeholders, with the goal of producing results that accurately reflect the most relevant and useful information. In such collaboration, the Secretary and the Administrator shall pay particular attention to organizations that—

"(1) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, such as representatives of hardware manufacturers, data center operators, and facility managers;

"(2) obtain and address input from Department of Energy National Laboratories or any college, university, research institution, industry association, company, or public interest group with applicable expertise;

"(3) follow—

"(A) commonly accepted procedures for the development of specifications; and

"(B) accredited standards development processes; and

"(4) have a mission to promote energy efficiency for data centers and information technology.

"(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the specifications, measurements, best practices, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

"(e) STUDY.—The Secretary, in collaboration with the Administrator, shall, not later than 18 months after the date of enactment of the Energy Efficient Government Technology Act, make available to the public an

update to the Report to Congress on Server and Data Center Energy Efficiency published on August 2, 2007, under section 1 of Public Law 109-431 (120 Stat. 2920), that provides—

“(1) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2008 through 2015;

“(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

“(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

“(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

“(5) updated projections and recommendations for best practices through fiscal year 2020.

“(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in Federal data centers. Each Federal agency shall consider having the data centers of the agency evaluated every 4 years, in accordance with section 543(f) of the National Energy Conservation Policy Act, by energy practitioners certified pursuant to such program.

“(g) OPEN DATA INITIATIVE.—The Secretary, in collaboration with key stakeholders and the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making such data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation. In establishing the initiative, the Secretary shall consider the use of the online Data Center Maturity Model.

“(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

“(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate in the development of an efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

“(j) PROTECTION OF PROPRIETARY INFORMATION.—The Secretary and the Administrator shall not disclose any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out this section or the programs and initiatives established under this section.”

The SPEAKER pro tempore (Mr. BOST). Pursuant to the rule, the gentleman from Texas (Mr. OLSON) and the gentlewoman from California (Ms. ESHOO) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. OLSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, the Federal Government is a major consumer of electricity, and its information technologies account for a large and growing percentage of that major use. That is why we need H.R. 306, the Energy Efficient Government Technology Act, introduced by my good friend from California (Ms. ESHOO).

This bill creates a process by which Federal agencies can incorporate the latest efficiency improvements in their information technologies, including data centers. It also sets out yardsticks to measure progress.

The result of this bill would be lower Federal energy bills and taxpayer savings. In addition, the Federal Government can set an example for energy efficiency that the private sector IT systems would be able to copy.

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

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

Mr. Speaker, I am really pleased to rise today in support of this legislation, the Energy Efficient Government Technology Act.

I want to thank my colleague and friend, Mr. OLSON, for his wonderful description of the bill and his important support of it. I want to thank the new chairman of the full committee, Mr. WALDEN, and the ranking member of the full committee, Mr. PALLONE, for their support, and my legislative partner, ADAM KINZINGER, for his partnership on this bill.

I hope that this, the 115th Congress, is going to be the magic charm. I have introduced this bill now in three Congresses, and it passed in each Congress, but it didn't make it to the President's desk. I hope this time it will.

The bill is really a very simple one. It is about bringing the Federal Government's IT and data centers into the 21st century. The Federal Government is the Nation's largest energy user. I want to say that again. The Federal Government is our Nation's largest energy user, and we should lead by example in this area.

By requiring Federal agencies to utilize the best technologies and energy management strategies, this bill will reduce the government's energy use. Very importantly, it is going to save taxpayer dollars, and it is going to also set an example for the private sector.

Today, the world generates more data in 12 hours than was generated in all of human history prior to 2003.

I can tell by the look on your face, Mr. Speaker, that that takes your breath away.

This data must be stored and processed at data centers, which are the

backbone of the 21st century economy, but can be highly energy inefficient. While we now routinely hear about data centers, this was not the case when I began examining this issue over a decade ago. In those days, I had to explain to my colleagues what a data center was.

In 2005, I offered language in the Energy Policy Act which mandated an EPA study on the energy use and energy costs of data centers. This report was then transmitted to Congress in 2007, and today most Americans understand that data centers are a critical part of our national infrastructure and are found in nearly every sector of our economy.

According to the GSA, the Federal Government, alone, has more than 2,000 data centers which store everything from Social Security and tax records to e-books at the Library of Congress.

Several Silicon Valley companies have taken the lead in developing efficient, sustainable data centers, but we can do much, much more across the private sector and the government.

The Department of Energy estimates that the 70 billion kilowatt hours of electricity that are used by U.S. data centers annually could be slashed in half simply through implementation of best practices and existing technologies.

This bill, H.R. 306, will drive energy efficiency improvements across the government's IT and data centers by requiring Federal agencies to, number one, utilize the best technologies and energy management strategies; two, formulate specific goals and periodically review their energy efficiency—it is very important to track the efficiencies—and, three, make government center data energy usage statistics public in a way that empowers further innovation.

Importantly, the bill requires government agencies to formulate specific performance goals and a means to calculate overall cost savings from implementation.

Mr. Speaker, as I said, I first introduced the legislation in 2013. It has passed the House by wide margins in each of the last two Congresses. It is noncontroversial. It is bipartisan. It makes sense. I want to urge all of my colleagues to support the bill.

I thank my colleagues on a bipartisan basis at the Energy and Commerce Committee, and I reserve the balance of my time.

Mr. OLSON. Mr. Speaker, I join my colleague in trying to spice things up, so I reserve the balance of my allotted time.

Ms. ESHOO. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY), my valued colleague on the committee.

Mr. MCNERNEY. Mr. Speaker, I rise to support H.R. 306, the Energy Efficient Government Technology Act,

sponsored by the committee. It is also bipartisan, as my colleague from California mentioned, sponsored by Ms. ESHOO and Mr. KINZINGER of Illinois.

H.R. 306 promotes the use of energy efficiency and energy savings information technologies and practices across the Federal Government, especially in data centers.

The bill amends the Energy Independence Act of 2007 to require Federal agencies to coordinate with the OMB, DOE, and EPA in developing an implementation strategy for the maintenance, purchase, and use of energy efficiency and energy savings information technology.

Ten percent of Federal electricity is consumed by Federal energy centers. H.R. 306 aims to keep that at 10 percent or even to reduce it.

The legislation also sets out specific items for consideration in developing an implementation strategy that requires the establishment of performance goals for evaluating agencies' efforts. In addition, the bill would amend the 2007 act to require the DOE and EPA to collaborate with stakeholders in the implementation of data centers, efficiency programs, and other measures to improve data center energy efficiency.

Again, the legislation was passed by the House without dissent last year as stand-alone legislation. I urge my colleagues to support it.

I commend my colleagues Ms. ESHOO and Mr. KINZINGER.

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

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

Mr. Speaker, I have been a naval aviator, a Senate staffer, and a Member of Congress. In those 20 years, the best leaders I have seen are ones who lead by example. H.R. 306 makes sure D.C. leads by example. If we lead, the whole country will follow.

I urge my colleagues to vote "aye" on H.R. 306.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. OLSON) that the House suspend the rules and pass the bill, H.R. 306.

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

A motion to reconsider was laid on the table.

SMALL BUSINESS BROADBAND DEPLOYMENT ACT

Mrs. BLACKBURN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 288) to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than

compliance with cumbersome regulatory requirements.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 288

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Broadband Deployment Act".

SEC. 2. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY REQUIREMENTS FOR SMALL BUSINESSES.

(a) IN GENERAL.—The enhancements to the transparency rule of the Federal Communications Commission under section 8.3 of title 47, Code of Federal Regulations, as described in paragraphs 162 through 184 of the Report and Order on Remand, Declaratory Ruling, and Order of the Federal Communications Commission with regard to protecting and promoting the open Internet (adopted February 26, 2015) (FCC 15–24), shall not apply to any small business.

(b) SUNSET.—Subsection (a) shall not have any force or effect after the date that is 5 years after the date of the enactment of this Act.

(c) REPORT BY FCC.—Not later than 180 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains the recommendations of the Commission (and data supporting such recommendations) regarding—

(1) whether the exception provided by subsection (a) should be made permanent; and

(2) whether the definition of the term "small business" for purposes of such exception should be modified from the definition in subsection (d)(2).

(d) DEFINITIONS.—In this section:

(1) BROADBAND INTERNET ACCESS SERVICE.—The term "broadband Internet access service" has the meaning given such term in section 8.2 of title 47, Code of Federal Regulations.

(2) SMALL BUSINESS.—The term "small business" means any provider of broadband Internet access service that has not more than 250,000 subscribers.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from California (Mr. MCNERNEY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

□ 1530

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

Mr. Speaker, I rise today in support of H.R. 288, the Small Business Broadband Deployment Act. I am glad that the House is taking swift action on this bill, which would protect small Internet service providers from the enhanced disclosure requirements laid out in the 2015 Open Internet Order.

After adopting the Open Internet Order, the FCC recognized the importance of exempting small ISPs from these enhanced transparency rules and subsequently granted a temporary exemption to broadband providers with fewer than 100,000 subscribers. However, the Commission failed to reach an agreement to grant another exemption before the deadline last December and, as a result, has left hundreds of our Nation's small providers vulnerable to cumbersome rules.

FCC Commissioners Pai and O'Rielly have taken action, since the exemption expired, to reassure our small broadband providers that the rules will not be enforced until the situation has been addressed by the Commission, but Congress should go a step further and provide certainty to our Nation's small businesses and pass this bill.

Rather than a 1-year exemption to the enhanced disclosure requirements, this bill would exempt for 5 years broadband providers with fewer than 250,000 subscribers from the enhanced reporting obligations, providing them with the regulatory certainty to invest in their business.

At our hearing last January, we heard from multiple witnesses just how cumbersome and burdensome these rules are. One witness described the difference to be as significant as the need to hire regulatory counsel versus the ability to build another tower to provide service. For a small business in a capital-intensive industry, that could be the difference between getting more people connected to the Internet and going out of business.

We cannot let our small businesses and hardworking taxpayers be saddled with more onerous rules and the costs that they bring. In addition to regulatory relief for small ISPs, the bill adds certainty for our Nation's small ISPs by extending the exemption for 5 years.

It was disappointing to see the Commission fail to reach an agreement at the end of last year to extend the exemption, and it is why we are here today. Despite overwhelming bipartisan support from Congress and President Obama's Small Business Administration, negotiations fell short, and our Nation's smallest and most competitive Internet service providers were left to bear the burden.

In today's 21st century economy, we need to do more to encourage connectivity, and this bill embodies that spirit. Congress is poised to provide the regulatory certainty small

businesses are seeking in order to invest in stronger networks and foster a better consumer experience.

I want to thank Chairman WALDEN and Mr. LOEBSACK for acting quickly to reintroduce this legislation, and I urge all of my colleagues to support the commonsense measure.

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

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

First of all, I want to congratulate the gentleman from Oregon on his new chairmanship. I look forward to working across the aisle on most of the issues. It is a good bipartisan subcommittee. I think we have a lot to accomplish.

The Small Business Broadband Deployment Act, H.R. 288, unanimously passed the House last Congress on a bipartisan vote, unanimous. H.R. 288 provides a 5-year exemption from the FCC's enhanced transparency rules for small Internet service providers that serve 250,000 or fewer subscribers.

This exemption comes with the understanding that there is a 5-year sunset on the exemption and that the FCC report to Congress with sufficient information to help us better understand the impacts on the consumers of a permanent exemption, of a possible permanent exemption. This data will also better inform us whether a longer term exemption is necessary and whether we got the definition of what a small business is right in this case.

It is also worth noting that H.R. 288 would leave intact the FCC's 2010 transparency rules that consumers have come to rely on, such as what they are paying for, Internet speeds they rely on, data quality, and so on. At the same time, these modifications provide certainty for small ISPs while the FCC collects and reports relevant information to Congress.

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

Mrs. BLACKBURN. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WALDEN), the chairman of the Committee on Energy and Commerce and the author of this legislation.

Mr. WALDEN. Mr. Speaker, I want to thank the new subcommittee chairman of the Subcommittee on Communications and Technology. I know our country is in good hands and our committee is as well with Mrs. BLACKBURN chairing that important subcommittee. I want to thank my colleague from California for his kind comments and his work over the years on these issues. I concur with him that we have a wonderful opportunity to continue our bipartisan work as the committee has been known for, for a long time. Clearly, from time to time, we will have our differences, and we know that as well. It is part of democracy. There is so much of this work, like this bill, that is so very important.

As we begin the 115th Congress, I am pleased to be here to support this bipartisan bill because I think it reflects the best of what government can do for those who sent us here. Small Business Broadband Deployment Act seeks to alleviate, as you have heard, Mr. Speaker, these unnecessary regulatory burdens on small Internet service providers—these are the small ones, oftentimes in our rural communities but not always—while still ensuring that consumers are protected. We found the right balance here.

By extending an exemption to the Federal Communications Commission's enhanced reporting rules, this bill allows these small businesses to focus on their core mission, and that is to provide broadband Internet access to customers throughout America. Over the past year, we spent a great deal of time focused on this issue. We first raised concerns with the Federal Communications Commission in a letter, Mr. Speaker, from the committee, as well as from the Committee on Small Business. We urged the chairman, Tom Wheeler, to not only make the exemption permanent but also to raise the threshold by defining a small business to bring it in line with the definitions previously blessed by the Obama administration's Small Business Administration. We were trying to find some consistency, some workability, and some common sense here.

Well, unfortunately, the FCC only extended the exemption for 1 year, despite the overwhelming support to do this permanent extension. It was clear Congress needed to act. That is what we are doing here. I introduced a discussion draft last year that would have permanently extended the exemption and increased the threshold by defining a small business.

At our January 2016 legislative hearing on the bill, we heard from a small Internet service provider who shared the dilemma that many small ISPs face in these circumstances: Should they put up new equipment, or should they hire a lawyer to help with compliance? Should they improve service for customers, or should they devote those financial resources to sifting through regulatory language and drafting extensive reports on packet loss?

So often these small ISPs provide service to areas of the country that are rural, like in my district throughout eastern Oregon or Representative LOEBSACK's district in Iowa—we heard from him—or may not be as easy to serve and, in some cases, provide a vital competitive edge to larger Internet service providers. We should be making all efforts to promote the viability of these businesses, not saddle them with additional requirements that make it more difficult to do what they are in business to do.

Representative LOEBSACK and I were able to come to a compromise through

extensive negotiation. In the bill we have before us today, we extend this exemption for 5 years. Now, it gives greater regulatory certainty to these small Internet service providers looking for predictability when making investment decisions. In addition, we increased the threshold for defining a small business and required the FCC to report back to Congress on the exemption along with data around small ISPs that is currently lacking.

In the end, this bill presents a good compromise that will relieve burdens for small businesses while leaving in place protections for consumers. So it is important to note this bill doesn't affect the transparency rules, as my colleagues have mentioned, adopted in the FCC's 2010 rules. Consumers will continue to have access to those disclosures they have come to expect, with the information needed to make informed decisions about their Internet service.

Again, this bill passed the House unanimously last year, 411-0. Unfortunately, while it made it through the Senate Commerce Committee, it never quite came up for a vote in the Senate. In addition, the exemption granted by the FCC expired on December 15, 2016, and has not yet been renewed. Now, that leaves these many small businesses exposed to the serious reporting burden that we have heard about throughout this process, as well as a great deal of uncertainty around what the future may hold for them. It is now more important than ever that we act to quickly fill this gap and protect these businesses and the consumers they serve.

I would like to thank my colleagues on both sides of the aisle, especially Representative LOEBSACK, for working with us on this bill. This bipartisan process has resulted in a strong piece of legislation that I am confident will protect many and promote continued network investment and build-out by small businesses. This legislation represents a commonsense approach to a problem that directly impacts so many of our constituents. This solution will enable our country to continue its leadership in broadband deployment. I urge my colleagues to support this legislation.

Mr. MCNERNEY. Mr. Speaker, again, I want to thank the chairman for his work on this and for his willingness to compromise. As he pointed out, it was a process. It took both sides. I think he wanted permanent exemption, we wanted a less exemption, and it worked out. I think it is the right compromise. Five years gives businesses the predictability they need. It is a good place to be. In 5 years, we will see the report and whether it makes sense to continue the exemption or not.

I also want to take this opportunity to congratulate my colleague from

Tennessee on assuming the chairmanship of the subcommittee. I look forward to our working together.

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

Mrs. BLACKBURN. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), a new member of our committee, the Committee on Energy and Commerce.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to express my support of H.R. 288, the Small Business Broadband Deployment Act. In 2015, the FCC adopted burdensome transparency requirements for Internet service providers. The FCC immediately recognized that these new transparency requirements would be particularly burdensome for small Internet service providers, so they provided a temporary exemption for providers with 100,000 or fewer subscribers. Despite overwhelming support to make the exemption permanent, the Commission extended the current exemption for just an additional year.

The bill eases the burdens created by the FCC rule by extending the exemption to Internet service providers who have 250,000 subscribers or less and extends the exemption for 5 years.

This is commonsense legislation. This bill provides relief and certainty to Internet service providers so they can continue to build networks, deploy broadband, improve connectivity for rural consumers, and create jobs.

I commend Chairman WALDEN for championing this legislation so that we can continue to grow our infrastructure and improve connectivity for rural Americans.

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

Mrs. BLACKBURN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I rise in strong support of H.R. 288, the Small Business Broadband Deployment Act. This commonsense, bipartisan legislation does two important things. First, it extends the temporary exemption granted to small businesses by the Federal Communications Commission, the FCC, from the burdensome disclosure requirements for Internet service providers and the FCC's own Open Internet Order by 5 years. Second, it increases the number of small businesses that can utilize the exemption by raising the threshold from 100,000 subscribers to the much more realistic 250,000 subscribers.

Small businesses frequently feel that the Federal Government exercises its most creativity in looking for new ways to get in their way. Oftentimes, small Internet providers are the only ones willing to take the risk and deploy broadband to particularly hard-to-reach areas of rural America. The last thing they have time for is the FCC imposing a greater regulatory burden on

them, diverting precious resources to make Washington bureaucrats busy instead of doing what they do best, providing high quality broadband services to millions of Americans in every corner of our country.

Mr. Speaker, I urge my colleagues to support this legislation and help reduce a portion of the tedious regulatory burden on small businesses.

□ 1545

Mr. McNERNEY. Mr. Speaker, in closing, I just want to say that the bill passed unanimously in the last Congress. It is bipartisan. It gives small ISP providers a certain amount of time and it allows the FCC to decide if it is overburdensome or not, to require them to disclose information to their customers. This allows us to give customers the amount of protection that is due them as well.

So it is a good compromise. I urge all of my colleagues to support it.

I thank my colleagues for their hard work.

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

Mrs. BLACKBURN. Mr. Speaker, I will just encourage my colleagues to join us in passing H.R. 288.

As my colleague from California said, this is one of those commonsense measures. When you talk about removing the burden of regulatory overreach from our Nation's small business, and in this case, our small Internet service providers, this is something that will help get that job done. It is also something that will help extend Internet service to more Americans, and that is a goal that we all share.

So at this time, in closing, I encourage passage of H.R. 288.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) that the House suspend the rules and pass the bill, H.R. 288.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INSPIRING THE NEXT SPACE PIONEERS, INNOVATORS, RESEARCHERS, AND EXPLORERS (INSPIRE) WOMEN ACT

Mrs. COMSTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 321) to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 321

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Inspiring the Next Space Pioneers, Innovators, Researchers, and Explorers (INSPIRE) Women Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) NASA GIRLS and NASA BOYS are virtual mentoring programs using commercially available video chat programs to pair National Aeronautics and Space Administration mentors with young students anywhere in the country. NASA GIRLS and NASA BOYS give young students the opportunity to interact and learn from real engineers, scientists, and technologists.

(2) The Aspire to Inspire (A2I) program engages young girls to present science, technology, engineering, and mathematics (STEM) career opportunities through the real lives and jobs of early career women at NASA.

(3) The Summer Institute in Science, Technology, Engineering, and Research (SISTER) program at the Goddard Space Flight Center is designed to increase awareness of, and provide an opportunity for, female middle school students to be exposed to and explore nontraditional career fields with Goddard Space Flight Center women engineers, mathematicians, scientists, technicians, and researchers.

SEC. 3. SUPPORTING WOMEN'S INVOLVEMENT IN THE FIELDS OF AEROSPACE AND SPACE EXPLORATION.

The Administrator of the National Aeronautics and Space Administration shall encourage women and girls to study science, technology, engineering, and mathematics, pursue careers in aerospace, and further advance the Nation's space science and exploration efforts through support of the following initiatives:

(1) NASA GIRLS and NASA BOYS.

(2) Aspire to Inspire.

(3) Summer Institute in Science, Technology, Engineering, and Research.

SEC. 4. PLAN.

Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for how NASA can best facilitate and support both current and retired astronauts, scientists, engineers, and innovators, including early career female astronauts, scientists, engineers, and innovators, to engage with K-12 female STEM students and inspire the next generation of women to consider participating in the fields of science, technology, engineering, and mathematics and to pursue careers in aerospace. This plan shall—

(1) report on existing activities with current and retired NASA astronauts, scientists, engineers, and innovators;

(2) identify how NASA could best leverage existing authorities to facilitate and support current and retired astronaut, scientist, engineer, and innovator participation in NASA outreach efforts;

(3) propose and describe a program specific to retired astronauts, scientists, engineers, and innovators; and

(4) identify any additional authorities necessary to institute such a program.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. COMSTOCK) and the gentlewoman from Connecticut (Ms. ESTY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. COMSTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 321, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. COMSTOCK. Mr. Speaker, I yield myself such time as I may consume.

I rise to offer H.R. 321, the INSPIRE Act. I am pleased to lead this effort along with the chairman and ranking member of the Science, Space, and Technology Committee, LAMAR SMITH and EDDIE BERNICE JOHNSON, as well as Congresswoman ESTY.

We did pass this bill last year and now we are revisiting it since it didn't get through the Senate.

Recently, the movie, "Hidden Figures," was released detailing a few of the unsung heroes of NASA. This movie highlights the moving story of a group of African American women who worked at NASA at a historic time in the 1960s as mathematicians during the space race.

Katherine Johnson, Dorothy Vaughan, and Mary Jackson were featured in the movie for their work that launched America into space.

In a recent interview with the LA Times, Ms. Johnson, who is still living, was asked: "At the time, did you know that John Glenn asked for 'the girl' (which would be you) to check the numbers before he took his landmark flight into space? Did it heighten the stakes for you?"

Ms. Johnson's response: "I knew they asked me to check the numbers. That was what I did. They knew my record for accuracy. I knew and had confidence in my math, so I did it. I always did my best."

Mr. Speaker, I didn't know the story of these women growing up, even though they were doing these things at a time when we were all watching these things happen. But now today's young women well know that story. It is an inspiring story. It is one of those movies Ms. ESTY and I were speaking about yesterday that were on our list of must-sees.

These women were critical to the success of our astronauts and our space program that would eventually put a man on the Moon. Now is the time to pass this legislation that will afford opportunities to a future generation of women leaders who will have a similar impact on our Nation's history, and maybe, one day, put a woman on Mars.

The INSPIRE Act authorizes the NASA administrator to encourage young women to study mathematics, known as the STEM fields, and to pur-

sue careers that will further advance America's space science and exploration efforts through support of NASA initiatives such as NASA GIRLS, Aspire 2 Inspire, and the Summer Institute in Science, Technology, Engineering, and Research—SISTER.

The goal of NASA GIRLS is to create a virtual mentoring project that offers a one-of-a-kind experience to middle school students using online capabilities.

NASA's vision for Aspire 2 Inspire was to reach out to young girls and present some of the STEM career opportunities through the real lives and jobs of early career women at NASA.

The SISTER program is designed to increase awareness of and provide an opportunity for female middle school students to be exposed to and explore nontraditional career fields with Goddard Space Flight Center women engineers, mathematicians, scientists, technicians, and researchers. According to NASA, 58 women have traveled in space. Forty-nine of those have flown with NASA.

Of course, there are so many other careers available for women in NASA, and we want to make sure all of those are available for them. We know the stories of women like Sally Ride and Mae Jemison, but, ironically, we didn't know these hidden figures that are behind the scene. So now, as we move forward under this program, we hope everyone will know about the many women and the many careers open to both men and women in this NASA program.

Mr. Speaker, I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 321, the INSPIRE Women Act.

This bill calls on the NASA administrator to support initiatives that encourage girls and young women to study STEM fields and pursue careers in aerospace. Unfortunately, women are woefully underrepresented in many STEM fields, including aeronautics and aerospace. One of the key barriers to women entering technical fields is self-selection out of STEM degrees due to a lack of role models.

In the words of longtime children's advocate and activist, Marian Wright Edelman: "You can't be what you can't see."

Too many girls and young women decide not to pursue studies in technical fields such as science, engineering, and aerospace because they look at their teachers and their role models and they see no one who looks like them.

When students are able to visualize themselves working in technical fields, they gain the confidence they need to take the first step in pursuit of a challenging and rewarding STEM career, to their benefit and to the benefit of society as a whole.

NASA, with its extraordinary STEM workforce, is in a unique position to help close this gap. The agency has access to a diverse group of current and retired women astronauts, scientists, engineers, mathematicians, and innovators whose accomplishments and career paths are just the sort of inspiration that girls and young women need.

Astronaut Kate Rubins broke barriers and boundaries when she became the first person to ever sequence DNA in space during her spaceflight last year.

Just last Friday, Peggy Whitson, the first female commander of the International Space Station, completed her seventh space walk.

Vera Rubin's recent passing reminded us of her trailblazing career in astronomy in which she made the groundbreaking discovery of dark matter.

As has already been mentioned by my friend and colleague, BARBARA COMSTOCK, the newly released movie, "Hidden Figures," highlights through the pioneering story of early NASA mathematicians and engineers Katherine Johnson, Dorothy Vaughan, and Mary Jackson that women have been instrumental to our aerospace enterprise since its inception.

NASA has developed a number of programs aimed at leveraging its inspirational workforce to encourage girls and young women to pursue STEM degrees and STEM careers. This includes the NASA GIRLS program, the Aspire 2 Inspire program, and the Summer Institute in Science, Technology, Engineering, and Research, or SISTER program.

H.R. 321 instructs the NASA administrator to continue supporting these and other programs that encourage women and girls to study science, technology, engineering, and mathematics, as well as to pursue careers in aerospace.

Additionally, the bill calls on NASA to develop a plan for how it can best facilitate and support current and retired astronauts, scientists, engineers, and innovators to engage with K-12 female STEM students.

Although retired engineers, astronauts, scientists, and engineers are invaluable to inspiring the next generation of NASA scientists, I am especially glad and thankful to my colleague for including early career female astronauts, scientists, engineers, and innovators in this plan. It is very important for America's young girls to have experiences interacting with young women who look like them in the STEM fields.

I thank my Science, Space, and Technology Committee colleague, Representative COMSTOCK, for her leadership on the bill, as well as our esteemed chairman, LAMAR SMITH, and our wonderful ranking member, EDDIE BERNICE JOHNSON.

I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. COMSTOCK. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 321, the INSPIRE Women Act, and commend the leadership of Congresswoman COMSTOCK and Congresswoman ESTY on this bill, which I am pleased to also cosponsor.

We should be doing all we can to encourage young women who wish to study or follow a STEM career path, and Congresswoman COMSTOCK has introduced this commonsense bill to achieve that goal.

H.R. 321 would require NASA to support astronauts, scientists, and engineers who have retired in their efforts to encourage young women who are interested in studying or working in a STEM field.

Mr. Speaker, innovative thinkers are critical to our country's success in the modern global workforce. But we have heard the statistics. Women make up half of the U.S. workforce and half of the college educated workforce. Yet, only 25 percent of women who attain degrees in the STEM field actually end up working in STEM jobs.

That is why I support this bill and that is why I think the aims of this bill are very laudable and could go a long way toward closing that gap. It is an important effort to improve retention of women studying and working in STEM fields.

I thank again Congresswomen COMSTOCK and ESTY for their leadership.

Ms. ESTY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), my ranking member.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 321, the Inspiring the Next Space Pioneers, Innovators, Researchers, and Explorers Women Act.

I want to express my appreciation for the leadership of Congresswoman ESTY and Congresswoman COMSTOCK.

This bill would help ensure that the incoming administration continues to promote and strengthen important programs at NASA to inspire and mentor girls and young women to pursue studies and careers in STEM areas.

Despite progress in the right direction, women remain largely underrepresented in STEM fields because they continue to face cultural and institutional barriers throughout their studies and career progression.

H.R. 321 would support existing programs at NASA that encourage young girls and women to study STEM fields and pursue careers in aerospace.

□ 1600

These programs include NASA GIRLS, a virtual mentoring program;

Aspire to Inspire, a program connecting young girls with women in STEM careers at NASA; and a summer institute program that increases awareness and exposes young, middle school girls to the STEM careers at NASA.

H.R. 321 also calls on NASA to develop a plan for how best to use its current and retired workforce to mentor female K–12 students. What comes to mind are the inspirational women who are featured in the new movie “Hidden Figures.” Those brilliant and brave women opened the door for so many who followed. We must continue to support our great women in STEM who dedicate their time to mentor the girls and young women who will be our next scientists, engineers, and innovators.

I thank my colleagues again—Representative COMSTOCK for her leadership on this bill and Representative ESTY. I strongly support this bill and encourage my colleagues on both sides of the aisle to pass it.

Mrs. COMSTOCK. Mr. Speaker, I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, again, I thank my esteemed colleagues for their leadership on this, in particular, Representative COMSTOCK from Virginia and the ranking member.

This is a very laudable bill that plays an important role in inspiring the next generation of STEM engineers and scientists, and I am pleased that we are able to offer this again. This did pass in the last Congress. Unfortunately, it did not make it through the Senate. I am delighted that we are moving early in this session and would urge all of my colleagues to swiftly pass this, to send it to the Senate, and to get it on the President's desk and make sure these important programs are supported long into the future.

Mr. Speaker, I yield back the balance of my time.

Mrs. COMSTOCK. Mr. Speaker, we have had over 65 cosponsors this year on the bill, as was mentioned by my colleague. It had strong bipartisan support last year and it has also been introduced now in the Senate, so we certainly hope it will move through quickly.

Eileen Collins, who became the first female to command and pilot a spacecraft, was asked to give advice to future astronauts. She stated:

My advice to young people is to go into the field you are most interested in. If you love your job, you will do well in your job.

I think what we have all discussed here today is, when you can see that job and when you can see people who look like you—see women and people from all walks of life in those positions—and the Internet allows us to do that now, then you can really have that kind of exposure, which is quite exciting.

I appreciate the opportunity to, once again, present this bill, and I ask my colleagues to join me in support.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, science, technology, engineering and math are critical to America's future prosperity.

Women are unfortunately underrepresented in STEM careers. Despite representing nearly half of the college-educated and total U.S. workforce, women account for less than 25 percent of America's STEM workforce.

Supporting women's involvement in the fields of aerospace and space exploration should be an important part of NASA's mission.

Current NASA programs such as NASA GIRLS and NASA BOYS are important and give young students the opportunity to interact and learn from real NASA engineers, scientists, and technologists.

They provide virtual mentoring that use commercially available video chat programs to pair NASA innovators with young students across the country.

H.R. 321 builds upon this success. It leverages NASA's talent pool of current and retired astronauts, and early career female scientists, engineers, and innovators to inform and inspire young women to pursue their dreams in science, technology, engineering, and mathematics. One day, these young people will push the boundaries of space.

Space can be a catalyst for inspiring young girls to enter the STEM fields. By doing our part to support their engagement in space with this legislation, we are investing in the futures of our daughters, nieces, and grandchildren.

I again want to thank the bill sponsor, Research and Technology Subcommittee Chairwoman COMSTOCK for her leadership on this topic. I encourage my colleagues to support this bill.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 321, the INSPIRE Women, Act.

I support this legislation because Article 1 Section 8 of the United States Constitution states our duty “To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries . . .”

This includes the education of our next generation of women considering participation in the fields of science, technology, engineering, and mathematics and to pursue careers in aerospace.

Statistics show that women remain underrepresented in the science and engineering workforce, although to a lesser degree than in the past, with the greatest disparities occurring in engineering, computer science, and the physical sciences (NSF, Science & Engineering Indicators, 2014).

1. Female scientists and engineers are concentrated in different occupations than are men, with relatively high shares of women in the social sciences (58 percent)

2. biological and medical sciences (48 percent)

3. relatively low shares in engineering (13 percent)

4. computer and mathematical sciences (25 percent) (NSF, Science & Engineering Indicators, 2014).

Women make up 47 percent of the total U.S. workforce, but are much less represented

in particular science and engineering occupations (U.S. Department of Labor, Bureau of Labor Statistics, *Women in the Labor Force: A Databook*, 2014):

1. 39 percent of chemists and material scientists are women;
2. 27.9 percent of environmental scientists and geoscientists are women;
3. 15.6 percent of chemical engineers are women;
4. 12.1 percent of civil engineers are women;
5. 8.3 percent of electrical and electronics engineers are women;
6. 17.2 percent of industrial engineers are women; and
7. 7.2 percent of mechanical engineers are women.

These statistics show that measures need to be taken in order to promote women participation in the fields of science, technology, engineering, and mathematics and to pursue careers in aerospace.

H.R. 321 will support NASA GIRLS and NASA BOYS, virtual mentoring programs using commercially available video chat programs, to pair National Aeronautics and Space Administration mentors with young students anywhere in the country.

NASA GIRLS and NASA BOYS give young students the opportunity to interact and learn from real engineers, scientists, and technologists.

H.R. 321 will also support the "Aspire to Inspire" Program (A2I), which engages young girls to present science, technology, engineering, and mathematics (STEM) career opportunities through the real lives and jobs of early career women at NASA.

H.R. 321 also promotes the Summer Institute in Science, Technology, Engineering, and Research (SISTER) program at the Goddard Space Flight Center designed to increase awareness of, and provide an opportunity for, female middle school students to be exposed to and explore nontraditional career fields with Goddard Space Flight Center women engineers, mathematicians, scientists, technicians, and researchers.

Let me close by urging all Members to join me in voting to pass H.R. 321.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. COMSTOCK) that the House suspend the rules and pass the bill, H.R. 321.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROMOTING WOMEN IN ENTREPRENEURSHIP ACT

Mrs. COMSTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 255) to authorize the National Science Foundation to support entrepreneurial programs for women.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 255

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Promoting Women in Entrepreneurship Act".

SEC. 2. FINDINGS.

The Congress finds that—

- (1) women make up almost 50 percent of the workforce, but less than 25 percent of the workforce in science, technology, engineering, and mathematics (STEM) professions;
- (2) women are less likely to focus on the STEM disciplines in undergraduate and graduate study;
- (3) only 26 percent of women who do attain degrees in STEM fields work in STEM jobs;
- (4) there is an increasing demand for individuals with STEM degrees to extend their focus beyond the laboratory so they can be leaders in discovery commercialization;
- (5) studies have shown that technology and commercialization ventures are successful when women are in top management positions; and
- (6) the National Science Foundation's mission includes supporting women in STEM disciplines.

SEC. 3. SUPPORTING WOMEN'S ENTREPRENEURIAL PROGRAMS.

Section 33 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a) is amended—

- (1) by striking "and" at the end of paragraph (10);
- (2) by striking the period at the end of paragraph (11) and inserting "; and"; and
- (3) by adding at the end the following new paragraph:

"(12) encourage its entrepreneurial programs to recruit and support women to extend their focus beyond the laboratory and into the commercial world."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. COMSTOCK) and the gentlewoman from Connecticut (Ms. ESTY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. COMSTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 255, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. COMSTOCK. Mr. Speaker, I yield myself such time as I may consume.

I offer another bipartisan bill that Ms. ESTY and I have introduced, H.R. 255, her bill called Promoting Women in Entrepreneurship Act. We are joined again on this measure by the chairman and the ranking member, who are original cosponsors of this bill.

Our bill, H.R. 255, amends the Science and Engineering Equal Opportunities Act to authorize the National Science Foundation to use its entrepreneurial programs to recruit women and to extend their focus beyond the laboratory and into the commercial world. The bill also includes a number of findings regarding women in science, technology, engineering, and mathematics fields, also known as the STEM fields.

One finding in this bill notes that women make up almost 50 percent of the workforce but less than 25 percent of the workforce in STEM professions. We want to make sure we can do everything to improve these statistics, and we believe this bill, along with our earlier bill that we voted on, is a step in the right direction.

Again, I have been happy to collaborate with my colleague, Congresswoman ESTY, on this important legislation for our young women so that they may look to the stars and realize their dreams in this important field that will really be important in the 21st century. I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 255, the Promoting Women in Entrepreneurship Act.

Our bill encourages the National Science Foundation to use its successful entrepreneurial education and training programs, such as the Innovation Corps, known as I-Corps, and Partnerships for Innovation, to inspire, recruit, and support women scientists and engineers who are interested in turning their laboratory discoveries into commercial technologies.

Mr. Speaker, you may ask: Why is it that we need a bill like this? We have these programs. Doesn't everyone know that we need more women in the STEM fields?

The answer is twofold:

Number one, we have a workforce shortage. If you take the field of advanced manufacturing by itself, in New England, there are 16,000 positions that are open currently. We have people who are looking for work—many of them women. They don't have the skill sets to meet that open job need right now, and that is a need for America to fill those jobs; so, number one, we need our qualified workforce with appropriate skills to meet the jobs of today.

We also need to think about the jobs of tomorrow. We are a wonderfully diverse country. Over half of our workforce is made up of women and people of color—historically, chronically, still—underrepresented in the STEM fields. There are problems we aren't even addressing and solutions we haven't thought of if we don't have more women with these power tools of the STEM skills to address the challenges and opportunities that this country is facing; so it is both a moral and an economic imperative that we equip more young women, and that is what our bill aims to do here today.

I have heard time and time again in my district, in which we have a lot of small startup companies and major universities, about this challenge that we face of bridging that gap between the laboratory and what happens in the

commercial workforce. Through my work, I have formed a STEM advisory council and have met with them for the last 2 years. Among these are the problems they identified: limited access to capital, a lack of women mentors in the STEM fields, unmanageable expectations for work-life balance, and unconscious biases against women in the sciences. These are among the sorts of issues for which the I-Corps and the Partnerships for Innovation have been designed—in order to help close that gap to deal with these issues.

I want to give you examples of two of the women in my district with whom I have met who are benefiting from these programs and why we need to have more of them and the kind of difference that they will make.

The first is Zengmin Xia. She is a student at the University of Connecticut, and she helped the Wei Laboratory secure a National Science Foundation I-Corps grant to commercialize her work on tissue engineer scaffolds, innovative work which is going to help with bone repair and regeneration. She attributes her success to her female adviser and mentor, Professor Mei Wei, who encouraged her as a young woman to carry out her path forward in the biotech world. She helped her make that transition from the lab and the classroom out into the commercial world. She was lucky that she had a mentor with the experience to help close this gap.

Claire Leonardi is the CEO of Health Esense, which is a digital health start-up firm in Avon, Connecticut. She received seed grant funding and gained access to hands-on training workshops to learn how to market her technology to consumers. She is now equipped with the tools to take her discovery and bring it into market.

Both of these women scientists are examples of the kind of innovation, the kind of economic engine, and the problem solving we need all Americans to participate in. That is what is at stake. That is why we are proposing this. This is not simply about having a poster with a diverse group of scientists to hang on the wall at the Air and Space Museum and inspire young people. That is important, but it is also important to build on the good work we have already done with the National Science Foundation—to really provide that equipment, those tools, those mentors, the training, and to take those lab discoveries, the basic R&D, and commercialize it.

I am very excited that we are reintroducing this bill. It passed with overwhelming support in the last Congress. Once again, sadly, it did not pass in the Senate, but we will start early in this Congress. I am delighted to be working again with my colleague, Mrs. COMSTOCK; with the ranking member, EDDIE BERNICE JOHNSON, who is here today; and with Chairman SMITH, who

is detained with other committee work.

Mr. Speaker, I reserve the balance of my time.

Mrs. COMSTOCK. Mr. Speaker, I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 255, the Promoting Women in Entrepreneurship Act.

The bill helps to build on STEM education and mentorship programs, such as those highlighted in the INSPIRE Women Act.

More women are pursuing STEM degrees and careers overall, but they continue to be underrepresented in many STEM fields. This is especially true in STEM fields with high entrepreneurship rates, such as engineering and computer science. Women who successfully complete degrees in these fields and want to turn their research and their talents into building new companies and creating new jobs then disproportionately face new hurdles, such as obtaining access to credit.

Unfortunately, because of these barriers, it remains as important as ever for our Federal science agencies to support programs and provide grants with the goal of encouraging, inspiring, and supporting women in STEM at all levels of their education and training, including entrepreneurship education and training.

H.R. 255 ensures that longstanding entrepreneurship education and training programs at the National Science Foundation continue to encourage and recruit women who are looking to move beyond the laboratory and commercialize the results of their research. If we are serious about growing our economy, it is just common sense that we would encourage all of our best and brightest—male and female—to commercialize their best ideas and create new companies and new jobs.

I thank my colleagues Representative ESTY for her leadership and Representative COMSTOCK for her leadership on this bill. I strongly support the bill and encourage my colleagues on both sides of the aisle to support it.

Mrs. COMSTOCK. Mr. Speaker, I reserve the balance of my time.

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Ms. ESTY. Mr. Speaker, once again, I thank Congressman COMSTOCK, Ranking Member EDDIE BERNICE JOHNSON, and our Chairman LAMAR SMITH, and I would urge my colleagues to support this worthwhile piece of legislation. It is wonderful to be able to start out the legislative session with important legislation that will help make a difference. Not only the lives of the individuals who receive these grants and this training but the entire country benefits when we have more women

and more young women trained in these fields and able to operationalize and commercialize their discoveries to the benefit of all Americans and, in many cases, the entire world.

I urge my colleagues to adopt this and vote in favor of this important resolution.

I yield back the balance of my time. Mrs. COMSTOCK. Mr. Speaker, I thank Congresswoman ESTY and Congressman JOHNSON and appreciate their passion on both of these bills and their leadership and, once again, being able to join with them on inspiring the next generation of women leaders in the STEM fields.

As was noted by my colleagues, there is such a shortage of people to fill these jobs in general. Now this will equip more women to be able to be prepared in these important fields that will allow us to be leaders in the 21st century economy.

I would like to thank our staff—particularly we have our female staff here who have been very active on our bill, as well as a male. We are fortunate to have female leadership on our staff, also, and we thank them.

I know, in working on a program that I have had over the past 4 years, a young woman's leadership program, NASA, space, and astronauts have been some of the most popular people that our women in junior high and high school have liked to meet, hear from, and really be able to see themselves in those roles and to talk to women who have actually been leaders in those fields.

So I appreciate the opportunity to join with my colleagues now in giving that opportunity to the next generation.

I yield back the balance of my time. Mr. SMITH of Texas. Mr. Speaker, I support H.R. 255, the Promoting Women in Entrepreneurship Act. I thank my Science Committee colleagues Ms. ESTY, who authored the bill, and Research and Technology Subcommittee Chairwoman COMSTOCK for their initiative on this issue.

H.R. 255 authorizes the National Science Foundation (NSF) to use its existing entrepreneurial programs to recruit and support women and help them develop their research and technology ideas for the marketplace.

STEM education is critical to our country's economy and global competitiveness. A well-educated and trained STEM workforce promotes our future economic prosperity.

These STEM workers have the potential to develop technologies that could save thousands of lives, jump-start new industries, or even discover new worlds.

That's why I authored with Ms. ESTY the STEM Education Act, a new law that strengthens science, technology, engineering and mathematics education efforts at federal science agencies. It also, for the first time, expands the definition of STEM to include computer science. The bill was signed by the President in October 2015.

Unfortunately, studies show that only 26 percent of women who attain degrees in STEM fields work in STEM jobs.

H.R. 255 encourages NSF to tackle this problem. It enhances women's ability to translate their enthusiasm, scientific expertise and research ideas into tangible products and businesses.

Inspiring American students to seek science and math careers is a goal shared by Republicans and Democrats alike. Some of the most energizing and exciting moments of my Science Committee chairmanship have been interactions with young people who want to pursue STEM studies and careers.

At various Committee hearings and robotics competitions in my district, I have encountered motivated, talented young people who want nothing more than an opportunity to pursue their dreams. And, in some cases, change the world with their ideas.

Their passion for learning and science reminds me of why I enjoy serving in Congress and on the Science Committee.

I again thank Ms. ESTY and Chairwoman COMSTOCK for their work on this bill. I urge my colleagues to join me in support of H.R. 255.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 255 the "Promoting Women in Entrepreneurship Act."

As a Senior Member on the House Committee on Homeland Security who sits on the Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, I know well of the need to encourage and train women to thrive in the Science, Technology, Engineering, and Mathematics (STEM) fields.

Promoting diversity in the STEM professions is more than just an idea; it requires an understanding that there is a need to have a process that will ensure the inclusion of all minorities and women in all areas of American life.

Studies have found that women make up almost 50 percent of the workforce.

Studies note that 23 percent of STEM workers are women; however, women make up 48 percent of workers in all occupations.

Only 26 percent of women who do attain degrees in STEM fields work in STEM jobs.

According to the most recent available data women are less likely to focus on the STEM disciplines in undergraduate and graduate studies.

In 1991, women received 29.6 percent of computer science B.A.'s, compared to just 18.2 percent in 2010.

Jobs in computer systems design and related services, a field dependent upon high-level math and problem-solving skills, are projected to grow 45 percent between 2008 and 2018.

There are approximately 6 million women and minority owned businesses in the United States, representing a significant aspect of our economy.

My home city of Houston, Texas, the energy capital of the world, knows the importance of professionals in the STEM industries.

It has been reported that the highest-paying STEM occupations are petroleum engineers with an annual salary of \$147,520, architectural and engineering managers with an annual salary of \$138,720, natural sciences managers with an annual salary of \$136,450, computer and information systems managers with an annual salary of \$136,280, and physicists with a reported annual salary of \$117,300.

There is an increasing demand for individuals with STEM degrees to extend their focus beyond the laboratory so they can be leaders in discovery and commercialization.

Women deserve a fair shot in the STEM programs in this nation.

In addition, I believe that work needs to be done to modernize key contracting developmental programs designed to increase opportunities for women, minorities and low-income individuals who pursue STEM degrees and STEM job training.

I support programs at the National Science Foundation that have worked to reduce the current barriers and ensure women have the support they need in the STEM fields.

Mr. Speaker, we should encourage women to pursue degrees and careers in the STEM fields so we can continue to compete in the global economy.

The SPEAKER pro tempore (Mr. MARCHANT). The question is on the motion offered by the gentlewoman from Virginia (Mrs. COMSTOCK) that the House suspend the rules and pass the bill, H.R. 255.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORT FOR RAPID INNOVATION ACT OF 2017

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 239) to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Support for Rapid Innovation Act of 2017".

SEC. 2. CYBERSECURITY RESEARCH AND DEVELOPMENT PROJECTS.

(a) CYBERSECURITY RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following new section:

"SEC. 321. CYBERSECURITY RESEARCH AND DEVELOPMENT.

"(a) IN GENERAL.—The Under Secretary for Science and Technology shall support the research, development, testing, evaluation, and transition of cybersecurity technologies, including fundamental research to improve the sharing of information, analytics, and methodologies related to cybersecurity risks and incidents, consistent with current law.

"(b) ACTIVITIES.—The research and development supported under subsection (a) shall serve the components of the Department and shall—

"(1) advance the development and accelerate the deployment of more secure information systems;

"(2) improve and create technologies for detecting attacks or intrusions, including

real-time continuous diagnostics and real-time analytic technologies;

"(3) improve and create mitigation and recovery methodologies, including techniques and policies for real-time containment of attacks, and development of resilient networks and information systems;

"(4) support, in coordination with non-Federal entities, the review of source code that underpins critical infrastructure information systems;

"(5) develop and support infrastructure and tools to support cybersecurity research and development efforts, including modeling, testbeds, and data sets for assessment of new cybersecurity technologies;

"(6) assist the development and support of technologies to reduce vulnerabilities in industrial control systems; and

"(7) develop and support cyber forensics and attack attribution capabilities.

"(c) COORDINATION.—In carrying out this section, the Under Secretary for Science and Technology shall coordinate activities with—

"(1) the Under Secretary appointed pursuant to section 103(a)(1)(H);

"(2) the heads of other relevant Federal departments and agencies, as appropriate; and

"(3) industry and academia.

"(d) TRANSITION TO PRACTICE.—The Under Secretary for Science and Technology shall support projects carried out under this title through the full life cycle of such projects, including research, development, testing, evaluation, pilots, and transitions. The Under Secretary shall identify mature technologies that address existing or imminent cybersecurity gaps in public or private information systems and networks of information systems, identify and support necessary improvements identified during pilot programs and testing and evaluation activities, and introduce new cybersecurity technologies throughout the homeland security enterprise through partnerships and commercialization. The Under Secretary shall target federally funded cybersecurity research that demonstrates a high probability of successful transition to the commercial market within two years and that is expected to have a notable impact on the public or private information systems and networks of information systems.

"(e) DEFINITIONS.—In this section:

"(1) CYBERSECURITY RISK.—The term 'cybersecurity risk' has the meaning given such term in section 227.

"(2) HOMELAND SECURITY ENTERPRISE.—The term 'homeland security enterprise' means relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, and tribal government officials, private sector representatives, academics, and other policy experts.

"(3) INCIDENT.—The term 'incident' has the meaning given such term in section 227.

"(4) INFORMATION SYSTEM.—The term 'information system' has the meaning given such term in section 3502(8) of title 44, United States Code."

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to the second section 319 the following new item:

"Sec. 321. Cybersecurity research and development."

(b) RESEARCH AND DEVELOPMENT PROJECTS.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "2016" and inserting "2021";

(B) in paragraph (1), by striking the last sentence; and

(C) by adding at the end the following new paragraph:

“(3) PRIOR APPROVAL.—In any case in which the head of a component or office of the Department seeks to utilize the authority under this section, such head shall first receive prior approval from the Secretary by providing to the Secretary a proposal that includes the rationale for the utilization of such authority, the funds to be spent on the use of such authority, and the expected outcome for each project that is the subject of the use of such authority. In such a case, the authority for evaluating the proposal may not be delegated by the Secretary to anyone other than the Under Secretary for Management.”;

(2) in subsection (c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “2016” and inserting “2021”; and

(B) by amending paragraph (2) to read as follows:

“(2) REPORT.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report detailing the projects for which the authority granted by subsection (a) was utilized, the rationale for such utilizations, the funds spent utilizing such authority, the extent of cost-sharing for such projects among Federal and non-Federal sources, the extent to which utilization of such authority has addressed a homeland security capability gap or threat to the homeland identified by the Department, the total amount of payments, if any, that were received by the Federal Government as a result of the utilization of such authority during the period covered by each such report, the outcome of each project for which such authority was utilized, and the results of any audits of such projects.”; and

(3) by adding at the end the following new subsection:

“(e) TRAINING.—The Secretary shall develop a training program for acquisitions staff on the utilization of the authority provided under subsection (a).”.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RATCLIFFE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very pleased to bring two important bills to the floor today that strengthen the government's ability to effectively leverage cutting-edge cyber technologies. Last year, the House passed both of these provisions as part of Majority Leader MCCARTHY's Innovation Initiative, and I am excited that we are able to bring them to the floor here so early in the 115th Congress.

Mr. Speaker, over the past 2 years, my colleagues and I have been working diligently with technology innovators and tech startups to find solutions that will spur innovation and break down the bureaucratic barriers that prevent the government from effectively leveraging the private sector's emerging technologies.

H.R. 239, the Support for Rapid Innovation Act of 2017, addresses this problem by requiring the science and technology directorate, or S&T, to more effectively coordinate with industry and academia to support the research and development of cybersecurity technologies.

H.R. 239 does so because it requires S&T to support the full life cycle of cyber research and development projects and identify mature technologies to address cybersecurity gaps. In doing so, S&T will be required to target federally funded cybersecurity research that demonstrates a high probability of successful transition to the commercial market within 2 years.

This bill will also extend the use of other transactional authority, or OTA, until the year 2021, a move that will improve DHS's ability to engage with tech startups that are developing these cutting-edge technologies. H.R. 239 also includes additional accountability requirements to ensure that there is proper oversight of the authority.

Mr. Speaker, our digital borders are constantly being barraged by cybercriminals, by nation-states, and by terrorists seeking to exploit and harm innocent Americans. Almost daily, we read news stories on how these hackers are intruding into our networks and doing so with increased sophistication. One thing is for certain, we have seen that cyber intrusions and their impact on victims quickly morph and increase both in frequency and in their severity.

In 2017, these hackers will unfortunately continue to pose a great threat to the U.S. homeland and to our critical infrastructure. The Federal Government, therefore, needs to keep pace with these evolving threats by more actively working with the private sector to find effective solutions.

DHS's Directorate of Science and Technology is the primary research and development arm of the Department. The directorate manages basic and applied research and development, including cybersecurity R&D, for the Department's operational components and for our first responders.

Ensuring there are mechanisms in place, like S&T's cybersecurity R&D programs and the OTA, to support the dynamic nature of cybersecurity research and development is essential for addressing homeland security capability gaps.

Thank you again, Mr. Speaker, for calling up this important bill today. I believe it will have an incredibly positive impact on encouraging technology innovation across the Nation to address our vital homeland security needs.

Mr. Speaker, I urge all Members to join me in supporting this very important bill.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY,

Washington, DC, January 9, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 239, the “Support for Rapid Innovation Act of 2017,” which was introduced on January 4, 2017.

H.R. 239 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, January 10, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 239, the “Support for Rapid Innovation Act of 2017.” I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Science, Space, and Technology will not seek a sequential referral on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral of this bill at this time, the Committee on Science, Space, and Technology does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Science, Space, and Technology for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration

of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. McCAUL,
Chairman.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 239, the Support for Rapid Innovation Act.

Mr. Speaker, this timely legislation authorizes the Department of Homeland Security to support cybersecurity research and development and to help innovators with promising cybersecurity technologies to help commercialize their products.

Government and private sector networks are under constant attack by increasingly sophisticated cyber hackers. The cyber hacking campaign carried out by the Russian Government against U.S. political and business institutions, during the 2016 election, is a recent, high-profile example.

Concern has also been growing about the threat of cybercriminals carrying out attacks by exploiting unprotected Internet-enabled consumer products. This threat was brought into sharp focus last October with the denial of service attack against Dyn. During that attack, malware was used to direct tens of thousands of Internet-connected cameras, DVRs, and other consumer products to carry out successive, highly sophisticated attacks.

Our adversaries are constantly innovating. It is imperative that the Federal Government—and specifically DHS—innovate, too. To that end, H.R. 239 directs DHS to invest in innovative cybersecurity technologies and provide DHS with flexibility to overcome bureaucratic obstacles that sometimes discourage smaller companies, like tech startups, from working with the Federal Government.

H.R. 239 directs DHS to pursue cybersecurity projects that will improve detection, mitigation, and recovery from attacks and bolster the security and resilience of our networks, particularly for critical infrastructure.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation to ensure that DHS does its part to advance cybersecurity research and development.

Cybersecurity threats to our Nation are growing in diversity and sophistication. We cannot afford to let promising technologies languish.

The Department of Homeland Security should work with the private sector in support of innovative cybersecurity research, development, testing, and evaluation. We have seen that public-private collaboration can give these technologies the boost they need to enter the market. Just last month, DHS announced the commercialization of an eight cybersecurity product launched with the help of the Department's Transition to Practice program.

I urge my colleagues to support H.R. 239.

I yield back the balance of my time. Mr. RATCLIFFE. Mr. Speaker, I thank Ranking Member THOMPSON for his leadership on the committee, and I want to thank the Cybersecurity, Infrastructure Protection, and Security Technologies Subcommittee staff for their hard work.

Once again, I urge my colleagues to support H.R. 239.

I yield back the balance of my time. Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 239, the "Support for Rapid Innovation Act of 2017," which amends the Homeland Security Act of 2002 to provide for improved innovative research and development.

I support this bill because it would extend the Department of Homeland Security secretary's pilot program for research and development projects and prototype projects through 2020.

This bill would require the secretary to report annually to the House Homeland Security and Science committees and the Senate Homeland Security Committee on the dynamics of the projects undertaken.

Specifically, H.R. 239 would amend the Homeland Security Act of 2002 to include fundamental improvements to facilitate information, analytics, and methodologies related to cybersecurity risks and incidents, consistent with the current law.

In particular, it adds a new section to the Homeland Security Act, directing the Department of Homeland Security to support—whether within itself, other agencies, or in academia and private industry—the research and development of cybersecurity-related technologies.

As a senior member of the Homeland Security Committee and Ranking Member of the Judiciary Committee and Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I support this bill as it directs the Under Secretary for Science and Technology to bolster research and development, along with the testing and evaluation of cybersecurity technology to improve the sharing of information, analysis, and methodologies related to cybersecurity risks and incidents.

The Rapid Innovation Act is a smart bill that will enable the Department of Homeland Security to establish and improve technologies for detecting attacks or intrusions.

The "Support for Rapid Innovation Act of 2017" will equip the Department of Homeland Security with vital tools and resources to prevent and remove attacks and threats implemented by those who target our nation.

Mr. Speaker, we face growing cybersecurity threats, which demands that we increase research and development, along with the testing and evaluation of cybersecurity technology to expand the sharing of information, analysis, and methodologies related to cybersecurity risks and incidents.

This is a comprehensive bill that will help protect all Americans in every corner of this nation.

I urge all Members to join me in voting to pass H.R. 239.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 239, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

LEVERAGING EMERGING TECHNOLOGIES ACT OF 2017

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 240) to encourage engagement between the Department of Homeland Security and technology innovators, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Leveraging Emerging Technologies Act of 2017".

SEC. 2. INNOVATION ENGAGEMENT.

(a) INNOVATION ENGAGEMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security—

(A) shall engage with innovative and emerging technology developers and firms, including technology-based small businesses and startup ventures, to address homeland security needs; and

(B) may identify geographic areas in the United States with high concentrations of such innovative and emerging technology developers and firms, and may establish personnel and office space in such areas, as appropriate.

(2) ENGAGEMENT.—Engagement under paragraph (1) may include innovative and emerging technology developers or firms with proven technologies, supported with outside investment, with potential applications for the Department of Homeland Security.

(3) CO-LOCATION.—If the Secretary of Homeland Security determines that it is appropriate to establish personnel and office space in a specific geographic area in the United States pursuant to paragraph (1)(B), the Secretary shall co-locate such personnel and office space with other existing assets of—

(A) the Department of Homeland Security, where possible; or

(B) Federal facilities, where appropriate.

(4) OVERSIGHT.—Not later than 30 days after establishing personnel and office space in a specific geographic area in the United States pursuant to paragraph (1)(B), the Secretary of Homeland Security shall inform Congress about the rationale for such establishment, the anticipated costs associated with such establishment, and the specific goals for such establishment.

(b) STRATEGIC PLAN.—Not later than six months after the date of the enactment of this section, the Secretary of Homeland Security shall develop, implement, and submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a Department of Homeland Security-wide strategy to proactively engage with innovative and emerging technology developers and firms,

including technology-based small businesses and startup ventures, in accordance with subsection (a). Such strategy shall—

(1) focus on sustainable methods and guidance to build relationships, including with such innovative and emerging technology developers and firms in geographic areas in the United States with high concentrations of such innovative and emerging technology developers and firms, and in geographic areas outside such areas, to establish, develop, and enhance departmental capabilities to address homeland security needs;

(2) include efforts to—

(A) ensure proven innovative and emerging technologies can be included in existing and future acquisition contracts;

(B) coordinate with organizations that provide venture capital to businesses, particularly small businesses and startup ventures, as appropriate, to assist the commercialization of innovative and emerging technologies that are expected to be ready for commercialization in the near term and within 36 months; and

(C) address barriers to the utilization of innovative and emerging technologies and the engagement of small businesses and startup ventures in the acquisition process;

(3) include a description of how the Department plans to leverage proven innovative and emerging technologies to address homeland security needs; and

(4) include the criteria the Secretary plans to use to determine an innovation or technology is proven.

(C) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RATCLIFFE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, I am pleased that the House is today considering H.R. 240, the Leveraging Emerging Technologies Act of 2017.

H.R. 240 encourages engagement between the Department of Homeland Security and technology innovators, including startups. This bill requires the Secretary of Homeland Security to proactively engage with innovative and emerging technology developers and firms to address our vital Homeland Security needs.

Additionally, H.R. 240 provides the Secretary with the authority to identify geographic areas in the United States where high concentrations of

these innovative and emerging technology developers and firms exist and to establish personnel and office space in these areas to more effectively collaborate with these technology hubs. The Federal Government certainly needs to do a better job working with the private sector, and H.R. 240 will help to address that.

Mr. Speaker, this bill also requires the Secretary to develop and to implement a targeted strategy to proactively engage innovative and emerging technology developers and firms.

□ 1630

Under this bill, the Secretary must use the strategic plan to address existing barriers to leveraging innovative and emerging technologies, and the small businesses and startup ventures that create those technologies, and to incorporate them into the Department's acquisition process.

For example, in order to keep pace, the Department of Homeland Security has established an office in Silicon Valley to encourage engagement and communication with the innovative technology developers in that area. Although it is a vital technology hub, Silicon Valley certainly is not the only technology hub in the United States. The Department should not be limited to a single geographic area from which to identify these emerging and innovative technologies.

Mr. Speaker, all Americans are learning that cybersecurity is national security. The impacts of cyber intrusions are being felt everywhere, from boardroom tables to kitchen tables. We have seen them undermine consumer confidence and damage a company's hard-earned reputation in just a couple of seconds. Cybersecurity is a complex and serious issue that our Nation will have to address for decades to come. So it only makes sense for us to require the Department to consider strategically just how it will engage these technology developers to strengthen the Department's ability to access innovative and emerging technologies to better combat evolving cyber threats.

I am happy to support this measure today because I believe it will move us forward, further addressing our homeland security needs by supporting technology innovation. I urge Members to join me in supporting this important bill.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 240, the Leveraging Emerging Technologies Act of 2017, and I yield myself such time as I may consume.

Mr. Speaker, I am a cosponsor of this measure, as I was for its predecessor last Congress. Last June, the House approved this measure by a 347-8 vote. This bipartisan bill directs the Depart-

ment of Homeland Security to engage small businesses, startup companies, and other developers of innovative and emerging technologies to tackle some of our most vexing, persistent homeland security challenges.

It is no secret that navigating the Federal procurement process is difficult, especially for small startups. Meanwhile, small companies continue to develop some of the most innovative technological solutions in use today. They are a huge source of untapped potential, capable of bringing forward-thinking, groundbreaking ideas to the homeland security enterprise.

To build these relationships, H.R. 240 allows DHS to establish personnel and office space in areas around the U.S. where technology innovators are concentrated. Having a physical presence in these tech hubs will make it easier for DHS to grow and maintain connections with local startups, innovators, and incubators. The Department has already taken action in this regard.

In 2015, the DHS Science and Technology Directorate established a Silicon Valley office and announced its first-ever procurement focused on working with nontraditional contractors and tech startups. The DHS innovation "other transaction" solution sought technologies to address security challenges in aviation, border, and cybersecurity.

To date, under this program, DHS has funded awards to 13 small businesses in California, Texas, Georgia, Massachusetts, and Washington State. Additionally, DHS has reached out to technology innovators at regional events in Boston, Pittsburgh, San Francisco, New Orleans, Chicago, Louisville and Austin, raising awareness with more than 1,500 startups, accelerators, and venture capitalists through industry days, panels, conferences, and startup meetups. The feedback has been very positive, but it has also validated the need to educate the community about who DHS is and what the challenges are.

Mr. Speaker, for those reasons, I urge my colleagues to support this bipartisan legislation.

H.R. 240 recognizes that DHS depends on technology to carry out its missions, and must nurture and maintain robust and direct relationships with talented technology developers, even those that do not fit the mold of the typical Federal contractor.

DHS could improve the productivity and sustainability of these outreach efforts by developing a strategy to proactively engage with innovators in a way that supports long-term relationships. H.R. 240 calls for such a strategy to be delivered to Congress and implemented within 6 months.

Two features of that strategy required under this bill that I would like to highlight are provisions that I sponsored. One requires the strategy to give

attention to fostering engagement with developers that may be located outside a recognized regional technology hub. The other directs the strategy to include coordination with venture capital organizations, like the In-Q-Tel nonprofit, to help emerging technology developers, including small businesses and startup ventures, commercialize technologies that address a rapidly growing list of homeland security needs.

Mr. Speaker, for all of the reasons discussed, I urge support of H.R. 240.

I yield back the balance of my time.

Mr. RATCLIFFE. Mr. Speaker, I thank the gentleman from Mississippi (Mr. THOMPSON) for his support of this bill and for his leadership in keeping this issue at the forefront of our cybersecurity discussion. This is an incredibly important bill, and I, once again, urge my colleagues to support H.R. 240.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in support of H.R. 240, the "Leveraging Emerging Technologies Act of 2017," which requires the Secretary of Homeland Security to engage with innovative and emerging technology developers, including technology-based small businesses and startup ventures that can help tackle the rapidly expanding list of homeland security technology needs.

H.R. 240 helps to protect America's computer and communications networks, which security experts believe represent the nation's most critical national security challenge, including Internet functions and connected critical infrastructure such as air traffic control, the U.S. electrical grid, and nuclear power plants.

H.R. 240 authorizes DHS to establish personnel and office space in diverse geographic areas around the United States that have high concentrations of technology developers and firms.

The bill also directs DHS, within 6 months, to develop and submit to Congress a Department-wide strategy to engage with innovative and emerging technology companies.

Importantly, the bill specifically requires the Secretary to include in that strategy ways to effectively integrate technology-based small businesses and startup ventures.

Importantly, the bill also requires the DHS Secretary to coordinate with those in the venture capital industry to assist in the development of technologies that are ready for commercialization and use in the Homeland Security Enterprise.

Since its founding, the Department of Homeland Security has overcome many challenges as an organization but much more progress must be made regarding effective inter-operable communication between the federal, state, and local agencies.

Although not a panacea, H.R. 240 is a step in the right direction because it will help improve DHS' overall functions so that it can more effectively protect our people.

I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 240, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MODERNIZING GOVERNMENT TRAVEL ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 274) to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Modernizing Government Travel Act".

SEC. 2. FEDERAL EMPLOYEE REIMBURSEMENT FOR USE OF MODERN TRAVEL SERVICES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of General Services shall prescribe regulations under section 5707 of title 5, United States Code, to provide for the reimbursement for the use of a transportation network company or innovative mobility technology company by any Federal employee traveling on official business under subchapter I of chapter 57 of such title, except that the Director of the Administrative Office of the United States Courts shall prescribe such regulations with respect to employees of the judicial branch of the Government.

(b) DEFINITIONS.—In this section:

(1) INNOVATIVE MOBILITY TECHNOLOGY COMPANY.—The term "innovative mobility technology company" means an organization, including a corporation, limited liability company, partnership, sole proprietorship, or any other entity, that applies technology to expand and enhance available transportation choices, better manage demand for transportation services, and provide alternatives to driving alone.

(2) TRANSPORTATION NETWORK COMPANY.—The term "transportation network company"—

(A) means a corporation, partnership, sole proprietorship, or other entity, that uses a digital network to connect riders to drivers affiliated with the entity in order for the driver to transport the rider using a vehicle owned, leased, or otherwise authorized for use by the driver to a point chosen by the rider; and

(B) does not include a shared-expense carpool or vanpool arrangement that is not intended to generate profit for the driver.

SEC. 3. REPORT ON TRANSPORTATION COSTS.

Section 5707(c) of title 5, United States Code, is amended to read as follows:

"(c)(1) Not later than November 30 of each year, the head of each agency shall submit to the Administrator of the General Services, in a format prescribed by the Administrator

and approved by the Director the Office of Management and Budget—

"(A) data on total agency payments for such items as travel and transportation of people, average costs and durations of trips, and purposes of official travel;

"(B) data on estimated total agency payments for employee relocation; and

"(C) an analysis of the total costs of transportation service by type, and the total number of trips utilizing each transportation type for purposes of official travel.

"(2) The Administrator of the General Services shall make the data submitted pursuant to paragraph (1) publically available upon receipt.

"(3) Not later than January 31 of each year, the Administrator of the General Services shall submit to the Director of the Office of Management and Budget, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate—

"(A) an analysis of the data submitted pursuant to paragraph (1) for the agencies listed in section 901(b) of title 31 and a survey of such data for each other agency; and

"(B) a description of any new regulations promulgated or changes to existing regulations authorized under this section."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from California (Mr. DESAULNIER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 274, the Modernizing Government Travel Act, is a bipartisan bill sponsored by Congressman SETH MOULTON of Massachusetts. Mr. WILL HURD of Texas and Congressman MARK MEADOWS of North Carolina have all come together on this bill. It is a good bill.

This bill came up in the 114th Congress. The same bill passed through the committee by regular order, and then in a close vote—much like the Clemson-Alabama game last night—when we voted on this bill last session was 415-0. I think there was a pretty good sense from the past Congress that is a good bill, and it should pass.

Federal employees' current transportation options on official travel are limited. While some agencies allow employees to be reimbursed for the use of sharing economy services, such as Lyft or Uber, not all of them do. As a result, the whole Federal Government does not benefit from the cost savings that can occur while being associated with these services.

The Modernizing Government Travel Act allows the Federal Government to reap the benefits of the sharing economy. The bill ensures that new transportation services as they emerge, Federal employees can quickly take advantage of the efficiencies of the new technologies that may be offered.

By opening up a new market for transportation services, H.R. 274 will also help spur innovation and competition, creating greater cost savings. We have some 2 million Federal employees. So this is an important part and it shouldn't be glanced over. There could be considerable savings along the way.

We must ensure that there is accountability for travel expenditures. Our committee, the Committee on Oversight and Government Reform and other watchdog groups outside of government are looking at these expenses. We have a duty and obligation to ensure that we are dealing with Federal taxpayer dollars responsibly. This bill mandates that agencies report their travel costs for each type of travel service to the General Services Administration, the GSA. The GSA must publish that data, helping make the Federal Government more transparent and accountable. The GSA will also report to Congress on agency official travel costs in order to make sure that they inform future transportation policy decisions. I urge passage of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. DESAULNIER. Mr. Speaker, I yield myself such time as I may consume.

I was trying to think of a BYU football analogy to go with the Clemson-Alabama analogy, but I haven't been able to come up with one yet. I will work on it.

I rise in support of H.R. 274, the Modernizing Government Travel Act, as amended. I appreciate the good work of Representatives Moulton, Hurd, Meadows, Bustos, and Swalwell on this bipartisan measure.

H.R. 274 would expand the transportation options for Federal employees on official government travel by allowing them to be reimbursed for the use of ridesharing services such as Uber and Lyft. This bill would also allow for the use of future mobility technologies not yet known or available to be covered as by reimbursable travel expenses. The General Services Administration would be directed to issue implementing regulations. The bill would require Federal agencies to submit to GSA detailed information on their travel costs, including breakdowns of costs by transportation type by November 30 of each year.

GSA would be required to submit annual reports to Congress containing an analysis or survey of agencies' travel costs as well as descriptions of new or revised regulations.

H.R. 274 is a commonsense, good government bill, and I urge my colleagues to join me in supporting it.

Mr. Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HURD), the cosponsor of this bill and someone who has been very involved in this subject.

Mr. HURD. Mr. Speaker, it is way past time that our government reconsiders the way that it views technology. Adherence to decades-old policy regarding technology costs our taxpayers billions of dollars, stifles creativity, and needlessly prevents our government from utilizing private sector technologies.

This bill, the Modernizing Government Travel Act, is simple. It will allow Federal employees to utilize the services of innovative companies while on official travel. Last Congress, as the chairman alluded to, this bill passed the House with overwhelming bipartisan support, 415-0.

Private sector companies have had a tremendous impact on the way that people travel, and we should allow our government to recognize these changes. By widening the scope of reimbursable forms of transportation, we are encouraging the adoption of innovative technologies and promoting competition.

The bill also requires agencies to report what type of transportation their employees are taking while on official travel, and this data will be publicly available, thus increasing transparency and accountability in how taxpayer dollars are being spent.

□ 1645

H.R. 274, as amended, is a sensible piece of legislation that can help modernize our government and ensure that the United States is moving seamlessly into the 21st century.

I want to thank my colleague, Representative MOULTON, for his leadership on this important issue, as well as Representatives MEADOWS, BUSTOS, and SWALWELL for their support for this bill. I ask my colleagues to join me in the support of H.R. 274.

Mr. DESAULNIER. Mr. Speaker, I yield such time as he may consume to my colleague from the Commonwealth of Massachusetts (Mr. MOULTON).

Mr. MOULTON. Mr. Speaker, I want to thank my colleague from California for yielding.

Mr. Speaker, I rise today in strong support of H.R. 274, the Modernizing Government Travel Act. This legislation is a bipartisan effort that demonstrates a consensus amongst all of us that the Federal Government has failed to keep pace with the technological advances and innovation that have come to define the 21st century.

Despite the emergence of new technologies designed to improve the way

we travel, today, some Federal employees are unable to be reimbursed for using more cost-effective, innovative modes of transportation when traveling on official business.

Innovative ridesharing services supported by mobile apps have dramatically changed how we get from one place to another. Now, with just a few taps on a phone, we can access a variety of new transportation options like rideshare, carshare, and bikeshare that complement rapid transit, take more cars off our congested roads, and reduce fuel emissions. According to a recent study, 52 percent of people using transit for work-related travel chose to use ride-hailing services and other innovative technologies.

While the General Services Administration allows agencies to authorize the use of these transportation options by Federal employees, it has not nor is it required by law to issue comprehensive guidance across the Federal Government.

H.R. 274 would require the General Services Administration to implement regulations to allow Federal employees to use transportation options like rideshare and bikeshare for official travel. The GSA Administrator would be required to submit annual reports to Congress on the implementation of these regulations and the resulting amount of government savings.

I want to thank my friend and colleague, Representative HURD, for working with me on this legislation, as well as Representatives SWALWELL, ISSA, MEADOWS, and BUSTOS for their support. This is truly a bipartisan effort that will increase the Federal Government's engagement in the sharing economy while saving taxpayer dollars.

I urge all of my colleagues to support this legislation.

Mr. DESAULNIER. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I want to thank Mr. MOULTON, first and foremost, for his service to our country, serving in the armed services. We really do appreciate that. I can't thank him enough for that service. But I also appreciate him bringing forward this bill and his working with the gentleman from Texas (Mr. HURD) and the gentleman from North Carolina (Mr. MEADOWS).

I appreciate what Mr. DESAULNIER and our ranking member on our committee, Mr. CUMMINGS, have done, too, to help move this bill forward.

So there was good, broad, bipartisan support, strong support in the 114th Congress, passing unanimously, with 415 votes. I think it is worthy to bring this up early in the Congress and get on with the idea of saving money and taking advantage of technology, as Mr. HURD said and as Mr. MOULTON talked about as well, save some money and tap into the technology that is available to save money for the government

and, ultimately, for the taxpayers. It is their money indeed. So I would urge its passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 274, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 50 minutes p.m.), the House stood in recess.

□ 1720

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia) at 5 o'clock and 20 minutes p.m.

HELPING ANGELS LEAD OUR STARTUPS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 33 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 79.

Will the gentleman from Georgia (Mr. WOODALL) kindly take the chair.

□ 1721

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law, with Mr. WOODALL (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 2 printed in part B of House Report 115-2 offered by the gentleman from Missouri (Mr. CLAY) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-2 on which further proceedings were postponed in the following order:

Amendment No. 1 by Ms. VELÁZQUEZ of New York.

Amendment No. 2 by Mr. CLAY of Missouri.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 249, not voting 18, as follows:

[Roll No. 29]

AYES—167

- | | | |
|-----------------|----------------|----------------|
| Adams | Frankel (FL) | Murphy (FL) |
| Aguilar | Fudge | Nadler |
| Barragán | Gabbard | Napolitano |
| Bass | Gallego | Neal |
| Beatty | Garamendi | Nolan |
| Beyer | Gonzalez (TX) | Norcross |
| Bishop (GA) | Gottheimer | O'Rourke |
| Blumenauer | Green, Al | Pallone |
| Blunt Rochester | Green, Gene | Panetta |
| Bonamici | Grijalva | Pascrell |
| Boyle, Brendan | Gutiérrez | Payne |
| F. | Hanabusa | Pelosi |
| Brady (PA) | Hastings | Peterson |
| Brown (MD) | Heck | Pingree |
| Brownley (CA) | Higgins (NY) | Pocan |
| Bustos | Hoyer | Price (NC) |
| Butterfield | Huffman | Quigley |
| Capuano | Jayapal | Raskin |
| Carballo | Jeffries | Richmond |
| Carson (IN) | Johnson, E. B. | Roybal-Allard |
| Cartwright | Jones | Ruiz |
| Castor (FL) | Kaptur | Ruppersberger |
| Castro (TX) | Keating | Sánchez |
| Chu, Judy | Kennedy | Sarbanes |
| Ciçilline | Khanna | Schiff |
| Clark (MA) | Kihuen | Schrader |
| Clarke (NY) | Kildee | Scott (VA) |
| Clay | Kilmer | Scott, David |
| Cleaver | Krishnamoorthi | Serrano |
| Clyburn | Kuster (NH) | Shea-Porter |
| Cohen | Langevin | Sherman |
| Connolly | Larsen (WA) | Sires |
| Conyers | Larson (CT) | Slaughter |
| Correa | Lawrence | Smith (WA) |
| Courtney | Lawson (FL) | Soto |
| Crist | Levin | Speier |
| Crowley | Lewis (GA) | Suozzi |
| Cuellar | Lieu, Ted | Thompson (CA) |
| Cummings | Lipinski | Thompson (MS) |
| Davis (CA) | Loebbeck | Titus |
| DeFazio | Lofgren | Tonko |
| DeGette | Lowenthal | Torres |
| Delaney | Lowe | Tsongas |
| DeLauro | Lujan Grisham, | Vargas |
| DelBene | M. | Veasey |
| Demings | Luján, Ben Ray | Vela |
| DeSaulnier | Lynch | Velázquez |
| Deutch | Maloney, | Visclosky |
| Doggett | Carolyn B. | Walz |
| Doyle, Michael | Maloney, Sean | Wasserman |
| F. | Matsui | Schultz |
| Ellison | McCollum | Waters, Maxine |
| Engel | McEchin | Watson Coleman |
| Eshoo | McGovern | Welch |
| Español | McNerney | Wilson (FL) |
| Esty | Meeks | Yarmuth |
| Evans | Meng | |
| Foster | Moore | |

- | | | |
|---------------|---------------|-----------------|
| Abraham | Gowdy | Paulsen |
| Aderholt | Granger | Pearce |
| Allen | Graves (GA) | Perry |
| Amash | Graves (LA) | Peters |
| Amodei | Graves (MO) | Pittenger |
| Arrington | Griffith | Poe (TX) |
| Babin | Grothman | Poliquin |
| Bacon | Guthrie | Polis |
| Banks (IN) | Harper | Posey |
| Barletta | Harris | Ratcliffe |
| Barr | Hartzler | Reed |
| Barton | Hensarling | Reichert |
| Bera | Hice, Jody B. | Renacci |
| Bergman | Higgins (LA) | Rice (NY) |
| Beutler | Hill | Rice (SC) |
| Biggs | Himes | Roby |
| Bilirakis | Holding | Roe (TN) |
| Bishop (MI) | Hollingsworth | Rogers (AL) |
| Bishop (UT) | Hudson | Rogers (KY) |
| Blackburn | Huizenga | Rohrabacher |
| Blum | Hultgren | Rokita |
| Bost | Hunter | Rooney, Francis |
| Brady (TX) | Hurd | Rooney, Thomas |
| Brat | Issa | J. |
| Bridenstine | Jenkins (KS) | Ros-Lehtinen |
| Brooks (AL) | Jenkins (WV) | Rosen |
| Brooks (IN) | Johnson (LA) | Roskam |
| Buchanan | Johnson (OH) | Ross |
| Buck | Johnson, Sam | Rothfus |
| Bucshon | Jordan | Rouzer |
| Budd | Joyce (OH) | Royce (CA) |
| Burgess | Katko | Russell |
| Byrne | Kelly (MS) | Rutherford |
| Calvert | Kelly (PA) | Sanford |
| Cárdenas | Kind | Scalise |
| Carter (GA) | King (IA) | Schneider |
| Carter (TX) | King (NY) | Schweikert |
| Chabot | Kinzinger | Scott, Austin |
| Chaffetz | Knight | Sensenbrenner |
| Cheney | Kustoff (TN) | Sessions |
| Coffman | Labrador | Shimkus |
| Cole | LaHood | Shuster |
| Coleman | LaMalfa | Simpson |
| Collins (GA) | Lamborn | Sinema |
| Collins (NY) | Lance | Smith (MO) |
| Comer | Latta | Smith (NE) |
| Comstock | Lewis (MN) | Smith (NJ) |
| Conaway | LoBiondo | Smith (TX) |
| Cook | Long | Smucker |
| Cooper | Loudermilk | Stefanik |
| Costa | Love | Stewart |
| Costello (PA) | Lucas | Stivers |
| Cramer | Luetkemeyer | Swalwell (CA) |
| Crawford | MacArthur | Taylor |
| Culberson | Marchant | Tenney |
| Curbelo (FL) | Marino | Thompson (PA) |
| Davidson | Marshall | Thornberry |
| Davis, Rodney | Massie | Tiberi |
| Denham | Mast | Tipton |
| Dent | McCarthy | Trott |
| DeSantis | McCaul | Turner |
| DesJarlais | McClintock | Upton |
| Diaz-Balart | McHenry | Valadao |
| Donovan | McKinley | Wagner |
| Donnelly | McMorris | Walberg |
| Duffy | Rodgers | Walden |
| Duncan (TN) | McSally | Walker |
| Dunn | Meadows | Walorski |
| Emmer | Faso | Walters, Mimi |
| Farenthold | Messer | Weber (TX) |
| Ferguson | Mitchell | Webster (FL) |
| Fitzpatrick | Moolenaar | Wenstrup |
| Fleischmann | Mooney (WV) | Westerman |
| Flores | Moulton | Williams |
| Fortenberry | Mullin | Wilson (SC) |
| Fox | Mulvaney | Wittman |
| Franks (AZ) | Murphy (PA) | Womack |
| Frelinghuysen | Newhouse | Woodall |
| Gaetz | Noem | Yoder |
| Gallagher | Nunes | Yoho |
| Garrett | O'Halleran | Young (AK) |
| Gibbs | Olson | Young (IA) |
| Gohmert | Palazzo | Zeldin |
| Goodlatte | Palmer | |
| Gosar | | |

NOT VOTING—18

- | | | |
|--------------|-----------------|-------------|
| Becerra | Johnson (GA) | Rush |
| Black | Kelly (IL) | Ryan (OH) |
| Davis, Danny | Lee | Schakowsky |
| Dingell | Perlmutter | Sewell (AL) |
| Duncan (SC) | Pompeo | Takano |
| Jackson Lee | Price, Tom (GA) | Zinke |

□ 1742

Messrs. WITTMAN, BILIRAKIS, BERA, LUETKEMEYER, WEBSTER of Florida, MOULTON, and BISHOP of Utah changed their vote from “aye” to “no.”

Mr. CROWLEY, Mses. DELAURO and WASSERMAN SCHULTZ changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. CLAY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. CLAY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 253, not voting 18, as follows:

[Roll No. 30]

AYES—163

- Adams Deutch
- Aguilar Doggett
- Barragán Doyle, Michael
- Bass F.
- Beatty Ellison
- Bera Engel
- Beyer Espallat
- Bishop (GA) Esty
- Blumenauer Evans
- Blunt Rochester Foster
- Bonamici Frankel (FL)
- Boyle, Brendan Fudge
- Brady (PA) Gabbard
- Brown (MD) Gallego
- Brownley (CA) Garamendi
- Bustos Gonzalez (TX)
- Butterfield Gottheimer
- Capuano Green, Al
- Carbajal Green, Gene
- Cárdenas Grijalva
- Carson (IN) Hanabusa
- Cartwright Hastings
- Castor (FL) Heck
- Castro (TX) Higgins (NY)
- Chu, Judy Hoyer
- Cicilline Huffman
- Clark (MA) Jayapal
- Clarke (NY) Jeffries
- Clay Johnson, E. B.
- Cleaver Kaptur
- Clyburn Keating
- Cohen Kennedy
- Connolly Khanna
- Conyers Kihuen
- Correa Kildee
- Courtney Kilmer
- Crist Krishnamoorthi
- Crowley Kuster (NH)
- Cuellar Langevin
- Cummings Larsen (WA)
- Davis (CA) Larson (CT)
- DeFazio Lawrence
- DeGette Levin
- Delaney Lewis (GA)
- DeLauro Lieu, Ted
- DelBene Lipinski
- Demings Loeback
- DeSaulnier Lofgren
- Lowenthal Lowenthal
- Lowey Lujan Grisham, M.
- Luján, Ben Ray
- Lynch
- Maloney, Carolyn B.
- Maloney, Sean
- Matsui
- McCollum
- McEachin
- McGovern
- McNerney
- Meeks
- Meng
- Moore
- Nadler
- Napolitano
- Neal
- Nolan
- Norcross
- O'Rourke
- Pallone
- Pascrell
- Payne
- Pelosi
- Peterson
- Pingree
- Pocan
- Price (NC)
- Quigley
- Raskin
- Richmond
- Rosen
- Roybal-Allard
- Ruiz
- Ruppersberger
- Sánchez
- Sarbanes
- Schiff
- Scott (VA)
- Scott, David
- Serrano
- Shea-Porter
- Sherman
- Sires
- Slaughter
- Smith (WA)
- Soto

- Speier
- Suozy
- Thompson (CA)
- Thompson (MS)
- Titus
- Tonko
- Torres

- Tsongas
- Vargas
- Veasey
- Vela
- Velázquez
- Visclosky
- Walz

NOES—253

- Abraham
- Aderholt
- Allen
- Amash
- Amodei
- Arrington
- Babin
- Bacon
- Banks (IN)
- Barletta
- Barr
- Barton
- Bergman
- Beutler
- Biggs
- Bilirakis
- Bishop (MI)
- Bishop (UT)
- Black
- Blackburn
- Blum
- Bost
- Brady (TX)
- Brat
- Bridenstine
- Brooks (AL)
- Brooks (IN)
- Buchanan
- Buck
- Bucshon
- Budd
- Burgess
- Byrne
- Calvert
- Carter (GA)
- Carter (TX)
- Chabot
- Chaffetz
- Cheney
- Coffman
- Cole
- Collins (GA)
- Collins (NY)
- Comer
- Comstock
- Conaway
- Cook
- Cooper
- Costa
- Costello (PA)
- Cramer
- Crawford
- Culberson
- Curbelo (FL)
- Davidson
- Davis, Rodney
- Denham
- Dent
- DeSantis
- DesJarlais
- Diaz-Balart
- Donovan
- Duffy
- Duncan (TN)
- Dunn
- Emmer
- Eshoo
- Farenthold
- Faso
- Ferguson
- Fitzpatrick
- Fleischmann
- Flores
- Fortenberry
- Fox
- Franks (AZ)
- Frelinghuysen
- Gaetz
- Gallagher
- Garrett
- Gibbs
- Gohmert
- Goddard
- Gosar
- Gowdy
- Granger
- Graves (GA)
- Graves (LA)
- Graves (MO)
- Griffith
- Grothman
- Guthrie
- Harper
- Harris
- Hartzler
- Hensarling
- Hice, Jody B.
- Higgins (LA)
- Hill
- Himes
- Holding
- Hollingsworth
- Hudson
- Huizenga
- Hultgren
- Hunter
- Hurd
- Issa
- Jenkins (KS)
- Jenkins (WV)
- Johnson (LA)
- Johnson (OH)
- Johnson, Sam
- Jones
- Jordan
- Joyce (OH)
- Katko
- Kelly (MS)
- Kelly (PA)
- Kind
- King (IA)
- King (NY)
- Kinzinger
- Knight
- Kustoff (TN)
- Labrador
- LaHood
- LaMalfa
- Lamborn
- Lance
- Latta
- Lawson (FL)
- Lewis (MN)
- LoBiondo
- Long
- Loudermilk
- Love
- Lucas
- Luetkemeyer
- MacArthur
- Marchant
- Marino
- Marshall
- Massie
- Mast
- McCarthy
- McCaul
- McClintock
- McHenry
- McKinley
- McMorris
- Rodgers
- McSally
- Meadows
- Meehan
- Messer
- Mitchell
- Moolenaar
- Mooney (WV)
- Moulton
- Mullin
- Mulvaney
- Murphy (FL)
- Murphy (PA)
- Newhouse
- Noem
- Nunes
- O'Halleran
- Olson
- Palazzo

- Wasserman
- Schultz
- Waters, Maxine
- Watson Coleman
- Welch
- Wilson (FL)
- Yarmuth

NOT VOTING—18

- Becerra
- Davis, Danny
- Dingell
- Duncan (SC)
- Gutiérrez
- Jackson Lee
- Johnson (GA)
- Kelly (IL)
- Lee
- Perlmutter
- Pompeo
- Price, Tom (GA)
- Rush
- Ryan (OH)
- Schakowsky
- Sewell (AL)
- Takano
- Zinke

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1747

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. STEWART) having assumed the chair, Mr. WOODALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law, and, pursuant to House Resolution 33, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HUIZENGA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 344, nays 73, not voting 17, as follows:

[Roll No. 31]

YEAS—344

- Abraham
- Adams
- Aderholt
- Aguilar
- Allen
- Amash
- Amodei
- Arrington
- Babin
- Bacon
- Banks (IN)
- Barletta
- Barr
- Barton
- Beatty
- Bera
- Bergman
- Beutler
- Beyer
- Biggs
- Bilirakis
- Bishop (GA)
- Bishop (MI)
- Bishop (UT)
- Black
- Blackburn
- Blum
- Blunt Rochester
- Bost
- Boyle, Brendan
- F.
- Brady (TX)
- Brat
- Bridenstine
- Brooks (AL)
- Brooks (IN)
- Brown (MD)
- Brownley (CA)
- Buchanan
- Buck
- Bucshon
- Budd
- Burgess
- Bustos
- Butterfield
- Byrne
- Calvert
- Carbajal
- Cárdenas
- Carter (GA)
- Carter (TX)
- Castor (FL)
- Castro (TX)
- Chabot
- Chaffetz
- Cheney
- Chu, Judy
- Clarke (NY)
- Coffman
- Cole
- Collins (GA)
- Collins (NY)
- Comer
- Comstock
- Conaway
- Connolly
- Cook
- Cooper
- Correa
- Costa
- Costello (PA)
- Courtney
- Cramer
- Crawford
- Crist
- Crowley
- Cuellar
- Culberson
- Curbelo (FL)
- Davidson
- Davis (CA)
- Davis, Rodney
- DeFazio
- DeGette

Delaney
DelBene
Demings
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Donovan
Doyle, Michael
F.
Duffy
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Heck
Hensarling
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi

Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Levin
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham,
M.
Lujan, Ben Ray
MacArthur
Maloney
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Palmer
Panetta
Paulsen
Pearce
Perry
Peters
Peterson
Pingree
Pittenger
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Ratcliffe
Reed
Reichert
Renacci

NAYS—73

Barragán
Bass
Blumenauer
Bonamici

Brady (PA)
Capuano
Carson (IN)
Cartwright

Cicilline
Clark (MA)
Clay
Cleaver

Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Sanford
Scalise
Schiff
Schneider
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suzoi
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Weber (TX)
Webster (FL)
Westerman
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Clyburn
Cohen
Conyers
Cummings
DeLauro
DeSaulnier
Doggett
Ellison
Espaillat
Frankel (FL)
Fudge
Gabbard
Gallego
Green, Al
Lieu, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Huffman
Jayapal

Becerra
Davis, Danny
Dingell
Duncan (SC)
Jackson Lee
Johnson (GA)

NOT VOTING—17

□ 1757

Ms. ADAMS changed her vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JOHNSON of Georgia. Mr. Speaker, I was unable to attend votes on Tuesday, January 10, 2017. Had I been present, I would have voted as follows: Motion on Ordering the Previous Question on the Rule providing for consideration of both H.R. 5 and H.R. 79—Vote “no”; H. Res. 33—Rule providing for consideration of both H.R. 5 (Regulatory Accountability Act of 2017) and H.R. 79 (HALOS Act)—Vote “no”; H.R. 79—Velázquez Amendment Made in Order—Vote “yes”; H.R. 79—Clay Amendment Made in Order—Vote “yes”; H.R. 79—Final Passage—Vote “no”.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 78, SEC REGULATORY ACCOUNTABILITY ACT; PROVIDING FOR CONSIDERATION OF H.R. 238, COMMODITY END-USER RELIEF ACT; AND FOR OTHER PURPOSES

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-3) on the resolution (H. Res. 40) providing for consideration of the bill (H.R. 78) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; providing for consideration of the bill (H.R. 238) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes; and for other purposes, which was referred to

the House Calendar and ordered to be printed.

□ 1800

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the additional motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

TESTED ABILITY TO LEVERAGE EXCEPTIONAL NATIONAL TALENT ACT OF 2017

Mr. HURD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 39) to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 39

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tested Ability to Leverage Exceptional National Talent Act of 2017” or the “TALENT Act of 2017”.

SEC. 2. PRESIDENTIAL INNOVATION FELLOWS PROGRAM.

(a) IN GENERAL.—Chapter 31 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—PRESIDENTIAL INNOVATION FELLOWS PROGRAM

“§ 3171. Presidential Innovation Fellows Program

“(a) POLICY.—It is in the national interest for the Government to attract the brightest minds skilled in technology or innovative practices to serve in the Government to work on some of the Nation’s biggest and most pressing challenges. This subchapter establishes a program to encourage successful entrepreneurs, executives, and innovators to join the Government and work in close cooperation with Government leaders, to create meaningful solutions that can help save lives and taxpayer money, fuel job creation, and significantly improve how the Government serves the American people.

“(b) ESTABLISHMENT.—The Administrator of General Services shall continue the Presidential Innovation Fellows Program (hereinafter referred to as the ‘Program’) to enable exceptional individuals with proven track records to serve time-limited appointments in executive agencies to address some of the Nation’s most significant challenges and improve existing Government efforts that would particularly benefit from expertise using innovative techniques and technology.

“(c) ADMINISTRATION.—The Program shall be administered by a Director, appointed by the Administrator under authorities of the General Services Administration. The Administrator shall provide necessary staff, resources and administrative support for the Program.

“(d) APPOINTMENT OF FELLOWS.—The Director shall appoint fellows pursuant to the Program and, in cooperation with executive agencies, shall facilitate placement of fellows to participate in projects that have the potential for significant positive effects and are consistent with the President’s goals.

“(e) APPLICATION PROCESS.—

“(1) IN GENERAL.—The Director shall prescribe the process for applications and nominations of individuals to the Program.

“(2) PROGRAM STANDARDS.—Following publication of these processes, the Director may accept for consideration applications from individuals. The Director shall establish, administer, review, and revise, if appropriate, a Governmentwide cap on the number of fellows. The Director shall establish and publish salary ranges, benefits, and standards for the Program.

“(f) SELECTION, APPOINTMENT, AND ASSIGNMENT OF FELLOWS.—

“(1) PROCEDURES.—The Director shall prescribe appropriate procedures for the selection, appointment, and assignment of fellows.

“(2) CONSULTATION.—Prior to the selection of fellows, the Director shall consult with the heads of executive agencies regarding potential projects and how best to meet those needs. Following such consultation, the Director shall select and appoint individuals to serve as fellows.

“(3) TIME LIMITATION.—Fellows selected for the Program shall serve under short-term, time-limited appointments. Such fellows shall be appointed for no less than 6 months and no longer than 2 years in the Program. The Director shall facilitate the process of placing fellows at requesting executive agencies.

“(g) RESPONSIBILITIES OF AGENCIES.—Each executive agency shall work with the Director and the Presidential Innovation Fellows Program advisory board established under section 3172 to attempt to maximize the Program’s benefits to the agency and the Government, including by identifying initiatives that have a meaningful effect on the people served and that benefit from involvement by one or more fellows. Such agencies shall ensure that each fellow works closely with responsible senior officials for the duration of the assignment.

“§ 3172. Presidential Innovation Fellows Program advisory board

“(a) IN GENERAL.—The Administrator of General Services shall continue an advisory board to advise the Director of the Presidential Innovation Fellows Program by recommending such priorities and standards as may be beneficial to fulfill the mission of the Presidential Innovation Fellows Program and assist in identifying potential projects and placements for fellows. The advisory board may not participate in the selection process under section 3171(f).

“(b) CHAIR; MEMBERSHIP.—The Administrator shall designate a representative to serve as the Chair of the advisory board. In addition to the Chair, the membership of the advisory board shall include—

“(1) the Deputy Director for Management of the Office of Management and Budget;

“(2) the Director of the Office of Personnel Management;

“(3) the Administrator of the Office of Electronic Government of the Office of Management and Budget;

“(4) the Assistant to the President and Chief Technology Officer; and

“(5) other individuals as may be designated by the Administrator.

“(c) CONSULTATION.—The advisory board may consult with industry, academia, or

nonprofits to ensure the Presidential Innovation Fellows Program is continually identifying opportunities to apply advanced skillsets and innovative practices in effective ways to address the Nation’s most significant challenges.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 31 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—PRESIDENTIAL INNOVATION FELLOWS PROGRAM

“3171. Presidential Innovation Fellows Program.

“3172. Presidential Innovation Fellows Program advisory board.”

(c) TRANSITION.—The Presidential Innovation Fellows Program established pursuant to Executive Order 13704 (5 U.S.C. 3301 note) as in existence on the day before the date of enactment of this Act shall be considered the Presidential Innovation Fellows Program described in the amendments made by this Act.

(d) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out this Act or the amendments made by this Act. This Act and the amendments made by this Act shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HURD) and the gentleman from California (Mr. DESAULNIER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HURD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HURD. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Speaker, the government is many things. It is large, it is complicated, and it is ineffective. I don’t think anyone would call it modern. While the world is rushing forward with things like voice-based interfaces, autonomous vehicles, online retail, and data analytics, government is stubbornly years, or even decades, behind.

We do not have to accept it. One of the purposes of the Innovation Initiative, our effort here in the House, is to bring government into the modern age.

Right now, it can still take hours for citizens to get the IRS on the phone to ask the most basic questions. Parents and students still deal with the clunky user interfaces when applying for tuition assistance. And the VA still uses a scheduling system that is a quarter century old. It doesn’t have to be this way.

We have a program right now, the Presidential Innovation Fellows program, that brings in highly talented professionals from across the country

to help upgrade our government’s use of technology. Now, these are engineers, designers, innovators, and thinkers. They challenge the old ways of thinking and introduce new approaches to make our government work the way the American people deserve it to work.

I sponsored the TALENT Act to make sure this innovation program continues into the future. By drawing on the great talent of the American people, we can make government effective, efficient, and accountable.

Mr. DESAULNIER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of the TALENT Act, a bill to ensure that we continue to bring top private sector innovators into government to help solve complex technological problems at Federal agencies.

The Presidential Innovation Fellows program was established by President Obama in 2012 to identify and pursue projects that apply and implement innovative private sector techniques in as little as 6 months. The program was made permanent by Executive Order 13704 in 2015, and would be codified by the bill before us today.

H.R. 39 would require the General Services Administration to continue managing the program with guidance from an advisory board comprised of representatives from different executive branch agencies. Over 100 Presidential Innovation Fellows have already been appointed to work alongside dedicated civil servants at 25 Federal agencies and departments.

At those agencies, fellows have been able to merge their experience from top universities, pioneering companies, and successful nonprofits with their desire to contribute to society through public service. This collaboration has allowed the Federal Government to obtain new tools, develop new technologies, and ultimately become more effective and efficient.

Presidential Innovation Fellows have reshaped the way Americans interact with their government in areas ranging from health care and science to law enforcement and disaster response. Fifteen million Americans can access their health data as a result of the program’s Blue Button initiative, and cancer patients can search for clinical trials as part of work to support the Vice President’s Cancer Moonshot initiative.

Scientists can now obtain more weather data collected by NOAA, and veterans can now more readily access custom prosthetic designs.

Citizens can review police records, including crime statistics and data on officer-involved shootings. And FEMA and other first responders can better target and prioritize their response to natural disasters.

All of these things have been made possible through the Presidential Innovation Fellows program, and it is crucial that we continue our support of these and other endeavors by ensuring its permanency.

I urge my colleagues to support H.R. 39.

I reserve the balance of my time.

Mr. HURD. Mr. Speaker, I yield myself such time as I may consume.

Today, I am urging my colleagues to support H.R. 39, the TALENT Act, introduced by Majority Leader KEVIN MCCARTHY of California. This bill passed the House on a strong bipartisan vote in the 114th Congress, and I am glad to be part of the team working to enact this important legislation into law.

The TALENT Act makes permanent the Presidential Innovation Fellows program that was created in 2012. This highly competitive program recruits talented, private sector innovators and technologists from across the United States.

Presidential Innovation Fellows serve in the Washington, D.C., area for 12 months at an executive agency. These agencies include the Department of Energy, NASA, and the Department of Veterans Affairs.

Fellows bring with them their experience in the private sector to help government turn ideas into tangible results that ultimately benefit the American people. Since 2012, at least 96 top innovators have participated in the program.

Past and current fellows have come from companies large and small and hold degrees from top universities across the country. They have won a variety of awards, including Fulbright scholarships, Silicon Valley Business Journal's 40 Under 40 recognition, and Truman National Security Project fellowships. These fellows truly are the best and the brightest the United States has to offer, and they seek to utilize their skills for the American people.

Presidential Innovation Fellows are giving the Federal Government the tools it needs to successfully operate in the 21st century. Previous projects completed by fellows include Uncle Sam's List. Fellows created a database to offer a centralized information center in which agencies can forgo buying new commodity IT and support services in favor of existing services provided by the Federal agencies. This program has saved an estimated \$2.5 billion, and it is helping government become more effective and efficient.

I commend Majority Leader MCCARTHY for the work to bring this innovation to the government. Again, I urge support for this bill.

I reserve the balance of my time.

Mr. DESAULNIER. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I want to thank Representative HURD for his work, which has been an ongoing continuing work on this issue and on this particular program.

I rise in support of this bipartisan bill, which builds on the work that Majority Leader MCCARTHY and I and others in this House have been doing to modernize government technology and renew America's faith in government.

In 2016, exit polls showed that dissatisfaction with the government spanned the political spectrum. That is a shame because government is supposed to be a force for improving people's lives, keeping our country safe, and expanding opportunities for all Americans.

That is why I unveiled the House Democrats' Renewing Faith in Government agenda last summer. We must present bold solutions to reform our democracy and our government. Certainly, on both sides of the equation, that is what the American people were saying in the last election.

One of the goals of our agenda is modernizing government technology. Most Americans understand the transformative power of technology—the Majority Leader spoke of it in so many different aspects of our lives—and how digitizing businesses makes them more efficient, transparent, and accountable. We have seen it in the private sector. Every day, millions of Americans shop on sites like Amazon or Etsy and catch a ride using Uber or Lyft.

Government technology is in terrible shape, and bringing the latest practices from Silicon Valley into government would make a huge difference in serving our citizens and streamlining the way government works for the American people.

Last year, I worked closely with the Obama administration and Tony Scott to advance one of its top priorities in this area: creating a technology modernization fund for the rapid upgrade of the most outdated, costly, and insecure technology systems across the Federal Government. Mr. HURD was involved deeply in that effort. The result was the Modernizing Government Technology Act, which the House passed overwhelmingly with the help of Chairman CHAFFETZ and Majority Leader MCCARTHY.

Last month, Majority Leader MCCARTHY and I expressed our bipartisan support for one of President Obama's most successful efforts at bringing Silicon Valley talent into the Federal workforce: the U.S. Digital Service and GSA's 18F program. In fact, I visited the 18F program in San Francisco and was extraordinarily impressed with the individuals who peopled that project and were giving of their time. I guess we were paying them a little bit, but, relatively speaking, they were giving their time.

Today's bill, the TALENT Act, would make permanent the precursor to both

these programs: the Presidential Innovation Fellows. This program has a proven track record of bringing top talent from the innovation economy into the Federal workforce where it is sorely needed.

I hope the next administration will continue all of these innovative programs, which have begun to change the culture within our government.

I also hope that the talented individuals—many of whom, as I referenced, left high-paying jobs in the private sector—will stay on through the transition and continue to serve their country by improving government technology.

President Obama made real progress in this area, including with the launch of his Open Data Directive, his We the People petition platform, and his Cyber National Action Plan. More could have been achieved if Congress had agreed to his request to invest more in these areas. We have seen a dramatic example of why cybersecurity investment is so critically important for our country, not for Democrats, not for Republicans, but for all Americans. This is an effort toward that end.

I hope we can work together in this new Congress to unleash the transformative power of modern technology within government and help renew America's faith in our government. That is critical if we are to be successful as a Nation. I am sure it hopefully is what all of us want to do on a bipartisan basis.

I thank Representative DESAULNIER for his efforts, and I thank Representative HURD for his leadership on this effort.

I am pleased to join with my counterpart, Majority Leader MCCARTHY, in strong support of this legislation.

□ 1815

Mr. HURD. Mr. Speaker, I would like to make the gentleman from California aware that I have no further speakers and I am prepared to close.

Mr. Speaker, I reserve the balance of my time.

Mr. DESAULNIER. Mr. Speaker, I just briefly congratulate everyone who has been involved. As somebody who represents the bay area and struggles with the innovation in the private sector there to integrate it into the public sector at all levels of government, I really admire the work by Mr. HURD, the comments and the contributions by the administration, and Mr. MCCARTHY and Mr. HOYER.

Mr. Speaker, I have no further speakers on our side. I congratulate Mr. HURD.

Mr. Speaker, I yield back the balance of my time.

Mr. HURD. Mr. Speaker, I would like to take the opportunity to thank for their years of service on such an important issue Mr. DESAULNIER and Leader HOYER and Leader MCCARTHY.

I would like to urge the adoption of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HURD) that the House suspend the rules and pass the bill, H.R. 39.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HURD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NORTH KOREA MISCHIEF

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, this week, North Korea declared that it can launch an intercontinental ballistic missile at any time that it wishes.

Even our own Deputy Secretary of State recently warned that Little Kim's weapon capabilities have shown qualitative improvement within the past year resulting in "unprecedented level of activity."

Why is that?

Well, because this administration has done little to stop Little Kim. Instead, the administration has naively pursued a strategy it calls "strategic patience."

Strategic patience is a fancy phrase for ignoring the obvious. There was a time when we kept North Korea on the State Sponsors of Terrorism List. They came off the list because they have made promises that they have clearly broken.

Mischievous Little Kim's threats continue to grow bolder and bolder, with no repercussions. We cannot afford to risk the security of our citizens for the sake of diplomatic strategy that has proven to be a failure.

This week I will reintroduce legislation to put North Korea back on the State Sponsors of Terrorism List because Little Kim is a terror to world peace.

And that is just the way it is.

GIVING THANKS

(Ms. BARRAGÁN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BARRAGÁN. Mr. Speaker, I rise today to give thanks. I give thanks to the people of California's 44th District for giving me the honor and the privilege to serve them.

My district is rich with immigrants. My own mom, who turned 76 today, is an immigrant from Mexico who came

here with a third grade education so her kids could have a shot at the American Dream.

In my district, only 10 percent of students go on to college. I am grateful to be one of those 10 percenters who beat the odds and got a piece of the American Dream.

But those numbers are unacceptable. I pledge to fight for them to make sure everyone, regardless of income, immigration status, or race has a shot at the American Dream.

LEGISLATIVE PRIORITIES

The SPEAKER pro tempore (Mr. FERGUSON). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it is always an honor to be here and, especially, to look out and see some people for whom I have eminent respect in this body. That is a nice thing, being in a body where I actually have respect for the people in the body, a good thing.

We know that elections, as President Obama told us quite succinctly 8 years ago, have consequences. Elections do have consequences, and we have a new team coming to town. One of the things that has concerned me greatly, and I know it has concerned many in this body, is that we as a Nation have had the ability to give protection basically to this idea of freedom that our Founders had, cultivated, and gave their lives to create.

As I have mentioned from this podium previously, as I was told by some west African Christians in Togo, they said:

We were so excited when you elected your first Black President, but since your President has been there, we have seen America get weaker and weaker. We all are Christians and we know where we are going when we die, but we also know our only chance for peace in this world is if America is strong. So please go back to Washington and please tell the other Members of Congress to stop getting weaker. We suffer when you get weaker.

I seen this article from Melissa Mullins after a study was done. It said, "Christians Most Persecuted Religious Group in the World." And that is while America is supposed to be the strongest nation in the world.

Mr. Speaker, I see a friend is here on the floor, and I now yield to the gentleman from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Mr. Speaker, it is an honor and a privilege to serve the constituents of the Second Congressional District of West Virginia for a second term.

As we begin the 115th session of Congress, my top legislative priorities are rolling back anti-coal regulations that have been imposed by President

Obama's administration over the last 8 years; fighting the drug epidemic; repealing ObamaCare and making health care more affordable and accessible; and investing in our roads, bridges, airports, and other key infrastructure.

West Virginia needs good-paying jobs. President Obama has spent the last 8 years waging a war on coal on our country. During this session of Congress, we must continue to work together to promote an all-of-the-above energy strategy that conserves our natural resources, cultivates our economy and jobs, and promotes American energy independence.

One of our Nation's and our States' greatest natural resources is our fossil fuel. Fossil fuel, including coal, supplies around 85 percent of our Nation's energy. West Virginia produces about 15 percent of that total.

Under the outgoing administration, we have seen our West Virginia energy industries come under attack even though we have made significant strides in recent years to improve the quality of our air, land, and water. By rolling back harmful regulations like the so-called stream protection rule, we can save 30,000 jobs in the Appalachian region right now. That is why last year I introduced my bill, the Supporting Transparent Regulatory and Environmental Actions in Mining Act, also known as the STREAM Act. My bill was passed by the House last year with bipartisan support, and I will continue to fight to stop this outrageous rule from taking effect.

Another top priority for this Congress must be stopping the drug epidemic in our country. Drug abuse ravages our communities, rips families apart, and further ruptures our State's already-ailing economy. This issue is above party politics. It is a plague that both parties must come together to solve. There is no magical solution to this epidemic. We need local, State, and Federal officials to work together to effectively and efficiently fight back.

This past Congress I worked with Members on both sides of the aisle to find commonsense solutions to fight back against this scourge. That is why I introduced H.R. 4499, the Promoting Responsible Opioid Prescribing Act. This bipartisan bill struck out a harmful provision of ObamaCare that places unnecessary pressure on doctors and hospitals to prescribe narcotic pain medicine. I am proud to say that the Department of Health and Human Services announced that they changed their policy and implemented my bill. This change in policy is an important part of the fight against opioid abuse. I will remain steadfast in my efforts to fight this epidemic.

Another important way to fight back against the drug epidemic is by making health care more accessible and affordable. The first step to do this is to repeal ObamaCare.

Healthcare costs are on the rise because ObamaCare adds burdensome taxes, regulations, and mandates onto American consumers. The limited choice in health insurance plans is harming families and their budgets. ObamaCare will kill 2.5 million jobs in 10 years. It has continued to raise health insurance costs and has placed the Federal Government in between patients and their doctors.

Research done by the National Center for Policy Analysis found that average monthly premium costs increased for almost everyone regardless of their age, race, or gender after ObamaCare was implemented.

As a Republican in Congress, I want to ensure that everyone has access to health care, but I want it to be quality health care that people choose for themselves. That is why Republicans have come up with a plan that we call A Better Way. Our plan recognizes that people deserve more patient-centered care, not more bureaucracy. That means more choices, not more mandates.

The A Better Way plan offers many improvements that will help West Virginia's Second Congressional District, including commonsense reforms such as allowing health insurance sales across State lines. Simple changes like these will lower costs and increase choice for Americans.

Finally, it is imperative to pass bills that invest in our Nation's deteriorating infrastructure. President-elect Trump has said that updating our Nation's infrastructure is a top priority for his administration.

□ 1830

The Federal Highway Administration has classified more than 142,000 bridges as either "structurally deficient" or "functionally obsolete." Also from the Federal Highway Administration, traffic delays cost the U.S. economy more than \$50 billion annually. Most major roads are rated as "less than good condition."

Improvement to other Nation's infrastructure would greatly benefit West Virginia, which needs road, bridge and rail repairs. We are also in need of water, sewer, and power line repairs.

By improving the transportation, our country will open the opportunity for job growth and expansion. I look forward to working with my colleagues in the House and the Senate, as well as the new administration, to make sure that these legislative priorities take hold.

Mr. GOHMERT. Mr. Speaker, I appreciate so much my friend Mr. MOONEY's points. Well made.

This administration hasn't turned around health care in America, hasn't seen more choices, people keeping their doctors, keeping their insurance policies they liked. They have seen deductibles skyrocket, such that so

many people across America have had \$5-, \$6-, \$7-, \$8,000 deductibles. We never had deductibles that high before.

What that effectively meant was they weren't going to get any health insurance help. They were totally on their own, that every single payment that they made, even if they got subsidies from the Federal Government, was for nothing. They got no help. They could never come up with enough money in 1 year to meet the deductible so that the insurance would start paying in.

What is even more egregious is that apparently we found out that much of this was known would happen before people had ObamaCare forced onto them.

Then, in the last week we have had this story from Stephen Dinan, from The Washington Times, finding out that the IRS prioritized their role in ObamaCare over taxpayer customer service. That is what their own inspector general report said.

You would think that an administration that says their number one concern was America's health care, that they would not drive so many people off of the insurance they had, they loved, that they could afford, that had the doctor in the system they could use, had the medicine in the policy covered that they could use. Millions have been driven off of their policies to Medicaid, which so many doctors don't even take, and this administration has called that a great victory.

Yet, in the midst of all of this, we knew—it was talked about back in 2010 when this bill was being passed—that there could be 18,000, 17-, 18,000 new IRS agents that would force ObamaCare upon the country. And as so many people have reported, when you get notice from the Internal Revenue Service that they are coming after you, it does not do anything to enhance your health.

KLTV, in my hometown, contacted me here today, wanting to know more about what was happening with the IRS. It has been outrageous what they have been doing across the country in their local taxpayer service assistance offices.

It was reported to us that a sign was put up by one of the IRS employees that, basically, if you don't like the long line and the bad service, then contact your Member of Congress—and fortunately, many did, so we became acutely aware of it.

And what was worse, I mean, we had an office in Longview. Some people are able to go—are required to go get documentation from the IRS in order to do what they need, whether it is with insurance, with their employer, and they couldn't get into the IRS office. The IRS office closed in Longview, making it so much more difficult for Americans in east Texas to get the customer service they needed.

Well, this article from The Washington Times points out that the IRS

has made things much more painful for taxpayers than it should have been, and that is according to the IRS' inspector general. That was in a report Thursday that accused the agency of cutting money for customer service and ignoring phone calls while moving the money over to keep ObamaCare and other administration priorities on track.

Well, what that means is the IRS would be there to bully people who had concerns about or problems with ObamaCare, which certainly would not help their health at all.

But one reporter had told me that previously they were told by the IRS that Congress cut funding and, you know, that is why customer service was cut. Yet, when we presented the actual facts of what had happened, yes, in the past 6 years, the House of Representatives—not the Senate, for heaven's sake. They haven't cut anything in their own House of Congress. But the House of Representatives cut our own budgets about 22 percent over a 3-year period, and that is pretty dramatic.

Anybody that has ever had to cut their budget by a fourth understands. Americans have had to do that across the country. We did it right here in the House of Representatives, and it has been very difficult for some of our offices to provide the care for constituents. So many areas, we are it. We are the ones that can help them stand up against the bureaucracy and demand that they get what the government is required to provide, and yet we were able to do it.

On the other hand, the IRS wasn't cut 22 percent like the House cut ourselves down to the bone. In fact, they had a substantially smaller cut over 2 years, I believe it was.

In this past year, we increased the amount of money the IRS got by millions and millions of dollars. What the IRS chose to do is not help taxpayer service, which could also help the IRS from increasing their punitive work against taxpayers that make mistakes because they didn't get proper advice or service from the IRS assistance.

But no, they moved the money. The massive increase we gave to the IRS, they moved it over to be a bigger bully regarding ObamaCare and cut out offices, like the one in Longview, and fell more into the stereotype than I have ever seen for the IRS, this as "IRS employees ignored more than 30 million phone calls from desperate taxpayers seeking help in the run-up to the 2015 filing deadline—and those who did get through often waited a half hour before getting help.

"The IRS apologized publicly for the poor service and blamed Congress, saying lawmakers needed to pony up more money if they wanted better results.

"But Inspector General J. Russell George said the IRS cut its own funding by eliminating nearly \$150 million

from customer service, slashing more than 2,000 staff positions”—and that is so they could go after more enforcement of ObamaCare, as if ObamaCare wasn't doing enough damage to people's health as it was.

As my friend, House Ways and Means Committee Chairman KEVIN BRADY pointed out: “The IRS is running out of excuses for its abysmal customer service record and poor management decisions.” This new report is even more proof the IRS is failing the very people it was created to serve—American taxpayers.

Congress did add more money for the agency last year, just as I was saying, Mr. Speaker. This article also echoes the same thing. The IRS doubled the number of calls it was able to answer, but the agency has promised to maintain a level of service for next year.

But let's face it, the IRS has shown they will target people because of their political beliefs. They will allow themselves—not just allow themselves. They insert themselves and have allowed themselves to be political weapons. Certainly saw that occurred from what has come out from 2012.

Did they affect the election? It is hard to say. But they certainly prevented many conservative groups from being able to organize.

I have heard some who are liberal, not that smart, asking questions: Well, I don't see how that would hurt conservative groups just because the IRS did not recognize them. They could still have gone ahead and organized and done their thing.

Again, apparently they pay too much attention to the mainstream media and don't think for themselves, because when one begins to understand the power of the Internal Revenue Code in the United States, you put a group together and you pool your money into one pool to start spending as a group, somebody's going to be in trouble and going to be accounting for that money as income. I mean, there may be creative ways to handle it, but the way you are supposed to handle it is to get recognition from the Internal Revenue Service that you have a group that can come together, put your money together, and work together toward a common goal. Liberal groups have not had much problem getting that kind of approval, but conservative groups really were targeted by the IRS.

And there is a law—we didn't need to pass a new one—that, according to the facts that have come out regarding Lois Lerner and others at the IRS, it certainly appears that there is probable cause to believe crimes were committed and should have been pursued. Yet nothing was done.

Why?

Because they were groups that were persecuted, not allowed to organize, that did not support this administration; therefore, according to the Jus-

tice Department that became more of “just us department,” they weren't going to pursue anything like that.

And in the further category of further de-Americanization of America, this report from Paul Bedard that U.N. shipped 6 of 10 refugees to the United States, even more this year.

Then there is a list from the United Nations refugee resettlement referrals. This report just came out in the last week, less than a week. The U.N. reports that of the 134,044 refugees settled in 2015, gee, 82,491 of the 134,000 were sent to the United States, that despite the fact information came out, study done, that actually we can support 12 refugees in place in the Middle East for the same price of bringing 1 refugee to the United States.

□ 1845

In fact, this administration didn't have to use the term redline. This administration could have simply said: we are going to make sure there is a safe zone in which people can live in the Middle East in a certain area and the U.N. will assist them with food—hopefully, without raping the women and girls, because they have in some areas. We will provide them a safe zone, and their needs will be cared for there. We can handle 12 times as many for the same price as bringing 1 into the United States.

I think voters understood that, when they voted Donald Trump as President, there are so many of these refugees that simply cannot be vetted.

We know this administration has made mistake after mistake, not only with people that we have no information to use to determine whether or not they are a threat because we have no background information on so many of these, but also, once they are here, we don't know where they are, we don't know where they go. We don't know even the threat.

Then, on top of that, we find out hundreds, maybe thousands—we know hundreds—of people were supposed to be deported that this administration accidentally—instead of deporting them and getting them out of the country so they were no longer a threat, this administration accidentally granted them citizenship.

There are some things that this government could do and you would say: well, it is easy to understand. That is an easy mistake. Instead of a 1, they put an 11. Or, instead of a 0, they put a 3.

Instead of deporting people and getting them out of our country, this administration accidentally gives them citizenship and has made clear that they are not capable of protecting us from the threats that we are seeing all over Europe and other areas of the world.

A point of personal privilege, really, I would like, Mr. Speaker, a shout out

to the TSA, which is underneath our Department of Homeland Security. It was such an honor to be singled out last Friday for the two molestations. Apparently, I am attractive when it comes to TSA agents. They want to feel up and down, make sure all the parts are actually attached.

They did a very good job of that both times on Friday evening when I was flying back to Texas. So my thanks to the TSA. Job well done. It delayed me 30 minutes or so. I kept thinking the TSA agent was going to lie back and have a cigarette or something, but that never happened.

Anyway, due regards for the TSA. I am really and truly hoping that we can change substantially management of the TSA in this coming year. At airport after airport, we see two, three, four times longer lines for the TSA PreCheck than there is for the general boarding. Yet, TSA continues to encourage people to go ahead and apply. We can streamline your getting through the inspection. And yes, that does mean when you are in PreCheck, you will enjoy having hands laid on you, not in a Christian kind of sense.

Over and over, there are good TSA agents, I am finding, all over the country, but the management is atrocious. How long would any security agency stay in business if every day they had longer lines in one area that was the least threat to our security as they do in the general boarding lines that need to be more carefully monitored, we are told? Well, you would fire them. You would hire another security agency.

I haven't seen a study done on this, but, as I recall—I was watching back during my days as a judge and chief justice, and I will have to go back and look—there were so many screams from Congress, especially the Senate, especially on the other side of the aisle, that we have got to have the Federal Government take over security at the airports. We have got to. We are in such danger. We have to have that happen.

Has security been enhanced by adding tens of thousands of people to the government unions? No, it hasn't. It really hasn't.

So, what I want to go back and look at, it seems like I remember back years ago, after the Democrats were able to prevail over Republicans who were in the majority and get them to agree to federalize the security at airports so that they could get them in the government unions. I was thinking, I don't know that that is really going to help. Are we going to see a better quality of TSA agent than we had in private security? I would like to see an official number.

Maybe if somebody in Homeland Security is listening, Mr. Speaker, they could, in their time between looking the other way as people come into the country illegally, they might just look

up how many private security airport personnel were not hired by TSA.

The reason for federalizing the security was so that we will get a better quality of security. It seems like there was a lawsuit back there by a couple hundred people, maybe. We are the only ones not hired by TSA. Out of the thousands and thousands, we are the only ones that weren't hired.

It seems like there was a problem in response that yeah, we really needed people that could read and had finished high school. If you couldn't read or hadn't finished high school, we really needed that level.

So, basically, it seems what happened is one group here in Congress—and it wasn't the Republicans—had their way. The security at airports was federalized. We are not seeing an increased percentage of capturing items that are coming in, but I have got to say they do a good job of feeling up and down my person.

I am not really a threat, though Homeland Security would assume that. Well, I was in the Army for 4 years. I am a strong Christian. I believe in the Bible, and I believe in the United States Constitution as the greatest governing document that was ever promulgated.

Apparently, according to the minds at the top of this Homeland Security Department, that makes me more of a threat than most anybody in the country. I was even told back in London, coming back, I believe that was from another trip to Egypt or maybe Israel, and I had to go out from security and come back through. I was told by one of the security guys: Sir, I know who you are and your position, but your Homeland Security Department tells us we have to thoroughly inspect your baggage and you personally. I got it from the British security folks as well.

Apparently, if you believe in the Constitution, you believe in the Bible, you have served your country in the United States Army, and you are a Christian then you are a big-time threat.

It will be so nice to have an administration that doesn't see the world the way this administration has seen it.

We had a lecture from the Secretary of State. The President of the United States said amen and hallelujah when he condemned Israel over and over and over. We stabbed our friend, Israel, in the back. There are reports in some sectors that not only did we abstain but we encouraged the resolution to be brought forward so that Israel could be condemned.

It apparently generated this article from Victor Davis Hanson from National Review. He said:

"Secretary of State John Kerry, echoing other policymakers in the Obama administration, blasted Israel last week in a 70-minute rant about its supposedly self-destructive policies. Why does the world, including now the

U.S."—I would submit, Mr. Speaker, not for much longer—"single out liberal and lawful Israel but refrain from chastising truly illiberal countries? Kerry has never sermonized for so long about his plan to solve the Syrian crisis that has led to some 500,000 deaths or the vast migrant crisis that has nearly wrecked the European Union. No one in this administration has shown as much anger about the many thousands who have been killed and jailed in the Castro brothers' Cuba, much less about the current Stone Age conditions in Venezuela or the nightmarish government of President Rodrigo Duterte in the Philippines, an ally nation.

"President Obama did not champion the cause of the oppressed during the Green Revolution of 2009 in Iran. Did Kerry and Obama become so outraged after Russia occupied South Ossetia, Crimea, and eastern Ukraine?"

"Ambassador to the United Nations Samantha Power was never so impassioned over the borders of Chinese-occupied Tibet, or over Turkish-occupied Northern Cyprus.

"In terms of harkening back to the Palestinian 'refugee' crisis that started in the late 1940s, no one talks today in similar fashion about the Jews who survived the Holocaust and walked home, only to find that their houses in Eastern Europe were gone or occupied by others. Much less do we recall the 11 million German civilians who were ethnically cleansed from Eastern Europe in 1945 by the Soviets and their imposed Communist governments. Certainly, there are not still 'refugee' camps outside Dresden for those persons displaced from East Prussia 70 years ago.

"More recently, few nations at the U.N. faulted the Kuwaiti government for the expulsion of 200,000 Palestinians after the liberation of Kuwait by coalition forces in 1991. Yet on nearly every issue—from 'settlements' to human rights to the status of women—U.N. members that routinely violate human rights target a liberal Israel."

□ 1900

"When President Obama entered office, among his first acts were to give an interview with the Saudi-owned news outlet Al Arabiya championing his outreach to the most nondemocratic Islamic world and to blast democratic Israel on 'settlements.'

"Partly, the reason for such inordinate criticism of Israel"—well, the article says "sheer cowardice," but that might be inappropriate for a Member to say about the President, so I am not even going to read that part. "If Israel had 100 million people and was geographically large, the world would not so readily play the bully.

"Instead, the United Nations and Europe would likely leave it alone—just as they give a pass to human-rights of-

fenders such as Pakistan and Indonesia. If Israel were as big as Iran, and Iran as small as Israel, then the Obama administration would have not reached out to Iran and would have left Israel alone.

"Israel's supposed Western friends sort out Israel's enemies by their relative natural resources, geography, and population—and conclude that supporting Israel is a bad deal in cost/benefit terms.

"Partly, the criticism of Israel is explained by oil—an issue that is changing daily as both the U.S. and Israel cease to be oil importers.

"Still, about 40 percent of the world's oil is sold by Persian Gulf nations."

And I might add parenthetically, when we have a new President, that will drop even further because the United States will begin to produce more of the energy that we have been blessed with. There will be more nations in the world that will not have to go begging to Russia, which supposedly those on the left are so concerned about these days. Well, if they are so concerned, let us produce more west Texas oil, more east Texas natural gas, more oil and gas from around the country, and, boy, we will be energy independent. And as smart people have pointed out for a long time, it is a whole lot easier to take on terrorists who are throwing rocks than terrorists who are launching nuclear weapons.

Back to this point being made here in National Review: "Partly, the criticism of Israel is explained by oil—an issue that is changing daily as both the U.S. and Israel cease to be oil importers.

"Still, about 40 percent of the world's oil is sold by Persian Gulf nations. Influential nations in Europe and China continue to count on oil imports from the Middle East—and make political adjustments accordingly.

"Partly, anti-Israel rhetoric is due to herd politics. The Palestinians—illiberal and reactionary on cherished Western issues like gender equality, homosexuality, religious tolerance, and diversity—have grafted their cause to the popular campus agendas of race/class/gender victimization.

"Western nations in general do not worry much about assorted non-Western crimes such as genocides, mass cleansings, or politically induced famines. Instead, they prefer sermons to other Westerners as a sort of virtue-signaling, without any worries over offending politically correct groups.

"Partly, the piling on Israel is due to American leverage over Israel as a recipient of U.S. aid. As a benefactor, the Obama administration expects that Israel must match U.S. generosity with obeisance. Yet the U.S. rarely gives similar 'how dare you' lectures to less liberal recipients of American aid, such as the Palestinians," for example, "for their lack of free elections," not to

mention their lack of paying, encouraging, immortalizing people who are suicide bombers who are successful in killing innocent victims.

The article says: "Partly, the cause of global hostility toward Israel is jealousy. If Israel were mired in Venezuela-like chaos, few nations would care. Instead, the image of a proud, successful, Westernized nation as an atoll in a sea of self-inflicted misery is grating to many. And the astounding success of Israel bothers so many failed states that the entire world takes notice.

"But partly, the source of anti-Israelism is ancient anti-Semitism.

"If Israelis were Egyptians administering Gaza or Jordanians running the West Bank" as they did for 20 years or so, "no one would care. The world's problem is that Israelis are Jews. Thus, Israel earns negative scrutiny that is never extended commensurately to others.

"Obama and his diplomatic team should have known all this. Perhaps they do, but they simply do not care."

Then we find out this administration, we see what happens when there is yet another terrorist attack in Israel. What does this administration do after such a powerful chastising of our dear friend Israel?

Nothing. But "a Palestinian who may be linked to ISIS rammed his speeding truck into a group of Israeli soldiers in Jerusalem Sunday, killing four people and wounding 15 others before being shot dead in one of the deadliest attacks in a year-long campaign of violence."

Now, even that, from friends at FOX News, is not as accurate as it could be. Yes, they were soldiers that were killed. They were on a sight-seeing tour, and apparently the insidious radical Islamist sat parked and waited for them to be in a vulnerable position, not in a position to use weapons, not fighting. They were sightseeing. As this radical Islamist saw these people getting off the bus, that is when he moved and became the murdering, blood-thirsty, radical Islamist that he was.

Mr. Speaker, might I inquire how much time remains?

The SPEAKER pro tempore (Mr. FASO). The gentleman from Texas has 14 minutes remaining.

Mr. GOHMERT. Mr. Speaker, I wanted to finish talking about this issue that has been raised about the Russians being such a big threat to our elections. Some of us have been screaming here on Capitol Hill that we need to have security of the Internet. And as part of that, one of the last things we needed to do was give control over Web site determinations to the international community. That was created as an American entity, the Internet. We had control over ICANN, the organization controlling the Web sites, and this President did irreparable

damage to our security. Oh, I know he thinks he didn't, so I am not accusing anything untoward, but irreparable damage was done by giving over that power to the so-called international community.

This article from John Fund, who had a great book about election fraud, points out, and he quotes from a former colleague, Rahm Emanuel: "'You never want a serious crisis to go to waste,' Rahm Emanuel, Obama's just-named chief of staff, told a Wall Street Journal conference of top CEOs in November 2008 while his boss was still President-elect. Since then a slew of constitutionally dubious executive orders, presidential emergencies, and rushed legislation have characterized the Obama presidency. Now he is leaving office by issuing a blizzard of 'midnight regulations' and edicts.

"One of the most troublesome came last Friday and gave the federal government the power to begin centralizing our election systems. The Constitution explicitly gives states the power to set the 'times, manner and places of holding elections.'

"But Homeland Security Secretary Jeh Johnson used the excuse of Friday's release of a report on Russian hacking of the Democratic National Committee to declare that state and local voting systems will be designated as 'pieces of critical infrastructure' so that the U.S. Department of Homeland Security can protect them from hackers.

"His move—coming just 15 days before President Obama leaves office—led many experts to question both its wisdom and its constitutionality. 'While the Federal Government has the general power to protect the nation's cyber infrastructure, it cannot intrude into areas of state sovereignty without clear constitutional mandate,' John Yoo, a law professor at UC Berkeley, told CNSNews.com.

"There is no federal power to control or secure elections. Each state administers its own elections, restricted only by constitutional protections for voting rights,' agreed Illya Shapiro, senior fellow in constitutional studies at the Cato Institute. 'It may make sense for states to request federal support here, but it would set a dangerous precedent for a federal agency to unilaterally take over state electoral processes.

"Secretary Johnson's decision sparked outrage among many of those who are most knowledgeable about our election system—the 50 secretaries of state who, along with local officials, run the election process. Even Johnson admitted that 'many of them are opposed to this designation.'

"Secretary of State Brian Kemp of Georgia, told me in an interview that Johnson's action 'uses security as an excuse to subvert the Constitution and establish the basis for Federal encroachment into election systems.'"

Now, Mr. Speaker, I think it is important to pause and look at what happened in this last election. Now, there have been some people saying, as I heard down at the Senate in the Kennedy Room at JEFF SESSIONS' hearing this morning, there were 17 intelligence agencies that agreed about the Russian hacking. Well, I am not sure. They must have seen something I didn't, but I had understood there was, like, three, and that we have been told actually they had these conclusions, but people have admitted—no, actually, they didn't hack our election system. They didn't hack any voting machines. Clapper even admitted that. Of course, he has said: I have testified very falsely. He has admitted under oath that he has not been truthful under oath to the Senate before.

So as a law professor once asked: If you have admitted lying, well—he would say—are you lying now or were you lying then? If you admit you are lying, which one is really the lie?

We don't know. Is he lying now or lying then?

You have said—you have told us you are a liar. Which one is it?

What we find among smart juries, once they found you lied to them, is that they are not going to trust you about anything else. I think that contributed to the voting results we had.

But Conservative HQ had an article: "Russian Hacking Story A Twofer For Obama And the Left." Say, gee, they get to blame the Russians and they get to take control of the voting system.

□ 1915

Well, all that has come out is somebody hacked John Podesta's emails—most likely an unprotected server like Hillary Clinton was using—and we lost secrets we may never know. But it was unprotected. Podesta's was at least protected. And people saw published what Democratic people participating in the Hillary Clinton campaign had said about Christians, Catholics, the duplicity of trying to bring down BERNIE SANDERS, the duplicity at debates, the if it is not illegal, the certainly rule-violating strategies of revealing questions before a debate.

Shockingly, when the truth was revealed and certain people in the Hillary Clinton administration, or in their campaign, were exposed as lying about so many things, those people are now saying: Hey, when America found out we were lying, they voted against Hillary. They hurt our election. They affected our election because we were exposed as liars and it cost us votes. That is grossly unfair. The American people should never have known the truth that we were lying about so many things, that we were conspiring to bring down BERNIE SANDERS and defeat him unfairly. The American people weren't supposed to find those things out and, doggone it, those Russians need to be punished.

Well, I don't know where it came from. And I also know, as a fact, that some intelligence personnel have lied to the chairman of our Intel Committee in the last Congress. I know it is a fact. I don't know who it was, but they did.

When you have Clapper say, Yeah, I came in here and testified about a bunch of stuff that wasn't true, you wonder wouldn't it be a good idea to take those incredible individuals in our intelligence agencies that have been faithful to our country, served our country, not their political agenda, and done great things for America, let's get them in the positions of authority in the intelligence agencies. And since they have been working there, they will know what to do; they will know who to trust, who not to trust.

As you find out, if you ever sit on the bench as a felony judge very long, it doesn't matter what area of life you are in, there are people that are not honest. Fortunately, in law enforcement, intelligence agencies, homeland security, places like that, in my opinion, there is a much higher number of good, honorable, honest people that care about providing for the safety of the American people. That is where we need to go. Find those people in those departments and put them in positions of leadership.

We have a great opportunity now before us, and if you are agnostic or atheist, you should believe it was all a roll of the dice. This kind of stuff happens. Hey, even a pragmatist agnostic would probably say: Well, if I am honest, somebody—Julian Assange said it wasn't the Russians. Indications were it may well have been an unhappy Democratic operative in the party that provided. But wherever they came from, information was provided to the American public showing the terribly unfair and untruthful things that have been said or done, and they voted against the party that had apparently done the unfair, untruthful things.

So I think we need to look, as Shakespeare would say, not to our stars, but in ourselves. Personally, I think we were mercifully given another chance to give back to the American people the power that this Congress and the executive branch has used for far too long and let America be America, not the evil parts—the KKK, the lynchings, the horrid things that mar our history—but the goodness, the part of America that would say, "I don't care about the KKK. I am going to take you into my home. I am going to protect you"; the parts of America that said, "I don't care what color your skin is. We are fellow human beings and we have got some good ideas and we are going to work together and we are going to raise this Nation to heights it has never seen before." I am hoping and praying that is where we are headed.

Mr. Speaker, I yield back the balance of my time.

WHO GETS THE BREAKS FROM REPEALING THE AFFORDABLE CARE ACT? THE SUPERWEALTHY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, indeed, we do have an extraordinary country. Down through the last 230 years, this Congress has met, has discussed, decided, voted upon, and set in place policies that advanced our country. And we are so very fortunate, all of us Americans, to be living here with all the promise that this incredible history has given us.

But at this period of time, we also have some profound questions about where this country is going. We wake up and we say: What is happening here? What is happening in the international scene? What is all this about Russia hacking? What is all this about trying to influence the American election? Did they really, and did it really happen, and was it effective?

Well, we know it really happened. The American public is scratching their head and they are saying: What is it?

And then all this talk about change, all this talk about we are going to change things; we are going to repeal ObamaCare, and we are going to replace it with something great. Hmmm. I wonder what that might be. And I suspect all across this Nation there are men, women, families that are also wondering: What do they mean it will be great? What is it that is great?

Well, if you were to go around the Capitol, if you were to talk to Members in the House of Representatives or over in the Senate and say: So it is gonna be great; what is it?

Well, we will tell you tomorrow or we will tell you later, but it will be great. Maybe, maybe not.

Right now, the Senate is working on a piece of legislation that will set the stage for the repeal of the Affordable Care Act—and some would derisively call it ObamaCare. Repeal it.

Oh, yeah, get rid of that thing. But not to where it is going to be great as soon as it is gone.

Really? I don't think so.

I know that in my part of California, a lot of people—in fact, more than 20,000—don't think it is great at all. They are going to lose their health care. And there are a whole lot of seniors in my community that are going: Wow, it is going to be great.

Really?

But I will lose my annual check-up. And that awesome drug doughnut hole that was so frightening just years ago

is going to come back? That is not so great.

I drove into town or into the Capitol today. I don't live so far away, but it is 20 degrees, and I decided I would rather drive than freeze. So I drove in and an advertisement came on the radio, and it said: You are going to get a trillion-dollar tax cut. Wonderful. The middle class will have a trillion-dollar tax cut. I said: Well, that is not what I saw last night when I read the statistics about the great repeal of the Affordable Care Act. In fact, I read something quite different from the tax committees, from Americans, various people.

Let me put something up here. Here it is. Who gets that trillion-dollar tax cut? Who is it? Is it the middle class? Well, I don't think so, because when you look at the numbers, it goes to the very wealthy. They are the ones who are going to get the tax cut with the repeal of ObamaCare.

When the Affordable Care Act is repealed the way it is presently going, the bill that is over in the Senate will require that the taxes that were put in place to support the Affordable Care Act and to provide insurance for 20 million people—that is both the government insurance, the Medicaid, Medi-Cal in California, and the subsidized insurance from the various programs that exist State by State—that money was raised from the wealthy.

When the tax cuts come into place, here is the real story. The top 1 percent—do you remember the 1 percenters? Do you remember all that discussion about the 1 percenters and the 99? The 1 percenters get 57 percent of that trillion dollars, and everyone else gets to split the remaining 43 percent. The top one-tenth of the taxpayers in California—we are talking about the superwealthy. We are talking about the folks that are actually going to be in the President-elect's Cabinet, you know, the billionaires that he is going to put in the Cabinet. We are talking about those guys—oh, roughly a \$200,000-a-year tax break. But after all, they are hurting. They need a few more hundred thousand dollars along the way.

So the trillion-dollar tax break that is the foundation of the repeal, if you eliminate the money, the program is not working. There will not be annual visits for seniors so that they can stay healthy, so that they can control their blood pressure, diabetes, mammograms, and all the rest that go with it. There won't be money for the 3.7 million Californians that presently are able to get coverage under the Medi-Cal program. There won't be money for the almost 2 million Californians that are in the subsidized pool called Covered California. That money won't be there. Those folks are going to be out.

And by the way, the repeal will remove the insurance for 30 million Americans all across the country. But

who gets the real benefit here? The superwealthy, the top 1 percent will get 57 percent of that trillion-dollar tax break, and the rest of us will share in the 43 percent remaining.

Another way to look at it, folks. It will be great, but for whom? Well, if you break the American public into the five sectors, the first 20 percent, next 20, next 20, next 20, and then the top 20—so these are the real poor down here in the lower 20 percent, and these are the superwealthy in the top 20 percent.

So what happens? When you repeal the Affordable Care Act, as is now happening in the Senate—and it will be over here either this week or early next week; and then this House will take it up and it, too, will vote on that very same budget bill that will create a trillion-dollar tax cut over the next decade—who will get the money? There you go. The top 20 percent will wind up with a full 74 percent of that.

□ 1930

Despite that little advertisement that I heard on the radio, which said, “Oh, the poor and the middle class are going to get it,” really?

Let’s see. Of the bottom 20 percent—6.7—oh, and the next will get 5.9 percent of it—do you have any idea what they are going to lose?

They are going to lose the subsidies on their insurance programs. They won’t be able to afford it. They will lose their insurance. For some of them, they are on the Medicaid or the Medi-Cal program in California, and they will be out of luck unless, of course, the State of California can find \$16.8 billion to replace the money that just disappeared with the repeal of the Affordable Care Act, and that money is then transferred to the top 20 percent.

These folks down here, the bottom 20 percent—actually, the bottom 60 percent of the American public are the losers.

Who are the winners?

The ones who are already able to buy insurance. I love this trick. I was the Insurance Commissioner in California. I loved this little trick: “Not to worry. We are going to give an opportunity for people to buy their own insurance and give them a tax break.”

Do you mean these people down here have enough money jingling around in their pockets that they are going to be able to go out and buy the insurance and get the tax break?

Uh-uh. It is the folks up here on top who will, once again, benefit.

This really is a massive shift of \$1 trillion from those people who are now insured, for those people who are now able to get care in the clinics that have been established across America—in outlying areas and in rural areas in my district. It is a massive shift from the ability of those people to get health care, for those people who are on the

exchanges and are able to get subsidized insurance so that they can afford it, for those people who are seniors and are able to get their free annual checkups and have their drug costs reduced as the doughnut hole shrinks. It is a massive shift of money being taken directly out of their benefits and their pockets and going to the wealthy of America. That is what is happening. That is what this repeal of the Affordable Care Act is.

Then you look at the implications of that. What about the hospitals that have been able to ramp up their services? What about the reforms that were in the Affordable Care Act—the insurance reforms—that said to the insurance companies: “Oh, no, no, no, you can no longer discriminate because that person happens to be a woman or has a preexisting condition”?

This is important, Mr. Speaker. If you are scratching your head and wondering what is going on here, listen carefully because this super rapid train is about to come into the House of Representatives and sweep through here, wiping out the healthcare benefits of 30 million Americans. For those who are not directly affected, they, too, are going to wind up in a very precarious situation because the reforms will also be repealed.

Joining me tonight to discuss this and Social Security—oh, by the way, Social Security is also on the chopping block—are two of my colleagues: MARCY KAPTUR from Ohio, who has been an extraordinary leader on the issues of manufacturing, of making it in America, of looking out for seniors, and for people who are in need of help and support.

Congresswoman KAPTUR, would you care to join us and share with us your thoughts on what is happening in Washington?

Ms. KAPTUR. Thank you, Congressman GARAMENDI. You are such a rare and talented Member. I thank the people of California for sending you here. You serve them every day of the week, 7 days a week—24/7. It is a privilege to appear with you tonight and also with Congressman PAUL TONKO, one of our most talented Members from upstate New York—a region like my own that has just been battered by the global economy and the outsourcing of jobs. We all are just honored to serve in this Congress, and we respect it and its history and its potential.

Mr. Speaker, as I travel my own district and State, I am finding I have to reassure people. Anytime there is a change, I guess, in public life, people need to be bolstered that everything is going to be okay. We are here to be that squad and to say to the American people that they have power, too, and that it isn’t just the super rich of this country or the billionaire class.

We can label them “wealth power.” And that has power; yes, it does. Some-

times extraordinary power. But there is also “people power.” I consider myself having been lifted here by people power over many years, and I appreciate the people of my region for allowing me to serve our country and to learn every day, to learn from them, to learn how to make the instruments of the Nation work better for them.

There is also “spiritual power.” I am amazed at how people’s spiritual groundings help them through difficult situations and transitions.

Then there is “intellectual power.” We hope to use some of that here once in a while. That is a power in and of itself. We think about the power of liberty of a free people to improve their Nation, to heal their Nation, to expand opportunity in their Nation.

We are aided and abetted by a very curious media—sometimes more ridiculous than it needs to be—but also of people digging, trying to find that elusive truth that should lead us all forward. So we find ourselves helping to heal our Nation by being Members here, and we all hope for the best for our people and for our country. I think the Members here are very well motivated.

I rise to defend, really, and to support two foundational programs of our society: Social Security and Medicare. I will try to be brief so others can comment.

I am very proud to say that our family is one of those families who would have been completely destroyed had it not been for Social Security and Medicare. Those didn’t exist when my parents were born and grandparents were living in our country. But in 1935, after our country crashed economically and there were major bank failures and the stock market crashed and wiped out the savings of millions of Americans, the Nation turned to the Federal Government, to the President, to guarantee for a large segment of our society—senior citizens—decent incomes.

The Social Security Insurance Act was enacted at the urging of Democratic President Franklin Delano Roosevelt. He was regarded as a saint in our household because what happened around our country was that seniors before that time—many of them—were living in what we called poorhouses. They were dying in terrible circumstances, and there was no security as a person aged.

Can you imagine how revolutionary it was at that time to create a social insurance program—probably the largest insurance program America has ever had—to ensure that as people aged or if workers became disabled in the workplace or if they died that their children would have sources of income?

The program did all of that. In thinking back, gosh, over 70 years, how transformational was that?

As for our grandpa, who died in a county hospital in Ohio before the enactment of Medicare, I know the conditions that he died under. And I know that, when our mother died, it was a different situation. She had Social Security and Medicare, and we were able to take care of her. The same was true with our father.

Intergenerationally, I see our country getting better. I am proud of that. I am also proud to be a Democrat and a member of a party that has created Social Security, which has become an indispensable part of our way of life. As I have said to seniors and to workers, it is an earned benefit. People pay for it every time their paychecks are nicked, and their employers match it.

Obviously, to survivors—and, obviously, I have neighbors who have lost spouses, whose children then benefit from the survivor benefit—what an incredible gift this idea is to the American people. There are 35 million people today in our country who depend on Social Security—one out of every six Americans. Every day, Social Security lifts 20 million people out of poverty—people who used to live in poverty.

Can you imagine what that was like?

We don't ever, ever want to go back to that world.

In 2014, the latest data show us that more than 6 million children under the age of 18 live in families who receive income from Social Security, lifting more than a million children out of poverty. Social Security has never been a welfare program. It is an earned benefit, and all Americans who contribute to it during their working lifetimes receive benefits. Social Security is a compact of trust between generations. It is the ever-present sentry at the economic security gate for retirees, for those hurt on the job, or for their survivors, and it is America's greatest insurance program ever.

I happened to be living when Lyndon Johnson helped to create the Medicare program, which provides health insurance coverage now to over 55 million people in our country—essential health security for seniors. Today, only 2 percent of the elderly in our country lack health insurance compared to 48 percent—half the people of this country—in 1962, after World War II, before Medicare even existed. That seems sort of modern times, the 1960s; yet it really was not. I would say that that is a "wow" by any measure.

Yes, people are living longer. Thank God the program is working. People are getting free preventative healthcare screenings and are lowering the long-term costs of care because of early diagnosis. Seniors don't have to pay for mammograms or diabetes or cancer screenings, thanks to the Affordable Care Act; so we keep trying to make the system better.

Since House Republicans won the majority in 2011, every House Repub-

lican budget has tried to end the Medicare guarantee and turn Medicare into a privatized voucher program.

Do you know what that is going to do?

It is going to shut out millions of Americans who are elderly—or who are about to be elderly—from insurance. The reason we have Medicare is that insurers weren't insuring seniors—that is the reason it exists in the first place—or they will make the price so high that people won't be able to pay for it; or they will cherry-pick only the healthy people. Then those who have diabetes, those who have had prior cancers, those who have multiple sclerosis, those who have Parkinson's will be cast aside.

What kind of a country would this be, for heaven's sake?

The American Association of Retired Persons and the National Committee to Preserve Social Security and Medicare completely opposed the Republicans' plan to voucherize and let every senior go out there in the market and try to find a plan of his own, because they know what that means. These two programs are the most pro-life programs this Nation has ever created. We should be so proud of what we have been able to do as a country over the last century.

The Republican attacks on Social Security and Medicare need to stop. They are America's bulwark for millions and millions of people, and they have proven themselves to be America's most important, lifetime security programs.

I thank Congressman GARAMENDI and Congressman TONKO for being down here tonight. I know how passionately you care about the people of our country way beyond just your districts and why we are here. We are here to stand with them.

Mr. GARAMENDI. Thank you very much, Ms. KAPTUR.

I loved your talk of the history and how it came to pass that we have Social Security and Medicare and what happened when we did not. It was really profound. It reminded me of my own history.

I remember, as a young kid, that my father took me to the county hospital where the neighboring rancher was—we were out on a ranch in California—and it was horrible. That is where he was sent to die because there was no Medicare.

Ms. KAPTUR. If the gentleman would yield, I can remember the stench.

Mr. GARAMENDI. Oh, the stench was unbelievable.

Ms. KAPTUR. I can remember that.

Mr. GARAMENDI. I am sorry your father endured that.

Ms. KAPTUR. My grandpa.

Mr. GARAMENDI. Your grandfather.

Ms. KAPTUR. Our father had to fight to get him in there because there wasn't enough space for people who

were ill and dying. That was before hospice and that was before Medicare. I remember, as a young girl, that that was a hard thing to experience, but our mother and father never protected us from the inevitable.

Mr. GARAMENDI. I was just thinking that I have got more stories to tell, but I really want to turn to our colleague from New York. Mr. TONKO and I are often on the floor—with you also—to discuss jobs in America, how to enhance our American economy with research, economic development of all kinds, transportation infrastructure, Make It In America.

Mr. TONKO, tonight we are on a somewhat different subject, but I know it is one that you are very familiar with, one that you have spent your entire career addressing in trying to help seniors and others who have been on the short end of the stick. Thank you so much for joining us, Mr. TONKO.

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Mr. TONKO. Mr. Speaker, I thank Representative GARAMENDI for bringing us together in this Special Order format to talk about some key critical components that address American families significantly. Representative GARAMENDI and Representative MARCY KAPTUR, who both do their homework, are a great addition to the House because they challenge us with facts, not fiction. They care deeply and passionately about improving and enhancing the quality of life. So to stand with both on this issue is a good feeling for me.

Just a couple of observations: I think it is okay for government to have a heart. We speak to the heart and soul of working families across this country by understanding that health care is not a privilege; it is a right.

So let's begin with that fundamental basic observation, a right. What we have seen with this right is that over 30 million Americans have been added to the rolls of the insured over the course of the Affordable Care Act.

Now, Representative KAPTUR did a great job of speaking to history of Medicare, of Social Security, and of the Affordable Care Act, as did Representative GARAMENDI. I remember being at the 75th anniversary celebration of Social Security, and people were talking about the discrediting going on before Social Security was enacted into law. There were those who demonized it before it became law. There were those who have fought it ever since. They don't want that right for working families.

I would suggest that Social Security, Medicare, and the Affordable Care Act are rock solid elements of a foundation upon which to grow quality of life and longevity. It is a basic fundamental additive that, when brought to our working families across this country, we are providing a service and we are addressing them with dignity. That is what this is about.

The demonization of the Affordable Care Act is interesting. Because if you look at polling, you will find that people say that ObamaCare is destroying the Nation. Well, what about the Affordable Care Act? That is working. My friends, it is the same issue, it is the same concept, and it is the same program.

So what we have tried to do is discredit a program that took on a major challenge, took on major industries, and needed to provide a balance and an actuarial outcome that is providing a go-forward and accomplish what you have enacted as a mission. The actuarial science has got to be precise.

So for those who want to repeal, they are talking about, in cases, pulling a brick out of the foundation and having it get wobbly, and it is going to crash the marketplace. We are going to have all of these people who have been enrolled or have been forever enrolled in health care impacted by rising costs and disruptive outcomes that will put them at risk.

So like the Social Security Program before the ACA, like Medicare before the ACA, as you floated these boats, as you went forward with time, you learned where you needed to tweak, and you adjusted, by amendment format, to make the program stronger. That is what we have been asking for in a partnership here in the House and with the Senate. Let's work on those areas that may need improvement, but do not repeal because repeal without replacement is a disaster. It is a disaster waiting to happen.

We have provided hope for working families across this country. We have had the testimony presented to us, anecdotal evidence, that this is working, that for the first time families have enjoyed a connection to a system, a standardized approach. What was the program?

People say: Well, I don't want to pay for someone else's health care. You have been paying for it before the ACA. It was called the emergency room. It wasn't standardized because whoever you got at that emergency room in whatever location, as you traveled looking for assistance, didn't provide a steady flow. It was a wasteful outcome for taxpayers and an insufficient outcome, a cruel outcome for those consumers who were impacted by being underinsured or uninsured.

So let's set the record straight. We have had a program up and running for 8 years now. The Republicans have chastised this program saying it needs to be repealed. We have taken over 65 votes, or 65 votes, I believe, to repeal, but there has never been a replacement plan. So what kind of gimmick is this to pull away a program that is working for tens of millions of families added to the rolls but not replace? That is disaster waiting to happen.

So we challenge our colleagues here in the House and in the Senate down

the hall to be academic about this, to be compassionate about it, to be passionate in our resolve, and to make a difference by putting together the improvements that we require and not repealing.

Now, we look at the Affordable Care Act and what it means to our health care. But if you repeal, you will wreak damage on the budget. You will destroy our economy. You will have a huge workforce displacement, and you will slash care for America's working families. Is this the outcome that we want?

Remember, we were the last industrialized nation to come to the table and provide guaranteed health care for our families. That is not something of which we are proud. That was destructive. That was insensitive. It was not effective. It was a waste of tax dollars the way we did it.

So now we go forward with a program that allows us to now take a look at the history, albeit brief, on the Affordable Care Act, but understanding where we need to fine tune. We do that, and the challenge is there for all of us: take the cost out of the system for a stronger future and provide at least the same level of quality, if not enhanced quality, as we go forward. That should unite us in a common cause, cutting the cost of the program and enhancing the quality of services provided. What a great mission for all of us to embark upon.

So let's not play politics with the health care for tens of millions of people who are new to the system and for all of us who have been covered routinely by the system. We can do better than that.

Let the lessons of Social Security and Medicare, which, as my colleagues indicated earlier, address the American public with dignity, improvement, enhancement, and hope, the best commodity we can deliver as a government to her people.

So I thank Representative GARAMENDI for the opportunity for us to speak to these issues. Frankness is required right now. The lack of theater would be an improvement. No theater on this. Let's settle for facts, not fiction, and working together to bring about what is a sound resolve that allows us to provide stability and success for the American public. That, I don't think, is too much to ask.

So I thank the gentleman from California (Mr. GARAMENDI) for bringing us together.

Mr. GARAMENDI. Mr. Speaker, it is always a pleasure for me to be on the floor with Representative TONKO because of his passion, his knowledge, his ability to articulate with clarity, in this case, the importance of the Social Security program, Medicare, as well as the Affordable Care Act. The gentleman makes a compelling argument.

I want the public of America to really grasp the importance of what is hap-

pening here in Washington. Yes, we are going to have a new President, and there will be an inaugural and all of the celebration that goes with that.

Let me put it this way: When that is done, there is a majority of the Congress and the Senate, together with the President, that fully intend to embark on unraveling the very critical safety net for more than 30 million Americans. And for everyone else who has insurance at every age—Medicare all the way down who has insurance—they will also see a dislocation and an unraveling of their insurance benefits because this market could seriously unravel. So as the gentleman said so clearly, be academic, study the facts, and study the pros and the cons of the various alternatives that are out there.

I know, as an insurance commissioner and having been dealing in the issues of health care for many years now, that there are improvements needed in the Affordable Care Act. There is no doubt. We have been saying that since shortly after it became law. And even when it became law, I said this should be done this way or that way a little differently. We are 8 years into this and, as you say, millions, tens of millions actually—around 30 million directly—are involved and benefiting from the program, either through Medicaid, through the exchanges, or through the various benefits that are out there. So it is really, really important.

I want to also pick up on something that Representative KAPTUR brought to our attention. I am going to put one more chart up here. I was surprised and a little bit appalled, just before we broke for Christmas, that the new chairman of the subcommittee of the Ways and Means Committee who deals with Social Security introduced a piece of legislation. We looked at it.

It was just before the Christmas holidays, so I picked it up and started looking at it. I go: whoa, wait, wait, wait. This is a major step to unravel the Social Security system. Remember, back in the George W. Bush administration, in the first 3 years of his administration, he tried to privatize Social Security. He failed miserably at that. Thankfully, he failed. Congress wouldn't stand for it. At least, the Democrats in Congress wouldn't stand for it.

I see this piece of legislation introduced in the last session, in the last days, and I am going: Whoa, what does this mean? This man becomes the chairman of the subcommittee that deals with Social Security, and I am going: oh, no, they wouldn't; they wouldn't go after Social Security again. But the bill does. It does it in a way that, once again, gives enormous benefits to the wealthy and not so much for the others.

This is a little chart about what happens if that piece of legislation by Mr.

JOHNSON actually becomes law. These are the benefits that would be received today. In 10 years, these would be the benefits. This is the top 20 percent rather, and right here is the middle. That is about a \$3,000 a year reduction.

Keep in mind that, I think, well over 50 percent of the seniors in the United States depend upon Social Security as their principal source and, in many cases, their only source of income.

So you get a decline. What do they want to do? They want to increase the age to 69 before you could apply for full Social Security. They want to radically change the cost-of-living index. I know what I heard from my constituents when there was no cost of living over the previous 2 years—and a very small one this last year—the cost of care for seniors continues to rise because they are on the expensive side of things. There are some other provisions in it. So this is a wake-up call. This is a wake-up call.

Clearly, the majority party here in the House and in the Senate have promised to repeal the Affordable Care Act, which we have talked about. They have also made it clear that in the past—and we believe in the months ahead—they will attempt to privatize a large portion of the Medicare program. So Medicaid will be largely gutted, and the increases that we have seen through the Medicaid program will be wiped out.

The Medicare program will have significant benefit reductions, and, if they intend to voucherize it, which they have talked about, then as Representative KAPTUR said, they will throw the seniors to the mercy of the insurance companies.

My basic point tonight was to raise the alarm and to begin to discuss here amongst our colleagues the reality of what is being planned for America. Don't look at this as a partisan issue, Republican or Democrat. Look at this as a personal issue.

Look at this as an issue that was given to me by a woman who is a farmer in the community I represent north of Sacramento who never had insurance. She was an entrepreneur, a self-employed farmer. She never had insurance. If she needed care, she would go to the emergency room. That worked when she was young, but then she became a little older, and then cancer.

□ 2000

The treatments for her cancers were unaffordable. She would go bankrupt. The Affordable Care Act came along with guaranteed coverage and an insurance policy through the exchange in California that she could afford that would provide her with unlimited medical services for the rest of her life. No cap, no annual cap, no lifetime cap. She got her cancer treatments, and she has moved along. She said: I still need care. And if they repeal the Affordable Care Act, I won't get it and I will die.

That story is repeated across America. It is repeated in my district. I can give many more examples. So this really is, in her case and in many others, a life-or-death situation. So, yes, we will be academic as Mr. TONKO has said. We should be. We should understand the implications of one policy versus another. We should understand when you start with repealing a trillion dollars of taxes, that will have a profound impact on health care in America. And the benefits will go to the wealthy. That is academic.

But it is also this woman, a small farmer who developed cancer. She had no hope. The Affordable Care Act comes along, and she is able to get insurance and she is able to get the chemotherapy necessary to save her life. She is back on the farm.

Repeal the Affordable Care Act and this woman, along with millions of Americans, are in serious jeopardy. So be aware. Social Security on the chopping block; Medicare on the chopping block; the Affordable Care Act is on the chopping block. Tax reductions for whom? Yes, mom and pop would get \$130 a year from the tax cuts. The billionaires in the Trump administration would get \$200,000 a year in tax cuts. Mom and pop are likely to lose their insurance.

I now yield to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Thank you, Representative GARAMENDI.

As you talk about public sentiment about Social Security, the Affordable Care Act, and hearing the evidence you have provided from your constituent within your district, it becomes very apparent where the American public is.

When polled recently, only 20 percent of the American public is in support of efforts to repeal without replacement—20 percent. So the great, great majority understands what is going on here.

We have also seen during the recent campaign season, which probably went a year and a half to 2 years long, a lot of talk about repealing the Affordable Care Act, undoing the act. That happened in the same timeframe as 11.5 million people were added to the rolls for 2017. So there is an appeal here that is drawing the American public toward the coverage provided by ACA. So the sentiment here is to get things done and provide, again, the stability.

I am also a cosponsor of legislation entitled Strengthening Social Security Act that would improve how we calculate the benefits for Social Security. We are not advancing reducing those benefits or raising the retirement age to 69 or whatever level; we are talking about enhancing benefits. When you talk to seniors, they will say we either have got nothing or we got just a bit of an increase that was taken away with the other hand for some other purpose.

So, yes, we need to revisit just how we give that green light to a COLA ad-

justment, and we need to calculate that approval with items that are truly essential for the senior citizens, not big screen televisions or certain items that are adding to a luxurious note, but one that speaks to their basic core needs to live day to day. So the Strengthening Social Security Act does just that. It takes into account all of the essentials in that calculus that will determine whether or not a COLA adjustment is given that given year. So that is important.

I also believe it is time for us to look at that cap that we have created, that we have placed on contributions to Social Security. You know, some people by February 12 or 14, whatever date it is, are done paying. They are done contributing by that point in the year. Well, the standards of \$118,000, or \$127,000 coming this year, are just capturing most of those revenues. The hardship is placed on the working, middle-income community, those looking to ascend the middle class. There could be a far greater contribution from other income strata that we ought to look at to provide stability.

A point needs to be made that Medicare, Medicaid, and the Affordable Care Act are all intertwined. There were strengtheners that were provided for these programs. There was a partnership of revenue stream that was calculated and assumed that again provides for the quality of response to the consuming public, and especially those in senior years.

I have a large percentage of senior citizens in the makeup of my constituency. It is important to recognize that many who are on Medicare end up getting Medicaid assistance because of situations that are called upon where they are perhaps placed in nursing homes, adult homes, or the like. So we have to be cognizant here of the public sentiment, where is their thinking, and we know exactly what they want. They want stability for these programs. They want strengthening of the programs. They want to make certain that all of these efforts that have lasted for decades, or were introduced as late as 2010, will continue so they have a future that is that more secure, that more certain.

So tonight we talk and implore our colleagues to please help improve the Affordable Care Act. Let's not repeal, and certainly do not repeal without a replacement plan. That is a disaster that will really cause havoc in the marketplace. It is one that doesn't prove to be actuarially sound. Also, let's make certain that we don't have these efforts again to voucherize Medicare, to privatize Social Security. These are programs that have provided stability.

When I came into the House in 2009, it was at the lowest point of the recession which President Obama was handed upon his entering into the Presidency. There were 700,000, 800,000,

900,000 jobs lost a month in the deepest, darkest moment of the recession. What did we see? We saw individuals who took their lifetime's worth of savings and entrusted them to a marketplace, and they lost everything for which they had ever worked, and others realized they didn't lose a single cent of Social Security. Therein lies a tremendous bit of testimony as to the meritorious achievements of a Social Security system, one that provided that safety net for all families, one that made certain there was some sort of continuous flow, a backup, a reinforcement, as you went into retirement years.

We are reminded of Medicare and what the results were for retirees, how long they were expected to live and what their quality of life was like. It was tremendously, favorably turned around with the benefits of Medicare.

So with an impassioned plea, I encourage this House, the Senate, to do the right thing: stand for the American public and allow them to be addressed with dignity with these programs that have proven themselves. And where there is a need to further assist, as there has been time and time and time again with Social Security, as there has been time and time again with Medicare, let's provide that same approach to the Affordable Care Act.

I thank the gentleman from California for bringing us together and being able to share our thoughts and advocacy to do the right thing.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. TONKO very much. It is always a pleasure and learning experience to be on the floor with Mr. TONKO.

I now yield to the gentlewoman from Ohio (Ms. KAPTUR). We are about to wrap it up as we are nearly out of time.

Ms. KAPTUR. Mr. Speaker, I am honored to join Mr. GARAMENDI and Mr. TONKO, and I want to place in the RECORD, since both of you have talked so eloquently about the Affordable Care Act, you know how you will be walking through your district, maybe at a parade or some public event, and someone will break from the crowd and run toward you. I am thinking about one particular woman who came up to me in one of my smaller communities. She was in tears. This was during the summertime. She has cerebral palsy, and she never was able to get care. I don't know why she didn't qualify for insurance, I don't know all of that, but she hugged me and thanked me.

And then around the corner from where we live, there is a little produce market that I go into all the time. I am friends with one of the women who works there. This little business couldn't afford insurance, so their employees, when the Affordable Care Act passed, went to the private marketplace to get a plan. This particular woman who works long hours and lost her husband to cancer told me: MARCY,

why are people complaining about the Affordable Care Act? Guess what, now I have cancer.

She said: I was able to go and get all of the tests, and now they have me on chemotherapy.

So, with cancer, this woman is working. She was only able to get insurance through the Affordable Care Act. Multiply that times 10,000, 20,000, 1 million, 20 million, whatever the number is. Think about the number of people in our country who were without insurance. Sometimes I am speechless when I meet these citizens because I think: Where were you hiding before? Where were you?

Another place I was, a woman was mixing up. She said: Well, I have health insurance, right? I pay car insurance.

I said: No. Car insurance doesn't cover health insurance.

People sometimes don't act in their own self-interest. She didn't even know that because she had auto insurance, that didn't cover health insurance. Can you believe that? So she was in a job where, with the Affordable Care Act, she could go out to the exchange and buy a plan.

It is amazing to me some of the things that have happened and how I see the Affordable Care Act off to a very good start.

As Mr. TONKO said, don't just repeal it until you have something to replace it with. You cannot pull the rug out from under these people's lives. It would be unconscionable to do that.

We have several Christians, several other denominations in this House. It would be very unChristian to do that, for those who are Christian. And for those of other denominations—pick your denomination—I just think it would be very cruel.

I thank the gentleman for allowing us to speak out this evening on behalf of citizens who can't speak for themselves and to try to help perfect what we as a Republic can do for our citizenry.

□ 2015

Mr. TONKO. Representative GARAMENDI, if I just might, I am listening to Representative KAPTUR talk of the interaction she had with her constituents, and I would just add my similar experience.

Some of the most cherished efforts of the Affordable Care Act are about preexisting conditions. Being a woman, being a pregnant woman, or being a woman or a man fighting cancer made it very difficult for people to get that insurance, and lifetime caps. You know, people being rolled into surgery, wheeled into surgery, and being told that they were discontinuing their plan.

So these are elements of the Affordable Care Act that could be at risk if we start playing around with the actu-

arial balance that has been achieved. And preexisting conditions, they rang right up there as one of the biggest concerns people have about repeal.

Ms. KAPTUR. On that point, another woman came up to me, I was over at the medical hospital with my brother, and she has epilepsy, and she has another condition. She told me, she said: You know, MARCY, I have to cut my pills in half. Can you help me try to find pills so that I can afford to pay for all the medicines that I need to take care of myself?

Rather than repealing, can't we find a majority of Republicans to help us, to help our citizens be able to get medicine at prices they can afford?

Why can't we have competitive bidding for pharmaceuticals? Why can't we have that? We have it for the VA. We have it for the Department of Defense. Why can't we have it for the rest of our citizenry so that we can get the best price?

But I thought: Cutting your pills in half? And so what happens to her is, if she doesn't take enough of the medicine, then she has a seizure. But she has got other things wrong with her, so she is trying to cut this pill and cut that pill. And I thought, this is crazy. This is crazy.

Can't we do better as a country than this for our people?

I have never understood why the price of pharmaceuticals has shot up so much. I can't tell you how many cases we get in our office where we have to call these companies and beg, you know, do you have some foundation where we can get a few more pills from Lilly or a few more pills from this company or that company in order to help people in our district.

It shouldn't be our job to turn into a medical dispensary because the system isn't working. There ought to be a way to take care of this.

Mr. GARAMENDI. As we look at this issue, this conversation puts before us and the American people really two paths to travel. The President-elect recently said: We're going to repeal ObamaCare, and it'll be great. And our Republican colleagues have bought into that and are now processing legislation to do that.

The discussion today from my two colleagues here indicates another path, and that is, make it better. Make the Affordable Care Act better. The drug issue, there is no reason in the world that the pharmaceutical companies should be prevented from price competition. They are. It is the law of the land that prevents the government and other purchasers—the government from negotiating prices. That is a law that can be changed.

There are many things that we could do to improve the health care of America. But two paths: one, working together to improve the Affordable Care Act and Medicare and Medicaid, and

the Veterans Administration, the programs that provide the health care and the insurance for Americans; or another one, a path that is going to be extraordinarily destructive.

The repeal of the Affordable Care Act, which is already underway in the Senate and will soon be over here in the House, promises Americans not just the 30 million that have insurance but all Americans with a very serious health problem in the future.

Final comments, and then we will be out of time.

Mr. TONKO. Just a quick comment. We have talked about much here this evening. I joined you a bit after you started. I don't know if you mentioned the hospital situation.

Mr. GARAMENDI. Very briefly.

Mr. TONKO. But representing a number of hospitals, from stand-alone clinics to some very specific specialty type of health centers, they are all concerned about the impact of repeal. And certainly, being a major employer, if not the major employer in some of my counties, as you reduce that care, you are reducing the workforce. So now we are creating another impact, and it is why the ripple effect of repeal is so strong and devastating, and will raise our deficit.

Mr. GARAMENDI. I thank the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from New York (Mr. TONKO) for joining us. I can assure you, we will be back.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of Georgia (at the request of Ms. PELOSI) for today and January 11 on account of traveling to see the President's farewell address.

ADJOURNMENT

Ms. KAPTUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 11, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

127. A letter from the Supervisory Regulatory Analyst, GIPSA, Department of Agriculture, transmitting the Department's final rule — Fees for Official Inspection and Official Weighting Services Under the United States Grain Standards Act (USGSA) received January 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

128. A letter from the Assistant to the Board, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, transmitting the Board's joint final rule — Community Reinvestment Act Regulations [Regulation BB; Docket No.: R-1554] (RIN: 7100-AB64) received January 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

129. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's joint final rules — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks (RIN: 3064-AB42) received January 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

130. A letter from the Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's final regulations— Assistance to States for the Education of Children with Disabilities; Pre-school Grants for Children with Disabilities [Docket ID: ED-2015-OSERS-0132] (RIN: 1820-AB73) received January 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

131. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps [Docket No.: EERE-2016-BT-TP-0029] (RIN: 1904-AD71) received January 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

132. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Georgia; Atlanta; Requirements for the 2008 8-Hour Ozone Standard [EPA-R04-OAR-2015-0248; FRL-9957-89-Region 4] received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

133. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Minnesota; Sulfur Dioxide; Particulate Matter [EPA-R05-OAR-2015-0842; FRL-9958-15-Region 5] received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

134. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Nevada, Lake Tahoe; Second 10-Year Carbon Monoxide Limited Maintenance Plan [EPA-R09-OAR-2015-0399; FRL-9958-11-Region 9] received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

135. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Ventura County Air Pollution Control District; Prevention of Significant Deterioration [EPA-R09-OAR-2016-0305; FRL-9956-52-Region 9] received January 9, 2017,

pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

136. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Illinois: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R05-RCRA-2015-0555; FRL-9958-05-Region 5] received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

137. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan [EPA-R07-OAR-2016-0453; FRL-9957-84-Region 7] received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

138. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act [EPA-HQ-OEM-2015-0725; FRL-9954-46-OLEM] (RIN: 2050-AG82) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

139. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Civil Monetary Penalty Inflation Adjustment Rule [FRL-9958-06-OECA] received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

140. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Rules of Practice and Procedure (RIN: 3064-AE52) received January 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

141. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Transaction of Interest — Section 831(b) Micro-Captive Transactions [Notice 2017-08] received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

142. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Updated FFI Agreement (Rev. Proc. 2017-16) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

143. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Rulings and determination letters (Rev. Proc. 2017-3) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

144. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Rulings and determination letters (Rev. Proc. 2017-5) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

145. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Internal Revenue Bulletin: 2017-1 (Rev. Proc. 2017-4) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

146. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Qualified Intermediary Agreement (Rev. Proc. 2017-15) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

147. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's removal of temporary regulations; final regulations; and temporary regulations — Regulations Regarding Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons, Information Reporting and Backup Withholding on Payments Made to Certain U.S. Persons, and Portfolio Interest Treatment [TD 9808] (RIN: 1545-BL17) (RIN: 1545-BN74) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

148. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's removal of temporary regulations; final regulations; temporary regulations — Regulations Relating to Information Reporting by Foreign Financial Institutions and Withholding on Certain Payments to Foreign Financial Institutions and Other Foreign Entities [TD 9809] (RIN: 1545-BL72) (RIN: 1545-BN79) received January 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEWHOUSE: Committee on Rules. House Resolution 40. Resolution providing for consideration of the bill (H.R. 78) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; providing for consideration of the bill (H.R. 238) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risk, to help keep consumer costs low, and for other purposes; and for other purposes (Rept. 115-3). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SHEA-PORTER:
H.R. 388. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service hos-

pital of the Veterans Health Administration in the State or receive comparable services provided by contract in the State; to the Committee on Veterans' Affairs.

By Mr. ROYCE of California (for himself, Mr. HUFFMAN, Mr. DEFAZIO, and Mr. YOUNG of Alaska):

H.R. 389. A bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself, Ms. ESHOO, Mr. MEADOWS, Mr. FORTENBERRY, Mr. SESSIONS, Mr. VARGAS, Mr. LIPINSKI, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. BILIRAKIS, Mr. HULTGREN, Mr. WEBER of Texas, Mr. TROTT, Mr. DUFFY, Mr. JODY B. HICE of Georgia, Ms. SLAUGHTER, and Mrs. COMSTOCK):

H.R. 390. A bill to provide for emergency relief to victims of genocide, crimes against humanity, and war crimes in Iraq and Syria, to provide accountability for perpetrators of these crimes, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mrs. BLACK, Mr. BROOKS of Alabama, Mr. CARTER of Georgia, Mr. CARTER of Texas, Mr. CHABOT, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. GOSAR, Mr. GOWDY, Mr. JODY B. HICE of Georgia, Mr. LANCE, Mr. PITTENGER, Mr. SMITH of Texas, Mr. WEBSTER of Florida, Mr. ZELDIN, and Mr. HUDSON):

H.R. 391. A bill to modify the treatment of unaccompanied alien children who are in Federal custody by reason of their immigration status, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mr. BISHOP of Michigan, Mr. COHEN, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. COURTNEY, Mr. CUMMINGS, Mr. DEUTCH, Mr. FARENTHOLD, Ms. KELLY of Illinois, Mr. LANGEVIN, Mrs. LOVE, Ms. MENG, Mr. O'ROURKE, Mr. PAULSEN, Mr. PEARCE, Mr. QUIGLEY, Mr. RYAN of Ohio, Ms. SLAUGHTER, Ms. STEFANIK, Mr. STEWART, Mr. SWALWELL of California, Mr. TAKANO, Mrs. WAGNER, Mr. WALZ, and Mr. YARMUTH):

H.R. 392. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. THORNBERRY:

H.R. 393. A bill to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces; to the Committee on Armed Services.

By Ms. JENKINS of Kansas (for herself and Mr. KIND):

H.R. 394. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Afford-

able Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; to the Committee on Ways and Means.

By Mrs. LOVE (for herself, Mr. MASSIE, Mr. STEWART, Mr. WALKER, Mr. BUCK, Mr. BLUM, Mr. DUNCAN of South Carolina, Mr. BIGGS, Mr. HARRIS, Mr. LOUDERMILK, Mr. RATCLIFFE, Mr. BRAT, Mr. JOHNSON of Louisiana, Mr. MEADOWS, Mr. EMMER, Mr. SCHWEIKERT, Mr. LABRADOR, Mr. COLLINS of Georgia, Mr. DESANTIS, Mr. BISHOP of Utah, Mr. WEBSTER of Florida, and Mr. BROOKS of Alabama):

H.R. 395. A bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAFFETZ:

H.R. 396. A bill to prohibit the award of a contract or grant in excess of the simplified acquisition threshold to a potential contractor or grant applicant with a seriously delinquent tax debt, to amend title 5, United States Code, to provide that individuals having seriously delinquent tax debts shall be ineligible for Federal employment, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ:

H.R. 397. A bill to require Members of Congress to disclose delinquent tax liability and to require an ethics inquiry into, and the garnishment of the wages of, a Member with Federal tax liability; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Ms. JUDY CHU of California, Mr. SENSENBRENNER, and Ms. JACKSON LEE):

H.R. 398. A bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself, Mr. BEYER, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mr. CICILLINE, Mr. CONYERS, Mr. CUMMINGS, Mr. DEFAZIO, Ms. DELAUBO, Mr. ELLISON, Mr. GALLEGO, Mr. GARAMENDI, Mr. GRIJALVA, Mr. HASTINGS, Mr. HIGGINS of New York, Mr. LANGEVIN, Ms. LEE, Mr. TED LIEU of California, Mr. LIPINSKI, Mr. LOEBSACK, Mr. LOWENTHAL, Mr. SEAN PATRICK MALONEY of New York, Mr. MCGOVERN, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. POCAN, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Ms. SCHA-KOWSKY, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Ms. TSONGAS, Ms. VELAZQUEZ, Mr. VISLOSKEY, Mrs. WATSON COLEMAN, Mr. YARMUTH, Mr. RASKIN, Ms. KAPTUR, Mr. DESAULNIER, and Mr. HUFFMAN):

H.R. 399. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes; to the Committee on Ways and Means.

By Mrs. BLACK (for herself, Mr. ALLEN, Mr. AMODEI, Mr. BABIN, Mrs. BLACKBURN, Mr. BRAT, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, Mr. BUCK, Mr. BUCSHON, Mr.

BYRNE, Mr. CARTER of Georgia, Mr. COOK, Mr. CRAMER, Mr. DAVIDSON, Mr. DESJARLAIS, Mr. FLEISCHMANN, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. GOHMERT, Mr. GOSAR, Mr. GRAVES of Louisiana, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. GROTHMAN, Mr. HARRIS, Mr. HENSARLING, Mr. JODY B. HICE of Georgia, Mr. KELLY of Pennsylvania, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JOYCE of Ohio, Mr. LAMALFA, Mr. LAMBORN, Mr. LONG, Mr. MARINO, Mr. MCCLINTOCK, Mr. MEADOWS, Mr. OLSON, Mr. PALAZZO, Mr. PITTENGER, Mr. RENACCI, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. SCHWEIKERT, Mr. SMITH of Texas, Mr. WEBER of Texas, Mr. YOHO, Mr. RATCLIFFE, Mr. HUDSON, Mr. POSEY, Mr. LATTA, Mr. AUSTIN SCOTT of Georgia, Mr. DUNCAN of South Carolina, Mr. KUSTOFF of Tennessee, Mr. JENKINS of West Virginia, Mr. MARCHANT, Mr. CHABOT, and Mr. COMER):

H.R. 400. A bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States; to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CHENEY:

H.R. 401. A bill to designate the mountain at the Devils Tower National Monument, Wyoming, as Devils Tower, and for other purposes; to the Committee on Natural Resources.

By Mr. COHEN (for himself, Ms. NORTON, Ms. TSONGAS, Mr. EVANS, and Ms. SHEA-PORTER):

H.R. 402. A bill to amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes; to the Committee on Financial Services.

By Mr. FARENTHOLD:

H.R. 403. A bill to limit the construction or alterations of wind turbines near a military airbase or military airfield; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEISCHMANN:

H.R. 404. A bill to ensure the functionality and security of new Federal websites that collect personally identifiable information, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JENKINS of West Virginia:

H.R. 405. A bill to amend the Internal Revenue Code of 1986 to provide additional new markets tax credits for distressed coal communities; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. LANDEVIN, Mr. JONES, and Mr. BYRNE):

H.R. 406. A bill to amend title 10, United States Code, to facilitate the replacement of military decorations for relatives of deceased members of the Armed Forces; to the Committee on Armed Services.

By Mr. KING of Iowa (for himself, Mrs. BLACKBURN, Mr. GOHMERT, Mr. PITTENGER, Mr. ISSA, Mr. DUNCAN of South Carolina, Mr. BURGESS, Mr. STEWART, Mr. LAMBORN, Mr. MARSHALL, and Mr. HULTGREN):

H.R. 407. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for premiums for insurance which constitutes medical care; to the Committee on Ways and Means.

By Mr. KING of Iowa (for himself, Mr. CARTER of Georgia, Mr. GOHMERT, Mr. LAMBORN, Mr. WESTERMAN, Mr. WEBSTER of Florida, Mr. MCCLINTOCK, and Mr. STEWART):

H.R. 408. A bill to amend the Internal Revenue Code of 1986 to expand health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. KING of Iowa:

H.R. 409. A bill to amend title XVIII of the Social Security Act to sunset certain penalties relating to meaningful electronic health records use by Medicare eligible professionals and hospitals, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa:

H.R. 410. A bill to amend title XVIII of the Social Security Act to exclude coverage of advance care planning services under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself,

Mr. ABRAHAM, Mrs. RADEWAGEN, Ms. DELAURO, Ms. STEFANK, Mr. CARTER of Georgia, Mr. GALLEGO, Mr. BISHOP of Georgia, Mr. WILSON of South Carolina, Mr. O'ROURKE, Mr. PETERS, Mr. JOYCE of Ohio, Mr. MEEHAN, Mr. JONES, Mr. RYAN of Ohio, Ms. SLAUGHTER, Mr. CONYERS, Mr. KEATING, Mr. COFFMAN, Mr. CRAMER, Mr. LOBIONDO, Mr. QUIGLEY, Ms. SHEA-PORTER, Mr. YARMUTH, Mr. CICILLINE, Mrs. DINGELL, Mr. COLE, Ms. PINGREE, Mrs. COMSTOCK, Mr. MASSIE, Mr. RUSH, Mr. CÁRDENAS, Mr. YODER, Mr. MOULTON, and Mr. HIMES):

H.R. 411. A bill to direct the Secretary of Veterans Affairs to conduct a review of the deaths of certain veterans who died by suicide, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LAWRENCE:

H.R. 412. A bill to amend title 10, United States Code, to require the provision of legal assistance to junior enlisted personnel of the Armed Forces and their dependents in connection with their personal civil legal affairs; to the Committee on Armed Services.

By Mrs. LAWRENCE:

H.R. 413. A bill to establish an Early Federal Pell Grant Commitment Program; to the Committee on Education and the Workforce.

By Mrs. LAWRENCE:

H.R. 414. A bill to amend the Higher Education Act of 1965 to allow an individual to qualify for both teacher loan forgiveness and public service loan forgiveness, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. LAWRENCE:

H.R. 415. A bill to amend GEAR UP to require that schools receiving funding under the program provide students with access to academic and mental health counseling services, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. LAWRENCE:

H.R. 416. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen accountability of authorized public chartering agencies and reduce charter school authorizing misconduct; to the Committee on Education and the Workforce.

By Mrs. LAWRENCE:

H.R. 417. A bill to amend the Safe Drinking Water Act to require the improvement of consumer confidence reports, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. LAWRENCE:

H.R. 418. A bill to direct the Secretary of Veterans Affairs to establish a pilot program to improve access to supportive services and community coordination for families of disabled veterans; to the Committee on Veterans' Affairs.

By Mrs. LAWRENCE:

H.R. 419. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for manufacturing job training expenses; to the Committee on Ways and Means.

By Mrs. LAWRENCE:

H.R. 420. A bill to amend the Internal Revenue Code of 1986 to permanently increase the limitations on the deduction for start-up and organizational expenditures; to the Committee on Ways and Means.

By Mrs. LOVE (for herself, Mrs. COMSTOCK, Mr. STEWART, Mr. COFFMAN, and Mr. KINZINGER):

H.R. 421. A bill to allow women greater access to safe and effective contraception; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCLINTOCK (for himself, Ms.

FOX, Mr. GROTHMAN, Mr. FLORES, Mr. FLEISCHMANN, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. KING of Iowa, Mr. ROHRBACHER, Mr. MEADOWS, Mr. HARRIS, Mr. STEWART, Mr. TIPTON, Mr. WENSTRUP, Mr. SCHWEIKERT, Mr. SANFORD, Mr. BISHOP of Utah, Mr. BROOKS of Alabama, Mr. ROTHFUS, Mr. EMMER, Mr. LOUDERMILK, Mr. WESTERMAN, Mr. CHABOT, Mr. DESANTIS, Mr. JOHNSON of Ohio, Mr. HENSARLING, Mr. ROKITA, Mr. CHAFFETZ, Mr. WOODALL, Mr. RENACCI, Mr. DESJARLAIS, and Mr. MOONEY of West Virginia):

H.R. 422. A bill to ensure the payment of interest and principal of the debt of the United States; to the Committee on Ways and Means.

By Ms. MENG (for herself, Mr. BARTON, and Mr. LANCE):

H.R. 423. A bill to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of misleading or inaccurate caller identification information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERSON (for himself, Mr.

DUFFY, Ms. CHENEY, Mr. NOLAN, Mr. EMMER, Mr. LABRADOR, Mr. SENSENBRENNER, Mr. SIMPSON, Mr. HUIZENGA, Mr. GALLAGHER, Mr. KIND, Mr. MOOLENAAR, Mr. WALBERG, Mr. GROTHMAN, and Mr. BERGMAN):

H.R. 424. A bill to direct the Secretary of the Interior to reissue final rules relating to listing of the gray wolf in the Western Great Lakes and Wyoming under the Endangered Species Act of 1973, and for other purposes; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself and Mr. KEATING):

H.R. 425. A bill to authorize the revocation or denial of passports to individuals affiliated with foreign terrorist organizations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RATCLIFFE (for himself, Mr. OLSON, Mr. HENSARLING, Mr. BRADY of Texas, Mr. BARLETTA, Mr. CRAMER, Mr. JOHNSON of Ohio, Mr. HUIZENGA, Mr. MEEHAN, Mr. BYRNE, and Mr. MOOLENAAR):

H.R. 426. A bill to prohibit any regulation, rule, guidance, recommendation, or policy issued after May 15, 2015, that limits the sale or donation of excess property of the Federal Government to State and local agencies for law enforcement activities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES:

H.R. 427. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Energy and Commerce.

By Mr. THORNBERRY (for himself and Mr. COLE):

H.R. 428. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. WITTMAN:

H.R. 429. A bill to provide that the salaries of Members of a House of Congress will be held in escrow if that House has not agreed to a concurrent resolution on the budget for fiscal year 2018 by April 15, 2017; to the Committee on House Administration.

By Mr. YOHO (for himself, Mr. ABRAHAM, Mr. HILL, and Mr. GOHMERT):

H.R. 430. A bill to modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Ms. KAPTUR (for herself, Ms. JACKSON LEE, Mr. TAKANO, Ms. LEE, Mr. COHEN, Mr. CONYERS, Ms. SHEA-PORTER, Mr. DOGGETT, Mr. CONNOLLY, Mr. NADLER, Mr. SOTO, Ms. DELAURO, Mr. CARSON of Indiana, Mr. BLUMENAUER, Mr. ELLISON, Ms. FUDGE, Mr. PETERS, Mr. RYAN of Ohio, Ms. HANABUSA, Mr. MCGOVERN, Mr. THOMPSON of Mississippi, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS, Mr. LARSON of Connecticut, Mr. COURTNEY, Mrs. BUSTOS, Ms. BLUNT ROCHESTER, Mr. GARAMENDI, Mr. TONKO, Ms. SPEIER, Mr. POCAN, Ms. PINGREE, and Ms. SANCHEZ):

H.J. Res. 26. A joint resolution denying congressional consent for President Donald J. Trump to accept any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign state throughout the tenure of his Presidency; to the Committee on Oversight and Government Reform.

By Mr. COLLINS of Georgia:

H. Res. 36. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. COLLINS of Georgia:

H. Res. 37. A resolution providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President of the United States; considered and agreed to.

By Mr. CHAFFETZ:

H. Res. 38. A resolution expressing the sense of the House of Representatives that offices attached to the seat of Government should not be required to exercise their offices in the District of Columbia; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY:

H. Res. 39. A resolution electing a Member to a certain standing Committee of the House of Representatives; considered and agreed to.

By Mrs. LAWRENCE:

H. Res. 41. A resolution supporting a uniform adoption process for foster youth; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS (for himself, Mr. MARINO, and Mr. KILMER):

H. Res. 42. A resolution amending the Rules of the House of Representatives to provide for the consideration of reported bills or joint resolutions that have not been considered by the House within 60 calendar days; to the Committee on Rules.

By Mr. WITTMAN:

H. Res. 43. A resolution amending the Rules of the House of Representatives to prohibit the consideration of a concurrent resolution to provide for a recess of the House after July 31 of any year unless the House has approved each regular appropriation bill for the next fiscal year; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SHEA-PORTER:

H.R. 388.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;...

By Mr. ROYCE of California:

H.R. 389.
Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. SMITH of New Jersey:

H.R. 390.
Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution

By Mr. CHAFFETZ:

H.R. 391.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 4 and 18 of the U.S. Constitution

By Mr. CHAFFETZ:

H.R. 392.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 4 and 18 to the U.S. Constitution.

By Mr. THORNBERRY:

H.R. 393.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress “to provide for the common Defence”, “to raise and support Armies”, “to provide and maintain a Navy” and “to make Rules for the Government and Regulation of the land and naval Forces” as enumerated in Article I, section 8 of the United States Constitution.

By Ms. JENKINS of Kansas:

H.R. 394.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mrs. LOVE:

H.R. 395.
Congress has the power to enact this legislation pursuant to the following:

(a) Section 8, Clause 1 of Article I of the Constitution; and

(b) Section 8, Clause 3 of Article I of the Constitution.

By Mr. CHAFFETZ:

H.R. 396.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. CHAFFETZ:

H.R. 397.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. KATKO:

H.R. 398.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution (relating to the general welfare of the United States).

Article I, Section 8, Clause 9 of the Constitution of the United States; the power to constitute Tribunals inferior to the Supreme Court.

By Mr. DOGGETT:

H.R. 399.
Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mrs. BLACK:

H.R. 400.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the United States Constitution which grants Congress the authority to establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Ms. CHENEY:

H.R. 401.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States;"

By Mr. COHEN:

H.R. 402.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (relating to the power to regulate foreign and interstate commerce) of the United States Constitution.

By Mr. FARENTHOLD:

H.R. 403.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. FLEISCHMANN:

H.R. 404.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. JENKINS of West Virginia:

H.R. 405.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—Commerce Clause and Taxing and Spending Clause

By Mr. KIND:

H.R. 406.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 16.

By Mr. KING of Iowa:

H.R. 407.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. KING of Iowa:

H.R. 408.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. KING of Iowa:

H.R. 409.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. KING of Iowa:

H.R. 410.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article I, Section 8, Clause 18

By Mr. KING of New York:

H.R. 411.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mrs. LAWRENCE:

H.R. 412.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mrs. LAWRENCE:

H.R. 413.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3—The Congress shall have Power To . . . regulate Commerce with foreign nations, and among the several States, and with Indian Tribes;

By Mrs. LAWRENCE:

H.R. 414.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3—The Congress shall have Power To . . . regulate Commerce with foreign nations, and among the several States, and with Indian Tribes;

By Mrs. LAWRENCE:

H.R. 415.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3—The Congress shall have Power To . . . regulate Commerce with foreign nations, and among the several States, and with Indian Tribes;

By Mrs. LAWRENCE:

H.R. 416.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3—The Congress shall have Power To . . . regulate Commerce with foreign nations, and among the several States, and with Indian Tribes;

By Mrs. LAWRENCE:

H.R. 417.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. LAWRENCE:

H.R. 418.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. LAWRENCE:

H.R. 419.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States

By Mrs. LAWRENCE:

H.R. 420.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States

By Mrs. LOVE:

H.R. 421.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is in the power of the Congress To regulate Commerce as enumerated by Article 1, section 8 of the United States Constitution as applied to providing for the general Welfare of the United States through the ad-

ministration of the Federal Drug Administration, and in the power of Congress To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States as enumerated by Article 1, section 8 of the United States Constitution.

By Mr. MCCLINTOCK:

H.R. 422.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 2 of the United States Constitution, which confer on Congress the power to collect and manage revenue for the payment of debts owed by the United States and to borrow money on the credit of the United States.

Article 1, Section 8, Clauses 1 and 2:

"The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;"

By Ms. MENG:

H.R. 423.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. PETERSON:

H.R. 424.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution.

By Mr. POE of Texas:

H.R. 425.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 10, 11, and 15

By Mr. RATCLIFFE:

H.R. 426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SIREs:

H.R. 427.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of the rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Mr. THORNBERRY:

H.R. 428.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

By Mr. WITTMAN:

H.R. 429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the United States Constitution

By Mr. YOHO:

H.R. 430.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Ms. KAPTUR:

H.J. Res. 26.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

- H.R. 5: Mr. HIGGINS of Louisiana, Mr. ROKITA, and Mr. HARRIS.
H.R. 25: Mr. GAETZ.
- H.R. 36: Mr. KING of Iowa, Mr. ABRAHAM, Mr. MESSER, Mr. SMITH of New Jersey, Mr. FARENTHOLD, Mr. PALMER, Mr. MULLIN, Mr. ROTHFUS, Mr. BOST, Mr. KELLY of Pennsylvania, Mr. JOHNSON of Ohio, Mr. GRAVES of Missouri, Mr. HUIZENGA, Mr. KELLY of Mississippi, Mr. CHABOT, Mr. MARCHANT, Mr. OLSON, Mrs. LOVE, Mr. LATTA, Mr. JONES, Mr. DAVIDSON, Mr. ROSKAM, Mr. DUNCAN of South Carolina, Mr. GROTHMAN, Mr. BILIRAKIS, Mr. ADERHOLT, Mr. DUFFY, Mr. GRIF-FITH, Mr. GOSAR, Ms. JENKINS of Kansas, Mr. ROUZER, Mr. PITTENGER, Mrs. BLACKBURN, Mrs. BLACK, Mr. GOHMERT, Mrs. WAGNER, Mr. WENSTRUP, Mr. GIBBS, Mr. SHIMKUS, Mr. BANKS of Indiana, Mr. BYRNE, Mr. ROGERS of Alabama, Mr. MOOLENAAR, Mr. BRIDENSTINE, Ms. FOXX, Mr. GUTHRIE, Mr. JOYCE of Ohio, Mr. HARRIS, Mr. SMITH of Missouri, Mr. TIBERI, Mr. GOODLATTE, Mr. BARLETTA, Mr. FLORES, Mr. POE of Texas, Mr. WALBERG, Mr. MOONEY of West Virginia, and Mr. LUETKEMEYER.
- H.R. 37: Mr. KING of Iowa, Mr. ABRAHAM, Mr. MESSER, Mr. SMITH of New Jersey, Mr. FARENTHOLD, Mr. MULLIN, Mr. ROTHFUS, Mr. BOST, Mr. KELLY of Pennsylvania, Mr. JOHNSON of Ohio, Mr. GRAVES of Missouri, Mr. HUIZENGA, Mr. KELLY of Mississippi, Mr. CHABOT, Mr. MARCHANT, Mr. OLSON, Mrs. LOVE, Mr. LATTA, Mr. JONES, Mr. DAVIDSON, Mr. ROSKAM, Mr. DUNCAN of South Carolina, Mr. GROTHMAN, Mr. BILIRAKIS, Mr. ADERHOLT, Mr. DUFFY, Mr. GOSAR, Mr. ROUZER, Mr. PITTENGER, Mrs. BLACKBURN, Mrs. BLACK, Mr. GOHMERT, Mrs. WAGNER, Mr. GIBBS, Mr. BANKS of Indiana, Mr. BYRNE, Mr. MOOLENAAR, Mr. JOYCE of Ohio, Mr. HARRIS, Mr. SMITH of Missouri, Mr. TIBERI, Mr. GOODLATTE, Mr. BARLETTA, Mr. FLORES, Mr. JODY B. HICE of Georgia, Mr. MOONEY of West Virginia, and Mr. LUETKEMEYER.
- H.R. 38: Mr. RUTHERFORD, Mr. FRANCIS ROONEY of Florida, Mr. BUDD, Mr. YOUNG of Iowa, Mrs. NOEM, Mr. CONAWAY, Mr. WILSON of South Carolina, Mr. CARTER of Texas, and Mr. DUNCAN of Tennessee.
- H.R. 51: Mr. LAWSON of Florida and Mr. CRIST.
- H.R. 52: Mr. LAWSON of Florida.
- H.R. 76: Mr. GOWDY, Mr. GARRETT, Mr. ROUZER, Mr. GALLAGHER, Mr. DENHAM, and Mr. KELLY of Mississippi.
- H.R. 78: Mr. TIPTON.
- H.R. 83: Mr. MARINO, Mr. BROOKS of Alabama, and Mr. KING of Iowa.
- H.R. 146: Mr. ROE of Tennessee and Mr. JONES.
- H.R. 147: Mr. KING of Iowa, Mr. ABRAHAM, Mr. MESSER, Mr. SMITH of New Jersey, Mr. FARENTHOLD, Mr. PALMER, Mr. MULLIN, Mr. ROTHFUS, Mr. KELLY of Pennsylvania, Mr. JOHNSON of Ohio, Mr. GRAVES of Missouri, Mr. HUIZENGA, Mr. KELLY of Mississippi, Mr. MARCHANT, Mr. OLSON, Mr. LATTA, Mr. JONES, Mr. ROSKAM, Mr. DUNCAN of South Carolina, Mr. GROTHMAN, Mr. BILIRAKIS, Mr. ADERHOLT, Mr. DUFFY, Mr. GOSAR, Mr. ROUZER, Mrs. BLACKBURN, Mrs. BLACK, Mr. GOHMERT, Mrs. WAGNER, Mr. GIBBS, Mr. BANKS of Indiana, Mr. BYRNE, Mr. MOOLENAAR, Mr. SMITH of Missouri, Mr. TIBERI, Mr. FLORES, Mr. WALBERG, Mr. JODY B. HICE of Georgia, Mr. MOONEY of West Virginia, and Mr. LUETKEMEYER.
- H.R. 175: Mr. BIGGS.
- H.R. 184: Ms. DELBENE and Mr. BUDD.
- H.R. 193: Mr. GAETZ.
- H.R. 244: Mr. MARSHALL, Mr. PETERS, Mr. JOYCE of Ohio, Mr. BYRNE, and Mr. BARR.
- H.R. 255: Mrs. MURPHY of Florida, Ms. LEE, Mr. O'ROURKE, Mrs. BROOKS of Indiana, and Mrs. DAVIS of California.
- H.R. 257: Mr. McCLINTOCK, Mr. ROKITA, Mr. FARENTHOLD, and Mr. MOOLENAAR.
- H.R. 258: Mr. GARRETT.
- H.R. 274: Mrs. DAVIS of California.
- H.R. 277: Mr. WITTMAN and Mr. ABRAHAM.
- H.R. 285: Mr. HENSARLING.
- H.R. 288: Mr. KNIGHT and Mr. GARRETT.
- H.R. 299: Mr. JOHNSON of Ohio, Mr. BYRNE, Ms. BEUTLER, Mr. POE of Texas, Mr. KATKO, Mr. CRAMER, Ms. SHEA-PORTER, Mr. CARTER of Georgia, Mr. RYAN of Ohio, Mr. LATTA, Mr. YARMUTH, Mr. YOUNG of Iowa, Mr. WALBERG, Ms. MATSUI, Mr. ELLISON, Mr. HUDSON, Mr. GUTHRIE, Mr. ROGERS of Kentucky, Ms. PINGREE, Ms. CASTOR of Florida, Mr. GOHMERT, and Mr. CÁRDENAS.
- H.R. 305: Ms. SÁNCHEZ.
- H.R. 308: Mr. YOHO, Mr. ROUZER, Mr. COLE, Mr. COSTELLO of Pennsylvania, Mr. YOUNG of Iowa, and Mr. SMITH of Nebraska.
- H.R. 312: Mr. SCHRADER.
- H.R. 331: Mr. SOTO.
- H.R. 332: Ms. BORDALLO, Ms. NORTON, Mr. GRIJALVA, and Mrs. RADEWAGEN.
- H.R. 334: Ms. PINGREE, Mr. COHEN, Mr. MCGOVERN, and Mr. RYAN of Ohio.
- H.R. 352: Mr. BIGGS and Mr. McCLINTOCK.
- H.R. 355: Mr. GOHMERT, Mr. COLE, Mr. LATTA, Mr. LONG, Mr. SMITH of Texas, and Mr. KELLY of Pennsylvania.
- H.R. 356: Mr. SCHRADER and Mr. DAVID SCOTT of Georgia.
- H.R. 357: Ms. SHEA-PORTER and Mr. SOTO.
- H.R. 358: Mr. LATTA, Mr. McCLINTOCK, and Mr. CHABOT.
- H.R. 365: Mr. FITZPATRICK.
- H.R. 369: Mr. MEEHAN.
- H.R. 371: Mr. CÁRDENAS, Mrs. BUSTOS, Ms. ROYBAL-ALLARD, Ms. SÁNCHEZ, Mr. DANNY K. DAVIS of Illinois, and Mr. RUSH.
- H.J. Res. 1: Mr. BISHOP of Michigan, Mr. OLSON, Mr. SANFORD, Mr. ROUZER, Mr. FRANCIS ROONEY of Florida, Mr. GOWDY, and Mr. BACON.
- H.J. Res. 2: Mr. BISHOP of Michigan, Mr. OLSON, Mr. SANFORD, Mr. ROUZER, Mr. FRANCIS ROONEY of Florida, Mr. GOWDY, and Mr. BACON.
- H.J. Res. 6: Mr. DUNCAN of South Carolina.
- H.J. Res. 11: Mr. BOST.
- H.J. Res. 14: Mr. GAETZ.
- H. Con. Res. 5: Ms. SLAUGHTER and Mr. LOWENTHAL.
- H. Res. 23: Mr. QUIGLEY, Mr. RUIZ, Ms. BORDALLO, Mr. RUSH, Mr. BEN RAY LUJÁN of New Mexico, Ms. MAXINE WATERS of California, Mr. EVANS, Ms. LOFGREN, and Mr. O'ROURKE.
- H. Res. 28: Mr. CASTRO of Texas and Mr. NOLAN.

EXTENSIONS OF REMARKS

ANNOUNCEMENT OF THE 2017 CONGRESS-BUNDESTAG/BUNDES RAT EXCHANGE

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. RYAN of Wisconsin. Mr. Speaker, since 1983, the U.S. Congress and the German Bundestag and Bundesrat have conducted an annual exchange program for staff members from both countries. The program gives professional staff the opportunity to observe and learn about each other's political institutions and interact on issues of mutual interest.

A staff delegation from the U.S. Congress will be selected to visit Germany for ten days from Friday, May 26–Sunday, June 4, 2017. During this ten day exchange, the delegation will attend meetings with Bundestag/Bundesrat Members, Bundestag and Bundesrat party staff members, and representatives of numerous political, business, academic, and media agencies.

A comparable delegation of German staff members will visit the United States for ten days Saturday, April 29–Sunday May 7, 2017. They will attend similar meetings here in Washington.

The Congress-Bundestag/Bundesrat Exchange is highly regarded in Germany and the United States, and is one of several exchange programs sponsored by public and private institutions in the United States and Germany to foster better understanding of the politics and policies of both countries. This exchange is funded by the U.S. Department of State's Bureau of Educational and Cultural Affairs.

The U.S. delegation should consist of experienced and accomplished Hill staff who can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag reciprocates by sending senior staff professionals to the United States.

Applicants should have a demonstrable interest in events in Europe. Applicants need not be working in the field of foreign affairs, although such a background can be helpful. The composite U.S. delegation should exhibit a range of expertise in issues of mutual concern to the United States and Germany such as, but not limited to, trade, security, the environment, economic development, health care, and other social policy issues. This year's delegation should be familiar with transatlantic relations within the context of recent world events.

Please note that the U.S. participants are expected to plan and implement the meetings and program for the Bundestag/Bundesrat staff members when they visit the United States.

Participants are selected by a committee composed of personnel from the Bureau of Educational and Cultural Affairs of the Depart-

ment of State and past participants of the exchange.

Members of the House and Senate who would like a member of their staff to apply for participation in this year's program should direct them to submit a resume and cover letter in which they state their qualifications, the contributions they can make to a successful program and some assurances of their ability to participate during the time stated.

Applications should be sent to the Office of Interparliamentary Affairs, HC-4, the Capitol, by 5 p.m. on Tuesday, February 28, 2017.

EDWARD C. McNAMARA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Edward C. McNamara for his many years of outstanding service with the National Ski Patrol.

The National Ski Patrol (NSP), the largest winter rescue organization, is a federally chartered nonprofit membership association dedicated to serving the public and the mountain recreation industry. For 75 years, the NSP has been on the forefront of safety and emergency care education programs.

Ed McNamara, a retired U.S. Army National Guard Colonel, has served on federal, state and local emergency medical and Homeland Security advisory committees. He is a nationally registered Paramedic and has been deployed with federal disaster medical teams responding to national emergencies.

Ed began his tenure with the NSP in 1979 when he became a patroller with the Watatic Mountain Ski Patrol in Ashby, Massachusetts. Over the years, Ed has held several leadership positions including Outdoor Emergency Care Instructor, National Outdoor Emergency Care Director and Board Chair of the National Ski Patrol. He recently received the prestigious Minnie Dole award. This award is one of NSP's most rarely given awards, which recognizes those exceptional few patrollers who exemplify the long-term dedication, devotion, and self-sacrifice of the founder of the NSP, Charles Minot "Minnie" Dole.

Ed has worked passionately over the years to improve outdoor safety care which is reflected in his exemplary contributions as Chief Editor of the Outdoor Emergency Care Manual 5th Edition. This teaching manual provides a road map for national practices and procedures for outdoor safety care.

I extend my deepest gratitude to Edward McNamara for his dedication to the continuing education and safety of the snow sport industry.

CELEBRATING THE LIFE OF DR. MARTIN LUTHER KING, JR.

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. VISCLOSKY. Mr. Speaker, as we celebrate the birth of Dr. Martin Luther King, Jr. and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicate nature of liberty. Dr. King's life and, unfortunately, his untimely death, remind us that we must continually work to secure and protect our freedoms. In his courage to act, his willingness to meet challenges, and his ability to achieve, Dr. King embodied all that is good and true in the battle for liberty.

The spirit of Dr. King lives on in the citizens of communities throughout our nation. It lives on in the people whose actions reflect the spirit of resolve and achievement that will help move our country into the future. I am honored to rise today to recognize several individuals from Indiana's First Congressional District who will be recognized during the 38th Annual Dr. Martin Luther King, Jr. Memorial Breakfast on Saturday, January 14, 2017, at the Genesis Convention Center in Gary, Indiana. The Gary Frontiers Service Club, which was founded in 1952, sponsors this annual breakfast.

The Gary Frontiers Service Club will pay tribute to local individuals who have for decades selflessly contributed to improving the quality of life for the people of Gary. This year, Denise C. Dillard and Deacon James Holloway will be honored with the prestigious Dr. Martin Luther King, Jr. Drum Major Award. Additionally, several individuals will be recognized as Dr. Martin Luther King, Jr. Marchers at this year's breakfast including Vanessa Allen Ed.D., Natalie Ammons, WD Brewer, Patricia Owens-Lee, Reverend R. Jerry Prothro, and Kerry Rice Sr. In addition, Dorothy R. Leavell, editor and publisher of The Gary Crusader, will be the recipient of the 2017 Gary Frontiers Gratitude Award.

Though very different in nature, the achievements of each of these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and faced them with unwavering strength and determination. Each one of the honored guests' greatness has been found in their willingness to serve with "a heart full of grace and a soul generated by love." They set goals and work selflessly to make them a reality.

Mr. Speaker, I invite you and my other distinguished colleagues to join me in commending these honorees, as well as the Gary Frontiers Service Club officers, President Oliver J. Gilliam, Vice President James Piggee, Recording Secretary Linnal Ford, Financial

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Secretary Melvin Ward, and Treasurer/Seventh District Director Floyd Donaldson, along with Clorius L. Lay, who has served as Breakfast Chairman for sixteen years, and all other members of the service club for their initiative, determination, and dedication to serving the people of Northwest Indiana.

INTRODUCING THE IRAQ AND SYRIA GENOCIDE EMERGENCY RELIEF AND ACCOUNTABILITY ACT OF 2017

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. SMITH of New Jersey. Mr. Speaker, I rise to announce that my friend ANNA ESHOO and I today introduced the Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017 (H.R. 390).

H.R. 390 would require the State Department and U.S. Agency for International Development to identify the urgent humanitarian needs of Christians and other genocide survivors from religious minority communities and to start supporting some of the entities effectively aiding them on-the-ground.

This bill is urgently needed because Christian survivors of the ISIS genocide are facing an emergency. Just before Christmas, I went to Erbil in the Kurdistan region of Iraq to meet with these survivors. They told me the United States had abandoned them. I saw first-hand how the Obama administration has failed to help them.

I was in Erbil at the personal invitation of the Chaldean Catholic Archbishop of Erbil, Bashar Warda. More than 70,000 Christians—10,500 families—who escaped from ISIS have relied on the Archdiocese of Erbil for food, shelter, and medical care to survive. Yet the Obama administration and United Nations have refused to give a single dollar to the Archdiocese to help them. They have been kept alive only because of the generosity of organizations like the Knights of Columbus and Aid to the Church in Need. However, the needs are so great that the Archdiocese is chronically in crisis mode, unsure whether it will soon run out of resources to sustain these Christians.

The winter temperatures are freezing and the risk of related illness is high. Iraq's Christian population is less than 250,000, down from up to 1.4 million in 2002, down from 500,000 in 2013 just before ISIS began targeting Christians for genocide.

Having fled ISIS, these Christians may have to flee their homelands. Perhaps they will take the little money they have left, and pay smugglers to get them to Europe. They would risk becoming prisoners of human traffickers or perishing in the Mediterranean Sea, where more than 5,000 refugees and migrants died or went missing in 2016.

For a few of these genocide survivors unable to return home, the only long-term option may be resettlement in a country like the United States as a refugee. Our legislation would create a Priority Two designation that they are of "special humanitarian concern" to

the United States. The P-2 designation would ensure that they are able to get an overseas interview with the U.S. government to be considered for the U.S. Refugee Admissions Program without needing a referral from the United Nations, an NGO, or another U.S. government entity. This would not guarantee acceptance and admission and they would have to clear the same security screening as every other Iraqi and Syrian refugee before being admitted. But at least they will be considered.

The other key element of our bill focuses on accountability. It would require the U.S. government to identify and support some entities that are conducting criminal investigations, and collecting evidence, on perpetrators of genocide, crimes against humanity, and war crimes in Iraq and Syria. This evidence is usable in future criminal trials. Until now, the State Department has been considering these crimes merely as human rights violations, rather than as crimes.

Archbishop Warda has put it clearly. "These coming months may well decide the fate of Christianity in Iraq: whether it survives and is given a chance for rebirth; or whether it perishes, existing only as a few scattered museum pieces with caretaker clergy, of interest to tourists and academics perhaps, but without the Christian people who had lived there for two-thousand years."

As the Syriac Archbishop of Mosul, who had to seek refuge in Erbil from ISIS together with his people, told me during my mission, "We pray that President Trump will help us. We are the last people to speak the Aramaic language. Without help, we are finished."

Archbishop Nicodemus had reason to be hopeful. On September 9, 2016, at the Voter Values Summit, then-candidate Trump said, "ISIS is hunting down and exterminating what it calls the Nation of the Cross. ISIS is carrying out a genocide against Christians in the Middle East. We cannot let this evil continue."

If our legislation moves quickly onto the floor for a vote and to President Trump for his signature, I am confident that he will sign it and ensure that it is fully implemented. The Christians of the Middle East are counting on us.

Many groups support H.R. 390, including the Knights of Columbus, Family Research Council, In Defense of Christians, 21st Century Wilberforce Initiative, Commission for International Justice and Accountability, HIAS, Aid the Church in Need USA, Open Doors, A Demand for Action, Yazidi Human Rights Organization International, Religious Freedom Institute, Christian Solidarity Worldwide, and Syrian Accountability Project, and Civitas Maxima.

It is also supported by all the former U.S. Ambassadors-at Large for War Crimes, David Scheffer (1997 through 2001), Pierre Prosper (2001 through 2005), Clint Williamson (2006 through 2009), and Stephen Rapp (2009 through 2015), as well as the Founding Chief Prosecutor of the Special Court for Sierra Leone, David Crane, the Director of the Center for Religious Freedom Nina Shea, and the author of Defying ISIS, Rev. Johnnie Moore.

Fifteen of our colleagues, Republicans and Democrats, are original cosponsors of H.R. 390. I call on my other colleagues to cosponsor this bill and help ensure that it gets to the

new President as soon as possible so that Christian genocide survivors in Iraq and elsewhere get the help they so desperately need.

PERSONAL EXPLANATION

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, yesterday I missed roll call vote numbers 24 through 25 on the floor of the House of Representatives. Had I been present, I would have voted yea to both bills.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Ms. SEWELL of Alabama. Mr. Speaker, during the votes held on January 10, 2017, I was inescapably detained and away handling important matters related to my District and the State of Alabama. If I had been present, I would have voted YES on the Velázquez Amendment, YES on the Clay/Waters Amendment, and YES on Final Passage of H.R. 79.

TRIBUTE IN HONOR OF ROBERT ROSENBAUER ON THE OCCASION OF HIS RETIREMENT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Ms. ESHOO. Mr. Speaker, I rise today to honor Robert "Bob" Rosenbauer, a geochemist who joined the USGS in Menlo Park, California, in 1974. He was part of what was then known as the Branch of Pacific and Arctic Marine Geology. He soon established the USGS rock/water/gas interaction laboratory and worked on theoretical and experimental studies of submarine hydrothermal, volcanic, and geothermal systems for more than 22 years.

In 1996, Bob Rosenbauer developed a laboratory to help understand natural and human-induced stresses on the environment. His diverse research interests include the use of signature lipid biomarkers and stable isotopes to study nearshore ecosystem processes, changes in microbial diversity in marine sediment linked to contaminants, and the paleo-occurrence of hypoxia in deltaic systems.

He led efforts to assess the risk of contaminated floodwater sediment to human and ecosystem health in the aftermath of Hurricanes Katrina and Rita, and the potential environmental and human-health impacts of the mud volcano in East Java at Sidoarjo. He participated in studies on saline encroachment in the Los Angeles Basin and on hydrocarbon occurrence along the California coast and in the Monterey Bay National Marine Sanctuary. He

led the effort to chemically fingerprint and determine the persistence and degradation pathways of oil from recent spills in San Francisco Bay from the merchant vessel Cosco Busan and in the Gulf of Mexico from the Deepwater Horizon explosion.

Bob Rosenbauer led studies on the experimental investigation, theoretical modeling, and environmental impacts of CO₂ sequestration in geologic formations with colleagues from the national and international scientific community. He is the author or co-author of more than 100 peer-reviewed scientific publications. On September 26, 2011, Bob Rosenbauer was named the new Director of the USGS Pacific Coastal and Marine Science Center (PCMSC) in Santa Cruz, California.

Mr. Speaker, I ask my colleagues to join me in honoring Bob Rosenbauer who has devoted more than four decades of his life to science, improving our understanding of our environment and making our country stronger. After giving his entire career in service to science and our nation, Bob Rosenbauer retired from the United States Geological Survey on January 3, 2017. He will be honored, together with his wife Terri, on January 15, 2017. Let the entire House of Representatives wish him every blessing in his well deserved retirement.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 12 and 15 on Thursday, January 5, 2017. Had I been present, I would have voted "nay" on roll call vote 12 and "yea" on roll call 15.

CELEBRATING THE CRUSADERS OF THE UNIVERSITY OF MARY HARDIN-BAYLOR

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the Crusaders of the University of Mary Hardin-Baylor who capped a perfect season by defeating the University of Wisconsin-Oshkosh Titans 10–7 in the Stagg Bowl to claim their first ever DIII Football National Championship. It was a game low on points but high on drama.

While the Stagg Bowl was contested over the span of four quarters, for UMHB it was a championship 19 years in the making. A program built from scratch by Coach Pete Fredenburg nearly two decades ago can now call itself the best in the land.

Anyone who follows sports knows the truth of these three words: defense wins championships. While high scores thrill the casual fan, the art of shutting down an opponent's ability to rack up points is what ultimately allows a team to hoist a championship trophy. The Cru-

saders' suffocating defense held the Titans to just 215 yards overall and allowed UMHB to control the game. Their relentless playmaking and defensive intensity, honed through seasons of tough practice and a strict commitment to football fundamentals, brought home the title for the Crusaders.

While football is a team sport, there was great play from the Crusaders' star players. Quarterback Blake Jackson, the game's MVP, ended the game with 171 passing yards and 119 rushing yards. Senior linebacker Matt Cody came through in the clutch with a game-sealing interception.

It's no secret that Texans live for football and the University of Mary Hardin-Baylor's commitment to teamwork and tough physical play represent the very best of our beloved sport. I congratulate the Crusaders on their victory in the Stagg Bowl and wish them continued success in seasons to come.

DR. JOHN H. COLEMAN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Ms. KAPTUR. Mr. Speaker, I rise today to honor the life of Dr. John H. Coleman, a longtime Toledo physician who was dedicated to his community.

Dr. Coleman was renowned for his empathy and giving nature. In every situation, Dr. Coleman's first concern was for others. Friends describe his attitude as always seeking to help others and improve the lives of those he has helped. Dr. Coleman's spirit was an inspiration to those who worked with him in Toledo, where he served as a family physician for many decades. In 1999 Dr. Coleman was awarded Family Physician of the Year by the Ohio Academy of Family Physicians, a testament to his skills as a doctor and also his leadership and stewardship.

Dr. Coleman taught at the former Medical College of Ohio and served on the Lucas County Children Services and Cordelia Martin Health Center Boards. These positions enabled him to shape the minds and embolden a new generation of physicians who continue to honor him by serving the Toledo community, including Dr. Imran Andrabi, now the president and chief executive of Mercy Health.

It is unsurprising that Dr. Coleman is held in such high esteem by his colleagues. His story is one that cannot be fabricated. Born in August, 1928, Dr. Coleman grew up in segregated Madison, Indiana, the grandson of a slave. At age fifteen he graduated from high school as the class valedictorian. Genius notwithstanding, Dr. Coleman also showed an early desire to serve his community and his country as a Captain in the Army Medical Corps.

Dr. Coleman will be dearly missed for his enduring kindness and dedication to his community. Dr. Coleman will now join his son David, who died in 1977. He is survived by his wife, Joan, children Michael, Jeffrey, and Linda, and eight grandchildren. His legacy will survive him in Toledo, where he has shaped the current medical landscape and done so

much for the community at large, and for the African-American community as a path-breaking role model. We offer his family our prayers and hope that they find comfort in the wonderful memories of their beloved husband and father.

HONORING THE 100TH BIRTHDAY OF MR. HENRY MORGENTHAU, III

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. SCHIFF. Mr. Speaker, I rise today to celebrate the 100th birthday of Mr. Henry Morgenthau, III. Mr. Morgenthau was born at home in New York City on January 11, 1917, to Henry Morgenthau, Jr. and his beloved mother Elinor Fatman.

A man of creativity, and vision, a parent, poet, author, film maker and producer, Mr. Morgenthau found his own success in a family known for its achievements in public service.

In his 20s, Mr. Morgenthau graduated from Princeton University and served his country as a U.S. Army officer, rising to the rank of Captain, and receiving a Bronze Star.

In his 30s, Mr. Morgenthau developed his distinguished career in public broadcasting which lasted into his 60's. He produced an impressive group of documentaries and series, including "The Negro and the American Promise" with Dr. Martin Luther King, Jr., and James Baldwin; and "Prospects of Mankind" with Eleanor Roosevelt. His work won him and Boston's WGBH, national acclaim, including Emmy, Peabody, UPI, and other awards and nominations.

In his 40s, Mr. Morgenthau married Professor Ruth Schachter, a refugee of the Holocaust who became an advisor to Presidents, a world renowned Africa expert, a champion of the underdeveloped world, and a trailblazer for women, among her many significant accomplishments. Together, Henry and Ruth have three children, Sarah, Henry (Ben), and Kramer; and six grandchildren Edward, Henry, Mizia, Henry, Mizia, and Osias.

In his 70s, Mr. Morgenthau published "Mostly Morgenthau," a history of an American family known for its remarkable public service. At the outbreak of World War I, his grandfather, Henry Morgenthau, Sr., served as Woodrow Wilson's U.S. Ambassador to the Sublime Porte (the imperial government of the Ottoman Empire), distinguishing himself in part by his unblinking dispatches about what he described as "a campaign of race extermination" against the Armenians before the term "genocide" had been coined. His father, Henry Morgenthau, Jr., served as Treasury Secretary for eleven years under President Franklin Delano Roosevelt. His brother, Robert Morgenthau, was named U.S. Attorney by President Kennedy, before entering politics as the 1962 Democratic nominee for Governor of NY, and then winning elections to be Manhattan's longest serving District Attorney. Other distinguished members of Mr. Morgenthau's family include his sister Joan Hirschhorn, his first cousin Barbara Tuchman, and his great uncles Governor Herbert Lehman and Chief Judge Irving Lehman of NY.

Mr. Morgenthau, along with his father, grandfather, brother, and sister, has distinguished himself in his dedicated support for American and International Jewry. He and his wife Ruth were named as Harvard Hillel's 2004 Tribute to Excellence Honorees. His wife served on the board of the American Jewish World Service and his brother was a founder of Manhattan's Museum of Jewish Heritage. Henry Morgenthau, Sr. led a major relief effort for the Jews in Palestine before it was Israel. Mr. Morgenthau has also been a great supporter of Armenia and her people.

At 95, Mr. Morgenthau took up poetry as "a celebration of the evening of a long life." He writes: "In these precious days I dress my private demons in these scribbles to come out from behind the shadows that have darkened my long and privileged life."

At 96, Mr. Morgenthau published his first poem, and at 99 his first solo book of poetry was published, "A Sunday in Purgatory." Pulitzer prize winning poet, Peter Balakian, wrote: "Morgenthau's poems are crisp, elegant forays into memory both personal and cultural . . . His surgical examinations of self and his unflinching stare into mortality define the unique and honest voice of this remarkable first book of poems."

A man of elegance, distinction, and sweetness, at 100 Mr. Morgenthau remains alive to the world, eager to create more.

47TH ANNIVERSARY OF THE MARTIN LUTHER KING JR. OBSERVANCE COMMITTEE OF MORRISTOWN, NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I ask my Colleagues to join me in honoring the Martin Luther King Jr. Observance Committee of Morristown, New Jersey in my Congressional District, which this year is celebrating its 47th Anniversary.

Since 1970, the Committee has been dedicated to promoting the rich legacy of the life and works of the Reverend Dr. Martin Luther King, Jr. with the involvement of the Morris County community in its annual commemorative services.

Our community owes a debt of gratitude to Dr. Felicia Jameson, who has officially retired as chairwoman after 30 years of dedicated support of this event. We welcome her successor, the Reverend Dr. David A. Hollowell, and his continuing willingness to contribute.

The observance for 2017 marks the 32nd year that Dr. King's birthday will be commemorated as a national holiday. As an expression of local unity and in recognition of this important event, the Martin Luther King Jr. Observance Committee invites the Morris Clergy Council to join with the committee in sponsoring services on Monday, January 16, 2017.

This year's theme "The Dream at the Crossroads: Empower Love to Overcome," is the true embodiment of Dr. King's philosophy and teachings. From those individuals who spear-

headed the initial celebration, the late Rachel Viola Jones and Dr. Jamison, the planning efforts have broadened to include members of the Morris Area Clergy Council, with representatives from all major faiths. In addition to the two founders, other volunteers who assisted in the early years included Emma L. Martin, George Dorsey, William "Jack" Harris, Reginald and Emanueline Smith, Flora Webb, Norman Jean Matthews, Woody Huff, Elizabeth Lubar, Cecelia Dowdy, Rabbi Z. David Levy, and the Rev. Charles Marks.

The core planning committee is continuing to carry on the tradition of excellence for this great program and has grown to include many dedicated volunteers.

Mr. Speaker, I am confident that the Martin Luther King Observance Committee will continue, in the years ahead, to promote the cause of equality and opportunities for all people to pursue productive, fulfilling lives.

I ask you and my colleagues to join me in congratulating the Observance Committee as they celebrate decades of valuable service to our community.

PERSONAL EXPLANATION

HON. LISA BLUNT ROCHESTER

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Ms. BLUNT ROCHESTER. Mr. Speaker, I wish to clarify my position for the record on roll call votes cast on January 9, 2017 and January 3, 2017

On Roll Call Vote Number 25, on consideration of H.R. 304 I did not vote. It was my intention to vote "Yea."

On Roll Call Vote Number 24, on consideration of H.R. 315 I did not vote. It was my intention to vote "Yea."

On Roll Call Vote Number 3, on consideration of H. Res. 5 I did not vote. It was my intention to vote "No."

IN RECOGNITION OF AMBASSADOR KAIRAT UMAROV

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. ROHRBACHER. Mr. Speaker, Ambassador Kairat Umarov of Kazakhstan has faithfully served in Washington, D.C. for the past four years. His steady leadership and commitment to building the relationship between our two countries has resulted in stronger ties and raised the profile of Kazakhstan and President Nazarbayev in the West. As he now prepares to complete his time as Ambassador, I wish to mark the occasion by recognizing his many achievements and extending my personal thanks to him.

The United States and Kazakhstan share a strategic partnership and a shared interest in preventing nuclear proliferation. Ambassador Umarov has fostered a close working relationship between our government and the Kazakh Embassy which has been a key ingredient for

many positive steps. Although he will soon depart Washington, I must mention the Ambassador's significant contributions to the EXPO 2017 event which will take place later this year in Kazakhstan.

Over the course of Ambassador Umarov's time in Washington, I can attest that he is the consummate diplomat, always gracious, even in trying circumstances. While I am sad that his term in our nation's capital has finished he leaves behind a record of improved relations, not only between governments, but between the people of Kazakhstan and the United States.

Lastly, the Ambassador will celebrate his birthday on January 12th and I wish him the very happiest of celebrations.

HONORING THE CAREER OF MR. HUBERT WALSH

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor the career and achievements of Mr. Hubert "Hub" Walsh, outgoing chairman of the Merced County Board of Supervisors and longtime servant to the people of Merced. Mr. Walsh has been an eminent figure in Merced politics for many years, occupying various elected positions at the city and county levels. His unflinching drive to serve the people of Merced in all available capacities has cemented his legacy as a leader, public figure, and role model in the community.

Mr. Walsh arrived in Merced in 1967 with his mother, father, brother, and sister after spending much of his life moving from community to community due to his father's career in the Air Force. Mr. Walsh graduated from Merced High School in 1968, and moved on to attain his associate degree from Merced College in 1970. He transferred to the University of California, Berkeley shortly thereafter, and received his Bachelor of Arts in Psychology and Sociology in 1973. Mr. Walsh made the decision to serve his country in the United States Army after graduation, spending the greater portion of his tour of duty in Ft. Lewis, Washington, where he was able to concurrently earn a master's degree in Social Science from Pacific Lutheran University. After his service in the Army, Mr. Walsh married his college sweetheart, Rita Arzamendi, with whom he had two children, Melissa and Travis. Mr. Walsh then earned a Master's in Business Administration from California State University, Stanislaus, all the while remaining active in his church and community.

Mr. Walsh spent over thirty years working in the Merced County Human Services Agency in various positions, which allowed him to affect a great deal of positive change throughout the city and county of Merced. Mr. Walsh has been involved in a breadth of public service organizations, playing the role of administrator and advocate for countless causes and groups throughout Merced, ranging from Parks and Recreation to drug abuse prevention programs. Mr. Walsh's decision to run for Merced City Council in 1995 would foster his long,

fruitful career as an elected representative. After serving two terms on the City Council, Mr. Walsh was elected Mayor of Merced in 2001, where he served two terms before winning his election bid for a seat on the Merced County Board of Supervisors. During his time as a Councilman, Mayor, and Supervisor, Mr. Walsh's efforts to reinforce and transform the image of Merced have been immeasurably beneficial for the many people he has served. Mr. Walsh has routinely demonstrated to his colleagues and constituency that no issue is too big or small to tackle. This credence has earned Merced a litany of achievements thanks in large part to Mr. Walsh's efforts.

Although Mr. Walsh's retirement finds us with a heavy heart, there is no doubt that he will remain an active member of his community. Mr. Walsh's passion for public service runs beyond the positions that he has held, but is evidenced throughout his whole career and adult life.

Mr. Speaker, I urge my colleagues to join me in recognizing the remarkable career and achievements of Mr. Hubert Walsh. His tenure in public service will be appreciated for years to come.

TRIBUTE TO HONOR THE LIFE OF
ALBERT J. NADER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Ms. ESHOO. Mr. Speaker, I rise today to honor the extraordinary life of Albert J. Nader, who passed away on December 22, 2016, in Palm Springs, California, at the age of 84. He is survived by his wife Gemma Allen Nader, his children Page and Jason, his step-children Bridget and Sean, and six grandchildren.

Albert Nader was the son of the late Joshua Nader, an Assyrian immigrant from Iran, and Olga. He was exceedingly proud to be a native Chicagoan and of Assyrian heritage. He grew up near Wrigley Field and attended Blaine Elementary School and Lake View High School where he played baseball and basketball. He graduated from DePaul University and served as a First Lieutenant in the U.S. Marine Corps. After his service to our country, he went on to work for Sears, Montgomery Ward, and Rand McNally developing films, globes, maps, and textbooks for libraries and schools, and founded the highly successful ad agency, Nader-Lief.

In 1978, against the advice of his wife and other friends, Albert Nader took his innovative vision to help people collect videos and created Questar to produce, acquire and distribute video programs. Questar offered viewers videos covering a wide variety of topics, including nature, cooking, and history. Albert Nader found inspiration for programs to create or distribute everywhere he went, including church and family vacations. He guided his groundbreaking vision through changing technology and today his programs are streaming online.

Albert was a force of nature, always bursting with ideas, implementing them and advancing the causes he believed in. He was a

faith-filled man, a long-time supporter of Moody Church, and proud of his Assyrian heritage. Most recently, he was raising funds for Assyrians caught in the wars in Iraq and Syria. He was a man who loved his family and was devoted to his church, his community and his country. Because of all he did in living a worthy life, our country has been bettered immeasurably. Mr. Speaker, I ask the entire House of Representatives to join me in expressing our collective sympathy to Albert Nader's wife and family on the loss of a great and good man, Albert J. Nader.

PERSONAL EXPLANATION

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. PERRY. Mr. Speaker, unfortunately I was absent due to illness. However, had I been present, I would have voted YEA on Roll Call No. 24 and YEA on Roll Call No. 25.

RECOGNIZING JULIAN SCADDEN

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. COFFMAN. Mr. Speaker, it is my honor today to recognize a truly great citizen of Aurora, Colorado, Julian Scadden. Julian selflessly volunteers countless hours in a program known as the 'VA's Compassion Corps.' Those in the Compassion Corps spend time with veterans who have no family or friends to come visit them at VA Hospital Community Living Centers.

Julian works as a full time housekeeper at VA Hospital's Community Living Center, and then will often spend 12 or more hours sitting with veterans afterwards. To say that Julian has a strong commitment to our nation's veterans would be a vast understatement.

A veteran himself, Julian enlisted in the Army in 1967 and served in Vietnam. Today, unfortunately, Julian is the last of what were once 20 members of the 'VA Compassion Corps' volunteers in the Denver area. It is my hope that his example will inspire others to volunteer for the Compassion Corps which fills such a vital role for those military men and women who have served the United States of America.

Thanks to you Julian Scadden.

TRIBUTE TO JOHN J. BENOIT

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to Riverside County Supervisor John J. Benoit, who passed away in California on Monday, December 26, 2016. John served the people of Riverside County in

many ways throughout his life and he will be deeply missed.

John started his career in public service at the Corona Police Department. From there, he embarked on 29 years of service with the California Highway Patrol, which culminated with his promotion to commander of the CHP's Indio Station. After serving in law enforcement, John became increasingly active in his community. He was elected to the Desert Sands School Board before being elected to the California State Assembly in 2002. John ultimately served three terms in the Assembly during which time he passed significant legislation, including "Aryanna's Law" to enhance the protection of children in daycare centers. In 2009, John was appointed to the Riverside County Board of Supervisors to carry out the remaining term of his friend, Supervisor Roy Wilson, who had passed away. Throughout his life, John was a dedicated, effective and passionate advocate for the Coachella Valley and Riverside County.

As a member of the Coachella Valley community, John served in many service organizations, including as past president of both the United Way of the Desert and Indio Rotary. John was an avid pilot, who often flew himself and other legislators up to Sacramento when the Assembly was in session. John and his wife, Sheryl, were married in 1978, and later celebrated the births of their daughter, Sarah, and son, Ben.

I had the distinct privilege of knowing John for many years. I was proud to call him my friend and I will deeply miss him. I extend my heartfelt condolences to the Benoit family, his friends, as well as his staff and colleagues. Although John may be gone, the many life-changing contributions he made here in Riverside County will have a lasting impact.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes on Monday, January 9, 2017. Had I been present, I would have voted "yea" on roll call votes 24 and 25.

HONORING RICHARD NOBLE

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. MACARTHUR. Mr. Speaker, I rise today to honor the memory and life of veteran Richard Noble of the Third Congressional District, and to express my sincerest condolences to his family and loved ones he has left behind, as well as to recognize his steadfast dedication and service to our nation.

Richard Noble was a Vietnam War Veteran who was on his way to a Veteran's Day Ceremony before a tragic accident claimed his life. Brave men like Richard have enabled us to

live our daily lives with the free ideals that our country was founded upon.

It is important that we continue to honor Richard and all veterans and remind ourselves of how precious our freedom is, so that we never take a day for granted.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have had Richard Noble as a selfless and dedicated member of their community and a veteran, who put his life in harm's way to protect and serve country during a time of need. It is with a heavy heart that I commemorate his career and life, and recognize the lasting legacy of that he has left behind, before the United State House of Representatives.

HONORING THE SYLVANIA ORDER OF THE SISTERS OF ST. FRANCIS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Ms. KAPTUR. Mr. Speaker, I rise today to recognize a momentous occasion in the life of the Sylvania congregation of the Sisters of St. Francis. The Sylvania Order of the Sisters of St. Francis celebrated its centennial year in 2016. Our entire community honors the noteworthy contributions of the Franciscan's 100 years of noble service through a celebratory mass.

It was Bishop Joseph Schrembs of the Toledo Catholic Diocese who initially requested religious sisters to teach the children of Polish immigrants in Toledo's Catholic Schools. On December 8, 1916, the Sylvania Franciscans were founded as a province of the Sisters of St. Francis in Rochester, Minnesota. The Sisters were stationed at St. Hedwig School in the North End of Toledo which served as a hub of Polish life in the city. After 89 acres of land was purchased in 1917 through the Rochester community, the Sisters were formally established in Sylvania, Ohio. They were known as the Franciscan Sisters of the Immaculate Conception and were led by Mother Adelaide.

In the century that followed, the Sylvania Franciscans branched out from their original call to teach the city's Polish immigrant children. They began sharing the Franciscan presence in ministries spanning health care, housing, human services and pastoral care, in addition to education. The Sisters' work is carried forth in eight states and the country of Haiti with 150 Sisters serving our human family.

The Sisters' ministries are founded on the "core values of reverence, service, community, stewardship." The Franciscan Sisters are called "like Francis of Assisi to live the Gospel in joyful servanthood among all people. The Sisters of St. Francis of Sylvania, Ohio as messengers of peace, commit themselves to works that reverence human dignity, embrace the poor and marginalize, and respect the gift of all creation." Living Christ's message described in Matthew 25:40 "whatever you did for one of the least of these brothers and sisters of mine, you did for me." The Sylvania

Sisters of St. Francis celebrated their centennial year as an integral part of our community. Their imprimatur is seen everywhere, from the beautiful elegiac campus in Sylvania, to the schools, caring services and hospitals in which they minister, and the Sylvania Franciscan Village which was established to integrate the Sisters' ministries.

In addition to traditional ministries, the Sylvania Sisters of St. Francis are leading efforts toward peace and justice and restoring nature. The Sisters note, "We believe that nature, the arts and culture, and the goodness around us nurture our souls and make us sensitive to Mother Earth and her people." It is that connection that truly defines the Sisters of St. Francis. A walk on the grounds of the Sisters of St. Francis is to behold the beauty of nature in all of its glory, to hear the silence and to feel God's presence everywhere.

From the barracks and strawberry patch Mother Adelaide and the 22 pioneering Sisters first established, the grounds of the Sisters of St. Francis now feature many buildings in which the Sisters live and work, shrines, grottos, a prayer garden, the Portiuncula Chapel and adjacent Lourdes University. Its mission-style buildings showcase stunning mosaics and works of art crafted by the Sisters themselves. It is truly an oasis of peace and tranquility.

St. Francis of Assisi said, "Preach the Gospel at all times and when necessary use words." Throughout their one-hundred-year history the Sylvania Sisters of St. Francis have lived this truth. Their presence and their good works demonstrate Christ's path and God's deep love. As the kind and generous Sisters go forth toward their next centennial, let us be mindful of the history, but with a vision for the future. Our community gratefully and enthusiastically joins with them to celebrate the life of this vital and cherished congregation that is the Sylvania Sisters of St. Francis.

RECOGNIZING THE CONTRIBUTIONS OF STATE REPRESENTATIVE DONALD MOFFITT

HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. LAHOOD. Mr. Speaker, I would like to honor Illinois State Representative Donald Moffitt for his dedication to public service which has tremendously benefitted the people and State of Illinois. Today commemorates his last day as a Representative in the Illinois General Assembly.

Representative Moffitt from the 74th House District of Illinois has dedicated twenty-three years to tirelessly serving his constituents in the Illinois General Assembly. His years of service have been distinguished by his commitment to providing timely and effective constituent service, a top priority for his office. As a leader of the Republican Party in Illinois, he has cultivated a statewide reputation for his dedication to matters concerning Illinois veteran's affairs, agricultural reform, healthcare, and especially, the public safety of Illinois.

In 2004, he founded the Illinois General Assembly's Fire Caucus, which focuses on pro-

moting the goals of Illinois' fire services. Among its accomplishments is the promotion of funding for Emergency Medical Systems, creating a fire truck loan program, placing sprinkler systems in college and university housing, and reforming hiring practices of fire departments to ensure greater public safety. He is also credited for requiring school buses to install swinging stop signs to ensure the safety of children crossing the street. His outstanding advocacy on public safety issues has not gone unrecognized as he has received numerous honors, including the "Legislator of the Year" awards credited to him by the Illinois Association for Fire Protection Districts, the Illinois Firefighters Association, and the Northern Illinois Alliance of Fire Protection Districts. Most notably, he recently received the 2016 Northern Alliance of Fire Protection Districts Lifetime Achievement Award.

In addition to his advocacy for public safety, Representative Moffitt has also championed the most important issues facing the healthcare industry. As part of this important work, he sponsored a legislation preventing discrimination of insurance companies based on genetic test results, which would later serve as the paradigm for federal legislation of the same topic. Through his work within the Illinois healthcare field, Representative Moffitt has helped many families receive the necessary care and information that they need.

Representative Moffitt's steadfast work to improve the lives of Illinois' citizens stands as a model for progress to further the greater good and prosperity of the state. He stands as a model for the values and priorities which current—and future—public servants should strive to uphold in order to better our communities. It is an honor to call Representative Moffitt not only a colleague, but a friend of many years. I want to congratulate him on his tireless work to improve public safety and his dedicated service to the State of Illinois.

MAKING AVAILABLE A CLASSIFIED INTELLIGENCE REPORT TO MEMBERS OF THE HOUSE

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. NUNES. Mr. Speaker, I wish to announce that the Permanent Select Committee on Intelligence has voted to make a classified report regarding Russian activities and intentions in the recent U.S. election available for review by all Members of the House.

The classified report is available for review by Members at the offices of the Permanent Select Committee on Intelligence in Room HVC-304 of the Capitol Visitors Center. The committee office will be open during regular business hours for the convenience of any Member who wishes to review the report.

I recommend that Members wishing to review the classified report contact the committee's chief clerk to arrange a time and date for that viewing. This will assure the availability of appropriately cleared committee staff to assist Members who desire assistance during their review of these classified materials.

It is important that Members keep in mind the requirements of clause 13 of House Rule XXIII, which only permits access to classified information by those Members of the House who have signed the oath provided for in the Rules.

In addition, the Committee's rules require that Members agree in writing to a nondisclosure agreement. The agreement indicates that the Member has been granted access to the classified report and that the Member is familiar with the rules of the House and the Committee with respect to the classified nature of that information and the limitations on the disclosure of that information.

RECOGNIZING DR. BARBARA
SHANNON-BANNISTER

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mr. COFFMAN. Mr. Speaker, it is my honor today to recognize the accomplishments of a dear friend of mine, Dr. Barbara Shannon-Bannister, who will be receiving the 'Trailblazer Award' at the 32nd Annual Martin Luther King, Jr. Business Awards.

Dr. Shannon-Bannister has a proven record of dedicated civil service, with a career that has benefitted community relations in Aurora,

Colorado since 1987. Dr. Shannon-Bannister's position as Division Chief of Community Relations has given her the opportunity to coordinate social relations throughout Aurora and the great State of Colorado. An advocate for civil rights, Dr. Shannon-Bannister's work has impacted the lives of underserved, minority youth by providing activities in their neighborhoods.

Additionally, she is President and CEO of a non-profit organization, Grand Design INC. This foundation works to preserve African American culture through community outreach, hosting concerts and visual art performances.

In celebrating the legacy and work of Dr. King, I can think of no one better to receive such a prestigious award. Congratulations to Dr. Shannon-Bannister on this excellent achievement.

IN RECOGNITION OF JOHN ROTZ

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 2017

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize a local businessman in Virginia's 10th District, John Rotz, who will be retiring and passing along his business to his son Jason. Rotz Pharmacy is a landmark in Winchester and is the only independent phar-

macy left in the area. John Rotz has quite the entrepreneurial history and a pharmaceutical background.

Mr. Rotz was the son of a pharmacist and from a young age was passionate about helping others. At the age of 23, while still studying at the Medical College of Virginia, he opened up his first pharmacy in 1976, Barry's Drug Store. Despite his age and lack of resources, Mr. Rotz always maintained a strong work ethic and customer-first attitude and was able to expand to a larger location after only 2 years of operation. This location, which changed to Medical Circle Pharmacy, was open for 26 years before the pharmacy moved to Amherst Street and became Rotz Pharmacy in 2004. Over the years, Mr. Rotz never lost sight of the core values of a family-owned small business, and the store is widely recognized for its traditional feel.

In today's society, family owned small businesses are crucial to the future of our nation. It is families like the Rotz family who help foster strong, local economies by establishing successful business practices that can be carried out for generations.

Mr. Speaker, I ask my colleagues to join me in applauding John Rotz for his dedication to serving our community for so many years. I wish Mr. Rotz the best in retirement and wish Jason all the best in managing the pharmacy.

HOUSE OF REPRESENTATIVES—Wednesday, January 11, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 11, 2017.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

AMERICA'S INFRASTRUCTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, a strong, safe, reliable, and efficient infrastructure system is vital for robust and sustained economic growth. Comprehensive infrastructure reform is all-inclusive and requires an ongoing investment by the Federal Government in not just our roads and bridges but in all of the vital systems that support our way of life.

Currently, the United States needs around \$3.6 trillion in infrastructure investment by 2020, just to keep our country in a state of good repair. By contrast, China, perhaps our greatest international rival, spends nearly four times of its GDP on infrastructure than we do and announced nearly a trillion dollars more infrastructure spending just last year.

Put simply, our national infrastructure system is an embarrassment, earning a D-plus grade from the American Society of Civil Engineers. It is a threat to our economy, to American jobs, to our national security, and to our environment.

We need a public transportation system that gets people where they need to be, keeps our roads clear, and makes our cities better places to live. We need a freight system that moves products and raw materials quickly, safely, and efficiently. We need airways that reliably move people and cargo around the country and the world in a timely manner. We need river locks and ports that allow American farmers to ship their products to market, no matter where that is. We need water pipes and sewers that transport safe, clean water to every American. And we need to close the broadband gap so that every American can take advantage of the opportunities the Internet provides.

Investing in America's infrastructure is good politics, good economics, and the right thing to do. Each year, Americans take around 11 billion trips on public transportation systems like buses, commuter rail, and light rail, contributing to the \$58 billion industry that employs nearly half a million people. And yet, almost half of our Nation's buses and a quarter of our rail assets are in marginal or poor condition.

My city of Chicago is the crossroads for the Nation's freight system, and each day more than 54 million tons of freight is moved across the U.S., and nearly a quarter of it passes through the Chicago city limits—at times, very slowly.

We stand to lose \$1 trillion a year in lost sales in 2020, if we fail to build out our freight infrastructure to keep pace with future growth.

Congestion is also an issue at our Nation's airports. Ground delays are becoming a greater challenge as more and more people fly regularly. These delays can have a very serious consequence, resulting in passengers being late to their destinations, lost productivity from cargo sitting on runways, and increased pollution due to needlessly burning jet fuel.

In addition to air and ground, we must also talk about our waterways. Each year millions of tons of material traverse inland waterways like the Mississippi River and the Saint Lawrence Seaway. But, according to the Army Corps of Engineers, there is a billion dollar maintenance backlog that threatens to keep our waterways from maintaining adequate levels of performance.

There are problems in our water and sewer systems, too. The 240,000 water main breaks that occur in this country each year cost us more than \$2.6 bil-

lion; not to mention the lost productivity caused by closed roads, lost water, and other indirect impacts. Nearly all of the U.S. underground water pipes will reach or surpass their useful lifespans in the next decade. The longer we wait, the higher the price tag will become.

Finally, we can use our infrastructure system to promote economic growth and economic equality, and one great way to do that is to close the broadband gap and increase access to high-speed Internet. As many as 50 million Americans live in areas without the ability to get high-quality and useful Internet access. Extending the ability to get online benefits businesses, employees, students, and everyone else without this vital utility, all while spurring economic activities that ripple throughout the economy.

The benefits of smart investment and infrastructure are massive. Every billion spent in infrastructure creates 13,000 jobs, in addition to improving the efficiency of the system. And every dollar invested generates almost \$3 in economic activity.

Conversely, the consequences of failing to act are dire. Each American household stands to lose \$3,400 per year in disposable income thanks to infrastructure deficiencies. That is money taken directly from our constituents' pockets, money they would use to support themselves and their families, not to mention the economy as a whole, which could lose more than \$4 trillion in GDP and more than 2.5 million jobs by 2025.

We owe it to each other and every one of our constituents to act. I urge the 115th Congress to prioritize infrastructure spending and pass a comprehensive package that addresses all aspects of the connected infrastructure system.

WE MUST STAND WITH FREEDOM-LOVING NATIONS AROUND THE WORLD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER. Mr. Speaker, I was reflecting the other day. Last week, we all joined together in this Chamber, we held up our right hand, and we swore an oath to protect and defend the Constitution against all enemies, foreign and domestic.

That is an oath I have taken both as a Member of Congress—now on my fourth term—and as a military pilot,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

something similar to that, talking about the importance of the military to protect and defend the Constitution. In both of these roles, I have seen firsthand the sacrifice that men and women of the military have been willing to make to defend their freedoms, to defend the Constitution, defend the country.

This last month was especially tough for our Nation's security and for our foreign policy. The 8-year decline of American global leadership, under the President, came to a head. A sad trend built by the Obama administration continued as the White House worked with our enemies and abandoned our friends.

For one, the recent ceasefire in Syria was reached without United States' input, ultimately empowering tyrants in Iran and in Russia. In fact, to think about the situation in Syria, I want to remind people there are half a million dead Syrians right now, innocent civilians. And I have heard people say, completely incorrectly, that it doesn't matter; they are all basically terrorists. Untrue. But let's say it is.

There are 50,000 children in Syria that did not get an opportunity to go be a teacher or a police officer or a firefighter or a doctor because of tyrants in Iran, because of Bashar al-Assad and because of Russia empowering them and using precision-guided munitions to hit innocent civilians and take their life away.

Last week, the U.S. abstained from a vote in the United Nations Security Council on the biased resolution targeting our ally Israel.

Mr. Speaker, rather than turning on freedom-loving nations around the world, we must stand with them. Nowhere is this more important than in the fight against terrorism.

Before the holidays, a list went out from ISIS accounts with the names of churches in the United States that should be attacked over the holidays. Then, an attack in Berlin took the lives of 12 innocent civilians and injured more than 50 in a Christmas market. On New Year's Eve, there was a savage attack at a nightclub in Istanbul, killing 39 revelers and injuring dozens.

Both attacks were claimed by ISIS seeking to strike fear into freedom-loving people around the world. While we all must remain vigilant, we cannot give in to that fear, and we must continue to live our lives.

What we need right now, Mr. Speaker, is a renewed American moment, renewed American leadership after 8 years of decline. We need a Churchill moment. I think about Winston Churchill after the bombs rained down in London, and instead of hiding and cowering and talking about how terrible it is, he goes out on the streets, rallies the people, and says that you cannot shatter us. And the people unite behind him.

It is time for America to exhibit the same kind of leadership exhibited by George W. Bush in the bullhorn speech after the fall of the World Trade Center. He showed Americans unity, strength, resolve, and he reminded the world that our foundations will not be shaken even if you shake the foundations of our biggest buildings. And you can shatter our steel, but you can't shatter the steel of American resolve. I haven't heard speeches like that in quite a while from the oval office.

Mr. Speaker, it has been a rough election cycle for our country. It has been a tough, very divisive, and difficult time, but now it is time to come together. We are going to have our partisan differences and battles, and that is fine. That is what we are out here for.

But, Mr. Speaker, America needs to remember our mission, our God-given mission. I believe that is to be an example of self-governance to billions of people that don't have what we have, but are desperate for it.

We used that kind of leadership in the cold war as millions lived behind the Iron Curtain and saw what freedom could be. And there are iron curtains that exist today; terrorism, strongmen, a resurgent Russia—an iron curtain of soft expectations and low expectations of people.

For the last 8 years, we failed to articulate that mission. Mr. Speaker, we are a nation in need of remembering that mission, and it is my sincere hope that this will change very soon.

IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, as I have said before, we hope for the best from the new President, but we must prepare for the worst.

Everyone who has looked at the record of the key advisers to President-elect Trump on the issue of immigration has reason for very deep concern that the new President is going to follow the advice of some of the most extreme voices in the immigration debate.

As for the new President himself, he is a bit of an unknown because he changes his mind on key issues just as quickly as his Twitter feed refreshes. He says he has a plan for this and a plan for that, but they are secret plans, and, as far as we know, they are even secrets to him.

He knows more about computers and the Internet, ISIS and terrorists, Russia and NATO than all of the policy experts put together, and he thinks of himself as kind of the ultimate Presidential adviser to the new President.

But it is Trump's lieutenants who worry most of us. They are the most clearly ideological and dangerous set of

leaders ever assembled in American Government on immigration and any number of issues we care about.

They are vindictive when it comes to our immigrant community. The truth is that among the new President key advisers are some of the staunchest opponents of legal immigration. They are against legal immigration. That is right.

While we all oppose illegal immigration, and some of us have been working for years to upgrade the American system so that immigrants come with visas instead of smugglers, the people with access to the Presidency disagree, and they don't want immigrants to come here at all from anywhere.

Look, we have made legal immigration extremely difficult for everyone and simply impossible for most people. And then we have been relying on deportation, walls, enforcement, and curtailment of due process rights for immigrants, and that constitutes their immigration control strategy for the past 25 years. And it hasn't worked for 25 years.

But the American people want a humane, sustainable, secure, and effective legal immigration system and a way for people who already live and work here peacefully in America to be able to do so within the law.

So, Mr. Speaker, this is why I will join a few thousand allies here in Washington this Saturday at the historic Metropolitan AME Church on M Street to send a clear message that immigrants and their allies are standing up for immigrant communities.

And check out the Web site. The D.C. rally will be one of more than 50 public actions and marches across America on or about this Saturday the 14th, where leaders of the immigrant rights' movement will stand alongside elected officials, faith, labor, education, and LGBTQ leaders to say: we will not allow mass deportation or immigrant roundups on our watch.

□ 1015

That we do not want endless delays that keep families waiting 10, 15, 20 years for a visa. That we don't want people to have to choose between 10 years in exile or the green card for which they qualify under U.S. law because our laws have been crafted to punish people by keeping them in an undocumented status even when they can apply to be here legally. That we are committed to defending immigrant communities if and when the new President and his henchmen develop Muslim registries or neighborhood sweeps or mass roundups disguised as "fugitive sweeps."

We will fight attempts to criminalize immigrants and fight attempts to take away documents from people who are now in the system and working on the books, like the 750,000 young people who signed up for DACA. With the

BRIDGE Act, we will fight so that DREAMers are protected from deportation and can lead the fight for millions and millions of other immigrants who have no options under our current law.

Let's just be clear, 76 percent of Latinos in this country are citizens of the United States. So three-quarters of us can vote or will soon be able to vote. And for Latinos under 18, the percentage of Latinos who are U.S. citizens is 93 percent. So don't think you can deport us into silence.

Don't think that deporting everyone and eliminating legal immigration, as some in the new President's circle may fantasize, will suddenly make Brown people disappear from America. We are here and we are joined by allies of every color, shape, national origin and segment of society. We are men, we are women, we are children, we are straight, we are gay and trans, rich and poor, old and young, and everything in between; and we are locking arms with all of our allies to say that when you come for any of us, we will force you to come for all of us. We are here to stay and we stand together.

I ask all of those interested to please go to the Web site, www.togetherforimmigrants.com. Join us this Saturday.

HONORING JUDGE ALLI B. MAJEED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. POSEY) for 5 minutes.

Mr. POSEY. Mr. Speaker, on a brighter, more positive, and non-partisan side this morning, it is an honor and a pleasure to recognize the lifetime achievements of my longtime friend and a true patriotic citizen, Judge Alli B. Majeed, who has just retired after 24 years of service on the bench.

He was the longest serving county judge in the 18th Judicial Circuit. That includes Florida's Brevard and Seminole Counties. Judge Majeed, or A.B. as many of us know him, was born in the former British colony of Guyana, South America, to parents who were descendants of indentured servants from India.

Having grown up in a small village, his family didn't have much, and they worked hard for what little they did have. A.B. cherished the opportunity to attend and graduate from high school.

In 1969, he came to the United States on a student visa. He was Phi Beta Kappa and graduated magna cum laude from Howard University here in Washington, D.C. In 1975, A.B. graduated from the Catholic University of America's Columbus Law School.

Alli became a U.S. citizen on November 16, 1979, and began his legal career working as an attorney and supervisor at Community Legal Services in Philadelphia, where he served the needy and indigent clients. He went on to work as

a criminal attorney, assistant public defender, and assistant State attorney.

I knew A.B. before he was appointed as a county judge in 1993 by then-Governor Lawton Chiles to fill a vacancy and was subsequently reelected to new terms unopposed all but one time. Once on the bench, Judge Majeed became known as a competent and respected judge.

He also became well known for his motivational and educational talks about the importance of jury duty to groups of new jurors, many of whom show up disenchanted about being selected to serve. As someone who has been a juror and has heard his talk firsthand more than once, I can promise you that it is extraordinary. No one in my pool of jurors looked forward to being called for jury duty, but after Judge Majeed's patriotic, uplifting, and inspiring lesson, everyone became enthusiastic about the opportunity to serve.

"We take an oath to obey, preserve, and protect the Constitution of the United States of America," said Judge Majeed.

To the Majeed family, this oath is serious business. He has three nephews who have served in our Nation's Armed Forces: Steve Majeed, U.S. Navy; Rick Majeed, United States Air Force; and Omar Majeed, United States Marines.

"I love this country," he said. "We believe deeply in it."

In his letter of resignation to the chief justice of the State of Florida, Judge Majeed penned these words: "I am beholden to the United States of America who opened her doors to me as a twenty two year old, on a student visa. She allowed me to dream the impossible dream, then showed me the way to make those dreams come true.

"Serving the public, interacting with the Bar, and my many judicial colleagues have left me with a sense of accomplishment beyond my loftiest dreams.

"As I tender my resignation my heart is filled with great joy of twenty four years of judicial distance well run. With credit to President Lincoln, I go forth from this place with malice towards none and charity towards all."

Judge Majeed was elected president of all of the county judges in the State of Florida. He has dedicated much of his noncourtroom hours to civic activities motivating and educating the public on the virtues of the United States Constitution and our democratic Republic.

Alli Majeed is the father of three daughters and one son. His wife, Yasmin Majeed, is very active in community and charitable causes throughout our community. I ask my colleagues to join me in saluting Judge Alli Majeed's achievements, his service to our community, and his commitment to our country.

PLAYING POLITICS WITH HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, House Republicans are playing politics with millions of Americans' health care. In fact, if Republicans go forward with their plan to chaotically dismantle the Affordable Care Act, 30 million Americans will lose health insurance. In New York State alone, 1.6 million of our neighbors, who gained coverage through ACA, will see their health insurance taken away; and 2.7 million New Yorkers who have enrolled in Medicaid could lose coverage.

But let us remember that this is not just about New Yorkers. In fact, the sad irony is that many of the Americans who will lose and be most devastated by repeal of this law are in red States and counties, the places that voted for President-elect Trump. Those areas have high numbers of Americans on the Medicaid rolls. Already, States like Idaho, Nebraska, South Dakota, and Georgia are putting Medicaid expansion on hold, waiting to see how action on the ACA plays out. That means half a million Americans will have to wait for health benefits.

But let's keep in mind that this is not just about Medicaid and it is not just about those who obtained coverage through the exchanges. What we need to remember is that all the elements of healthcare reform work together. If you start chipping away at one part of the system, you will see disasters in other parts of the market.

This is about the young person, just out of college, who can stay on their parents' insurance until they are 26, giving them time to secure employment and coverage on their own. It is about patients with a preexisting condition who, until the ACA, were barred from securing quality medical insurance. It is about women who have, time and again, faced gender discrimination in the insurance market.

Just this past Saturday, New Yorkers in my district rallied together to oppose Republican plans to roll back the ACA and make America sick again. We heard from our local hospitals and healthcare providers who talked about how they will be affected by a dramatic surge in charity care. Nationally, healthcare providers could get stuck with \$88 billion in 2019 alone and \$1.1 trillion from 2019 to 2028 in uncompensated care. This will strain resources and make it harder for them to provide care to all their patients.

And we heard from ordinary working people who have benefited from the ACA, people like Juana Alvarez, who was able, for the first time, to secure coverage for herself and her family through this law. We heard from Susan Maples, who told us she would not have

been able to start her own business without the health benefits afforded under ACA. These are the people Republicans are planning to harm with their irresponsible, chaotic, and destructive attack on our health system.

Now, let me also note this: The Republican slogan “repeal and replace” is a sham.

What are they going to replace the ACA with?

They have never—not once—put together a realistic, defensible plan to replace the ACA. The Republican plan is not repeal and replace. It should be called “repeal and displace” because it will mean displacing millions of Americans from their health coverage.

So let’s be clear. If you are voting to take away the ACA, you are voting to take away health care from millions. And for those who do retain their employer-based coverage, you are voting to increase their premiums, as millions of healthy Americans are taken out of the insurance pool. This is a recipe for disaster. It is a plan to make America sick again, and it cannot stand.

I urge my colleagues to think about what you are doing. Think about going home and looking in the eyes of your constituents and telling them you voted to take away their health coverage. Enough playing politics with health care.

TIME TO GET SERIOUS ABOUT A BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. McCLINTOCK) for 5 minutes.

Mr. McCLINTOCK. Mr. Speaker, in the last 8 years, our Nation’s debt has doubled. That means that the Obama administration has borrowed as much in just 8 years as our government borrowed in the 220 years between the first day of the George Washington administration and the last day of the George W. Bush administration.

Our interest costs are now eating us alive. Last year the Congressional Budget Office warned that within 6 years on our current trajectory, interest payments on the debt will exceed what we now spend for our entire defense budget.

Before we can provide for the common defense and promote the general welfare, we have to be able to pay for it, and our massive debt directly threatens our ability to do so. History warns us that nations that bankrupt themselves aren’t around very long.

I am confident that the new administration clearly understands the peril this poses to our country. The nomination of MICK MULVANEY to head the Office of Management and Budget is a powerful signal that this danger will soon be addressed aggressively and effectively.

This debt is our generation’s doing. It is our generation’s responsibility to

set right. When we do so, we will need to leave behind the mechanisms to assure that reckless borrowing never threatens our government again. For this reason, last week I introduced a proposal for a balanced budget amendment to the Constitution, H.J. Res. 12.

The beauty of the American Constitution is in its simplicity and its humility. The American Founders recognized Cicero’s wisdom that the best laws are the simplest ones, and they humbly realized they couldn’t possibly foresee the circumstances and conditions that might confront future generations. They resisted the temptation to micromanage every decision that might be made in the centuries to come. Instead, they set forth general principles of governance and erected a structure in which human nature itself would naturally guide future decisions to comport with these principles.

In crafting a balanced budget amendment, we need to maintain these qualities. We should not attempt to tell future generations specifically how they should manage their revenues and expenditures in times that we cannot foresee or comprehend. The experience of many States that operate under their own balanced budget amendments tells us that the more complicated and convoluted such strictures become, the more they are circumvented and manipulated.

In 1798, Thomas Jefferson wrote this observation to John Taylor: “I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution; I mean an additional article taking from the federal government the power of borrowing.”

What is a balanced budget? It is simply a budget that doesn’t require us to borrow. So why don’t we just say so, as Jefferson did?

Instead of trying to define fiscal years, outlays, expenditures, revenues, emergencies, contingencies, triggers, sequestrations, and on and on, I would hope we would consider 27 simple words: “The United States Government may not increase its debt except for a specific purpose by law adopted by three-fourths of the membership of both Houses of Congress.” That is it.

□ 1030

Such an amendment, taking effect 10 years from ratification, would give the government time to put its affairs in order and thereafter, naturally, require future Congresses to maintain both a balanced budget and a prudent reserve to accommodate fluctuations of revenues and routine contingencies.

It trusts that three-fourths of Congress will be able to recognize a genuine emergency when it sees one and that one-fourth of Congress will be strong enough to resist borrowing for

trivial reasons. The States’ experience warns us that a two-thirds vote is insufficient to protect against profligacy.

Some advocate going much farther and establishing limitations on spending and taxation as well, but prohibiting borrowing sets a natural limit to the limits of the people to tolerate taxation and, therefore, spending. The real danger is when runaway spending is accommodated by borrowing—a hidden future tax. The best and most effective way to invoke that natural limit is a simple prohibition.

In drafting an amendment to guide not only this generation but all those to follow, I would hope that we would do as the Constitutional Convention would have done if it had the benefit of Jefferson’s wise counsel: set down the general principle only and allow future generations, with their own insight into their own challenges, to put it to practical effect.

HONORING FNS UNDERSECRETARY KEVIN CONCANNON

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I rise today to pay tribute to the incredible work of Kevin Concannon, Under Secretary for Food, Nutrition and Consumer Services at the United States Department of Agriculture.

Kevin’s dedication to public service is admirable. Throughout his distinguished career, Kevin has not only served in Federal Government, but he also led Health and Human Services departments in his home State of Maine and in Oregon and in Iowa. Kevin also helped to advance our knowledge of social policy as a graduate professor at several universities across our country.

Since 2009, Kevin has capably led FNS, the division of USDA responsible for administering and overseeing SNAP, the National School Breakfast and Lunch Programs, the Summer Food Service Program, WIC, The Emergency Food Assistance Program, and several other nutrition programs.

Under Kevin’s leadership, we have made significant progress in ensuring our most vulnerable neighbors have healthy options to feed their families. He helped to spur a dramatic increase in the number of farmers markets accepting EBT cards, thereby allowing SNAP recipients greater access to fruits and vegetables while also supporting local farmers. He also oversaw the creation of USDA’s Farm to School Program, an effort focused on incorporating local foods in our school meal programs.

During his tenure, we enacted the Healthy, Hunger-Free Kids Act, legislation that, for the first time in over 30 years, made much-needed improvements and increased access to our school meal programs.

Kevin oversaw our Nation's premier antihunger program, SNAP, as it provided millions of our neighbors with food assistance during the height of the Great Recession and the recovery that followed, and he has been a fearless advocate for the food and nutrition programs he oversees. When it comes to the nuances of SNAP or WIC or school meals, Kevin's knowledge and expertise is simply unmatched. He knows the issues impacting vulnerable families, and he is passionate about addressing hunger in this country.

Mr. Speaker, during the past several years, I have had the privilege to collaborate with and learn from Kevin as we worked to address hunger and food insecurity in the United States. I am particularly appreciative of the time he took away from his office in Washington to join me on two summer meal tours in my home State of Massachusetts. Together, we visited a number of schools, parks, camps, and community centers supported by USDA's Summer Food Service Program that ensures children and teens in low-income areas have access to healthy meals during the summer months.

I was always impressed by how he connected with my constituents and his passion for the work he does. He is, truly, a remarkable public servant, and he has made a real difference in the lives of millions and millions of people in this country.

Mr. Speaker, I am grateful for Under Secretary Concannon's efforts on so many levels, but I especially appreciate all he has done to try to end hunger in our country. There are too many people in the United States of America, the richest country in the history of the world, who are hungry; and, quite frankly, we could all do more in this Chamber.

Sadly, Congress too often in the past has voted in ways and advocated for policies that have actually made hunger worse in this country. In all candor, I am concerned about the future of some of these programs that provide food and nutrition to vulnerable citizens. I am concerned based on the rhetoric of leaders in this House of Representatives, and I am concerned by the rhetoric of the President-elect and his potential Cabinet. Time and time again, we have heard them talk about those in poverty with disdain and contempt. We have heard them denigrate the plight of those struggling in this country. We have heard them belittle their struggle. Quite frankly, that is unacceptable.

I urge my colleagues to learn from Kevin Concannon, to be inspired by his example, and to do what we can all do together to try to end hunger now.

I ask all of my colleagues to join me in recognizing his incredible accomplishments. We wish him well in his next chapter, but we will certainly miss his expertise and passion at FNS.

RESTORE THE PROMISES OF HIGH QUALITY OF CARE, LOWER PRICES, AND DOCTOR OF CHOICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, Texans know the difference between right and wrong, between truth and lie.

The Democrats promised four things when they passed ObamaCare: number one, you can keep your insurance; number two, you can keep your doctor; number three, you have a better quality of care; and number four, that care will come at a lower cost. Within weeks, we found out that all four promises were being broken; all four were lies.

But don't take my word for it. Take the word of the constituent from Texas 22, my boss Andrea Kulberg. Andrea writes:

I am a 42-year-old, legally blind, single parent in Sugar Land, self-employed, working very hard to rear two great kids, ages 15 and 13.

I have a master's degree in education and work extremely hard to provide a stable, comfortable life for my kids. In doing so, I have invested time and dollars into my own health care because the kids need me to be healthy.

I lost my right eye a few years ago to complications from ROP, too much oxygen at birth, and my left eye is severely impaired with potential for complications that would need immediate specialized care. I have different specialist doctors for different issues related to each eye.

Additionally, I am a cancer survivor, renal cancer, RCC, which also requires specialist follow-up. For these reasons and others, I have spent time and efforts to get drivers to take me to specialists for these specific positions.

Over the years, I have paid high healthcare premiums for this, usually around \$500 per month—that is crazy in itself—for a PPO to allow me freedom to keep my existing doctor. I paid these fees and sacrificed other luxuries in life so I could get the care I needed with the doctors I wanted. They are the best doctors in their respective fields, and my trust in them is important with this type of care.

I don't have the PPO option now for my health care in 2016 through the ACA. The HMOs and EPOs being offered are not being accepted by my doctors.

I am certain you have heard this as well, but I am writing to you anyway because it has to be said that among these needs of many others in similar situations as my own, my remaining eyesight and renal function should never be less important than anything in politics. And while I know that there were many, many people in this same boat, for today, while I write this letter, it is about my kids getting to keep their mom and about me keeping the ability to see them grow up.

I know PPOs won't suddenly appear on healthcare.gov because I sent this email. I know this can't be immediately fixed. But I write because it needs to be said; it needs to be heard; it needs to be acted on.

I don't know the right actions that need to happen. I will leave that to your area of expertise. But I know the way it is now doesn't work.

In the past, I paid a lot and had my share of insurance issues, but at least I could still choose my own doctor. At least in a crisis, which I have had, I went straight to the doctor who knew me and my history and could resolve it without a referral and delay after delay.

HMOs might work for some, but not for those who don't want one. Letters to a Congressman are supposed to be more formal, but seriously, what country are we in?

I am not asking for a handout. I am asking for a reasonable choice of a basic PPO, which I have paid for in the past and am asking to have the option to pay for now.

I am not just writing to vent. I am asking for some sort of solution through this train wreck of healthcare options or lack thereof.

If President Obama thinks this is actually working, then he is more blind than me. And that is as nice as I can be now.

Thanks for hearing me out and for looking for solutions that impact real lives.

Respectfully, Andrea Kulberg.

Mr. Speaker, I don't care if you are a Democrat or Republican. Hear Andrea's words—act. Let's rescue Andrea from ObamaCare and restore the promises of quality of care, high quality of care, lower price, doctor of choice.

AFFORDABLE CARE ACT REPEAL AND REPLACE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. BROWNLEY) for 5 minutes.

Ms. BROWNLEY of California. Mr. Speaker, I rise this morning to share the story of Judith and her daughter KC.

Like all mothers, Judith only wants the best for her children—to live a full and purposeful life, the ability to pursue their dreams and reach their utmost potential. However, at a very young age of 11, KC was formally diagnosed with bipolar disorder. This health condition causes KC to have uncontrollable mood swings, to perceive reality differently, to see and hear things that aren't there, and to sometimes even become disconnected with reality altogether.

It has taken an enormous emotional and physical toll on KC and her family.

As a mom of two kids, I cannot imagine the difficulties that Judith has faced. Some nights, Judith had to hold her daughter tightly all night long to help her through her psychosis and her panic, not to mention the emergency hospitalizations.

Living with this condition has been a lifelong struggle for KC and for her family. It requires a combination of daily medications, weekly psychiatric treatments, hospital visits, and constant support and medical care. And that is only half the story.

Without this intensive treatment, KC would simply be unable to function. With it, she has the tools she needs to live a healthy and productive life.

When KC was younger, she was covered by a family healthcare policy, but

even then, Judith needed to pinch pennies and barely scrape by due to the high cost of insurance co-pays and deductibles, costing her \$13- to \$15,000 per month. To try to keep up with her never ending medical bills, Judith used all of her retirement savings.

When KC reached adulthood, she was bumped off the family insurance plan. Fortunately, KC qualified for healthcare coverage through the ACA Medicaid expansion. Without it, she and her family would have had no viable alternative.

The ACA provided KC with access to reliable, consistent medical care that has been vital to her well-being and has allowed her to thrive.

□ 1045

I am very happy to share that KC finished her bachelor's degree in May and is now pursuing her master's in counseling psychology.

With her own struggles as her inspiration, she decided to make psychology her life's work, and Judith says that KC is now the person whom everybody goes to anytime one has a problem or needs comfort.

Without the healthcare coverage that KC obtained from the Affordable Care Act, she would never have been able to obtain private health insurance due to her preexisting conditions and rigorous health needs. With the Affordable Care Act, Judith was able to see her daughter realize her dreams.

I know all of you who are parents want the same for your children; so, when I hear my colleagues on the other side of the aisle talk about eliminating KC's healthcare coverage, I get a pit at the bottom of my stomach. This is not about politics; this is about people's lives. This is about KC's life and Judith's life and the lives of 20 million Americans who have gained healthcare coverage because of the Affordable Care Act.

Today, I rise to speak up for KC and for Judith and for the millions of other Americans whose lives would be put in jeopardy if we repeal the ACA without our having an adequate replacement.

I urge my Republican colleagues to reconsider this reckless repeal that would throw our entire healthcare system into chaos and take lifesaving care away from those who need it the most.

HOUSE MEMBERS ATTEND 101ST PENNSYLVANIA FARM SHOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to celebrate an industry that allows Americans to have access to affordable, high-quality, and safe food—the agriculture industry: our farmers, our ranchers, farm families. Without food security, we do not have

national security; so I am here today to recognize all of those who work so hard in that industry.

Over the weekend, some members of the House Agriculture Committee were able to join me in Harrisburg, Pennsylvania, our State capital, to attend the 101st annual Pennsylvania Farm Show. This event has been widely attended for generations, and it is the largest indoor agriculture expo in the country. It showcases 300 commercial exhibits, 6,000 heads of animal, 10,000 competitive exhibits, and more than a half a million visitors.

On Saturday, Agriculture Committee Chairman MIKE CONAWAY and I hosted a public listening session. We wanted Members of Congress to hear directly from farmers and ranchers, from FFA members, from kids in 4-H—the future of agriculture—on how agriculture policy impacts them.

I thank the following Members who were able to join us at the farm show: Congressman MARK AMODEI, Congressman LOU BARLETTA, Congressman TOM MARINO, Congressman DAN NEWHOUSE, and Congressman TED YOHO.

We covered a range of topics, Mr. Speaker, during our public forum, from raising awareness about agriculture education, to hearing very real concerns from our dairy farmers, to receiving an update from our forest industry about the best ways to strengthen forest management. As chairman of the Agriculture Subcommittee on Conservation and Forestry, this was of particular interest to me.

The Pennsylvania Farm Show, which continues throughout this week, brings together so many different farmers and growers and ranchers, all with unique issues. This, truly, is an event like no other. The Farm Show Complex and Expo Center houses 24 acres under one roof, spread throughout 11 buildings, including three arenas. There is no admission fee. It is a great event for the entire family, and there are numerous educational shows that are, obviously, all free of charge.

This year's theme is "Our Commonwealth's Blue Ribbon Experience." It reminds us that there really is something for everyone, farmers and non-farmers alike. The Pennsylvania Farm Show provides an atmosphere for everyone to walk through, observe, and educate themselves about different areas of agriculture and to be able to reconnect with the farm—the Commonwealth's largest industry, which brings in nearly \$6.9 billion annually in agricultural cash receipts. Almost a half million jobs are tied to the industry, which positively impacts all Pennsylvanians.

Undoubtedly, one of the most popular attractions at the Pennsylvania Farm Show is the food court, which is located in the complex. The food court offers visitors a variety of Pennsylvania preferred products, and it gen-

erates income to support the nonprofit Pennsylvania Agricultural Commodity Organizations. There is where you will find the famous Farm Show baked potatoes.

The Pennsylvania Cooperative Potato Growers, Inc., is the oldest in the United States, chartered in 1922. The money raised during the week helps to support the marketing and the promotion of Pennsylvania potatoes. Money is also used to pay the dues for Pennsylvania growers to belong to national potato organizations, fund research projects, and promotional opportunities for Pennsylvania's growers. Our delegation was able to stop by and sample some of the well-known potato doughnuts.

The Pennsylvania Dairymen's Association is also on hand at the expo. This service organization provides scholarships, youth programs, and agricultural education programs across the Commonwealth. It also maintains the milk house facilities that are located in the farm show complex. The Dairymen rely on the revenues that are generated during the farm show to fund their activities, including a statewide fresh milk program, called Fill a Glass with Hope. All of their activities are bolstered with the sales of milkshakes, milk and chocolate milk, ice cream sundaes, grilled cheese sandwiches, ice cream cones, and my favorite—fried cheese cubes.

Over a century ago, the first Pennsylvania Farm Show was a 3-day exhibit. Today, the event is a weeklong celebration of how the agriculture industry touches our lives every day. If you pick up a fork, a spoon, or a knife, you are touched by agriculture. Proudly, this event draws visitors from across the country to highlight everything our State has to offer when it comes to agriculture.

As the 115th Congress begins to address the next farm bill, listening sessions like the one that we hosted Saturday will continue to be critically important. Policy that is based on discussion within the vacuum—the beltway—of Washington usually fails and falters. When we open it up to the people who are impacted, we get the best policy. If you are looking for the best agriculture expo in the country, head to Harrisburg this week.

MEETING THE THRESHOLD OF UN-AMERICAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Speaker, what is more important than being the President of the United States? For all of us here, that is a no-brainer; but, each day, I find myself asking that of the President-elect.

Last night, we watched President Obama say farewell to the country he

served. For the past 8 years, parts of our country disparaged him, and some of our colleagues fought him tooth and nail at the expense of their constituents; but, each day, we were assured that our outgoing President put this country and our interests first.

President-elect Trump seems to serve himself. Yesterday, several news sources reported the possibility of a continuing exchange of information between Russia and Trump campaign officials during the election; so, in the face of yet another troubling revelation that further sullies the ground on which his loyalty to America stands, I have questions:

Is our President-elect willing to sacrifice his personal gain for the good of this great Nation?

When will we find out if he has fulfilled his legal obligation to pay taxes like millions of Americans do?

How can we be sure that our interests will take precedence if we don't even know that they ever have?

Will this White House serve as "Trump Tower South"?

The actions and words of the President of the United States have a loud and reverberating effect through the world economy and the international political system.

To date, President-elect Trump's promises to America have been hollow and his actions self-serving. President-elect Donald Trump does not merely offer an alternative direction for our Nation; he, it seems, offers to use the Presidency primarily for his personal benefit.

When given an opportunity to set these concerns aside, he scoffs at his critics and embraces our Nation's enemies. Instead of making reasonable attempts to reassure the American public, whom he will soon swear to protect, he gaslights us with tweets, mockery, and lies.

In the past, we have seen the term "un-American" used to indict members of the public executing their civil liberties. Antiwar advocates protesting for peace have been called un-American. Civil rights leaders standing against discrimination have been called un-American—just ask Senator JEFF SESSIONS. Professional athletes taking a knee to acknowledge sordid realities within our justice system are deemed un-American, and comedians and pastors, alike, for using their microphones to criticize our Nation.

But, quite frankly, dissent is American; protest is American; criticism is American. Healthy skepticism toward our national intelligence is American. Disparaging and discrediting it is not.

Working with foreign powers to ensure peace is not only American, but also Presidential; inviting a foreign power to compromise the cybersecurity of private citizens is not.

Empowering Americans to become involved in the political process, to

take action, and to even be critical of you is American; attacking them when they call untruths and inciting your supporters to do the same is not.

For these reasons and a host of others, I simply ask the question: At what point do the actions of our next President—President-elect Donald Trump—meet that threshold of un-American?

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President-elect.

U.N. RESOLUTION 2334

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DESANTIS) for 5 minutes.

Mr. DESANTIS. Mr. Speaker, U.N. Resolution 2334 was an anti-Israel resolution that sought to erase the history of the Jewish people and their connection to their historic homeland.

Under U.N. Resolution 2334, the Western Wall, which is the holiest site in Judaism and the last remnant of the Second Temple, is considered occupied territory. You can't even make this up. I think it is important to point out that the territory at issue, which we are talking about, including the West Bank, which is historic Judea and Samaria—some of the oldest Jewish lands dating back thousands of years—is disputed. It is not occupied territory.

When you use that term for things like the Western Wall, you show that all you are trying to do is to harm and attack the State of Israel but not do this in an intellectually honest way. If you look at the Balfour Declaration, that entire mandate was originally for a Jewish state, including what is now Jordan.

As we got into the 1920s, Britain thought that giving what was called Transjordan—what is considered to be the eastern part of Palestine—would be a reward for the help of some of the Arabs during the First World War. That had been under Turkish control for hundreds of years before World War I. It was then under British control. You have this British mandate, and they eventually give Jordan everything east of the river; but then Jewish Palestine—this is a Jewish state, which is all of Israel proper: Jerusalem, Judea and Samaria, you name it—was what Britain wanted to do. The League of Nations in 1922, which is the last legally binding document, recognized that as well.

Fast-forward past World War II and we get into the late forties. The Arabs always rejected having a state shared with Israel in that respect. Then we get to 1948 and the U.N. Partition Plan. How much measly less territory for Israel? It is really an indefensible country. There is a massive Arab state there; yet Israel accepted even these little crumbs of territory. What did the Arabs do? They rejected having a state.

You had invasions against Israel from all sides, and the goal was the annihilation of the Jewish state in 1948.

Between '48 and '67—we always heard about these 1967 lines. Those are not political lines. Those are armistice lines. Israel won the war for their independence. They beat back the Arab armies. You had Egypt controlling the Gaza Strip and you had Jordan controlling Judea and Samaria, what we know as the West Bank.

□ 1100

So those were armistice lines, never internationally recognized. Jordan's occupation of the West Bank was not recognized internationally.

When Arafat founded the PLO, it was in 1964, '65, when you still had these armistice lines. So the Palestine Liberation Organization, what are they trying to liberate Palestine from? He is not talking about the West Bank. He is talking about Israel proper. He wanted to push the Jews to the sea.

So why would we be rewarding? Palestinian Arabs rejected a state in '48. They rejected a generous offer in 2000, 2007. Every time, they have chosen to go to war with Israel, and they are more opposed to a Jewish state than they are interested in their own state.

We do have an example, though. What happens? You talk about Israel occupation. They don't occupy the Gaza Strip. What is the Gaza Strip? Is this like a nice la-la land on the Mediterranean? No. It is a terror state controlled by Hamas, and they launch incessant rocket attacks against Israel.

So a Palestinian state in this area, Judea-Samaria—West Bank—would be what they call *judenrein*. It would be free of Jews. They would ethnically cleanse every Jew who was in anything considered earmarked for Palestinian Arabs. It is an interesting contrast, because in Israel, Arab Israelis live and prosper, and they are treated as equal citizens.

So we have to get this straight. What the U.N. did was totally unacceptable. This body needs to remove funding for the U.N. until they repeal that offending resolution, and the new administration needs to move our embassy from Tel Aviv to Jerusalem in a show of solidarity with our friends in Israel.

ACA REPEAL AND DELAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, the Republicans' plan to repeal the Affordable Care Act should be entitled repeal and collapse, because it will generate, in this country, a financial and healthcare meltdown for tens of millions of people.

In fact, if we repeal the ACA, 30 million Americans will lose their health insurance. States and hospitals will be

on the hook for \$1.1 trillion in uncompensated care, and rural hospitals will close.

It will cost the country 3 million jobs. All of this is to give the top one half of 1 percent an almost \$200,000 tax break and costs middle class families as much as \$6,000 more a year. Once again, the Republicans are taking care of the richest while imposing tax hikes on hardworking Americans.

As this chart shows, the ACA has caused dramatic reductions in every age group across the entire marketplace in terms of uninsurance, a 50 percent reduction in uninsured in America.

So what does this mean to the average American? For my constituent, Penny Floor, it could return her to a time when she lived with no health insurance whatsoever.

Here is a picture of Penny. She works for the San Mateo Community College District and is one of the 27 percent of Americans under the age of 65 who have a preexisting condition. She is now at risk, thanks to the GOP's reckless ideological agenda, to lose her health insurance.

This is Penny's story in her words:

I tried to buy health insurance in my thirties and in my forties, and both times I was turned down and was told I was ineligible. Basically, I didn't lie on the portion of the form that asked if I had ever been hospitalized for mental illness. I said I was treated for depression when I was 17, and for that I was denied the ability to purchase health insurance.

For a long period of my adult life, I had no health insurance. I worked for a nonprofit childcare center and had no coverage. I got married in my forties, and both my husband and I went to graduate school and were covered then. But when we received our degrees, the coverage ended. My husband was working as a freelance computer programmer. He ended up taking a corporate job that wasn't his dream job so we could be insured.

He is still there today. He is 62, and I am 60, and we live in fear he will be laid off. I am holding my breath that there will be some coverage through Medicaid if that happens, or if we make it to retirement.

When I was younger, I was lucky enough to have incredible health. I didn't go to the doctor or the dentist for 10 years. I was constantly terrified that I would be in a car accident and would be sued. And I was afraid my family would be bankrupt trying to take care of me.

Thank God for Planned Parenthood and access to birth control. It is the only medical attention I received during that time because their sliding pay scale was the only thing I could afford.

Now I am 60, though, and I do have health issues. I was hospitalized earlier this year for blood clots in my legs and lungs. It was scary and expensive, but we had good coverage.

But if the ACA is repealed and Medicaid is affected, I don't know what we will do. We are educated, not poor, very productive members of society, and we are scared.

These are the words of a real American, my constituent, Penny Floor.

HUMAN TRAFFICKING MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD) for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, this year, Texas has the great honor of hosting the Super Bowl. In just a couple of weeks, Houston will host the largest event of the year in the United States with approximately 100,000 people expected to attend and more than 100 million expected to tune in on television.

The Department of Homeland Security calls the Super Bowl the most attractive target for those who want to commit harm. Thanks to partnerships between local, state, and Federal officials, K9s will be deployed for bomb detections, officers on the lookout for suspicious activity, and air security will be ramped up, to name just a few of the precautions.

Law enforcement is doing a great job of reminding everyone who plans to attend: if you see something, say something. Since it is January and it is Human Trafficking Awareness Month, I want to remind everyone that "see something, say something" doesn't just apply to unattended backpacks.

During a recent meeting on Capitol Hill, DHS reminded all of us that events such as the Super Bowl bring the good, the bad, and the ugly. While a majority of the attendees are coming to have a good time and with good intentions, the few who do not can disrupt and ruin many lives.

So I ask those who attend to help us in keeping Texas one of the safest and best States in the country by reporting anything to law enforcement they may believe to be suspicious and allow trained officers to investigate. This includes suspected human trafficking.

According to the Polaris Project, warning signs of someone being a victim of human trafficking include not being allowed to leave or come and go as they wish; appearing malnourished; not being in control of his or her own identification documents; not being allowed to speak for themselves; and showing signs of physical abuse, torture, or physical restraint.

While law enforcement will be ramping up efforts to reach out to victims and give them the resources they need to get help, it lies on each and every one of us to be aware of our surroundings and help when someone is in trouble or something is not right.

It is important to remember that human trafficking doesn't just happen during large sporting events. It happens every day, often going unseen. While events like the Super Bowl help bring it to our attention, it is important to remember that, when the event is over, men and women, boys and girls are still being victimized each and every day.

UNICEF has estimated there were 1.5 million victims of human trafficking in

the United States alone in 2014, and that number soars to 27 million worldwide. This is a problem that is going to continue to need our attention 365 days a year. We have got to work together to end this form of human slavery.

OBAMACARE REPEAL AND REPLACE

Mr. FARENTHOLD. Mr. Speaker, I spend most of my time, when Congress is not in session, back home in Texas. I hear over and over again from constituents: ObamaCare is not working for me. Premiums are too expensive and deductibles are too high.

That is just not a problem in Texas. ObamaCare is failing nationwide. It is now the unaffordable, no-care act. That is why I support repealing and replacing it. The House will set up the framework to do just that with the budget bill we expect to pass this week. It sets up budget reconciliation that will be the vessel for beginning to fix this failing law.

I am looking forward to a healthcare system that allows individual consumers more choice in the plan that they pick, a healthcare system that will return choice to the American consumer while ensuring that people can't be turned away or lose coverage due to age, medical condition, or circumstances.

I also look forward to a healthcare system that protects Medicare for senior citizens while ensuring Medicare is financially solvent and will be there for future generations.

I also look forward to a healthcare system that is free of burdensome bureaucracy and a tax system that hampers the development of new medical devices and therapies, discourages savings, and penalizes employers and the American people if they don't do Uncle Sam's bidding.

I have heard from restaurateurs in my area. In Port Aransas, I ran into a guy at the airport. He said: I want to expand my restaurant, but it will put me over the limit for employees and put me under ObamaCare. I just can't afford it.

So he chose not to expand. He wasn't able to hire more people, give people jobs.

Another restaurateur in Corpus Christi said: You know, I am over the limit now, but I am only hiring part-time people. I can't afford the coverage, and I can't afford to raise prices because the market just won't bear more expensive meals.

This means that people who could have gotten full benefits under a different plan are having to suffer with no benefits and work two part-time jobs rather than a full-time job.

It is time we repeal and replace ObamaCare and replace it with a healthcare plan that meets people's needs, not Washington, D.C.'s needs. You can read more about the House plan at Better.GOP.

FLOODING AND WATER STORAGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to speak about the water conditions facing California as I have for many times over the last 6 years.

Today, obviously, we have recent storms that we welcome in California. Over the past several days, my district has received above-average rainfall and snow in the mountains; and we welcome that. But also that presents flood conditions.

After over 5 years of record-breaking drought conditions, of course, we welcome the rain and snow; but there is also destructive flooding that is occurring as a result of that.

Regrettably, to reduce this potential flooding, we are having to let this water go out to the ocean. This precious water could be extremely beneficial to farmers, farmworkers, and farm communities in the dry years. But, of course, we can't store it because the storage is not there.

This water could be used to replenish groundwater aquifers that were depleted during these drought conditions and could be carried over for ground storage for use in dry years. This water could help ensure that farming communities would not continue to deal with double-digit unemployment levels that we have had to face over the last 6 years.

It is why we need to invest more in the water storage projects in California, both surface storage and groundwater recharge, like raising the gates at Exchequer Dam, building Sites Reservoir and Temperance Flat Dam.

The WIIN Act that we passed last month was enacted in December, and it provides funding for water storage authorization and for groundwater banking projects. And just in the last several weeks, we have determined that over 130,000 acre-feet of water is available today for use in our farm communities that otherwise would not be available.

It is my sincere hope that those projects and others like this, like the Los Banos Creek Reservoir and raising San Luis Reservoir, are advanced as rapidly as possible in the next administration so that we can begin to capture the much-needed water that comes from these storms as we have had in the last 10 days.

Fixing California's broken water system requires a multiprong approach, as I have said many times on this floor, and focusing on how we improve the water infrastructure and storage capacity will be imperative as we work together to update California's water system, both here in Congress with the new administration and with the administration in Sacramento that is also trying to create a water system that serves California's needs in the 21st century.

After 5 years of devastating drought conditions, we are now witnessing these large storm events which have created floods in certain regions of California. It is either feast or famine in California; and with the climate change impacts, we know that will only continue in the future.

So as we reflect on the last 5 years and we look at the progress we made last month with the WIIN Act that was part of WRDA legislation, as time goes on, it is important that in the future, during the dry years that we will face more intensive drought conditions, that we plan and provide for those drought conditions by creating the necessary surface storage and groundwater storage projects so that when we have wet years—we have wet times, as we witnessed in the last 10 days, when we see greater rainfall amounts, increased flooding, and snow pack—that we have the water storage capabilities to meet the captured water during the wet years so we can use it during the dry ones. Common sense tells us that.

□ 1115

I urge my colleagues in Congress and the people of California to continue to work together on a bipartisan basis because it is the only way we ever get anything done. So for the new administration, for my colleagues in the new Congress, and for my friends back in California, we must work together. If California, one of the most prosperous States in the Nation, the seventh or eighth largest economic power in the world, cannot fix the water challenges that we face in the 21st century, God help the rest of the world.

This is all about sustainability—sustainability of our food supply, sustainability of our Nation. Food is a national security item. We don't look at it that way, but it truly is.

Mr. Speaker, I look forward to the new Congress and the new administration to build on the progress we made last month so that we can fix California's broken water system by using all of the water tools in our water toolbox, and we can only do that on a bipartisan basis.

ENFORCEMENT OF MARIJUANA LAWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. ROHRBACHER) for 5 minutes.

Mr. ROHRBACHER. Mr. Speaker, I rise today to praise Senator JEFF SESSIONS, President-elect Trump's nominee for Attorney General. Senator SESSIONS, I am praising him today for his inspiring testimony before the Senate Judiciary Committee yesterday. During his confirmation hearings, Senator SESSIONS was questioned on a wide variety of issues that will be under his purview as our Attorney General. In-

cluded in the numerous topics covered were questions about his intentions to enforce Federal law as it pertains to marijuana policy.

Senator SESSIONS is a patriot. He is a constitutionalist. He is a man of the highest moral integrity, and I have complete confidence that if confirmed as Attorney General, he will faithfully enforce our laws—not just those he agrees with, but all the laws duly enacted by Congress.

As it pertains to marijuana policy, Senator SESSIONS promised to do the same, to follow the law. During his exchanges on that topic of medical marijuana policy, being questioned by both Senators Leahy and Lee, Senator SESSIONS stated his intention to follow Federal law. At one point he indicated that if Congress no longer desired to make possession and distribution of marijuana an illegal act, "Congress should pass a law to change the rules."

At this time, I feel compelled to point out that Federal law has been changed and currently prohibits the Department of Justice from spending appropriated funds to prosecute individuals who are acting in compliance with their State's medical marijuana laws. In fact, a provision has been in the law since December 2014, when Congress passed and President Obama signed into law the Consolidated Further Continuing Appropriations Act. The act included a provision passed on the floor of the House as an amendment earlier that year by a vote of 219-189. The following year, a similar provision was passed by a wider margin of 242-186. That provision, offered by myself and cosponsored by my colleague, Sam Farr, restricts the Federal Government from superseding State law when it comes to the use of medical marijuana. This law will remain in effect through April 28 of this year, although I expect with the House and the Senate, both on record on this, that this provision will be renewed. I am especially confident of that when realizing that President-elect Trump is on the record, as he stated in the last campaign, that this issue should be left to the States. Thus, I am confident that this legal provision, which says that the Federal Government shall not supersede State law when it comes to medical marijuana, will be renewed.

Importantly, in August of last year, the Ninth Circuit Court of Appeals ruled in *U.S. v. McIntosh* that Federal funds cannot be used to prosecute those in compliance with their State's medical marijuana laws. This provision will be part of American law as long as it is renewed and Congress makes it part of the law. I am confident that if Congress does that, Attorney General JEFF SESSIONS, my friend, a person I admire greatly, will abide by the provisions and, thus, respect State medical marijuana laws, as dictated by Congress and enforced by the judiciary.

As he rightfully pointed out in his testimony yesterday, Senator SESSIONS said it will be his duty to see to it that the laws under his purview as Attorney General are faithfully executed, and this includes the Rohrabacher-Farr limitations that no funding shall be used to prosecute those throughout our country who are in compliance with our States' medical marijuana laws.

All of this comes down to a constitutional theory and a constitutional commitment to what we call the 10th Amendment, and that is the States have a right to make determinations in all of those areas that the Federal Government should not be involved in. This should definitely be left to the States.

CONGRATULATING CLEMSON UNIVERSITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Speaker, in the history of mankind, civilizations have turned to sports as a means of entertainment, as a distraction from the routines of everyday life, a great way to spend time with friends and family. Whether it was the gladiators in the coliseums of Rome, the jousting in the Middle Ages, or college football today, it is a great form of entertainment.

I rise today to honor and recognize Clemson University, the 2016 college football national champions. The coaches are to be commended—from Dabo Swinney and his coaching staff, the team he has put together, the men of character that he builds, and I will mention some of those shortly; President Jim Clements; athletic director Radakovich; the students of Clemson; and, most importantly, the fans, a 35-31 victory against Alabama.

It has been 35 years since Clemson won the national championship in 1981. That is a special national championship to me because my brother John was on the national championship team in 1981. Danny Ford, Coach Ford, was the coach when the 1981 national championship team was inducted, recognized in the College Football Hall of Fame the very night, Monday night, of this year's national championship.

The connections between the University of Alabama and their football program and Clemson University's football program are numerous. Danny Ford played football for Bear Bryant. He coached the national championship in 1981. Dabo Swinney, current head coach at Clemson, played for Alabama. Dabo was a walk-on at Alabama. It has been 110 years since Clemson defeated Alabama, 1905.

I am not taking anything away from Coach Saban and the Alabama Crimson Tide. What a great football program

they have in the great State of Alabama. They fell to a very good Clemson football team on Monday night.

Deshaun Watson, number 4, he was the difference. He is the best football player in the Nation with 420 yards passing, 36 for 57; total offensive, 511 yards. Watson was the MVP of the national championship game. Ben Boulware was Clemson's defensive MVP of the game.

But I want to give a special shout-out to a unique individual, Hunter Renfrow, number 13, who caught the winning touchdown pass at the end of the game with 1 second left. Hunter Renfrow, a walk-on at Clemson, like his head coach, Dabo Swinney, a walk-on who earned a spot, ultimately catching two touchdown passes in this national championship game, two touchdown passes in the 45-40 loss last year, a walk-on.

Both ends of the spectrum, a five-star quarterback, number 4, Deshaun Watson, arguably the best quarterback in the Nation, throwing to the other end of the spectrum, a walk-on. What a great story.

I want to give a shout-out to the coaching staff, specifically Dabo Swinney, and to Deshaun Watson for both recognizing that their talents and that team's specialness came from Almighty Creator God.

Clemson is special to me. I am a 1988 graduate. I played walk-on at Clemson 1984, 1985, and part of 1986. Part of Hunter Renfrow's and Dabo Swinney's stories that you can be a walk-on and ultimately succeed is one that we should take away from this great game.

So my congratulations, standing here on the floor of the United States House of Representatives, representing the Third Congressional District, home of Clemson, South Carolina, home of Clemson University, and now home of the 2016 college football national champions, the Clemson Tigers. I am proud to be here and say, "Go Tigers." Congratulations, Clemson.

CREATING TECHNOLOGY JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. KHANNA) for 5 minutes.

Mr. KHANNA. Mr. Speaker, I have the great privilege and honor of representing Silicon Valley in the United States Congress. We are living through revolutionary times. If 100 years ago we had the industrial revolution, today we have the software revolution, and the forces of automation and globalization are fundamentally changing our economy.

We first must thank the hardworking Americans who helped build this economy—the steelworkers and the coal miners and those who were machinists who built the economy that made us an exceptional Nation—that were the foundation of everything that Silicon

Valley does today. We need to thank them for the extraordinary hard work and grit that they showed.

We also need to recognize that our economy is changing, and not everyone has participated in the technology revolution. Some folks have benefited, and they are creating jobs and wealth, and others have been left behind. We have an obligation to make sure that every American and their daughters and their sons get to participate in this technology revolution and have technology jobs.

Enrico Moretti, an economist at Berkeley, has shown for every one technology job, it creates four to five other jobs in communities, from the barista to a lawyer, to a construction worker. Tech jobs have a larger multiplier today than manufacturing jobs had in previous eras.

My commitment, my vision is to see how Silicon Valley can help create technology jobs not just in my district, but across America. There is no reason that Des Moines, Iowa, and Wichita, Kansas, and Dayton, Ohio, cannot become centers for technology innovation and have extraordinary technology jobs.

I look forward to working across the aisle with my Republican colleagues and Democratic colleagues to figure out how we create tech jobs across this Nation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 29 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear God, we give You thanks for giving us another day.

As a parent encourages a child or a mentor calls forth the hidden potential of an intern, Lord our God, may You bless all who work as the 115th Congress convenes, especially those new Members.

Remove fear and confusion, wipe away distrust, which only inhibit good judgment and leadership. Strengthen the resolve and compassion of all Members, that they may serve Your people with renewed clarity of vision and refined purpose that will soon unify this Nation in self-discipline and confidence.

For You reward the just and their deeds.

Bless all Members this day, O God, and be with them and with us all in every day to come. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Rhode Island (Mr. LANGEVIN) come forward and lead the House in the Pledge of Allegiance.

Mr. LANGEVIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

THE UNDERLINE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Meg Daly, the board of directors, the founders and partners who have rallied behind the great vision of creating The Underline.

Located in my congressional district, The Underline is a 10-mile linear park, an urban trail that extends from the Dadeland South station to the Miami River and that will connect millions of Americans across Miami-Dade County through safe, alternative methods of transportation.

Mr. Speaker, this is underutilized land below Miami's Metrorail that has transformative potential for community mobility, positive economic impact, and enhanced quality of life.

Thanks to the overwhelming collaboration of our south Florida community, there are also many new ideas that will be incorporated in creating this vision, such as dog parks, yoga programs, street art, and pop-up stores. This Saturday, January 14, this recreational space will feature local artists, and the public will be able to experience art that inspires and challenges us to be healthy, mobile, and connected.

Congratulations to Meg and to all involved in The Underline.

REPEAL AND DISPLACE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, for almost 8 years, we have heard about Republicans' plans to repeal and replace the Affordable Care Act. During that time, the House has voted dozens of times to repeal or defund ObamaCare; but now as Republicans prepare to take control of the White House, it is clear that Republicans don't have a plan to replace ObamaCare. Instead, they will repeal and displace millions of hard-working Americans, cutting them off from quality, affordable health care and making it even harder to get ahead.

The Republican repeal and displace plan will take away health insurance from 30 million Americans and will increase prescription drug costs, premiums, and out-of-pocket expenses for American families; and it will end health coverage for millions of Americans in order to give a huge tax cut to the richest Americans. Repealing ObamaCare will also cause a loss of 2.6 million jobs, including 12,100 jobs in my home State of Rhode Island.

Mr. Speaker, let's be clear: the Republicans' repeal and displace plan is just wrong. It is time for Republicans to end this charade and get back to doing the people's work by partnering with Democrats to strengthen and improve the Affordable Care Act and stop threatening all these harms on the American people.

SUPPORT FOR ISRAEL

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, I rise to reaffirm this Congress' commitment to America's greatest ally in the Middle East, Israel.

Last week, the House of Representatives voted overwhelmingly to object to the United Nations Security Council anti-Israel resolution. H. Res. 11 was supported by most Democrats and all but four Republicans. The House vote was prompted by the Obama administration's refusal to use its veto power to shoot down a U.N. resolution condemning Israeli settlements.

As I wrote in a recent op-ed: This U.N. resolution was one-sided. It failed to recognize that Israel is the only Jewish state and that it is fighting for survival every single day. This U.N. resolution will be used to justify the actions of those who want to wipe Israel off the map.

As I speak, we are still mourning Sunday's attack on a group of Israeli soldiers that left four dead and more than a dozen injured.

Mr. Speaker, I think most of us can agree that U.S.-Israel relations have hit a low point under this administra-

tion. When I first ran for Congress 4 years ago, I ran on a seven-point platform that included standing with Israel.

Mr. Speaker, I will not waver in my support for our friend. I hope the incoming administration sets a new tone in reestablishing America's alliance with the Jewish state.

In God we trust.

YOUR VOICE DOES MATTER

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, there is lots of incredible news out there. The Trump press conference just makes your head spin, but we have seen that the public's voice does matter.

Because of public outcry, within minutes after the late-night closed meetings, the Republican plan to gut the independent Office of Congressional Ethics was reversed. In response to outrage about jeopardizing health care for millions of Americans, some Republicans now admit that repealing the Affordable Care Act is not quite so simple and maybe they should come up with a replacement, even if they don't yet know how to do it. Senate Republicans even delayed some of the Cabinet confirmation hearings to allow a more orderly review and scrutiny.

Your voice does matter.

The President said last night that change only happens when ordinary people get involved, get engaged, and come together to demand it. Obviously, these fights are just beginning, but the last 10 days shows that together we can and will protect the values and programs so vital to America.

DATA IS BETTER THAN PREDICTIONS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, whenever you see climate change in the news, remember the difference between actual data and exaggerated predictions. For example, much coverage was given yesterday to the predictions by the U.S. Fish and Wildlife Service that polar bears now face extinction because of climate change. That prediction is contradicted by the evidence. The polar bear population has been increasing and is now around 26,000, probably the highest number in many years.

Climate alarmists want to scare people with extreme predictions. Better for Americans to look at the scientific evidence and discount the wild tales. Climate change has many causes and has occurred throughout the history of the Earth. Real scientists acknowledge

this and are hesitant to make long-range predictions.

RECOGNIZING KRISTIN NICHOLSON

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, it is always difficult saying good-bye to a Member of our Hill family. When I was first elected to Congress, I sought a chief of staff who could work with me to help lead my team and shape my policy portfolio: someone who knew the Hill as well as the legislative process in Congress; someone who was smart, strong, and compassionate; someone with sharp instincts; and, most importantly, someone I could trust. I found all of those qualities and so much more in Kristin Nicholson.

As my chief of staff, Kristin has been a trusted confidant, adviser, and a true friend. So it is with both sadness and pride that after 16 years in my office I say good-bye to Kristin as she leaves the Hill to become director of the Government Affairs Institute at Georgetown University.

Kristin's leadership has been essential to me and my entire staff; and although we will miss her tremendously, she leaves behind a team that has benefited from her professionalism, passion, humor, and grace under fire.

Kristin, I cannot thank you enough for your service to me and the people of Rhode Island. Congratulations and best wishes.

OBAMACARE HAS NOT BEEN AFFORDABLE

(Mr. BIGGS asked and was given permission to address the House for 1 minute.)

Mr. BIGGS. Mr. Speaker, ObamaCare has been a disaster for Arizonans. My home State of Arizona has been hit the hardest. Premiums in Arizona for many have increased over 100 percent, and providers have fled the State, leaving some counties with one provider and little options for healthcare insurance.

ObamaCare must be repealed. In fact, there is no constitutional authority given to the Federal Government to take over our healthcare system. These issues are, in fact, best left to the States to manage.

I am advocating for a complete repeal of ObamaCare as soon as possible, with a transition period of no longer than 24 months.

The approach I am suggesting will remove government from between patients and their doctors. Our alternative will encourage competition, which will in turn lead to lower costs to all Americans, but in particular, Arizonans.

I remain committed to seeing this happen.

UNION CITY PUBLIC SCHOOLS

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, I rise today to recognize the Union City Public Schools for their outstanding achievements.

Having come to the United States from Cuba as a child, I experienced the challenges of assimilating into a new community firsthand. As the representative of one of our Nation's most diverse districts, many of my constituents experience these challenges every day. Giving immigrants the tools they need to succeed is not only beneficial to our country, it is sound policy.

According to The Wall Street Journal, Union City Public Schools "have become a model for ushering low-income English-language learners into the mainstream."

With a student body that is 95 percent Hispanic, one of the keys to Union City Public Schools' success is their English as a second language program and their early childhood programming. The programming has become a model for educators in the U.S. and as far away as Europe. Graduation rates have also increased by nearly 10 percent, in just 2 years, in the district.

Mr. Speaker, I am proud to represent a school district that has made tremendous strides in easing the transition of immigrant youth into our society and become the foundation of success for thousands of children and young adults.

COMMENDING THE EFFORTS OF PEOPLE FOR LIFE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to commend the efforts of People for Life, a non-profit in Erie County, Pennsylvania, that is dedicated to educating and promoting right-to-life causes in northwestern Pennsylvania.

This organization hosts several events throughout the year to bring together people of the pro-life community. People for Life organizes an annual bus trip to participate in the national March for Life in Washington, D.C., and it also hosts its own March for Life in Erie.

For nearly four decades, People for Life has hosted a Pro-Life Breakfast that highlights the sanctity of human life in all phases and conditions. Attendees can hear stories of love, courage, and victory through God's mercy and grace.

I thank People for Life for all the work it has done in Erie and northwestern Pennsylvania on this topic of such great importance. They work to save lives through education and love.

They recognize how sacred each human life is and fully understand the need to protect the most vulnerable. They are a voice for the voiceless. I am deeply grateful for their work.

WE MUST STRENGTHEN FLIGHT SAFETY MEASURES

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, nearly 8 years ago, western New Yorkers watched in horror as Continental flight 3407 crashed, tragically ending the lives of those on board. Since then, the families of those lost have turned their grief into a relentless fight to strengthen pilot training and flight safety rules.

Today, the families of flight 3407 are in attendance at the Senate nomination hearing for the new Secretary of Transportation. Their presence is an urgent reminder that the work of Congress and the administration still remains to be done.

In 2010, Congress passed landmark flight safety legislation with the families of 3407 leading the charge. Since then, there have been nearly 8 years of no fatal commercial crashes on domestic U.S. airlines. Now the Federal Aviation Administration reauthorization is on the horizon, and we must further strengthen flight safety measures.

It is essential that we continue to stand alongside the families of flight 3407 and fight attempts to roll back pilot training and safety provisions. We must not forget those we lost nearly 8 years ago and do all that is possible to prevent another tragedy of this kind.

□ 1215

TRADE IS A TWO-WAY STREET

(Mr. DUNCAN of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of Tennessee. Mr. Speaker, some people have expressed concern that President-elect Trump will start a trade war if he gets tough on trade. But what they are not admitting, or perhaps it has never occurred to them, is that we have been in a trade war for many years, and we have been losing.

China has followed a China-first policy for years to their great benefit, while we have sent millions of good jobs to other countries and several million of our young people now can find jobs only in restaurants.

With only 4 percent of the world's population, we buy 21.7 percent of the world's goods. We used to buy about 25 percent, but we have more competition around the world now as most countries are trying to move away from socialism while we seemingly move toward it. But we still have tremendous

leverage on trade that we have not used because every country wants desperately into our markets.

We need to negotiate trade deals that will create more jobs in this country. We need, Mr. Speaker, to tell foreign leaders that we want to buy things from them, but they need to start buying from us, too. Friendship is a two-way street.

DON'T MAKE AMERICA SICK AGAIN

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, the Congressional Budget Office estimated that 22 million Americans would lose their health insurance if the Republican bill from last Congress becomes law. Let's don't make America sick again.

There should be no repeal of health reform without an immediate, adequate replacement that achieves the same historic goals in coverage, ensures people with preexisting conditions aren't blocked or priced out of the market, and that plans cover a basic set of benefits and consumer protections.

Repealing the Affordable Care Act without a replacement in place will cause chaos. Millions will lose coverage; the individual insurance market will be in shambles; doctors, hospitals, and States will lose billions; and the economy will be hurt. Without health insurance, people with chronic diseases will lose care and become sicker.

Every major law that Congress has passed needs oversight and revision to make sure it is as effective as intended. Congress can amend any law, but doing so in a way that will cause 22 million of the newly insured people to be without health insurance is just wrong.

I urge my colleagues to stop working against the health of American people. We should not be making America sick again.

RECOGNIZING MACY MAINE AND HANNAH MASON, INSPIRATIONAL ROLE MODELS

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, I rise to recognize two southern Arizona young women for their achievements and for serving as role models in their communities. Macy Maine, a senior at Buena High School, and Hannah Mason, a senior at Pusch Ridge Christian Academy, were recently given the 2016 Brilliant, Beautiful and Bold Role Model Award from the Girls Rule Foundation. The award recognizes only a handful of young women across the State who are making a difference.

Macy was given the award for her active engagement in the community.

She represented her high school as an American Legion Auxiliary Arizona Girls State delegate, is an All-American cheerleader, and represented her city at the Power Up Teen Leadership Conference. She is a frequent volunteer and hopes to enter public service.

Hannah has been a selfless leader for her family and community. After a car accident took the life of her father and severely injured her older sister, Hannah stepped up to care for her family. She helped her sister through multiple surgeries while continuing to excel at school and remain active in the community. She hopes to enter medical school one day.

Mr. Speaker, I congratulate both Macy and Hannah for being inspirational role models to their peers and wish them the best of luck as they continue to pursue their dreams.

HONORING THE MEMORY OF COLONEL HOWARD MERRITT STEELE, JR.

(Mr. BEYER asked and was given permission to address the House for 1 minute.)

Mr. BEYER. Mr. Speaker, I rise today to honor the memory of Colonel Howard Merritt Steele, Jr.

Colonel Steele was the epitome of a soldier. He loved his family, his country, his God, the Army, and West Point. He attended the prestigious Peekskill Military Academy, Yale University, and the United States Military Academy.

Colonel Steele fought in Korea, where he was awarded the Silver Star for gallantry in action. He received the Bronze Star for his service as a rifle company commander. After the war, he was company commander in the 3rd Infantry, The Old Guard, at Fort Myer, Virginia; two tours in Vietnam; Commander of the 54th Infantry Battalion; and a graduate of the Army War College.

Colonel Steele's awards include three Bronze Stars, Meritorious Service Medals, three Legions of Merit, three Air Medals, Army Commendation Medal, the Vietnam Cross of Gallantry with Palm, and a number of other service and foreign medals.

He is survived by Dotsie, his beloved wife of 65 years; his son, Howard Merritt Steele, IV; two daughters, Cynthia Steele Vance and Susan Steele; and six adoring grandchildren.

Colonel Steele, you led a long, brave, generous life of service to others—a soldier's soldier. Your legacy is a growing family who basked in your love and a country just and free.

STAND UP FOR LIFE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this weekend, I was grateful to participate in the Stand Up for Life March and Rally in Columbia, hosted by the South Carolina Citizens for Life during a rare snowstorm.

I appreciated hearing remarks from Evangelist Alveda King, niece of Dr. Martin Luther King, Jr., a dedicated pro-life activist. I was also grateful to attend the grand opening of Daybreak, a crisis pregnancy center, hosted by Director Brennan Aschleman.

I thank Lisa Van Riper, president of South Carolina Citizens for Life, with Holly Gatling and Brenda Cerkez for organizing such a meaningful event. I was grateful to participate, as well, with Bishop Robert Guglielmone of Charleston and the Knights of Columbus led by Thomas Monahan.

Pro-life voters have made a difference with all statewide officials, both U.S. Senators and six U.S. Members of Congress supporting pro-life initiatives, along with super majorities in the State house and senate. I was grateful to begin this new Congress by being an original cosponsor of H. Res. 354 to provide for a moratorium on Federal funding to Planned Parenthood, which has disgracefully sold baby body parts.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

MISSION STATEMENT OF A NEW MEMBER

(Mr. GOTTHEIMER asked and was given permission to address the House for 1 minute.)

Mr. GOTTHEIMER. Mr. Speaker, I rise today for my first statement from the House floor, honored and humbled to serve as the Representative from New Jersey's Fifth Congressional District. I vow to work tirelessly on their behalf.

We are all tired of Washington's partisanship, and I will work across the aisle, whenever possible, to get things done. New Jersey families and businesses are struggling with high taxes and not seeing good return on investment for the hard-earned tax dollars they send to Washington each year.

I will work to bring those dollars home to fight domestic terror, deal with opioid abuse, improve our schools, and fix our crumbling roads and bridges. I will work to bring good-paying jobs back to New Jersey and keep them there, to lower our taxes, cut wasteful spending and unnecessary regulations, and ensure every tax dollar is used wisely.

I will stand up for New Jersey values, ensuring that women, minorities, and the LGBT community are always treated with respect. I will have the backs of our veterans, law enforcement, firefighters, and all first responders. I will stand with Israel, ensure our children have clean drinking

water, and stand up for equal pay and a woman's right to choose. I will work for everyone in the District.

Working together, I believe our best days will always be ahead of us.

LAW ENFORCEMENT APPRECIATION DAY

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today in recognition of Law Enforcement Appreciation Day, which was observed this week in honor of the contributions countless men and women in uniform have made to keep our communities safe and secure.

This year's observance was particularly difficult for our Kansas community. Over the last year, three police officers in my district made the ultimate sacrifice while in the line of duty. Brad Lancaster, Dave Melton of Kansas City, and Brandon Collins of Overland Park each lost their lives while protecting our community.

Law Enforcement Appreciation Day is a day to remember them and to honor the men and women who remain in the field each day keeping our children and families safe. They are the ones who run into danger when others run away. They are the true heroes, and we should always regard them as such. It is also a day to honor the United States Capitol Police to keep Congress, our staff, and our visitors in this very Chamber safe.

Mr. Speaker, let us never forget the service and sacrifice of our law enforcement officers, and let us continue to honor them with the gratitude and respect they deserve.

THANKING PRESIDENT OBAMA FOR THE CLARITY OF HIS MORAL LEADERSHIP, FOR HIS GRACE, AND HIS CLASS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, last night, President Obama delivered his farewell address to the Nation. Today, I rise to thank President Obama for his steady and his strong leadership over the past 8 years. He has served this Nation with dignity, with purpose, and helped us achieve some important successes during his tenure.

When he took office, this country was on the brink of a depression, facing a financial crisis unlike anything we have experienced. He has helped to put us on the right track, rebuilding the American auto industry and steady private sector job growth.

Now, we know we have a lot left to do, as he said last night. But he has given us the opportunity and the tools to continue that good work. No coun-

try, no nation, and certainly no government is dependent on any single individual. As he said, it is up to all of us, not just those of us in Congress or in public office but all citizens, to continue to work together to create the great society that we are all committed to.

But it would be a mistake to not take this moment to thank that individual, to thank President Obama, for the clarity of his moral leadership, for his grace, and his class. We owe him a great debt of gratitude.

SCIENCE-BASED INNOVATION IN THE FIELD OF WATER RIGHTS

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I rise to continue a series of cool 1-minute science topics.

Today, I will speak about science-based innovations in the field of water rights. Previously, conflicts over water resource management have reduced agricultural productivity and distracted farmers with lawsuits and litigation. But researchers at the University of Illinois at Urbana-Champaign have developed an online system for farmers to trade groundwater pumping rights.

The National Science Foundation funded research that resulted in the creation of a new company, Mammoth Trading, which allows farmers to manage their lands and water rights to improve environmental conditions, improve resource allocation, and increase efficiency.

These innovations demonstrate the power of science to increase productivity and positively influence the market. Congress should continue to encourage this type of ingenuity and innovation through R&D science funding.

JACKI DIXON MARSH

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, today, I would like to talk about a constituent in my district, Jacki Dixon Marsh. Jacki is an entrepreneur. She owns a historic storefront in downtown Loveland. In fact, she is the only woman who owns commercial space in the neighborhood. She runs a gallery featuring the work of over 100 local artists, actively supporting jobs and contributing to our community.

Jacki was also a competitive long-distance runner. In 1972, she won the first women's only road race in New York, and she continues to run.

Finally, she has a pacemaker. She suffers from cardiomyopathy, a rare heart disease she developed after con-

tracting the flu. While the doctor gave her only 2 years to live, she exceeded that prognosis by three decades, but her health depends on replacing her pacemaker every 7 to 8 years.

Jacki is one of countless Americans for whom insurance through the Affordable Care Act is literally a matter of life or death. She says she pays a lot for her coverage, about 900 a month, but she told me she is excited to pay it. Before the Affordable Care Act, her precondition meant no coverage at all.

When I asked Jacki what message she wanted me to share with my colleagues in Congress, she made clear that I should share the message that her situation is not unique. We need to act to make sure that people like Jacki continue to have healthcare coverage rather than ending the provisions of the Affordable Care Act that they rely on.

PROVIDING FOR CONSIDERATION OF H.R. 78, SEC REGULATORY ACCOUNTABILITY ACT; PRO- VIDING FOR CONSIDERATION OF H.R. 238, COMMODITY END-USER RELIEF ACT; AND FOR OTHER PURPOSES

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 40 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 40

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 78) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be

considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 238) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-2. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 3. On any legislative day during the period from January 16, 2017, through January 20, 2017—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. It shall be in order at any time on the legislative day of January 13, 2017, for the Speaker to entertain motions that the House suspend the rules as though under

clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore (Mr. BOST). The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, House Resolution 40, providing for the consideration of two important pieces of legislation: H.R. 238, the Commodity End-User Relief Act, and H.R. 78, the SEC Regulatory Accountability Act.

The rule provides for the consideration of these measures under a structured rule and makes in order any amendment submitted to the House Rules Committee, including all five Democratic amendments to H.R. 78, as well as all eight amendments submitted for H.R. 238, allowing for a balanced debate on these very substantial issues.

H.R. 238 is essential to the smooth functioning of the American economy and is long overdue for enactment into law. This important legislation reauthorizes until 2021 the Commodity Futures Trading Commission, also known as the CFTC, which had its statutory authority lapse in 2013. The House passed the Commodity End-User Relief Act with bipartisan support in the 114th Congress, and a similar bill was also adopted in the 113th Congress, establishing a strong record of bipartisan support for this measure. Unfortunately, in both instances, the Senate failed to take up the legislation before the end of its respective Congress, which is why it is imperative that we pass this bill through both Chambers and send it to the President's desk.

After the financial crisis of 2008, practically everyone agreed that changes needed to be made to our financial services sector in order to protect families, farmers, small businesses, and our economy, as well as to prevent another crisis in the future. Like many of my colleagues, I have concerns with some of the reforms that were instituted in response to the crisis because they have put overly bur-

densome restrictions and regulations on our economy and our business communities. But like every major, comprehensive law, there are always unintended consequences that need to be addressed, and H.R. 238 does exactly that.

For example, the authors of Dodd-Frank argued the law's main purpose was to reduce systemic risk to our economy. However, I don't think anyone would argue that farmers who are simply trying to lock in a good price for their corn or their wheat are a systemic risk to the economy. Similarly, restaurant chains looking to make sure they have enough beef, enough pork, or enough potatoes to sell to their customers don't pose a systemic risk, just as utility companies seeking to ensure that they have adequate power supplies to meet the needs and demands of their ratepayers did not cause the financial crisis. Unfortunately, the current law imposes rules that treat all of these entities as major risks to our economy, and it imposes overly burdensome capital and paperwork requirements on them.

Mr. Speaker, critics may claim that this bill undermines consumer protections. However, this could not be further from the truth.

Title I of the legislation puts in place greater consumer protections, like requiring brokerage firms to notify investors before moving funds from one account to another in order to prevent abuses like those that occurred at MF Global prior to its bankruptcy.

Title II makes reforms to the CFTC and strengthens the cost-benefit analysis the Commission must perform when considering the impacts of its rules. Opponents have claimed that requiring cost-benefit analyses will open up the CFTC to lawsuits. However, H.R. 238 merely gives the CFTC a standard for writing good rules the first time, which will be a benefit for all of us.

Title III provides relief to the farmers, the restaurants, the manufacturers, the utilities, and other entities which rely on a steady supply of commodities and inherently want to avoid risk but have been caught up in the unintended consequences of the Dodd-Frank reforms. These users have a genuine need to use markets to hedge against bad weather, natural disasters, inflation, price shocks, and other unforeseen circumstances that could jeopardize their ability to serve their customers.

The rule also provides for the consideration of H.R. 78, the SEC Regulatory Accountability Act. This legislation replaces guidance adopted by the SEC in 2012 that currently governs the use of economic analysis in SEC rulemakings and requires the SEC to identify and assess the significance of problems prior to regulating. It directs the agency to conduct a review of existing regulations within 1 year of enactment—

and then every 5 years thereafter—to determine the sufficiency, the effectiveness, and the burdens associated with their implementation. Further, H.R. 78 instructs the SEC's Chief Economist to conduct a cost-benefit analysis on regulations the agency is promulgating as well as to provide an explanation describing the SEC's decision-making process, including the implications of not taking the regulatory action.

Economic analysis is the cornerstone of prudent rulemaking and entails evaluating the qualitative and quantitative costs and benefits of proposed regulations as well as potential alternatives in order to determine the correct action an agency should take. We must ensure Federal regulators are thoroughly assessing both the need for the regulation and adequately evaluating its potential consequences—intended as well as unintended—to prevent small businesses and job creators from being unnecessarily burdened by onerous Federal regulations.

Mr. Speaker, this is a good, straightforward rule, allowing for the consideration of two bills that will hold Federal agencies and their rulemaking processes accountable to the American people. Voters sent a clear message in November that they want a Federal Government that is smaller, less intrusive, and more discerning in its regulatory actions. House Republicans created our A Better Way agenda by listening to Americans about the ideas for our Nation, and the new, unified Republican government will continue our work to change the status quo and provide real progress for all Americans. The adoption of this rule and the passage of the underlying bills is yet another opportunity to show that we heard this message loud and clear and that we will reinforce our commitment to restoring the people's voice in our Federal Government.

I am proud to support the rule providing for the consideration of these measures, and I urge my colleagues to support the rule and the underlying bills.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman for the customary 30 minutes.

Mr. Speaker, I rise in opposition to the rule and the underlying bills.

I start by, again, mentioning the fact that we have before us, under this rule, H.R. 238, the Commodity End-User Relief Act, and H.R. 78, the SEC Regulatory Accountability Act. I will talk about them in a minute.

There are 56 Members of this body who are new Members and who had no chance to participate in marking up these bills in their committees of jurisdiction. Sure, I am back and Mr. NEWHOUSE is back, but 56 people who

were in that Congress in December are not here now, and there are 56 new people.

Again, a regular order process would allow these bills to go through committee and have ideas and the participation from Democrats and Republicans, who represent, collectively, tens of millions of people in this country, in improving these bills. We did not allow it. These bills just appeared fait accompli in the Rules Committee yesterday. Here we are on the floor. None of the new Members had a chance in their committees to offer them.

□ 1245

In fact, I am not sure where the Republicans are in their process, but Democrats are still finalizing our committee assignments. We have some of them, and the rest will be completed shortly.

For Congress to work well, we need to have regular order. And for regular order to work, we need to make sure that the 56 new Members who represent tens of millions of people are not disenfranchised in this process.

Now, getting to the bills. H.R. 238, the Commodities End-User Relief Act, has been brought to the floor even before the Agriculture Committee convened or held its organizing meeting. It reauthorizes the Commodities Futures Trading Commission through 2021. It makes a lot of changes to internal changes and modifies a number of provisions that were designed to prevent financial meltdowns.

Additionally, H.R. 238 includes language on issues that the Commodities Futures Trading Commission has already addressed through its own efforts. For example, the Commodities Future Trading Commission has acted on 16 of 22 provisions in titles I and III. Particularly, many of us are concerned by the cross-border language in the bill, which would undercut efforts already underway by the Commission to negotiate an international system of safe and robust derivative rules.

H.R. 238 would actually require the Commodities Futures Trading Commission to create a rule that would automatically allow U.S. banks and foreign banks conducting business in the U.S. to do so under the rules imposed by foreign jurisdictions, which can be substantially different than those of our own, removing the confidence in the marketplace that is needed for a commodity market to work.

Finally, as you know, Congress passed a number of reforms to enable regulators to respond quickly to changing markets. The provisions in title II would weaken the CFTC's ability to respond in a timely and effective manner.

The financial services industry continues to innovate. It is important that regulators keep pace and prevent systemic risks, prevent meltdowns, pre-

vent bailouts. This bill would make it harder to do that.

An example of how the Commission is engaged with and talking about innovation is how to fully embrace emerging technologies like blockchain and decentralized distribution ledgers. They are doing that because many financial firms are focusing on how to incorporate this technology into their business models. Therefore, it is imperative the Commission is given the ability to stay involved and understand the implications of new technology and innovations and is not hamstrung by this overly prescriptive law.

Now, the Commission does need reauthorization, and I would love the opportunity to work with my colleagues on the other side to do so. It should be in a thoughtful, bipartisan manner that gives the agency the ability it needs to effectively look at incredibly complicated financial transactions, make sure that consumers and users of commodities that hedge their risks are not abused in the process. We do not want to hamstring the agency by unnecessary and counterproductive requirements as this bill does.

The other bill, H.R. 78, the SEC Regulatory Accountability Act, also was brought forward before the Financial Services Committee got organized. This bill was not even considered by the House last Congress, and it stalled in the Financial Services Committee. So you actually have a bill that didn't even clear committee last Congress. I was complaining about how the 56 Members that are new to this body didn't have a chance to put their imprint on the first bill. The second bill didn't even make it through the Financial Services Committee and didn't even pass the House floor last session. Yet, here it is without the appropriate committee consideration, depriving new Members representing tens of millions of Americans—Democratic and Republican—the ability to improve this bill.

Under the guise of regulation changes, H.R. 78 would actually require the SEC to conduct enhanced cost-benefit analysis in order to ensure that benefits of their regulation justify the cost. In effect, the bill directs the SEC to look at things like market liquidity and small businesses, which, of course, it already does as part of its economic analysis. So, again, it is a bill that would bury the SEC in regulatory paperwork.

H.R. 78's cost-benefit analysis is weighted toward helping large financial institutions save money. I support reducing costs for financial institutions. Who wouldn't? But that is not the primary drive of our regulatory structure. We should put consumers and our systemic risks first and foremost and, of course, where we can reduce the unnecessary costs for our financial institutions in the hope that

those would be passed along to those they serve.

I, therefore, oppose both of these bills. I oppose the rule that limits the opportunity for Members to offer amendments to these two pieces of legislation. I oppose this process that disenfranchises our new Members.

Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

First of all, in fact, if I could read from a letter I received this morning from over two dozen agricultural groups. In one sentence, it says: "Thank you in advance for your support of this bill that is so important to U.S. farmers, ranchers, hedgers and futures customers." It is signed, like I said, by over two dozen organizations.

I include in the RECORD the letter I received this morning, I think, as did my colleague, Representative POLIS, from over two dozen agricultural groups and associations located throughout the country in unanimous support of H.R. 238.

JANUARY 11, 2017.

DEAR MEMBER OF THE HOUSE OF REPRESENTATIVES: The undersigned organizations represent a very broad cross-section of U.S. production agriculture and agribusiness. We urge you to cast an affirmative vote on H.R. 238, the "Commodity End-User Relief Act," when it moves to the floor for consideration.

This legislation contains a number of important provisions for agricultural and agribusiness hedgers who use futures and swaps to manage their business and production risks. Some, but certainly not all, of the bill's important provisions include:

Sections 101-103—Codify important customer protections to help prevent another MF Global situation.

Section 104—Provides a permanent solution to the residual interest problem that would have put more customer funds at risk—and potentially driven farmers, ranchers and small hedgers out of futures markets—by forcing pre-margining of their hedge accounts.

Section 306—Relief from burdensome and technologically infeasible recordkeeping requirements in commodity markets.

Section 308—Requires the CFTC to conduct a study and issue a rule before reducing the de minimis threshold for swap dealer registration in order to make sure that doing so would not harm market liquidity and end-user access to markets.

Section 311—Confirms the intent of Dodd-Frank that anticipatory hedging is considered bona fide hedging activity.

Thank you in advance for your support of this bill that is so important to U.S. farmers, ranchers, hedgers and futures customers.

Sincerely,

American Cotton Shippers Association, American Farm Bureau Federation, American Feed Industry Association, American Soybean Association, Grain and Feed Association of Illinois, Kansas Grain and Feed Association, Michigan Agri-Business Association, Michigan Bean Shippers, National Association of Wheat Growers, National Cattlemen's Beef Association, National Corn Growers Association, National Cotton Council.

National Council of Farmer Cooperatives, National Grain and Feed Association, Na-

tional Milk Producers Federation, National Pork Producers Council, National Sorghum Producers, Nebraska Grain and Feed Association, North American Millers Association, Northeast Agribusiness and Feed Alliance, Ohio AgriBusiness Association, South Dakota Grain and Feed Association, USA Rice, Wisconsin Agri-Business Association.

Mr. NEWHOUSE. Mr. Speaker, also, in response to just one of the points that my colleague brought up, in the first 2 weeks of this 115th Congress, the Speaker, as well as the chairman of the Rules Committee, Representative SESSIONS, has provided opportunity for all Members to appear before the Rules Committee, has invited all Members to submit amendments. In fact, I can gladly say and happily say that every amendment submitted on these two bills has been accepted, if they were proven to be germane.

In fact, one of the arguments made by my good friend is that the freshmen have not had an opportunity to weigh in on these two pieces of legislation. Actually, the young freshman from Maryland had an amendment brought forward, and it was accepted to bring for consideration on the floor. So I think the arguments fall hollow that Members have not had an opportunity to be heard.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. CONAWAY), the good chairman of the Agriculture Committee.

Mr. CONAWAY. Mr. Speaker, I rise today in support of the rule to provide consideration of H.R. 238, the Commodity End-User Relief Act.

I want to start by thanking Mr. NEWHOUSE, Chairman SESSIONS, and the entire Rules Committee for the time and work that they spent preparing this rule. I appreciate the committee's time, attention, and interest in the work of the Agriculture Committee.

I am especially gratified by their support of my push to authorize all of the unauthorized agencies and programs under our committee's jurisdiction. Last Congress, we came very close, but we fell one agency short. The Commodities Future Trading Commission ended the year as it began it, unauthorized.

The Commission, in fact, has not been reauthorized since October 2013. And since that time, the House of Representatives have voted twice to fix that problem. The most recent effort was in June of 2015. Tomorrow, if we pass H.R. 238, will be the third time this House has done its work on this oversight business. Under this rule, we have the opportunity to pick up where we left off and resume the House's debate on the Commodity End-User Relief Act.

The text of H.R. 238 is identical to the legislation passed by this House last Congress, except for four changes:

First, we included a specific annual spending authorization level, and it is set at the same level as last year's appropriations. This ensures compliance

with the majority leader's floor protocols on both specific authorization levels and discretionary CutGo.

Next, two sections were removed because they were already signed into law.

Finally, we removed a section that required the Commission to report to Congress on the status of a pending Board of Trade registration application. That application has been approved, so there is no longer a reason for the Commission to comply with that language.

Other than those four changes, the text of H.R. 238 includes every word passed by this House last Congress, including amendments offered by Mr. GALLEGO to encourage diversity in the Office of the Chief Economist, as well as Mr. Takai to identify information security vulnerabilities.

This bill does not just reauthorize the CFTC. It also makes important process reforms and targeted changes to help Main Street businesses continue to access the risk management tools that they need to serve their customers.

Over the past 4½ years, the House Committee on Agriculture has held almost two dozen hearings examining the Commission and investigating the impacts that the Dodd-Frank Act has had on derivatives markets. What we have found is that some of the rules have had unintended consequences for farmers, ranchers, manufacturers, and other businesses who use these markets to protect themselves from uncertainty.

Our witnesses, many of whom were market participants struggling to comply with burdensome rules and ambiguous portions of underlying statute, were consistent in their call for relief. To address their concerns, H.R. 238 makes reforms that fall into three broad categories: customer protections, commission reforms, and end-user relief.

The Commodity End-User Relief Act does not roll back any of the key reforms made under Dodd-Frank. What it does, however, is allow Congress to keep its promise to Main Street America: Main Street did not cause the financial crisis, so Main Street should not have to pay for it. They shouldn't have to pay for it with new fees. They shouldn't have to pay for it in new compliance obligations. They shouldn't have to pay for it in higher transactions costs. And they shouldn't have to pay for it in lost opportunities to manage their business risks.

I would like to close by thanking Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT for doing much of the heavy lifting on the committee's issues. The two of them got deep into the weeds of financial reform.

I would also like to thank Mr. LUCAS, who is a sponsor emeritus of this bill. We have been working on this issue since he was chairman, and much of

the bipartisan work he did remains in this bill.

I urge adoption of this rule and support for all the amendments that were made in order.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

When we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would require the President and Vice President of the United States, their spouses and dependent children to disclose and divest any personal financial holdings that could create a conflict of interest by placing them in a blind trust. This has been standard for previous Presidents, and this legislation ensures that that precedent continues.

In today's news conference moments ago, President-elect Trump said that he did not plan to follow with precedent and place his assets in a blind trust and would continue his direct ownership interest in them. President-elect Trump has refused to release his tax returns, refused to resolve conflicts of interest related to his business dealings. The American people expect the President to do what is best for the country and not what is best for his business or his pocket.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, to discuss our proposal, I yield 5 minutes to the distinguished gentleman from Massachusetts (Ms. CLARK), the lead sponsor of the bill that I am proud to co-sponsor.

Ms. CLARK of Massachusetts. Mr. Speaker, I rise today to urge my colleagues to vote "no" on the previous question so we can bring up the Presidential Conflicts of Interest Act.

Mr. Speaker, American families are worried. Over the last month, I have been flooded with messages from my constituents who are anxious about the direction of our country.

Never before has our country been forced to ask its incoming President if he is motivated by service to his country or if he is motivated by personal enrichment. Never before have we had a President-elect who will act as both landlord and tenant of a publicly owned property being used for private profit. Never before have we had the same people who are running a President's businesses also act as official advisers and agents. Never has a President-elect owed millions of dollars of debt to foreign banks.

The next administration will shape how our tax dollars are spent, who the Federal Government does business with, and the integrity of America's standing in the global economy.

Every President in modern history has taken voluntary steps to ensure his financial interests do not conflict with the needs of the American people. Yet, the current President-elect refuses to place his assets and his businesses in a blind trust.

The American people are left wondering whether their President-elect will work in their best interest or to line his own pockets.

Mr. Speaker, this is unprecedented. There should be no question about whether the administration will put the needs of Americans first. There is nothing partisan about transparency and accountability that comes with being the leader of the free world. That is why we should all support the Presidential Conflicts of Interest Act.

This bill strengthens transparency in the Oval Office and guarantees that the needs of the American people will never compete with or be beholden to a President's financial interests. This bill ensures that the President and Vice President's assets are placed in a certified blind trust.

□ 1300

The bill also requires Presidential appointees to recuse themselves from matters involving the President's financial conflicts of interest. Every President in recent history, from President Johnson to President Obama, has voluntarily used some form of blind trust or placed their assets in an investment vehicle over which they had no control. Our bill simply aligns the President-elect and future Presidents with this long-held practice.

The American people are counting on our leadership. Every Democrat and every Republican should want to eliminate uncertainty and promote transparency and accountability in the executive branch. I ask my colleagues to vote "no" on the previous question so we can bring this urgently needed legislation to the floor.

Mr. NEWHOUSE. Mr. Speaker, while I applaud the optimism and enthusiasm of the gentleman from Colorado (Mr. POLIS) about defeating the previous question, getting back to the debate on the rule, I have no further speakers, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I am prepared to close, and I yield myself the balance of my time.

I just want to emphasize how important it is that we defeat the previous question. There are so many questions that have been raised. Not only is it in keeping with longstanding precedent for the President to divest and place their assets in a blind trust, but it is more important than ever with this President who has a complex web of assets, nationally and internationally, which are rife with conflicts of interest for the incoming administration.

I truly hope we can act in a bipartisan way to defeat the previous ques-

tion and bring forward Ms. CLARK's simple, straightforward bill. It affects future Presidents, Republican and Democratic, and it is a very simple, commonsense piece of legislation simply saying that they will divest and place their assets in a blind trust, something that is important for both the appearance of propriety as well as for the sake of propriety.

And yet instead of focusing on legislation to investigate foreign powers undermining our recent election, instead of focusing on preventing conflicts of interest for the incoming administration, instead of focusing on legislation that would create jobs, reduce our deficit, or improve on health care, instead we have partisan legislation that hasn't gone through regular order. It has left 56 new Members representing tens of millions of Americans on the sideline.

The House passed a lot of legislation last Congress. That does not mean that we should bring every bill directly to the floor and skip the committee process, because there are 56 new Members who should also have a chance to put their imprint on legislation. The way the majority is bringing bills to the floor, it ignores the concerns of the American public; it ignores pressing issues related to the incoming President.

We have this window of time under the outgoing President to send a bill to his desk to require disclosure and divestment from the new President, but that window is rapidly closing. We will only have President Obama in the White House for another week, so time is running short.

If we act now and defeat the previous question, hopefully the Senate will act within a few days, and we can get the bill to President Obama. But the timeline is very, very short to do this. I do not expect that Mr. Trump would sign a bill that puts additional requirements on himself, although he would perhaps change that bill to affect future Presidents because it needs to be done. It is kind of shocking that we relied on precedents rather than law in this area.

I urge my colleagues to vote "no" and defeat the previous question so I can bring forward Ms. CLARK's bill as my amendment. I urge my colleagues to vote "no" on the rule, and I urge my colleagues to vote "no" on the underlying bill.

I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I certainly appreciate the discussion over the past few minutes. I believe that this rule and the underlying bills are strong measures that are important to the future of our country.

This rule provides for ample debate on the floor, the opportunity to consider and vote on both H.R. 238 and

H.R. 78, as well as every amendment that was submitted to the House Rules Committee, which reflects the balanced, open, and deliberative process afforded by this rule.

H.R. 238 is a solid, substantial measure that will address several critical issues that the CFTC and end user are facing, while also addressing the CFTC's lapsed reauthorization with reauthorizing the Commission through 2021. While some opponents have called for an open rule, this structured rule makes all eight submitted amendments in order.

Mr. Speaker, no one wants to see complete deregulation of our financial services industries and our commodities and derivatives markets. However, it is critical that the regulations put in place are appropriate for our economy and our users. These rules have to provide safeguards and prevent systemic risk but should not hinder our entire economy with one-size-fits-all regulations.

As we have discussed today, the current rules place enormous compliance and financial burdens on small businesses, on farmers and ranchers, utilities, and manufacturers. They take these small, risk-averse entities and place them under the same regulatory scheme as large financial institutions and hedge funds. H.R. 238 will differentiate and exempt the end users who are not a cause of systemic risk—as these entities inherently want to avoid risk—and, thus, shouldn't be subject to the same rules and requirements as financial and investment firms that are less risk averse in nature.

The Commodity End-User Relief Act would make much-needed reforms at the CFTC to strengthen their rule-making process and add commonsense consumer protections so these regulations are not a continual burden on our Nation's farmers and small businesses.

Mr. Speaker, the rule also provides for consideration of H.R. 78 under a structured rule and makes all five Democratic amendments in order. This legislation takes important steps to engrain a stronger commitment to economic analysis at the SEC, which will facilitate the promulgation of reasonable rules that do not unduly burden registered companies or negatively impact job creation. The measure will increase transparency and oversight, while facilitating additional analysis and reviews of existing regulations, which should be something that all Members of this body can support.

As elected Representatives, I believe we must ensure our regulatory framework is not politicized and that Federal regulators are thoroughly assessing both the need for the regulation as well as adequately evaluating its potential consequences. This bill takes important steps towards achieving all of these goals.

It is important to remember that the financial crisis was not caused by the

farmer who grows the food you eat for dinner, or by the utility you buy electricity from, or by the people who provide the wood in your desk or the metal used in your car. I don't know of any reason why we should continue to treat them as if they were responsible, which is what the current law does and is what H.R. 238 seeks to correct.

Further, better informing the American people of the true impact of major regulations does nothing to diminish the ability of regulators to adequately address illegal or inappropriate activities but, rather, increases transparency and the efficacy of Federal rules, which is why passage of H.R. 78 is so critical both to our constituents and to our economy.

Mr. Speaker, this is a strong rule that provides for open and fair consideration of these vital pieces of legislation as well as every amendment that was submitted to the House Rules Committee. I am proud to speak in favor of this rule, and I urge all of my colleagues to support House Resolution 40 and both of the underlying bills.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 40 OFFERED BY
MR. POLLS

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 371) to address financial conflicts of interest of the President and Vice President. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 371.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on agreeing to the resolution, if ordered; and suspending the rules and passing H.R. 39.

The vote was taken by electronic device, and there were—yeas 232, nays 168, not voting 34, as follows:

[Roll No. 32]

YEAS—232

Abraham Gohmert Olson
Aderholt Goodlatte Palazzo
Allen Gosar Palmer
Amash Gowdy Paulsen
Amodoi Granger Pearce
Arrington Graves (GA) Perry
Babin Graves (LA) Pittenger
Bacon Graves (MO) Poe (TX)
Banks (IN) Griffith Poliquin
Barletta Grothman Posey
Barr Guthrie Ratcliffe
Barton Harper Reed
Bergman Hartzler Reichert
Beutler Hensarling Renacci
Biggs Hice, Jody B. Rice (SC)
Bilirakis Higgins (LA) Roby
Bishop (MI) Hill Roe (TN)
Bishop (UT) Holding Rogers (AL)
Black Hollingsworth Rogers (KY)
Blackburn Hudson Rohrabacher
Blum Huizenga Rokita
Bost Hultgren Rooney, Francis
Brady (TX) Hunter Rooney, Thomas
Brat Hurd J.
Bridenstine Issa Ros-Lehtinen
Brooks (AL) Jenkins (KS) Roskam
Brooks (IN) Jenkins (WV) Ross
Buchanan Johnson (LA) Rothfus
Buck Johnson (OH) Rouzer
Bucshon Johnson, Sam Royce (CA)
Budd Jones Russell
Burgess Jordan Rutherford
Byrne Joyce (OH) Sanford
Calvert Katko Scalise
Carter (GA) Kelly (MS) Schweikert
Carter (TX) Kelly (PA) Scott, Austin
Chabot King (IA) Sensenbrenner
Chaffetz King (NY) Sessions
Cheney Kinzinger Shimkus
Coffman Knight Simpson
Cole Kustoff (TN) Smith (MO)
Collins (GA) Labrador Smith (NE)
Collins (NY) LaHood Smith (NJ)
Comer LaMalfa Smith (TX)
Comstock Lamborn Smucker
Conaway Lance Stefanik
Cook Latta Stewart
Costello (PA) Lewis (MN) Stivers
Cramer LoBiondo Taylor
Crawford Long Tenney
Culberson Loudermilk Thompson (PA)
Davidson Love Thornberry
Davis, Rodney Lucas Tiberi
Denham Luetkemeyer Tipton
Dent MacArthur Trott
DeSantis Marchant Turner
DesJarlais Marino Upton
Diaz-Balart Marshall Valadao
Donovan Massie Wagner
Duffy Mast Walberg
Duncan (SC) McCarthy Walden
Duncan (TN) McCaul Walker
Dunn McClintock Walorski
Emmer McHenry Walters, Mimi
Farenthold McKinley Weber (TX)
Faso McMorris Webster (FL)
Ferguson Rodgers Wenstrup
Fitzpatrick McSally Westerman
Fleischmann Meadows Williams
Flores Meehan Wilson (SC)
Fortenberry Messer Wittman
Foxy Mitchell Womack
Franks (AZ) Moonenar Woodall
Frelinghuysen Mooney (WV) Yoder
Gaetz Murphy (PA) Yoho
Gallagher Newhouse Young (AK)
Garrett Noem Young (IA)
Gibbs Nunes Zeldin

NAYS—168

Adams Gabbard O'Rourke
Aguilera Gallego Pallone
Barragán Garamendi Panetta
Beatty Gonzalez (TX) Pascrell
Bera Gottheimer Pelosi
Beyer Green, Gene Peters
Blumenauer Grijalva Peterson
Blunt Rochester Hanabusa Pingree
Bonamici Hastings Pocan
Boyle, Brendan Heck Polis
F. Higgins (NY) Price (NC)
Brady (PA) Himes Quigley
Brownley (CA) Hoyer Raskin
Bustos Huffman Rice (NY)
Capuano Jayapal Rosen
Carbajal Jeffries Roybal-Allard
Cárdenas Kaptur Ruiz
Carson (IN) Keating Ruppertsberger
Cartwright Kennedy Sánchez
Castor (FL) Khanna Sarbanes
Castro (TX) Kihuen Schakowsky
Chu, Judy Kildee Schiff
Cicilline Kilmer Schneider
Clark (MA) Kind Schrader
Clarke (NY) Krishnamoorthi Scott (VA)
Cleaver Kuster (NH) Scott, David
Cohen Langevin Serrano
Connolly Larsen (WA) Sewell (AL)
Conyers Larson (CT) Shea-Porter
Cooper Lawrence Sherman
Correa Lawson (FL) Sinema
Costa Levin Sires
Courtney Lieu, Ted Slaughter
Crist Lipinski Smith (WA)
Crowley Loebbeck Soto
Cuellar Lofgren Speier
Cummings Lowenthal Suozzi
Davis (CA) Lowey Swalwell (CA)
Davis, Danny Lujan Grisham, Takano
DeFazio M. Thompson (CA)
DeGette Luján, Ben Ray Thompson (MS)
Delaney Lynch Titus
DeLauro Maloney, Carolyn B. Tonko
DelBene Maloney, Sean Torres
Demings Matsui Tsongas
DeSaulnier McEachin Vargas
Deutch McGovern Veasey
Dingell McNeerney Vela
Doggett Meeks Velázquez
Doyle, Michael Meng Visclosky
F. Moulton Walz
Ellison Murphy (FL) Wasserman
Engel Napolitano Schultz
Eshoo Neal Waters, Maxine
Españolat Neal Welch
Esty Nolan Wilson (FL)
Foster Norcross Yarmuth
Frankel (FL) O'Halleran

NOT VOTING—34

Bass Harris Payne
Becerra Jackson Lee Perlmutter
Bishop (GA) Johnson (GA) Pompeo
Brown (MD) Johnson, E. B. Price, Tom (GA)
Butterfield Kelly (IL) Richmond
Clay Lee Rush
Clyburn Lewis (GA) Ryan (OH)
Curbelo (FL) McCollum Shuster
Evans Moore Watson Coleman
Fudge Mullin Zinke
Green, Al Mulvaney
Gutiérrez Nadler

□ 1332

Mr. CONYERS changed his vote from "yea" to "nay."

Mr. STIVERS changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. CURBELO of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 32.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 170, not voting 31, as follows:

[Roll No. 33]

AYES—233

Abraham Goodlatte Nunes
Aderholt Gosar Olson
Allen Gowdy Palazzo
Amodoi Granger Palmer
Arrington Graves (GA) Paulsen
Babin Graves (LA) Pearce
Bacon Graves (MO) Perry
Banks (IN) Griffith Pittenger
Barletta Grothman Poe (TX)
Barr Guthrie Poliquin
Barton Harper Posey
Bergman Hartzler Reichert
Beutler Hensarling Ratcliffe
Biggs Hice, Jody B. Reed
Bilirakis Higgins (LA) Renacci
Bishop (MI) Hill Rice (SC)
Bishop (UT) Holding Roby
Black Hollingsworth Roe (TN)
Blackburn Hudson Rogers (AL)
Blum Huizenga Rogers (KY)
Bost Hultgren Rohrabacher
Brady (TX) Hunter Rokita
Brat Hurd Rooney, Francis
Bridenstine Issa Rooney, Thomas
Brooks (AL) Jenkins (KS) J.
Brooks (IN) Jenkins (WV) Ros-Lehtinen
Buchanan Johnson (LA) Roskam
Buck Johnson (OH) Ross
Bucshon Johnson, Sam Rothfus
Budd Jones Rouzer
Burgess Jordan Royce (CA)
Byrne Joyce (OH) Russell
Calvert Katko Rutherford
Carter (GA) Kelly (MS) Sanford
Carter (TX) Kelly (PA) Scalise
Chabot King (IA) Schweikert
Chaffetz King (NY) Scott, Austin
Cheney Kinzinger Sensenbrenner
Coffman Knight Sessions
Cole Kustoff (TN) Shimkus
Collins (GA) Labrador Shuster
Collins (NY) LaHood Simpson
Comer LaMalfa Sinema
Comstock Lamborn Smith (MO)
Conaway Lance Smith (NE)
Cook Costello (PA) Smith (NJ)
Cramer Lewis (MN) Smith (TX)
Crawford LoBiondo
Culberson Long Smucker
Curbelo (FL) Loudermilk
Davidson Love Stefanik
Davis, Rodney Lucas Stewart
Denham Luetkemeyer Stivers
Dent MacArthur Taylor
DeSantis Marchant Tenney
DesJarlais Marino Thompson (PA)
Diaz-Balart Marshall Thornberry
Donovan Massie Tiberi
Duffy Mast Tipton
Duncan (SC) McCarthy Upton
Duncan (TN) McCaul Valadao
Dunn McClintock Wagner
Emmer McHenry Walberg
Farenthold McKinley Walden
Faso McMorris Walker
Ferguson Rodgers Walorski
Fitzpatrick McSally Westerman
Fleischmann Meadows Walters, Mimi
Flores Meehan Weber (TX)
Fortenberry Messer Weber (FL)
Foxy Mitchell Wenstrup
Franks (AZ) Moonenar Westerman
Gaetz Mooney (WV) Williams
Gallagher Mullin Williams
Garrett Murphy (PA) Wilson (SC)
Gibbs Newhouse Wittman
Gohmert Noem Womack

Woodall
Yoder

Yoho
Young (AK)

NOES—170

Adams
Aguilar
Amash
Barragán
Beatty
Bera
Beyer
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Bustos
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españat
Esty
Foster
Frankel (FL)

Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jayapal
Jeffries
Kaptur
Keating
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Levin
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Matsui
McCaul
McCollum
McGovern
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
DesJarlais
Huizenga
Hultgren
Hurd
Issa
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Joyce (OH)
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa

Young (IA)
Zeldin

O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Pelosi
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Welch
Wilson (FL)
Yarmuth

TESTED ABILITY TO LEVERAGE
EXCEPTIONAL NATIONAL TAL-
ENT ACT OF 2017

The SPEAKER pro tempore. The un-
finished business is the vote on the mo-
tion to suspend the rules and pass the
bill (H.R. 39) to amend title 5, United
States Code, to codify the Presidential
Innovation Fellows Program, and for
other purposes, on which the yeas and
nays were ordered.

The Clerk read the title of the bill.
The SPEAKER pro tempore. The
question is on the motion offered by
the gentleman from Texas (Mr. HURD)
that the House suspend the rules and
pass the bill.

This is a 5-minute vote.
The vote was taken by electronic de-
vice, and there were—yeas 386, nays 17,
not voting 31, as follows:

[Roll No. 34]
YEAS—386

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Beatty
Bera
Bergman
Beutler
Beyer
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)

Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Levin
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McColum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes

O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Pearce
Pelosi
Peters
Peterson
Pingree
Pittenger
Pocan
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Russell
Sánchez
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus

Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—31

Bass
Becerra
Bishop (GA)
Brown (MD)
Butterfield
Clay
Clyburn
Cole
Evans
Frelinghuysen
Fudge

Green, Al
Harris
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Lee
Lewis (GA)
Moore
Mulvaney
Nadler

Payne
Perlmutter
Pompeo
Price, Tom (GA)
Richmond
Rush
Ryan (OH)
Watson Coleman
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during
the vote). There are 2 minutes remain-
ing.

□ 1339

Mr. CUMMINGS changed his vote
from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced
as above recorded.

A motion to reconsider was laid on
the table.

NAYS—17

Amash
Brat
Brooks (AL)
Buck
Budd
Gohmert

Gosar
Griffith
Grothman
Hunter
Jones
Jordan

Labrador
Massie
Perry
Poe (TX)
Sanford

NOT VOTING—31

Bass
Becerra
Bishop (GA)
Brown (MD)
Butterfield
Clay
Clyburn
Cole
Evans
Fudge
Green, Al
Harris

Jackson Lee
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Lee
Lewis (GA)
Moore
Mulvaney
Nadler
Payne
Perlmutter

Pompeo
Price, Tom (GA)
Richmond
Rush
Rutherford
Ryan (OH)
Waters, Maxine
Watson Coleman
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during
the vote). There are 2 minutes remain-
ing.

□ 1346

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BROWN of Maryland. Mr. Speaker, I regrettably was absent from the following votes in order to attend the Senate confirmation hearing for Attorney General nominee Senator SESSIONS. Had I been present, I would have voted "nay" on rollcall No. 32, "nay" on rollcall No. 33, and "yea" on rollcall No. 34.

PERSONAL EXPLANATION

Mr. CLAY. Mr. Speaker, I attended Senate confirmation hearing for U.S. Attorney General in Judiciary Committee. Had I been present, I would have voted "nay" on rollcall No. 32, "nay" on rollcall No. 33, and "yea" on rollcall No. 34.

PERSONAL EXPLANATION

Mr. EVANS. Mr. Speaker, I attended Senate hearing. Had I been present, I would have voted "nay" on rollcall No. 32, "nay" on rollcall No. 33, and "yea" on rollcall No. 34.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, on Wednesday, January 11, 2017, I was unavoidably detained attending to representation duties and was not present for rollcall Votes 32 through 34. Had I been present, I would have voted as follows: On rollcall 32, I would have voted "no." On rollcall 33, I would have voted "no." On rollcall 34, I would have voted "aye."

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

REGULATORY ACCOUNTABILITY
ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore (Mr. ALLEN). Pursuant to House Resolution 33 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5.

The Chair appoints the gentleman from Illinois (Mr. BOST) to preside over the Committee of the Whole.

□ 1350

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 5) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes, with Mr. BOST in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is a new day in America. For 8 years, the Obama administration has brought us one thing in response to the Nation's need for recovery from hard times—failure.

Bold, innovative measures to unleash American freedom, opportunity, and resourcefulness could have brought prosperity's return after the Great Recession, just as under Ronald Reagan following his era's recession.

But the Obama administration responded differently, with measure after overreaching measure, through regulation, taxes, and spending. It was consumed by the folly of trying to force transformation from the American people through command and control from Washington. Everywhere it went, it sought to choose the winners and losers.

When Washington tries to choose the winners and losers, we all lose. And lose we have. We have a national debt of \$20 trillion thanks to the outgoing administration's blowout spending. We have an economy that for 8 years has failed to produce enough good, new, full-time jobs to sustain growth and restore dignity to the unemployed. We have 92 million Americans outside the workforce, a level not seen since the Carter years, and nearly \$2 trillion of American wealth is commandeered each year to be spent as Washington bureaucrats see fit, through runaway regulation.

But it is a new day in America. An incoming administration promises a new approach to make America great again. Central to that approach is regulatory reform. The Obama administration abused regulation to force its will on the American people. The assembling Trump administration promises to wipe out abusive regulation, freeing Americans to innovate and prosper once more. Today's legislation will give this new administration the tools.

The heart of today's bill, the Regulatory Accountability Act, title I, restores to the people the true right to be

heard by Washington's regulators. It commands Washington bureaucrats to listen to the facts and ideas offered by the people and to follow them when they are better than the bureaucracy's own. It calls on regulatory agencies to achieve the benefits Congress has called on them through statutes to achieve. But it gives the people full opportunities to offer fresh alternatives for doing so and to vet with the agencies the facts and ideas that work and those that don't.

After the public has fully contributed its say, agencies must choose the lowest cost alternative proven to work, achieving the needed benefits but rejecting unneeded costs. That leaves resources free to generate the benefits, create the jobs, and yield the higher wages only the private sector, through hard work and ingenuity, can achieve.

The other titles of the bill strongly buttress this reform.

Title II, the Separation of Powers Restoration Act, wipes out judicial deference to agency interpretations of statutes and regulations and restores to our system of checks and balances the rule Justice Marshall declared in *Marbury v. Madison* that "it is emphatically the province and duty of the judicial department to say what the law is"—not the bureaucracy. When title II is law, our courts will no more be rubber stamps for runaway regulatory interpretations that burst the bounds of what Congress truly intended through statutes.

Title III, the Small Business Regulatory Flexibility Improvements Act, provides teeth to existing law written to prompt regulatory agencies to tailor flexibility for small businesses into their rules. Small businesses have fewer resources to comply with Washington's mandates. They need flexibility to survive. The terms of existing law for too long have been ignored by Washington bureaucrats. Title III assures the law will no longer be ignored, resulting in freedom and flexibility for America's small businesses, which create the lion's share of new jobs in this country and are pillars of communities across this land.

Title IV prevents one of the most egregious of bureaucrats' regulatory abuses: the promulgation of new rules that impose over a billion dollars in annual compliance costs, which must then be complied with even while meritorious litigation challenging their issuance proceeds in court. Title IV, the REVIEW Act, eliminates this abuse, forcing agencies to stay their billion-dollar rules administratively if they are timely challenged in court.

And in titles V and VI of the bill, the ALERT Act and the Providing Accountability Through Transparency Act, this legislation delivers much-needed, greater transparency for the public about what new regulations agencies are developing and proposing

so they can better prepare to comment on what is proposed, shape what is promulgated, and comply with final rules.

With the help of these reforms, we can truly make America more competitive again, put Americans back to work, and free America's entrepreneurs to innovate and launch more exciting new products and services again.

I thank my colleagues, Small Business Committee Chairman CHABOT, Subcommittee Chairman MARINO, Representative RATCLIFFE, and Representative LUETKEMEYER, who have joined me in contributing titles to this legislation.

I urge all of my colleagues to support this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 6, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 5, the Regulatory Accountability Act of 2017. As you know, the Committee on the Judiciary received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on January 3, 2017. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, January 6, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for consulting with the Committee on the Judiciary and agreeing to be discharged from further consideration of H.R. 5, the "Regulatory Accountability Act," so that the bill may proceed expeditiously to the House floor.

I agree that your foregoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 5 into the Congressional Record during floor consideration of the bill. I appreciate your

cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

BOB GOODLATTE
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, January 6, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, House of Representatives.

DEAR CHAIRMAN GOODLATTE: I am writing to you regarding H.R. 5, the "Regulatory Accountability Act of 2017." The legislation falls within the jurisdiction of the Committee on Small Business pursuant to Rule X, c1.1(q) of the Rules of the House.

In the interest of permitting the Committee on the Judiciary to proceed expeditiously to consideration of H.R. 5 on the House floor, I agree that the Committee on Small Business be discharged from further consideration of the bill. I do so with the understanding that by waiving consideration of the bill, the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of the Committee on Small Business to any House-Senate conference that may be convened on this legislation.

Finally, I would appreciate your response to this letter and would ask that a copy our exchange of letters be included in the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this issue and others between our respective committees.

Sincerely,

STEVE CHABOT,
Chairman.

CONGRESS OF THE UNITED STATES,
Washington, DC, January 6, 2017.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business.

DEAR CHAIRMAN CHABOT: Thank you for consulting with the Committee on the Judiciary and agreeing to be discharged from further consideration of H.R. 5, the "Regulatory Accountability Act," so that the bill may proceed expeditiously to the House floor.

I agree that your foregoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 5 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition, of course, to H.R. 5, the so-called Regulatory Accountability Act.

Under the guise of improving the regulatory process, H.R. 5 will, in truth,

undermine that process and jeopardize the ability of government agencies to safeguard public health and safety, the environment, workplace safety, and consumer financial protections.

It is not a pleasant picture. The ways in which this legislation accomplishes this result are almost too numerous to list here, but, of course, I will mention a few.

For example, title I of the bill would impose more than 70 new analytical requirements that will add years to the rulemaking process.

Is that what we want to do? I don't think so.

Worse yet, many of these new requirements are intended to facilitate the ability of regulated entities—such as well-funded corporate interests—to intervene and derail regulatory protections they oppose. And it would function as a "super-mandate," overriding critical laws that Congress specifically intended to prohibit agencies from considering costs when American lives are at stake.

Additionally, the bill creates numerous procedural hurdles in the rulemaking process, further endangering American lives through years of delay and increasing the likelihood of regulatory capture.

□ 1400

For example, H.R. 5 dramatically expands the use of formal rulemaking, a time- and resource-intensive process, requiring formal, trial-like hearings for certain rules. Formal rulemaking has long been roundly rejected for good cause as being excessively costly and ill-suited for complex policy issues.

The administrative section of the American Bar Association noted that "these provisions run directly contrary to a virtual consensus in the administrative law community that the Administrative Procedure Act formal rulemaking procedure is obsolete."

I am also concerned that H.R. 5 would impose an arbitrary, one-size-fits-all, 6-month delay on virtually every new rule. Specifically, title V of the bill will prohibit agency rules from becoming effective until the information required by the bill has been available online for 6 months with only limited exception.

Clearly, H.R. 5 fails to take into account a vast array of time-sensitive rules ranging from the mundane, such as the frequent United States Coast Guard bridge closings regulations, to those that protect public health and safety, such as forthcoming updates to the Lead and Copper Rule by the Environmental Protection Agency to reduce the lead in public drinking water.

Finally, title II of H.R. 5 would eliminate judicial deference to agencies and require Federal courts to review all agency rulemakings and interpretations of statutes on a de novo basis. The unfortunate result of this requirement is that the bill would empower a

generalist court to override the determinations of agency experts, regardless of the judge's technical knowledge and understanding of the underlying subject matter.

By eliminating any deference to agencies, H.R. 5 would force agencies to adopt even more detailed factual records and explanations, which would further delay the finalization of critical lifesaving regulatory protections.

The Supreme Court has recognized that Federal courts simply lack the subject-matter expertise of agencies, are politically unaccountable, and should not engage in making substantive determinations from the bench. It is ironic that those who have long decried judicial activism now support facilitating a greater role for the judiciary in agency rulemaking.

These are only a few of the many serious concerns presented by H.R. 5, and, accordingly, I urge my colleagues to strongly oppose this dangerous legislation.

Mr. Chairman, I reserve the balance of my time.

AFL-CIO
LEGISLATIVE ALERT,

Washington, DC, January 10, 2017.

DEAR REPRESENTATIVE: On behalf of the AFL-CIO, I am writing to express our strong opposition to H.R. 5, the Regulatory Accountability Act of 2017. This sweeping bill, which packages six anti-regulatory measures passed by the House in the last Congress, would upend 40 years of labor, health, safety and environmental laws, threaten new needed protections leaving workers and the public in danger. The AFL-CIO urges you to oppose this harmful legislation.

The Regulatory Accountability Act (RAA) is drafted as an amendment to the Administrative Procedure Act (APA), but it goes far beyond establishing procedures for rule-making. The RAA acts as a "super mandate" overriding the requirements of landmark legislation such as the Occupational Safety and Health Act and Mine Safety and Health Act. The bill would require agencies to adopt the least costly rule, instead of the most protective rule as is now required by the OSH Act and MSH Act. It would make protecting workers and the public secondary to limiting costs and impacts on businesses and corporations.

The RAA will not improve the regulatory process; it will cripple it. The bill adds dozens of new analytical and procedural requirements to the rulemaking process, adding years to an already slow process. The development of major workplace safety rules already takes 8–10 years or more, even for rules where there is broad agreement between employers and unions on the measures that are needed to improve protections. OSHA's silica standard to protect workers from deadly silica dust took nearly 19 years and the beryllium standard 15 years. The RAA will further delay needed rules and cost workers their lives.

The RAA substitutes formal rulemaking for the current procedures for public participation for high impact rules and other major rules upon request. These formal rulemaking procedures will make it more difficult for workers and members of the public to participate, and give greater access and influence to business groups that have the resources to hire lawyers and lobbyists to par-

ticipate in this complex process. For agencies that already provide for public hearings, such as OSHA and MSHA, the bill would substitute formal rulemaking for the development of all new rules, overriding the effective public participation processes conducted by these agencies.

H.R. 5 would subject all agencies—including independent agencies like the Securities and Exchange Commission, the National Labor Relations Board (NLRB), Consumer Product Safety Commission (CPSC), and the Consumer Financial Protection Bureau (CFPB) to these new analytical and procedural requirements. It would be much more difficult for agencies to develop and issue new financial reform rules and consumer protection rules required under recently enacted legislation.

This radical legislation doesn't just apply to regulations; it would also require agencies to analyze the costs and benefits of major guidance documents, even though these documents are non-binding and have no legal force. Guidance documents are an important tool for agencies to disseminate information on significant issues and hazards quickly in order to protect the public and workers. For example, in response to the Ebola virus threat, the Centers for Disease Control (CDC) issued critical guidance documents in order to prevent the spread of disease, including recommendations for infection control and protections for healthcare workers and emergency responders. Similar guidance was issued to prevent transmission of the Zika virus. Under the RAA's provisions, CDC would be required to assess the costs and benefits of these major guidance documents, making it virtually impossible to provide information and recommendations in a timely manner.

H.R. 5 also includes a grab bag of other harmful anti-regulatory measures that thwart, weaken and undermine protections. The Separation of Powers Restoration Act abolishes judicial deference to agencies' statutory interpretations in rulemaking requiring a court to decide all relevant questions of law de novo, allowing courts to substitute their own policy judgements for the agencies' expert policy determinations. The Small Business Regulatory Flexibility Improvements Act (SBRFIA) imposes numerous unnecessary new analytical and procedural requirements on all agencies. It gives the Chief Counsel of the Small Business Administration's (SBA) Office of Advocacy, which in practice operates largely as a mouthpiece for large business interests, new broad powers to second guess and challenge agency rules. The Require Evaluation before Implementing Executive Wishlists Act (REVIEW Act) would automatically stay the implementation of any rule with an estimated annual cost of \$1 billion that has been challenged, precluding courts from making this decision, and delaying protections. Other titles add even more unnecessary requirements to the rulemaking process.

The Regulatory Accountability Act would gut the nation's safety, health and environmental laws, stripping away protections from workers and the public. It would tilt the regulatory process solidly in favor of business groups and others who want to stop regulations and make it virtually impossible for the government to issue needed safeguards. The AFL-CIO strongly opposes H.R. 5 and urges you to vote against this dangerous legislation.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs Department.

CONSUMER REPORTS,
January 10, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumer Reports and its policy and mobilization arm, Consumers Union, urge you to vote no on H.R. 5, the Regulatory Accountability Act of 2017. This dangerous proposal would do severe damage to protections consumers depend on for health, safety, and honest treatment.

Congress has charged federal agencies with protecting the public from threats such as tainted food, hazardous products, dirty air and water, and predatory financial schemes. It established these agencies, such as the Food and Drug Administration, Consumer Product Safety Commission, Environmental Protection Agency, and Consumer Financial Protection Bureau, so that public protections could be overseen by professional civil servants with specific technical and scientific expertise. In developing regulations, agencies must act in accordance with the statute and with established rulemaking procedures that require transparency and full opportunity for public input, including input from the industry that will be subject to the regulation.

We agree that the regulatory process can certainly be improved. We stand ready to support constructive efforts to reduce delays and costs while preserving important protections.

However, rather than streamlining and improving the regulatory process, the Regulatory Accountability Act of 2017 would make current problems even worse. Under H.R. 5, agencies would be required to undertake numerous costly and unnecessary additional analyses for each rulemaking, which could grind proposed rules to a halt while wasting agencies' resources. Collectively, these measures would create significant regulatory and legal uncertainty for businesses, increase costs to taxpayers and businesses alike, and prevent the executive branch from keeping regulations up to date with the rapidly changing modern economy.

One of the most damaging effects of H.R. 5 is that it would, with only limited exceptions, require federal agencies to identify and adopt the "least costly" alternative of a rule it is considering. Currently, landmark laws like the Clean Air Act, Consumer Product Safety Act, and Securities Exchange Act require implementing agencies to put top priority on the public interest. H.R. 5 would reverse this priority by requiring agencies to value the bottom-line profits of the regulated industry over their mission to protect consumers and a fair, well-functioning marketplace.

H.R. 5 also includes several other damaging measures that have not been included previously as part of the Regulatory Accountability Act. These measures would add unjustifiable costs and uncertainty to the rulemaking process, and greatly impair regulatory agencies' work.

Contrary to its name, the "Separation of Powers Restoration Act" (Title II of H.R. 5) would disrupt the carefully developed constitutional balance between the legislative, executive, and judicial branches. Courts giving appropriate deference to reasonable agency interpretations of their own statutes, as reflected in *Chevron U.S.A., Inc., v. NRDC*, 467 U.S. 837 (1984), is a well-settled approach that promotes sound and efficient agency enforcement, with effective judicial review. Under the *Chevron* doctrine, courts retain full judicial power to review agency legal interpretations, but do not simply substitute their own judgment for an agency's.

Chevron recognizes that agencies accumulate uniquely valuable expertise in the laws they administer, which makes deference from reviewing courts—which do not have that expertise—appropriate.

Overtaking this approach would lead to disaster. It would severely hamper effective regulatory agency enforcement of critical protections on which consumers depend. As the Supreme Court stated in *City of Arlington, Tex. v. F.C.C.*, 133 S. Ct. 1863, 1874 (2013): “Thirteen Courts of Appeals applying a totality-of-the-circumstances test would render the binding effect of agency rules unpredictable and destroy the whole stabilizing purpose of Chevron. The excessive agency power that the dissent fears would be replaced by chaos.” Such a move also would needlessly force the courts to repeatedly second-guess agency decisions that the courts have already concluded the agency is in the best position to make.

The REVIEW Act and the ALERT Act (Titles IV and V of H.R. 5) would cause additional needless and damaging delays to public protections. The REVIEW Act—which would block “high-impact” rules until every industry legal challenge has run its full course—would tie up agencies in court indefinitely, potentially making it impossible to address pressing national problems. The ALERT Act would subject most new rules to a delay of at least six months, and require agencies to waste resources complying with repetitive reporting requirements.

Like the bill’s proponents, we believe regulations should be smart, clear, and cost-effective. However, H.R. 5 does not accomplish this objective. Instead of improving the regulatory process, the Regulatory Accountability Act of 2017 would make it dramatically slower, more costly to the nation, and far less effective at protecting health, safety, and other essential consumer priorities.

We strongly urge you to stand up for critical public protections and vote no on H.R. 5.

Sincerely,

LAURA MACCLEERY,
Vice President, Consumer Policy and Mobilization, Consumer Reports.

GEORGE P. SLOVER,
Senior Policy Counsel, Consumers Union.

WILLIAM C. WALLACE,
Policy Analyst, Consumers Union.

CONSUMER FEDERATION OF AMERICA,

January 10, 2017.

Re Oppose legislation on House Floor to undermine crucial consumer protections: H.R. 5.

DEAR REPRESENTATIVE: The Regulatory Accountability Act of 2017 (H.R. 5) would handcuff all federal agencies in their efforts to protect consumers. H.R. 5 is a vastly expanded version of previous versions of the Regulatory Accountability Act (RAA). H.R. 5 not only significantly and problematically amends the Administrative Procedures Act (APA) which has guided federal agencies for many decades but also now incorporates five additional bills that thwart the regulatory process: the Small Business Regulatory Flexibility Improvement Act; the Require Evaluation before Implementing Executive Wishlists Act (REVIEW Act); the All Economic Regulations are Transparent Act (ALERT Act); the Separation of Powers Restoration Act; and the Providing Accountability Through Transparency Act. These titles make an already damaging bill even worse.

Specifically, the RAA would require all agencies, regardless of their statutorily mandated missions, to adopt the least costly rule, without consideration of the impact on public health and safety or the impact on our financial marketplace. As such, the RAA would override important bipartisan laws that have been in effect for years, as well as more recently enacted laws to protect consumers from unfair and deceptive financial services, unsafe food and unsafe consumer products.

For example, the RAA would likely have prevented the Federal Reserve from adopting popular credit card rules under the Truth in Lending Act in 2008 that prevented card companies from unjustifiably increasing interest rates and fees on consumers. This is because these far-reaching changes to abusive practices that were widespread in the marketplace were not the “least costly” options that were considered, although they were arguably the most cost-effective.

The RAA would have a chilling impact on the continued promulgation of important consumer protections. Had it been in effect, for example, the RAA would have severely hampered the implementation of essential and long-standing food safety regulations, such as those requiring companies to prevent contamination of meat and poultry products with deadly foodborne pathogens. In fact, the Centers for Disease Control and Prevention has credited the implementation of regulations prohibiting contamination of ground beef with *E. coli* O157:H7 as one of the factors contributing to the recent success in reducing *E. coli* illnesses among U.S. consumers.¹ But such benefits are impossible to quantify before a rule is enacted.

Further, had the RAA been in effect the necessary child safety protections required by the Consumer Product Safety Improvement Act of 2008 (CPSIA) may have never been implemented. For example, between 2007 and 2011 the Consumer Product Safety Commission (CPSC) recalled 11 million dangerous cribs. These recalls followed 3,584 reports of crib incidents, which resulted in 1,703 injuries and 153 deaths. As a direct result of the CPSIA, CPSC promulgated an effective mandatory crib standard that requires stronger mattress supports, more durable hardware, rigorous safety testing, and stopped the manufacture and sale of drop-side cribs. If the RAA were implemented, such a life saving rule could have been delayed for years or never promulgated at all, at countless human and financial cost.

The RAA also would add dozens of additional substantive and procedural analyses, as well as judicial review to the rulemaking process for every major rule. It would: expand the kind of rules that must go through a formal rulemaking process; require agencies to determine “indirect costs” without defining the term; require an impossible-to-conduct estimation of a rule’s impact on jobs, economic growth, and innovation while ignoring public health and safety benefits; and expand the powers of the White House’s Office of Management and Budget’s Office of Information and Regulatory Affairs to throw up numerous rulemaking roadblocks, including requiring them to establish guidelines for conducting cost-benefit analysis. This would further delay or prevent the promulgation of much needed consumer protections.

The new titles of H.R. 5 also add numerous roadblocks to the promulgation of necessary consumer protections. The Separation of Powers Restoration Act (Title II) eliminates judicial deference that agencies are granted when rules are challenged in court. This al-

lows judicial activism and political considerations to trump agency expertise. The Small Business Regulatory Flexibility Improvement Act (Title III) would increase regulatory delays and create new opportunities for court challenge to regulations. The Require Evaluation before Implementing Executive Wishlists Act (REVIEW Act) (Title IV) would encourage frivolous legal challenges and infuse the regulatory process with years of delay by requiring courts reviewing “high-impact” regulations to automatically “stay” or block the enforcement of such regulations until all litigation is resolved. The All Economic Regulations are Transparent Act (ALERT Act) (Title V) would also blatantly and purposefully lengthen the regulatory process by requiring a six-month delay in the development of regulations.

We urge you to oppose this significant threat to consumer protection, a fair marketplace, health, and safety posed by H.R. 5. If adopted, this proposal would waste federal resources, minimize the ability of federal agencies to do their jobs, grind the regulatory process to a halt, and infuse the regulatory process with roadblocks preventing the protection of the public and ultimately putting American consumers at risk.

We strongly urge you to oppose this harmful bill.

Sincerely,

RACHEL WEINTRAUB,
Legislative Director and General Counsel.

COALITION FOR SENSIBLE SAFEGUARDS,

January 10, 2017.

Re Floor vote of H.R. 5, the Regulatory Accountability Act of 2017.

DEAR REPRESENTATIVE: The Coalition for Sensible Safeguards (CSS), an alliance of over 150 labor, scientific, research, good government, faith, community, health, environmental, and public interest groups, strongly opposes H. R. 5, the Regulatory Accountability Act of 2017 (RAA), which will be voted on this week.

H.R. 5 is a compilation of radical and harmful legislative proposals that will permanently cripple the government’s ability to protect the public by rigging the regulatory process against new regulatory safeguards in favor of deregulation or regulatory inaction. The bill is just as dangerous and extreme as the REINS Act (H.R. 26) and the Midnight Rules Relief Act (H.R. 21).

All of these bills are designed to make it as difficult as possible for federal agencies to implement existing or new laws that ensure our access to clean air and water, safe workplaces, untainted food and drugs, safe toys and consumer goods, and a stable financial system free of Wall Street recklessness. On the other hand, deregulatory actions that repeal existing rules are exempt by virtue of the legislation’s myopic focus on “costs” to incorporate special interests instead of “benefits” to the public. In short, the legislation will create a double standard in our regulatory system that systematically favors deregulation over new public protections and “fast-tracks” the repeal of rules while paralyzing the creation of new ones.

The new version of the RAA, introduced in this Congress, takes the previous RAA legislation and folds in several destructive pieces of other so-called regulatory reform bills including: the misleadingly named Small Business Regulatory Flexibility Improvements Act, the Require Evaluation before Implementing Executive Wishlists Act (REVIEW Act), the All Economic Regulations are Transparent Act (ALERT Act), the Separation of Powers Restoration Act and the Providing Accountability Through Transparency Act. These pieces of other bills seek

to worsen an already destructive bill and add several more corrosive layers intending to dismantle our public protections.

The current rulemaking process is already plagued with lengthy delays, undue influence by regulated industries, and convoluted court challenges. If passed, Title I of this bill would make each of these problems substantially worse and would undermine our public protections and jeopardize public health by threatening the safeguards that ensure our access to clean air and water, safe workplaces, untainted food and drugs, and safe toys and consumer goods.

Rather than enhancing protections, it does the exact opposite. It adds 80 new analytical requirements to the Administrative Procedure Act and requires federal agencies to conduct estimates of all the "indirect" costs and benefits of proposed rules and all potential alternatives without providing any definition of what constitutes, or more importantly, does not constitute an indirect cost. The legislation would significantly increase the demands on already constrained agency resources to produce the analyses and findings that would be required to finalize any new rule. Thus, the RAA is designed to further obstruct and delay rulemaking rather than improve the regulatory process.

This legislation creates even more hoops for "major" or "high-impact" rules i.e., rules that provide society with the largest health and safety benefits. It would allow any interested person to petition the agency to hold a public hearing on any "genuinely disputed" scientific or factual conclusions underlying the proposed rule. This provision would give regulated industries multiple opportunities to challenge agency data and science and thus further stretch out the already lengthy rulemaking process.

H.R. 5 would also create a restrictive mandate of a "one-size-fits-all" directive that every federal agency adopt the "least costly" alternative. This is a profound change and effectively creates a "super-mandate" for all major regulatory actions of executive and independent agencies which overrides twenty-five existing statutes, including the Clean Air Act, the Clean Water Act, the Occupational Safety and Health Act, and the Consumer Product Safety Improvement Act. These laws prioritize public health, safety, and economic security, not the cost concerns of regulated entities.

Title II of H.R. 5 is the Separation of Powers Restoration Act piece which seeks to destroy the Chevron deference principal. It would remove the judicial deference that agencies are granted when their regulations are challenged in court. This would be a radical change that upends one of the fundamental principles in administrative law, namely that courts should not second-guess scientific and technical expertise at federal agencies. Overly intrusive judicial review is one of the primary reasons for regulatory delay and paralysis and this legislation would make those problems much worse.

The misleadingly named Small Business Regulatory Flexibility Improvements Act (Title III) is a Trojan horse that would expand the reach and scope of regulatory review panels, increase unnecessary regulatory delays, increase undue influence by regulated industries and encourage convoluted court challenges all in the name of helping "small business," but so expansively applied that mostly big businesses would benefit. Because the bill mandates that these panels look at "indirect costs," which are defined very broadly, it could be applied to virtually any agency action to develop public protec-

The REVIEW Act (Title IV) would make our system of regulatory safeguards weaker by requiring courts reviewing "high-impact" regulations to automatically "stay" or block the enforcement of such regulations until all litigation is resolved, a process that takes many years to complete. It would add several years of delay to an already glacially slow rulemaking process, invite more rather than less litigation, and rob the American people of many critical upgrades to science-based public protections, especially those that ensure clean air and water, safe food and consumer products, safe workplaces, and a stable, prosperous economy.

The ALERT Act (Title V) is designed to impede the government's ability to implement critical new public health and safety protections by adding a six-month delay. This amounts to a six-month regulatory moratorium, even after the often lengthy period required for developing and finalizing these regulations. Such delays could extend well beyond that initial six-month period should the OIRA Administrator fail to post the required information in a timely manner.

This new version of the RAA would override and threaten decades of public protections. The innocuous-sounding act is, in reality, the biggest threat to public health standards, workplace safety rules, environmental safeguards, and financial reform regulations to appear in decades. It acts as a "super-mandate," rewriting the requirements of landmark legislation such as the Clean Air Act and the Occupational Safety and Health Act and distorting their protective focus to instead prioritize compliance costs.

We strongly urge opposition to H.R. 5, the Regulatory Accountability Act of 2017.

Sincerely,

ROBERT WEISSMAN,
President, Public Citizen Chair,
Coalition for Sensible Safeguards.

AFSCME,
WE MAKE AMERICA HAPPEN,
Washington, DC, January 9, 2017.

DEAR REPRESENTATIVE: On behalf of the 1.6 million working and retired members of the American Federation of State, County and Municipal Employees (AFSCME), I am writing to urge you to oppose the Regulatory Accountability Act of 2017 (H.R. 5). This reckless legislation would severely undermine the nation's ability to ensure that workers are safe on the job and in the marketplace. If enacted, H.R. 5 would effectively end the federal government's ability to enact new protections on behalf of the American people. Instead, the Regulatory Accountability Act looks to protect businesses from people as a platform for policymaking.

The Regulatory Accountability Act would upset the constitutional balance between branches of the government and impose new burdens on an already cumbersome regulatory process. In rulemaking, federal agencies must adhere to the requirements of the statute being implemented, and are often given a roadmap from Congress. From there, federal agencies must also follow the robust procedural and analytical requirements of the Administrative Procedure Act, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, and the Congressional Review Act.

The Regulatory Accountability Act adds more than 70 steps to the regulatory process while giving corporate interests more opportunities to influence and weaken standards. It would require unnecessary Advance No-

tices for a large number of rules, and impose unnecessary new evidentiary standards as a condition of rulemaking. It would subject the regulatory process to unneeded rounds of litigation.

The Regulatory Accountability Act of 2017 will prevent agencies from growing and addressing new issues for environmental, public health, workplace safety and consumer financial security protections. We urge you to oppose this legislation.

Sincerely,

SCOTT FREY,

Director of Federal Government Affairs.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ) who is the chairman of the Oversight and Government Reform Committee and a member of the Judiciary Committee.

Mr. CHAFFETZ. Mr. Chairman, I want to thank Chairman GOODLATTE. I also want to thank Congressman RATCLIFFE of Texas.

Included in H.R. 5 is the All Economic Regulations Are Transparent Act, or the ALERT Act. I want to highlight that, in the past two Congresses, the ALERT Act was reported favorably out of the Committee on Oversight and Government Reform.

The ALERT Act itself is simply a transparency bill. It requires the administration to provide meaningful information about upcoming regulations online before those are actually issued. Early online disclosure will create the need for transparency so the public can see what is on the horizon.

Each month, Federal agencies will be required to list all regulations expected to be proposed or finalized within the following year. For each regulation on the list, the issuing agency is required to provide basic information to the public about that regulation. This includes the objectives of the regulation, the legal basis for the regulation, and where it stands in the rulemaking process.

If the agency expects to finalize the regulation within the following year, the agency is also required to provide information about the impact of the regulation. This includes estimates on the costs, the completion date, and the economic effects of the regulation, including the net effect on jobs—something that doesn't happen now but seems to be just common sense.

In this 21st century, Federal agencies should have to show their work online so the public can engage. That is why I like what Mr. RATCLIFFE has championed since he has become a Member of this Congress. Let's also understand and remember that, by the administration's own estimates, Federal regulations promulgated over the last 10 years have imposed the cost of at least \$100 billion annually on the American taxpayers.

Again, I appreciate Chairman GOODLATTE's work and commitment on this issue. I want to thank, again, our good friend, Congressman JOHN RATCLIFFE,

for his work on this. The Oversight and Government Reform Committee has looked upon this very favorably. We are very supportive of the overall bill, as well as this specific provision.

Mr. CONYERS. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT) who is a very active former member of the Judiciary Committee.

Mr. SCOTT of Virginia. Mr. Chairman, I thank my friend for yielding.

Mr. Chairman, over the past 2 weeks, the majority has considered three bills on the House floor designed to undermine the ability of the executive branch to implement essential economic and public health protections for the people we have the honor to represent: the so-called Midnight Rules Relief Act, which could retroactively disallow rules issued as far back as June of last year; the REINS Act, which requires a majority vote of both Houses of Congress before any major rule can go into effect; and today's Regulatory Accountability Act, which is an 82-page omnibus bill which would effectively tie the executive branch into so much red tape that environmental, workplace, and consumer protections might never see the light of day.

By enacting these statutes, Congress would impair the constitutional duty of the executive branch to "take care that laws be faithfully executed" and replace them with a series of layers that can be applied by deep-pocketed special interests, including one provision that prevents some rules from going into effect that may affect public safety if somebody files a lawsuit.

The question is: Who loses when these playing fields are tilted this way? Well, just a couple within the jurisdiction of the Committee on Education and Labor, 4.2 million working people would lose. That is the number of people who would be eligible for overtime pay as a result of the responsible actions taken by the Obama administration. They would lose the benefit of overtime for time worked in excess of 40 hours a week. Working families and seniors could lose their retirement savings.

Last year, the Obama administration released a fiduciary rule that ensures that retirement savings are protected from financial advisers who may prioritize fees over services. Without the rule, working families and seniors could lose billions of dollars every year in retirement savings by being unnecessarily charged by unscrupulous financial advisers.

Students in low-income school districts could lose. Without the Department of Education's new supplement-not-supplant rule, these students would lose critical resources, and those resources would be redirected to wealthier districts.

So let's be clear. The bill before us is not on the side of children, workers,

and retirees. Instead, the bill throws sand in the gears of the regulatory process by adding more layers to the process, rigging it in favor of powerful corporate interests, and encouraging frivolous lawsuits. That is not what Congress should be focusing on. Instead, we should be building on the progress that has been achieved over the last 8 years. We should be considering legislation that increases wages, improves the lives of working families, increases access to high quality child care and early childhood education, supports quality public schools in every neighborhood, makes colleges more affordable, helps American families balance work and family life, and empowers workers to organize and collectively bargain.

That has been the focus of my Democratic colleagues on the Education and the Workforce Committee, and that focus will remain in the years ahead. So I urge the majority to partner with us to protect and promote the rights of working people and students by defeating this bill.

Mr. GOODLATTE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCARTHY) who is the distinguished majority leader of the House.

Mr. MCCARTHY. Mr. Chairman, I thank the gentleman for yielding, and I thank the chairman for his work. I would also like to highlight a few Members whose work is inside this bill. First, Congressman MARINO, Congressman RATCLIFFE, Chairman CHABOT, and Congressman LUETKEMEYER have all done a tremendous amount of work to make this bill here today, and I appreciate that.

Mr. Chairman, we have a grave problem in our Federal Government. It undermines our Constitution, it contradicts the will of the people, and it is a deadweight on our economy destroying American jobs and costing billions of dollars per year in paperwork and lost opportunities. I am talking about the duplicative and unforgiving Federal bureaucratic state.

But before I discuss the dangers that an overzealous bureaucracy poses to our country, I want to be clear that the House has already made great progress. We are engaged in a two-step approach: first, to change the structure of Washington that deprives the people of their power; and second, to repeal specific harmful regulations. We will get started on the second part early next month.

We have already passed two bills last week to change Washington's structure, the Midnight Rules Relief Act and the REINS Act. Today, we will pass the third, the Regulatory Accountability Act. This requires agencies to choose the least costly option available to do what they are charged to do and prohibits large rules from going into effect while they are still

being challenged in court. It also ends something called Chevron deference where courts automatically bend to the agency's interpretation of the rules. Under the current standard, that means the agency will win almost every single time in the courtroom and the people lose.

These three bills are about more than stopping bad regulations from being made. They are about changing the process in Washington that systematically prioritizes government over the common good instead of making government serve the common good.

Mr. Chairman, our Nation is based on a principle that power ultimately comes from the people. Elections are the great foundation of our Republic, and, as we saw so clearly this last November, through them, the people can make their voices heard. But something has changed. Some of the most significant decisions in Washington, those that most affect the lives of the public, are made by those who don't stand for election.

What happens when the EPA imposes rules that deprive people of their property rights, when the Department of Health and Human Services tries to force nuns to violate their religion, or when the VA perpetuates a system that lets veterans die while they wait for their care? The people can't vote out bureaucrats who write rules at the EPA or the Department of Health and Human Services. They can't vote out bad leaders of the VA.

These bureaucrats know it. They know they aren't accountable to the people even as they exercise great power. Without elections, the people lose. Washington is brimming with executive employees devoted to preserving the status quo.

Then there is a revolving door of high-level Federal employees who head to major consulting firms and lobbying arms to influence the very agencies they came from. This breeds thousands of regulations that further enrich the connected and powerful—sometimes at the great expense of the average American.

□ 1415

It is our economy and the American workers who suffer the most. Federal regulations written and enacted by these bureaucracies impose a burden of about \$1.89 trillion every year. That number is hard to make sense of or to even imagine. It comes to, roughly, \$15,000 per U.S. household, or 10 percent of the American GDP.

The Obama administration alone has written regulations that require over 583 million hours to comply with. That is an average of nearly 5 hours of paperwork for every single full-time employee in America. The Federal Register is now the length of 80 King James Bibles.

When bureaucrats and agency heads cannot be held accountable and when

they keep their jobs regardless of corruption, incompetence, waste, fraud, abuse, or the backroom deals they make with special interests, that is the problem. That is the swamp, and we need to drain it.

There is a reason the House is restructuring Washington first. It is that we made a commitment to the American people that we would drain the swamp. Now we are today.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Committee on Oversight and Government Reform.

Mr. CUMMINGS. I thank the gentleman.

Mr. Chairman, I rise in strong opposition to H.R. 5.

Before I go into that, let me be clear. After listening to the leader a minute ago, I thank all of the Federal employees who work so hard and give so much and who are so often unseen, unnoticed, unappreciated, and unapplauded.

I oppose this unnecessary and potentially dangerous legislation in its entirety. However, I will focus my remarks on title V of this bill, which is in the jurisdiction of the Oversight and Government Reform Committee. Title V, also known as the ALERT Act, is an attack on agency rulemaking, like the rest of this bill.

This title would prohibit the Office of Information and Regulatory Affairs from taking into account benefits when providing estimating costs of proposed and final rules. That is not transparency. It is one side of the story.

This bill would also prevent a rule from taking effect until certain information is posted online for 6 months by the Administrator of the Office of Information and Regulatory Affairs. The only exceptions to this requirement would be if an agency exempts the rule from the notice and comment requirements of the Administrative Procedure Act or if the President issues an executive order.

That is a 6-month delay in putting any rule in place no matter how big or how small. Right now, there are rules pending to protect the public from pipeline accidents involving hazardous liquids—those are our constituents, by the way—and to protect the privacy of patients' records. Again, those are our constituents. This bill would put an arbitrary 6-month moratorium on rules like these.

The Coalition for Sensible Safeguards, which is a coalition of over 150 labor, scientific, health and good government groups, sent a letter on January 10, 2017, opposing H.R. 5 to all Members of the House of Representatives.

That letter read in part:

The ALERT Act is designed to impede the government's ability to implement critical new public health and safety protections by adding a 6-month delay. This amounts to a 6-

month regulatory moratorium even after the often lengthy period required for developing and finalizing these regulations. Such delays could extend well beyond that initial 6-month period should the OIRA Administrator fail to post the required information in a timely manner.

The other titles of this bill are not any better and would impose so many requirements on agencies that issuing regulations to protect health and safety would be almost impossible.

I urge my colleagues to reject H.R. 5.

Mr. GOODLATTE. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Regulatory Reform, Commercial and Antitrust Law Subcommittee and the chief sponsor of one of the bills contained herein.

Mr. MARINO. I thank the chairman.

Mr. Chairman, I rise in strong support of H.R. 5, the Regulatory Accountability Act.

This bill represents a monumental opportunity for the American people. After 8 years of one new crushing regulatory burden after another, the time has come to finally free the American people and create a new future for our economy.

In 2017, regulatory burdens are at record levels. One recent analysis by the American Action Forum puts the cumulative paperwork burden on the American people at 11.5 billion hours.

How could any small business person or entrepreneur survive in the face of this monstrous web of regulation?

The short answer is that they cannot.

It is a fact seen across my district as I have talked to workers covering every industry or occupation imaginable. When I ask businessowners about their concerns, first and foremost, the greatest hardship they face is the burden of Federal regulation and red tape. Funds, which otherwise could be invested in new employees, training, or equipment, must be dedicated to the demands of faceless bureaucrats in D.C. This applies to plumbers as well as to farmers, manufacturers to home builders. The list of those affected is long and varied.

The simple truth is that the Obama administration's one-size-fits-all regulatory agenda has been a disaster for the American Dream, and we have seen over the past several months how disconnected it was from the wants and needs of Americans across the country.

In Congress, however, we have heard their pleas and have taken action in the early days of the 115th Congress. H.R. 5 is the third regulatory reform bill we have considered in 2 weeks. It represents our brightest opportunity to unleash innovation and investment so that American businesses, big and small, can create new futures.

I am also grateful that H.R. 5 includes my bill, the REVIEW Act. The REVIEW Act was featured as part of Speaker RYAN'S A Better Way agenda and passed the House on a bipartisan

basis last fall. It represents a simple premise: regulations should be narrowly tailored, and massive regulations deserve full and thorough scrutiny.

The REVIEW Act would mandate a stay of any high-impact, billion-dollar regulation while judicial review is underway. Historically, billion-dollar rules have been few and far between. In fact, only 26 have been put in place since 2006; but, in recent years, their frequency has grown along with the unprecedented reach of the regulatory state. In the past 8 years, an average of three per year have been put in place.

Their significance, however, lies in their impact on our country. These regulations are massive and have the potential to fundamentally and irreversibly change entire industries. If, later, judicial review finds the agency's reasoning to be legally unsound or contrary to the intent of Congress, the compliance costs incurred—often meaning jobs that were lost—cannot be undone. The REVIEW Act provides an important check on regulatory largesse and is an important piece of this bill.

The American people have spoken, and they have spoken clearly. It is time for us all to take our country and the economy in the right direction. The Regulatory Accountability Act provides the reforms that are necessary to get us there.

I urge all of my colleagues to support this bill.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN), a senior member of our committee who has followed this matter very closely.

Mr. COHEN. I thank the gentleman.

Mr. Chairman, these bills are a group of bills that have been considered for many years and have passed on partisan votes in the House. What you do when you repeal regulations or make it harder to have regulations is you make it better for business, better for the Chamber crowd, better for the manufacturing folk.

But there is always a cost for everything. I think it was Isaac Newton who said: "For every action, there is an equal and opposite reaction." You take these regulations off, increase business, and make it easier; but there is an equal and opposite effect in that Newtonian law as the consumer of the products.

Whether it is food and food safety, whether it is water safety and purity, whether it is air safety, whether it is toys and manufacturers' defects or automobiles and safety in transportation—it could be airplane transportation—there is always a side that loses; and the side that loses is that of the consumers and the folks who will be injured and/or killed because of lack of regulations.

I don't know how much one life is worth. If it is mine or one of my loved ones or one of my constituents—I am

getting a little political here—it is worth a lot, but it is worth a lot no matter who it is, and there are going to be lots of people who will not survive some of these regulations. There are going to be injuries in the workplace because regulations for safety aren't there. There will be food products that are defective because regulations aren't in place, and people will eat food that is not appropriate, not pure.

I had an amendment I proposed here on civil rights, and I think civil rights is one of our most precious rights—one that has been neglected on many occasions. That amendment would have said that this would not affect any civil rights rules, but it was not put in order; but it includes people with disabilities. Those are areas in which we should have exempted and not had anything stop our steadfastness toward securing civil rights and securing opportunities for people with disabilities.

I am against the bills. I am for the consumer. I think there might be a measured way to do this, but this is a heavy-handed way to do it, and the consumer loses.

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the Small Business Committee, a member of the Judiciary Committee, and the chief sponsor of one of the bills contained herein.

Mr. CHABOT. I thank the chairman for yielding.

Mr. Chairman, I rise in strong support of H.R. 5, the Regulatory Accountability Act.

In response to the previous gentleman's comments, I would just note that none of the regulations that we are considering today—the legislation—is going to do away with regulations altogether or even significantly, especially, regulations that have to do with people's safety. We are not trying to do anything that is going to affect the safety of the American people. We are just trying to make sure the regulations are smarter, and that is what this is all about.

I am also pleased that title III of H.R. 5 is a bill that I sponsored last term and in this Congress—the Small Business Regulatory Flexibility Improvements Act. The Committee on Small Business, which I happen to chair, and the Committee on the Judiciary have crafted this bill with bipartisan input over many years.

I thank Chairman GOODLATTE for working with us on this important legislation, and I thank him for his leadership.

Small businesses are found in every congressional district and in every industry. They provide livelihoods for millions of workers and for their families. Small businesses employ nearly half of the private sector workforce and generate two out of every three new jobs in the private sector today.

The Federal Government should be doing everything it can to encourage these small but mighty job creators. Unfortunately, oppressive red tape has had the opposite effect of discouraging investment, expansion, and job growth. I am not saying that all regulations are bad, but there are too many rules. For too long, agencies have ignored their true effect, their true impact, on small businesses. Small businesses are at a real disadvantage because they have fewer resources and rarely have in-house counsel, the regulatory compliance staff that would be necessary to guide them through this maze. Generally, small businesses just don't have that.

So shouldn't regulators, at the very least, examine the effects of new rules on small businesses and consider ways to reduce excessive burdens?

Of course they should. There is a law, the Regulatory Flexibility Act, or the RFA, which requires agencies to conduct this commonsense assessment when they regulate. Even though the law has been on the books for over 36 years, agencies too frequently just ignore its requirements.

□ 1430

The Small Business Regulatory Flexibility Improvements Act, which is title III in this bill, eliminates loopholes that agencies like the Internal Revenue Service have used to avoid compliance with the RFA. It also forces agencies to analyze not only the direct, but also the indirect effects of rules on small businesses, just as agencies are required to do when promulgating major rules affecting, for example, the environment. It gives small businesses additional opportunities for early input on proposed rules and regulations and strengthens the RFA's requirements for agencies to periodically review old rules.

Nothing in our legislation today takes away an agency's ability to issue a rule or a regulation, but it will force the rulemakers to think carefully before they act. It is great legislation, and I urge my colleagues to support it.

Mr. CONYERS. Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. RATCLIFFE), a member of the Judiciary Committee and the chief sponsor of two of the measures contained here.

Mr. RATCLIFFE. Mr. Chairman, I rise in strong support of the Regulatory Accountability Act of 2017. I thank Chairman GOODLATTE for the opportunity to again lead on this issue and for the inclusion of two of my bills—the Separation of Powers Restoration Act and the ALERT Act—in this incredibly important regulatory reform package.

Because you see, Mr. Chairman, the realities of President Obama's failed

liberal progressive experiment are all too real for the three-quarters of a million Texans that I represent, realities like higher prices for families in Sulphur Springs trying to make ends meet, fewer jobs for those seeking work in Texarkana, and small businesses in Sherman and Rockwall forced to close their doors. Mr. Chairman, these are just a few of the countless devastating symptoms of overregulation that citizens across our great country have been forced to endure under President Obama.

The President gives a good speech, and he did so again in his farewell address last night. But the President read us a fictional tale last night. The inescapable truth is that for 8 long years, the constant stream of regulations being pumped out by the Obama administration has taken a terrible toll on families, on businesses, and on our economy. It has made our Nation less prosperous and leaves folks worse off than they were before.

The urgency to reverse this unsustainable regulatory quagmire couldn't have been made more clear than in November, when the American people rose up and voted for a new President who vowed not to subject us to more of the same. That is where my bill and all of the bills in the Regulatory Accountability Act come into play.

When you look back at the last 8 years, many people wonder how the Obama administration was allowed to grow at such an alarming rate. Now, while there are a lot of troubling factors that go into that equation, the result of an infamous 1984 Supreme Court decision, the Chevron doctrine, is certainly recognized as one of the key culprits. For three decades now, this doctrine has required courts to defer to agency interpretations of congressional intent.

Said in more plain terms, Mr. Chairman, this means that when individuals challenge Federal regulators in court, the deck is stacked in favor of the regulators, the very same regulators who have written the regulations in the first place. Letting regulators grade their own papers, if that doesn't reinforce the need to drain the swamp, then I don't know what does.

My legislation, the Separation of Powers Restoration Act, will fix this perversion of our Constitution by ensuring that Congress, not executive branch agencies, write our laws and that courts, not agency bureaucrats, interpret our laws.

Mr. Chairman, title V of this bill is my ALERT Act legislation, and it provides another critical remedy to the current regulatory process by fixing the lack of transparency that is both unfair and harmful to individuals and small businesses across the country.

Right now, the current law requires the administration to release an update twice a year on the regulations

that are being developed by Federal agencies—the problem is that the regulators are ignoring the law—as these updates have either been very late or never issued at all under President Obama's watch.

Up to this point, there hasn't been a way to reinforce and enforce these requirements. So the ALERT Act tackles this problem by forcing the executive branch to make the American people aware of regulations that are coming down the track; and it prohibits any regulations from going into effect unless and until detailed information on the cost of the regulation, its impact on jobs, and the legal basis for the regulation have been available to the public on the Internet for at least 6 months.

Mr. Chairman, the way our government has been allowed to function under this administration isn't how our forefathers intended our government to work. Today's legislation takes a giant step forward in fixing how Washington works. I have already spoken to President-elect Trump about partnering together to make this the law of the land and to give the American people back the government that our Founders intended, a government that works for them, not the other way around.

Mr. Chairman, we owe them nothing less.

Mr. CONYERS. Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, may I inquire how much time is remaining on each side.

The Acting CHAIR (Mr. DONOVAN). The gentleman from Virginia has 9 minutes remaining, and the gentleman from Michigan has 15½ minutes remaining.

Mr. GOODLATTE. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. PETERSON), the ranking member of the House Agriculture Committee.

Mr. PETERSON. Mr. Chairman, I strongly support H.R. 5 and urge my colleagues to do so as well. This bill will reform our regulatory system and reduce burdens on our farmers, ranchers, and businesses.

H.R. 5 will create a more streamlined, transparent, and accountable regulatory process and give the American people a stronger voice in agency decisionmaking.

Requiring agencies to choose the lowest cost rulemaking option and providing additional opportunities for judicial review will ensure that regulations are narrowly tailored, addressing the issues at hand; and this will reduce the burden on farmers, ranchers, businesses, and everyday citizens.

This is a good bill, and I urge my colleagues to support it.

Mr. CONYERS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chief sponsor of one of the bills contained herein.

Mr. LUETKEMEYER. Mr. Chairman, today I rise in strong support of the bill on the floor before us, the Regulatory Accountability Act of 2017.

Over the last 8 years, it has been clear that our country has been on the wrong path. Through overregulation and government bureaucracy, the chance at the American Dream has seemed to be slipping away and unreachable for far too many Americans. In November, the American people spoke and made it clear: it is time to change course and reform the rule-making process to energize robust growth in the American economy.

To do so, we not only need to address the number of Federal regulations, but also their convoluted and complex nature. Our constituents should not need a law degree or an army of consultants and accountants to understand the rules they are required to follow. Nevertheless, given their technical language, it can be extremely difficult to fully understand proposals unless one is an expert in that field.

Title VI of H.R. 5 includes language from a bill that I introduced earlier in this Congress. My bill, the Providing Accountability Through Transparency Act, would require each Federal agency, when providing notice of a proposed rulemaking, to produce a 100-word, plain-language summary of the proposal and make it publicly available online. This commonsense reform would give the American people straightforward and uncomplicated access to the rules proposed by the executive branch.

The American people deserve to be informed about the rules and regulations being proposed by their government, and I am honored to have my legislation included in this regulation-curbing package.

I thank Chairman GOODLATTE for his leadership on H.R. 5, as well as my colleagues who joined me in contributing language to this critical legislation.

Mr. CONYERS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I rise today in strong support of H.R. 5, the Regulatory Accountability Act.

Many speaking today in support of this legislation are right to point out the crushing impact that Washington's overregulation has had on our economy. We know all too well how overregulation has driven up the cost of health care, financial services, and energy; and it is long past time for reform.

I would like to highlight a provision of this legislation that I offered 3 years

ago that requires agencies to identify when new rules will have a negative impact on jobs and wages.

Too often, regulators and agency heads are well aware of the negative impact a regulation will have on Americans' jobs and wages even before it is imposed, but they impose it anyway. Specifically, my provision defines when rules have a negative impact on jobs and wages and requires agency heads approving such a rule to submit a statement that they approve the rule knowing its negative impact.

When people in this far-off Capitol take away the jobs and livelihood of working families, as they have done with miners and power plant workers and laborers in my district, they need to own up to it. The Regulatory Accountability Act will help us to provide American workers with substantial relief from what is often Washington overreach, and I encourage all of my colleagues to support this commonsense legislation.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a senior member of the House Judiciary Committee.

Ms. JACKSON LEE. Mr. Chairman, I thank the distinguished chairman and the distinguished ranking member for convening us. It reinforces my commitment to the importance of the House Judiciary Committee for important, innovative, and groundbreaking, in some instances, work that we have done.

In this instance, I find fault because this legislation does not meet that criteria. Just a few days ago, we read the Constitution, and some might make the argument that H.R. 5 fits very comfortably into the Bill of Rights, Amendment V and Amendment XIV. Both frame themselves around the question of due process. I make the argument that this legislation is sorely lacking.

I want to take up, first of all, a point made by my colleague, a member of the Rules Committee. This legislation, to my recalling, has been circulated for many years. It seems that I have been in the House when a bill like H.R. 5 has passed over and over again.

This bill appeared in the 114th Congress. Many Members left since that time. New Members are here. New Members, Republicans and Democrats, will be added to the House Judiciary Committee and to the Senate Judiciary Committee. None of them will have had the opportunity for regular order, to be able to ensure hearings and to be able to engage in input with amendments that I would agree or disagree with, but to have a vigorous debate in our Judiciary Committee as well as in the Senate. It did not happen. We are now on the floor of the House. So that is one fracture of what we are doing, one Achilles' heel to this legislation.

In the last 24 hours, I heard a news account of a little boy who swallowed magnets that were produced by a particular company. It went through the process. It was designated dangerous; and then, unfortunately, that dangerous status was pulled back, and the company is excited about producing those magnets again.

The little boy who swallowed the magnets, I think, was about 2 years old. A happy little boy, of course, that is how children are. He had major intestinal surgery, and most of his intestines were removed. He is now 6 years old, and he must now be fed intravenously.

□ 1445

His devastation is our failure. That is what we are facing with H.R. 5.

I don't know if my colleagues agree, as boring as the Administrative Procedure Act was in law school, I liked the course. I had a great professor who made me understand the life of the APA and its value. This legislation attempts to rewrite the Administrative Procedure Act to the detriment of the American people.

Consider this, hardworking agencies should have oversight; that is what our committees are all about. They should have oversight. They will now have to jump through hoops of 70 new criteria. I didn't say 10; I didn't say a quarter of 100, 25; I didn't say a half of 100, 50; but 70 when issuing rules, including alternatives to any rule proposal, the scope of the problems the rule meant to address, and potential cost and benefits of the proposal and alternative.

I want to see small businesses thrive. Part of that includes a reasonable healthcare package like ObamaCare, the Affordable Care Act, for its employees, a reasonable new structure dealing with taxation that helps small businesses and does not give a mountain of benefit to major corporations.

Maybe we should address the needs of small businesses in that manner, or, as my minority constituents tell me, access to credit which is generally denied to women, Hispanics, in some instances, and certainly African Americans. That may help our small businesses get them back on their feet. But that is not what H.R. 5 does. It stifles the work of our agencies of which we have attributed to them, the Small Business Administration, Health and Human Services, the Federal Trade Commission, the FCC, and, in some instances, the Department of Justice articulating regulations dealing with funding of juvenile issues.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield an additional 2 minutes to the gentleman.

Ms. JACKSON LEE. I thank the gentleman.

These are agencies that are depended upon to give regular order. Oversight is

important, but I would make the argument that stifling, denying, demolishing, or destroying is not order.

Now, I had an amendment that I think is crucial. It is to provide an exception under this bill for regulations that help prevent cyber attacks on election processes or institutions. Mr. Chairman, not only have we found with much profoundness that a foreign entity, in this instance Russia, maybe it might be Iran, maybe it might be some other country, intruded into the democratic process of elections. I am glad Senator GRAHAM said this is not Republicans or Democrats. This is about the integrity of the election system. And why we were hesitant to make this amendment in order, because there is no stopping of the peaceful transfer of government. The American people see to that process. Thank God for our love of democracy. We are able to express our opposition in many different ways.

But there is no doubt there was not only intrusion, there was skewing from one candidate versus another. There are prints—this is public knowledge—that have been able to be tracked to suggest who, what, and what country, and how far up the chain to Mr. Putin that it went to.

So my amendment, I think, was constructive. Why would we be reluctant to debate it? Why would we be reluctant to acknowledge the intelligence report assessing Russian activities and intentions in the recent U.S. elections? And why would we be reluctant to find out who was involved?

H.R. 5 is not doing what it is supposed to do. It is, in fact, undermining the Constitution and eliminating the protections for a little boy who now lives his life completely different because maybe we didn't intervene in the regulatory manner of oversight over that product that we should have, and maybe now we have given them a pass so that other children might suffer the same consequences. I ask my colleagues to vote against the underlying bill and send it back for us to do the work of the people in regular order.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chairman, I rise in strong support of H.R. 5, and let's get back to what we are talking about. We are talking about overregulation right now. We are not talking about the Red army or any other type of a red threat that is coming in here. The real threat is red tape. We are not talking about scotch tape or duct tape, we are talking about red tape. There is \$2 trillion worth of red tape that the American consumers have to pay for every year. That is trillion with a "T." Every single regulation that goes into effect, not by elected officials but by unelected bureaucrats, I am not saying they are not well intended, I am just saying they

are not well thought out. And we really don't know who is going to pay for all of these. The burden is on the American consumers, the American taxpayers.

So if we are talking about creating jobs and if we are talking about getting our economy back on track, let's get the heavy regulatory boot of the American government off of the throat of American job creators. Why don't we make it easier for people to be profitable. Why don't we make it easier for people to start a new business. Why don't we make the prices cheaper on the shelves, and all of the services that are out there cheaper for the American people to buy and purchase.

We get caught up in debate about things that don't make sense to everyday Americans. They elect us to come and represent them. They don't elect us to preach to them. They don't elect us to say: You, poor, stupid people, you don't understand, we are trying to help you.

The Congress has oversight of this. This is our job. Why would we turn it over to unelected bureaucrats. How about this: In 2015, we passed 114 laws. Meanwhile, there were 3,410 rules that were put into effect. Is there a little bit of a problem with the balance there? Is there a little bit of a problem with the people who sent us to represent them telling them: you don't understand, that rule, that regulation, I never had a chance to weigh in on it?

They are asking: Then why the heck did we send you?

And I appreciate the fact that Federal employees need to be appreciated. Being one of those employees, I do appreciate that. When I go home, I love when people tell me: you know what, we really appreciate that you are standing up for us. We really appreciate that you are watching where our tax dollars are going. We really appreciate the fact that you are trying to make it easier for us to breathe, make it easier for us to supply all this revenue.

Every single penny that this government needs to run on is not supplied by the Congress, it is supplied by hardworking American taxpayers. And you know what, we can't even collect enough money from them to cover our bills. We have to go out and borrow more. But they are responsible for it. We sign their name on every single debt that we make.

It is time to wake up and smell the coffee. This is not about some other debate. This is about what we are doing to hardworking American taxpayers and hardworking Americans every single day.

Then some say: you don't understand, you poor, stupid people, we are trying to make the air clean and the water drinkable. Yes, I understand that. That is what we are doing. Why do you try to change it into something

that doesn't even make sense? Please go back into your communities and talk to these folks that are saddled with these expenses and look them in the eye and tell them you are just not smart enough to know how government works. The one thing they know is we are \$20 trillion in the red.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished member of the Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the ranking member and the chairman.

I rise in opposition to H.R. 5, the Regulatory Accountability Act of 2017. I have a number of concerns with many provisions of this voluminous page, this 82-page bill. It has not gone through regular order, not one committee meeting. Congress just came into session last week. So we have got 50-plus new Members in this body who have not had one single day of an opportunity to pay any attention to learn what is in this bill. Yet, my colleagues on the other side of the aisle are going to force their folks to vote "yes" on this bill. I urge them to vote "no" and think about it. The reason they should think about it is because H.R. 5 is a destructive revision of the Administrative Procedure Act which fiendishly convolutes the agency rulemaking process through numerous analytical requirements. We call that gumming up the works.

These requirements, which are largely opposed by the Nation's leading administrative law experts, would cause years of delays in the rulemaking process and deregulate entire industries through rulemaking avoidance by agencies.

In addition to imposing over 60 new procedural requirements on regulatory protections, title I of H.R. 5 imposes a new super-mandate requiring that agencies adopt the least costly rule considered during the rulemaking that meets relevant statutory objectives and permits agencies to choose a more expensive option only if the additional benefits justify its additional costs.

The AFL-CIO has observed that this provision would make protecting workers and the public secondary. Limiting costs and impacts on business and corporations is the prime purpose of this legislation. There is little doubt that this proposal will compromise public health, workplace safety, and environmental protections. Agencies will be forced to make penny-wise and pound-foolish decisions. It costs more to remedy an environmental or financial calamity than it would be to protect the public from the calamity occurring in the first place, which the underlying regulation would do, but they don't want regulations. This is unbelievable.

Title II of the bill abolishes judicial deference to agencies' reasoned statu-

tory interpretations, which has been a hallmark of judicial review for more than three decades. Talk about judicial restraint and not legislating from the bench. That is what the Supreme Court in its Chevron rule has emphasized over the last three decades.

In addition to incentivizing judicial activism by generalist courts, which could engage in rulemaking from the bench by making policy decisions rather than strictly interpreting the law, this provision will also make the regulatory system more costly and time-consuming because it would require agencies to take even more time to promulgate critical protections that the court ultimately decides on its own through its ability to legislate from the bench that it doesn't like. This is nonsense. It is hypocritical.

Title III of the bill further paralyzes agency rulemaking through unworkable, complex requirements, while endowing the hallowed Small Business Administration's Office of Advocacy with broad authority to act as the gatekeeper of our Nation's entire regulatory system. As the Center for Progressive Reform reported in a 2013 report, this entity, this Small Business Administration's Office of Advocacy, exists in an unchecked capacity to funnel "special interest pressure into agency rulemakings, even though such interests have already had ample opportunity to comment on proposed regulations."

So in other words, the Small Business Administration's Office of Advocacy is a back door wide open to corporate interests seeking to come in and undermine the regulatory authority of an agency.

At a time when there has been much talking and tweeting about draining the swamp, this measure would function as a green light to special interests to manipulate the regulatory system in their favor.

Moreover, my Republican colleagues' repeated claims that this measure will create regulation by representation, or clawback authority from the executive branch, that argument is fundamentally undermined by the fact that this bill consolidates the role of a sub-agency, the Small Business Administration, in such an opaque and reckless manner.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CONYERS. I yield an additional 1 minute to the gentleman.

Mr. JOHNSON of Georgia. Have Members ever heard of any legislation that purports to take power back from unelected bureaucrats and then places it right back in the hands of a bureaucrat in the same piece of legislation? This is ridiculous.

Title IV of H.R. 5 would automatically delay the effective date of any rule exceeding \$1 billion in costs that is challenged in court, regardless of

whether the party challenging the rule has any likelihood of success on the merits, is actually harmed by the rule, or whether staying the rule would be contrary to public interest.

□ 1500

So while they sit here and take the rights of regular, ordinary working people to sue corporations under the guise of so-called tort reform, they turn around in this legislation, open the courthouse door wide to corporations to come in and file frivolous complaints against a regulation and automatically stall it. This is ridiculous.

This legislation is rife with corporate protections at the expense of the people, and I ask my colleagues to vote "no" on this legislation.

Mr. GOODLATTE. Mr. Chairman, at this time it is my pleasure to yield 1½ minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Chairman, I rise in strong support of H.R. 5, the Regulatory Accountability Act of 2017.

Over the last 8 years, we have seen the administration authorize hundreds of executive orders directing Federal agencies to issue, finalize, and implement an unprecedented number of regulations. Most of these impose one-size-fits-all standards on small businesses with little to no consideration for their impact on small businesses.

As a member of the Small Business Committee, it is kind of my job to go out and find out what small businesses have to offer, what is impeding their ability to create and make more jobs for our industry and for our economy. What we have found is that overregulation is stifling them. This is the problem.

This is not something that we have made up. That is the problem in this economy. That is why I am proud to support H.R. 5, and particularly title III, which addresses one vital area that protects small businesses—the Regulatory Flexibility Act, or RFA.

The RFA requires agencies to assess the economic impacts of new regulations on small businesses. However, Federal agencies regularly exploit loopholes in the RFA requirements that allow them to produce inadequate or inaccurate analysis of impact.

We know this can have devastating outcomes, as witnessed in the Department of Labor's overtime rule issued last year, which was one of the top concerns for many of the small businesses and nonprofits that operate in my district and across this country.

Title III of H.R. 5 would eliminate loopholes to ensure compliance and would also require agencies to provide more detailed information in each analysis.

I encourage my colleagues on both sides of the aisle to support this legislation.

Mr. CONYERS. I yield myself such time as I may consume.

Mr. Chairman, in closing, this has been an enlightening discussion because we have determined that H.R. 5 is based on the faulty premise that environmental and public safety protections kill jobs, result in economically stifling costs, and promote uncertainty.

In fact, regulatory protections that ensure the safety of American-made products unquestionably foster job creation and protect the competitiveness of our business and global marketplace. This explains why so many organizations—more than 150—strongly oppose this legislation.

Mr. Chairman, our constituents and the American citizens deserve something better than H.R. 5. We need legislation that creates middle class financial security and opportunity. We need sensible regulations that protect American families from economic ruin, that bring predatory financial practices to an end.

We need workplace safety protections that ensure hardworking Americans can go to work each day without having to risk their lives as a result of hazardous work environments.

Unfortunately, the measure before us does nothing to advance any of these critical goals, and so I must, therefore, oppose H.R. 5 and ask my colleagues to support a negative vote on this matter.

Mr. Chair, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chair, I yield myself such time as I may consume.

The facts are plain, the conclusion is clear: the rampant tide of unchecked, unbalanced Federal regulation is overwhelming job creators and households all across this Nation. Thanks to Washington's endless excess of regulations, hardworking Americans face higher prices, lower wages, fewer jobs, and fewer new business starts; and America as a whole is less competitive, less innovative, and less prosperous.

Federal regulations now impose an estimated burden of an amazing \$1.89 trillion per year. That burden is burying America's job creators and suffocating job opportunities. It equals roughly \$15,000 per U.S. household, over 10 percent of America's GDP, and more than the GDP of all but eight countries in the world.

The Obama administration set new records for numbers and effects of major regulations, over 600 in total, with an average of 81 per year. That is roughly one every 3 working days. Through just August 2016, these rules had economic effects of over \$740 billion and imposed 194 million paperwork burden-hours; and this only built upon the insufficiently checked regulation already imposed by previous administrations.

This problem must be solved, and this bill is the number one solution to this problem. Its bold, innovative measures will unleash American free-

dom, opportunity, and resourcefulness by dramatically reducing new regulatory costs; and they will do that while still allowing agencies to achieve the benefits that Congress' statutes have tasked them to achieve.

Far fewer costs, all the benefits, who could be against that? We all should be for it, just as the American people are.

Support the American people. Support the Regulatory Accountability Act. I urge my colleagues to do so.

Mr. Chair, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise in strong opposition to H.R. 5, the "Regulatory Accountability Act of 2017," which is a radical measure that could make it impossible to promulgate safety regulations to protect the public.

I oppose this legislation because it would effectively shut down the entire U.S. regulatory system, amending in one fell swoop every bedrock existing regulatory statute.

My opposition to H.R. 5 is amplified by the Rules Committee's decision to decline to make in order the Jackson Lee Amendment, "to provide an exception for regulations that help prevent cyberattacks on election processes or institutions."

Apparently, House Republicans are still reluctant to debate the subject—undisputed by our Intelligence community—of Russian cyberattacks on American cyber networks and infrastructure.

Key Judgments in the Intelligence Community Assessment's declassified version of a highly classified report entitled, "Assessing Russian Activities and Intentions in Recent U.S. Elections," have confirmed that 2016 witnessed the first American presidential election that was the subject of cyberattacks.

These and other subversive activities have been confirmed to have been perpetrated by entities allied with the Government of Russia and were undertaken for the express purpose of influencing the presidential contest to secure the election of its preferred candidate, Donald Trump, who made history by becoming the first presidential candidate to invite a hostile foreign power to launch cyberattacks against his political opponent.

All three agencies, CIA, FBI and NSA, agree with this judgment.

The so-called Regulatory Accountability Act (RAA), in addition if to this rule, demonstrates the deceptive design of the majority to make it harder to establish regulations to protect the public by tilting the entire regulatory system significantly toward special interests.

The bill allows Federal courts without expertise on technical issues to substitute their judgment for those of the expert federal agencies.

These agencies are staffed with career subject matter experts that are deeply knowledgeable of the background, context, and history of agency actions and policy rationale.

For this reason, courts have long deferred to agency experts who are in the best position to carry out the statutes.

The RAA would end this well-established practice and allow far less experienced judges to second guess expert opinion—essentially sanctioning judicial activism.

The Jackson Lee Amendment, however, would have attuned this dangerous legislation to provide an exception for regulation upon which Americans so greatly rely on their government to help prevent cyberattacks on our highly coveted and esteemed election processes and institutions.

The bill promoted by the majority, calling for accountability from our Administrative Agencies—fails to answer in accountability to the threat posed by foreign and domestic invaders on our national cyber networks.

As the new Congress commences in the People's House, obstructionist Republicans are circumventing the very procedures by which elected officials answer the cries of outrage and dismay of desperately concerned constituents.

To the obstructionist majority perpetuating this restrictive rule, let me stand firm in the American convictions laid bare by the Jackson Lee Amendment—the system of Checks and Balances established by the Separation of Powers clause of the Constitution will not be thwarted.

The spirit of the H.R. 5 is clearly designed to stop all regulation dead in its tracks—no matter the threat to cyber networks, national security, economy, or the very health and safety of the American people.

We know that Russia's cyber activities were intended to influence the election, erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, and undermine confidence in the institutions of the U.S. government. These actions are unacceptable and will not be tolerated.

The mission of the Intelligence Community is to seek to reduce the uncertainty surrounding foreign activities, capabilities, or leaders' intentions.

On these issues of great importance to U.S. national security, the goal of intelligence analysis is to provide assessments to decision makers that are intellectually rigorous, objective, timely, and useful, and that adhere to tradecraft standards.

Applying these standards helps ensure that the Intelligence Community provides U.S. policymakers, warfighters, and operators with the best and most accurate insight, warning, and context, as well as potential opportunities to advance U.S. national security.

This objective is difficult to achieve when seeking to understand complex issues on which foreign actors go to extraordinary lengths to hide or obfuscate their activities.

My amendment would have improved H.R. 5 by exempting only those regulations critical to making cyber networks invulnerable to attack from foreign and domestic agencies and individuals.

Specifically, the amendment that the Rules Committee disallowed for presentation on a vote here on the floor today would have provided the American people an exemption to allow for the prevention of tampering, alteration, or misappropriation of information by agents of foreign countries with the purpose or effect of interfering with or undermining election processes or institutions.

In particular, restrictions put forth in H.R. 5 could result in further delay to agencies attempting to take action to help network defenders better identify new tactics or techniques that a malicious actor might deploy or

detect and disrupt an ongoing intrusion, in addition to protecting data that enables cybersecurity firms and other network defenders to identify certain malware that the Russian intelligence services use.

The Regulatory Accountability Act provides no accountability to the American public.

Instead, it allows polluting industries and special interests to game the system and escape accountability for any harm they inflict.

It makes it incredibly difficult, if not impossible, to secure new public protections and arms industry with numerous tools to avoid their legal obligations.

The increasing use of cyber-enabled means to undermine democratic processes at home and abroad, as exemplified by Russia's recent activities, has made clear that a tool explicitly targeting attempts to interfere with elections is also warranted.

We cannot afford to let global terroristic threats, in the form of cyber activities, erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, influence elections, or undermine confidence in the institutions of the U.S. government.

My amendment would have offered protections guarding the integrity of our cyber networks, while at the same time allowing the bill to achieve the proponents' major purposes.

For these reasons and more, I oppose this bill.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Regulatory Accountability Act of 2017”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REGULATORY ACCOUNTABILITY ACT

Sec. 101. Short title.

Sec. 102. Definitions.

Sec. 103. Rule making.

Sec. 104. Agency guidance; procedures to issue major guidance; presidential authority to issue guidelines for issuance of guidance.

Sec. 105. Hearings; presiding employees; powers and duties; burden of proof; evidence; record as basis of decision.

Sec. 106. Actions reviewable.

Sec. 107. Scope of review.

Sec. 108. Added definition.

Sec. 109. Effective date.

TITLE II—SEPARATION OF POWERS RESTORATION ACT

Sec. 201. Short title.

Sec. 202. Judicial review of statutory and regulatory interpretations.

TITLE III—SMALL BUSINESS REGULATORY FLEXIBILITY IMPROVEMENTS ACT

Sec. 301. Short title.

Sec. 302. Clarification and expansion of rules covered by the regulatory flexibility act.

Sec. 303. Expansion of report of regulatory agenda.

Sec. 304. Requirements providing for more detailed analyses.

Sec. 305. Repeal of waiver and delay authority; additional powers of the Chief Counsel for advocacy.

Sec. 306. Procedures for gathering comments.

Sec. 307. Periodic review of rules.

Sec. 308. Judicial review of compliance with the requirements of the regulatory flexibility act available after publication of the final rule.

Sec. 309. Jurisdiction of court of appeals over rules implementing the regulatory flexibility act.

Sec. 310. Establishment and approval of small business concern size standards by Chief Counsel for Advocacy.

Sec. 311. Clerical amendments.

Sec. 312. Agency preparation of guides.

Sec. 313. Comptroller general report.

TITLE IV—REQUIRE EVALUATION BEFORE IMPLEMENTING EXECUTIVE WISHLISTS ACT

Sec. 401. Short title.

Sec. 402. Relief pending review.

TITLE V—ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT

Sec. 501. Short title.

Sec. 502. Office of information and regulatory affairs publication of information relating to rules.

TITLE VI—PROVIDING ACCOUNTABILITY THROUGH TRANSPARENCY ACT

Sec. 601. Short title.

Sec. 602. Requirement to post a 100 word summary to regulations.gov.

TITLE I—REGULATORY ACCOUNTABILITY ACT

SEC. 101. SHORT TITLE.

This title may be cited as the “Regulatory Accountability Act”.

SEC. 102. DEFINITIONS.

Section 551 of title 5, United States Code, is amended—

(1) in paragraph (13), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(15) ‘major rule’ means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

“(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

“(D) significant impacts on multiple sectors of the economy;

“(16) ‘high-impact rule’ means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose an annual cost on the economy of \$1,000,000,000 or more, adjusted annually for inflation;

“(17) ‘negative-impact on jobs and wages rule’ means any rule that the agency that made the rule or the Administrator of the

Office of Information and Regulatory Affairs determines is likely to—

“(A) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

“(B) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce average weekly wages for employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

“(C) in any industry area (as such term is defined in the Current Population Survey conducted by the Bureau of Labor Statistics) in which the most recent annual unemployment rate for the industry area is greater than 5 percent, as determined by the Bureau of Labor Statistics in the Current Population Survey, reduce employment not related to new regulatory compliance during the first year after implementation; or

“(D) in any industry area in which the Bureau of Labor Statistics projects in the Occupational Employment Statistics program that the employment level will decrease by 1 percent or more, further reduce employment not related to new regulatory compliance during the first year after implementation;

“(18) ‘guidance’ means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue;

“(19) ‘major guidance’ means guidance that the Administrator of the Office of Information and Regulatory Affairs finds is likely to lead to—

“(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local or tribal government agencies, or geographic regions;

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

“(D) significant impacts on multiple sectors of the economy;

“(20) the ‘Information Quality Act’ means section 515 of Public Law 106-554, the Treasury and General Government Appropriations Act for Fiscal Year 2001, and guidelines issued by the Administrator of the Office of Information and Regulatory Affairs or other agencies pursuant to the Act; and

“(21) the ‘Office of Information and Regulatory Affairs’ means the office established under section 3503 of chapter 35 of title 44 and any successor to that office.”.

SEC. 103. RULE MAKING.

(a) Section 553(a) of title 5, United States Code, is amended by striking “(a) This section applies” and inserting “(a) APPLICABILITY.—This section applies”.

(b) Section 553 of title 5, United States Code, is amended by striking subsections (b) through (e) and inserting the following:

“(b) **RULE MAKING CONSIDERATIONS.**—In a rule making, an agency shall make all preliminary and final factual determinations based on evidence and consider, in addition to other applicable considerations, the following:

“(1) The legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making.

“(2) Other statutory considerations applicable to whether the agency can or should propose a rule or undertake other agency action.

“(3) The specific nature and significance of the problem the agency may address with a rule (including the degree and nature of risks the problem poses and the priority of addressing those risks compared to other matters or activities within the agency’s jurisdiction), whether the problem warrants new agency action, and the countervailing risks that may be posed by alternatives for new agency action.

“(4) Whether existing rules have created or contributed to the problem the agency may address with a rule and whether those rules could be amended or rescinded to address the problem in whole or part.

“(5) Any reasonable alternatives for a new rule or other response identified by the agency or interested persons, including not only responses that mandate particular conduct or manners of compliance, but also—

“(A) the alternative of no Federal response;

“(B) amending or rescinding existing rules;

“(C) potential regional, State, local, or tribal regulatory action or other responses that could be taken in lieu of agency action; and

“(D) potential responses that—

“(i) specify performance objectives rather than conduct or manners of compliance;

“(ii) establish economic incentives to encourage desired behavior;

“(iii) provide information upon which choices can be made by the public; or

“(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance.

“(6) Notwithstanding any other provision of law—

“(A) the potential costs and benefits associated with potential alternative rules and other responses considered under section 553(b)(5), including direct, indirect, and cumulative costs and benefits and estimated impacts on jobs (including an estimate of the net gain or loss in domestic jobs), wages, economic growth, innovation, economic competitiveness, and impacts on low income populations;

“(B) means to increase the cost-effectiveness of any Federal response; and

“(C) incentives for innovation, consistency, predictability, lower costs of enforcement and compliance (to government entities, regulated entities, and the public), and flexibility.

“(c) **ADVANCE NOTICE OF PROPOSED RULE MAKING FOR MAJOR RULES, HIGH-IMPACT RULES, NEGATIVE-IMPACT ON JOBS AND WAGES RULES, AND RULES INVOLVING NOVEL LEGAL OR POLICY ISSUES.**—In the case of a rule making for a major rule, a high-impact rule, a negative-impact on jobs and wages rule, or a rule that involves a novel legal or policy issue arising out of statutory mandates, not later than 90 days before a notice of proposed rule making is published in the Federal Register, an agency shall publish advance notice of proposed rule making in the Federal Register. In publishing such advance notice, the agency shall—

“(1) include a written statement identifying, at a minimum—

“(A) the nature and significance of the problem the agency may address with a rule,

including data and other evidence and information on which the agency expects to rely for the proposed rule;

“(B) the legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making;

“(C) preliminary information available to the agency concerning the other considerations specified in subsection (b);

“(D) in the case of a rule that involves a novel legal or policy issue arising out of statutory mandates, the nature of and potential reasons to adopt the novel legal or policy position upon which the agency may base a proposed rule; and

“(E) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

“(2) solicit written data, views or argument from interested persons concerning the information and issues addressed in the advance notice; and

“(3) provide for a period of not fewer than 60 days for interested persons to submit written data, views, or argument to the agency.

“(d) **NOTICES OF PROPOSED RULE MAKING; DETERMINATIONS OF OTHER AGENCY COURSE.**—(1) Before it determines to propose a rule, and following completion of procedures under subsection (c), if applicable, the agency shall consult with the Administrator of the Office of Information and Regulatory Affairs. If the agency thereafter determines to propose a rule, the agency shall publish a notice of proposed rule making, which shall include—

“(A) a statement of the time, place, and nature of public rule making proceedings;

“(B) reference to the legal authority under which the rule is proposed;

“(C) the terms of the proposed rule;

“(D) a description of information known to the agency on the subject and issues of the proposed rule, including but not limited to—

“(i) a summary of information known to the agency concerning the considerations specified in subsection (b);

“(ii) a summary of additional information the agency provided to and obtained from interested persons under subsection (c);

“(iii) a summary of any preliminary risk assessment or regulatory impact analysis performed by the agency; and

“(iv) information specifically identifying all data, studies, models, and other evidence or information considered or used by the agency in connection with its determination to propose the rule;

“(E)(i) a reasoned preliminary determination of need for the rule based on the information described under subparagraph (D);

“(ii) an additional statement of whether a rule is required by statute; and

“(iii) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

“(F) a reasoned preliminary determination that the benefits of the proposed rule meet the relevant statutory objectives and justify the costs of the proposed rule (including all costs to be considered under subsection (b)(6)), based on the information described under subparagraph (D);

“(G) a discussion of—

“(i) the alternatives to the proposed rule, and other alternative responses, considered by the agency under subsection (b);

“(ii) the costs and benefits of those alternatives (including all costs to be considered under subsection (b)(6));

“(iii) whether those alternatives meet relevant statutory objectives; and

“(iv) why the agency did not propose any of those alternatives; and

“(H)(i) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule; and

“(ii) if so, whether or not the agency proposes to amend or rescind any such rules, and why.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination to propose the rule, including any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information prepared or described by the agency under subparagraph (D) and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the proposed rule and made accessible to the public by electronic means and otherwise for the public’s use when the notice of proposed rule making is published.

“(2)(A) If the agency undertakes procedures under subsection (c) and determines thereafter not to propose a rule, the agency shall, following consultation with the Office of Information and Regulatory Affairs, publish a notice of determination of other agency course. A notice of determination of other agency course shall include information required by paragraph (1)(D) to be included in a notice of proposed rule making and a description of the alternative response the agency determined to adopt.

“(B) If in its determination of other agency course the agency makes a determination to amend or rescind an existing rule, the agency need not undertake additional proceedings under subsection (c) before it publishes a notice of proposed rule making to amend or rescind the existing rule.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination of other agency course, including but not limited to any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information that would be required to be prepared or described by the agency under paragraph (1)(D) if the agency had determined to publish a notice of proposed rule making and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the determination and made accessible to the public by electronic means and otherwise for the public’s use when the notice of determination is published.

“(3) After notice of proposed rule making required by this section, the agency shall provide interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation, except that—

“(A) if a hearing is required under paragraph (4)(B) or subsection (e), opportunity for oral presentation shall be provided pursuant to that requirement; or

“(B) when other than under subsection (e) of this section rules are required by statute or at the discretion of the agency to be made on the record after opportunity for an agency hearing, sections 556 and 557 shall apply, and paragraph (4), the requirements of subsection (e) to receive comment outside of the

procedures of sections 556 and 557, and the petition procedures of subsection (e)(6) shall not apply.

The agency shall provide not fewer than 60 days for interested persons to submit written data, views, or argument (or 120 days in the case of a proposed major or high-impact rule).

“(4)(A) Within 30 days of publication of notice of proposed rule making, a member of the public may petition for a hearing in accordance with section 556 to determine whether any evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act.

“(B)(i) The agency may, upon review of the petition, determine without further process to exclude from the rule making the evidence or other information that is the subject of the petition and, if appropriate, withdraw the proposed rule. The agency shall promptly publish any such determination.

“(ii) If the agency does not resolve the petition under the procedures of clause (i), it shall grant any such petition that presents a prima facie case that evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act, hold the requested hearing not later than 30 days after receipt of the petition, provide a reasonable opportunity for cross-examination at the hearing, and decide the issues presented by the petition not later than 60 days after receipt of the petition. The agency may deny any petition that it determines does not present such a prima facie case.

“(C) There shall be no judicial review of the agency’s disposition of issues considered and decided or determined under subparagraph (B)(ii) until judicial review of the agency’s final action. There shall be no judicial review of an agency’s determination to withdraw a proposed rule under subparagraph (B)(i) on the basis of the petition.

“(D) Failure to petition for a hearing under this paragraph shall not preclude judicial review of any claim based on the Information Quality Act under chapter 7 of this title.

“(e) HEARINGS FOR HIGH-IMPACT RULES.—Following notice of a proposed rule making, receipt of comments on the proposed rule, and any hearing held under subsection (d)(4), and before adoption of any high-impact rule, the agency shall hold a hearing in accordance with sections 556 and 557, unless such hearing is waived by all participants in the rule making other than the agency. The agency shall provide a reasonable opportunity for cross-examination at such hearing. The hearing shall be limited to the following issues of fact, except that participants at the hearing other than the agency may waive determination of any such issue:

“(1) Whether the agency’s asserted factual predicate for the rule is supported by the evidence.

“(2) Whether there is an alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost (including all costs to be considered under subsection (b)(6)) than the proposed rule.

“(3) If there is more than one alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost than the proposed rule, which alternative would achieve the relevant statutory objectives at the lowest cost.

“(4) Whether, if the agency proposes to adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives (including

all costs to be considered under subsection (b)(6)), the additional benefits of the more costly rule exceed the additional costs of the more costly rule.

“(5) Whether the evidence and other information upon which the agency bases the proposed rule meets the requirements of the Information Quality Act.

“(6) Upon petition by an interested person who has participated in the rule making, other issues relevant to the rule making, unless the agency determines that consideration of the issues at the hearing would not advance consideration of the rule or would, in light of the nature of the need for agency action, unreasonably delay completion of the rule making. An agency shall grant or deny a petition under this paragraph within 30 days of its receipt of the petition.

No later than 45 days before any hearing held under this subsection or sections 556 and 557, the agency shall publish in the Federal Register a notice specifying the proposed rule to be considered at such hearing, the issues to be considered at the hearing, and the time and place for such hearing, except that such notice may be issued not later than 15 days before a hearing held under subsection (d)(4)(B).

“(f) FINAL RULES.—(1) The agency shall adopt a rule only following consultation with the Administrator of the Office of Information and Regulatory Affairs to facilitate compliance with applicable rule making requirements.

“(2) The agency shall adopt a rule only on the basis of the best reasonably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the rule.

“(3)(A) Except as provided in subparagraph (B), the agency shall adopt the least costly rule considered during the rule making (including all costs to be considered under subsection (b)(6)) that meets relevant statutory objectives.

“(B) The agency may adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives only if the additional benefits of the more costly rule justify its additional costs and only if the agency explains its reason for doing so based on interests of public health, safety or welfare that are clearly within the scope of the statutory provision authorizing the rule.

“(4) When it adopts a final rule, the agency shall publish a notice of final rule making. The notice shall include—

“(A) a concise, general statement of the rule’s basis and purpose;

“(B) the agency’s reasoned final determination of need for a rule to address the problem the agency seeks to address with the rule, including a statement of whether a rule is required by statute and a summary of any final risk assessment or regulatory impact analysis prepared by the agency;

“(C) the agency’s reasoned final determination that the benefits of the rule meet the relevant statutory objectives and justify the rule’s costs (including all costs to be considered under subsection (b)(6));

“(D) the agency’s reasoned final determination not to adopt any of the alternatives to the proposed rule considered by the agency during the rule making, including—

“(i) the agency’s reasoned final determination that no alternative considered achieved the relevant statutory objectives with lower costs (including all costs to be considered under subsection (b)(6)) than the rule; or

“(ii) the agency’s reasoned determination that its adoption of a more costly rule complies with subsection (f)(3)(B);

“(E) the agency’s reasoned final determination—

“(i) that existing rules have not created or contributed to the problem the agency seeks to address with the rule; or

“(ii) that existing rules have created or contributed to the problem the agency seeks to address with the rule, and, if so—

“(I) why amendment or rescission of such existing rules is not alone sufficient to respond to the problem; and

“(II) whether and how the agency intends to amend or rescind the existing rule separate from adoption of the rule;

“(F) the agency’s reasoned final determination that the evidence and other information upon which the agency bases the rule complies with the Information Quality Act;

“(G) the agency’s reasoned final determination that the rule meets the objectives that the agency identified in subsection (d)(1)(E)(iii) or that other objectives are more appropriate in light of the full administrative record and the rule meets those objectives;

“(H) the agency’s reasoned final determination that it did not deviate from the metrics the agency included in subsection (d)(1)(E)(iii) or that other metrics are more appropriate in light of the full administrative record and the agency did not deviate from those metrics;

“(I)(i) for any major rule, high-impact rule, or negative-impact on jobs and wages rule, the agency’s plan for review of the rule no less than every ten years to determine whether, based upon evidence, there remains a need for the rule, whether the rule is in fact achieving statutory objectives, whether the rule’s benefits continue to justify its costs, and whether the rule can be modified or rescinded to reduce costs while continuing to achieve statutory objectives; and

“(ii) review of a rule under a plan required by clause (i) of this subparagraph shall take into account the factors and criteria set forth in subsections (b) through (f) of section 553 of this title; and

“(J) for any negative-impact on jobs and wages rule, a statement that the head of the agency that made the rule approved the rule knowing about the findings and determination of the agency or the Administrator of the Office of Information and Regulatory Affairs that qualified the rule as a negative impact on jobs and wages rule.

All information considered by the agency in connection with its adoption of the rule, and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the rule and made accessible to the public for the public’s use no later than when the rule is adopted.

“(g) EXCEPTIONS FROM NOTICE AND HEARING REQUIREMENTS.—(1) Except when notice or hearing is required by statute, the following do not apply to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice:

“(A) Subsections (c) through (e).

“(B) Paragraphs (1) through (3) of subsection (f).

“(C) Subparagraphs (B) through (H) of subsection (f)(4).

“(2)(A) When the agency for good cause, based upon evidence, finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that compliance with subsection (c), (d), or (e) or requirements to render final determinations under

subsection (f) of this section before the issuance of an interim rule is impracticable or contrary to the public interest, including interests of national security, such subsections or requirements to render final determinations shall not apply to the agency's adoption of an interim rule.

“(B) If, following compliance with subparagraph (A) of this paragraph, the agency adopts an interim rule, it shall commence proceedings that comply fully with subsections (d) through (f) of this section immediately upon publication of the interim rule, shall treat the publication of the interim rule as publication of a notice of proposed rule making and shall not be required to issue supplemental notice other than to complete full compliance with subsection (d). No less than 270 days from publication of the interim rule (or 18 months in the case of a major rule or high-impact rule), the agency shall complete rule making under subsections (d) through (f) of this subsection and take final action to adopt a final rule or rescind the interim rule. If the agency fails to take timely final action, the interim rule will cease to have the effect of law.

“(C) Other than in cases involving interests of national security, upon the agency's publication of an interim rule without compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section, an interested party may seek immediate judicial review under chapter 7 of this title of the agency's determination to adopt such interim rule. The record on such review shall include all documents and information considered by the agency and any additional information presented by a party that the court determines necessary to consider to assure justice.

“(3) When the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are unnecessary, including because agency rule making is undertaken only to correct a de minimis technical or clerical error in a previously issued rule or for other noncontroversial purposes, the agency may publish a rule without compliance with subsection (c), (d), (e), or (f)(1)–(3) and (f)(4)(B)–(F). If the agency receives significant adverse comment within 60 days after publication of the rule, it shall treat the notice of the rule as a notice of proposed rule making and complete rule making in compliance with subsections (d) and (f).

“(h) ADDITIONAL REQUIREMENTS FOR HEARINGS.—When a hearing is required under subsection (e) or is otherwise required by statute or at the agency's discretion before adoption of a rule, the agency shall comply with the requirements of sections 556 and 557 in addition to the requirements of subsection (f) in adopting the rule and in providing notice of the rule's adoption.

“(i) DATE OF PUBLICATION OF RULE.—The required publication or service of a substantive final or interim rule shall be made not less than 30 days before the effective date of the rule, except—

“(1) a substantive rule which grants or recognizes an exemption or relieves a restriction;

“(2) interpretive rules and statements of policy; or

“(3) as otherwise provided by the agency for good cause found and published with the rule.

“(j) RIGHT TO PETITION.—Each agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.

“(k) RULE MAKING GUIDELINES.—(1)(A) The Administrator of the Office of Information and Regulatory Affairs shall establish guidelines for the assessment, including quantitative and qualitative assessment, of the costs and benefits of proposed and final rules and other economic issues or issues related to risk that are relevant to rule making under this title. The rigor of cost-benefit analysis required by such guidelines shall be commensurate, in the Administrator's determination, with the economic impact of the rule.

“(B) To ensure that agencies use the best available techniques to quantify and evaluate anticipated present and future benefits, costs, other economic issues, and risks as accurately as possible, the Administrator of the Office of Information and Regulatory Affairs shall regularly update guidelines established under paragraph (1)(A) of this subsection.

“(2) The Administrator of the Office of Information and Regulatory Affairs shall also issue guidelines to promote coordination, simplification and harmonization of agency rules during the rule making process and otherwise. Such guidelines shall assure that each agency avoids regulations that are inconsistent or incompatible with, or duplicative of, its other regulations and those of other Federal agencies and drafts its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

“(3) To ensure consistency in Federal rule making, the Administrator of the Office of Information and Regulatory Affairs shall—

“(A) issue guidelines and otherwise take action to ensure that rule makings conducted in whole or in part under procedures specified in provisions of law other than those of subchapter II of this title conform to the fullest extent allowed by law with the procedures set forth in section 553 of this title; and

“(B) issue guidelines for the conduct of hearings under subsections 553(d)(4) and 553(e) of this section, including to assure a reasonable opportunity for cross-examination. Each agency shall adopt regulations for the conduct of hearings consistent with the guidelines issued under this subparagraph.

“(4) The Administrator of the Office of Information and Regulatory Affairs shall issue guidelines pursuant to the Information Quality Act to apply in rule making proceedings under sections 553, 556, and 557 of this title. In all cases, such guidelines, and the Administrator's specific determinations regarding agency compliance with such guidelines, shall be entitled to judicial deference.

“(1) INCLUSION IN THE RECORD OF CERTAIN DOCUMENTS AND INFORMATION.—The agency shall include in the record for a rule making, and shall make available by electronic means and otherwise, all documents and information prepared or considered by the agency during the proceeding, including, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, documents and information communicated by that Office during consultation with the Agency.

“(m) MONETARY POLICY EXEMPTION.—Nothing in subsection (b)(6), subparagraphs (F) and (G) of subsection (d)(1), subsection (e), subsection (f)(3), and subparagraphs (C) and (D) of subsection (f)(5) shall apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.”.

SEC. 104. AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; PRESIDENTIAL AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.

(a) IN GENERAL.—Chapter 5 of title 5, United States Code, is amended by inserting after section 553 the following new section:

“§ 553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance

“(a) Before issuing any major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, an agency shall—

“(1) make and document a reasoned determination that—

“(A) assures that such guidance is understandable and complies with relevant statutory objectives and regulatory provisions (including any statutory deadlines for agency action);

“(B) summarizes the evidence and data on which the agency will base the guidance;

“(C) identifies the costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) of conduct conforming to such guidance and assures that such benefits justify such costs; and

“(D) describes alternatives to such guidance and their costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) and explains why the agency rejected those alternatives; and

“(2) confer with the Administrator of the Office of Information and Regulatory Affairs on the issuance of such guidance to assure that the guidance is reasonable, understandable, consistent with relevant statutory and regulatory provisions and requirements or practices of other agencies, does not produce costs that are unjustified by the guidance's benefits, and is otherwise appropriate.

Upon issuing major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, the agency shall publish the documentation required by subparagraph (1) by electronic means and otherwise.

“(b) Agency guidance—

“(1) is not legally binding and may not be relied upon by an agency as legal grounds for agency action;

“(2) shall state in a plain, prominent and permanent manner that it is not legally binding; and

“(3) shall, at the time it is issued or upon request, be made available by the issuing agency to interested persons and the public by electronic means and otherwise.

Agencies shall avoid the issuance of guidance that is inconsistent or incompatible with, or duplicative of, the agency's governing statutes or regulations, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

“(c) The Administrator of the Office of Information and Regulatory Affairs shall have authority to issue guidelines for use by the agencies in the issuance of major guidance and other guidance. Such guidelines shall assure that each agency avoids issuing guidance documents that are inconsistent or incompatible with, or duplicative of, the law, its other regulations, or the regulations of other Federal agencies and drafts its guidance documents to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United

States Code, is amended by inserting after the item relating to section 553 the following new item:

“553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance.”.

SEC. 105. HEARINGS; PRESIDING EMPLOYEES; POWERS AND DUTIES; BURDEN OF PROOF; EVIDENCE; RECORD AS BASIS OF DECISION.

Section 556 of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

“(e)(1) The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision in accordance with section 557 and shall be made available to the parties and the public by electronic means and, upon payment of lawfully prescribed costs, otherwise. When an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.

“(2) Notwithstanding paragraph (1) of this subsection, in a proceeding held under this section pursuant to section 553(d)(4) or 553(e), the record for decision shall also include any information that is part of the record of proceedings under section 553.

“(f) When an agency conducts rule making under this section and section 557 directly after concluding proceedings upon an advance notice of proposed rule making under section 553(c), the matters to be considered and determinations to be made shall include, among other relevant matters and determinations, the matters and determinations described in subsections (b) and (f) of section 553.

“(g) Upon receipt of a petition for a hearing under this section, the agency shall grant the petition in the case of any major rule, unless the agency reasonably determines that a hearing would not advance consideration of the rule or would, in light of the need for agency action, unreasonably delay completion of the rule making. The agency shall publish its decision to grant or deny the petition when it renders the decision, including an explanation of the grounds for decision. The information contained in the petition shall in all cases be included in the administrative record. This subsection shall not apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.”.

SEC. 106. ACTIONS REVIEWABLE.

Section 704 of title 5, United States Code, is amended—

(1) by striking “Agency action made” and inserting “(a) Agency action made”; and

(2) by adding at the end the following: “Denial by an agency of a correction request or, where administrative appeal is provided for, denial of an appeal, under an administrative mechanism described in subsection (b)(2)(B) of the Information Quality Act, or the failure of an agency within 90 days to grant or deny such request or appeal, shall be final action for purposes of this section.

“(b) Other than in cases involving interests of national security, notwithstanding subsection (a) of this section, upon the agency’s publication of an interim rule without compliance with section 553(c), (d), or (e) or requirements to render final determinations under subsection (f) of section 553, an interested party may seek immediate judicial review under this chapter of the agency’s de-

termination to adopt such rule on an interim basis. Review shall be limited to whether the agency abused its discretion to adopt the interim rule without compliance with section 553(c), (d), or (e) or without rendering final determinations under subsection (f) of section 553.”.

SEC. 107. SCOPE OF REVIEW.

Section 706 of title 5, United States Code is amended—

(1) by striking “To the extent necessary” and inserting “(a) To the extent necessary”;

(2) in paragraph (2)(A) of subsection (b) (as designated by section 202 of this Act), by inserting after “in accordance with law” the following: “(including the Information Quality Act)”;

(3) by adding at the end the following:

“(c) The court shall not defer to the agency’s—

“(1) determination of the costs and benefits or other economic or risk assessment of the action, if the agency failed to conform to guidelines on such determinations and assessments established by the Administrator of the Office of Information and Regulatory Affairs under section 553(k);

“(2) determinations made in the adoption of an interim rule; or

“(3) guidance.

“(d) The court shall review agency denials of petitions under section 553(e)(6) or any other petition for a hearing under sections 556 and 557 for abuse of agency discretion.”.

SEC. 108. ADDED DEFINITION.

Section 701(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end, and inserting “; and”; and

(3) by adding at the end the following:

“(3) ‘substantial evidence’ means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of the record considered as a whole, taking into account whatever in the record fairly detracts from the weight of the evidence relied upon by the agency to support its decision.”.

SEC. 109. EFFECTIVE DATE.

The amendments made by this title to—

(1) sections 553, 556, and 704 of title 5, United States Code;

(2) subsection (b) of section 701 of such title;

(3) paragraphs (1) and (2) of section 706(c) of such title; and

(4) subsection (d) of section 706 of such title,

shall not apply to any rule makings pending or completed on the date of enactment of this title.

TITLE II—SEPARATION OF POWERS RESTORATION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the “Separation of Powers Restoration Act”.

SEC. 202. JUDICIAL REVIEW OF STATUTORY AND REGULATORY INTERPRETATIONS.

Section 706 of title 5, United States Code, as amended by this Act, is further amended—

(1) in subsection (a) (as designated by section 107 of this Act)—

(A) by striking “decide all relevant questions of law, interpret constitutional and statutory provisions, and”; and

(B) by inserting after “of the terms of an agency action” the following “and decide de novo all relevant questions of law, including the interpretation of constitutional and statutory provisions, and rules made by agencies. Notwithstanding any other provision of

law, this subsection shall apply in any action for judicial review of agency action authorized under any provision of law. No law may exempt any such civil action from the application of this section except by specific reference to this section”; and

(2) by striking “The reviewing court shall—” and inserting the following: “(b) The reviewing court shall—”.

TITLE III—SMALL BUSINESS REGULATORY FLEXIBILITY IMPROVEMENTS ACT

SEC. 301. SHORT TITLE.

This title may be cited as the “Small Business Regulatory Flexibility Improvements Act”.

SEC. 302. CLARIFICATION AND EXPANSION OF RULES COVERED BY THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Paragraph (2) of section 601 of title 5, United States Code, is amended to read as follows:

“(2) RULE.—The term ‘rule’ has the meaning given such term in section 551(4) of this title, except that such term does not include—

“(A) a rule pertaining to the protection of the rights of and benefits for veterans or part 232 of title 32 of the Code of Federal Regulations (as in effect on July 1, 2014) or any successor provisions thereto; or

“(B) a rule of particular (and not general) applicability relating to rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor or to valuations, costs or accounting, or practices relating to such rates, wages, structures, prices, appliances, services, or allowances.”.

(b) INCLUSION OF RULES WITH INDIRECT EFFECTS.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

“(9) ECONOMIC IMPACT.—The term ‘economic impact’ means, with respect to a proposed or final rule—

“(A) any direct economic effect on small entities of such rule; and

“(B) any indirect economic effect (including compliance costs and effects on revenue) on small entities which is reasonably foreseeable and results from such rule (without regard to whether small entities will be directly regulated by the rule).”.

(c) INCLUSION OF RULES WITH BENEFICIAL EFFECTS.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (c) of section 603 of title 5, United States Code, is amended by striking the first sentence and inserting “Each initial regulatory flexibility analysis shall also contain a detailed description of alternatives to the proposed rule which minimize any adverse significant economic impact or maximize any beneficial significant economic impact on small entities.”.

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—The first paragraph (6) of section 604(a) of title 5, United States Code, is amended by striking “minimize the significant economic impact” and inserting “minimize the adverse significant economic impact or maximize the beneficial significant economic impact”.

(d) INCLUSION OF RULES AFFECTING TRIBAL ORGANIZATIONS.—Paragraph (5) of section 601 of title 5, United States Code, is amended by inserting “and tribal organizations (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(1))),” after “special districts.”.

(e) INCLUSION OF LAND MANAGEMENT PLANS AND FORMAL RULEMAKING.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 603 of title 5,

United States Code, is amended in the first sentence—

(A) by striking “or” after “proposed rule,”; and

(B) by inserting “or publishes a revision or amendment to a land management plan,” after “United States,”.

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 604 of title 5, United States Code, is amended in the first sentence—

(A) by striking “or” after “proposed rulemaking,”; and

(B) by inserting “or adopts a revision or amendment to a land management plan,” after “section 603(a),”.

(3) LAND MANAGEMENT PLAN DEFINED.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

“(10) LAND MANAGEMENT PLAN.—

“(A) IN GENERAL.—The term ‘land management plan’ means—

“(i) any plan developed by the Secretary of Agriculture under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604); and

“(ii) any plan developed by the Secretary of the Interior under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

“(B) REVISION.—The term ‘revision’ means any change to a land management plan which—

“(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(5) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)); or

“(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5-6 of title 43, Code of Federal Regulations (or any successor regulation).

“(C) AMENDMENT.—The term ‘amendment’ means any change to a land management plan which—

“(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(4) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(4)) and with respect to which the Secretary of Agriculture prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); or

“(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5-5 of title 43, Code of Federal Regulations (or any successor regulation) and with respect to which the Secretary of the Interior prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).”.

(f) INCLUSION OF CERTAIN INTERPRETIVE RULES INVOLVING THE INTERNAL REVENUE LAWS.—

(1) IN GENERAL.—Subsection (a) of section 603 of title 5, United States Code, is amended by striking the period at the end and inserting “or a recordkeeping requirement, and without regard to whether such requirement is imposed by statute or regulation.”.

(2) COLLECTION OF INFORMATION.—Paragraph (7) of section 601 of title 5, United States Code, is amended to read as follows:

“(7) COLLECTION OF INFORMATION.—The term ‘collection of information’ has the meaning given such term in section 3502(3) of title 44.”.

(3) RECORDKEEPING REQUIREMENT.—Paragraph (8) of section 601 of title 5, United States Code, is amended to read as follows:

“(8) RECORDKEEPING REQUIREMENT.—The term ‘recordkeeping requirement’ has the

meaning given such term in section 3502(13) of title 44.”.

(g) DEFINITION OF SMALL ORGANIZATION.—Paragraph (4) of section 601 of title 5, United States Code, is amended to read as follows:

“(4) SMALL ORGANIZATION.—

“(A) IN GENERAL.—The term ‘small organization’ means any not-for-profit enterprise which, as of the issuance of the notice of proposed rulemaking—

“(i) in the case of an enterprise which is described by a classification code of the North American Industrial Classification System, does not exceed the size standard established by the Administrator of the Small Business Administration pursuant to section 3 of the Small Business Act (15 U.S.C. 632) for small business concerns described by such classification code; and

“(ii) in the case of any other enterprise, has a net worth that does not exceed \$7 million and has not more than 500 employees.

“(B) LOCAL LABOR ORGANIZATIONS.—In the case of any local labor organization, subparagraph (A) shall be applied without regard to any national or international organization of which such local labor organization is a part.

“(C) AGENCY DEFINITIONS.—Subparagraphs (A) and (B) shall not apply to the extent that an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions for such term which are appropriate to the activities of the agency and publishes such definitions in the Federal Register.”.

SEC. 303. EXPANSION OF REPORT OF REGULATORY AGENDA.

Section 602 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “, and” at the end and inserting “;”;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

“(3) a brief description of the sector of the North American Industrial Classification System that is primarily affected by any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities; and”; and

(2) in subsection (c), to read as follows:

“(c) Each agency shall prominently display a plain language summary of the information contained in the regulatory flexibility agenda published under subsection (a) on its website within 3 days of its publication in the Federal Register. The Office of Advocacy of the Small Business Administration shall compile and prominently display a plain language summary of the regulatory agendas referenced in subsection (a) for each agency on its website within 3 days of their publication in the Federal Register.”.

SEC. 304. REQUIREMENTS PROVIDING FOR MORE DETAILED ANALYSES.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (b) of section 603 of title 5, United States Code, is amended to read as follows:

“(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement—

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided;

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities beyond that already imposed on the class of small entities by the agency or why such an estimate is not available;

“(7) describing any disproportionate economic impact on small entities or a specific class of small entities; and

“(8) describing any impairment of the ability of small entities to have access to credit.”.

(b) FINAL REGULATORY FLEXIBILITY ANALYSIS.—

(1) IN GENERAL.—Section 604(a) of title 5, United States Code, is amended—

(A) in paragraph (4), by striking “an explanation” and inserting “a detailed explanation”;

(B) in each of paragraphs (4), (5), and the first paragraph (6), by inserting “detailed” before “description”;

(C) in the first paragraph (6), by striking “; and” at the end;

(D) in the second paragraph (6), by striking the period and inserting “; and”;

(E) by redesignating the second paragraph (6) as paragraph (7); and

(F) by adding at the end the following:

“(8) a detailed description of any disproportionate economic impact on small entities or a specific class of small entities.”.

(2) INCLUSION OF RESPONSE TO COMMENTS ON CERTIFICATION OF PROPOSED RULE.—Paragraph (2) of section 604(a) of title 5, United States Code, is amended by inserting “(or certification of the proposed rule under section 605(b))” after “initial regulatory flexibility analysis”.

(3) PUBLICATION OF ANALYSIS ON WEBSITE.—Subsection (b) of section 604 of title 5, United States Code, is amended to read as follows:

“(b) The agency shall make copies of the final regulatory flexibility analysis available to the public, including placement of the entire analysis on the agency’s website, and shall publish in the Federal Register the final regulatory flexibility analysis, or a summary thereof which includes the telephone number, mailing address, and link to the website where the complete analysis may be obtained.”.

(c) CROSS-REFERENCES TO OTHER ANALYSES.—Subsection (a) of section 605 of title 5, United States Code, is amended to read as follows:

“(a) A Federal agency shall be treated as satisfying any requirement regarding the content of an agenda or regulatory flexibility analysis under section 602, 603, or 604, if such agency provides in such agenda or analysis a cross-reference to the specific portion of another agenda or analysis which is required by any other law and which satisfies such requirement.”.

(d) CERTIFICATIONS.—Subsection (b) of section 605 of title 5, United States Code, is amended—

(1) by inserting “detailed” before “statement” the first place it appears; and

(2) by inserting “and legal” after “factual”.

(e) QUANTIFICATION REQUIREMENTS.—Section 607 of title 5, United States Code, is amended to read as follows:

§ 607. Quantification requirements

"In complying with sections 603 and 604, an agency shall provide—

"(1) a quantifiable or numerical description of the effects of the proposed or final rule and alternatives to the proposed or final rule; or

"(2) a more general descriptive statement and a detailed statement explaining why quantification is not practicable or reliable."

SEC. 305. REPEAL OF WAIVER AND DELAY AUTHORITY; ADDITIONAL POWERS OF THE CHIEF COUNSEL FOR ADVOCACY.

(a) IN GENERAL.—Section 608 of title 5, United States Code, is amended to read as follows:

§ 608. Additional powers of Chief Counsel for Advocacy

"(a)(1) Not later than 270 days after the date of the enactment of this section, the Chief Counsel for Advocacy of the Small Business Administration shall, after opportunity for notice and comment under section 553, issue rules governing agency compliance with this chapter. The Chief Counsel may modify or amend such rules after notice and comment under section 553. This chapter (other than this subsection) shall not apply with respect to the issuance, modification, and amendment of rules under this paragraph.

"(2) An agency shall not issue rules which supplement the rules issued under subsection (a) unless such agency has first consulted with the Chief Counsel for Advocacy to ensure that such supplemental rules comply with this chapter and the rules issued under paragraph (1).

"(b) Notwithstanding any other law, the Chief Counsel for Advocacy of the Small Business Administration may intervene in any agency adjudication (unless such agency is authorized to impose a fine or penalty under such adjudication), and may inform the agency of the impact that any decision on the record may have on small entities. The Chief Counsel shall not initiate an appeal with respect to any adjudication in which the Chief Counsel intervenes under this subsection.

"(c) The Chief Counsel for Advocacy may file comments in response to any agency notice requesting comment, regardless of whether the agency is required to file a general notice of proposed rulemaking under section 553."

(b) CONFORMING AMENDMENTS.—

(1) Section 611(a)(1) of such title is amended by striking "608(b)."

(2) Section 611(a)(2) of such title is amended by striking "608(b)."

(3) Section 611(a)(3) of such title is amended—

(A) by striking subparagraph (B); and

(B) by striking "(3)(A) A small entity" and inserting the following:

"(3) A small entity".

SEC. 306. PROCEDURES FOR GATHERING COMMENTS.

Section 609 of title 5, United States Code, is amended by striking subsection (b) and all that follows through the end of the section and inserting the following:

"(b)(1) Prior to publication of any proposed rule described in subsection (e), an agency making such rule shall notify the Chief Counsel for Advocacy of the Small Business Administration and provide the Chief Counsel with—

"(A) all materials prepared or utilized by the agency in making the proposed rule, including the draft of the proposed rule; and

"(B) information on the potential adverse and beneficial economic impacts of the proposed rule on small entities and the type of small entities that might be affected.

"(2) An agency shall not be required under paragraph (1) to provide the exact language of any draft if the rule—

"(A) relates to the internal revenue laws of the United States; or

"(B) is proposed by an independent regulatory agency (as defined in section 3502(5) of title 44).

"(c) Not later than 15 days after the receipt of such materials and information under subsection (b), the Chief Counsel for Advocacy of the Small Business Administration shall—

"(1) identify small entities or representatives of small entities or a combination of both for the purpose of obtaining advice, input, and recommendations from those persons about the potential economic impacts of the proposed rule and the compliance of the agency with section 603; and

"(2) convene a review panel consisting of an employee from the Office of Advocacy of the Small Business Administration, an employee from the agency making the rule, and in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), an employee from the Office of Information and Regulatory Affairs of the Office of Management and Budget to review the materials and information provided to the Chief Counsel under subsection (b).

"(d)(1) Not later than 60 days after the review panel described in subsection (c)(2) is convened, the Chief Counsel for Advocacy of the Small Business Administration shall, after consultation with the members of such panel, submit a report to the agency and, in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), the Office of Information and Regulatory Affairs of the Office of Management and Budget.

"(2) Such report shall include an assessment of the economic impact of the proposed rule on small entities, including an assessment of the proposed rule's impact on the cost that small entities pay for energy, an assessment of the proposed rule's impact on startup costs for small entities, and a discussion of any alternatives that will minimize adverse significant economic impacts or maximize beneficial significant economic impacts on small entities.

"(3) Such report shall become part of the rulemaking record. In the publication of the proposed rule, the agency shall explain what actions, if any, the agency took in response to such report.

"(e) A proposed rule is described by this subsection if the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, the head of the agency (or the delegatee of the head of the agency), or an independent regulatory agency determines that the proposed rule is likely to result in—

"(1) an annual effect on the economy of \$100 million or more;

"(2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local governments, tribal organizations, or geographic regions;

"(3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

"(4) a significant economic impact on a substantial number of small entities.

"(f) Upon application by the agency, the Chief Counsel for Advocacy of the Small Business Administration may waive the requirements of subsections (b) through (e) if the Chief Counsel determines that compliance with the requirements of such subsections are impracticable, unnecessary, or contrary to the public interest.

"(g) A small entity or a representative of a small entity may submit a request that the agency provide a copy of the report prepared under subsection (d) and all materials and information provided to the Chief Counsel for Advocacy of the Small Business Administration under subsection (b). The agency receiving such request shall provide the report, materials and information to the requesting small entity or representative of a small entity not later than 10 business days after receiving such request, except that the agency shall not disclose any information that is prohibited from disclosure to the public pursuant to section 552(b) of this title."

SEC. 307. PERIODIC REVIEW OF RULES.

Section 610 of title 5, United States Code, is amended to read as follows:

§ 610. Periodic review of rules

"(a) Not later than 180 days after the enactment of this section, each agency shall publish in the Federal Register and place on its website a plan for the periodic review of rules issued by the agency which the head of the agency determines have a significant economic impact on a substantial number of small entities. Such determination shall be made without regard to whether the agency performed an analysis under section 604. The purpose of the review shall be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any adverse significant economic impacts or maximize any beneficial significant economic impacts on a substantial number of small entities. Such plan may be amended by the agency at any time by publishing the revision in the Federal Register and subsequently placing the amended plan on the agency's website.

"(b) The plan shall provide for the review of all such agency rules existing on the date of the enactment of this section within 10 years of the date of publication of the plan in the Federal Register and for review of rules adopted after the date of enactment of this section within 10 years after the publication of the final rule in the Federal Register. If the head of the agency determines that completion of the review of existing rules is not feasible by the established date, the head of the agency shall so certify in a statement published in the Federal Register and may extend the review for not longer than 2 years after publication of notice of extension in the Federal Register. Such certification and notice shall be sent to the Chief Counsel for Advocacy of the Small Business Administration and the Congress.

"(c) The plan shall include a section that details how an agency will conduct outreach to and meaningfully include small businesses (including small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such terms are defined in the Small Business Act)) for the purposes of carrying out this section. The agency shall include in this section a plan for how the agency will contact small businesses and gather their input on existing agency rules.

“(d) Each agency shall annually submit a report regarding the results of its review pursuant to such plan to the Congress, the Chief Counsel for Advocacy of the Small Business Administration, and, in the case of agencies other than independent regulatory agencies (as defined in section 3502(5) of title 44) to the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget. Such report shall include the identification of any rule with respect to which the head of the agency made a determination described in paragraph (5) or (6) of subsection (e) and a detailed explanation of the reasons for such determination.

“(e) In reviewing a rule pursuant to subsections (a) through (d), the agency shall amend or rescind the rule to minimize any adverse significant economic impact on a substantial number of small entities or disproportionate economic impact on a specific class of small entities, or maximize any beneficial significant economic impact of the rule on a substantial number of small entities to the greatest extent possible, consistent with the stated objectives of applicable statutes. In amending or rescinding the rule, the agency shall consider the following factors:

“(1) The continued need for the rule.

“(2) The nature of complaints received by the agency from small entities concerning the rule.

“(3) Comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy of the Small Business Administration.

“(4) The complexity of the rule.

“(5) The extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State, territorial, and local rules.

“(6) The contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such calculations cannot be made and reports that determination in the annual report required under subsection (d).

“(7) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

“(f) Each year, each agency shall publish in the Federal Register and on its website a list of rules to be reviewed pursuant to such plan. The agency shall include in the publication a solicitation of public comments on any further inclusions or exclusions of rules from the list, and shall respond to such comments. Such publication shall include a brief description of the rule, the reason why the agency determined that it has a significant economic impact on a substantial number of small entities (without regard to whether it had prepared a final regulatory flexibility analysis for the rule), and request comments from the public, the Chief Counsel for Advocacy of the Small Business Administration, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rule.”.

SEC. 308. JUDICIAL REVIEW OF COMPLIANCE WITH THE REQUIREMENTS OF THE REGULATORY FLEXIBILITY ACT AVAILABLE AFTER PUBLICATION OF THE FINAL RULE.

(a) IN GENERAL.—Paragraph (1) of section 611(a) of title 5, United States Code, is amended by striking “final agency action” and inserting “such rule”.

(b) JURISDICTION.—Paragraph (2) of such section is amended by inserting “(or which

would have such jurisdiction if publication of the final rule constituted final agency action)” after “provision of law.”.

(c) TIME FOR BRINGING ACTION.—Paragraph (3) of such section is amended—

(1) by striking “final agency action” and inserting “publication of the final rule”; and

(2) by inserting “, in the case of a rule for which the date of final agency action is the same date as the publication of the final rule,” after “except that”.

(d) INTERVENTION BY CHIEF COUNSEL FOR ADVOCACY.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting before the first period “or agency compliance with section 601, 603, 604, 605(b), 609, or 610”.

SEC. 309. JURISDICTION OF COURT OF APPEALS OVER RULES IMPLEMENTING THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Section 2342 of title 28, United States Code, is amended—

(1) in paragraph (6), by striking “and” at the end;

(2) in paragraph (7), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (7) the following new paragraph:

“(8) all final rules under section 608(a) of title 5.”.

(b) CONFORMING AMENDMENTS.—Paragraph (3) of section 2341 of title 28, United States Code, is amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(F) the Office of Advocacy of the Small Business Administration, when the final rule is under section 608(a) of title 5.”.

(c) AUTHORIZATION TO INTERVENE AND COMMENT ON AGENCY COMPLIANCE WITH ADMINISTRATIVE PROCEDURE.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting “chapter 5, and chapter 7,” after “this chapter,”.

SEC. 310. ESTABLISHMENT AND APPROVAL OF SMALL BUSINESS CONCERN SIZE STANDARDS BY CHIEF COUNSEL FOR ADVOCACY.

(a) IN GENERAL.—Subparagraph (A) of section 3(a)(2) of the Small Business Act (15 U.S.C. 632(a)(2)(A)) is amended to read as follows:

“(A) IN GENERAL.—In addition to the criteria specified in paragraph (1)—

“(1) the Administrator may specify detailed definitions or standards by which a business concern may be determined to be a small business concern for purposes of this Act or the Small Business Investment Act of 1958; and

“(ii) the Chief Counsel for Advocacy may specify such definitions or standards for purposes of any other Act.”.

(b) APPROVAL BY CHIEF COUNSEL.—Clause (iii) of section 3(a)(2)(C) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(iii)) is amended to read as follows:

“(iii) except in the case of a size standard prescribed by the Administrator, is approved by the Chief Counsel for Advocacy.”.

(c) INDUSTRY VARIATION.—Paragraph (3) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)(3)) is amended—

(1) by inserting “or Chief Counsel for Advocacy, as appropriate” before “shall ensure”; and

(2) by inserting “or Chief Counsel for Advocacy” before the period at the end.

(d) JUDICIAL REVIEW OF SIZE STANDARDS APPROVED BY CHIEF COUNSEL.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is

amended by adding at the end the following new paragraph:

“(9) JUDICIAL REVIEW OF STANDARDS APPROVED BY CHIEF COUNSEL.—In the case of an action for judicial review of a rule which includes a definition or standard approved by the Chief Counsel for Advocacy under this subsection, the party seeking such review shall be entitled to join the Chief Counsel as a party in such action.”.

SEC. 311. CLERICAL AMENDMENTS.

(a) DEFINITIONS.—Section 601 of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking “(1) the term” and inserting the following:

“(1) AGENCY.—The term”;

(2) in paragraph (3)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking “(3) the term” and inserting the following:

“(3) SMALL BUSINESS.—The term”;

(3) in paragraph (5)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking “(5) the term” and inserting the following:

“(5) SMALL GOVERNMENTAL JURISDICTION.—The term”; and

(4) in paragraph (6)—

(A) by striking “; and” and inserting a period; and

(B) by striking “(6) the term” and inserting the following:

“(6) SMALL ENTITY.—The term”.

(b) INCORPORATIONS BY REFERENCE AND CERTIFICATIONS.—The heading of section 605 of title 5, United States Code, is amended to read as follows:

“§ 605. Incorporations by reference and certifications”.

(c) TABLE OF SECTIONS.—The table of sections for chapter 6 of title 5, United States Code, is amended as follows:

(1) By striking the item relating to section 605 and inserting the following new item:

“605. Incorporations by reference and certifications.”.

(2) By striking the item relating to section 607 and inserting the following new item:

“607. Quantification requirements.”.

(3) By striking the item relating to section 608 and inserting the following:

“608. Additional powers of Chief Counsel for Advocacy.”.

(d) OTHER CLERICAL AMENDMENTS TO CHAPTER 6.—Chapter 6 of title 5, United States Code, is amended in section 603(d)—

(1) by striking paragraph (2);

(2) by striking “(1) For a covered agency,” and inserting “For a covered agency,”;

(3) by striking “(A) any” and inserting “(1) any”;

(4) by striking “(B) any” and inserting “(2) any”; and

(5) by striking “(C) advice” and inserting “(3) advice”.

SEC. 312. AGENCY PREPARATION OF GUIDES.

Section 212(a)(5) of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended to read as follows:

“(5) AGENCY PREPARATION OF GUIDES.—The agency shall, in its sole discretion, taking into account the subject matter of the rule and the language of relevant statutes, ensure that the guide is written using sufficiently plain language likely to be understood by affected small entities. Agencies may prepare

separate guides covering groups or classes of similarly affected small entities and may cooperate with associations of small entities to distribute such guides. In developing guides, agencies shall solicit input from affected small entities or associations of affected small entities. An agency may prepare guides and apply this section with respect to a rule or a group of related rules.”

SEC. 313. COMPTROLLER GENERAL REPORT.

Not later than 90 days after the date of enactment of this title, the Comptroller General of the United States shall complete and publish a study that examines whether the Chief Counsel for Advocacy of the Small Business Administration has the capacity and resources to carry out the duties of the Chief Counsel under this title and the amendments made by this title.

TITLE IV—REQUIRE EVALUATION BEFORE IMPLEMENTING EXECUTIVE WISHLISTS ACT

SEC. 401. SHORT TITLE.

This title may be cited as the “Require Evaluation before Implementing Executive Wishlists Act” or as the “REVIEW Act”.

SEC. 402. RELIEF PENDING REVIEW.

Section 705 of title 5, United States Code, is amended—

(1) by striking “When” and inserting the following:

- “(a) IN GENERAL.—When”; and
 (2) by adding at the end the following:

“(b) HIGH-IMPACT RULES.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘Administrator’ means the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget; and

“(B) the term ‘high-impact rule’ means any rule that the Administrator determines may impose an annual cost on the economy of not less than \$1,000,000,000.

“(2) IDENTIFICATION.—A final rule may not be published or take effect until the agency making the rule submits the rule to the Administrator and the Administrator makes a determination as to whether the rule is a high-impact rule, which shall be published by the agency with the final rule.

“(3) RELIEF.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an agency shall postpone the effective date of a high-impact rule of the agency until the final disposition of all actions seeking judicial review of the rule.

“(B) FAILURE TO TIMELY SEEK JUDICIAL REVIEW.—Notwithstanding section 553(i), if no person seeks judicial review of a high-impact rule—

“(i) during any period explicitly provided for judicial review under the statute authorizing the making of the rule; or

“(ii) if no such period is explicitly provided for, during the 60-day period beginning on the date on which the high-impact rule is published in the Federal Register,

the high-impact rule may take effect as early as the date on which the applicable period ends.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to impose any limitation under law on any court against the issuance of any order enjoining the implementation of any rule.”

TITLE V—ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT

SEC. 501. SHORT TITLE.

This title may be cited as the “All Economic Regulations are Transparent Act” or the “ALERT Act”.

SEC. 502. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES.

(a) AMENDMENT.—Title 5, United States Code, is amended by inserting after chapter 6, the following new chapter:

“CHAPTER 6A—OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES

“Sec. 651. Agency monthly submission to office of information and regulatory affairs.

“Sec. 652. Office of information and regulatory affairs publications.

“Sec. 653. Requirement for rules to appear in agency-specific monthly publication.

“Sec. 654. Definitions.

“SEC. 651. AGENCY MONTHLY SUBMISSION TO OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

“On a monthly basis, the head of each agency shall submit to the Administrator of the Office of Information and Regulatory Affairs (referred to in this chapter as the ‘Administrator’), in such manner as the Administrator may reasonably require, the following information:

“(1) For each rule that the agency expects to propose or finalize during the 12-month period following the month covered by the monthly submission:

“(A) A summary of the nature of the rule, including the regulation identifier number and the docket number for the rule.

“(B) The objectives of and legal basis for the issuance of the rule, including—

“(i) any statutory or judicial deadline; and

“(ii) whether the legal basis restricts or precludes the agency from conducting an analysis of the costs or benefits of the rule during the rule making, and if not, whether the agency plans to conduct an analysis of the costs or benefits of the rule during the rule making.

“(C) Whether the agency plans to claim an exemption from the requirements of section 553 pursuant to section 553(g)(2)(A).

“(D) The stage of the rule making as of the date of submission.

“(E) Whether the rule is subject to review under section 610.

“(2) For any rule for which the agency expects to finalize during the 12-month period following the month covered by the monthly submission and has issued a general notice of proposed rule making—

“(A) an approximate schedule for completing action on the rule;

“(B) an estimate of whether the rule will cost—

“(i) less than \$50,000,000;

“(ii) \$50,000,000 or more but less than \$100,000,000;

“(iii) \$100,000,000 or more but less than \$500,000,000;

“(iv) \$500,000,000 or more but less than \$1,000,000,000;

“(v) \$1,000,000,000 or more but less than \$5,000,000,000;

“(vi) \$5,000,000,000 or more but less than \$10,000,000,000; or

“(vii) \$10,000,000,000 or more; and

“(C) any estimate of the economic effects of the rule, including the imposition of unfunded mandates and any estimate of the net effect that the rule will have on the number of jobs in the United States, that was considered in drafting the rule, or, if no such estimate is available, a statement affirming that no information on the economic effects, including the effect on the number of jobs, of the rule has been considered.

“SEC. 652. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATIONS.

“(a) AGENCY-SPECIFIC INFORMATION PUBLISHED MONTHLY.—Not later than 30 days after the submission of information pursuant to section 651, the Administrator shall make such information publicly available on the Internet.

“(b) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING PUBLISHED ANNUALLY.—

“(1) PUBLICATION IN THE FEDERAL REGISTER.—Not later than October 1 of each year, the Administrator shall publish in the Federal Register the following, with respect to the previous year:

“(A) The information that the Administrator received from the head of each agency under section 651.

“(B) The number of rules and a list of each such rule—

“(i) that was proposed by each agency, including, for each such rule, an indication of whether the issuing agency conducted an analysis of the costs or benefits of the rule; and

“(ii) that was finalized by each agency, including for each such rule an indication of whether—

“(I) the issuing agency conducted an analysis of the costs or benefits of the rule;

“(II) the agency claimed an exemption from the procedures under section 553 pursuant to section 553(g)(2)(A); and

“(III) the rule was issued pursuant to a statutory mandate or the rule making is committed to agency discretion by law.

“(C) The number of agency actions and a list of each such action taken by each agency that—

“(i) repealed a rule;

“(ii) reduced the scope of a rule;

“(iii) reduced the cost of a rule; or

“(iv) accelerated the expiration date of a rule.

“(D) The total cost (without reducing the cost by any offsetting benefits) of all rules proposed or finalized, the total cost of any unfunded mandates imposed by all such rules, and the number of rules for which an estimate of the cost of the rule was not available.

“(2) PUBLICATION ON THE INTERNET.—Not later than October 1 of each year, the Administrator shall make publicly available on the Internet the following:

“(A) The analysis of the costs or benefits, if conducted, for each proposed rule or final rule issued by an agency for the previous year.

“(B) The docket number and regulation identifier number for each proposed or final rule issued by an agency for the previous year.

“(C) The number of rules and a list of each such rule reviewed by the Director of the Office of Management and Budget for the previous year, and the authority under which each such review was conducted.

“(D) The number of rules and a list of each such rule for which the head of an agency completed a review under section 610 for the previous year.

“(E) The number of rules and a list of each such rule submitted to the Comptroller General under section 801.

“(F) The number of rules and a list of each such rule for which a resolution of disapproval was introduced in either the House of Representatives or the Senate under section 802.

SEC. 653. REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.

“(a) IN GENERAL.—Subject to subsection (b), a rule may not take effect until the information required to be made publicly available on the Internet regarding such rule pursuant to section 652(a) has been so available for not less than 6 months.

“(b) EXCEPTIONS.—The requirement of subsection (a) shall not apply in the case of a rule—

“(1) for which the agency issuing the rule claims an exception under section 553(g)(2)(A); or

“(2) which the President determines by Executive order should take effect because the rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

SEC. 654. DEFINITIONS.

“In this chapter, the terms ‘agency’, ‘agency action’, ‘rule’, and ‘rule making’ have the meanings given those terms in section 551, and the term ‘unfunded mandate’ has the meaning given the term ‘Federal mandate’ in section 421(6) of the Congressional Budget Act of 1974 (2 U.S.C. 658(6)).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 5, United States Code, is amended by inserting after the item relating to chapter 5, the following:

“6. The Analysis of Regulatory Functions 601
“6A. Office of Information and Regulatory Affairs Publication of Information Relating to Rules 651”.

(c) EFFECTIVE DATES.—

(1) AGENCY MONTHLY SUBMISSION TO THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS.—The first submission required pursuant to section 651 of title 5, United States Code, as added by subsection (a), shall be submitted not later than 30 days after the date of the enactment of this title, and monthly thereafter.

(2) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING.—

(A) IN GENERAL.—Subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 60 days after the date of the enactment of this title.

(B) DEADLINE.—The first requirement to publish or make available, as the case may be, under subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall be the first October 1 after the effective date of such subsection.

(C) FIRST PUBLICATION.—The requirement under section 652(b)(2)(A) of title 5, United States Code, as added by subsection (a), shall include for the first publication, any analysis of the costs or benefits conducted for a proposed or final rule, for the 10 years before the date of the enactment of this title.

(3) REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.—Section 653 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 8 months after the date of the enactment of this title.

TITLE VI—PROVIDING ACCOUNTABILITY THROUGH TRANSPARENCY ACT

SEC. 601. SHORT TITLE.

This title may be cited as the “Providing Accountability Through Transparency Act”.

SEC. 602. REQUIREMENT TO POST A 100 WORD SUMMARY TO REGULATIONS.GOV.

Section 553(d)(1) of title 5, United States Code, as inserted by section 103(b) of this Act, is amended—

(1) in subparagraph (G)(iv) by striking “; and” and inserting “;”;

(2) in subparagraph (H)(ii), by striking the period at the end and inserting “; and”; and

(3) by inserting after subparagraph (H) the following:

“(I) the internet address of a summary of not more than 100 words in length of the proposed rule, in plain language, that shall be posted on the internet website under section 206(d) of the E-Government Act of 2002 (44 U.S.C. 3501 note) (commonly known as regulations.gov).”.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in part A of House Report 115-2. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115-2.

Mr. GOODLATTE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 39, line 3, insert after “made by agencies.” the following: “If the reviewing court determines that a statutory or regulatory provision relevant to its decision contains a gap or ambiguity, the court shall not interpret that gap or ambiguity as an implicit delegation to the agency of legislative rule making authority and shall not rely on such gap or ambiguity as a justification either for interpreting agency authority expansively or for deferring to the agency’s interpretation on the question of law.”.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, if Congress is effectively to rein in the runaway administrative state, a crucial part of the plan must be to overturn, legislatively, the doctrines of judicial deference to agencies’ interpretations of the statutes and regulations they administer. These doctrines, founded in the Supreme Court’s decision in *Chevron v. NRDC* and *Auer v. Robbins*, have, over the years, turned the courts far too much into a rubberstamp rather than a vigorous check on the self-serving tendencies of agencies to interpret the law to expand their own power.

Title II of the bill, the Separation of Powers Act, delivers this legislative re-

versal of *Chevron* and *Auer*. There is one thing, though, that still needs to be added to that portion of the bill; that is language to check the potential that once they are restored—the full interpretive powers that rightfully belong to them—our Article III courts will not engage in judicial activism.

To put a point on it, judges must not be allowed to use the Separation of Powers Act as a license to interpret ambiguous statutes always to expand agency power. My amendment, therefore, succinctly but powerfully provides just that. It prohibits courts from reading ambiguities in statutes to contain implicit delegation of legislative rulemaking authority to agencies or from reading those ambiguities expansively to extend agency power.

Although it failed in its task, the *Chevron* doctrine was originally crafted to help check that kind of judicial activism. As we end the failed *Chevron* experiment, we should make sure we do not go back to judicial activism. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, to say that this amendment stops judicial activism is stretching things a little bit, I believe. This opens the floodgates to judicial activism, the Goodlatte amendment, so that is why I oppose the amendment. It revises title II of the bill to eliminate agencies’ “gap-filling” authority when interpreting ambiguous statutes.

Judicial review of final agency action is a hallmark of administrative law and is critical to ensuring that agency action does not harm or adversely affect the public. But as the Supreme Court held, in *Chevron v. Natural Resources Defense Council* in 1984, reviewing courts may only invalidate an agency action when it violates a constitutional provision or when an agency exceeds its statutory authority as clearly expressed by Congress.

That is a clear rule that has worked fine for America for the last 30 years. Over that time, this seminal decision has required deference to the substantive expertise and political accountability of Federal agencies because, after all, judges don’t have political accountability because they are appointed for life. They are not elected by the people.

So this legislation is turning around this very fair and balanced court decision and, instead, imposing a new setup, one that invites judges—whom they appoint, by the way. They are the ones who have refused, for the last year, to appoint or to consider the appointment of a U.S. Supreme Court Justice so that they could get a Republican in the White House.

They did not want anybody other than somebody made to order, and this is what this legislation lays the groundwork for is that new Supreme Court Justice who has yet to be named by a Republican incoming President. But you can bet it will be one who has corporate interests at heart instead of that of middle class and working people and regular, ordinary people. You can bet that that Supreme Court representative will be ready to do away with the Chevron doctrine and comply with this legislative mandate, which is open season on regulations, allowing the Federal judiciary to impose its political beliefs on regulations.

So that is going to be bad for America. Generalist courts, which are constitutionally insulated from political accountability, should not have the power to second-guess agency experts concerning the appropriateness of highly technical regulations crucial to protecting the health and safety of millions of Americans.

Moreover, this doctrine promotes predictability for businesses and the public. Professor Levin notes that “because citizens can put some confidence in the expectation that decisions by a centralized agency will not be readily overturned by a variety of courts in different parts of the country,” that contributes to predictability.

□ 1515

Title II of H.R. 5, however, would upend this longstanding precedent by abolishing the Chevron doctrine.

This amendment further puts the thumb on the scale against lifesaving protections by ensuring that practically any statutory ambiguity will be resolved in favor of a regulated entity and against agency action, no matter how important.

This amendment is also a solution in search of a problem. As Professor Levin has testified, “the field of administrative law has worked out a variety of political and judicial oversight mechanisms to maintain a delicate balance of power among the branches of government.”

Any administrative action based on an ambiguous statute could be challenged by an affected party, and these checks already apply to judicial review.

Finally, this measure would apply equally to regulatory and deregulatory actions. John Walke, the clean air director and senior attorney for the Natural Resources Defense Council warns that if an “administration more ideologically opposed to regulation wishes to take advantage of the inevitable vagueness, conflicts, and gaps in federal statutes, it may adopt the least protective regulation permissible under a federal law.”

Mr. Chair, because this is a bad amendment, I ask that it be opposed.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I include in the record a list of organizations supporting H.R. 5.

I urge my colleagues to support this important amendment.

AGRICULTURAL RETAILERS ASSOCIATION,

Washington, DC, January 11, 2017.

TO ALL MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: On behalf of the Agricultural Retailers Association (ABA), I am writing to urge a vote in support of H.R. 5, the “Regulatory Accountability Act” sponsored by Representative Bob Goodlatte (R-VA). This legislation includes a number of important provisions designed to reform the Federal rulemaking process.

All stakeholders have a right to fair, open, and transparent rulemaking that respects the proper role of the states and the intent of Congress. For decades, there have been Executive Orders issued from both Republican and Democrat Administrations highlighting the importance of an open, transparent, and fair regulatory process. H.R. 5 is an important step forward in codifying the principles that Presidents of both parties have issued in Executive Order 12004 (Issued in March 1978), Executive Order 12291 (Issued in February 1981), Executive Order 12866 (Issued in September 1993), Executive Order 13132 (Issued in August 1999), and Executive Order 13563 (Issued in January 2011).

Some of the reforms in H.R. 5 include provisions such as requiring federal agencies to use less costly regulations, rather than more costly proposals, to obtain a stated objective; requiring federal agencies to explain how their proposed regulations would impact small business owners, their employees, and customers; prohibiting any new rules with a significant economic impact from taking effect until litigation against such proposal has been fully settled without impacting existing regulations; and requiring Federal agencies to publish mandatory transparency reports.

Rep. Collin Peterson (D-MN) plans to offer an amendment on the floor of the U.S. House of Representatives to prohibit agencies from using social media to sway public opinion in favor of a pending agency proposal. This common-sense amendment is necessary to prevent actions taken by federal agencies such as the U.S. Environmental Protection Agency (EPA) that the General Accountability Office (GAO) found took unlawful actions during its “Waters of the United States” (WOTUS) proposed rulemaking. ARA urges all House members to vote in favor of the Peterson amendment and to vote “Yes” on final passage of H.R. 5.

Sincerely,

RICHARD D. GUPTON,
*Senior Vice President,
Public Policy & Counsel.*

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, January 9, 2017.
HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REP.: The House of Representatives will soon take up H.R. 5 for debate and a vote. This measure contains a number of important elements that are designed to improve the Federal rulemaking process. American Farm Bureau urges all members to vote in favor of this legislation.

For decades, presidents of both parties have issued Executive Orders and Memoranda underscoring the importance of a regulatory process that is open, transparent and fair.

President Carter stipulated in EO 12044 that regulations should not impose unnecessary burdens on the economy.

President Reagan issued EO 12291 in February 1981 to assure that least-cost alternatives would be used in regulatory decision-making.

President Clinton affirmed that regulations should maximize net benefits (EO 12866, September 1993). Later in his Administration, President Clinton issued EO 13132 reaffirming the importance of federalism and respecting the rights of states.

President Obama underscored the importance of sound science in his Memorandum of March 2009. He also reaffirmed President Clinton’s EO 12866 when he issued EO 13563.

We understand that an amendment to H.R. 5 will be offered on the floor by Rep. Peterson to prohibit agencies from using social media to sway public opinion in favor of a pending agency proposal. This amendment stems directly from EPA’s conduct in its “waters of the US” (WOTUS) rulemaking, conduct found unlawful by the General Accountability Office and scrupulously detailed in a report released by the House Committee on Oversight and Government Reform, “Politization of the Waters of the United States Rulemaking.” We strongly support the Peterson amendment and urge all members to vote in favor of its adoption.

All stakeholders—farmers, ranchers, environmentalists, academics, agency staff, and the general public—have a right to a rulemaking process that is fair, open, transparent, respectful of the role of states in our Federal system, and faithful to the intent of Congress. H.R. 5 is an important step in codifying principles that Presidents of both parties have enunciated for decades. This legislation deserves strong, bipartisan support.

We urge all members to vote in favor of the Peterson amendment and to vote “Yes” on final passage of H.R. 5.

Sincerely,

ZIPPY DUVALL,
President.

ASSOCIATED BUILDERS AND
CONTRACTORS, INC.,
Washington, DC, January 5, 2017.
HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of Associated Builders and Contractors (ABC), a national construction industry trade association with 70 chapters representing nearly 21,000 members, I am writing in support of the Regulatory Accountability Act of 2017 (H.R. 5) introduced by Rep. Bob Goodlatte (R-VA). ABC supports this legislation, which would reform the Administrative Procedures Act and strengthen existing checks on federal agencies, allowing for more cost-effective regulations through a more transparent process.

As builders of our communities and infrastructure, ABC members understand the value of standards and regulations based on solid evidence, with appropriate consideration paid to implementation costs and input from affected businesses. ABC strongly supports comprehensive regulatory reform which includes across-the-board requirements for departments and agencies to appropriately evaluate risks, weigh costs, and assess benefits of all regulations. H.R. 5 is an excellent step in regulatory reform as it ensures more accountability from federal agencies and greater stakeholder transparency.

Today, federal regulatory agencies wield incredible power through rulemaking. They

have grown adept at using procedural loopholes in order to accomplish narrowly-focused goals. These agencies operate relatively unchecked and unsupervised, especially during the early stages of the regulatory process. They often disregard and circumvent the will of Congress and the American public by issuing regulations with poor or incomplete economic cost-benefit forecasting or other data analysis, instead of using the best and most accurate data that could have created more practical, sustainable rules and regulations.

Consequently, some regulations that have limited or questionable benefit result in crippling costs for companies and often no serious consideration is given for more practical alternatives. For the construction industry, these regulations routinely translate into higher costs and are passed along to the consumer.

Ultimately, these costs impact our industry's ability to expand and hire more workers. It is particularly alarming that small businesses, which comprise the vast majority of the industry, are disproportionately affected by this irresponsible approach to regulation.

Thank you for your attention on this important matter and we urge the House to pass the Regulatory Accountability Act of 2017.

Sincerely,

KRISTEN SWEARINGEN,
Vice President of Legislative
& Political Affairs.

THE ASSOCIATED GENERAL
CONTRACTORS OF AMERICA,
Arlington, VA, January 10, 2017.

Re Vote "YES" on the Regulatory Accountability Act of 2017, H.R. 5.

Hon. PAUL RYAN,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE RYAN: On behalf of the Associated General Contractors of America (AGC) and its more than 26,000 commercial construction company members, I strongly urge you to vote "YES" on the Regulatory Accountability Act of 2017, H.R. 5. This legislation is critical to helping ensure that regulations undergo thorough economic analysis, are based in sound science and/or substantial empirical data, and are transparent with clear and feasible methods and goals.

The current regulatory process allows federal agencies to promulgate rules based on unconvincing, scant and—sometimes—just plain wrong evidence. For example, Professor David L. Sunding, Ph.D., Thomas J. Graff Chair of Natural Resource Economics at the University of California, Berkeley found that the "errors, omissions, and lack of transparency" in the Environmental Protection Agency's economic analysis underlying its Waters of the United States (WOTUS) rule to be "so severe as to render it virtually meaningless." Yet, the EPA was able to finalize that rule based on such flawed analysis.

Federal agencies also write rules that are not feasible for the construction industry to follow. The Occupational Health and Safety Administration (OSHA) crystalline silica rule, for instance, put forth a permissible silica exposure limit that is beyond the capacity of existing dust filtration and removal technology. Despite this fact, OSHA finalized this rule and the construction industry is left liable to implement.

The Regulatory Accountability Act will help hold federal agencies accountable to the

facts throughout the rulemaking process. Under this legislation, the public could challenge the underlying evidence agencies put forth to justify their rules. Such challenges could occur through hearings before the agency and before courts, which generally defer to any evidence put forth by federal agencies currently. As a result, agencies would be incentivized to undertake more rigorous and realistic analyses, rather than risk delays as a result of relying on cherry-picked studies or self-serving, internal data.

The purpose of the bill is not partisan. Rather, it is to ensure that the regulations federal agencies put forth are feasible and based in thorough economic analysis and sound science. To do so, H.R. 5 allows for greater transparency, more public participation and needed objectivity in the rule-making process. As such, AGC again urges you to for in favor of H.R. 5.

Thank you for your consideration.

Sincerely,

JEFFREY D. SHOAF,
Senior Executive Director, Government
Affairs.

BUSINESS ROUNDTABLE,
January 6, 2017.

Re Support for H.R. 5—The Regulatory Accountability Act of 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington,
DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: On behalf of the CEO members of Business Roundtable, who lead major U.S. companies with more than \$6 trillion in annual revenues and nearly 15 million employees, I am pleased to express our strong support for H.R. 5, the Regulatory Accountability Act of 2017, introduced by Judiciary Committee Chairman Bob Goodlatte.

Business Roundtable CEOs have consistently identified overly complex and burdensome federal regulations as harmful to accelerating job creation, job retention and increased economic opportunity for American workers and their families. We support a smarter approach to federal regulation that would engage regulated parties earlier in the process, improve the quality of information used to make regulatory decisions and consistently apply rigorous cost-benefit analysis to major regulatory proposals.

We are particularly pleased that H.R. 5 includes the previously introduced version of the Regulatory Accountability Act, also championed by Chairman Goodlatte, the ALERT Act, championed by Representative John Ratcliffe, and the Providing Accountability Through Transparency Act, championed by Representative Blaine Luetkemeyer.

Overall, the smart regulatory improvements embodied in the Regulatory Accountability Act of 2017 will:

Make U.S. companies more competitive. Usually after prolonged periods of consideration, federal agencies regularly issue rules that impose large and often unnecessary burdens on U.S. businesses—burdens that foreign competitors may not have to bear. The Act will reduce these burdens.

Enable U.S. companies to be more innovative. American businesses are the world's most innovative, and that innovation supports America's high standard of living. Rules that require particular technologies or approaches or fail to keep up with technological evolution can jeopardize future inno-

vation. The Act will encourage flexible, non-prescriptive implementation that preserves the capacity to innovate.

Stimulate investment by enhancing business certainty. If companies are unsure about what regulators will require or how to comply with rules, they will be reluctant to commit capital to new or expanded productive investments. By encouraging early engagement with regulated parties and improving the transparency and accountability of the regulatory process, the Act will result in greater certainty for U.S. businesses and thereby accelerate job growth and investment.

The Regulatory Accountability Act of 2017 would make the U.S. regulatory system more transparent, accountable and effective. We endorse this legislation and pledge our full support to see it enacted into law.

Sincerely,

MARK J. COSTA,
Chairman and Chief Executive Officer,
Eastman Chemical Company
Chair, Smart Regulation Committee, Business
Roundtable.

NATIONAL ASSOCIATION
OF REALTORS,

Washington, DC, January 9, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington,
DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: On behalf of the 1.1 million members of the National Association of REALTORS® (NAR), I urge the House to approve H.R. 5 (Goodlatte, R-VA; Peterson, D-MN), the "Regulatory Accountability Act".

NAR believes that federal regulations should be narrowly tailored, supported by strong data and evidence, and impose the least costs possible on regulated stakeholders.

The Regulatory Accountability Act embodies these principles and will contribute to a more transparent and accountable regulatory process by:

Increasing public participation in shaping the most-costly regulations at an earlier point in the rulemaking process;

Instructing agencies to choose the least costly option that achieves congressional intent unless they can show a costlier option is needed to protect health, safety, or welfare;

Requiring public hearings for the most-costly regulations;

Improving the process for evaluating how small businesses are impacted by regulations; and

Providing for a more rigorous test in legal challenges for those regulations that would have the most impact.

The Regulatory Accountability Act builds on established principles of a fair regulatory process and would make the regulatory process more transparent, agencies more accountable for their decisions, and regulations better-tailored to achieve their purpose without unnecessary burdens on stakeholders.

The Regulatory Accountability Act would allow Congress and the public to reassert control over the federal regulatory bureaucracy. Therefore, NAR strongly supports the Act, and urges passage of the bill when it comes to the House floor for a vote.

Sincerely,

WILLIAM E. BROWN,
2017 President.

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,
Washington, DC, January 11, 2017.

Hon. STEVE CHABOT,
Chairman, House Committee on Small Business,
Washington, DC.

DEAR CHAIRMAN CHABOT, on behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, I am writing in support of H.R. 33, the Small Business Regulatory Flexibility Improvements Act of 2017. This legislation puts into place strong protections to ensure that federal agencies fully consider the impact of proposed regulations on small businesses.

In an economy where two-thirds of all net new jobs come from the small business sector, we appreciate that this legislation would require regulators to analyze further the impact of certain proposals on job creation. As you well know, the annual cost of federal regulation per employee is significantly higher for smaller firms than larger firms. Federal regulations—not to mention state and local regulations—add up and significantly increase the cost of starting and running a small business.

H.R. 33 expands the scope of the Regulatory Flexibility Act (RFA) by forcing government regulators to include the indirect impact of their regulations in their assessments of a regulation's impact on small businesses. The bill also provides small business with expanded judicial review protections, which helps ensure that small businesses have their views heard during the federal rulemaking process, not after.

The legislation strengthens several other aspects of the RFA—such as expanding the small business advocacy review panel process to all agencies. Currently, the panels only apply to the Environmental Protection Agency, the Occupational Safety and Health Administration, and the Consumer Financial Protection Bureau. These panels have proven to be an extremely effective mechanism in helping agencies to understand how their rules will affect small businesses, and help agencies identify less costly alternatives to regulations before proposing new rules.

Finally, H.R. 33 expands the standard for periodic review of rules by federal agencies and gives the U.S. Small Business Administration's Office of Advocacy increased input into agency compliance with the RFA. These important protections are needed to prevent duplicative and outdated regulatory burdens as well as to address penalty structures that are too high for the small business sector.

NFIB supports H.R. 33 because it strengthens the requirement for federal agencies to consider both the direct and indirect economic impact of proposed regulations on small businesses. We look forward to working with the committee towards enactment of the Small Business Regulatory Flexibility Improvements Act of 2017.

Sincerely,

JUANITA D. DUGGAN,
President and CEO NFIB.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, January 6, 2017.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce strongly supports H.R. 5, which includes the Regulatory Accountability Act, and may consider including votes on, or in relation to, H.R. 5 in our annual How They Voted scorecard.

The Chamber commends the House for acting on regulatory reform legislation so early

in the 115th session, and for bringing H.R. 5, which also includes important provisions related to small businesses, to the floor.

The Regulatory Accountability Act is a long-standing priority for the Chamber and would update the Administrative Procedure Act (APA) to improve how federal agencies promulgate those rules with the most significant impact on jobs and economic growth.

Modernization of APA is long overdue. While there has been a dramatic increase in high impact, transformative rules that are slowing economic growth and inhibiting job creation, APA rulemaking provisions have remained virtually unchanged since 1946 when the law was established.

H.R. 5 would target only the most expensive and burdensome of these rules for increased scrutiny by providing greater transparency, by holding agencies accountable, and by making sure the data behind the decisions of regulators are made publicly available.

The Chamber urges you to support this legislation and to oppose any weakening amendment when it is considered likely next week.

Sincerely,

JACK HOWARD,
Senior Vice President,
Congressional and Public Affair.

Mr. GOODLATTE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CHAFFETZ

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115-2.

Mr. CHAFFETZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 38, insert after line 10 the following:
SEC. 110. PROMPT ISSUANCE OF OIRA GUIDELINES.

The Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget shall establish any guideline required to be established by this title or the amendments made by this title by not later than 270 days after the date of enactment of this title.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Utah (Mr. CHAFFETZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

H.R. 5 requires the Office of Information and Regulatory Affairs, often

called OIRA, to provide guidelines for agencies on how to effectively conduct regulatory activities.

This is a great bill. I wholeheartedly support the bill. We simply want to add a timeline to this bill so that we give the proper incentive, notification, and time to properly institute what this new law would do.

The regulatory activities engaged in this bill that OIRA, the Office of Information and Regulatory Affairs, deals with need to include cost and benefit assessments and their economic or risk assessments; coordination, simplification, and harmonization of the agency rules; conforming rulemaking to the notice and comment requirements and formal rulemaking requirements in the Administrative Procedure Act; as well as the application of the Information Quality Act to rulemaking proceedings under what is called the APA.

These guidelines required by the underlying bill are moving the country in the right direction and will ensure that agencies produce thoughtful, comprehensive, and well-vetted regulations.

The simple amendment that I offer today, Mr. Chairman, to H.R. 5 simply requires OIRA to issue guidance within 270 days. I think this is the right balance of encouragement to have them get going on it right away, but at the same time not allowing this to linger in perpetuity with no end in sight.

This amendment provides OIRA, I think, the proper balance. That is why I have offered this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the Chaffetz amendment. This amendment establishes a deadline of 270 days—a magical number of days—for some reason. There is no reason given for that being the number of days, but that is what they give to the Office of Information and Regulatory Affairs, or OIRA, to issue guidelines pursuant to title I of this bill.

Why 270 days?

Well, I think I can answer that question. They know that OIRA is not equipped to sufficiently deal with regulations within that same amount of time period. We have had all this budget cutting going on. We have been attacking the Federal Government regulatory authorities throughout the entire 6 years that Republicans have been in control of this House. They have done 6 years' worth of hobbling OIRA, and now they are going to come forward and impose a 270-day requirement. That is like asking someone who you have handicapped to run in a relay race that you know they can't win.

To begin with, I would note that OIRA, which typically has fewer than 50 employees, often serves as a bottleneck for the promulgation of economically significant rules, as reported last year by Public Citizen.

Moreover, as a group of the Nation's leading administrative law scholars have noted that the Regulatory Accountability Act is "unusually ambitious and crammed with details that are impossible to summarize," that will "further ossify the rulemaking process with little offsetting benefits in the form of better rules."

Many of these new procedures task OIRA with making numerous new determinations and expanded review of formal rulemaking. In addition, to hobbling over the last 6 years, and then imposing a deadline of an arbitrary and capricious number of days, you are going to heap additional requirements upon them without increasing their staff that you have already cut.

Given the sheer breadth of these requirement, it may be difficult or impossible for OIRA to comply with the deadline imposed by this amendment, absent additional congressional appropriations, which, of course, they are not interested in.

Accordingly, I rise to oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, certainly the gentleman from Georgia is not opposed to the number 270. It is a beautiful number. Normally we give them about 6 months to promulgate a rule. This is 50 percent more than that. It is roughly 9 months. If a woman can give birth in that amount of time, my guess is they can go ahead and put together some rules in that amount of time.

We gave it quite a bit of thought. I think it is properly balanced. We don't want it to be a year. It is 50 percent more than we normally ask and that OIRA is used to doing in rulemaking. So certainly they can accomplish that.

Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. GOODLATTE), chairman of the committee.

Mr. GOODLATTE. Mr. Chairman, I just want to say that title I of the bill contains several key requirements for the Office of Information and Regulatory Affairs, OIRA, to put out high-quality, governmentwide guidelines that all agencies can follow. These include, for example, guidelines on cost-benefit analysis, risk assessment, consistency with the Information Quality Act, and good guidance practices.

Since the importance of these issues and the need for swift and effective implementation of reform, the amendment's institution of a 270-day deadline for the issuance of these guidelines is

very reasonable, very constructive. I urge my colleagues to support this amendment.

Mr. JOHNSON of Georgia. Mr. Chairman, I think what I gather is that we need better regulations. Therefore, we have to provide more requirements on OIRA with respect to the regulations it issues, while at the same time claiming that regulations are bad and we have unelected bureaucrats and all of this kind of stuff like that.

So we need better laws to allow them to regulate better. Then we are going to give them 270 days, which is a little more than we give the average agency. Well, I thank you for that, but you have not increased the manpower of the agency to deal with the new requirements that you are stacking on them. It just doesn't make a whole lot of sense.

The real reason for this amendment is to help foster the gumming up of the Federal regulatory system. That is what it is all about. There are a lot of little small ways of doing that, heaping it on top of the larger measure, which is itself just inimical to good rule-making. This is a game, and the American people are the big losers.

Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I know my colleague from Georgia is opposed to this bill, but I do think it is reasonable to give a time frame as to when they are supposed to issue this so it doesn't continue on in perpetuity. I think it is reasonable.

To the gentleman's point about the staffing, we don't get into that granular detail here. That is left to the Office of Management and Budget. Those decisions have been made by the Obama administration for the last 8 years. The new Office of Management and Budget will need to take into account the staffing levels and how OMB will determine whether they need more staff or less staff, but I would certainly support the idea that, if they are overwhelmed with issues, let's make sure that they are properly staffed.

This is an important agency. It is the bottleneck. We have to make sure that they are functioning properly. We are supportive of that, but I do think it is reasonable to offer that timeline. I appreciate the support of the chairman on this, and I urge passage of this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CHABOT

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 115-2.

Mr. CHABOT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 304(d)(1) of the bill, strike "and" at the end.

In section 304(d)(2) of the bill, strike the period and insert "and".

In section 304(d), insert after paragraph (2) the following:

(3) by inserting "The detailed statement shall include an economic assessment or a summary thereof that is sufficiently detailed to support the agency's certification." before "The agency shall provide such certification".

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume.

I offer this amendment to address a longstanding problem: agencies not fully analyzing the effects of regulations on small businesses.

Under the current Regulatory Flexibility Act, an agency may certify a rule if it expects that the rule will not have—and I am quoting the current law here—"a significant economic impact on a substantial number of small entities."

When an agency certifies a rule, it does not need to perform a full regulatory flexibility analysis. This provision makes sense because not every rule affects small businesses.

Unfortunately, agencies appear to be abusing this provision. According to a recent study, agencies only prepared analyses for approximately 8 percent of rules finalized between 1996 and 2012.

A recent example of this occurred with the controversial waters of United States rule. The Environmental Protection Agency and Army Corps of Engineers certified that rule despite the significant and direct consequences for farmers, ranchers, and home builders. Most of those are small businesses.

Although the Small Business Administration Chief Counsel for Advocacy sent a letter to the agencies stating that the certification was improper and urging them to withdraw the rule, the agencies ignored the Chief Counsel and proceeded to finalize it anyway.

□ 1530

This amendment addresses this problem by requiring agencies to include—and I am quoting my amendment—"an economic assessment or a summary thereof that is sufficiently detailed to support the agency's certification." This will be published in the Federal Register as part of the detailed statement and certification for the proposed rule.

This approach mirrors the one used in the National Environmental Policy Act. When an agency finds a project to have no significant impacts on the environment, it is required to provide an environmental assessment or a summary of it. Since agencies are required

to provide a threshold analysis when they issue a finding of no significant impact for actions that could affect the environment, it just makes sense to extend the same type of requirement to rules that could affect small businesses. Small businesses, after all, are the folks that are responsible for creating two-thirds, or about 70 percent, of the new jobs created nowadays. So anything that burdens these small businesses is something that is, by definition, bad for the economy and bad for job creation.

This particular amendment, I think, improves the underlying legislation. It makes sense. I urge my colleagues to support this amendment, which will further strengthen the RFA and ensure that agencies' decisions are supported by data.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, this amendment would require agencies to provide a detailed economic assessment prior to certifying that a rule will not have a significant economic impact on a substantial number of small business entities.

I oppose this bill for a number of reasons. Number one, it forces agencies to prove a negative. The negative being that it will not have a significant—bookmark that for a second—a significant economic impact on a substantial number of small entities.

I mean, proving a negative is always very difficult to do, that it won't do this. Certainly very difficult. But then when you give the decisionmaker a vague and ambiguous frame of reference like "significant," what does significant economic impact mean?

It means different things to different people. So that is vague and ambiguous. It allows for unbridled discretion by an unelected bureaucrat, to use that term that my friends like to use, but in this instance I am using it with respect to a newly appointed plutocratic bureaucrat like, say, Linda McMahon at the Small Business Administration, a billionaire. Give that to, you know, a bureaucrat such as that and let them decide whether or not it has a significant economic impact. They are going to say, yes, it has a significant economic impact. They are going to do it every time because that is their agenda. They support a pro-big-business agenda. That is what they represent, and so that is how they would rule.

When you add that it has to be a substantial number of small businesses, well, what is a substantial number? Is it 10 percent, 20 percent, 50 percent?

That is up to whoever the decisionmaker is, the unelected bureaucrat. We see the setup. I think the American people understand what this amend-

ment seeks to do. It requires agencies to provide a detailed economic assessment of the economic impacts of a proposed or final rule prior to certifying that the rule will not have a significant economic impact on a substantial number of small businesses.

Title III of H.R. 5 substantially increases agencies' responsibilities with respect to rulemaking, including a requirement to supply a detailed statement that includes the factual and legal basis of the reasons why an agency has determined that a proposed or final rule will not have a significant economic impact on small businesses. Boy, you can just chase your tail all around for days trying to meet that standard.

This onerous measure will force agencies to expend already strained resources and incur considerable costs to implement the bill. Also, giving corporations an opportunity to contest these arbitrary decisions if they go the right way in court.

Unsurprisingly, the Congressional Budget Office estimated that an identical version of this legislation considered last Congress would cost \$55 million over the 2015–2020 period, assuming appropriation of the necessary funds.

By requiring agencies to quantify the economic effects that a rulemaking will have on small businesses, which may be unknowable in some cases, this amendment may task agencies with providing an economic report on a counterfactual hypothetical basis. This requirement would do little to ease compliance costs or promote small business development or growth, and more likely it will lead to regulatory avoidance and ossification and less small business activity because the big businesses are going to be allowed to crowd them out. Accordingly, I oppose this amendment and urge my colleagues to do the same.

Mr. Chairman, I reserve the balance of my time.

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume. I will be brief, and then I will invite my colleague from Virginia to respond.

Just a couple of quick points. First of all, relative to this significant economic impact language that my distinguished colleague from Georgia is talking about, that is already in the existing law, so we are not changing anything there. We are not saying it ought to say a significant economic impact. It already says that in the existing law. Both the bureaucrats and the courts are used to determining what the terminology like "significant" means under the rule or regulation or the law, just as what a reasonable man is. "Reasonable" is quite common throughout the legal structure.

We are also not giving discretion to Ms. McMahon, the soon-to-be head of the SBA. It is to the Chief Counsel, and he is independent.

I yield to the gentleman from Virginia (Mr. GOODLATTE), our chairman.

Mr. GOODLATTE. I thank the gentleman for his amendment. Title III of the bill contains important reforms to make sure agencies finally take seriously Congress' directive to write rules with flexible accommodations for small businesses, the source of most of our Nation's job creation.

Congress' demands for flexibility began with the Regulatory Accountability Act during the 1980s, but agencies have never fully complied. One of the key ways agencies have skirted the law's requirements has been to certify their way out of any need to actually provide flexibility by finding that a proposed or final rule will not have a significant impact on a substantial number of small entities.

This amendment puts the brakes on an inadequately substantiated certification by requiring certifications to include economic assessment details sufficient to support the certifications. I support the amendment.

Mr. CHABOT. Mr. Chairman, I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, it is already covered in current law, so why do we need this amendment?

Well, it is a messaging piece to be able to say to the listening audience that we support small business. Well, gosh, I think we have answered that question here on this side whether or not they really do support small business. It is clear they support big business, and that is what this amendment is going to help facilitate without adding to the overall bill. For that reason, I ask that we oppose it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 115–2.

Ms. VELÁZQUEZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike line 13 on page 39 and all that follows through line 26 on page 69, and insert the following (and conform the table of contents accordingly):

TITLE III—SMALL BUSINESS REGULATORY IMPROVEMENT ACT

SEC. 301. SHORT TITLE.

This title may be cited as the "Small Business Regulatory Improvement Act of 2017".

SEC. 302. CLARIFICATION AND EXPANSION OF RULES COVERED BY THE REGULATORY FLEXIBILITY ACT.

Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

"(9) ECONOMIC IMPACT.—The term 'economic impact' means, with respect to a proposed or final rule—

“(A) any direct economic effect on small entities of such rule; and

“(B) any indirect economic effect on small entities which is reasonably foreseeable and results from such rule (without regard to whether small entities will be directly regulated by the rule).”

SEC. 303. REQUIREMENTS PROVIDING FOR MORE DETAILED ANALYSES.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (b) of section 603 of title 5, United States Code, is amended to read as follows:

“(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement describing—

“(1) the reasons why the action by the agency is being considered;

“(2) the objectives of, and legal basis for, the proposed rule;

“(3) the type of small entities to which the proposed rule will apply;

“(4) the number of small entities to which the proposed rule will apply or why such estimate is not available;

“(5) the projected reporting, record-keeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement, the costs, and the type of professional skills necessary to comply with the rule; and

“(6) all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided.”

(b) FINAL REGULATORY FLEXIBILITY ANALYSIS.—

(1) Paragraph (4) of such section is amended by striking “an explanation” and inserting “a detailed explanation”.

(2) Paragraph (5) of such section is amended to read as follows:

“(4) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement, the costs, and the type of professional skills necessary to comply with the rule; and”

(c) CERTIFICATION OF NO IMPACT.—Subsection (b) of section 605 of title 5, United States Code, is amended by inserting “detailed” before “statement” both places such term appears.

SEC. 304. PERIODIC REVIEW OF RULES.

Section 610 of title 5, United States Code, is amended to read as follows:

“§ 610. Periodic review of rules

“(a) Not later than 180 days after the effective date of this section, each agency shall publish in the Federal Register and place on its website a plan for the periodic review of rules issued by the agency which the head of the agency determines have a significant economic impact on a substantial number of small entities. Such determination shall be made without regard to whether the agency performed an analysis under section 604. The purpose of the review shall be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize significant economic impacts on a substantial number of small entities. Such plan may be amended by the agency at any time by publishing the revision in the Federal Register and subsequently placing the amended plan on the agency’s website.

“(b) The plan shall provide for the review of all such agency rules existing on the effective date of this section within 10 years of the date of publication of the plan in the

Federal Register and for review of rules adopted after the effective date of this section within 10 years after the publication of the final rule in the Federal Register. If the head of the agency determines that completion of the review of existing rules is not feasible by the established date, the head of the agency shall so certify in a statement published in the Federal Register and may extend the review for not longer than 2 years after publication of notice of extension in the Federal Register. Such certification and notice shall be sent to the Chief Counsel for Advocacy and the Congress.

“(c) Each agency shall annually submit a report regarding the results of its review pursuant to such plan to the Congress and, in the case of agencies other than independent regulatory agencies (as defined in section 3502(5) of title 44, United States Code) to the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget. Such report shall include the identification of any rule with respect to which the head of the agency made a determination described in paragraph (5) or (6) of subsection (d) and a detailed explanation of the reasons for such determination.

“(d) In reviewing rules under such plan, the agency shall consider the following factors:

“(1) The continued need for the rule.

“(2) The nature of complaints received by the agency from small entities concerning the rule.

“(3) Comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy.

“(4) The complexity of the rule.

“(5) The extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State and local rules.

“(6) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

“(e) The agency shall publish in the Federal Register and on its website a list of rules to be reviewed pursuant to such plan. Such publication shall include a brief description of the rule, the reason why the agency determined that it has a significant economic impact on a substantial number of small entities (without regard to whether it had prepared a final regulatory flexibility analysis for the rule), and request comments from the public, the Chief Counsel for Advocacy, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rule.”

SEC. 305. CHANGES TO THE REGULATORY FLEXIBILITY ACT TO COMPORT WITH EXECUTIVE ORDER 13272.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Section 603 of title 5, United States Code, is amended by adding at the end the following:

“(e) An agency shall notify the Chief Counsel for Advocacy of the Small Business Administration of any draft rules that may have a significant economic impact on a substantial number of small entities either—

“(1) when the agency submits a draft rule to the Office of Information and Regulatory Affairs at the Office of Management and Budget, if submission is required; or

“(2) if no submission to the Office of Information and Regulatory Affairs is so required, at a reasonable time prior to publication of the rule by the agency.”

(b) INCLUSION IN FINAL REGULATORY FLEXIBILITY ANALYSIS OF RESPONSE TO COMMENTS

ON CERTIFICATION OF PROPOSED RULE.—Paragraph (2) of section 604(a) of title 5, United States Code, is amended by inserting after “initial regulatory flexibility analysis” the following: “(or certification of the proposed rule under section 605(b))”.

The Acting CHAIR. Pursuant to House Resolution 33, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

The Regulatory Flexibility Act has reduced regulatory costs by \$130 billion since 1998. However, it could do better. The amendment I am offering will improve this process.

However, unlike the underlying bill, my amendment is actually aligned with the original statute, which was created to protect the unique needs of small businesses in the regulatory process, not to stop regulations. My amendment is also much more cost effective to the taxpayers, as the underlying bill creates a massive and unnecessary government bureaucracy. It should be noted that my amendment is based on bipartisan legislation from a previous Congress, which the committee reported by a recorded vote of 26-0.

The amendment makes improvements to the most significant deficiencies facing the Regulatory Flexibility Act without the overly broad changes contained in the underlying bill. This includes making sure that agencies live up to their obligations to retrospectively review the burdens of existing rules on small businesses. The GAO has reported on numerous occasions that agency compliance with this requirement was poor. My amendment holds the agencies more accountable by requiring them to report the results of their reviews to Congress annually.

My amendment also takes steps to make analyses more detailed so that agencies cannot ignore the RFA and simply certify that a rule has no significant economic impact on small businesses. Addressing this matter will ensure that agencies are required to provide a more factual basis for such certifications rather than just a sentence which dismisses the concerns of small firms.

The most important aspect of my amendment is what it does not do. Unlike H.R. 5, my amendment does not create a new governmentwide bureaucracy or foist a truckload of new responsibilities on the Office of Advocacy, which only has a \$9 million budget.

For instance, H.R. 5 requires the Office of Advocacy to approve size standards, a function already handled by the SBA. This is like creating a Rayburn cafeteria next to the Rayburn cafeteria. It is ridiculous. This is a complete waste of taxpayer resources and

will, ironically, take the Office of Advocacy away from its core mission of monitoring regulations.

Also, another aspect that is very important, what this legislation does is it is setting the Office of Advocacy to fail. They do not have the expertise. They do not have the resources. In addition, H.R. 5 imposes the panel process across the entire government. I will say that again. Across the entire government, including all independent agencies. So much for fiscal responsibility. There is another complete waste of taxpayer resources, and it will further limit the Office of Advocacy's ability to weigh in on the most important matters affecting small businesses.

Instead, my amendment makes the targeted changes to the RFA that small businesses have called for over the last 5 years. In doing so, it is cost effective and responsible to the taxpayers. I urge Members to vote "yes" on my amendment.

Mr. Chairman, I reserve the balance of my time.

□ 1545

Mr. CHABOT. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume.

Just a couple of points. First, before speaking in opposition to this amendment, I would note that the ranking member, Ms. VELÁZQUEZ, and I worked very much in a bipartisan and cooperative manner on a whole range of issues. We have done that when she chaired the committee and I was the ranking member, and we do that now that I am the chair and she is the ranking member. I commend her for that cooperation. We have actually gotten a lot of things done in the Small Business Committee on behalf of small businesses all across the country in both Democratic and Republican districts.

That being said, I would also note that this particular language, in essence, replaces our H.R. 5, title III, with Ms. VELÁZQUEZ's version. She mentioned that hers is bipartisan. Ours is as well. Mr. CUELLAR was a principal cosponsor of this particular legislation, so, by definition, it is bipartisan. I would also note that we have dealt with this a number of times over the years, and we have included a significant number of Democratic amendments already in our underlying bill as well. So it truly is bipartisan.

The gentlewoman from New York's amendment would essentially strike title III of the bill, and it would replace it with alternative language. While I am heartened that she agrees that the Regulatory Flexibility Act needs to be improved, this amendment just does not go far enough to address, in my view, most Federal agencies' habitual

disregards for small businesses. We know that the bureaucracy does disregard small businesses time and time again. That is why we feel so strongly about this bill.

Ms. VELÁZQUEZ's amendment includes a few of the reforms that the current title has, but, unfortunately, it fails to include many other important ones. Her amendment does not close the loophole the IRS uses to avoid complying with the RFA, for example, and it does not provide additional opportunities for small businesses to provide input on proposed rules through the Small Business Advocacy Review panel process.

It does not require the Chief Counsel for Advocacy to issue government-wide RFA compliance regulations that all agencies must follow. Without these compliance regulations, agencies will just continue to develop their own interpretations of the RFA to avoid complying with the law's requirement.

America's small businesses deserve more meaningful reform, and the current title III of the bill, in our view, does just that; therefore, I would urge my colleagues, respectfully, to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, I want to thank the chairman for being so kind. But let me just say that on this one, your approach is not balanced, and it is going to impact the very agencies that you are empowering with so many responsibilities.

I would like to ask the gentleman, adding all these new responsibilities that would require manpower and expertise that is needed, how much money is included in the authorizing process for this office to work properly?

Mr. Chairman, I yield back the balance of my time.

Mr. CHABOT. Mr. Chairman, I don't think we need to increase bureaucracy or hire a whole lot more people to implement this. We have plenty of people right now who work for the Federal Government, and I am sure that we can shift some resources around, people can work harder and smarter, and we can be leaner and meaner. The bureaucracy has grown far too large over the years.

That money comes from somewhere. Where does it come from? It comes out of the hardworking taxpayers of our country. A lot of those folks are small business folks, and they are folks that have gotten the short end of the stick far too often.

Hopefully, this Congress will move legislation that comes out of this body in a direction where, rather than throw roadblocks, hindrances, and more problems in the pathway of small businesses, we are going to help them. I know the last thing they want to hear is: I am from the government, and I am here to help you.

The fact is the government does exist, and to the extent we can help them, we ought to do that. But most of the small businesses that I talk to, what they say is: just get the heck off my back. Quit telling me how to do what I know how to do best.

So we are not anarchists over here. We are not saying that we don't need any bureaucracy, we don't need any government, and we don't need any regulations. We do need some regulations, but we overregulate now. Hopefully, this is just one step in scaling back on the overregulation that comes out of Washington and is like a wet blanket over small businesses all over the country and like a wet blanket over the American economy. So let's get that wet blanket off, let's get the economy moving, and let's Make America Great Again.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. PETERSON

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 115-2.

Mr. PETERSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, insert after line 8 the following:

"(5) After notice or advance notice of a proposed rule making, the agency making the rule, and any person acting in an official capacity on behalf of the agency, may not communicate, and a person who receives Federal funds from the agency may not use those funds to communicate, through written, oral, electronic, or other means to the public about the proposed rule in a manner that—

"(A) directly advocates, in support of or against the proposed rule, for the submission of information to form part of the record of review for the proposed rule;

"(B) appeals to the public, or solicits a third-party, to undertake advocacy in support of or against the proposed rule; or

"(C) is directly or indirectly for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Such prohibition shall not apply to communication that requests comments or provides information regarding the rule in an impartial manner."

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Minnesota (Mr. PETERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PETERSON. Mr. Chairman, I rise in support of this amendment. This amendment will prohibit Federal agencies from using taxpayer dollars to advocate on behalf of a rule or generate

comments to overwhelm the record with one point of view.

A GAO report documents how the EPA created a campaign to generate comments in support of the waters of the U.S., or the WOTUS rule. This is not how government, or the rule-making process, should work.

The comment period should be a time for agencies to hear from the public about what is good, what is bad, and what needs to be fixed with a proposed rule. In my opinion, agencies too often take laws passed by Congress and then turn them into something that is unrecognizable. That is why this amendment is needed and has the support of the American Farm Bureau Federation, the National Association of Wheat Growers, and the National Association of Home Builders, among others.

This is a commonsense amendment that will improve the bill, and I urge my colleagues to vote in support.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I respectfully claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, I oppose this amendment which would prohibit Federal agencies from making any public communications that would promote a pending regulatory action.

We can all agree that the rulemaking process should be transparent, flexible, and accountable to the public. But rather than achieve this goal, my colleagues' amendment would decrease transparency in the rulemaking process and burden agency rulemaking with little corresponding benefits to the public.

A variety of statutes, including the Administrative Procedure Act and agency specific statutes, already prescribe the method that agencies may communicate to the public with regard to proposed rules. Agencies should, and indeed are required by law to, communicate why rules are beneficial to the public. For example, in 2014, the Department of Defense proposed a rule to protect servicemembers and their families from predatory lending schemes. In a press release discussing the rule, the Defense Department highlighted the benefits of the rule such as "this proposed rule would better protect Active Duty servicemembers and their families from excessive debt."

This plain language explanation of the proposed rule would be flatly prohibited by this amendment. Indeed, there is little that an agency could discuss about a pending rule that would not be considered to be promoting the rule within the meaning of this amendment.

In the context of the proposed deregulation actions, in 2003, Bush ad-

ministration officials posed with chainsaws and scissors next to a stack of papers to promote efforts to cut red tape. It is doubtful that this form of public communication would be permissible under this amendment. By the way, to see the Bush administration officials with a chainsaw and scissors going at regulations reminds me of what we are doing here today.

In the context of a veto threat of a similar antiregulatory proposal last Congress, the Obama administration stated that similar requirements would prevent agencies from efficiently performing their statutory responsibilities and potentially lead to a less informed public.

Mr. Chairman, I oppose this amendment, and I urge my colleagues to do so as well.

I reserve the balance of my time.

Mr. PETERSON. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE) who is the chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding, and I support his amendment.

Title I of the bill contains critical reforms to the rulemaking process first introduced in the 112th Congress. In one sentence, one could say that these reforms have one ultimate goal—to assure a fair rulemaking process that achieves the benefits Congress seeks and keeps unnecessary costs to a minimum.

The gentleman's amendment, of which I am a cosponsor, responds to an extreme example of rulemaking abuse that played out during the 114th Congress. That abuse was the Environmental Protection Agency's advocacy campaign to skew the information submitted for its administrative record and promote lobbying on behalf of its massive proposed waters of the United States rule.

It is one thing to propose a rule and open the agency's doors impartially to information from all members of the public. It is quite another to promote public submissions to guarantee the cooking of the administrative record to support the agency's view and to advocate lobbying of Congress to support that view.

This amendment makes sure that the biased agency activity manifest in the waters of the United States rulemaking never happens again.

Mr. Chairman, I support the amendment.

Mr. JOHNSON of Georgia. Mr. Chairman, Congressman Gerald Connolly wanted it to be known for the record that agency employees are already barred under appropriations bills from engaging in publicity or propaganda. Agency employees are specifically barred from engaging in substantial grass-roots lobbying campaigns when those campaigns are aimed at encouraging members of the public to pres-

sure Members of Congress to support administration or department legislative or appropriations proposals.

Mr. Chairman, I have no further speakers.

I yield back the balance of my time.

Mr. PETERSON. I have no further speakers, Mr. Chairman. I just want to say that some of us who have been chairmen of committees and passed legislation around here, sometimes what comes back you don't even recognize from what you passed legislatively. This bill and this amendment will help solve that problem, to some extent. So I encourage my colleagues to support the amendment and support the bill.

Mr. Chairman, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Chair, I rise today in opposition to this amendment and in strong opposition to the Regulatory Accountability Act.

This bill is another thinly veiled mechanism for the majority to attack agency rulemaking with which they disagree.

This amendment would prevent agencies from publicly disclosing information that, quote, "directly advocates, in support of or against the proposed rule, for the submission of information to form part of the record of review for the proposed rule."

I am concerned that the way this language is written it could restrict agencies from providing information about the benefits of a rule and soliciting public feedback.

The Administrative Procedure Act requires agencies to solicit public comments on proposed rules except in narrow circumstances. We should be encouraging agencies to solicit public comments in order to provide businesses, consumer groups, and other members of the public with the opportunity to make suggestions to the agency for improving the proposed rule.

Agency employees are already barred under appropriations bills from engaging in publicity or propaganda.

Agency employees are specifically barred from engaging in "substantial 'grassroots' lobbying campaigns" when those campaigns are aimed at encouraging members of the public "to pressure Members of Congress to support Administration or Department legislative or appropriations proposals."

While transparency is always helpful in the regulatory process, a requirement that agencies report to Congress every communication to the public—including every oral communication from an agency official—would be unnecessarily burdensome and would not be feasible for agencies.

The GAO has already defined covert communications, self-aggrandizement, and purely partisan activities as categories of agency communications that are often restricted by these appropriations riders.

Agencies are authorized to regulate by Congress, but this amendment would further handicap federal agencies from fulfilling their critical missions.

Under the guise of "accountability" this amendment is not even a thinly disguised attempt to muzzle commonsense regulation by

suppressing even the ability to explain the proposed rule in the first place.

I urge my colleagues to uphold Congress' confidence in the agency rulemaking process and vote against this amendment and against the Regulatory Accountability Act.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PETERSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

□ 1600

AMENDMENT NO. 6 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 115-2.

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 24, strike "and".

Page 24, insert after line 5 the following:

"(iii) in the case of a major rule, a report on the benefits and costs of the final rule on entities whose conduct is regulated by the rule in the Federal Register, to be revised every 5 years thereafter while the rule remains in effect, and including, at a minimum—

"(I) an assessment of the impacts, including any costs, of the major rule on regulated entities;

"(II) a determination about how the actual benefits and costs of the major rule have varied from those anticipated at the time the major rule was issued;

"(III) an assessment of the effectiveness and benefits of the major rule in producing the regulatory objectives of the major rule; and

"(IV) a review by the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget when required under executive order; and".

Page 30, line 16, insert after "the Federal Open Market Committee." the following:

"(n) REGULATION-SPECIFIC FRAMEWORKS.—

"(1) REPORT TO CONGRESS.—The agency shall provide a report to Congress not later than 90 days after the agency makes any determination under subsection (f)(4)(I)(iii)(II) that the cost to regulated entities has exceeded the anticipated cost at the time the final rule was issued. The agency, at a minimum, shall assess in the report—

"(A) whether the major rule is accomplishing its regulatory objective; and

"(B) whether the major rule has been rendered unnecessary, taking into consideration—

"(i) changes in the subject area affected by the major rule;

"(ii) whether the major rule overlaps, duplicates, or conflicts with other rules or, to the extent feasible, State and local government regulations; and

"(iii) other alternatives to the major rule or modification of the major rule that might achieve better results while imposing a smaller burden on society or at a lower cost, taking into consideration any cost already incurred.

"(2) REOPENING OF PUBLIC DOCKET.—Upon delivery of the report required in paragraph (1) the agency shall—

"(A) reopen the public docket for 60 days to receive additional comments; and

"(B) consider modifications or alternatives that reduce costs and increase benefits to regulated entities or individuals.

"(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect any other provision of law that requires an agency to conduct retrospective reviews of rules issued by the agency.".

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, since 2008, approximately 3,300 regulations have been issued on an annual basis. I will say that again. Since 2008, approximately 3,300 regulations have been issued on an annual basis. The cost of compliance with those regulations is estimated to be somewhere around \$981 billion, and if you add up the costs of compliance of all regulations, it is approximately double that. According to various studies that are out there, since 2008, the costs of complying with Federal regulations has doubled.

Mr. Chairman, this isn't about some huge megacorporation that is worth billions of dollars and is a multinational company. This impacts individuals. This impacts families. As a matter of fact, a study done by the Competitive Enterprise Institute estimates that approximately \$15,000 per year is how much the average American family spends just to comply with Federal regulations.

Major regulations are regulations that are estimated to cost in excess of \$100 million. Under our amendment, what we do is simply require that, every 5 years, the Federal agency that has promulgated—that has finalized—a regulation go back and check how much it is actually costing to comply with the regulation.

Here is why it is important, Mr. Chairman.

If you go back to a regulation that was proposed by the Department of the Interior within the last year and a half that has to do with well control in offshore energy production, the Department of the Interior estimated that the cost of complying with that regulation was going to be, approximately, \$883 million over 10 years. However, a private analysis that was done estimated that that figure was approximately one-tenth of the true cost of compliance over the first decade—one-tenth.

There is nothing that holds the Federal agencies accountable. They can

lowball numbers. They can stay below the threshold of a major action and not ever have to be held accountable to the additional analysis that is required for major regulatory actions. This, simply, makes agencies go back on major regulations to re-quantify—reassess—the costs of compliance to make sure that their numbers are accurate, that they understand the costs of compliance, and the impact on the average American family.

Lastly, Mr. Chairman, I am from the State of Louisiana. A study that was done by the Mercatus Center found that the State of Louisiana is the most federally regulated State in the United States. As a matter of fact, so regulated that we are regulated 74 percent more than the average State—74 percent more. That has a significant impact on jobs, on our economy.

The cosponsor of this amendment—the gentleman from Texas with whom I worked very closely, Mr. Chairman—says his State of Texas is burdened by an additional 30 percent of regulations above the national average. It is inappropriate; it penalizes our economy; it sends jobs overseas; and, most importantly, it penalizes American families.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, any time I hear the name "Mercatus Center" I think of pro-big business, antiregulation. This amendment imposes even more paralyzing rulemaking requirements to the more than 60 analytical and procedural requirements that are already mandated by title I of this bill. You are giving them more homework on top of homework—busywork, red tape. Gum up the works—that is what this is all about.

The amendment would require agencies to assess the economic impacts of major rules every 5 years, including a cost-benefit analysis of the rule every 5 years, an estimate of the rule's cost on regulated entities, and whether these costs exceed an agency's initial estimates, among other requirements. Worse yet, once this information is compiled, the amendment would also require the agency to reopen the public docket on the rule for 60 days to consider modifications to the underlying rule.

Under current law, Federal agencies already conduct an extensive retrospective review process of existing rules and have already saved taxpayers billions in cost savings. This is yet another attempt to derail the rulemaking process by paralysis through analysis.

Since 2011, the Obama administration has made a durable commitment to ensuring the retrospective review of existing regulatory protections. Pursuant

to Executive Order Nos. 13563 and 13610, agencies are already required to conduct a periodic review of existing rules to protect public health while reducing paperwork burdens.

Furthermore, as the Obama administration stated in the context of a veto threat of a similarly draconian antiregulatory proposal, "it is important that retrospective review efforts not unnecessarily constrain an agency's ability to provide a timely response to critical public health or safety issues or constrain its ability to implement new statutory provisions."

This amendment would do just that by requiring agencies to conduct a perpetual notice-and-comment process for major rules that have been adopted long ago. I urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee.

Mr. GOODLATTE. I thank the gentleman from Louisiana, and I support his amendment.

Mr. Chairman, many of the reforms in title I of the bill focus on assuring better decisionmaking and cost control for major rules—typically, those that impose more than \$100 million or more per year in costs.

One of these reforms is the common-sense requirement that an agency, when it publishes a major rule, include a plan for reviewing how the rule is working within 10 years. A focus of that review is to determine whether it is possible, after the rule has been put into practice, to find new ways to lower the rule's costs.

The gentleman's amendment speeds this process up, requiring review within 5 years, and increases Congress' oversight, requiring reports by agencies to Congress on their reviews. Most importantly, the amendment requires that, if an agency's report to Congress shows the rule's costs in practice are higher than anticipated at promulgation, the agency must institute a notice-and-comment process aimed at identifying revisions that can lower costs.

This is a measure that can only strengthen the bill's effectiveness and help lower unnecessary burdens on the American people. I support the amendment.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I thank Mr. JOHNSON. I thank Ranking Member CONYERS for the leadership that he provided for the committee for so many years. I thank Chairman GOODLATTE and Congressman GRAVES for working in a bipartisan way.

Mr. Chairman, this amendment is common sense. It calls on the govern-

ment to bring transparency to the major rules.

Once an agency finalizes a major rule, that is the end of it. They are not required to review the benefits or the economic impacts. This amendment, however, holds the agency accountable by requiring that it look back and assess the costs and benefits of that rule after it has taken effect. Should the cost of the regulation exceed the proposed costs under the rule, then, under this amendment, this agency will report back the increase to the Congress. This amendment would facilitate a dialogue between the agency and the stakeholders. If the costs have gone up, then the agency must open up a comment period to hear the stakeholders and consider possible modifications or alternatives to reduce the cost and increase the benefits. We do that in Congress. Every time we pass a piece of legislation, we go back and fine tune the legislation, and I think we need to do the same thing here.

Again, we must not allow regulations to run out of control. We should hold agencies accountable. This amendment will bring transparency and begin those conversations between stakeholders and the agencies.

Again, I thank Congressman GRAVES for this bipartisan amendment.

Mr. GRAVES of Louisiana. Mr. Chairman, again, I thank the gentleman from Texas, with whom I worked closely in developing this amendment, which was legislation we introduced last year and which had dozens of bipartisan cosponsors.

In summary, this is an Article I issue. This ensures that when an agency tells Congress, they tell the American public that when the regulation is going to cost a certain amount to comply with, they are held accountable to that. This is about accountability. This is about transparency.

My friend from Georgia mentioned that this was "busywork." Mr. Chairman, I want you to think about that for a minute.

This applies to major rules that are estimated to cost in excess of \$100 million to comply with, and they find it offensive that we ask them to look back one time every 5 years for rules that cost American families over \$100 million to comply with every single year?

I am offended by that, and I am sure that millions and millions of American families are offended by that as well.

It is all summarized by this, Mr. Chairman: since 2009, for the first time in recorded history, we have had a net loss in small businesses in the United States. Regulations are hidden taxes that impact our businesses, that impact our employment opportunities, and that drive jobs to other countries.

Mr. Chairman, I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, the bottom line is that my

friends on the other side of the aisle, in their quest to satisfy the big businesses that fund these campaigns, don't like regulations that protect the health, safety, and well-being of Americans, including children, including the elderly, the weak, the sick. They are trying to get rid of the Affordable Care Act; trying to kill those regulations; trying to kill regulations on Dodd-Frank, which is protecting people from financial ruin by Wall Street barons.

This is an incessant march toward a deregulatory environment. We can't let it continue unabated. We must protest. We must speak out. We must do the right thing to protect the people of this country. For that reason, I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. CHABOT). The question is on the amendment offered by the gentleman from Louisiana (Mr. GRAVES).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 115-2.

Mr. YOUNG of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 10, strike "agencies and" and insert "agencies."

Page 33, line 11, insert after "easy to understand," the following: "and issues guidance in a manner sufficient to provide at least 90 days for affected entities to take steps to comply with such guidance."

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. YOUNG of Iowa. I thank the gentleman from Virginia for his help and leadership on this issue.

Mr. Chairman, this amendment is designed to make an already very good bill even better. Regulators regulate. That is what they do. Regulators regulate businesses, large and small, State and local governments, nonprofits, individuals, et cetera. These regulated entities often rely on guidance from agencies to become compliant with a new rule or regulation; but, occasionally, this guidance is offered far too late in the process, leaving entities with the decision to either move forward without guidance and face possible penalties, litigation, losses, or to wait until guidance is offered and then scramble to implement changes before the deadline, increasing the likelihood for mistakes and failure.

My amendment seeks to ensure guidance is offered and available in a timely manner by instructing agencies to

the Office of Information and Regulatory Affairs to issue guidance at least 90 days before a rule or a regulation goes into effect so that affected entities have time to comply.

As an example, companies recently experienced the hardships of late guidance from HHS through CMS. There is a company in Iowa and similar companies from around America that produce forms, using post acute healthcare reimbursements, including skilled nursing and home care, both of which receive funding through Medicare.

CMS is responsible for setting rules for the reimbursement forms. Okay. Fine. CMS specified a new set of rules for forms going into effect at the beginning of the year. Okay. Great. This company and other companies waited for CMS guidance before printing and sending reimbursement forms to its customers, and this company waited and waited and waited; but 3 weeks before the effective date, this company and others like it hadn't heard anything from CMS on guidance or directions—crickets.

□ 1615

So at this point, they had to make a business decision. That is the reality. Either wait for CMS and fail to have the required forms to its customers in time for the new year or send the forms to print, cross your fingers, say a prayer, roll the dice, and hope they will later be found in compliance.

They sent the forms to print knowing full well they would eat the cost if the forms did not comply. Losses, penalties, litigation, a soiled reputation—those are the real things the lack of guidance and notice causes. Thankfully, everything worked out in this situation, but in other situations, things haven't worked out. A few days after they sent the forms to print, CMS finally approved.

However, this situation illustrates a broader problem that occurs too often transcending in other instances through the economy and needs to be addressed. We need to make sure that when we give agencies the power to effectively write law, we ensure compliance guidelines are clear-cut, timely, and enforcement is fair.

Allowing the regulatory process to continue as is and agencies to issue needed guidance at the last minute, we only further burden Americans in their organizations, businesses, these individuals in our districts.

So I want to be clear what the amendment does not do. This amendment does not change a rule or regulation in any way. It does not direct the Office of Information and Regulatory Affairs to do or speak to anything else other than the timeliness issue I just described. It is pretty plain language. My amendment says, when guidance is forthcoming, it arrives in a timely manner.

Mr. Chairman, it is past time for Congress to rein in and approve this process so our constituents aren't left with uncertainty, wringing their hands waiting for Washington, and can, instead, get to work. Let's get this fixed right now, Mr. Chairman.

I urge my colleagues to support this amendment and the underlying bill.

Mr. Chair, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chair, I claim the time in opposition.

The Acting CHAIR (Mr. GRAVES of Louisiana). The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I appreciate my friend Mr. YOUNG's amendment which establishes a 90-day compliance period for guidance documents when, in the underlying legislation, it makes clear that during any compliance period for guidance it is nonbinding. So I rise in opposition to this amendment which imposes an unnecessary and burdensome 90-day waiting period for agencies to issue guidance documents.

Importantly, as a form of non-legislative rule, guidance documents do not have the force of law and are not subject to the Administrative Procedure Act's notice and comment requirements. Section 104 of H.R. 5 already clarifies that these documents are not legally binding and may not be relied upon by an agency as legal grounds for agency action.

This provision additionally requires agencies to make this document available to the public and provide a plain and prominent statement that the document is not legally binding. Given the requirements that already exist in current law and the additional requirements imposed by title I of this bill, it is difficult to ascertain why an additional 90-day compliance period for guidance that is not legally binding is warranted.

Furthermore, in all cases, regulated entities have ample opportunity to challenge rules, including guidance, as "arbitrary or capricious" under the Administrative Procedure Act where an agency lacks statutory authority to issue the guidance or the guidance is otherwise legally unsound.

Indeed, as Justice Elena Kagan noted in 2015 in *Paralyzed Veterans v. Mortgage Bankers*, the APA contains a variety of constraints on agency decision-making, the arbitrary and capricious standard being among the most notable.

Accordingly, I oppose the amendment, and I urge my colleagues to do the same.

Mr. Chair, I yield back the balance of my time.

Mr. YOUNG of Iowa. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. YOUNG of Iowa. Mr. Chair, I yield 1 minute to the gentleman from

Virginia (Mr. GOODLATTE), the chairman.

Mr. GOODLATTE. Mr. Chair, I thank the gentleman for the time.

I support his amendment. Agency guidance is a crucial part of our regulatory system—flexible because not legally binding, but needed so regulated entities can understand how best to comply with agency rules.

Guidance, if it responds in a timely way to the regulated community's need for it, helps everything to function smoothly. But one thing that does not help is agency heel-dragging in the issuance of guidance as the regulated community comes up against legal or practical deadlines by which it needs to implement compliance measures. Too often agencies hurry up and wait to produce needed guidance, then tell those who waited long and hard for it to hurry up and respond, pronto. That can leave very little time for the regulated community to act before deadlines hit.

To solve this problem, the amendment offers a simple but much-needed solution. It requires that, within "good-guidance" guidelines to be issued by the Office of Information and Regulatory Affairs under the bill, there be guidelines for agencies generally to assure at least 90 days for regulated entities to institute measures consistent with newly issued guidelines.

I support the amendment.

Mr. YOUNG of Iowa. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 115-2.

Ms. CASTOR of Florida. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, strike line 10 and all that follows through page 37, line 9.

Page 38, strike line 11 and all that follows through page 39, line 12.

Add, at the end of the bill, the following (and conform the table of contents accordingly):

TITLE VII—EXCEPTION FOR CERTAIN RULES

SEC. 701. EXCEPTION FOR CERTAIN RULES.

This Act, and the amendments made by this Act, shall not apply in the case of a rule (as such term is defined in section 551 of title 5, United States Code) that will result in a reduced incidence of cancer, premature mortality, asthma attacks, or respiratory disease in children or seniors. The provisions of law amended by this Act, as in effect on the day before the date of the enactment of this Act, shall apply to such rules.

The Acting CHAIR. Pursuant to House Resolution 33, the gentlewoman

from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chair, I rise to offer an amendment to this troubling bill, a bill that proposes to erode the separation of power safeguards in the United States Constitution. My amendment would exempt from this bill rules that protect children and older Americans from cancer, premature mortality, asthma attacks, and respiratory disease so that such rules are not irresponsibly delayed or denied.

H.R. 5 unreasonably condemns every major rule, no matter its subject, to an early bureaucratic demise at the hands of the special interests. Many laws and regulations that are adopted and developed to protect the public health and protect costly chronic diseases really shouldn't be put on the back burner just because special interests can oftentimes muck up the gears of government here in Washington.

For example, the Clean Air Act, which has been in place for over 40 years, has been one of the most effective public health laws on the books. In 1970, at a time when smog was dense and visible in our cities and towns and industrial areas, our leaders took an important step to protect the public health and regulate emissions of hazardous air pollutants by adopting the Clean Air Act, with only one "nay" vote here in the entire Congress. Since then, agency rules and regulations have been adopted to implement the act based upon the best science. Those vital policies have improved our health, protected all Americans from harmful air pollution, such as ozone, nitrogen dioxide, sulphur dioxide, and particle matter.

This Republican bill, H.R. 5, largely, would end our ability to develop future safeguards for clean air. Toxic pollutants like ozone, which is a major component of smog, are linked to asthma, lung and heart disease, and result in thousands of deaths every year and up to 1 million days of missed school. Our kids are particularly susceptible to this type of pollution because their lungs are still developing, and they are more likely to spend long periods outdoors, placing them at higher risk.

The American Lung Association states that inhaling smog pollution is like getting a sunburn on your lungs and often results in immediate breathing trouble. The University of South Florida's Department of Child & Family Studies did a study in 2014 and said, in the State of Florida alone, there were 48,674 asthma emergency room visits by children and over 6,500 asthma hospitalizations.

Any American who has been alive since the adoption of the Clean Air Act in the 1970s has an appreciation for the

benefits of clean air. America is stronger and Americans are healthier because of the Clean Air Act.

Let's not go backwards. This bill, if adopted, would undermine the Clean Air Act and so many other policies that lift and protect our neighbors.

We still have work to do when it comes to the air that we breathe because, even with all of the progress we have made, many working class communities continue to bear the brunt of environmental pollution because oftentimes the only homes that are affordable are located near industrial sites. According to the NAACP, 78 percent of African Americans live within 30 miles of an industrial power plant and 71 percent of African Americans live in counties that violate Federal air pollution standards; and the Environmental Defense Fund found that our Latino neighbors are three times more likely to die from asthma, often for the same reasons.

If you establish such barriers to cleaning our air, it is not only our families and neighbors that will suffer, but it will also be the American economy. Far from being an economic burden, clean air protections in the U.S. have a great track record, demonstrating that economic growth and pollution reduction can go hand in hand. Since 1970, we have cut harmful air pollution by about 70 percent, and the U.S. economy has more than tripled.

I urge my colleagues to side with hardworking American families and not corporate polluters who love this bill. Don't prioritize polluter profits over science and the health and safety of the public, especially the most vulnerable among us.

I reserve the balance of my time.

Mr. MARINO. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. YOUNG of Iowa). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chair, the gentlewoman's amendment would strike from the bill the Separation of Powers Restoration Act and the core judicial review provisions of the Regulatory Accountability Act. The resulting legislation, rather than restore an adequate framework of checks and balances against agency overreach and abuse, would perpetrate and perpetuate features among the worst of our current, runaway regulatory system. We cannot complete true regulatory reform without restoring to the judicial branch the vigorous powers of judicial review the amendment would strike.

In addition, the bill would exclude from title I's critical rulemaking reforms all rules to reduce the incidence of cancer, premature mortality, asthma attacks, and respiratory diseases in children and seniors.

All of us support the reduction of morbidity and mortality among children and seniors. Rules to advance

these goals, done properly, contribute substantially to our Nation's health and well-being, but the bill does nothing to frustrate the effective achievement of those goals. It simply assures the agencies issuing these types of rules—and all agency rulemaking in general—will avoid unnecessary and overreaching regulation and issue smarter, less costly regulation and guidance when necessary.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I urge my colleagues to vote "yes" on the Castor amendment to protect children's health, to protect the health of our older neighbors. We value the air that we breathe.

H.R. 5 would inject unnecessary barriers into the ability of our environmental agencies—heck, all of the agencies of government—to protect us.

When it comes to the final bill itself, if you believe in checks and balances as a foundation of our constitutionally-based government, I urge my colleagues to oppose the bill.

I yield back the balance of my time.

□ 1630

Mr. MARINO. Mr. Chairman, I believe in the Constitution just like everyone else does, and primarily we, as congressmen and congresswomen, have a responsibility to make the laws, not unelected bureaucrats who have no experience in a lot of the areas where they are making these laws.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 115-2.

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, strike line 10 and all that follows through page 37, line 9.

Page 38, strike line 11 and all that follows through page 39, line 12.

Add, at the end of the bill, the following (and conform the table of contents accordingly):

TITLE VII—EXCEPTION FOR CERTAIN RULES

SEC. 701. EXCEPTION FOR CERTAIN RULES.

This Act, and the amendments made by this Act, shall not apply in the case of a rule

(as such term is defined in section 551 of title 5, United States Code) pertaining to the prevention of the transmission of foodborne illness or assistance to domestic and foreign food facilities to meet preventive-control requirements for safety, such as hazard prevention practices in human and animal food processing, packing, and storage facilities. The provisions of law amended by this Act, as in effect on the day before the date of the enactment of this Act, shall apply to such rules.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, the bill before us today promises to update the ways that agencies make and enforce their rules and regulations. But in many ways, it is a solution in search of a problem. When issuing a rule, Federal agencies must already adhere to rigorous analytical process of considering alternatives, justifying the cost of a rule, and considering input from stakeholders.

Within this framework, agencies have been granted the necessary latitude to react quickly to urgent crises in consumer safety. It has preserved the safety of our food and our drinking water and has protected our families from defects in the products that we rely upon every day. However, the passage of this bill would put that safety and that protection at risk.

With H.R. 5, we are getting six reform bills rolled into one. This sweeping regulatory bill would cumulatively add 60 new procedural and analytical requirements to the agency rule-making process, invite frivolous litigation against agencies, empower special interests, and emphasize cost-saving over public protection.

If enacted, H.R. 5 will needlessly create such an enormous burden on the rulemaking process that it threatens to hamstring agencies and discourage them from pursuing new rules at all. In its present form, this bill endangers our Nation's environmental, public health, workplace safety, and consumer financial security protections.

My amendment would offer critical protection by exempting rules pertaining to the prevention of the transmission of foodborne illness or assistance to food facilities to meet preventive-control requirements for safety.

Protecting consumers from dangerous food contamination is a worthy goal in and of itself. And this amendment would go even further by protecting jobs and businesses. For example, in 2015, Blue Bell Creameries suffered a deadly listeria contamination crisis and had to recall 8 million gallons of ice cream. After the company shut down most of its production, Blue Bell was forced to lay off 1,450 employees from their jobs, or 37 percent of

their workforce, and an additional 1,400 employees were furloughed.

Chipotle is also still reeling from various outbreaks of *E. coli*, salmonella, and norovirus over 2015 and 2016, which caused widespread panic among customers and the company's shareholders. Despite marketing efforts to repair its reputation, Chipotle's sales have steadily declined, and it plans to open fewer stores in 2017. This, in turn, had a domino effect on Chipotle's paper bowl supplier who laid off 5 percent of its employees because of decreased demand from Chipotle.

Afterward, both Blue Bell and Chipotle took aggressive remedial steps, such as conducting deep cleansing of equipment and facilities, changing food preparation procedures, hiring food safety consultants, training employees, and temporarily suspending operations. The FDA responded by proposing proactive rules, such as having manufacturers come up with a plan to identify potential food safety problems and how to respond to them. The FDA also proposed a rule to establish standards for growing, harvesting, packing, and handling produce.

Both these rules could greatly assist businesses in minimizing future food contamination and having to deal with the economic aftermath of an outbreak. However, under H.R. 5 in its current form, similar such FDA rules could be delayed by years or halted entirely. We can't afford to put consumer safety and our economy at risk while Congress entangles any real possibility for immediate and preventative action.

I ask my colleagues to support this commonsense amendment to ensure that we protect the public and health and safety of our constituents.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. FORTENBERRY). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Like the previous amendment, the gentleman's amendment would strike from the bill the Separation of Powers Restoration Act and core judicial review provisions of the Regulatory Accountability Act. Faced with a runaway administrative state, we must not gut the bill's crucial reinforcements of judicial checks and balances against agency overreach and abuse. For this reason alone, the amendment should be rejected.

In addition, the bill would exclude from title I's long-needed rulemaking reforms numerous types of food safety regulations. All of us support food safety. But the bill does nothing to frustrate the protection of food safety. In fact, it clearly calls upon regulatory agencies to achieve their statutory objectives in this and all areas. Beyond that, it simply ensures that agency

rulemaking will avoid unnecessary and overreaching regulations and produce smarter, less costly regulation and guidance when necessary.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, I thank my friend from Pennsylvania for his comments, but the assertion that this does nothing to frustrate or jeopardize food safety is not true. This creates 60 new procedural and analytical requirements to agency action, and that will invite frivolous litigation, empower special interests, emphasize cost saving over public protection, and make implementation of these rules almost impossible.

It is important to remember, Mr. Chairman, when issuing a rule, Federal agencies already are required to adhere to a rigorous analytical process of considering alternatives, justifying the cost of the rule, and considering input from stakeholders. I gave two examples in my earlier comments that demonstrate that there is a real role for the Federal Government in the implementation of rules to protect food safety. There are real consequences not only to the individuals harmed but to our economy by these sorts of events. This bill will not only frustrate that, in many instances, it will make it impossible. I urge my colleagues to support this commonsense amendment.

I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, I respectfully disagree with my friend and NATO member. We have traveled together.

A lot of the delay now is because of the agencies and how long they take to make decisions. With the premise behind our bills combined, agencies come up with an idea that they think will improve the quality of life, and that is what they should be doing. But then they immediately send it to us in the House, in Congress, and then we make the determination as to whether it is good law or it is bad law and apply it that way. We certainly have the time in the House, and I am sure the Senate has the time, too, to address these matters quickly and not delay it as long as the agency has been delaying making rules.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MARINO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. JOHNSON
OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 115-2.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, strike line 10 and all that follows through page 37, line 9.

Page 38, strike line 11 and all that follows through page 39, line 12.

Add, at the end of the bill, the following (and conform the table of contents accordingly):

**TITLE VII—EXCEPTION FOR CERTAIN
RULES**

SEC. 701. EXCEPTION FOR CERTAIN RULES.

This Act, and the amendments made by this Act, shall not apply in the case of a rule (as such term is defined in section 551 of title 5, United States Code) pertaining to significantly improving the employment, retention, and wages of workforce participants, especially those with significant barriers to employment, such as persons with disabilities or limited English proficiency. The provisions of law amended by this Act, as in effect on the day before the date of the enactment of this Act, shall apply to such rules.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in support of my amendment to H.R. 5 which would exempt from the bill rules that improve the employment retention and wages of workforce participants, especially those with significant barriers to employment.

When President Obama took office in 2009, he inherited the worse economic depression since the Great Depression. Since then, President Obama's "North Star" on domestic policy has long been to make the economy work for the middle class and for those fighting to join it. Notwithstanding historic austerity levels and a Republican Congress more interested in winning elections than putting Americans back to work or increasing wages, President Obama has largely achieved this goal, while rescuing the auto industry and signing tax cuts for middle class persons, as opposed to just simply big business.

According to the leading economic data, private sector businesses have created more than 15 million new jobs. The unemployment rate has dropped well below 5 percent to the lowest point in nearly a decade, wages are rising, and the poverty rate has dropped to the lowest point since 1968. And more people have health insurance than ever before.

This has all occurred during an administration that is pro environment, pro clean energy, pro workplace safety,

pro medical care, pro Medicare, pro Medicaid, pro Social Security. In fact, during this time, our Nation has doubled its production of clean energy and reduced carbon emissions faster than any other advanced nation.

Notwithstanding this progress, there is still much work to be done for millions of Americans in every part of our country who are out of work, underemployed, or have not seen significant wage growth postrecession. But they should understand it was the Republicans who caused that to happen by not wanting to work with the President and members of the Democratic Party to make things better for working people in this country.

Congress should be working tirelessly now across party lines to find solutions to persistent unemployment and stagnant wages, such as a public infrastructure investment agenda that will increase productivity and domestic output while turning the page on our historic underinvestment in our Nation's roads, bridges, and educational institutions.

Unfortunately, this bill, H.R. 5, is not one of those solutions. The Regulatory Accountability Act is nothing short of a train wreck for critical public health and safety protections that ensure that our air is clean, our water is pure, and that our workplace, vehicles, homes, and consumer products are safe.

Freeing corporations from the costs of protecting Americans against harmful activity is not the right path forward to increasing employment and wages for all. It is a giveaway to the corporate sector that supports them. I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. This amendment would strike from the bill the Separation of Powers Restoration Act and the essential judicial review provisions of the Regulatory Accountability Act. It, too, should be rejected for those reasons.

In addition, the bill would exclude from title I's rulemakings reforms numerous types of rule related to employment and wages. But once again, the bill does nothing to prevent good rules in these areas. On the contrary, it would produce better rules, rules that are smarter and less costly, freeing resources for job creation and higher wages. I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I applaud Mr. JOHNSON, the ranking

member of the subcommittee for his leadership on these issues, and the ranking member of the full committee, Mr. CONYERS, for his persistent leadership, having gone over this bill any number of times. Let me mention that Mr. JOHNSON's amendment is vital because it deals with vulnerable workforce individuals, individuals with disabilities, limited English proficiency, and other requirements. And I would beg to differ with my good friend from Pennsylvania, 70 different elements of criteria that you will put these regulations through, you are simply trying to implode those who advocate for the rights of workers, unions, and others. Therefore, I would question the viability of trying to obstruct, helping these vulnerable workers. This is a very good amendment.

Let me be very clear. Since 2010, U.S. businesses have added 15.6 million jobs. From 2014 to 2015, real median household income grew by 5.2 percent. We know that, as Jason Furman, chairman of the Council of Economic Advisers notes, demographic changes in labor force participation, primarily driven by a large increase in retirement by baby boomers that began in 2008, has consistently weighed on employment growth. It is quite different from when President Reagan was in. The labor force participation rate is low because of these variables.

□ 1645

These regulations are not going to improve that participation. The Obama recovery has been slower because, under Reagan, we realized the baby boomers were in their prime. Now the baby boomers are retiring.

We need to provide opportunities for younger workers, minority workers, workers with disabilities; and this, H.R. 5, with all of these hoops that the regulation has to go through that are protecting or empowering workers or increasing the opportunities for workers is certainly going to thwart that growth.

You cannot deny that this administration has seen growth with 200,000-plus jobs per month over a series of years. I would argue that Mr. JOHNSON's amendment is a strong amendment. It promotes job growth, and it gives opportunities to many who are vulnerable in the workforce.

I ask my colleagues to support the Johnson amendment.

Mr. Chair, my Republican colleagues have made several statements concerning economic activity that invite fact checks:

First, they argue that the labor force participation rate is historically low, but as we all know, the labor force participation is affected by both long term trends and short term policies. As Jason Furman, the Chairman of the Council of Economic Advisers, notes, "demographic changes in labor force participation—primarily driven by a large increase in retirement by baby boomers that began in 2008—

have consistently weighed on employment growth.”

Second, they argue that the Obama recovery has been slower than the economic recovery under the Reagan Administration. But this argument is laughable. President Reagan's recovery benefited from the fact that many baby boomers were in the prime working years while President Obama's recovery has taken place in front of the backdrop of an aging U.S. population. More importantly, the economic lows of the Reagan Administration are not comparable to the mortgage-foreclosure crisis, which resulted in higher unemployment than any other period since the Great Depression.

Finally, despite many bald assertions, my Republican colleagues have not satisfactorily explained how H.R. 5 will create a single job or responded to President Obama's unimpeachable jobs record. In fact, despite, strong economic headwinds and years of Republican obstructionism during the majority of his presidency, the U.S. economy is 11.5 percent larger than its peak before the 2008 economic crisis as of the third quarter of 2016.

Since early 2010, U.S. businesses have added 15.6 million jobs.

From 2014 to 2015, real median household income grew by 5.2 percent, the fastest annual growth on record, and the United States saw its largest one-year drop in the poverty rate since the 1960s.

In closing, there is little evidence supporting my Republican colleagues' claims and if there is any doubt that the H.R. 5 will undermine workforce participation, my colleagues should support my amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MARINO. Mr. Chair, I simply would add that I ask my colleagues to oppose this amendment.

As far as the jobs increase, or lack thereof, that my colleague speaks of, we have had the slowest growth rate in jobs in the history of this country. There are millions of people that are unemployed that are not seeking unemployment benefits, and they are not taken into consideration in the unemployment rate because it is much higher than it is; and the mean family income is at a low as far back as 14 years ago.

Ms. JACKSON LEE. Will the gentleman yield?

Mr. MARINO. I yield to the gentleman from Texas.

Ms. JACKSON LEE. I thank the gentleman for his kindness.

Would the gentleman not count automation and technology as one of the elements and, as well, the idea of the retiring of baby boomers as part of the issue of growth? And can we not work together to question those particular elements so that we can collectively and collaboratively promote job growth?

Mr. MARINO. Well, first of all, I would certainly enjoy working on job growth with the gentlewoman. We have worked on issues in the past.

But the gentlewoman forgets about the technology that has created jobs.

People have to write those programs. People have to build that hardware. They have to come up with very intense, very intricate ways to make the machinery, continue updating the software. My daughter is a software major in college, and the jobs there are abundantly available.

So the jobs are there, but what I am hearing from people in my district and across the country is the regulations that have been imposed, not only by this administration but other administrations as well, are crushing particularly our small businesses.

So if we can step back and eliminate these job-crushing regulations and take into consideration the economics involved, we are going to create more jobs, we are going to protect people, and we are going to protect the health of people.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. RUIZ

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 115-2.

Mr. RUIZ. Mr. Chairman, I have an amendment to H.R. 5 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, strike line 10 and all that follows through page 37, line 9.

Page 38, strike line 11 and all that follows through page 39, line 12.

Add, at the end of the bill, the following (and conform the table of contents accordingly):

TITLE VII—EXCEPTION FOR CERTAIN RULES

SEC. 701. EXCEPTION FOR CERTAIN RULES.

This Act, and the amendments made by this Act, shall not apply in the case of a rule (as such term is defined in section 551 of title 5, United States Code) pertaining to the safety of children's products or toys. The provisions of law amended by this Act, as in effect on the day before the date of the enactment of this Act, shall apply to such rules.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from California (Mr. RUIZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. RUIZ. Mr. Chairman, I rise today in support of my amendment to H.R. 5, which will ensure children's products are safe for use.

In 2015, there were an estimated 254,200 toy-related injuries treated in emergency departments across the Nation. Tragically, 15 children were killed in toy-related incidents that same year. As an emergency medicine physician, I have treated children who have fallen victim to these accidents.

H.R. 5, the Regulatory Accountability Act, prioritizes cheaper alternatives for companies over the safety of our children. To me, this is unconscionable. It is wrong. It is not the direction we should be taking our Nation.

My amendment to H.R. 5 will ensure that an agency rule regarding the safety of children's products or toys is not delayed by the bureaucratic hurdles that H.R. 5 imposes on Federal agencies. My simple amendment provides a straightforward safety net for our sons and daughters across the country.

Our children should always be our priority. The facts are clear: a vote against my amendment is a vote to put a company's bottom line above the safety of our children. So I urge all of my colleagues to support this common-sense amendment to protect our children.

Mr. Chairman, I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, like other carve-out amendments just offered, this amendment would strike from the bill the Separation of Powers Restoration Act and the essential judicial review protections of the Regulatory Accountability Act. It should be rejected. We should not be settling for weak judicial review that produces rubber stamps of agency action. We should be voting for the strong judicial review reform in the bill that prevents judicial rubber stamps.

Beyond that, the bill would exclude from title I's rulemaking reforms children's toys and product safety rules. But again, the bill does nothing to prevent good rules in these areas. It will produce better rules, rules that are smarter and less costly, freeing resources for job creation and higher wages. Smarter rules are precisely what we need to protect children's health and safety, and more jobs and higher wages are what are needed to help families provide for their children.

I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. RUIZ. Mr. Chairman, I want to emphasize what is at stake here. We are talking about delay or forgoing regulations that protect our children, regulations that give parents like me the peace of mind that when I buy a bottle for my daughter, Sky, I know it is safe for her to use, and that when I

buy a product that is labeled age-appropriate for my daughter, Sage, I can reasonably expect it will not contain small parts that Sage could swallow and send her to the emergency room with an obstructed esophagus that will require emergency surgery.

For me as a dad it is personal, and for our Nation it is essential. This is commonsense legislation.

I urge my colleagues to put aside partisanship, politics, and corporate greed and to think about the children in their lives who could be harmed by this bill. Vote “yes” on my amendment to protect children and save lives.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, respectfully, the gentleman does not have the market cornered on worrying about the safety of our children. I think anybody in this room who has children has just as much concern for our children.

What his amendment does is gut—its guts—regulations, and what our amendments do—and the way we should be handling these as Congress making any laws—will improve the quality of life and improve the protections.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. RUIZ).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RUIZ. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 115–2.

Mr. SCOTT of Virginia. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, strike line 10 and all that follows through page 37, line 9.

Page 38, strike line 11 and all that follows through page 39, line 12.

Add, at the end of the bill, the following (and conform the table of contents accordingly):

TITLE VII—EXCEPTION FOR CERTAIN RULES

SEC. 701. EXCEPTION FOR CERTAIN RULES.

This Act, and the amendments made by this Act, shall not apply in the case of a rule (as such term is defined in section 551 of title 5, United States Code) pertaining to workplace health or safety at mining facilities which are subject to the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.) or workplaces which are subject to the Occu-

pational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), and which is necessary to prevent or reduce the incidence of work-related traumatic injury, cancer, or irreversible lung disease. The provisions of law amended by this Act, as in effect on the day before the date of the enactment of this Act, shall apply to such rules.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, this amendment to the Regulatory Accountability Act, H.R. 5, if adopted, would exempt regulations proposed by the Mine Safety and Health Administration or the Occupational Safety and Health Administration, MSHA and OSHA, which are needed to prevent or reduce the incidence of traumatic injury, cancer, or irreversible lung disease.

I am deeply concerned that this legislation would impose layers of unnecessary procedures to the rulemaking process and provide incentives for frivolous litigation, while hindering workplace safety agencies trying to help keep workers safe.

Current procedures that govern OSHA’s rulemaking already involve an extensive review process and stakeholder engagement from small business review panels, risk assessments, economic feasibility determinations, public hearings, and multiple opportunities for public comment.

According to the GAO, to meet these requirements, it takes OSHA 7 years to issue a new safety standard. In fact, it required 18 years for OSHA to update a rule that reduces exposure to beryllium, a metal that causes irreversible lung disease, even though there was broad agreement between employers and unions on the new standard.

H.R. 5 imposes 60 additional procedural steps in order to issue a new rule, on top of extensive layers of review already required by the Administrative Procedure Act, the Regulatory Flexibility Act, Data Quality Act, and numerous executive orders. The goal of adding these layers is obvious: to tie agencies such as OSHA and MSHA in red tape so they can’t do their jobs protecting workers and improving workplace safety.

One especially troubling part of the bill would require a super-mandate that requires agencies to use the least cost alternative instead of the most protective rule. Nobody favors excessive cost, but this requirement overrides the carefully balanced requirements in OSHA that require life and limb must be fully protected, provided that the safety requirements are technically and economically feasible. That is the present law.

The question that needs to be asked is: The least cost to whom and at what

cost to others? What is the least cost mandate protection of workers? Is the least cost mandate secondary to worker safety in order to limit cost to corporations? And then again, who decides?

Under the bill, some regulations could be delayed until the end of any litigation, the final determination in a lawsuit which, with trials and appeals, could take years. The bill prohibits the rules from going into effect until the end of the litigation. Now, normally, you can get an injunction, but that would require the court to consider the likelihood of success of the lawsuit and the potential harm done if the injunction is issued or not issued.

Under H.R. 5, rules could exceed the least cost alternative, but only if the agency demonstrates that the additional benefits outweigh the additional costs. This eliminates a well-established test under OSHA which requires “the most productive standard which is feasible,” and that standard obviously just invites litigation which will delay the final rule for years.

The problem with the least cost framework is that it would tilt the playing field to ensure the least cost for industry but at the expense of workers and the American public. According to expert witnesses before the Judiciary Committee, this bill will add another 2 or 3 years to the regulatory process, and these delays will allow preventable injuries and occupational diseases to continue unabated.

Mr. Chairman, the premise behind this legislation is based on the erroneous assumption that regulations issued over the last 8 years have obstructed job growth; however, employment statistics do not bear this out. Since the end of the recession, the U.S. economy has gained almost 16 million jobs, while establishing the longest consecutive months of job growth on record.

I urge my colleagues to support the amendment to ensure that, even if the bill passes, OSHA and MSHA will be able to prevent or reduce the incidence of traumatic injury, cancer, and irreversible lung disease.

Mr. Chairman, I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, I certainly respect what my friend on the other side of the aisle has to say, but, again, I respectfully disagree.

Once again, my colleagues on the other side of the aisle would strike from the bill the Separation of Powers Restoration Act and the essential judicial review provisions of the Regulatory Accountability Act. That would have but one effect: to preserve the freedom to run riot that Washington

bureaucrats have enjoyed for decades as they have racked up roughly \$2 trillion in regulatory burdens on the American people.

The amendment also would exclude from title I's rulemaking reforms workplace safety rules issued by OSHA or the Mine Safety and Health Administration to reduce traumatic injury, cancer, or lung disease.

I would urge my colleagues to read the bill and listen more closely. The bill does nothing to prevent good rules in these areas. It will produce better rules, smarter rules, less costly rules. That will free up resources for desperately needed job creation, meaning more workers will have more safe workplaces in which to earn a living.

I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

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Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this amendment will preserve the ability of the executive branch to promulgate rules, which will save lives and avoid preventable deaths and disease. A vote for the amendment is a vote for a safe workplace. I would hope that the amendment would be adopted and save lives.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. TONKO

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 115-2.

Mr. TONKO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, strike line 10 and all that follows through page 37, line 9.

Page 38, strike line 11 and all that follows through page 39, line 12.

Add, at the end of the bill, the following (and conform the table of contents accordingly):

TITLE VII—EXCEPTION FOR CERTAIN RULES

SEC. 701. EXCEPTION FOR CERTAIN RULES.

This Act, and the amendments made by this Act, shall not apply in the case of a rule (as such term is defined in section 551 of title 5, United States Code) made pursuant to the

Frank R. Lautenberg Chemical Safety for the 21st Century Act, or the amendments made by that Act. The provisions of law amended by this Act, as in effect on the day before the date of the enactment of this Act, shall apply to such rules.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chair, last May, Democrats and Republicans came together to pass the first major environmental law in decades, the Frank R. Lautenberg Chemical Safety for the 21st Century Act. Before this reform, it had been widely acknowledged that the Toxic Substances Control Act, or TSCA, was broken. The law was hampered by litigation since shortly after it was passed in 1976, and was rendered almost completely ineffective.

It has only been 7 months since over 400 Members voted for this reform, which requires a number of new rulemakings by the EPA.

A primary motivation to reform TSCA was to remove procedural hurdles that were preventing the EPA from regulating dangerous chemicals. But the bill before us today would impose new, unnecessary obstacles in the rulemaking process, which will impede agencies that already are struggling with shrinking budgets and time constraints.

Even some of the Members that had concerns with TSCA reform, myself included, would agree that it is imperative that these rulemakings go forward efficiently in order to protect public health and to give the private sector the certainty that it asks for when it supported the reform effort.

Unlike 233 of my colleagues on the other side of the aisle, I did not vote for this bill; but I do firmly believe that the rulemakings required by this law must be done effectively and quickly. Unfortunately, the bill before us today would undermine that process. For the record, I do not believe any amendments will fix the underlying bill, and I hope my colleagues will oppose this bill later today.

While Congress has moved on to other priorities, the EPA has been hard at work implementing the law as Congress intended. Since being signed into law in June, the EPA has already put into place new processes to review new chemicals, which is exactly what this House instructed them to do.

A number of rulemakings will soon get underway focused on how the EPA prioritizes chemicals for evaluation and how it will conduct risk evaluations. Other rules regarding the EPA's chemical inventory and the process for collecting fees will also be needed.

The Members that worked on TSCA reform deferred many of these procedural decisions to the EPA because we

lacked the expertise necessary to determine every detail of the most effective, streamlined regulatory process.

We are not toxicologists or chemists, so we empowered the scientists that do this work to receive public feedback and create regulations, based on congressional intent, within a reasonable amount of time.

It is clear that an overwhelming number of Members of the House believe that the EPA needed these tools when we passed the Lautenberg bill to fix the EPA's chemical program. Let's not tie the agency's hands as it seeks effective implementation. We have seen what happens with a broken chemical safety law. Let's not go back to that.

I would also caution against the bill's requirement to choose the least costly regulatory option. People familiar with TSCA will know the term "least burdensome," which required the EPA to select the restriction that was demonstrated to be the least burdensome to address identified risks.

In practice, this requirement was so onerous that the EPA was not even able to restrict known carcinogens like asbestos. The Lautenberg bill ended this requirement. Let's not reinstate this problem for our agencies.

Personally, I do not believe my amendment goes far enough. We should exempt every major environmental law responsible for protecting Americans' air, water, and land from this bill.

We have seen in many cases that these rules do not hurt the economy. They protect public health and provide much greater benefits to society than costs.

Many of our bedrock environmental statutes require agencies to review and update their rules periodically. Members of Congress should not prevent an agency from simply doing the job that is required of it under the law.

But in terms of this amendment and TSCA reform, Congress knew exactly what would be asked of the EPA in order to carry out the Frank R. Lautenberg Chemical Safety for the 21st Century Act when we passed it by a vote of 403-12 just a few months ago. We cannot tell the EPA to do something and then tie its hands and expect it to get it done.

This amendment is simple. Do Members of this body want to give our regulatory agencies the tools they need to implement the laws that Congress has passed? And, in my view, it should not matter if these laws were passed 6 months ago or 60 years ago. Or should we make it more difficult to implement effective rulemakings, even when there is legislative consensus about the need for them?

Mr. Chair, I yield back the balance of my time.

Mr. MARINO. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chair, one last time, my colleagues on the other side of the aisle would strike from the bill the Separation of Powers Restoration Act and the judicial review provisions of the Regulatory Accountability Act. One last time, that attempt should be rejected.

We need a strong judiciary, not a spine one, to stand up to agency overreach and abuse and protect the liberty and property of the America from the long hands of Washington's restless bureaucrats.

The amendment also would exclude from title I's rulemaking reforms rules issued under the Frank R. Lautenberg Chemical Safety for the 21st Century Act. Chemical safety is important to all of us. Congress worked hard on chemical safety legislation. But it is smarter regulations, supported by sounder science, at less cost that will best produce chemical safety under that act. That is precisely the kind of regulation that will happen once the 21st century rulemaking reforms in the Regulatory Accountability Act become law.

I urge my colleagues to oppose the amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 115-2.

Mr. GRIJALVA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 42, strike line 7 and all that follows through line 3 on page 45.

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, today, this Republican Congress is taking a short break from trying to destroy our healthcare system to try to destroy the rest of the Federal Government.

H.R. 5 is nothing more than Republicans seeking to micromanage the regulatory process to death. They claim they only want good government. In

reality, they want no government at all. They want to wrap Federal agencies in so much red tape that they won't be able to move to protect our health, our safety, or our natural resources.

Language in title III tries to prevent Federal land managers from actually managing Federal lands. This language would make land managers jump through the same procedural hoops over and over again just to put a new land management plan in place. These new requirements are completely redundant, which is, of course, the point.

Federal land management plans already go through extensive review, including by the public, before they are ever even implemented. One way we know this is that the House Republicans complain constantly about how long it takes Federal agencies to come up with a decision. Yet, here they are claiming that this Republican Congress knows best how our public lands and resources should be managed.

Let's stop and look at the record. Last Tuesday, almost every single Republican Member of this House voted for a change in our House standing rules to calculate the value of all Federal lands as zero for accounting purposes. Yes, House Republicans agree that all Federal lands are essentially worthless.

Then, on Thursday of this week, 229 House Republicans voted against an amendment I offered to another bill to declare that climate change is real. Yes, 95 percent of House Republicans voted to deny a settled scientific fact.

Yet, here we are today with the same House Republicans who deny science; the same House Republicans who think public lands are worthless, claiming they know how to manage these public lands.

Science deniers and those who think our public lands have no value have no credibility when they bring legislation to this floor claiming that they want to improve public land management. As with health care, as with so many things, they don't want to improve it; they want to destroy it.

Congressional Republicans have proved themselves completely incapable of building or preserving anything. They are only interested in tearing things down, starting with health, safety, and environmental protections for our people and our communities.

This bill would needlessly tip the scales in favor of corporate polluters who want to be in power to ruin our public lands, taking the resources and the profits for themselves, leaving the American people with the mess and the consequences.

My amendment strikes the section of this bill intended to turn our public land management process into nothing more than a board meeting of the American Petroleum Institute.

I urge my colleagues to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CHABOT. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. CHABOT. Mr. Chairman, a longstanding position of the Chief Counsel for Advocacy of the Small Business Administration has been that land management plans developed by the Forest Service and by the Bureau of Land Management are rules and that they are subject to analysis under the RFA. The same conclusion—that a land resource management plan is a rule—has been reached by the Government Accountability Office.

Given the potentially significant consequences to small businesses that rely on public lands and small communities that border those lands, the Forest Service and the Bureau of Land Management should assess the impacts of their plans on these small entities. That is all this does.

We are saying: How is this going to affect small businesses? Seventy percent of the new jobs created in America are created by small businesses? Should we care about what the bureaucrats are doing, how it affects those folks that are creating all these jobs?

Common sense says yes, we ought to do that.

This bill already includes a reform to prepare those agencies to prepare regulatory flexibility analyses when they are developing changes to resource management plans to determine how small businesses and small communities would be affected.

□ 1715

Striking this provision from the bill would do away with a needed reform for small businesses, such as farmers and ranchers and their small communities, especially those located in the Western United States, which contains the vast majority of Federal lands.

I would also note that my esteemed colleague talks about Republicans trying to destroy health care in this country. That is obviously absurd. We are trying to save health care. We are trying to make sure that Americans aren't forced to pay a heck of a lot more and have higher deductions, things they can't afford. Plans right now they are in, they are paying for plans and oftentimes get zero health care out of those plans because the deductibles are now so high under ObamaCare that they can't even use it.

I think there are a whole lot of people, when this was forced through this Congress on a purely partisan vote by my colleagues, the Democrats at that time, and by this President, there were a lot of Republicans who would have loved to have joined with them to do something to help people get health care who didn't have it. That is a worthy cause. But that could have been

done without screwing up everybody else's health care in this country. That is what they failed to do when they did this. We are hoping, in a bipartisan way, we can work together to improve health care for lots of folks in this country. We will see if that is going to work out or not.

I would also note that there is nobody on this side of the aisle who thinks we need no government at all, we need no regulations, we need no rules; but we don't want to overregulate the job creators in this country so that they can't create jobs. Those jobs that people don't get, those are real people; or people who get knocked out of that employment are real people, and they have families. We ought to be supporting them. Overregulation kills those jobs.

I would finally note, relative to climate change, what we are saying is that if we are going to do something, let's do it in a smart manner. Let's not try to save some things and then knock thousands, probably millions of Americans out of their jobs. There is a smart way of doing it and there is a wrong way of doing it. We would like to do it the smart way.

Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I appreciate the comments of my esteemed colleague. We have to get past the point where we are just talking about repeal. As the President so eloquently said last night, if there is something that is going to improve the health and well-being of the American people relative to the Affordable Care Act, then bring it forward. We all have been waiting patiently for the Republican majority to bring something forward that not only repeals but replaces. We are still waiting.

In terms of this amendment, the resource management plans are the backbone for every action and approved use on BLM land. It is about scoping. It is about public input, collaborative with State, local, tribal, and user groups across the spectrum, and that is the process that is in place now, a process that deserves to be continued, ratified, and protected.

As far as the issue of climate change, the President eloquently said last night that we should go forward on the issue of climate change, putting science and reason as a priority on how we have that discussion. Once the majority is prepared to deal with science and reason, I think our side of the aisle is willing to do so as well.

Mr. Chairman, I yield back the balance of my time.

Mr. CHABOT. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. BYRNE). The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Acting CHAIR. The Chair understands that amendment No. 15 will not be offered.

AMENDMENT NO. 16 OFFERED BY MR. POSEY

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part A of House Report 115-2.

Mr. POSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 75, line 3, strike "and" at the end.

Page 75, line 13, strike the period at the end and insert "and";

Page 75, insert after line 13 the following:

"(D) a list of all influential scientific information disseminated or expected to be disseminated by the agency relating to the rule, including any peer review plans for the information, including—

"(i) the date the information or peer review was or is expected to be received by the agency;

"(ii) the date the information or peer review was publically disclosed or is expected to be publically disclosed, and, if that date is altered in subsequent reports, a brief explanation for the change; and

"(iii) the Internet address of the information or peer review completed and disclosed or of where the information or peer review will be found, once completed and disclosed."

The Acting CHAIR. Pursuant to House Resolution 33, the gentleman from Florida (Mr. POSEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. POSEY. Mr. Chairman, my amendment is about transparency and accountability. I rise to urge my colleagues to support it.

When an agency decides to write a rule or revise an old one, they are sometimes required to share technical or scientific information to support their proposal. For many years, scientific research has relied upon the peer review process to ensure quality, integrity, and objectivity of published work. Peer review is when scientists open their research to the scrutiny of other experts in their field in order to receive feedback, criticism, and ensure their conclusions are sound.

Unfortunately, when peer reviews of information return unfavorable comments or raise unforeseen issues with the quality of work, some agencies have acted to silence or hide the critiques. This, of course, is bad science, and it results in bad public policy.

A recent example of this abuse occurred during a highly technical rulemaking proceeding in which an agency relied heavily upon a single study that

many criticized as profoundly inadequate. The agency commissioned two peer reviews of the study, which were completed and returned 2 weeks into the comment period for the public. However, after both scholars submitted highly critical reviews that echoed the concerns of the many commentators, sadly, the agency withheld the release of their work to the public. When the agency finally did release the information as required by law, it was on the Friday that marked the very last day of the comment period as part of a massive document dump that buried the negative reviews.

The political cherry-picking of scientific information and manipulation of the public record harms both the quality of Federal regulations as well as the overall integrity of the rulemaking proceeding. When Federal agencies distribute scientific research supporting a proposed rule, the public and those affected by it deserve to be certain that the science is of the highest quality and have a due process right to comment meaningfully on the rules the science intends to support.

My amendment will help protect this basic principle of good government and ensure fairness in Federal rulemaking by requiring that the public be provided with a clear timeline for disclosure of any influential scientific information. The amendment will also require agencies to offer an explanation if they revise the anticipated public release date of peer reviews. Simply put, the Federal agency will no longer be able to shield from the public view the existence of information that is central to evaluating a proposed rule.

We cannot continue to allow the Federal agencies to march toward a predetermined outcome at the expense of sound science and policy. I urge all of my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TONKO. Mr. Chairman, I claim the time in opposition to the amendment offered by the gentleman from Florida.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Mr. Chairman, I oppose this amendment which requires that an agency publish a list of scientific information relating to a rule or expected to relate to the rule for each rule that an agency expects to propose for the following year. I am concerned that this amendment would create unintended consequences and operate as a one-way ratchet to slow down and stop the rulemaking process by requiring burdensome disclosures and creating options for procedural gridlock.

Agencies are already required to publish relevant data in support of a rule during these rulemaking processes. Rules that do not appear to be based on

a reasoned analysis of relevant data may be vacated by reviewing courts as arbitrary or capricious. Moreover, data acquired through federally funded research is already accessible to researchers who have a legitimate purpose.

I am also concerned that because this amendment does not define scientific information or clarify the scope of this publication requirement, peer reviewed materials may be taken out of context or otherwise misused for political purposes. In so doing, this requirement may chill feedback in the scientific community, undermine agencies' ability to adopt the best rules possible, or otherwise manufacture delays in the rulemaking process.

Any additional requirements in this area should strengthen, rather than weaken, the process of science-based rulemaking. Given these concerns, I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. POSEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Florida has 2 minutes remaining.

Mr. POSEY. Mr. Chairman, most members of the public don't know what a rule is. Rules are laws made by unelected and unaccountable bureaucrats.

We collected 4 years' worth of Daily Registers in my office. Those are executive orders, rules, proposed rules, changes to rules. I ask people how big they think the stack is. I get answers 4 feet, 6 feet, 7 feet. Well, actually, in 4 years' time, the stack was 7 stacks over my head—over 70 linear feet of laws made by unelectable, unaccountable people.

The public thinks we make the laws. Most of the laws we don't make. We allow unelected, unaccountable bureaucrats to make the laws; and the very least we can do to protect the public is ensure that we have transparency and accountability for their procedures, and that is exactly what this amendment does.

Mr. Chairman, before I close, I include in the RECORD a letter from a leading policy research institution that highlights the need for legislation like my amendment that will improve the public peer review process in our Federal agencies.

PHOENIX CENTER FOR ADVANCED
LEGAL & ECONOMIC PUBLIC POLICY
STUDIES,

Washington, DC, January 11, 2017.

Re Republic Peer Review.

Speaker PAUL RYAN,
Washington, DC.

Minority Leader NANCY PELOSI,
Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: As both of you know first-hand, developing and implementing good public policy is no easy task. The issues before regulatory agencies are often complex and tech-

nical, and therefore resolution benefits from input from the best minds both in and out of government. Yet, simply because someone writes a lengthy report on a particular topic does not automatically mean that their analysis is valid. No presumption of scientific legitimacy can be afforded when making good public policy. Instead, if policymakers are going to rely on a particular study, then that study deserves to be critiqued first via public peer review in a dispassionate manner to see if the prescriptions and findings hold up. This public peer review is exceedingly important when deciding controversial matters, particularly because reviewing courts are loath to second-guess expert administrative agency's policy decisions—choosing instead to limit themselves only to questions of law. (See, e.g., *USTelecom v. FCC*, 825 F.3d 674, 697 (D.C. Cir. 2016) (we do not “inquire whether ‘some or many economists would disapprove of the [agency’s] approach’ because ‘we do not sit as a panel of referees on a professional economics journal, but as a panel of generalist judges obliged to defer to a reasonable judgment by an agency acting pursuant to congressionally delegated authority.’”)) As such, the peer review process allows the public to better hold government to account and results in more informed policymaking.

Unfortunately, while the Office of Management and Budget mandates peer review, many administrative agencies do not take the peer review process seriously. By way of example, I am attaching an op-ed I wrote in *The Hill* last year demonstrating how the Federal Communications Commission flagrantly violated the public's due process rights by hiding until the very last moments the highly-critical results of the agency's peer review of an outside economic study which the agency intended to be the foundational document to impose price regulation for Business Data Services. By any account, such behavior is not an example of “good” government. Legislation to improve the public peer review process at federal agencies is therefore both welcome and necessary.

Sincerely,

LAWRENCE J. SPIWAK,
President, *The Phoenix Center*.

[From *The Hill*, July 7, 2016]

THE FCC'S LACK OF RESPECT FOR DUE
PROCESS, PART II

(By Lawrence J. Spiwak)

Since Tom Wheeler took over the chairmanship of the Federal Communications Commission (FCC), we have seen one assault after another on American's procedural due process rights. In addition to the well-documented improprieties with the White House during the Open Internet debate, Wheeler, among other transgressions, has attempted to force nonprofits to reveal their donors in strict violation of Supreme Court precedent, hired advocates who had filed in significant FCC dockets as an interested party to come into the commission to supervise those very dockets, and attempted to hold a FCC “town hall” in which he had invited an outside party to participate and comment on a yet-to-be-released item during the “sunshine” period.

Wheeler is now at it again, this time in the context of the FCC's attempt to impose stringent price regulation for “business data services” (BDS). Let's look at this shameful timeline. Sometime last late last year, the FCC started working on a new regulatory framework for BDS. At the heart of the commission's new regulatory framework was an

economic appendix prepared by an outside expert, Marc Rysman of Boston University.

On April 14, 2016, approximately two weeks before the FCC was to vote on the formal “Notice of Proposed Rulemaking” containing its proposed BDS regulatory framework, the agency requested outside peer review (as required by law) of the Rysman Appendix from Andrew Sweeting of the University of Maryland and Tommaso Valletti of Imperial College Business School (U.K.). Sweeting responded on April 26, 2016 (12 days after the peer review request); and Valletti responded on April 28, 2016 (14 days after the peer review request). Neither peer review was particularly kind to Rysman's analysis.

On April 28, 2016, the FCC voted on its “Notice of Proposed Rulemaking” to provide an aggressive new regulatory paradigm for BDS (hereinafter “BDS NPRM”). Due to editorial privileges, however, the FCC did not formally release the BDS NPRM until May 2, 2016. Although the commission had the Sweetling and Valletti critiques in hand during the editorial privilege window and could have incorporated them into the final BDS NPRM, the FCC declined. In fact, the FCC made no mention of either critique of the Rysman Appendix in its final BDS NPRM, choosing instead to keep the existence of the Sweeting and Valletti reviews secret from the public.

On June 28, 2016—almost two months to the day since the BDS NPRM was first voted upon and the very date initial comments were due the FCC finally made the existence of the Sweeting and Valletti peer reviews public. Adding to the commission's subterfuge, the agency chose the same day also: (1) to perform a massive data dump into the record; (2) to release an updated version of the Rysman Appendix; and (3) to introduce three new staff studies (the same staff which are charged with writing the final BDS rules) purporting to address, and ultimately correct, the shortcomings of the Rysman Appendix. In so doing, the FCC made sure that no one could address either these data or studies in their initial comments.

For those who care about the integrity of our government institutions, the FCC's constant disregard for due process is deeply troubling. As the D.C. Circuit recently wrote in *Association of American Railroads v. Department of Transportation* (2016):

No clause in our nation's Constitution has as ancient a pedigree as the guarantee that “[n]o person . . . shall be deprived of life, liberty, or property without due process of law.” U.S. CONST. amend. V. Its lineage reaches back to 1215 A.D.'s Magna Carta, which ensured that “[n]o freeman shall be . . . disseised of his . . . liberties, or . . . otherwise destroyed . . . but by lawful judgment of his peers, or by the law of the land.” Magna Carta, ch. 29, in 1 E. Coke, *The Second Part of the Institutes of the Laws of England* 45 (1797). Since the Fifth Amendment's ratification, one theme above all others has dominated the Supreme Court's interpretation of the Due Process Clause: fairness. *Id.* at 27.

Now to be clear, as Justice Benjamin Cardozo wrote in *Snyder v. Massachusetts* (1934), while “[d]ue process of law requires that the proceedings shall be fair . . . fairness is a relative, not an absolute, concept. It is fairness with reference to particular conditions or particular results.” That said, as the D.C. Circuit again affirmed just last month in *U.S. Telecom Association v. FCC*, it remains black-letter law that “[u]nder the [Administrative Procedure Act], an NPRM must ‘provide sufficient factual detail and

rationale for the rule to permit interested parties to comment meaningfully.”

As the FCC has by any reasonable account deprived parties with the opportunity to comment meaningfully upon the fundamental economic analysis and data upon which it intends to use to impose rate regulation for BDS, I think it is safe to argue that under even the broadest light, the agency’s conduct in this case is a prima facie violation of procedural due process.

What is the FCC so afraid of? Is it truly scared to have substantive debate on the issues? Is the outcome so predetermined that it has to resort to kangaroo court tactics that would make North Korean leader Kim Jong-un proud? Indeed, it is a bit ironic (if not outright hypocritical) that while the FCC is doing everything it can to prevent meaningful comments about a highly complex topic, the Obama administration is doing everything in its power to create a culture which encourages robo-comments which offer up nothing substantive to the debate other than to promote ideological sophistry from both sides of the political spectrum. And we wonder why (rhetorically) the FCC is now regarded as an “economics-free zone,” as an AT&T executive noted?

Given the D.C. Circuit’s recent proclivity to grant the FCC great deference, no matter how many liberties it may take, restoring the rule of law at the FCC will ultimately fall into the hands of Congress. Fortunately, the House Energy and Commerce Committee has scheduled yet another oversight hearing next week with all five members of the Commission in attendance, where perhaps some sunlight can be used as a disinfectant. I therefore encourage the Commerce Committee members and staff—from both sides of the aisle—to do their homework, come to the hearing prepared, and call Chairman Wheeler out on the carpet.

Mr. POSEY. As the letter states: “No presumption of scientific legitimacy can be afforded when making good public policy.” Unfortunately, many administrative agencies make this assumption and do not take seriously the peer review process. For that reason, I once again urge my colleagues to support this good government proposal for transparency and accountability that will help protect the integrity of the Federal rulemaking process.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. POSEY).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 115-2 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. GOODLATTE of Virginia.

Amendment No. 5 by Mr. PETERSON of Minnesota.

Amendment No. 8 by Ms. CASTOR of Florida.

Amendment No. 9 by Mr. CICILLINE of Rhode Island.

Amendment No. 10 by Mr. JOHNSON of Georgia.

Amendment No. 11 by Mr. RUIZ of California.

Amendment No. 12 by Mr. SCOTT of Virginia.

Amendment No. 13 by Mr. TONKO of New York.

Amendment No. 14 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 237, noes 185, not voting 12, as follows:

[Roll No. 35]

AYES—237

Abraham Dent Joyce (OH)
Aderholt DeSantis Katko
Allen DesJarlais Kelly (MS)
Amash Diaz-Balart Kelly (PA)
Amodei Donovan King (IA)
Arrington Duffy King (NY)
Babin Duncan (SC) Kinzinger
Bacon Duncan (TN) Knight
Banks (IN) Dunn Kustoff (TN)
Barletta Emmer Labrador
Barr Farenthold LaHood
Barton Faso LaMalfa
Bergman Ferguson Lance
Beutler Fitzpatrick Latta
Biggs Fleischmann Lewis (MN)
Bilirakis Flores LoBiondo
Bishop (MI) Fortenberry Long
Bishop (UT) Foxx Loudermilk
Black Franks (AZ) Love
Blackburn Frelinghuysen Lucas
Blum Gaetz Luetkemeyer
Bost Gallagher MacArthur
Brady (TX) Garrett Marchant
Brat Gibbs Marino
Bridenstine Gohmert Marshall
Brooks (AL) Goodlatte Massie
Brooks (IN) Gosar Mast
Buchanan Gowdy McCarthy
Buck Granger McCaul
Bucshon Graves (GA) McClintock
Budd Graves (LA) McHenry
Burgess Graves (MO) McKinley
Byrne Griffith McMorris
Calvert Grothman Rodgers
Carter (GA) Guthrie McSally
Carter (TX) Harper Meadows
Chabot Hartzler Meehan
Chaffetz Hensarling Messer
Cheney Hice, Jody B. Mitchell
Coffman Higgins (LA) Moolenaar
Cole Hill Mooney (WV)
Collins (GA) Holding Mullin
Collins (NY) Hollingsworth Murphy (PA)
Comer Hudson Newhouse
Comstock Huizenga Noem
Conaway Hultgren Nunes
Cook Hunter Olson
Costa Hurd Palazzo
Costello (PA) Issa Palmer
Cramer Jenkins (KS) Paulsen
Crawford Jenkins (WV) Pearce
Culberson Johnson (LA) Perlmutter
Curbelo (FL) Johnson (OH) Perry
Davidson Johnson (OH) Peterson
Davis, Rodney Jones Pittenger
Denham Jordan Poe (TX)

Poliquin Sanford Turner
Posey Scalise Upton
Ratcliffe Schweikert Valadao
Reed Scott, Austin Wagner
Reichert Sensenbrenner Walberg
Renacci Sessions Walden
Rice (SC) Shimkus Walker
Robby Shuster Walorski
Roe (TN) Simpson Walters, Mimi
Rogers (AL) Smith (MO) Weber (TX)
Rogers (KY) Smith (NE) Webster (FL)
Rohrabacher Smith (NJ) Wenstrup
Rokita Smith (TX) Westerman
Rooney, Francis Smucker Williams
Rooney, Thomas Stefanik Wilson (SC)
J. Stewart Wittman
Ros-Lehtinen Stivers Womack
Roskam Taylor Woodall
Ross Tenney Yoder
Rothfus Thompson (PA) Yoho
Rouzer Thornberry Young (AK)
Royce (CA) Tiberi Young (IA)
Russell Tipton Zeldin
Rutherford Trott

NOES—185

Adams Gabbard Neal
Aguilar Gallego Nolan
Barragan Garamendi Norcross
Bass Gottheimer O’Halloran
Beatty Green, Al O’Rourke
Bera Green, Gene Pallone
Beyer Grijalva Panetta
Bishop (GA) Guti rrez Pascrell
Blumenauer Hanabusa Payne
Blunt Rochester Hastings Peters
Bonamici Heck Pingree
Boyle, Brendan Higgins (NY) Pocan
F. Himes Polis
Brady (PA) Hoyer Price (NC)
Brown (MD) Huffman Quigley
Brownley (CA) Jackson Lee Raskin
Bustos Jayapal Rice (NY)
Butterfield Jeffries Richmond
Capuano Johnson (GA) Rosen
Carbajal Johnson, E. B. Roybal-Allard
C rdenas Kaptur Ruiz
Carson (IN) Keating Rupperberger
Cartwright Kelly (IL) S nchez
Castor (FL) Kennedy Sarbanes
Castro (TX) Khanna Schakowsky
Chu, Judy Kihuen Schiff
Cicilline Kildeer Schneider
Clark (MA) Kilmier Schrader
Clarke (NY) Kind Scott (VA)
Clay Krishnamoorthi Scott, David
Clyburn Kuster (NH) Serrano
Cohen Langevin Sewell (AL)
Connolly Larsen (WA) Shea-Porter
Conyers Larson (CT) Sherman
Cooper Lawrence Sinema
Correa Lawson (FL) Sires
Courtney Lee Slaughter
Crist Levin Smith (WA)
Crowley Lewis (GA) Soto
Cuellar Lieu, Ted Speier
Cummings Lipinski Suozzi
Davis (CA) Loebsock Swalwell (CA)
Davis, Danny Lofgren Takano
DeFazio Lowenthal Thompson (CA)
DeGette Lowey Thompson (MS)
Delaney Lujan Grisham, M. Titus
DeLauro M. Luj n, Ben Ray
DelBene Lynch Tonko
Demings Torres Torres
DeSaulnier Maloney, Sean Vargas
Deutch Carolyn B. Vargas
Dingell Maloney, Sean Veasey
Doggett Matsui Vela
Doyle, Michael McCollum Vel zquez
F. McEachin Visclosky
Ellison McGovern Walz
Engel Mc Nerney Wasserman
Eshoo Meeks Schultz
Espaillat Meng Waters, Maxine
Esty Moore Watson Coleman
Evans Moulton Welch
Foster Murphy (FL) Wilson (FL)
Frankel (FL) Nadler Yarmuth
Fudge Napolitano

NOT VOTING—12

Becerra Gonzalez (TX) Lamborn
Cleaver Harris Mulvaney

Pelosi Price, Tom (GA) Ryan (OH)
Pompeo Rush Zinke

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. (during the vote).
There are 2 minutes remaining.

□ 1749

Messrs. VARGAS, THOMPSON of
California, WELCH, JEFFRIES,
O'HALLERAN, THOMPSON of Mis-
sissippi, Ms. BLUNT ROCHESTER, and
Mr. PAYNE changed their vote from
"aye" to "no."

Mr. REED changed his vote from
"no" to "aye."

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. PETERSON

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Minnesota (Mr. PETER-
SON) on which further proceedings were
postponed and on which the ayes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 260, noes 161,
not voting 13, as follows:

[Roll No. 36]

AYES—260

Abraham Cole Fudge
Aderholt Collins (GA) Gabbard
Allen Collins (NY) Gaetz
Amash Comer Gallagher
Amodeli Comstock Garrett
Arrington Conaway Gibbs
Babin Cook Gohmert
Bacon Cooper Gonzalez (TX)
Banks (IN) Correa Goodlatte
Barletta Costa Gosar
Barr Costello (PA) Gowdy
Barton Cramer Granger
Bera Crawford Graves (LA)
Bergman Crowley Graves (MO)
Beutler Cuellar Griffith
Biggs Culberson Grothman
Bilirakis Curbelo (FL) Guthrie
Bishop (MI) Davidson Harper
Bishop (UT) Davis, Rodney Hartzler
Black Delaney Hensarling
Blackburn Denham Hice, Jody B.
Blum Dent Higgins (LA)
Bost DeSantis Hill
Brady (TX) DesJarlais Himes
Brat Diaz-Balart Holding
Bridenstine Donovan Hollingsworth
Brooks (AL) Duffy Hudson
Brooks (IN) Duncan (SC) Huffman
Buchanan Duncan (TN) Huizenga
Buck Dunn Hultgren
Bueshon Emmer Hunter
Budd Engel Hurd
Burgess Farenthold Issa
Bustos Faso Jenkins (KS)
Byrne Ferguson Jenkins (WV)
Calvert Fleischmann Johnson (LA)
Carter (GA) Flores Johnson (OH)
Carter (TX) Fortenberry Johnson, Sam
Chabot Foster Jones
Chaffetz Foxx Jordan
Cheney Franks (AZ) Joyce (OH)
Coffman Frelinghuysen Kaptur

Katko O'Halleran
Kelly (MS) Olson
Kelly (PA) Palazzo
King (IA) Palmer
King (NY) Pascrell
Kinzinger Paulsen
Knight Pearce
Kuster (NH) Perlmutter
Kustoff (TN) Perry
Labrador Peters
LaHood Peterson
Lance Pittenger
Latta Poe (TX)
Lewis (MN) Poliquin
Lipinski Posey
LoBiondo Ratcliffe
Long Reed
Loudermilk Reichert
Love Renacci
Lucas Rice (SC)
Luetkemeyer Roby
MacArthur Roe (TN)
Marchant Rogers (KY)
Marino Rohrabacher
Marshall Rooney, Francis
Massie Rooney, Thomas
Mast J.
McCarthy Ros-Lehtinen
McClintock Roskam
McHenry Ross
McKinley Rothfus
McMorris Rouzer
Rodgers Royce (CA)
McSally Ruppberger
Meehan Russell
Messer Sanford
Mitchell Scalise
Moolenaar Schneider
Mooney (WV) Schrader
Mullin Schweikert
Murphy (FL) Scott, Austin
Murphy (PA) Scott, David
Neal Sensenbrenner
Newhouse Sessions
Noem Shimkus
Nunes Shuster

NOES—161

Adams Doyle, Michael
Aguilar F.
Barragan Ellison
Bass Eshoo
Beatty Espaillat
Beyer Esty
Bishop (GA) Evans
Blumenauer Fitzpatrick
Blunt Rochester Frankel (FL)
Bonamici Gallego
Boyle, Brendan Garamendi
F. Gottheimer
Brady (PA) Graves (GA)
Brown (MD) Green, Al
Brownley (CA) Green, Gene
Butterfield Grijalva
Capuano Gutiérrez
Carbajal Hanabusa
Cárdenas Hastings
Carson (IN) Heck
Higgins (NY)
Cartwright Hoyer
Castor (FL) Jackson Lee
Castro (TX) Jayapal
Chu, Judy Jeffries
Cicilline Johnson (GA)
Clark (MA) Johnson, E. B.
Clarke (NY) Keating
Clay Kelly (IL)
Clyburn Kennedy
Cohen Khanna
Connolly Kihuen
Conyers Kildee
Courtney Kilmer
Crist Kind
Cummings Richmond
Davis (CA) Rogers (AL)
Davis, Danny LaMalfa
Langevin Rokita
Larsen (WA) Rosen
Larson (CT) Roybal-Allard
Lawrence Ruiz
Lawson (FL) Sánchez
Lee Sarbanes
Levin Schakowsky
Lewis (GA) Schiff
Lieu, Ted Scott (VA)
Loeb sack Serrano

Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suoizzi
Taylor
Tenney
Thompson (PA)
Thornberry
Reed
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Waters, Maxine
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey

Velázquez
Visclosky
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Becerra Nolan
Cleaver Pelosi
Harris Pompeo
Lamborn Price, Tom (GA)
Mulvaney Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. (during the vote).
There is 1 minute remaining.

□ 1755

Mr. NORCROSS changed his vote
from "aye" to "no."

Messrs. O'HALLERAN and SCHNEI-
DER changed their vote from "no" to
"aye."

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

Stated against:

Mr. CROWLEY. Mr. Speaker, during rollcall
Vote No. 36, I mistakenly recorded my vote as
"yes" when I should have voted "no."

Mr. SOUZZI. Mr. Speaker, during rollcall
Vote No. 36, I mistakenly recorded my vote as
"yes" when I should have voted "no."

AMENDMENT NO. 8 OFFERED BY MS. CASTOR OF
FLORIDA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Florida (Ms. CAS-
TOR) on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 189, noes 231,
not voting 14, as follows:

[Roll No. 37]

AYES—189

Adams Carson (IN) Davis (CA)
Aguilar Cartwright Davis, Danny
Barragan Castor (FL) DeFazio
Bass Castro (TX) DeGette
Beatty Chu, Judy Delaney
Bera Cicilline DeLauro
Beyer Clark (MA) DeBene
Bishop (GA) Clarke (NY) Demings
Blumenauer Clay DeSaulnier
Blunt Rochester Clyburn Deutch
Bonamici Cohen Dingell
Boyle, Brendan Connolly Doggett
F. Conyers Doyle, Michael
Cooper Cooper F.
Brown (MD) Correa Ellison
Brownley (CA) Costa Engel
Courtney Courtney Eshoo
Butterfield Crist Espallat
Capuano Crowley Esty
Carbajal Cuellar Evans
Cárdenas Cummings Foster

Frankel (FL) Lipinski
 Fudge Loeb sack
 Gabbard Lofgren
 Gallego Lowenthal
 Garamendi Lowey
 Gonzalez (TX) Lujan Grisham,
 Gottheimer M.
 Green, Al Luján, Ben Ray
 Green, Gene Lynch
 Grijalva Maloney,
 Gutiérrez Carolyn B.
 Hanabusa Maloney, Sean
 Hastings Marchant
 Heck Matsui
 Higgins (NY) McCollum
 Himes McEachin
 Hoyer McGovern
 Huffman McNerney
 Jackson Lee Meeks
 Jayapal Meng
 Jeffries Moore
 Johnson (GA) Moulton
 Johnson, E. B. Murphy (FL)
 Jones Nadler
 Kaptur Napolitano
 Keating Neal
 Kelly (IL) Nolan
 Kennedy Norcross
 Khanna O'Halleran
 Kihuen O'Rourke
 Kildee Pallone
 Kilmer Panetta
 Kind Pascrell
 Krishnamoorthi Payne
 Kuster (NH) Perlmutter
 Langevin Peters
 Larsen (WA) Pingree
 Larson (CT) Pocan
 Lawrence Polis
 Lawson (FL) Price (NC)
 Lee Quigley
 Levin Raskin
 Lewis (GA) Rice (NY)
 Lieu, Ted Richmond

NOES—231

Abraham Crawford
 Aderholt Culberson
 Allen Curbelo (FL)
 Amash Davidson
 Amodei Davis, Rodney
 Arrington Denham
 Babin Dent
 Bacon DeSantis
 Banks (IN) DesJarlais
 Barletta Diaz-Balart
 Barr Donovan
 Barton Duffy
 Bergman Duncan (SC)
 Beutler Duncan (TN)
 Biggs Dunn
 Bilirakis Emmer
 Bishop (MI) Farenthold
 Bishop (UT) Faso
 Black Ferguson
 Blackburn Fitzpatrick
 Blum Fleischmann
 Bost Flores
 Brady (TX) Fortenberry
 Brat Foxx
 Bridenstine Franks (AZ)
 Brooks (AL) Frelinghuysen
 Brooks (IN) Gaetz
 Buchanan Gallagher
 Buck Garrett
 Bucshon Gibbs
 Budd Gohmert
 Burgess Gosar
 Byrne Gowdy
 Calvert Granger
 Carter (GA) Graves (GA)
 Carter (TX) Graves (LA)
 Chabot Graves (MO)
 Chaffetz Griffith
 Cheney Grothman
 Coffman Guthrie
 Cole Harper
 Collins (GA) Hartzler
 Collins (NY) Hensarling
 Comer Hice, Jody B.
 Comstock Higgins (LA)
 Conaway Hill
 Cook Holding
 Costello (PA) Hollingsworth
 Cramer Hudson

Rosen Moolenaar
 Roybal-Allard Mooney (WV)
 Ruiz Mullin
 Ruppertsberger Murphy (PA)
 Schrader Newhouse
 Sarbanes Noem
 Schakowsky Nunes
 Schiff Olson
 Schneider Palazzo
 Palmer Palmer
 Paulsen Paulsen
 Scott (VA) Pearce
 Scott, David Perry
 Serrano Peterson
 Sewell (AL) Sewell (AL)
 Shea-Porter Poe (TX)
 Sherman Poliquin
 Sinema Posey
 Slaughter Ratcliffe
 Smith (WA) Reed
 Soto Reichert
 Speier Smith (MO)
 Suozzi Renacci
 Swalwell (CA) Rice (SC)
 Takano Roby
 Thompson (CA) Roe (TN)
 Thompson (MS) Rogers (AL)
 Titus Rogers (KY)
 Tonko Rohrabacher
 Torres Rokita
 Tsongas
 Vargas Becerra
 Veasey Cleaver
 Vela Goodlatte
 Velázquez Harris
 Vislosky Lamborn
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

Rooney, Francis Thompson (PA)
 Rooney, Thomas Thornberry
 J. Tiberi
 Ros-Lehtinen Tipton
 Roskam Trotter
 Ross Turner
 Rothfus Upton
 Rouzer Valadao
 Royce (CA) Wagner
 Russell Walberg
 Sanford Walden
 Scalise Walker
 Schweikert Walorski
 Scott, Austin Walters, Mimi
 Sensenbrenner Weber (TX)
 Sessions Doyle, Michael
 Shimkus F.
 Shuster Ellison
 Simpson Westerman
 Sires Williams
 Smith (MO) Wilson (SC)
 Smith (NE) Wittman
 Smith (NJ) Womack
 Smith (TX) Woodall
 Smucker Yoder
 Stefanik Yoho
 Stewart Young (AK)
 Taylor Young (IA)
 Tenney Zeldin

NOT VOTING—14

Becerra Mulvaney
 Cleaver Pelosi
 Goodlatte Pompeo
 Harris Price, Tom (GA)
 Lamborn Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1759

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

Stated against:
 Mr. GOODLATTE. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 37.

AMENDMENT NO. 9 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 232, not voting 12, as follows:

[Roll No. 38]

AYES—190

Adams Brady (PA)
 Aguilar Brown (MD)
 Barragán Brownley (CA)
 Bass Bustos
 Beatty Butterfield
 Bera Capuano
 Beyer Carbajal
 Bishop (GA) Cárdenas
 Blumenauer Carson (IN)
 Blunt Rochester Cartwright
 Bonamici Castor (FL)
 Boyle, Brendan Castro (TX)
 F. Chu, Judy

Crowley Khanna
 Cuellar Kihuen
 Cummings Poliss
 Davis (CA) Kilmer
 Davis, Danny Kind
 DeFazio Krishnamoorthi
 DeGette Kuster (NH)
 Delaney Langevin
 DeLauro Larsen (WA)
 DelBene Larson (CT)
 Demings Lawrence
 DeSaulnier Lawson (FL)
 Deutch Lee
 Dingell Levin
 Doggett Lewis (GA)
 Doyle, Michael Lieu, Ted
 F. Lipinski
 Ellison Loeb sack
 Engel Lofgren
 Eshoo Lowenthal
 Espallart Lowey
 Esty Lujan Grisham,
 Evans M.
 Foster Luján, Ben Ray
 Frankel (FL) Lynch
 Fudge Maloney,
 Gabbard Carolyn B.
 Gallego Maloney, Sean
 Garamendi Matsui
 Gonzalez (TX) McCollum
 Gottheimer McEachin
 Green, Al McGovern
 Green, Gene McNerney
 Grijalva Meeks
 Gutiérrez Meng
 Hanabusa Moore
 Hastings Moulton
 Heck Murphy (FL)
 Higgins (NY) Nadler
 Himes Napolitano
 Hoyer Neal
 Huffman Nolan
 Jackson Lee Norcross
 Jayapal O'Halleran
 Jeffries O'Rourke
 Johnson (GA) Pallone
 Johnson, E. B. Panetta
 Jones Pascrell
 Kaptur Payne
 Keating Perlmutter
 Kelly (IL) Peters
 Kennedy Peterson

NOES—232

Abraham Collins (GA)
 Aderholt Collins (NY)
 Allen Comer
 Amash Comstock
 Amodei Conaway
 Arrington Cook
 Babin Costello (PA)
 Bacon Cramer
 Banks (IN) Crawford
 Barletta Culberson
 Barr Curbelo (FL)
 Barton Davidson
 Bergman Davis, Rodney
 Beutler Denham
 Biggs Dent
 Bilirakis DeSantis
 Bishop (MI) DesJarlais
 Bishop (UT) Diaz-Balart
 Black Donovan
 Blackburn Duffy
 Blum Duncan (SC)
 Bost Duncan (TN)
 Brady (TX) Dunn
 Brat Emmer
 Bridenstine Farenthold
 Brooks (AL) Faso
 Brooks (IN) Ferguson
 Buchanan Fitzpatrick
 Buck Fleischmann
 Bucshon Flores
 Budd Fortenberry
 Burgess Franks (AZ)
 Byrne King (IA)
 Calvert Frelinghuysen
 Carter (GA) Gaetz
 Carter (TX) Gallagher
 Chabot Garrett
 Chaffetz Gibbs
 Cheney Gohmert
 Coffman Goodlatte
 Cole Gosar

Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Soto
 Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Vislosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen

NOT VOTING—12

Becerra
Cleaver
Harris
Lamborn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1802

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. JOHNSON
OF GEORGIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Georgia (Mr. JOHNSON)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 188, noes 234,
not voting 12, as follows:

[Roll No. 39]

AYES—188

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester

Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal

Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Westrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Mulvaney
Pelosi
Pompeo
Price, Tom (GA)
Rush
Rutherford
Ryan (OH)
Zinke

Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
DeShazo
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Esho
Española
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)

Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Lujan, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter

NOES—234

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Beutler
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Fitzpatrick
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz

Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Cook
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)

Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse

NOT VOTING—12

Becerra
Cleaver
Harris
Lamborn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1806

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. RUIZ

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from California (Mr. RUIZ)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 190, noes 233,
not voting 11, as follows:

[Roll No. 40]

AYES—190

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer

Bishop (GA)
Blum
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal

Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Costa
 Courtney
 Crist
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Ellison
 Engel
 Eshoo
 Espaillat
 Esty
 Evans
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hanabusa
 Hastings
 Heck
 Higgins (NY)

Himes
 Hoyer
 Huffman
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Jones
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 Kind
 Krishnamoorthi
 Kuster (NH)
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 Loeb sack
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 Maloney,
 Carolyn B.
 Maloney, Sean
 Matsui
 McCollum
 McEachin
 McGovern
 McNeerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O'Halleran
 O'Rourke

Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Joyce (OH)
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger
 Lamborn
 Lance
 Latta
 Lewis (MN)
 LoBiondo
 Reichert
 Renacci
 Rice (SC)
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marino
 Marshall
 Massie
 Rooney, Thomas
 J.
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 Morris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mitchell

Mooleenaar
 Mooney (WV)
 Mullin
 Murphy (PA)
 Newhouse
 Noem
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Peterson
 Pittenger
 Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (SC)
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney, Francis
 Rooney, Thomas
 J.
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce (CA)
 Russell
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner

Sessions
 Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smucker
 Stefanik
 Stewart
 Stivers
 Taylor
 Tenney
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Rokita
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Zeldin

Blumenauer
 Blunt Rochester
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brown (MD)
 Brownley (CA)
 Bustos
 Butterfield
 Capuano
 Carbajal
 Jeffries
 Jenkins (WV)
 Johnson (GA)
 Johnson, E. B.
 Jones
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Clarke (NY)
 Clay
 Kildee
 Kilmer
 Connolly
 Kind
 Krishnamoorthi
 Kuster (NH)
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 Loeb sack
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham,
 M.
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Ellison
 Engel
 Eshoo
 Espaillat
 Esty
 Evans
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene

Grijalva
 Gutiérrez
 Hanabusa
 Hastings
 Heck
 Higgins (NY)
 Nolan
 Norcross
 O'Halleran
 O'Rourke
 Payne
 Perlmutter
 Peters
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 Kind
 Krishnamoorthi
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sires
 Slaughter
 Smith (WA)
 Soto
 Speier
 Surozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

NOT VOTING—11

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1811

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. SCOTT OF
 VIRGINIA

The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Virginia (Mr. SCOTT)
 on which further proceedings were
 postponed and on which the noes pre-
 vailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a
 2-minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 195, noes 227,
 not voting 12, as follows:

[Roll No. 41]

AYES—195

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barletta
 Barr
 Barton
 Bergman
 Beutler
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)

Chabot
 Chaffetz
 Cheney
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Crawford
 Culberson
 Curbelo (FL)
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Farenthold
 Faso
 Ferguson
 Fitzpatrick
 Fleischmann
 Flores

Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher
 Garrett
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guthrie
 Harper
 Hartzler
 Hensarling
 Hice, Jody B.
 Higgins (LA)
 Hill
 Holding
 Hollingsworth
 Hudson
 Huelszenga
 Hultgren
 Hunter
 Hurd
 Issa
 Jenkins (KS)
 Jenkins (WV)

Adams
 Aguilar
 Barragán

Bass
 Beaty
 Bera

Beyer
 Bishop (GA)
 Blum

Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Cheney
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Crawford
 Culberson
 Curbelo (FL)
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart

Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Farenthold
 Faso
 Ferguson
 Fitzpatrick
 Fleischmann
 Flores
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher
 Garrett
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith

NOES—227

The vote was taken by electronic device, and there were—ayes 185, noes 236, not voting 13, as follows:

[Roll No. 43]

AYES—185

Adams Gallego Neal
 Aguilar Garamendi Nolan
 Barragan Gonzalez (TX) Norcross
 Bass Gottheimer O'Halleran
 Beatty Green, Al O'Rourke
 Bera Green, Gene Pallone
 Beyer Grijalva Panetta
 Bishop (GA) Gutiérrez Pascarell
 Blumenauer Hanabusa Payne
 Blunt Rochester Hastings Perlmutter
 Bonamici Heck Peters
 Boyle, Brendan Higgins (NY) Pingree
 F. Himes Pocan
 Brady (PA) Hoyer Polis
 Brown (MD) Huffman Price (NC)
 Brownley (CA) Jackson Lee Quigley
 Bustos Jayapal Raskin
 Butterfield Jeffries Rice (NY)
 Capuano Johnson (GA) Richmond
 Carbajal Johnson, E. B. Rosen
 Cárdenas Kaptur Roybal-Allard
 Carson (IN) Keating Kelly (IL)
 Cartwright Kelly (IL) Ruppberger
 Castor (FL) Kennedy Sánchez
 Castro (TX) Khanna Sarbanes
 Chu, Judy Kihuen Schakowsky
 Cicilline Kildee Schiff
 Clark (MA) Kilmer Schneider
 Clarke (NY) Kind Schrader
 Clay Krishnamoorthi Scott (VA)
 Clyburn Kuster (NH) Scott, David
 Cohen Langevin Serrano
 Connolly Larsen (WA) Sewell (AL)
 Conyers Larson (CT) Shea-Porter
 Cooper Lawrence Sherman
 Correa Lawson (FL) Sires
 Courtney Lee Slaughter
 Crist Levin Smith (WA)
 Crowley Lewis (GA) Lieu, Ted
 Cuellar Lieu, Ted Soto
 Cummings Lipinski Speier
 Davis (CA) Loebsock Suozzi
 Davis, Danny Lofgren Swailwell (CA)
 DeFazio Lowenthal Takano
 Delaney Lowey Thompson (CA)
 DeLauro Lujan Grisham, Thompson (MS)
 M. Titus
 DelBene Lujan, Ben Ray Tonko
 Demings Lynch Torres
 DeSaulnier Maloney, Tsongas
 Deutch Maloney, Carolyn B. Vargas
 Dingell Maloney, Sean Veasey
 Doggett Matsui Vela
 Doyle, Michael McCollum Velázquez
 F. McEachin Vislosky
 Ellison Engel McGovern Walz
 Eshoo McNerney Wasserman
 Espallat Meeks Schultz
 Esty Meng Waters, Maxine
 Evans Moore Watson Coleman
 Foster Moulton Welch
 Frankel (FL) Murphy (FL) Wilson (FL)
 Fudge Nadler Yarmuth
 Gabbard Napolitano

NOES—236

Abraham Brady (TX) Comstock
 Aderholt Brat Conaway
 Allen Bridenstine Cook
 Amash Brooks (AL) Costa
 Amodoi Brooks (IN) Costello (PA)
 Arrington Buchanan Cramer
 Babin Buck Crawford
 Bacon Bucshon Culberson
 Banks (IN) Budd Curbelo (FL)
 Barletta Burgess Davidson
 Barr Byrne Davis, Rodney
 Barton Calvert Denham
 Bergman Carter (GA) Dent
 Beutler Carter (TX) DeSantis
 Biggs Chabot Diaz-Balart
 Bilirakis Chaffetz Donovan
 Bishop (MI) Cheney Duffy
 Bishop (UT) Coffman Duncan (SC)
 Black Cole Duncan (TN)
 Blackburn Collins (GA) Dunn
 Blum Collins (NY) Emmer
 Bost Comer Farenthold

Faso Lance Rooney, Thomas
 Ferguson Latta J.
 Fitzpatrick Lewis (MN) Ros-Lehtinen
 Fleischmann LoBiondo Roskam
 Flores Long Ross
 Fortenberry Loudermilk Rothfus
 Foxx Love Rouzer
 Franks (AZ) Lucas Royce (CA)
 Frelinghuysen Luetkemeyer Russell
 Gaetz MacArthur Sanford
 Gallagher Marchant Scalise
 Garrett Marino Schweikert
 Gibbs Marshall Scott, Austin
 Gohmert Massie Sensenbrenner
 Goodlatte Mast Sessions
 Gosar McCarthy Shimkus
 Gowdy McCaul Shuster
 Granger McCaul Simpson
 Graves (GA) McClintock Smith (MO)
 Graves (LA) McHenry Smith (NE)
 Graves (MO) McKinley Smith (NJ)
 Griffith McMorris Smith (TX)
 Grothman Rodgers
 Guthrie McSally
 Harper Meadows Smucker
 Hartzler Meehan Stefanik
 Hensarling Messer Stewart
 Hice, Jody B. Mitchell Stivers
 Higgins (LA) Moolenaar Taylor
 Hill Mooney (WV) Tenney
 Holding Mullin Thompson (PA)
 Hollingsworth Murphy (PA) Thornberry
 Hudson Newhouse Tiberi
 Huizenga Noem Tipton
 Hultgren Nunes Trott
 Hunter Olson Turner
 Hurd Palazzo Upton
 Issa Palmer Valadao
 Jenkins (KS) Paulsen Wagner
 Jenkins (WV) Pearce Walberg
 Johnson (LA) Perry Walden
 Johnson (OH) Peterson Walker
 Johnson, Sam Pittenger Walorski
 Jones Poe (TX) Walters, Mimi
 Jordan Poliquin Weber (TX)
 Joyce (OH) Posey Webster (FL)
 Katko Ratcliffe Wenstrup
 Kelly (MS) Reed Westerman
 Kelly (PA) Reichert Williams
 King (IA) Renacci Wilson (SC)
 King (NY) Rice (SC) Wittman
 Kinzinger Roby Womack
 Knight Roe (TN) Woodall
 Kustoff (TN) Rogers (AL) Yoder
 Labrador Rogers (KY) Yoho
 LaHood Rohrabacher Young (AK)
 LaMalfa Rokita Young (IA)
 Lamborn Rooney, Francis Zeldin

NOT VOTING—13

Becerra Mulvaney Rutherford
 Cleaver Pelosi Ryan (OH)
 DeGette Pompeo Zinke
 DesJarlais Price, Tom (GA)
 Harris Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1824

So the amendment was rejected.
 The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of

potential impacts on small entities of rules, and for other purposes, and, pursuant to House Resolution 33, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. DEMINGS. Mr. Speaker, I have a motion to recommit to the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. DEMINGS. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Demings moves to recommit the bill H.R. 5 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 36, strike line 10 and all that follows through page 37, line 9.

Page 38, strike line 11 and all that follows through page 39, line 12.

Add, at the end of the bill, the following (and conform the table of contents accordingly):

TITLE VII—PROTECTING ACCESS TO AFFORDABLE PRESCRIPTION DRUGS FOR AMERICANS OVER THE AGE OF 65

SEC. 701. PROTECTING ACCESS TO AFFORDABLE PRESCRIPTION DRUGS FOR AMERICANS OVER THE AGE OF 65.

This Act, and the amendments made by this Act, shall not apply in the case of a rule (as such term is defined in section 551 of title 5, United States Code), pertaining to the provision of health and financial security for persons ages 65 and over by significantly reducing out-of-pocket medication costs for prescription drugs for plans under the Medicare program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.), regardless of the person's income, medical history, or health status. The provisions of law amended by this Act, as in effect on the day before the date of the enactment of this Act, shall apply to such rules.

Mr. MARINO (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida is recognized for 5 minutes in support of her motion.

Mrs. DEMINGS. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to

committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, throughout my 27 years of law enforcement experience, I protected and served my community, and I stand here today to protect the most vulnerable of seniors in central Florida, and seniors all around this Nation.

We have a responsibility to see that seniors are not put in a position where they will have to choose between buying food or buying their medication, which was the case before the Affordable Care Act. We must resist all efforts to reopen the Medicare part D prescription drug coverage doughnut hole. This doughnut hole required seniors to pay full price for their prescription drugs after they reach their catastrophic threshold.

Research found, because of this doughnut hole, seniors would put their health at risk because they could not afford to pay the prescriptions, which ultimately lead to higher healthcare costs. Because of the Affordable Care Act, this doughnut hole is being completely phased out of the Medicare part D prescription drug program by the year 2020.

Since the ACA passed in 2010, closing the doughnut hole has saved our seniors more than \$23.5 billion on their prescription drugs. We know this is working. Florida seniors enrolled in the program are now saving an average of \$987 a year because of closing the loophole.

□ 1830

We know what \$987 means to the average senior on Medicare. We also know that if these coverage gap discounts disappeared, part D enrollees would have to pay \$3,725 for the time period they are in the doughnut hole. This \$3,725 represents nearly 15 percent of a Medicare enrollee's income.

With too many Floridians and seniors across the Nation struggling to make ends meet, I strongly believe that Congress can do more to make sure we do not go backwards and reopen this doughnut hole. No one should ever have to choose between food or medicine.

I urge my colleagues to consider the livelihood and dignity of our most vulnerable seniors and vote for my amendment to protect access to affordable prescription drugs for older Americans.

Mr. Speaker, I yield back the balance of my time.

Mr. MARINO. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Speaker, this bill's bold reforms deliver the heart of the regulatory reform this Nation desperately needs; and I cannot overstate how desperately we need it because, after 8 years of the Obama administra-

tion's blowout administrative state, what do we have?

We have an economy that for 8 straight years has failed to produce enough good, new, full-time jobs to sustain growth and restore dignity to the unemployed. We have 92 million Americans outside the workforce, a level not seen since the Carter years. We have nearly \$2 trillion of American wealth commandeered each year to be spent as Washington bureaucrats demand, through runaway regulation—\$2 trillion. This is more money than the GDP of all but eight countries in the world.

We do not need a regulatory state that is that size; we need a regulatory system that is cut down to size. And lest we ever forget, we need a regulatory system that never again allows a runaway executive branch to do what the Obama administration did: use a pen and a phone to undertake an end run around Congress and force on the American people job-crushing policies that their elected representatives in Congress never supported.

This motion to recommit turns a blind eye to all of that. It says to the runaway administrative state: Keep on running as fast as you can; we don't care. It says to the American people: Sit down and be quiet. Washington bureaucrats are your betters, and you need to just keep doing what they tell you to do.

Well, the hardworking taxpayers have spoken and yanked the boots of unelected bureaucrats off the throats of hardworking Americans. Enough is enough. Support this bill. Reject this motion to recommit. Show the American people that they come first, not bureaucrats in Washington.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. DEMINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 233, not voting 11, as follows:

[Roll No. 44]

AYES—190

Adams	Beyer	Boyle, Brendan
Aguilar	Bishop (GA)	F.
Barragán	Blumenauer	Brady (PA)
Bass	Blunt Rochester	Brown (MD)
Beatty	Bonomici	Brownley (CA)
Bera		Bustos

Butterfield	Higgins (NY)	Pascarell
Capuano	Himes	Payne
Carbajal	Hoyer	Pelosi
Cárdenas	Huffman	Perlmutter
Carson (IN)	Jackson Lee	Peters
Cartwright	Jayapal	Peterson
Castor (FL)	Jeffries	Pingree
Castro (TX)	Johnson (GA)	Pocan
Chu, Judy	Johnson, E. B.	Polis
Cicilline	Kaptur	Price (NC)
Clark (MA)	Keating	Quigley
Clarke (NY)	Kelly (IL)	Raskin
Clay	Kennedy	Rice (NY)
Clyburn	Khanna	Richmond
Cohen	Kihuen	Rosen
Connolly	Kildee	Roybal-Allard
Conyers	Kilmer	Ruiz
Cooper	Kind	Ruppersberger
Correa	Krishnamoorthi	Sánchez
Costa	Kuster (NH)	Sarbanes
Courtney	Langevin	Schakowsky
Crist	Larsen (WA)	Schiff
Crowley	Larson (CT)	Schneider
Cuellar	Lawrence	Schrader
Cummings	Lawson (FL)	Scott (VA)
Davis (CA)	Lee	Scott, David
Davis, Danny	Levin	Serrano
DeFazio	Lewis (GA)	Sewell (AL)
DeGette	Lieu, Ted	Shea-Porter
Delaney	Lipinski	Sherman
DeLauro	Loeb sack	Sinema
DelBene	Lofgren	Sires
Demings	Lowenthal	Slaughter
DeSaulnier	Lowe y	Smith (WA)
Deutch	Lujan Grisham,	Soto
Dingell	M.	Speier
Doggett	Luján, Ben Ray	Suo zzi
Doyle, Michael	Lynch	Swalwell (CA)
F.	Maloney,	Takano
Ellison	Carolyn B.	Thompson (CA)
Engel	Maloney, Sean	Thompson (MS)
Eshoo	Matsui	Titus
Espallat	McCollum	Tonko
Esty	McEachin	Torres
Evans	McGovern	Tsongas
Foster	McNerney	Vargas
Frankel (FL)	Meeks	Veasey
Fudge	Meng	Vela
Gabbard	Moore	Velázquez
Gallego	Moulton	Visclosky
Garamendi	Murphy (FL)	Walz
Gonzalez (TX)	Nadler	Wasserman
Gottheimer	Napolitano	Schultz
Green, Al	Neal	Waters, Maxine
Green, Gene	Nolan	Watson Coleman
Grijalva	Norcross	Welch
Gutiérrez	O'Halleran	Wilson (FL)
Hanabusa	O'Rourke	Yarmuth
Hastings	Pallone	
Heck	Panetta	

NOES—233

Abraham	Calvert	Faso
Aderholt	Carter (GA)	Ferguson
Allen	Carter (TX)	Fitzpatrick
Amash	Chabot	Fleischmann
Amodei	Chaffetz	Flores
Arrington	Cheney	Fortenberry
Babin	Coffman	Fox x
Bacon	Cole	Franks (AZ)
Banks (IN)	Collins (GA)	Frelinghuysen
Barletta	Collins (NY)	Gaetz
Barr	Comer	Gallagher
Barton	Comstock	Garrett
Bergman	Conaway	Gibbs
Beutler	Cook	Gohmert
Biggs	Costello (PA)	Goodlatte
Bilirakis	Cramer	Gosar
Bishop (MI)	Crawford	Gowdy
Bishop (UT)	Culberson	Granger
Black	Curbelo (FL)	Graves (GA)
Blackburn	Davidson	Graves (LA)
Blum	Davis, Rodney	Graves (MO)
Bost	Denham	Griffith
Brady (TX)	Dent	Grothman
Brat	DeSantis	Guthrie
Bridenstine	DesJarlais	Harper
Brooks (AL)	Diaz-Balart	Hartzler
Brooks (IN)	Donovan	Hensarling
Buchanan	Duffy	Hice, Jody B.
Buck	Duncan (SC)	Higgins (LA)
Bucshon	Duncan (TN)	Hill
Budd	Dunn	Holding
Burgess	Emmer	Hollingsworth
Byrne	Farenthold	Hudson

Huizenga	McSally	Scott, Austin	Black	Harper	Perry	Esty	Lieu, Ted	Rosen
Hultgren	Meadows	Sensenbrenner	Blackburn	Hartzler	Peterson	Evans	Lipinski	Roybal-Allard
Hunter	Meehan	Sessions	Blum	Hensarling	Pittenger	Foster	Loeb	Ruiz
Hurd	Messer	Shimkus	Bost	Hice, Jody B.	Poe (TX)	Frankel (FL)	Lofgren	Ruppersberger
Issa	Mitchell	Shuster	Brady (TX)	Higgins (LA)	Poliquin	Fudge	Lowenthal	Sánchez
Jenkins (KS)	Moolenaar	Simpson	Brat	Hill	Posey	Gallego	Lowe	Sarbanes
Jenkins (WV)	Mooney (WV)	Smith (MO)	Bridenstine	Holding	Ratcliffe	Garamendi	Lujan Grisham,	Schakowsky
Johnson (LA)	Mullin	Smith (NE)	Brooks (AL)	Hollingsworth	Reed	Gonzalez (TX)	M.	Schiff
Johnson (OH)	Murphy (PA)	Smith (NJ)	Brooks (IN)	Hudson	Reichert	Gottheimer	Luján, Ben Ray	Schneider
Johnson, Sam	Newhouse	Smith (TX)	Buchanan	Huizenga	Renacci	Green, Al	Lynch	Scott (VA)
Jones	Noem	Smucker	Buck	Hultgren	Roby	Green, Gene	Maloney,	Scott, David
Jordan	Nunes	Stefanik	Bucshon	Hunter	Roe (TN)	Grijalva	Carolyn B.	Serrano
Joyce (OH)	Olson	Stewart	Budd	Hurd	Rogers (AL)	Gutiérrez	Maloney, Sean	Sewell (AL)
Katko	Palazzo	Stivers	Burgess	Issa	Rogers (KY)	Hanabusa	Matsui	Shea-Porter
Kelly (MS)	Palmer	Taylor	Byrne	Jenkins (KS)	Rohrabacher	Hastings	McCollum	Sherman
Kelly (PA)	Paulsen	Thompson (PA)	Calvert	Jenkins (WV)	Rokita	Heck	McEachin	Sinema
King (IA)	Pearce	Thornberry	Carter (GA)	Johnson (LA)	Rooney, Francis	Higgins (NY)	McGovern	Sires
King (NY)	Perry	Tiberi	Carter (TX)	Johnson (OH)	Rooney, Thomas	Himes	McNerney	Slaughter
Kinzinger	Pittenger	Tipton	Chabot	Johnson, Sam	J.	Hoyer	Meeks	Smith (WA)
Knight	Poe (TX)	Trott	Chaffetz	Jones	Ros-Lehtinen	Huffman	Meng	Soto
Kustoff (TN)	Poliquin	Turner	Cheney	Jordan	Roskam	Jackson Lee	Moore	Speier
Labrador	Posey	Upton	Coffman	Joyce (OH)	Ross	Jayapal	Moulton	Suozzi
LaHood	Ratcliffe	Valadao	Cole	Katko	Rothfus	Jeffries	Nadler	Swalwell (CA)
LaMalfa	Reed	Walberg	Collins (GA)	Kelly (MS)	Rouzer	Johnson (GA)	Napolitano	Takano
Lamborn	Reichert	Wagner	Collins (NY)	Kelly (PA)	Royce (CA)	Johnson, E. B.	Neal	Thompson (CA)
Lance	Renacci	Walberg	Comer	King (IA)	Russell	Kaptur	Nolan	Thompson (MS)
Latta	Rice (SC)	Walder	Comstock	King (NY)	Sanford	Keating	Norcross	Titus
Lewis (MN)	Roby	Walker	Conaway	Kinzinger	Scalise	Kelly (IL)	O'Halleran	Tonko
LoBiondo	Roe (TN)	Walorski	Cook	Knight	Schrader	Kennedy	O'Rourke	Torres
Long	Rogers (AL)	Walters, Mimi	Costa	Kustoff (TN)	Schweikert	Khanna	Pallone	Tsongas
Loudermilk	Rogers (KY)	Weber (TX)	Costello (PA)	Labrador	Scott, Austin	Kihuen	Pascrell	Vargas
Love	Rohrabacher	Webster (FL)	Cramer	LaHood	Sensenbrenner	Kildee	Payne	Veasey
Lucas	Rokita	Westerman	Crawford	LaMalfa	Sessions	Kilmer	Pelosi	Vela
Luetkemeyer	Rooney, Francis	Williams	Cuellar	Lamborn	Shimkus	Kind	Perlmutter	Velázquez
Marchant	Rooney, Thomas	Wilson (SC)	Wenstrup	Lance	Shuster	Krishnamoorthi	Kuster (NH)	Peters
Marino	J.	Wittman	Westerman	Latta	Simpson	Langevin	Pingree	Walz
Marshall	Ros-Lehtinen	Womack	DeSantis	Lewis (MN)	Smith (MO)	Larsen (WA)	Pocan	Wasserman
Massie	Roskam	Woodall	DesJarlais	LoBiondo	Smith (NE)	Larson (CT)	Polis	Schultz
Mast	Ross	Yoder	Diaz-Balart	Long	Smith (NJ)	Lawrence	Price (NC)	Waters, Maxine
McCarthy	Rothfus	Yoho	Donovan	Loudermilk	Smith (TX)	Lawnson (FL)	Quigley	Watson Coleman
McCaul	Rouzer	Young (AK)	Duffy	Love	Smucker	Lee	Raskin	Welch
McClintock	Royce (CA)	Young (IA)	Marchant	Lucas	Stefanik	Levin	Rice (NY)	Wilson (FL)
McHenry	Russell	Zeldin	Marino	Luetkemeyer	Stewart	Lewis (GA)	Richmond	Yarmuth
McKinley	Sanford		Duncan (SC)	MacArthur	Stivers			
McMorris	Scalise		Duncan (TN)	Marchant	Taylor			
Rodgers	Schweikert		Dunn	Marino	Tenney			
			Dunn	Marshall	Thompson (PA)			
			Emmer	Massie	Thornberry			
			Farenthold	Mast	Tiberti			
			Faso	McCarthy	Tipton			
			Ferguson	McCaul	Trott			
			Fitzpatrick	McClintock	Turner			
			Fleischmann	McHenry	Upton			
			Flores	McKinley	Valadao			
			Fortenberry	McMorris	Wagner			
			Fox	Rodgers	Walberg			
			Fox	McSally	Walden			
			Franks (AZ)	Meadows	Walker			
			Frelinghuysen	Meehan	Walorski			
			Gaetz	Messer	Walters, Mimi			
			Gallagher	Mitchell	Weber (TX)			
			Garrett	Moolenaar	Webster (FL)			
			Gibbs	Mooney (WV)	Wenstrup			
			Gohmert	Mullin	Westerman			
			Goodlatte	Murphy (FL)	Williams			
			Gosar	Murphy (PA)	Wilson (SC)			
			Gowdy	Newhouse	Wittman			
			Granger	Noem	Womack			
			Graves (GA)	Nunes	Woodall			
			Graves (LA)	Olson	Yoder			
			Graves (MO)	Palazzo	Yoho			
			Griffith	Palmer	Young (AK)			
			Grothman	Paulsen	Young (IA)			
			Guthrie	Pearce	Zeldin			

NOT VOTING—11

Becerra	Mulvaney	Rutherford
Cleaver	Pompeo	Ryan (OH)
Harris	Price, Tom (GA)	Zinke
MacArthur	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1839

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MACARTHUR. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 44.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MARINO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 183, not voting 13, as follows:

[Roll No. 45]

YEAS—238

Abraham	Babin	Bergman
Aderholt	Bacon	Beutler
Allen	Banks (IN)	Biggs
Amash	Barletta	Bilirakis
Amodei	Barr	Bishop (MI)
Arrington	Barton	Bishop (UT)

NAYS—183

Adams	Carbajal	Crowley
Aguilar	Cárdenas	Cummings
Barragán	Carson (IN)	Davis (CA)
Bass	Cartwright	Davis, Danny
Beatty	Castor (FL)	DeFazio
Bera	Castro (TX)	DeGette
Beyer	Chu, Judy	Delaney
Bishop (GA)	Cicilline	DelBene
Blumenauer	Clark (MA)	Demings
Blunt Rochester	Clarke (NY)	DeSaulnier
Bonamici	Clay	Deutch
Boyle, Brendan	Clyburn	Dingell
F.	Cohen	Doggett
Brady (PA)	Connolly	Doyle, Michael
Brown (MD)	Conyers	F.
Brownley (CA)	Cooper	Ellison
Bustos	Correa	Engel
Butterfield	Courtney	Eshoo
Capuano	Crist	Espallat

NOT VOTING—13

Becerra	Mulvaney	Rutherford
Cleaver	Pompeo	Ryan (OH)
DeLauro	Price, Tom (GA)	Zinke
Gabbard	Rice (SC)	
Harris	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1846

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the Speaker's appointment of members of the Permanent Select Committee on Intelligence on January 6, 2017, without objection, is made notwithstanding the requirement of clause 11(a)(4)(A) of rule X. There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the resolution is as follows:

H. RES. 45

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Peterson, Mr. David Scott of Georgia, Mr. Costa, Mr. Walz, Ms. Fudge, Mr. McGovern, Mr. Vela, Ms. Michelle Lujan Grisham of New Mexico, Ms. Kuster of New Hampshire, Mr. Nolan, Mrs. Bustos, Mr. Sean Patrick Maloney of New York, Ms. Plaskett, Ms. Adams, Mr. Evans, Mr. Lawson of Florida, Mr. O'Halleran, Mr. Panetta, and Mr. Soto.

(2) COMMITTEE ON APPROPRIATIONS.—Ms. Kaptur, Mr. Visclosky, Mr. Serrano, Ms. DeLauro, Mr. Price of North Carolina, Ms. Roybal-Allard, Mr. Bishop of Georgia, Ms. Lee, Ms. McCollum, Mr. Ryan of Ohio, Mr. Ruppersberger, Ms. Wasserman Schultz, Mr. Cuellar, Ms. Pingree, Mr. Quigley, Mr. Kilmer, Mr. Cartwright, Ms. Meng, Mr. Pocan, Ms. Clark of Massachusetts, and Mr. Aguilar.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Brady of Pennsylvania, Mrs. Davis of California, Mr. Langevin, Mr. Larsen of Washington, Mr. Cooper, Ms. Bordallo, Mr. Courtney, Ms. Tsongas, Mr. Garamendi, Ms. Speier, Mr. Veasey, Ms. Gabbard, Mr. O'Rourke, Mr. Norcross, Mr. Gallego, Mr. Moulton, Ms. Hanabusa, Ms. Shea-Porter, Ms. Rosen, Mr. McEachin, Mr. Carabajal, Mr. Brown of Maryland, Mrs. Murphy of Florida, Mr. Khanna, Mr. Peters, Mr. Aguilar, and Mr. Castro of Texas.

(4) COMMITTEE ON THE BUDGET.—Ms. Lee, Ms. Michelle Lujan Grisham of New Mexico, Mr. Moulton, Mr. Jeffries, Mr. Higgins of New York, and Ms. DelBene.

(5) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mrs. Davis of California, Mr. Grijalva, Mr. Courtney, Ms. Fudge, Mr. Polis, Mr. Sablan, Ms. Wilson of Florida, Ms. Bonamici, Mr. Takano, Ms. Adams, Mr. DeSaulnier, Mr. Norcross, Ms. Blunt Rochester, and Mr. Krishnamoorthi.

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Rush, Ms. Eshoo, Mr. Engel, Mr. Gene Green of Texas, Ms. DeGette, Mr. Michael F. Doyle of Pennsylvania, Ms. Schakowsky, Mr. Butterfield, Ms. Matsui, Ms. Castor of Florida, Mr. Sarbanes, Mr. McNerney, Mr. Welch, Mr. Ben Ray Lujan of New Mexico, Mr. Tonko, Ms. Clarke of New York, Mr. Loeb sack, Mr. Schrader, Mr. Kennedy, Mr. Cárdenas, Mr. Ruiz, Mr. Peters, and Mrs. Dingell.

(7) COMMITTEE ON FINANCIAL SERVICES.—Mrs. Carolyn B. Maloney of New York, Ms. Velázquez, Mr. Sherman, Mr. Meeks, Mr. Capuano, Mr. Clay, Mr. Lynch, Mr. David Scott of Georgia, Mr. Al Green of Texas, Mr. Cleaver, Ms. Moore, Mr. Ellison, Mr. Perlmutter, Mr. Himes, Mr. Foster, Mr. Kildee, Mr. Delaney, Ms. Sinema, Mrs. Beatty, Mr. Heck, Mr. Vargas, Mr. Gottheimer, Mr. Gonzalez of Texas, Mr. Crist, and Mr. Kihuen.

(8) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Sherman, Mr. Meeks, Mr. Sires, Mr. Connolly, Mr. Deutch, Ms. Bass, Mr. Keating, Mr. Cicilline, Mr. Bera, Ms. Frankel of Florida, Ms. Gabbard, Mr. Castro of Texas, Ms. Kelly of Illinois, Mr. Brendan F. Boyle of Pennsylvania, Ms. Titus, Mrs. Torres, Mr. Schneider, Mr. Suozzi, and Mr. Espallat.

(9) COMMITTEE ON HOMELAND SECURITY.—Ms. Jackson Lee, Mr. Langevin, Mr. Rich-

mond, Mr. Keating, Mr. Payne, Mr. Vela, Mrs. Watson Coleman, Miss Rice of New York, Mr. Correa, Mrs. Demings, and Ms. Barragán.

(10) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Raskin.

(11) COMMITTEE ON THE JUDICIARY.—Mr. Conyers, Mr. Nadler, Ms. Lofgren, Ms. Jackson Lee, Mr. Cohen, Mr. Johnson of Georgia, Ms. Judy Chu of California, Mr. Deutch, Mr. Gutiérrez, Ms. Bass, Mr. Richmond, Mr. Jeffries, Mr. Cicilline, Mr. Swalwell of California, Mr. Ted Lieu of California, Mr. Raskin, and Ms. Jayapal.

(12) COMMITTEE ON NATURAL RESOURCES.—Mrs. Napolitano, Ms. Bordallo, Mr. Costa, Mr. Sablan, Ms. Tsongas, Mr. Huffman, Mr. Lowenthal, Mr. Beyer, Mrs. Torres, and Mr. Gallego.

(13) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mrs. Carolyn B. Maloney of New York, Ms. Norton, Mr. Clay, Mr. Lynch, Mr. Cooper, Mr. Connolly, Ms. Kelly of Illinois, Mrs. Lawrence, Mr. Ted Lieu of California, Mrs. Watson Coleman, Ms. Plaskett, and Mr. Brendan F. Boyle of Pennsylvania.

(14) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Eddie Bernice Johnson of Texas, Ms. Lofgren, Mr. Lipinski, Ms. Bonamici, Mr. Bera, Ms. Esty, Mr. Veasey, and Mr. Beyer.

(15) COMMITTEE ON SMALL BUSINESS.—Ms. Judy Chu of California.

(16) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. DeFazio, Ms. Norton, Mr. Nadler, Ms. Eddie Bernice Johnson of Texas, Mr. Cummings, Mr. Larsen of Washington, Mr. Capuano, Mrs. Napolitano, Mr. Lipinski, Mr. Cohen, Mr. Sires, Mr. Garamendi, Mr. Johnson of Georgia, Mr. Carson of Indiana, Mr. Nolan, Ms. Titus, Mr. Sean Patrick Maloney of New York, Ms. Esty, Ms. Frankel of Florida, Mrs. Bustos, Mr. Huffman, Ms. Brownley of California, Ms. Wilson of Florida, Mr. Payne, Mr. Lowenthal, Mrs. Lawrence, and Mr. DeSaulnier.

(17) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Walz, Mr. Takano, Ms. Brownley of California, Ms. Kuster of New Hampshire, Mr. O'Rourke, and Miss Rice of New York.

(18) COMMITTEE ON WAYS AND MEANS.—Mr. Levin, Mr. Lewis of Georgia, Mr. Becerra, Mr. Doggett, Mr. Thompson of California, Mr. Larson of Connecticut, Mr. Blumenauer, Mr. Kind, Mr. Pascrell, Mr. Crowley, Mr. Danny K. Davis of Illinois, Ms. Sánchez, Mr. Higgins of New York, Ms. Sewell of Alabama, and Ms. DelBene.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL HUMAN TRAFFICKING AWARENESS DAY

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, today is National Human Trafficking Awareness Day, an issue close to my heart.

Human trafficking is nothing more than modern-day slavery. Last Congress, the Foreign Affairs Committee shined a light on this scourge that affects millions around the world and passed into law the International Megan's Law, which attacks child sex tourism by child sex offenders, im-

proves international law enforcement cooperation, and improves notices of child sex offenders traveling to the U.S.

We have come a long way in creating awareness, but more must be done. According to the Polaris Project, from 2007 to 2015, over 25,000 cases of human trafficking were discovered in the United States, and 7,700 of these were minors. Over 100,000 calls were made to the National Human Trafficking Resource Center hotline.

We all know this is an issue that does not discriminate. It can affect everyone. In north Florida, over Christmas, a man was arrested for trafficking a woman across five county lines. This case started with him luring her to Florida over the Internet and ended when law enforcement were able to save the victim after seeing her in adult advertisements online.

I want to thank all those who were involved in bringing this person to justice.

On this National Human Trafficking Awareness Day, we in Congress will not look away. We will continue to fight the scourge called human trafficking.

MORE QUESTIONS THAN ANSWERS

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, today, we have more questions than answers about profoundly disturbing ties between the President-elect and shadowy Russian influences.

The American people deserve full disclosure about any financial or personal interests held over this incoming administration by foreign entities and potential collusion to undermine our democracy.

Why has Mr. Trump failed to oppose Russia's forceful annexation of Crimea?

Why did he pressure his party to officially withdraw a plank calling for assistance to Ukraine?

Why did Mr. Trump reflexively attack our own intelligence officials when they warned of Russian interference in the election?

Why is he avoiding regular intelligence briefings?

Now that our intelligence community has concretely confirmed that Russia meddled in our democracy, we must demand to know if there has been any undue influence on Mr. Trump since he began his campaign. These new allegations finally shed light on his potential motives.

Mr. Speaker, Congress, as a coequal branch of government, must conduct a bipartisan investigation and do it immediately.

SHAME SEX TRAFFICKERS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, human trafficking victims are slaves living in fear, totally losing their identity.

On this National Human Trafficking Awareness Day, it is time to publicly expose the traffickers. As a former judge in Texas, I used public punishment to keep criminals from returning to my courtroom and to discourage other criminals from committing more crimes.

This form of public shaming can be successful in combating human trafficking. That is why, today, I introduced the SHAME Act. This bill will give Federal judges the ability to publish the names and photographs of both convicted human traffickers and the buyers of trafficked victims. Buyers will no longer be able to hide in plain sight under a cloak of anonymity.

My hope is that the SHAME Act strikes fear in those who think about purchasing young women for sex. Perhaps the thought of having their face on a billboard will make the scoundrels think twice about participating in the modern-day slave trade. It is time to shame these horrible humans out of business.

And that is just the way it is.

HONORING THE LIFE OF PAUL STEWART "STU" SHANER

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today in sadness to honor the life of a friend, Paul Stewart Shaner, known as "Stu" around Oroville. He passed away just recently, December 13, at the age of 76.

A resident of Oroville, California, since age 5, Stu was a prominent member of the community known for his civic engagement and a true passion for his small town, the one I grew up in as well.

While poor eyesight prevented Stu from joining the military, he went out of his way to serve in many other ways, serving veterans, serving his community, and making veterans feel treasured. He served his community in so many different ways, it is not hard to think of Stu as the main fiber of our town of Oroville.

One of Stu's life goals was to erect a memorial park for veterans in Oroville. He worked very hard to accomplish this, serving as co-chair for the Veterans Memorial Park for over a decade.

When you heard from Stu, you heard from him. He was going to get this done, and we were all determined to be helpful for him. He was relentless. The new park is under construction this very moment.

In the words of everyone who knew Stu, he was one of the good guys who loved his family, his town, and the veterans who served his country.

God bless Stu Shaner's family. We will miss him.

GEORGIA CYBER INNOVATION AND TRAINING CENTER

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise today to applaud Governor Deal's plan to begin construction on the Georgia Cyber Innovation and Training Center in Georgia.

Cyber is the new frontier in warfare. In order to field the threats of today and tomorrow, a 21st century military is essential. Our community back home in Georgia is proving to be a major influencer and champion in the cyber arena. With the U.S. Army Cyber Command's transition to Fort Gordon, numerous tech companies and jobs investing in our area, the creation of local cyber institutes substitutes, and now the establishment of the Georgia Cyber Innovation and Training Center, Georgia's 12th District has the potential to become the security, technology, and innovation hub of the southeast.

Because of the work that will be done here, we will be leading the charge in creating the cyber workforce and leading our Nation. The battlefields don't look like they used to. We have got to adapt fast. I am thankful to Governor Deal for his efforts to not only create jobs, but to strengthen our national security and invest in our community.

2016 NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-5)

The SPEAKER pro tempore (Mr. DUNN) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on the Judiciary, Committee on Agriculture, Committee on Armed Services, Committee on Energy and Commerce, Committee on Education and the Workforce, Committee on Financial Services, Committee on Homeland Security, Committee on Oversight and Government Reform, Committee on Foreign Affairs, Committee on Natural Resources, Committee on Transportation and Infrastructure, Committee on Ways and Means, Committee on Veterans' Affairs, and the Permanent Select Committee on Intelligence and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit the 2016 *National Drug Control Strategy* summa-

rizing the accomplishments of my Administration's 21st century approach to drug policy and opportunities to continue to reduce the burden of substance use in the United States. My Administration released its first *Strategy* in 2010 with a commitment to use the best available science and to consult broadly to develop a balanced and comprehensive approach to drug policy that incorporates both public health and public safety approaches to address this complex problem.

We set aggressive goals to reduce drug use by 2015 and though the results of our efforts are mixed, we have seen progress in reducing drug use and in cooperation both nationally and internationally. As a Nation we exceeded our goals for reducing alcohol and tobacco use among youth and for reducing the number of new HIV infections attributable to drug use. We have been less successful in reducing illicit drugs in youth and young adults as well as reducing the number of drug-induced deaths and driving while drugged. We also face serious challenges including an epidemic of opioid use and overdose deaths as well as growing threats from drug trafficking organizations involved in manufacturing and distributing cocaine and synthetic drugs, including novel psychoactive substances. These threats may continue to have an impact on drug use across lifespans, particularly chronic drug use and its consequences that contribute to poor academic performance, crime, underemployment, lost productivity, and health care costs, all of which threaten families and communities.

My Administration has consistently sought a broad coalition of partners to provide input into the development and enhancement of the *Strategy* during the past 7 years. We have invested in science to better understand the nature of addiction and inform the prevention and treatment of addiction and support services to help maintain recovery in the community. We have sought to use medical terms and non-stigmatizing language when discussing substance use disorders, and those who suffer from this disease. Our support for law enforcement has led to significant outcomes in taking down drug trafficking organizations and removing millions of pounds of drugs from the market. And our work with our international partners has been instrumental in our allies' increasing regulation of chemical precursors to synthetic drugs and reducing their movement across the globe. Throughout my Administration, we have used the best available evidence to balance the Nation's public health and public safety and drive collaborative efforts to create healthier, safer, and more prosperous communities.

The Nation's work in reducing drug use and its consequences is not done and there are many opportunities for

advancing efforts to address ongoing and emerging challenges. I thank the Congress for its continued support of our efforts and ask that you continue to support this vital endeavor.

BARACK OBAMA.
THE WHITE HOUSE, January 11, 2017.

□ 1900

THE PEOPLE'S NIGHT:
OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from North Carolina (Mr. WALKER) is recognized for 60 minutes as the designee of the majority leader.

Mr. WALKER. Mr. Speaker, tonight is our third time that we have hosted People's Night. This is a time for our Members to bypass outside forces and influences and talk directly to the American people.

Tonight we are presenting something that has been very important, not just a topic, but something that nearly 6 years ago—or a little over 6 years ago—right here where we stand tonight was passed in an overly bipartisan manner and has burdened the American people in what is now known as ObamaCare, the Affordable Care Act.

This is a piece of legislation that has burdened small businesses and individuals alike. Now we have been asked to fix it, to repeal and to replace. Well, it takes Members to be able to have experience in this particular field to understand the heart of community. One of the people who does that most, specifically in the area of poverty initiatives, who reaches across community lines, reaches across party lines is the gentleman from Kentucky, my good friend, Representative ANDY BARR from Kentucky. I yield to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, I thank my friend, the gentleman from North Carolina, for his leadership not only of the Republican Study Committee as the new chairman—and I welcome you as the new chairman of the Republican Study Committee—but for his leadership on issues related to the importance of repealing this disastrous law that is making life harder on the American people; and not just repealing it, but replacing it with policy ideas that put power back in the hands of patients, their families, and their doctors instead of driving up costs, forcing people to lose their healthcare plans, forcing the government to ration health care. We need a better way.

I am proud to say that we are supporting not just repealing ObamaCare here tonight, but bringing to the American people some constructive, positive ideas that will make life easier for them and improve their lives through better patient-centered health care.

Mr. Speaker, Kentucky was once portrayed by President Obama, a red

State, as a model of the implementation of ObamaCare. Yet, every day in Kentucky, in my district in central and eastern Kentucky, I hear stories from families and small businesses and individuals who have been hurt by this disastrous law.

Now, over the next few weeks, as President-elect Trump comes into office and as this Congress revisits the issue of healthcare reform, I expect we will hear from our friends on the other side of the aisle, arguments like "Don't repeal ObamaCare. We have 20 million new Americans who have insurance."

But that statistic needs to be scrutinized because the truth of the matter is ObamaCare forced people to lose their health care. In many cases, and in Kentucky as an example, many of my constituents lost high-quality, private, commercial health insurance through their workplace, and millions of Americans received cancellation notices in the mail. Their small employers told them that they were going to have to change their health plans because of this law.

So not only do we see now skyrocketing costs for those who currently have health insurance, but many Americans who our friends on the other side of the aisle say now are insured or covered, these are folks who lost their health insurance before.

What happened?

They lost high-quality, job-based health insurance, and so they were forced into these exchanges. In Kentucky it was called Kynect. In many cases, they went to the cheapest plan available, which happened to be Medicaid. Well, my fellow Americans, access to a waiting line is not access to health care. Unfortunately, Medicaid is oftentimes access to a waiting line, and it is not access to true health care.

President Obama's promise that his healthcare law would help people has not turned out to be the case. In terms of cost, remember, this is called the Affordable Care Act, but it is anything but affordable because even though he promised that premiums would decline by \$2,500 a year for the average family, premiums have actually increased for hardworking Americans. Premiums have increased for 11 million people, according to a report by the Centers for Medicare & Medicaid Services. Millions of Americans, as I said before, lost previous coverage or had to change doctors due to this disastrous law.

Take, for example, Laura in my congressional district in Kentucky. Laura is a young mother who had a baby girl, Catherine. Catherine was diagnosed with a congenital heart defect, ventricular septal defect at birth, which is basically a hole in the wall of the heart. They needed high-quality pediatric cardiology to help Catherine. So they got a specialist at Boston Children's Hospital. Of course, a long way away from Kentucky, but they wanted the

best, of course, for their daughter. When ObamaCare went into effect, unfortunately they lost their job-based health insurance that allowed them to access these specialists up in Boston for Catherine. The result was, they lost their doctor.

What do you think a young mother and a young father are going to do in that situation?

Guess what, they had to find a very expensive policy to cover a Boston surgeon out of network out of State, and so their costs skyrocketed.

This is the kind of thing that was happening to millions of Americans as a result of ObamaCare.

Look, ObamaCare obviously reduced choice and competition. There are now only three plans participating in the ObamaCare exchange in Kentucky, one of which covers a full 78 percent of the State's individual marketplace enrollees. In many States there is only one plan on the exchange. This has left too many families with no choice but to purchase high-deductible, high-premium coverage. In Kentucky, insurance plans have been forced to raise premiums by 23 percent in 2017 alone.

There is a better way, and the better way is healthcare reform that is focused on the patient, not putting bureaucrats in charge, not taking away choices, not driving up costs, not creating narrow networks for people, not forcing people out of their high-quality private health insurance into government-run health care, but, instead, empowering patients to access more affordable private coverage.

And one of the ways we can lower the cost of health care, make it more affordable for people to access high-quality private health insurance, is medical malpractice reform.

Frivolous lawsuits, junk lawsuits, have driven up the cost of health care in this country significantly. One of the fatal flaws of ObamaCare is that it never addressed this cost of healthcare inflation.

Over the course of their careers, it is estimated that 75 percent of all physicians will face a malpractice claim. Now, to be sure, some of those cases of medical negligence are legitimate. And, of course, those plaintiffs should be able to fully recover damages for those cases of genuine actual malpractice. But for these frivolous lawsuits, that is driving up the cost of care. The fact that ObamaCare never even dealt with that issue is a fundamental flaw in the previous efforts to reform our healthcare system.

So I am a proud cosponsor of the Republican Study Committee's America Health Care Reform Act. In the American Health Care Reform Act is legislation that I introduced with Senator BARRASSO called the Saving Lives, Saving Costs Act. This doesn't cap damages for cases of actual malpractice, but if there is a frivolous claim, if the

liability climate is producing frivolous lawsuits, what we say is this: If you are a hospital or a doctor or a nurse and you practice in accordance with peer reviewed, evidence-based clinical practice guidelines, that there should be a higher standard of proof for that plaintiff to get to a jury trial.

We want a safe harbor for our outstanding medical professionals who practice in accordance with the latest state-of-the-art guidelines on how to take care of patients.

So this does two things. Number one, it raises the standard of care. We are helping people access better, higher-quality medicine in this country with this legislation; and we are cutting out frivolous lawsuits, this litigation lottery that is driving up the cost of health care for all Americans.

This is the kind of reform that, if enacted, would replace ObamaCare with reforms that would actually lower the cost of health care without growing government.

I applaud the efforts of the Republican Study Committee for offering real solutions that will put patients and doctors in charge again and not Washington, D.C.

Mr. WALKER. I thank Representative BARR. Your compassion on this topic is certainly evident. We appreciate your comments this evening.

Mr. Speaker, there are a couple of numbers I would like to share that puts it a little bit in the context of what we are dealing with here. Seventy-five percent of co-ops have failed. In five States, Americans are down to just one option. The great thing about our country's history is that we have choices. We have decisions. Yet, since the takeover of this administration over health care, those choices have continued to reduce. Sometimes you may hear Congress this or Congress that. One of the neat things about Congress is the amount of people coming from diverse backgrounds.

Our next speaker tonight is Representative MIKE BISHOP, former senate majority leader in his home State of Michigan, who was already working on those reforms when he came to the United States Congress.

Mr. Speaker, I yield to my good friend from Michigan (Mr. BISHOP).

Mr. BISHOP of Michigan. Mr. Speaker, I thank the gentleman for his continued leadership and for the opportunity to rise today to join him and this group in this urgent discussion regarding solutions for our Nation's healthcare crisis.

I do appreciate the opportunity to be with my colleagues tonight and the sense of urgency that I feel from this group to address a very important issue.

Mr. Speaker, since the 2,700-page healthcare law was enacted in 2010, when our colleague from across the aisle absurdly rose and declared that

we would know what was in it as soon as we passed it, young adults, families, and seniors have been punished and their policies canceled.

We have seen skyrocketing costs, poor coverage and, clearly, a lack of choices. I hear from constituents every single day who say that the law has not made health care more affordable, as President Obama promised it would.

Instead, healthcare insurance premiums have skyrocketed and are slated to increase again and again and again—significantly—regardless of what Congress is able to do about the law this year. In fact, those who currently have a plan can expect an average premium increase of 73 percent, while individuals who are just joining will see a 96 percent increase in premiums. Job providers are getting smothered as well.

Prior to joining Congress, I was a member of the private sector, and I can tell you firsthand that small businesses are cutting hours. They are letting go of workers. All of these things they are doing to make room for the ever-expanding healthcare law. It is preventing the economy—small business, which is the backbone of our economy—from growing to its fullest potential.

For all of these reasons, 8 out of every 10 Americans now favor changing ObamaCare significantly or replacing it altogether. What we do know is that doing nothing is not an option. Leaving this alone will result in further costs, further struggles by our families and small businesses, and we will see this whole healthcare law collapse upon itself. I do not believe and I don't think my colleagues believe here today that doing nothing is an option.

Last year in Michigan, deductibles went up an average of \$492 across all bronze, silver, and gold plans. This year our exchange rates will jump 17 percent in the State of Michigan. Families have a budget just like everybody else and they simply cannot absorb that kind of cost increase.

Complicating matters further, insurers like UnitedHealth Group are leaving the exchanges. Private practices are folding and doctors are being forced to retire because they can't financially stay afloat.

□ 1915

I can tell you, from a personal perspective in my own family, I have seen my doctor disappear recently this past year. Seemingly overnight, he retired and moved away because he could not keep up with the costs of staying in business as a private practitioner.

I had a rheumatologist in my district. He is a very well-respected man who treats many rheumatoid patients in our district. It is a very sad fact. These people count on him every single day of the week. They have been forced out of his practice because they no longer fit into the network. He is

forced with compliance costs—overwhelming compliance costs. He has to hire new people to cover the compliance requirements. He doesn't have the same reimbursement rates.

After all is said and done, a private practitioner, a specialist like this, can no longer stay in business; and families like ours, people like you and like me, can no longer continue to have that relationship, that doctor-patient relationship that we have had for years. These are real people, doctors, but also families and small businesses in our local communities that are struggling to stay financially afloat. The end result is we are losing good doctors because of the failures of ObamaCare.

Mr. Speaker, when a law has unintended consequences, Congress has an obligation to step up and make things right. In 2017, this will require a collaborative, bipartisan approach to address the issue. This is about finding a pain-free way to move forward with health care in our Nation to ensure our neighbors and our families don't have to struggle to make ends meet because of failed law.

We must act, Mr. Speaker. I want to thank Chairman WALKER for his continued support and his continued leadership on this important issue.

Mr. WALKER. I thank Representative BISHOP of Michigan.

One of the numbers my friend just mentioned was 8 out of 10. Nearly 80 percent, according to Gallup, believe this law should be overhauled or completely repealed. So I ask people watching tonight and my friends across the aisle: Are we to do nothing? In fact, even in the press conference today, President-elect Trump said that, if we did nothing, it would continue to fail. But we have an obligation to stand up and do what is right.

We can't do nothing. People are suffering—in fact, suffering to the place that even recently a couple months ago a Minnesota Governor was honest enough to talk about how it has damaged small business. Goodness gracious, even a former Democratic President has acknowledged the destruction it has caused for individuals and small businesses.

No one knows more about what it does to our States than individual Representatives. One of the fine gentlemen that is speaking tonight is Representative FRENCH HILL. He is one of the sharper minds that we have had as part of the 114th class that I have been privileged to meet and serve with for the last 2 years.

Mr. Speaker, I yield to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. I thank the chairman for yielding and for his leadership to set aside for us to visit with the American people and talk about empowering patients, not politicians.

For 6 years, we have witnessed the failed rollout of the ObamaCare program. We didn't get to keep our plan

that we liked, and we didn't get to keep our doctor that we had such a good relationship with. We have seen physicians leave the business. We have spent billions on duplicative, unnecessary exchanges that are now failing across this country. So I commend the Republican Study Committee, and I am proud to be a part of this group to talk about how to bring relief to the American people on the failed ObamaCare law.

I still hear from constituents—even now, 6 years later, from this rolling evolution of ObamaCare—who have seen their coverage lost and their increases in healthcare costs skyrocket. This healthcare regulatory burden that we are talking about tonight has led to droves of part-time jobs instead of full-time jobs and unaffordable group plans for the people who were in a good small business group plan. This regulatory burden is on top of what has been a 6-year to 8-year crushing burden on business from many different agencies from the EPA and beyond.

One constituent wrote my office after he was forced to accept an insurance plan to meet the affordable healthcare law that cost him \$1,300 a month, Mr. Speaker, and he still has to meet two \$2,500 deductibles before the insurance coverage kicks in. Now, that is \$20,600 a year. Mr. Speaker, I was a small businessman before I joined Congress, and we had employees that made \$20,600 a year in our small business. So what is left for the family budget when you are going to spend \$20,000 for health care? That is typical now after the rollout of ObamaCare for a family of four. This is in a place in our country where healthcare costs \$20- or \$30,000 a year in out-of-pocket expenses? Obviously, this system is broken.

Now, in Arkansas, unlike much of the country where people are definitely seeing large, double-digit, or, in some cases, larger increases in the ObamaCare premium, Arkansans, on the exchanges, are seeing lower than those average increases. In my view, this is largely because our Governor and our State legislature are working hard to make the best out of a bad situation and fighting to pursue innovative measures that work best for our small State.

The Arkansas Works program has helped to prevent skyrocketing premiums on the exchanges, and the State is still subject, though, to duplicative reviews by Federal and State agencies and costly and burdensome regulations that have nothing to do with trying to lower the cost of health care for Arkansans.

This week, Governor Hutchinson wrote the House leadership decrying the individual and employer mandates and stressing the need for healthcare reform that provides our States more flexibility—more flexibility, Mr. Speaker—to design programs that fit

the needs of people in our State while increasing predictability and affordability. Some of the points Governor Hutchinson made in his letter to our leadership include calling for States having the option of receiving Medicaid funds through a block grant enabling them to tailor the program in the Medicaid population under health care in what fits Arkansas, what Arkansans can afford. In fact, that is our Better Way approach, Mr. Speaker, for the Medicaid population.

He calls for the elimination of the Federal health insurance exchanges. We had exchanges before ObamaCare that can be operated by States in the private sector without Federal interference. Governor Hutchinson called for restricting the duplicative reviews of rate and plan filings by CMS. They are already being done by our individual State insurance regulators. Of course, the thing that drives up costs not only for the Medicaid population, for people on the ObamaCare exchanges, and for people out in the group health plans is the essential health benefits requirement.

Governor Hutchinson says that this has driven up costs for everybody, for government, for families, and that elimination of these requirements would provide flexible options for insurance providers to offer cheaper plans to younger and healthier individuals. That is key to choice, Mr. Speaker.

In some counties, Arkansans now only have one insurance option. I don't think one option is an option. There is no choice. This monopoly or oligopoly pricing combined with the mandates are demonstrating the unaffordability of the Affordable Care Act.

With the recent election, we now have a unique opportunity to recognize these flaws of this one-size-fits-all, Big Government-mandated, top-down approach to health care, reverse course, and, again, bring relief to the American people of this failed law put forth by the Obama administration. Chairman WALKER and the Republican Study Committee have put together a comprehensive plan to repeal ObamaCare and replace this failed law with conservative principles.

Mr. Speaker, Americans want change. We are asking that we design those changes with patients in mind and that we, in fact, in this group—Mr. WALKER, I know you agree—we will read the bill before we pass it.

So the RSC proposal and the Better Way framework outlined by Speaker RYAN are going to bring relief, change, and opportunity that fit with the principles that have guided the Republican Party and the Republican outlook, the Republican Study Committee, which is we will bring competition and we will bring efforts to lower prices and increase access for the American people.

With that, Mr. WALKER, I commend you again.

Mr. WALKER. If you listened closely there, Representative HILL talked about some of the premiums increasing. If you think back 6, 7, even 8 years ago, even part of the original campaign talking about the Affordable Care Act, this ObamaCare, we think about three promises—we have all heard them—you can keep your doctor, you can keep your healthcare plan, and premiums are going down. Specifically one that stands out more was the premiums going down \$2,500.

My Democratic friends want to ignore some of those numbers, but here are the facts: In 2014, premiums increased across the board 37 percent; 2015, again, last year, 25 percent. In fact, in some States, it is out of sight. In my home State of North Carolina, it is 40 percent. But in some places, in Arizona, it is as high as 116 percent.

So the process of working to put this together, the RSC plan and the repeal and replace, who better than to have people that have experience in this? There is maybe nobody better in the House who has the insurance background than our friend, Representative AUSTIN SCOTT from Georgia's Eighth District.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, there is something I very much want to speak on. I rise today on behalf of my many constituents back in Georgia's Eighth Congressional District who have been negatively impacted by ObamaCare.

It is pretty clear to the vast majority of us that the attempt to fix our Nation's healthcare problems by inserting more Federal control into the system has simply failed. There are some counties in the district that I represent in middle and south Georgia that are down to just one—maybe two—insurance providers that people can choose from. That is not competition, and that is not affordable. It is not even a choice really, and it is certainly not “if you like your plan you can keep it.”

My colleagues and I on the Republican Study Committee have worked for a couple of years, and we have offered a plan to repeal ObamaCare and replace it with patient-centered reforms and free-market solutions for American citizens.

The American Healthcare Reform Act is not just about repealing ObamaCare. It is about fixing problems that existed in the healthcare system before ObamaCare and problems that, quite honestly, were made worse by ObamaCare. There is a lot of talk about what is in the bill that is a problem. I would like to talk just a second today about what is not in the bill that is a problem.

Mr. Speaker, the President, by leaving the health insurance industry exempt from the antitrust laws of the country, created a bigger problem than

we had prior to the healthcare bill going in place. That's right. I want you to hear what I said. Under ObamaCare, health insurance providers are exempt from the antitrust laws. These are the very laws that are designed to promote competition for the benefit of the consumer.

How is it that ObamaCare can mandate that Americans purchase a product from an industry that that very bill left exempt from playing by the rules? Why did the President and the Democratic leaders leave the health insurance industry exempt from the antitrust laws in the bill? I have asked these questions over and over. It is baffling to me. It means the big boys can play and the little man has to pay.

I wish somebody from the press would ask that question. I don't understand why the press doesn't ask the Democratic Party: Why did you leave the health insurance industry exempt from the antitrust laws of the country? It is a question the President should answer.

The American Healthcare Reform Act reverses that. Our legislation injects much-needed competition into the health insurance marketplace by eliminating the antitrust exemptions for the insurance providers. By applying the antitrust laws to the insurance industry, we are making the market more competitive which, in turn, will drive down premium cost, increase choice, and does so without adding any new taxes.

I hope the American Healthcare Reform Act will serve as the baseline for discussions on how to repeal and replace ObamaCare, bring about debate on how to lower healthcare costs, and allow for input from both sides of the aisle, which is something ObamaCare did not do. Along the way, Mr. Chairman and Mr. Speaker, I sure do wish the press would ask the President and the Democratic leadership: How could you do that to the American citizens?

Mr. WALKER. Representative SCOTT, well articulated. I appreciate your heart on this.

Looking at this and tackling this project because of the 2,600 pages of complexities, I guess we don't need to reiterate it, but how the minority leader said that we needed to pass this law to be able to figure out what is in it.

□ 1930

Obviously, it is more than just a running joke. With the people in the background, what does it take to kind of wrap our minds around it and to wrap our arms around it so as to find our way back? It takes people with medical experience, and it takes people with budget experience. This is going to be huge.

One of the Members we have here with us tonight is the vice chair of the Committee on the Budget, someone who has great concern about the dam-

age that this has caused to the fine folks of Indiana, whom he represents. It is my privilege to yield to the Representative from Indiana, TODD ROKITA.

Mr. ROKITA. I thank Chairman WALKER for organizing the time tonight, and I congratulate the gentleman on leading this organization. I look forward to working with him.

Mr. Speaker, we could all stand up here and take the barbs that have been leveled by some as to how we don't care about people or how we are this or that or how we are just focused on the numbers. Nothing could be further from the truth. We could sit idly by and watch this terrible, insidious law continue to implode, to continue to hurt more and more Americans—insidious because it is built on lies, like you can keep your doctor if you want to, like you can keep your health plan if you want to—not true in any case. Instead, we are here tonight, talking with the American people about “what could be” when we first get rid of this terrible law—something that many of us have voted on 60 times or more to do. We now have a real opportunity with not only a Republican House, but a Republican Senate, and with a President who is willing to work with us.

The verdict is in. In Indiana alone and in my district, I have met person after person who has horror stories about the failure of ObamaCare.

I spoke with Anna, whose husband, Jack, survived stage IV cancer. With Jack's cancer only having a 30 percent survival rate, it is crucial that he has effective doctors who know how to treat and how to work the problem. Instead, Anna's doctor quit practicing medicine—well before his planned retirement age—due to the burdensome costs of ObamaCare, which is something that the gentleman from Georgia also mentioned.

It is not just doctors who are unable to perform their duties—their profession—under this insidious law, but also insurance companies that are withdrawing from the market as we speak. Last year alone, we saw Indiana's exchange lose 50 percent of its health insurance carriers due to regulations of ObamaCare. This included IU Health, which covered almost 30,000 Hoosiers. This lack of options means that healthy Hoosiers are being forced to pay for coverage that they don't want, that they don't need, and that, in fact, may do more harm than good.

I spoke with Mark from Tippecanoe County, in my district, who talked about the harmful impact of ObamaCare. He stated that he was forced to buy insurance with only four doctors listed as providers for the entire county. What good does this insurance do Mark or the rest of us if he can't even use it and schedule an appointment?

I am very proud to have worked on this Republican Study Committee with

the Health Care Task Force, led by my good friend, Dr. PHIL ROE of Tennessee. Over a period of a year or so, we have put together a plan that is a very real, patient-centered, consumer-focused, free market-driven replacement for ObamaCare, but with one big difference—our plan would work because it harnesses the value that we all have innately as Americans and, really, as humans, which is the ability to value price once we have the information.

If I left this Chamber and, God forbid, I broke my leg on my way down the steps, I wouldn't worry too much about where I was going—just to the nearest emergency room. But that is not most of our healthcare transactions; that is not most of our healthcare decisions. Most of our healthcare decisions can be made by attaching value to the services and products that we want. We do it in every other part of our consumer-driven life. Why can't we finally do it with health care? That is what people like Dr. PHIL ROE have practiced in medicine their entire lives. That is what he has taught me. That is what we know as American consumers. Why can't we be trusted to do that with our health care?

Whether the intent is malicious, whether the intent is malign, the intent of the people who support ObamaCare—that insidious law—is wrong. It says: just give your life over to these few people, and let them run it for a while, and everything will be fine. Unfortunately, throughout not only American history, every time it has been tried here and every time it has been tried in world history, it has failed. Control over the individual has failed, and it will do the same, as we are seeing every day now, with regard to our health care.

Let's repeal this insidious law, and let's get back on the track of replacing it with something that we all can trust, beginning with ourselves.

I thank the chairman for his leadership.

Mr. WALKER. I thank Representative ROKITA.

Mr. Speaker, as I was sitting here, I just received a text from a volunteer fire department official right outside of Charlotte, North Carolina. He writes that they were watching the proceedings this evening:

I just want to let you know that even my drug prescription has gone up \$200 out of pocket per person.

He has three daughters in his family.

Think about this. This is real-life stuff. That is why we are stepping in. Part of our plan in the repeal and replacement—the American Health Care Reform Act—allows you to have immediate access to your health savings account. You would not have to worry about somebody's needing a prescription or somebody's needing medicine—one of the children—and, every time, it is \$200 out of pocket. That is why it is

important to move—and to move with diligence.

Someone who knows a little bit about the healthcare industry is my friend Dr. BRIAN BABIN of Texas, who has been dealing with this in his own dentist's practice. He is a former veteran and is someone who cares about his district but who cares about all Americans. It is my privilege to yield to my friend from the great State of Texas, the Lone Star State, Dr. BRIAN BABIN.

Mr. BABIN. I thank the gentleman from North Carolina, my good friend and RSC chairman, MARK WALKER, for this Special Order opportunity tonight.

Mr. Speaker, Americans are hurting right now with their health care. ObamaCare supporters are quick to point out some Americans who have actually been helped by ObamaCare. After spending over \$1 trillion of borrowed money, I would certainly hope that there are at least some people who have been helped by this terrible law that was forced on us over 6 years ago by the Democrats and without one single Republican vote.

Thousands of my constituents are demanding to be rescued from ObamaCare. They have shared their individual stories with me about how it has hurt them—higher premiums, excessive deductibles—how it has disrupted cancer treatments, forced them to change doctors, and how it has even cost many their jobs.

Here is what real people are saying—my constituents. This is what they are telling me:

A young couple with three children, living in Tyler County, Texas, shared how their premiums have gone up year after year. They began with a \$900 monthly premium and with a \$2,500 deductible. The very next year, the premium went to \$1,100, and the deductible went up to \$5,000. Then, in 2015, they were forced from a PPO into an HMO at \$1,000 a month with a \$6,600 deductible. These are individual deductibles. That is \$33,000, plus the \$12,000-per-year premium. That is an extraordinary burden on a young family. This family tells me about their problem every time they see me, and they see me a lot because this is my daughter and my son-in-law and my three grandchildren.

Gale in Deer Park, Texas, and Alisa from Crosby, Texas, wrote to tell me how their ObamaCare mandates have forced their employers to cut their work hours. They are losing hundreds of dollars in income each and every month. This 30-hour mandate means that this college student has lost out on hundreds of dollars in pay that she could have earned over the recent Christmas break.

Tim in Baytown, along with several others, wrote to share with me that it cost him his job. Paul from Harris County and Frank in Jasper shared

how they have been significantly experiencing higher costs and a decrease in coverage. Roy in Pasadena says that his deductible is now over \$12,000. Ben and Carol, like thousands of others in southeast Texas, have had their healthcare plans canceled.

This calamitous unaffordability and poor coverage have inundated folks everywhere, like Linda in Vidor, who have to choose between their medications and food; like folks in El Lago—David and Sheryl—and Brian in Houston. It continues to tragically affect folks every single day. Sharell from Jasper County has faced a doubling of her premiums, and Carol in Baytown shared how she has seen substantial increases in her premiums and her deductibles.

Retirees who have worked their entire lives, like Jack from Orange and Glenda from Hardin County, wrote to tell me how they are finding it difficult to afford their healthcare costs. Let's not forget that ObamaCare cut hundreds of billions of dollars and services from Medicare, hurting the elderly.

Many who are sick have reached out to me, such as Randal of Harris County, who had their medical treatments disrupted by ObamaCare. I hear all the time the firsthand accounts of hard-working folks who are at their wits' end under this monstrosity.

I am voting to repeal ObamaCare in order to provide relief to Brian, Brad, LaLa, Gale, Alisa, Abby, Tim, Paul, Frank, Roy, Linda, David, Sheryl, Brian, Sharell, Carol, Jack, Glenda, Randal, and the tens of thousands more Texans just like them.

Perhaps Paul in Deer Park sums it up the best:

It made it worse for me. It increased the costs, and it decreased my coverage.

That is the story I have heard for 6 long years, and it is why this failed program must be repealed and replaced with a plan that restores healthcare freedom to all Americans—health plans that are affordable and that meet their families' needs—a plan that they choose, not the Federal Government. Americans need relief now.

Mr. WALKER. I thank Dr. BABIN. I appreciate that spirited, heartfelt talk. In my previous vocation, we would usually call for an invitation at about this time.

Mr. Speaker, this is not just a problem in red States; this is a problem in blue States, like it is with my good friend from the First District of California, Representative DOUG LAMALFA, to whom I yield as he shares a little bit of his heart when it comes to ObamaCare and the repeal.

Mr. LAMALFA. I really want to thank Chairman WALKER of the RSC, the Republican Study Committee. I greatly appreciate the gentleman's leadership on this event here tonight as well as the great job the gentleman is doing on the Committee.

Mr. Speaker, we have had alternatives to the Affordable Care Act ever since I have been here. The American Health Care Reform Act, as put forward by the Republican Study Committee, has many of the elements we have all been talking about for several years: with the Affordable Care Act being forced upon Americans not in a bipartisan effort but strictly by the votes of one party when they had the majority—the ability—to force it through. We are suffering the effects of that now.

One of my colleagues earlier was talking about: Why isn't this being reported? Why isn't this being talked about in the broad sense of how it is really affecting the Americans who are paying for it?

People in my district, ever since I have been a Member of this House, have been pleading with us to do something about these high premiums, about the high deductibles, about the lack of access they have, especially in rural areas. Why are the proponents continuing to prop this up? It is clear that it doesn't work: higher costs, fewer options, unworkable plans. The exchanges—we have watched in several States—most of them, after billions in investment, are shuttering; they are closing up shop. Where do those billions go that we have invested as a country into these exchanges?

□ 1945

But on a patient level, it is putting even more of our most vulnerable patients on a system already known to be unsustainable without even ensuring access to quality care. In some cases, no care at all.

How are people defining that as a success?

We know that the main reason why so many people are uninsured is the high cost of coverage. But instead of investing vast amounts of money to bring more people into a broken system, let's take this opportunity to start fixing the root of the problem.

One, this is done by increasing competition, giving patients more options, choices. Mr. Speaker, give them a menu of options they can pick themselves, tailor the plan to what they need. A 20-year-old young man has a completely different need than a 30-year-old mom and her family. Let them have the choices.

Also, let's get rid of the costly mandates, the taxes. There are taxes on everything, it seems, to help prop up ObamaCare, the Affordable Care Act, including the cost for students for college. They are paying for some of that.

Then let's build off successes that we have seen in the past and that are part of the proposal of the Republican Study Committee and the American Healthcare Reform Act. That could help fill our gaps in the healthcare delivery system.

Community health centers, for example, is a model that is both cost effective and efficient in expanding access to care services in underserved areas, very rural ones, such as my own district at home.

Healthcare reform affects the lives of every single person in this country, which is why it is high time that we put the health and well-being of the American people ahead of partisan politics and legacies.

Let's get to work and deliver actual solutions that empower patients, drive down the costs, and increase access to care in every part of the country. Let's give back to Americans: "Keep your plan that you like, keep your doctor that you like."

So it is time to stop the partisan squabbling over it and the deception that has gone on for what is indeed for some a bad legacy of the American people.

Mr. WALKER. Mr. Speaker, I yield to the gentleman from Florida (Mr. YOHO), our resident veterinarian in the House.

Mr. YOHO. Mr. Speaker, I thank the gentleman from North Carolina (Mr. WALKER) for hosting this Special Order. The American people have spoken, and it is time. The ACA, the Affordable Care Act—which it is not, and we know that.

I want to take you back, a little history here. Back prior to 2009, before the Affordable Care Act came out, 85 percent of the people in America had health insurance either through their employer or on their own. Fifteen percent did not have health insurance.

Yet, Congress, in their infinite wisdom, instead of fixing it for the 15 percent and getting them into the pool of people that had health insurance, said: No; we are going to change it. We are going to change it and disrupt the whole healthcare market and 20 percent of our economy.

This is the epitome of legislative malpractice. This Congress was controlled by one party, the Democratic Party, through the House, the Senate, and the executive branch. They passed a 2,900-page bill at the end of the year that nobody read. You can't do that in any other business without going to jail.

President Obama sold us a bill of goods on a lie. If you want to keep your doctor or your insurance, you can and your price will go down \$2,500.

Let me share three real-life stories. One was a 54-year-old man that came into our office, single, making a six-figure income, could afford insurance. He was going through the exchange. He changed his plan and wanted to pay for it right then. They said: Don't worry about it, we will send you a bill. They never sent him a bill, and his insurance got canceled. He could not buy insurance because it was through the exchange and the sign-up period had ex-

pired. He got fined whatever the fine was. He got fined trying to do the right thing.

Another one is a friend of mine who owns a restaurant franchise. He has 500 employees. He says: I can't afford to pay for the health insurance. So he moved people from working 32 or 40 hours a week down to 26 hours.

I could tell you a real personal story about a couple I know real well. They came to Congress. Their policy got canceled. Their premiums went up by over \$11,000. Their deductibles went up and their coverage went down. I know that couple real well because it is my wife and myself.

The American people have spoken and given us the majority for a reason, and that is to fix health care and allow the best healthcare providers, the best medicine, the best research and the institutions in America to provide that for all Americans and deliver that care to all Americans.

The Republican Congress has a better way, and it starts with putting health care back into the hands of the physicians to the patients. It has a better way increasing access, the cure, the quality at a lower cost with a stable transition so no one is left out. And it starts with the repeal of ObamaCare.

I appreciate Chairman WALKER doing this. This is a message we are going to drive home and home and home. We are going to fix this, and the American people will be better off and our economy will be better off.

Mr. WALKER. Mr. Speaker, we talk about numbers. Twenty-five percent of all Americans have been damaged at some point under this Affordable Care Act. We cannot look the other way.

One gentleman who doesn't look the other way but stands up and speaks the truth is Representative PETE OLSON.

I yield to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Speaker, my friend knows the American people spoke on November 8th. They gave our party control of the entire Congress and the White House because of the job-killing, promise-breaking law known as ObamaCare.

This was a repeal mission for almost 7 years, but now it has become a rescue mission. It is to rescue Americans like Andrea from my home in Texas in the 22nd Congressional District.

She wrote me this letter last week:

"I'm a 42 year-old legally blind single parent in Sugar Land, self-employed working very hard to rear two great kids ages 15 and 13. I have a master's degree in education and work extremely hard to provide a stable, comfortable life for the kids. In doing so, I have invested time and money into my own healthcare because the kids need me to be healthy.

"I lost my right eye a few years ago to complications from ROP (too much oxygen at birth) and my left eye is se-

verely impaired with potential for complications that would need immediate specialized care.

"I have different specialist doctors for different issues related to each eye. Additionally, I am a kidney cancer survivor (RCC) which also requires specialist follow-up. For those reasons, and others, I've spent time and effort getting drivers to take me to specialists to develop rapport, trust, and history with specific physicians.

"They are the best doctors in their respected fields, and my trust in them is important with this type of care.

"I don't have the PPO option now for my healthcare in 2016 through the ACA. The HMO's and EPO's being offered are not being accepted by my doctors.

"... among the needs of many others in similar situations as my own, my remaining eyesight and renal function should never be less important than anything in politics. And while I know that there are many, many people in this same boat, for today, while I write this letter, it's about my kids getting to keep their mom and about me keeping the ability to see them grow up.

"I write because it needs to be said and needs to be heard and needs to be ACTED on.

"... in the past I've paid a lot and had my share of insurance issues, but at least I could choose my own doctor. At least in crisis (which I've had) I went straight to the doctor who knew me and my history and they could resolve it without a referral and delay after delay after delay.

"HMO might work for some, but not for those who don't want one.

"I'm not asking for a hand-out. I am asking for reasonable choice of a basic PPO for which I have paid for in past and am asking to have the option to pay for now. I'm not writing just to vent—I'm asking for some kind of solution to this train wreck of healthcare options or lack thereof.

"If President Obama thinks this is actually working, he's more blind than me."

Andrea, we have a plan to help you up. It is called A Better Way. How about this: Allow coverage across state lines, expand opportunities for pooling, make coverage portable, Medicare laws reformed, and preexisting condition protections.

That is a better way. That is what the American people deserve. We will keep fighting for Andrea and people like her.

Mr. WALKER. Mr. Speaker, who better to close out our Special Order than a gentleman, a doctor who has employed hundreds of people and has worked with thousands of patients?

You may have heard the false narrative that, yes, we have contributed in breaking the program, from the Democrat's perspective, and you guys need to fix it, but you don't have a plan.

Well, that is a false narrative and here to tell you why is Dr. PHIL ROE.

I yield to the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. Mr. Speaker, I stand here in the well of the House tonight remembering 8 years ago when I stood here. I am the only one, other than PETE OLSON, that was here that has spoken tonight.

I actually left my medical practice of 31 years. I have been a physician—it is hard to believe—46 years. I ran for Congress because I wanted to be involved in the healthcare debate. I realize that the American people needed healthcare reform.

One of the most disappointing things I have had since I have been in the U.S. Congress was, when I showed up here, I naively thought that people cared what I thought. I found out I was wrong about that.

We had nine physicians in the Doctors Caucus on the Republican side in 2009, and not one of us was asked one thing about that healthcare bill. Not one Republican amendment to that bill that would have made it better was ruled in order.

So it was passed on one-party rule, and now the Democrat party owns it. Unfortunately, patients own it. And that is what I came here to do, was to try to help people.

I had spent 31 years of my life in the small town of Johnson City, Tennessee, practicing medicine and trying to do a good job for patients that I saw every single day.

You have heard it many times before: If you liked your doctor, you can keep it. We are going to reduce your premiums by \$2,500.

The President also said that I will go over this bill line by line with anyone who wants to. We asked to do that on multiple occasions, and I am still waiting for my cell phone to ring.

So we have heard over and over and over again that the Republicans have no ideas. Two Congresses ago we were challenged and asked to write a Republican alternative to the Affordable Care Act, and we did just that.

I want to show you out there tonight—those of you who are watching—this is the bill right here. It is a 184-page bill. You can read it in an hour or so or less than that.

I read the entire Affordable Care Act. I felt like I should. I didn't pass it and see what was in it. I actually read it ahead of time.

We had healthcare reform in Tennessee in the nineties called TennCare. I wrote the epitaph on this bill with MARSHA BLACKBURN in 2010, if anyone is interested in reading that.

So what did we do with this bill?

With the Affordable Care Act, the Federal Government said: You will purchase 10 essential health benefits or your insurance is no good. You have to get rid of it.

And this 10 essential health benefits cost, in many cases, is a lot of money.

Then what do we do?

We passed a tax, a mandate, a fine, a penalty, whatever Judge Roberts decided he wanted to decide that it was, or define it, I should say. But here we are passing a mandate for people to purchase something they can't afford. I find that astonishing that you tax people for something they cannot buy.

So what our bill did was repeal the Affordable Care Act. It then massively expanded health savings accounts. Look, there are Indian tribes out there that use the Indian Health Service that can't have an HSA. There are disabled veterans that can't have an HSA. There are retired people that can't have HSAs. We expanded that. I have used them in my own practice for patients. I use one myself.

We used high-risk pools, and we expanded ERISA benefits to help offset preexisting conditions. Quite frankly, I think in two paragraphs I could have done two-thirds of what the Affordable Care Act did, which is expand Medicaid, which is a system that needs to be reformed, and allowed 26-year-olds to stay on their parents healthcare plan.

□ 2000

We also allow you to buy across State lines with association health plans, malpractice reforms, and transparency. It is a very simple, patient-centered bill. We have said this before, our bill is open for amendment. If a Democrat has a good idea, I am open to listen to it. The main thing is I want patients and doctors to be in charge of their healthcare decisions.

Mr. Speaker, I appreciate the opportunity to be here tonight, and I look forward to going into much more detail about the details of this particular bill.

Mr. WALKER. Mr. Speaker, the bottom line to the American people is this: it is time to return healthcare choices to the American people.

God bless and good night.

Mr. Speaker, I yield back the balance of my time.

PRESIDENT OBAMA'S LEGACY

The SPEAKER pro tempore (Mr. FITZPATRICK). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Arizona (Mr. FRANKS) for 30 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, one of the most important elements of this Republic is the ability of the people to understand and to remember the public actions and record of those they elect. This is vital to government accountability, to historical accuracy, and to the future direction of the future generations of this country.

So, Mr. Speaker, what follows is the record and legacy of President Barack Obama.

Last night, Mr. Speaker, President Barack Obama gave his farewell address to the Nation. In his speech, President Obama praised American exceptionalism for the very first time since his Presidency began. Unfortunately, Mr. Speaker, much of the remainder of the President's speech was far removed from reality.

Mr. Obama implied that his Presidency had increased trust and respect for America. Yet, the truth is that under Mr. Obama's Presidency, the trust and respect that both friend and foe alike previously had for America has been demonstrably diminished across the world. Mr. Obama, in fact, weakened our economy and led the most anemic military campaign in our history. So, Mr. Speaker, let us now recall the grand promise of candidate Barack Obama, bedecked with Greek columns and the rhetoric of bipartisan unity as it was, and let's compare it to the actual legacy of President Barack Obama, the partisan heckler at home and the lead from behind, apologize for America, academic abroad who was evermore eager to force Catholic nuns to buy birth control than he was to fight the ruthless butchers of the Islamic State.

Mr. Speaker, President Barack Obama has taken credit for a growing economy, but, after his failed stimulus, his was the worst economic recovery in the history of America. And his Presidency will be the first in modern times whose 8 years in office will fail to include even 1 year of 3 percent economic growth.

Under Barack Obama's Presidency, the number of long-term unemployed eclipsed 15 million for the very first time in history.

Today, 95 million Americans, the highest number in history, are now not in the workforce in America. And according to the latest numbers from the Census Bureau, household income fell by more than \$2,100 in inflation-adjusted terms; and 45.3 million Americans, the highest number in history, now live in poverty. More than 43 million Americans were receiving food stamps under Barack Obama, the highest number in history.

Barack Obama single-handedly added almost as much deficit to the national debt as all of the other Presidents in the 240-year history of the United States of America combined. And Standard & Poor's downgraded the U.S. Government from its AAA credit rating for the very first time in history.

Mr. Obama's signature policy achieved what was called the Affordable Care Act. As we have learned year after year, essentially nothing Mr. Obama said about the Affordable Care Act was true. ObamaCare contained over \$1 trillion in new taxes, which was the largest tax increase in history. Yet, millions remain uninsured. Healthcare costs have never been higher, and the

entire debacle called ObamaCare is now catastrophically collapsing before our very eyes.

Mr. Speaker, Mr. Obama engineered the sequester on the military which had devastating consequences on our men and women in uniform and our ability to fight and win wars when necessary. Mr. Obama's was the opposite of a commitment to peace through strength.

When it came to justice at home, Barack Obama told us that adult male transvestites had the moral right and the legal right to go into the bathroom with little schoolgirls whether their parents liked it or not. He fundamentally sought to abrogate religious freedom in America. He weaponized the Internal Revenue Service, the Environmental Protection Agency, the Attorney General's Office, and the Justice Department against America's own citizens. It was and is the epitome of tyranny.

Mr. Obama unconstitutionally ignored and selectively applied America's immigration laws and illegally suspended immigration enforcement. He released 19,723 criminal illegal immigrants from prison into every State of the Union. These nearly 20,000 criminal illegal aliens were collectively convicted of over 60,000 crimes, including over 12,000 drunk driving convictions, and over 8,000 violent crimes such as assault, rape, and murder.

Mr. Obama's actions endangered Americans and denied justice to the victims of their crimes. Mr. Obama bears a share of the responsibility for every crime that these criminals have committed or will commit against Americans since he released them from prison into American society.

But, Mr. Speaker, perhaps Mr. Obama's most egregious broken promise to all Americans is when he said: "I, Barack Hussein Obama, do solemnly swear that I will execute the Office of President of the United States faithfully, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States." Since then, he has shown complete and open contempt for the Constitution.

Barack Obama blatantly stoked racial tensions in America, and, in the process, he painted a deadly target on the backs of the noble men and women in blue who risk their lives every day to protect the innocent citizens of this Nation.

Barack Obama consistently subjected Americans to condescending lectures. If we opposed ObamaCare, we didn't want people to have health insurance.

If we opposed wasteful stimulus spending, we hated schoolteachers and firemen.

If we opposed the nuclear deal with Iran, we were compared to terrorist-sponsoring Iranian mullahs.

If we believe in God and exercised our Second Amendment right, we were bit-

tered. If we didn't believe in open, unsecured borders and vetting those who came into this country, we were un-American.

If we believed in protecting unborn baby girls from being killed simply because they are little girls, we were waging war on women.

And Mr. Obama was also fond of using politically correct euphemisms and constantly using them to distort nearly every issue.

Evacuation of our Embassy in Yemen was "a reduction in staff."

Terror attacks are "man-caused disasters."

The global war on terror is an "over-seas contingency operation."

An Islamic terrorist murdering 13 American soldiers is "workplace violence."

Terrorists beheading children, crucifying women, and burning men alive in the name of Islam are "individuals from various religions" who practice "hateful ideologies."

Veterans, pro-life groups, and States' rights advocates were listed as "at-risk" to become domestic terrorists.

Mr. Speaker, from day one, Barack Obama considered the cold war a giant misunderstanding. He did his famous reset with Russia and then turned and caved into everything that they wanted. Mr. Obama's policies of weakness and appeasement yielded Crimea, the South China Sea, the rise of the Islamic State, the return of Iran, and the unspeakable desecration of thousands upon thousands of innocent people in Aleppo where the result to date is now where 4 million refugees and 400,000 people are dead. And during the so-called Arab Spring, the Obama administration sided with the Muslim Brotherhood in Egypt.

At the end of the Obama administration, the only countries in the world that we have better relations with are Iran and Cuba—and even that has been entirely on their terms.

Mr. Speaker, the average number of innocents killed by terrorists before the Obama Presidency was approximately 3,000 per year in the world. Now, under Barack Obama, it is probably 30,000 every year. Mr. Obama labeled the Islamic State a junior varsity team, and then stood by with a golf club in his hand while ISIS raped, butchered, and beheaded its way across Iraq, selling little, 6-year-old girls into slavery, burning people alive, and perpetrating a genocide against Christians and Yazidis. The Islamic State now keeps an estimated 3,000 girls and women in sexual slavery while Mr. Obama runs out the clock on his term of office and hands the fight against ISIS off to the next President.

Because of his delusional negotiation and acquiescence, the Islamic Republic of Iran, the number one sponsor of terrorism in this world, may place the finger of jihad on the launch button of an

entire nuclear arsenal; and America's children and future generations may thereafter be forced to live their lives in the shadow of nuclear terrorism.

Mr. Obama stood before a group of thousands of supporters of Israel and proclaimed: "When the chips are down, I have Israel's back." But then as President, he blatantly refused even to acknowledge Jerusalem as Israel's capital and consistently expressed more open rebuke toward Israel than he did toward Iran for building an entire nuclear effort to some day threaten the world.

I am going to say that again, Mr. Speaker.

As President, Mr. Obama blatantly refused to even acknowledge Jerusalem as Israel's capital. And he consistently expressed more open rebuke toward Israel for building houses in its capital city than he expressed for Iran's efforts to build nuclear weapons with which to existentially threaten Israel along with the peace and security of the entire human family.

In the political safety of his lame-duck, he orchestrated and failed to veto a resolution that undermines Israel's very right to exist. Mr. Speaker, it was a cowardly act of political treachery that disgraced the United States, and it will send Barack Obama's name down the corridor of history as an overt traitor to the State of Israel.

When the Security Council Quartet meets on January 15 and the full United Nations Security Council meets on January 17, I am gravely concerned that Barack Obama will overturn U.S. precedent going back to Lyndon Johnson and use the opportunity to stab Israel in the back one final time by allowing the anti-Semites at the U.N. to attempt to redraw the map of Israel to indefensible pre-1967 borders, which would leave the only Jewish state less than 9 miles wide.

Mr. Speaker, no government leader has any greater responsibility than that of protecting the innocent. Yet, Mr. Obama stood by and allowed not only ISIS, Boko Haram, Russia, and Syria, but also Planned Parenthood to brutally desecrate the innocent on a horrific scale.

□ 2015

President Barack Obama went to great efforts, against taxpayers' wishes, to give billions of taxpayer dollars to Planned Parenthood to expand abortion on demand in America and throughout the world and to proactively promote policies to allow the indiscriminate killing of these, the most defenseless of all human beings.

As President, he appointed an empire of radically pro-abortion judges and government bureaucrats. When he was in the State legislature, Barack Obama actually voted "no" four times on a bill that would have protected babies after they were born alive.

In the U.S. Senate, Mr. Obama voted “no” on a bill that would have prohibited someone from taking a minor child out of State for an abortion without even notifying the child’s parents.

He vowed to veto the Prenatal Non-discrimination Act, which would prohibit discriminating against an unborn baby girl by subjecting her to abortion simply because she is a little girl instead of a little boy.

He promised to veto the Pain-Capable Unborn Child Protection Act, a bill that would have protected both mothers and their little pain-capable babies between the beginning of their sixth month of pregnancy from the unspeakable cruelty of Planned Parenthood and evil monsters like Kermit Gosnell.

Mr. Speaker, perhaps most astonishingly, Barack Obama, the President of the United States and the leader of the free world, wrote a letter to Congress and said he would veto the Born-Alive Abortion Survivors Protection Act to protect breathing, crying, kicking, born-alive human babies if it ever reached his desk.

Mr. Speaker, could not the President have agreed that little human babies who survive abortion and are born alive should be protected?

President Barack Obama’s record is crystal clear. For his entire political life, he has strongly supported the full legalization of abortion on demand throughout all 9 months of pregnancy, for any reason or no reason, including sex selection, throughout all 9 months of pregnancy, and forcing American taxpayers to pay for it whether the taxpayers liked it or not.

Under Barack Obama, nearly 9 million innocent, defenseless little American babies were aborted before they ever saw the first smile of their mother.

Ironically, President Obama was in the unique position, perhaps among all other Presidents in history, of bringing this country together to protect these helpless little children. Yet, as the most powerful human being in the world, Mr. Obama chose to become the most powerful enemy of the most helpless human beings in the world. And nothing will stain his legacy or his claims of looking out for the little guy with more shame than going down in history as the “Abortion President.”

Mr. Speaker, it gives me no pleasure to lay out this record. I truly and sincerely hoped for God’s best for Barack Obama when he took office. I wrote him a letter, hoping that he would be remembered as someone who stood up for the Constitution and stood up for the innocent.

But in a Republic like ours, where the people are the final arbiters of our public policy and where those who would subvert this Republic consistently resort to deception and historical revisionism, an accurate record is vital to our Nation’s survival and its future generations.

So, alas, Mr. Speaker, I am afraid Barack Obama tragically wasted his precious and historic opportunity. However, this is the true record of President Barack Obama and, to paraphrase William Wilberforce: We may choose to look the other way, but we can never again say that we did not know.

Mr. Speaker, Under President Obama, as of 2015, Democrats lost 900+ state legislature seats, 12 governors, 69 House seats, 13 Senate seats. Mr. Obama lost more U.S. Senate and U.S. House seats than any president since FDR. I would suggest this was not caused by a lack of political skills. It was Mr. Obama’s policies and his attitude toward democracy and the Constitution that were so devastating to his Democrat party.

From the beginning of his presidency it was President Obama’s theological conviction that America needed to be transformed into something far afield of the founding fathers dream.

Last night the President gave his farewell address to the country. In his speech, President Obama praised American exceptionalism for the first time in his presidency. Unfortunately Mr. Speaker, much of the remainder of the president’s speech was far removed from reality.

Mr. Obama implied that his presidency increased America’s wealth and power and respect. The truth is that under Mr. Obama’s presidency, the trust and respect from both friend and foe for America has been demonstrably diminished across the world. Mr. Obama in fact weakened our economy and led the most anemic military campaign in our history.

One of the most important elements of this Republic is the ability of the people to understand and remember the public actions and record of those they elect. This is vital to the future direction of future generations of this country.

So I come before the House today in order to lay out, and call for the American people to reflect upon, the true record of Barack Obama’s Presidency.

During this crucial moment of self-reflection happening in our great Republic, it is incumbent upon us to look back over the past eight years to fully comprehend what are the wages of two full terms of Progressive governance under President Barack Obama. Because Mr. Speaker, if Hillary Clinton had been elected president, the left-wing, mindset to ignore the foundations of this nation, the Constitution, and so many millions of those it was designed to protect, would have continued unabated and this Republic may have been lost.

Mr. Speaker, I solemnly wonder if America as a nation and Americans as individuals truly comprehend how close we came to actually losing this Republic and the founding fathers dream during the last election.

As Americans soberly reflect on that reality, let us now recall the grand promise of candidate Barack Obama, bedecked with Greek columns and the rhetoric of bipartisan unity as he was, and compare it to the actual legacy of President Barack Obama—the partisan heckler at home and the lead-from-behind, apologize for America, academic abroad who was ever more eager to force Catholic nuns to buy

birth control than he was to fight the ruthless butchers of the Islamic State.

So Mr. Speaker, what follows is the record and the legacy of Barack Hussein Obama:

ECONOMIC GROWTH

Obama’s presidency will be the first in modern times whose eight years in office will fail to include at least one year of 3 percent economic growth.

Mr. Obama has taken credit for a growing economy, but after his failed stimulus, his was the worst economic recovery in history.

Using the broadest measure of economic progress, growth in output, the growth rate over the first 25 quarters under Reagan was 34 percent versus 14.3 percent under Obama.

Yet, Under Barack Obama, the growth of a ravenous Leviathan called the federal government, grew larger and larger in scope and in power every single year he was president.

UNEMPLOYMENT

Under Barack Obama’s presidency the number of Long-Term unemployed eclipsed 15 million for the first time in history.

As the Los Angeles Times notes, “The longer people remain jobless, the more likely they are to suffer the scarring effects of unemployment that can hurt their earnings permanently and create a cycle of instability.”

WORK FORCE PARTICIPATION

The percentage of people participating in the labor market in January fell to 62.7 percent its lowest rate in 31 years.

On his watch, the number of people forced to work part time for economy reasons eclipsed 8 million for the first time in history.

On his watch, the average time it takes Americans to find a job reached the highest total in the history of the statistic being measured.

The unemployment rate among African Americans was nearly double what it was for white Americans

And today 95 million Americans, the highest number in history, are now not in the workforce in America.

INFLATION

Under Barack Obama, American Families faced Higher Costs on Nearly Everything: Spending on gas, groceries, utility bills and health insurance premiums skyrocketed.

However Wages were Down: according to the latest numbers from the Census Bureau household incomes fell by more than \$2,100 in inflation-adjusted terms.”

TAXES

When it came to taxes, Barack Obama said, “No family making less than \$250,000 a year will see any form of tax increase.” He said that he “Will eliminate all income taxation of seniors making less than \$50,000 per year. This will eliminate taxes for 7 million seniors—saving them an average of \$1,400 a year—and will also mean that 27 million seniors will not need to file an income tax return, at all.”

However, Mr. Speaker, Obamacare alone contained at least 20 new or higher taxes on American families and small businesses, representing over \$1 trillion in tax increases, the largest tax increase in history. It has produced a crippling effect on the working and middle class. Mr. Obama’s tax increases include the Individual Mandate Excise Tax, Employer Mandate Tax, Surtax on Investment Income,

taxes on health savings accounts, a hike in the Medicare Payroll Tax, and the elimination of the tax deduction for employer-provided retirement prescription drug coverage.

POVERTY

Under Barack Obama the number of Americans living at or below the poverty line went up 5.5 million between 2008 and 2013. A record number of 45.3 million Americans now live in poverty.

Under Mr. Obama's presidency, the income gap between rich and poor reached its highest level in over 40 years, and the American poverty rate hit the highest level in the 52 year history of the statistic being measured.

NUMBER OF PEOPLE ON FOOD STAMPS

According to a report in the Washington Examiner, the number of Able-Bodied adults on food stamps doubled, from 1.9 million in 2008 to 3.9 million in 2010, when Mr. Obama suspended the work requirement.

On his watch, more than 43 million Americans were receiving food stamps, that's an increase of 23% since January 2009 and more than at any time in American history.

NATIONAL DEBT

Barack Obama said, "I will not sign a plan that adds one dime to our deficits, either now or in the future." And "Today, I'm pledging to cut the deficit we inherited in half by the end of my first term in office."

Yet the reality was that under Mr. Obama's presidency, America had the first \$1 trillion deficit in history. He raised the debt ceiling time and time again. He used scare tactics against seniors ("he said quote "cannot guarantee" Social Security checks will go out) as a means of getting way with another debt ceiling raise and Standard & Poor downgraded the U.S. government from its 70 year AAA credit rating for the first time in history.

He instituted Federal bailouts, including bailouts that went to hundreds of millions in executive bonuses. The Obama government alone was equal to the entire United States' population in 1776. And he robbed the children coming up around her knees of their economic future and placed them on the path to national bankruptcy in order to ensure his radical, big-government agenda was implemented. Barack Obama single-handedly added almost as much deficit to the national debt as all of the other presidents in the 240 year history of the United States of America combined.

MILITARY READINESS

Mr. Obama engineered the sequester on the military which had devastating consequences to our ability to fight and win wars when necessary. The army is now the smallest it has been since Pearl Harbor; the Navy has shrunk to WWI levels; missile defense was cut every year he was in office, and the Pentagon was turned into a politically correct playground for social experimentation. During that same time, North Korea, one of the most dangerous police states in the world, tested nuclear weapons 5 times. Mr. Obama's was the opposite of a commitment to peace through strength.

The reason President Obama's legacy will be endless war is because America's enemies knew he never had the commitment or the will to win any war. So all they had to do was wait him out. And that's exactly what they did; and so many people suffered and died as a result.

When Mr. Obama was negotiating the New Start Treaty, he was caught on camera secretly asking Russian President Medvedev to "Give me more time until the elections". At least he meant for it to be a secret. Then after the elections he gave up far more that America got in return in that treaty, demonstrably diminished the strength of our nuclear deterrent and gave Russia a lopsided advantage over America in tactical nuclear weapons. I pray our children and grandchildren do not pay unthinkable price someday for the feckless and cowardly policy Mr. Obama negotiated.

JUSTICE AT HOME

When it came to justice at home, Barack Obama fundamentally sought to abrogate religious freedom in America and he weaponized the Internal Revenue Service, the Environmental Protection Agency, and the Attorney Gen.'s office and the Justice Department against America's own citizens. It was and is the epitome of tyranny.

President Obama turned the criminal justice system upside down. He commuted the sentences of 774 federal inmates which is more than the previous 11 presidents combined. He issued 590 commutations in the year 2016 alone, which is the highest in U.S. history according to his own White House. Mr. Obama pardoned a total of 148 people during his presidency and has shortened the sentences of 1,176 people, including 395 serving life sentences.

Yet during his presidency, in Mr. Obama's hometown of Chicago alone, a city where his policies on gun control are the strictest in the nation, there were nearly 800 murders this year alone which is the highest in history.

It was also Mr. Obama's administration that told us that mud puddles are navigable waters, that a tax is not a tax, that an exchange created by the federal government is an exchange created by a state, and that bureaucrats had more right's than parents to decide their child's education and that adult male transvestites had the moral and legal right to go into the bathroom with little schoolgirls whether their parents liked it or not.

ILLEGAL IMMIGRATION

Mr. Obama unconstitutionally ignored and selectively applied America's immigration laws perhaps because he saw those coming across the border into this country illegally, not as illegal immigrants, but as unregistered democrats.

President Obama never gained control of the border and in fact, Mr. Obama unconstitutionally ignored and selectively applied America's immigration laws and illegally suspended immigration enforcement. He released 19,723 criminal illegal immigrants from prison into nearly every state of the Union. These nearly 20,000 criminal illegal aliens were collectively convicted of over 60,000 crimes, including over 12,000 drunk driving convictions and over 8,000 violent crimes such as assault, rape, and murder. Mr. Obama's actions endangered Americans and denied justice to the victims of their crimes. Mr. Obama bears a share of the responsibility for every crime that these criminals have committed or will commit against Americans since he released them from prison into American society.

TERRORISM

When President Obama took office in January 2009, Iraq was a relatively stable nation. Iran was contained and ISIS did not exist. Now there is chaos throughout the Middle East. Vladimir Putin's Russia is in Syria, the Iranians have been unleashed, and ISIS has raped and butchered its way across Iraq declaring that there would be nothing for Christians but the sword and history will record that it was Barack Obama who willingly stood on the sidelines and knowingly let a genocide against Christians and Yezidis happen.

Barack Obama drew red lines he had no intention of enforcing, stood back and watched as Syria burned and Islamist radicals grew in strength until they exploded out of Syria to bring Hell on earth to the innocent men and women across the region. To date, the result is over 4 million refugees and over 400,000 people dead.

There are nine times more people killed in terrorist attacks today than there were in 2000. My colleagues and I earnestly warned President Obama and his administration of the dangers that Boko Haram and ISIS represented to innocent people in America and the world and pleaded with him to take actions to prevent them from desecrating the innocent. Mr. Obama casually dismissed our concerns related to both of those groups. His administration refused to call Boko Haram a terrorist organization and he dismissed ISIS as "Junior Varsity". My colleagues and I then repeatedly pleaded with Mr. Obama for over a year to resolutely respond to this insidious, murderous, hellish evil. I personally asked the president in an open video message if he did not realize "that by ignoring this monstrous, ideological evil, that you allow it to grow, and you ultimately invite it to exercise its desecration of the innocent within the shores of our own nation."

Yet, President Obama stood by casually, golf club in hand, and steadfastly refused ignored those entreaties. And terrorism did return to America and for the first time since 9/11, innocent Americans citizens were murdered by terrorists on American soil. Today Boko Haram and ISIS are responsible for 51 percent, of all terrorism fatalities in the world. Foreign intelligence agencies now estimate ISIS ranks are as large as 200,000 fighters from 90 countries. ISIS and its affiliates either control or hold influence in nearly 20 nations: Iraq, Syria, Egypt, Libya, Nigeria, Algeria, Morocco, Mali, Saudi Arabia, Yemen, Afghanistan, Pakistan, Lebanon, Russia, Bosnia, Philippines, Indonesia, and Malaysia.

Whether they manifested themselves as the Iranian mullahs, ISIS, Boko Haram, Hezbollah, Hamas, or a dozen other names, Barack Obama refused to even call Global Jihadists by name and he fundamentally refused to marshal the resources of his presidency to bear on behalf of the thousands of helpless victims they slaughtered. It is a disgrace that leaves me without words to describe.

Mr. Obama released five of the most dangerous Taliban leaders along with other terrorists held in Guantanamo Bay including 182 violent prisoners who have been released from Guantanamo Bay, nearly 20 percent of whom returned to the battlefield to fight United States forces and interests the world over. Mr.

Obama's "slap on the wrist" approach to national security needlessly added and continues to add to the dangers our men and women face in the fight against jihadist terrorism.

President Obama abandoned the Iranian freedom movement in 2009 when the citizens of Iran took to the streets to protest the rigged presidential election and to remove the Khamenei regime peacefully. He supported the release of the Lockerbie bomber. He supported Civilian trials for terrorists. Then due to those very procedural protections in civil court that prevented introduction of crucial evidence, that Mr. Obama had been specifically and repeatedly warned about in advance, the civilian trial for the evil terrorist Ahmed Ghailani led to his acquittal on more than 280 criminal charges of a man who openly admitted his terrorist activities. And Mr. Obama specifically chose not to prosecute the Muslim Brotherhood in the Holy Land Foundation trial when the evidence against them was absolutely overwhelming. One week after three Americans and our Ambassador were killed by Terrorists in Benghazi, Mr. Obama and his administration stood in front of flag draped coffins and lied to the American people about what really happened.

The average number of Innocents killed by terrorists before the Obama presidency was 3000 per year; now under Barack Obama it is thirty thousand per year. And the number of terrorists willing to blow themselves up to kill others is growing across the world. The chances of radical Islamists getting weapons of mass destruction are also growing.

IRAN

"President Obama's has been the leading apologist in the world for the Islamic Republic of Iran throughout his presidency. In his relentless quest for a nuclear deal with the Islamic regime of Iran, Mr. Obama simply chose to ignore the fact that Iran is the world's leading state sponsor of terrorism.

The notion that the only alternative to seeking a nuclear deal with the corrupt Khamenei regime is war is an illusion created by the Obama administration. Obama communicated directly to Tehran through secret back-channels his willingness to support Khamenei. The truth is that the oppressed majority of the Iranian people did not then, and do not today, support the Khamenei regime's nuclear program and in fact desperately want to be rid of this poisonous regime.

Mr. Obama, with the help of liberal Democrats in Congress and the embrace of the left, got his deal with Iran at all costs. The left embraced it. But did Iran open its doors to U.S. goods? No. The Ayatollah banned them. Did Iran renounce its support for terrorism? No. It renewed support for Hamas, sent troops to Syria and armed rebels in Yemen. Is Iran acting like a responsible regional power? No. In blatant violation of U.N. sanctions, Iran is testing nuclear-capable missiles and firing rockets near U.S. ships. And when the U.S. threatened to respond to Iran's missile violations, did Iran back down? No. Iran's "moderate" president ordered his military to accelerate Iran's missile program. The Iranians believe Mr. Obama is a total pushover. Mr. Obama said he was promoting peace, but he really only projected weakness and the world's dictators took notice.

To pave the way for his insane nuclear agreement with Iran, Mr. Obama ordered the CIA to sever contacts with green movement supporters and even ended U.S. programs to document Iranian human rights abuses. It seems there was nothing the Mr. Obama was not willing to sacrifice upon the altar of the Iranian nuclear deal. To begin finalizing the Iran agreement, Mr. Obama brought in John Kerry and the same basic team which negotiated the nuclear deal with North Korea that paved the way for North Korea to gain the nuclear weapons they have today—North Korea, if you need to be reminded, is the same country which just this year conducted a nuclear test, an ICBM test, and a submarine launched ballistic missile test. From day one and the eight years that followed it has overwhelmed comprehension how divorced the Obama Administration has been from reality.

And Mr. Speaker, what exactly did the U.S. from the Iran Deal? A completely unverifiable and tacit agreement from Iran that it will not make a nuclear weapon in the next ten years. And that promise from the jihadist government of Iran was good enough for Barack Obama. And Mr. Speaker, what did Iran get out of the deal? The world's leading sponsor of terrorism received \$1.8 Billion in freed assets, a lifting of the arms embargoes in five years, the toothless U.N. ban on Iran missile development—which of course they are actively and continuously violating. And after eight years, Iran will [quote] "then be allowed to build an industrial-scale nuclear program, with hundreds of thousands of machines, after a ten year period of restraint." [end quote] In order to reach this agreement, Obama ordered the executive branch to cease categorizing Iranian human rights abuses, and now he has also illegally paid \$400 Million in ransom for American hostages abducted by the Iranian regime, he has ceded control of Iraq to Iran, he has ignored Iranian development of missiles capable of delivering nuclear weapons, and—most significantly—he has ensured the Iranian regime may legally develop nuclear weapons in the coming decade.

After the nuclear deal, Iran became only more arrogant and bold. They seized two American naval vessels, took ten sailors hostage, and only released them after the Administration apologized. An Iranian general said the seizure of our ships was a warning to Congress against imposing new sanctions for Iran's illegal nuclear missile tests. Iran's intent and track record is crystal clear to almost everyone it seems, but to President Obama.

The hallmark of Barack Obama's presidency has been that of weakening, disarming, diminishing and apologizing for the United States of America. For years many of us watched in utter disbelief at the great lengths to which the Obama Administration has gone in order to secure a deal at any price with Iran on their nuclear weapons program. He has capitulated on every red line and minimum requirement that both he and the United Nations had required. He has now squandered away every form of leverage we had against this theocratic radical regime which has broken every promise it has ever made to us. The jihadist leaders of Iran came to the table with nothing and walked away with everything. And now, instead of making sure they never get a nuclear

clear weapon, Barack Obama's politically motivated, peace-in-our-time capitulation has strengthened Iran's ability to foment terrorism throughout the world as it has for the last 40 years. And, now, because of his delusional negotiation and acquiescence, this Islamic Republic of Iran, the number one sponsor of terrorism in the world, has become a nation on a path (cleared for them by President Barack Obama) to obtaining a nuclear weapons capability. Indeed, Mr. Obama's actions may place the finger of Jihad on the launch button of an entire nuclear arsenal; and America's children and future generations may thereafter be forced to live their lives in the shadow of nuclear terrorism.

CONSTITUTION

Perhaps Mr. Obama's biggest broken promise to all Americans was when he said, "I, Barack Hussein Obama, do solemnly swear that I will execute the office of President of the United States faithfully, and will to the best of my ability, preserve, protect, and defend the constitution of the United States. Whether we're talking about Obamacare, or Mr. Obama's administration weaponizing the IRS to target conservative groups, seizing the phone records of the Associated Press, suggesting that Fox News reporter James Rosen was a criminal without evidence as an excuse to monitor his phone and e-mail, appointing Czars with no accountability, appointing Assistant AG Thomas Perez who steadfastly refused to affirm 1st Amendment Rights, called the Constitution an "imperfect document" that "reflected the fundamental flaw of the country that continues to this day", the seizure of the press' phone records by the Justice Department, the walking of guns to cartels during Operation Fast and Furious, unconstitutional recess appointments, unconstitutional executive orders or the Administration's intentional selective enforcement of the laws—This President has shown complete and open contempt for the Constitution as a mere obstacle to his preferred 'pen and phone' method of governing through an executive autocracy.

When Barack Obama came into office only one of the 13 federal appeals courts had a majority of liberal Democrat appointed judges. Now, nine of the 13 appeals courts have liberal Democrat appointees. Barack Obama nominated to individuals to the Supreme Court who have no regard whatsoever for the plain meaning and original intent of the Constitution. The lawlessness of Obama's Progressive Utopia, was one governed by the Pen and the Phone rather than the People. If Hillary Clinton had been elected in November she would have almost certainly appointed At Least Three more Supreme Court Justices which would have completely abrogated the United States Constitution along with the first second fifth and 14th amendments and all of the others for generation or more. For the first time in its history, America would no longer have been governed by the United States Constitution as the supreme law of the land. There are simply no words to describe the existential threat to the American Republic that Hillary Clinton would have inevitably represented if she had been elected president of the United States. Without the American Constitution there would have been no free America and without a free America there would have been

no free world. The implications would have been beyond comprehension.

RELIGIOUS LIBERTY

Barack Obama's record is that of having assaulted centuries of legal precedent and medical ethics, pushing forward his effort to roll back regulations that protect physicians' rights of conscience. Amazingly, the Obama administration accused the Catholic nuns Little Sisters of the Poor, an entirely voluntary and Catholic organization dedicated to hospice care for the indigent, of promoting a war on women . . . for not agreeing to offer birth control as a Catholic health benefit, and then threatened them with \$70 million a year in fines for not complying.

The Obama administration essentially argued before the Supreme Court that the religious ministerial exception that had been bedrock law since the Constitution was written did not actually exist and that neither the Free Exercise Clause nor the Establishment Clause has anything to say about a church's relationship with its own employees. In a 9–0 opinion, the Supreme Court unanimously rejected the Administration's position, stating that "imposing an unwanted minister, the state infringes the Free Exercise Clause, which protects a religious group's right to shape its own faith and mission through its appointments." Despite Barack Obama's supposed expertise on the Constitution, his administration has lost more 9–0 Supreme Court cases than any other Administration in history and no president in history ever posed more overt danger to religious freedom in America than Barack Obama.

Mr. Obama casually ignored the historical and constitutional fact that religious liberty involves much more than freedom of worship alone, and that the fundamental rights of free speech and the free exercise of religion do not stop at the exit door of the local house of worship, but instead, extends to every area of life. Mr. Obama refused respect the public component of religious liberty, and failed to accommodate religion in our generally applicable laws, and placed in grave danger, the religious freedom in the Constitution which undergirds everything that is America.

RACE RELATIONS

Barack Obama blatantly stoked racial tensions and in the process he painted a target on the backs of the noble men and women in blue who risk their lives every day to protect the innocent citizens of this country. Some people even went looking to assassinate police officers. And the result was that innocent Americans within both law enforcement and the minority community died across America for no reason. Barack Obama had an historic opportunity to unite America in a profound way. Instead, he chose for temporary political gain to become the divider and chief by seeking to divide America by race and class.

MR. OBAMA'S CONDESCENSION TOWARD THE AMERICAN PEOPLE

Barack Obama consistently subjected Americans to condescending lectures. Because he was a Progressive Politician who had attended the right schools held the right internships, and had the right credentials he knew what

was best for us far better than we did that he was morally empowered to properly order the minutiae of the lives of all of the American people.

If we opposed Obamacare we didn't want people to have health insurance.

If we opposed wasteful stimulus spending, we hated school teachers and firemen.

If we opposed the nuclear deal with Iran, we were compared to terrorist sponsoring Iranian Mullahs.

If we believe in God and exercise our Second Amendment Right, we were bitter.

If we didn't believe in open, unsecured borders and vetting those who come into this country, we were un-American.

And if we believed unborn baby girls should be protected under the law, we were waging a war on women.

And Mr. Obama was also fond of using politically correct euphemisms and constantly use them to distort nearly every issue:

(1) Evacuation of our Embassy in Yemen was "a reduction in staff"

(2) Terror attacks are "man-caused disasters"

(3) Global war on terror is an "overseas contingency operation"

(4) An Islamic terrorist murdering 13 American soldiers is "workplace violence"

(5) Terrorists beheading children, crucifying women, and burning men alive in the name of Islam are "individuals from various religions" who practice "hateful ideologies"

(6) Veterans, pro-life groups, and state rights' advocates were listed as "at-risk" to become domestic terrorists

OBAMA CARE

Mr. Obama's signature policy achievement was the so-called Affordable Care Act. As we have learned year after year, essentially nothing Mr. Obama said about the Affordable Care Act was true. He told us his mother's health insurance denied her paying for her cancer treatments—but it was a blatant falsehood. He told America—many, many times—that if we liked our plan and our doctor, we could keep our plan and our doctor—but it was a blatant falsehood. In fact, Mr. Obama's speech writers joked about deliberately putting that blatant falsehood over on Charlie Rose, who, like many in the media, never pressed the issue.

Mr. Obama even deceived and betrayed Bart Stupak from his own party and used a myriad of special political handouts like the Cornhusker Kickback and the Louisiana Purchase to scrape together the support to shove a giant government takeover of the healthcare industry down the American people's throats and then raided the coffers of Medicare to the tune of over \$700 billion to help pay for it.

Anyone with a basic understanding of economics warned was going to wreak havoc upon the insurance market. Barack Obama said, "Obamacare means more choice, more competition, lower costs." But now under Mr. Obama's presidency, the Cost of Average Family Health Insurance Plan has gone from \$12,680 to over \$25,000. Barack Obama said the ACA will cost around \$900 billion over 10 years; in reality it is at least \$2 trillion or more. Mr. Obama said that it would lower health in-

surance premiums by \$2,500 per family. In 42 states, many premiums increased by over 100 percent. Mr. Obama said, "If you like your doctor, you can keep your doctor" That was a blatant falsehood. Mr. Obama said, "I will protect Medicare." That was a blatant falsehood. He robbed Medicare to pay for Obama care. He said, "Obama care will cover every American." That was a blatant falsehood. Millions remain uninsured. Healthcare costs have never been higher and the entire debacle called Obamacare is now catastrophically collapsing before our very eyes.

FOREIGN-POLICY

From day one Barack Obama considered the Cold War a giant misunderstanding. He did his famous reset with Russia and then turned and caved into everything they wanted. Mr. Obama cancelled the missile defense site and betrayed the Czech Republic and Poland to placate Russia. He told Russian President Medvedev he would be more flexible after his re-election on missile defense.

Barack Obama lifted sanctions on the communist dictatorship of Cuba and the Islamist dictatorship of Iran. He has held our allies and the enemies of human freedom to different standards, restoring diplomatic relations with Cuba and making economic concessions to their government with no reciprocity on human rights. President Obama praised the murderous dictator when he offered condolences after Castro's death. For decades, Democrats and Republicans alike maintained consistent policies. At the end of the Obama administration, the only countries in the world that we have better relations with under Barack Obama are Iran and Cuba—and even that has been entirely on their terms. The Saudis are so furious with Obama's surrender to Iran that they are threatening to develop their own nuclear weapons.

Mr. Obama's policies of weakness and appeasement yielded Crimea, the South China Sea, the rise of the Islamic State, the return of Iran, and the unspeakable desecration of the innocent in Aleppo.

Mr. Obama said we were exercising leadership in Syria. But under his "leadership," he drew a red line and then ran from it. Iran and Russia are now taking the lead in Syria. While he talks about leadership, his lack of action contributed to 400,000 human beings dead and generated 4 million migrants who are now destabilizing Europe.

The commentary of Jared Hatch of the Young Leaders Program at the Heritage Foundation said it this way:

"Contemplating the extermination of Aleppo and its people, I was reminded of a sentence that I read this summer. It appeared in an encomium to Elie Wiesel shortly after his death. It was a sterling sentence. It declared: "We must never be bystanders to injustice or indifferent to suffering." That was Wiesel's teaching, exactly. The problem with the sentence is that it was issued by the White House and attributed to President Obama. And so the sentence was not at all sterling. It was outrageously hypocritical.

How dare Obama, and members of his administration, speak this way? After five years and more in which the United States' inaction in Syria has transformed our country into nothing other than a bystander to the greatest atrocity of our time, they have forfeited the right to this language. Their angry and anguished utterances are merely the manipulation of the rhetoric of conscience on behalf of a policy without a trace of conscience. You cannot be cold-hearted and high-minded at the same time. Historians will record—they will not have to dig deeply or interpret wildly to conclude—that all through the excruciations of Aleppo, and more generally of Syria, the United States watched. As we watched, we made excuses, and occasionally we ornamented our excuses with eloquence. The president is enamored of his eloquence. But eloquence is precisely what the wrenching circumstances do not require of him. In circumstances of moral (and strategic) emergency, his responsibility is not to move us. It is to pick up the phone. "Elie did more than just bear witness," Obama said in his eulogy, "he acted." And he added: "Just imagine the peace and justice that would be possible in our world if more people lived a little more like Elie Wiesel." Just imagine.

If Obama wants credit for not getting us into another war, the credit is his. If he wants credit for not being guilty of "overreach," the credit is his. If he wants credit for conceiving of every obstacle and impediment to American action in every corner of the globe, the credit is his. But it is a shameful and incontrovertible fact of our history that during the past eight years the values of rescue, assistance, protection, humanitarianism and democracy have been demoted in our foreign policy and in many instances banished altogether. The ruins of the finest traditions of American internationalism, of American leadership in a darkening world, may be found in the ruins of Aleppo. Our ostentatious passivity is a primary cause of that darkening. When they go low, we go home. The Obama legacy in foreign policy is vacuum-creation, which his addled America-First successor will happily ratify. Aleppo was not destroyed by the Syrian army. It was destroyed by a savage coalition led and protected by Russia. While they massacred innocent men, women and children, we anxiously pondered scenarios of "deconfliction."

We need to be unforgivingly clear. The obligation to act against evil in Aleppo was no different from the obligation to act against the evil in Sarajevo and Srebrenica. (Has anyone ever heard Mr. Obama mention Bosnia?) It was no different from the obligation to act against the evil in Rwanda. It was no different from the obligation to act against the evil in Auschwitz. And we scorned the obligation. We learned nothing. We forgot everything. We failed. We did not even try.

No, that is not quite right. It would be incorrect to analyze our delinquency in Syria in the dichotomously simple terms of action and inaction. The administration creatively pioneered a third option, which it pursued not only in Syria but also in Ukraine and elsewhere: Between action and inaction, it chose inconsequential action. There is the Obama doctrine! We backed moderate Syrian rebels, but not as seriously or as generously as the im-

moderate Syrian rebels were backed. We sent in small numbers of special operators. The CIA ran a few programs. We acted, in sum, only in ways certain not to affect the outcome. We were strategically feckless. I suspect that the president believes that the United States has no moral right to affect an outcome in another country. I suspect that he regards such decisive action as imperialism, or at least as Iraq-like. What this means in practice is that we will not help people who deserve our help. In the spirit of respecting other societies, we will idly gaze at their destruction. How would disrespecting them be worse?

As a direct or indirect consequence of our refusal to respond forcefully to the Syrian crisis, we have beheld secular tyranny, religious tyranny, genocide, chemical warfare, barrel bombs and cluster bombs, the torture and murder of children, the displacement of 11 million people, the destabilization of Turkey, Lebanon and Jordan, the ascendancy of Iran in the region, the emergence of Russia as a global power, the diminishment of the American position in the world, the refugee crisis in Europe, the resurgence of fascism in Europe and a significant new threat to the security of the United States. It is amazing how much doing nothing can do, especially when it is we who do nothing.

Not long after he mourned Wiesel, the president engaged in another one of his exercises in empathy without consequence. At the U.N. Summit for Refugees and Migrants, he spoke of Alan Kurdi, the Syrian boy who washed up dead on a beach in Turkey. "That little boy on the beach could be our son or our grandson," the president moistly said. "We cannot avert our eyes or turn our backs." And then we proceeded to avert our eyes and turn our backs. The people who had the power to prevent, stop or even mitigate this catastrophe should now bow their heads and fall silent and reflect on how it is that they brought us so low. Aleppo is no more, and we are weakened and disgraced.

Mr. Speaker, it is ironic and tragic that the fall of Aleppo comes as Barack Obama is to leave office. Because it is one of the clearest demonstrations of how his cowardly foreign and domestic policies have consistently left tens of thousands of innocent helpless victims dead in his wake.

When Islamic terrorists bombed Brussels, killing and injuring hundreds of people, including Americans, President Obama was eating cracker jacks at a baseball game rubbing elbows with a communist dictator.

When the Benghazi tragedy occurred in the middle of a presidential election, and three Americans and our ambassador were murdered by terrorists the Obama Administration's spin-masters told us it was because of a YouTube video. It was a dark and deliberate lie to the American people in front of flag-draped coffins and was an egregious example of the Obama Administration's astonishing lack of accountability and transparency.

At a time when noble Americans were fighting and dying in the sands of Iraq to secure a lasting peace and bring stability to the region, Senator Obama vigorously opposed the Surge in Iraq and said [quote] "I am not persuaded that 20,000 additional troops in Iraq is going to solve the sectarian violence there, in

fact I think it will do the reverse . . . I am going to actively oppose the president's proposal." [end quote]. In spite of the opposition to the Surge from Senator Obama, Senator Reid, and many other partisan Democrats notwithstanding, General Petraeus and our unbelievably courageous men and women in uniform were able to snatch victory from the jaws of defeat—decimating Al-Qaeda in Iraq, halting sectarian violence, and achieving a sustainable peace. As thanks for this historic military feat, the Left in America called him "General Betray Us," and Senator Hillary Clinton said his reports to the Senate by General Petraeus required the "willing suspension of disbelief."

This was a despicable display of hyper-partisanship on the part of Mr. Obama and the Democrats who refused to accept American victory in Iraq. But then of course, the Obama Administration would go on to claim the peace in Iraq as one of their foreign policy achievements.

Then in spite of the prescient advice President Bush gave on July 12, 2007 and the warnings of countless generals, Obama ignored his commanders and precipitously withdrew our troops from Iraq. Even as we withdrew our troops, Vice President BIDEN said of Iraq [quote] "I think it's going to be one of the great achievements of this Administration. You're going to see 90,000 troops come marching home by the end of the summer, you're going to see a stable government in Iraq that is moving towards a representative government . . ." [end quote]

is precisely because of President Obama's petulant decision to keep his politically motivated campaign promise to remove all our troops from Iraq that the Islamic State was able to form, spread across the region, and bring about a brutal reign of evil the likes of which the world has not seen since the Mongols rampaged across Asia.

Right after the Islamic state entered Iraq, many of us in Congress wrote a letter to Mr. Obama beseeching him to understand the danger of this terrorist organization and imploring him to respond while there was time. Astoundingly, Mr. Obama labeled the Islamic state a junior varsity team and his administration stood by with the collective golf club in their hand while ISIS raped and murdered and beheaded its way across Iraq, selling six-year-old girls into slavery and burning people alive. The Islamic State now keeps an estimated 3,000 young girls and women in sexual slavery, and they are being beaten and raped day after day. It is mind-numbingly horrific to know what these innocent girls are going through every day while Mr. Obama runs out the clock on his term of office and hands the fight against ISIS off to the next president. Under Mr. Obama's administration the murder of innocent people by terrorists increased almost tenfold. Then when President Obama drew his famous red line in Syria, Bashir Assad had been paying attention and he knew he could simply ignore this red line in the sand for what it was. And he proceeded to do just that and he remains in power to this day slaughtering the moderate rebels and the Kurds fighting ISIS.

In response to the onslaught of ISIS, President Obama launched one of the most anemic

and pathetic air campaigns in modern history and ISIS grew to somewhere around 40,000 fighters under President Obama's watch. He enabled ISIS to grow and metastasize, attract and radicalize countless young men from the West who will attempt to return home and unleash their virulent brand of Islam upon innocent Europeans and Americans as we have so tragically seen in France, Brussels, and even in the United States. During the so-called Arab Spring the Obama administration sided with the Muslim brotherhood in Egypt.

Barack Obama mocked Mitt Romney during their second presidential debate, saying "The 1980s are now calling to ask for their foreign policy back." Mr. Speaker—would to God that we could get the foreign policy from the 1980s back! For eight years Barack Obama ignored the fact that Vladimir Putin is a KGB killer intent on restoring Russia to its Soviet-era in prayer for error. And it has been an absolute national embarrassment to watch this Russian thug unceremoniously mop the floor and the map of the world with the President of the United States.

In his first year of office, and on the very day of the 70th anniversary of Soviet Invasion Day in Poland, President Obama betrayed our European allies. The Czechs and the Poles had risked the survival of their governments by agreeing to implement a missile-shield in their countries that could have significantly devalued Iran's entire nuclear missile pursuits and even one day may have protected America from the Iranian nuclear missiles. But to placate a revanchist Russia Barack Obama blatantly betrayed both the Czechs and the Poles and unilaterally withdrew from the plan.

Under Barack Obama, U.S. agreements with our understandably nervous friends in Eastern Europe were not worth the paper they were printed on. Ukraine gave up its nuclear weapons with the written assurance from Russia and the United States of America that its national sovereignty would be protected. Then, in response to the unconscionable Russian invasion of Ukraine and seizure of the Crimean Peninsula, the Obama Administration would not even provide lethal armaments to the Ukrainians. Instead he offered MREs. Then Mr. Obama evidently did not deem that humiliation complete until he had turned to the Russians to assist with Syria. The complete and total lack of leadership from the Obama White House once again came full circle.

Ben Rhoades made an attempt to analyze the mindset of Barack Obama. He said, [quote] "He is smarter than everyone and more than willing to actively lie and obfuscate to the American people and media to effect his desired outcomes, despite, or in spite of, the will of the American people, the law, and even common sense."

OUR ALLY ISRAEL

Barack Obama pledged [quote] "unshakeable commitment" [unquote] to Israel's security. Mr. Obama stood before a group of thousands of supporters of Israel and proclaimed that "when the chips are down, I have Israel's back."

But then as President, he blatantly refused even to acknowledge Jerusalem as Israel's capital. Then Mr. Obama consistently expressed more open rebuke toward Israel for building houses in its capital city than he ex-

pressed for Iran's efforts to build nuclear weapons with which to existentially threaten the state of Israel along with the peace and security of the entire human family.

Mr. Obama all but ignored Iran's call for Israel to be wiped off the map. He supported the unification of Fatah and Hamas. He pressured Israel to release over 100 murderers, rapists, and terrorists. He suggested that Israel return to 1967 border lines which would have made national security for the tiny nation of Israel almost impossible.

Benjamin Netanyahu came to Congress and said "obviously we are going to have to continue to prepare to defend ourselves by ourselves."

On December 23, 2016, two days before Christmas and one day before the start of Hanukkah, in the waning days of his administration, in the safety of a lame-duck presidency, President Obama and Secretary Kerry broke with over 20 years of bipartisan precedent and betrayed America's best friend in the world when he orchestrated and then refused to veto a United Nations Security Council resolution that undermined Israel's very right to exist.

Under the manifestation of this resolution, Jewish citizens of Israel could not legally step foot into the Jewish quarter of Jerusalem (where they have resided for thousands of years) and they could not even stand in front of the Western Wall, the holiest site of Judaism. In accepting the factually and morally incorrect label of "occupied" proclaimed in this resolution, President Obama and Secretary Kerry have reinforced the position of the plethora of anti-Semites at the U.N.

This anti-Semitic resolution fueled and lent legitimacy to the ongoing murderous hatred of Jews, which manifested itself once again two weeks later when an ISIS-inspired murderer rammed his truck into a group of 16 Jews who Obama helped label "occupiers" by his abstinence.

In an all-too-familiar scene, thousands of people poured into the streets in Gaza to celebrate the murder of Jews. Amidst the celebrations, candy was passed out and Fathi Hamad, the leader of the Hamas, issued the following statement: "The message of our Islamic party Hamas is a message of encouragement and support for every jihadi who carries out an attack that puts an end to the acts of the Zionist enemy."

Despite lending credence to the *casus belli* of the ISIS-inspired attack, the President has yet to comment on this despicable act of terrorism.

When the Security Council Quartet meets on January 15 and the full UNSC meets on January 17, I am gravely concerned that Barack Obama will overturn U.S. precedent going back to Lyndon Johnson and use the opportunity to stab Israel in the back one final time by allowing the anti-Semites at the UN to redraw the map to Israel's indefensible pre-1967 borders—leaving the world's only Jewish state less than 9 miles wide.

Up until Barack Obama became President, America protected the State of Israel against the anti-Semitic mob we call the United Nations. The only thing United about the United Nations has been their consistent opposition to America and the state of Israel.

Let me be very clear, Mr. Speaker. Orchestrating and then failing to veto this resolution that undermined Israel's right to exist was a cowardly act of political treachery by Barack Obama that has disgraced the United States of America and it will send Barack Obama's name down the corridor of history as an overt traitor to Nation of Israel.

It is an absolute disgrace that this President has been willing to sacrifice the security and stability of this vital ally and our greatest friend in the world, upon the altar of perceived international civility. It is a betrayal that history will never forget.

INNOCENT VICTIMS

Perhaps the singularly saddest tragedy the Barack Obama leaves behind are all of the innocent victims that needed his help so desperately and for whom now that help is forever too late. Mr. Obama's Administration consistently and unconscionably implemented policies across the board that negatively impacted the most vulnerable in human society.

The Obama administration loosened restrictions on regimes using child soldiers. The Obama administration officials repeatedly ignored Chinese human rights abuses during trips to China.

FBI statistics indicate that hate crimes against the Jewish population are up, but Mr. Obama was silent about that. There was and is genocide against Christians taking place in the Middle East, but he was also silent about that.

He stood by and let ISIS, Boko Haram, Russia, Syria and Planned Parenthood brutally desecrate the innocent.

ABORTION

Only three days after he took office, on January 23, 2009, President Obama overturned America's long-standing policy, which prohibited taxpayer dollars from being used to fund the killing of unborn children by abortion overseas. In a time of economic crisis, President Obama proceeded to give millions of U.S. Taxpayer dollars to abortion providers in foreign countries.

Pastor Rick Warren asked candidate Obama, "Forty million abortions, at what point does a baby get human rights, in your view?" Mr. Obama's response was, "Well, you know, I think that whether you're looking at it from a theological perspective or a scientific perspective, answering that question with specificity, you know, is above my pay grade."

President Barack Obama had one of the greatest opportunities ever afforded to any president to take his place among history's most respected heads of state by defending the rights of the defenseless which is the ultimate measure of every true statesman.

Not only did he fail that opportunity, lie went to great effort to proactively promote the indiscriminate killing of the most defenseless of all human beings. Barack Obama worked diligently to expand abortion on demand in America and throughout the earth. He relentlessly worked against taxpayer's wishes to give billions of taxpayer dollars to Planned Parenthood, the largest promoter and perpetrator of abortion on demand on Earth.

Throughout his presidency, Mr. Obama surrounded himself with some of the most radical pro-abortion officials in public office, including Secretary of Health and Human Services

Kathleen Sebelius, who supports Partial Birth Abortions, and White House Science Advisor John Holdren, who has written openly about his support of radical policies like forced abortions and forced sterilization.

In August 2010, authorities entered the clinic of Dr. Kermit Gosnell, and found a torture chamber for little babies that defies description within the constraints of the English-language.

According to the Grand Jury report: quote “Dr. Kermit Gosnell had a simple solution for unwanted babies: he killed them. He didn’t call it that. He called it ‘ensuring fetal demise.’ The way he ensured fetal demise was by sticking scissors in the back of the baby’s neck and cutting the spinal cord. He called it ‘snipping.’ Over the years there were hundreds of ‘snippings.’

Mr. Speaker, these were born alive children murdered by having their spines snipped with scissors without anesthetic.

Ashley Baldwin, one of Dr. Gosnell’s employees, said she saw babies breathing and she described one as two feet long that no longer had eyes or a mouth, but, in her words, was like making this “screeching” noise . . . and it “sounded like a little alien.”

For God’s sake Mr. Speaker, is that who we truly are?

As President of the United States of America at the time, Barack Obama did not utter one syllable against these gut wrenching atrocities of Kermit Gosnell or Planned Parenthood. He lectured this country on almost everything and yet he was shamefully silent in the face of this insidious and horrifying genocide against these helpless little born alive human children.

When he was in the state legislature, Mr. Obama actually voted no four times on a bill that would have protected crying, kicking, breathing babies after they were born alive.

Mr. Obama, also consistently supported the policy that allowed more than 18,000 late-term, pain capable unborn babies were torturously killed without anesthesia in America in just the last year. Many of them cried and screamed as they died, but because it was amniotic fluid going over their vocal cords instead of air, we couldn’t hear them.

In his position, President Barack Obama could have easily and successfully enacted policies that would have saved the vast majority of the little babies like the ones Dr. Kermit Gosnell killed, yet all of his adult life he has actively and vigorously supported policies that not only allowed but were the direct result of them being killed.

In 2015, the Center for Medical Progress released numerous video recordings that incontrovertibly documented corporate officers and employees of Planned Parenthood casually discussing the harvesting and sale of the little body parts of countless little babies among the hundreds of thousands of innocent babies they are killing in many of the hundreds of existing abortion clinics owned by Planned Parenthood across this nation. It was a revelation so ugly and evil that it still casts an indelible stain of shame on all of us as Americans. Yet, Barack Obama arrogantly and heartlessly did all that was necessary to force American taxpayers to continue to fund this organization of human butchery called Planned Parenthood.

In the U.S. Senate, Mr. Obama voted no on a bill that would have prohibited someone

from taking a minor child out of state for an abortion without at least notifying the child’s parents. He voted no on a bill that would have allowed unborn babies in low income households to be included for health insurance coverage.

As President he appointed an Empire of radically pro-abortion judges and government bureaucrats. He vowed to veto The Prenatal Nondiscrimination Act which would prohibit discriminating against an unborn baby girl by subjecting her to abortion simply because she is a little girl instead of a little boy.

He promised to veto the Pain Capable Unborn Child Protection Act after its historic passage in the United States House of Representatives. This is a bill that would protect both mothers and their little pain capable unborn babies between the beginning of their sixth month of pregnancy and live birth from the unspeakable cruelty of Planned Parenthood and evil monsters like Kermit Gosnell.

The House of Representatives later passed The Born Alive Abortion Survivors Protection Act. This was a humane and reasonable bill that in the name of humanity would simply protect those babies who had survived the process of abortion and were born alive, born alive, Mr. Speaker. Yet astonishingly, Barack Obama, the President of the United States and the leader of the free world wrote a letter to Congress and said he would veto this bill to protect these born alive babies if it ever reached his desk. I can only say Mr. Speaker, that there is a moment in the life of every policymaker when he or she makes a decision either to protect the innocent or to embrace the Cimmerian darkness where the light of human compassion has gone out and the survival of the fittest has prevailed over humanity. President Barack Obama failed that moment.

President Barack Obama’s record is crystal clear. For his entire his political life, Mr. Obama has strongly supported the full legalization of abortion on demand throughout all nine months of pregnancy for any reason or no reason whatsoever including sex selection throughout all nine months of pregnancy and he supported forcing American taxpayers to pay for it whether the taxpayers liked it or not. Under President Barack Obama, nearly 9 million innocent, defenseless little American babies were aborted before they saw the first smile of their mother.

So ironically, Mr. Speaker, President Obama once spoke very noble and poignant words that, whether he realized it or not, apply so profoundly to this subject. Mr. Speaker, let me quote excerpted portions of his comments:

Mr. Obama once said, “This is our first task—caring for our children. It’s our first job. If we don’t get that right, we don’t get anything right. That’s how, as a society, we will be judged.”

He asked, “Are we really prepared to say that we’re powerless in the face of such carnage, that the politics are too hard? Are we prepared to say that such violence visited on our children year after year after year is somehow the price of our freedom?”

He also said “Our journey is not complete until all our children . . .” are “cared for and cherished and always safe from harm.”

“That is our generation’s task” he said, “to make these words, these rights, these values

of life and liberty and the pursuit of happiness real for every American.”

Mr. Speaker, never have I so deeply agreed with any words ever spoken by President Obama as those I have just quoted. How I wish he could somehow open his heart and his ears to his own words, and ask himself in the core of his own soul, why these words that should apply to ALL children, cannot include the most helpless and vulnerable of all children?

Are there any children more vulnerable than little pain capable babies are before they are even born? Could we not at least agree we should all come together protect them when they are between the beginning of the sixth month of pregnancy and birth when we know that the thousands upon thousands of babies Planned Parenthood kills at this age feel agonizing pain in the process of being murdered? Could we not agree that little human babies who survive abortion and are born alive should be protected? Could the President not have agreed to that much, Mr. Speaker?

Ironically, Barack Obama was in the unique position, perhaps among all other presidents in history, to bring this country together to protect these helpless little babies. Yet as the most powerful human being in the world, Mr. Obama chose to become the most powerful enemy of the most helpless human beings in the world. Nothing will stain his legacy or his claims of looking out for the little guy with more shame than going down in history as the “Abortion President”.

Mr. Speaker, I know Mr. Obama will hold to the standard line and cloak it all in the name of freedom of choice as he is done throughout his political life, but I wish he could just ask himself, what is so liberating about dismembering living, helpless little human babies?

Mr. Speaker, I once prayed and hoped that Barack Obama would take a different road than he did when it came to protecting innocent humanity. Just before he first took office eight years ago, I wrote the President of the United States an open letter on this very issue of protecting the innocent unborn child that was published in Human Events Magazine the very day he raised his hand to take the oath of office, swearing before God that he would preserve and protect the Constitution of the United States. Several days later in the White House I personally handed Mr. Obama that original letter which he promised to read.

In that letter I wished him well, hoping that he would use his unique and historic opportunity to bring together Americans in their common humanity to a moment of renewed commitment to recognize and protect every member of the human family including the innocent unborn child.

The letter is as follows:

Dear President Barack Obama,

History and the human family find themselves at a crossroads as you take the oath of office to become the 44th President of the United States. I am told you are the first to request to be sworn in with your hand on the same Bible used by Abraham Lincoln when he took the same oath.

In the days, years, and generations to come, many voices will speak to the profound symbolism of this gesture on your part. History

will also record whether or not you honored those noble principles held in the heart of Abraham Lincoln; that all of God's children have the right to live, and be free, and to pursue their dreams.

This is one Republican with the sincerest prayer that history will confirm that you did.

May I submit that the surest hope of such a confirmation is for you and the Nation to remember why we built that grand white granite memorial along the Potomac to Mr. Lincoln, and why we revere him so deeply.

We honor Abraham Lincoln most because he found within himself the humanity and courage to transcend the politics and convention of his day, to recognize the child of God in a slave, which both the tide of public opinion and the Dred Scott Supreme Court decision had declared to be a nonperson, and unprotectable by law.

History found Abraham Lincoln a faithful steward of the hope, human dignity, and deliverance of those who bore the image of God in the shame of slavery; and now it waits to witness President Barack Obama's stewardship of the hope, human dignity, and deliverance of those who bear the image of God in unborn silence.

Yes, it is true, Mr. President, that no issue since slavery has divided Democrats and Republicans so deeply as abortion. Yet, the two issues are so profoundly similar. In both cases, the innocent victims were arbitrarily dehumanized in the name of freedom. And yes, it will be easy for you to listen to the voices of those who still today, in the name of freedom, would deprive the innocent of both life and liberty. Certainly, their familiar phrases prevailed for a time in the days of slavery.

However, is it possible that in hindsight, and with the weight of history on your shoulders, that you might find the courage to reject this insidious deception that has crushed so many lives across history, and that relentlessly pursues this nation still?

Mr. Lincoln did. He said, "Those who deny freedom to others deserve it not themselves, and under a just God, cannot long retain it." That is why we love him, and built our memorial to him.

So, as you lay your hand upon his Bible, Mr. President, may I adjure you to listen, in the stillness of your own heart, to the faint cries for mercy from those little souls who now look to you for hope; and to the words printed in red on the pages beneath your hand which will be declared again in eternity's final day;

"Inasmuch as you have done it unto one of the least of these my brethren, you have done it unto me."

Mr. Speaker, I truly and sincerely wished God's best for Barack Obama when he took office, just as I do now. And it gives me no pleasure to lay out what I believe to be the profound failures of Mr. Obama's presidency. However, in a Republic like ours where the people are the final arbiters of our public policy, and where those who would subvert this Republic consistently resort to deception and historical revisionism, an accurate record is vital to our nation's survival and its future generations.

So, alas Mr. Speaker, I am afraid President Obama tragically wasted his precious and historic opportunity. However, this is the true

record of President Barack Obama, and to paraphrase William Wilberforce, "We may choose to look the other way but we can never say again that we did not know."

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NADLER (at the request of Ms. PELOSI) for today on account of funeral in the district.

ADJOURNMENT

Mr. FRANKS of Arizona. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 12, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

149. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a report to Congress titled "Failure of Contractors, Participating Under the Department of Defense Test Program for a Comprehensive Subcontracting Plan, to Meet Their Negotiated Goals", pursuant to 15 U.S.C. 637 note; Public Law 114-92, Sec. 872(d)(2); (129 Stat. 939); to the Committee on Armed Services.

150. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Department of Defense Personnel Security Program Regulation [Docket ID: DOD-2016-OS-0121] (RIN: 0790-AJ55) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

151. A letter from the Regulatory Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Receiverships for Uninsured National Banks [Docket ID: OCC-2016-0017] (RIN: 1557-AE07) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

152. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, Department of Labor, transmitting the Department's Major final rule — Occupational Exposure to Beryllium [Docket No.: OSHA-H005C-2006-0870] (RIN: 1218-AB76) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

153. A letter from the Director, Division of Regulation, Legislation, and Interpretation,

Wage and Hour Division, Department of Labor, transmitting the Department's final rule — Updating Regulations Issued Under the Fair Labor Standards Act, Service Contract Act, Davis-Bacon and Related Acts, Contract Work Hours and Safety Standards Act, the Family and Medical Leave Act, Employee Polygraph Protection Act, and the Migrant and Seasonal Agricultural Worker Protection Act (RIN: 1235-AA17) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

154. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Fiscal Year 2016 Ryan White HIV/AIDS Program Parts A and B Supplemental Report to Congress, pursuant to 42 U.S.C. 300ff-13(e); July 1, 1944, ch. 373, title XXVI, Sec. 2603 (as amended by Public Law 109-415, Sec. 104(e)); (120 Stat. 2776) and 42 U.S.C. 300ff-29a(d); July 1, 1944, ch. 373, title XXVI, Sec. 2620 (as amended by Public Law 109-415, Sec. 205(2)); (120 Stat. 2798); to the Committee on Energy and Commerce.

155. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the 2014-2015 Scientific and Clinical Status of Organ Transplantation Report to Congress, pursuant to Sec. 376 of the Public Health Service Act, as codified in 42 U.S.C. 274d; to the Committee on Energy and Commerce.

156. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Poison Help Campaign Report to Congress for Fiscal Year 2015, in accordance with 42 U.S.C. 300d-72(c)(2), as amended by the Poison Center Network Act, Public Law 113-77; to the Committee on Energy and Commerce.

157. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the "2014-2015 Report to Congress on Organ Donation and the Recovery, Preservation, and Transportation of Organs", pursuant to 42 U.S.C. 274f-4, added by Public Law 108-216, the Organ Donation and Recovery Improvement Act; to the Committee on Energy and Commerce.

158. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

159. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

160. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Burma: Amendment of the Export Administration Regulations Consistent with an Executive Order that Terminated U.S. Government's Sanctions [Docket No.: 161005929-6929-01] (RIN: 0694-AH18) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

161. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a determination authorizing assistance to Syria, pursuant to Sec. 451 of the Foreign Assistance Act of 1961, as amended; ; to the Committee on Foreign Affairs.

162. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-111, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

163. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training FY 2016 Annual Report, pursuant to Public Law 87-256, Sec. 112(f) and (g), as amended, and 22 U.S.C. 2460(f) and (g); to the Committee on Foreign Affairs.

164. A letter from the Director, Office of Government Ethics, transmitting the Annual Financial Report for the U.S. Office of Government Ethics for FY 2016, as submitted to the Office of Management and Budget, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

165. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a semi-annual report to Congress concerning the compliance of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan with the Act's freedom of emigration provisions, pursuant to 19 U.S.C. 2432(b); Public Law 93-618, Sec. 402(b); (88 Stat. 2056) and 19 U.S.C. 2439(b); Public Law 93-618, Sec. 409(b); (88 Stat. 2064); to the Committee on Ways and Means.

166. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a Report to Congress titled "Improving Medicare Post-Acute Care Transformation (IMPACT) Act of 2014 Strategic Plan for Accessing Race and Ethnicity Data", pursuant to 42 U.S.C. 1395111 note; Public Law 113-185, Sec. 2(d)(3); (128 Stat. 1968); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WEBER of Texas (for himself, Mr. KNIGHT, Mr. SMITH of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LUCAS, Mr. LIPINSKI, Mr. CULBERSON, Mr. TONKO, Mr. BRIDENSTINE, Mr. PERLMUTTER, Mr. SCHWEIKERT, Mr. GARAMENDI, Mr. PETERS, Mr. HULTGREN, and Mr. ROHRBACHER):

H.R. 431. A bill to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. DELBENE (for herself, Mr. KIND, Mr. RUPPERSBERGER, and Ms. KUSTER of New Hampshire):

H.R. 432. A bill to amend the Internal Revenue Code of 1986 to expand and modify the credit for employee health insurance expenses of small employers; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina (for himself, Mr. DUNCAN of South Carolina, and Mr. CRAMER):

H.R. 433. A bill to prohibit the Secretary of Energy from planning, developing, or constructing a defense waste repository until the Nuclear Regulatory Commission has made a final decision with respect to the construction authorization application for the Yucca Mountain Nuclear Waste Repository; to the Committee on Energy and Commerce.

By Mr. DENHAM (for himself, Mr. LAMALFA, Mr. NEWHOUSE, Mr. CALVERT, Mr. COSTA, and Mr. GARAMENDI):

H.R. 434. A bill to authorize a pilot project for an innovative water project financing program, and for other purposes; to the Committee on Natural Resources.

By Mr. ELLISON (for himself, Mr. PITTINGER, Mrs. CAROLYN B. MALONEY of New York, Mr. DUFFY, Mr. AL GREEN of Texas, Mr. STIVERS, Mr. MEEKS, Mrs. LOVE, Mr. CAPUANO, Mr. RENACCI, Ms. MOORE, Mr. JONES, Mr. CONYERS, Mr. GRIJALVA, and Ms. SCHAKOWSKY):

H.R. 435. A bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself and Ms. MENG):

H.R. 436. A bill to prioritize the fight against human trafficking within the Department of State according to congressional intent in the Trafficking Victims Protection Act of 2000 without increasing the size of the Federal Government, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BILLIRAKIS (for himself and Mrs. BROOKS of Indiana):

H.R. 437. A bill to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities; to the Committee on Homeland Security.

By Mr. VARGAS (for himself and Mr. HUNTER):

H.R. 438. A bill to direct the Administrator of the Environmental Protection Agency to establish a California New River restoration program to build on, and help coordinate funding for, restoration and protection efforts relating to the New River, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself, Mr. LEWIS of Georgia, Mr. KELLY of Pennsylvania, Mr. KILMER, Mr. BUCHSHON, Mr. BARLETTA, Mr. DIAZ-BALART, Mr. MEEHAN, Mr. COSTELLO of Pennsylvania, Mr. TIBERI, Mr. ROSKAM, Mrs. COMSTOCK, Mr. JOYCE of Ohio, and Mr. REICHERT):

H.R. 439. A bill to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 440. A bill to amend title 18, United States Code, to permit sentencing judges in child sex trafficking cases to order the Attorney General to publicize the name and photograph of the convicted defendants, and for other purposes; to the Committee on the Judiciary.

By Mr. CALVERT (for himself, Mr. ROHRBACHER, Mr. KNIGHT, and Mr. HUNTER):

H.R. 441. A bill to provide for additional security requirements for Syrian and Iraqi refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. EMMER (for himself, Ms. CASITOR of Florida, Mr. BEYER, Mr. SANFORD, Ms. LEE, Mr. POCAN, Mr. AMASH, Mr. CRAWFORD, Mr. MCGOVERN, and Mr. POE of Texas):

H.R. 442. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESJARLAIS (for himself and Mrs. BLACKBURN):

H.R. 443. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. DEUTCH (for himself, Mr. BUCHANAN, and Mr. WELCH):

H.R. 444. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEUTCH (for himself, Mr. QUIGLEY, and Mr. CONNOLLY):

H.R. 445. A bill to establish a gun buyback grant program; to the Committee on the Judiciary.

By Mr. GRIFFITH:

H.R. 446. A bill to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Commerce.

By Mr. GRIFFITH:

H.R. 447. A bill to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Mr. ROHRBACHER, Mr. DOGGETT, Ms. MCSALLY, and Mr. LAMALFA):

H.R. 448. A bill to amend the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures; to the Committee on Ways and Means.

By Mr. JEFFRIES (for himself, Mr. MEEHAN, Mr. GOWDY, Mr. COLLINS of New York, and Mr. BUTTERFIELD):

H.R. 449. A bill to require the Surgeon General of the Public Health Service to submit to Congress a report on the effects on public health of the increased rate of use of synthetic drugs; to the Committee on Energy and Commerce.

By Mr. JONES:

H.R. 450. A bill to amend title 10, United States Code, to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to

the dictates of the chaplain's own conscience; to the Committee on Armed Services.

By Mr. LATTA (for himself, Mr. DUNCAN of Tennessee, Mr. FARENTHOLD, Mr. GOSAR, Mr. JODY B. HICE of Georgia, Mr. JONES, Mr. LONG, Mr. MESSER, and Mr. POE of Texas):

H.R. 451. A bill to amend the Internal Revenue Code of 1986 to repeal the estate tax and retain stepped-up basis at death; to the Committee on Ways and Means.

By Mr. LUETKEMEYER (for himself, Mr. CLAY, Mrs. WAGNER, Mrs. HARTZLER, Mr. CLEAVER, Mr. GRAVES of Missouri, Mr. LONG, Mr. SMITH of Missouri, and Mr. SESSIONS):

H.R. 452. A bill to designate the facility of the United States Postal Service located at 324 West Saint Louis Street in Pacific, Missouri, as the "Specialist Jeffrey L. White, Jr. Post Office"; to the Committee on Oversight and Government Reform.

By Mr. PETERSON (for himself, Mr. GOODLATTE, Mr. SMITH of Missouri, Mr. LONG, Mr. LEWIS of Minnesota, Mr. EMMER, Mr. SENSENBRENNER, and Mr. KIND):

H.R. 453. A bill to deem the Step 2 compliance date for standards of performance for new residential wood heaters, new residential hydronic heaters, and forced-air furnaces to be May 15, 2023; to the Committee on Energy and Commerce.

By Mr. ROSS:

H.R. 454. A bill to amend the Illegal Immigration and Immigrant Responsibility Act of 1996 to direct the Secretary of Homeland Security to complete the required 700-mile southwest border fencing by December 31, 2017, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Mississippi:

H.R. 455. A bill to designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Ms. TITUS (for herself, Mr. KIHUEN, and Ms. ROSEN):

H.R. 456. A bill to require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository; to the Committee on Energy and Commerce.

By Ms. TITUS:

H.R. 457. A bill to amend title 38, United States Code, to improve the appeals process of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. TROTT (for himself and Mrs. DINGELL):

H.R. 458. A bill to require the Secretary of Transportation to conduct a study on the economic and environmental risks to the Great Lakes of spills or leaks of oil, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself, Ms. GABBARD, Mr. SENSENBRENNER, Mrs. MIMI WALTERS of California, Mrs. COMSTOCK, Mrs. BEATTY, Mr. MEEHAN, Mr. DESANTIS, Mr. PAULSEN, Mrs. BROOKS of Indiana, Mrs. NOEM, Mr. KNIGHT, Mrs. BLACK, Mr. YOHO, Mr. CRAMER, Ms. MOORE, Mr. FARENTHOLD, Mr. JOYCE of Ohio, Ms.

STEFANIK, Mr. YOUNG of Iowa, Mrs. HARTZLER, Mr. COSTELLO of Pennsylvania, Ms. TITUS, and Mr. ROYCE of California):

H.R. 459. A bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking; to the Committee on the Judiciary.

By Mr. YOUNG of Iowa (for himself, Mr. WELCH, Mr. LOESACK, Mr. DUFFY, Mr. STEWART, Mr. POCAN, Mr. LATTA, Mr. KIND, Mr. NOLAN, Mrs. NOEM, and Mr. CRAMER):

H.R. 460. A bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications; to the Committee on Energy and Commerce.

By Mr. HIMES (for himself, Mr. LOWENTHAL, Ms. LOFGREN, Mr. FOSTER, Mr. POCAN, Ms. SPEIER, Ms. NORTON, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. DELAURO, Ms. SLAUGHTER, Mr. KILMER, Ms. JUDY CHU of California, and Mr. MCGOVERN):

H. Res. 44. A resolution expressing support for designation of February 12, 2017, as "Darwin Day" and recognizing the importance of science in the betterment of humanity; to the Committee on Science, Space, and Technology.

By Mr. CROWLEY:

H. Res. 45. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

2. The SPEAKER presented a memorial of the Senate of the Commonwealth of Puerto Rico, relative to Senate Resolution 1449, to urge the President of the United States, Barack Obama, to grant a Presidential pardon to Oscar Lopez-Rivera; to the Committee on the Judiciary.

3. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to a Resolution, memorializing Congress to consider the Bridge Act and protect eligible young undocumented immigrants who reside in the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. UPTON introduced a bill (H.R. 461) for the relief of Ibrahim Parlak; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WEBER of Texas:

H.R. 431.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. DELBENE:

H.R. 432.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. WILSON of South Carolina:

H.R. 433.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. DENHAM:

H.R. 434.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States), Clause 3 (relating to regulating commerce with foreign nations, and among the several states, and with the Indian tribes) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. ELLISON:

H.R. 435.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. SMITH of New Jersey:

H.R. 436.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18, as this bill better equips the Executive Branch to properly carry out the powers vested in it by the Constitution, as well as ensures that Congress is accurately informed of a foreign nations' trafficking record and tier ranking when Congress considers regulation of commerce with foreign nations.

By Mr. BILIRAKIS:

H.R. 437.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make "all Laws which shall be necessary and proper" for carrying out the constitutional powers vested in the Government of the United States.

By Mr. VARGAS:

H.R. 438.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article I, Section 8, Clause 3:

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. RENACCI:

H.R. 439.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 440.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution which states that Congress has the power "to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CALVERT:

H.R. 441.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is Section 8 of Article I of the Constitution, specifically Clauses 1 (relating to providing for the general welfare of the United States) and 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) of such section.

OR

The constitutional authority of Congress to enact this legislation is Article I, Section 8, Clause 1 and Clause 18.

By Mr. EMMER:

H.R. 442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 to regulate Commerce with Foreign Nations

By Mr. DESJARLAIS:

H.R. 443.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the U.S. Constitution: The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States

By Mr. DEUTCH:

H.R. 444.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. DEUTCH:

H.R. 445.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. GRIFFITH:

H.R. 446.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GRIFFITH:

H.R. 447.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HUFFMAN:

H.R. 448.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution, which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

By Mr. JEFFRIES:

H.R. 449.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution ("Congress shall have the power . . . To make all Laws which shall be necessary and proper for carrying into Execution . . . all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof).

By Mr. JONES:

H.R. 450.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. LATTA:

H.R. 451.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LUETKEMEYER:

H.R. 452.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7, "The Congress shall have Power to . . . establish Post Offices and Post Roads . . ." " In the Constitution, the power possessed by Congress embraces the regulation of the Postal System in the country. Therefore, the proposed legislation in naming a post office would fall under the powers granted to Congress in the Constitution.

By Mr. PETERSON:

H.R. 453.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution.

By Mr. ROSS:

H.R. 454.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clause 1

By Mr. THOMPSON of Mississippi:

H.R. 455.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have Power to dispose of and make all needful Rules and

Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. TITUS:

H.R. 456.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8, clause 3

By Ms. TITUS:

H.R. 457.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mr. TROTT:

H.R. 458.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. WAGNER:

H.R. 459.

Congress has the power to enact this legislation pursuant to the following:

Amendment XIII which authorizes Congress to make laws enforcing the extension of civil rights and universal freedom to victims of slavery.

Clause 18 of section 8 of article I of the Constitution which states that Congress has the power "To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. YOUNG of Iowa:

H.R. 460.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. UPTON:

H.R. 461.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 4 of the Constitution provides that Congress shall have power to "establish a uniform rule of Naturalization".

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 23: Mr. COSTA.

H.R. 38: Mr. ROKITA, Mr. MARSHALL, Mr. BANKS of Indiana, Mr. RENACCI, and Mr. HULTGREN.

H.R. 41: Mr. KELLY of Mississippi.

H.R. 60: Mr. YOUNG of Iowa, Mr. CAPUANO, Mr. PASCARELL, Mr. BERA, Mr. SIRES, Mr. RUIZ, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PETERS, Mr. FASO, Mr. MACARTHUR, and Mr. MCKINLEY.

H.R. 80: Mr. WEBER of Texas, Mr. DUNCAN of South Carolina, Mr. JODY B. HICE of Georgia, Mr. BACON, Mr. PITTENGER, Mr. POLIQUIN, Mr. CARTER of Texas, Mr. AMODEI, Mr. CULBERSON, Mr. COMER, and Mr. KELLY of Mississippi.

H.R. 81: Mr. GARRETT.

H.R. 113: Ms. SCHAKOWSKY, Mr. ROYCE of California, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 160: Mr. RYAN of Ohio, Mr. SOTO, Ms. PINGREE, and Mr. TIPTON.

H.R. 162: Mr. ENGEL and Mr. GRIJALVA.

- H.R. 164: Ms. LEE.
 H.R. 165: Ms. NORTON and Mr. SOTO.
 H.R. 166: Ms. WILSON of Florida.
 H.R. 167: Ms. WILSON of Florida.
 H.R. 168: Mr. AL GREEN of Texas.
 H.R. 172: Mr. HUDSON.
 H.R. 174: Mr. LAMALFA and Mr. JODY B. HICE of Georgia.
 H.R. 184: Mr. ELLISON, Mr. MITCHELL, and Mrs. RADEWAGEN.
 H.R. 199: Mrs. DAVIS of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SOTO, Mr. VELA, Mr. GONZALEZ of Texas, and Mr. GALLEGRO.
 H.R. 241: Mr. JONES.
 H.R. 244: Mr. NUNES, Mr. CÁRDENAS, Mr. KNIGHT, and Mr. JONES.
 H.R. 247: Mr. HUIZENGA and Mr. HURD.
 H.R. 253: Mr. MEEHAN.
 H.R. 257: Mr. LAMBORN.
 H.R. 263: Mr. MOOLENAAR, Mr. DUNCAN of South Carolina, and Mr. CULBERSON.
 H.R. 329: Ms. NORTON.
 H.R. 338: Mr. GENE GREEN of Texas.
 H.R. 350: Mr. BUCK, Mr. KELLY of Pennsylvania, Mr. KELLY of Mississippi, Mr. WENSTRUP, Mrs. BLACK, Ms. SINEMA, Mr. COHEN, Mr. TIPTON, Mr. HURD, Mr. VALADAO, Mr. JOYCE of Ohio, and Mr. BABIN.
 H.R. 351: Mr. AUSTIN SCOTT of Georgia and Ms. CASTOR of Florida.
 H.R. 354: Mr. GOWDY, Mr. CHAFFETZ, Mr. FRANCIS ROONEY of Florida, Mr. RODNEY DAVIS of Illinois, and Mr. HIGGINS of Louisiana.
 H.R. 358: Mr. JENKINS of West Virginia.
 H.R. 361: Mr. SMITH of Texas, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. BROOKS of Alabama, Mr. BARLETTA, Mr. JONES, Mr. FARENTHOLD, and Mr. LAMALFA.
 H.R. 371: Miss RICE of New York, Mr. SCHRADER, and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 394: Mr. MEEHAN.
 H.R. 400: Mr. ROUZER, Mr. FERGUSON, and Mr. RUSSELL.
 H.R. 406: Ms. GABBARD.
 H.R. 407: Mr. RUSSELL.
 H.R. 422: Mr. BISHOP of Michigan and Mr. BUCK.
 H.R. 429: Mr. BIGGS, Mr. PEARCE, and Mrs. COMSTOCK.
 H. Con. Res. 4: Ms. MOORE, Mr. MEEKS, Ms. CLARKE of New York, Ms. WASSERMAN SCHULTZ, and Mr. GRIJALVA.
 H. Con. Res. 8: Mr. WENSTRUP, Mr. CHAFFETZ and Mr. KATKO.
 H. Res. 30: Mr. MEEHAN, Mr. CALVERT, Mr. TONKO, Mr. RUPPERSBERGER, Mrs. DINGELL, Mrs. TORRES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NORCROSS, Mr. VELA, and Mr. GONZALEZ of Texas.
 H. Res. 31: Ms. DELBENE, Mr. SERRANO, Mr. SEAN PATRICK MALONEY of New York, Mr. LOBIONDO, and Mr. JENKINS of West Virginia.

SENATE—Wednesday, January 11, 2017

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, our Counselor and Guide, give us the faith to believe in the ultimate triumph of truth and righteousness. Today, teach our lawmakers to do things Your way, embracing Your precepts and walking in Your path. Remind them that the narrow and difficult road eventually leads to abundant living. As You teach them to live abundantly, replace their fears with faith, their confusion with clarity, and their discouragement with optimism. Lord, remind them that no weapon formed against them will be able to prosper. Give them a strong faith in the efficacy of prayer, as they continue to commune with You throughout this day. May Your heavenly peace, which transcends human understanding, guard their hearts and minds today and always.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

OBAMACARE

Mr. MCCONNELL. Madam President, when ObamaCare's supporters forced their partisan law on our country, they promised an easy-to-use system—one that would lower premiums and out-of-pocket health care costs, one that would foster choice and allow families to keep the plans and doctors they liked.

But it didn't take long for the American people to discover the truth about ObamaCare. Too many have been personally hurt by this law. Too many feel they are worse off than they were before ObamaCare. Listening to their stories helps to explain why they might feel this way.

For instance, too many Americans say their ObamaCare plans are too ex-

pensive to actually use. Too many say their ObamaCare premiums have gone up and up, although their options have diminished. Too many say their choices on ObamaCare have deteriorated to just one or two insurers.

These are some of the realities of ObamaCare for too many families in Kentucky and across the country. These are some inconvenient realities that those who continue to defend this failed law must finally face up to. Remember, even former President Clinton called ObamaCare "the craziest thing in the world." This was Bill Clinton on ObamaCare.

So it is little wonder that 8 in 10 favor changing ObamaCare significantly or replacing it altogether. We must act quickly to bring relief to the American people. I hope Democrats will work with us as we take the next steps toward repealing and replacing this failing law.

Tonight, Senators from both parties will have an important opportunity to take a vote on the legislative tools necessary to repeal ObamaCare. Then we can send it to the House and begin taking the next steps to finally move away from ObamaCare, while we move ahead with smarter health care policies. This is what the American people have called for us to do. It is the best way forward for our country and the people we represent.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

RUSSIA

Mr. SCHUMER. Madam President, I rise today to speak on a matter of great importance to the foreign policy of this country: our relationship with Russia and the efficacy of international sanctions to achieve our international security goals.

The reports of the past 24 hours are extremely troubling. But one thing we now all agree on is that Russia is behind the hacking of our election, as even the President-elect has now just said. This makes it even more impor-

tant that we not only keep the existing sanctions in place but that we institute a new, tough sanctions regime in response so Russia can't get away with what they did and other countries will know as well that they will suffer penalty if they try to interfere with our elections.

Unfortunately, this morning's Cabinet hearing on Mr. Tillerson's nomination is a very troubling sign of things to come. In one breath, Mr. Tillerson said that the invasion of Crimea is a violation of international law, and in the next, amazingly enough, he declined to commit to maintaining the existing sanctions regime against Russia. He said he wants to get classified briefings first and then consult with the President-elect. But I remind the country, as my friend the Senator from Florida, Mr. RUBIO, from across the aisle, did, that these sanctions are a result of past crimes.

We don't need a classified briefing to know what Russia has done in the past. To duck the question and to refuse to commit to continuing these sanctions is tantamount to sweeping Russia's flouting of international laws under the rug. It sort of says: Go ahead, interfere in our elections again; nothing will happen to you. It says the same to China and Iran or to any other country that might try to hack.

Secretary Nominee Tillerson has also not committed to new sanctions. Just yesterday, a bipartisan group of Senators, including the Senators from South Carolina, Maryland, Florida, California, Nebraska, introduced a tough, new sanctions-on-Russia bill for their interference in our elections. I support this effort. I believe the Senate should act soon upon it. I am very concerned that thus far the President-elect, Mr. Tillerson, and Senator SESSIONS have not endorsed these tough new sanctions.

The Senator from Florida—not from my party—also pressed Mr. Tillerson on a series of war crimes committed by the Assad regime and the Russian military in Syria. These crimes have been reported in the press and detailed extensively by people on the ground and discussed at length by my friend, the Republican Senator from Arizona, Mr. MCCAIN. Mr. Tillerson will not even acknowledge these violations of human rights and war crimes.

Finally, I am very concerned that despite the fact that we have registered lobbying disclosures from ExxonMobil itself, documenting their involvement in lobbying against Iran sanctions, Mr. Tillerson said this morning that Exxon did not lobby on sanctions, to his knowledge.

This comes on top of recent reports that Exxon avoided Iran's sanctions by dealing with Iran and other state sponsors of terrorism through a European subsidiary. This, too, is very concerning. It raises real questions as to whether the President-elect and his Cabinet are prepared to stand up to Putin, stand up to Iran, and represent the interests of the American people and defend our democratic allies around the world.

My friends on the other side of the aisle have nearly universally criticized this President, Mr. Obama, for his policy on Syria and for not being tough enough on Vladimir Putin. Republicans have always called themselves the party of Reagan. I don't need to remind any of them of his famous speech in West Berlin. Now, it seems, this fundamental tenet of Republican foreign policy, and indeed our national policy for the last few decades, is eroding before our very eyes. Now, it seems, the President-elect and his Cabinet may never address the international security policy challenges posed by Russia and state sponsors of terrorism like Iran and Syria. If Mr. Tillerson cannot even say that he will support the existing sanctions, what kind of Secretary of State will he be? I am worried.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. Con. Res. 3, which the clerk will report.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

The PRESIDING OFFICER. Under the previous order, 3 hours of debate remain on the resolution for the majority and 3 hours of debate remain on the resolution for the minority.

Mr. SCHUMER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TOOMEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO CHRISTOPHER GAHAN

Mr. TOOMEY. Madam President, I rise this afternoon to bid a very fond farewell to a man whom I have come to like very much and respect enormously. He is Christopher Gahan. He has been my chief of staff for 6 years. After 6 years of extraordinary service, he has decided that he is going to move on to the private sector. I want to say a few words about Christopher's background and his contribution to my office, to our country, and the people of Pennsylvania.

Christopher is actually from New Hampshire. He is a native of Rye Beach. After growing up in New Hampshire, he earned his degree in biology at Brown University and then went on to get a law degree from Harvard. I can assure everyone he has recovered from his educational experience to a very extensive degree.

He went into law and practiced at the law firm of Latham & Watkins in Los Angeles and Washington. He had a very successful time there, but he decided he wanted to come to Washington and work in government and, specifically, work on the Hill. He went to work for Judd Gregg, Senator Gregg from New Hampshire, and Christopher Gahan, I understand, had almost every job that a Senate office has. He started at the very beginning, but because of his enormous talents and his ability and hard work, he relatively quickly rose and became chief of staff for Senator Gregg.

When I was elected to the Senate in 2010, I got a call within a matter of weeks from Christopher, and he said he wanted to come and meet with me and discuss the fact that I needed a chief of staff. He drove up to Allentown. We had lunch, and I decided almost immediately that this guy would probably do a great job. He clearly had the attributes that I was looking for.

I should also point out some of the things that are perhaps not as widely known about Christopher outside of my office. One is that he is a tremendous athlete. He has been for a long time. When he was in college, he was on the varsity men's water polo team. He was cocaptain at Brown, he was All-Ivy League, and to this day, he gets up at 4 or 5 o'clock every morning and usually goes for a run. He occasionally bangs out a marathon and thinks nothing of it. He has quite a diverse range of talents.

He also has a very peculiar taste in certain things. He loves all things related to cats, except the animals themselves. I don't understand that. Maybe it is an allergy; I am not sure exactly what it is. If you look at his desk area, he has funny photos of cats, little por-

celain cats, little masks of cats, and a calendar of cats. He loves all things cats, except the animals themselves. It is quite remarkable.

Having said all of that about his background, what I really want to say is how fortunate Pennsylvania and I have been to have Christopher Gahan serving in this capacity. As I said, from the day that I had lunch with Christopher, I knew he could do a great job. I knew he had that ability. I had very high expectations for what he could do, and he has exceeded those expectations every day. It has really been quite amazing. He is a very intelligent man, but more importantly, he has great judgment and a great ability to work with people.

The role he has played in my office has been absolutely tremendous. For example, he is very knowledgeable about a number of issue areas, but he always understood that his role was to help the legislative assistants who had responsibilities for those areas. Christopher's role was to make sure that they were able to do the work they were assigned to do and to really shine and get a chance to excel and to grow personally. While he could have inserted himself in that dynamic, he never did. He always chose to empower the people who worked under him, and he created an environment where people loved to come to work every day. They loved to work hard. They wanted to do well for a lot of reasons, not the least of which is they wanted to continue to earn the respect of Christopher Gahan.

Needless to say, he is extremely well liked, both within the office and on the Hill. I know how often other chiefs, other Members, people who come to us with concerns from Pennsylvania—they have praised his even-handed, very thoughtful, very hard-working approach. He has truly enabled us to have a very successful office for these last 6 years, and I am very grateful to him.

He is moving on to the private sector, and I understand that. He has served me and my office, our State and our country very well. He deserves the change that he has embraced, and I think he is going to do very well. I am sure he will, and I wish him every success. My only insistence is that he stay in touch because he has become a very good friend and he is just a great source of advice.

Lastly, he is a great patriot. He loves this country. He has served it well, and we are going to miss him.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, apparently a number of our colleagues here are having second thoughts about the strategy on the floor. We have before us a budget resolution. It is setting the stage for a budget process called reconciliation. To put it in layman's terms, we are going to be moving from this budget resolution vote to a vote at a time to be announced later, possibly in the next 2 weeks, to repeal ObamaCare.

There has been a lot of speculation about what the impact will be if we don't replace the Affordable Care Act, or ObamaCare, with something very quickly—for obvious reasons. We have seen 30 million Americans who now have health insurance because of the creation of the Affordable Care Act.

We have changed health insurance policies across the United States so that if you have someone in your family with a preexisting condition, you can't be discriminated against when you buy insurance.

Back in the old days, before ObamaCare became the law of the land, health insurance companies could just refuse to insure your family or charge you a premium that was beyond reach. We also eliminated the caps that were built in—the limits that were built into these health insurance policies. People were buying policies which covered up to \$100,000 in expenses. Then, God forbid, there is a diagnosis of cancer or some serious illness, and \$100,000 evaporates over a weekend.

So those limits are no longer allowed in health insurance policies. We said women should be treated the same as men when it comes to premiums. We also went on to say that, when it comes to these health insurance companies, they have to be focused on keeping premium costs in control, and they have to justify any profits that go way beyond the reasonable.

Then we said: If you are a mother or father with a son or daughter coming out of college and they are looking for a job, they are doing an internship, and they don't have health insurance, they can stay on your family policy until age 26.

That is pretty important for a lot of families. My family has been through that with our kids. To know and have peace of mind that your daughter or son can continue to be covered by your family plan—these things are all built into the Affordable Care Act. Now, simply repealing that, even saying it will happen at a later date, throws into question, if not chaos, our health care system in America.

A lot of people are finally thinking about that. It is not just a protest vote about a President who is going to be leaving office in 9 days. It is a life-and-death decision for health care for millions of Americans. Now many of my colleagues on the other side of the aisle are starting to wake up to that reality.

Senator COTTON of Arkansas said: "It would not be the right path for us to repeal ObamaCare without laying out a path forward."

Yesterday, House Speaker PAUL RYAN said that Republicans want to repeal ObamaCare "concurrently" with a replacement—"concurrently."

Senator LAMAR ALEXANDER, my friend and colleague from Tennessee, who chairs the Health, Education, Labor, and Pensions Committee, responded by saying: "To me, 'simultaneously' and 'concurrently' mean ObamaCare should be finally repealed only when there are concrete, practical reforms in place that give Americans access to truly affordable health care"—Senator ALEXANDER.

Newt Gingrich, the former Republican Speaker of the House, said: "I don't think Republicans want to leave 23 million people out there worried that they are going to lose their insurance."

So you go through the long list of Republican dissenters to this notion of repeal and we will get back to you later: Senators CORKER, PORTMAN, COLLINS, CASSIDY, MURKOWSKI. They have come up with an amendment to this budget resolution, and they have said: Let's postpone this whole effort until we have had time to put some work into it and come up with an alternative to answer some of the basic questions about what a new version of the Affordable Care Act would look like.

But the problem with that approach is that they have had 7 years—7 years—to prepare something, and they have nothing. So what are we going to do in the meantime?

We did the responsible thing, I hope. Let's find a way to make the Affordable Care Act even stronger, better, fairer. Sign me up. Make it a bipartisan effort. Don't repeal it. Sit down and rewrite it in a way that is fair and makes it stronger and better.

The basic things we want to make sure of are that people can have the same basic protection if they wish it in health insurance. Ensure that no one loses their current benefits, whether it is maternity care, mental health care, or substance abuse treatment, which is now required to be covered by health insurance plans. Ensure that no one's premiums or out-of-pocket expenses get out of line. Protect people with preexisting conditions and don't just simply shift the cost to States—my State included—that could not afford to take this on. Keep drug prices down for seniors.

You see, that is a part I did not mention. Medicare is affected by the Affordable Care Act. Under Medicare, the 60 million Americans under Medicare used to have something called a doughnut hole. It was an odd invention when this bill was written into law. It said that Medicare for seniors would cover the front end of their prescription

costs, if they are high, and, then, they have to take the middle part out of their savings, and, then, late in the year, Medicare kicked back in.

It was costing seniors \$1,000, \$2,000 a year. We eliminated it with the Affordable Care Act. Now, if you repeal that, what happens to seniors and their prescription drug costs? Those are legitimate questions which need to be answered before we go blindly into repealing the Affordable Care Act.

Let's work together—Democrats and Republicans—to make this a better law. I have said it before and I will say it again. The only perfect law that I am aware of was carried down a mountain by "Senator Moses" on clay tablets. The rest of the efforts that we put into this are always subject to review, amendment, and improvement. The Affordable Care Act I would put in that category.

If there is a good-faith effort on the Republican side to join with Democrats, I want to be part of it. I also want to salute my colleague, Senator DEBBIE STABENOW, who will be on the floor in a couple of hours to talk about the mental health protections and substance abuse treatment protections in the Affordable Care Act. We used to have this debate on the Senate floor about whether health insurance policies should cover mental illness. We debated that. For the longest time, they did not. People with those problems and challenges have long-term care, in some cases.

But because of the bipartisan effort of Mr. Paul Wellstone, the late Senator from Minnesota, and Mr. Pete Domenici, the retired Senator from New Mexico—Democrat and Republican—we have included it in there. Senator STABENOW wants to make sure that whatever we write in the future is going to cover mental illness and substance abuse treatment.

Facing mental illness challenges across America, facing an opioid and heroin epidemic, we can do no less. Let me tell you a story about Lori Myers in Freeport, IL. She sent me a letter. Here is what she said:

I am writing to ask you to fight to preserve the ACA . . . it has literally saved our daughter Brienne.

Brienne has been insured through the ACA since its inception. . . . She has multiple health concerns and her prescriptions are insanely expensive without insurance.

Lori writes:

It is imperative that she continue to have health coverage in order to remain a functioning and productive adult. . . . She has excellent policies purchased through the Marketplace—with BlueCross BlueShield, and she receives a subsidy to assist with cost.

The increase in premium this year was offset by an increase in the subsidy. She is actually paying \$20-\$30 less for her policy this year than she did last year for basically the same coverage.

Ms. Myers says:

The election of our incoming President and the Republican-controlled Congress has our family in a panic mode. Paul Ryan and company want to take away programs that are assisting people: like Social Security, Medicare, Medicaid, and healthcare.

She makes this final plea:

I am asking you, as our elected official, to stand strong against any attempt to dismantle the Affordable Care Act and these other extremely vital programs.

What does it mean for seniors—the Affordable Care Act?

Well, the first thing it did was to start to contain the growth in health care costs. That had a dramatic impact on Medicare and its future. Because of the Affordable Care Act and the changes it includes, which give to seniors, for example, free preventive health exams and that sort of thing, and because of prescription drugs now being covered so it does not come out of pocket for many seniors—because of these changes and others—Medicare is now financially solvent through 2028.

ObamaCare, or the Affordable Care Act, added 10 years of solvency to Medicare. That is critically important. What happens when they repeal it? Because we slowed the pace of Medicare costs, seniors are now paying \$700 less each year in premiums and cost sharing, on average. Premiums are down, and Medicare solvency is up. We want to repeal that?

Our health care system now prohibits insurers from charging seniors much higher premiums simply because of age. Seniors were often charged five times what younger people paid for health insurance—banned by the Affordable Care Act. ObamaCare, as I mentioned earlier, closed this doughnut hole, saving 11 million seniors an average of \$2,127 on their prescription drugs. They want to repeal that?

Thanks to ObamaCare, more than 30 States have expanded their Medicaid Program. People often forget that the vast majority of money spent on Medicaid is for seniors who are in an institutional or at-home-by-themselves setting. So when you cut Medicaid—and people say that it must be the poor unemployed; it is—but the largest amount of money is going to seniors—mothers and fathers, grandmothers and grandfathers.

The Affordable Care Act has been good for kids across America. Between 2013 and 2015 we saw the largest decline of children uninsured in our Nation's modern history. Today, more than 95 percent of kids in America are insured. We ought to be proud of that. In Illinois, there is a 40-percent decline in the number of children uninsured. Under our current health care system, children can now stay on their parents' plans till age 26, as I mentioned.

The number of young adults ages 19 to 25 without health insurance has declined by over 50 percent since we passed this bill. In Illinois, more than 90,000 young people have signed up.

Today, insurance companies are required to cover important health care for children free of charge—vaccinations, vision checks, lead poison screening. Of course, we ended the pre-existing condition provisions. The Republicans want to repeal this. What will they replace that with to protect children and seniors?

When it comes to women, because of ObamaCare, the uninsured rate for adult women in America has declined by 44 percent. Today, women can no longer be charged more than men simply because of their gender. Our health care system now prohibits insurers from discriminating based on pre-existing conditions. There was a time, literally, when health insurance companies said being a woman is a pre-existing condition. We are going to charge you more.

Our health care system now ensures that women can get free preventive health services. Before ObamaCare, 62 percent of individual health plans did not cover maternity or newborn care. Today, it is a requirement.

So when you talk about cutting the cost of health insurance and that we will just take off some of these benefits, understand what you are doing. If you take the basic maternity care out of a health insurance plan, and it is not included and it is needed, that family is going to have to bear that expense.

If they can't pay the bill—some won't be able to—who is going to pay for it? The hospital will deliver the baby and send the mother and baby home happy and healthy, I hope. But the cost will be passed on to everyone else who shows up at that hospital with a health insurance plan. That was the old days. Do the Republicans want to return to that?

In the area of behavioral health, as I mentioned earlier, thanks to ObamaCare, health insurance plans now cover mental health and substance abuse disorders. The law extended protections under the Mental Health Parity and Addiction Equity Act to 60 million Americans in private health plans. This means that insurers can no longer discriminate against individuals with mental illness or addiction.

Our health care system now prohibits insurers from discriminating based on preexisting conditions, including the 44 million Americans with some history of mental illness and 20 million with a substance abuse disorder.

When you repeal this, as the Republicans plan on doing, what will they replace it with? What will they say to the families who have someone with a mental illness or someone suffering from a drug addiction?

Substance abuse and mental health disorders often present in young adulthood, and that is why the provision that families can keep their kids on their plan is at the right time and the right place for many young people.

There is a long list of things that were done by the Affordable Care Act. It is one thing to campaign and say: We will repeal it. People cheer. And then you ask yourselves: What are you going to say, as some of the Republican leaders have said, to the people who are going to lose this coverage, to the people who want their guarantees built into their health insurance plans?

I can still remember—and I will bet many watching this debate can too—the bad old days when you called up that adjuster for the health insurance plan that you owned and wondered how long you were going to sit on hold for the person on the other end and if the person on the other end would even be able to comprehend what you were asking.

These sorts of things don't need to be returned as evidence that we are making progress. If we go back to those bad old days, it is a step in the wrong direction for millions of Americans.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I am not going to get into a lot of the things that Senator DURBIN got into about increasing the lifespan of Medicare or issues that revolve around folks who get charged more just because they are a woman. But I do want to approach this health care debate from a standpoint of how it is going to impact rural America because it is going to impact rural America in a huge way.

Before I start my prepared remarks, I just want to say something. For the last 6 years, I have listened to folks stand on this floor and talk about repealing health care, repealing health care, repealing health care. Now the folks on the other side of the aisle can do it if they want. But for the last 6 years, I have never seen a plan to replace the Affordable Care Act, and I still haven't seen a plan. I am going to tell you that if we repeal this bill without a plan to replace it, we will have big, big problems in this country. And if we repeal this bill without a plan that increases accessibility and affordability across this Nation in urban and rural and frontier areas, we will have big, big problems.

I have been visiting for the last—well, it has been over a year but, more specifically, since the election, with folks across rural America on the impacts of repealing this health care bill. These are folks who work to feed our country, farmers and ranchers. These are folks who work with their hands to manufacture products that have that "Made in the USA" stamp on it. These are folks who teach our children, who help keep our families safe, who operate retail businesses on Main Street. These folks, in my opinion, are the backbone of this country.

I am proud to be a product of that rural America, hailing from a town

with a population today of about 600 people, so I am not here talking about what is going on in Chicago or L.A. or New York or any of the other big cities. I am going to talk to you about communities where you know your neighbor; communities where you are driving down the street, and you see that pickup, and you know who is in that pickup; folks who, when you go down to the local grocery store, you know their first name. These are towns where often the hospital is the largest employer and it is the only source of health care, that foundation that keeps families healthy.

I am here to talk to you about how this Affordable Care Act has been so important to those families in rural areas in States like mine. By the way, all of Montana is rural.

Today, more Montanans have health insurance than ever before. That is undeniable. Folks are no longer denied coverage by insurance companies because they have preexisting conditions like diabetes nor are they forced to pay higher premiums because they have common ailments like high blood pressure. Children are able to stay on their parents' insurance policies for a time until they finish their college career or launch lives of their own. Folks who have life-threatening diseases like cancer can now finish the treatments without hitting an arbitrary cap and being kicked off their insurance plan. Now they are required to be able to stay on it. And seniors can get out of the prescription drug doughnut hole faster, which was costing them millions of dollars each and every year. In fact, since the ACA was signed into law, Montana seniors alone have saved \$56 million in prescription drug costs and there is enough money in the bank, as I said in my opening, to keep Medicare above water through 2028.

These reforms have made incredible impacts on people in rural America. But don't just take my word for it; listen to everyday Montanans. I have been traveling across that State, hearing their stories, hearing their struggles, hearing their successes.

Just this weekend, a man stood up at a public forum I was hosting in Missoula and talked about how the ACA saved his life. He told me that he had a heart attack the previous week. He was home and started having some chest pains. He picked up the phone, called his doctor—a doctor who he had, thanks to the insurance he received under the ACA.

Luckily, he survived his heart attack, was able to get the treatment he needed, and was able to come to my roundtable that I had in Missoula. He told me: I know myself, if I did not have insurance, and I could not afford to get it without the ACA, I would not have called the doctor, and I would have died. As pointedly as that, he would have died.

I have traveled around Montana. I have found that this story is not unique. I can take you to a coffee shop in Havre—population 8 to 10,000—where seniors have told me that they no longer have to choose between prescription drugs and heating their homes.

I can take you to the grocery store in Great Falls, where a man came up to me and said: "I finally have peace of mind that I won't lose my home if I get sick."

Or I can introduce you to my best friend growing up in Big Sandy, who now lives in Seattle, who no longer can be denied coverage due to the fact that he has diabetes, a preexisting condition.

These are real success stories and real-life impacts across Montana and across this country. But rather than build on the successes of the ACA and fix the problems with the ACA, there are folks in this body who want a full-scale repeal, ignoring any of the progress that we have made.

They want to go back to the old health care system. And here is what that would look like in Montana: 152,000 Montanans with preexisting conditions will be at risk of losing their health care plans; 61,000 Montanans enrolled in Medicaid—just in the last year because that is when the Medicaid expansion actually went into effect—will lose their health care coverage. Montana seniors will lose help paying for their prescription drugs. Insurers will be allowed to subject every Montanan to lifetime and annual caps on their coverage. And women will lose important protections that prevent them from being charged more for coverage than men.

It doesn't stop there, folks. Their plan to repeal health care coverage without presenting a replacement doesn't just impact families. It will wreak damage on our rural hospitals and clinics too.

I will tell you that if we lose these hospitals and clinics—and we all know how rural America is drying up—it is another nail in the coffin of rural America. Folks will not be able to live there if they are over the age of 50 because they will have no access to health care.

The Affordable Care Act has provided rural hospitals and clinics a level of certainty that, quite frankly, they have never had before. Every day in rural communities, folks rely on their local hospitals and clinics for everything from basic checkups to emergency treatments. I know. And as folks age, they have the peace of mind to know that they can visit their hometown provider without being forced to travel long distances.

But if folks in Congress take us back to the old health care system, they put these local hospitals and clinics at extreme risk.

Take Mineral County in Superior, MT. The county is home to just over 4,000 people—not a lot by national standards but a lot by Montana standards—nurses, schoolteachers, construction workers, all folks who want reliable access to affordable care. According to the Mineral County Hospital CEO, a repeal of the ACA would mean a real loss to that community. The hospital would be probably shutting its doors.

Without a hospital in that community, folks would be forced to travel over 100 miles to deliver their baby or take an expensive air ambulance ride, which is a whole other problem, for emergencies that come down the pike, like a broken arm. And if I am a new parent or senior, I will not be taking that risk. I am going to be moving closer to a hospital. But there are a lot of folks who can't afford to leave their homes—in some cases, homesteads, where their families have lived for generations—to move somewhere closer to medical care.

I can tell you that in my small community, there are a lot of folks, who, when they hit age 65, have to move to a bigger town to be able to have access to the kind of specialty care they need. You can move that age down to age 50 if we lose these hospitals in these rural areas. These rural hospitals not only keep patients alive; they keep communities alive too. A repeal of the ACA—I am told by the hospitals—would kill those rural hospitals which, as I said before, would be another nail in the coffin of rural America.

Let's take, for example, the Billings Clinic, which is Montana's largest health care provider. They are responsible for innovating and providing critical resources to rural areas through things like telemedicine. But the Billings Clinic will not be able to make this large-scale impact anymore if their patients are no longer able to pay their medical bills because they lost their access to Medicaid, cost-free preventive care, or insurance from the marketplace. Repealing the ACA will restrict their ability to provide quality care and jeopardize their standing as a pillar in Montana.

It is not just hospitals either. It is community health centers serving over 100,000 Montanans every year, fully one-tenth of our population. They are at risk of losing 70 percent of their Federal funding.

Let me repeat: If health care progress is repealed, the community health centers in Montana will be at risk of losing 70 percent of their Federal funding. These devastating impacts are not unique to Montana, but this is how it is going to play out across this country in rural areas with hospitals and clinics—more uncompensated care, more trips to the emergency room without insurance, more hospitals facing the grim reality of having to close their doors.

Oftentimes I wonder if it really matters to Congress. It looks as if they intend to go through with their plan, which will have devastating impacts on the patients, and, by the way, it will have devastating impacts on their taxpayers.

Repealing this health care coverage without a replacement will add an additional \$350 billion—\$350 billion—to the deficit and the debt over the next 10 years, and this budget resolution will saddle the next generation with an additional \$9 trillion in debt over the next decade.

You know, it is amazing. When I came to this body, there were folks talking about the debt all the time. In the last 2 years, I have heard little talk about the debt. With the exception of RAND PAUL, everyone who was supposedly a deficit hawk voted to increase our deficit and debt by \$9 trillion over the next decade. This would push our total national debt to nearly \$30 trillion by year 2026. I stand with RAND PAUL on this one. Hamstringing the next generation with additional debt is unacceptable, especially when you are taking away their health care coverage to boot.

As folks try to jam this bill through Congress, I have barely heard a peep about this increase to the deficit. Oh, my, how times have changed.

The folks who are normally card-carrying Members of fiscal restraint are now swiping the credit card of the next generation. I dare those Members to go back home and tell their neighbors that you are going to take away their health coverage, and, oh, by the way, you are going to add about \$9 trillion to the debt too. Try to do that with a straight face.

I will be the first to tell you that the ACA isn't perfect. I have heard that also in my travels across Montana. Costs have gone up. Premiums are rising. Many hard-working middle-class families cannot afford health care. That is unacceptable. So we ought to do something about that.

Let's tackle rising premiums. Let's hold health insurance and drug companies accountable. Let's put patients before profits. But I am telling you, repealing all the progress we have made will not do that. We need to build on the successes we have had in the last few years, not tear them down.

Members of this body, quite frankly, this is not just a debate about health care. It is a debate about our economy, our growing deficit, the foundation of our rural communities.

The folks in this Congress who are pushing to repeal without a replacement will kick families off their health insurance, close down rural hospitals and clinics, and add \$9 trillion to the debt if they succeed.

Rather than go down this dangerous path, I have a suggestion. Let's roll up our sleeves and work in a bipartisan

manner to increase access and affordability, to lower the cost of care, to bring down prescription drug prices. I will tell you, I am willing to work with anyone: Republican, Democrat, Independent, Libertarian, whoever wants to have a serious conversation about improving our Nation's health care system. But I am not going to allow folks in this body to take us back to the old days, the days when our friends and families couldn't afford to get sick.

Members of the Senate, it really is time to listen to what is going on, on the ground. We have an opportunity to build on the progress we have made, and work towards a bipartisan solution that will work for the backbone of this country, the folks in rural America.

I yield the floor.

THE PRESIDING OFFICER (Mr. TILLIS). The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise in favor of amendment No. 82. This amendment would make it so anyone in Congress trying to destroy the Affordable Care Act would not be allowed to touch women's health care services.

I have been listening to my colleague from Montana and my colleagues in this Chamber speak about health care in our country, and after many hours, I am worried there is a lack of concern. I am worried there is a basic lack of empathy of what is going to actually happen to millions of Americans, and I am particularly worried about what will happen to women and their children and their families. So I want to spend a moment just talking about what the ACA actually provides for women and what actually will happen when it is no longer there.

I am very concerned that we are barely 1 week into the new Congress and too many of my colleagues have already made it clear that their most urgent priority this year is to take our country back to its darker days when women could be denied coverage and charged higher health care premiums just because they are women. I am outraged by this, and I stand with millions of American women and men, moms and dads, sons and daughters who are outraged too. The Affordable Care Act uniquely gave women access to health care on a level that was unprecedented. In fact, 9.5 million more women now have access to basic health care because of that law.

In my State alone, thanks to the Affordable Care Act, women can now have access to contraceptive care, cancer screenings, and mammograms. Millions of women who were pregnant or survived diseases like cancer are able to keep seeing their doctors without fear that their health insurance companies will take it away, but too many people in this Chamber don't seem to understand that consequence or seem to care about that consequence. After years of talking about it, some of my colleagues now seem determined—even

entitled—to take away this lifesaving health care for millions of women.

The election in November was not about women's health care. No one came to Congress with a mandate to take away women's access to mammograms and cancer screenings, but now we are one big step closer to once again making it impossible for millions of American women to see a doctor when they need to in order to access basic medicine and reproductive health care services so they can live healthy, happy, productive lives. For some, there is a very real risk that if they do get cancer or some other life-threatening disease, they will have to declare bankruptcy just to pay for the health care they need. This is something we must stand together to stop. It will show the American people that we understand what is happening to them. The consequences are too real and too dangerous, and for too many families the consequences are actually life or death.

We should never go back to the days when insurance companies can tell a woman: You are no longer economic for us. We can't make money insuring pregnant women. We cannot go back to the days where insurance companies can tell a breast cancer survivor to go elsewhere because their insurance costs too much. I don't think we can ever go back to the days when insurance companies can simply charge women more for the same plan than men. We should not turn back women's basic health care rights.

My amendment makes it very clear that the Senate would be forbidden from directing the committees to cut funding for basic women's health care services. It would ensure that the women's health care protections we put into the Affordable Care Act would stay there and women would have access going forward. It protects vital services such as disease screenings and comprehensive reproductive care that millions of women in my State rely on.

If my colleagues destroy the Affordable Care Act, it will have real, direct, and painful consequences for a lot of women and the families who love them. I think it would be what we call the ultimate overreach by Congress, and it would take years to fix.

I urge my colleagues to not let these protections be taken away from American women and their families, and I urge my colleagues to join me in supporting this very simple amendment.

I yield the floor.

THE PRESIDING OFFICER. The minority leader.

Mr. SCHUMER. First, Mr. President, let me thank my dear friend and colleague from New York, not only for her great remarks today and her amendment but for her passion, intelligence, and success in fighting for equality for women. I very much appreciate those efforts.

SENATOR BOOKER'S TESTIMONY BEFORE THE
JUDICIARY COMMITTEE

Right now Senator BOOKER, my friend from New Jersey, is beginning his testimony before the Judiciary Committee. Senator BOOKER sought to testify before this panel, and it was unprecedented. My friend Senator BOOKER is a leading voice, not just in this caucus but in this body, on civil rights and so many other issues. He speaks with a passion and eloquence and intelligence on these topics and with a knowledge and depth from which we all benefit.

I regret that a sitting U.S. Senator has to fight to earn the right to speak at the Judiciary hearing on Thursday, and I regret the manner in which he was treated—he and his colleagues from the House—being placed on the last panel today. Traditionally, Senators want to speak early on. That was the case, and I am glad he is testifying.

He is speaking right now, and I would urge my colleagues and all of America to tune in and watch because what Senator BOOKER has to say will be very important for all of us to hear.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I have crossed through and beyond 150 “Time to Wake Up” speeches. People sometimes ask me how I come up with the material. It is actually easy, even week after week after week, because it only takes reading the news. If we look back at the headlines and dubious milestones of 2016, we find plenty to talk about.

Last year was hot. NASA and NOAA are expected to certify later this month that 2016 was the hottest year in recorded history, exceeding the previous record set by 2015 and the previous record set by 2014. What this means is, 2014, 2015, and 2016 have each succeeded the last as the three hottest years on record.

The United Nations World Meteorological Organization found that the world was 1.2 degrees Celsius or over 2 degrees Fahrenheit warmer in 2016 than it was before the Industrial Revolution and the dawn of wide-scale fossil fuel use.

We are careening closer and closer to the 2-degree Celsius mark which scientists say brings, to quote Donald Trump in 2009, “catastrophic” and “irreversible” climate effects.

In 2016, climate change continued to make some places almost unrecognizable. Up north in the Arctic things got

bizarre. Thermometers spiked in mid-November to almost 35 degrees Fahrenheit warmer than normal, with a 37-year low in the nearby sea ice. The peaks were about 50 degrees above normal, and around Christmas it actually rose above freezing at the North Pole. Imagine, the snow was actually beginning to melt at the North Pole just as Santa was loading his sleigh with Christmas gifts.

In the tropics, undersea forests of once colorful coral stood bone white as the Great Barrier Reef experienced the greatest bleaching and coral die-off on record. What happens is that the superwarm water stressed the corals. That forces them to expel the tiny algae that lives symbiotically with the coral, providing them their food, and that is what gives coral reefs their beautiful color and their life. When the algae go, the coral structures turn ghostly white. They often do not recover.

It is not just the Great Barrier Reef. My clips today included a story from Japan, whose biggest coral reef has just been determined to be 70 percent dead.

The researchers in Australia found severe bleaching throughout the Great Barrier Reef. The Guardian reported in March that “93 percent of the 3,000 individual reefs [had] been touched by bleaching, and almost a quarter . . . [had] been killed by this bleaching event.”

By November, around two-thirds of the northern portion of the Great Barrier Reef had died, with some atolls suffering complete devastation. Warming is at the heart of that catastrophe.

We also know from the physical laws of thermal expansion that as ocean water warms, it does something else. It expands. The oceans also are taking in melting water from our shrinking glaciers. Together, those factors are causing sea levels to rise worldwide. Last year, the Proceedings of the National Academy of Sciences predicted that at our current pace, over 90 percent of the world's coastal areas will experience almost 8 inches of sea level rise by 2040. Year 2040 is not that far away. On the Atlantic coast of the United States, it will be more than 15 inches. By 2040, a house that you bought on the coast today could be literally underwater before you paid off your 30-year mortgage. The real estate business is starting to take notice.

Zillow, the online real estate marketplace, has released a tool for users to show how potential sea level rise by 2100 would affect the over 100 million U.S. homes in its database. Around 1 in 50 homes in the United States, or just under 2 million properties, will find their ground floors underwater by 2100 if we don't get ahead of this. Thirty-six U.S. cities would be considered “completely lost”—those are their words—“completely lost,” and another 300 cit-

ies would lose at least half their homes. This doesn't even include commercial or public properties.

Government-backed mortgage giant Freddie Mac is girding for broad losses from climate-driven flooding. “The economic losses and social disruption may happen gradually,” it wrote in an April 2016 report, “but they are likely to be greater in total than those experienced in the housing crisis and Great Recession.”

Let me say that again. The economic losses “are likely to be greater in total than those experienced in the housing crisis and Great Recession.”

The report says some of the effects of climate change may not even be insurable and, unlike our 2008 housing crash, owners of homes that are subsumed by rising seas would have little expectation of their homes' values ever returning and, therefore, little incentive to continue to make mortgage payments through the crisis, and that, in turn, adds to steeper losses for lenders and insurers.

Remember that Donald Trump signed, along with his children, this full-page ad in the New York Times in 2009. Here is what it said, speaking as Americans:

[W]e must embrace the challenge today to ensure that future generations are left with a safe planet and a strong economy. . . .

He said to the President in this advertisement:

We support your effort to ensure meaningful and effective measures to control climate change, an immediate challenge facing the United States and the world today.

It went on:

Please don't postpone the earth. If we fail to act now, it is scientifically irrefutable—

Let me repeat his words—

scientifically irrefutable that there will be catastrophic and irreversible consequences for humanity and our planet.

That is what Donald Trump and his family said in a 2009 ad, “catastrophic and irreversible.”

We have been warned.

President-Elect Trump also pledged to “drain the swamp” here in Washington of corporate insiders and special interests. But we don't see that. We see an alligator pack of climate deniers, oil executives, and Koch brothers flunkies nominated to fill his Cabinet, his White House, and his executive agencies.

The Koch brothers, Exxon, and other special fossil fuel interests stand on one side. On the other side stand our military, our National Labs, and NASA.

Let me put in a little footnote on NASA. They have a rover driving around on the planet Mars right now. Do you think their science might be OK? And, on the other side, also, I think, is every university in the United States of America. That is the choice: The fossil fuel guys, led by the Koch brothers and ExxonMobil, and the

whole array of phony baloney front groups that they have stood up to try to mask their hand, or the virtually complete science establishment of the world, every Nation, our military, our National Labs, and all of our universities. Who are you going to believe? The ones with the huge conflict of interest or the people who know what they are talking about?

Well, too many people in this room have made the wrong choice, but we need to fix it.

In Rhode Island, some good things happened last year. After over 8 years of work, we have the Nation's first offshore wind farm. Thirty megawatts, five turbines came online in December 2016—the Block Island Wind Farm. I am proud of Deepwater Wind for getting it done. I am proud of Rhode Island for establishing a process for siting an approval that is now a national model. It is part of a transformation that happened, emphasized in 2016, and that was jobs in the renewable energy industry taking off.

At the end of 2016, we had 400,000 wind and solar jobs, and by 2020, that number is expected to be 600,000. As employment climbs in these industries, costs for renewable technologies continues to drop compared to fossil fuels.

Last year we saw new records for electricity generation from renewable sources. Texas wind generation hit a record 15 gigawatts in December of last year, meeting 45 percent of the State's power needs, with 18,000 megawatts installed and another 5,000 megawatts under construction.

In Iowa, MidAmerican Energy is planning to add 2,000 megawatts of new wind by 2019. Once installed, 85 percent of the energy MidAmerican generates will be renewable.

We continued to make real progress internationally in 2016 as well. Earth Day was the signing ceremony for the historic Paris climate agreement. Nearly 200 nations pledged to reduce their greenhouse gas emissions. By October, we met the threshold for ratification of that agreement, when over 55 countries officially joined, and the agreement was fully adopted in November.

Just this week, over 630 companies and major investment firms, with a combined 1.8 million employees and \$1.15 trillion in annual revenue, called on President-Elect Trump, us in Congress, and global leaders to continue to participate in and implement the Paris Agreement to “create jobs and boost U.S. competitiveness.”

This is the business community saying that the Paris Agreement will create jobs and boost U.S. competitiveness.

Signatories included food giants General Mills, Kellogg's, Campbell's Soup, and Mars; apparel companies VF Corporation, Nike and Levi's; and other corporate heavy weights like Mon-

santo, DuPont, Intel, and Johnson & Johnson.

Mr. President, I ask unanimous consent that the “Business Backs Low-Carbon USA” letter be printed in the RECORD at the conclusion of my remarks.

I sure hope President-Elect Trump will heed this call from the leaders of the business community.

Closing word: Secretary of State Kerry, in addition to providing great leadership through this, has also started doing something that I know is precious to him and that is important to me and many of our colleagues; that is, to give oceans the global attention they deserve. In September, more than 90 countries convened here in Washington for the Our Ocean Conference. Nations, nonprofit organizations, foundations, and big corporations all came together pledging over \$5 billion for marine conservation and committing to protect more than 1.5 million square miles of ocean. Secretary Kerry secured the legacy of the Our Ocean Conference by locking in hosts for the conference for the next 3 years.

So 2016 was a year of worsening climate effects but also of heartening climate action. The dramatic changes taking place in the Earth's climate are now undeniable, but so is the growing spirit of action among men and women of good conscience across the United States and around the world. One can hope that 2017 will be the year when we in this Chamber finally wake up.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUSINESS BACKS LOW-CARBON USA

DEAR PRESIDENT-ELECT TRUMP, PRESIDENT OBAMA, MEMBERS OF THE US CONGRESS, AND GLOBAL LEADERS:

We, the undersigned members in the business and investor community of the United States, reaffirm our deep commitment to addressing climate change through the implementation of the historic Paris Climate Agreement.

We want the US economy to be energy efficient and powered by low-carbon energy. Cost-effective and innovative solutions can help us achieve these objectives. Failure to build a low-carbon economy puts American prosperity at risk. But the right action now will create jobs and boost US competitiveness. We pledge to do our part, in our own operations and beyond, to realize the Paris Agreement's commitment of a global economy that limits global temperature rise to well below 2 degrees Celsius.

We call on our elected US leaders to strongly support:

1. Continuation of low-carbon policies to allow the US to meet or exceed our promised national commitment and to increase our nation's future ambition

2. Investment in the low carbon economy at home and abroad in order to give financial decision-makers clarity and boost the confidence of investors worldwide

3. Continued US participation in the Paris Agreement, in order to provide the long-term direction needed to keep global temperature rise below 2 °C

Implementing the Paris Agreement will enable and encourage businesses and inves-

tors to turn the billions of dollars in existing low-carbon investments into the trillions of dollars the world needs to bring clean energy and prosperity to all.

We support leaders around the world as they seek to implement the Paris Agreement and leverage this historic opportunity to tackle climate change.

22 Designs, 3P Partners, 3Sisters Sustainable Management, LLC, 475 High Performance Building Supply, 900 Degrees Neapolitan Pizzeria, **Abt Electronics**, Abundance Food Coop, **Acer America Corporation**, Active Minds LLC, Addenda Capital, **adidas Group**, **Adobe, Inc.**, Aegis Renewable Energy Agrarian Ales, AjO, **Akamai Technologies, Inc.**, Allagash Brewing Company, **Allianz**, Allumia, AlphaFlow, Inc., Alta Ski Area, Altiz Orchard, Amalgamated Bank, **AMD**, **Ameresco, Inc.**, American Outdoor Products, Inc., Amherst College, Amicus GBC, LLC, Anchor, Ankrom Moisan Architects, Annie Card Creative Services, **Annie's, Inc.**, Anthesis Group, Anthropocene Institute, Apricus Inc., Arapahoe Basin, Artemis Water Strategy, As You Sow, Aslan Brewing Company LLC, Aspen Brewing Company, **Aspen Skiing Company**, Athena Sustainable Materials Institute.

Athens Impact LLC: Socially Responsible Financial Services, Auralites Inc., Auralite Consulting, **Autodesk, Inc.**, **Aveda**, **Avery Dennison**, Azzad Asset Management, Baldwin Brothers Inc., Beautycounter, Belay Technologies, Inc., BELKIS Consulting, LLC, **Ben & Jerry's Homemade, Inc.**, Bent Paddle Brewing Co., Bergsund DeLaney Architecture & Planning, Bespoken Corporate Communications, Big Kid Science, Big Path Capital, Biodico, **Biogen, Inc.**, Biohabitats, Inc, BioJam Industrial Research & Development Global, Inc., Biosynthetic Technologies, BKW III, LLC, Blackthorne S&D Consulting, Blogs for Brands, **Blue Cross Blue Shield of Massachusetts**, Blue Moon Wellness, Blue Mountain Solar Inc., Boardwalk Capital Management, Bora Architects, Boreal Mountain Resort/Woodward Tahoe/Soda Springs Ski Resort, Borst Engineering & Construction LLC, Boston Common Asset Management, Bowling Green LLC, Box Digital Media, BR+A Consulting Engineers, Breate New Hampshire, Breathe Deep, Brewery Vivant, Brit + Co, Broadside Bookshop, Buglet Solar Electric Installation, Bump'n Grind, Bunk House at ZION Bed & Breakfast, **Burton Snowboards**, Business Wisdom, C+C, **CA Technologies**, Califia Farms, California State Teachers Retirement System, Calvert Investments, Calypso Communications LLC.

Cambridge Energy Advisors, **Campbell Soup Company**, Carbon Lighthouse, Carolina Biodiesel, LLC **Catalyst Paper Corporation**, Catalyze Partners, CDI Meters, Inc., CEO Pipe Organs/Golden Ponds Farm, Cerego, CEVG, Charge Across Town, Che Qualita Enterprises, Inc., Cheryl Heinrichs Architecture, ChicoEco, Inc DBA ChicoBag Company, Christopher Reynolds Foundation, City Brewery, Clean Agency, Clean Edge, Inc., Clean Energy Collective, Clean Energy Investment Management, Clean Technology Partners, LLC, Clean Yield Asset Management, CleanCapital, Clear Blue Commercial, **Clif Bar & Company**, Climate Coach International, LLC, Climate First!, Climate Ready Solutions, Cloudability, Coelius Consulting, Coerver Analytics, LLC, Columbia Green Technologies, **Columbia Sportswear Company**, Community Capital Management, Inc., Confluence Sustainability, Congregation of Sisters of St. Agnes, Congregation of St. Joseph, Connecticut Retirement Plans and Trust Funds, CONTEMPLE8 T-SHIRTS

LLC, Cool Energy, Cooper Spur Mountain Resort, Copper Mountain Ski Resort, Copyrose Marketing & Communications, Cornerstone Capital Group, **Craft Brew Alliance**, Creekwood Energy Partners, Crystal Mountain, CTA Architects Engineers, Curren Media Group, Cyclone Energy Group, Dahlman Ranch, Inc., Dana Investment Advisors, **Dannon Company, Inc.**

Daughters of Charity, Province of St. Louis, DBL Partners, Deep Green Inc, Deer Valley Resort, Dehn Bloom Design, Deschutes Brewery, Detour, **Dignity Health**, Distance Learning Consulting, Do Good Investing, LLC, Domini Social Investments LLC, Dominican Sisters of Mission San Jose, Dominican Sisters of Peace, Dominican Sisters of San Rafael, Dominican Sisters of Sparkill, Drew Maran Construction, Inc., **DuPont**, Durango Compost Company, Eaglecrest Ski Area, Earth Friendly Products (ECOS), EarthKind Energy, Earthshade Natural Window Fashions, **Ebates**, **eBay**, Echo Credits, Echo Mountain, **Eco-Products**, Ecogate, EcoPlum, ecoShuttle, Ecosystems Group, Inc, Eighty2degrees LLC, **EILEEN FISHER**, Eleek, Inc., Elephants Delicatessen, Ellenzeig, Emerger Strategies, Empowerment Solar LLC, Endosys, Energy Optimizers, USA, **Entercom Communications Corp.**, Environment & Enterprise Strategies, EOS Climate, Epic Capital Wealth Management, Eskew+Dumez+Ripple, Espresso Parts LLC, Essex Timber Co. LLC, Ethical Markets Media Certified B Corp., ETM Solar Works, Eva Realty, LLC, Everage & the Praxis Mutual Funds, Exact Solar, Fairhaven Runners, Inc., Faller Real Estate, Felician Sisters of North America Inc., Leadership Team, **Fetzer Vineyards**, Fiberactive Organics.

Filtrine Mfg. Co., First Affirmative, Financial Network, Flink Energy Consulting, FOG Pharmaceuticals, Inc., Four Twenty Seven, Franciscan Sisters of Allegany, NY, **Fremont Brewing**, Friends Fiduciary Corporation, Future Energy Enterprises, LLC, Gale River Motel, LLC, **Gap Inc.**, Garmentory Inc., Gauthereau Group, GCI General Contractors, **Genentech, Inc.**, **General Mills, Inc.**, Gerding Edlen, Gerding Edlen Development, Gladstein, Neandross & Associates, Globetrans EC, GO Box, Going Beyond Sustainability, Good Company, Good Energy Guild, Goodmeetsworld, Granlibakken Management Company, Green Alliance, Green Century Capital Management, Green Hammer, Green Heron Tools, LLC., Green Pod LLC, Green Star, GreenBeams, LLC, GREENPLAN Inc., Greentown Labs, **Hackensack Meridian Health**, Hammerschlag & Co. LLC, Hanging Rock Animal Hospital, Inc., Hannon Armstrong, **Happyfamily**, Hello!Lucky, Hemp Ace International LLC, **Hewlett Packard Enterprise**, High Plains Architects, PC, **Hilton**, HJKessler Associates, Holiday Valley Resort, Horse & Dragon Brewing Company, House Kombucha, **HP Inc.**, ICCR (Interfaith Center on Corporate Responsibility), Ideal Energy Inc, IDEAS For Us, **IKA North America Services, LLC**, Impact Bioenergy, Inc., Impax Asset Management.

Independence Solar, Indow, Infer Energy, Innovative Power Systems, Inntopia, INTEGRAL GROUP, **Intel Corporation**, IntelliparkUS, Inc., Interdependent Web LLC, **Interface**, Intersection, Intex Solutions, Inc., ISOS Group, iSpring, Itty Bitty Inn, Jackson Hole EcoTour Adventures, Jackson Hole Mountain Resort, Jacoby Architects, Jantz Management LLC, JF Pontzer, LLC, JGE Global LLC, Jiminy Peak Mountain Resort, LLC, JJ McNeil Commer-

cial, JLens Investor Network, **JLL**, JMJ Construction Group, **Johnson & Johnson**, Jonathan Rose Companies, Joule Energy, JSA Financial Group, JTN Energy, **Jupiter Aluminum**, Just Business, Justice Commission of the Sisters of the Presentation of the Blessed Virgin Mary, Aberdeen, SD, **K2 Sports**, Kayak Media, **Kellogg Company**, KERBspace, Kirksey Architecture, KL Felicitas Foundation, Kleynimals, Kostis Kosmos Inc., Krull & Company, Kuity Corp., **L'Oreal USA**, Law Office of Nancy D. Israel, Lazarus Financial Planning, LLC, Le Pain Quotidien, Leadership Team Sisters of St. Francis of Tiffin, OH, **Levi Strauss & Co.**, LifeWise Community, Liftoptia, Inc., LightWave Solar, Linear City Concepts, LiveNeighborly, Livingston Energy Innovations, Locksley, Inc., Long Wind Farm, Lookout Pass Ski & Recreation Area, **Louis Berger U.S.**, Lutsen Mountians Corporation, **Lyft**, **M.A. Mortenson Company**, **Mammoth Mountain and June Mountain**, **ManpowerGroup**, **Mars Incorporated**, Maryknoll Sisters, Mazzetti + GBA.

Melina/Hyland design group, Mennonite Education Agency, Mercatus, Inc., Merck Family Fund, Mercury Press International, **Mercy Health**, Mercy Investment Services, Michael W. Grainey Consulting LLC, Midwest Capuchin Franciscans, Mightybytes, MILLC, Miller/Howard Investments, MindEase Billing, Minerva Consulting, Mission Cheese, Mobile Data Labs, **Mondeléz International**, **Monsanto Company**, Montanus Energy, Moore Capital Management, MooreBetterFood, Mount Bohemia, Mountain Gear, Inc., Mountain High Resort, Mountain Rider's Alliance, LLC, Mountain Rose Herbs, mphpm design, Mt. Hood Meadows, Mulago Foundation, MyFlightbook, National Foundry, **National Ski Areas Association**, Natural Habitat Adventures Natural Investments, Neighborhood Sun, Neil Kelly, Nettleton Strategies, **New Belgium Brewing**, New Horizon Financial Strategies, New York City Comptroller's Office, New York State Common Retirement Fund, **NIKE**, North Highland Worldwide Consulting, North Ridge Investment Management, North Sound Energy Remodel, LLC, NorthFork Financial, LLC, NorthStar Asset Management, Inc., Northwest Coalition for Responsible Investment, Nurx, Oasis Montana Inc., Octagon Builders, Office of the General Treasurer of Rhode Island, OGRESS productions.

OhmConnect, OLAVIE, Old Bust Head Brewing Company, Omnidian, Inc., On Belay Business Advisors Inc, Oregon State Treasurer, **Organically Grown Company**, Orion Renewable Energy Group, Our Earth Music, Inc., **Outdoor Industry Association**, Outdoor Project, Outerknown, Owens Business & Cnsltg., Llc., **Pacific Gas and Electric Company**, Page, Parnassus Investments, **Patagonia**, Pax World Funds, Payette, PeopleSense Consulting, Pepper Sisters, Inc., **Perkins+Will**, Pitchfork Communications, Planet Cents, PlanGreen, PLC Repair, Portfolio Advisory Board, Adrian Dominican Sisters, Portland Consulting Group, Presbyterian Church U.S.A., Priests of the Sacred Heart, Prisere, Projector.is, Inc., Proterra, Inc., Pure Strategies, Inc., Quest, Quri, RADAR, Inc., Re-Nuble, Inc., **Recreational Equipment, Inc.**, Region VI Coalition for Responsible Investment and Sisters of the Humilityof Mary, ReGreen Inc., RenewWest, Reynders, McVeigh Capital Management, LLC, Reynolds Foundation, Rivermoor Energy, RL Investments, Rockford Brewing Company, Room & Board INC, Roots Realty, **Royal DSM**, RPM Bank, Ruffwear, Rune's Furniture and Carpet,

Rutherford + Chekene, s2 Sustainability Consultants.

Salesforce.com, Sarah Mae Brown Consulting LLC, Saris Cycling Group, Sasaki Associates, **Saunders Hotel Group**, Savenia, **Schneider Electric**, School Sisters of Notre Dame Cooperative Investment Fund, Scoville Public Relations, SEA Builders LLC, **Sealed Air Corporation**, **Seattle City Light**, Sefta Living, Seismic Brewing Company, SEIU Staff Fund, Servants of Mary, **Seventh Generation**, Seventh Generation CRI, SharePower Responsible Investing, Inc., SheerWind, Sheng Ai International, LLC, Shift Advantage, Sidel Systems USA Inc., Sierra Club Foundation, Sierra Energy, **Sierra Nevada Brewing Co.**, Sierra Real Estate, Sigma Capital, Silicon Ranch Corporation, Sisters of Bon Secours USA, Sisters of Charity of Leavenworth, Sisters of Charity of New York, Sisters of Charity, BVM, Sisters of Saint Francis, Rochester, Minnesota, Sisters of Saint Joseph of Chestnut Hill, Philadelphia, PA, Sisters of St. Dominic of Caldwell, Sisters of St. Dominic, Racine, Wisconsin, Sisters of St. Francis of Philadelphia, Sisters of St. Joseph, Sisters of St. Joseph of Boston, Sisters of the Humility of Mary, Sisters of the Precious Blood, Sisters of the Presentation of the BVM, Sisters of the Sacred Heart of Mary WAP, Skibutlers, Smarter Shift Inc., SMMA, Snake River Brewing Co., SNOCRU LLC, Snow King Mountain Resort.

Snowbird Resort, Sol Coast Consulting & Design, LLC, SolAire Homebuilders, Solar Concierge, Solar Design Associates, **SolarCity**, Solberg MFG, Solitude Mountain Resort, Sonen Capital, South Salem Cycleworks, SouthStar Capital LLC, SPEEDILICIOUS LLC, Spruce Finance, **Squaw Valley/Alpine Meadows Ski Resort, LLC**, **Staples, Inc.**, **Starbucks Coffee**, Startworks Ventures, LLC, Starvation Alley Farms, State of Maryland Treasurer's Office, Stevens Pass Mountain Resort, Stitch, **STOKE** Certified, StoneWork Capital, **Stonyfield**, Strategic Carbon LLC, Strategic Imperatives Inc., Strong Brewing Co., StudentVox, Stumptown Coffee Roasters, Sugarbush, Sundance Mountain Resort, SunEx Solar, **Sungevity**, Sunsprout Farms, SustainAbility, Sustainability and Impact Investing Group, Rockefeller Asset Management, Sustainability Roundtable Inc., Sustainability Solutions LLC, Sustainable Action Consulting PBC, Sustainable Business Consulting, Sustainable Capital, Sustainable Food Trade Association, Sustainable Health Solutions, Inc.

Sustainable Insight Capital Management, Sustainable Island Products, Sustainable Manufacturing Consulting, Sustainable North Bay, SustainableBusiness.com, Sustrana, SVT Group, Swift Foundation, **Symantec Corporation**, Synapse International, T2 Energy, Taos Ski Valley, Inc., Teak Media + Communication, Tech Networks of Boston, Terra Alpha Investments LLC, Terrapin Bright Green, TerraShares, **Tesla**, **Tetra Pak**, Tevlin Strategic Communication, The Alchemist Brewery, The Brainerd Foundation, The George Gund Foundation, The Green Engineer, Inc., The Green Suits, LLC, **The Hartford**, The Hivery, The Lion Company, Inc., The McKnight Foundation, **The North Face**, The Pension Boards—United Church of Christ, Inc., The Pretenders, The Refill Shoppe, Inc., The Ruskin Group, The Spotted Door, The Stella Group, Ltd.The Sustainability Group at Loring, Wolcott & Coolidge, The Tofurky Company, Thinkshift Communications, Third Partners, **Thornton Tomasetti**, Three

Corners Capital, Thriving Solar, Throwback Brewery, **Tiffany & Co.**, **Timberland**, Toad&Co, TransPower, TransUNImission, Inc, Trap Door Brewing, TreeZero, Tri-State Coalition for Responsible Investment, Trillium Asset Management LLC, **Trinity Health**, Triple Ethos, TripZero, Triskele Collaborative, Truck Trike, Tsoi/Kobus & Associates, UltraCell Insulation, **Unilever**, Unitarian Universalist Association, Unitarian Universalist Service Committee (UUSC), United Church Funds, **United Natural Foods Inc.**

Urban Fabrick, Inc., **US Green Building Council**, **Vail Resorts**, **Vans**, Velasquez Family Coffee, Verde Brand Communications, Veris Wealth Partners, **Veritas Technologies**, Vermont Energy Investment Corporation, **VF Corporation**, Vibes, Vigilent, Violich Farms, **Virgin**, **Virginia Mason Health System**, Vision Realty & Management, VISIONS Service Adventures, Visual Stream Productions, Inc., **VMware**, **Vulcan Inc.**, Walden Asset Management, Walden International, Wall Law, LLC, Watermen Investments, webShine, LLC, Welch Village Ski Area, Inc, Wespah Benefits and Investments, Wetherby Asset Management, Whitney Inc., Wild Joe's Coffee Spot, Win Before Trial, Windham Mountain Resort, Winkler Development Corporation, Wisp Resort, Woodsong Property Renovation Partners, LLC, **Workday**, WorkTurbo, **Worthen Industries**, WR Consulting, Inc., Wynkoop Properties, LLC, **Xylem Inc.**, Yodsampa Consulting, Zaurie Zimmerman Associates, Inc., Zero Waste Solutions, Zevin Asset Management, ZipPower.

Note: Signatories in bold > \$100 million annual revenues.

Mr. WHITEHOUSE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I come to the floor today to discuss the continued broken promises of ObamaCare—the Affordable Care Act—that passed in the most partisan of fashions several years ago, and to discuss the process by which we are putting together a repeal-and-replace package and the pieces we will be voting on tonight and over the next several weeks and months.

ObamaCare's failures are simple. The promises that have been broken are clear. While partisan supporters of the administration's plan continue to promote the success of this poorly conceived law, Coloradans know far better.

Time and again, hundreds of thousands of Coloradans have felt the consequences of the Affordable Care Act in their pocketbooks, in their workplaces, in their doctor's offices, and in the choices they have for health care. The past 6 years have been marred by higher costs, fewer choices, and less competition in Colorado and across the Nation.

It is now time that we stand up for the American people to restore reliable and stable health care, as well as health care markets and insurance markets, and to undo the damage done to our health care by the failed law known as ObamaCare.

Let's just review the broken promises we have seen—not just a broken prom-

ise that the President himself made to the American people but broken promises echoed by the partisan supporters of ObamaCare. President Obama assured the American people over 35 times: Don't worry about ObamaCare because if you like your plan, then you can keep it, period. It is on video. It is on YouTube, and you can probably find it on Snapchat. It is available to find, this first broken promise.

As Coloradans began to receive cancellation notices, they quickly learned that this promise was far from the truth. In late 2013, nearly 335,000 small group and individual policies in Colorado were canceled due to requirements in the Affordable Care Act. These cancellations also included my family's cancellation, because we had chosen to stay in the private market in Colorado. But in August of 2013, we received the letter that 335,000 others received in Colorado saying that our policy had been canceled thanks to ObamaCare.

But, unfortunately, those cancellations—those 330,000-plus cancellations in August of 2013—were just the beginning, because in January of 2014, the Colorado Division of Insurance canceled an additional nearly 250,000 plans for the same reason.

Again in 2015, Coloradans were made abruptly aware of the failures of ObamaCare when another 190,000 more plans on the individual and small group market were canceled. In total, according to the Congressional Research Service, over 750,000 health insurance plans were canceled in Colorado between 2013 and 2015.

The promise that if you like your health care plan, you can keep it was so bad—that promise was so broken—that the fact-checking organization PolitiFact named it the "Lie of the Year" for 2013. PolitiFact didn't really need to name it the "Lie of the Year," because over 750,000 people in Colorado got a letter in the mail telling them it was a lie.

Broken promise No. 2 from ObamaCare: Americans were told that the Affordable Care Act would reduce costs for families, businesses, and our government. In fact, President Obama said that under his new health care law, a typical family would save up to \$2,500 a year on premiums by the end of his first term. Look it up on video, on YouTube. However, hit with the rising costs, Coloradans became acutely aware this too was yet another broken promise. Statewide, premiums in Colorado will rise by 20.4 percent on average for plan year 2017 on the individual market. That number is even higher in some of the more rural areas, like the Western Slope of Colorado. Where is the Western Slope? That is what most people think of when they think of Colorado, an area with mountains, forests, and great beauty. That area has been harder hit than many areas across the country with higher premium increases.

A year prior to this next plan year, in 2016, the Colorado Division of Insurance found that premiums on the individual market rose a whopping 25 percent on the Western Slope, plus the higher than 20 percent premium increases.

One woman living in Colorado on the Western Slope saw her premium rise from just a little over \$300 a month to \$1,828 per month, or nearly \$22,000 a year. Here is her quote:

It's actually like another mortgage payment. I have friends who are uninsured right now because they can't afford it. Insurance is hard up here.

That is the Western Slope of Colorado, where people have seen mortgage-payment-size health insurance bills being added to them because of a bill that the President promised would lower their health care costs.

An increase of nearly 26 percent is devastating for most families, but in 2014 an Americans for Prosperity study showed that nearly 150,000 Coloradans saw their health insurance become 77 percent more expensive. These sharp increases in prices and coverage have left Coloradans reeling, and we have a duty—a duty—to make sure we provide them with the financial relief they deserve and the health care we know we can put together.

Broken promise No. 3 of the Affordable Care Act was the menu of options that was promised—the choices that the Affordable Care Act would bring to the marketplace. President Obama promised Americans that a greater choice and a menu of options to choose from would be right around the corner as a result of the Affordable Care Act, but Coloradans again found out that wasn't true. Of the 64 counties in Colorado, 14 counties have only one carrier to choose from and 29 counties have only two plans for the year 2017 on the individual market. We can see the plans right here. That is the western part of Colorado that I was talking about seeing such high premiums—77 percent and a higher percentage next year. Here, we can see counties with only two carriers to choose from, and 14 counties only have one to choose from.

So the President's signature health care law failed in this respect to create the menu of options, but it did succeed in creating monopolies.

President Obama also insisted that competition would increase through consumer-run coops. The Federal Government spent a great deal of money to prop up the consumer coops and to make sure they had the marketing in place. Over 80,000 Coloradans felt the impacts of this broken promise when the Colorado health coop was declared to be insolvent by Colorado insurance commissioner Marguerite Salazar. Eighty thousand people had their insurance coops declared insolvent because of the poor Affordable Care Act law.

Not only did the failure of this promise leave 80,000 people scrambling to find coverage, but it forced the coop to default on its Federal startup loan, valued at an estimated \$72 million. So 80,000 people were out of coverage because of the failure of the Affordable Care Act, and \$72 million went out of the American taxpayers' pockets because of the Affordable Care Act—money the American taxpayers will never see again. What is more, it cost taxpayers nearly \$40 million to shut the coop down. Of the 23 original coops, only 6 are remaining and 17 consumer-run coops as a result have failed. The 23 startup insurers received a total of roughly \$2.5 billion in loans under the Affordable Care Act, and only 6 remain. That means that even more money the American people gave to this government to be good stewards of—through their hard-earned tax dollars, through their premium taxes—will never be seen again. This is an unacceptable and egregious use of taxpayer dollars.

But the careless spending under ObamaCare doesn't just stop there. An audit was released 2 weeks ago by the U.S. Department of Health and Human Services, Office of Inspector General, and it found that Connect for Health Colorado, Colorado's State exchange, misspent and mishandled nearly \$9.7 million in grants to establish its marketplace. The audit concluded by recommending that the marketplace be required to repay the \$9.7 million identified by the Federal Government. The audit found that Connect for Health Colorado did not adequately document \$4.4 million, improperly transferred costs totaling nearly \$300,000, and made \$164,000 in overpayments to subgrantees without identifying a reason.

Furthermore, Connect for Health Colorado spent more than \$211,000 on bonuses to executives without providing performance evaluations. The kicker on the \$211,000 in bonuses—the largest of which was \$18,500 for the CEO—back in 2013, when the exchange was trying to get started, was that the then-CEO of Connect for Health Colorado wanted a raise even though the exchange had enrolled far fewer than half the people it was supposed to. So we have an executive asking for a raise in an exchange that hadn't even met the lowest of the low predictions for what it would do. Here we are, with a new audit from the Office of Inspector General saying that \$9.7 million was fraudulently spent. To quote a member of the board at the time:

Given the poor performance for the first two months of enrollments, I think it's incredibly audacious for the executive director to request a salary increase.

I think most people would feel like if you're a CEO and you are significantly underperforming the goals you helped set, then you lay on that the money comes from public funds, I think it is highly inappropriate.

I have heard colleagues in the House and the Senate talk about how CEOs

are overpaid for the work they do. If the stock prices are low or dividends aren't there, then they shouldn't be as highly compensated as they are. But here we are, a government-funded program from the Colorado health exchange and others around the country using Federal dollars to give bonuses to people who haven't even met the basic projections they were supposed to. It is an unacceptable use of funds.

But the problem is that it is not just funds wasted somewhere else. It is funds wasted that came from the American people's pockets—hard-earned dollars that are being misspent.

The Affordable Care Act has had a negative impact on business owners and individuals. Let's talk about some of the effects on businesses. I will share a letter given to me, from a small business owner to his customers, letting them know how the Affordable Care Act impacted his prices.

Dear Valued Customer,

There is never a good time to announce a price increase but we have to. Effective February 1, 2017 we will have a 2% across the board increase for a reason beyond our control.

We've had many challenges over the years but none like this. 100% of this price increase is due to one thing only, the Affordable Care Act.

The Affordable Care Act has caused our health insurance premiums to skyrocket by 42% and our choices of insurance providers to dwindle down to one.

Some of you may be faced with a similar challenge. It seems to be a problem all over the U.S.

So now we have the double whammy on the American consumer. Not only are they required by law to buy insurance they can't afford, but they then go buy consumer goods whose prices have increased as a result of the Affordable Care Act. So they are squeezed at home because they have to pay higher insurance premiums—thanks to the broken promises of ObamaCare, thanks to the lack of choice they have with ObamaCare. Now they have to pay higher prices at the grocery store or the implement dealership—wherever it is—because they have had to increase their prices—the people who make those goods, the people who manufacture those goods, the foundries, the equipment dealers. They have to pay for their insurance premiums that they are required, under a broken law, to search and find.

But it is important that we talk more than just about the business impact of the Affordable Care Act, because, day after day, I hear stories from Coloradans who have felt the brunt of ObamaCare's failures. Whether it is letters or emails to the office or whether it is town meetings across Colorado, I hear stories, and I wish to take this opportunity to share some of these from my constituents that demonstrate the impacts of ObamaCare.

A letter I received from an individual residing in Aurora, CO, said:

Cory—As a business owner who pays for my own insurance, ObamaCare is not working. Last year, my premium went up 20% for less insurance with a higher deductible and less coverage.

This year we just got a cancellation notice that our insurance plan will no longer be offered and we must start looking for a new plan yet again.

I read that more and more insurance companies are pulling out of the Colorado marketplace.

The system is broken, it has only cost us more and more money for lower quality health care.

Please—do everything you can to stop this failed program.

That is from a Coloradan who has struggled under the burdens and broken promises of ObamaCare.

Let's talk about a letter we received from a family living in Lafayette, CO.

I have a "Bronze" HSA plan covering myself, my wife and my two daughters.

I just received my renewal notice from [the] insurer informing me that my premium for 2017 will increase by 38.9%.

To put that in perspective our family went from \$1,200 per month or \$14,400 per year to \$1,667 or \$20,000 per year.

While the premium is increasing, the benefits are reduced as annual deductibles for individual and family plans are increasing to \$5,000 and \$10,000 respectively. This is unconscionable!

The cost of my health insurance coverage has more than doubled in the last three years and benefits have reduced with each successive premium increase.

The ACA needs to be repealed immediately!

That is a letter from a family of four who saw a dramatic increase in price, both from the amount they pay every month to nearly \$20,000 a year, to a deductible that has gone from \$5,000 to \$10,000.

Here is another story from a young woman residing in Colorado Springs, CO:

This is the third time since 2010 that I will be losing my health insurance plan because of ObamaCare.

This is the third time. Do remember the promise that if you like your plan, you can keep your plan?

This woman from Colorado Springs already has had her plan canceled three times.

Now I am losing the option of being in the plan I want to be in.

There is the second promise—that if you like your plan, you can keep your plan; you get the choice of keeping your doctor—broken promises.

I must settle for being in an HMO, and still pay 400% what I was paying for premiums in 2010.

I also just learned that my carrier is raising rates by 25% next year on the individual market.

My premiums are already four times higher than they were before the Affordable Care Act. My deductible and out of pocket amounts are also much higher.

ObamaCare is nothing but a heavy tax for us. Our income doesn't qualify us for an ObamaCare credit.

Since our premiums have quadrupled I figure we are now paying for the insurance for

three or four other families when we pay for our premiums.

I am very disappointed in Congress for letting this go on and on and on.

Year after year now my premiums skyrocket and I have fewer choices in plans. Pretty soon there will be no incentive left to work hard and earn money in this country.

The government will take it from you and give it to people [to spend irresponsibly in Washington, DC].

To this young woman in Colorado Springs, we are doing something—finally. Last year, we put on the President's desk a repeal of ObamaCare, and of course it was vetoed. But this week, we will be able to start the process to repeal and replace ObamaCare, signed into law by a President who will indeed sign it.

Another story I would share from a family in Fort Lupton, CO:

It is impossible to afford health care for us. We are right above the Medicaid limit by \$400, and my husband has gone without health care for 2 years. They keep taxing him.

Soon we will be a family of 4 with no health insurance. We will be paying so much to afford health insurance we will struggle to buy food. We need help and we don't know where to find it.

These stories demonstrate what Americans are experiencing as a result of ObamaCare and its broken promises. No family should have to decide between purchasing health coverage and putting food on the table. We owe it to these struggling families—stories we just heard, about anyone who is sick or might get sick—to roll up our sleeves and provide real solutions and to recognize that the Affordable Care Act was a failure, it caused calamity, and it continues to destroy and crush our health care market.

ObamaCare was a poorly designed law that was rushed through Congress on the most partisan of votes. Its nearly 20,000 pages of regulations have had a devastating impact on many hard-working Americans. That is why I will continue to work hard to find solutions that will relieve the financial burden this law has imposed on Coloradans and Americans throughout the country.

We need a health care system that promotes competition, increases flexibility, encourages innovation, and puts Americans back in control of their health care—one that gets “Dr. Congress” out of the picture, one that safeguards the doctor-patient relationship, preserves Medicare for our seniors, and one that protects the most vulnerable among us.

I will continue to fight for all of those in Colorado and across the country who are looking for real health care reform, and I look forward to working with my colleagues in Congress to do so.

We have a chance this week to act, and I look forward to replacing ObamaCare with something that actu-

ally fixes and makes this system work again.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The majority whip.

Mr. CORNYN. Mr. President, soon the Senate will vote to repeal ObamaCare. This is for at least two reasons. One is that ObamaCare has been an abysmal failure when you look at the promises that were made to sell it and actually what has been delivered in terms of higher premiums, higher deductibles, and more challenges for ordinary Americans. Many Americans now find that their deductible is so high that they are effectively self-insured.

I remember like it was yesterday—actually, it was some 6 years ago—that President Obama said: If you like what you have, you can keep it, in terms of your health coverage. He said: If you like your doctor, you can keep your doctor. He said: The average family of four would see their premiums go down by \$2,500.

None of that has proven to be true. ObamaCare was sold under false claims, false promises. We know that many headlines today demonstrate that premiums are higher than people can afford. They can't keep the insurance plan they had and they liked, and they have to go find another doctor, sometimes as often as each year because the insurance coverage they have is no longer being written because insurance companies simply can't survive in this marketplace. In many instances, they end up having to leave rural parts of the country, particularly rural parts of places like rural Texas.

A lot of this has to do with redtape. A lot of this has to do with the companies that have been forced to pass along higher costs to consumers or leave, and that is exactly the sort of thing that happens when the government intervenes in the marketplace, unintended consequences occur.

I mentioned increased rural access to health care. That was actually supposed to be one of the selling points of ObamaCare, and now it is just another example of how this law has truly failed. Even so, even having acknowledged some of the failures of ObamaCare themselves, our Senate Democratic colleagues are refusing to acknowledge the catastrophe they created because this law was passed on a purely partisan basis, without any votes on the other side of the aisle, and signed by President Obama into law without any participation by Republicans. Now, having created this mess—creating this crisis really—they made clear they want no part of fixing the problem. Apparently, they would rather ignore the harmful effects brought about by ObamaCare and try to then assign blame to those who are trying to rescue the American people from the failure known as ObamaCare.

We are confident the American people know the truth. They know President Obama made promise after promise to get ObamaCare passed. They know the reality is a lot different, and it is a lot dimmer than the picture he painted. In my mind, such widespread public deception amounts to nothing more and nothing less than a simple case or, actually, I should say a colossal case of consumer fraud.

In my former job as attorney general of the State of Texas, we had a consumer protection bureau that went after scam artists and others who deceived the American consumer, Texas consumer, and promised them one thing and delivered another. That is nothing more or nothing less than what happened here where President Obama promised the American people the Moon when it came to health care, and they found out that those promises were hollow indeed.

That is why the American people want ObamaCare to become a thing of the past. One recent poll showed that about 8 out of every 10 Americans wanted to change the law in significant ways or see it replaced altogether. The truth is, ObamaCare is a terrible law that continues to hurt many American families trying to get by.

Americans all around the country are asking for help, asking for relief from this terrible law, and demanding a better health care system that actually delivers results, not just empty promises. We can't get to that replacement until we actually repeal ObamaCare, which will start with the budget resolution we will pass this evening or late tonight.

This is not a rushed or hurried response; it is merely the first step in a deliberative process that Republicans in both Chambers of Congress have been working on for years. The only difference is now we will soon have a President in office who understands that people are hurting, asking for change, and are in need of promises that are actually delivered.

It is not too late for our Democratic colleagues to work with us to get this job done and move forward with a solid plan that helps all Americans. I understand the temptation, after creating this legislation, this health care debacle known as ObamaCare, to now say it is your baby, you deal with it and then try to assign blame if things don't work out exactly the way we hope. The fact is, we always do better here, and the American people are always better served when we try to work together in a bipartisan way, on a step-by-step basis, to deliver on the promises we made.

This budget resolution that we will be voting on tonight is not about Medicare. It is not about cutting health care for millions of people. Rather, the opposite is true. We are actually going to try to save the American consumer

from falling through the cracks or finding out that the promises that have been made to them are simply not true or that they are burdened with health care policies that they simply can't afford.

What we are about is getting rid of a failed policy that now 6 years in is still making life harder for millions of Americans. I am eager to make sure we keep our promise. That is the second part of this. We promised the American people that if they gave us an opportunity by electing a new President, by retaining the majorities in the House and the Senate, as they have, that we would deliver by repealing and replacing ObamaCare. That starts with tonight's vote.

NOMINATION OF REX TILLERSON

Mr. President, this morning I had the honor of introducing Mr. Rex Tillerson, President-Elect Trump's nominee to be Secretary of State, at his confirmation hearing before the Foreign Relations Committee. I was joined by my colleague Senator CRUZ from Texas, former Senator Sam Nunn, and former Secretary of Defense Mr. Gates. All of us said that Mr. Tillerson is an inspired and outstanding appointment by President-Elect Trump.

I have come to learn that Mr. Tillerson is a person whom I both respect and admire the longer I have gotten to know him. He has proven over his decades-long career in the top echelons of a large global company that he has what it takes to represent the United States on the world stage. True, to this point, his responsibility has been toward shareholders of the company he has represented, but I have every confidence he can transfer that same sort of diligence, that same sort of acumen, and those relationships, from which a large multinational corporation has benefited, now to the American people, and the United States of America can resume its place on the world stage with him as our top diplomat.

I said before that one of my biggest frustrations with the current administration is it regularly ignores our allies while intentionally propping up or strengthening our adversaries. I have every confidence that Mr. Tillerson will flip that narrative, and he will help the United States regain our leadership role in the world by unapologetically supporting our allies and friends while keeping our enemies in check. He is the right man to lead the State Department, and I hope we confirm him soon.

NOMINATION OF JEFF SESSIONS

Mr. President, let me add, today we are engaged in the second day of hearings before the Senate Judiciary Committee regarding the nomination of Senator JEFF SESSIONS, our colleague of longstanding, to be U.S. Attorney General.

Some people who haven't had the benefit of working with Senator SES-

SIONS know him by his record. Frankly, given some of the testimony, I don't recognize the person who is being described by those who, for various reasons, are opposing his nomination. We know that he has an outstanding record of service, both to the people of Alabama, to the United States as U.S. attorney, and then in the U.S. Senate for the last 20 years.

It is ironic that we are having a hearing before the Senate Judiciary Committee on the qualifications of Senator SESSIONS to serve as Attorney General, a committee on which he has served for 20 years. Our colleagues across the aisle don't need to have a hearing to know JEFF SESSIONS because they already know him well. They know him to be a man of honor, a man of principle, a man who is true to his word, and who believes, above all, that the role of the Attorney General is to enforce the law of the land—something we have not seen in the last 8 years during the Obama administration, where the Justice Department has become a political arm of the White House.

I have every confidence that Senator SESSIONS, as the next Attorney General of the United States, will restore the reputation of the Department of Justice and the Office of Attorney General to one that respects the rule of law and dispenses equal justice under the law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, over the past few days, we have been listening to the health care horror stories from across the country, such as families earning an annual income of \$50,000 who opted for high-deductible coverage and are facing up to \$6,000 or, in one case, \$10,000 of out-of-pocket costs before their coverage even begins. That is not affordable insurance.

Nearly 7 years after the enactment of ObamaCare and 3 years into implementation, one thing is crystal clear: ObamaCare has failed, but Republicans are working to fix the damage. Over the past several years, it is clear that this law is simply unworkable for millions of hard-working Americans. Insurance markets are collapsing, premiums are soaring, and health care choices are disappearing, but the answer isn't to ignore the problem. With ObamaCare getting worse by the day, it is time for us to act. The repeal resolution we are debating this week promises relief from ObamaCare and provides the tools necessary to immediately repeal this failed law while ensuring a stable transition period to a patient-centered health care system that gives Americans access to quality, affordable care. The resolution includes instructions to authorizing committees so that repeal legislation can move through a fast track process and can pass with a simple majority in the

House and Senate. These instructions to committees are provided to allow immediate action on repeal with the intent of sending legislation to the new President's desk as soon as possible.

Headlines from across the Nation highlight the urgent call to action. The New York Times says: "Obamacare Premiums Set to Rise Even for Savvy Shoppers." The Wall Street Journal says: "Insurers Move to Limit Options in Health-Care Exchange Plans." The Baltimore Sun says: "Marylanders face hefty rate increases for ObamaCare." The Omaha World Herald says: "Health insurance rate increases may have some Nebraskans in sticker shock." The Miami Herald says: "Florida's ObamaCare premiums to rise average 19 percent in 2017, the State says." And the Bergen County Record says: "New Jersey left with just two ObamaCare health providers for 2017."

My own State of Wyoming is down to one insurer in the individual market, both on and off the exchange. That is a national scandal. We have heard from people who talked about counties where there are no insurers. We have heard people talk about the costs they have both for the premiums and the deductibles. And just talking about the premiums, in New Mexico they had some counties where the average cost of a house payment is less than the monthly cost of their health care—much less, about 50 percent less in one instance.

It is also important to look at the facts surrounding ObamaCare. Some on the other side of the aisle like to focus on how many people are insured under the law, but let's look at how many are not insured. Almost 28 million Americans remain without insurance under ObamaCare. Even with insurance, many still can't afford the care due to surging deductibles. If you can't afford the deductible, you really don't have insurance. If you can't afford the insurance, you don't have insurance. And it isn't the insurance that is important; it is the availability of providers that can take care of you. Most of the newly insured gained coverage only through a flawed Medicaid program that is providing inferior quality and threatening to bankrupt States across the Nation.

According to research from the architect of ObamaCare, Jonathan Gruber—he explicitly said that most of the newly enrolled beneficiaries were actually eligible for Medicaid before ObamaCare. In fact, his research showed that two-thirds of new people signing up for Medicaid were brought into the program, not through ObamaCare but by increased Medicaid advertising.

As America soon discovered, the President and congressional Democrats focused exclusively on coverage and mandates that were handed down from Washington instead of patient-centered reforms. Coverage was the silver bullet

for them because coverage equaled health care. They forgot a key detail though: The cost of the plans that were mandated made it nearly impossible for many to pay for the insurance or, if they had coverage, to pay for care with the sky-high deductibles. I know that some people on my staff had health savings accounts that gave them catastrophic coverage. They didn't have to worry about going bankrupt over health care. Their deductibles were lower than the ones that we have with this health care.

Focusing on and highlighting the number of people now enrolled in ObamaCare doesn't translate into anything more than phantom insurance, which, for users plagued by inadequate coverage, is coupled with huge out-of-pocket costs. We are seeing families now having to forgo medical care, not because they don't have insurance but because it is simply too expensive to go to the doctor with their ObamaCare health plan.

Normally I would say that you get what you pay for. But with ObamaCare, you seem to just pay without getting much at all. It is kind of like buying a bus ticket, but when you show up for the trip, they tell you that to get a seat, you are going to have to spend a little bit more, and then you have to chip in for the gas.

For years, Republicans have pledged to repeal this disastrous law. Passing this resolution is just the first step in keeping that promise, clearing the way for consideration of repeal legislation that will be signed into law by the new President. While providing immediate relief from ObamaCare, Republicans will ensure it is a stable transition in which those with insurance will not lose access to health care coverage. This will allow the Nation to move to a patient-centered health care system that gives hard-working Americans access to quality, affordable care. The goal is a more modern health care system where there is innovation to improve the health of all Americans, where insurers are offered new and affordable options, and where families have a more direct say over their own health care decisions.

Unwinding partisan gridlock to make these changes will not be easy. As I noted in my earlier remarks, our Nation has made great strides in improving the quality of life for all Americans, but these transforming changes are always forged in the spirit of bipartisan compromise and cooperation. We still need health care reform, but it has to be done the right way. Passing this resolution will start building a bridge from ObamaCare's broken promises to better care for each and every American.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I come to the floor with a lot of other folks to talk about the health care in this country. I think one of the goals we all share—and maybe we are not sure how to get there—is how to make sure that everybody who needs access to health care has it, that it is affordable, and that they get reasonably good quality, whoever they are and wherever they come from.

When I was a naval flight officer, we used to fly a lot of missions out of Japan during the Cold War. I have a special interest in Japan, and I like the folks there. They are pretty remarkable in what they have achieved over the years. One of the things they have achieved over the years is providing pretty good health care for a fairly modest amount of money.

We started working on the Affordable Care Act 7 or 8 years ago. One of the things I learned about Japan was that they were spending 8 percent of their gross domestic product for health care in their country. We were spending 18 percent. As it turns out, they were getting better results. They had lower rates of infant mortality and higher rates of longevity. People lived longer. Newborns died less frequently than we did. On top of all that, in Japan they covered everybody. Everybody was covered for health care. We had about 40 million people—over 40 million people at the time—whose health care coverage was to get into an emergency room of a hospital, try to get in line, and get someone's attention.

I know how smart the Japanese are, but I don't think they can be that smart and we can be that dumb. That is sort of where we were 6, 7 years ago. So we said: What are we going to do about it?

I think almost every President—maybe since Truman—had a goal of making sure everybody in this country had access to health care. A lot of folks talked about it and maybe tried to do something. The first time we had a serious effort to do that was during the Clinton administration, not led by President Bill Clinton but led by First Lady Hillary Clinton. What she came up with and worked on was something called HillaryCare.

The Republicans came up with an alternative to HillaryCare introduced by the Republican Senator from Rhode Island, John Chafee—a really good guy, a very able guy. I actually served with his son Lincoln in the Senate. But in 1993, 1994, when most people focused on HillaryCare, John Chafee introduced legislation with 20 or so Republican cosponsors. A couple of them are still

here, I think. Senator ORRIN HATCH was one of them, and Senator CHUCK GRASSLEY of Iowa was one of them—maybe a couple of Democrats, as well. But 20 to 25 Senators, mostly Republican, cosponsored the Chafee legislation.

This chart mentions the Chafee bill and what was included in the Chafee legislation. One of the things included was the individual mandate—basically, that everybody had to get coverage.

Second was the employer mandate, which basically said that employers had to provide health care coverage for their employees—maybe not for everyone, maybe not for the smallest businesses—but getting employers to meet what Senator Chafee and other Senators thought were the employers' obligations, their responsibilities.

In the Chafee legislation there was a ban on preexisting conditions.

In the Chafee legislation there were subsidies for purchasing insurance. Purchasing it where? Purchasing it in State exchanges. The idea of creating large purchasing pools—there were folks who didn't have health care coverage who could get their health care coverage in a large purchasing pool. If their income was low or relatively low, they would be eligible for tax credits to buy down the cost of their health care coverage. They would get theirs from the exchanges and the purchasing pools.

Those were all ideas in Senator Chafee's legislation in 1993. Do you know what? I am a Democrat and probably shouldn't say this, but I thought they all made sense.

The legislation didn't go anywhere. In the end, HillaryCare didn't go anywhere. But long before we had serious debate on the Affordable Care Act, people were talking about the same thing.

You go over here—RomneyCare in 2006. Individual mandate: Got it. Employer mandate: Got it. Ban on preexisting conditions? Yes. Subsidies for purchasing insurance? Yes. Establish State purchasing groups? Yes. Those are all in RomneyCare.

I have always given Governor Romney credit for the idea of the individual mandate, but apparently that was wrong. It was in Senator Chafee's legislation as well. Governor Romney took the handoff, if you will, from Senator John Chafee and introduced what they call RomneyCare in Massachusetts. It was introduced in 2006.

When it first was introduced, they had real good success in getting people covered. It was successful in terms of getting people covered. Where they were not so successful initially was affordability. They had to work on affordability. Part of the problem there was it took a while for the healthier, younger people who did not think they needed health care coverage because they were young and invincible. It took a while for them to start.

They said: The fine keeps going up year after year after year. Maybe I should get some health care coverage and not pay the fine. Ultimately, I think RomneyCare did a much better job on affordability.

If you take those five key provisions, the individual mandate, employer mandate, ban on preexisting conditions, subsidies for purchasing insurance, and establishing the State exchanges—key provisions in the Chafee bill—they are in RomneyCare. Believe it or not, they are in the Affordable Care Act.

I know some of our Republican friends think that nobody listened to them when we wrote the Affordable Care Act. Actually, these are your ideas. These are your ideas. Some of the provisions or aspects of the Affordable Care Act that our friends across the aisle have been most critical of are things that were originally their idea—originally their idea.

Then we changed this thing. Senator SANDERS who has joined us on the floor. We added to that. We expanded Medicaid. We said to States—we didn't make them expand Medicaid, but we said: If you do, the Federal Government will pay the lion's share of the increased costs in Medicaid. I think initially maybe 24 States signed up and said: We will do that, including the District of Columbia. Later on, another seven or so, eight States—I think Indiana is one of those that decided, under then-Governor Pence, to expand Medicaid up to about roughly 135 percent of poverty from maybe closer to 100 percent of poverty for most States.

That is a little bit of a good history lesson. I think we have another chart we can look at. It is a pie chart. Sylvia Matthews Burwell came by—the Secretary of Health and Human Services came by a month or two ago and talked to our Democratic Senate caucus. One of the things she said to us that I thought was especially informative was she talked about this pie chart.

What she said is: Think of this pie chart. It includes about 300 million Americans who get health care, at least those who get some kind of health care other than emergency room. She told us that roughly half of the people, a little bit more than half of the 300 million people among the Americans who are getting health care—a little over half, 57 percent—get their coverage through employer coverage. The employers provide that as a condition of employment. Another roughly 22 percent—that is this area, sort of the brown area—is Medicaid and the S-CHIP program, the Children's Health Insurance Program, a bipartisan idea. Bill Roth worked on that, the Clintons, and others. I even worked on it as Governor. About 15 percent—this area right here, the green—is Medicare. Then down here you have the individual markets, the marketplaces, and so forth.

There are roughly 5 or 6 percent down here where people are getting their coverage. A lot of the attention, a lot of the criticism of the delivery of health care in the last 6 or 7 years by our friends on the other side has been down here with the marketplaces, the exchanges. Those were their ideas.

One of the nice things the Affordable Care Act has done—not many people know this—but the Medicare trust fund, which is in danger of running out of money, the life of that trust fund has been extended by 12 years because of the Affordable Care Act. The Medicaid pieces have been—the Secretary of Health and Human Services, Sylvia Matthews Burwell, has negotiated with a number of Governors to try to give them the opportunity to sort of customize their Medicaid programs.

I think maybe in Indiana they wanted to have a small copay for the people who participated in Medicare. That is what they got. So it is not all one size fits all, but there is some differentiation between Medicaid. Now we have roughly two-thirds of the States that have signed up for Medicaid expansion.

So that is just a little visual. Do we have another chart here? The question is, Who gets hurt by repealing the Affordable Care Act? If we just repeal the Affordable Care Act, and we don't replace it at the same time we repeal it or change it, a lot of people will get hurt, including a lot of people who are in the exchanges and getting health care coverage maybe for the first time in a long time, and actually folks who are not in the exchanges, people who get their health care coverage in all kinds of ways, including employer provided, Medicare, and Medicaid, or privately purchased.

We don't need the kind of uncertainty, the lack of predictability that would be created by repeal without having a very clear picture of what we are going to replace it with at the same time—not a year from now, not 2 years, not 3 years, not 4 years from now but at the same time. That is what we ought to do.

I will close with this. I note one of my colleagues from a big State up to the northeast of us has a few things he wants to say. I welcome hearing him.

My dad used to say to my sister and me when we were kids growing up, a little younger than our pages—we would do some bone-headed stunt, and he would say to my sister and me: Just use some common sense. That is what he would say. Just use some common sense. He said it a lot. We must not have had much.

Well, just repealing the Affordable Care Act and not having something to replace it with immediately that provides coverage just as good—affordable, comprehensive coverage—that would not be very good common sense. We can do better than that. We can do better.

I hope our Republican friends, with this rush to judgment to repeal and replace 2 or 3 or 4 years down the line, can come around and say: No, that does not make much sense. I hope they will listen to some of their colleagues and some of the rest of us who say: If we are going to repeal the Affordable Care Act, let's know what we are going to replace it with, and make sure we do that on day one.

With that, I am happy to yield the floor to my friend from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I thank my friend from Delaware for yielding. When we talk about the health care crisis in this country, it is not just health care, it is also the outrageously high cost of prescription drugs. I know in my State of Vermont, and in fact throughout this country, millions of people today are unable to afford the medicine they need.

In fact, almost one out of five Americans who go to the doctor and get a prescription are unable to afford to buy the medicine their doctors prescribe. Frankly, that is insane because what happens if you don't take the medicine your doctor prescribed, often you are going to get sicker. Sometimes you may die. Sometimes you may end up in the emergency room. Sometimes you may end up in the hospital. It is literally beyond comprehension that almost one out of five Americans today are unable to afford the medicine they need.

Meanwhile, while so many of our people cannot afford the medicine they need, the top five drug companies last year made \$50 billion in profit—\$50 billion in profit. The top 10 CEOs in the pharmaceutical industry earned over \$300 million.

So what we have is a scenario in which the American people pay the highest prices in the world for prescription drugs. Millions cannot afford the medicine they desperately need, but at the same time the drug companies make out like bandits, and their CEOs earn exorbitant compensation packages.

I happen to live 50 miles away from the Canadian border. A number of years ago, I took a busload of Vermonters across the Canadian border, not just to do some sightseeing in Montreal, which is a beautiful city, but to go there to purchase the same exact medicine that Vermonters, many of whom were dealing with breast cancer, were buying but yet buying it in Montreal, Canada, for a fraction of the price they were paying in the United States.

In fact, on that particular trip, many of the women who were dealing with breast cancer purchased the medicine they needed for one-tenth of the price they were paying in Vermont—one-tenth of the price. Let me take a moment today to review the costs of some

of the exact same drugs sold in the United States compared to their costs in Canada.

Here in the United States, EpiPen, as we all know, costs more than \$600 a set. That price has skyrocketed in recent years. In Canada, the same exact set costs \$290, less than half of what we pay in the United States.

Crestor, a popular drug to treat high cholesterol levels, is \$730 here but \$160 across the border. We are not talking

about generics. We are not talking about another drug. We are talking about the same exact same drug manufactured by the exact same company.

I may be mispronouncing it, but I think it is Abilify, a drug for depression, is more than \$2,600 for a 90-day supply here in the United States but only \$436 in Canada.

I can go on and on and on. By the way, let's be clear—

USA—THE HIGHEST DRUG PRICES IN THE WORLD

	CANADA	U.K.	SPAIN	NETHERLANDS	U.S.A.
ENBREL	\$1,646	\$1,117	\$1,386	\$1,509	\$3,000
CELEBREX	51	112	164	112	330
COPAXONE	1,400	862	1,191	1,190	3,900
CYMBALTA	110	46	71	52	240
GLEEVEC	1,141	2,697	3,348	3,321	8,500
HUMIRA	1,950	1,102	1,498	1,498	3,048
NEXIUM	30	42	58	23	305

Mr. SANDERS. Mr. President, perhaps people then will ask a simple question: How does it happen? How does the same exact same medicine sold in the United States sell in countries around the world for a fraction of the price that we have to pay? The answer is severalfold. No. 1, we are the only major country on Earth, of course, that does not have a national health care system guaranteeing health care to all people. We are the only major country on Earth not to have that.

As part of that problem, we are the only major country not to negotiate drug prices with the pharmaceutical industry. You can walk into a drug store today, and the price could be double or three times what you paid a year ago. There is no law to stop them. They can and they will raise prices as high as the market will allow. If people die as a result of that, not a problem for them. If people get sick, not a problem for them.

Perhaps next to Wall Street, the pharmaceutical industry is the most powerful political force in this country. They have spent more than \$3 billion on lobbying since 1998, and they have 1,400 lobbyists on Capitol Hill. We have 100 Senators. There are 435 Members of the House. Yet the drug companies have 1,400 lobbyists on Capitol Hill. They have lobbyists all over the country in every State capital.

These are no small-time lobbyists. These are former leaders of the Democratic Party, leaders of the Republican Party, people who have enormous contacts. So the drug companies are able to raise prices to any level they want because we as a nation, uniquely among major nations, do not negotiate prices with them. The reason we do not negotiate prices with them is they got lobbyists and they make very hefty campaign contributions to make sure Congress, in fact, does not pass legislation which will lower drug prices in this country.

The pharmaceutical industry is an industry that is not only incredibly

greedy, but they have a business model which is largely based on fraud. Like Wall Street, their business model is largely based on fraud. Almost every major drug company, not widely known—but almost every major drug company in this country—multi, multibillion-dollar corporations—have been fined for illegal activities and for cheating consumers in our country and all over the world.

Since 1991, with lax enforcement—it is not like we have a vigorous Attorney General's office that really goes after these guys. With relatively lax enforcement policies, drug companies over the years since 1991 have paid over \$35 billion in fines or reached settlements for fraud and misconduct. Imagine that. This is just when they are caught, and I suspect that most of the times they cheat, they don't get caught—but \$35 billion in fines or settlements since 1991 from the major drug companies in this country.

Let me give you just a few examples of some of the settlements and fines the major drug companies have made in recent years.

In 2013, the Justice Department ordered Johnson & Johnson to pay \$2.2 billion in fines because they "recklessly promote drugs for uses that have not been proven to be safe and effective."

According to the U.S. attorney handling the case, Johnson & Johnson's "promotion of Risperdal for unapproved uses threatened the most vulnerable populations of our society—children, the elderly, and those with developmental disabilities."

In 2010, AstraZeneca Pharmaceuticals paid \$520 million to resolve allegations that it illegally marketed the antipsychotic drug Seroquel for uses not approved as safe and effective by the Food and Drug Administration.

In 2009, Eli Lilly was fined over \$1.4 billion for its off-label promotion of another antipsychotic product known as Zyprexa. According to Federal investigators, Eli Lilly's "illegal activity

Mr. President, I ask unanimous consent to have printed in the RECORD a chart of drug prices around the world which will show that prices in the United States are not only almost always higher than in Canada but higher than in the UK, Spain, and the Netherlands as well.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

increases patients' costs, threatens their safety and negatively affects the delivery of healthcare services to the more than nine million military members, retirees and their families who rely on" TRICARE.

Very interestingly—and I am sure many of the Members saw it—President-Elect Trump had a press conference this morning, and in his press conference, he said that pharma is "getting away with murder."

Mr. Trump: Pharma is "getting away with murder."

Do you know what? Mr. Trump is exactly right. Pharma is getting away with murder. Pharma has gotten away with murder for many decades.

The interesting issue is, with a Republican President-elect telling the truth, that pharma is getting away with murder, will the Republicans, will all the Democrats have the guts finally to stand up to the pharmaceutical industry and their lobbyists and their campaign contributions and fight for the American consumer and end the disgrace of having our country pay, by far, the highest prices in the world for prescription drugs?

The good news is—I say to my fellow Republicans and to Democrats—the good news is that tonight you are going to have that opportunity because as part of the so-called vote-arama, I will be offering a very simple amendment which I hope wins strong bipartisan support. In fact, there have been a number of Republicans over the years—in the House and in the Senate—who have supported the concept of reimportation for many years.

What this amendment will do is allow pharmaceutical distributors and pharmacists and those involved in the pharmaceutical industries—those people who sell drugs—to import low-cost medicine from Canada and other countries which will be FDA-approved. In other words, all over this country people ask a very simple question: We can eat fish and vegetables that are grown all over the world, but somehow we

cannot get into this country brand-name prescription drugs manufactured by some of the largest drug companies in the world from an advanced country like Canada? The reason we can't do that is for one reason and one reason alone, and that is the power of the pharmaceutical industry.

I would hope that tonight, both Democrats and Republicans will stand together and demand that this country be able to import safe, low-cost medicine from Canada and from other countries.

I should also mention that I will be introducing legislation with Representative ELIJAH CUMMINGS from Maryland in the coming days on this very issue, on the issue of reimportation and also another issue that Mr. Trump touched on, I believe, today; and that is, the need for Medicare and the government, in general, to negotiate prices with the pharmaceutical industry. The VA does it. Clearly, Medicare should be doing it as well. I believe we are going to have an amendment on the floor tonight. I would hope people support that amendment. I will be introducing legislation on that issue as well as reimportation.

When we talk about the health care crisis in America, one of the issues of concern to most Americans is the outrageously high cost of prescription drugs. The question is whether the Congress has the guts to take on an enormously powerful industry, the pharmaceutical industry, with all of their lobbying and all of their campaign contributions. I certainly hope we will do the right thing, and tonight we can begin that process.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Louisiana.

Mr. CASSIDY. Mr. President, as we continue to debate health care, there are some things that are kind of being debated that I call monkey dust. When two gorillas fight, they try to confuse each other by throwing dust up in the air. It has nothing to do with the substance of the fight but rather is only meant to distract the other side. That is part of what this kerfuffle, if you will—people raise per-beneficiary payments as if that is something pernicious, something that should be avoided, something which is bad.

First, we are setting this kind of in the perspective of Medicaid.

Let me speak about per-beneficiary payments. For those who are in the Federal Employees Health Benefits Plan, the Federal Government makes a per-beneficiary payment to the insurance company to cover that Federal employee. For those States which have a Medicaid managed care company contract, the State makes a per-beneficiary payment to the Medicaid managed care company. That is a per-beneficiary payment. The reason I like this is because, inherently, the dollar follows the patient.

Now we are speaking about this in the context of a Medicaid reform program. Why should Medicaid be reformed? That is the question. Let's speak about our current Medicaid system. It is bankrupting States and the Federal Government.

In 2009, for the first time, the amount of money spent by States on Medicaid exceeded what they spent on education. Ever since then, Medicaid's expenditures are going up, and education expenditures are going down. Despite all this money, we get poor outcomes. Medicaid typically pays physicians below their cost of seeing a patient.

I pointed out in my speech yesterday that the week ObamaCare passed the House of Representatives, Robert Pear, the New York Times journalist, wrote an article in the New York Times following cancer patients on Medicaid in Michigan. What Mr. Pear found was an oncologist who had so many Medicaid patients she was going bankrupt. Indeed, she had to begin to discharge those patients from her practice because she could not pay her bills. We tracked down one of those patients who was featured, and she died 2 weeks after being discharged from the practice.

Medicaid pays so poorly that physicians cannot afford to see large numbers.

That said, it isn't just an anecdote from this New York Times article. There is a study out of MIT for the National Bureau of Economic Research, I believe it is, that found that with all the money spent on Medicaid, the beneficiary only receives 20 to 40 percent. The rest goes to institutions.

If we speak about a per-beneficiary payment, substantially all of that money goes to the patient. Under the current scenario, out of an MIT study, only 20 to 40 percent does.

Go back to the oncologist who couldn't afford to see the patients because her reimbursements were so low. What if the rest of that money, which was not being attributed to the patient, instead could go to pay her doctor, then the patient would have never been discharged.

By the way, on average, States spend 17 percent of their State dollars on Medicaid. In my own State of Louisiana, it is 19 percent, and in my State this has increased, nearly doubling from the year 2000.

Let's go back to the per-beneficiary payment, where the dollar follows the patient, as in, by the way, the insurance plans that people have under ObamaCare on the exchanges. There is a subsidy that goes to the insurance company that then provides for the patient. The dollar follows the patient. So the per-beneficiary continues to do that.

Folks say: Well, there is not enough money in Medicaid; therefore, we have to somehow do things differently. The

models we use in private insurance will not work in the Medicaid population.

We looked up the SEC report for a Medicaid managed care company, and the Medicaid expansion population, they get \$6,000 per enrollee. I just met today with an insurance company that was discussing the rates they are going to give on the exchanges next year. It is going to be roughly \$5,500 per enrollee will be a year's premium.

So think about this. Those in the Medicaid expansion population have more Federal dollars going to support them than those citizens, those fellow Americans who are receiving their insurance on the ObamaCare exchanges. Yet we continue to hear from the Medicaid patients that they have problems accessing specialists.

There is more money in Medicaid than in the private insurance market, but the Medicaid patient can't see a specialist because the patient's specialist is being paid below cost and cannot afford to see the patient. There is something incredibly wrong here.

By the way, I should also point out that in States in which Medicaid is expanded, another MIT study found that 60 percent of those who go on the Medicaid expansion dropped private insurance—dropped private insurance—which means they go from kind of paying their own way to the taxpayer paying for them.

My own State of Louisiana recently expanded Medicaid. It might not have been 60 percent of those on the Medicaid expansion dropped their insurance, but I am told by the chief insurance company that I think about 70 to 80,000 people dropped private insurance to go on Medicaid; 60 or 70 or 80,000 people stopped paying for themselves and asked taxpayers to pay for them.

That is OK if you are the person going on Medicaid. You no longer have a deductible or a copay. I understand ObamaCare exchanges have \$6,000 deductibles, and maybe that is what they had to do, but if we are going to come up with a sustainable system, that is not an answer.

What I do is encourage that there be a per-beneficiary payment, that the money follow the patient. Again, for those who say it is some terrible thing to have a per-beneficiary payment, they are ignoring all the evidence of how it is good. Think of the Federal Employees Health Benefits Program. Probably if somebody is watching on C-SPAN, their spouse or their own policy they get through their employer, the employer pays the insurance company a certain amount of money per employee and per employee family member.

We could also do what Indiana has done. In their Healthy Indiana Plan 2.0, they made per-beneficiary payments, if you will, to Medicaid enrollees, giving them a health savings account and covering their catastrophic expenses. They

found that the Hoosiers who enrolled in this used 40 percent less charity care than those with traditional insurance. These are all Medicaid patients.

Folks say: Oh, my gosh. Health savings accounts per-beneficiary payments can never work for the poor.

In this case, 70 percent of those enrolled in this program were below the Federal poverty level. Yet, nonetheless, they contributed to their own HSA. They continued making those contributions and altered their behavior to become more cost-conscious, better consumers of health care.

I always say don't underestimate patients. In my own practice, for 30 years, I worked in a hospital caring for the uninsured, and although the uninsured don't have some of the advantages in life that others have, they can take care of themselves. They know what is right and what is wrong in terms of their own interests.

So let's make those per-beneficiary payments. Let's not be distracted by those who somehow make this a bad thing. Let's believe in the American people, that they can handle their own health care and that they don't need a Washington bureaucrat to tell them how to live their health care lives.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, first of all, I want to acknowledge the great intellect that the Senator from Louisiana brings to the debate, the experience he has in the health care field, how much I personally have learned from him on the committee in the work we do, and I thank him for the contribution he makes to the Senate.

I rise to talk a little bit about how we got to where we are today, what we are about to do, and where we need to end up. It will be short, and it will be sweet, but it will be to the point.

I was here in 2009 when we passed ObamaCare. In fact, as the Presiding Officer will remember, it was at 9 o'clock in the morning on Christmas Eve in 2009. I opposed it at that time for a particular reason. The reason was that I saw it driving us toward a single-payer health care system, which I personally opposed. But the votes were there. It passed, and it passed on the promise that if you liked your doctor, you could keep him; if you liked your insurance, you could keep it. And because everybody is going to be insured, rates will go down and everything is going to be wonderful.

What has happened over the last 8 years has been pretty incredible. Rates have gone up tremendously. People have not been able to keep their insurance. We find ourselves on the cusp of being forced to a government single-payer health care system because the private markets are collapsing.

In my State of Georgia, where we have 159 counties, up until this year

every county had at least two or more providers providing health insurance. Today in 2017, 96 of our 159 counties have one carrier. Next year half of them will be down to no carrier, and we will be forced into a system that we don't know what it will look like. Prices have gone up not just by a little bit, but they have gone up by an awful lot. The end-user market in Georgia is approaching the breaking point.

I will give you a couple of examples. Two parents in Georgia picked the least expensive plan available this year to their family of four. It comes out to be a \$6,500 deductible and \$2,400 a month for premium—unsustainable.

A couple in their sixties had a similar plan but were just outside the subsidy limit of \$96,000 for their family. So they are paying over 50 percent of their income for health insurance.

Hard-working families deserve better. Although President Obama promised this law would reduce premiums and make health care more available, it has done the opposite. ObamaCare is unsustainable. Now, that is the practical answer, and that is exactly what got us to where we are today.

We are in the process of attempting to get the budget reconciliation act before us so that we can repeal ObamaCare, but we must also talk about what we replace it with because repealing it without a replacement is not an acceptable solution. It is not a solution. It is a conundrum.

We must prioritize returning the oversight of individual markets to the States and provide them with the flexibility to design their Medicaid programs in ways that enable them to cover most people and tailor benefits to meet the needs of the unique populations in their States.

We have proven in the past that regulation by the State insurance commissioners work. We need to return association health plans to be competitive in the United States. We need to allow the sale of interstate insurance across State lines and stop the prohibition against that. We need to open the opportunity for entrepreneurship in the private sector to fill the void that is being filled by the vacuum that has been created by the mandates of ObamaCare.

We need to also preserve those things in ObamaCare that made sense—pre-existing condition, absolutely; insurance coverage up to the age of 26 while staying at home with a parent, absolutely. Those things can be done, and we ought to do them because they were the right thing to do when we did them, and they are the right thing to preserve now. But it is absolutely essential that we see to it that we return insurance to the private sector and regulation to the States. If we fail to do so, we will have higher premiums or no premiums at all and no plans at all.

So as we talk about repealing, we must also end up landing on a replace-

ment. It is unsustainable and impractical, and it is wrong for us to say we are going to repeal ObamaCare without replacing it with a plan that we know works and has the opportunity. Let's address that which caused ObamaCare to happen. Let's fix the breaks that have taken place. Let's bring back competition, State regulation and authority, and let's see to it that health care in America is accessible and is affordable. It is important for us to do it. It is essential for us to do it, and I plan to commit myself to seeing to it to do my part to repeal ObamaCare. We replace it with a sustainable program, we return the program to the States, wherever possible, and we see to it that Americans have health insurance coverage at a competitive and fair price.

I yield back.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I want to talk specifically for a few minutes about mental health care and about an amendment that I will be offering this evening. But I do want to start off by stepping back for a moment and indicating that, from my perspective, I know those of us on the Democratic side of the aisle understand that we have work to do together to continue to bring down costs for health care and, in some areas where there is not enough competition, in fact, to create that competition. Affordable health care is the goal for all of us. I have concerns in looking at my small business community that we continue to do things that support them. That is different than what we are being asked to vote on here.

What we are being asked to vote on is a repeal of health reform that touches every American and all of the patient protections that we put in place that have moved total control from insurance companies to people with insurance so that we can't quit a job if we get sick. If you have a preexisting condition, are a diabetic, or have heart disease or you had some other challenge or your child has, you know that you will have confidence that you will continue to be able to find insurance and see your doctor. There are all of the provisions that are here—young people up to age 26, all of the efforts that we put in place to make sure that you have the confidence and the ability to know that you have insurance. We need to ensure that if someone has cancer, they are not going to be capped with the amount of care they can get.

Yesterday in the capitol in Lansing, MI, there were physicians and pediatricians working with cancer patients, with children and their families, who were talking about the fact that, because of the Affordable Care Act and taking off the caps on the amount and kinds of treatment that children with cancer can get, literally, lives have been saved. Parents are now looking at

this body and the Congress as a whole and the new President and are saying: Why in the world would we want to go back to a situation where people can't get the level of care, the quality of care, or, in some cases, the care at all for themselves or their families?

So we are proposing that, rather than repealing health reform, which unravels the entire health care system because part of it is Medicare, part of it is prescription drugs going back up—it weakens the Medicare system, and it weakens the Medicaid system, where most of the dollars are going to seniors in nursing homes. It creates a situation where someone who is working very hard at a minimum-wage job and hasn't been able to have insurance because their employer didn't provide it can now have the assurance that they can care for themselves and their families and see a doctor without using the emergency room for regular treatment, which, of course, is the most expensive way to get health care and drives the costs up. What is being proposed is that we unravel all of it and literally create chaos in the system. We are for affordable health care, and we are willing to work with anybody at any time. I, certainly, will be ready and willing to do that. But I reject the idea that we are going to repeal and unravel the entire health care system and create chaos for families, businesses, and communities. There are many communities where the hospital system is the major employer in the community. Health care is one-sixth of the entire economy and is going to be impacted by this.

I want to specifically speak about the importance of accessible and affordable mental health services and what we have been able to achieve with protections established by the Affordable Care Act that ensure people can receive care. We have come a long way since over 50 years ago when President John F. Kennedy signed the Community Mental Health Act and put down a marker about the importance of treating health issues above the neck as well as below the neck. Comprehensive health care should affect every organ, every part of the body, every kind of disease. We have made major steps in that direction. We have a long way to go to get the comprehensive care we need in the community, but we have made major steps forward, including bipartisan efforts here related to the Cures Act, as well as the efforts that Senator ROY BLUNT and I have been working on to make sure the payments for providing services in the community are the same for mental health and substance abuse services as well as physical health. So we have made steps forward, but the reality is that repealing the Affordable Care Act will take us backwards in a major way.

I have introduced, along with colleagues who are also champions on this issue—Senators CARDIN, MURPHY, DUR-

BIN, and a number of other Democratic colleagues—an amendment that would help to prevent passage of any legislation that would reduce or eliminate services and access to mental health care. This is an amendment that should not even be necessary, particularly given the fact that we have worked in a bipartisan way on other pieces of legislation to move forward.

I don't know why we would ever pass something that reduces or eliminates access to mental health or substance abuse services such as opioid treatment. Why in the world would this body come together and jeopardize work we have already done, essentially ripping it apart? The repeal of the Affordable Care Act and the cuts to the Medicaid Program do exactly that.

Why is this important? Well, nearly one in five adults in our country has a mental illness. About 4 percent of adults have serious mental illness. Unfortunately, even now, with work we have been doing, we still have over 60 percent of people who don't receive the full treatment they need. We should be working together on that, not taking away the access to treatment that people already have.

This touches all of us in one way or another. I think all of us—our families, our friends—know someone. In my case it is very personal. I grew up with a loving, wonderful father who became ill when I was in elementary school. He was misdiagnosed and mistreated for years, and finally was accurately diagnosed as being bipolar, meaning he had a chemical imbalance in the brain. So contrary to other people who may have a sugar imbalance and they take their insulin because they are diabetic or they may have some other chemical change or imbalance where they can get treatment that has been covered under health insurance, if it is a chemical imbalance in their brain, up until the Affordable Care Act, it was not required to be covered under health insurance. It was not required, even though we passed policies stating that there should be mental health parity. For the first time, in the Affordable Care Act, we said in every definition that, when we talked about health care, it would include behavioral health, mental health, and substance abuse. As a member of the Finance Committee, that was a top priority for me. I indicated to the chairman at the time that I would not support any health care reform that did not define essential health care benefits as including mental health and substance abuse services. We know that definitions drive every new system, and we were successful in making sure that, in every part of health reform, we defined health care in a comprehensive way for the first time.

Mental health used to be considered a preexisting condition—not any more. Health insurance companies can no

longer deny you coverage or raise your rates because you need mental health treatment. My dad struggled with that throughout his life. When he was finally diagnosed correctly and got the medications and the help that he needed, he never went back into the hospital again. I have seen what happens when someone doesn't get the help they need and when they do and the challenges to the families as well, and I am committed to making sure that services and treatment are available for every family.

Americans now have coverage for preventive services like depression screenings with no cost-share. You can see your doctor to get help without breaking the bank. Mental health and substance abuse are also now guaranteed benefits, as I mentioned before. They are covered as essential health care benefits. Why in the world would we not want to do that? Why would we say we want people to have access to health care, but it depends on what part of the body your disease is in?

That makes absolutely no sense. The Affordable Care Act makes sure that our law defines comprehensive health care from your head to your toes. It is the right thing to do.

These are all commonsense reforms, and we cannot afford to roll this back. A Harvard Medical School and New York University study released just this morning shows that if the ACA were repealed, 1.2 million Americans with serious mental disorders and 2.8 million Americans with substance abuse disorders would lose some or all of their coverage. This is 4 million people losing treatment that is allowing them to get help, move on with their lives, and be productive citizens as we all want to be and as we all want to have available to our family members.

Think of all the millions more who could again be in a situation of not being able to afford insurance once relabeled with a preexisting condition. The opioid treatment gap—the gap between the number of people who seek services and those who can find or afford—would increase by 50 percent if the ACA is repealed. There would be 50 percent more people unable to find or afford services.

We just had major debate on the floor and passed grant funding to help with this very serious issue. But why in the world should we say for a critical part of health care affecting every family, one out of five Americans, that it will be only around grants and not a part of our comprehensive health care system?

What happens now? The grant runs out: Gosh, I am so sorry you are sick. I am so sorry that you need to see a therapist or that you need medications. I am so sorry the grant ran out.

I don't think we would do that to somebody who had a heart attack: I am so sorry you have had a heart attack. You need surgery, but the grant ran out.

But with mental health illness, that is what happens every day. That is what happens.

Frankly, it is outrageous that we don't have a comprehensive health care system that is completely treating and responding in every way and reimbursing physicians and nurses for all of the different kinds of treatments, services, and medical help they provide.

We have put into law in the ACA that insurance companies cannot discriminate, you cannot have larger copays, you cannot have caps on services, you cannot have larger premiums—and this is a fundamental baseline right that we have placed into law as it relates to access to mental health and substance abuse services. To see that ripped away from Americans across the country is unbelievable to me. It is totally unacceptable.

The amendment we are offering would create a budget point of order against any legislation that comes to this floor that reduces access to mental health services for children, for adults, for seniors in this country. I would hope that all of us could join together and state through our votes that we understand how important these services are and what a difference they have made. Right now, repeal of the ACA means 4 million people will lose those services, not counting all of the others that would be blocked because of future access problems and pre-existing conditions and caps on services and all of those patient protections that go away.

I hope that we will join together in a bipartisan way, as we have done on bills such as the Cures Act and others, to say we understand this is the fundamental piece. It starts with mental health parity. To me it is incredibly hypocritical to talk about these issues and want to provide grant funding when the fundamental question of whether mental health and substance abuse services covered under your insurance are ripped away, which is what will happen with the repeal of the Affordable Care Act.

I urge my colleagues to support our amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

REMEMBERING STANLEY RUSS

Mr. COTTON. Mr. President, my home State of Arkansas lost one of its great statesmen last week with the passing of former State Senator Stanley Russ.

Stanley was a man of the soil. Born in Conway, he grew up on a dairy farm just outside the city. He went through the public school system and earned a degree in agriculture from the University of Arkansas. Although he spent the bulk of his career in the life insurance business, over the years he continued to raise cattle. Even when he was an old man, you could find him

clearing brush on the road to his house. That is how we thought of him—always keeping busy, always working, and always in touch with the needs of the land and its people.

As a veteran, I have to say that one of the things I most admired about Stanley Russ was his military service. He served in the Army for 2 years, completed Officer Candidate School, and became an instructor in artillery. After being discharged, he served as a company commander in the Arkansas National Guard for several years. In 1995, Stanley was inducted into the U.S. Field Artillery OCS Hall of Fame at Ft. Sill, OK.

His true calling in life was public service. Stanley represented Conway for 26 years in the Arkansas State Senate. More impressive than his lengthy tenure was his unimpeachable integrity. Stanley Russ was universally known as good, sturdy stock. The story is often told that during his first campaign, one of his opponents had some of his poll watchers thrown in jail. But Stanley won the race anyway and went on to pass legislation protecting the rights of all poll watchers. He served in the senate with distinction, championing quality education for all of Arkansas' students and eventually rising to the office of president pro tempore.

Stanley Russ was a model for all of us in public service. I got to know Stanley well in my first campaign. He remained a friend and trusted source of advice and support until he passed away.

I have heard Stanley died peacefully, surrounded by his loving family as his granddaughter sang the hymn, "Great is Thy Faithfulness." In his words, he considered himself "greatly blessed, highly favored, imperfect, but a forgiven child of the King."

But perhaps the best summing up was given by the man who now holds his seat, State Senator Jason Rapert. As Senator Rapert put it, Stanley Russ was "the kind of man that God made only one time."

As I stand on the Senate floor, I wish to say on behalf of our grateful State: Stanley Russ, rest in peace.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise this afternoon to join my colleagues in expressing support for S. Con. Res. 3, the budget resolution which, as most Americans now know, is the vehicle we will use to begin the repeal and replacement of ObamaCare.

This is a matter of keeping our word to the American people. This is a matter of keeping our promises that we have made, not only during the last campaign cycle but repeatedly since I voted against this bill some 8 years ago. It was enacted in January of 2010.

Republicans on this side of the aisle and many Americans repeatedly op-

posed the ObamaCare expansion of Federal power. We said it wouldn't work. We said the President would not be able to keep his promises to the American people and when we got a chance to go back into the majority, we would repeal that act. On this side of the aisle, this is a followup on years and years of determination on our part to right this wrong, to keep our promises, and come up with a better plan to help Americans have coverage they can afford and a doctor they can keep.

I intend to support the chairman of the Budget Committee in the votes we will have today and tonight. We have what some people call the vote-arama tonight. A number of votes will be taken in rapid succession, and we don't know how many will actually be offered by our friends on the other side of the aisle. I believe I will be able to vote against all of these amendments because I think keeping a clean bill makes it more likely we will be able to pass this legislation, send it to over to the House of Representatives where it can be tweaked but passed and get back to us for final approval, and actually get a bill to President-elect Trump after he takes office, repealing ObamaCare so we can replace it with something that works.

This is our opportunity to keep our campaign promise. This is our opportunity to help the President-elect and the Vice President-elect keep their campaign promises and show to the American people that elections have consequences and that at least this group of public officials intends to keep our word with regard to this piece of legislation. It was well intended, no doubt, but it could not possibly have worked to do the things that President Obama said it could do.

In 2009 and 2010, the President told us: If you like your health plan, you get to keep it. It turns out that is a promise that was not kept because it could not be kept.

The President said: If you like your doctor, you can keep that doctor. Again, this is a promise this administration and our Democratic friends on the other side of the aisle were unable to keep. That is why so many people around the country are opposed to keeping ObamaCare. They want it to be repealed. They want a drastically different approach involving market principles to be put in its place so it will work for patients and work for the American people.

ObamaCare is not working. It is not working in my home State of Mississippi. It is not working for millions of Americans who lost their health insurance. It is it is not working for millions of Americans who saw their premiums rise and their deductibles go to unimaginable heights.

Of course, I know the Presiding Officer and I have heard from constituents at home, and I am going to take this

opportunity to share with you some of the views I have heard from people in Mississippi who are looking to us in the House and in the Senate to rectify this situation with regard to this disastrous piece of legislation.

A 62-year-old individual from Madison, MS, wrote to me saying:

Please explain the term “affordable” in the Affordable Care Act. . . . I recently went to Healthcare.gov to look at possible health insurance plans. . . . The estimates range from over \$18,000 to over \$26,000 per year. That is anywhere from 13.5% to 18.6% of our gross salary. So forget about saving for retirement. The system is flawed.

Another Mississippian wrote to me:

I have read in many publications about the increases in premiums for ObamaCare, but that is actually a moot point when the only insurance . . . that my doctor and my wife’s doctor will take is PULLING out (of the exchange) leaving my wife with no choice but to possibly return to work just for the insurance.

A third constituent from Saltillo, MS, wrote:

I just applied at the market place for health insurance. My quote was \$415 monthly with a deductible of \$6850. I work less than 30 hours a week in retail. There is no way that I can afford that.

This constituent from Saltillo goes on to say:

What am I supposed to do? I have a car payment and I need to eat.

Well, I think help is on the way. The action we are going to take this week in sending this resolution over to the House of Representatives is a form of keeping our promise and providing assistance to this constituent of mine.

These stories go on and on. For a woman in Gulfport whose husband lost his job, the cheapest plan in the ObamaCare exchange was \$1,042 with a \$13,000 deductible. This constituent calls ObamaCare “legalized extortion.”

A 60-year-old constituent was understandably upset when his insurance went up by \$113 a month. He then noticed that coverage he didn’t request had been added to his policy without wanting it or needing it. Pediatric dentistry and birth control were required on this plan, two things neither he nor his wife want to use or want to pay for.

So I want to remind my colleagues that ObamaCare is hurting individuals—individuals who have written to me, and individuals who have written to all of my colleagues, but it is also hurting small businesses in Mississippi and small businesses in Pennsylvania and around the country. I would remind my colleagues that most jobs in the United States are created not by large corporations, not by the big-ticket manufacturing plants that come into our States and districts that we like to have, but by small businesses—businesses of under 200 people.

A small business owner in South Mississippi wrote to me. Following her husband’s retirement, she had to find health care through the exchange. Her

county borders Louisiana, and many Mississippians travel across State lines for work. The health care network that she has used for 20 years is no longer an option for her because ObamaCare policies do not allow beneficiaries to use networks in different States. That is also something we need to address when we finally put in place the replacement portion of this mechanism.

The plan for this nonsmoker, with no preexisting conditions, under the exchange cost her \$900 a month in premiums and she was not able to keep her doctor.

It is not just constituents in my more or less Republican State, among my more or less Republican constituents in the State of Mississippi who are telling the truth about ObamaCare. I want to quote Bill Clinton, speaking on behalf of his wife in Flint, MI, on October 4 of last year. Former President Bill Clinton said this:

You’ve got this crazy system where all of a sudden 25 million more people have health care, and then the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half. It is the craziest thing in the world.

President Bill Clinton said that just last year in Flint, MI.

I think if we come to grips with this, we will admit that this is a crazy system. It was well intended by some of my Democratic friends but one that has failed; one that has failed the American people and one that has failed to keep the promises that were solidly made when the bill was rammed through on a strictly partisan basis. Every Democrat was supporting it. No Republicans were supporting it at all. There was no Republican input, no bipartisan input on overhauling one of the most significant systems in our country.

It is time for us to move forward, and tonight is a step forward. We certainly aren’t going to get it all done in one fell swoop, and even when we get the bill signed into law by our new President Donald Trump, it will take a while for it to be put into place. Tonight we show that we meant what we said and we said what we meant, and we are going to follow through. We are going to pass this resolution tonight and begin the process of keeping our promises to the American people to repeal ObamaCare and replace it with something that works for the millions and hundreds of millions of Americans out there who depend on us for good policy.

Seeing no other Members seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

RUSSIA

Mr. DURBIN. Madam President, the most popular dictionary defines an act of war as an act of aggression by a country against another with which it is nominally at peace. Let me repeat, an act of aggression by another country against another with which it is nominally at peace.

On Friday, America’s intelligence community issued a damning, detailed assessment concluding that Russian strongman President Vladimir Putin ordered an attack on our Nation’s electoral system to sow mistrust and favor one candidate over another. The evidence was sweeping, overwhelming, and troubling.

The key findings, quoted directly from the public version of this report from the intelligence agencies, said as follows:

Russian efforts to influence the 2016 U.S. presidential election represent the most recent expression of Moscow’s longstanding desire to undermine the U.S.-led liberal Democratic order, but these activities demonstrated a significant escalation in directness, level of activity, and scope of effort compared to previous operations.

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election. Russia’s goals were to undermine public faith in the U.S. Democratic process, denigrate Secretary Clinton, harm her electability and potential presidency. We further assess that Putin and the Russian Government developed a clear preference for President-elect Trump.

We also assess Putin and the Russian government aspired to help President-elect Trump’s election chances when possible by discrediting Secretary Clinton and publicly contrasting her unfavorably to him.

They go on to talk about the types of influence Moscow inspired.

I am not going to stand here and argue that if the Russian efforts had not taken place, there would have been a different outcome in the election. No one will ever know that. And when asked directly, the intelligence agencies, despite these strong statements, say there is no evidence of direct vote tampering or tampering with election equipment, thank goodness. That isn’t the point.

The point is, Vladimir Putin and the Russians did what they could to influence our election. Americans should stand up and listen because what is at stake is the sovereignty of our Nation and the reliability and integrity of our election process.

What the Russians did was truly staggering and momentous—a foreign adversary intentionally manipulating America’s democracy and election. I don’t know if it is an act of war by classic definition. It is an attack on our Nation by any definition. It should not go unanswered.

For those who have been following Vladimir Putin’s bullying actions over

the last several years, this is no surprise. Instead of building a modern global economy based on the great talents of the Russian people, he and his closest neighbors have created false enemies in the West, sadly and dangerously creating a narrative that domestic Russian problems are really the result of NATO, the United States, and the West.

He has tried to discredit the West and its Democratic free market institutions. He has used manufactured enemies of Russia to rally domestic support for his tactics and leadership.

It is, ultimately, a tired narrative that when combined with domestic political repression and manipulation, helps keep Putin in power.

Let's not be fooled into thinking his actions are merely annoying. The threats are real and dangerous, and they go directly not just at the United States but many of our strongest allies.

I have a list which I ask unanimous consent be printed in the RECORD in detail.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

April–May 2007 Estonia: Angered by an Estonian plan to move a Russian World War II memorial and Russian soldiers' graves, Russia disabled Estonia's internet with a particular focus on government offices and financial institutions.

June 2008 Lithuania: Similarly, when the Lithuanian government banned the display of Soviet symbols, Russian hackers defaced government web pages with hammer-and-sickles and five-pointed stars.

August 2008 Georgia: After Georgia's pro-Western government sent forces into a breakaway Russian-backed region, Russian hackers shut down the country's internal communications to coincide with a military seizure of Georgian territory.

January 2009 Kyrgyzstan: As part of an effort to persuade the president of Kyrgyzstan to evict a U.S. military base, Russian hackers shut down two of the country's four internet service providers. Kyrgyzstan in turn removed the base and received \$2 billion in Russian aid.

April 2009 Kazakhstan: After Kazakh media published a statement by the country's president that criticized Russia, a Russian-attributed attack shut down the publication's site.

August 2009 Georgia: Russian hackers shut down Georgian Twitter and Facebook on the first anniversary of the 2008 Russian military invasion.

May 2014 Ukraine: Three days before Ukraine's presidential election, a Russia-based hacking group attacked and disabled the country's election commission, including its backup system. Ukrainian officials say the arrested hackers were trying to rig the results in favor of the pro-Russian candidate.

March 2014 Ukraine: As in Georgia, Russian allegedly coordinated military and cyber attacks, disabling the internet in Ukraine while Russian-armed proxies seized control of Crimea.

May 2015 Germany: German investigators discovered hackers had penetrated the computer network of the German Bundestag, the most significant hack in German history. Se-

curity experts said hackers were also trying to penetrate the computers of Chancellor Angela Merkel's Christian Democratic Party.

December 2015 Ukraine: Hackers believed to be Russian took control of a Ukrainian power station, locking controllers out of their own systems and cutting 235,000 homes from power.

October 2015 Netherlands: Security experts believe Russia tried to hack into the Dutch government's computers to remove a report about the downed Malaysian airliner over Ukraine. The Dutch Safety Board eventually concluded that the passenger plane was brought down by a Russian-made missile fired from an area held by pro-Russian rebels in eastern Ukraine.

January 2016 Finland: A security firm announced that it believes Russian hackers were behind attacks on Finland's Foreign Ministry several years before.

December 2016 Germany: The head of German intelligence warned last month, "There is growing evidence of attempts to influence the federal election next year," specifically citing Russia as the source of the attacks, adding, "We expect a further increase in cyber-attacks in the run-up to the elections." Experts believe Russia wanted to undermine Chancellor Merkel who has supported sanctions against Russia for its actions in Ukraine.

Mr. DURBIN. Madam President, NBC News compiled a document of activity by Russia and Vladimir Putin. It starts in April of 2007 in Estonia, where the Russians were disabling their Internet; in June 2008, in Lithuania, where the Russian hackers were defacing government Web pages; in August 2008, in Georgia, where the Russian hackers shut down the country's internal communications system; in January 2009, in Kyrgyzstan, as part of an effort to persuade the President there to evict a U.S. military base, the Russian hackers shut down two of the country's four Internet service providers.

April of 2009 in Kazakhstan. After Kazakh media published a statement by the country's president that criticized Russia, Russian-attributed attacks shut down the publication's Web site.

August 2009 in Georgia, there was similar activity; May 2014 in Ukraine; March 2014 in Ukraine; May 2015 in Germany; December 2015 in Ukraine; October 2015 in the Netherlands; January 2016 in Finland; December 2016 in Germany.

Of course, there was also the Russian military seizure of sovereign territory in the nation of Georgia in 2008 and their invasion of Ukraine in 2014. In fact, Russian forces and their proxies still hold captured land in Georgia and Ukraine, and from that spot in Ukraine separatists shot down a civilian airliner 2 years ago, murdering 283 innocent passengers, including 8 children.

This is our adversary. This is the man who is trying to undermine the American electoral system. We cannot take it lightly.

Twenty years ago, when I was elected to the Senate, I was a member of the Government Affairs Committee. The

first hearing we had was a lengthy investigative hearing. What was the basis of it? We had just concluded a Presidential campaign, and allegations were made that the Chinese Government 20 years ago was trying to insert itself into the Presidential campaign of the United States, specifically in support of the Clinton-Gore ticket.

Fred Thompson was chairman of that committee, a pretty well-known man who has since passed, but he was a pretty outstanding lawyer in addition to being a pretty famous actor. He was my chairman. He spent months in public hearings investigating whether the Chinese tried to insert themselves in any way, shape, or form in the election of Clinton-Gore. They found virtually no evidence, other than a handful of Buddhist nuns writing checks to the campaign, which nobody ever really explained. But there was no evidence that the Chinese Government was involved in this in any specific way. We spent months on that theory in open hearings, and then published reports—conflicting reports on conclusions from that committee. We took it that seriously 20 years ago.

What are we doing about this? Well, Senator MCCONNELL, the Republican leader, said that we will do the regular order; we will let the regular committees go about their business and figure out what might have happened in the course of that. That is not good enough. Regular order may put this investigation in the Intelligence Committee. Do you know what that means? It means you are not going to see their hearing. You are not going to be able to see their witnesses and listen to their testimony, and much of the evidence that is going to be presented will never be shared with the public.

I understand the need to protect classified material. We must do that. I insist on that. But at the same time, we need to answer some basic questions about what Russia tried to do in this last election and to make it clear to them and to the world that the United States is not going to be a sucker. We are not going to allow anyone who can hack into our systems to try to undermine the electoral system of the United States. We are proud Americans. We will handle our own elections, thank you. Keep your hackers out of business in the United States.

Recently, we have had allegations—and I underline the word "allegations"—of other involvement of the Russians with the Trump campaign and the preparation of certain documents, which have not been corroborated as of this date. They may lead to nothing, but they certainly deserve investigation so that we know what the facts may be.

Yesterday at the Senate Judiciary Committee, I asked Senator JEFF SESSIONS of Alabama, a man who is aspiring to be Donald Trump's Attorney

General, if he could recuse himself from investigations into Russian connections with the Trump campaign. He had just said earlier he was going to recuse himself from investigations involving Hillary Clinton. Senator SESSIONS said, "I would review it and try to do the right thing as to whether or not it should stay within the jurisdiction of the attorney general or not."

I hope that Senator SESSIONS, if he in fact becomes the Attorney General, will have some second thoughts. It is far better to consider a special counsel in the Department of Justice in light of the political circumstances of these allegations.

Secondly, we need to have a select committee—not the Intelligence Committee—of either the House or the Senate that will meet and consider this information and investigate it in a responsible way. In fact, I think it is of such gravity that we ought to consider a public-private commission—a commission of elected officials, as well as private citizens, whom we respect. I think of the names of General Colin Powell and former Supreme Court Justice Sandra Day O'Connor as chairs and cochairs of that effort, people of unquestionable integrity who will make the right findings for America and not for any political reasons, as far as I am concerned.

Today, I asked Michael Mukasey, former Attorney General under President George W. Bush, whether the Attorney General has the authority to shut down an FBI investigation, and he answered very simply, "yes." So we need more information. We need to make sure that this is taken seriously and that we address it in a serious manner because it is a serious issue.

What, in fact, has been the response from the other side of the aisle? With a few notable exceptions, that party of Ronald Reagan, the 40th President—who really understood the old Soviet regime—has greeted this information with near silence. That is right. Except for a few voices—my colleagues Senators GRAHAM and MCCAIN in particular—there has been near silence.

How in the world did an attack ordered by a former Soviet KGB official on our Nation become a partisan issue that is largely ignored by a majority of one of our Nation's two great political parties? How did the Republican Party, which now controls both Chambers of Congress, decide that repealing health care insurance for millions of Americans was the most urgent, first priority to deal with amid this sweeping evidence of a Russian attack on our democracy? Ronald Reagan must be rolling in his grave.

Does anyone remember his clarity about standing up against attacks on the West and its allies when the Soviets shot down a civilian Korean airliner in 1983? This is what President Reagan said:

And make no mistake about it, this attack was not just against ourselves or the Republic of Korea. This was the Soviet Union against the world and the moral precepts which guide human relations among people everywhere. It was an act of barbarism born of a society which wantonly disregards individual rights and the value of human life and seeks constantly to expand and dominate other nations.

There was a time in this town when national security issues were truly bipartisan, when security meant patriotically putting aside partisan agendas. Can anyone here imagine for a second—just one second—the debate we would be having here now if the situation were reversed? The House alone spent millions of dollars on countless and ultimately fruitless investigations into the tragic events of Benghazi. Here we are, with overwhelming evidence of an actual attack on our Nation, and the majority party is largely silent. That is incredible. It is quite simply an abdication of political responsibility not to address a verified national security threat to our Nation.

With the release of Friday's report, I urge my colleagues to read both the public and classified reports. The classified version contains the same damning and sweeping conclusions I mentioned here today from the public document, but it goes into detail. As such, I urge this body to come up with an appropriate response to this attack. I have joined in bipartisan Russian sanctions legislation with Senators CARDIN, MCCAIN, MENENDEZ, GRAHAM, SHAHEEN RUBIO, KLOBUCHAR, SASSE, and PORTMAN. We urge that we quickly advance as an urgent priority Russian sanctions to make it clear that what they have done is reprehensible, unacceptable, and will not be tolerated.

This Congress can also do what many tried to do in the past and failed—which is certainly timely—and that is pass meaningful cyber security legislation.

We have to maintain our strong NATO Alliance, stand firm against Russian meddling or attacks, and tell our friends in the Baltics and Poland, in particular, that we stand by their side, that nothing has changed, and that our friends in Ukraine can trust that we will be with them as they establish democratic sovereignty. We must work with the new administration to fully accept and counter this Russian threat. We must work to undermine any such future attacks at home and against our allies. We should get to the bottom of the extremely troubling allegations that have been made recently.

Yes, ultimately we must work with Russia where those efforts serve our global interests—and I think there will be some common areas—but we must not do so from a position of weakness. We will never be taken seriously by Putin or our adversaries otherwise.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

CONGRATULATING CLEMSON ON WINNING THE COLLEGE FOOTBALL NATIONAL CHAMPIONSHIP

Mr. GRAHAM. Madam President, there are a lot of pressing issues going on in the country and in the world. These are tough, turbulent times. But Senator SCOTT and I are going to take a moment or two to talk about a topic that I think millions of Americans appreciate: college football.

In the South, where TIM and I come from, it is as close to being a religion as you can get, and we are here to celebrate Clemson University becoming the national champion in college football, beating Alabama in the best college football playoff game I have ever witnessed in my life.

To the people of Alabama: You had one heck of a ride, a 26-game winning streak, something you should be proud of.

To the Tigers: You beat the best team in the country, and, to me, the way you won is as important as the outcome.

DeShaun Watson is probably going to go in the very top of the draft to the NFL. I would say he is the best college football player in America. What DeShaun has won for Clemson is unbelievable. The way he has done it is even more unbelievable. He graduated in 3 years. He is one of the nicest young men I have ever met in my life. His faith means a lot to him.

He threw the ball to Hunter Renfrow, who was a walk-on—a young man from a small town in South Carolina who walked on to the Clemson University team. Because of Coach Dabo Swinney, he had a shot at making the team and wound up catching the winning pass to win the national title.

How is this possible? It is possible because of leadership at the top. President Clements, our new president, has a vision of Clemson University as aggressive and bold off the field as Dabo has had on the field. I think Dabo Swinney represents the best in college sports. The Clemson team is truly a family. If I had a son, I would want him to play for Dabo.

If you are looking for a place to go to school where you would be academically challenged, go to Clemson. If you are looking for a place to go to school or to be a part of a community, something bigger than yourself, go to Clemson. If you are looking for a place to watch sports at the highest level possible, go to Clemson.

So I congratulate the Tigers. Who you beat was impressive, but more impressive is how you have conducted yourself over the last couple of years.

The Clemson program is a model for college athletics. Dabo has an uncanny ability to take people from different backgrounds and mold them into a team. He loves his players and they love him.

I live 5 miles from Clemson University and went to the University of South Carolina, and most of you don't know what that means: the biggest rivalry.

I am proud of Clemson. I grew up in the shadow of the university, 5 miles from the stadium. I have been around the Clemson Tiger family all my life. They conferred an honorary degree upon me a couple of years ago. Given the academic standards at Clemson, that is the only way I would have ever graduated from Clemson.

So I want to tell the Tiger Nation that all of us in South Carolina are so proud of your victory on the field, but equally proud of the way you conduct yourself off the field. Clemson University is in the top 20 public schools in the country, with no end in sight.

Next year, if I were an Alabama fan, I would be very optimistic. This young freshman quarterback is coming back. He is an incredible talent. The people of Alabama should be proud of their football team and their coaching staff because you have been on top of the mountain for a very long time. I hope you believe that Clemson is a worthy successor.

Dabo said it best, "The [tiger] paw is flying on the top of the mountain" of college football, and that is saying a lot.

Go Tigers.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Madam President, I ask unanimous consent to display my Clemson flag.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCOTT. Madam President, I think it is important for us to realize and note that while Senator GRAHAM did in fact grow up just a few miles from Clemson—which means his affinity for the university is natural—it is consistent with his upbringing. For me, it is very different. When you are born in South Carolina, and you are born on the coast near the Atlantic Ocean, the likelihood of your being a Gamecocks fan and wearing garnet and black is about 75 percent. So I must concede that I still pull for the Gamecocks. That is a controversial position to be in when you are talking about the new national champions.

I would also like to say to Senator SHELBY—a man of integrity, character, and long service—thank you for making the bet. I am so glad you lost.

I would also say to the Clemson Tigers—the "Tigers Nation"—we are so incredibly proud of what you have accomplished. It is amazing, not only the successful season that you have had on the field but the character that has been the focus of so much of the conversation off the field.

We have talked specifically about No. 4, Deshaun Watson, and the amazing

story about his relationship with his mother. I have a special relationship with my mom. So I appreciate his focus and determination to honor her when he is on the field and to continue to honor her when he is off the field. That story is a remarkable story that deserves more attention. It really does.

As to Coach Dabo Swinney, is an amazing coach, without any question, but he is also an Alabama alum. Having won the national championship as a part of the Alabama football team—I believe it was 1992—you have a champion come into Clemson University and making champions by loving compassionately, by challenging on the field, and by embracing these men and the entire apparatus around the university and college athletics. He has done a fabulous job.

I think of the walk-on receiver that Senator GRAHAM mentioned. In every facet of the team—whether you are the so-called water boy, whether you are the athletic trainer, whether you are a physical therapist—people win because of the team that they are on. There are no self-made success stories.

We should remember that as we focus on these young athletes. I know their lives will be meaningful because of the team they played on and not simply the victories they celebrated.

I do want to take a few seconds and mention the president, Jim Clements, who is a fantastic guy and one of my dearest friends. Jim and I were having a conversation through text before the game, and I decided, since we can't use our phones on the floor of Senate—I know they frown on that kind of stuff, technology; it is an interesting concept here—I decided to print the text. This was a Wednesday evening around 10 p.m. I had just predicted that Clemson would win, 27 to 24. Jim Clements said:

Seriously if we play like we did last week then we win! I believe it will happen!! 35-31. Go Tigers.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, I rise today to give voice to some of my fellow Utahns, including a few of my fellow Utahns who are suffering because of the health care law passed by this body nearly 7 years ago. These are not stories from wealthy Utahns who have simply had to pay higher taxes, nor are these stories from low-income Utahns who already have insurance through Medicaid.

These are letters are from the too often invisible victims of ObamaCare—those middle-class families who used to be able to afford health care when they

needed it but are now forced to pay for it and to pay for what amounts to, in some cases, one of their largest payments or even their largest payment they make each month for a so-called insurance plan that never seems to pay out because of high deductibles.

Jenica from Davis County, UT, writes as follows:

I am an ordinary mother raising my kids and striving to live within my means. For the first time, my family is facing a year with no health insurance. Our gross income falls a few hundred dollars per month too high for us to receive help through CHIP or UPP programs, but we cannot afford to purchase health insurance through my husband's work or through the Marketplace. After this year's premium increases, the most inexpensive plan offered to us on the Marketplace is a full quarter of our gross income per month (before taxes), and if we put that into our budget we will not be able to save any money to pay deductibles as healthcare needs arise.

We face the same problem with my husband's work insurance; it would be even more expensive, and we cannot wisely budget a quarter or more of our income toward health insurance premiums.

I know this problem is not limited to my family, and I want you to be aware of those of us who are falling in the gap this year. We earn barely too much to receive any assistance, but not enough to actually pay for insurance premiums. It seems the wisest course for us is to withdraw from insurance and save our money to pay for medical expenses in cash, as well as saving to pay the fine on our taxes next year.

It is a decision I do not make lightly, as I know that the insurance companies need more people, not less, to participate to make the system work. However, my family cannot afford to participate this year.

I know you will represent us well and take our needs into consideration as you work with the other members of Congress to make our country's healthcare system work for all of us. Thank you for serving our state and our country. May God bless you in your efforts.

May God bless you, Jenica. May God bless you for having the courage to write these things down and to share them with your fellow Utahns and your fellow Americans.

I promised Jenica that I will do everything I can, everything within my power, to make sure that you and families like yours are not forgotten when we repeal this law and replace it.

Trevor from St. George, UT, had a similar story. He writes:

I recently got a new job and I'm trying to get healthcare. None of the 3 plans my employer offers are affordable to me, even though the government claims they are. Even if I were to buy the cheapest plan, I would never be able to use it because of the high deductibles.

I do not qualify for Medicaid, and earn \$1,000 per year too much to qualify for subsidies.

In a nutshell, I can't afford to buy insurance from anywhere, and by not buying it, I can't afford the penalty levied by the federal government. What is someone in my position supposed to do?

The ACA is not helping the very people it was designed to help and is in fact throwing

a terrible burden upon me and my family. We need a new healthcare system. This one is not working. Please share my story so that others will be aware that people in my position (and there are many of us) are struggling.

I will share your story, Trevor, and soon we will be one step closer to a new type of system, a system that will put patients and doctors back in charge of health care decisions rather than having those decisions made by government bureaucrats in Washington.

The last letter I would like to share today comes from Washington County, UT. Ron from Washington County writes as follows:

Today I received a letter from my health insurance carrier indicating that the premium for me and my two kids—yes, only three people—is increasing from \$1,020 per month to \$1,706 per month, an increase of slightly over \$8,200 per year. My annual income for 2017 will not be increasing, let alone to cover eight grand.

Later this afternoon, I am contacting my travel agency (a local small business) and asking Judy to cease her research into my family vacation for the summer of 2017. Why would I cancel my vacation and also take away revenue from a local small business? The answer is “67.26%.” That is the percentage increase for my health care insurance.

I need you to see that this is real. It greatly and negatively impacts my family and it subsequently impacts local businesses as more of my money is drained from the economy. I make roughly \$60,000 per year. My medical premium is now one third of my gross income! Plus, I still have to pay out deductibles and copays.

Even the bronze programs, which are worthless, are designed to bankrupt a family and end up costing more in the long-run, have exceeded the cost of the mortgage I took out on my St. George home in 2014. More than my mortgage! Repeat more than my mortgage. That should send shivers down anyone’s spine.

One of the most important aspects of America’s middle class is the ability for a family to purchase a home. Now that insurance premiums have exceeded the mortgage payment of a median priced home in the US, I suspect that the dream is now slipping out of the hands of many Americans.

Ron, you are absolutely right. Thanks to ObamaCare, the American dream is now slipping out of reach for far too many families throughout the State of Utah and throughout the entire country. These are not just the stories of a few isolated Utahns. These are not just stories from a few statistical outliers. There are fewer affordable options for Utahns throughout the State.

In 20 out of Utah’s 29 counties, Utahns can only choose a health plan from one insurance company. They have just one company to choose from, and the options available are not always as robust as they should be. Within those options that they have, the costs have risen far too much each year. For 2017 plans, insurance rates across Utah increased at least 30 percent, on average. This is after multiple years of substantial premium increases in the other years leading up to this.

Fortunately, help is on the way. Thanks to President-Elect Donald Trump’s victory this November—and thanks to the outcome of House and Senate races throughout the country—we now have the opportunity to uproot this ill-conceived health care law, root and branch.

The old system, to be clear, is far from perfect. After we repeal ObamaCare, we still have much work to do unbundling health care from employer-provided health insurance so doctors, nurses, patients, and innovators can do the work of bringing down prices and increasing quality. That is what happens when we allow the free market to operate. We get competition. When people compete, two things happen that are important for consumers: Prices go down and quality goes up.

That is what the American people have come to expect and basically every other sector of our economy. Sadly, we have seen the opposite become true with respect to our health care system under ObamaCare because we have restricted free market forces, and we have impeded competition. As a result, prices have gone up and quality, in some cases, has gone tragically down.

Step one involves repealing this health care law. Trevor, Jenica, and Ron, I want you to know that I hear you. I hear you and I hear all Utahns who have contacted me to share their experiences with this health care law. My colleagues in the Senate have heard you too. We will repeal this health care law and we will bring reform and competition to our Nation’s currently broken health care system.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. DAINES. Mr. President, today is the day when we will begin to repeal and replace ObamaCare. Repealing and replacing this disastrous law is one of the top jobs that citizens elected us to get done. In many ways, it is why Donald J. Trump will be sworn in next week as the 45th President of the United States.

I think what is most helpful is to recap why repealing ObamaCare is so important to so many American families. Montanans were promised that with this bill you could keep the health plans that you liked. That was wrong and millions of Americans lost their plans.

Montanans were assured that coverage under ObamaCare would be af-

fordable. For millions of Americans, for thousands of Montanans, nothing could be further from the truth. Montanans were guaranteed that ObamaCare would lower health care costs. We witnessed premiums skyrocket since ObamaCare’s implementation.

Finally, Montanans were assured that ObamaCare would create more competition in the marketplace, but now Americans in one-third—one-third—of the counties across our entire country have but one plan to choose from. Let’s not forget, supporters of ObamaCare paid for these failed programs by raiding Medicare of over \$700 billion. Seniors and people with disabilities in Montana and across our country deserve much better.

Over the past several years, I have heard from countless Montanans about how ObamaCare has failed them. Take, for example, Terry from Choteau, MT, who wrote:

We just got a letter from Pacific Source that our premium is going up \$260 per month and our deductible is going up to \$1000. This is \$1025 per month and a \$7500 deductible for 2 healthy adults [with] (no preexisting conditions). For a ranch family this is a huge hit, especially in these times with low commodity prices. Something needs to change.

Jeff from Kalispell, MT, said this:

I am married with 5 children. I live in Kalispell. I bought Blue Cross Blue Shield of MT PPO Gold insurance plan #104 for the 2016 year. My premium was \$1,477.28 per month. In early November 2016 [2 months ago] I received notice that my same plan would increase to \$2,820.00 per month. That is a 91% increase. . . . If keeping the same rate hikes, my insurance will be \$5,500 in 2018, then \$10,000 per month in 2019.

That was from Jeff in Kalispell, MT.

I have Anthony from Bozeman. That is my hometown. I went to college in Bozeman. A fellow Bozemanite writes this to me. He says:

I have never been able to afford Obamacare insurance. With quotes of over \$400 a month for a single healthy male I found it easier to pay the penalty. So now not only can I not afford to have medical insurance but I am getting fined for not making enough money to pay all of my bills and give a 20% tithe to the medical insurance industry.

Here is another Bozemanite, Kenneth. He writes this:

For 2014 we had med insurance from Pacific Source for my wife which was adequate and filled our needs. For 2015 Pacific Source canceled that policy, citing Obamacare rules, and best alternative was 150 percent more expensive.

We did it for 6 months and then canceled; it just took too much from our budget. The IRS fined us \$584 for missing insurance for 6 months. We are doing without coverage for 2016 again because of the outrageous costs for this high-deductible policy. Our IRS fine will probably be about \$1500.

The list and the heartfelt stories go on. They all share one common theme: ObamaCare is not working. This ObamaCare hardship did not just impact Terry, Jeff, Anthony or Kenneth. Montanans, on average, face premium

increases between 27 and 58 percent just this last year. This is year-over-year numbers.

Last evening, I had a telephone tele-townhall meeting where thousands of Montanans joined me, thousands across the entire State. Every corner of our State was on the call last night. I asked a simple question. I asked: How many of you would want to repeal ObamaCare? An overwhelming 82 percent said they support the repeal of ObamaCare.

The reason why is quite simple. They did not get what was promised to them on this very floor of this Chamber back in 2010. ObamaCare is failing because it is a massive intrusion by the Federal Government. It is centered on raising taxes, huge spending increases, and heavy regulations from Washington, DC. It is straight from the Big Government, Washington-knows-best playbook, and that is what happens when Congress doesn't listen to the American people.

You know, Montanans have very good horse sense. They know when somebody from Washington, DC, shows up and says: We have this 2,700-page bill from Washington, DC, led by NANCY PELOSI, Harry Reid, and President Obama—Montanans know better. They know they should run for cover.

And that is exactly what ObamaCare is and what is happening now to the American people.

ObamaCare can't be tweaked. It has to be repealed. It needs to be replaced with better reforms. And we need to make sure that we do as much as we can as soon as we can so folks aren't having to deal with ObamaCare for much longer. People are hurting. It is time to replace it.

I urge my Democratic colleagues to work with us. Don't use scare tactics.

Unlike 2009, we are focused on a path forward that conveys practical benefits, not hopeless ideology. I ask them to accept the reality that ObamaCare is irreversibly flawed, it must be repealed, and it must be replaced with effective policies.

I know there are comments out there about a plan and what is next. Well, for me, it is not that complicated. It is getting the costs down. You have heard the stories. The American people are asking for relief.

For the generation of Americans just now entering the workforce—and that would be my kids; they are just entering the workforce—health care costs have increased by 77 percent. This is outrageous. It is unacceptable. These are supposed to be the easiest people to insure, yet ObamaCare seems intent on placing health care out of their reach.

I believe there are policies that are fundamental to any health care system, and it will be working and fighting for provisions that provide access to affordable insurance, that protect people with preexisting conditions,

that allow young adults to stay on their parents' coverage until age 26, that return decisionmaking authority back to the States, that will eliminate these harmful Washington regulations and mandates, that will empower the American people with greater access to health savings accounts.

That was part of the health care system that was actually working pre-ObamaCare, and ObamaCare moved in and slashed health care savings accounts.

We need to make it easier to purchase health insurance across State lines, encourage and incentivize work among able-bodied Americans, and uphold fiscal responsibility by preserving and protecting Medicare for our seniors.

I very much look forward to working with the nominee for the U.S. Department of Health and Human Services, Dr. TOM PRICE. I served with Dr. PRICE in the House. There is not a better leader at this point in time in our Nation's history to assume the leadership of the Department of Health and Human Services. He is a doctor, has served in Congress, and will be able and ready to lead from day one.

We will work together to find the best solutions, Montana solutions, solutions that work for our respective States, for people like Terry, for Jeff, for Anthony, for Kenneth, and for the thousands of other Montanans who have been harmed by this law.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I wish to speak briefly and pointedly about the budget resolution before us which will, at some late hour, culminate in a final vote. Whether that vote is tonight or in the dark hours of early morning, with it, Republicans are taking their first step into a box canyon.

Now, I hear my Republican colleagues talking more and more about doing repeal and replace together, but let me be very clear. This budget resolution is not repeal and replace. It is one thing and one thing only: the first step of repealing the Affordable Care Act, ripping health care away from tens of millions of Americans, and throwing our health care system into chaos. It will, as many have repeated across the land over the last few weeks, make America sick again.

Over the past few weeks, this fact has made some of my more thoughtful colleagues nervous. I understand that. I would be nervous if I were them too. My friends, the Senators from Maine,

Arkansas, Tennessee, and Kentucky, have all quite forcefully voiced their concern with repealing health care reform without a scrap of a plan of what to do next.

Now the President-elect has tweeted that they should do repeal and replace at the same time. Today he said Republicans would repeal and replace the law essentially simultaneously, but that is not what this budget resolution would do.

We are here because the Republicans are flummoxed. It is a bit like an Abbot and Costello show. Republicans in Congress and the President-elect are pointing at each other, waiting for the other one to come up with the plan—"You do it. No, you do it"—because no one can come up with a repeal plan that keeps the benefits of ACA.

This confusion of the Republicans makes sense because the Republicans are in a pickle and driving into that box canyon. They promised every conservative group and audience in the country for the past 8 years that they would repeal health care reform "root and branch," but actually it is only their base that wants repeal. Most Americans want us to keep the law and work to improve it.

In a recent Politico/Morning Consult poll, only 28 percent of Americans support repealing the law if there is no current plan for replacing it—less than one-third. This is the Republican base.

Two-thirds of Americans support the provisions that prevent insurance companies from denying coverage to patients with preexisting conditions, 63 percent support letting kids stay on their parents' plan until they are 26, and there are similar numbers on the other major benefits of health care reform. Those are the key features. Those aren't extraneous. Those are the heart and soul of the Affordable Care Act. The Republicans are in a pickle. They cannot please their base and the broader public at the same time so President-Elect Trump says to Congress: You come up with replace.

The Congress says to the President: You come up with replace.

Abbot and Costello.

No replace. We haven't seen one yet, and it has been 6 years.

From a policy perspective, our Republican friends can't repeal a law and keep in place the provisions that are overwhelmingly popular with the majority of Americans. That is why they are in such a pickle.

The Affordable Care Act is not despised by the American people, only the hard right of the Republican base, which is fervently anti-government. It is an ideology. It doesn't matter how much ACA helps people. If the government did it, we don't want it. They oppose health care because they oppose everything that government does. They oppose Medicare, Medicaid, even Social Security.

If Republicans go forward with this plan, they may mollify their base—the base will stop complaining—but they will ostracize and hurt the American people and ultimately lose in the court of public opinion.

There is a much more responsible course of action that I urge my friends on the other side of the aisle to consider: abandon repeal.

We Democrats are willing to work with our Republican colleagues on improving the existing law. We will even look at a comprehensive replacement plan if they can come up with it. We don't care about credit. You can call it McConnellCare or RepubliCare or RyanCare or TrumpCare. It doesn't matter so long as it covers as many people as the ACA, so long as it helps bring health care costs down, and so long as it doesn't move our health care system backward.

We haven't seen one so far. I am skeptical that we ever will, but we will look at one if they can come up with it. Unfortunately, that is not the road we are on. The vote tonight is the first step on the road to repeal, which leads straight into that box canyon.

I just want to sincerely urge my Republican colleagues, especially those who have rightly expressed concern about the very serious consequences of repealing without replacement: Vote against this resolution. Put this irresponsible and rushed repeal plan aside. Work with us Democrats on a way to improve health care in America, not set it back 8 years. Don't make America sick again. Don't put chaos in place of affordable care, which is what you will do if you follow through on this resolution.

The consequences of throwing our system into chaos, which the Republican plan will do, are enormous: denying 30 million Americans health coverage, blowing a \$1 trillion hole in our deficit, depriving the college graduate from staying on their parent's plan, preventing women from getting fair treatment, and telling the family whose daughter has a preexisting condition that they can't get coverage, and they will have to watch her get sicker.

That—all of that—falls entirely on the shoulders of my Republican colleagues. I think that is a scenario we all would like to avoid. So turn back before it is too late because you will regret going forward.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, tonight is an important night because it allows what is very rare here in the Senate—for Members of the body to bring forth amendments and ideas that are very important to them, and that, unfortunately, don't often get debated or voted upon here on the floor.

I know I speak for virtually all Democrats in saying that we have deep concern about the Republican proposal that would repeal the Affordable Care Act without having any alternative plan in place. We think the idea of throwing some 30 million Americans off of the health insurance they have and significantly reducing funding for Medicaid will not only be very, very problematic for lower income people but also impact middle-class people who depend upon Medicaid to help pay for the nursing home care their parents get. We are deeply concerned about the possible privatization of Medicare, making Medicare into a voucher program. We are concerned about the increase in prescription drug costs for seniors that would occur. If the Affordable Care Act were repealed, seniors would have to pay far more than they are paying right now, at a time when many seniors cannot today afford the high cost of prescription drugs. What we find is outrageous is that, in the midst of all these attacks on the middle class and working families of this country, the Republican repeal of the Affordable Care Act would end up providing hundreds and hundreds of billions of dollars in tax breaks for the top 2 percent. I believe there are very few people in America who think we should devastate the health care programs that millions of Americans depend upon and at the same time give huge tax breaks to the very, very wealthy.

Tonight we are going to hear a number of Senators on the Democratic side come down to the floor and offer very, very important amendments which I hope can receive bipartisan support.

We are going to hear Senator MANCHIN talk about the need to protect rural health. As a Senator from a rural State, I understand very clearly that if the Affordable Care Act is repealed, it will be devastating to rural hospitals all across this country.

Senator NELSON is going to talk about the high cost of prescription drugs and what the repeal of the Affordable Care Act would mean in raising prescription drug prices. Senator BALDWIN will be talking about the need to make sure that, as is currently the case, young people 26 years of age or younger can continue to stay on their parents' health insurance. Senator TESTER is going to be offering an amendment which will oppose limiting veterans' ability to choose.

I will be offering an amendment making certain the people in our country do not have to pay more for medi-

cine than the people in Canada and in other countries. Senator CASEY is concerned about protecting individuals with disabilities and chronic conditions. Senator KING is concerned about protecting health insurance for people, many of whom are working in very dangerous occupations.

Senator MENENDEZ is concerned about protecting Medicaid expansion. Millions of Americans have received health care, in some cases for the first time in their lives because we were able to expand Medicaid.

Senator GILLIBRAND is concerned about protecting women's health. The Affordable Care Act has gone a long way in terms of equity for women, in terms of the health care they receive, and I hope nobody wants to see that disappear.

Senator MANCHIN will address a very important issue about the opiate epidemic that exists in West Virginia and all across this country.

Senator STABENOW will be speaking about the need to protect mental health services. We have a major crisis in mental health care in this country. We need to do a lot more than we are currently doing, and we certainly do not need to do less.

Senators CANTWELL and CARPER will be talking about the need to protect delivery system reform. Senator BROWN will be talking about the need to protect the Children's Health Insurance Program. Senator COONS will be talking about the need to make sure there are no limits on the health insurance people with serious illnesses receive.

So there are a lot of very, very important amendments that will be offered, and I look forward to an interesting evening of discussion.

I would just conclude my remarks to say that I find it beyond comprehension that at a time when we are the only major country on Earth not to guarantee health care to all of our people—we are the only one—that at a time when we pay significantly more per capita for health care than do the people of any other nation, that at a time when we pay by far the highest prices in the world for prescription drugs—what we need is to have a health care system that protects the needs of the middle class and working families of our country, not just the insurance companies and not just the drug companies. In fact, the votes tonight are really about whether we are prepared to stand up for ordinary Americans or whether we are going to continue to kowtow to the insurance industry and the pharmaceutical industry.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, while we are waiting for the unanimous consent agreement that will kick off the

evening, I feel compelled to make a couple of comments.

I don't want people to be confused as the evening goes on. This is not the bill that repeals ObamaCare. This is the bill that sets up the process that will repeal ObamaCare. This is a preliminary step that is necessary in order to do what everybody is claiming will be done tonight, and that is not accurate.

So we will hear a bunch of things that people are concerned about, but this bill in it has budget numbers. The budget numbers reflect where we are—not where we would like to be and not where we have been. They are just the numbers of where we are. Then, in the resolution, there is a requirement that the Finance Committee save \$1 billion, and the Health, Education, Labor, and Pensions Committee save \$1 billion, and they get to do that with some privileged legislation, as long as we keep it privileged. There will be a number of attempts tonight to see if they can get rid of the privilege by using corrosive or nongermane amendments. Consequently, we will have to vote down some of those amendments. It might sound logical, and it is because they are not in the bill.

I guess we are still waiting for the unanimous consent agreement so at this point I will yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Wyoming.

Mr. ENZI. Mr. President, for some additional information of what is happening, we are organizing lists of what tranche the votes will be in. Just because they are not listed in this first group, doesn't mean they are not going to be considered. In fact, under a budget resolution, we have what is called a vote-arama. Actually, any amendment can be turned in until we finish voting. Unlike other activity that we usually have where we know what votes there will be well in advance, this is a special exercise and it is handled a little differently and it is a lot more confusing.

We will begin in a while. We will begin processing these amendments one at a time. For debate, just so people know for sure which amendment we are on, the proponent for the amendment will get 1 minute and the opponent for that amendment will get 1 minute. At the end of those 2 minutes, we will vote. The first vote is supposed to take 15 minutes. The Senate is seldom held to 15 minutes. After that, we often go to 10-minute votes, which in the Senate usually only takes about 30 minutes.

That is the way we do it here. We make sure everybody gets their chance to vote. We hope people will be around so they can get here punctually and cast their vote. We think the amount of time from 10 minutes can be reduced if people are interested in reducing the amount of time to do them.

I got the signal that we now have the final list.

Mr. President, I ask unanimous consent that it be in order to call up the following amendments and have them reported en bloc: Manchin, No. 64; Nelson, No. 13; Baldwin, No. 81; Tester, No. 104; Klobuchar, No. 172; Casey, No. 61; King, No. 60; Menendez, No. 83; Gillibrand, No. 82; Manchin, No. 63; and Stabenow, No. 94.

You will see, in spite of that listing, we are going to have some additional consent needed here.

I ask unanimous consent that those be on the list for now.

I further ask unanimous consent that at 6:15 p.m., all time be yielded back and the Senate vote on the amendments in the order listed, except for the following amendments, which will be voted on first: Nelson, No. 13; King, No. 60; a Barrasso side-by-side amendment, the text of which is at the desk; Manchin, No. 64; that there be no second-degree amendments in order to these four amendments prior to the votes; finally, that there be 2 minutes, equally divided between the managers or their designees, prior to each vote and that all votes after the first in this series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. Reserving the right to object—and I will not object—I have one mild correction.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Amendment No. 172 is Klobuchar-Sanders.

Mr. ENZI. Klobuchar, No. 172?

Mr. SANDERS. Yes. Klobuchar-Sanders. I know that because I am SANDERS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENTS NOS. 64, 13, 81, 104, 172, 61, 60, 83, 82, 63, AND 94 EN BLOC

Mr. SANDERS. Mr. President, I ask that the amendments be called up as under the previous order.

The PRESIDING OFFICER. The clerk will report the amendments en bloc.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for others, proposes amendments numbered 64, 13, 81, 104, 172, 61, 60, 83, 82, 63, and 94 en bloc.

The amendments are as follows:

AMENDMENT NO. 64

(Purpose: To create a point of order against legislation that would harm rural hospitals and health care providers)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD FINANCIALLY HARM RURAL HOSPITALS AND HEALTH CARE PROVIDERS BY REDUCING THE NUMBER OF PEOPLE IN RURAL COMMUNITIES WITH ACCESS TO HEALTH INSURANCE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report if the Congressional Budget Office has determined that it would—

(1) cause an increase in the rate of uninsured individuals and families in rural communities by an amount sufficient to substantially weaken the financial viability of rural hospitals (including small hospitals), clinics (including community health centers), or other health care providers; or

(2) reduce Federal funds upon which rural hospitals and community health centers rely.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 13

(Purpose: To create a point of order against legislation that would repeal health reforms that closed the prescription drug coverage gap under Medicare)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REPEAL THE HEALTH REFORMS THAT CLOSED THE PRESCRIPTION DRUG COVERAGE GAP UNDER MEDICARE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would repeal health reform legislation that closed the coverage gap in the Medicare prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 81

(Purpose: To create a point of order against legislation that makes young people sick again)

At the end of title IV, add the following:

SEC. 4. DON'T MAKE YOUNG PEOPLE SICK AGAIN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would make young people sick again.

(b) LEGISLATION THAT MAKES YOUNG PEOPLE SICK AGAIN.—For the purposes of subsection (a), the term "would make young people sick again" with respect to legislation refers to any provision of a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report, that would—

(1) reduce the number of young Americans enrolled in public or private health insurance coverage, as determined based on the March 2016 updated baseline budget projections by the Congressional Budget Office;

(2) weaken dependent coverage of children to continue until the child turns 26 years of age as afforded to them under Patient Protection and Affordable Care Act (Public Law 111-148);

(3) weaken access to care by increasing premiums or total out of pocket costs for young Americans with private insurance.

(c) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate

only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 104

(Purpose: To create a point of order against legislation that would limit veterans' ability to choose VA health care)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD WEAKEN THE ABILITY OF THE DEPARTMENT OF VETERANS AFFAIRS TO DIRECTLY FURNISH HEALTH CARE TO VETERANS.

It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that authorizes funding for non-Department of Veterans Affairs-provided care, funded by the Department of Veterans Affairs, which would reduce the availability of services directly provided by the Department of Veterans Affairs, including primary health care, mental health care, rural health care, and prosthetic care.

AMENDMENT NO. 172

(Purpose: To establish a deficit-neutral reserve fund relating to lowering prescription drug prices for Americans by importing drugs from Canada and other countries)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO LOWERING PRESCRIPTION DRUG PRICES FOR AMERICANS BY IMPORTING DRUGS FROM CANADA AND OTHER COUNTRIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to lowering prescription drug prices, including through the importation of safe and affordable prescription drugs by American pharmacists, wholesalers, and individuals with a valid prescription from a provider licensed to practice in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

AMENDMENT NO. 61

(Purpose: To create a point of order against legislation that would make people with disabilities and chronic conditions sick again)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD MAKE PEOPLE WITH DISABILITIES AND CHRONIC CONDITIONS SICK AGAIN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) limit, reduce, or eliminate access to care for anyone with a pre-existing condition, such as a disability or chronic condition, as provided under section 2704 of the Public Health Service Act (42 U.S.C. 300gg-3), as amended by the Patient Protection and Affordable Care Act (Public Law 111-148);

(2) place a lifetime or annual cap on health insurance coverage for an individual with a disability or a chronic condition, as provided under section 2711 of the Public Health Service Act (42 U.S.C. 300gg-11), as amended by the Patient Protection and Affordable Care Act; or

(3) allow a health plan or a provider to discriminate on the basis of an applicant's physical health, mental health, or disability status to increase the cost of care, provide for fewer benefits, or in any way decrease access to health care as afforded under title I of the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 60

(Purpose: To create a point of order against legislation that would reduce health insurance access and affordability for individuals based on their occupation)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE HEALTH INSURANCE ACCESS AND AFFORDABILITY FOR INDIVIDUALS BASED ON THEIR OCCUPATION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce health insurance access and affordability for individuals based on their occupation, unless legislation is enacted to provide comparable benefits and protections for such individuals.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 83

(Purpose: To create a point of order against legislation that would eliminate or reduce Federal funding to States under the Medicaid expansion)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST ELIMINATING OR REDUCING FEDERAL FUNDING TO STATES UNDER THE MEDICAID EXPANSION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate or reduce funding to States available under law in effect on the date of the adoption of this section to provide comprehensive, affordable health care to low-income Americans by eliminating or reducing the availability of Federal financial assistance to States available under section 1905(y)(1) or 1905(z)(2) of the Social Security Act (42 U.S.C. 1396d(y)(1), 1396d(z)(2)) or other means, unless the Director of the Congressional Budget Office certifies that the legislation would not—

(1) increase the number of uninsured Americans;

(2) decrease Medicaid enrollment in States that have opted to expand eligibility for

medical assistance under that program for low-income, non-elderly individuals under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII));

(3) reduce the likelihood that any State that, as of the date of the adoption of this section, has not opted to expand Medicaid under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) would opt to use that eligibility option to expand eligibility for medical assistance under that program for low-income, non-elderly individuals; and

(4) increase the State share of Medicaid spending under that eligibility option.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 82

(Purpose: To create a point of order against legislation that makes women sick again)

At the end of title IV, add the following:

SEC. 4. DON'T MAKE WOMEN SICK AGAIN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that makes women sick again by eliminating or reducing access to women's health care, including decreases in access to, or coverage of, reproductive health care services including contraceptive counseling, birth control, and maternity care, and primary and preventive health care as afforded to them under the Patient Protection and Affordable Care Act (Public Law 111-148).

(b) LEGISLATION THAT MAKES WOMEN SICK AGAIN.—For the purposes of subsection (a), the term "makes women sick again" with respect to legislation refers to any provision of a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report, that would—

(1) allow insurance companies to discriminate against women by—

(A) charging women higher premiums for health care based on their gender;

(B) allowing pregnancy to be used as a pre-existing condition by which to deny women coverage;

(C) permitting discrimination against providers who provide reproductive health care benefits or services to women; or

(D) otherwise discriminating against women based on their gender;

(2) reduce the number of women enrolled in health insurance coverage, as certified by the Congressional Budget Office; or

(3) eliminate, or reduce the scope or scale of, the benefits women would have received pursuant to the requirements under title I of the Patient Protection and Affordable Care Act (Public Law 111-148) and the amendments made to that title.

(c) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 63

(Purpose: To create a point of order against legislation that would reduce access to substance use disorder treatment and worsen the opioid abuse epidemic)

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE ACCESS TO SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SERVICES AND WORSEN THE OPIOID EPIDEMIC.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce the expansion of access to substance use disorder prevention, treatment, and recovery services established through the expansion of the Medicaid program under section XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the consumer protections in the health insurance market, including protections for individuals with pre-existing conditions, the establishment of mental health and substance use disorder services as essential health benefits, the requirement that preventive services such as substance use disorder screenings be covered without cost-sharing at the point of service, and the expansion of mental health parity and addiction equity law to cover health plans in the individual market, and in so doing, worsen the opioid epidemic.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 94

(Purpose: To create a point of order against legislation that would reduce or eliminate access to mental health care)

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST REDUCING OR ELIMINATING ACCESS TO MENTAL HEALTH CARE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that the Director of the Congressional Budget Office determines would reduce access to mental health care and services or reduce the number of individuals with mental illness enrolled in insurance coverage, relative to the Congressional Budget Office's March 2016 updated baseline, by means such as—

(1) eliminating or reducing Federal financial assistance currently available to States under section 1905(y)(1) or 1905(z)(2) of the Social Security Act (42 U.S.C. 1396d(y)(1), 1396d(z)(2)) or otherwise eliminating or reducing mental health protections established by the Affordable Care Act, including the addition of mental health services to the list of services covered under section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u-7(b)(5)); or

(2) reducing the affordability of coverage established by the Affordable Care Act's consumer protections, including—

(A) the expansion of mental health parity and addiction equity law to individual health insurance coverage;

(B) the prohibition on discriminating against enrollees with pre-existing conditions such as mental illness;

(C) coverage of preventive services like depression screenings without cost-sharing; and

(D) the establishment of mental health services as an essential health benefit.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 173

Mr. ENZI. Mr. President, I call up amendment No. 173 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. BARRASSO, proposes an amendment numbered 173.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to rural health and repealing and replacing Obamacare)

At the end of title III, add the following:

SEC. 3 . . . DEFICIT-NEUTRAL RESERVE FUND RELATING TO RURAL HEALTH AND REPEALING AND REPLACING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening Social Security and repealing and replacing Obamacare, which may include step-by-step reforms providing access to quality, affordable coverage for all Americans, maintaining access to critical rural health care services, and safeguarding consumer protections, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 13

There is now 2 minutes of debate on Nelson amendment No. 13.

The Senator from Florida.

Mr. NELSON. Ladies and gentlemen of the Senate, if you really want to rile up the senior citizens of this country, then you start taking away their prescription drugs. If that is what you want to do, then you better vote

against my amendment. If you take away the ACA, they are going to end up paying \$1,000 per year, out of pocket per senior citizen, on their prescription drug benefits. So if you want to support the seniors, you better support this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this amendment is corrosive to the privilege of the budget resolution. That means that it is outside the scope of what is appropriate for this budget resolution. Any inappropriate amendment could be fatal to the privilege of this resolution, which would destroy our efforts to repeal ObamaCare. In other words, a vote in favor of this amendment is a vote against repealing ObamaCare.

In addition, this amendment is not germane to this budget resolution. This budget resolution is much more focused than a typical budget resolution. The Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment does not meet that standard required by budget law, a point of order would lie; as such, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 47, nays 51, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NAYS—49

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 51.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 60

There is now 2 minutes of debate prior to a vote on King amendment No. 60.

The Senator from Maine.

Mr. KING. Mr. President, I call this the Protect Workers in Rural America amendment. One of the lesser known provisions of the Affordable Care Act is that it doesn't allow insurance companies to discriminate against people because of their occupations.

Before the Affordable Care Act, if you were a logger or a farmer, a fisherman, a miner, you could get exorbitant rates decided by some bureaucrat at an insurance company somewhere, and this is wrong.

So what I am trying to do is prohibit discrimination by occupation. We are trying to save an important part of this law. My distinguished chairman said this isn't germane. I don't see how it cannot be germane since the stated purpose of this bill is to begin the process of repealing the Affordable Care Act.

I ask my colleagues to vote with me. This is protecting workers in rural America.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Wyoming.

Mr. ENZI. Mr. President, this amendment is outside of the scope of what is appropriate for this budget resolution. It is corrosive to the privilege of the budget. Any inappropriate amendment could be fatal to the privilege of this resolution, which would destroy our efforts to repeal ObamaCare. In other words, a vote in favor of this amendment is a vote against repealing ObamaCare.

In addition, this amendment is not germane to this budget resolution. This budget resolution is much more focused than a typical budget resolution.

The Congressional Budget Act requires that amendments to a budget

resolution be germane. Since this amendment does not meet the standard required by law, a point of order would lie; as such, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. KING. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 50, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—50

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 50.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 173

There will now be 2 minutes of debate prior to the vote on Barrasso amendment No. 173.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, this is a side-by-side amendment to the Manchin amendment. As a doctor, I understand how ObamaCare has been a disaster for patients and for health care providers. Because of this law, Americans have been left with higher premiums and fewer choices. This budget is an important first step in giving Americans better and more affordable health care.

I am especially aware of the importance of helping folks in rural America, people who have been especially hard hit by the policies of the Obama administration. Since 2010, more than 70 rural hospitals have closed across the United States and Ezekiel Emanuel, who is the architect of Obamacare, wrote a book, and he said that 1,000 hospitals have to close in the United States. That is what he called for, 1,000. We are talking about rural hospitals all around this country.

So for people in small towns all across the Nation, the closures we have already experienced, these 70 closures, have had a devastating impact. My amendment says that Congress is ready to help all Americans but especially those living in rural America who have been hurt by ObamaCare.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I urge a strong "no" vote on the Barrasso amendment. The language calls for strengthening Social Security, but we all know what strengthening Social Security means. It means cutting Social Security. It means cutting Medicare. It means cutting Medicaid. We are into Orwellian language. "Strengthening" is not cutting programs, it is not throwing 20 million Americans off health insurance, it is not privatizing Medicare, it is not raising prescription drug costs for senior citizens. I urge a "no" vote on the Barrasso amendment.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I am rising because I oppose this amendment because this is not the way this body should work. The politics of the people spoke loud and clear. Politics is not going to be accepted. I have an amendment with a point of order, and this amendment was pushed in in front of this vote so it would be a Republican vote and not a Democratic, and I can tell you, I am sick and tired of it, and the people of America are too.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on the Barrasso amendment.

Mr. MANCHIN. Mr. President, I raise a point of order that the pending amendment is not germane to the underlying resolution and therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 173, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a second?

There is a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Vermont.

AMENDMENTS NOS. 143, 86, AND 126 EN BLOC

Mr. SANDERS. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number, and that they be considered following disposition of the Stabenow amendment No. 94: Cantwell

amendment No. 143; Brown amendment No. 86; and Coons amendment No. 126.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for others, proposes amendments numbered 143, 86, and 126 en bloc.

The amendments are as follows:

AMENDMENT NO. 143

(Purpose: To create a point of order against any changes to the Medicare program, the Medicaid program, or the number of Americans enrolled in private health insurance coverage, in a manner that would result in reduced revenue to hospitals, health care centers, and physicians and other health care providers, thereby reducing their investments in health care delivery system reforms that improve patient health outcomes and reduce costs)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST ANY CHANGES TO THE MEDICARE PROGRAM, THE MEDICAID PROGRAM, OR THE NUMBER OF AMERICANS ENROLLED IN PRIVATE HEALTH INSURANCE COVERAGE, IN A MANNER THAT WOULD RESULT IN REDUCED REVENUE TO HOSPITALS, HEALTH CARE CENTERS, AND PHYSICIANS AND OTHER HEALTH CARE PROVIDERS, THEREBY REDUCING THEIR INVESTMENTS IN HEALTH CARE DELIVERY SYSTEM REFORMS THAT IMPROVE PATIENT HEALTH OUTCOMES AND REDUCE COSTS.

(a) FINDINGS.—The Senate finds the following:

(1) The Affordable Care Act is moving the health care system of the United States from a fee-for-service system that frequently incentivizes the overutilization of health care services and wasteful health care spending to a value- and performance-based health care system that promotes patient-centered and team-based care to keep Americans as healthy as possible, improve health outcomes, and lower health care costs.

(2) Because of the investments in health care delivery system reforms made by the Affordable Care Act, a third of Medicare payments to health care providers are now based on the overall quality of patient care and health outcomes achieved by such providers.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would change the Medicare program, the Medicaid program, or the number of Americans enrolled in private health insurance coverage, in a manner that would result in reduced revenue to hospitals, health care centers, and physicians and other health care providers, thereby reducing their investments in health care delivery system reforms that improve patient health outcomes and reduce costs.

(c) WAIVER AND APPEAL.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

AMENDMENT NO. 86

(Purpose: To create a point of order against legislation that would undermine the historic coverage gains the United States has made in children's health, which have resulted in the lowest uninsured rate for children in the Nation's history)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD UNDERMINE ACCESS TO COMPREHENSIVE, AFFORDABLE HEALTH COVERAGE FOR AMERICA'S CHILDREN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that makes changes to the Medicaid program under title XIX of the Social Security Act (42 U.S.C. et seq.), the Children's Health Insurance Program under title XXI (42 U.S.C. 1397aa et seq.), or Federal requirements for private health insurance coverage unless the Congressional Budget Office certifies that such changes would not result in lower coverage rates, reduced benefits, or decreased affordability for children receiving coverage through the Medicaid Program, the Children's Health Insurance Program, or the private insurance markets established under the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 126

(Purpose: To create a point of order against legislation that would permit lifetime limits on health care coverage)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PERMIT LIFETIME LIMITS ON HEALTH CARE COVERAGE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would permit lifetime limits on health care coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENTS NOS. 167 AND 176 EN BLOC

Mr. ENZI. Mr. President, I ask unanimous consent that following disposition of the Manchin amendment No. 64, the Senate vote in relation to the following amendments in the order listed, with all other provisions of the previous order remaining in effect; further, that there be no second-degree amendments in order to the amendments listed; and, finally, that the Heller amendment No. 167 and the Flake amendment No. 176 be called up and reported by number en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The bill clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for others, proposes amendments numbered 167 and 176 en bloc.

The amendments are as follows:

AMENDMENT NO. 167

(Purpose: To establish a deficit-neutral reserve fund relating to strengthening Social Security and repealing Obamacare, which has increased health care costs, raised taxes on middle-class families, reduced access to high quality care, created disincentives for work, and caused tens of thousands of Americans to lose coverage they had and liked, and replacing it with patient-centered, step-by-step health reforms that provide access to quality, affordable private health care coverage for all American's and their families by increasing competition, State flexibility and individual choice, and safeguarding consumer protections that Americans support)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING SOCIAL SECURITY OR REPEALING AND REPLACING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening Social Security or repealing and replacing Obamacare, which may include step-by-step health reforms providing access to quality, affordable coverage for all Americans, safeguarding consumer protections, strengthening Medicare, and improving Medicaid, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

AMENDMENT NO. 176

(Purpose: To establish a deficit-neutral reserve fund relating to enhancing health care and housing for veterans and their dependents by repealing Obamacare, facilitating medical facility leases, and prohibiting the Secretary of Veterans Affairs from employing individuals who have been convicted of a felony and medical personnel who have ever had their medical licenses or credentials revoked or suspended)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENHANCING VETERANS HEALTH CARE, HOUSING, AND THE WORKFORCE OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving veterans' housing and health care for veterans and their dependents, which may include repealing Obamacare, facilitating medical facility leases, reforming veterans housing programs,

and prohibiting the Secretary of Veterans Affairs from employing individuals who have been convicted of a felony and medical personnel who have ever had their medical licenses or credentials revoked or suspended, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

AMENDMENT NO. 64

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on Manchin amendment No. 64.

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, basically, if you are concerned about your rural hospital or health care system centers, this is the amendment that will save them. This is the amendment that will protect them. You can go home and say, basically, that we have made sure that no matter what happens with the Affordable Care Act, we are going to make sure we protect our rural hospitals and rural clinics. That being said, all of us have rural areas in our States. I urge the adoption of this amendment and the support of this amendment. It has the teeth of the budget point of order.

So I urge everybody: If you care about your health care providers—the economic engine, the protection of your people in your areas that have very poor health care coverage right now—make sure you vote in support of this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this amendment is not germane to this budget resolution. This budget resolution is focused on defeating ObamaCare. So anything other than that is outside of the scope of the repeal resolution.

The Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment doesn't meet the standard required by budget law, a point of order would lie.

So I am compelled as chairman of the Senate Budget Committee to raise a point of order against the amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, pursuant to section 904—

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, making a clarification that the numbers of the amendments done in the unanimous consent are Heller amendment No. 167, Baldwin amendment No. 81, Flake amendment No. 176, and Tester amendment No. 104.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, pursuant to section 904 of the Congressional

Budget Act of 1974, I move to waive section 305(b)(2) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—51

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Portman
Brown	Heitkamp	Reed
Cantwell	Heller	Sanders
Capito	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—47

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Cassidy	Hoeben	Rubio
Cochran	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 167

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on Heller amendment No. 167.

The Senator from Nevada.

Mr. HELLER. Mr. President, amendment No. 167 is a side-by-side. This amendment makes good on two promises to the American people. One is to repeal ObamaCare, which has increased costs, limited health care choices, and

has raised \$1.1 trillion in taxes on the American people in the middle class.

It also makes good on a second promise; that is, Congress will replace ObamaCare with health care reforms that provide access to quality, affordable health care coverage, not just to dependents under the age of 26 but to all Americans—women, children, seniors, and disabled. We shouldn't be choosing winners and losers.

A vote against this amendment is a vote against affordable, quality health care for all, and I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I would like to divide the time, claim 30 seconds, and then yield to Senator SANDERS.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. BALDWIN. Mr. President, if Members of this body care about insurance coverage for young people, young adults up to age 26, then they should vote no on the Heller side-by-side and take the opportunity to support my amendment that we will vote on immediately following the disposal of this amendment.

In this Nation, we had an uninsurance crisis among young people before the Affordable Care Act was passed—one of the most uninsured demographics in America, and we have an opportunity to protect those young people through my amendment later this evening, but I urge a "no" vote on an amendment that would do nothing to protect these young people.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, this amendment should be aptly called the Orwellian amendment because it says one thing and does something very much the opposite. It talks about strengthening Social Security, affordable coverage for all Americans. What is really going on is a desire to cut Social Security benefits and throw 20 million Americans off of health insurance. I urge the defeat of this amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for the purposes of my amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I raise a point of order that the pending amendment is not germane to the underlying resolution and therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 81

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on Baldwin amendment No. 81.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, my amendment protects the Affordable Care Act benefits for young people, including the provision that allows young adults to remain on their parents' health plan until age 26. It will safeguard our future generations by blocking Republican efforts that would weaken dependent coverage, increase premiums or out-of-pocket costs, including the premium tax credits, or reduce the number of young adults who are currently insured.

As someone who didn't have access to quality health insurance until I was in my 20s, I championed the provision that allows young people to stay on their parents' health insurance during my time in the House of Representatives. Before we passed health care reform, I heard from countless young adults and college-age students in Wisconsin who are just starting out in the workforce, many of them in jobs that had no health care.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. BALDWIN. I urge my colleagues to stand with me and vote in support of this amendment to protect our future generations with health care coverage.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this amendment is not germane to this budget resolution. The Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment does not meet the standard required by budget law, a point of order would lie against it.

I am compelled as chairman of the Committee on the Budget to raise a point of order against this amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for the purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 50, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—50

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 50.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained, and the amendment falls.

AMENDMENT NO. 176

There is now 2 minutes of debate prior to the vote on Flake amendment No. 176.

The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise in favor of Flake amendment No. 176.

We have had problems, obviously, with the VA. Phoenix, AZ, has been kind of ground zero for that. Part of the problem is that the VA has no strong prohibition against hiring felons, and we have had example after example around the country of their continuing to hire felons or those who have been disciplined by the profession. So this would simply require that they fire felons who are on their rolls.

I urge support and yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, the Flake amendment is going to really result in less access for veterans across this country.

The VA already has some hiring challenges due to a severe national shortage of medical personnel. This amendment is going to set the VA back even further.

I will tell you why. It is going to prohibit the VA from hiring any medical professional who has ever had their license or credentials suspended. That means if it was done by administrative error, with that suspension, they wouldn't be able to be hired. If it got lost in the mail, they wouldn't be able to be hired. If they moved States and forgot to fill out the paperwork, those medical professionals wouldn't be able to be hired.

It is really going to undermine the VA's ability to attract some of the most topnotch medical professionals and take care of our veterans.

We have a medical workforce shortage in Montana. I am sure they do in Arizona. Why would we make the VA a less attractive place to work? Why would we want to do this? I would encourage a "no" vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I raise a point of order that the pending amendment is not germane to the underlying resolution and, therefore, violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of the act and applicable budget resolutions for purposes of amendment No. 176, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 48, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—50

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Kennedy	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	

NAYS—48

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Portman
Booker	Heitkamp	Reed
Brown	Hirono	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 48.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that following the disposition of the Tester amendment No. 104, the Senate vote in relation to the Casey amendment No. 61 with all of the provisions of the previous order remaining in effect; further, that there be no second-degree amendments in order to the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 104

There will now be 2 minutes of debate prior to the vote on Tester amendment No. 104.

The Senator from Montana.

Mr. TESTER. Mr. President, today I offer an amendment on behalf of the Nation's more than 21 million veterans and the more than 100,000 veterans who reside in the State of Montana. As I travel across my State, I hear from veterans who say: We don't want the VA privatized. As I talk to my friends on both sides of the aisle, they talk about the fact that we do not want the VA privatized.

Here is an amendment you can vote for; in fact, it should pass by unanimous consent. What it does is bring a budget point of order against any provision that would limit the veterans' ability to choose VA health care. It is as simple as that. It needs to happen so we don't privatize the VA. The veterans I talk to, once they get through the door, love the care the VA provides them. I would encourage a "yes" vote on this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I am hoping we can do something for the veterans in a bipartisan way under a bill that Senator ISAKSON worked on for a long time, but on this amendment, the Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment doesn't meet the standard required by budget law, a point of order would lie, so I would raise a point of order against this amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I would contend that it is germane, but I will not debate that now. Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. SCOTT). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 50, as follows:

(Rollcall Vote No. 14 Leg.)

YEAS—48

Baldwin	Harris	Murray
Bennet	Hassan	Nelson
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Brown	Heller	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—50

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays 50.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, after the Casey vote, we expect that the next three votes that we are still working to lock in after this vote will be Barrasso No. 181, Hatch No. 179, and Menendez No. 83. We are not asking for a unanimous consent agreement at this point. We just want people to be aware of the paperwork that is being done so that they can be ready for votes on those when we do lock them in.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, reserving the right to object, and I won't, I would appreciate it if we could add to the end of that tranche the Klobuchar-Sanders amendment. Would that be all right?

Mr. ENZI. I didn't ask unanimous consent. I was just announcing, and I

assume you are just announcing as well.

Mr. SANDERS. OK. If we could add Klobuchar-Sanders as the fourth amendment of that tranche—it is all right. OK. Thank you.

AMENDMENT NO. 61

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on Casey amendment No. 61.

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, this amendment deals with three basic issues. The first is the issue of pre-existing conditions, the second is the issue with regard to discrimination as it relates to health status, and the third issue is with regard to caps on coverage.

The first issue is we want to make sure no action is taken in the Senate that would have the effect of limiting access to care for those individuals with preexisting conditions. That is No. 1.

No. 2, we want to make sure we don't place any lifetime caps on health insurance coverage for individuals with a disability or with a chronic condition.

No. 3, we want to make sure health plans will not discriminate on the basis of either the individual's physical health, their mental health, or their disability status.

This is the right thing to do for health care, and I urge an affirmative vote on this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, the Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment does not meet the standard raised by budget law, a point of order would lie. As such, I raise a point of order against this amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 49, as follows:

(Rollcall Vote No. 15 Leg.)

YEAS—49

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Heller	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Collins	Leahy	Udall
Coons	Manchin	Van Hollen
Cortez Masto	Markey	Warner
Donnelly	McCaskill	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Franken	Murphy	
Gillibrand	Murray	

NAYS—49

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Hoeven	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 49.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that following the disposition of the Casey amendment No. 61, the Senate vote in relation to the following amendments in the order listed, with all other provisions of the previous order remaining in effect; further, that there be no second-degree amendments in order to the amendments listed. That would be Barrasso No. 181, Hatch No. 179, and Menendez No. 83.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. Mr. President, I also ask unanimous consent that Senator CORKER be recognized to offer amendment No. 106 and that the amendment be reported by number. I further ask that there then be 2 minutes of debate on the amendment to be controlled by Senator CORKER or his designee, and following the use or yielding back of time, the amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Tennessee.

AMENDMENT NO. 106

Mr. CORKER. Mr. President, we have had a number of discussions about how to go about repealing and replacing the health care bill that is now law in our

country. We have had a number of very thoughtful discussions on our side. I know a date has been put in this reconciliation of January 27, and we realize that is not a real date. That is a placeholder. That is the earliest they can come back.

In talking with leadership and working through this, we understand that everyone here understands the importance of doing it right, giving TOM PRICE, the new HHS person, the time to weigh in and help us make this work in the appropriate way. For that reason, we plan to withdraw this amendment and place our faith in the fact that we are going to do this in a manner that works well for the American people.

I yield to Senator PORTMAN.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, our amendment was about ensuring that the second step in improving the health care system for our constituents was done in a thoughtful way. We now have assurances from leadership that certainly is their intent and that this date is not a date that is set in stone. In fact, it is the earliest we could do it, but it could take longer. We believe that it might.

With that, we would like to withdraw the amendment, with assurances that we will have this time to be able to put together something that will, in fact, ensure that our constituents can better deal with the broken health care system.

Mr. CORKER. Mr. President, if there is any time, I would like to also say there have been a lot of concerns about the fiscal nature of this—making sure that we do it in a manner that does not waste taxpayer resources. There has been another concern—obviously, making sure that these health care plans stay in place during transition. Both discussions have been very thoughtful, very helpful, and I think that everyone understands what is at stake in this process, and hopefully we will move through it in a way that will reflect the fact that we want this to work for the American people.

I yield the floor.

Ms. COLLINS. Mr. President, one of my top priorities as a Senator has been to expand access to affordable health care for all Americans. I have always believed that the key to achieving this goal is to bring down the cost of health care, so more Americans can afford to purchase the health insurance that they need. During debate over the Affordable Care Act, I raised the concern that the bill's cumbersome "one size fits all" approach would do more harm than good and would result in an even more expensive, broken, and unsustainable health care system.

Unfortunately, my fears are now reality. According to the Kaiser Family Foundation, premiums for employer-sponsored family health plans now top

\$18,000 per year, up nearly \$5,000 since 2009. Deductibles have also been rising: in 2009, only one in five workers enrolled in single-coverage employer plans faced a deductible over \$1,000. Today more than half do.

In Maine, premiums on the Exchange will rise an average of 22 percent this year, and many States are seeing even higher premium hikes. Meanwhile, fewer insurers are willing to write policies, leaving few choices for consumers who are looking for insurance.

Some of the ACA's provisions—especially its consumer protections—enjoy bipartisan support and should be retained; however, its Washington-centric approach must be changed if we are ever to truly reform our broken health care system. Nevertheless, this task must be undertaken with care.

There is growing understanding that we cannot simply repeal the Affordable Care Act now and then wait 2 or 3 years to put reforms in place. Doing that would risk harming consumers who rely upon the current system for their insurance and would exacerbate the turmoil in the insurance markets. If we want a smooth transition from a broken and unaffordable system to a system that finally delivers on the promise of reform, we must carefully plan how we intend to get from where we are today, to where we need to be tomorrow.

Thus, we are called to act quickly, but not in haste. That is why I joined Senators CORKER, PORTMAN, CASSIDY, and MURKOWSKI in offering an amendment that would change the reporting date for the bill reported pursuant to the budget resolution's reconciliation instructions from January 27 to March 3. While I continue to much prefer the later date, I have received assurances from Senate leaders that the January 27th date is not binding and that there is a shared commitment that we will take the time necessary to proceed thoughtfully with legislative reforms to replace and reform Obamacare.

Few issues are as important to the American people as fixing our broken health care system. As we move to repair the ACA, I look forward to continuing to work with my colleagues on responsible alternatives that can put us on a path to a health care system that is truly sustainable and affordable.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. CORKER] proposes an amendment numbered 106.

The amendment is as follows:

(Purpose: To set an appropriate date for the reporting of a reconciliation bill in the Senate)

On page 45, line 15, strike "January 27" and insert "March 3".

AMENDMENT NO. 106 WITHDRAWN

Mr. CORKER. Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The Senator from Wyoming.

AMENDMENTS NOS. 181 AND 179 EN BLOC

Mr. ENZI. Mr. President, I call up Barrasso No. 181 and Hatch No. 179 and ask unanimous consent that they be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for others, proposes amendments numbered 181 and 179 en bloc.

The amendments are as follows:

AMENDMENT NO. 181

(Purpose: To establish a deficit-neutral reserve fund relating to strengthening Social Security and repealing Obamacare, which has increased health care costs, raised taxes on middle class families, reduced access to high-quality care, created disincentives for work, and caused tens of thousands of Americans to lose coverage they had and liked, and replacing Obamacare with patient-centered, step-by-step health reforms that provide access to quality, affordable private health care coverage for all Americans, including people with disabilities and chronic conditions, and their families, by increasing competition, State flexibility, and individual choice, and safeguarding consumer protections, such as a ban on lifetime limits, that Americans support)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING SOCIAL SECURITY AND REPEALING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to strengthening Social Security and repealing and replacing Obamacare, which may include step-by-step reforms providing access to quality, affordable coverage for all Americans, including people with disabilities and chronic conditions, and safeguarding consumer protections such as a ban on lifetime limits, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

AMENDMENT NO. 179

(Purpose: To establish a deficit-neutral reserve fund relating to reforming housing and Medicaid without prioritizing able-bodied adults over the disabled or raiding the Medicare Trust Funds to pay for new government programs, like Obamacare, which has failed Americans by increasing premiums and reducing affordable health care options)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTIONS FOR THE ELDERLY AND DISABLED.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between

the Houses, motions, or conference reports relating to reforming housing and Medicaid, which may include returning State regulation of health insurance markets to the States, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 181

Mr. BARRASSO. Mr. President, this is a side-by-side amendment to Casey amendment No. 61, which was just defeated.

As many in this body know, my wife Bobbi is a breast cancer survivor. I understand the importance of ensuring that everyone has access to health care. This is especially true for patients with ongoing medical conditions.

Also, I spent 25 years practicing medicine, working every single day to ensure all patients received high quality care. That is why I am passionate about enacting health care reform to put patients first, unlike the Obama health care law, which put government ahead of patients and health care providers.

As I travel around the State of Wyoming, I hear from many hard-working folks who have lost their insurance coverage that they liked and that worked for them and their families. We are going to help those who have been hurt by ObamaCare. We will also ensure that people with serious medical conditions receive the care they need.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Vermont.

Mr. SANDERS. Mr. President, the repeal of the Affordable Care Act will throw perhaps up to 30 million people off of health insurance.

I would yield to my friends if they will tell me now what the replacement is. How many of those 30 million people are going to die? What is your plan to cover them, plus the other 28 million people who have no health insurance? How are you going to end the international embarrassment of the United States being the only major country on Earth not to guarantee health care to all people?

They don't have a plan. I understand Senator CORKER wants more time. Maybe they will develop a plan. Right now what they are talking about is repealing legislation which has brought millions of people health care, and they have no substitute.

I would urge the defeat of the Barrasso amendment.

Madam President, I raise a point of order on Barrasso amendment No. 181, that the pending amendment is not germane to the underlying resolution and therefore violates section 305(b)(2)

of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for the purposes of Barrasso amendment No. 181, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Ms. MURKOWSKI). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 47, nays 51, as follows:

[Rollcall Vote No. 16 Leg.]

YEAS—47

Alexander	Fischer	Murkowski
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Corker	Isakson	Sullivan
Cornyn	Johnson	Thune
Cotton	Kennedy	Tillis
Crapo	Lankford	Toomey
Daines	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	

NAYS—51

Baldwin	Harris	Nelson
Bennet	Hassan	Paul
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Brown	Hirono	Sanders
Cantwell	Kaine	Sasse
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Leahy	Shaheen
Coons	Lee	Stabenow
Cortez Masto	Manchin	Tester
Cruz	Markey	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 51.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 179

The PRESIDING OFFICER. The Senator from Utah

Mr. HATCH. Madam President, ObamaCare exacerbated financial pressures on the Medicaid Program at a time when many States were already facing difficult choices. Even before ObamaCare, Medicaid was plagued by quality issues and the law did nothing to address these problems. Instead, under ObamaCare, able-bodied adults not previously eligible, including some prisoners, are now covered by Medicaid which has strained already limited resources at the State level.

Republicans are committed to working with States, stakeholders, and the American public to improve the quality of the Medicaid Program, ensuring its long-term sustainability. That is reflected in my amendment. My amendment would create a reserve fund to allow for reforms to Medicaid and ensure the program has the right priorities.

I urge my colleagues to vote for my amendment and against the Menendez amendment, which is simply designed to prevent the repeal of ObamaCare and enshrine its flawed approach to Medicaid in a budget point of order.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, this is not an amendment to protect the elderly and disabled. It guts Medicaid's opportunity by going into a block grant or per capita cut that would sharply cut Federal funding over time and eliminate the States' flexibility to innovate.

Instead, this proposal only gives States flexibility to make draconian cuts, leaving millions of seniors and individuals with disabilities who rely on Medicaid without the access to needed health care. Instead of the State-Federal partnership that gives States broad flexibility to run their programs but do so with Federal minimum standards that are important consumer protections like mental health parity, early and periodic screening, diagnosis, and testing for children, and network adequacy protection will go to block grants.

Do you know what happens when there is no more entitlement and you go to a block grant? You cut the block grant, and before you know it, you have no Medicaid.

This is not protecting seniors, children, and the disabled. I urge a "no" vote on the amendment.

I raise a point of order that the pending amendment is not germane to the underlying resolution and therefore violates Section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I move to waive the applicable provisions of the Budget Act with respect to my amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 17 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Madam President, I ask unanimous consent that following the disposition of the Menendez amendment No. 83, the Senate vote in relation to the following amendments in the order listed, with all other provisions of the previous order remaining in effect; further, that there be no second-degree amendments in order to the amendments listed: Alexander amendment No. 174, Klobuchar amendment No. 178, Wyden amendment No. 188; finally, I ask unanimous consent that the Klobuchar amendment No. 172 be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 83

The PRESIDING OFFICER. There is now 2 minutes of debate prior to the vote on the Menendez amendment No. 83.

The Senator from New Jersey. Mr. MENENDEZ. Madam President, my amendment is to protect the health insurance of 11 million low-income men, women, and children who are currently benefiting from the Affordable Care Act's Medicaid expansion.

This amendment establishes a point of order requiring the CBO to certify that no legislation increases the overall number of uninsured, decreases enrollment in Medicaid in expansion States, or increases State spending on Medicaid.

There are currently 32 States that have expanded Medicaid, half of those States with Republican Governors. These Republican Governors—from Louisiana to Nevada, to Arkansas, Iowa, and even my own State of New Jersey, to name a few—understand that not only is Medicaid expansion a literal lifesaver to millions of children and families, but it has resulted in substantial economic growth and budget savings, a reality that directly contradicts the outcries from Republicans who seek to destroy Medicaid and strip coverage away from 11 million of the most vulnerable among us.

I urge my colleagues to vote "yes" to protect those 11 million Americans.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, the Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment does not meet the standard required by budget law, a point of order lies against it.

I am compelled, as chairman of the Committee on the Budget, to raise a point of order against the amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: The Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 50, as follows:

[Rollcall Vote No. 18 Leg.]

YEAS—48

Baldwin	Harris	Murray
Bennet	Hassan	Nelson
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Brown	Heller	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—50

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 50.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Tennessee.

AMENDMENT NO. 174

Mr. ALEXANDER. Madam President, this amendment is an amendment I believe almost every Senator will want to vote for because this is an amendment that guarantees that when you walk into the local drugstore, your medicine is safe because you know that it has been approved by the Food and Drug Administration.

This amendment clarifies the current law, which says that if you sell a prescription drug in the United States, it has to be approved by the Food and Drug Administration. It may be made overseas—and many are, and they are sold here—but they are approved by the Food and Drug Administration.

I have the privilege of being the chairman of the HELP Committee, and I can't tell you the number of impassioned speeches I have heard from my Democratic friends about the importance of drug safety and the gold standard for the Food and Drug Administration. So if you are for the gold standard of the Food and Drug Administration, if you are for making prescription drugs approved by the FDA, vote yes. If you are against it, vote no.

The PRESIDING OFFICER. Does the Senator wish to call up his amendment?

Mr. ALEXANDER. Madam President, I call up my amendment No. 174 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 174.

The amendment is as follows:

(Purpose: To strengthen Social Security and Medicare without raiding them to pay for new government programs, like Obamacare, that have failed Americans by increasing premiums and reducing affordable health care options, to reform Medicaid without prioritizing able-bodied adults over the disabled, and to ensure that any importation does not increase risk to public health according to the Secretary of Health and Human Services)

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PERMITTING IMPORTATION OF PRESCRIPTION DRUGS ONLY UNDER CERTAIN CIRCUMSTANCES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to permitting the importation of prescription drugs, which may include certifying public health and safety, strengthening Social Security and Medicare, and improving Medicaid, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, people in the United States pay by far the highest prices in the world for prescription drugs.

I live 50 miles away from Canada, and in many cases they pay 50 percent less for the same exact medicine that we buy in Vermont or in America, and we all know the reason why. The power and wealth of the pharmaceutical industry and their 1300 lobbyists and unlimited sums of money have bought the U.S. Congress. Let's be clear about it.

Today Mr. Trump—a guy I don't quote very often—said that pharma gets away with murder. That is what Trump said. He is right. Year after year, the same old, same old takes place. We get amendments like Senator ALEXANDER's, and the pharmaceutical industry makes more and more money, and the American people pay higher and higher prices.

The time has come for us to stand up to the drug companies. Let's do it tonight. Let's defeat the Alexander amendment. Let's support the Klobuchar-Sanders amendment.

Madam President, I raise a point of order that the pending amendment is

not germane to the underlying resolution and therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for the purposes of the pending Alexander amendment No. 174, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 19 Leg.]

YEAS—49

Alexander	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Heller	Rounds
Capito	Hoeven	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Collins	Johnson	Shelby
Corker	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Wicker
Daines	Moran	Young
Enzi	Murkowski	
Ernst	Paul	

NAYS—49

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Hatch	Reed
Booker	Heinrich	Sanders
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Coons	Leahy	Udall
Cortez Masto	Manchin	Van Hollen
Donnelly	Markey	Warner
Duckworth	McCaskill	Warren
Durbin	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Murphy	
Grassley	Murray	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 49.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Minnesota.

AMENDMENT NO. 178

Ms. KLOBUCHAR. Mr. President, I call up amendment No. 178 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Minnesota [Ms. KLOBUCHAR] proposes an amendment numbered 178.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to lowering prescription drug prices for Americans by importing drugs from Canada)

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO LOWERING PRESCRIPTION DRUG PRICES FOR AMERICANS BY IMPORTING DRUGS FROM CANADA

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to lowering prescription drug prices, including through the importation of safe and affordable prescription drugs from Canada by American pharmacists, wholesalers, and individuals with a valid prescription from a provider licensed to practice in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I come to the floor to ask that my colleagues support this very important amendment with Senator SANDERS. I will match his passion with numbers.

The price of insulin, as our colleagues know, has tripled in the last decade. The antibiotic doxycycline went from \$20 a bottle to nearly \$2,000 a bottle in 6 months. Naloxone, the drug used to help with overdose, went from \$690 to \$4,500 to date. We cannot sit here and do nothing. We have an opportunity, for those who believe in the free market, to allow in competition—competition from the safe country of Canada, our neighbors to the north. In Minnesota, we can see Canada from our porch, and we want to see that competition come in and save our constituents' lives.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, last year the five major drug companies made \$50 billion in profit, while one out of five Americans cannot afford the medicine they need. Please don't tell me that we can import fish from all over the world, but we can't bring medicine in from Canada.

The PRESIDING OFFICER. The time for the Senator from Vermont has expired.

The Senator from Wyoming.

Mr. ENZI. Mr. President, this discussion will be a little different than any we have had because in a bipartisan way we have been defeating this for at least 14 years. Byron Dorgan used to head it up on that side, and I used to oppose it from this side, but it has always been bipartisan, and that is because we are not sure about the safety of the prescription drugs that come in online.

People who drive over the border and go to a pharmacist are probably getting good drugs there, but we are told that for up to 85 percent of what comes in online, we can't tell what country it came from. So we can specify Canada, but it may be from another country altogether, particularly the Middle East. If we want to assure we have the safety of our drugs, being able to get it online from even Canada doesn't have the kind of assurance we need. We have always asked that the Secretary of Health and Human Services specify that the safety is in place. No one has been willing to do that.

I ask that we vote against this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SANDERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 52, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—46

Baldwin	Heller	Paul
Blumenthal	Hirono	Peters
Boozman	Kaine	Reed
Brown	Kennedy	Sanders
Cardin	King	Schatz
Collins	Klobuchar	Schumer
Cortez Masto	Leahy	Shaheen
Cruz	Lee	Stabenow
Duckworth	Manchin	Thune
Durbin	Markey	Udall
Flake	McCain	Van Hollen
Franken	McCaskill	Warren
Gillibrand	Merkley	Whitehouse
Grassley	Murkowski	Wyden
Harris	Murphy	
Hassan	Nelson	

NAYS—52

Alexander	Capito	Cornyn
Barrasso	Carper	Cotton
Bennet	Casey	Crapo
Blunt	Cassidy	Daines
Booker	Cochran	Donnelly
Burr	Cooms	Enzi
Cantwell	Corker	Ernst

Fischer	McConnell	Scott
Gardner	Menendez	Shelby
Graham	Moran	Sullivan
Hatch	Murray	Tester
Heinrich	Perdue	Tillis
Heitkamp	Portman	Toomey
Hoeben	Risch	Warner
Inhofe	Roberts	Wicker
Isakson	Rounds	Young
Johnson	Rubio	
Lankford	Sasse	

NOT VOTING—2

Feinstein Sessions

The amendment (No. 178) was rejected.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 188

Mr. WYDEN. Mr. President, I call up amendment No. 188 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN] proposes an amendment numbered 188.

The amendment is as follows:

(Purpose: To create a point of order against legislation that does not lower drug prices)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT DOES NOT LOWER DRUG PRICES.

(a) FINDINGS.—The Senate finds the following:

(1) Total annual drug spending in the United States is projected to reach more than \$500,000,000,000 by 2018.

(2) One out of five Americans age 19 to 64 cannot afford to fill their prescriptions.

(3) Spending on prescription drugs in the United States grew by 12 percent in 2014, faster than in any year since 2002.

(4) Medicare part D drug spending was \$90,000,000,000 in 2015, and is expected to increase to \$216,000,000,000 by 2025.

(5) Medicare part B drug spending also more than doubled between 2005 and 2015, increasing from \$9,000,000,000 in 2005 to \$22,000,000,000 in 2015.

(6) In 2014, prescription drug spending in Medicaid increased by 24 percent.

(7) During the Presidential campaign, the President-elect said, "When it comes time to negotiate the cost of drugs, we're going to negotiate like crazy, folks" and his campaign website said that, "allowing consumers access to imported, safe and dependable drugs from overseas will bring more options to consumers."

(8) After being elected, the President-elect said, "I'm going to bring down drug prices. I don't like what's happened with drug prices."

(9) On January 11, 2017, the President-elect said, "We have to create new bidding procedures for the drug industry, because they are getting away with murder."

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution that does not, as promised by the President-elect, lower drug prices, as certified by the Congressional Budget Office.

(c) WAIVER AND APPEAL.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An af-

firmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

Mr. WYDEN. Mr. President and colleagues, this amendment is supported by a number of Senators because, as the Senate majority plows ahead with a scheme that I call repeal and run, it is putting tens of millions of Americans in danger of losing their health insurance, and Americans are waiting for Congress to step up and adopt smart policies that will drive down the cost of prescription medicine.

We understand this is an era of miracle cures and treatments. There are drugs on the market today that were science fiction not very long ago. With drug prices rising, the question is whether Americans are going to be able to afford them. This is a growing source of inequality, and it cannot go unchecked.

Here is my bottom line.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WYDEN. In a country as rich and strong as ours, cures have to be available for everyone, not just the wealthy.

I urge support for this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, the Congressional Budget Act does require that the amendments to the budget resolution be germane. Since this amendment does not meet the standard required by budget law, a point of order would lie. So I raise a point of order against this amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 47, nays 51, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—47

Baldwin	Brown	Casey
Bennet	Cantwell	Coons
Blumenthal	Cardin	Cortez Masto
Booker	Carper	Donnelly

Duckworth	Leahy	Schatz
Durbin	Manchin	Schumer
Franken	Markey	Shaheen
Gillibrand	McCaskill	Stabenow
Harris	Menendez	Tester
Hassan	Merkley	Udall
Heinrich	Murphy	Van Hollen
Heitkamp	Murray	Warner
Hirono	Nelson	Warren
Kaine	Peters	Whitehouse
King	Reed	Wyden
Klobuchar	Sanders	

NAYS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeben	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 51.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate vote in relation to the following amendments in the order listed, with all other provisions of the previous order remaining in effect; further that there be no second-degree amendments in order to the amendments listed: Fischer 184, Gillibrand 82, Hatch 180, Brown 86; I further ask that the pending amendments, aside from these listed, be withdrawn; that no further amendments be in order, and that following disposition of the Brown amendment, the Senate vote on adoption of the resolution, as amended, if amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that the listed amendments be called up and reported by number.

Mr. SCHUMER. Mr. President, will my friend from Wyoming yield for a question?

Mr. ENZI. Sure.

Mr. SCHUMER. Since the amendment by Senator COONS from Delaware is not going to be offered, I believe that the Hatch amendment was a side-by-side to Coons and we don't need that. Is that true?

Mr. ENZI. Mr. President, I ask unanimous consent that my previous unanimous consent request be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate vote in relation to the following amendments

in the order listed with all other provisions of the previous order remaining in effect; further, that there be no second-degree amendments in order to the amendments listed: That would be Fischer 184 and Gillibrand 82.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nebraska.

AMENDMENT NO. 184

Mrs. FISCHER. Mr. President, I call up my amendment No. 184.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nebraska [Mrs. FISCHER] proposes an amendment numbered 184.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to strengthening Social Security or health care for women, which may include strengthening community health centers, and repealing and replacing Obamacare)

At the appropriate place, add the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO SOCIAL SECURITY OR WOMEN'S HEALTH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to strengthening Social Security or health care for women, which may include strengthening community health centers, and repealing and replacing the Patient Protection and Affordable Care Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

Mrs. FISCHER. Mr. President, this amendment would strengthen community health centers across this country. In Nebraska we have 7 federally qualified health centers and 40 clinic sites that have served over 75,000 people. These centers provide quality personalized health care that women need and deserve.

Last year I had the opportunity to visit one of these in Omaha, the Charles Drew Medical Clinic. I saw firsthand the comprehensive, compassionate care that they provide to Nebraskans. Many times, women are the ones who make health care decisions for their families, but with higher costs and fewer choices, ObamaCare has hurt, not helped, women in this country.

They have seen their premiums go up, they have had a hard time finding the doctors that they trust, and they have had to sign up for plans that they don't like. With this amendment, we can alleviate this frustration. We can help ensure that they receive quality care in their communities surrounded by a support system. It would strengthen women's health. It would help take

care of our families, our neighbors, and our friends.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to oppose the amendment of the Senator from Nebraska. While we all support community health centers, and they are very useful in the State of New York as well, this is just another attempt to end the protections the Affordable Care Act provides for women.

Nothing in this amendment will say that you cannot charge women more for health care just because they are women. Nothing in this amendment will say that you cannot charge women for health care or drop their coverage when they become pregnant. Nothing in this amendment provides for any restrictions on discrimination.

It does not provide the mammograms, the preventive care services, the contraception care, and other affordable cancer screenings that women need. This amendment does not protect women's health care. They will still be discriminated against, charged more, and drop coverage as soon as they become pregnant. It is not acceptable.

I raise a point of order that the pending amendment is not germane to the underlying resolution and therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mrs. FISCHER. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of my amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to reinstate my previous unanimous consent which would be: Fischer 184, then Gillibrand 82, Hatch 180, Brown 86; further, that the pending amendments, aside from these listed, be withdrawn, that no further amendments be in order, and that following disposition of the Brown amendment, the Senate vote on adoption of the resolution, as amended, if amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. I ask unanimous consent that the list of amendments be called up and reported by number.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 180

The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. HATCH, proposes an amendment numbered 180.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to strengthening Social Security and repealing and replacing Obamacare, which has increased health care costs, raised taxes on middle-class families, reduced access to high quality care, created disincentives for work, and caused tens of thousands of Americans to lose coverage they had and liked, and replacing it with reforms that strengthen Medicaid and the Children's Health Insurance Program without prioritizing able-bodied adults over the disabled or children and lead to patient-centered, step-by-step health reforms that provide access to quality, affordable private health care coverage for all Americans and their families by increasing competition, State flexibility, and individual choice, and safeguarding consumer protections that Americans support)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING SOCIAL SECURITY AND REPEALING AND REPLACING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening Social Security and repealing and replacing Obamacare, which may include reforms that strengthen Medicaid and the Children's Health Insurance Program without prioritizing able-bodied adults over the disabled or children and lead to step-by-step reforms providing access to quality, affordable coverage for all Americans, and safeguarding consumer protections, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

VOTE ON AMENDMENT NO. 184

The PRESIDING OFFICER. The question is on agreeing to the motion to waive.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 22 Leg.]

YEAS—52

Alexander	Crapo	Hoeven
Barrasso	Cruz	Inhofe
Blunt	Daines	Isakson
Boozman	Enzi	Johnson
Burr	Ernst	Kennedy
Capito	Fischer	Lankford
Cassidy	Flake	Lee
Cochran	Gardner	Manchin
Collins	Graham	McCain
Corker	Grassley	McConnell
Cornyn	Hatch	Moran
Cotton	Heller	Murkowski

Paul	Rubio	Tillis
Perdue	Sasse	Toomey
Portman	Scott	Wicker
Risch	Shelby	Young
Roberts	Sullivan	
Rounds	Thune	

NAYS—46

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Sanders
Booker	Heitkamp	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Stabenow
Carper	Klobuchar	Tester
Casey	Leahy	Udall
Coons	Markey	Van Hollen
Cortez Masto	McCaskill	Warner
Donnelly	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 46.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from New York.

AMENDMENT NO. 82

Mrs. GILLIBRAND. Mr. President, I rise to speak in favor of amendment No. 82. This amendment protects women's health care.

Under the Affordable Care Act, we made many changes that made a huge difference in the lives of everyday American families. It said to women in America: You can't be charged more just because you are a woman. It said: You can't be dropped from coverage when you become pregnant.

Imagine becoming pregnant and having your insurer drop your coverage because you no longer are economic or you cost too much money. Imagine being a cancer survivor and then having your coverage dropped because you survived cancer and you cost too much money.

In the Affordable Care Act, we made sure contraception, preventive care service, health care screenings, and mammograms were affordable and accessible. If we take that away, these families are left without the basic care they need to survive.

So if you love women and you love your mothers and daughters and wives, please do not unwind the Affordable Care Act. We need women's health protected, and that is what this amendment does.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, the Congressional Budget Act requires that amendments to a budget resolution be germane. Since this amendment does not meet the standard required by budget law, a point of order would lie.

So I raise a point of order against this amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

Mrs. GILLIBRAND. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for the purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 23 Leg.]

YEAS—49

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Heller	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Collins	Leahy	Udall
Coons	Manchin	Van Hollen
Cortez Masto	Markey	Warner
Donnelly	McCaskill	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Franken	Murphy	
Gillibrand	Murray	

NAYS—49

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Hoeven	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 49.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Utah.

AMENDMENT NO. 180

Mr. HATCH. Mr. President, as I stated, ObamaCare came along when States were already facing difficult fiscal choices, and, sadly, made things worse. ObamaCare's Medicaid expansion exacerbated the pressure on States without even addressing the numerous quality

issues in the program. Republicans are still committed to working with interested parties, including our State governments, to reform Medicaid and ensure its long-term sustainability. That is the purpose of my amendment here tonight.

My amendment would create a deficit-neutral reserve fund to allow for reforms to Medicaid as well as the Children's Health Insurance Program and to ensure the programs have the right priorities.

I urge my colleagues to vote for my amendment and against the Brown amendment, which is simply designed to prevent the repeal of ObamaCare and enshrine its flawed approach to Medicaid in a budget point of order.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I rise in opposition to the Hatch amendment.

Because of the Affordable Care Act, more than 2 million children have health insurance today that did not have it prior to the Affordable Care Act.

In my State, Governor Kasich, a Republican, who is a friend of mine and of many of us in this Chamber, has said that he has admonished his Republican colleagues to not repeal the Affordable Care Act without an immediate replacement. Governor Kasich expanded Medicaid. As a result, 700,000 Ohioans were provided insurance because he expanded Medicaid. He asked the question: What happens to these 700,000 people in my State—just in Medicaid expansion alone—what happens to them if the Hatch amendment passes or if the Affordable Care Act is repealed?

I ask my colleagues to vote no on the amendment.

Mr. President, I raise a point of order that the pending amendment is not germane to the underlying resolution. It violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I move to waive the applicable provisions of the Budget Act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 24 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Cornyn	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Ohio.

AMENDMENT NO. 86

Mr. BROWN. Mr. President, I call for amendment No. 86.

The PRESIDING OFFICER. The amendment is pending.

Mr. BROWN. Mr. President, thanks to Medicaid and the Children's Health Insurance Program, CHIP—two programs made stronger by the Affordable Care Act—95 percent of children in America now have affordable, comprehensive health insurance that covers annual physicals, dental care, and hospital stays. Why would we want to move backward instead of building on that 95 percent?

Amendment No. 86 creates a budget point of order against any legislation that would decrease coverage, reduce benefits, or raise costs when it comes to children's health insurance. Rather than ripping away coverage from children, we should be building on that 95 percent number; we should build on that progress; we should work to get 100 percent of our Nation's children covered.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, the Congressional Budget Act requires that amendments to a budget resolution be

germane. Since this amendment does not meet the standard required by budget law, I raise a point of order against this amendment under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 25 Leg.]

YEAS—49

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Heller	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Collins	Leahy	Udall
Coons	Manchin	Van Hollen
Cortez Masto	Markey	Warner
Donnelly	McCaskill	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Franken	Murphy	
Gillibrand	Murray	

NAYS—49

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Hoeven	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NOT VOTING—2

Feinstein Sessions

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 49.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent there be 2 minutes of debate, equally divided in the usual form, prior to the vote on adoption of S. Con. Res. 3.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. Mr. President, the repeal resolution we have been debating in the Senate this week will complete the first step toward reducing the Federal Government's role that has prevented Americans from pursuing affordable and accessible health care that meets their needs without emptying their wallets. After we complete our repeal work, the Senate can then vigorously pursue putting the Nation on a more responsible and sustainable fiscal path and address government's out-of-control spending and mammoth national debt when we begin our work on the fiscal year 2018 budget.

This resolution will set the stage for true legislative relief from ObamaCare that Americans have long demanded while ensuring a stable transition in which those with insurance will not lose access to health care coverage. This will allow us to move step-by-step on a new set of reforms, listening carefully to the advice of millions of Americans affected or as Senator ALEXANDER of Tennessee—the chairman of the Health, Education, Labor, and Pensions Committee—put it, the ObamaCare bridge is collapsing, and we are sending in a rescue team. We will then build new bridges to better health care, and finally, when these new bridges are finished, we will close the old bridge.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, the adoption of this budget resolution will allow Republicans to come back to the floor of the Senate with a budget reconciliation package which will repeal the ACA with a simple majority. If they do that, up to 30 million Americans will lose their health care, with many thousands dying as a result. Because if you have no health insurance and you can't go to a doctor or a hospital, you die.

Medicare will be converted into a voucher program. Medicaid will be decimated. Rural hospitals will be closed, and they have no alternative proposition. They want to kill ACA, but they have no idea about how they are going to bring forth a substitute proposal. This is not what the American people want. This is irresponsible. This is dangerous. This should be defeated.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on adoption of S. Con. Res. 3.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. SCHUMER. Mr. President, on behalf of the tens of millions of Americans who will have their costs go up—

The PRESIDING OFFICER. Debate is not in order during a rollcall vote.

Mr. SCHUMER.—whether they are in the exchange or not, if ACA is repealed, I vote no.

The PRESIDING OFFICER. The Democratic leader is not in order.

Debate is not in order during a vote.

The Senator from Illinois.

Mr. DURBIN. How am I recorded?

On behalf of the downstate hospitals of Illinois, I vote no.

The PRESIDING OFFICER. Debate is not in order during a vote.

Mrs. MURRAY. For those who have a preexisting condition, I vote no.

The PRESIDING OFFICER. Debate is not in order during a vote.

Ms. STABENOW. On behalf of the people of Michigan—

The PRESIDING OFFICER. Debate is not in order during a vote.

Ms. STABENOW.—I vote no.

The PRESIDING OFFICER. The Senator will be in order.

Mr. SANDERS. How am I recorded?

On behalf of elderly people who cannot afford higher prescription drugs, I vote no.

The PRESIDING OFFICER. Debate is not in order during a vote.

The Senate will be in order.

Mr. LEAHY. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. LEAHY. I join my colleague from Vermont, and I vote no.

Mr. NELSON. I vote no.

Mrs. McCASKILL. Because there is no replace, I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

Mr. CARDIN. Mr. President, on behalf of the people of Maryland, I vote no.

Mr. BROWN. How am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. BROWN. On behalf of 700,000 Ohioans losing their insurance, I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

Ms. CANTWELL. How am I recorded?

This is not business as usual.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. CANTWELL. You are stealing health care from Americans. I vote no.

The PRESIDING OFFICER. The Senator will be in order.

Mr. KAINE. Madam Clerk, when I was sick, you visited me. I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mrs. SHAHEEN. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mrs. SHAHEEN. On behalf of hundreds of thousands of New Hampshire—

The PRESIDING OFFICER. The Senate will be in order.

Debate is not allowed during a vote.

Mrs. SHAHEEN.—patients who need health care, I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

Mr. HEINRICH. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. HEINRICH. On behalf of all the children of New Mexico—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. HEINRICH.—who gained coverage from Medicaid expansion, I vote no.

The PRESIDING OFFICER. The Senator will be in order.

Mr. DONNELLY. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. DONNELLY. On behalf of the people of Indiana, I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. KLOBUCHAR. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. KLOBUCHAR. Because there is no plan in the alternative, I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. BALDWIN. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. BALDWIN. I vote no because—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. BALDWIN.—the people of Wisconsin did not send me here to take away their health care.

Mr. MERKLEY. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. MERKLEY. Because repeal and run will hurt hundreds of thousands of Oregonians—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. MERKLEY.—I vote no.

The PRESIDING OFFICER. The Senator will be in order.

Mr. COONS. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. COONS. On behalf of the many Delawareans who will be without

health care through repeal without replacement—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. COONS.—I vote no.

Mr. TESTER. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. TESTER. On behalf of the 69 hospitals in Montana—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. TESTER.—I vote no.

Ms. DUCKWORTH. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. DUCKWORTH. On behalf of the 1.2 million Illinoisans—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. DUCKWORTH.—who will lose health insurance with this repeal of the ACA and for all those with preexisting conditions, I stand on prosthetic legs to vote no.

Mr. CASEY. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. CASEY. I vote no—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. CASEY.—on behalf of the children of Pennsylvania.

Ms. CORTEZ MASTO. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. CORTEZ MASTO. On behalf of the thousands of Nevadans—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. CORTEZ MASTO.—who will lose health care, I vote no.

Mr. SCHATZ. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. SCHATZ. I vote no on behalf of the people who need mental health care.

The PRESIDING OFFICER. Debate is not allowed during a vote.

Mrs. GILLIBRAND. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mrs. GILLIBRAND. I vote no—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mrs. GILLIBRAND.—on behalf of all the women who need health care.

Mr. MURPHY. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. MURPHY. This is cruel and inhumane.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. MURPHY. I vote no.

Ms. HASSAN. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. HASSAN. On behalf of the thousands of New Hampshire residents—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. HASSAN.—who will lose treatment, I vote no.

Ms. HIRONO. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. HIRONO. On behalf of the 200,000 seniors in Hawaii on Medicare—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. HIRONO.—I vote no.

Mr. WARNER. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. WARNER. On behalf of the children of the Commonwealth of Virginia I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. BLUMENTHAL. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. BLUMENTHAL. Madam Clerk, on behalf of all the people mentioned here tonight—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. BLUMENTHAL.—and all who will be mentioned, and on behalf of the people of Connecticut, I vote no.

Mr. WYDEN. Madam Clerk, because health care—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. WYDEN.—should not just be for the healthy and wealthy, I vote no.

Mr. WHITEHOUSE. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. WHITEHOUSE. On behalf of 14-year-old Charlie, in Woonsocket, RI, who suffers from neurofibromatosis and can stay on his parents' policy until he is 26—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. WHITEHOUSE.—and cannot be denied health care for his preexisting condition, I vote no.

Mr. REED. Madam Clerk, for the people of Rhode Island I vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Mr. FRANKEN. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. FRANKEN. I vote no—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

The clerk will continue to call the roll.

Mr. FRANKEN.—on behalf of the more than 2.3 million Minnesotans who can no longer be discriminated against because of the ACA.

Ms. WARREN. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. WARREN. Madam Clerk, on behalf of the Republicans and Democrats—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senator is out of order.

The Senator may vote.

Ms. WARREN.—who worked for a decade in Massachusetts to bring health care to 97 percent of our people, I vote no.

Mr. KING. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. KING. My conscience compels me to vote no.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

Ms. HARRIS. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Ms. HARRIS. On behalf of the 5 million Californians—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.

The Senator may vote.

Ms. HARRIS.—who will be stripped of their right to have health care, my vote is no.

The PRESIDING OFFICER. The clerk will continue to call the roll.

Mr. MANCHIN. Mr. President, on behalf of the great people of West Virginia, I vote no.

The PRESIDING OFFICER. Debate is not in order during a vote.

The Senate will be in order.

Mr. PETERS. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. PETERS. Mr. President, on behalf of the people of Michigan—

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will come to order.

Mr. PETERS.—the over 800,000 who will be having their insurance repealed—I vote no.

Mr. UDALL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. UDALL. I vote no—
The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.
Mr. UDALL.—because this will hurt the citizens of New Mexico and the Republicans have no plan—no plan.

Mr. VAN HOLLEN. Mr. President, how am I recorded?
The PRESIDING OFFICER. The Senator is not recorded.

Mr. VAN HOLLEN. Because it is wrong to repeal and run—
The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senate will be in order.
The Senator will suspend.
Mr. VAN HOLLEN.—I vote no.
Mr. MARKEY. Madam Clerk, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.
Mr. MARKEY. Madam Clerk, I wish to be recorded no for the millions—

The PRESIDING OFFICER. Debate is not allowed during a vote.
The Senate will be in order.
Mr. MARKEY.—who will lose opioid coverage for their addiction.

The PRESIDING OFFICER. The Senator will suspend debate.
Mr. BENNET. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.
Mr. BENNET. Thank you, Mr. President. I vote no on behalf of the children—

The PRESIDING OFFICER. Debate is not allowed during a vote.
The Senate will be in order.

Mr. BENNET.—of Colorado.
The PRESIDING OFFICER. The Senator from Colorado will suspend.

Ms. HEITKAMP. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.
Ms. HEITKAMP. On behalf of the thousands of people—

The PRESIDING OFFICER. The Senator will suspend.
Debate is not allowed during a vote.
The Senate will be in order.

Ms. HEITKAMP.—who receive health care in my State in rural hospitals who do not know how they are going to get health care if this passes without a replacement, I vote no.

Mr. CARPER. Mr. President, how am I recorded?
The PRESIDING OFFICER. The Senator is not recorded.

Mr. CARPER. On behalf of the people—
The PRESIDING OFFICER. Debate is not allowed during a vote.
The Senate will be in order.

Mr. CARPER.—in the State of Delaware, I vote no.
Mr. MENENDEZ. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.
Mr. MENENDEZ. I am not recorded. No to no protections.

The PRESIDING OFFICER. Debate is not allowed during a vote.

The Senator will be in order.
The Senator from New Jersey.
Mr. BOOKER. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is not recorded.
Mr. BOOKER. I vote no for New Jersey.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?
The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 26 Leg.]
YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—48

Baldwin	Harris	Nelson
Bennet	Hassan	Paul
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Brown	Hirono	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—1

Feinstein

The concurrent resolution (S. Con. Res. 3) was agreed to, as follows:
S. CON. RES. 3

CONCURRENT RESOLUTION
Resolved by the Senate (the House of Representatives concurring).

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2017 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2018 through 2026.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2017.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

Sec. 1101. Recommended levels and amounts.
Sec. 1102. Major functional categories.

Subtitle B—Levels and Amounts in the Senate

Sec. 1201. Social Security in the Senate.

Sec. 1202. Postal Service discretionary administrative expenses in the Senate.

TITLE II—RECONCILIATION

Sec. 2001. Reconciliation in the Senate.
Sec. 2002. Reconciliation in the House of Representatives.

TITLE III—RESERVE FUNDS

Sec. 3001. Deficit-neutral reserve fund for health care legislation.
Sec. 3002. Reserve fund for health care legislation.

TITLE IV—OTHER MATTERS

Sec. 4001. Enforcement filing.
Sec. 4002. Budgetary treatment of administrative expenses.
Sec. 4003. Application and effect of changes in allocations and aggregates.
Sec. 4004. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

SEC. 1101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2017 through 2026:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2017: \$2,682,088,000,000.
Fiscal year 2018: \$2,787,834,000,000.
Fiscal year 2019: \$2,884,637,000,000.
Fiscal year 2020: \$3,012,645,000,000.
Fiscal year 2021: \$3,131,369,000,000.
Fiscal year 2022: \$3,262,718,000,000.
Fiscal year 2023: \$3,402,888,000,000.
Fiscal year 2024: \$3,556,097,000,000.
Fiscal year 2025: \$3,727,756,000,000.
Fiscal year 2026: \$3,903,628,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2017: \$0.
Fiscal year 2018: \$0.
Fiscal year 2019: \$0.
Fiscal year 2020: \$0.
Fiscal year 2021: \$0.
Fiscal year 2022: \$0.
Fiscal year 2023: \$0.
Fiscal year 2024: \$0.
Fiscal year 2025: \$0.
Fiscal year 2026: \$0.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2017: \$3,308,000,000,000.
Fiscal year 2018: \$3,350,010,000,000.
Fiscal year 2019: \$3,590,479,000,000.
Fiscal year 2020: \$3,779,449,000,000.
Fiscal year 2021: \$3,947,834,000,000.
Fiscal year 2022: \$4,187,893,000,000.
Fiscal year 2023: \$4,336,952,000,000.
Fiscal year 2024: \$4,473,818,000,000.
Fiscal year 2025: \$4,726,484,000,000.
Fiscal year 2026: \$4,961,154,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2017: \$3,264,662,000,000.
Fiscal year 2018: \$3,329,394,000,000.
Fiscal year 2019: \$3,558,237,000,000.
Fiscal year 2020: \$3,741,304,000,000.
Fiscal year 2021: \$3,916,533,000,000.
Fiscal year 2022: \$4,159,803,000,000.
Fiscal year 2023: \$4,295,742,000,000.
Fiscal year 2024: \$4,419,330,000,000.
Fiscal year 2025: \$4,673,813,000,000.
Fiscal year 2026: \$4,912,205,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2017: \$582,574,000,000.
 Fiscal year 2018: \$541,560,000,000.
 Fiscal year 2019: \$673,600,000,000.
 Fiscal year 2020: \$728,659,000,000.
 Fiscal year 2021: \$785,164,000,000.
 Fiscal year 2022: \$897,085,000,000.
 Fiscal year 2023: \$892,854,000,000.
 Fiscal year 2024: \$863,233,000,000.
 Fiscal year 2025: \$946,057,000,000.
 Fiscal year 2026: \$1,008,577,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(5)), the appropriate levels of the public debt are as follows:

Fiscal year 2017: \$20,034,788,000,000.
 Fiscal year 2018: \$20,784,183,000,000.
 Fiscal year 2019: \$21,625,729,000,000.
 Fiscal year 2020: \$22,504,763,000,000.
 Fiscal year 2021: \$23,440,271,000,000.
 Fiscal year 2022: \$24,509,421,000,000.
 Fiscal year 2023: \$25,605,527,000,000.
 Fiscal year 2024: \$26,701,273,000,000.
 Fiscal year 2025: \$27,869,175,000,000.
 Fiscal year 2026: \$29,126,158,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2017: \$14,593,316,000,000.
 Fiscal year 2018: \$15,198,740,000,000.
 Fiscal year 2019: \$15,955,144,000,000.
 Fiscal year 2020: \$16,791,740,000,000.
 Fiscal year 2021: \$17,713,599,000,000.
 Fiscal year 2022: \$18,787,230,000,000.
 Fiscal year 2023: \$19,901,290,000,000.
 Fiscal year 2024: \$21,033,163,000,000.
 Fiscal year 2025: \$22,301,661,000,000.
 Fiscal year 2026: \$23,691,844,000,000.

SEC. 1102. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2017 through 2026 for each major functional category are:

(1) National Defense (050):

Fiscal year 2017:
 (A) New budget authority, \$623,910,000,000.
 (B) Outlays, \$603,716,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$618,347,000,000.
 (B) Outlays, \$601,646,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$632,742,000,000.
 (B) Outlays, \$617,943,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$648,198,000,000.
 (B) Outlays, \$632,435,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$663,703,000,000.
 (B) Outlays, \$646,853,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$679,968,000,000.
 (B) Outlays, \$666,926,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$696,578,000,000.
 (B) Outlays, \$678,139,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$713,664,000,000.
 (B) Outlays, \$689,531,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$731,228,000,000.
 (B) Outlays, \$711,423,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$750,069,000,000.
 (B) Outlays, \$729,616,000,000.
 (2) International Affairs (150):
 Fiscal year 2017:
 (A) New budget authority, \$61,996,000,000.
 (B) Outlays, \$51,907,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$60,099,000,000.
 (B) Outlays, \$53,541,000,000.
 Fiscal year 2019:

(A) New budget authority, \$61,097,000,000.
 (B) Outlays, \$55,800,000,000.
 Fiscal year 2020:

(A) New budget authority, \$60,686,000,000.
 (B) Outlays, \$57,690,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$61,085,000,000.
 (B) Outlays, \$58,756,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$62,576,000,000.
 (B) Outlays, \$60,205,000,000.
 Fiscal year 2023:

(A) New budget authority, \$64,141,000,000.
 (B) Outlays, \$61,513,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$65,588,000,000.
 (B) Outlays, \$62,705,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$67,094,000,000.
 (B) Outlays, \$63,915,000,000.
 Fiscal year 2026:

(A) New budget authority, \$68,692,000,000.
 (B) Outlays, \$65,305,000,000.
 (3) General Science, Space, and Technology

(250):

Fiscal year 2017:
 (A) New budget authority, \$31,562,000,000.
 (B) Outlays, \$30,988,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$32,787,000,000.
 (B) Outlays, \$32,225,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$33,476,000,000.
 (B) Outlays, \$32,978,000,000.

Fiscal year 2020:
 (A) New budget authority, \$34,202,000,000.
 (B) Outlays, \$33,645,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$34,961,000,000.
 (B) Outlays, \$34,313,000,000.

Fiscal year 2022:
 (A) New budget authority, \$35,720,000,000.
 (B) Outlays, \$35,038,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$36,516,000,000.
 (B) Outlays, \$35,812,000,000.

Fiscal year 2024:
 (A) New budget authority, \$37,318,000,000.
 (B) Outlays, \$36,580,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$38,151,000,000.
 (B) Outlays, \$37,393,000,000.

Fiscal year 2026:
 (A) New budget authority, \$39,021,000,000.
 (B) Outlays, \$38,238,000,000.
 (4) Energy (270):

Fiscal year 2017:
 (A) New budget authority, \$4,773,000,000.
 (B) Outlays, \$3,455,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$4,509,000,000.
 (B) Outlays, \$3,495,000,000.

Fiscal year 2019:
 (A) New budget authority, \$4,567,000,000.
 (B) Outlays, \$4,058,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$4,975,000,000.
 (B) Outlays, \$4,456,000,000.

Fiscal year 2021:
 (A) New budget authority, \$5,109,000,000.
 (B) Outlays, \$4,523,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$5,019,000,000.
 (B) Outlays, \$4,332,000,000.

Fiscal year 2023:
 (A) New budget authority, \$4,083,000,000.
 (B) Outlays, \$3,337,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$3,590,000,000.
 (B) Outlays, \$2,796,000,000.

Fiscal year 2025:
 (A) New budget authority, \$3,608,000,000.
 (B) Outlays, \$2,755,000,000.
 Fiscal year 2026:

(A) New budget authority, \$5,955,000,000.
 (B) Outlays, \$5,124,000,000.
 (5) Natural Resources and Environment

(300):

Fiscal year 2017:
 (A) New budget authority, \$41,264,000,000.
 (B) Outlays, \$42,254,000,000.

Fiscal year 2018:
 (A) New budget authority, \$43,738,000,000.
 (B) Outlays, \$44,916,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$44,486,000,000.
 (B) Outlays, \$45,425,000,000.

Fiscal year 2020:
 (A) New budget authority, \$46,201,000,000.
 (B) Outlays, \$46,647,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$47,126,000,000.
 (B) Outlays, \$47,457,000,000.

Fiscal year 2022:
 (A) New budget authority, \$48,203,000,000.
 (B) Outlays, \$48,388,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$49,403,000,000.
 (B) Outlays, \$49,536,000,000.

Fiscal year 2024:
 (A) New budget authority, \$50,497,000,000.
 (B) Outlays, \$50,055,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$51,761,000,000.
 (B) Outlays, \$51,164,000,000.

Fiscal year 2026:
 (A) New budget authority, \$53,017,000,000.
 (B) Outlays, \$51,915,000,000.
 (6) Agriculture (350):

Fiscal year 2017:
 (A) New budget authority, \$25,214,000,000.
 (B) Outlays, \$24,728,000,000.

Fiscal year 2018:
 (A) New budget authority, \$26,148,000,000.
 (B) Outlays, \$24,821,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$23,483,000,000.
 (B) Outlays, \$21,927,000,000.

Fiscal year 2020:
 (A) New budget authority, \$22,438,000,000.
 (B) Outlays, \$21,751,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$22,834,000,000.
 (B) Outlays, \$22,179,000,000.

Fiscal year 2022:
 (A) New budget authority, \$22,600,000,000.
 (B) Outlays, \$21,984,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$23,037,000,000.
 (B) Outlays, \$22,437,000,000.

Fiscal year 2024:
 (A) New budget authority, \$23,018,000,000.
 (B) Outlays, \$22,409,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$23,343,000,000.
 (B) Outlays, \$22,714,000,000.

Fiscal year 2026:
 (A) New budget authority, \$23,812,000,000.
 (B) Outlays, \$23,192,000,000.
 (7) Commerce and Housing Credit (370):

Fiscal year 2017:
 (A) New budget authority, \$14,696,000,000.
 (B) Outlays, \$666,000,000.

Fiscal year 2018:
 (A) New budget authority, \$16,846,000,000.
 (B) Outlays, \$1,378,000,000.

Fiscal year 2019:
 (A) New budget authority, \$18,171,000,000.
 (B) Outlays, \$5,439,000,000.

Fiscal year 2020:
 (A) New budget authority, \$15,799,000,000.
 (B) Outlays, \$2,666,000,000.

Fiscal year 2021:
 (A) New budget authority, \$14,821,000,000.
 (B) Outlays, \$915,000,000.

Fiscal year 2022:
 (A) New budget authority, \$15,408,000,000.
 (B) Outlays, \$674,000,000.

Fiscal year 2023:
 (A) New budget authority, \$15,739,000,000.
 (B) Outlays, —\$840,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$16,143,000,000.
 (B) Outlays, —\$1,688,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$17,889,000,000.
 (B) Outlays, —\$2,003,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$17,772,000,000.
 (B) Outlays, —\$2,238,000,000.
 (8) Transportation (400):
 Fiscal year 2017:
 (A) New budget authority, \$92,782,000,000.
 (B) Outlays, \$91,684,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$94,400,000,000.
 (B) Outlays, \$93,214,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$96,522,000,000.
 (B) Outlays, \$95,683,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$91,199,000,000.
 (B) Outlays, \$97,992,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$92,154,000,000.
 (B) Outlays, \$99,772,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$93,111,000,000.
 (B) Outlays, \$101,692,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$94,118,000,000.
 (B) Outlays, \$103,431,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$95,143,000,000.
 (B) Outlays, \$105,313,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$96,209,000,000.
 (B) Outlays, \$107,374,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$97,323,000,000.
 (B) Outlays, \$109,188,000,000.
 (9) Community and Regional Development (450):
 Fiscal year 2017:
 (A) New budget authority, \$19,723,000,000.
 (B) Outlays, \$22,477,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$19,228,000,000.
 (B) Outlays, \$21,277,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$19,457,000,000.
 (B) Outlays, \$20,862,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$19,941,000,000.
 (B) Outlays, \$20,011,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$20,384,000,000.
 (B) Outlays, \$21,048,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$20,825,000,000.
 (B) Outlays, \$19,831,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$21,288,000,000.
 (B) Outlays, \$19,535,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$21,756,000,000.
 (B) Outlays, \$19,787,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$22,245,000,000.
 (B) Outlays, \$19,285,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$22,751,000,000.
 (B) Outlays, \$20,037,000,000.
 (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2017:
 (A) New budget authority, \$104,433,000,000.
 (B) Outlays, \$104,210,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$108,980,000,000.
 (B) Outlays, \$112,802,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$112,424,000,000.
 (B) Outlays, \$110,765,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$114,905,000,000.
 (B) Outlays, \$113,377,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$116,921,000,000.
 (B) Outlays, \$115,591,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$119,027,000,000.
 (B) Outlays, \$117,545,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$121,298,000,000.
 (B) Outlays, \$119,761,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$123,621,000,000.
 (B) Outlays, \$122,001,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$126,016,000,000.
 (B) Outlays, \$124,359,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$128,391,000,000.
 (B) Outlays, \$126,748,000,000.
 (11) Health (550):
 Fiscal year 2017:
 (A) New budget authority, \$562,137,000,000.
 (B) Outlays, \$560,191,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$583,006,000,000.
 (B) Outlays, \$593,197,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$615,940,000,000.
 (B) Outlays, \$618,089,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$655,892,000,000.
 (B) Outlays, \$645,814,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$677,902,000,000.
 (B) Outlays, \$676,781,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$711,176,000,000.
 (B) Outlays, \$709,301,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$744,335,000,000.
 (B) Outlays, \$742,568,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$780,899,000,000.
 (B) Outlays, \$778,293,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$818,388,000,000.
 (B) Outlays, \$815,246,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$857,176,000,000.
 (B) Outlays, \$853,880,000,000.
 (12) Medicare (570):
 Fiscal year 2017:
 (A) New budget authority, \$600,857,000,000.
 (B) Outlays, \$600,836,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$600,832,000,000.
 (B) Outlays, \$600,762,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$667,638,000,000.
 (B) Outlays, \$667,571,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$716,676,000,000.
 (B) Outlays, \$716,575,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$767,911,000,000.
 (B) Outlays, \$767,814,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$862,042,000,000.
 (B) Outlays, \$861,941,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$886,515,000,000.
 (B) Outlays, \$886,407,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$903,861,000,000.
 (B) Outlays, \$903,750,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$1,007,624,000,000.
 (B) Outlays, \$1,007,510,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$1,085,293,000,000.
 (B) Outlays, \$1,085,173,000,000.
 (13) Income Security (600):
 Fiscal year 2017:
 (A) New budget authority, \$518,181,000,000.
 (B) Outlays, \$511,658,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$524,233,000,000.
 (B) Outlays, \$511,612,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$542,725,000,000.
 (B) Outlays, \$534,067,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$558,241,000,000.
 (B) Outlays, \$549,382,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$571,963,000,000.
 (B) Outlays, \$563,481,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$590,120,000,000.
 (B) Outlays, \$587,572,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$599,505,000,000.
 (B) Outlays, \$592,338,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$609,225,000,000.
 (B) Outlays, \$597,287,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$630,433,000,000.
 (B) Outlays, \$619,437,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$646,660,000,000.
 (B) Outlays, \$641,957,000,000.
 (14) Social Security (650):
 Fiscal year 2017:
 (A) New budget authority, \$37,199,000,000.
 (B) Outlays, \$37,227,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$40,124,000,000.
 (B) Outlays, \$40,141,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$43,373,000,000.
 (B) Outlays, \$43,373,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$46,627,000,000.
 (B) Outlays, \$46,627,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$50,035,000,000.
 (B) Outlays, \$50,035,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$53,677,000,000.
 (B) Outlays, \$53,677,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$57,540,000,000.
 (B) Outlays, \$57,540,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$61,645,000,000.
 (B) Outlays, \$61,645,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$66,076,000,000.
 (B) Outlays, \$66,076,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$70,376,000,000.
 (B) Outlays, \$70,376,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2017:
 (A) New budget authority, \$177,448,000,000.
 (B) Outlays, \$182,448,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$178,478,000,000.
 (B) Outlays, \$179,109,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$193,088,000,000.
 (B) Outlays, \$192,198,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$199,907,000,000.
 (B) Outlays, \$198,833,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$206,700,000,000.
 (B) Outlays, \$205,667,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$223,542,000,000.
 (B) Outlays, \$222,308,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$221,861,000,000.

(B) Outlays, \$220,563,000,000.
Fiscal year 2024:
(A) New budget authority, \$219,382,000,000.
(B) Outlays, \$218,147,000,000.
Fiscal year 2025:
(A) New budget authority, \$237,641,000,000.
(B) Outlays, \$236,254,000,000.
Fiscal year 2026:
(A) New budget authority, \$245,565,000,000.
(B) Outlays, \$244,228,000,000.
(16) Administration of Justice (750):
Fiscal year 2017:
(A) New budget authority, \$64,519,000,000.
(B) Outlays, \$58,662,000,000.
Fiscal year 2018:
(A) New budget authority, \$62,423,000,000.
(B) Outlays, \$63,800,000,000.
Fiscal year 2019:
(A) New budget authority, \$62,600,000,000.
(B) Outlays, \$66,596,000,000.
Fiscal year 2020:
(A) New budget authority, \$64,168,000,000.
(B) Outlays, \$69,555,000,000.
Fiscal year 2021:
(A) New budget authority, \$65,134,000,000.
(B) Outlays, \$68,538,000,000.
Fiscal year 2022:
(A) New budget authority, \$66,776,000,000.
(B) Outlays, \$67,691,000,000.
Fiscal year 2023:
(A) New budget authority, \$68,489,000,000.
(B) Outlays, \$68,466,000,000.
Fiscal year 2024:
(A) New budget authority, \$70,227,000,000.
(B) Outlays, \$69,976,000,000.
Fiscal year 2025:
(A) New budget authority, \$72,023,000,000.
(B) Outlays, \$71,615,000,000.
Fiscal year 2026:
(A) New budget authority, \$79,932,000,000.
(B) Outlays, \$80,205,000,000.
(17) General Government (800):
Fiscal year 2017:
(A) New budget authority, \$25,545,000,000.
(B) Outlays, \$24,318,000,000.
Fiscal year 2018:
(A) New budget authority, \$27,095,000,000.
(B) Outlays, \$25,884,000,000.
Fiscal year 2019:
(A) New budget authority, \$27,620,000,000.
(B) Outlays, \$26,584,000,000.
Fiscal year 2020:
(A) New budget authority, \$28,312,000,000.
(B) Outlays, \$27,576,000,000.
Fiscal year 2021:
(A) New budget authority, \$29,046,000,000.
(B) Outlays, \$28,366,000,000.
Fiscal year 2022:
(A) New budget authority, \$29,787,000,000.
(B) Outlays, \$29,149,000,000.
Fiscal year 2023:
(A) New budget authority, \$30,519,000,000.
(B) Outlays, \$29,886,000,000.
Fiscal year 2024:
(A) New budget authority, \$31,101,000,000.
(B) Outlays, \$30,494,000,000.
Fiscal year 2025:
(A) New budget authority, \$31,942,000,000.
(B) Outlays, \$31,248,000,000.
Fiscal year 2026:
(A) New budget authority, \$32,789,000,000.
(B) Outlays, \$32,071,000,000.
(18) Net Interest (900):
Fiscal year 2017:
(A) New budget authority, \$393,295,000,000.
(B) Outlays, \$393,295,000,000.
Fiscal year 2018:
(A) New budget authority, \$453,250,000,000.
(B) Outlays, \$453,250,000,000.
Fiscal year 2019:
(A) New budget authority, \$526,618,000,000.
(B) Outlays, \$526,618,000,000.
Fiscal year 2020:
(A) New budget authority, \$590,571,000,000.

(B) Outlays, \$590,571,000,000.
Fiscal year 2021:
(A) New budget authority, \$645,719,000,000.
(B) Outlays, \$645,719,000,000.
Fiscal year 2022:
(A) New budget authority, \$698,101,000,000.
(B) Outlays, \$698,101,000,000.
Fiscal year 2023:
(A) New budget authority, \$755,288,000,000.
(B) Outlays, \$755,288,000,000.
Fiscal year 2024:
(A) New budget authority, \$806,202,000,000.
(B) Outlays, \$806,202,000,000.
Fiscal year 2025:
(A) New budget authority, \$854,104,000,000.
(B) Outlays, \$854,104,000,000.
Fiscal year 2026:
(A) New budget authority, \$903,443,000,000.
(B) Outlays, \$903,443,000,000.
(19) Allowances (920):
Fiscal year 2017:
(A) New budget authority, -\$3,849,000,000.
(B) Outlays, \$7,627,000,000.
Fiscal year 2018:
(A) New budget authority, -\$56,166,000,000.
(B) Outlays, -\$39,329,000,000.
Fiscal year 2019:
(A) New budget authority, -\$55,423,000,000.
(B) Outlays, -\$47,614,000,000.
Fiscal year 2020:
(A) New budget authority, -\$58,021,000,000.
(B) Outlays, -\$52,831,000,000.
Fiscal year 2021:
(A) New budget authority, -\$61,491,000,000.
(B) Outlays, -\$57,092,000,000.
Fiscal year 2022:
(A) New budget authority, -\$63,493,000,000.
(B) Outlays, -\$60,260,000,000.
Fiscal year 2023:
(A) New budget authority, -\$65,783,000,000.
(B) Outlays, -\$62,457,000,000.
Fiscal year 2024:
(A) New budget authority, -\$67,817,000,000.
(B) Outlays, -\$64,708,000,000.
Fiscal year 2025:
(A) New budget authority, -\$70,127,000,000.
(B) Outlays, -\$66,892,000,000.
Fiscal year 2026:
(A) New budget authority, -\$69,097,000,000.
(B) Outlays, -\$68,467,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2017:
(A) New budget authority, -\$87,685,000,000.
(B) Outlays, -\$87,685,000,000.
Fiscal year 2018:
(A) New budget authority, -\$88,347,000,000.
(B) Outlays, -\$88,347,000,000.
Fiscal year 2019:
(A) New budget authority, -\$80,125,000,000.
(B) Outlays, -\$80,125,000,000.
Fiscal year 2020:
(A) New budget authority, -\$81,468,000,000.
(B) Outlays, -\$81,468,000,000.
Fiscal year 2021:
(A) New budget authority, -\$84,183,000,000.
(B) Outlays, -\$84,183,000,000.
Fiscal year 2022:
(A) New budget authority, -\$86,292,000,000.
(B) Outlays, -\$86,292,000,000.
Fiscal year 2023:
(A) New budget authority, -\$87,518,000,000.
(B) Outlays, -\$87,518,000,000.
Fiscal year 2024:
(A) New budget authority, -\$91,245,000,000.
(B) Outlays, -\$91,245,000,000.
Fiscal year 2025:
(A) New budget authority, -\$99,164,000,000.
(B) Outlays, -\$99,164,000,000.
Fiscal year 2026:
(A) New budget authority, -\$97,786,000,000.
(B) Outlays, -\$97,786,000,000.

Subtitle B—Levels and Amounts in the Senate

SEC. 1201. SOCIAL SECURITY IN THE SENATE.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$826,048,000,000.
Fiscal year 2018: \$857,618,000,000.
Fiscal year 2019: \$886,810,000,000.
Fiscal year 2020: \$918,110,000,000.
Fiscal year 2021: \$950,341,000,000.
Fiscal year 2022: \$984,537,000,000.
Fiscal year 2023: \$1,020,652,000,000.
Fiscal year 2024: \$1,058,799,000,000.
Fiscal year 2025: \$1,097,690,000,000.
Fiscal year 2026: \$1,138,243,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$805,366,000,000.
Fiscal year 2018: \$857,840,000,000.
Fiscal year 2019: \$916,764,000,000.
Fiscal year 2020: \$980,634,000,000.
Fiscal year 2021: \$1,049,127,000,000.
Fiscal year 2022: \$1,123,266,000,000.
Fiscal year 2023: \$1,200,734,000,000.
Fiscal year 2024: \$1,281,840,000,000.
Fiscal year 2025: \$1,369,403,000,000.
Fiscal year 2026: \$1,463,057,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2017:
(A) New budget authority, \$5,663,000,000.
(B) Outlays, \$5,673,000,000.
Fiscal year 2018:
(A) New budget authority, \$6,021,000,000.
(B) Outlays, \$5,987,000,000.
Fiscal year 2019:
(A) New budget authority, \$6,205,000,000.
(B) Outlays, \$6,170,000,000.
Fiscal year 2020:
(A) New budget authority, \$6,393,000,000.
(B) Outlays, \$6,357,000,000.
Fiscal year 2021:
(A) New budget authority, \$6,589,000,000.
(B) Outlays, \$6,552,000,000.
Fiscal year 2022:
(A) New budget authority, \$6,787,000,000.
(B) Outlays, \$6,750,000,000.
Fiscal year 2023:
(A) New budget authority, \$6,992,000,000.
(B) Outlays, \$6,953,000,000.
Fiscal year 2024:
(A) New budget authority, \$7,206,000,000.
(B) Outlays, \$7,166,000,000.
Fiscal year 2025:
(A) New budget authority, \$7,428,000,000.
(B) Outlays, \$7,387,000,000.
Fiscal year 2026:
(A) New budget authority, \$7,659,000,000.
(B) Outlays, \$7,615,000,000.

SEC. 1202. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES IN THE SENATE.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2017:
(A) New budget authority, \$274,000,000.

- (B) Outlays, \$273,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$283,000,000.
- (B) Outlays, \$283,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$294,000,000.
- (B) Outlays, \$294,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$304,000,000.
- (B) Outlays, \$304,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$315,000,000.
- (B) Outlays, \$315,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$326,000,000.
- (B) Outlays, \$325,000,000.
- Fiscal year 2023:
- (A) New budget authority, \$337,000,000.
- (B) Outlays, \$337,000,000.
- Fiscal year 2024:
- (A) New budget authority, \$350,000,000.
- (B) Outlays, \$349,000,000.
- Fiscal year 2025:
- (A) New budget authority, \$361,000,000.
- (B) Outlays, \$360,000,000.
- Fiscal year 2026:
- (A) New budget authority, \$374,000,000.
- (B) Outlays, \$373,000,000.

TITLE II—RECONCILIATION

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the Senate, not later than January 27, 2017, the Committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving all such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

SEC. 2002. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the House of Representatives, not later than January 27, 2017, the committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the House of Representatives to carry out this section.

TITLE III—RESERVE FUNDS

SEC. 3001. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE LEGISLATION.

The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolu-

tion, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

(1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026; and

(2) in the House of Representatives, one or more bills, joint resolutions, amendments, or conference reports related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026.

SEC. 3002. RESERVE FUND FOR HEALTH CARE LEGISLATION.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

(1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—

(A) \$2,000,000,000; from

(B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(1); and

(2) in the House of Representatives, one or more bills, joint resolutions, amendments, or conference reports related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—

(A) \$2,000,000,000; from

(B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(2).

(b) EXCEPTIONS FROM CERTAIN PROVISIONS.—Section 404(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, and section 3101 of S. Con. Res. 11 (114th Congress), the concurrent resolution on the budget for fiscal year 2016, shall not apply to legislation for which the Chairman of the Committee on the Budget of the applicable House has exercised the authority under subsection (a).

TITLE IV—OTHER MATTERS

SEC. 4001. ENFORCEMENT FILING.

(a) IN THE SENATE.—If this concurrent resolution on the budget is agreed to by the Senate and House of Representatives without the appointment of a committee of conference on the disagreeing votes of the two Houses, the Chairman of the Committee on the Budget of the Senate may submit a

statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, if a concurrent resolution on the budget for fiscal year 2017 is adopted without the appointment of a committee of conference on the disagreeing votes of the two Houses with respect to this concurrent resolution on the budget, for the purpose of enforcing the Congressional Budget Act and applicable rules and requirements set forth in the concurrent resolution on the budget, the allocations provided for in this subsection shall apply in the House of Representatives in the same manner as if such allocations were in a joint explanatory statement accompanying a conference report on the budget for fiscal year 2017. The Chairman of the Committee on the Budget of the House of Representatives shall submit a statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations consistent with title I for fiscal year 2017 and for the period of fiscal years 2017 through 2026 for the purpose of enforcing 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

SEC. 4002. BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the report accompanying this concurrent resolution on the budget, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, or a statement filed under section 4001 shall include in an allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations of the applicable House of Congress amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—In the Senate and the House of Representatives, for purposes of enforcing section 302(f) of the Congressional Budget Act of 1974 (2 U.S.C. 633(f)), estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in subsection (a).

SEC. 4003. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution, the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Chairman of the Committee on the Budget of the applicable House of Congress.

(d) AGGREGATES, ALLOCATIONS AND APPLICATION.—In the House of Representatives, for purposes of this concurrent resolution and budget enforcement, the consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the Chairman of the Committee on the Budget of the House of Representatives makes adjustments or revisions in the allocations, aggregates, and other budgetary levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 3101 of S. Con. Res. 11 (114th Congress).

SEC. 4004. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of either the Senate or the House of Representatives to change those rules (insofar as they relate to that House) at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate or House of Representatives.

The PRESIDING OFFICER. The Senator from Wyoming.

MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE REPEAL RESOLUTION

Mr. ENZI. Mr. President, the repeal resolution we have been debating in the Senate this week will complete the first step toward reducing the Federal Government's role that has prevented Americans from pursuing affordable and accessible health care that meets their needs without emptying their wallets. After we complete our repeal work, the Senate can then vigorously pursue putting the Nation on a more responsible and sustainable fiscal path and address government's out-of-control spending and a mammoth national

debt when we begin our work on the fiscal year 2018 budget.

I thank my colleagues for their consideration and cooperation for bringing us to this point, and I thank Majority Leader MITCH MCCONNELL for his leadership in pushing the Senate to take the first steps to repair the Nation's broken health care system and to remove Washington from the equation in order to put control of health care back where it belongs: with the patients and their families and their doctors.

This commitment to an open, honest, and transparent legislative process is crucial to helping Congress restore the trust of the American people.

Thanks, as well, are due to many Members on this side who came and spoke on the resolution's behalf, who worked with us and each other to move through the resolution, the debate, the amendments, the votes, the whole process.

I have enjoyed my partnership with Senator SANDERS as we took on new roles as the top Republican and Democrat on the Senate Budget Committee last Congress. We have known each other a long time, and we have served on some of the same Senate committees. I believe he and my colleagues across the aisle share the same goal of establishing a robust and affordable health care system for hard-working families. I truly hope that they will work with us to find common ground that delivers more choices and lower costs in the weeks and months ahead.

Also, I would like to focus for a moment on some of the staff who helped lead us here.

I thank the Republican staff of the Senate Budget Committee, including my acting staff director, Dan Kowalski; the director of the budget review and acting deputy staff director, Matt Giroux; the chief counsel, George Everly; senior budget analysts Peter Warren and Steve Robinson; budget analysts Greg D'Angelo, Tom Bork, Becky Cole, David Ditch and Susan Eckerly; and assistant counsels Clint Brown and Thomas Fuller; outreach director Jim Neill; editor Elizabeth Keys; policy assistant Kelsie Wendelberger; and communications director Joe Brenckle.

As well, thanks are due to my personal office staff, especially my chief of staff, Tara Shaw; my legislative director, Landon Stropko; my health care policy staff, Elizabeth Schwartz, Alec Hinojosa, and Chris Lydon; as well as the entire Wyoming team.

I want to pay specific attention to thanking Tara Shaw, who is my chief of staff. She has been filling a dual role for some time. She was my legislative director. We have filled that position now. But she has been acting as the assistant here on the floor as well and done a tremendous job of manipulating and coordinating both centers of action.

Now, we have also been supported by the great work of our leadership, floor, and cloakroom staff. I thank them for their continued good work and dedication to this institution and the country as a whole. In particular, I want to thank Sharon Soderstrom, Hazen Marshall, Jane Lee, and Scott Raab in the leader's office, and Monica Popp, John Caphuis, and Emily Kirlin in the whip's office, and very especially Laura Dove and Robert Duncan in the cloakroom.

These folks, as well as my budget team, worked hours over the holiday break to ensure our success. Without all their work, we would not be here this evening standing on the verge of passing the Senate's repeal resolution that will set the stage for true legislative relief from ObamaCare that Americans have long demanded, while ensuring a stable transition in which those with insurance will not lose access to health care coverage.

This will allow us to move step by step on a new set of reforms, listening carefully to the advice of the millions of Americans who are affected, a step we left out when we did it previously. Or, as Senator ALEXANDER of Tennessee, the chairman of the Senate Health, Education, Labor, and Pensions Committee put it, the ObamaCare bridge is collapsing, and we are sending in a rescue team. Then we will build several new bridges to get better health care. Finally, when those bridges are finished, we will close the old bridge.

After 5 days of consideration, many hours of debate, and numerous amendments reviewed and voted on, this part of the process can now be concluded. With that, I ask for the continued support and discussion on this valuable issue. If people have ideas for what ought to be included, I hope they will talk to us about them. I hope the American people will talk to us about the ideas they think need to be included.

There has been a lot of fearmongering, a lot of supposition about what will happen at the next stage. There were amendments that were put in about the next stage. Those, of course, wound up being non-germane. But we have our work cut out for us. We do have to come through now with a system that will solve the problems for the American people.

I mentioned before that when we started the whole debate on ObamaCare, there were 30 million people uninsured. Today, there are 28 million people uninsured. I think that the 30 million people was probably closer to 28 million at that time. One of the differences is some people who could not get insurance have insurance, and a bunch of people who had insurance can't afford their insurance, and a bunch of people who have insurance can't afford their insurance, as you heard through the debate.

We want all the people who want insurance to be covered, and to be covered in such a way that they can actually get the treatment. If you have a \$12,000 or \$10,000 or \$6,000 deductible, that may not happen.

But I thank all of the people who have worked to get us to this point. Our work is now cut out for us even more so.

I know that we can have a spirit of cooperation and work through this, or we can use the reconciliation process and do it with 51 votes. But it is far better if we can find common ground and common solutions and get the work done.

ADDITIONAL STATEMENTS

TRIBUTE TO JOSEPH CRISCO, JR.

• Mr. MURPHY. Mr. President, I would like to congratulate my good friend Joseph Crisco, Jr., on his outstanding 24 years of service representing the 17th district in the Connecticut State Senate. Joe has shown an incredible commitment to working for the people of Connecticut over his long career, and I thank him for all that he has done for our State and, in particular, the towns of Ansonia, Beacon Falls, Bethany, Derby, Hamden, Naugatuck, and his hometown of Woodbridge.

Joe is a graduate of Wilbur Cross High School and the University of Connecticut, where he credits many of his early lessons to his time spent as an athlete on the football field. His outstanding career as a player at both institutions earned him a place in the Wilbur Cross Athletic Hall of Fame, and his experience as a standout guard on the UConn football team in 1956 and 1957 helped forge a lasting commitment to his alma mater and shaped the ethic of teamwork and dedication that would follow him to the Connecticut State Senate.

First elected to the senate in 1992, Joe's commitment to his constituents and his community has never wavered. It is no exaggeration to say that his district would not be what it is today if not for the many grants and public projects he has been responsible for bringing home, from recreational centers and trails, to libraries, animal shelters, and affordable housing. The 17th district's most important institutions—like Griffin Hospital, Quinnipiac University, the Sterling Opera House, the Troop I Barracks of the Connecticut State Police, the former Bethany Airport, and the Metro-North Waterbury branch line—have always had a dedicated friend and advocate in Joe. And the annual senior fair in Ansonia's Warsaw Park, which Joe ran throughout his service in the senate, has provided assistance to thousands of senior citizens over the years and become an iconic event in the Naugatuck Valley.

But more than simply serving the people in his district, Joe distinguished himself in the Connecticut General Assembly as one of its most effective and hard-working legislators. He served as chair of the Appropriations Committee and the Insurance & Real Estate Committee and had a hand in some of the most important legislation in a generation to support Connecticut's economy and the welfare of its citizens. He led the creation of the Biomedical Research Fund, which has devoted millions of dollars towards research efforts in the State to fight heart disease, cancer, smoking-related illnesses, Alzheimer's, stroke, and diabetes. He championed investment tax credits for economic development and public safety, secured a cost-of-living adjustment for beneficiaries of the ConnPACE Program for seniors, and fought passionately to expand the reach of health insurance coverage. After only 6 years in the senate, Joe pioneered the founding of Family Day; an initiative close to his heart as a father of 6 and grandfather of 18. And the legacy he leaves with his lifesaving work to improve and expand coverage for breast cancer exams, creating a new international standard for insurance coverage, is a special achievement of which Joe should be particularly proud.

I am also personally thankful for Joe's dedication to his position in the general assembly because I have seen it up close. During my time representing the 16th district, Joe and I sat next to each other in the senate chamber, and I remain incredibly grateful for his willingness to act as a mentor and friend in the early years of my government service.

Once again, congratulations to Joe, his wife, Pat, and his entire family for a long and successful career in the Connecticut State Senate. It is my hope that the general assembly will use Joe's career as an example and continue to work diligently and passionately for the people of our State in the years to come. •

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGE

2016 NATIONAL DRUG CONTROL STRATEGY—PM1

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am pleased to transmit the 2016 *National Drug Control Strategy* summarizing the accomplishments of my Administration's 21st century approach to drug policy and opportunities to continue to reduce the burden of substance use in the United States. My Administration released its first *Strategy* in 2010 with a commitment to use the best available science and to consult broadly to develop a balanced and comprehensive approach to drug policy that incorporates both public health and public safety approaches to address this complex problem.

We set aggressive goals to reduce drug use by 2015 and though the results of our efforts are mixed, we have seen progress in reducing drug use and in cooperation both nationally and internationally. As a Nation we exceeded our goals for reducing alcohol and tobacco use among youth and for reducing the number of new HIV infections attributable to drug use. We have been less successful in reducing illicit drugs in youth and young adults as well as reducing the number of drug-induced deaths and driving while drugged. We also face serious challenges including an epidemic of opioid use and overdose deaths as well as growing threats from drug trafficking organizations involved in manufacturing and distributing cocaine and synthetic drugs, including novel psychoactive substances. These threats may continue to have an impact on drug use across lifespans, particularly chronic drug use and its consequences that contribute to poor academic performance, crime, underemployment, lost productivity, and health care costs, all of which threaten families and communities.

My Administration has consistently sought a broad coalition of partners to provide input into the development and enhancement of the *Strategy* during the past 7 years. We have invested in science to better understand the nature of addiction and inform the prevention and treatment of addiction and support services to help maintain recovery in the community. We have sought to use medical terms and non-stigmatizing language when discussing substance use disorders, and those who suffer from this disease. Our support for law enforcement has led to significant outcomes in taking down drug trafficking organizations and removing millions of pounds of drugs from the market. And our work with our international partners has been instrumental in our allies' increasing regulation of chemical precursors to synthetic drugs and reducing their movement across the globe. Throughout my Administration, we have used the best available evidence to balance the Nation's public health and public safety and drive collaborative efforts to create healthier, safer, and more prosperous communities.

The Nation's work in reducing drug use and its consequences is not done

and there are many opportunities for advancing efforts to address ongoing and emerging challenges. I thank the Congress for its continued support of our efforts and ask that you continue to support this vital endeavor.

BARACK OBAMA,
THE WHITE HOUSE, January 11, 2017.

MESSAGE FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 79. An act to clarify the definition of general solicitation under Federal securities law.

H.R. 239. An act to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes.

H.R. 240. An act to encourage engagement between the Department of Homeland Security and technology innovators, and for other purposes.

H.R. 255. An act to authorize the National Science Foundation to support entrepreneurial programs for women.

H.R. 274. An act to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes.

H.R. 288. An act to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements.

H.R. 306. An act to amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes.

H.R. 321. An act to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 79. An act to clarify the definition of general solicitation under Federal securities law; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 239. An act to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 240. An act to encourage engagement between the Department of Homeland Security and technology innovators, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 255. An act to authorize the National Science Foundation to support entrepreneurial programs for women; to the Committee on Commerce, Science, and Transportation.

H.R. 274. An act to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 288. An act to ensure that small business providers of broadband Internet access

service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements; to the Committee on Commerce, Science, and Transportation.

H.R. 306. An act to amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 321. An act to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-398. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Report to Congress on the Global Supply and Trade of Elemental Mercury"; to the Committee on Environment and Public Works.

EC-399. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment Rule" (FRL No. 9958-06-OECA) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-400. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan" (FRL No. 9957-84-Region 7) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-401. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act" ((RIN2050-AG82) (FRL No. 9954-46-OLEM)) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-402. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Illinois: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9958-05-Region 5) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-403. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Ventura County Air Pollution Control District; Prevention of Significant Deterioration" (FRL No. 9956-52-Region 9) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-404. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Nevada, Lake Tahoe; Second 10-Year Carbon Monoxide Limited Maintenance Plan" (FRL No. 9958-11-Region 9) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-405. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Minnesota; Sulfur Dioxide; Particulate Matter" (FRL No. 9958-15-Region 5) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-406. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia; Atlanta; Requirements for the 2008 8-Hour Ozone Standard" (FRL No. 9957-89-Region 4) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Environment and Public Works.

EC-407. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period August 1, 2016 through September 30, 2016; to the Committee on Foreign Relations.

EC-408. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-111); to the Committee on Foreign Relations.

EC-409. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Enhancing Tracking and Tracing of Food and Recordkeeping"; to the Committee on Health, Education, Labor, and Pensions.

EC-410. A communication from the Director of Regulation, Legislation, and Interpretation, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Updating Regulations Issued Under the Fair Labor Standards Act, Service Contract Act, Davis-Bacon and Related Acts, Contract Work Hours and Safety Standards Act, the Family and Medical Leave Act, Employee Polygraph Protection Act, and the Migrant and Seasonal Agricultural Worker Protection Act" (RIN1235-AA17) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-411. A communication from the Director, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Occupational Exposure to Beryllium" (RIN1218-AC76) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-412. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Assistance to States for the Education of Children with

Disabilities; Preschool Grants for Children with Disabilities” (RIN1820-AB73) received in the Office of the President of the Senate on January 9, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-413. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Changes in Requirements for Affidavits or Declarations of Use, Continued Use, or Excusable Nonuse in Trademark Cases” (RIN0651-AD07) received in the Office of the President of the Senate on January 9, 2017; to the Committee on the Judiciary.

EC-414. A communication from the Acting Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Extension of Pharmacy Copayments for Medications” (RIN2900-AP87) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Veterans’ Affairs.

EC-415. A communication from the Acting Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Advanced Practice Registered Nurses” (RIN2900-AP44) received in the Office of the President of the Senate on January 4, 2017; to the Committee on Veterans’ Affairs.

EC-416. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc. Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-7267) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-417. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc. Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-8178) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-418. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc. Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-9503) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-419. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc. Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-7418) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-420. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc. Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-4224)

received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-421. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Rolls-Royce plc Turbofan Engines” (RIN2120-AA64) (Docket No. FAA-2016-6692) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-422. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Rolls-Royce plc Turbofan Engines” (RIN2120-AA64) (Docket No. FAA-2016-7099) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-423. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Rolls-Royce plc Turbofan Engines” (RIN2120-AA64) (Docket No. FAA-2016-7099) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-424. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-9509) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-425. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-9515) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-426. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-9436) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-427. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA-2013-0215) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Com-

mittee on Commerce, Science, and Transportation.

EC-428. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-5598) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-429. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA-2013-0215) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-430. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA-2015-3142) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-431. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; M7 Aerospace LLC” (RIN2120-AA64) (Docket No. FAA-2016-9120) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-432. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Fokker Services B.V. Airplanes” (RIN2120-AA64) (Docket No. FAA-2015-7530) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-433. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Fokker Services B.V. Airplanes” (RIN2120-AA64) (Docket No. FAA-2016-7271) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-434. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Part 95 Instrument Flight Rules; Miscellaneous Amendments; Amendment No. 530” (RIN2120-AA63) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-435. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers; Related Aircraft Amendment" (RIN2120-AK95) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-436. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-235 and V-293 in the Vicinity of Cedar City, Utah" ((RIN2120-AA66) (Docket No. FAA-2016-9265)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-437. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace for St. Petersburg, FL" ((RIN2120-AA66) (Docket No. FAA-2016-9375)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-438. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; El Paso International Airport, TX" ((RIN2120-AA66) (Docket No. FAA-2016-7417)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-439. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revisions to Operational Requirements for the Use of Enhanced Flight Vision Systems (EFVS) and to Pilot Compartment View Requirements for Vision Systems" ((RIN2120-AJ94) (Docket No. FAA-2013-0485)) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2016; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN (for himself, Mr. MCCAIN, Mr. MENENDEZ, Mr. GRAHAM, Mrs. SHAHEEN, Mr. RUBIO, Ms. KLOBUCHAR, Mr. SASSE, Mr. DURBIN, and Mr. PORTMAN):

S. 94. A bill to impose sanctions in response to cyber intrusions by the Government of the Russian Federation and other aggressive activities of the Russian Federation, and for other purposes; to the Committee on Foreign Relations.

By Mr. HELLER (for himself and Ms. CORTEZ MASTO):

S. 95. A bill to require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself, Mr. THUNE, and Mr. TESTER):

S. 96. A bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO (for himself, Mr. WHITEHOUSE, Mr. BOOKER, Mr. RISCH, Mr. HATCH, Ms. MURKOWSKI, and Mr. DURBIN):

S. 97. A bill to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself and Mr. PERDUE):

S. 98. A bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ALEXANDER:

S. 99. A bill to require the Secretary of the Interior to study the suitability and feasibility of designating the President James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER:

S. 100. A bill to modify the boundary of the Shiloh National Military Park located in the States of Tennessee and Mississippi, to establish the Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 101. A bill to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself, Mr. BOOKER, Mr. THUNE, Mr. RUBIO, and Mr. NELSON):

S. 102. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical communications networks during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE (for himself and Mr. RUBIO):

S. 103. A bill to nullify certain regulations and notices of the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND (for herself, Mr. PORTMAN, Mr. RUBIO, Mr. BLUMENTHAL, and Ms. HARRIS):

S. 104. A bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking; to the Committee on the Judiciary.

By Mrs. FISCHER (for herself, Mr. JOHNSON, and Mr. BARRASSO):

S. 105. A bill to amend the Consumer Financial Protection Act of 2010 to transition the Bureau of Consumer Financial Protection to a 5-member board of directors; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ (for himself, Mr. LEE, Mr. RUBIO, and Mr. PAUL):

S. 106. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Ms. WARREN), and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 69

At the request of Mr. ROBERTS, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 69, a bill to codify and modify regulatory requirements of Federal agencies.

S. 82

At the request of Mr. REED, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 82, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 86

At the request of Mr. MCCAIN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 86, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program.

S. 87

At the request of Mr. TOOMEY, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mr. CORNYN), the Senator from Kansas (Mr. ROBERTS), the Senator from Montana (Mr. DAINES), the Senator from Louisiana (Mr. CASSIDY), the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from Wyoming (Mr. BARRASSO), and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 87, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S.J. RES. 1

At the request of Mr. BOOZMAN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

S. RES. 10

At the request of Mr. MARKEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maine (Mr. KING), and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. Res. 10, a resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

S. RES. 11

At the request of Mr. SCOTT, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. Res. 11, a resolution encouraging the development of best business practices to fully utilize the potential of the United States.

AMENDMENT NO. 2

At the request of Mr. COONS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 2 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 9

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 9 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 13

At the request of Mr. NELSON, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Oregon (Mr. WYDEN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Illinois (Mr. DURBIN), and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 13 proposed to S. Con. Res. 3,

a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 17

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 17 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 21

At the request of Mr. PETERS, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Virginia (Mr. KAINE), the Senator from New Mexico (Mr. UDALL), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland (Mr. CARDIN), the Senator from Wisconsin (Ms. BALDWIN), and the Senator from Delaware (Mr. COONS) were added as cosponsors of amendment No. 21 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 24

At the request of Mr. FRANKEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 24 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 25

At the request of Mr. FRANKEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 25 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 27

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 27 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 28

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 28 intended

to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 29

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 29 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 30

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 30 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 34

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 34 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 36

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 36 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 37

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 37 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 53

At the request of Mr. FRANKEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 53 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and

setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 54

At the request of Mr. FRANKEN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 54 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 55

At the request of Mr. BOOKER, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 55 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 61

At the request of Mr. CASEY, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Delaware (Mr. COONS), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Virginia (Mr. WARNER), the Senator from Delaware (Mr. CARPER), the Senator from Massachusetts (Ms. WARREN), and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 61 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 62

At the request of Mrs. GILLIBRAND, her name was withdrawn as a cosponsor of amendment No. 62 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 63

At the request of Mr. MANCHIN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 63 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 64

At the request of Mr. MANCHIN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mrs. GILLIBRAND), and the Senator

from New Hampshire (Ms. HASSAN) were added as cosponsors of amendment No. 64 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 68

At the request of Mr. CARDIN, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Massachusetts (Ms. WARREN), and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 68 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 69

At the request of Mr. BENNET, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 69 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 70

At the request of Mr. BENNET, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 70 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 74

At the request of Mr. BOOKER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 74 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 76

At the request of Mr. BOOKER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 76 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 77

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 77 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 78

At the request of Mr. DURBIN, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Massachusetts (Ms. WARREN), the Senator from Washington (Mrs. MURRAY), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 78 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 79

At the request of Mr. DURBIN, the names of the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Massachusetts (Ms. WARREN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 79 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 80

At the request of Mr. DURBIN, the names of the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Massachusetts (Ms. WARREN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 80 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 81

At the request of Ms. BALDWIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Oregon (Mr. WYDEN), the Senator from Massachusetts (Ms. WARREN), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Delaware (Mr. CARPER), the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. LEAHY) were added

as cosponsors of amendment No. 81 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 82

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Delaware (Mr. COONS), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Virginia (Mr. WARNER), the Senator from Massachusetts (Ms. WARREN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Mr. FRANKEN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Connecticut (Mr. MURPHY), the Senator from Maine (Mr. KING) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of amendment No. 82 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 83

At the request of Mr. MENENDEZ, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 83 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 84

At the request of Mr. DURBIN, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Massachusetts (Ms. WARREN), the Senator from Washington (Mrs. MURRAY), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 84 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 86

At the request of Mr. BROWN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Washington (Mrs. MURRAY), the Senator from Connecticut (Mr. MURPHY), the Senator from Oregon (Mr. WYDEN), the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Mr. VAN HOLLEN), the Senator

from Delaware (Mr. COONS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Massachusetts (Mr. MARKEY), the Senator from Hawaii (Ms. HIRONO), the Senator from Virginia (Mr. WARNER), the Senator from West Virginia (Mr. MANCHIN), the Senator from New York (Mr. SCHUMER), the Senator from Virginia (Mr. KAINE), the Senator from Washington (Ms. CANTWELL), the Senator from Michigan (Mr. PETERS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Mr. FRANKEN), the Senator from Vermont (Mr. SANDERS), the Senator from Florida (Mr. NELSON), the Senator from Hawaii (Mr. SCHATZ) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 86 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 89

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 89 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 90

At the request of Mr. CARPER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 90 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 91

At the request of Ms. STABENOW, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 91 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 92

At the request of Ms. STABENOW, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 92 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017

and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 93

At the request of Ms. STABENOW, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 93 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 94

At the request of Ms. STABENOW, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Massachusetts (Ms. WARREN), the Senator from New Jersey (Mr. BOOKER), the Senator from Maine (Mr. KING), the Senator from Delaware (Mr. COONS), the Senator from Washington (Mrs. MURRAY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 94 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 95

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 95 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 96

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 96 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 97

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 97 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 100

At the request of Ms. CANTWELL, the names of the Senator from Minnesota

(Ms. KLOBUCHAR), the Senator from Massachusetts (Ms. WARREN), the Senator from Maine (Mr. KING), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 100 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 101

At the request of Mr. BENNET, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of amendment No. 101 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 102

At the request of Mr. BENNET, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 102 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 103

At the request of Mr. TESTER, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 103 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 104

At the request of Mr. TESTER, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. LEAHY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 104 proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 105

At the request of Mr. TESTER, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. LEAHY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 105 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting

forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

AMENDMENT NO. 109

At the request of Mr. UDALL, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 109 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself and Mr. PERDUE):

S. 98. A bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 98

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the “Balanced Budget Accountability Act”.

(b) FINDINGS.—Congress finds the following:

(1) The Federal debt exceeds \$19,000,000,000,000, continues to grow rapidly, and is larger than the size of the United States economy.

(2) The Federal budget has shown an annual deficit in 47 of the last 52 years.

(3) Deficits and the Federal debt threaten to shatter confidence in the Nation’s economy, suppress job creation and economic growth, and leave future generations of Americans with a lower standard of living and fewer opportunities.

(4) It is the duty of Members of Congress to develop and implement policies, including balancing the Federal budget, that encourage robust job creation and economic growth in the United States.

(5) Members of Congress should be held accountable for failing to pass annual budgets that result in a balanced budget.

SEC. 2. EFFECT OF FAILURE TO ADOPT RESOLUTION PROVIDING FOR BALANCED BUDGETS.

(a) DEFINITIONS.—In this section—

(1) the term “balanced budget” means a concurrent resolution on the budget which provides that for fiscal year 2027, and each fiscal year thereafter to which the concurrent resolution on the budget applies—

(A) total outlays do not exceed total receipts; and

(B) total outlays are not more than 18 percent of the gross domestic product of the United States (as determined by the Bureau of Economic Analysis of the Department of Commerce) for such fiscal year;

(2) the term “Director” means the Director of the Office of Management and Budget; and

(3) the term “Member” includes a Delegate or Resident Commissioner to Congress.

(b) DETERMINATION BY THE OFFICE OF MANAGEMENT AND BUDGET.—Upon adoption by a House of Congress of a concurrent resolution on the budget for a fiscal year, the Director shall—

(1) determine whether the concurrent resolution on the budget is a balanced budget; and

(2) submit to the Speaker of the House of Representatives or the President pro tempore of the Senate (as the case may be) a certification as to whether or not that House of Congress has adopted a balanced budget.

(c) RULE FOR FISCAL YEARS 2018 AND 2019.—

(1) FISCAL YEAR 2018.—

(A) HOLDING SALARIES IN ESCROW.—If the Director does not certify that a House of Congress has adopted a balanced budget with respect to fiscal year 2018 before April 16, 2017, during the period described in subparagraph (B) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

(B) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this subparagraph is the period that begins on April 16, 2017, and ends on the earlier of—

(i) the date on which the Director certifies that the House of Congress has adopted a balanced budget with respect to fiscal year 2018; or

(ii) the last day of the One Hundred Fifteenth Congress.

(2) FISCAL YEAR 2019.—

(A) HOLDING SALARIES IN ESCROW.—If the Director does not certify that a House of Congress has adopted a balanced budget with respect to fiscal year 2019 before April 16, 2018, during the period described in subparagraph (B) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

(B) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this subparagraph is the period that begins on April 16, 2018, and ends on the earlier of—

(i) the date on which the Director certifies that the House of Congress has adopted a balanced budget with respect to fiscal year 2019; or

(ii) the last day of the One Hundred Fifteenth Congress.

(3) WITHHOLDING AND REMITTANCE OF AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The payroll administrator shall provide for the same withholding and remittance with respect to a payment deposited in an escrow account under paragraph (1) or (2) that would apply to the payment if the payment were not subject to paragraph (1) or (2).

(4) RELEASE OF AMOUNTS AT END OF THE CONGRESS.—In order to ensure that this subsection is carried out in a manner that shall not vary the compensation of Senators or Representatives in violation of the twenty-

seventh amendment to the Constitution of the United States, the payroll administrator of a House of Congress shall release for payments to Members of that House of Congress any amounts remaining in any escrow account under this section on the last day of the One Hundred Fifteenth Congress.

(5) **ROLE OF SECRETARY OF THE TREASURY.**—The Secretary of the Treasury shall provide the payroll administrators of the Houses of Congress with such assistance as may be necessary to enable the payroll administrators to carry out this subsection.

(6) **PAYROLL ADMINISTRATOR DEFINED.**—In this subsection, the “payroll administrator” of a House of Congress means—

(A) in the case of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this section; and

(B) in the case of the Senate, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this section.

(d) **RULE FOR FISCAL YEAR 2020 AND SUBSEQUENT FISCAL YEARS.**—If the Director does not certify that a House of Congress has adopted a balanced budget with respect to fiscal year 2020, or any fiscal year thereafter, before April 16 of the fiscal year before such fiscal year, during pay periods which occur in the same calendar year after that date each Member of that House shall be paid at an annual rate of pay equal to \$1.

SEC. 3. SUPERMAJORITY REQUIREMENT FOR INCREASING REVENUE.

(a) **IN GENERAL.**—In the Senate and the House of Representatives, a bill, joint resolution, amendment, conference report, or amendment between the Houses that increases revenue shall only be agreed to upon an affirmative vote of three-fifths of the Members of that House of Congress duly chosen and sworn.

(b) **RULES OF SENATE AND THE HOUSE OF REPRESENTATIVES.**—Subsection (a) is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill, joint resolution, amendment, conference report, or amendment between the Houses that increases revenue, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

AMENDMENTS SUBMITTED AND PROPOSED

SA 111. Mr. MANCHIN (for himself, Mr. CASEY, Mr. WARNER, Mr. BROWN, Ms. HEITKAMP, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table.

SA 112. Mr. FRANKEN submitted an amendment intended to be proposed by him

to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 113. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 114. Mr. WYDEN (for himself, Mr. VAN HOLLEN, Mr. UDALL, Mr. CARPER, Ms. HIRONO, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEAHY, Mr. KAINE, Mr. WARNER, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 115. Mr. MARKEY (for himself, Mr. DURBIN, Mr. KING, Mr. MANCHIN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 116. Mr. DONNELLY (for himself, Ms. KLOBUCHAR, Mrs. SHAHEEN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 117. Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 118. Mrs. SHAHEEN (for herself, Mr. COONS, Mr. VAN HOLLEN, Mr. CARPER, Mr. BOOKER, Ms. HASSAN, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 119. Mr. CASEY (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 120. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 121. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 122. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 123. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 124. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 125. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 126. Mr. COONS (for himself, Mr. BROWN, Ms. BALDWIN, Mr. KING, Mr. VAN HOLLEN, Ms. WARREN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 127. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 128. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 129. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 130. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 131. Mr. WYDEN (for himself, Mr. MARKEY, Mr. CARDIN, Mr. VAN HOLLEN, Ms. WARREN, Ms. STABENOW, and Mr. REED) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 132. Mr. FRANKEN (for himself, Mr. VAN HOLLEN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 133. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 134. Mr. SANDERS (for himself, Ms. STABENOW, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 135. Mr. FRANKEN (for himself, Ms. WARREN, Mr. WHITEHOUSE, Ms. BALDWIN, and Mr. REED) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 136. Mr. CARDIN (for himself, Ms. HIRONO, Mr. BOOKER, Mr. BROWN, Mr. CARPER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 137. Mr. REED (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 138. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 139. Mr. BROWN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 140. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 141. Ms. WARREN (for herself, Ms. BALDWIN, and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 142. Ms. WARREN (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 143. Ms. CANTWELL (for herself, Mr. CARPER, Mr. BENNET, Mrs. SHAHEEN, Mr. MURPHY, Ms. WARREN, Mr. KING, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. WARNER, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra.

SA 144. Ms. KLOBUCHAR (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 145. Mr. MURPHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 146. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 147. Ms. CANTWELL (for herself, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. KLOBUCHAR, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 148. Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 149. Mr. WYDEN (for himself, Mr. MERKLEY, Mr. CARDIN, Mr. MARKEY, Mr. LEAHY, Mr. VAN HOLLEN, Ms. WARREN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 150. Mr. WYDEN (for himself, Mrs. MURRAY, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. WARNER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 151. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 152. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 153. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 154. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 155. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 156. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 157. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 158. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 159. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 160. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 161. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 162. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 163. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 164. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 165. Mr. LEE submitted an amendment intended to be proposed by him to the con-

current resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 166. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 167. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 168. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 169. Mr. MENENDEZ (for himself, Ms. WARREN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 170. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 171. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 172. Mr. SANDERS (for Ms. KLOBUCHAR (for herself and Mr. SANDERS)) proposed an amendment to the concurrent resolution S. Con. Res. 3, supra.

SA 173. Mr. ENZI (for Mr. BARRASSO) proposed an amendment to the concurrent resolution S. Con. Res. 3, supra.

SA 174. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 175. Mr. WYDEN (for himself, Mr. SANDERS, Mr. BROWN, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 176. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 177. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 178. Ms. KLOBUCHAR (for herself and Mr. SANDERS) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra.

SA 179. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 180. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 181. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 182. Mr. WYDEN (for himself, Mr. MERKLEY, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 183. Mr. WYDEN (for himself, Mr. MERKLEY, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 184. Mrs. FISCHER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra.

SA 185. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 186. Mr. WYDEN (for himself, Mr. UDALL, Mr. CARPER, Ms. HIRONO, and Mr.

BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 187. Mr. WYDEN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 188. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra.

SA 189. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 111. Mr. MANCHIN (for himself, Mr. CASEY, Mr. WARNER, Mr. BROWN, Ms. HEITKAMP, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO HEALTH AND PENSION BENEFITS FOR MINERS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the inclusion of additional retired miners in the Multiemployer Health Benefit Plan and increased funding of the 1974 UMWA Pension Plan, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 112. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 _____. **POINT OF ORDER AGAINST LEGISLATION THAT WOULD ROLL BACK THE MEDICARE DIABETES PREVENTION PROGRAM.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would roll back the expansion of the Medicare Diabetes Prevention Program, including rulemaking related to the program included in the 2017 Physician Fee Schedule.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members

of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 113. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO SECURITY FOR MEDICAL DEVICES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to consultation of the Food and Drug Administration with the National Institute of Standards and Technology to evaluate and consider the cybersecurity of any network-connected medical device as part of the process of clearing or approving such a medical device by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 114. Mr. WYDEN (for himself, Mr. VAN HOLLEN, Mr. UDALL, Mr. CARPER, Ms. HIRONO, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEAHY, Mr. KAINE, Mr. WARNER, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 _____. **POINT OF ORDER AGAINST LEGISLATION THAT SLASHES THE COMPENSATION OF INDIVIDUAL FEDERAL EMPLOYEES.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that directly reduces the compensation of 1 or more individual Federal employees.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 115. Mr. MARKEY (for himself, Mr. DURBIN, Mr. KING, Mr. MANCHIN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con.

Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE RESPONSE TO ILLEGAL FENTANYL INTO THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the response by States to illicit fentanyl and other synthetic opioids, including the treatment of individuals harmed by fentanyl and other synthetic opioids, and the efforts of the United States Government to detect and interdict illicit fentanyl and other synthetic opioids being trafficked into the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 116. Mr. DONNELLY (for himself, Ms. KLOBUCHAR, Mrs. SHAHEEN, and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO REPEAL OF MEDICAL DEVICE TAX.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to innovation, high quality manufacturing jobs, and economic growth, including the repeal of the excise tax on manufacturers, producers, and importers of medical devices, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 117. Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING THAT HEALTH CARE IS A RIGHT FOR ALL AMERICANS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that health care is a right of all Americans, not a privilege dependent on where you live, what job you have, or how much money you make, which shall include a Medicare for All plan to cover everyone in the United States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 118. Mrs. SHAHEEN (for herself, Mr. COONS, Mr. VAN HOLLEN, Mr. CARPER, Mr. BOOKER, Ms. HASSAN, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 _____. **POINT OF ORDER AGAINST WEAKENING OR ELIMINATING THE SMALL EMPLOYER HEALTH INSURANCE CREDIT AND ENSURING THAT INSURERS DO NOT DISCRIMINATE AGAINST SMALL GROUPS.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that—

(1) weakens or eliminates the tax credit to help small businesses purchase health insurance under section 45R of the Internal Revenue Code of 1986;

(2) inhibits the ability of entrepreneurs to purchase affordable health coverage through the individual marketplace; or

(3) employs discriminatory rating rules that prohibit small businesses from providing affordable, comprehensive benefits to their employees.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 119. Mr. CASEY (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING RURAL HOSPITALS THAT LOST REVENUE AND SAW AN INCREASE IN UNINSURED PATIENTS AS A RESULT OF REPEALING THE MEDICAID EXPANSION AND THE EXCHANGES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting rural hospitals that lost revenue and saw an increase in the number of uninsured patients due to the repeal of the Medicaid expansion and the Exchanges under the Patient Protection and Affordable Care Act (Public Law 111-148) to ensure that amounts equal to amounts provided under such Act continue to be provided to such facilities by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 120. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST A BUDGET RECONCILIATION MEASURE THAT FAILS TO INCLUDE A NON-DISCRIMINATION PROVISION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to, such a bill or joint resolution, if the bill or joint resolution fails to include a provision referred to in subsection (b).

(b) NONDISCRIMINATION PROVISION.—The provision referred to in subsection (a) is a provision that forbids discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability in employment for, contracting for, or provision of, the programs and activities covered by the bill or joint resolution.

(c) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 121. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST REDUCING FUNDING THAT WOULD HELP STATE OR LOCAL HEALTH DEPARTMENTS BATTLE THE ZIKA VIRUS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or section 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution, that would reduce funding, provided by the Prevention and Public Health Fund, established under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11), to the Epidemiology and Laboratory Capacity Program that would help State or local health departments battle the Zika virus.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 122. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT IMPACTS THE ABILITY OF A YOUNG PERSON FROM STAYING ON THEIR PARENTS' HEALTH INSURANCE PLAN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would repeal or reduce premium assistance tax credits for individuals between the ages of 18 and 26, or prevent them from staying on their parents' health insurance plan.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 123. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST REDUCING HEALTH INSURANCE ASSISTANCE FOR CHILDREN WITH CANCER.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between

the Houses in relation to such a bill or joint resolution, that reduces health insurance assistance, including by reducing or eliminating the premium assistance credit under section 36B of the Internal Revenue Code of 1986 for children diagnosed with cancer without any equivalent substitute or replacement.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 124. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST INCREASING TAXES ON LOWER INCOME AMERICANS WHILE REDUCING TAXES FOR THE TOP 1 PERCENT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution, that increases taxes for individuals within the bottom 60 percent for annual income while reducing taxes for individuals within the top 1 percent for annual income.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 125. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT FAILS TO PROTECT INDIVIDUALS WITH PRE-EXISTING CONDITIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or section 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution, that would repeal or reduce premium assistance tax credits for individuals with pre-existing conditions, such as cancer, heart disease, diabetes, or old injuries, or prevent these individuals from receiving the insurance coverage afforded to them under the Patient Protection and Affordable Care Act (Public Law 111-148).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 126. Mr. COONS (for himself, Mr. BROWN, Ms. BALDWIN, Mr. KING, Mr. VAN HOLLEN, Ms. WARREN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PERMIT LIFETIME LIMITS ON HEALTH CARE COVERAGE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would permit lifetime limits on health care coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 127. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING EFFORTS OF THE FOOD AND DRUG ADMINISTRATION WITH RESPECT TO ACCESS TO OVER-THE-COUNTER HEARING AIDS FOR INDIVIDUALS WITH PERCEIVED MILD TO MODERATE HEARING LOSS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to supporting efforts of the Food and Drug Administration with respect to access to over-the-counter hearing aids for individuals with perceived mild to moderate hearing loss by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 128. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S.

Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING EFFORTS OF THE FOOD AND DRUG ADMINISTRATION TO IMPROVE POSTMARKET DEVICE SURVEILLANCE AND TO INCLUDE DEVICE IDENTIFIER INFORMATION IN MEDICAL CLAIMS FORMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to supporting efforts of the Food and Drug Administration to improve postmarket device surveillance and to include device identifier information in medical claims forms by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 129. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING EFFORTS TO PROMOTE CLINICAL TRIAL DATA SHARING THAT SUPPORTS MEDICAL RESEARCH AND INNOVATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to supporting efforts to promote clinical trial data sharing that supports medical research and innovation by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 130. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD OBSTRUCT NATIONAL INSTITUTES OF HEALTH, FOOD AND DRUG ADMINISTRATION, AND OPIOID PROGRAM FUNDING PROMISED UNDER THE 21ST CENTURY CURES ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would cause amounts authorized to be appropriated from the NIH Innovation Account, the FDA Innovation Account, or the Account For the State Response to the Opioid Abuse Crisis under the 21st Century Cures Act (Public Law 114-255) not to be appropriated in the full amounts set forth in such Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 131. Mr. WYDEN (for himself, Mr. MARKEY, Mr. CARDIN, Mr. VAN HOLLEN, Ms. WARREN, Ms. STABENOW, and Mr. REED) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT REDUCES THE LIFE OF THE MEDICARE PROGRAM FOR CURRENT AND FUTURE BENEFICIARIES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that reduces the life of the Medicare program for current and future beneficiaries by including a provision that reduces revenue to the Medicare Federal Hospital Insurance Trust Fund.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT CUTS FUNDING TO STATES AVAILABLE UNDER CURRENT LAW TO PROVIDE COMPREHENSIVE, AFFORDABLE HEALTH CARE TO LOW-INCOME AMERICANS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that cuts funding to States available under current law to provide comprehensive, affordable health care to low-income Americans, including those struggling with opioid addiction and mental health conditions and those in need of nursing home care, by repealing the Medicaid expansion or otherwise reducing Federal financial assistance to States available under the Medicaid program.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 132. Mr. FRANKEN (for himself, Mr. VAN HOLLEN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD DRIVE UP HEALTH INSURANCE COMPANY PROFITS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would enable commercial health insurers to use less than 80 percent of premium income to pay for claims and quality improvement measures.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 133. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO A CONGRESSIONAL TRADE NEGOTIATING OBJECTIVE TO ELIMINATE BINATIONAL REVIEW OF TRADE REMEDY DETERMINATIONS IN ANY RENEGOTIATION OF THE NORTH AMERICAN FREE TRADE AGREEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to a congressional trade negotiating objective to eliminate binational panel and committee review of final antidumping and countervailing duty determinations in any renegotiation of the North American Free Trade Agreement by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 134. Mr. SANDERS (for himself, Ms. STABENOW, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO LOWERING PRESCRIPTION DRUG PRICES FOR AMERICANS BY IMPORTING DRUGS FROM CANADA AND OTHER COUNTRIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to lowering prescription drug prices, including through the importation of safe and affordable prescription drugs by American pharmacists, wholesalers, and individuals with a valid prescription from a provider licensed to practice in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 135. Mr. FRANKEN (for himself, Ms. WARREN, Mr. WHITEHOUSE, Ms. BALDWIN, and Mr. REED) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO CLOSING THE CARRIED INTEREST LOOPHOLE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the taxation of income from investment partnerships (known as carried interest), which may include legislation that allows for the taxing as ordinary income of a partner's share of income on an investment services partnership interest, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 136. Mr. CARDIN (for himself, Ms. HIRONO, Mr. BOOKER, Mr. BROWN, Mr. CARPER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for

fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST REDUCING ACCESS TO, OR AFFORDABILITY OF, HEALTH CARE SERVICES FOR MINORITIES AND OTHER POPULATIONS THAT HAVE BEEN HISTORICALLY SUBJECT TO DISCRIMINATION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that, as determined by the Director of the Congressional Budget Office, would reduce access to, or affordability of, health care services for minorities and other populations that have been historically subject to discrimination, including American Indians and Alaskan Natives, Asian Americans, African Americans, Latino Americans, and Native Hawaiians or other Pacific Islanders, by reversing the significant gains in access to and affordability of health care services made by the Affordable Care Act, including—

(1) the expansion of Medicaid coverage to low-income Americans with incomes up to 138 percent of the Federal poverty level in the States that have implemented the Medicaid expansion, benefitting 51 percent of American Indians and Alaska Natives, 32 percent of African Americans, 26 percent of Asian Americans, and 25 percent of Latino Americans; and

(2) the establishment of financial assistance, including premium tax credits and cost-sharing reductions, allowing 19 percent of American Indians and Alaska Natives, 23 percent of African Americans, 18 percent of Asian Americans, and 16 percent of Latino Americans to gain access to essential health care coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 137. Mr. REED (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST CUTTING LONG-TERM SERVICES AND SUPPORTS FOR SENIORS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would cut long term services and supports for seniors, including nursing home care and home and community-based care, under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) by reducing Federal funding of State Medicaid programs, including by instituting a block grant model for

Federal funding of State Medicaid programs or imposing per capita caps on Federal funding of State Medicaid programs.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 138. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING HEALTH CARE QUALITY FOR VETERANS AND THEIR DEPENDENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving health care quality for veterans and their dependents, prohibiting legislation that forces or mandates veterans or their dependents to be enrolled in government-managed health care such as the Patient Protection and Affordable Care Act (Public Law 111-138), and ensuring availability and accessibility of health care through the Department of Veterans Affairs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 139. Mr. BROWN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO DEBT INCURRED FROM HEALTH CARE EXPENSES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to additional financial protections for consumers from the effects of any changes to the Patient Protection and Affordable Care Act, the Medicare program, the Medicaid program, or the Children's Health Insurance Program that result in increases in the costs of health care and in health care-related debts on consumer credit reports, by the amounts provided in such leg-

islation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 140. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT FAILS TO PROTECT HEALTH CARE CONSUMERS.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that increases health insurance premiums, reduces cost-sharing subsidies, increases deductibles, or reduces network adequacy.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 141. Ms. WARREN (for herself, Ms. BALDWIN, and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO BLOOD DONATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports to support the development of risk-based deferral criteria and policies regarding blood donation, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 142. Ms. WARREN (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROVIDING FUNDING TO NIH AND FDA TO SUPPORT BIOMEDICAL INNOVATION RESEARCH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to establishing a Biomedical Innovation Fund that will support \$5,000,000,000 in annual supplementary funds to the National Institutes of Health and the Food and Drug Administration to support biomedical innovation research by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 143. Ms. CANTWELL (for herself, Mr. CARPER, Mr. BENNET, Mrs. SHAHEEN, Mr. MURPHY, Ms. WARREN, Mr. KING, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. WARNER, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST ANY CHANGES TO THE MEDICARE PROGRAM, THE MEDICAID PROGRAM, OR THE NUMBER OF AMERICANS ENROLLED IN PRIVATE HEALTH INSURANCE COVERAGE, IN A MANNER THAT WOULD RESULT IN REDUCED REVENUE TO HOSPITALS, HEALTH CARE CENTERS, AND PHYSICIANS AND OTHER HEALTH CARE PROVIDERS, THEREBY REDUCING THEIR INVESTMENTS IN HEALTH CARE DELIVERY SYSTEM REFORMS THAT IMPROVE PATIENT HEALTH OUTCOMES AND REDUCE COSTS.

(a) **FINDINGS.**—The Senate finds the following:

(1) The Affordable Care Act is moving the health care system of the United States from a fee-for-service system that frequently incentivizes the overutilization of health care services and wasteful health care spending to a value- and performance-based health care system that promotes patient-centered and team-based care to keep Americans as healthy as possible, improve health outcomes, and lower health care costs.

(2) Because of the investments in health care delivery system reforms made by the Affordable Care Act, a third of Medicare payments to health care providers are now based on the overall quality of patient care and health outcomes achieved by such providers.

(b) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would change the Medicare program, the Medicaid program, or the number of Americans enrolled in private health insurance coverage, in a manner that would result in reduced revenue to hospitals, health care centers, and physicians and other health care providers, thereby reducing their investments in health care delivery system reforms that improve patient health outcomes and reduce costs.

(c) **WAIVER AND APPEAL.**—Subsection (b) may be waived or suspended in the Senate

only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

SA 144. Ms. KLOBUCHAR (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD RESTRICT TRANSPARENCY IN THE RELATIONSHIP BETWEEN PHYSICIANS AND MANUFACTURERS OF DRUGS, DEVICES, BIOLOGICAL PRODUCTS, OR MEDICAL SUPPLIES, INCLUDING THROUGH REPEAL OF THE PHYSICIAN PAYMENTS SUNSHINE ACT PROVIDED UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would restrict transparency in the relationship between physicians and manufacturers of drugs, devices, biological products, or medical supplies, including through repeal of the Physician Payments Sunshine Act provided under section 6002 of the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 145. Mr. MURPHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ____ . SENSE OF THE SENATE THAT THE PATIENT PROTECTION AND AFFORDABLE CARE ACT SHOULD NOT BE REPEALED WITHOUT A COMPREHENSIVE LEGISLATIVE REPLACEMENT.

It is the sense of the Senate that, in order to avoid major detrimental impacts to millions of Americans, the Patient Protection and Affordable Care Act should not be repealed without simultaneous legislative action on comprehensive replacement legislation that will provide at least the same level of health care coverage as current law.

SA 146. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S.

Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD HAVE THE EFFECT OF NOT ALLOWING STATE GOVERNMENTS TO KEEP THEIR CURRENT HEALTH CARE PROTECTIONS ESTABLISHED BY THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would have the effect of not allowing State governments to keep their current health care protections established by the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 147. Ms. CANTWELL (for herself, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. KLOBUCHAR, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE FEDERAL ASSISTANCE TO STATES THAT CHOOSE TO IMPLEMENT THE BASIC HEALTH PROGRAM.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce Federal assistance to States that choose to implement the basic health program under section 1331 of the Patient Protection and Affordable Care Act (42 U.S.C. 18051), in order to preserve low-cost, efficient health insurance for low-income Americans while increasing health insurance enrollment and reducing State budget expenditures.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 148. Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and

setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE COVERAGE OR INCREASE HEALTH CARE COSTS FOR INDIVIDUALS WITH DEMENTIA UNDER MEDICAID, MEDICARE, OR PRIVATE HEALTH INSURANCE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce coverage or increase health care costs for individuals with dementia under Medicaid, Medicare, or private health insurance.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 149. Mr. WYDEN (for himself, Mr. MERKLEY, Mr. CARDIN, Mr. MARKEY, Mr. LEAHY, Mr. VAN HOLLEN, Ms. WARREN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 ____ . POINT OF ORDER AGAINST UNDERMINING THE PURPOSE OF SECTION 1115 WAIVER DEMONSTRATIONS TO PROVIDE COMPREHENSIVE, AFFORDABLE HEALTH CARE TO LOW-INCOME AMERICANS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) eliminate or reduce a State's flexibility to employ waiver demonstrations approved under section 1115 of the Social Security Act (42 U.S.C. 1315) to provide comprehensive, affordable health care to low-income individuals eligible for medical assistance under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) by eliminating or reducing the availability of Federal financial assistance to States available under the expansion of Medicaid under section 1905(y)(1) or 1905(z)(2) of the Social Security Act (42 U.S.C. 1396d(y)(1), 1396d(z)(2)); or

(2) undermine the purpose of such waivers to demonstrate and evaluate policy approaches such as expanding eligibility to individuals who are not otherwise Medicaid or CHIP eligible, providing services not typically covered by Medicaid, or using innovative service delivery systems that improve care, increase efficiency, and reduce costs, by instituting harmful policies such as work requirements and onerous premiums and cost-sharing requirements that are not in line with the objectives of such waivers.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate

only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 150. Mr. WYDEN (for himself, Mrs. MURRAY, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. WARNER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO HELPING STATES, COUNTIES, AND INDIAN TRIBES ADDRESS THE RECENT INCREASE IN FOSTER CARE ENTRIES DRIVEN BY THE OPIOID EPIDEMIC.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to helping States, counties, and Indian Tribes address the recent increase in foster care entries driven by the opioid epidemic through means such as allowing Federal child welfare matching funds to be used for substance use treatment and other evidence-based programs to help families stay safely together, providing resources to grandparents and other relatives, and improving the quality and oversight of Federally-funded foster care programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 151. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE PROTECTION AND RECOVERY OF THE GREATER SAGE-GROUSE.

(a) **IN GENERAL.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the implementing the delay described in subsection (b), requiring the coordination described in subsection (c), and precluding the judicial review described in subsection (d) by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would

not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

(b) **DESCRIPTION OF DELAY.**—A delay referred to in subsection (a) is, in the case of a State with a State management plan, a delay on the Secretary of the Interior making a finding under section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) with respect to the greater sage-grouse in the State until September 30, 2026.

(c) **DESCRIPTION OF COORDINATION.**—The coordination referred to in subsection (a) is—

(1) for the purpose of fostering coordination between a State management plan and Federal resource management plans that affect the greater sage-grouse, the Governor of a State with a State management plan providing notification to the Secretary of the Interior and the Secretary of Agriculture, as applicable, who, on receipt of that notification, may not exercise authority under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) to make, modify, or extend any withdrawal, or amend or otherwise modify, any Federal resource management plan applicable to Federal land in the State in a manner inconsistent with the State management plan for a period, to be specified by the Governor of the State, of not fewer than 5 years beginning on the date on which the Governor provides the notification;

(2) in the case of any State that provides notification under paragraph (1), if any withdrawal was made, modified, or extended, or if any amendment or modification of a Federal resource management plan applicable to Federal land in the State was issued during the 3-year period before the date on which the Governor provides the notification and the withdrawal, amendment, or modification alters the management of the greater sage-grouse or the habitat of the greater sage-grouse—

(A) staying the implementation and operation of the withdrawal, amendment, or modification to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan; and

(B) applying the Federal resource management plan (as in effect immediately before the amendment or modification) with respect to the management of the greater sage-grouse and the habitat of the greater sage-grouse, to the extent that the Federal resource management plan is consistent with the State management plan; and

(3) the Governor of the affected State resolving any disagreement regarding whether a withdrawal of, or an amendment or other modification to, a Federal resource management plan is inconsistent with a State management plan.

(d) **DESCRIPTION OF JUDICIAL REVIEW.**—The judicial review referred to in subsection (a) is judicial review of the requirements and implementation of this amendment, including a determination made under subsection (c)(3).

SA 152. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING COMMUNITIES FROM DESTRUCTIVE OVERREACH BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to nullifying any regulation by the Department of Housing and Urban Development that interferes with and unduly burdens local zoning decisions, which may include the rule entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)), by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 153. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE ARMING OF VETTED ELEMENTS OF THE SYRIAN OPPOSITION WITH SURFACE-TO-AIR WEAPON SYSTEMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the arming of appropriately vetted elements of the Syrian opposition (as defined in section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541)) with surface-to-air weapon systems, without raising new revenue by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 154. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2003. POINT OF ORDER AGAINST INCREASING THE PUBLIC DEBT LIMIT THROUGH RECONCILIATION.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider a bill or joint

resolution reported pursuant to section 2001 or section 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution, which would increase the public debt limit under section 3101 of title 31, United States Code, during the period of fiscal years 2017 through 2026.

(b) **WAIVER.**—This section may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(c) **APPEALS.**—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on the point of order raised under this section.

SA 155. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO HSA-ELIGIBLE HEALTH PLANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to health savings account-eligible health plans by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 156. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING THE FEDERAL GOVERNMENT FROM PROVIDING ENHANCED FUNDING FOR ANY STATE'S EXPANSION OF THE MEDICAID PROGRAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to eliminating the enhanced Federal medical assistance percentages for the Medicaid expansion added by the Patient Protection and Affordable Care Act, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 157. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO LABELING OF PRODUCTS AS MADE IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to making exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce by the amounts provided in such legislation for those purposes, without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 158. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE EXPENDITURE OF AMOUNTS FROM THE LAND AND WATER CONSERVATION FUND UNTIL THE NATIONAL PARK SERVICE MAINTENANCE BACKLOG IS REDUCED.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting amounts from the Land and Water Conservation Fund established under section 200302 of title 54, United States Code, to be used for land acquisition until the date on which the National Park Service maintenance backlog is less than \$5,000,000,000 by the amounts provided in such legislation for those purposes, without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 159. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026;

which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUNDS RELATING TO ASSISTING WORKING FAMILIES AND CHILDREN.

(a) **INCOME SUPPORT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the Social Services Block Grant (SSBG), the Temporary Assistance for Needy Families (TANF) program, child support enforcement programs, or other assistance to working families, or to increase work participation rates under TANF, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

(b) **HOUSING ASSISTANCE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to housing assistance, which may include working family rental assistance, or assistance provided through the Housing Trust Fund, or measures consolidating public housing authorities, or measures to create or increase work requirements for Section 8 voucher and public housing assistance recipients, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

(c) **CHILD WELFARE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to child welfare programs, which may include the Federal foster care payment system, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 160. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3003. DEFICIT-NEUTRAL RESERVE FUND RELATING TO A COMPREHENSIVE REVIEW OF THE UNITED STATES GOVERNMENT'S PARTICIPATION IN AND FUNDING OF THE UNITED NATIONS AND UNITED NATIONS-AFFILIATED ORGANIZATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to a comprehensive review of the United States Government's participation in and funding of the United Nations and United Nations-affiliated organizations, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 161. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROHIBITING CERTAIN MODIFICATIONS OF THE APPLICATION OF THE MILITARY SELECTIVE SERVICE ACT BY EXECUTIVE OR JUDICIAL ACTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting modification (whether by executive or judicial action) of the application of the Military Selective Service Act (50 U.S.C. 3801 et seq.) in order to require registration under that Act without regard to gender unless such registration is expressly authorized by an Act of Congress, without raising new revenue by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 162. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO PAYMENTS IN LIEU OF TAXES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to payments in lieu of taxes under chapter 69 of title 31, United States Code, including funding the payments in lieu of taxes program at levels roughly equivalent to lost tax revenues due to the presence of Federal land, by the amounts provided in such legislation for those purposes, without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 163. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE IMPLEMENTATION OF THE OAS REVITALIZATION AND REFORM STRATEGY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports requiring the Secretary of State to submit an annual written report to Congress regarding the implementation of the multiyear strategy required under section 5 of the Organization of American States Revitalization and Reform Act of 2013 (22 U.S.C. 290q) and how the continued involvement of the United States in the Organization of American States accomplishes explicit foreign policy objectives in Latin America, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 164. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO COMPILING A REPORT ON FEDERAL SPENDING IN FOREIGN NATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports requiring the Secretary of State to compile and submit a report to Congress on the aggregate expenditure of Federal funds by all Federal agencies and other entities created

by Congress on programs or projects in foreign nations, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 165. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE REGULATION OF BROADBAND INTERNET ACCESS SERVICE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the reclassification of broadband Internet access service as an information service and prohibiting the Federal Communications Commission from imposing certain regulations on providers of broadband Internet access service by the amounts provided in such legislation for those purposes, without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 166. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3003. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE IMPLEMENTATION OF THE PARIS AGREEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the implementation of the Paris Agreement, done at Paris December 12, 2015, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 167. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States

Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING SOCIAL SECURITY OR REPEALING AND REPLACING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening Social Security or repealing and replacing Obamacare, which may include step-by-step health reforms providing access to quality, affordable coverage for all Americans, safeguarding consumer protections, strengthening Medicare, and improving Medicaid, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 168. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 POINT OF ORDER AGAINST LEGISLATION THAT RAISES TAXES OR HEALTH COSTS FOR THE MIDDLE CLASS AND WORKING FAMILIES TO FUND TAX CUTS FOR MILLIONAIRES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that increases taxes, raises health insurance premiums, or leads to higher out-of-pocket health care costs for the middle class and working families while reducing tax burdens for households with incomes of \$1,000,000 or more.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 169. Mr. MENENDEZ (for himself, Ms. WARREN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO AVERTING THE MEDICAID FUNDING CLIFF IN PUERTO RICO AND ENSURING STABLE MEDICAID FUNDING FOR PUERTO RICO'S MEDICAID PROGRAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to averting the impending Medicaid funding cliff in Puerto Rico and ensuring stable Medicaid funding for Puerto Rico's Medicaid program for the foreseeable future by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 170. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 POINT OF ORDER AGAINST REDUCING MEDICAID COVERAGE FOR VETERANS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report relating to Medicaid unless the Director of the Congressional Budget Office certifies that the legislation would not result in 1 or more veterans losing Medicaid coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 171. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRESERVING THE REQUIREMENT OF PROVIDING LACTATION ROOMS AND REASONABLE BREAK TIME TO EMPLOYEES WHO ARE NURSING MOTHERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to preserving the requirement under section 7(r) of the Fair Labor Standards Act

of 1938 providing lactation rooms and reasonable break time to employees who are nursing mothers for one year after the child's birth by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 172. Mr. SANDERS (for Ms. KLOBUCHAR (for herself and Mr. SANDERS)) proposed an amendment to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO LOWERING PRESCRIPTION DRUG PRICES FOR AMERICANS BY IMPORTING DRUGS FROM CANADA AND OTHER COUNTRIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to lowering prescription drug prices, including through the importation of safe and affordable prescription drugs by American pharmacists, wholesalers, and individuals with a valid prescription from a provider licensed to practice in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 173. Mr. ENZI (for Mr. BARRASSO) proposed an amendment to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3 DEFICIT-NEUTRAL RESERVE FUND RELATING TO RURAL HEALTH AND REPEALING AND REPLACING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening Social Security and repealing and replacing Obamacare, which may include step-by-step reforms providing access to quality, affordable coverage for all Americans, maintaining access to critical rural health care services, and safeguarding consumer protections, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 174. Mr. ALEXANDER submitted an amendment intended to be proposed

by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PERMITTING IMPORTATION OF PRESCRIPTION DRUGS ONLY UNDER CERTAIN CIRCUMSTANCES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to permitting the importation of prescription drugs, which may include certifying public health and safety, strengthening Social Security and Medicare, and improving Medicaid, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 175. Mr. WYDEN (for himself, Mr. SANDERS, Mr. BROWN, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

Beginning on page 45, strike line 2 and all that follows through page 46, line 14 and insert the following:

SEC. 2000. FINDINGS.

Congress finds the following:

(1) Total annual drug spending in the United States is projected to reach more than \$500,000,000,000 by 2018.

(2) One out of five Americans age 19 to 64 cannot afford to fill their prescriptions.

(3) Spending on prescription drugs in the United States grew by 12 percent in 2014, faster than in any year since 2002.

(4) Medicare part D drug spending was \$90,000,000,000 in 2015, and is expected to increase to \$216,000,000,000 by 2025.

(5) Medicare part B drug spending also more than doubled between 2005 and 2015, increasing from \$9,000,000,000 in 2005 to \$22,000,000,000 in 2015.

(6) In 2014, prescription drug spending in Medicaid increased by 24 percent.

(7) During the Presidential campaign, the President-elect said, "When it comes time to negotiate the cost of drugs, we're going to negotiate like crazy, folks" and his campaign website said that, "allowing consumers access to imported, safe and dependable drugs from overseas will bring more options to consumers."

(8) After being elected, the President-Elect said, "I'm going to bring down drug prices. I don't like what's happened with drug prices."

(9) On January 11, 2017, the President-elect said, "We have to create new bidding procedures for the drug industry, because they are getting away with murder."

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report

changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) REQUIREMENT.—Changes in laws reported by such Committees shall bring down the price of drugs as promised by the President-Elect.

(d) SUBMISSIONS.—In the Senate, not later than January 27, 2017, the Committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving all such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

SEC. 2002. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) REQUIREMENT.—Changes in laws reported by such Committees shall bring down the price of drugs as promised by the President-Elect.

(d) SUBMISSIONS.—In the House of Representatives, not later than January 27, 2017, the committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the House of Representatives to carry out this section.

SA 176. Mr. FLAKE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENHANCING VETERANS HEALTH CARE, HOUSING, AND THE WORKFORCE OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving veterans' housing and health care for veterans and their dependents, which may include repealing Obamacare, facilitating medical facility leases, reforming veterans housing programs, and prohibiting the Secretary of Veterans Affairs from employing individuals who have been convicted of a felony and medical personnel who have ever had their medical licenses or credentials revoked or suspended,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 177. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO LAW ENFORCEMENT, MENTAL HEALTH, AND OPIOID ABUSE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to law enforcement training, mental health, and opioid abuse, which may include increasing prevention, treatment, and recovery activities, veterans and drug court reforms, and repealing and replacing Obamacare, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 178. Ms. KLOBUCHAR (for herself and Mr. SANDERS) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO LOWERING PRESCRIPTION DRUG PRICES FOR AMERICANS BY IMPORTING DRUGS FROM CANADA.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to lowering prescription drug prices, including through the importation of safe and affordable prescription drugs from Canada by American pharmacists, wholesalers, and individuals with a valid prescription from a provider licensed to practice in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 179. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States

Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTIONS FOR THE ELDERLY AND DISABLED.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reforming housing and Medicaid, which may include returning State regulation of health insurance markets to the States, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 180. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING SOCIAL SECURITY AND REPEALING AND REPLACING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening Social Security and repealing and replacing Obamacare, which may include reforms that strengthen Medicaid and the Children's Health Insurance Program without prioritizing able-bodied adults over the disabled or children and lead to step-by-step reforms providing access to quality, affordable coverage for all Americans, and safeguarding consumer protections, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 181. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING SOCIAL SECURITY AND REPEALING OBAMACARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate,

and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to strengthening Social Security and repealing and replacing Obamacare, which may include step-by-step reforms providing access to quality, affordable coverage for all Americans, including people with disabilities and chronic conditions, and safeguarding consumer protections such as a ban on lifetime limits, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 182. Mr. WYDEN (for himself, Mr. MERKLEY, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . CRITERIA FOR LIMITED ADJUSTMENT FOR WILDFIRE SUPPRESSION FUNDING.

If a measure becomes law that amends the adjustments to discretionary spending limits established under section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)) to provide for wildfire suppression funding, which may include criteria for making such an adjustment, the Chairman of the Committee on the Budget of the Senate may adjust the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee or committees of the Senate, and may adjust all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such measure.

SA 183. Mr. WYDEN (for himself, Mr. MERKLEY, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND RELATING TO CONSERVING FEDERAL LAND, ENHANCING ACCESS TO FEDERAL LAND FOR RECREATIONAL OPPORTUNITIES, AND MAKING INVESTMENTS IN COUNTIES AND SCHOOLS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal programs for land and water conservation and acquisition or the preservation, restoration, or protection of

public land, oceans, coastal areas, or aquatic ecosystems, making changes to or providing for the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.), making changes to or providing for the reauthorization of the payments in lieu of taxes program under chapter 69 of title 31, United States Code, or making changes to or providing for the reauthorization of both laws, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 184. Mrs. FISCHER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the appropriate place, add the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND RELATING TO SOCIAL SECURITY OR WOMEN'S HEALTH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to strengthening Social Security or health care for women, which may include strengthening community health centers, and repealing and replacing the Patient Protection and Affordable Care Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 185. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO RELEASE OF TAX RETURNS OF THE PRESIDENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to public disclosure of the individual tax returns of the President by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 186. Mr. WYDEN (for himself, Mr. UDALL, Mr. CARPER, Ms. HIRONO, and

Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT SLASHES THE COMPENSATION OF INDIVIDUAL FEDERAL EMPLOYEES.

(a) POINT OF ORDER.—Subject to subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that directly reduces the compensation of 1 or more individual Federal employees.

(b) EXCLUSION.—Subsection (a) shall not apply to a provision of a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that provides for the reduction of the compensation of a Federal employee based on conduct of the Federal employee that prohibits or prevents another Federal employee from, or penalizes another Federal employee for, communicating with Congress.

(c) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 187. Mr. WYDEN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT DOES NOT LOWER DRUG PRICES.

(a) FINDINGS.—The Senate finds the following:

(1) Total annual drug spending in the United States is projected to reach more than \$500,000,000,000 by 2018.

(2) One out of five Americans age 19 to 64 cannot afford to fill their prescriptions.

(3) Spending on prescription drugs in the United States grew by 12 percent in 2014, faster than in any year since 2002.

(4) Medicare part D drug spending was \$90,000,000,000 in 2015, and is expected to increase to \$216,000,000,000 by 2025.

(5) Medicare part B drug spending also more than doubled between 2005 and 2015, increasing from \$9,000,000,000 in 2005 to \$22,000,000,000 in 2015.

(6) In 2014, prescription drug spending in Medicaid increased by 24 percent.

(7) During the Presidential campaign, the President-elect said, “When it comes time to negotiate the cost of drugs, we’re going to negotiate like crazy, folks” and his campaign website said that, “allowing consumers access to imported, safe and depend-

able drugs from overseas will bring more options to consumers.”.

(8) After being elected, the President-elect said, “I’m going to bring down drug prices. I don’t like what’s happened with drug prices.”.

(9) On January 11, 2017, the President-elect said, “We have to create new bidding procedures for the drug industry, because they are getting away with murder.”.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint resolution that does not, as promised by the President-elect, lower drug prices as certified by the Congressional Budget Office.

(c) WAIVER AND APPEAL.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

SA 188. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title IV, add the following:
SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT DOES NOT LOWER DRUG PRICES.

(a) FINDINGS.—The Senate finds the following:

(1) Total annual drug spending in the United States is projected to reach more than \$500,000,000,000 by 2018.

(2) One out of five Americans age 19 to 64 cannot afford to fill their prescriptions.

(3) Spending on prescription drugs in the United States grew by 12 percent in 2014, faster than in any year since 2002.

(4) Medicare part D drug spending was \$90,000,000,000 in 2015, and is expected to increase to \$216,000,000,000 by 2025.

(5) Medicare part B drug spending also more than doubled between 2005 and 2015, increasing from \$9,000,000,000 in 2005 to \$22,000,000,000 in 2015.

(6) In 2014, prescription drug spending in Medicaid increased by 24 percent.

(7) During the Presidential campaign, the President-elect said, “When it comes time to negotiate the cost of drugs, we’re going to negotiate like crazy, folks” and his campaign website said that, “allowing consumers access to imported, safe and dependable drugs from overseas will bring more options to consumers.”.

(8) After being elected, the President-elect said, “I’m going to bring down drug prices. I don’t like what’s happened with drug prices.”.

(9) On January 11, 2017, the President-elect said, “We have to create new bidding procedures for the drug industry, because they are getting away with murder.”.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or joint resolution reported pursuant to section 2001 or 2002, or an amendment to, motion on, conference report on, or amendment between the Houses in relation to such a bill or joint

resolution that does not, as promised by the President-elect, lower drug prices, as certified by the Congressional Budget Office.

(c) WAIVER AND APPEAL.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

SA 189. Ms. WARREN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . . . POINT OF ORDER AGAINST LEGISLATION THAT WOULD HAVE THE EFFECT OF NOT ALLOWING STATE GOVERNMENTS TO KEEP THEIR CURRENT HEALTH CARE PROTECTIONS AS ALLOWED BY THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would have the effect of not allowing State governments to keep their current health care protections as allowed by the Patient Protection and Affordable Care Act, or reducing, weakening, or eliminating health insurance coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have four requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on Wednesday, January 11, 2017, at 10:15 a.m. in room G50 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 11, 2017, at 9 a.m. to conduct a hearing entitled “Nominations.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 11, 2017, at 6 p.m..

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on January 11, 2017, at 9:30 a.m., in room SR-325 of the Russell Senate Office Building to conduct a hearing entitled "Attorney General Nomination."

 PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Cristina Diaz-Torres and Elena Elkin, two fellows in my office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2016 fourth quarter Mass Mailing report is Wednesday, January 25, 2017.

An electronic option is available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

 ORDERS FOR THURSDAY,
 JANUARY 12, 2017

Mr. ENZI. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 12:30 p.m., Thursday, January 12—that would be today; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

 ADJOURNMENT UNTIL 12:30 P.M.
 TODAY

Mr. ENZI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 1:36 a.m., adjourned until Thursday, January 12, 2017, at 12:30 p.m.

EXTENSIONS OF REMARKS

MEMORANDUM REGARDING AUTHORIZATION OF THE DEPARTMENT OF HOMELAND SECURITY

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. RYAN of Wisconsin. Mr. Speaker, I submit the following memorandum regarding authorization of the Department of Homeland Security:

We, the chairs of the committees with jurisdiction over the Department of Homeland Security or its components, are hereby recording our agreement on the following principles for the 115th Congress:

1. The Department of Homeland Security ("the Department") and its components should be authorized on a regular basis to ensure robust oversight and improve its operation.

2. Committees with jurisdiction over the Department and its components will prioritize the authorization of the Department and any unauthorized or expiring component in that committee's authorization and oversight plan.

3. To the maximum extent practicable, the committees with jurisdiction over unauthorized or expiring components of the Department shall coordinate with the Committee on Homeland Security to produce a comprehensive authorization bill for the Department.

4. The Committee on Homeland Security shall coordinate with the committees with jurisdiction over unauthorized or expiring components of the Department in the development of any comprehensive authorization bill for the Department.

5. The Committee on Homeland Security and the committees with jurisdiction over components of the Department shall jointly develop a process for the vetting and pre-clearing of base text and amendments offered at subcommittee and full committee markups of a DHS authorization bill in the Committee on Homeland Security that fall within the jurisdiction of a committee other than or in addition to the Committee on Homeland Security.

6. The committees will expedite consideration of any comprehensive authorization bill for the Department, including timely resolution of any matters subject to a sequential or additional referral.

7. To the extent that there are policy differences between the committees regarding a provision of the comprehensive authorization bill for the Department, the committees will make best efforts to resolve any such dispute.

8. The Committee on Homeland Security Committee shall not include any provision in a comprehensive authorization bill that the chair of the Committee on Ways and Means has determined to be a revenue provision or a provision affecting revenue. If the chair of the Committee on Ways and Means makes such a determination, nothing in this agreement shall be construed to preclude

that chair from exercising an additional or sequential referral over the measure, or a point of order under clause 5(a) of Rule XXI of the Rules of the House of Representatives.

9. Nothing in this agreement shall be construed as altering any committee's jurisdiction under rule X of the Rules of the House of Representatives or the referral of any measure thereunder.

10. Further, nothing in this memorandum precludes a further agreement between the committees with regard to the implementation of a process to ensure regular comprehensive authorizations of the Department.

Signed,

GREGG WALDEN, *Chair, Committee on Energy and Commerce.*

DEVIN NUNES, *Chair, Permanent Select Committee on Intelligence.*

JASON CHAFFETZ, *Chair, Committee on Oversight and Government Reform.*

BILL SHUSTER, *Chair, Committee on Transportation and Infrastructure.*

MICHAEL T. MCCAUL, *Chair, Committee on Homeland Security.*

BOB GOODLATTE, *Chair, Committee on the Judiciary.*

LAMAR SMITH, *Chair, Committee on Science, Space and Technology.*

KEVIN BRADY, *Chair, Committee on Ways and Means.*

HONORING RAMONA BAX ON HER RETIREMENT AFTER 50 YEARS OF SERVICE TO THE BANK OF ST. ELIZABETH

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mrs. Ramona Bax on her retirement after 50 years of employment with the Bank of St. Elizabeth. Mrs. Bax has been a constant friendly face during her years working at the bank. The patrons, management, and her co-workers will miss her welcoming personality at the bank.

Mrs. Bax has been a lifelong resident of the St. Elizabeth community and is thankful for the opportunity to live and work in such a great town. As a fellow resident of St. Elizabeth, we are also thankful to have her as a friend, neighbor, and member of our community. In her spare time, Mrs. Bax volunteered her time at the St. Elizabeth school during the years

her children attended and also while her grandchildren attend the school. She is also an active member of St. Lawrence Catholic Church. The entire community has benefited from her volunteering spirit.

Mrs. Bax has been married to her husband, Richard, for 56 years. They have four children, John, Charles, Glenn, and Stacy, and are the proud grandparents of ten grandchildren and great-grandparents of three great-grandchildren. With her retirement, Mrs. Bax will be able to enjoy more time with her wonderful family.

I ask you to join me in recognizing Mrs. Ramona Bax on her retirement. The commitment she has shown to the Bank of St. Elizabeth for 50 years is a commendable accomplishment. It is an honor to represent her in the United States Congress.

HONORING GARY DARLING FOR HIS DEDICATED SERVICE

HON. JERRY MCNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. MCNERNEY. Mr. Speaker, I, along with my colleagues, Representatives DESAULNIER and HUFFMAN, rise today to honor Gary W. Darling for dedicating 33 years to an incredible career as a water professional. Mr. Darling developed his technical background by graduating from the University of California, Davis and becoming a registered professional civil engineer. His academic pedigree led him to a long and productive career in managing and leading a water agency, numerous infrastructure projects, and building coalitions in Northern California.

For 15 years, Mr. Darling managed the Los Vaqueros Reservoir Project, which is a crucial reservoir for our region's water supply and environment. He was a Project Manager during the planning and environmental review phases for the \$1 billion Freeport Regional Water Authority and served for six years on the Board of Directors for the California Association of Sanitation Agencies. Notably, he served 11 years as General Manager of Delta Diablo, overseeing wastewater resource recovery services for 200,000 people across Antioch, Bay Point, and Pittsburg. Delta Diablo is proud to be an award-winning agency that is "transforming wastewater to resources" by investing in innovative solutions and partnerships.

Mr. Darling also has a long and successful history of leading organizations. For more than eight years, he has led the 19-agency Bay Area Biosolids to Energy Coalition. Members implement regional biosolids management solutions to maximize renewable energy and minimize greenhouse gas emissions. To Gary's credit, this coalition has six pre-commercial bioenergy technology projects in development.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Gary Darling has shown impressive leadership of the 22-member Western Recycled Water Coalition (WRWC) over the last nine years. This important coalition recruits members and facilitates collaboration to develop sustainable water supplies for their communities throughout the western United States. WRWC secured close to \$35 million in federal funding that was leveraged with local and state funds to construct eight essential water infrastructure projects. The coalition also secured \$4 million for feasibility studies and planning for 14 new projects. 2016 membership includes planning for 34 projects that will provide close to 200,000 acre-feet per year of sustainable water supplies. Mr. Darling and WRWC also worked with Lawrence Livermore National Laboratory, Stanford University, and others to pilot innovative new desalination and wastewater technologies to advance the wastewater resource recovery industry.

In conclusion, we ask our colleagues to join us in acknowledging and thanking Gary Darling for his service and significant contributions to our communities and water supply. We congratulate him on his retirement and are looking forward to his future ventures.

CONGRATULATIONS CLEMSON

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. RICE of South Carolina. Mr. Speaker, it is a privilege and honor to rise today to congratulate the Clemson University football team on their 2017 National Championship win over the University of Alabama.

In what was a nail-biting rematch of the 2016 National Championship game between the Clemson Tigers and the Alabama Crimson Tide, the Tigers came back this year with something to prove—and they did just that with their 35–31 win over the Tide.

While every member of the team played their hearts out, I'd like to recognize a very special player who hails from the Seventh District of South Carolina, wide receiver Hunter Renfrow. A native of Horry County and graduate of Socastee High School, Mr. Renfrow has had an outstanding season—catching six touchdowns and receiving 44 passes for a total of 495 yards this season.

Perhaps even more impressive than his talent on the field is his determination and hard work that got him there. He joined the Tigers football team as a walk on, later earning himself a scholarship and this year catching the championship-winning touchdown with just one second left in the game.

This National Title is a win for Mr. Renfrow, the players, the coaches, Clemson University, and all of South Carolina. Congratulations Clemson and Go Tigers.

RECOGNIZING THE ASIAN COMMUNITY SERVICE CENTER ON THE 10TH ANNIVERSARY OF THE CHINESE NEW YEAR FESTIVAL

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mrs. COMSTOCK. Mr. Speaker, I am pleased to take this opportunity to recognize the Asian Community Service Center on the 10th anniversary of the Chinese New Year Festival that is taking place at the Luther Jackson Middle School in Falls Church, Virginia on Saturday, January 14, 2017.

This family friendly festival will once again feature lion dances and the exciting Dragon Parade, along with a variety of other dance and musical performances from Chinese and other Asian cultures.

I want to commend the Asian Community Service Center for enthusiastically inviting all Americans to attend this festival. Their warm hospitality provides an opportunity for everyone to learn about the unique beauty of the Chinese culture.

Mr. Speaker, I am honored to represent a significant number of Chinese Americans who live and work in my Congressional District. At the beginning of the Year of the Rooster, I would like to wish you and our colleagues a very happy and prosperous new year.

HONORING THE HEAD COACH OF THE KEISER UNIVERSITY BASKETBALL TEAM MR. ROLLIE MASSIMINO

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor Mr. Rollie Massimino, who is currently the head coach of the Keiser University Basketball Team in West Palm Beach, Florida. Serious fans of the sport of basketball know the history of this great sportsman. Mr. Massimino began his head coaching career at SUNY Stony Brook in 1969, and after nearly 50 years, recently compiled his 800th victory.

His other head coaching positions have included stints at the University of Nevada, Las Vegas and Cleveland State University. Mr. Massimino came to national attention as head coach of the Villanova Wildcats from 1980–1992. He is most famous for leading the Wildcats to their unforgettable upset of the top-seeded Georgetown Hoyas in the 1985 NCAA title game.

All who have known Mr. Massimino have been impressed by the sincerity and determination that he imparts to all the young men who have looked up to him throughout the years. Not a person who seeks the limelight, he is a truly great sportsman who has always been known for concentrating on winning and playing the game clean.

Mr. Speaker, Mr. Massimino's current Keiser team is 15 and 2 and riding a 12 game winning streak. His continual success is not sur-

prising to American basketball fans, who admire him for his expertise and talent. I am very pleased that Mr. Rollie Massimino is presently guiding a team in my Congressional district to such distinction. He is a hero to many and a fine citizen, worthy of acclaim from us all.

DR. GILDARDO ANDRES CEBALLOS NAMED PHYSICIAN OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Dr. Gildardo Andres Ceballos of Richmond, TX, for being named OakBend Medical Center's 2016 Physician of the Year.

Dr. Ceballos, board-certified in internal medicine, was awarded this honor thanks to his experience and reputation for kindness and sincerity appreciated by patients and staff alike. The Physician of the Year award is OakBend's highest recognition, which honors the physician who demonstrates significant skill, along with genuine compassion. Colleagues of Dr. Ceballos have described him as a positive professional and a role model both professionally and personally.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Dr. Ceballos for being named OakBend Medical Center's 2016 Physician of the Year. We all benefit from his commitment to quality healthcare and we thank him for his dedication to keep Houstonians healthy.

HONORING THE LIFE OF GINA QUATTROCHI

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. NADLER. Mr. Speaker, I rise today to honor the life of Gina Quattrochi, a champion for HIV/AIDS healthcare and housing, who passed away in December.

In 1986, at the height of the AIDS crisis, Ms. Quattrochi was named to the board of the AIDS Resource Center and led negotiations to acquire a former hotel on Christopher St., in my district, which was renamed Bailey House. This hotel became the first group residence for people with AIDS in the country. At a time when HIV/AIDS was shrouded in fear and paranoia, Gina was fearless. She later served as CEO of Bailey House for 25 years. It was under Ms. Quattrochi's leadership that Bailey House grew from a small housing agency to a multimillion-dollar organization that provides a wide range of health and housing services to over 1,800 clients.

In addition to Bailey House, Ms. Quattrochi was a board member of several HIV/AIDS advocacy organizations, including the National AIDS Housing Coalition, where she also served as president; the Harlem Hospital Community Advisory Board; the Ryan White Integration of Care committee; and iHealth NYS. In 2014, she was appointed to Governor

Andrew Cuomo's task force to reduce new statewide HIV infections to just 750 per year by 2020.

Ms. Quattrochi also fulfilled her longtime goal of extending the city's HIV/AIDS Services Administration, or HASA, services beyond just AIDS diagnoses to qualified people with HIV. Her lifetime of work transformed the conversation about how to help house, provide health care to, and feed people with HIV/AIDS.

As a longtime supporter and advocate for the Housing Opportunities for Persons with AIDS, or HOPWA, I am proud to have represented Gina and Bailey House for many years, but I am more proud to have called her a friend. She leaves behind an indelible legacy, she will be profoundly missed by the city of New York, the country, and the HIV/AIDS advocacy community. I can think of no greater tribute than the words of Emmy and Tony Award-winning author and AIDS activist Larry Kramer: "She was the most noble of heroines. She fought not only for us, but for all of mankind."

HONORING THE LIFE OF DONALD
JAMES GRECO, MD—1925–2017

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. ROYCE of California. Mr. Speaker, I rise today to pay tribute to Donald James Greco, MD, of Huntington Beach, California, who passed away on Tuesday, January 3, 2017.

Dr. Greco served our community with kindness and compassion for over 58 years.

Born in Des Moines, Iowa, he graduated from Creighton University School of Medicine in 1948 and began his career by serving our country proudly as a physician in the Korean War. Moving his first love and bride, Teresa Marasco, to Japan, he completed his military service as a Lieutenant in the Army.

Donald chased the sun to California in 1954, finishing his dermatology residency at University of California, Los Angeles, and opening his own practice, in 1956, in Long Beach. He found a home and we gained a doctor. When not serving as president of the Long Beach Medical Association, Donald donated his time teaching dermatology residents as an associate professor at UCLA.

His doctor's practice was his family and his family was his practice. Through generations of patients, he provided excellent care, while employing family members to serve by his side. His longevity was surpassed only by his generosity, often forgiving the debts of those in need.

He was proud of his Italian heritage and his Catholic faith, as a Fourth Degree Knight of Columbus. He loved Frank Sinatra, playing craps in Las Vegas, and a good glass of red. Often with a story to tell, and never shy about giving advice to anyone he thought needed it, he always made time to call and check on the family he held so dear. Today, our thoughts are with them: his wife, Terry, of 11 years, his daughters KrisAnn and Lisa, his sons Richard and David, and his 11 grandchildren and 3 great-grandchildren.

Mr. Speaker, last week, "the summer wind came blowing in from across the sea" and took Dr. Greco home. May flights of angels lead him on his way.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. PERLMUTTER. Mr. Speaker, on January 9, 2017 I was not present to vote on H.R. 315, the "Improving Access to Maternity Care Act" and H.R. 304, the "Protecting Patient Access to Emergency Medications."

Had I been present for roll call No. 24, I would have voted "YEA." Had I been present for roll call No. 25, I would have voted "YEA."

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Ms. SCHAKOWSKY. Mr. Speaker, I missed Roll Call vote numbers 26 through 31 because I was attending the President's farewell address. Had I been present, I would have voted as follows: 26, H. Res 33, Previous Question, No; 27, H. Res. 33, Agreeing to the Resolution, No; 28, Journal, Approving the Journal, No; 29, H.R. 79, Velázquez of New York Amendment No. 1, Yes; 30, H.R. 79, Clay of Missouri Amendment No. 2, Yes; 31, H.R. 79, Passage, No.

PERSONAL EXPLANATION

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. RUTHERFORD. Mr. Speaker, I was not present for House roll call vote No. 34 on H.R. 39, the Tested Ability to Leverage Exceptional National Talent Act. Had I been present, I would have voted 'yes'.

TROOP 1631 RECOGNIZES SIX NEW
EAGLE SCOUTS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate six new Eagle Scouts of Troop 1631 in Sugar Land, TX.

Eagle Scout is the highest rank among Boy Scouts, requiring them to develop leadership, service and outdoor skills. The new Eagle Scouts are Mitchell Nguyen, Zack Dagnall, Tejas Murali, Spencer Reitz, Danny Penczak and Kody Ngo. To achieve the Eagle Scout rank, these Scouts have collectively hiked 571

miles, volunteered 194 hours, camped 361 nights, earned 194 merit badges, and have completed many leadership activities. Troop 1631, sponsored by the Optimist Club, has helped over 150 Scouts become Eagles over its 35 years.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Mitchell, Zack, Tejas, Spencer, Danny and Kody. We are proud of them and their accomplishments and look forward to their future successes.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Ms. JACKSON LEE. Mr. Speaker, on Tuesday, January 10, 2017, I traveled to Chicago at the invitation of the President of the United States to attend his Farewell Address to the Nation. Consequently, I was not present for Roll Call Votes 29 through 31. Had I been present, I would have voted as follows:

On Roll Call 29, I would have voted AYE. (Velázquez Amendment to H.R. 79, Helping Angels Lead Our Startups Act ("HALOS Act"))

On Roll Call 30, I would have voted AYE. (Clay/Waters Amendment to H.R. 79, Helping Angels Lead Our Startups Act ("HALOS Act"))

On Roll Call 31, I would have voted AYE. (Final Passage of H.R. 79, Helping Angels Lead Our Startups Act ("HALOS Act"))

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. SWALWELL of California. Mr. Speaker, regarding the question considered Tuesday 10, 2017, on passage of H.R. 79, the Helping Angels Lead Our Startups Act or HALOs Act (Roll Call Number 31), I am recorded as voting "no." I intended to vote "yes."

EFFINGHAM CHAMBER OF
COMMERCE

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. SHIMKUS. Mr. Speaker, I rise to acknowledge the Effingham County Chamber of Commerce upon celebrating 100 years of service. This is a remarkable achievement for the chamber, and reflects the success and prosperity that the chamber has contributed to Effingham County.

The Effingham County Chamber of Commerce has backed several impressive developments over the course of its 100-year tenure. In its early years, the chamber funded a study of the development of Lake Sara. This has led to it becoming an attractive venue for

fishing and a wonderful source of employment and revenue for the Lake Sara area. In addition, the chamber has played a key role in the development of several community initiatives in Effingham County, including the Effingham Regional Academy, Effingham County Vision 2020, and Effingham County 911. The successes of the chamber over the past century were recognized when the chamber recently won the Illinois Chamber of the Year Award.

I offer my deepest admiration and gratitude to the Effingham County Chamber of Commerce in its centennial year for providing great service to my constituents and to helping the economy of our district grow and flourish. I hope that the next century of service from the chamber is just as successful.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Ms. LEE. Mr. Speaker, if I were present I would have voted YES on roll call number 29 to Velázquez Amendment No. 1.

If I were present I would have voted YES on roll call number 30 to Clay Amendment No. 2.

If I were present I would have voted NO on roll call number 31 to H.R. 79.

IN RECOGNITION OF CHRISTOPHER
U. BROWNE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge Christopher U. Browne who will be departing from his position as Vice President and Airport Manager of Washington Dulles International Airport this month after a 29-year career. Mr. Browne has made tremendous contributions for the traveling public and the economic vitality of the National Capital Region and maintains the unique distinction of having served as Airport Manager for both Reagan National and Dulles International airports.

Mr. Browne's passion for aviation began long before his work at the Metropolitan Washington Airports Authority (MWAA). Shortly after graduating from Dartmouth College in 1980, he attended the Navy's "Top Gun" fighter weapon school. As a Naval Flight Officer, he logged more than 1,400 hours and had 300 carrier landings in the F-14 Tomcat and also received the Navy's Commendation Medal for excellent performance.

After his time in the Navy, Mr. Browne started his professional career with the MWAA as a Manager of Operations at Reagan National Airport. During his tenure at Reagan, he had an integral role in the construction of Terminals B and C in 1997, in handling and planning for Y2K, and in implementing new security procedures after September 11, 2001—which allowed the airport to reopen just three weeks after the devastating attack.

After 7 years at Reagan National, Mr. Browne became the Airport Manager and Vice President of Washington Dulles International where he oversaw a staff of over 500 employees and was responsible for an aviation revenue stream exceeding \$400 million.

In his next endeavor, Mr. Browne will take on new responsibilities as Deputy Director of the Smithsonian Institution's National Air and Space Museum. He will remain connected to aviation through the Air and Space Museum, which includes the Udvar-Hazy facility on the Dulles campus.

At this moment, Mr. Speaker, I ask that my colleagues join me in extending our sincerest thanks to Mr. Browne for his service to our nation and all the work he has done for the MWAA and the airports in the National Capital Region.

ALEXIS CHAMPAGNE EARNS GIRL
SCOUT GOLD AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Alexis Champagne of Katy, TX, for earning her Girl Scout Gold Award.

The Gold Award is the highest achievement a Girl Scout can earn. To earn this distinguished award, Alexis had to spend at least 80 hours developing and executing a project that would benefit the community and have a long-term impact on girls as well. Her Gold award project was the launch of the Bob Cat Book Nook book sharing program at Garland McMeans Jr High School in Cinco Ranch, TX. Alexis hosted a book drive for two months, and she used donations to stock the bookshelves of the Junior High School. Students can borrow and return books for free or replace them with other books brought from home. Alexis said the goal of the book nook is to help increase reading and lead to higher test scores. Her project has impacted over 1,000 people.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Alexis Champagne for earning her Gold Scout Gold Award. We are confident she will have continued success in her future endeavors. We are very proud.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. PERLMUTTER. Mr. Speaker, on January 10, 2017, I was not present to vote on H.R. 79, the "Helping Angels Lead Our Startups Act."

Had I been present for rollcall No. 31, I would have voted "YEA."

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. CROWLEY. Mr. Speaker, on January 10, 2017 I was absent for recorded vote No. 26.

Had I been present, I would have voted "No" on Roll Call No. 26.

PERSONAL EXPLANATION

HON. CHRIS COLLINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. COLLINS of New York. Mr. Speaker, I was absent from votes January 4 and January 5, 2017. Had I been present, I would have voted: NAY on Roll Call No. 7; YEA on Roll Call No. 8; YEA on Roll Call No. 9; YEA on Roll Call No. 10; YEA on Roll Call No. 11; YEA on Roll Call No. 12; NAY on Roll Call No. 13; NAY on Roll Call No. 14.

NAY on Roll Call No. 15; NAY on Roll Call No. 16; NAY on Roll Call No. 17; NAY on Roll Call No. 18; NAY on Roll Call No. 19; NAY on Roll Call No. 20; YEA on Roll Call No. 21; NAY on Roll Call No. 22; YEA on Roll Call No. 23.

IN HONOR OF CHARLOTTE MOTOR
SPEEDWAY BEING NAMED "OUT-
STANDING FACILITY OF THE
YEAR"

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. HUDSON. Mr. Speaker, I rise today to recognize Charlotte Motor Speedway for being named the Race Track Business Conference's "Outstanding Facility of the Year." I am proud to represent Charlotte Motor Speedway in Congress, and I want to congratulate Marcus Smith and his entire team for making this premiere track such an incredible asset for our community.

Built in 1959, Charlotte Motor Speedway has become one of the crown jewels of the racing community. Each year, the speedway plays host to three premier NASCAR events—the NASCAR Sprint All-Star Race, the Coca-Cola 600, and the Bank of America 500—as well as more than three dozen other events for fans of all ages. The "fans first" mentality that has been embodied by the team since their earliest days has allowed them to create an atmosphere that is unrivaled in the motor-sports world.

While the 1.5 mile long superspeedway may be the largest attraction, the entire Charlotte Motor Speedway complex expands nearly 2,000 acres and features a multitude of racing options including a 2.25 mile road course and the zMAX Dragway. The variety of racing options and top notch accommodations make

any trip to the speedway a special occasion. It is no wonder the track continues to receive high praise from competitors and fans alike year after year. The efforts of all of those at the speedway have made it a truly special place both in motorsports and our local community. There is no doubt in my mind that Charlotte Motor Speedway will continue to provide a unique experience for everyone that visits, and it is my hope its leadership team will continue the innovative approach that has brought so much success to our community.

Mr. Speaker, please join me today in congratulating Charlotte Motor Speedway on earning this impressive distinction and well-deserved honor as the "Outstanding Facility of the Year."

RECOGNITION OF PROJECT VIDA

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. HURD. Mr. Speaker, I rise today in recognition of the 25 year anniversary of Project Vida in El Paso, Texas.

Project Vida was founded in 1991 with the support of residents of El Paso's Chamizal neighborhood and the Presbyterian Church. The institution's first goal was to support the community's self-determined needs to help improve lives. Over the years, Project Vida has expanded its services to provide dental and behavioral health care; early childhood education and child care; affordable housing as well as gang and homelessness prevention.

The contributions of Project Vida have been invaluable to the residents of El Paso's Chamizal neighborhood over the past 25 years. There is no question that the program will continue to set the precedent for community care. I am proud to represent such a dedicated program and to congratulate its dedicated staff and supporters on 25 years of service to others.

RECOGNIZING PAUL BOOTH ON A LIFETIME OF PROGRESSIVE ACHIEVEMENT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Ms. SCHAKOWSKY. Mr. Speaker, today I rise to recognize my friend Paul Booth for his lifetime of contributions to the progressive movement as an activist, organizer, mentor and leader. Throughout a remarkable career spanning more than half a century, his commitment to giving voice to the voiceless has been tenacious and unflagging.

Born in 1943, Paul was raised in Washington, D.C. where he was imbued by his parents—a psychiatric social worker and a Social Security architect in the Roosevelt administration—with a public service ethic. While attending Swarthmore College, Paul also became an early leader, and eventually National Secretary, of Students for a Democratic Society,

one of the most influential youth activism organizations in the nation's history. He was instrumental in crafting the Port Huron Statement, the clarion call of the student movement. In 1965, he organized the first march on Washington protesting the Vietnam War and the first sit-in at the Chase Manhattan Bank, bringing to light the bank's affiliation with the pro-apartheid regime in South Africa.

As a young man, Paul brought his dogged activism to the labor movement, serving as a researcher at the Adlai Stevenson Institute and, beginning in 1966, as Research Director for the United Packinghouse Workers of America. Through Citizens Action Program, a major progressive organizing force in Chicago where I first got to know him, Paul co-chaired the first Metropolitan Alinsky Organization.

It was in 1974 that Paul began his more than 40-year association with the American Federation of State, County and Municipal Employees (AFSCME). His innumerable contributions over the years—his strong leadership, organizing skills and strategic acumen—have made AFSCME a union powerhouse and fundamentally improved the lives of millions of working people.

Paul helped organize and found AFSCME Council 31 in Illinois. As its Assistant Director, Paul's many accomplishments included securing the first union contract for 40,000 state workers and 7,000 city of Chicago employees. He also negotiated historic pay-equity provisions for city workers. And as an ally of Mayor Harold Washington, Paul helped defeat the old patronage machine and build a diverse, multi-racial union.

In 1988, Paul brought his experience and expertise to AFSCME headquarters in Washington. There, as Director of Field Services, he laid the groundwork for the formation of AFSCME—United Nurses of America and AFSCME—Corrections United. As Assistant to President Gerald McEntee and Executive Assistant to President Lee Saunders, Paul helped shape the strategic goals of the union, as well as the labor movement as a whole. As he retires from AFSCME effective February 28, he leaves behind a rich legacy and a lasting record of achievement.

Paul met his partner in life and work, Heather, 50 years ago at a University of Chicago anti-war sit-in that she helped organize. Always ardent in his pursuit of a goal, he proposed to her three days later. Together, they've channeled their shared interests into The Midwest Academy, a training institute committed to advancing the struggle for social, economic and racial justice. Paul continues to mentor the next generation of activists and fight for workers' rights through his leadership in numerous projects and organizations, including Jobs with Justice and Restaurant Opportunities Centers United.

Paul has passed along his passion for social justice to his sons, Gene and Dan. They, along with his daughters-in-law and five grandchildren, are a source of unending happiness and pride. For Paul, I know that more time with all of them will be the best part of retirement.

On a personal note, I want to express my gratitude to Paul for being an inspiration, teacher and, above all, a dear friend to me over the last many decades.

For his devotion to family, progressive leadership and ceaseless advocacy for the dignity of all, I'm pleased to recognize Paul Booth and wish him the very best in life's next chapter.

ANALYSIS OF H.R. 5 FROM THE 112TH CONGRESS

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 2017

Mr. GOODLATTE. Mr. Speaker, I include in the RECORD an analysis of a previous version of H.R. 5 from the 112th Congress:

NOVEMBER 2, 2011.

Re H.R. 3010, the Regulatory Accountability Act of 2011

Hon. LAMAR SMITH, *Chairman*, Hon. JOHN CONYERS, Jr., *Ranking Member*, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN AND RANKING MEMBER CONYERS: The undersigned practitioners and scholars in the field of administrative law, and former regulatory officials in the White House, OMB and federal agencies, have reviewed the provisions of H.R. 3010, the Regulatory Accountability Act of 2011. H.R. 3010 would reform the Administrative Procedure Act's rulemaking provisions to enhance the quality of federal regulation, enhance democratic accountability and oversight for administrative policymaking, and improve policy outcomes for the American people. We strongly support the Committee's effort to enhance the analysis, justification, transparency of, and participation in, federal rulemaking, and we respectfully request that the Committee include this letter in the record.

In its current form, the Administrative Procedure Act (APA) does not adequately regulate the federal rulemaking process. It does not obligate agencies to rigorously define and characterize the need for regulation. It does not require agencies to identify the costs of regulations—including both compliance costs and impacts imposed on the economy and general welfare. It does not require agencies to carefully identify and assess the benefits to be achieved by new regulations, and does not compel agencies to choose the least burdensome, lowest-cost regulation that would achieve the statutory objectives. In short, the APA does not necessarily ensure that agencies justify their regulations in accordance with the highest standards the public deserves. H.R. 3010 would correct this.

H.R. 3010's critics argue that the bill would impose new burdens on agencies, by interposing additional analytic hurdles before agencies could adopt new regulations. First, it is important to understand that the bill's regulatory standards, and its analytic and justification requirements, are not fundamentally new—they have been previously developed and applied in Executive Orders issued by Presidents Reagan, Clinton and Obama. The bill would effectively codify existing principles and standards from these Executive Orders in law. Second, while agencies would surely take the codified legal standards and requirements very seriously, and thus experience somewhat greater compliance burdens, that is not necessarily unreasonable or unwarranted. We believe the American public would view such additional safeguards as appropriate.

To be clear, we do not oppose environmental, health, safety or economic regulation. Nor do we believe that only a regulation's costs should be carefully tabulated and weighed. We agree that the benefits of many well-designed regulations can obviously be highly valuable to society, and we recognize that sound regulations can certainly reflect benefits that include intangible, non-quantifiable values (such as environmental, moral, ethical, aesthetic, social, human dignity, stewardship and other non-pecuniary or practical factors).

Taken together, we believe that all such costs and all such benefits must be rigorously analyzed, assessed, justified and scrutinized before significant new rules are imposed on the public, the economy, affected parties and regulated entities. Quite simply, that is "accountability."

The heads of regulatory agencies exercise extensive delegated policymaking authority, but are not directly accountable to the public through the democratic process. Accordingly, it is entirely reasonable, appropriate and, indeed, essential, for Congress to (i) specify in law more stringent criteria for rulemaking, (ii) facilitate substantial Presidential oversight of agency regulations (including those promulgated by "independent" agencies), (iii) enable more robust public participation in the rulemaking process, (iv) require regulations to be based on more reliable data and other relevant inputs, and (v) provide for more effective judicial scrutiny of the final regulations.

Of course, Congress often delegates its policymaking power to agencies, and it is incontrovertible that agencies' rulemaking can often be as highly consequential and important to the public as the congressionally enacted laws themselves. But for that very reason, regulation must not be undertaken without very careful consideration and observation of the most stringent procedures and analysis. The fact that the bill's requirements would embody existing regulatory review duties and obligations (based on numerous Executive Orders) in the APA itself is not objectionable. Before regulatory agencies impose new burdens on the public and the economy, the agencies should spend the time and make the effort to make sure they get the balance right for the overall benefit of society.

Accordingly, we view the Regulatory Accountability Act as serving the public well by mandating in statutory text that new regulations be thoroughly and meaningfully justified. Indeed, to the extent feasible, we would recommend that Congress avail itself of the same cost-benefit analysis prior to enacting regulatory legislation so as to avoid imposing unjustified regulatory mandates that agencies cannot fully resolve in the rulemaking process.

As noted above, far from imposing partisan or ideologically divisive requirements, H.R. 3010 embodies and implements a long-standing, bipartisan consensus on the proper principles of regulatory review and reform: Presidents Reagan, George H.W. Bush, Clinton, George W. Bush and—most recently and emphatically—President Obama, have all issued or implemented Executive Orders calling for rigorous justification of the need for regulation, careful cost-benefit analysis before imposing new regulatory requirements, reliance on sound science, and selection of the least burdensome regulatory alternatives that meet the relevant statutory objectives.

H.R. 3010 would take those Executive Branch principles and codify them, thereby preserving in federal statutes the very values set forth in President Obama's recent Orders:

Our regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation.

It must be based on the best available science.

It must allow for public participation and an open exchange of ideas.

It must identify and use the best, most innovative, and least burdensome tools for achieving regulatory ends.

It must take into account benefits and costs, both quantitative and qualitative.

Each agency must, among other things:

(1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs (recognizing that some benefits and costs are difficult to quantify);

(2) tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations;

(3) select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt; and

(5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

Regulations shall be adopted through a process that involves public participation.

Each agency, consistent with Executive Order 12866 and other applicable legal requirements, shall endeavor to provide the public with an opportunity to participate in the regulatory process.

Each agency shall also provide, for both proposed and final rules, timely online access to the rulemaking docket on regulations.gov, including relevant scientific and technical findings, in an open format that can be easily searched and downloaded.

Before issuing a notice of proposed rulemaking, each agency, where feasible and appropriate, shall seek the views of those who are likely to be affected, including those who are likely to benefit from and those who are potentially subject to such rulemaking.

Each agency shall identify and consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public.

Each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions.

Wide regulatory decisions depend on public participation and on careful analysis of the likely consequences of regulation.

Such decisions are informed and improved by allowing interested members of the public to have a meaningful opportunity to participate in rulemaking.

To the extent permitted by law, such decisions should be made only after consideration of their costs and benefits (both quantitative and qualitative).

Executive Order 13563 of January 18, 2011, "Improving Regulation and Regulatory Review," directed to executive agencies, was meant to produce a regulatory system that protects "public health, welfare, safety, and

our environment while promoting economic growth, innovation, competitiveness, and job creation."

Independent regulatory agencies, no less than executive agencies, should promote that goal.

Executive Order 13563 set out general requirements directed to executive agencies concerning public participation, integration and innovation, flexible approaches, and science. To the extent permitted by law, independent regulatory agencies should comply with these provisions as well.

Indeed, the Regulatory Accountability Act would implement President Obama's recent call for "public participation and open exchange" before a rule is proposed. Specifically, H.R. 3010 would create an Advance Notice of Proposed Rulemaking stage for major rules (\$100M+). In this early notice, the agency would identify the problem it wishes to address through regulation and articulate the specific legal authority for doing so; disclose its preliminary views on the direction of the prospective regulation, and provide information concerning possible regulatory alternatives; and invite the public to submit written comments on these issues. While this adds a step in the regulatory process, it is one that allows interested parties a greater opportunity to help the agency reach a sound outcome.

The bill would also obligate agencies to rely on better scientific and technical data. While agencies must exercise their expert judgment, it is impossible to argue against the proposition that they should use the best data and other inputs available. Affected parties can invoke judicial and administrative remedies to ensure that agencies rely on scientific and technical evidence that meets the standards of the Information Quality Act. This is, of course, consistent with President Obama's call for regulating "based on the best available science." This is unassailable. If agencies cannot disclose and defend the data they rely on as being the best available, they cannot possibly be confident enough in their regulatory analysis to impose new requirements on the basis of the data at their disposal.

The Committee may also wish to consider the possible application, or adaptation, of the Supreme Court's decision in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, in the regulatory context. In *Daubert*, the Court empowered federal judges to reject irrelevant or unreliable scientific evidence, thus providing the judiciary a mandate to foster "good science" in the courtroom and to reject expert testimony not grounded in scientific methods and procedures. Some federal agencies have been criticized for lacking a commitment to sound science. Too often, federal courts have accorded great deference to uphold agency decisions that may have been based on faulty scientific evidence or unsupported assumptions and conclusions.

Daubert principles could be applied to the review of agency rulemaking under the APA because these principles are consistent with the APA requirement that agencies engage in reasoned decisionmaking, would assure better documentation of agencies' scientific decisions, and would enhance the rigor and predictability of judicial review of agency action based on scientific evidence. This approach would be entirely congruent with the Regulatory Accountability Act's requirement that regulations be based on the best available science. Applying the *Daubert* principles in judicial review of agency action would allow courts to evaluate the scientific methods and procedures employed by agencies, but must not allow judges to substitute

their own policy preferences or conclusions for those chosen by the agencies. The courts' review need not be heavy-handed; it can be both deferential and probing, ensuring that agencies formulate and comply with procedures tailored to producing the best results, while not dictating what those results must be in any given case.

Incorporating, or adapting, Daubert principles into administrative law would improve agency decisionmaking and enhance accountability. Agencies would be compelled to identify the most reliable and relevant scientific evidence for the issue at hand and disclose the default assumptions, policy choices, and factual uncertainties therein. Applying Daubert in the administrative context would refine judicial review of agency science, resulting in greater consistency and rigor.

We also believe that it is reasonable that H.R. 3010 would expose more agency pronouncements, such as agency guidance documents, to more rigorous standards. Specifically, the bill would adopt the good-guidance practices issued by OMB in 2007 (under then-Director, and now Senator, Portman). Such agency guidance would be clearly noted as "non-binding," and would not be entitled to substantial judicial deference.

The heart of the bill is to build cost-benefit analysis principles into each step of the rule-making process—proposed rule, final rule, and judicial review. As noted earlier, these principles are drawn from Executive Orders issued by Presidents Reagan and Clinton and emphatically reaffirmed by President Obama. The bill would make those principles permanent, enforceable and applicable to independent agencies. Compliance with these codified requirements would be subject to judicial review.

Significantly, the bill would require agencies to adopt the "least costly alternative that will achieve the objectives of the statute authorizing the rule." It permits agencies to adopt a more costly approach only if the agency demonstrates that the added costs justify the benefits and that the more costly rule is needed to address interests of public health, safety, and welfare that are clearly within the scope of the statute. This is consistent with the White House's recent instruction to federal agencies to "minimize regulatory costs" and the President's directive to "tailor regulations to impose the least burden on society." (Exec. Order 13,563)

For high impact, billion-dollar rules, additional procedures would apply—which seems entirely reasonable given the resulting consequences for the public and the economy. Most importantly, affected parties will have access to a fair and open forum to question the accuracy of the views, evidence, and assumptions underlying the agency's proposal. The hearing would focus on (1) whether there is a lower-cost alternative that would achieve the policy goals set out by Congress (or a need that justifies an higher cost than otherwise necessary); (2) whether the agency's evidence is backed by sound scientific, technical and economic data, consistent with the Information Quality Act; (3) any issues that the agency believes would advance the process. Parties affected by major rules (\$100M+) would also have access to hearings, unless the agency concludes that the hearing would not advance the process or would unreasonably delay the rulemaking.

Following the hearing prescribed in the bill, high-impact rules would be reviewed under a slightly higher standard in court—so-called "substantial evidence" review. While this standard is still highly deferential

to the agency's judgments, it allows a court reviewing major rules to ensure that an agency's justifications are supported by "evidence that a reasonable mind could accept as adequate to support a conclusion based on the record as a whole."

We understand that these additional review and analysis requirements are not perfunctory and may not be easy for agencies to accomplish. However, we believe that because of the extensive delegation of essentially legislative authority from Congress and policymaking discretion that agencies exercise, and the substantial deference that agencies enjoy from the courts, the public deserves more analysis and justification before agencies acts. Moreover, we believe that the public also expects the President to influence and control rulemaking by all federal agencies, and thus we support greater centralized White House review of agency regulations—including independent agencies—on behalf of the President by the Office of Information and Regulatory Affairs at OMB (in the Executive Office of the President). We believe the bill, which clearly applies its regulatory standards to independent agencies, should also make clear that the President is responsible for, and entitled to review, the rules issued by independent agencies such as the SEC, CFTC, FCC, FTC, CPSC, CFPB, etc.

The need for such Presidential authority is manifest. For example, in a recent case before the U.S. Court of Appeals for the D.C. Circuit, *In re Aiken County*, the presidentially controlled Department of Energy and the independent Nuclear Regulatory Commission did not actually agree on the merits of how to handle nuclear waste at Yucca Mountain. This prompted Circuit Judge Brett Kavanaugh to explain why the lack of presidential authority and control is constitutionally and politically dubious. Quoting both Alexander Hamilton in the *Federalist Papers* and the Supreme Court in *PCAOB*, he wrote that "the issue created by Humphrey's Executor is that the President's decision on the Yucca Mountain issue is not the final word in the Executive Branch. In other cases, the issue created by Humphrey's Executor is that it allows Presidents to avoid making important decisions or to avoid taking responsibility for decisions made by independent agencies. When independent agencies make such important decisions, no elected official can be held accountable and the people "cannot 'determine on whom the blame or the punishment of a pernicious measure, or series of pernicious measures ought really to fall.'"

President Obama has acknowledged the importance of Presidential review of independent agency rulemaking in recent, July 11, Executive Order. (Executive Order, 13,579) His Order requests (but does not command) that the independent agencies to submit the regulations they issue to the same principles applicable throughout the parts of the Executive Branch for which he is directly accountable. Specifically, independent agencies are now asked to scrutinize existing and future regulations in accordance with cost-benefit analysis. He also asks them to assure that regulatory policy is cost-effective and protective of innovation and job creation. Perhaps most importantly, independent agencies should also make sure that there is a real problem that needs to be solved before regulating, and then choose the least burdensome regulatory alternative that prevents or abates that harm. The bill currently before Congress should thus make clear—not only that independent agencies are subject to the

salutary standards of cost-benefit analysis and rigorous policy justification—but also, that the President has the power and responsibility to review and control all such Executive Branch rulemaking.

While we endorse the bill's proposed codification of regulatory standards, analytic criteria, and accountability principles, we would also recommend that Congress consider incorporating the prospectively duplicative provisions of the Regulatory Flexibility Act (with regard to cost-benefit analysis for small business) and the Unfunded Mandates Reform Act (with regard to cost-benefit analysis and minimization of burdens on states, tribes and private sector; though UMRA does not currently apply to independent agencies). Moreover, as previously noted, we also believe the bill should specifically authorize the President to oversee rulemaking by independent agencies. The President's responsibility to oversee independent regulatory agencies, like the Consumer Financial Protection Board, for example, would ensure that the regulations adopted by such agencies are in the overall best interest of the American people.

Thank you for considering our views.

Respectfully submitted,

Alan Charles Raul, Former Vice Chairman, White House Privacy and Civil Liberties Oversight Board, Former General Counsel, U.S. Department of Agriculture, Former General Counsel, Office of Management and Budget, Former Associate Counsel to the President.

C. Boyden Gray, Boyden Gray & Associates, Former Ambassador to the European Union, Former Counsel to the President, Former Counsel to the Vice President.

James C. Miller III, Former Director of the Office of Management and Budget, Former Chairman of the Federal Trade Commission, Former Administrator of the Office of Information and Regulatory Affairs, OMB.

David L. Bernhardt, Former Solicitor, Department of the Interior.

Adam J. White, Boyden Gray & Associates. Eileen J. O'Connor, Former Assistant Attorney General, Tax Division, U.S. Department of Justice.

Daren Bakst, Director of Legal and Regulatory Studies, John Locke Foundation.

Jeffrey R. Holmstead, Former Assistant Administrator of the Environmental Protection Agency for Air and Radiation, Former Associate Counsel to the President.

Jeffrey Bossert Clark, Former Deputy Assistant Attorney General, Environment & Natural Resources Division, United States Department of Justice.

David R. Hill, Former General Counsel, U.S. Department of Energy.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily

Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 12, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 17

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the nomination of Ryan Zinke, of Montana, to be Secretary of the Interior.

SD-366

5 p.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of Betsy DeVos, of Michigan, to be Secretary of Education.

SD-430

JANUARY 18

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Wilbur L. Ross, Jr., to be Secretary of Commerce.

SD-G50

Committee on Environment and Public Works

To hold hearings to examine the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency.

SD-406

Committee on Foreign Relations

To hold hearings to examine the nomination of Nikki R. Haley, of South Carolina, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative to the United Nations.

SD-419

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of Tom Price, of Georgia, to be Secretary of Health and Human Services.

SD-430

SENATE—Thursday, January 12, 2017

The Senate met at 12:30 p.m. and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, in these challenging days, our hearts are steadfast toward You. Lift from our lawmakers all discouragement, cynicism, and mistrust. Lead them safely to the refuge of Your choosing, for You desire to give them a future and a hope.

Lord, give our Senators the power to do Your will, as they more fully realize that they are servants of Heaven and stewards of Your mysteries. Provide them with the wisdom to make faith the litmus test by which they evaluate each action, as they refuse to deviate from the path of integrity.

Lord, keep them from being careless about their spiritual and moral growth, as You give them the courage and the grace to fulfill Your purposes.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The **PRESIDING OFFICER**. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 12, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. LANKFORD thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The **ACTING PRESIDENT** pro tempore. The majority leader is recognized.

OBAMACARE REPEAL

Mr. McCONNELL. Mr. President, the Senate just passed the legislative tools needed to repeal and replace ObamaCare. This is a critical step forward—the first step toward bringing relief from this failed law. The resolution now goes to the House. They will take it up soon. The next step will then be the legislation to finally repeal ObamaCare and move us toward smarter health policies.

The repeal legislation will include a stable transition period as we work toward patient-centered health care. We plan to take on the replace challenge in manageable pieces with step-by-step reforms. We can begin to make important progress within that repeal legislation, and we will continue to work with the incoming administration and the House in developing what comes next.

There are other steps we can take as well, including important administrative steps like confirming TOM PRICE as Secretary of Health and Human Services and Seema Verma as CMS Administrator. They can start stabilizing the health insurance markets that ObamaCare has thrown into turmoil, and they can start bringing relief to the American people. There is a lot they can do.

There is lot we can do. We may not be responsible for ObamaCare and the harm it has done to so many, but we have been clear about our commitment to bringing relief from it. From skyrocketing premiums and deductibles to dwindling options on the exchanges, too many families don't know how they will continue to endure the consequences associated with ObamaCare. These families have called for a helping hand. They have called for Congress to listen to their concerns, and they have called for us to finally build a bridge away from ObamaCare and toward health policies that put them first. We just took a decisive step toward that goal last night.

Repealing and replacing ObamaCare is a big challenge. It isn't going to be easy. Nonetheless, we are committed to fulfilling our promise to the American people—and we will.

RECOGNITION OF THE MINORITY LEADER

The **ACTING PRESIDENT** pro tempore. The Democratic leader is recognized.

NOMINATION OF REX TILLERSON

Mr. SCHUMER. Mr. President, I came to the floor yesterday to voice

my serious concerns with some of the remarks made by the Secretary of State nominee, Rex Tillerson, in his hearing.

I was worried that his milquetoast posture toward Russia, especially his failure to support strong U.S. sanctions—existing or proposed—bespoke a fundamental misreading of the geopolitical climate and the true nature of our international security challenges.

I was worried that, as Secretary of State, he only promised to recuse himself from matters involving Exxon for a period of 12 months. Exxon's interests overseas aren't going away after 1 year. That is not good enough to resolve what is, potentially, a massive conflict of interest.

I am worried that Mr. Tillerson, as CEO and chairman of ExxonMobil, conducted business with all three foreign state sponsors of terrorism through a foreign subsidiary in a way that allowed Exxon to evade U.S. sanctions. As the head of Exxon, Mr. Tillerson did business with the terrorism trifecta: Iran, Syria, and Sudan. This raises serious questions that the man who is nominated to be the face of the United States to the world has so much experience doing business with our most prominent and concerning adversaries.

At the hearing, under questions from the senior Senator from New Jersey and the Senator from Oregon, Mr. Tillerson denied having knowledge of these dealings and directed the Senators to seek more information from ExxonMobil itself. Three times he told the committee that he "did not recall" any of the details. Throughout the afternoon, it sounded like he was following the dodgeball rules for confirmation hearings: Dodge, dip, duck, dive, and dodge. In fact, he basically admitted it to the junior Senator from Virginia.

I just read in the Washington Post that, on three separate occasions, the SEC, or the Securities and Exchange Commission, wrote letters directed to Mr. Tillerson himself seeking more information on these undisclosed dealings during his tenure as CEO and chairman—once on January 6, 2006, once on May 4, 2006, and again on December 1, 2010.

In general, I like to give people the benefit of the doubt. But it gives me great concern that Mr. Tillerson says he has zero recollection of an SEC inquiry into his company's business dealings with foreign state sponsors of terrorism—real concern. He got three letters from the SEC on a matter of major, major importance that would concern the whole corporation—the

giant ExxonMobil—and he says he doesn't recall. This is the kind of matter that should be handled and approved by an organization's most senior leader.

Mr. Tillerson presents himself as a hands-on manager. It defies credibility to believe he doesn't recall. This is extraordinarily troubling because either one of two things is true. Either Mr. Tillerson was aware of these SEC letters and was familiar with these dealings but didn't want to answer the questions honestly, or, indeed, he had no knowledge of consequential financial disclosures made by his own company. If we consider that, in concert with all the other things he claimed to have "no knowledge of"—including the widely reported extrajudicial killings in the Philippines, whether or not Saudi Arabia was a human rights violator—imagine, he had no knowledge of whether Saudi Arabia was a human rights violator; people in a fifth grade world history class would know that—whether or not his company was engaged in lobbying against, or perhaps for, energy sanctions—then maybe Mr. Tillerson does not have the necessary management skills or knowledge base to be the chief diplomat of the United States of America, running a Department that is obviously worldwide, far-flung, and with thousands and thousands and thousands of employees.

Simply put, we need answers. What did Mr. Tillerson know and when did he know it? The American people expect their Secretary of State to be straightforward and honest with them—not coy, not dissembling. Most importantly, they expect him or her to have the interests of the American people and our friends and allies around the world at the forefront of their mind.

Unfortunately for Mr. Tillerson, and for this country, yesterday's hearings and today's reports raise more questions than answers. The American people deserve answers.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Democratic whip.

DACA AND BRIDGE ACT

Mr. DURBIN. Mr. President, in 8 days, just a short distance from this Senate Chamber, Donald Trump will be

sworn in as the 45th President of the United States. On that date, January 20, 2017, the fate of more than 750,000 young American immigrants will hang in the balance. They will be waiting to learn if they have a place in America's future or whether they will lose their legal status to stay in the United States. For many of them, it is a period of the highest anxiety, wondering what is going to happen next.

It was 7 years ago that I sent a letter to President Obama. I had introduced the DREAM Act, which said that if you were brought to America as a child, an infant, or an adolescent, lived here all your life, went to school and did well, and had no criminal record of any consequences, we would give you a chance to stay. Over a period of time, you would be able to become legal in America—a citizen in America. Sixteen years ago, I introduced it, and we passed it once in the Senate, once in the House, and never, ever made it the law of the land.

I wrote to President Obama, with Senator Dick Lugar, Republican of Indiana, and said: Find some way, if you can, as President, to protect these young DREAMers, as we call them. And he did. It is called DACA, Deferred Action for Childhood Arrivals.

What it basically said is that if you qualify under the DREAM Act, you could pay a filing fee of almost \$500, go through a criminal background check and interview, and, then, if you qualify, you will be given a 2-year temporary protection from deportation and the ability to work. So far, over 750,000 young people have come forward. They have made such a difference in their own lives, in the lives of their families, and even in our country.

I have come over 100 times to tell their stories, and I will tell another one today. But I want to also announce that today we have a significant bipartisan breakthrough for this Congress: Republican Senator LINDSEY GRAHAM of South Carolina and I have introduced the BRIDGE Act. The BRIDGE Act, which has bipartisan sponsorship, would say that even if we eliminated President Obama's Executive order, we would protect these young people from deportation and allow them to continue to work and study.

I want to thank Senator GRAHAM. He has been a terrific partner.

This is an issue which weighs heavily on my mind and conscience. We believe this is a reasonable way to extend this protection and to say to Congress in the meantime: Get to work. Roll up your sleeves. Pass a comprehensive immigration bill. Work with the new President, work with both sides, Democrats and Republicans, and come up with an approach.

I thank Senator GRAHAM for joining me in the introduction of this BRIDGE Act.

For the young people across America, I can tell you, I understand your fears.

I understand your anxiety. There are many of us who are dedicated to making certain that this ends well for you and for your family.

There are pretty amazing young people who are in that category I have addressed. One of them is Jose Espinoza. At the age of 2, Jose Espinoza was brought here from Mexico. He grew up in the northwest suburbs of Chicago and became an excellent student. In high school, he was a member of the National Honor Society, and he graduated in the top 3 percent of his class. He was elected to the student council every year in high school, the treasurer, vice president, editor of the high school yearbook, mentored and taught physical education to a freshman class of 40 students. He was also captain of the varsity track and field team and a member of the soccer team and the school orchestra.

In his spare time, if there was any, Jose volunteered with the United Way, and as a result of his academic record and volunteer service, he received a college scholarship from the United Way.

Incidentally, DREAMers—undocumented—don't qualify for any Federal assistance for their education, so they have to find it in other places. His work with the United Way helped to pay his way at the college. He went to the University of Illinois at Urbana-Champaign and received multiple academic awards and continued his volunteer service with Alpha Phi Omega, a national service fraternity. He received the Distinguished Service Key, the fraternity's highest award. He graduated with a bachelor of science in kinesiology and then went on to earn a master's degree in public health at the University of Illinois.

In his last semester of graduate school, President Obama announced the DACA Program, which I described earlier. He applied, signed up, and became part of that DACA Program.

What is he doing today with his master's degree, with his opportunity to work in fields of public health and such? He signed up for Teach For America. We know Teach For America is a national nonprofit organization that places talented recent college graduates in urban and rural schools that have a shortage of teachers. Jose is currently a high school physics and public health teacher in the city of Chicago.

He wrote me a letter, and he said:

DACA changed my life in more ways than I can ever explain. It has given me the power to help others, the freedom to travel, and the right to legally work without fear of deportation. Simply put, without DACA, I wouldn't exist for my students and my community.

If DACA is eliminated, what will happen to Jose? The day after DACA, he won't be able to teach. He could be deported back to Mexico, where he hasn't

lived since he was a 2-year-old toddler. That would be a tragedy, not just for Jose and his family but for this Nation. This is a fine young man who, against great odds, undocumented, has written this amazing record in his young life. He is a giving person. He could be making a lot more money than his pay with Teach For America in an inner city school.

Do we need Jose Espinoza in America's future? I think we do. That is why I am happy that this BRIDGE Act would give him a chance and Congress a chance to address this issue of DREAMers. I hope President-Elect Trump will understand this and continue the DACA Program. If he decides to end the DACA Program, I hope his administration will work closely and rapidly with Congress to pass the BRIDGE Act into law.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROVIDING FOR AN EXCEPTION TO A LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS A REGULAR COMMISSIONED OFFICER OF THE ARMED FORCES—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to S. 84.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 84, a bill to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

The ACTING PRESIDENT pro tempore. The motion is nondebatable.

The question is on agreeing to the motion.

The motion was agreed to.

PROVIDING FOR AN EXCEPTION TO A LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS A REGULAR COMMISSIONED OFFICER OF THE ARMED FORCES

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 84) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

The ACTING PRESIDENT pro tempore. Under the provisions of Public Law 114-254, there will now be up to 10 hours of debate, equally divided between the two leaders or their designees.

Mr. McCONNELL. Mr. President, we are on the Mattis waiver.

Anyone who would like to debate, please come over.

In the meantime, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JEFF SESSIONS

Mr. BLUMENTHAL. Mr. President, the Senate is holding hearings on each of President-Elect Trump's nominees to his Cabinet. Traditionally, Presidents are accorded a very high level of deference on assembling their own team, in part because these nominees are directly accountable to the President. But they are accountable to the American people too.

No Cabinet member is more powerful or has more impact on the day-to-day lives of Americans than the Attorney General of the United States.

The Attorney General is, indeed, a general, in command of an army of thousands of lawyers whose words carry enormous weight and power. It is the weight and power of the people of the United States. He speaks for us. He charges defendants in our name. He has sweeping authority to bring criminal charges in all Federal offenses, enormous unreviewable discretion in cases ranging from minor misdemeanors to the most serious felonies. In every sense, as capital penalties can be sought for some of these crimes, he wields the power of life and death.

The Attorney General's authority is not only sweeping, it is uniquely independent of the President's Cabinet. His decisions must supersede partisan politics. In most cases, there is no recourse to overrule his decisions unless there is political interference. He is not just another government lawyer or even just another member of the President's Cabinet. He is the Nation's lawyer, and

he must be the Nation's legal counsel and conscience.

The job of U.S. Attorney General at stake here is one that I know pretty well. Like some of my colleagues in this body, I served as U.S. attorney, the chief Federal prosecutor in Connecticut.

I reported to the U.S. Attorney General. For years afterward as a private litigator and then as attorney general of the State of Connecticut for 20 years, I fought alongside and sometimes against the U.S. Attorney General and the legal forces at his disposal. I have seen his power, or hers, firsthand. The power of this Attorney General is awesome, as is that of any Attorney General.

In the best of cases, they are inspiring too. Even as he protects the public from vicious and violent criminal offenders, his role is also to protect the innocent from unfounded charges that could shatter their lives even if they are acquitted. As Justice Robert Jackson, a former Attorney General himself, once said: His job is not to convict, but to assure justice is done.

So this job requires a singular level of intellect and integrity and non-partisan but passionate devotion to the rule of law and an extraordinary sense of conscience. That is because he is responsible for so much more than prosecuting and preventing crime and ensuring public safety. He is responsible for aggressively upholding our Nation's sacred constitutional commitment to protecting individual rights and liberties and preventing infringement on them, even by the government itself, maybe especially by the government.

This responsibility for safeguarding equal justice under the law is particularly important today, at a time when those civil rights and freedoms are so much in peril. This historic moment demands a person whose life work, professional career, and record shows that he will make the guarantee under our Constitution of equal justice under law a core mandate of his tenure.

Having reviewed the full record and recent testimony, regrettably and respectfully, I cannot support the President-elect's nominee, our colleague and friend JEFF SESSIONS, for this job.

At his confirmation hearing, Senator SESSIONS simply said he would follow the law and he would obey it, but the Attorney General of the United States must be more than a follower. He must be a leader in protecting the essential constitutional rights and liberties. He must be a champion, a zealous advocate. He must actively pursue justice, not just passively follow or obey the law.

Senator SESSIONS' record reflects a hostility and antipathy—in fact, downright opposition—to civil rights and voting rights, women's health care and privacy rights, antidiscrimination measures, and religious freedom safeguards. He has prided himself on his

vociferous opposition to immigration reform legislation, a measure that passed this body with 68 bipartisan votes, and a criminal justice reform bill that has attracted a group of 25 co-sponsors, Democrats and Republicans. He even split with the majority of his own party to vote against reauthorizing the Violence Against Women Act. He opposed hate crime prohibitions. Senator SESSIONS' views and positions on these issues and others, which are critical to protecting and championing rights and liberties under our Constitution, are simply out of the mainstream. There is nothing in Senator SESSIONS' record, including his testimony before the Judiciary Committee this week, that indicates he will be the constitutional champion the Nation needs at this point in its history.

Equally important, the Attorney General must speak truth to power. He must be ready, willing, and able to say no to the President of the United States and ensure that the President is never above the law. Senator SESSIONS' record and testimony give me no confidence that he will fulfill this core task.

When I asked him about enforcement of cases against illegal conflicts of interest involving the President and his family, such as violations of the emoluments clause or the STOCK Act, he equivocated. When I asked him about appointing a special counsel to investigate criminal wrongdoing at Deutsche Bank, owed more than \$300 million by Donald Trump, he equivocated. When I asked him about abstaining from voting on other Presidential nominees while he is in the Senate, he equivocated. Those answers give me no confidence that he will be the independent, nonpolitical law enforcer against conflicts of interest and official self-enrichment that the Nation needs now more than ever—at a moment when the incoming administration faces ethical and legal controversies that are unprecedented in scope and scale.

Senator SESSIONS' record over many years and his recent testimony fail to demonstrate the core commitments and convictions necessary in our next Attorney General.

Back in 1986, the Senate Judiciary Committee rejected Senator SESSIONS' nomination to a Federal judgeship due to remarks he made and actions he took in a position of public trust as U.S. attorney in Alabama. However, my position on his nomination is primarily based on his record since those hearings and less on what was considered at that time.

On voting rights, Senator SESSIONS has often condoned barriers to Americans exercising their franchise. He has been a leading opponent of provisions in the Voting Rights Act designed to ensure that African Americans can vote in places, such as his home State

of Alabama, which have a unique history of racial segregation. He has advocated for needlessly restrictive and draconian voter ID laws, citing utterly debunked threats of rampant voter fraud as an excuse for curtailing the real and legitimate rights of entire groups of voters.

On privacy—very important—Senator SESSIONS has passionately opposed this longstanding American right, which is enshrined in five decades of Supreme Court precedent. It protects women's health care and personal decisions involving reproductive rights. At a time when these rights are facing an unprecedented assault, he has continued to condemn *Roe v. Wade* and the many court decisions upholding that case.

He is also supported by extremist groups like Operation Rescue that defend the murder of doctors and the vilification and criminalization of women. With him as Attorney General, American women would understandably feel less secure about those rights.

On religious freedom, Senator SESSIONS has advocated for using a religious test to determine which immigrants can enter this country. When this issue arose in committee, Senator SESSIONS was the only Senator—the only Senator—to argue forcefully for religious tests and against principles of religious liberty that have animated our Republic since its founding. With Senator SESSIONS as Attorney General, a Trump administration would enjoy a permanent green light for any racially or religiously discriminatory immigration policy that might appeal to him.

On citizenship, Senator SESSIONS has called for abolishing a time-honored tradition that dates back to reconstruction. Birthright citizenship is the distinctly American concept that anyone born on our soil is a citizen of our country. We do not exclude people from citizenship based on the nationality of their parents or grandparents. Senator SESSIONS disagrees, a position that most other Republicans think is extreme.

With Senator SESSIONS as Attorney General, the Trump administration would be encouraged in attempting to deport American citizens—who have raised families and spent their entire lives here—from the only country they have ever known.

Senator SESSIONS declined my invitation at his nomination hearing to exercise moral and legal leadership and demonstrate his resolve to serve as the Nation's legal conscience. He refused to reject the possibility of using information voluntarily provided by DACA applicants to deport them and their families. As a matter of fundamental fairness and due process, when a DREAMer has provided information to our government after being invited to come out of the shadows, this information should never be used to deport that

person. With Senator SESSIONS as Attorney General, that sense of legal conscience would be lacking.

On issues of discrimination and equal protection, Senator SESSIONS has publicly opposed marriage equality, claiming it “weakens marriage” and even tried to eliminate protections for LGBT Americans contained in the Runaway and Homeless Youth and Trafficking Prevention Act. He has repeatedly voted against steps to enhance enforcement against hate crimes—violent assaults involving bigotry or bias based on race, religion, and sexual orientation. He even defended President-Elect Trump's shocking admission on video of his pattern of engaging in sexual assault.

Senator SESSIONS himself has said that public officials can be fairly judged by assessing who their supporters are. Senator SESSIONS is backed by groups with ties to White supremacists.

He has even accepted an award and repeated campaign donations from groups whose founder openly promotes the goal of maintaining a “European American majority” in our society. Neither award, nor many other important parts of Senator SESSIONS' record, was reported on the questionnaire he prepared for the Judiciary Committee.

I gave Senator SESSIONS an opportunity at the hearing earlier this week to repudiate these hate groups and racist individuals who have endorsed his nomination and supported him in the past. In fact, instead he doubled down, saying that a man who has accused African Americans of excessive criminality and American Muslims of extensive ties to terrorism was “a most brilliant individual.”

So I reach my decision to oppose this nomination with regret because JEFF SESSIONS is a colleague and a friend to all of us. Indeed, he and I have a rapport. I have come to like and respect him through a number of shared experiences in this building, traveling abroad, and outside.

We have common causes. He and I both support law enforcement professionals who serve our communities and the Nation with dedication and courage. They are never given sufficient thanks and appreciation.

He and I both believe that individual corporate criminal culpability should be pursued more vigorously. Individual corporate executives should be held accountable for the wrongdoing of corporations when they are criminally involved.

This job, this decision, this responsibility is different. Here, my disagreements stem from bedrock constitutional principles. While I could envision deferring to Presidential authority and supporting him for other positions, my objections to his nomination here relate specifically to this particular, essential, all-powerful job.

At this historic moment, there must be no doubt about the ironclad commitment of the Attorney General of the United States to the bedrock principle of equal justice under law, his resolve to be an independent voice, assuring that the President is never above the law, his determination to be a champion for all people of America and our constitutional principles that protect all people, and to be a legal conscience for the Nation.

Reviewing his record, I cannot assure the people of Connecticut or the country that JEFF SESSIONS would be a vigorous champion of these rights and liberties. Therefore, I stand in opposition to his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. GILLIBRAND. Mr. President, I rise to strongly oppose this legislation concerning a waiver for General Mattis.

I know that all of my colleagues on the Armed Services Committee who just left the hearing on this very topic with General Mattis and this entire body take the oversight role of our committee very seriously. We take civilian control of the military as a fundamental constitutional principle of the Founding Fathers. Even George Washington put aside his commission 5 years before he became our Commander in Chief and became the President of the United States. When Congress in 1947 debated the National Security Act to create the Department of Defense and create the Secretary of Defense, they decided to imbue this idea of civilian control into the Secretary of Defense by law, by mandating that he had to be separated from the military at least 10 years before taking on the role of Secretary of Defense, enshrining again this notion that civilian control is so important to our democracy and our American values.

On Tuesday, the Armed Services Committee had a very compelling hearing. We had two experts testify about the reasons for civilian control and why they are still so important today. The importance of having a Secretary of Defense who brings a civilian perspective to this position and brings with him or her a breadth of views and experience—those views coming from a civilian are very important.

Second, they said it is very important not to politicize our officer ranks, meaning our senior, top military advisers jockeying for the next job as a political appointee. That undermines the functioning of the military, and they

testified about countries where it has had such deleterious effects.

The third reason is concern about bias toward one service or another. Arguably, if one comes from a particular service, one may have preferences innately for that branch of service, which could undermine the strength of our military.

The fourth reason, which is really important in today's world, is the desire to model civilian control for other countries around the world that are struggling to become more democratic, less autocratic, and less militarily run.

Those are the four reasons given as to why civilian control of the military is so important. Dr. Cohen and Dr. Hicks both agreed—despite those four reasons—that from their perspective, it should be abrogated. Dr. Cohen said it was because the characteristics of the incoming administration gave him such concern that he needed to have someone like General Mattis and thought the qualities of General Mattis were important. Even Dr. Hicks said it was the qualities of General Mattis that were so unique and important, but she very importantly said: Never, though, should we say that it is time for a general to be the Secretary of Defense. In her perspective, it should never be that you need a general. So for her it was not the exigencies of circumstances; it was the specific characteristics of General Mattis.

Overwhelmingly, the Senators and the Members of the Armed Services Committee, myself included, have expressed enormous gratitude for the extraordinary service of General Mattis. That is not in debate. But if there is no civilian in all the world as of today at this moment who could meet the needs of the incoming administration, then who is to say that there will be no civilian in the future who could meet the needs of this administration, should they need another Secretary of Defense, or the next administration?

What we are doing today, inadvertently, because of a cherished notion we have toward this one nominee, is subverting the standard, and, in fact, this exception now can swallow the whole rule. If we are literally saying an exception could be made because of the nature of an administration and the nature of a nominee, we have literally swallowed the rule.

I think it is a historic mistake. I truly believe we are about to unwind something that has served this country well for the past 50 years. We are about to unwind it. Interestingly, the last time the Congress unwound it, they said: Never again.

They didn't say: If you have an urgency as we have now, which was the concern, according to these experts, that World War III was looming, the concern that we needed a well-known, well-loved general because of all the foreign policy worries of the moment

with North Korea; they said: Never again.

I don't know why we are here. I really don't know why—because it is not the standard.

Now this is the world we are going to live in. President-Elect Trump will mainly have his foreign policy input from two four-star generals and a three-star general. So where is the diversity of opinion coming from? Where is that balance going to come from, the No. 1 reason the experts gave for why we have civilian control of the military—Tillerson?

Even General Marshall, if we remember history correctly, had the experience of being a former Secretary of State and head of the Red Cross, so he had civilian experience in addition to his military experience. Civilian control has very important constitutional reasons based on our democratic values, the balance of power, and how our democracy runs. Those principles are being gutted and ignored. We are not using the right standards, and I think it is a historic mistake.

As I stated, this has nothing to do with our particular nominee. These principles exist for a reason. It has enabled our country's success for decades and has kept our democracy safe. If we take this change in our laws lightly, as we are about to do today, when future Congresses—or even this same Congress 2 or 3 year from now—look at this and want to make the same exception, it will be much easier to do.

I will continue to oppose this waiver for any nominee who is not a civilian or who has not met the waiting period that is required by law, and I urge all of my colleagues to do the same. I urge them to vote no.

Ms. COLLINS. Mr. President, today I wish to support the legislative waiver required for retired General James Mattis to become the next Secretary of Defense.

The principle of civilian control of the military has been fundamental to the concept of American Government since the inception of our Republic. It was the Continental Congress that granted General George Washington his commission, and General Washington reported to that legislative body throughout the entire war.

At the conclusion of the war, General Washington was the most popular and important figure in America. He easily could have positioned himself as the leader of the American government and, in fact, was urged to do so by many. Instead, General Washington famously resigned his commission on December 23, 1783, thus firmly establishing the principle that, in this new country, ultimate authority over the Armed Forces would rest with democratically elected civilians. General Washington's noble act was the foundation of such an important tenet of our democracy that the scene is depicted in

a magnificent painting by John Trumbull, which occupies a prominent position in the rotunda of the United States Capitol.

The principle of civilian control of the military was at the center of the debate when the structure of our Armed Forces was dramatically reorganized after World War II. A congressional consensus emerged from the military readiness failures of Pearl Harbor that the modern world required a more significant standing military force with a more centralized command structure. But harkening back to the precedent established by George Washington, it was imperative that this new structure have civilian leadership. This was especially concerning at the time, given the number of remarkable generals who had deservedly attained heroic status in the eyes of the American public and the free world. Thus, in 1947, Congress passed section 202 of the National Security Act, which provided that the Secretary of Defense needed to have at least a 10-year gap, later reduced to 7, from any military service.

Since that time, 16 of the past 24 Defense Secretaries have had some prior military service. If approved, however, Gen. Mattis would only be the second Defense Secretary to receive a congressional waiver of the law—the other being General George Marshall in 1950.

In order to examine this important history and review the wisdom of granting a waiver for Gen. Mattis, the Senate Armed Services Committee held a hearing exploring the issue of civilian control of the Armed Forces. After carefully reviewing the testimony from those hearings, I do support making an additional, one-time exception to the law in the specific case of James Mattis.

In 1950, the world was a tumultuous place, with a hot war in Korea coupled with the extraordinary risks associated with a growing cold war in the nuclear age. President Truman turned to General Marshall to serve as Secretary of Defense because his noted character and competence, combined with his experience and ability, made him an ideal fit for the unique challenges presented at that time.

Today the world is again a tumultuous place. The combination of the threat from terrorist organizations like ISIS and al Qaeda, as well as the threats emanating from countries such as Iran, North Korea, Russia, and China, has heightened tensions around the globe. And all our international challenges today take place against the backdrop of the knowledge that the world has a large and aging nuclear arsenal that could quickly create chaos in the wrong hands.

As was the case with Gen. Marshall, Gen. Mattis, with his exceptional character and competence and his remarkable skills and ability, is a fit for these dangerous times.

Over the course of his 44-year career in the Marine Corps, Gen. Mattis has earned a reputation as a warrior and commander who is beloved by soldiers and veterans alike. The “warrior monk,” as he is known in military circles, is a voracious reader and a student of history. He has served as a military commander at all levels and all over the world. His assignments have included a combat deployment during the Persian Gulf Wars and difficult leadership posts in both Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom, where Mattis commanded the 1st Marine Division in the city of Fallujah.

His work over the past decade has demonstrated a deep appreciation for the challenges our country faces today. In 2006, Mattis coauthored the military’s counterinsurgency manual with then-Army General David Petraeus. As an expert in counterinsurgency, Mattis understands the crucial role military power plays in conjunction with other civil instruments of national power, including diplomatic and economic efforts.

Between 2007 and 2010, while serving as commander of the now disestablished U.S. Joint Forces Command, Mattis gained experience in broad DOD policy and management at an organization focused on the transformation of U.S. military capabilities.

In 2010, I supported Gen. Mattis’s nomination to serve as commander of U.S. Central Command, where he oversaw the wars in Iraq and Afghanistan and was responsible for an area which includes Syria, Iran, and Yemen. His experience at CENTCOM is a tremendous asset in developing a coherent strategy to address the threats posed by state actors and terrorist networks in the region and elsewhere around the world.

In 2015, he testified before the Senate Armed Services Committee on the United States’ global challenges and offered insight to the committee on crafting a coherent, bipartisan national security strategy with an eye towards international diplomacy and alliances, defense budgeting, and military force size and capabilities.

Last year, he coedited a book on civil-military relations that explored the growing cultural gap between civilian society and the military, as well as the impact this lack of understanding may have on the civilian-military relationship.

Finally, I would note that Gen. Mattis has the support of three very capable and successful former Secretaries of Defense whose careers were either largely or entirely in the civilian workforce. Secretaries Cohen, Panetta, and Gates know as well as anyone what it takes to succeed in that position and the importance of civilian leadership of the military. Their unqualified support of Gen. Mattis carries considerable

weight with me and further convinces me that, in this particular circumstance, a waiver is warranted.

Mr. CARDIN. Mr. President, civilian control of our military is one of the bedrock principles of American self-government. The National Security Act of 1947, U.S.C. Title 10 Section 113(a), stipulates that an individual “may not be appointed as Secretary of Defense within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.” President-Elect Donald Trump’s choice of retired U.S. Marine Corps General James N. Mattis violates that provision since he has only been out of the uniform for 3 years; thus, Congress will need to pass a waiver so that he can serve if confirmed.

I have considered this issue carefully, and I have listened to Gen. Mattis’s testimony earlier today before the Senate Armed Services Committee. I believe Gen. Mattis is committed to the principle of civilian control of the military. I was reassured by his testimony this morning, and I will vote to grant the waiver. There is a precedent: in 1950, the Senate voted to confirm General George C. Marshall’s as Secretary of Defense, despite the fact that he had been retired for only 5 years. Former Secretaries of Defense Donald H. Rumsfeld, Robert M. Gates, and Leon E. Panetta have expressed bipartisan support for Gen. Mattis. I am willing to vote for the waiver, as long as one nomination does not turn into a trend. There are particular times and circumstances in which granting the waiver may be appropriate, but the bedrock principle of civilian control of our military must not be eroded.

Mr. VAN HOLLEN. Mr. President, I oppose changing the law to allow a recently retired general to serve as Secretary of Defense. While I admire Gen. Mattis and I am grateful for his decades of service to our Nation, I believe that, except in a national emergency, we should abide by the longstanding principle of civilian control of the military enshrined in the National Security Act.

Civilian control of the military is a fundamental tenet of our American democracy. It was in Annapolis, MD that General George Washington resigned his military commission in 1783, after leading the Continental Army to secure America’s independence. Washington believed that our new Nation could survive only with civilian leadership. Five years later, Washington returned to serve the Nation, as a civilian, as our first President. George Washington’s example has been embodied in the statutory requirements of the National Security Act.

George C. Marshall, nominated by President Truman in 1950, was the only Secretary of Defense for whom Congress enacted an exception. In enacting the exception for General Marshall, Congress expressly emphasized that:

“the authority granted by this Act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Secretary of Defense in the future. It is hereby expressed as the sense of the Congress that after General Marshall leaves the office of secretary of defense, no additional appointments of military men to that office shall be approved.”

Congress should not cavalierly disregard the principle of civilian leadership of our military. I have no doubt that President-Elect Trump was briefed on the National Security Act's requirement, but chose to proceed notwithstanding the law and our Nation's tradition. President-Elect Trump's lack of regard for this law and the principle of civilian control of the military should be a matter of concern.

Our Founders' emphasis on civilian leadership distinguished the young United States from the other nations of the time. It remains an important bulwark of our democracy today.

My vote today is not against Gen. Mattis. It is a vote to uphold an important principle of our American democracy. Should Congress vote to waive this law at this moment in time, I will review the nomination of Gen. Mattis on its individual merits.

Mrs. GILLIBRAND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE.) The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

OBAMACARE REPEAL

Mr. HATCH. Mr. President, several years ago, Democrats in Congress pulled out all the stops to pass the so-called Affordable Care Act and force the system we now call ObamaCare on the American people. They passed the law on a purely partisan basis and without any regard for public opinion. Quite simply, it was one of the most blatant exercises in pure partisanship in our Nation's history. It deepened partisan divides in Washington and around the country and contributed to the cynicism many have about whether their government is actually paying attention to their needs. Worst of all, in the years since the passage of ObamaCare, the American people have been paying the price in the form of skyrocketing costs, fewer choices, burdensome mandates, and unfair taxes.

For 7 years, many of us in Congress—virtually all of us on the Republican side—have been working to right what has gone wrong under the Affordable Care Act. We have pledged to our constituents that, given the opportunity, we would repeal ObamaCare and re-

place it with reforms more worthy of the American people. Those promises are among the biggest reasons why we Republicans are now fortunate enough to find ourselves in control of Congress and, very soon, the White House.

Last night we took a big step in the effort to repeal and replace ObamaCare. With the budget resolution passed, many in Washington and in the media are talking about what happens next. We are hearing a lot of discussion about the timing of our repeal-and-replace efforts, with some arguing that we should hit the brakes and solve every problem in advance of taking another vote. My view is that the repeal of ObamaCare cannot wait. The American people need us to act now. While there is still some debate as to what our replacement plan should look like, a majority of Senators voted last night to give us the tools to take the next steps to repeal and replace ObamaCare. The American people have entrusted us with the power to do just that.

We could spend the next several months coming up with more slogans and analogies, but this is not a campaign. The elections have been won, and it is time to do what our constituents have sent us here to do. I am not saying we need to put off the replacement effort. On the contrary, I think it is important that the legislation we draft pursuant to the budget reconciliation instructions include as many sensible health reforms as possible, keeping in mind the limitations that exist with our rules and the necessary vote count.

We should definitely work on making the largest possible downpayment on the ObamaCare replacement with the budget reconciliation bill. That downpayment should include measures that give individuals and families more control over their health care decisions and empower States to do more of the heavy lifting when it comes to regulating health care. In addition, we need to provide for a smooth transition period so we can maintain some stability in the health insurance markets and ensure that we are not leaving Americans who have insurance under the current system out in the cold.

As chairman of one of the primary committees with jurisdiction over these matters, I have been working closely with my House counterparts—Chairman KEVIN BRADY of the House Ways and Means Committee and Chairman GREG WALDEN of the House Energy and Commerce Committee—to develop proposals on the matters that fall within our purviews. We have been talking with stakeholders throughout the country and working through the various problems that exist. That work will continue unabated as we work on the immediate repeal effort and into the future. I am quite certain that my friend who chairs the Senate HELP Committee has been similarly engaged

in addressing the draconian insurance regulations that were imposed under ObamaCare, as well as the other parts of the law that are within that committee's jurisdiction.

In other words, the work to replace ObamaCare is ongoing, and we hope to have some initial elements ready to include in the budget reconciliation package. That work will continue once the repeal has been passed and signed into law so that we can help ensure that affordable health care options exist for Americans. We do not need to wait until every single replacement measure is drafted and agreed upon before moving forward. Instead, we need the incoming administration to add to our current efforts and work with us to produce a full replacement plan and then to execute it. I look forward to continuing to work with President-Elect Trump and his team.

The path forward on replacing ObamaCare could end up taking many forms. We could draft and pass a series of limited reforms to replace ObamaCare piece by piece or we could pull together a full and comprehensive replacement package that puts all the necessary changes into law at once. I think there are merits and potential pitfalls with either approach. That is something we need to consider as we move forward, but it is not a decision that needs to be made before we can keep the promises we all made to our constituents to repeal ObamaCare.

To be sure, replacing ObamaCare is going to be a difficult process; however, with a new and more cooperative administration in place, I have every confidence we can accomplish these important objectives without imposing artificial deadlines or goalposts or putting the repeal process on hold. All of this is possible so long as we remain committed to the principles that have guided most of our efforts thus far. For example, in my view, the new reforms need to be patient-centered, not government-driven. They need to recognize the reality of the marketplace and the benefits of competition. Perhaps most importantly, any suitable reforms need to put the States back in charge of regulating and overseeing health care policy. If the ObamaCare experience has taught us anything, it is that when the Federal Government gets a hold of something that is as consequential as health care, it will overpromise results, overstep its authority, and overregulate the subject matter.

As I have said a number of times, Utah is not California or Massachusetts, and California and Massachusetts are not Utah. All of our States face different challenges and have different needs. There is no reason to begin with the premise that any single approach to health care policy is what is best for the entire country. That is why I, along with several of my colleagues, have been engaging with

stakeholders at the State level for quite some time as we work to craft reforms and to put them in place. For example, next week the Senate Finance Committee is hosting a roundtable discussion on Medicaid with some of the most prominent Governors in the country. I am pleased that Energy and Commerce chairman GREG WALDEN will join us for the discussion as well. This meeting and others like it will give States the opportunity to detail the challenges they face and how we can empower them to meet those challenges instead of dictating solutions from offices here in Washington, DC.

I believe all of my colleagues want to be judicious and methodical with this undertaking. No one wants to act recklessly and do even more damage to our Nation's health care system. Discussions and debates over the substance of our ObamaCare replacement should continue. As I said, they have been going on for some time now, and they are not going to stop. But after last night, we have the tools we need to take the first major step in this effort by repealing ObamaCare. In my view, we need to take that step now.

Republicans are united in our desire to repeal ObamaCare. We have the support of the American people to do just that, and I personally will do all I can to deliver on that promise. I hope our friends on the other side will work with us. If they will, I think we can come up with an approach toward health care that not only will work but will be better for our country but most importantly, better for our citizens, better for the States that will manage a lot better than we will here, and better for our citizens within those States.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today to discuss S. 84, a bill that would provide a one-time exception from the longstanding law that requires a member of the military to be retired from the armed services for at least 7 years before being appointed as Secretary of Defense. We are considering this legislation today because the President-elect's nominee for Secretary of Defense, General James Mattis, has only been retired from the U.S. Marine Corps for 3 years.

In considering the unique situation presented by this nomination, this week the Armed Services Committee held two hearings. The first hearing, on Tuesday, had a panel of two excellent outside witnesses who discussed the history of the retirement restriction law and the benefits and challenges of legislating an exception to that law. Then, this morning, the committee held a nomination hearing with General Mattis and examined his views on a wide range of defense challenges facing our country and the Defense Department.

General Mattis has a long and distinguished military career, and he is recognized by his peers as a thoughtful and strategic thinker. However, since its passage in 1947, the statutory requirement designed to protect civilian control of the Armed Forces has only been waived one other time. Therefore, I believe it is extremely important that we carefully consider the consequences of setting aside the law and the implications such a decision may have on the future of civilian and military relations.

Civilian control of the military is enshrined in our Constitution and dates back to George Washington and the Revolutionary War. This principle has distinguished our Nation from many other countries around the world, and it has helped ensure that our democracy remains in the hands of the people.

The National Security Act of 1947, which established the Department of Defense, included a provision prohibiting any individual "within ten years" of "active duty as a commissioned officer in a regular component of the armed services" from being appointed as the Secretary of Defense. However, in 1950, President Harry Truman nominated former Secretary of State and former Chief of Staff of the United States Army General George Marshall to serve as the Secretary of Defense, thus causing Congress to pass an exception to the statute.

While Congress ultimately waived the restriction for General Marshall, the law included a nonbinding section that stated: "It is hereby expressed as the intent of the Congress that the authority granted by this Act is not to be construed as approval by the Congress of the continuing appointments of military men to the office of Secretary of Defense in the future. It is hereby expressed as the sense of the Congress that after General Marshall leaves the office of the Secretary of Defense, no additional appointments of military men to that office shall be approved."

Nearly 70 years later, Congress again must make a determination if an exception should be made in the case of General Mattis. Let me remind my colleagues why making this change is so significant. During our committee hearings, Dr. Kathleen Hicks astutely noted: "The Defense Secretary position is unique in our system. Other than the President acting as commander in chief, the Secretary of Defense is the only civilian official in the operational chain of command to the Armed Forces. Unlike the President, however, he or she is not an elected official."

As I stated during the committee's consideration of the waiver legislation, we must be very cautious about any actions, including this legislation, that may inadvertently politicize our Armed Forces. During this past Presidential election cycle, both Democrats

and Republicans came dangerously close to compromising the nonpartisan nature of our military with the nominating convention speeches from recently retired general officers advocating for a candidate for President.

I am also concerned about providing a waiver for General Mattis in light of the fact that he will join other recently retired senior military officers who have been selected for high-ranking national security positions in the Trump Administration. Throughout our Nation's history, retired general officers have often held positions at the highest levels of government as civilians. In fact, a few have even been elected President.

What concerns me, however, is the total number of retired senior military officers chosen by the President-elect to lead organizations critical to our national security and the cumulative affect it may have on our overall national security policy. Specifically, there may be unintended consequences having so many senior leaders with similar military backgrounds crafting policy and making decisions as weighty as those facing the next administration.

In the course of our review of General Mattis' nomination, the reason most often cited in support of a waiver allowing him to serve is that a retired four-star general known for his war-fighting skills and strategic judgment to lead the Department of Defense will counterbalance the President-elect's lack of defense and foreign policy experience. As Tom Ricks wrote recently in *The New York Times*: "Usually I'd oppose having a general as Secretary of Defense, because it could undermine our tradition of civilian control of the military. But these are not normal times."

Likewise, Dr. Eliot Cohen testified before the Senate Armed Services Committee earlier this week, and he argued that if it weren't for his deep concern about the Trump Administration, he would oppose the waiver for General Mattis. Specifically, he stated: "There is no question in my mind that a Secretary Mattis would be a stabilizing and moderating force . . . and over time, helping to steer American foreign and security policy in a sound and sensible direction."

If Congress provides an exception for General Mattis, we must be mindful of the precedent that action sets for such waivers in the future. The restriction was enacted into law for good reason, and General George Marshall is the only retired military officer to receive this exception.

Based on General Mattis' testimony this morning, as well as his decades of distinguished service in the U.S. Marine Corps, and weighing all of the other factors, I will support a waiver for him to serve as Secretary of Defense. General Mattis testified to the

fact that the role of Congress does not end with the passage of this legislation. As Dr. Hicks stated, “The United States Congress, the nation’s statutes and courts, the professionalism of our Armed Forces, and the will of the people are critical safeguards against any perceived attempts to fundamentally alter the quality of civilian control of the military in this country.”

Any of us who support this bill have a profound duty to ensure that the Department of Defense and its leaders, both civilian and military, are following and protecting the principles upon which this country is founded.

Let me be very clear. I will not support a waiver for any future nominees under the incoming administration or future administrations. I view this as a generational exception, as our bipartisan witnesses recommended. I would ask that my colleagues on both sides of the aisle make this same commitment. Indeed, I intend to propose reestablishing the original 10-year ban which was in place when the Defense Department was established. Restoring the threshold for service to 10 years would send a strong signal that this principle of civilian control of the military is essential to our Democratic system of government.

At this point I would ask if the chairman of the committee might engage in a colloquy. I do that first by thanking him for the extraordinarily fair, thoughtful, and careful way he has guided this nomination through the committee and here to the floor.

I wish to thank the Senator from Arizona for the thoughtful and thorough process we have had in considering the nomination of General Mattis. I think one of the high points was a hearing on civilian military relations with Eliot Cohen and Kathleen Hicks. Both witnesses emphasized that while they supported this waiver, it should be a rare, generational exception to ensure the integrity of civilian control of our military, which is the bedrock of our democracy.

I agree wholeheartedly with that assessment, and I would ask the chairman if he also agrees with that assessment.

Mr. MCCAIN. Mr. President, I would say that I also agree. I want to thank the Senator from Rhode Island for his leadership, and I want to thank him for setting the tenor and the environment that surrounds the Armed Services Committee, which resulted in the 24-to-3 vote today in the Armed Services Committee. Because of the relationship that we have, but also because of his leadership, we have a very bipartisan committee, which is vital to maintain, considering the awesome responsibilities we hold.

The Senator from Rhode Island has displayed time after time a willingness to work together for the good of the country. I think this is the latest ex-

ample, even though he had significant reservations—which are valid—concerning the short period of transition from wearing the uniform to holding down the highest civilian position as far as defense of the Nation is concerned. I know he didn’t reach this conclusion without a lot of thought, a lot of study, a lot of—as he has displayed—references to history; reasons for the origination of this legislation, which requires 7 years before an individual is eligible to be Secretary of Defense after leaving the military.

So I just wanted to thank the Senator from Rhode Island, and I look forward to an overwhelming vote.

Mr. President, could I ask the parliamentary situation as it is right now.

The PRESIDING OFFICER. The Senate is considering S. 84 with 10 hours equally divided.

Mr. MCCAIN. Mr. President, has a time been set for the vote?

The PRESIDING OFFICER. There is not yet an order for the vote.

Mr. REED. Mr. President, I believe I have the floor.

Mr. MCCAIN. I yield to my friend from Rhode Island.

Mr. REED. Mr. President, I believe the chairman does concur with me regarding the fact that this is a rare and generational exception; I think that is fair to say.

Mr. MCCAIN. Mr. President, is it accurate to say that 2:45 p.m. is a time that is being seriously considered?

Mr. REED. We hope so, and I think, if we recognize Senator MERKLEY for his comments, and then I think the chairman of the committee has comments, we would be on that schedule.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed 5 minutes prior to the vote, if the time of the vote is set, and the Senator from Rhode Island be given 5 minutes prior to that, in the case of the time of the vote being set.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I yield the floor.

Mr. REED. Mr. President, I believe I still retain the floor.

Let me make the point that I appreciate very much the Senator from Arizona allowing me 5 minutes, but I will yield that 5 minutes so that at the end, the Senator from Arizona would have 5 minutes, and then I would suggest we recognize Senator MERKLEY so that we can conduct the vote at 2:45 p.m.

Mr. MCCAIN. Mr. President, I would like to modify my unanimous consent request that I be allowed 5 minutes prior to the vote.

ORDER OF PROCEDURE

Before I do that, however, I ask unanimous consent that the time until 2:45 p.m. be equally divided between the managers or their designees, and that following the use or yielding back

of that time, the bill be read a third time, and the Senate vote on passage of S. 84; further, that following the disposition of S. 84, the Senate recess subject to the call of the Chair for the all-Members briefing.

So I would ask the Senator from Oregon how much time he needs.

Mr. MERKLEY. Less than 10 minutes.

Mr. MCCAIN. Mr. President, I am asking for a ruling on the unanimous consent request I just made.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I add to that unanimous consent request that I be given the final 5 minutes before the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REED. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, we have a longstanding tradition in our country of civilian control of government and civilian control of the military. This was first symbolized by George Washington through his act of resigning as Commander in Chief for all of the Continental Army on December 23, 1783. It is a tradition, or a moment in time, that is preserved on the walls of the Rotunda where a mural depicts Washington’s noble and selfless act.

Our early days were full of the warnings of a standing Army and of ongoing military control at high levels, and those ideas came from Thomas Jefferson and from Alexander Hamilton and from Samuel Adams. When we came to the point in our history where we realized that a continuing military force was necessary, we preserved the importance of civilian control.

We did so for a host of important reasons, which others have pointed out on this floor but I think are worth restating. It is important to have a Secretary of Defense who brings a broad world view that includes a civilian perspective to the position.

Second, it is important not to politicize our officer ranks and have them essentially competing to position themselves to hold this position of Secretary of Defense.

Third, we do not want the services competing against each other in order to hold this position. This is why the Joint Chiefs of Staff position is rotated on a specific schedule. And if we have a Secretary of Defense come from one military service, then another branch of service is going to say: Next time it should be our turn. The Marine Corps today, the Air Force tomorrow, the Army after that, and then the Navy. That is not the position we want to end up in.

We also know that across the world, countries wrestle with preserving civilian control; that is, preserving democratic republics in the face of the power of military machinery in their country, military organizations, and we see military coups and we see massive military influence.

It has been the desire of our country to model a republic that is of the people, by the people, and for the people, not a nation that becomes controlled by a massive concentration of power in the military. Now my colleagues—many of whom are very learned in the history of our country—have arisen to say that there is a set of special circumstances, a unique set of circumstances, that merit an exception, and they note that there was an exception once before in our history. That exception was the appointment of George C. Marshall to become Secretary of Defense in the time following World War II. But think about how many circumstances we face in the world that can be put forward to be an exceptional time. It was exceptional when terrorists used planes to attack the Twin Towers in New York City and our Pentagon, and had not one plane gone down, the additional target may have been the Capitol or the White House. That was an exceptional moment. It is an exceptional moment when we are fighting Al Qaeda. It is an exceptional moment when we are fighting ISIS. It is an exceptional moment when Russia invades Ukraine and takes over Crimea. There is an exceptional moment almost continuously in the face of a complex and changing world.

So I stand on the side of maintaining the principle of civilian control. Each time we violate this principle, it is easier next time to say: It has been done before. But the conversation will not be “We did it once half a century ago, and so we should do it again,” it will be “We did it twice, once quite recently when we weren’t facing a world crisis. Nobody had invaded the United States. We had not just lost a couple hundred thousand folks fighting for our country in a world war.” So the conversation will get easier and more fragile, and that is not the direction we should go.

It was Eisenhower who warned about the overreach of a military enterprise—the “military industrial complex,” as he referred to it. But one piece of our structure of government that has held back is to maintain that principle of civilian control. Can anyone in this room rise up and say that out of the thousands of experienced individuals who have both national security experience and civilian experience, there isn’t one who currently meets either the 10- or 7-year standard of separation? I am sure there are hundreds who could meet that standard.

So here we are. If we could send a message to the President-elect: We re-

ject your effort to eviscerate civilian control. Send us someone who is qualified. And if we feel that person is so far out of the reach of reason—which is what I have been hearing from my colleagues in private conversation, terrified that this President-elect will nominate somebody who basically is unhinged, that we have to seize on this moment to take this individual because this body won’t have the courage to turn down and reject an unhinged individual nominated by this President-elect. That is a sad commentary on the leadership of this body. It is a sad commentary on what has become of the U.S. Senate that we wouldn’t have the courage under our advice and consent power to turn down someone we saw as unfit. That is, in fact, how we are charged under this Constitution, under the advice and consent clause. It was Hamilton who laid out that it is our responsibility to determine whether an individual is of fit character or unfit character, and we would retain that power for any nomination that, in the collective judgment of this body, did not meet that standard.

So let’s sustain the principle of civilian control and reject this change.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, in response to the Senator from Oregon who asked if there were not any people who were qualified to serve as Secretary of Defense, I am absolutely certain there are. Is there anyone as qualified as General Mattis? My answer to the Senator from Oregon is no. I have watched General Mattis for years. I have seen the way that enlisted and officers react to his leadership. I have seen the scholarly approach he has taken to war and to conflict.

I hope the Senator from Oregon will have at some point a chance to get to know him, and he will then appreciate the unique qualities of leadership that are much needed in these times where the outgoing President of the United States has left the world in a state of chaos because of an absolute failure of leadership, which is disgraceful. We now see an outgoing President of the United States who in 2009 inherited a world that was not being torn apart in the Middle East. The Chinese were not acting assertively in the South China Sea. The Russians had not dismembered Ukraine and taken Crimea, in gross violation of international law. All of those things have come about because of his presidency.

So now he comes to the floor and objects to one of the most highly qualified individuals and leaders in military history. I say to the Senator from Oregon: You are wrong.

I believe the overwhelming majority of this body will repudiate and cancel out his uninformed remarks.

Mr. President, in a few minutes we will vote on a historic piece of legisla-

tion. For just the second time in seven decades, the legislation before us would provide an exception to the law preventing any person from serving as Secretary of Defense within 7 years of Active-Duty service as a regular commissioned officer of the Armed Forces. This legislation would allow Gen. James Mattis—the President-elect’s selection for Secretary of Defense, who retired from the Marine Corps 3 years ago—to serve in that office.

Earlier today, the Senate Armed Services Committee received testimony from General Mattis. Once again, he demonstrated exceptional command of the issues confronting the United States, the Department of Defense, and our military servicemembers, but he also showed something else—that his understanding of civil-military relations is deep and that his commitment to civilian control of the Armed Forces is ironclad.

General Mattis’s character, judgment, and commitment to defending our Nation and its Constitution have earned him the trust of our next Commander in Chief, Members of Congress on both sides of the aisle, and so many who are serving in our Armed Forces. General Mattis is an exceptional public servant worthy of the exceptional consideration. That is why, directly following the conclusion of today’s hearing, the Senate Armed Services Committee reported this legislation to the Senate with an overwhelming bipartisan vote of 24 to 3—I repeat: with an overwhelming vote of 24 to 3.

I am not saying that members of the Armed Services Committee are smarter than the Senator from Oregon, but I am saying that members of the Armed Services Committee have scrutinized—both sides of the aisle, Republican and Democrat, including the ranking member—have looked at General Mattis. Many of us have known him for years and years, as he has shown the outstanding characteristics of leadership that he has had the opportunity to display in his service to the country, and he was voted out by an overwhelming vote of 24 to 3. So obviously there are 24 people on the Armed Services Committee who believe in General Mattis and believe that this exception should be made, as opposed to 3 who share the view of the Senator from Oregon.

Mr. MERKLEY. I ask my colleague from Arizona if he will yield for a question.

Mr. McCAIN. That is why, directly following the conclusion of today’s hearing, the Senate Armed Services Committee reported this legislation to the Senate with a vote of 24 to 3. I urge this body to follow suit.

That said, it is important for future Senators to understand the context of our action here today. Civilian control of the Armed Forces has been a bedrock principle of American Government since our Revolution. A painting

hanging in the Capitol Rotunda not far from this floor celebrates the legacy of George Washington, who voluntarily resigned his commission as commander of the Continental Army to the Congress. This principle is enshrined in our Constitution, which divides control of the Armed Forces among the President as Commander in Chief and the Congress as coequal branches of government.

Since then, Congress has adopted various provisions separating military and civilian positions. In the 19th century, for example, Congress prohibited an Army officer from accepting a civil office, more recently, in the National Security Act of 1947, and subsequent revisions, Congress's 7-year "cooling off" period for any person to serve as Secretary of Defense. It was only 3 years later, in 1950, that Congress granted GEN George Marshall an exemption to that law and the Senate confirmed him to be Secretary of Defense.

Indeed, the separation between civilian and military positions has not always been so clear. Twelve of our Nation's Presidents previously served as generals in the Armed Forces, and over the years, numerous high-ranking civilian officials in the Department of Defense have had long careers in military service.

The basic responsibilities of civilian and military leaders are simple enough—for civilian leaders: to seek the best professional military advice while under no obligation to follow it; for military leaders: to provide candid counsel while recognizing civilians have the final say or, as General Mattis once observed, to insist on being heard and never insist on being obeyed. But the fact is that the relationship between civilian and military leaders is inherently and endlessly complex. It is a relationship of unequals who nonetheless share responsibility for the defense of the Nation. The stakes could not be higher. The gaps in mutual understanding are sometimes wide. Personalities often clash. And the unique features of the profession of arms and the peculiarities of service cultures often prove daunting for civilians who have never served in uniform.

Ultimately, the key to healthy civil-military relations and civilian control of the military is the oath that soldiers and statesmen share in common "to protect and defend the Constitution." It is about the trust they have in one another to perform their respective duties in accordance with our republican system of government. It is about the candid exchange of views engendered by that trust and which is vital to effective decisionmaking. And it is about mutual respect and understanding. The proper balance of civil-military relations is difficult to achieve, and, as history has taught us, achieving that balance requires different leaders at different times.

I believe that in the dangerous times in which we live, General Mattis is the leader our Nation needs as Secretary of Defense. That is why, although I believe we must maintain safeguards of civilian leadership at the Department of Defense, I will support this legislation today and General Mattis' nomination to serve this Nation again as Secretary of Defense.

I want to assure my friend from Rhode Island, the ranking member of the Armed Services Committee, who has very serious concerns—I want to assure him that this is a one-time deal. I know the Senator from Rhode Island had deep concerns about this whole process we have been through. Yet I think he has put the interests of the Nation and placed his confidence in General Mattis as being so exceptional that the law that was passed back in 1947—there can be made one single exception to it.

The PRESIDING OFFICER. The majority's time has expired.

The majority leader.

UNANIMOUS CONSENT REQUEST—H.R. 72

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 4:15 p.m. on Tuesday, January 17, the Committee on Homeland Security and Governmental Affairs be discharged and the Senate proceed to the consideration of H.R. 72; further, that there be 30 minutes of debate equally divided in the usual form, and that upon the use or yielding back of time, the bill be read a third time and the Senate vote on passage of H.R. 72 with no intervening action or debate; finally, that if passed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MERKLEY. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I agree—

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Has time expired according to the previous UC?

Mr. MERKLEY. Mr. President, I believe I have the floor.

Mr. McCONNELL. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. McCONNELL. Just to let everybody know, all I am doing is setting up a vote for Tuesday afternoon at 4:15. That is what I was asking consent on.

The PRESIDING OFFICER. Is there objection?

Mr. MERKLEY. I reserve the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. MERKLEY. I reserve the right to object.

Mr. President, I was very gracious in agreeing to a unanimous consent request that would grant me 10 minutes. That was cut short by the filibuster of my colleague, who repeatedly brought me into the conversation and refused to yield for my question. So I ask unanimous to have 2 minutes to close.

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the majority leader's request?

Mr. MERKLEY. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

REQUEST FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have four requests for committees to meet during today's session of the Senate. They have the approval of the majority and minority leaders.

Mr. MERKLEY. I object.

The PRESIDING OFFICER. Duly noted.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. McCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent; the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The PRESIDING OFFICER (Mr. CASSIDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 17, as follows:

[Rollcall Vote No. 27 Leg.]

YEAS—81

Barrasso	Enzi	Lankford
Bennet	Ernst	Lee
Blunt	Feinstein	Manchin
Boozman	Fischer	McCain
Brown	Flake	McCaskill
Burr	Franken	McConnell
Cantwell	Gardner	Menendez
Capito	Graham	Murkowski
Cardin	Grassley	Nelson
Carper	Harris	Paul
Casey	Hassan	Perdue
Cassidy	Hatch	Peters
Cochran	Heinrich	Portman
Collins	Heitkamp	Reed
Coons	Heller	Risch
Corker	Hirono	Roberts
Cornyn	Hoeben	Rounds
Cortez	Inhofe	Rubio
Masto	Isakson	Sasse
Cotton	Johnson	Schatz
Crapo	Kaine	Schumer
Cruz	Kennedy	Scott
Daines	King	Sessions
Donnelly	Klobuchar	Shaheen

Shelby
Stabenow
Sullivan
Thune

Tillis
Toomey
Warner
Whitehouse

Wicker
Young

NAYS—17

Baldwin
Blumenthal
Booker
Duckworth
Durbin
Gillibrand

Leahy
Markley
Merkley
Murphy
Murray
Sanders

Tester
Udall
Van Hollen
Warren
Wyden

NOT VOTING—2

Alexander
Moran

The bill (S. 84) was passed, as follows:
S. 84

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS REGULAR COMMISSIONED OFFICERS OF THE ARMED FORCES.

(a) IN GENERAL.—Notwithstanding the second sentence of section 113(a) of title 10, United States Code, the first person appointed, by and with the advice and consent of the Senate, as Secretary of Defense after the date of the enactment of this Act may be a person who is, on the date of appointment, within seven years after relief, but not within three years after relief, from active duty as a commissioned officer of a regular component of the Armed Forces.

(b) LIMITED EXCEPTION.—This section applies only to the first person appointed as Secretary of Defense as described in subsection (a) after the date of the enactment of this Act, and to no other person.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 3:13 p.m., recessed subject to the call of the Chair and reassembled at 4:17 p.m. when called to order by the Presiding Officer (Mr. CASSIDY).

The PRESIDING OFFICER. The Senator from Ohio.

INVESTIGATION ON INTERNET SEX TRAFFICKERS

Mr. PORTMAN. Mr. President, I rise today during Human Trafficking Awareness Week to talk about the scourge of human trafficking, and, specifically, about an investigation that the Senate has just concluded that matters to every single State represented in this Chamber and to every American.

We are told now that human trafficking, including sex trafficking, is a \$150 billion a year industry. That makes it the second largest criminal enterprise in the world, behind the drug trade. Unfortunately, it is happening in all of our States, including my home State of Ohio. It is growing as a problem.

A couple of weeks ago, two people were arrested in my home town of Cin-

cinnati in connection with sex trafficking. Police charged a woman with luring an underage girl to commit a sex act with a 56-year-old man.

That was just 2 weeks after police in Blue Ash, OH, just up the road, broke up what they said was a sex trafficking ring at a hotel. Police said that two men and two women rented two rooms at a hotel, paying cash, and forced four different women to perform sex acts. The women were given crack cocaine and heroin, presumably to keep them dependent on their traffickers.

This is what I am hearing back home a lot when I talk to victims of sex trafficking. Typically, drugs are involved. In Ohio, it is usually heroin. These cases are alarming, and, unfortunately, we have reasons to believe that the problem is getting worse not better. The National Center for Missing and Exploited Children, really, the expert on this issue, particularly of kids who get involved in sex trafficking, reports an 846-percent increase in reports of suspected child sex trafficking from 2010 to 2015. That is an over 800-percent increase just in those 5 years.

The organization found this spike to be “directly correlated to the increased use of the Internet to sell children for sex.” So it is kind of the dark side of the Internet, isn’t it. What I am told sometimes by survivors of trafficking is that they say: Rob, this has moved from the street corner to the cell phone. There is widespread evidence that sex trafficking is increasingly doing that all over our country.

In order to confront this problem, as chairman of the Permanent Subcommittee on Investigations, along with my colleague and ranking member Senator CLAIRE MCCASKILL, I opened a bipartisan investigation into sex traffickers and their use of the Internet. This investigation began about 2 years ago. The National Center for Missing & Exploited Children says that nearly three-quarters—73 percent—of all suspected child sex trafficking reports it receives from the general public through its cyber tip line are linked to one Web site—a single Web site. That Web site is called Backpage.com.

According to a leading anti-trafficking organization called Shared Hope International, “[s]ervice providers working with child sex trafficking victims have reported that between 80 and 100 percent of their clients have been bought and sold on Backpage.com.” Eighty to 100 percent of their clients have been bought and sold on Backpage.com.

Again, that is consistent with everything I have heard when I have been back home and spoken to and met with sex trafficking survivors. Backpage now operates in 97 countries, 934 cities worldwide. It is valued at well over half a billion dollars. According to an industry analysis, in 2013, 8 out of every

10 dollars spent on online commercial sex trafficking in the United States went to this one Web site, Backpage.

Others, by the way, have chosen not to engage in this. There have been a number of cases around the country, including in Ohio, where Backpage.com was used by traffickers to sell underage girls for sex.

Last spring, in my own State of Ohio, a man, who by the way has nine children of his own, was sentenced to 12 years in Federal prison for trafficking four underage girls who had run away from home in Akron and Canton, OH. He kept them locked in a hotel, supplied them with drugs like marijuana, heroin, and ecstasy, and sold them for sex on Backpage.com. When he was arrested, by the way, he was found with more than 8,000 bags of heroin.

Just this week, or a week later after that, a man from Fort Wayne, IN, was charged with human trafficking and child prostitution after he was arrested on his way to Ohio. His intention, police say, was to traffic a 14-year-old girl whom he had met on Facebook, raped, and whom he planned to sell on Backpage.com.

Backpage says it leads the industry in its screening of advertisements for illegal activity. In fact, Backpage’s top lawyer has described their screening process as the key tool for disrupting and eventually ending human trafficking via the World Wide Web.

But despite these boasts, this Web site and its owners consistently have refused to cooperate with our investigation, with other investigations relating to lawsuits around the country. With regard to our situation, we subpoenaed them for the documents, and they still refused to provide the documents or to testify. As a result, as my colleagues will remember, this body, the Senate, for the first time in over 20 years, voted unanimously to pass a civil contempt citation to require them to supply the documents, to come forward with this information.

In August a Federal court order rejected Backpage’s objection to that subpoena and compelled the company to turn over the subpoenaed documents to the subcommittee. Backpage appealed that and asked for a delay in that order. They took it all the way up to the Supreme Court of the United States. But their request was rejected. Since then, the subcommittee has been able to review the documents that have been submitted—over 1 million documents—including emails and other internal documents.

What we found was very troubling, to say the least. After reviewing the documents, the subcommittee published a staff report on Monday of this week that conclusively shows that Backpage has been more deeply complicit in online underage sex trafficking than anyone imagined. We reached three principle findings: first, that Backpage has

knowingly covered up evidence of criminal activity by systematically editing its so-called adult ads; second, that Backpage knows that it facilitates prostitution and even child sex trafficking; and third, that despite the reported sale of Backpage to an undisclosed foreign company in 2014, taking them outside of the United States, the true owners of the company are the founders—James Larkin, Michael Lacey, and Carl Ferrer, their chief executive officer.

First, on the editing of ads, our report shows that Backpage has knowingly covered up evidence of crimes by systematically deleting words and images suggestive of illegal conduct, including of child sex trafficking. That editing process sanitized the content of millions of advertisements in order to hide important evidence from law enforcement.

In 2006, Backpage executives instructed staff to edit the text of adult ads, not to take them down but to edit them, which is exactly how they facilitated this type of trafficking, including child sex trafficking. By October 2010, Backpage executives had a formal process in place of both manual and automated deletion of incriminating words and phrases in ads.

Backpage CEO Carl Ferrer personally directed his employees to create an electronic filter to delete hundreds of words indicative of sex trafficking or prostitution from ads before they were published.

Again, this filter did not reject the ads because of the obvious illegal activity. They only edited the ads to try to cover it up. The filter did not change what was advertised, only the way it was advertised. So Backpage did nothing to try to stop this criminal activity. They facilitated it knowingly.

Why did they do that? Backpage executives were afraid they would erode their profits. It is a very profitable business. In Ferrer's words, they were afraid they would "piss off a lot" of customers. What terms did they delete? Beginning in 2010, Backpage automatically deleted words including "lolita"—referencing a 12-year-old girl in a book who was sold for sex—"teenage," "rape," "young," "little girl," "teen," "fresh," "innocent," "school girl," and even "amber alert"—and then published the edited versions of the ads on their Web site. Backpage also systematically deleted dozens of words related to prostitution.

This filter made these deletions before anyone at Backpage even looked at the ad. When law enforcement officials asked for more information about the suspicious ads, as they have routinely done, Backpage had already destroyed the original ad posted by the trafficker, and the evidence was gone.

So this notion that they were trying to help law enforcement is in the face of the fact that they actually de-

stroyed the ads that had the evidence. We will never know for sure how many girls and women were victimized as a result. By Backpage's own estimate, the company was editing 70 to 80 percent of the ads in the adult section by late 2010.

Based on our best estimate, that means Backpage was editing more than half a million ads every year. Internal emails indicate the company was using the filter to some extent as late as 2014. We simply don't know if they are still using a filter. Eventually, Backpage reprogrammed its filters to reject some ads that contained certain egregious words suggestive of sex trafficking.

But the company did this by coaching its customers on how to post clean ads to help facilitate the criminal conduct of these traffickers. So they did reject some ads, but then they went back to the customer to say: This is how you could do it better. For example, starting in 2012, a user advertising sex with a teen would get this error message: "Sorry, 'teen' is a banned term."

With a one-word change to the ad, the user would be permitted to post the same ad, the same offer. In October 2011, Backpage CEO Carl Ferrer directed his technology consultant to create an error message when a user entered an age under 18 years old. Just like the word filter, the customer could just enter a new age that the ad would then post.

With regard to ownership, our investigation revealed that acting through a series of domestic and international shell companies, Backpage's founders lent their CEO, Carl Ferrer, more than \$600 million to buy the Web site. While Ferrer is the owner of Backpage, Backpage's previous owners retain near total debt equity in the company and continue to reap Backpage's profits in the form of their loan repayments.

They can also exercise control over Backpage's operations and financial affairs pursuant to the loans and to other agreements. The elaborate corporate structure under which Ferrer purchased Backpage through a series of foreign entities appears to provide absolutely no tax benefit—based on their accountant's information to us—and serves only to obscure Ferrer's U.S.-based ownership.

Based on all of these findings, it is clear that Backpage actively and knowingly covered up criminal sexual activity—sex trafficking—that was taking place on its Web site, all in order to increase its profits at the expense of the most vulnerable among us.

Backpage has not denied a word of these findings. Instead, several hours after our report was issued, the company closed what they call their adult section. They closed it down. Frankly, this just validates our findings.

The National Center for Missing & Exploited Children said this about

Backpage's closure of its adult site: "As a result [of this closure], a child is now less likely to be sold for sex on Backpage.com."

No one is interested in shutting down legitimate commercial activity and speech, but we do want to put a stop to criminal activity.

I want to thank Senator MCCASKILL and her staff for their shoulder-to-shoulder work with my team on the Permanent Subcommittee on Investigations on this bipartisan investigation. I am also grateful to the members of the full committee and the Senate as a whole for unanimously supporting us as we pursued the enforcement of this subpoena against Backpage.com.

But we are not done. In the weeks and months ahead, I intend to explore whether potential legislative remedies are necessary and appropriate to end this type of facilitation of online sex trafficking.

At a hearing on the report on Tuesday, Backpage CEO and other company officials pled the Fifth Amendment, invoking the right against self-incrimination, rather than respond to questions about the report's findings.

The subcommittee also heard powerful testimony from parents whose children had been trafficked on Backpage.com. One mother talked about seeing her missing daughter's photograph on Backpage.com, frantically calling the company to tell them that was her daughter and to please take down the ad.

Their response: Did you post the ad?

Her response: Of course I didn't post the ad. That is my daughter. Please take it down.

Their response: We can only take it down if you paid for the ad.

I urge my colleagues to join me in this effort to ensure that does not happen again. What happens to these kids is not just tragic; it is evil.

I urge my colleagues to join me in reforming our laws so they work better to protect these children.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUNT). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WAIVER LEGISLATION FOR THE NEXT SECRETARY OF DEFENSE

Mr. LEAHY. Mr. President, the Senate is faced with a clear but complicated choice: support this expedited legislation that will pave the way for the confirmation of the next nominee to be Secretary of Defense or embroil one of the most consequential Cabinet positions—and with it the lives of

thousands of men and women, as well as our national defense—in what would surely become a legal and legislative morass.

The Framers of the Constitution established that the Senate should provide advice and consent in the appointment of such Cabinet nominees. Congress subsequently, in the aftermath of World War II, sought to implement limitations on who could serve as Secretary of Defense, specifically, a cooling off period for members of the military nominated to serve as Secretary of Defense. The goal? To ensure that America's military would remain under civilian control. Circumventing these limitations requires an act of Congress. It has been done just once before, ironically almost immediately after Congress first enacted those limitations.

In Gen. Mattis, the President-elect—who is inexperienced in the world of military affairs and has sometimes proven rash in his public comments—has identified an able leader, who is tremendously popular and who has time and again shown himself worthy of the respect he has earned. I believe he will be a voice of reason in the Department of Defense and was encouraged to hear at his confirmation hearing this morning that he understands the importance of civilian control of our Defense Department and intends to preserve that tradition.

As Senator REED said earlier today in the Armed Services Committee, this is a once-in-a-generation waiver. Chairman MCCAIN similarly emphasized that he supports the law that this legislation would temporarily waive. I do not support efforts to change the law to permanently eliminate this statutory cooling off period. I am disappointed that the Senate majority has insisted on creating an expedited debate on such a critical question. I cannot support such an abrupt and accelerated revision of the law, even in the form of a one-time-only exemption. I couldn't support such a haphazard process, regardless of who the President, President-elect, or the nominee is.

As I said in December when the Senate considered the legislation that paved the way for this rushed process today, my vote on this bill does not foreshadow my vote on Gen. Mattis's nomination. I do believe that Gen. Mattis can respect the boundaries that make our Armed Forces the strongest in the world. I believe Gen. Mattis will offer a critical perspective to an inexperienced and sometimes volatile incoming Commander in Chief. And those are reasons why I believe he may receive my support when the Senate considers his nomination.

ADDITIONAL STATEMENTS

TRIBUTE TO MACK COLE

• Mr. DAINES. Mr. President, this week, I have the distinct honor of rec-

ognizing Mack Cole of Treasure County, a third generation Montanan and dedicated public servant. Next month, Mr. Cole will celebrate 55 years of marriage with his wife, Judy. Mack and Judy Cole were married in February 10, 1962, in the town of Hysham, one of the many beautiful small communities in the quiet and peaceful high plains of eastern Montana.

After marriage, Mr. and Mrs. Cole spent 2 years in South America, providing much needed services while working for the Food for Peace Program in Brazil. Mr. Cole's experience in South America would serve as a trailhead for a lifelong journey of civic minded virtue and dedication on behalf of his fellow citizens.

In the late 1970s, Mr. and Mrs. Cole moved down the road, west on I-90 to Billings, MT, and they continued to build upon their honorable records of public service. During this chapter of his life, Mr. Cole worked for the Bureau of Indian Affairs in multiple western States and was involved in a wide variety of programs, including the development of irrigation projects. His work with the Bureau of Indian Affairs took him to Wyoming, Arizona, Utah, and Nevada. After retiring from the Bureau of Indian Affairs in 1993, the Coles moved back to the family ranch outside of Hysham.

Mr. Cole continued his distinguished record of public service by representing the people of Treasure County in the Montana Legislature, retiring from the State senate in 2003. During his time in legislature and even after retirement from public life, Mr. Cole has always been a steadfast supporter of responsible energy development, a critical component for the livelihood of many of his friends and neighbors.

His humble efforts to help provide food to the hungry, keep water flowing to farms and ranches ensuring energy was always ready at the flip of a switch make him a great Montanan. It is hard to find a better example of a fellow Montanan that is always ready to offer a helping hand.

I want to express my deep gratitude to Mr. Cole for his dedication and service to Montana and our country. ●

REMEMBERING BYRON BIRDSALL

• Ms. MURKOWSKI. Mr. President, Alaskans tend to view our State as a big family, a family whose members come from many places but are united in our love and loyalty for our great land. And like any family, Alaska has been blessed with outstanding sons and daughters, distinguished in their own unique ways.

Today I wish to pay tribute to the memory of one such Alaskan, acclaimed watercolorist Byron Birdsall. Byron's passing on December 4, 2016, just 2 weeks shy of his 79th birthday, leaves a hole not just in the hearts of

Alaskans, but in the art world itself. Given the indelible impact that Byron's prolific volume of work has had on Alaskans over the last 41 years, it is all the more impressive, considering that he lived the first half of his life outside the State.

Born in Buckeye, Arizona on December 18, 1937, Byron was raised in the suburbs of Los Angeles. After graduating with a bachelor's degree in history from Seattle Pacific College in 1959, Byron attended Stanford University. Following his 1960 marriage to his beloved Lynn, who succumbed to breast cancer in 1998, the couple set out to travel the world. The couple traveled to Africa to teach English and explored the Pacific, living in American Samoa for a few years. They then returned for a job in Seattle before arriving in Anchorage for a job at an advertising agency, which he soon quit to paint full time.

He recalled that it was 1975, during the pipeline boom that he was painting pictures. "People started buying them so I quit work and started painting." Byron painted Alaska. He later explained to the Anchorage Daily News, "Alaskans love Alaska. That's what they want to buy."

Despite his talent in multiple mediums, including portraiture and oils, Byron will likely be best remembered for his prolific work in watercolor and landscapes, and, perhaps rightly so, as many of the pieces and prints so familiar to most Alaskans were in that format. His work is so highly regarded that one of his prints, "McKinley Moonlight," was selected to serve as a background for Alaska's heirloom marriage certificates. As his wife Billie said, Byron was "inspired by both the scenic beauty of Alaska and its people."

Alaska Dispatch News writer David James described Byron's landscapes for a recent book Byron completed this year as "rich with color and detail. His summer scenes explode with flowers, animals and sunlight, while his images of winter, where snow covers the ground and twilight darkens the sky, are alive with elaborate hues and stellar lighting that belie the notion of Alaska as a desolate wasteland for half the year."

But I would be remiss if I did not take a moment to highlight for the record that Byron's work was not just the beautiful landscapes that Alaskans love so much. Rather, he helped catalog the history of the 49th State. Among the many honors we have as Senators is adorning our offices with artwork that represent our States. In my case, that includes two of Byron's prints proudly hanging in the hallway leading to my office. While the first is one of his traditional moonlit landscapes, the other is "Anchorage Land Auction, 1915." It features a crowd huddled in what was then no more than

a tent city near Ship Creek, in what would eventually become downtown Anchorage. Byron's painting reminds me not just of those pioneers who ventured to Alaska with the promise of a new life waiting to be carved out of the wilderness but, despite how far Alaska has come, how much raw potential still remains.

Despite our rich history and heritage, we are a young State, and many of our founding generation has been—and is now—passing from the scene. However, whether through his capturing of the 75th Annual Anchorage Fur Rendezvous Festival or “Fur Rondy,” featuring Rondy 10-time champion George Atlla racing his sled dog team down 4th Avenue, or in his painting the historic devastation to downtown Anchorage following the 1964 earthquake, Byron was interpreting and memorializing the highs and lows of our history for generations of Alaskans to come.

I can think of no better way to end than with Byron's own words about his life: “A dream come true. That is what Alaska has given to me. Incredible beauty for subject matter, and a receptive public have combined to allow me to do what I love best, painting all day, every day for more than 41 years.”

On behalf of grateful Alaskans and my fellow Senators, I extend my condolences to Billie and Byron's family. With Byron's passing, Alaska has lost a cultural icon, but his substantial body of work lives on forever.●

MESSAGE FROM THE HOUSE

At 12:53 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5. An act to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

H.R. 39. An act to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5. An act to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-440. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Supplemental Nutrition Assistance Program (SNAP): Eligibility, Certification, and Employment and Training Provisions of the Food, Conservation and Energy Act of 2008” (RIN0584-AD87) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-441. A communication from the Supervisory Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Fees for Official Inspection and Official Weighing Services Under the United States Grain Standards Act (USGSA)” (7 CFR Part 800) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-442. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to realistic survivability testing of the OHIO Replacement Ballistic Missile Submarine (SSBN) (OSS-2017-0022); to the Committee on Armed Services.

EC-443. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) as of September 30, 2016 (OSS-2017-0024); to the Committee on Armed Services.

EC-444. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled “Failure of Contractors, Participating under the DoD Test Program for a Comprehensive Subcontracting Plan, to Meet Their Negotiated Goals”; to the Committee on Armed Services.

EC-445. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled “Regulatory Capital Rules: Implementation of Capital Requirements for Globally Systemically Important Bank Holding Companies” (RIN7100-AE49) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-446. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps” (RIN1904-AD37) received in the Office of the President of Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-447. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Efficiency Standards for the Design and Construction of

New Federal Low-Rise Residential Buildings' Baseline Standards Update” (RIN1904-AD56) received in the Office of the President of Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-448. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Refuge-Specific Regulations; Public Use; Kenai National Wildlife Refuge” (RIN1018-AX56) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-449. A communication from the Acting Chief of the Branch of Conservation and Communications, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Candidate Conservation Agreements With Assurances” (RIN1018-BB25) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-450. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Onshore Oil and Gas Order Number 1, Approval of Operations” (RIN1004-AE37) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Energy and Natural Resources.

EC-451. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Update to Incorporate FOIA Improvement Act of 2016 Requirements” ((RIN3150-AJ84) (NRC-2016-0171)) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Environment and Public Works.

EC-452. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0026); to the Committee on Foreign Relations.

EC-453. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0025); to the Committee on Foreign Relations.

EC-454. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0021); to the Committee on Foreign Relations.

EC-455. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0018); to the Committee on Foreign Relations.

EC-456. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting,

pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0017); to the Committee on Foreign Relations.

EC-457. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0019); to the Committee on Foreign Relations.

EC-458. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0016); to the Committee on Foreign Relations.

EC-459. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0020); to the Committee on Foreign Relations.

EC-460. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of the danger pay allowance for Philippines: Mindanao Regions with Mindanao; Autonomous Region of Muslim Mindanao; Zamboanga Peninsula; Northern Mindanao; Davao Region; and Soccsargsen Caraga; to the Committee on Foreign Relations.

EC-461. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of the danger pay allowance; to the Committee on Foreign Relations.

EC-462. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "International Traffic in Arms Regulations: International Trade Data System, Reporting" (RIN1400-AE07) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Foreign Relations.

EC-463. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-95; Introduction" (FAC 2005-95) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-464. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Uniform Use of Line Items" ((RIN9000-AM73) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-465. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Acquisition Threshold for Special Emergency Procurement Authority" ((RIN9000-AN18) (FAC 2005-95)) received in the Office of the President of the Senate on

January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-466. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Contractor Employee Internal Confidentiality Agreements or Statements" ((RIN9000-AN04) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-467. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Contracts Under the Small Business Administration 8(a) Program" ((RIN9000-AM68) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-468. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Prohibition on Reimbursement for Congressional Investigations and Inquiries" ((RIN9000-AM97) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-469. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-95; Small Entity Compliance Guide" (FAC 2005-95) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-470. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Commission's fiscal year 2014 and fiscal year 2015 FAIR Act Commercial and Inherently Governmental Activities Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-471. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC-472. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC-473. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; American Fisheries Act; Amendment 113" (RIN0648-BF54) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Commerce, Science, and Transportation.

EC-474. A communication from the Assistant Secretary, Federal Maritime Commis-

sion, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" (RIN3072-AC66) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Commerce, Science, and Transportation.

EC-475. A communication from the Chair of the Aerospace Safety Advisory Panel, National Aeronautics and Space Administration, transmitting, pursuant to law, the Panel's annual report for 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-9. A petition from a citizen of the State of Minnesota relative to the Minnesota Presidential Certificate of Vote; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with amendments and with a preamble:

S. Res. 6. A resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

By Mr. McCAIN, from the Committee on Armed Services, without amendment:

S. 84. A bill to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. CORKER, from the Committee on Foreign Relations.

Treaty Doc. 114-12: Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro (Ex. Rept. 115-1)

The Text of the committee-recommended resolution of advice and consent to ratification is as follows:

As reported by the Committee on Foreign Relations:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Declarations, an Understanding, and Conditions.

The Senate advises and consents to the ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America (the "Protocol") (Treaty Doc. 114-12), subject to the declarations of section 2 and the conditions of section 3.

Sec. 2. Declarations.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) REAFFIRMATION THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES.—The Senate declares that—

(A) for more than 60 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate finds that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Montenegro, or its destabilization arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Montenegro, having established a democratic government and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Montenegro will strengthen NATO, enhance stability in Southeast Europe, and advance the interests of the United States and its NATO allies.

(3) SUPPORT FOR NATO'S OPEN DOOR POLICY.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDING.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Montenegro), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—The Senate declares that no action or agreement other than a consensus de-

cision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) INFLUENCE OF NON-NATO MEMBERS ON NATO DECISIONS.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) SUPPORT FOR 2014 WALES SUMMIT DEFENSE SPENDING BENCHMARK.—The Senate declares that all NATO members should continue to move towards the guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024.

(7) SUPPORT FOR MONTENEGRO'S DEMOCRATIC REFORM PROCESS.—Montenegro has made difficult reforms and taken steps to address corruption. The United States and other NATO member states should not consider this important process complete and should continue to urge additional reforms.

Sec. 3. Conditions.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of Montenegro in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of Montenegro in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

(2) ANNUAL REPORT ON NATO MEMBER DEFENSE SPENDING.—Not later than December 1 of each year during the 8-year period following the date of entry into force of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, the President shall submit to the appropriate congressional committees a report, which shall be submitted in an unclassified form, but may be accompanied by a classified annex, and which shall contain the following information:

(A) The amount each NATO member spent on its national defense in each of the previous 5 years.

(B) The percentage of GDP for each of the previous 5 years that each NATO member spent on its national defense.

(C) The percentage of national defense spending for each of the previous 5 years that each NATO member spent on major equipment, including research and development.

(D) Details on the actions a NATO member has taken in the most recent year reported to move closer towards the NATO guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of its GDP on national defense and 20 percent of its national defense budget on major equipment, including research and development, if a NATO member is below either guideline for the most recent year reported.

Sec. 4. Definitions.

In this resolution:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) NATO MEMBERS.—The term "NATO members" means all countries that are parties to the North Atlantic Treaty.

(3) NON-NATO MEMBERS.—The term "non-NATO members" means all countries that are not parties to the North Atlantic Treaty.

(4) NORTH ATLANTIC AREA.—The term "North Atlantic area" means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(5) NORTH ATLANTIC TREATY.—The term "North Atlantic Treaty" means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(6) UNITED STATES INSTRUMENT OF RATIFICATION.—The term "United States instrument of ratification" means the instrument of ratification of the United States of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CRUZ (for himself, Mr. GRAHAM, Mr. RISCH, Mrs. CAPITO, Mr. ROUNDS, Mr. THUNE, Mr. HATCH, Mr. CRAPO, Mr. JOHNSON, Mr. BARRASSO, Mr. DAINES, Mr. ROBERTS, Mr. LEE, Mr. SULLIVAN, Mr. CORNYN, Mr. WICKER, Mr. COCHRAN, Mr. HOEVEN, Mr. MCCAIN, Mr. KENNEDY, Mr. MCCONNELL, and Mr. BLUNT):

S. 107. A bill to prohibit voluntary or assessed contributions to the United Nations until the President certifies to Congress that United Nations Security Council Resolution 2334 has been repealed; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. DONNELLY, Mr. YOUNG, Mr. CASEY, Mr. TOOMEY, Mrs. SHAHEEN, Mr. ISAKSON, and Mr. FRANKEN):

S. 108. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. CASEY, Mr. BROWN, Mr. UDALL, Ms. HIRONO, Mr. FRANKEN, Mr. PETERS, Ms. KLOBUCHAR, Mr. COONS, Mr. DONNELLY, Mrs. SHAHEEN, Mrs. CAPITO, Mr. WICKER, Mr. COCHRAN, Mr. GARDNER, Mr. BOOZMAN, Ms. COLLINS, Mr. HOEVEN, Mr. BLUNT, Mr. BARRASSO, Mr. THUNE, Mr. MORAN, Mr. COTTON, Mrs. ERNST, Mr. DAINES, Mr. SCOTT, and Mr. YOUNG):

S. 109. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services; to the Committee on Finance.

By Ms. BALDWIN (for herself, Ms. MURKOWSKI, Mr. SULLIVAN, and Mr. BOOKER):

S. 110. A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital

information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER (for himself and Ms. HIRONO):

S. 111. A bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HELLER (for himself and Mrs. MURRAY):

S. 112. A bill to amend title 38, United States Code, to authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HELLER (for himself and Mr. TESTER):

S. 113. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to increase the use of medical scribes to maximize the efficiency of physicians at medical facilities of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HELLER (for himself and Mr. CASEY):

S. 114. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HELLER:

S. 115. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HELLER (for himself and Mr. TESTER):

S. 116. A bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel; to the Committee on Armed Services.

By Mr. DAINES (for himself and Mr. TESTER):

S. 117. A bill to designate a mountain peak in the State of Montana as "Alex Diekmann Peak"; to the Committee on Energy and Natural Resources.

By Mr. LEE (for himself, Mrs. FISCHER, Mr. KING, Mrs. CAPITO, and Ms. COLLINS):

S. 118. A bill to make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself, Mr. BLUNT, Mr. INHOFE, Mr. CORNYN, Mr. CRUZ, Mrs. FISCHER, Mr. RUBIO, Mr. FLAKE, Mr. HATCH, and Mr. TILLIS):

S. 119. A bill to impose certain limitations on consent decrees and settlement agree-

ments by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER:

S. 120. A bill to provide for the creation of the Missing Armed Forces Personnel Records Collection at the National Archives, to require the expeditious public transmission to the Archivist and public disclosure of Missing Armed Forces Personnel records, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER:

S. 121. A bill to establish the veterans' business outreach center program, to improve the programs for veterans of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. HELLER (for himself, Ms. STABENOW, Mr. ISAKSON, and Mr. MENENDEZ):

S. 122. A bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mrs. FISCHER, Mr. SCHATZ, Mr. CORNYN, Mr. THUNE, and Mr. CRUZ):

S. 123. A bill to amend the Communications Act of 1934 to require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 124. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Ms. CANTWELL, Mr. SULLIVAN, and Mr. HEINRICH):

S. 125. A bill to amend the Oil Pollution Act of 1990 to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DAINES (for himself, Mr. PAUL, and Mr. TESTER):

S. 126. A bill to amend the Real ID Act of 2005 to repeal provisions requiring uniform State driver's licenses and State identification cards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FLAKE:

S. 127. A bill to provide provisional protected presence to qualified individuals who came to the United States as children; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. DURBIN, Ms. MURKOWSKI, Mrs. FEINSTEIN, Mr. FLAKE, Mr. SCHUMER, and Ms. HARRIS):

S. 128. A bill to provide provisional protected presence to qualified individuals who came to the United States as children; to the Committee on the Judiciary.

By Mr. WICKER (for himself, Mr. SCHATZ, Ms. CANTWELL, and Mr. SULLIVAN):

S. 129. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN:

S. 130. A bill to require enforcement against misbranded milk alternatives; to the

Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 131. A bill to provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAPO (for himself, Mr. LEE, Mr. RISCH, and Mr. RUBIO):

S. 132. A bill to amend title 54, United States Code, to provide for congressional and State approval of national monuments and restrictions on the use of national monuments; to the Committee on Energy and Natural Resources.

By Mr. BURR:

S. 133. A bill to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Select Committee on Intelligence.

By Mr. NELSON (for himself, Mrs. FISCHER, Ms. KLOBUCHAR, and Mr. BLUNT):

S. 134. A bill to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ISAKSON (for himself and Mr. PERDUE):

S. 135. A bill to redesignate Ocmulgee National Monument in the State of Georgia and revise its boundary, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ISAKSON (for himself and Mr. PERDUE):

S. 136. A bill to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ISAKSON:

S. 137. A bill to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself and Mr. CASEY):

S. 138. A bill to impose sanctions on persons that threaten the peace or stability of Iraq or the Government of Iraq and to address the emergency in Syria, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. CORNYN, Mrs. GILLIBRAND, Mr. FLAKE, and Ms. KLOBUCHAR):

S. 139. A bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 140. A bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund; to the Committee on Indian Affairs.

By Mr. PETERS (for himself, Mr. GARDNER, Mr. BOOKER, and Mr. WICKER):

S. 141. A bill to improve understanding and forecasting of space weather events, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself and Ms. KLOBUCHAR):

S. 142. A bill to expand certain empowerment zone provisions to communities receiving a Worker Adjustment and Retraining Notification Act notice, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. MORAN, Mr. BLUNT, Mr. COONS, and Mr. KAINE):

S. 143. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State; to the Committee on Finance.

By Mr. CASEY (for himself and Mrs. MURRAY):

S. 144. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of Promise Zones; to the Committee on Finance.

By Mr. HELLER:

S. 145. A bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the economic and national security and manufacturing competitiveness of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN:

S. 146. A bill to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD (for himself and Mr. CASSIDY):

S.J. Res. 4. A joint resolution disapproving the action of the District of Columbia Council in approving the Death with Dignity Act of 2016; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FISCHER (for herself and Mrs. ERNST):

S. Res. 12. A resolution expressing the sense of the Senate that clean water is a national priority, and that the June 29, 2015, Waters of the United States Rule should be withdrawn or vacated; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. HATCH, Mr. LEE, Mr. SCOTT, and Mr. CRUZ):

S. Res. 13. A resolution recognizing the historical importance of Associate Justice Clarence Thomas; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself and Mr. SCOTT):

S. Res. 14. A resolution commending the Clemson University Tigers football team for winning the 2017 College Football Playoff National Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 21, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 30

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 30, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S. 68

At the request of Mr. CRUZ, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 68, a bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes.

S. 87

At the request of Mr. TOOMEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 87, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

AMENDMENT NO. 9

At the request of Ms. KLOBUCHAR, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 9 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself and Mr. TESTER):

S. 117. A bill to designate a mountain peak in the State of Montana as “Alex Diekmann Peak”; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alex Diekmann Peak Designation Act of 2017”.

SEC. 2. FINDINGS.

Congress finds that Alex Diekmann—

(1) was a loving father of two and an adoring husband who lived in Bozeman, Montana, where he was a renowned conservationist who dedicated his career to protecting some of the most outstanding natural and scenic resource areas of the Northern Rockies;

(2) was responsible during his unique conservation career for the protection of more than 50 distinct areas in the States of Montana, Wyoming, and Idaho, conserving for the public over 100,000 acres of iconic mountains and valleys, rivers and creeks, ranches and farms, and historic sites and open spaces;

(3) played a central role in securing the future of an array of special landscapes, including—

(A) the spectacular Devil’s Canyon in the Craig Thomas Special Management Area in the State of Wyoming;

(B) crucial fish and wildlife habitat and recreation access land in the Sawtooth Mountains of Idaho, along the Salmon River, and near the Canadian border; and

(C) diverse and vitally important land all across the Crown of the Continent in the State of Montana, from the world-famous Greater Yellowstone Ecosystem to Glacier National Park to the Cabinet-Yaak Ecosystem, to the recreational trails, working forests and ranches, and critical drinking water supply for Whitefish, and beyond;

(4) made a particularly profound mark on the preservation of the natural wonders in and near the Madison Valley and the Madison Range, Montana, where more than 12 miles of the Madison River and much of the world-class scenery, fish and wildlife, and recreation opportunities of the area have become and shall remain conserved and available to the public because of his efforts;

(5) inspired others with his skill, passion, and spirit of partnership that brought together communities, landowners, sportsmen, and the public at large;

(6) lost a heroic battle with cancer on February 1, 2016, at the age of 52;

(7) is survived by his wife, Lisa, and their 2 sons, Logan and Liam; and

(8) leaves a lasting legacy across Montana and the Northern Rockies that will benefit all people of the United States in our time and in the generations to follow.

SEC. 3. DESIGNATION OF ALEX DIEKMANN PEAK, MONTANA.

(a) **IN GENERAL.**—The unnamed 9,765-foot peak located 2.2 miles west-northwest of Finger Mountain on the western boundary of the Lee Metcalf Wilderness, Montana (UTM coordinates Zone 12, 457966 E., 4982589 N.), shall be known and designated as “Alex Diekmann Peak”.

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, record, or other paper of the United States to the peak described in subsection (a) shall be considered to be a reference to “Alex Diekmann Peak”.

By Mr. GRASSLEY (for himself, Mr. BLUNT, Mr. INHOFE, Mr.

CORNYN, Mr. CRUZ, Mrs. FISCHER, Mr. RUBIO, Mr. FLAKE, Mr. HATCH, and Mr. TILLIS):

S. 119. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, for too long, American families, farmers, and job creators have suffered under President Obama's regulatory onslaught. His administration threw caution to wind, pumping out regulation after regulation and further entangling the government into Americans' daily lives.

In November, the American people issued a strong rebuke to President Obama's overreach and his administration's way of doing business.

They want a new direction. They want more accountability. They want more transparency. They want the government off their backs so that they can get back to making this country great again.

President-elect Trump has committed to working with Congress to roll back the regulatory overreach of the Obama administration, and to making the government more answerable to the people.

So, I rise today to introduce an important piece of legislation that will help achieve these goals and ensure a more accountable and transparent government going forward.

By some estimates, Federal Government regulations impose over \$2 trillion in compliance costs—on the American economy. The cost of complying with all these regulations falls particularly heavy on small businesses.

It is no wonder why many American businesses have shut down or moved overseas. How many innovators dreamed of starting a small business but decided against it when faced with the burden and uncertainty of our regulatory state?

We have to do better.

The Federal Government should do everything possible to promote job creation. To accomplish that, common sense would tell us that the government needs to remove bureaucratic barriers rather than put up new ones.

But as we all know, the Obama administration showed time and again that it would rather push forward with its regulatory agenda than ease the burden on our economy and job creators.

Adding insult to injury, the Obama administration often kept folks in the dark about new regulatory initiatives.

Through secretive litigation tactics, the administration took end-runs around our nation's transparency and accountability laws. It is a strategy known as sue-and-settle, and regulators have been using it to speed up

rulemaking and keep the public away from the table when key policy decisions are made.

Sue-and-settle typically follows a similar pattern.

First, an interest group files a lawsuit against a federal agency, claiming that the agency has failed to take a certain regulatory action by a statutory deadline. The interest group seeks to compel the agency to take action by a new, often-rushed deadline. All too often, the plaintiff-interest group will be one that shares a common regulatory agenda with the agency that it sues, such as when an environmental group sues the Environmental Protection Agency, EPA.

Next, the agency and interest group enter into negotiations behind closed doors to produce either a settlement agreement or consent decree that commits the agency to satisfy the interest group's demands. The agreement is then approved by a court, binding executive discretion.

Noticeably absent from these negotiations, however, are the very parties who will be most impacted by the resulting regulations.

Sue-and-settle tactics undermine transparency, public accountability, and the quality of public policy. They can have sweeping consequences. For example, the Obama administration's so-called Clean Power Plan, which is the most expensive regulation ever to be imposed on the energy industry, arose out of a sue-and-settle arrangement.

These tactics also undermine congressional intent.

The Administrative Procedure Act, APA, which has been called the citizens' "regulatory bill of rights," was enacted to ensure transparency and accountability in the regulatory process. A key protection is the notice-and-comment process, which requires agencies to provide notice of proposed regulations and to respond to comments submitted by the public.

Rulemaking through sue-and-settle, however, frequently results in realigned agency agendas and short deadlines for regulatory action. This makes the notice-and-comment process a mere formality. It deprives regulated entities, the States and the general public of sufficient time to have any meaningful input.

The resulting regulatory action is driven not by the public interest, but by special interest priorities, and can come as a complete surprise to those most affected by it.

Sue-and-settle litigation also helps agencies avoid accountability. Instead of having to answer to the public for controversial regulations and policy decisions, agency officials can just point to a court order entering the agreement and say that they were required to take action under its terms.

We should also keep in mind that these agreements can have lasting im-

pacts on the ability of future administrations to take a different policy approach—such as to remove regulatory burdens on farmers. Not only does this raise serious concerns about bad public policy, it also puts into question the constitutional impact of one administration's actions binding the hands of its successors.

Sue-and-settle, and the consequences that come from such tactics, is not a new phenomenon. Evidence of sue-and-settle tactics and closed-door rulemaking can be found in nearly every administration over the previous few decades.

But without a doubt, there was an alarming increase under the Obama administration. The U.S. Chamber of Commerce found that just during President Obama's first term, 60 Clean Air Act lawsuits against the EPA were resolved through consent decrees or settlement agreements.

And since 2009, sue-and-settle cases against the EPA have imposed at least \$13 billion in annual regulatory costs.

But we now have an opportunity to curb these abuses, and an incoming administration that has committed to reining in the regulators.

That is why today I am introducing the Sunshine for Regulatory Decrees and Settlements Act. Senators BLUNT, INHOFE, CORNYN, CRUZ, FISCHER, RUBIO, FLAKE, HATCH, and TILLIS are cosponsors of this important bill. And I'm pleased that Representative DOUG COLLINS introduced a companion bill today in the House.

The Sunshine bill increases transparency by shedding light on sue-and-settle tactics. It requires agencies to publish sue-and-settle complaints in a readily accessible manner.

It requires agencies to publish proposed consent decrees and settlement agreements at least 60 days before they can be filed with a court. This provides a valuable opportunity for the public to weigh-in, which will increase accountability in the rulemaking process.

The bill makes it easier for affected parties, such as States and businesses, to intervene in these lawsuits and settlement negotiations to ensure that their interests are properly represented. It requires the Attorney General to certify to a court that he or she has personally approved of the terms of certain proposed consent decrees or settlement agreements. And it requires courts to consider whether the terms of a proposed agreement are contrary to the public interest.

The bill also makes it easier for succeeding administrations to modify a prior administration's consent decrees. That way, one administration won't be forced to continue the regulatory excesses of another.

The Sunshine for Regulatory Decrees and Settlements Act will shine light on the problem of sue-and-settle. It will

help rein in backroom rulemaking, encourage the appropriate use of consent decrees and settlements, and reinforce the procedures that Congress laid out decades ago to ensure a transparent and accountable regulatory process.

I thank my colleagues for their support of this bill.

By Mr. DAINES (for himself, Mr. PAUL, and Mr. TESTER):

S. 126. A bill to amend the Real ID Act of 2005 to repeal provisions requiring uniform State driver's licenses and State identification cards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, in 2005, the Federal Government enacted the REAL ID Act, imposing Federal standards established by the Department of Homeland Security to the process and production of the issuance of States' driver's licenses and identification cards.

This law was an underfunded, top down, Federal mandate, infringing on personal privacy, increasing the personal information susceptible to cyberattacks, and undermining State sovereignty. Furthermore, a REAL ID compliant State ID will be required for all "official federal purposes," including boarding commercial aircraft, impeding the movement of American citizens.

Montana led opposition to this Federal mandate. In 2007, Montana enacted a law, after both chambers of the State legislature unanimously passing legislation, refusing to comply.

That is why I am reintroducing the Repeal ID Act—to allow Montana and other States to implement their laws, protecting their sovereignty and citizens' information. Consistent with the Montana State legislature, this legislation will repeal the REAL ID Act of 2005.

Montanans are fully aware of the power that big data holds and the consequences when that data is abused. Montana has shown how States are best equipped to make licenses secure, without sacrificing the privacy and rights of their citizens. The Repeal ID Act will allow us to strike a balance that protects our national security, while also safeguarding Montanans' civil liberties and personal privacy.

I want to thank Senators PAUL and TESTER for being original cosponsors of this bill and I ask my other Senate colleagues to join us in support of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Repeal ID Act of 2017".

SEC. 2. REPEAL OF REQUIREMENTS FOR UNIFORM STATE DRIVER'S LICENSES AND STATE IDENTIFICATION CARDS.

(a) REPEAL.—Title II of the Real ID Act of 2005 (division B of Public Law 109-13) is amended by striking sections 201 through 205 (49 U.S.C. 30301 note).

(b) CONFORMING AMENDMENTS.—

(1) CRIMINAL CODE.—Section 1028(a)(8) of title 18, United States Code, is amended by striking "false or actual authentication features" and inserting "false identification features".

(2) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—

(A) IN GENERAL.—Subtitle B of title VII of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458) is amended by inserting after section 7211 the following:

"SEC. 7212. DRIVER'S LICENSES AND PERSONAL IDENTIFICATION CARDS.

"(a) DEFINITIONS.—In this section:

"(1) DRIVER'S LICENSE.—The term 'driver's license' means a motor vehicle operator's license (as defined in section 30301(5) of title 49, United States Code).

"(2) PERSONAL IDENTIFICATION CARD.—The term 'personal identification card' means an identification document (as defined in section 1028(d)(3) of title 18, United States Code) that has been issued by a State.

"(b) STANDARDS FOR ACCEPTANCE BY FEDERAL AGENCIES.—

"(1) IN GENERAL.—

"(A) LIMITATION ON ACCEPTANCE.—No Federal agency may accept, for any official purpose, a driver's license or personal identification card newly issued by a State more than 2 years after the promulgation of the minimum standards under paragraph (2) unless the driver's license or personal identification card conforms to such minimum standards.

"(B) DATE FOR CONFORMANCE.—The Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall establish a date after which no driver's license or personal identification card shall be accepted by a Federal agency for any official purpose unless such driver's license or personal identification card conforms to the minimum standards established under paragraph (2). The date shall be as early as the Secretary determines it is practicable for the States to comply with such date with reasonable efforts.

"(C) STATE CERTIFICATION.—

"(i) IN GENERAL.—Each State shall certify to the Secretary of Transportation that the State is in compliance with the requirements of this section.

"(ii) FREQUENCY.—Certifications under clause (i) shall be made at such intervals and in such a manner as the Secretary of Transportation, with the concurrence of the Secretary of Homeland Security, may prescribe by regulation.

"(iii) AUDITS.—The Secretary of Transportation may conduct periodic audits of each State's compliance with the requirements of this section.

"(2) MINIMUM STANDARDS.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall establish, by regulation, minimum standards for driver's licenses or personal identification cards issued by a State for use by Federal agencies for identification purposes that shall include—

"(A) standards for documentation required as proof of identity of an applicant for a

driver's license or personal identification card;

"(B) standards for the verifiability of documents used to obtain a driver's license or personal identification card;

"(C) standards for the processing of applications for driver's licenses and personal identification cards to prevent fraud;

"(D) standards for information to be included on each driver's license or personal identification card, including—

"(i) the person's full legal name;

"(ii) the person's date of birth;

"(iii) the person's gender;

"(iv) the person's driver's license or personal identification card number;

"(v) a digital photograph of the person;

"(vi) the person's address of principal residence; and

"(vii) the person's signature;

"(E) standards for common machine-readable identity information to be included on each driver's license or personal identification card, including defined minimum data elements;

"(F) security standards to ensure that driver's licenses and personal identification cards are—

"(i) resistant to tampering, alteration, or counterfeiting; and

"(ii) capable of accommodating and ensuring the security of a digital photograph or other unique identifier; and

"(G) a requirement that a State confiscate a driver's license or personal identification card if any component or security feature of the license or identification card is compromised.

"(3) CONTENT OF REGULATIONS.—The regulations required under paragraph (2)—

"(A) shall facilitate communication between the chief driver licensing official of a State, an appropriate official of a Federal agency and other relevant officials, to verify the authenticity of documents, as appropriate, issued by such Federal agency or entity and presented to prove the identity of an individual;

"(B) may not infringe on a State's power to set criteria concerning what categories of individuals are eligible to obtain a driver's license or personal identification card from that State;

"(C) may not require a State to comply with any such regulation that conflicts with or otherwise interferes with the full enforcement of State criteria concerning the categories of individuals that are eligible to obtain a driver's license or personal identification card from that State;

"(D) may not require a single design to which driver's licenses or personal identification cards issued by all States must conform; and

"(E) shall include procedures and requirements to protect the privacy rights of individuals who apply for and hold driver's licenses and personal identification cards.

"(4) NEGOTIATED RULEMAKING.—

"(A) IN GENERAL.—Before publishing the proposed regulations required by paragraph (2) to carry out this title, the Secretary of Transportation shall establish a negotiated rulemaking process pursuant to subchapter IV of chapter 5 of title 5, United States Code (5 U.S.C. 561 et seq.).

"(B) REPRESENTATION ON NEGOTIATED RULEMAKING COMMITTEE.—Any negotiated rulemaking committee established by the Secretary of Transportation pursuant to subparagraph (A) shall include representatives from—

"(i) among State offices that issue driver's licenses or personal identification cards;

“(ii) among State elected officials;

“(iii) the Department of Homeland Security; and

“(iv) among interested parties.

“(C) TIME REQUIREMENT.—The process described in subparagraph (A) shall be conducted in a timely manner to ensure that—

“(i) any recommendation for a proposed rule or report is provided to the Secretary of Transportation not later than 9 months after the date of enactment of this Act and shall include an assessment of the benefits and costs of the recommendation; and

“(ii) a final rule is promulgated not later than 18 months after the date of enactment of this Act.

“(C) GRANTS TO STATES.—

“(1) ASSISTANCE IN MEETING FEDERAL STANDARDS.—Beginning on the date a final regulation is promulgated under subsection (b)(2), the Secretary of Transportation shall award grants to States to assist them in conforming to the minimum standards for driver’s licenses and personal identification cards set forth in the regulation.

“(2) ALLOCATION OF GRANTS.—The Secretary of Transportation shall award grants to States under this subsection based on the proportion that the estimated average annual number of driver’s licenses and personal identification cards issued by a State applying for a grant bears to the average annual number of such documents issued by all States.

“(3) MINIMUM ALLOCATION.—Notwithstanding paragraph (2), each State shall receive not less than 0.5 percent of the grant funds made available under this subsection.

“(d) EXTENSION OF EFFECTIVE DATE.—The Secretary of Transportation may extend the date specified under subsection (b)(1)(A) for up to 2 years for driver’s licenses issued by a State if the Secretary determines that the State made reasonable efforts to comply with the date under such subsection but was unable to do so.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for each of the fiscal years 2005 through 2009, such sums as may be necessary to carry out this section.”

(B) EFFECTIVE DATE.—Section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004, as added by subparagraph (A), shall take effect as if included in the original enactment of such Act on December 17, 2004.

By Mr. NELSON (for himself,
Mrs. FISCHER, Ms. KLOBUCHAR,
and Mr. BLUNT):

S. 134. A bill to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, fraudulent and abusive phone scams plague thousands of Americans each year. These deceitful practices cause serious financial harm to victims, and have even led to tragedy in a few cases. Both the Committee on Commerce, Science, and Transportation, where I serve as Ranking Member, and the Special Committee on Aging, where I previously served as Chairman, have explored the continuing severe impact of these scams. Consumers continue to lose millions of dollars each year to

fraudulent phone scams, many of which originate from other countries. And the impacts of these scams are very real to the consumers who suffer. According to an October 2015 press report from CNN, one poor soul took his life earlier that year after being tricked into spending thousands of dollars in a vain attempt to collect on his winnings in the Jamaican lottery—winnings that were non-existent because it was all a scam perpetrated by phone-based fraudsters.

Nearly all of us have trained ourselves to ignore phone calls and text messages from numbers that are not familiar to us. But these sophisticated scammers know that—and have changed their tactics. Scammers today impersonate government institutions, promote fraudulent lottery schemes, and tailor their calls to individuals in order to coerce victims into paying large sums of money. Many scammers use spoofing technology to manipulate caller ID information and trick consumers into believing that these calls are local or come from trusted institutions.

In 2009, I introduced the Truth in Caller ID Act to prohibit caller ID spoofing when it is used to defraud or harm consumers. That law provided important tools for law enforcement and the Federal Communications Commission, FCC, to go after fraudsters and crack down on these phone scams. I was pleased when my Congressional colleagues joined with me to pass that legislation and the President signed it into law. This was a huge win for consumers and the first step toward ending these abusive practices.

Recognizing the pace at which phone scam technologies evolve, the law directed the FCC to prepare a report to Congress outlining what additional tools were needed to curb other forms of spoofing. In 2011, the agency provided its recommendations to Congress on how to update the law to keep pace with new spoofing practices, such as text messaging scams.

The bill Senators FISCHER, KLOBUCHAR, BLUNT and I have introduced today responds to the FCC’s recommendations and builds on the 2010 Act to ensure the law keeps up with these spoofing scams. As these scams become increasingly sophisticated, we need to make sure that consumer protections and tools for law enforcement keep up. That is why this legislation is so important.

The Spoofing Prevention Act of 2017 would extend the current prohibition on caller ID spoofing to text messages, calls coming from outside the United States, and calls from all forms of Voice over Internet Protocol services.

Additionally, for the first time, this bill would ensure consumers have access to information on a centralized FCC website about current technologies and other tools available to

protect themselves against spoofing scams.

Finally, the Act directs the Government Accountability Office, GAO, to conduct a study to assess government and private sector work being done to curb spoofing scams, as well as what new measures, including technological solutions, could be taken to prevent spoofed calls from the start. I know industry, in cooperation with the FCC through its Robocall Strike Force, already is making great strides in this area, and I would expect the GAO to review that work closely.

I urge my colleagues to join Senators FISCHER, KLOBUCHAR, BLUNT, and me in supporting the Spoofing Prevention Act of 2016 to ensure that law enforcement and consumers have the updated tools they need to protect against this fraudulent activity. And make no mistake, I will press the FCC to continue to use its full authority under the Truth in Caller ID Act to stop these scams, including consideration of technical solutions—like call authentication—to protect consumers.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 134

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Spoofing Prevention Act of 2017”.

SEC. 2. DEFINITION.

In this Act, the term “Commission” means the Federal Communications Commission.

SEC. 3. SPOOFING PREVENTION.

(a) EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) COMMUNICATIONS FROM OUTSIDE THE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking “in connection with any telecommunications service or IP-enabled voice service” and inserting “or any person outside the United States if the recipient of the call is within the United States, in connection with any voice service or text messaging service”.

(2) COVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(A) in subparagraph (A), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”;

(B) in the first sentence of subparagraph (B), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”; and

(C) by striking subparagraph (C) and inserting the following:

“(C) TEXT MESSAGE.—The term ‘text message’—

“(i) means a message consisting of text, images, sounds, or other information that is transmitted from or received by a device

that is identified as the transmitting or receiving device by means of a 10-digit telephone number;

“(ii) includes a short message service (commonly referred to as ‘SMS’) message, an enhanced message service (commonly referred to as ‘EMS’) message, and a multimedia message service (commonly referred to as ‘MMS’) message; and

“(iii) does not include a real-time, 2-way voice or video communication.

“(D) TEXT MESSAGING SERVICE.—The term ‘text messaging service’ means a service that permits the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

“(E) VOICE SERVICE.—The term ‘voice service’—

“(i) means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

“(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.”

(3) TECHNICAL AMENDMENT.—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting “MISLEADING OR” before “INACCURATE”.

(4) REGULATIONS.—

(A) IN GENERAL.—Section 227(e)(3)(A) of the Communications Act of 1934 (47 U.S.C. 227(e)(3)(A)) is amended by striking “Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission” and inserting “The Commission”.

(B) DEADLINE.—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under paragraph (4).

(b) CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) DEVELOPMENT OF MATERIALS.—Not later than 1 year after the date of enactment of this Act, the Commission, in collaboration with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

(B) existing technologies, if any, that a consumer can use to protect against such scams and other fraudulent activity.

(2) CONTENTS.—In developing the consumer education materials under paragraph (1), the Commission shall—

(A) identify existing technologies, if any, that can help consumers guard themselves against scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information, including—

(i) descriptions of how a consumer can use the technologies to protect against such scams and other fraudulent activity; and

(ii) details on how consumers can access and use the technologies; and

(B) provide other information that may help consumers identify and avoid scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information.

(3) UPDATES.—The Commission shall ensure that the consumer education materials required under paragraph (1) are updated on a regular basis.

(4) WEBSITE.—The Commission shall include the consumer education materials developed under paragraph (1) on its website.

(c) GAO REPORT ON COMBATING THE FRAUDULENT PROVISION OF MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(2) REQUIRED CONSIDERATIONS.—In conducting the study under paragraph (1), the Comptroller General shall examine—

(A) trends in the types of scams that rely on misleading or inaccurate caller identification information;

(B) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(C) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

(D) whether there are additional actions the Commission, the Federal Trade Commission, and Congress should take to combat the fraudulent provision of misleading or inaccurate caller identification information.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the findings of the study conducted under paragraph (1), including any recommendations regarding combating the fraudulent provision of misleading or inaccurate caller identification information.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to modify, limit, or otherwise affect any rule or order adopted by the Commission in connection with—

(1) the Telephone Consumer Protection Act of 1991 (Public Law 102-243; 105 Stat. 2394) or the amendments made by that Act; or

(2) the CAN-SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

mittee on Environment and Public Works:

S. RES. 12

Whereas the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly known as the “Clean Water Act”) is one of the most important laws in the United States and has led to decades of successful environmental improvements;

Whereas the success of that Act depends on consistent adherence to the key principle of cooperative federalism, under which the Federal Government and State and local governments all have a role in protecting water resources;

Whereas, in structuring the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) based on the foundation of cooperative federalism, Congress left to the States their traditional authority over land and water, including farmers’ fields, nonnavigable, wholly intrastate water (including puddles and ponds), and the allocation of water supplies;

Whereas compliance with the principle of cooperative federalism requires that any regulation defining the term “waters of the United States” be promulgated—

(1) after the establishment of a proper regulatory baseline for, and an evaluation of the costs and benefits of, the proposed regulatory definition of the term;

(2) in compliance with—

(A) chapter 6 of title 5, United States Code (commonly known as the “Regulatory Flexibility Act”); and

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(3) in consultation with States and local governments, including consultation with respect to—

(A) alternative proposals for changing the regulatory definition of the term; and

(B) the impact of the alternative proposals, including costs and benefits, on State and local governments and small entities;

Whereas, in promulgating the final rule entitled “Clean Water Rule: Definition of ‘Waters of the United States’” (80 Fed. Reg. 37054 (June 29, 2015)) (referred to in this preamble as the “Waters of the United States Rule”), the Administrator of the Environmental Protection Agency and the Chief of Engineers—

(1) failed to follow the procedural steps described in the fourth whereas clause; and

(2) claimed broad and expansive jurisdiction that encroaches on traditional State authority and undermines longstanding exemptions from Federal regulation under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

Whereas, on October 9, 2015, the United States Court of Appeals for the Sixth Circuit—

(1) issued a nationwide stay for the Waters of the United States Rule; and

(2) found that the petitioners who requested that the court vacate the Waters of the United States Rule have a substantial possibility of success in a hearing on the merits of the case: Now, therefore, be it

Resolved, That it is the sense of the Senate that the final rule of the Administrator of the Environmental Protection Agency and the Chief of Engineers entitled “Clean Water Rule: Definition of ‘Waters of the United States’” (80 Fed. Reg. 37054 (June 29, 2015)) should be vacated.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 12—EX-PRESSING THE SENSE OF THE SENATE THAT CLEAN WATER IS A NATIONAL PRIORITY, AND THAT THE JUNE 29, 2015, WATERS OF THE UNITED STATES RULE SHOULD BE WITHDRAWN OR VACATED

Mrs. FISCHER (for herself and Mrs. ERNST) submitted the following resolution; which was referred to the Com-

SENATE RESOLUTION 13—RECOGNIZING THE HISTORICAL IMPORTANCE OF ASSOCIATE JUSTICE CLARENCE THOMAS

Mr. CORNYN (for himself, Mr. HATCH, Mr. LEE, Mr. SCOTT, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 13

Whereas, in 1948, Clarence Thomas was born outside of Savannah, Georgia, in the small community of Pin Point, Georgia;

Whereas Clarence Thomas was born into poverty and under segregation;

Whereas, notwithstanding his humble beginnings and the many impediments he faced, Clarence Thomas demonstrated incredible intellect, discipline, and strength in attending and graduating from St. Benedict the Moor Catholic School, St. John Vianney Minor Seminar, the College of the Holy Cross, and Yale Law School;

Whereas Clarence Thomas had a distinguished legal career with service in State government and all branches of the Federal Government, including the Senate, the Department of Education, the Equal Employment Opportunity Commission, and the United States Court of Appeals for the District of Columbia Circuit;

Whereas, on July 1, 1991, President George Herbert Walker Bush nominated Clarence Thomas to be an Associate Justice of the Supreme Court of the United States (in this preamble referred to as the "Supreme Court");

Whereas Justice Thomas is the second African American to serve on the Supreme Court;

Whereas, during his quarter century on the Supreme Court, Justice Thomas has made a unique and indelible contribution to the jurisprudence of the United States;

Whereas Justice Thomas has propounded a jurisprudence that seeks to faithfully apply the original meaning of the text of the Constitution of the United States;

Whereas Justice Thomas has brought renewed focus to constitutional doctrines that the Framers intended to undergird our republican form of government, including federalism and the separation of powers;

Whereas, in fostering this philosophy of law, Justice Thomas reinvigorated not only the jurisprudence of the United States, but also the democracy of the United States;

Whereas Justice Thomas has been a remarkably prolific Associate Justice, writing influential opinions on topics including constitutional law, administrative law, and civil rights;

Whereas, on August 10, 1846, in the name of founding an establishment for the increase and diffusion of knowledge, Congress established the Smithsonian Institution as a trust to be administered by a Board of Regents and a Secretary of the Smithsonian Institution;

Whereas diversity, including intellectual diversity, is a core value of the Smithsonian Institution and the museums of the Smithsonian Institution should capitalize on the richness inherent in differences;

Whereas, upon opening, the National Museum of African American History and Culture (in this preamble referred to as the "Museum") is the only national museum devoted exclusively to the documentation of African American life, history, and culture;

Whereas the Museum omits the contribution made by Justice Thomas to the United States; and

Whereas the Senate is hopeful that the Museum will reflect that important contribution: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Associate Justice Clarence Thomas is a historically significant African American who has—

(A) overcome great challenges;

(B) served his country honorably for more than 35 years; and

(C) made an important contribution to the United States, in particular the jurisprudence of the United States; and

(2) the life and work of Justice Thomas are an important part of the story of African Americans in the United States and should have a prominent place in the National Museum of African American History and Culture.

SENATE RESOLUTION 14—COMMENDING THE CLEMSON UNIVERSITY TIGERS FOOTBALL TEAM FOR WINNING THE 2017 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. GRAHAM (for himself and Mr. SCOTT) submitted the following resolution; which was considered and agreed to:

S. RES. 14

Whereas, on Monday, January 9, 2017, the Clemson University Tigers football team won the 2017 College Football Playoff National Championship (in this preamble referred to as the "championship game") by defeating the University of Alabama by a score of 35 to 31 at Raymond James Stadium in Tampa, Florida;

Whereas the Tigers finished the championship game with 511 yards of total offense;

Whereas the victory by the Tigers in the championship game—

(1) earned Clemson its first national title since the 1981 season; and

(2) marked the first time that Clemson had beaten a top-ranked team;

Whereas the head coach of Clemson, Dabo Swinney, has been an outstanding role model to the Clemson players and the Clemson community;

Whereas Deshaun Watson gave the best performance by a quarterback in a championship game;

Whereas Ben Boulware, from Anderson, South Carolina, was named the defensive Most Valuable Player of the championship game;

Whereas Hunter Renfrow, a graduate of Socastee High School, went from being a walk-on player to catching the winning touchdown in the championship game;

Whereas the Clemson University football team displayed outstanding dedication, teamwork, and sportsmanship throughout the 2016 collegiate football season in achieving the highest honor in college football; and

Whereas the Tigers have brought pride and honor to the State of South Carolina: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Clemson University Tigers for winning the 2017 College Football Playoff National Championship;

(2) recognizes the on-field and off-field achievements of the players, coaches, and staff of the Clemson football team; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the President of Clemson University, James P. Clements; and

(B) the head coach of the Clemson University football team, Dabo Swinney.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have four requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on January 12, 2017, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 12, 2017, at 10 a.m., to conduct a hearing entitled "Nomination of Dr. Benajmin Carson To Be Secretary of the U.S. Department of Housing and Urban Development."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 12, 2017, at 12 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on January 12, 2017, at 10 a.m.

UNANIMOUS CONSENT AGREEMENT—H.R. 72

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 4:15 p.m. on Tuesday, January 17, the Committee on Homeland Security and Governmental Affairs be discharged and the Senate proceed to the consideration of H.R. 72; further, that there be 30 minutes of debate equally divided in the usual form, and that upon the use or yielding back of time, the bill be read a third time, and the Senate vote on passage of H.R. 72 with no intervening action or debate; finally, that if passed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

COMMENDING THE CLEMSON UNIVERSITY TIGERS FOOTBALL TEAM FOR WINNING THE 2017 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 14, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 14) commending the Clemson University Tigers football team for winning the 2017 College Football Playoff National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered

made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 14) was agreed to.

The preamble was agreed to. (The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR FRIDAY, JANUARY 13, 2017, AND TUESDAY, JANUARY 17, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Friday, January 13, for a pro forma session only, with no business being conducted; further, that when the Senate adjourns on Friday, January 13, it next convene on Tuesday, January 17, at 3 p.m.; further, that following the prayer and pledge,

the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business until 4:15 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:38 p.m., adjourned until Friday, January 13, 2017, at 10 a.m.

HOUSE OF REPRESENTATIVES—Thursday, January 12, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 12, 2017.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

SEX TRAFFICKING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, recently in Sacramento, California, Uber driver Keith Avila picked up three passengers. They were two women and what looked like to him to be a very young girl, about 12 years of age. The ride would be short. The total fare was only \$8.

The young girl, sitting in the front seat with him, was dressed inappropriately in such a short skirt. Here is what he said about her:

You could see all of her legs, and it struck me as odd because she was so very young.

What happened next was even more disturbing to him. One of the women passengers in the vehicle said to the young girl in a controlling, coaching voice:

First thing you do, you ask this question: Do you have any weapons? When you're hugging him, just ask, "Do you have any weapons?" Pat him down. Pat him down while you're hugging on him. Get the money first. Before you start touching him, go in there, get the money first.

Avila, a father himself, knew something was not right about that con-

versation. The two older women taking a girl inappropriately dressed to a hotel, talking about exchanging money, did not make sense to him.

This had the hallmark of sex trafficking. He later said to police:

I was 100 percent sure I knew what was happening.

So Avila dropped off the three individuals at the Holiday Inn Express and immediately called the police, even though he didn't have to. He alerted them that there was a child sex trafficking occurring right under their noses.

The two alleged women traffickers were later identified as 25-year-old Destiny Pettway and 31-year-old Maria Westley. They now have been charged with pimping and threatening a minor. The buyer, 20-year-old Disney Vang, was also arrested and charged by the police with soliciting a child prostitute.

Mr. Speaker, this girl turned out to be 16 years of age, but her life was saved because of this individual, Mr. Avila.

Elk County Police Officer Chris Trim said it best:

He could've said nothing, went on his way, collected his fare, and then that child victim would have been victimized again by who knows how many different people over the next days, weeks, or even months.

Mr. Speaker, America cannot ignore sex trafficking in this country. Individuals, citizens, no matter who they are, need to be able to recognize what is taking place amongst sex trafficking.

What happened in Sacramento with this child is not an isolated incident. This incident just happened to end well because someone saw something and said something.

Last Congress, we took the historic step of passing several pieces of comprehensive, bipartisan trafficking legislation, supported by most Members of the House of Representatives and the Senate.

One of those bills was my own and CAROLYN MALONEY's, the Justice for Victims of Trafficking Act. This bill did a number of things, but most importantly, it went after the root problem: the demand, the customer that buys minors on the marketplace of sex trafficking.

The bill did a lot of other things to help promote the enforcement of the sex trafficking laws in America. The Justice for Victims of Trafficking Act also went after the trafficker as well as rescuing the victim, and, of course, it prosecuted the buyers.

The bill also set up a fund to pay for grants to help the victims and victim shelters and to educate police. The fund is funded by money that goes into that fund by fees, ordered by Federal judges. In other words, let the criminals pay the rent on the courthouse and pay for the system that they have created and help fund shelters and police training to recognize the trafficking that takes place.

The enforcement of the bill is taking place throughout the country. Going after human sex trafficking is something that this country needs to recognize, and we need to be able to recognize it when we are individuals, law enforcement, and Members of the House of Representatives as well.

Sex trafficking takes place not only on the individual basis, but at big events such as the Super Bowl and the Final Four. Just this week, the Department of Homeland Security had a briefing for Members of the Texas delegation on the Super Bowl, talking about the security that will be implemented in Houston. It was quite impressive. But during that briefing for Members of Congress—and I see two of them here, Mr. AL GREEN and Mr. FARENTHOLD, who were at that briefing—they talked about how probably sex trafficking will be at that location, and how they are going to try to prevent it.

It is quite impressive, the Blue Campaign that is taking place by the Department of Homeland Security. We are going to be ready for those people who want to try to promote sex trafficking in Houston because of the Super Bowl, making sure that there is not going to be sex trafficking in our town, in our country, and that our children are not for sale.

So it is important that we recognize it when we see it, and it is because of awareness of citizens like Mr. Avila that America is turning the tide and making sure that we enforce our sex trafficking laws.

And that is just the way it is.

REFINE THE AFFORDABLE CARE ACT—DON'T REPEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it is heartening that a few of our Republican colleagues are urging caution on the reckless approach to repeal the Affordable Care Act. They are acknowledging that the only reasonable way to

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

proceed—if that is the objective—is to, at the same time that they repeal, provide the American people with a replacement, a replacement that meets their criteria.

One reason they have not done so is that Republicans don't really agree, don't really know how to do that. The new President promises that a repeal-and-replace program will be better. It will have lower costs and better coverage—a tall order—and we have seen no details.

The troubling fact for the Republicans bent on repealing the Affordable Care Act is that the ACA is working, and most of the major provisions are wildly popular: no lifetime limits on health care; no denial for preexisting conditions to almost 130 million Americans who would otherwise have their health care at risk; allowing children to stay on their parents' health insurance until they are age 25; not charging women higher premiums than men simply because of their chromosomes.

These elements are absolutely essential going forward, and the American public wants this to continue. Sadly, even if they do slow down and try to do it right, there is much damage that is being done with the uncertainty in the air. They have unsettled 18 percent of our economy—over \$3 trillion of annual expenses—disrupting the 6 years of progress in making the system work better.

I have been talking to people in my community, finding out about some of the damage that is being done, their concerns and apprehensions. The largest employer in the city of Portland is Oregon Health & Science University. They already have felt compelled to implant a hiring freeze, dial back some of their programming, trying to reconfigure, preparing for the worst.

The local government, partnering with the private sector to treat the poor and the elderly, people with mental health issues, are having their important reforms put at risk, and they are scrambling to try and figure out how to do it.

The State of Oregon, not unlike many States around the country, is facing some budget challenges, and there is a \$1.7 billion question dealing with the uncertainty going forward with Medicaid.

Rural hospitals are especially vulnerable, and they will explain it to any Congressman who chooses to ask. Most important for many of them is the fact that this approach that is being pursued on Capitol Hill with this question mark puts at risk one of the greatest achievements of the Affordable Care Act. The vast amounts of money spent on uncompensated care, charity care, has been dramatically reduced. People are getting their health care earlier, and it is being paid for. And those uncompensated care levels are falling dramatically. They are getting better care, more timely.

The health providers in my community are concerned they are still going to have to provide the care, but it will be done later in an emergency room, not in a clinic setting, and they are left holding the bag financially. It is not hard to find out how damaging this approach has been.

Certainly, the Affordable Care Act could use refinement and improvement. We have been trying to do that for the last 6 years. The local medical associations, community clinics, hospitals, health plans are all willing to say how that could be done; but at the same time, they will explain what is at risk and why we owe it to them and the people we serve to understand the damage that is being done and try and minimize it.

The course that is being followed will make America sick again, and that is not the way to start a new administration, a new Congress. We should do what we should have been doing for the last 6 years: working together, cooperatively, to build upon, refine, and improve the Affordable Care Act and give the American public the health care they deserve.

HIGHLIGHTING THE IMPORTANCE OF RURAL HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, before I was elected to serve in the House of Representatives, I spent nearly 30 years in the nonprofit healthcare field assisting those individuals who were facing life-changing diseases and disability. Additionally, as a member of my home community, I have volunteered for decades as an emergency medical technician, serving my neighbors in their time of trauma or medical emergency needs.

I am acutely aware of the challenges many face when it comes to obtaining reasonably priced health care. It is especially critical for rural America, like much of the Fifth Congressional District of Pennsylvania.

We are facing a healthcare crisis in our Nation's rural areas. These often disadvantaged populations are still struggling to access affordable, quality care. Many remain uninsured. Many find themselves newly uninsured as a result of the pressures and the demands and the mandates of the Affordable Care Act. Most are underinsured; however, access to quality care really does remain the largest challenge.

Even when people gain access to health insurance or coverage, it does not equal access to care. Rural hospitals across the country are closing, leaving patients without access to their emergency rooms and long-term care facilities. When you close a hospital in a rural area, the result is a

commute that means the difference, frequently, between life and death.

Eighty rural hospitals have closed since 2010. One in three rural hospitals are financially vulnerable. At the current closure rate, more than 25 percent of rural hospitals will close in less than a decade.

As this Congress examines ways to improve our Nation's healthcare system, we must not forget that rural health care is unique and requires different programs to succeed.

In addition to hospital closures, a workforce shortage plagues rural America; 77 percent of more than 2,000 rural counties in the United States are designated as having a shortage of healthcare professionals. Recruitment and retention of experienced professionals, including primary care physicians, is an ongoing challenge.

□ 1015

Mr. Speaker, no matter how you pay for health care, if there are not qualified and trained professionals in those communities, healthcare access does not exist. Congress must act to stop cuts to rural hospitals and strengthen the healthcare workforce in underserved areas.

Furthermore, the opioid epidemic that is sweeping the Nation has ravaged our rural communities, leaving even more of the population in need of crucial health services. Adolescents and young adults living in rural areas are more vulnerable to opioid abuse than their urban counterparts. The prevalence of fatal drug overdoses has skyrocketed in rural areas. High unemployment and a greater rate of the types of injuries that result in prescriptions for opioid medications have contributed to this.

For these reasons, I again look forward to cosponsoring the Save Rural Hospitals Act in the 115th Congress. We must ensure access to health care for Americans living in rural areas.

On average, trauma victims in rural areas must travel twice as far as victims in urban areas to the closest hospital. As a result, 60 percent of trauma deaths occur in rural areas, even though only 20 percent of Americans live in rural areas.

The Affordable Care Act was supposed to help cut costs for health care, but that did not happen for everyone. American families have found out the hard way, with increased taxes, looming regulations, and a slew of broken promises, from untrue cost controls to limitations on consumer choice. We were told that, "if you like your coverage, you can keep it." Well, that was not even close to being true.

I look forward to working with my colleagues to fix our flawed healthcare system. Currently, healthcare costs have gone up, premiums have increased by double digits, but choices have decreased. Deductibles are so high that

many Americans, despite having “coverage,” cannot afford to seek care under that coverage. Well, that is not right. It is not fair, and it is not feasible. There must be a better way, and I know together we can work to find a stable transition to a 21st century healthcare system that works for everyone in America, particularly for those in rural regions where the need is great and the services are scarce.

DON'T CUT PLANNED PARENTHOOD FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Mr. Speaker, tomorrow this body is set to vote on a budget resolution that would dramatically cut Federal funding for Planned Parenthood. But today there is still time to reconsider that proposal and listen to the thousands, if not millions, of men, women, and children who are urging us not to because they understand the impact in our communities better than almost any of us here today.

Now, this isn't just about blocking a woman's constitutional right to her own healthcare options, although that would be bad enough. This is about gutting Medicaid reimbursements for preventive care and family planning, revoking every single dollar for 360,000 lifesaving breast exams and 4 million tests for sexually transmitted diseases. This is Congress choosing political gamesmanship at the expense of Americans' health, particularly those who cannot afford care otherwise. This is a tactical strike on low-income women and families.

In my home State of Massachusetts, it would immediately deny access to care to nearly 10,000 patients covered by MassHealth. For these men, women, and children, it is not as simple as walking to the nearest community health center, because over 50 percent of Planned Parenthood centers across our country are found in medically underserved communities.

For the elderly woman in need of cancer screening, there would be nowhere else to turn. For the young expectant mother in need of prenatal care, there would no longer be a community doctor that she can trust. For the dad whose son is in need of strep throat treatment, the only option left may be an unaffordable trip to the emergency room.

Mr. Speaker, if this is intended to be a warning shot on a constitutionally guaranteed right to have an abortion, my Republican colleagues are missing their target and, instead, they are aimed right at poor Americans.

I urge every Member of this House to talk to their constituents who have received care at Planned Parenthood centers before voting on this bill. I ask

them to listen and understand the life-altering impact that it will have on the families who can least afford it.

WE HAVE HIT THE GROUND RUNNING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. LEWIS) for 5 minutes.

Mr. LEWIS of Minnesota. Mr. Speaker, I rise today to say how incredibly proud I am to be representing Minnesota's Second District. It is an honor that I do not take lightly, and I am excited to get to work for my constituents.

Here in the House we have hit the ground running. During my first 2 weeks in Congress, we took steps to jump-start our economy by addressing the massive web of regulations that were issued by unelected and unaccountable bureaucrats in the administration. In fact, 2016 was a record-breaking year for Federal agencies. Unfortunately, the record they set is not a good one.

In 2016 alone, there were 3,853 finalized rules and regulations, amounting to 97,110 pages. That is more than any year in history. Based on the page numbers alone, this amount of regulations may seem staggering, but the economic costs are even more damaging. In 2015, regulations cost American consumers and small businesses an estimated \$1.88 trillion in lost economic productivity and higher prices.

Many in Washington have started to call Federal regulators the fourth branch of government, unelected branch of government when it comes from the agencies. For too long, these regulators have run rampant, hurting our small businesses, stifling job growth, and hampering our economy. In fact, we have had one of the slowest economic recoveries coming out of a severe recession in modern times.

That is why, last week, I was proud to join my colleagues in passing the REINS Act and the Midnight Rules Relief Act. Additionally, this week we passed the Regulatory Accountability Act. Today I am proud to introduce my first piece of legislation, the Reforming Executive Guidance Act. This will further increase transparency and ensure that regulatory agencies are held accountable for their actions.

My bill will ensure that significant guidance documents promulgated by the regulatory agencies are subject to congressional review. These guidance documents are only meant to clarify regulations. However, over the years, executive agencies have used these guidance documents more and more often to expand their power and make significant policy changes. We are the accountable branch who are to make those policy changes. These policy changes are negatively affecting our businesses and imposing these significant costs on our economy.

My bill simply ensures that significant guidance documents are fully subject to the Congressional Review Act and the Administrative Procedure Act's notice and comment requirement. Not only does this increase congressional oversight, it also increases transparency, as the public will now have the ability to review these guidance documents before they are finalized. I ask my colleagues to join me in supporting this straightforward, commonsense legislation.

I look forward to working with my colleagues throughout the 115th Congress as we address the major issues facing the American people.

THE AFFORDABLE CARE ACT WORKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. PAYNE) for 5 minutes.

Mr. PAYNE. Mr. Speaker, one of my constituents, Paul from Montclair, New Jersey, shared with my office his struggle with bladder cancer, HIV, and severe depression. He told us that he is scared, like most people who rely on the Affordable Care Act, because Republicans are determined to gut this legislation. He told us that he depends on the ACA for his medications and treatments, without which he fears he will die.

Paul lives on an unstable income, and it is only because of the ACA that he is able to afford his treatments. The staffer in my office who spoke with Paul told me that he could feel the fear in Paul's voice as he listened to Paul's story. Paul is rightly concerned about whether he will be able to afford his next urologist appointment and what will happen if he can no longer pay for his depression medication.

Now, Paul told us that this was the first time that he publicly announced his medical conditions because he wants people to see the human face on the problem of the ACA repeal. He wants people to know that the ACA is keeping people alive.

Over 20 million people now depend on the ACA. They are not empty numbers. They are real people who deserve affordable, quality health coverage. ACA repeal would strip them of this coverage and make it impossible for them to get the care they rightly need.

Democrats will continue to stand our ground on the ACA, and we will continue to stand up for people who depend on the law, like Paul. We will refuse to make America sick again and create chaos in our Nation's healthcare system.

DIRE CONSEQUENCES OF OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD) for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, for the past several days, this morning during our morning-hour debate, I have been listening to my colleagues across the aisle talking about the dire consequences the repeal of ObamaCare will have. Well, I have got to tell you something. It is already having dire consequences. The law itself is having dire consequences.

Americans like my constituent Dotty Legg from Victoria, Texas, wrote to my office with a desperate plea to get relief from the effects of ObamaCare. In 2012, Dotty's coverage was around \$400 a month with a \$2,500 deductible. In 2014, it went up to almost \$600. In 2015, \$700 a month, and that is coverage for just one person.

Well, in 2016, Dotty's carrier told her they could no longer cover her, so she had to go somewhere else. She went to another carrier and they only had an option that was almost \$700 a month, and her deductible skyrocketed to \$6,500. That is pretty unaffordable for something called the Affordable Care Act.

I have got to tell you, back before ObamaCare, back before the Affordable Care Act, a policy with a \$6,500 deductible would have been one of the least expensive policies you could have bought. It would have been a catastrophic policy. We have got to fix this.

It gets even worse. We don't see what goes on in 2017. The company is pulling out. Dotty can't find coverage at all.

The Affordable Care Act is not affordable, and it is full of broken promises. Most of the promises made were broken with Dotty. If you like your doctor, you can keep them. She hasn't been able to keep her doctor. Prices are going to go down? Come on. If you like your policy, you are going to keep it. Didn't happen.

We have got to fix this, and Republicans have a plan. We are going to work the plan. It is at better.gop. It is one of those new top-level domains, better.gop. We have got to fix it because ObamaCare is nothing but, as we say on the Internet, a big old #fail.

SECOND AMENDMENT RIGHTS FOR MILITARY SPOUSES

Mr. FARENTHOLD. Mr. Speaker, I would also like to talk about our military spouses.

We often overlook the tremendous sacrifice our military spouses make to support their husbands and wives. They often move far from home and family to be with their spouse on military orders, but they give up their friends, the comfort of home, and even some of their Second Amendment rights.

The Gun Control Act of 1968 limits citizens' rights to purchase a handgun by requiring that it only be bought in the State where they are considered residents. Exceptions were made for Active-Duty military members but not their spouses; and that is why I have introduced H.R. 256, the Protect Our

Military Families' Second Amendment Rights Act, which allows spouses of Active-Duty servicemembers to purchase firearms in the State where they live under their spouse's military orders.

Military spouses should not be denied their Second Amendment rights because they choose to live with their husband or wife while they are deployed. Spouses have the right to defend themselves and their families, just like everyone else. While I believe we must continue to push for things like constitutional carry, H.R. 256 is a good step in ensuring Second Amendment rights are respected.

□ 1030

CONGRATULATING COACH JASON HERRING AND THE REFUGIO BOBCATS

Mr. FARENTHOLD. Mr. Speaker, on a lighter note, I would also like to congratulate Coach Jason Herring and the Refugio Bobcats football team for winning their fourth Texas State AA championship.

The Bobcats had a 15-1 record this school year and defeated Crawford in the championship game 23-20 in an impressive game-winning 15-yard field goal by kicker Diego Gonzalez with only 8 seconds remaining.

Quarterback Jacobe Avery was the championship game's offensive MVP, and linebacker Kobie Herring was named defensive MVP. This was an impressive year for the whole team.

Winning is a Bobcat tradition. Congratulations, Refugio Bobcats.

EXPANDING MEDICARE COVERAGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, since its implementation in 1965, Medicare has excluded coverage for hearing aids and related audiology services, routine dental care, and routine eye exams and eyeglasses despite the fact that large numbers of older Americans need these essential items and services. Today, with well over 100 original cosponsors, I will be introducing the Seniors Have Eyes, Ears, and Teeth bill, which will lift these terribly unfair restrictions on the population most in need of these services.

We know that hearing loss affects more than 40 percent of persons over 60 years old, more than 60 percent of those over 70, and almost 80 percent of those over 80 years of age. Yet, sadly, only one in five seniors currently diagnosed with hearing issues uses a hearing aid, which can range in cost from \$1,000 to \$6,000. For the more than half of Medicare beneficiaries who live on incomes below \$24,150 per year, these high, out-of-pocket expenses are out of their reach.

We also know seniors account for approximately 80 percent of the 2.8 mil-

lion Americans with low vision. Routine eye exams for these seniors can cost from \$50 to \$300 or more, and the average cost for a pair of prescription glasses is \$196.

Mr. Speaker, it is increasingly well documented that untreated vision and hearing loss not only diminishes quality of life, but also increases the risk for costly health outcomes such as falls and resulting disability, depression, and dementia. Also tragic is that nearly 70 percent of older Americans currently have no form of dental insurance. This lack of insurance has been identified as the major barrier to accessing dental care for seniors. It is a well-known fact that neglect of oral health can result in the deterioration of overall physical health and that the lack of access to even routine dental exams and cleanings can exacerbate serious and complicated overall health problems that increase with age.

Expanding Medicare to cover vision, dental, and hearing services is a cost-effective intervention because it will prevent healthcare costs due to accidents, falls, cognitive impairments and increases in chronic conditions and oral cancer. But most importantly, giving our seniors the gift of hearing, vision, and oral health will go a long way toward helping our seniors enjoy their golden years free from depression and social isolation.

Mr. Speaker, few bills are ever introduced with this overwhelming support. Additionally, it has the strong support from the National Committee to Preserve Social Security and Medicare. I invite my colleagues to join me and the over 100 original cosponsors of this legislation in supporting dental, vision, and hearing care for our seniors.

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY & MEDICARE,
Washington, DC, January 11, 2017.

Hon. LUCILLE ROYBAL-ALLARD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ROYBAL-ALLARD: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and Medicare, I am writing to endorse, the "Seniors Have Eyes, Ears and Teeth Act." It is our hope that action will be taken on your legislation during the current 115th Congress.

The "Seniors Have Eyes, Ears and Teeth Act" would help millions of Medicare beneficiaries who need vision, hearing and dental care, which is not covered by Medicare. Paying for these services is a hardship for many Medicare beneficiaries, half of whom live on incomes below \$24,150 per year. Medicare households spend on average 15 percent of their income, over two times more than younger households, on Medicare cost sharing and for services not covered by Medicare.

Routine dental services are very important to the overall health of Medicare beneficiaries, and today, many Medicare beneficiaries suffer isolation and severe health problems because they cannot afford to pay for vision and hearing examinations or to buy eyeglasses or hearing aids. For these reasons, the National Committee's current Legislative Agenda includes support for expanding Medicare benefits to cover vision,

hearing and dental health services and equipment, which are important for healthy aging.

Thank you for your leadership on this important issue. We look forward to working with you to secure enactment of the "Seniors Have Eyes, Ears and Teeth Act," which would improve the Medicare program for today's seniors as well as future generations of beneficiaries.

Sincerely,

MAX RICHTMAN,
President and CEO.

IMPROVING CUSTOMER SERVICE FOR VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. YOHO) for 5 minutes.

Mr. YOHO. Mr. Speaker, today I will reintroduce the WINGMAN Act, a vital veterans' bill that will expedite the claims process for veterans who come to our congressional offices seeking assistance with their benefit claims. The current process leaves thousands of veterans and their families remaining in limbo awaiting resolution on their claims. The status quo is unacceptable, and it must change.

No servicemember should have to wait to receive benefits they have more than earned. This ends with the passage of the WINGMAN Act, which removes the middle man and allows staff to access these records directly, after obtaining a privacy release form without having to wait on the VA bureaucracy. I think if we just listen, this is about customer service. Yes, they are constituents, but they are also customers. Every Member of this Congress—all 535 Members—represents approximately 700,000 constituents, and I like to think that we are in the customer service business as is the VA, the Veterans Administration.

If we can't service our customers, where else can they go?

Last Congress, WINGMAN passed this House unanimously. It passed the Veterans' Affairs Committee unanimously, but it was held up by one Senator who thought he knew more than the 435 Members of this body and that he knew more than the Veterans' Affairs Committee. Fortunately, that Senator from Nevada is no longer here, and we are resubmitting this. I am hopeful that this Congress—the Members of this Chamber—will, once again, reform the veterans' claims process and that our colleagues in the upper Chamber will as well.

Before I close, I would also like to take a moment to recognize Representatives RODNEY DAVIS of Illinois, KYRSTEN SINEMA, and JOHN DELANEY for being coleads on this bill. All three of my colleagues have demonstrated their commitment to fighting for our veterans every day of every year that they have served in Congress.

We have right now right over 150 cosponsors of this bill, and it is a privi-

lege to have their support. I thank them for helping to lead the charge to enact this change and others that are so desperately needed to better assist veterans and their families. Without their support, WINGMAN would not have the broad, bipartisan support that it does now. I urge the remainder of our colleagues to support WINGMAN as well. Let our Nation's veterans know that we've got their six.

PROTECT THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. CORREA) for 5 minutes.

Mr. CORREA. Mr. Speaker, I rise today to protect the Affordable Care Act. Today I urge you to give the Affordable Care Act the same chance we gave America's other great healthcare program, Medicare, way back in 1965.

Today Medicare covers over 55 million Americans and is a staple for senior care. But let's go back in time and remember what people were saying about Medicare in 1965. The American Medical Association said Medicare is an "invasion of the voluntary relationship between the patient and the physician."

The then-Republican leadership said the bill will cost too much. It will never cover enough seniors. It will make taxes too high, and we will be broke within 2 years.

Those are some of the quotes from The New York Times in 1965.

Today, 52 years later, Medicare is one of the most efficient healthcare systems in our country. Why? Because we gave it a chance to flourish.

Mr. Speaker, when we come together on behalf of the American people, we get things done. I ask my colleagues today: Do not repeal the Affordable Care Act. Instead, let's move past the politics of repealing the ACA. Let's learn from five decades of Medicare. Let's give Americans the healthcare coverage they want and they deserve, because in 60 years, it won't really matter whose name is on the program. But what will matter is that we came together and stopped the repeal. What will matter is that we fixed the ACA and made it work for every American.

The American people deserve good health care. If folks have issues with the ACA, then let's fix those issues. Let's make the ACA better. But to rip coverage from 30 million people, to destroy 2.6 million jobs, and to add \$350 billion to our deficit is not a good thing.

I ask my colleagues today to keep the ACA.

CITIZEN LEGISLATORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today for the very first time in this Chamber as a servant of Pennsylvania's Eighth District—the good people of Bucks and Montgomery Counties—serving as their independent voice. The weight of this responsibility should not be lost on any of us. It is my sincere hope that each one of us here—regardless of where we come from or what our past experiences have been or how long we have been here—will do what the American people are demanding of us at this time: to work together as problem-solvers, not work against each other as ideologues.

Our Founders envisioned citizen legislators chosen from their peers to work on their behalf and to serve honorably with a focus on solutions, and then return home and live under the laws they helped pass, making way for a new generation of leadership with new ideas and a fresh perspective. Unfortunately, Mr. Speaker, we as a nation have strayed from that vision.

Today too many Americans feel left out. They see a system that does more to preserve the status quo than it does to solve our most pressing challenges. They see a class of career politicians and elite insiders. I wish I could tell my constituents—my bosses—that this problem is exaggerated and that this mess in Washington doesn't affect them or their families or their businesses.

But as a former anticorruption FBI special agent, I have seen the brokenness in our system, and I know the real-life impact that it has, which is both soft and hard corruption that tilts the legislative agenda towards special interests, electoral complacency that allows lawmakers to focus on accumulating power rather than serving their constituents, and an entrenched partisanship that grinds the gears of government to a halt.

Mr. Speaker, this does not have to be the fate of this Congress. It does not. The 115th Congress can be remembered as the one that buried party labels for good and focused on fixing the system. To that end, I have introduced legislative proposals to begin that process: a constitutional amendment enacting term limits for all Members of Congress and a constitutional amendment preventing Members of Congress from being paid unless a budget is passed. This is not just withholding payment for a period of time; this is a complete forfeiture.

I propose a balanced budget amendment so we are forced to stop kicking the can down the road and will create a fiscal path that will allow the next generation to thrive.

I also have a bill I call the Citizen Legislature Anti-Corruption Reform Act, or CLEAN Act, a bill that ends congressional pensions for life and requires this body to debate and act on single-issue legislation, codify that all

laws passed by Congress apply to all of its Members, reform the broken gerrymandering process by moving all redistricting to independent, nonpartisan, citizen commissions, and to expand access to political party primaries to include both independents and non-affiliated voters.

Is there anyone in this Chamber who does not believe that these measures will make our country a better place? Is there anyone in this Chamber who does not believe these measures will result in a healthier democracy and a system of government where our people have more faith and trust in? Is there anyone here who believes that more citizens serving in this body and more citizens participating in their government would not be a breath of fresh air for our Nation?

If you agree with our ideas, I urge you to join me and cosponsor these measures, join the Congressional Citizen Legislature Caucus, and advocate for these reforms. Share your vision with your constituents because they need to know that our Nation is not resigned to the status quo.

Mr. Speaker, Washington needs fewer politicians and more independent voices focused on serving the American people. That is the reason we are here. Let's not let them down. The time is now to answer their call to fix this system so we can start addressing the challenges that we face as a nation.

THE PRIVILEGE OF SERVING IN THE UNITED STATES CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, it is always an honor for me to stand here in the well of the House to know that I am one of less than 450 people in the world who have been accorded the preeminent privilege of standing in the well of the Congress of the United States of America.

□ 1045

It is an honor to stand here at this podium with a rostrum behind me with the word "Justice" etched in it. Right behind me, "Justice" is etched into the rostrum. You can't see it at home because it is low, and it is beneath the view of the camera.

Today, I want to talk about justice, Mr. Speaker. I want to talk about justice and the Justice Department. I do this, Mr. Speaker, because we have a President-elect who has said he will be a law and order President. I want to make a distinction between law and order and justice, and I want to attribute this to the Justice Department versus a law and order department.

Mr. Speaker, you can have law and order in a dungeon, but you won't have justice. There is law and order in North Korea, but you don't have justice. Jus-

tice, Mr. Speaker, is what this Department is all about. It is not the law and order department. One of the best ways to explain it is to harken back to something that was called to our attention yesterday at the hearing for the nominee to become the head of the Justice Department.

When the Honorable JOHN LEWIS spoke, he went back to 1965, and the crossing of the Edmund Pettus Bridge. On that day, George Wallace—one of the great segregationists of his time and, perhaps, the greatest segregationist of his time—had made it perspicuously clear to his troops that, if you maintain order, there will be law to protect you. As a result, those troops beat the marches all the way back to the church where they started. They were peaceful protesters. The Honorable JOHN LEWIS said he thought he might die. That is what law and order meant to a good many people in the South.

Law and order without justice is what took place on that day; but thank God there was a judge, the Honorable Frank M. Johnson. The Honorable Frank M. Johnson issued the order to allow those marches to move from Selma to Montgomery, and he did it notwithstanding his classmate George Wallace having said that they were banned from doing it. This was justice, not law and order alone. This is our fear—that the Justice Department will go back to the hands of someone who may consider it a law and order department and a department in which there is a belief that you can do anything to maintain the order and that there will be law to support your actions and activities.

Mr. Speaker, we must protect the notion of justice for all people in this country. This is why I was there yesterday to lend my support to Senator BOOKER when he spoke about justice and when he indicated that he could not support the nominee. I was honored to be there, seated right near the Honorable JOHN LEWIS when he said he could not support the nominee. I was also honored to be there with the head of the Congressional Black Caucus, CEDRIC RICHMOND, when he indicated: If this nominee is a civil rights advocate, why is the civil rights community so opposed to him? I think those were some very sage comments.

I must tell you that we in this country have come too far to allow the Justice Department to become the law and order department.

RUSSIA AND PRESIDENT PUTIN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I come to the floor today as co-chair and founding member of the Polish, Hungarian, and Ukrainian House Caucuses.

I am also a strong defender of NATO and of its purpose in linking the free nations of Europe and the United States through this historic, hard-won alliance and security treaty among Europe's sovereign nations that respect the rule of law and our shared passion for liberty.

Our Nation and NATO's members paid the ultimate price in the last century for our priceless gift of liberty. We won the cold war, and our most treasured democratic values of life, liberty, freedom of assembly, press, and religion are under siege today by a predatory and repressive Russia. Go no further than any major business in your district and ask them how many times they are hacked daily by Russian predators—to get a sense of what is going on.

My purpose this morning is to remind our citizenry of the continuing and major, real threat to our NATO alliance and to the destabilization of Europe by Russia that necessitates our strengthening the alliance, not weakening it, to ward off Vladimir Putin's expansionist dreams.

I must say I am concerned by our President-elect's loose talk about Russia. His naive assumption that personal friendships with Russia's oligarchs—some of whom are active members of Russia's notorious mafia—can overcome strategic, expansionist imperatives that fill Vladimir Putin's mind are truly not in America's interest.

So let's review some recent history.

Domestically, Mr. Putin has suppressed the basic freedoms of the Russian people. His leadership has resulted in countless infringements of human rights violations and other actions that directly conflict with our foundational values in Western democracies.

Putin has an aggressive and very hostile foreign policy toward us—toward the United States—and our top allies. Russia has invaded neighboring sovereign countries, including the Republics of Georgia and Ukraine. Russia has threatened and harassed U.S. military personnel and diplomats overseas, not in the last century, now, orchestrating an anti-American propaganda campaign—the largest since World War II—both in our country and around the world; and it is conducting cyber warfare, as I speak, against our country, our government, our interests, as well as European governments; against political institutes; against our think tanks; against our State voter data systems, as our intelligence services have just informed us; and against our cities and counties, journalists, and individuals.

Information about Putin's aggressive behavior is well-documented and is specifically highlighted in the intelligence briefings that our President-elect began to receive when he secured the Republican Party nomination last

year. Despite this, throughout his campaign and as President-elect, Mr. Trump continues to praise and support Putin. He has even taken the foreign dictator's side over those of the leaders of our country he was elected to represent.

Here are examples:

December 18, 2015: During an interview on "Morning Joe," host Joe Scarborough asked Mr. Trump about Putin's alleged killing of journalists and political opponents. Trump answered: "He's running his country, and at least he's a leader. Unlike what we have in this country."

Mr. Speaker, I include in the RECORD a list of dozens of journalists in Russia who have been murdered in cold blood because they were reporting on corruption, on growing repression in that society—on what Russia was executing around the world.

A PARTIAL LIST OF JOURNALISTS WHO HAVE DIED IN REPRESSIVE RUSSIA

1. July 16, 2000: Igor Domnikov, an editor and reporter for the independent Novaya Gazeta who covered local government corruption, died after being attacked. His assailants are serving prison terms but the ex-government official who orchestrated the attack was not convicted.

2. July 26, 2000: Sergey Novikov, the owner of the independent radio station Vesna, was shot in his apartment. Novikov was a vocal critic of local government corruption and received death threats prior to his murder. The case remains unsolved.

3. Sept. 21, 2000: Radio Liberty correspondent Iskandar Khatloni died from an attack by an unknown assailant. Khatloni, who was also a poet and former BBC correspondent, was covering human rights abuses in Chechnya. The case remains unsolved.

4. Oct. 3, 2000: Sergey Ivanov, the director of the independent and influential TV station Lada, was shot in his apartment. The case remains unsolved.

5. Nov. 21, 2000: Cameraman Adam Tepsurgayev, who shot most of Reuters' footage from the second Chechen conflict, was shot dead in a Chechen village. The Russian government contends that Chechen guerrillas murdered Tepsurgayev, but local residents were doubtful. The case remains unsolved.

6. Feb. 3, 2001: Photographer Valery Kondalkov was killed after the publication of photos he took of the private mansions of urban elite in the city of Armavir. The case remains unsolved.

7. Sept. 18, 2001: Eduard Markevich, the editor and publisher of a local newspaper, was shot in the back after receiving threats and surviving a previous attack. Markevich frequently wrote about local corruption and die suspected perpetrators of his murder are government officials. The case remains unsolved.

8. March 9, 2002: Natalya Skryl, a local business reporter, died from an attack. She was planning to publish an article on the struggle for the control of a local metal plant. The case remains unsolved.

9. April 29, 2002: Valery Ivanov, editor of the independent newspaper Tolyatinskoye Obozreniye, was shot eight times in the head. His newspaper is known for his coverage of local organized crime, drug trafficking and corruption. The case remains unsolved.

10. April 18, 2003: Dmitry Shvets, the deputy director of the independent television station TV-21, known for his critical reporting on politicians, was shot dead outside the station's offices. He had been investigating a mayoral candidate's links to organized crime. The case remains unsolved.

11. July 3, 2003: Novaya Gazeta deputy editor Yuri Shchekochikhin died from an acute allergic reaction while those close to him believe he was poisoned. Shchekochikhin was working on a corruption case involving high-ranking government officials and had received threats. The government has not opened an investigation and says there's no evidence of foul play.

12. July 3, 2003: Local television reporter Alikhan Guliyev was shot in his apartment building. Guliyev had accused an influential politician of campaign violations, and had survived an attempt on his life in 2002. The case remains unsolved.

13. Oct. 9, 2003: A year after the murder of his predecessor Valery Ivanov, Tolyatinskoye Obozreniye editor Aleksei Sidorov was stabbed by two unknown assailants after receiving threats. Officials initially agreed he was murdered in retaliation for his investigative work, but the case remains unsolved.

14. July 9, 2004: Forbes Russia founding editor Paul Klebnikov was shot in Moscow in a contract killing. The magazine had recently published a feature on Russia's richest people, and Klebnikov himself had written books and articles about business, crime and corruption in Russia. A decade after his death, the case remains unsolved, prompting Secretary of State John Kerry to urge Russia to bring the perpetrators to justice.

15. May 21, 2005: Cameraman Pavel Makeev, while reporting on illegal drag racing, was found dead on the side of a road. Though his death was initially classified as a traffic accident, Makeev's colleagues say his death was related to his work. The case has been reopened but remains unsolved.

16. June 28, 2005: Magomedzagid Varisov, who wrote critical political columns for the weekly Novoye Delo, was shot in his car by unknown assailants with machine guns in Dagestan. Varisov had received numerous threats through years. Three suspects were killed in October 2005, and the unsolved case was closed.

17. Jan. 8, 2006: Reporter Vagif Kochetkov, who wrote for the newspapers Trud and Tuskii Molodoi Kommunar, died from an attack. Officials labeled his death the result of a robbery, though only work-related documents and his cellphone were taken, while his wallet and fur coat were not. A local businessman was charged with the attack but later said he was coerced into confessing.

18. Oct. 7, 2006: Renowned journalist and human rights activist Anna Politkovskaya was shot in her apartment after receiving, and narrowly escaping, numerous death threats. The five men hired to kill her were convicted and sentenced seven years later, but whoever ordered the murder (believed to be \$150,000 contract) remains unknown.

19. Nov. 30, 2006: Prominent investigative journalist Maksim Maksimov was declared dead. He disappeared two years earlier while investigating local corruption in St. Petersburg as well as several unsolved murders. The case remains unsolved.

20. March 2, 2007: Defense correspondent Ivan Sazonov died from mysteriously falling from a fifth-floor window while investigating the sale of Russian arms to Syria and Iran. Sazonov embarrassed military officials with reports on problems with Russia's nuclear

program. His death has been officially ruled a suicide, but his colleagues and friends say he had no reason to kill himself.

21. Aug. 31, 2008: Magomed Yevloyev, owner of the independent news site Ingushetia, was shot while in police custody. Officials had been attempting to close down Ingushetia for extremism; the site had covered corruption, human rights abuses, unsolved murders, and voting fraud in the 2008 presidential election. Yevloyev was detained as a witness in investigation of a local explosion, and police say the shooting was an accident.

22. Sept. 2, 2008: Television editor Telman (Abdulla) Alishayev was shot by unknown assailants in Dagestan. Alishayev produced an anti-radical Islam documentary two years earlier and received death threats from radical groups.

23. Jan. 19, 2009: Anastasia Baburova, a freelancer for the opposition newspaper Novaya Gazeta, was shot by ultranationalists in a double murder. Baburova had covered the rise of neo-Nazism and race-motivated crimes in Moscow. Her murderers, members of a neo-Nazi group, have been sentenced.

24. March 30, 2009: Layout designer Sergei Protazanov died after an attack by unknown assailants. Protazanov was part of the editorial staff of Grazhdanskoe sogalsie, a newspaper known for its critical coverage of the ruling party of Russia. The case remains unsolved.

25. July 15, 2009: The fifth Novaya Gazeta journalist murdered since 2000, Natalya Estemirova was kidnapped and shot execution-style in Chechnya. Her colleagues believe that Chechen officials ordered the Kremlin-backed assassination, as Estemirova had reported on human rights violations committed by authorities in the region. The official investigation pinned the murder on a Chechen rebel who was killed by an air strike, but her colleagues and human rights activists believe this is a cover-up.

26. Aug. 11, 2009: Abdulmalik Akhmedilov, an editor for the independent news website Hakikat and editor-in-chief of the political monthly Sogratl, was shot in his car in Dagestan. Akhmedilov was critical of government efforts to curb religious and political freedom and inaction in investigating assassinations. The case remains unsolved.

27. Dec. 15, 2011: Independent newspaper founder Gadzhimurad Kamalov was shot outside his office in Dagestan. His newspaper Chernovik was known for its investigations in government corruption, police abuse and Islamic extremism, and his name appeared on an anonymous hit list.

28. Dec. 5, 2012: News anchor Kazbek Gekkiyev, who covered social issues, was shot in the head while returning home from work. Several reporters at his state-controlled station, VGTRK, had received threats allegedly from Islamist separatist fighters.

29. April 8, 2013: Mikhail Beketov, founding editor of the Khimiki, died after a 2008 attack by unknown assailants that left him severely brain-damaged, amputated and unable to speak. Beketov had covered government corruption and the planned destruction of the Khimki forest to make way for a planned toll road. In retaliation for his reporting, his car had been set on fire and his dog left dead on his doorstep. He never fully recovered from the attack and died five years later in the hospital.

30. May 18, 2013: Nikolai Potapov, a former government official and founding editor of the local Selsovet newspaper, was shot in the Stavropol region. Selsovet was known for its coverage of government corruption.

31. July 9, 2013: Akhmednabi Akhmednabiye, deputy editor of the independent newspaper Novoye Delo, was shot dead outside his house in Dagestan. He covered government corruption, abductions, police abuse and torture and had received numerous threats for his work. His name appeared on an anonymous hit list.

32. Dec. 4, 2013: Arkady Lander, editor of the opposition newspaper Mestnaya, died after an 2010 attack by unknown assailants in Sochi. He underwent operations and hospitalizations for three years after his attack, which left him amputated and with a fractured skull. Lander had covered local elections and distributed his newspaper free of charge. The statute of limitations ran out on his case.

33. Aug. 1, 2014: The body of independent journalist and civil activist Timur Kuashev was discovered in the woods after he disappeared a day earlier. Kuashev was threatened by police after reporting on civil liberty and human rights violations by security forces.

Ms. KAPTUR. The interview with Mr. Scarborough took place the day after Mr. Putin praised and propagandized Mr. Trump as “bright and talented” and the “absolute leader of the Presidential race.” That was about a year before our election. Months later, the President-elect asked the Russian Federation to hack Hillary Clinton’s email. How about that by our President-elect?

September 8, 2016: At NBC’s Commander-in-Chief Forum, Mr. Trump praised Putin by saying:

If Putin says great things about me, I’m going to say great things about him . . . I’ve already said he is very much of a leader. The man has very strong control over his country.

He is right about that. If you speak against Putin, you can be murdered in Russia.

America, pay attention.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o’clock and 55 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Lord, God of history and ever present, You sent Your prophet Isaiah to Your people when they were in need of hope and vision.

May Isaiah’s prophetic words guide the Members of this people’s House. Send Your Spirit upon them and our

Nation, that we may be open to hearing Your word and actively seeking the salvation You alone can bring.

Make of us a people of compassion and holiness. In pursuing the avenues of justice for all, may we be a sign to the community of nations. Help each Member to work toward the complete fulfillment of the deepest human hopes and Your inspiring promises.

With humility, let them embrace their calling; to be truly prophetic, as Your servants of old, but earnestly fulfilling Your commands. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. EMMER) come forward and lead the House in the Pledge of Allegiance.

Mr. EMMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 12, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 12, 2017, at 9:03 a.m.:

That the Senate agreed to S. Con. Res. 3.
With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HAITIAN WOMEN OF MIAMI 7TH ANNUAL COMMEMORATIVE EVENT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, today marks the seventh anniversary of the earthquake in Haiti which struck near its capital, Port-au-Prince, leaving behind in its wake total devastation and tens of thousands dead.

Haitians have been resilient in their efforts to come back from this massive disaster, and the United States will remain committed to helping Haiti get back on its feet.

I have had the privilege of visiting Haiti many times during my time in Congress, and, most recently in October, I had the opportunity to travel to Haiti with my dear Florida colleague FREDERICA WILSON weeks after yet another terrible disaster, a hurricane, hit Haiti.

I would like to commend local organizations in south Florida led by the Haitian Women of Miami, FANM, for holding a silent march this afternoon, beginning at 4 p.m., from 62nd Street and North Miami Avenue to the Little Haiti Cultural Center.

Mr. Speaker, let’s continue to help Haiti and the Haitian people.

HONORING JUDITH MORRIS

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, I rise today to say good-bye to a dedicated public servant and a key part of my team. Judith Morris has served the Olympic Peninsula for a decade, first for my predecessor Norm Dicks, and for the past 4 years in my office.

Judith’s knowledge of the peninsula and her dedication is unmatched. There are few that combine her compassion and guidance to any constituent who had a question or who needed help with a Federal agency. Whether at the office or at the grocery store or at an event, Judith was available.

Mr. Speaker, Judith has served our Nation with distinction, first in the Peace Corps, and now in the United States House of Representatives, making equity and conservation and human rights a tenet of her time in service. Judith’s wit, thoughtfulness, and easy-going manner will be missed.

Our entire community thanks her and her husband, David, an outstanding public servant in his own right, who worked for the National Park Service, for leaving a legacy of integrity, excellence, and service.

I am humbled and honored to offer my sincere thanks to Judith Morris for her dedication to the Sixth Congressional District, and I wish her the best as she continues to explore her passion for travel and service all around this world.

LAW ENFORCEMENT APPRECIATION DAY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, earlier this week, we celebrated Law Enforcement Appreciation Day, which acknowledges the contributions that men and women in uniform make on a daily basis to keep our communities safe and secure.

It was heartening to see the display of support for these individuals throughout the House Office Buildings on Monday. As the Sun went down, you could see blue lights in windows across the Capitol complex honoring those brave men and women.

The dedicated individuals who serve in law enforcement help to preserve the way of life we hold so dear. They walk the neighborhood beats, patrol our streets, and willingly do dangerous work to protect our families and communities.

It is one of the most honorable activities anyone can engage in, and I want to thank them for their selflessness and bravery they demonstrate as officers of the law. They deserve our profound gratitude.

REPEAL WILL AFFECT EVERY AMERICAN

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I rise out of a deep concern, not just for the 30 million Americans who will lose access to health coverage and the tens of millions of others who will see their costs rise if Republicans repeal the Affordable Care Act without a replacement, but as well for every American because the repeal will affect every American, including every American who has health insurance through their employer.

Let there be no mistake. Every American will be adversely affected by the repeal of the Affordable Care Act. The repeal and delay plan ought to be called repeal and deny, deny health coverage to tens of millions, deny tax credits to small businesses to help them cover their employees, deny those with preexisting conditions protection from high premiums and coverage denials, and deny parents from covering their children under age 26 through their own insurance plans. Every American will be adversely affected if we repeal the Affordable Care Act.

I heard recently through social media from a woman in my district whose family was able to save more than \$1,200 a month because of the ACA marketplace. Another wrote to tell me that the ACA made it possible for her to sign up for coverage for the first time in years since she lost her job and her employer-based insurance. When she needed to be hospitalized this spring, having coverage saved her life.

Repeal and deny would be a disaster for our people and our economy. I urge my Republican friends to instead work

with the Democrats to improve the Affordable Care Act.

CAMERAS IN THE U.S. SUPREME COURT

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Americans nationwide are interested in watching the Supreme Court at work, but only a handful on any given day are allowed to have access to the courtroom. The courtroom is small and seating is limited. Well, why not give the public the ability to view the proceedings in their entirety on television or through live streaming?

Public court hearings are the bedrock of American justice. Americans want to know what is going on behind those closed doors. A simple nonintrusive camera would allow for greater transparency and greater faith in the decisions made by the most powerful Court in the world.

I was one of the first judges in Texas to allow cameras in the courtroom. All the naysayers said: oh, it won't work. But it did. It benefited everyone.

The gentleman from Virginia (Mr. CONNOLLY) and I are once again cosponsoring a bill to allow cameras in the Supreme Court. It is better to show all of the proceedings to the public than to rely on a 30-second sound bite from a news reporter on television during the 6:00 news. It is time for cameras in the Supreme Court.

And that is just the way it is.

KEEP AMERICA HEALTHY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise to keep America healthy, saving the Affordable Care Act.

I rise in the name of Cynthia Perry, facing a life-or-death scenario. Without the law in place, Cynthia Perry would also be facing life or death. Perry suffers from an immune deficiency that requires her to take medication she estimates costs roughly \$40,000 a year. Cynthia, who lives today.

I rise to keep America healthy. Kathryn Will, terrified about losing access to treatment, terrified because she, herself, at 28 years old, was diagnosed with stage III breast cancer.

I rise to keep America healthy because a Senator from Kentucky said we need to think through how we do this, and it is a huge mistake for Republicans if they do not vote for replacement on the same day they vote for repeal.

I rise to keep America healthy and not give hundreds of billions of dollars in tax breaks to insurance companies and drug manufacturers while elimi-

nating tax credits for millions of working Americans.

I rise to keep America healthy. Vote to save the Affordable Care Act.

SOUTH CAROLINA FIFTH MOST POPULAR STATE FOR NEW RESIDENTS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last week The Post and Courier of Charleston announced that South Carolina is the fifth most popular State for new residents. In an annual study conducted by United Van Lines, South Carolina achieved being in a top place for people looking to relocate, whether for a job, retirement, or temperate climate.

The Post and Courier detailed that the moving company this week said 60 percent of the trucks in South Carolina dropped off household goods for newcomers, placing it among the top destinations for those seeking a new home. The article also reveals that recent data from the Census Bureau confirms the Palmetto State is gaining significantly.

I am grateful to Governor Nikki Haley, incoming Governor Henry McMaster, Secretary of Commerce Bobby Hitt, and everyone who works each day to promote South Carolina as a great place to live, work, and raise a family. We have a probusiness mindset. We are military friendly. We have communities that promote job creation. We have a State that is ready to welcome transplants.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

LET'S WORK TO IMPROVE OUR HEALTHCARE PLAN

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, in his farewell speech, President Obama said that if anyone can put together an alternative healthcare plan that is demonstrably better and covers as many people at less cost, he would publicly support it. I feel the same way.

The ACA is not perfect, and anyone who is serious about working to improve our healthcare system should count me as a willing partner. But that is not what we have heard from President-elect Trump and my Republican colleagues. Their irresponsible plan is to repeal ObamaCare and then figure out what comes next. That is like jumping ship without a life raft or a plan.

Repealing ObamaCare will leave 1.2 million people in my State without

health insurance, allowing insurers to again deny coverage based on pre-existing conditions or put annual and lifetime caps on coverage, and deny young people the option of staying on their parents' plan. This will hurt real people who depend on the Affordable Care Act.

I urge my colleagues to join me in finding ways to improve our Nation's healthcare system rather than burning it down.

□ 1215

THE TRUE DRIVERS OF MINNESOTA'S ECONOMY

(Mr. EMMER asked and was given permission to address the House for 1 minute.)

Mr. EMMER. Mr. Speaker, I rise today to celebrate three small businesses in Elk River, Minnesota, who have been recognized by the Elk River Chamber of Commerce for their outstanding track record over the past year.

I want to congratulate the First National Bank for being named Business of the Year, Serrano Brothers Catering for being recognized as the New Business of the Year, and Sportech for being honored as the Employer of the Year.

Small businesses are a huge driver of our economy in the State of Minnesota, and they are what make each city and town unique. Running a small business is no easy task, and the entrepreneurs who open these businesses take a personal risk to bring jobs, commerce, and excellent products and services to our communities.

We cannot thank them enough for their valuable contribution, which is why I am proud today to thank and congratulate First National Bank, Serrano Brothers Catering, and Sportech for everything they do for our community and for the great State of Minnesota.

CONGRATULATING BISHOP O'DOWD AND McCLYMONDS ON FOOTBALL STATE CHAMPIONSHIPS

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, let me first say how happy I am today to acknowledge the extraordinary accomplishments of two high school football teams in my beautiful congressional district. Until now, Oakland, California, never held a State championship, but now we have two. On December 17, Bishop O'Dowd clinched the CIF State Division 5-AA Championship. They beat Valley View High School 43-24, with former Oakland Raiders running back Coach Napoleon Kaufman leading them to victory. The same day, McClymonds' Warriors claimed the CIF

State 5-A Championship with a 20-17 victory, becoming the first Oakland Athletic League team to win a State championship.

McClymonds is a public historic high school in the West Oakland community of my district. Coach Michael Peters has coached McClymonds since 1992 and has shown his commitment over the years to ensuring his athletes succeed both on the field and in the classroom.

Bishop O'Dowd, a Catholic high school, has been an athletic force for years, and I am so proud of their team. They have achieved the historic accomplishment of their championship also.

These young athletes have embodied the spirit, the passion, and the sportsmanship of Oakland and the entire East Bay. Please join me in congratulating them on these championships.

HUMAN TRAFFICKING AWARENESS MONTH

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, during Human Trafficking Awareness Month, I rise in support of the 21 million men, women, and children worldwide who are victims of this insidious enterprise. Human trafficking is nothing less than modern-day slavery. It targets society's most vulnerable, stealing their souls and depriving them of any hope to escape a downward spiral of despair.

Nations must be held accountable for their efforts to eradicate human trafficking within their borders, which is why, today, I am reintroducing the Sex Trafficking Demand Reduction Act. This legislation targets the demand for commercial sex because the evidence is clear that, where markets for commercial sex exist, human trafficking proliferates as well. The bill requires governments to take the initiative to eliminate the demand for purchase of commercial sex in their efforts to combat human trafficking overall.

As a member of the Congressional Human Trafficking Caucus, I am pleased to see Congress taking a leadership role in the fight against human trafficking. We are getting closer to the day when human trafficking will no longer represent a blight on humanity and we will see victims and survivors created in God's image fully restored.

RECOGNIZING FRANK B. MESIAH OF BUFFALO, NEW YORK

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, Martin Luther King Jr. Day is a time in our country to reflect on the progress that we have made on

civil rights as well as how much further still as a nation we must go.

When contemplating the progress in western New York, Frank B. Mesiah immediately comes to mind. Mr. Mesiah has been a prominent civil rights leader in Buffalo since 1950, following his service in the United States Army. Following a 20-year stay as president of the Buffalo NAACP, he retired late last year and will continue to be a public watchdog, this time through the lens of an active citizen.

During his years of service, Mr. Mesiah has always been the first to stand up and fight on behalf of our community. He played a leading role in desegregating Buffalo public schools, integrating the Buffalo Police Department, and fighting against noninclusive neighborhoods.

Mr. Mesiah has been a key leader in promoting tolerance and equality in western New York. While his time as NAACP president has concluded, his wisdom and passion endures in our community, and his work will inspire generations to come.

STOP GTMO TRANSFERS

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to urge this administration to stop releasing terrorists from Guantanamo, where they can be returned to the Middle East and rejoin the fight. Approximately one in three former Guantanamo Bay detainees are confirmed to have reengaged or are suspected of reengaging in terrorist activities after transfer.

The White House, despite clear understanding of congressional intent, recently gave four more individuals the opportunity to resume their fight against American ideals by releasing them to Saudi Arabia. This is irresponsible and dangerous.

Even more disturbing are the President's plans to transfer more detainees, further threatening the safety of our troops and the security of the American people. It is appalling to me that the President would consider transferring the likes of Osama bin Laden's security guards and others trained by al Qaeda.

I urge this administration, in its final 8 days, to bear in mind potential consequences of his decision and to halt any more transfers. The security of American families and military personnel are at stake.

LET'S NOT REPEAL THE AFFORDABLE CARE ACT

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I am deeply concerned about

the repeal of the Affordable Care Act and what it would mean for Americans struggling with debilitating diseases.

Prior to the ACA, the struggle of a debilitating illness like Alzheimer's or cancer could be compounded because of the financial burden from lack of affordable health care. Imagine being denied necessary health care because you or a loved one suffered from a pre-existing condition. These are the concerns that I am hearing from constituents across the Granite State.

Take Sally from West Chesterfield. Her daughter has Crohn's disease, and she is on their family plan because she is under age 26. She will always need access to health care because of her condition, and if the Affordable Care Act is repealed and not replaced, she could lose coverage because of her pre-existing condition. These concerns are all too commonplace.

I agree the ACA is not perfect, and I am committed to working in a bipartisan way to ensure the law will work for all Americans. But in the meantime, the ACA is helping 22 million Americans, including 1 in every 10 Granite Staters. We should build on those successes.

I urge my colleagues on the Republican side to resist the temptation to repeal the law, especially without a plan that ensures affordable coverage for all Americans.

OBAMACARE'S MARKETPLACE

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, as a medical provider, I understand how critical and necessary patient choice and input is to the overall quality of our healthcare system. Put simply, patients are better off when they are equipped to make their own decisions.

Unfortunately, ObamaCare limits patient choice, as outlined in this chart. In fact, in the ObamaCare marketplace, patients in two-thirds of our country are limited to a choice of one or two insurers. Across five entire States, patients have only one option. To me, the marketplace looks more like a government-created monopoly under a system where every American is required by law to purchase the product.

To make matters worse, the onerous mandates in the law have led to restricted physician networks. So not only do patients have little choice regarding their insurers, they are also limited to what physicians they can see.

It turns out we can't keep our doctors even if we like them. That is why we are offering a Better Way plan that expands choice and empowers patients.

AFFORDABLE CARE ACT

(Mr. LEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, to know how high the stakes are in the Republican effort to repeal the Affordable Care Act, you only have to listen to your constituents. One of the many I have heard from is Kevin Wittbrodt from Warren, Michigan, who writes: "I'm a Marine Corps veteran, and I'm covered by the VA system, but my wife isn't. She has kidney disease and I've found it hard to get coverage for her with the preexisting condition . . . but I found an affordable plan under the ACA. This allows for continued treatment and she's still with me."

ACA is not collapsing, contrary to what the Speaker is saying. The Republicans are trying to sink ACA while it is very much afloat and alive for Kevin, his wife, and millions and millions of others. Republicans have been promising a plan for 7 years and never delivered. They will not deliver now for all of America.

EMERGENCY PREPAREDNESS LEGISLATION

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of my legislation, the Medical Preparedness Allowable Use Act, H.R. 437. Last year in Florida alone, we witnessed terrorism, major hurricanes, and the outbreak of the Zika virus. We need to be prepared for these types of emergencies, and we need to make sure our first responders have the tools they need to keep us safe.

My bill enhances medical preparedness and promotes the stockpiling of medical countermeasures. This includes medical kits, protective gear, ventilators, and more. Importantly, the legislation uses existing grant funds to accomplish this. It does not require new or additional funding.

This Medical Preparedness Allowable Use Act ensures we take these critical steps now so we are ready in case of crisis. In the wake of an emergency, our first responders bravely risk their lives on behalf of our safety. I introduced this bill to protect the public and protect our protecters.

CELEBRATING THE 150TH ANNIVERSARY OF SAINT JAMES PRESBYTERIAN CHURCH

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today to celebrate the 150th anniversary

of the Saint James Presbyterian Church of Greensboro, North Carolina.

As the third oldest African American church in Greensboro, Saint James is rich in history and tradition. Under the leadership of Reverend Dr. Diane Givens Moffett, Saint James embraces the theme: 150 Years, Celebrating Our Walk-in Faith and Service.

It is rare but wonderful to find a group of individuals who have thoroughly enriched their community through dedicated service and good works. It has been my unique honor to represent the good people of Saint James Presbyterian both in North Carolina and in the Congress for more than 30 years. Saint James has helped make Greensboro a more just and peaceful community, and for that, I am immensely proud.

Congratulations, once again, Saint James, on your anniversary—a century plus five decades. I look forward to witnessing the many ways in which Saint James will continue to thrive during its next 150 years.

LIGHT UP STATE COLLEGE ATTEMPTS GUINNESS WORLD RECORD

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as the mercury dropped to record lows this week in Pennsylvania, I rise to highlight an upcoming cold-weather event in State College, Pennsylvania.

The Light Up State College will attempt to break a Guinness World Record next month by lighting more than 3,000 ice luminaries on Allen Street between College Avenue and Beaver Avenue at 6 p.m. the first Saturday in February.

Now, you may ask: What is an ice luminary? According to Guinness, ice luminaries are cup-shaped structures made purely out of ice that hold a light inside. Those interested in helping break this record can pick up a do-it-yourself ice luminary kit in downtown State College.

The current world record contains 2,561 separate lanterns and was set in 2013 by the residents of a small town in Sweden. They have been making ice luminary lanterns to coincide with a nearby winter market for the past 10 years.

Light Up State College is a partnership of three groups: Centre Foundation, Make Space, and the Knight Foundation. Organizers have asked individuals in State College to commit to making ice luminaries, as more than 2,000 are still needed to help put State College over the line and on the map in the Guinness Book of World Records. This record-breaking event will take place in State College on Saturday, February 4.

I wish them the best of luck.

FIGHTING FOR MEDICARE

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, what is the message?

I rise today because I am fighting for Medicare, and I oppose any attempts to balance the budget on the backs of seniors by privatizing Medicare.

For over 50 years, Medicare has guaranteed health care to all Americans 65 years or older and continues to do so for more than 50 million Americans today. Seniors, like my constituent Linda and her mother, who rely on Medicare for their healthcare needs, do not want Republicans to dismantle it.

What is the message, Mr. Speaker?

In my home State of Ohio, about 2 million seniors and disabled individuals, including 1 million women, 260,000 African Americans, are at risk of losing their Medicare benefits if Republicans privatize it.

Mr. Speaker, I am here to fight for Linda, her mother, for Janet and Mary and Robert and many other seniors who count on Medicare for their doctor's visits, their prescription assistance, and many other medical needs.

Mr. Speaker, what is the message?

We cannot let our seniors down. Democrats will fight to preserve Medicare to protect our seniors for generations to come.

STRENGTHEN AFFORDABLE CARE ACT—DON'T REPEAL IT

(Mrs. DEMINGS asked and was given permission to address the House for 1 minute.)

Mrs. DEMINGS. Mr. Speaker, I rise today to stand against the plan to repeal the Affordable Care Act.

I believe my job as a Member of Congress is to work every day to improve the quality of life for all Americans. If my colleagues and I are going to do our job, access to affordable, quality health care is the very foundation of that.

We know for a fact that the Affordable Care Act is working. Repealing it would put millions at risk of losing access to health care in a country that I know is the greatest. I ask today: Which family should not have access to quality health care?

Repealing the ACA would also have a crippling effect on our economy. Jobs will be lost. My State, Florida, is one that will be hit the hardest. Almost 181,000 Floridians would be at risk of losing their jobs almost immediately if the ACA were to be repealed.

Mr. Speaker, I urge my colleagues to think long and hard about the people and work to strengthen and not repeal the Affordable Care Act.

REPEALING WITHOUT REPLACING THE AFFORDABLE CARE ACT WOULD HARM OUR ECONOMY

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHY. Mr. Speaker, I am Congressman RAJA KRISHNAMOORTHY from the great Eighth District of Illinois. I have the honor of representing the hardworking families of Chicago's west and northwest suburbs.

Before I took the oath of office last week, I was the president of small businesses in the Chicago area. As a small-business man, I stand here to say that repealing without replacing the Affordable Care Act would harm our economy and, with it, our working and middle class families.

Across our Nation, repealing without replacing the Affordable Care Act would destroy up to 3 million good-paying jobs and destroy \$1.5 trillion in economic activity. Across Illinois, repealing without replacing the ACA would cost upwards of 100,000 jobs; and in the Eighth District alone, repealing without replacing the ACA would cost upwards of 4,000 jobs.

Middle class families need good-paying jobs and affordable health care. Repealing without replacing the ACA would, unfortunately, rob them of both.

DON'T MAKE AMERICA SICK AGAIN

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, after years of attacking the Affordable Care Act, Republican's repeal plan will have cold, hard consequences for millions of Americans; not just the millions on the insurance exchange, but also those of our constituents who receive insurance through their employer coverage.

Beginning now, on a State-by-State basis, hospitals, doctors, patient advocates, and faith groups will be stepping forward to express the negative impacts of repealing the Affordable Care Act.

The Affordable Care Act has improved Americans' lives in the areas of healthcare coverage, consumer protections, costs, and quality.

Millions will lose health coverage. The individual insurance market will be in shambles. Hospitals in our States will lose billions and the economy will be hurt.

Without health insurance, people with chronic diseases will lose care and become sicker. Without healthcare coverage, people with chronic diseases die.

It is bad for patients, budgets, and the healthcare system as a whole. Every major law that has passed Con-

gress needs to have oversight revisions to make sure it is as effective as intended.

Congress can amend any law, but doing so in a way that will cause millions of Americans to be without insurance is just wrong.

No repeal without a replacement.

REPLACE AFFORDABLE CARE ACT—DON'T REPEAL IT

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, the Republican majority has declared its intent to immediately pass legislation to repeal the Affordable Care Act without a replacement. That means millions of Americans with health insurance today will lose their coverage.

That is people like Michelle from New Brunswick in my district who recently wrote to me and said: "As a survivor of childhood cancer, I am deeply concerned about the repeal of the ACA, which could bar me from obtaining health insurance due to my pre-existing conditions."

"I accessed coverage from the ACA insurance exchange when I lost my job due to a health condition in 2014-2015. Because I had affordable coverage, I was able to obtain the necessary care needed to recover from the long-term effects from cancer. Now, I'm back on my feet, working, and contributing to the American economy."

"I urge you to please defend the ACA and help the 335,000-plus cancer survivors in New Jersey who depend on it."

Mr. Speaker, the public deserves thorough and complete information on how working families will fare compared to today if the law is repealed.

Health care means life or death for American families. It is also nearly 18 percent of the Nation's gross domestic product. Often a hospital or health system is the largest employer in a county or town. We can't afford to be capricious with our approach to health care.

REPEAL OF THE AFFORDABLE CARE ACT

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I rise to bring attention to the burden ObamaCare has placed upon my constituents.

They have seen their healthcare costs rise while their quality of care has lowered. It is imperative that we repeal ObamaCare immediately.

I also emphasize to the folks here and at home that, as we repeal ObamaCare, we will make sure there is a stable transition period during the replacement so that people do not have the

rug pulled out from under them. This transition period will give us the time we need to ensure our healthcare reform is full of truly patient-centered solutions that allow patients, families, and doctors to direct their health care.

Congress must focus on the principles of affordability, accessibility, and quality to provide the American people with genuine healthcare reform, but we can only get to that point by repealing ObamaCare now. I promise to read the bill before voting on it, unlike how it was passed.

COMMODITY END-USER RELIEF ACT

GENERAL LEAVE

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 238.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 40 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 238.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1239

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 238) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. CONAWAY) and the gentleman from Minnesota (Mr. PETERSON) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of H.R. 238, the Commodity End-User Relief Act.

The Commodity End-User Relief Act is a bipartisan bill to reauthorize the Commodity Futures Trading Commission, to make much-needed regulatory reforms, and, most importantly, to

make statutory changes to protect end users and give them access to the tools they need to manage their risks.

Over the past 4 years, the House Committee on Agriculture has held almost two dozen hearings that have examined the Commission and have investigated the impacts of the Dodd-Frank Act on derivatives markets. Our witnesses, many of whom were market participants who were struggling to comply with burdensome rules and ambiguous portions of the underlying statute, were consistent in their call for relief. To address their concerns, H.R. 238 makes reforms that fall into three broad categories: customer protections, Commission reforms, and end-user relief.

Title I of the bill protects customers and the margin funds they deposit at their Futures Commission Merchants by codifying critical changes made during the collapse and bankruptcies of MF Global and Peregrine Financial Group.

Title II makes meaningful reforms to the operations of the Commission to improve the agency's deliberative process. In doing so, it also requires the Commission to conduct more thorough and robust cost-benefit analysis to help get future rulemakings right the first time. While the CFTC is already required to consider costs and benefits of the rules it proposes, its work has been called into question by the CFTC's inspector general, who reported the Commission staff seemed to view the process as more of a legal one than an economic one.

End users are the businesses that provide Americans with food, clothing, transportation, electricity, heat, and much more. Companies that produce, consume, and transport the commodities that make modern life possible use futures and swaps markets to reduce the uncertainty that their businesses face. Farmers hedge their crops in the spring so they know what they will get paid in the fall. Utilities hedge the price of energy so they can charge customers at a steady rate. Manufacturers hedge the cost of steel, energy, and other inputs to lock in prices as they work to fill orders.

The fact is that no end user played any part in the financial crisis, and no end user currently poses a systemic risk to U.S. derivative markets. Yet, as the Agriculture Committee heard in countless hours of testimony, today it is more difficult and more expensive for them to manage their risks than it was for them 5 years ago. Some of these challenges are the result of ambiguities and oversights in the text of the Commodity Exchange Act, and some of them result from overzealous rulemakings by the Commission itself.

Today's legislation fixes statutory problems, like section 304, which amends the definition of "financial entity" to ensure that some end users

don't lose their clearing exemption simply because a hedging strategy makes up for losses in a physical transaction; or like section 315, which makes small changes to the swaps' core principles to align them with conventions in the swaps industry, rather than the futures industry, easing compliance burdens for these newly regulated entities.

It also fixes problems that have grown out of the CFTC's own rulemakings. For example, section 308 sets aside a Commission rule that would automatically lower the transaction threshold triggering registration as a swap dealer. This costly, complex registration process was intended for large financial institutions, but because this registration threshold was set arbitrarily, it has swept up some commodity firms as well.

If the limits fall by 60 percent next year, it could sweep up to 100 more firms into the reach of Dodd-Frank. H.R. 238 would fix the level at its current \$8 billion unless the Commission proposes a new rule with evidence of a needed reduction. Similarly, section 313 exempts religious pension plans and university endowments from a new rule that requires them to register as commodity pool operators simply because they use standardized hedging products.

What H.R. 238 does not do is roll back a single core tenet of title VII of Dodd-Frank. It does not change the execution, clearing, margining, capital, or reporting frameworks set up by that Act.

□ 1245

In fact, not a single witness who appeared before the House Committee on Agriculture ever asked us to fundamentally upend these principles. These are concepts that have been part of the swaps markets long before the financial reform happened. The Committee, the Commission, and the industry will continue to grapple with the details of these core tenets, seeking to provide the right mix of flexibility and oversight.

Before I close, I would like to thank members of the Agriculture Committee who sat through all these hearings and all the markups on this issue. Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT, two of my cosponsors on this legislation, have led most of the Committee's hearings on these issues, and they have done great work.

Together, we have put forward a bipartisan bill that makes narrowly targeted changes to provide relief from regulatory burdens on American businesses. The Commodity End-User Relief Act offers meaningful improvements for market participants without undermining the basic goals of title VII of Dodd-Frank, and it does so by providing the right relief to the right people.

I urge support of the Commodity End-User Relief Act with all its amendments, and I include for the RECORD letters of support from over 30 groups.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, January 4, 2017.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, Wash-
ington, DC.

DEAR CHAIRMAN CONAWAY: I am writing concerning H.R. 238, the "Customer Protection and End-User Relief Act."

As a result of your having consulted with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo action on the bill so that it may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 238 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 238 and would ask that a copy of our exchange of letters on this matter be placed in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, January 4, 2017.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN HENSARLING: Thank you for your letter regarding H.R. 238, "Customer Protection and End-User Relief Act." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Financial Services will forego action on the bill.

The Committee on Agriculture concurs in the mutual understanding that by foregoing consideration of the bill at this time, the Committee on Financial Services does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Financial Services represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during Floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work the Committee on Financial Services as this bill moves through the legislative process.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

CONGRESS OF THE UNITED STATES,
Washington, DC, January 6, 2017.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, Wash-
ington, DC.

DEAR CHAIRMAN CONAWAY: I write with respect to H.R. 238, the "Commodity End-User Relief Act." As a result of your having consulted with us on provisions within H.R. 238 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 238 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 238 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 238.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, January 4, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Wash-
ington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 238, "Customer Protection and End-User Relief Act." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on the Judiciary will forego action on the bill.

The Committee on Agriculture concurs in the mutual understanding that by foregoing consideration of the bill at this time, the Committee on the Judiciary does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during Floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work the Committee on the Judiciary as this bill moves through the legislative process.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

SUPPORTERS OF HR 238, THE COMMODITY END-
USER RELIEF ACT:

American Cotton Shippers Association, American Farm Bureau Federation, American Feed Industry Association, American Gas Association (AGA), American Public Power Association (APPA), American Soybean Association, Chamber of Commerce of the United States of America, Church Alli-

ance of Church Benefits Programs, Commodity Markets Council, Edison Electric Institute (EEI), Futures Industry Association (FIA), Grain and Feed Association of Illinois, International Swaps and Derivative Association (ISDA), Kansas Grain and Feed Association, Michigan Agri-Business Association, Michigan Bean Shippers Association, National Association of Wheat Growers, National Cattlemen's Beef Association

National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Grain and Feed Association, National Milk Producers Federation, National Pork Producers Council, National Rural Electric Cooperatives Association (NRECA), National Sorghum Producers, Nebraska Grain and Feed Association, North American Millers Association, Northeast Agribusiness and Feed Alliance, Ohio AgriBusiness Association, SIFMA, South Dakota Grain and Feed Association, The Jewish Federations of North America, USA Rice, Wisconsin Agri-Business Association.

JANUARY 11, 2017.

DEAR MEMBER OF THE HOUSE OF REPRESENTATIVES: The undersigned organizations represent a very broad cross-section of U.S. production agriculture and agribusiness. We urge you to cast an affirmative vote on H.R. 238, the "Commodity End-User Relief Act," when it moves to the floor for consideration.

This legislation contains a number of important provisions for agricultural and agribusiness hedgers who use futures and swaps to manage their business and production risks. Some, but certainly not all, of the bill's important provisions include:

Sections 101-103—Codify important customer protections to help prevent another MF Global situation.

Section 104—Provides a permanent solution to the residual interest problem that would have put more customer funds at risk—and potentially driven farmers, ranchers and small hedgers out of futures markets—by forcing pre-margining of their hedge accounts.

Section 306—Relief from burdensome and technologically infeasible recordkeeping requirements in commodity markets.

Section 308—Requires the CFTC to conduct a study and issue a rule before reducing the de minimis threshold for swap dealer registration in order to make sure that doing so would not harm market liquidity and end-user access to markets.

Section 311—Confirms the intent of Dodd-Frank that anticipatory hedging is considered bona fide hedging activity.

Thank you in advance for your support of this bill that is so important to U.S. farmers, ranchers, hedgers and futures customers.

Sincerely,

American Cotton Shippers Association, American Farm Bureau Federation, American Feed Industry Association, American Soybean Association, Grain and Feed Association of Illinois, Kansas Grain and Feed Association, Michigan Agri-Business Association, Michigan Bean Shippers, National Association of Wheat Growers, National Cattlemen's Beef Association, National Corn Growers Association, National Cotton Council.

National Council of Farmer Cooperatives, National Grain and Feed Association, National Milk Producers Federation, National Pork Producers Council, National Sorghum Producers, Nebraska Grain and Feed Association, North American Millers Association,

Northeast Agribusiness and Feed Alliance, Ohio AgriBusiness Association, South Dakota Grain and Feed Association, USA Rice, Wisconsin Agri-Business Association.

AMERICAN GAS ASSOCIATION,
Washington, DC, January 9, 2017.

Hon. MIKE CONAWAY,
Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.

DEAR CHAIRMAN CONAWAY: The American Gas Association (AGA) supports the Commodity End-User Relief Act (H.R. 238), a bill to reauthorize the Commodity Exchange Act (CEA) that would improve Commodity Future Trading Commission (CFTC) operations and provide much-needed marketplace certainty and regulatory relief for natural gas utilities and the American homes and businesses to which they deliver natural gas.

The American Gas Association (AGA), founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 72 million residential, commercial and industrial natural gas customers in the U.S., of which 95 percent—just under 69 million customers—receive their gas from AGA members. AGA is an advocate for natural gas utility companies and their customers and provides a broad range of programs and services for member natural gas pipelines, marketers, gatherers, international natural gas companies and industry associates. Today, natural gas meets more than one-fourth of the United States' energy needs.

H.R. 238 will benefit our industry by exempting end-user physical contracts from "swaps" and "options" regulation more applicable to sophisticated financial derivative transactions. Specifically, HR 238 would clarify that contracts containing delivery terms with volumetric optionality, but intended to result in the physical delivery of natural gas, will not be treated by the CFTC as swaps. Currently, the CFTC has provided some guidance on how physical natural gas contracts with volumetric optionality are to be reviewed for regulatory treatment, but considerable confusion and uncertainty still exists. This uncertainty has caused concern regarding the impact on the willingness of gas suppliers to offer flexible delivery volume terms, leaving gas utilities with fewer delivery options and more expensive contracts—costs ultimately passed to the consumer. HR 238 provides needed regulatory certainty to the physical natural gas marketplace, as requested by AGA and other industry stakeholders for several years.

H.R. 238 will also help the CFTC become a more responsive and well-equipped regulator by subjecting its rulemakings to administrative process reforms and judicial review. Current CFTC administrative rulemaking procedures are vague and provide insufficient avenues for the public to participate in and seek guidance on rulemakings. This bill would require the CFTC to comply with the Administrative Procedures Act to ensure public notice-and-comment on rules or guidance that have legally-binding effects.

Finally, H.R. 238 would allow the federal appellate courts to directly review CFTC rules, replacing the protracted and expensive trial court process currently in effect as the default rule for judicial review. This change will not increase litigation nor will it disrupt the CFTC. Rather, it will incentivize the CFTC to write better rules and avoid challenge altogether. Also, any inevitable legal challenges will be more swiftly decided by appellate courts, benefitting the regu-

lator and the regulated community. All of the key federal rulemaking agencies are subject to direct appellate review—including the Securities Exchange Commission and Federal Energy Regulatory Commission. There is no logical justification to treat the CFTC differently.

Congress certainly did not intend to provide the CFTC a large new regulatory mandate without giving it the necessary guidance and authority to do its job. Furthermore, Congress did not intend for the CEA to constrain liquidity in the physical natural gas marketplace, create business-changing impacts on regulated natural gas utilities, or increase the costs of reliable service for natural gas consumers. As such, AGA supports the Commodity End-User Relief Act because it provides the CFTC with the tools necessary to be a responsive regulator and restores the regulatory confidence that natural gas utilities rely on to procure natural gas supplies at the lowest reasonable cost for the benefit of America's natural gas consumers.

Sincerely,

GEORGE LOWE,
Vice President, Federal Affairs,
American Gas Association.

AMERICAN PUBLIC POWER™
ASSOCIATION,
Arlington, VA, January 10, 2017.

Hon. K. MICHAEL CONAWAY,
Hon. COLLIN C. PETERSON,
Committee on Agriculture, House of Representatives, Washington, DC.

DEAR CHAIRMAN CONAWAY AND RANKING MEMBER PETERSON: On behalf of the American Public Power Association (APPA), I am writing in support of H.R. 238, the Commodity End-User Relief Act (CERA) of 2017. The legislation includes important relief for public power utilities and other end-users seeking to use swaps to hedge commercial-operations risks.

Community-owned, not-for-profit public power utilities power homes and businesses in 2,000 communities—from small towns to large cities. They safely provide reliable, low-cost electricity to more than 49 million Americans, while protecting the environment. These utilities generate or buy electricity from diverse sources. They employ 93,000 people and earn \$58 billion in revenue each year. Public power supports local commerce and jobs and invests back into the community.

Public power utilities use swaps, options, forward contracts and other tools to manage commercial operations risks. As not-for-profit entities, their goal is to provide affordable and reliable power to customers. APPA supports the market clarity and oversight provided by the Commodity Exchange Act (CEA), and supports appropriately funding the Commodity Futures Trading Commission (CFTC). To date, however, implementation of the Dodd-Frank Act amendments to the CEA shows clear shortcomings.

CERA would address these concerns, for example, by codifying CFTC rules allowing public power utilities to enter swaps with the full array of counterparties to swaps needed to hedge their commercial operations risks. CERA would also address issues related to the definition of "bona fide hedging," swap reporting in illiquid markets, and forward contracts with volumetric optionality. These provisions would help public power utilities and other commercial end users.

On the whole, we believe these provisions will ensure that public power utilities can

continue to make full use of financial tools necessary to keep electric power prices stable and affordable to our customers.

Thank for your time and consideration.

Sincerely,
SUSAN N. KELLY,
President & CEO.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, January 11, 2017.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce strongly supports H.R. 238, the "Commodity End-User Relief Act." H.R. 238 would reauthorize the Commodity Futures Trading Commission ("CFTC") and enact a number of important reforms to provide regulatory relief for end users of the derivatives market. It would also promote accountability at the CFTC and protect Main Street businesses from onerous and unintended consequences of derivatives regulation.

The Chamber supports several amendments being offered to H.R. 238. Specifically, the Chamber supports Congressman Lucas' amendment to provide relief to Main Street businesses by clarifying the treatment of interaffiliate swaps. The amendment would drive down the cost of using derivatives by end-users and help Main Street businesses employ safe and effective risk management strategies on a more cost-effective basis.

The Chamber also supports the amendment sponsored by Congressman Duffy and Congressman Scott to clarify that the CFTC shall not have the authority to access proprietary source code without a subpoena. Their amendment would protect highly sensitive intellectual property, which would respect established due process rights and ensure that proprietary source code does not fall into the wrong hands as a result of a cyberattack or wrongdoing.

Finally, as the bill moves forward, the Chamber urges consideration of how best to address the cross-border regulation of derivatives. We strongly believe that H.R. 238 should appropriately reflect the potential impact of punitive or excessive cross-border rules on Main Street businesses seeking to prudently hedge their commercial and market risks, both in the U.S. and abroad. We look forward to continuing to work with the sponsors of H.R. 238 on this issue as the bill moves forward.

The Chamber commends the House of Representatives for prioritizing regulatory reform in the 115th Congress and urges the House to approve H.R. 238 and the amendments listed above as expeditiously as possible.

Sincerely,
JACK HOWARD.

CHURCH ALLIANCE,
January 9, 2017.

HON. MICHAEL CONAWAY,
Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.

DEAR CHAIRMAN CONAWAY: On behalf of the Church Alliance, I write to thank you for your leadership on H.R. 238, the "Commodity End-User Relief Act."

The Church Alliance is a coalition of the chief executive officers of 37 church benefit programs. It includes mainline Protestant denominations, two branches of Judaism, and Catholic dioceses, schools and institutions. The benefit programs ("church plans") provide retirement and health benefits to more than 1 million clergy, lay workers, and their family members.

H.R. 238 contains a provision expanding the church plan exemption from the commodity

pool operator (“CPO”) and commodity trading advisor (“CTA”) rules under the Commodity Exchange Act (“CEA”) to include church plan-related accounts, such as endowments or foundations of churches and church-controlled nonprofits. The provision was included by a bipartisan, broadly-supported amendment during the House Agriculture Committee’s consideration of CFTC reauthorization legislation in the 114th Congress.

Under current law, church plans are generally exempt from the CPO and CTA requirements; however, the exemption does not include church plan-related accounts. Church benefits boards often use investment managers or advisers that engage in commodities transactions for the purposes of diversification and hedging. Church benefits boards also have the ability to pool plan assets with other church-related funds purely for investment management purposes for the benefit of the church. This reduces investment fees for church-related entities, as well as benefit plan participants by providing economies of scale.

In contrast to the CEA and implementing regulations, the securities laws contain necessary exemptions for church plans and church plan-related accounts for the same reason noted above. Under these laws, church plans are not required to register or report as investment companies, register securities held, or disclose information about the securities they hold.

H.R. 238 similarly exempts church plans and church plan-related accounts from the commodity pool definition and from CTA registration requirements. The exemptions would provide parity between securities and commodities laws concerning church plans and church plan-related accounts. Additionally, the exemptions would reduce the cost to church plans and would ensure they have the full benefit of commodities investments that provide diversification, opportunities to hedge, and returns. The ultimate benefit would be to clergy and church lay worker participants in the retirement and welfare plans, who have devoted their lives to the work of the church.

We respectfully urge the enactment of CFTC reauthorization legislation which includes much-needed relief for church plans and church-plan related accounts from the CPO and CTA requirements, along the lines of H.R. 238, as soon as possible. Thank you for your leadership and support on this important issue.

Sincerely yours,
BARBARA A. BOIGEGRAIN.

COMMODITY MARKETS COUNCIL,
Washington, DC, January 9, 2017.

Chairman MIKE CONAWAY,
House Committee on Agriculture,
Washington, DC.

DEAR CHAIRMAN CONAWAY: We, the Commodity Markets Council (CMC), write in support of H.R. 238, a bill to reauthorize the Commodity Futures Trading Commission (“CFTC”).

CMC is a trade association that brings together exchanges and their industry counterparts. Its members include commercial end-users that utilize the futures and swaps markets for agriculture, energy, metal, and soft commodities. Its industry member firms also include regular users and members of swap execution facilities (each, a “SEF”) as well as designated contract markets (each, a “DCM”), such as the Chicago Board of Trade, Chicago Mercantile Exchange, ICE Futures US, Minneapolis Grain Exchange, NASDAQ

Futures, and the New York Mercantile Exchange. Along with these market participants, CMC members also include regulated derivatives exchanges.

The businesses of all CMC members depend upon the efficient and competitive functioning of the risk management products traded on DCMs, SEFs, and over-the-counter (“OTC”) markets. As a result, CMC is well-positioned to provide a consensus view of commercial end-users on the impact of the Commission’s proposed regulations on derivatives markets. Its comments, however, represent the collective view of CMC’s members, including end-users, intermediaries, exchanges, and benchmark providers.

CMC urges you to support this legislation to reauthorize the CFTC because the bill contains clarifications similar to those in H.R. 2289, the Commodity End-User Relief Act, from the last Congressional session (114th Congress), which passed the House Agriculture Committee and the U.S. House of Representatives with bipartisan support. We believe the provisions in this legislation would go a long way to addressing the unintended consequences Main Street businesses have suffered as a result of derivatives regulation intended for Wall Street.

Many of the fixes in this legislation are urgently needed to stop upcoming initiatives that will greatly harm end-users and drastically reduce the economic efficiency of hedges. Although the CFTC has recently made great strides in addressing end-users’ concerns, some of the remedies needed can only be addressed by Congress.

We respectfully request your support for these non-controversial fixes that are of such importance to end-users. Thank you for your consideration and your continued leadership.

Sincerely,
GREGG DOUD,
President, Commodity Markets Council.

EDISON ELECTRIC INSTITUTE,
January 9, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

Hon. MICHAEL CONAWAY,
Chairman, House Agriculture Committee, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

Hon. COLLIN PETERSON,
Ranking Member, House Agriculture Committee, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN, LEADER PELOSI, CHAIRMAN CONAWAY, AND RANKING MEMBER PETERSON: On behalf of the member companies of the Edison Electric Institute (EEI), I want to express our strong support for H.R. 238, the Commodity End-User Relief Act. Key provisions in the legislation provide additional certainty and clarify congressional intent on a number of issues of significant importance to EEI members.

EEI is the association of U.S. investor-owned electric companies. EEI’s members provide electricity for 220 million Americans, operate in all 50 states and the District of Columbia, and directly and indirectly create jobs for more than 1 million Americans. With more than \$100 billion in annual capital expenditures, the electric power industry is responsible for providing safe, reliable, affordable, and sustainable electricity that powers the economy and enhances the lives of all Americans.

EEI members are non-financial entities that participate in the physical commodity market and rely on swaps and futures con-

tracts primarily to hedge and mitigate their commercial risk. The goal of our member companies is to provide their customers with reliable electric service at affordable and stable rates, which has a direct and significant impact on literally every area of the U.S. economy. Since wholesale electricity and natural gas historically have been two of the most volatile commodity groups, our member companies place a strong emphasis on managing the price volatility inherent in these wholesale commodity markets to the benefit of their customers. The derivatives market has proven to be an extremely effective tool in insulating our customers from this risk and price volatility. In sum, our members are the quintessential commercial end-users of swaps.

As such, regulations that make effective risk management options more costly for end-users of swaps will likely result in higher and more volatile energy prices for retail, commercial, and industrial customers. H.R. 238 goes a long way in providing much needed regulatory relief and even greater clarity to the compliance landscape facing EEI and the entire end-user community going forward.

Thank you for your leadership on these important issues. We look forward to working with you to advance this legislation through the House.

Sincerely,
THOMAS R. KUHN.

Mr. CONAWAY. Mr. Chair, I reserve the balance of my time.

Mr. PETERSON. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this bill. The bill last Congress went too far; and the one in this Congress, in my opinion, is going too far as well. The Commission, in my opinion, just needs a simple reauthorization. I urge Members to consider this when deciding how to vote on the amendments that will be debated here on the floor.

Title II actually makes it more difficult for the Commission to function, and I am also concerned that title III’s cross-border rulemaking mandate will result in a race to the bottom for multinational banks in the swaps market, which is a global market.

On top of that, this bill caps the agency’s yearly budget at \$250 million for the next 5 years, and it does this when every single witness before the Agriculture Committee last year told us that the agency needs more resources to do its work. Well, maybe that is the whole point—that this bill will leave the agency to not doing much, and I think that would be a mistake. We tried that once before, and we found ourselves in a real mess.

Since we last discussed reauthorization, the market situation has changed, and the CFTC has addressed many of our concerns through rulemaking. Yet, the Agriculture Committee wasn’t given the chance to consider these issues before the bill was rushed to the floor here today. So we are moving forward, once again, without regular order.

Again, I oppose this bill and urge my colleagues to vote “no.”

I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas (Mr. CRAWFORD), who is the subcommittee chairman for the General Farm Commodities and Risk Management Subcommittee.

Mr. CRAWFORD. Mr. Chairman, 5 years of bipartisan committee work has contributed to the drafting of H.R. 238, the Commodity End-User Relief Act. It is time we passed it for the sake of businesses across the United States who need greater certainty in managing their risk.

In advance of writing this legislation to reauthorize the CFTC, the House Committee on Agriculture held 22 hearings on the future of the Commission and the state of the derivatives industry. I mention the number 22 to highlight how extensive the data collection and deliberation has been.

To make this reauthorization as complete and thorough as possible, those 22 hearings collected feedback and testimony from every segment of the futures and swaps markets, from end users to regulators. We have used the testimony to draft legislation that will make derivatives markets work better for those who need them most: businesses trying to manage their risk.

But not only is this reauthorization language exhaustively researched, it has also already been approved by this Chamber multiple times, starting in the 113th Congress.

In the 113th Congress, the Committee completed H.R. 4413, which passed the House with strong bipartisan support. In the 114th Congress, we put forward the Commodity End-User Relief Act of 2015, which was very similar to H.R. 4413, and also passed the House with support from both parties. Now, not only is H.R. 238 virtually identical to the reauthorization bill, which passed the House last Congress, H.R. 238 also includes the amendments that were adopted on the House floor during debate.

I will turn my focus toward the people that this tested and proven language will help, largely end users. Although end users are not investors, speculators, or risk takers, they have borne the brunt of many of the consequences of new regulations.

Derivatives are used by a huge swath of businesses for risk management purposes, including manufacturers, farmers, ranchers, and other businesses that buy or sell products overseas, pension funds, insurance companies, and others who face risks that the prices for their business inputs and outputs frequently fluctuate.

Mr. Chairman, I urge my colleagues to support this long overdue legislation.

Mr. PETERSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Chairman, I rise today to speak in opposition to H.R. 238 and express my concerns with the process and the need for this legislation at this time.

As we all know, the Commodity Futures Trading Commission is an independent Federal regulatory agency that, after the 2008 financial crisis, took on more responsibility to bring greater transparency and oversight to the multihundred-trillion-dollar derivatives market.

This new bill, H.R. 238, has new mandates and steps in it which will force the Commodity Futures Trading Commission to redirect funding from its core mission to satisfy some of the new mandates within this rule.

H.R. 238 sets a flat reauthorization level of \$250 million per year for the next 5 years, despite the annual average budget requests of the agency of well over \$300 million since passage of Dodd-Frank. Freezing the funding level makes the new rules almost impossible to enforce. While we understand the need for the end users, the work of this group must go forward.

This punitive level effectively caps the CFTC budget and is a substantial departure from past reauthorization language providing for such funding as may be necessary for CFTC to carry out its expanded authorities under Dodd-Frank.

H.R. 238 will make it more difficult for CFTC to function and stifles its ability to respond quickly to the rapidly changing markets it regulates.

I thank Chairman CONAWAY for having allowed us in the last Congress to have many hearings and discussions about this bill; but we have not even, as a matter, organized the Agriculture Committee in the 115th Congress to bring this matter to the floor at this time. Therefore, the substance of the bill, as well as the process by which it is coming to this floor, are to be questioned at this time.

I urge my colleagues to vote against the bill.

Mr. CONAWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS), who is the subcommittee chairman for the Subcommittee on Biotechnology, Horticulture, and Research.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I rise today in strong support of this legislation.

Farming is an inherently risky business. Yet, I am incredibly grateful to the farmers in my district and across the country who proudly take on these risks in order to provide our country and many countries across this globe with a sustainable, abundant food supply. Given the importance of agriculture to our Nation's food supply, it makes sense to provide farmers, agribusinesses, and manufacturers the tools to hedge the risks that come with doing their business.

Because of the risks of price movements in commodities, such as corn and soybeans, these end users use derivatives to ensure they and their customers aren't negatively impacted by sudden price changes.

This legislation reauthorizes the CFTC, which has been without a statutory authorization for almost 4 years. That is unacceptable, Mr. Chairman. If we are serious about getting back to regular order in regards to the appropriations process, the authorizing committees must hold up their end of the bargain.

The derivatives industry has been through major reforms during the past few years. This legislation recognizes and appreciates the transformation of this industry while providing Congress with an opportunity to use the reauthorization process as a means to improve the regulatory environment and the impact it has on responsible market participants.

In that vein, this legislation also includes an amendment I offered at the Committee that would remove unnecessary and duplicative regulations created by the CFTC that requires certain registered investment companies, such as mutual funds, to be regulated by both the SEC and the CFTC.

Costly, burdensome, redundant regulations have real-world impacts. Congress needs to shift its focus back to policies that promote strong and healthy markets. This is a great start.

Mr. Chairman, I am proud of the Committee's work on this bill. I want to express my appreciation for Chairman CONAWAY's leadership and work to get us here.

This is an important bill, and I urge my colleagues to vote "yes."

Mr. PETERSON. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I rise in strong opposition to H.R. 238, legislation to reauthorize the Commodity Futures Trading Commission, better known as the CFTC. Instead of working through regular order to produce an authorization bill that both Democrats and Republicans could have supported, the majority in this House rushed to the floor a deeply flawed piece of legislation that hamstring the CFTC and undermines its ability to react to changing market conditions.

The burdensome requirements in this legislation and the lack of appropriate funding are nothing more than a misguided attempt by Republicans to make it more difficult for the Commission to function—to make it harder to protect consumers and make it more difficult to rein in the abuses of Wall Street.

I strongly object to the authorization level in this legislation. Basically, my Republican friends are flat funding the CFTC for 5 years, and that is despite calls from the former and current

chairman asking us to provide additional resources to the agency to enhance their ability to police Wall Street.

Now, Dodd-Frank significantly expanded the Commission's role in overseeing our financial markets, and the Commission has done its part to create rules that will help to prevent another financial crisis, despite the fact that Congress has not provided appropriate funding.

Now, I get it. My Republican friends don't like Dodd-Frank. Ever since they took back control of the House, they have tried to dismantle the law piece by piece, which was enacted to protect consumers and protect our markets in the wake of that terrible financial crisis that practically ruined our economy.

Now, Republicans say they don't like regulation, and it seems they especially don't like any regulation on Wall Street. Have they forgotten the recent financial crisis that nearly destroyed our economy? Have they forgotten who was primarily responsible for that crisis? Apparently, they have. Now, I am not for endless and unnecessary regulation. Nobody is. But I do think it is appropriate for us to create commonsense rules that protect our markets and protect our constituents' hard-earned dollars.

I find it troubling the Republican leaders in this House don't want to provide necessary resources to the Commission to patrol Wall Street. Without cops on the beat, who will ensure Wall Street actors aren't gaming the system and putting the economy at risk for another meltdown. I ask my Republican friends: When will Main Street take priority over Wall Street?

I also take issue with the various provisions of this bill that will both slow the agency's work and create new avenues for costly and lengthy legal battles.

By the way, implementing these provisions will cost the Commission an additional \$45 million over the next 5 years and will require an additional 30 full-time employees. So in addition to underfunding an already overworked agency, we are creating a situation where even more resources will be needed to satisfy burdensome and unnecessary requirements. Now, that means fewer dollars for the Commission to carry out its core mission of combating abuse and fraud in our markets and ensuring end users, investors, and the public are protected.

Now, Mr. Chairman, our constituents didn't send us to Washington to ignore bad actors in our financial markets. They certainly didn't send us to Washington to create a regulatory environment that could put us on a path toward another downturn. So who are we here to represent, the Wall Street banks or our hardworking constituents who deserve elected Representatives

who do everything in their power to prevent another financial crisis?

I would also like to say a few words about the cross-border requirements imposed by this bill, requirements that would hamstring the Commission's efforts to regulate the global swaps industry in cooperation with regulators around the globe.

My colleagues across the aisle keep saying that this bill is essential to help farmers, ranchers, utilities, and Main Street small business. But the farmers in this country don't have a London office to trade their swaps, they don't have a derivatives desk in Tokyo, and they aren't trading interest rate swaps in Geneva.

The CHAIR. The time of the gentleman has expired.

Mr. PETERSON. Mr. Chairman, I yield an additional 1 minute to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chair, let's be clear about who the cross-border provision in this bill is designed to help. It isn't end users. It isn't farmers. It isn't manufacturers or utilities or Main Street businesses. It is the small group of multinational financial firms that have controlled the swaps market from the beginning. We have seen what happens when they are left to their own devices. Crises in the swaps market do not respect national borders and boundaries. And that is why our regulators from the Commission have been engaged with their international counterparts in crafting rules for these markets since 2009.

□ 1300

They should be encouraged in that effort in every way possible through funding and expansive authority to get the rules right. This bill provides neither.

Mr. Chairman, I urge my colleagues to oppose this misguided legislation.

Mr. CONAWAY. Mr. Chairman, I would like to point out for the RECORD that over the past two fiscal years, since 2013, the CFTC has received a 29 percent increase in funding. It has gone from \$194 million to its current level of \$250 million. I think you would be hard-pressed to find any other agency throughout this government that has gotten a 29 percent increase in its resources over that timeframe.

I now yield 3 minutes to the gentleman from Missouri (Mrs. HARTZLER), a valuable member of the Ag Committee.

Mrs. HARTZLER. Mr. Chairman, I rise today in support of the Commodity End-User Relief Act. I thank the chairman for the countless hours that he and members and staff of the Ag Committee have put into crafting this bill, which is designed to provide relief to the end users across the Nation that were never intended to be burdened by these rules and regulations.

I have heard from many end users in my district about the need for com-

monsense reforms to our financial regulations that are encapsulated in this bill. These financial regulations affect entities and the people I represent and rely on every day, from the rural electric cooperatives that use these financial tools to keep energy prices as low and as stable as possible for rural Missourians, to the local grain elevators and farmers that manage their price risk using futures and options at a time when prices are low. And times are hard in farm country. Regulatory relief for Main Street is way past due on these regulations that were designed to regulate Wall Street.

During this debate, I have heard some of my colleagues' concerns that this bill has not followed regular order. But we have spent countless hours in briefings, hearings, and markups on this very bill. Many of us even took a trip to Chicago to visit the CFTC office and to tour key industry facilities. In the 6 years that I have served on this committee, we have held 22 hearings on the future of the Commission and the state of the derivatives industry. We held two separate markups on previous versions of this reauthorization in the 113th and 114th Congresses, followed by passage of these bills on the House floor. In fact, the bill we are taking up today is almost identical to the bill passed on this floor last Congress. Every single amendment to this bill offered by a Member of the House will be voted on today, including my amendment to provide relief to farmers, agricultural cooperatives, and grain elevators from burdensome reporting requirements. The process of considering the bill has been fair and open.

I thank the chairman for bringing up this much-needed bill to provide regulatory relief to my constituents through this fair and open process. I encourage my colleagues to support this bill.

Mr. PETERSON. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. O'HALLERAN), a new member to the House and a new member of the committee, and somebody who actually has experience in this business during his storied career.

Mr. O'HALLERAN. Mr. Chairman, I thank the ranking member with whom I look forward to serving on the Agriculture Committee on behalf of the people of Arizona.

Mr. Chairman, I rise today to express my deep opposition to H.R. 238. I am troubled by the way this legislation, the Commodity End-User Relief Act, has been brought to the floor. This bill was only introduced last week. It is being rushed to a vote.

I am especially bothered by the attempt to bring this bill to the floor outside the rules of regular order. There were no committee hearings. There were no markups held by the committee, and the Members of the

Agriculture Committee have been denied the opportunity to discuss the merits of this legislation.

As a freshman member of the 115th Congress, I am especially bothered that this bill has been brought to the floor before the Agriculture Committee has even been fully organized. As a new member of the Ag Committee, I am troubled that my colleagues think they can bypass the important feedback provided during the committee process. I represent over 80 communities in my district with a wide range of opinions and interests. Hearing from my constituents and getting feedback is critical to my duties as their Representative in Congress. We should include their voices in the policymaking process, not just special interests that have the resources to keep lobbyists here in Washington.

The committee process allows members to gather critical information, have a positive discussion, and make necessary changes to the legislation. As everyone on this floor knows, the committee process is essential to ensuring that the interests of the American people are truly represented in the legislation and brought to the floor. I understand that this bill was brought up in the 114th Congress where it was reviewed by the committee. It is only right that we maintain our democratic principles and ensure that H.R. 238 fully undergoes committee review in this Congress.

Mr. Chairman, this is not a partisan concept. These are the values I held as a Republican State legislator, as a police officer working in the community, and as a community leader.

Mr. Chairman, I ask: If this legislation was sent through the committee in the last Congress, is it not going to the committee again?

This process subverts the rules of this Congress, which, I might add, were established only last week. Bypassing the normal rules of order marginalizes the voice of the American people in the legislative process and forces a vote on legislation that is not complete.

I encourage my colleagues to make sure that the voice of the American people is heard and this legislation is brought up under the rules of regular order. For this reason, I ask my colleagues to join me in opposing this legislation before us.

Mr. CONAWAY. Mr. Chairman, I am proud to yield 3 minutes to the gentleman from Florida (Mr. YOHO), another valuable member of the Agriculture Committee.

Mr. YOHO. Mr. Chairman, I appreciate the opportunity to speak in favor of H.R. 238, the Commodity End-User Relief Act.

I thank Chairman CONAWAY for his leadership and his continued commitment to positive reforms through the Agriculture Committee. It has been a privilege to work with him on issues

impacting our Nation's rural communities.

I also thank Subcommittee Chairman AUSTIN SCOTT for his work in bringing this bill to the floor yet again.

This bill will provide much-needed relief to the end users of this country in the wake of the Dodd-Frank Wall Street reform bill. End users in the bill are the farmers and ranchers and public utilities across our country. When costs increase for them, they increase for all Americans. The farmer was not the reason for the economic recession that began in 2008. The rancher was not the reason, nor was the power company.

So why bring them under the umbrella of the Dodd-Frank Wall Street reform?

Rural America is not Wall Street. It is this view held by some of my colleagues on the other side of the aisle that has alienated so many in rural America.

The Agriculture Committee has approved this measure four times through regular order in the committee. Its commonsense reforms have garnered bipartisan support in the 114th Congress and the 113th Congress. It is my hope that with this new administration taking office next week, these commonsense changes will finally be signed into law.

I implore my fellow colleagues to listen to rural America. Remember, they are not Wall Street.

I thank Chairman CONAWAY, Subcommittee Chairman AUSTIN SCOTT, and Ranking Member DAVID SCOTT for making this a priority. I urge my colleagues to support this bill.

Mr. PETERSON. Mr. Chairman, I yield 4 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise today in strong opposition to H.R. 238, a bill that would hamstring the ability of the Commodity Futures Trading Commission to protect our Nation's farmers, manufacturers, municipalities, and retirees. Indeed, the agency has weighty responsibility to oversee our commodity, futures, and swaps markets to ensure that they are not only fair to market participants, but also that they are protected from manipulation, fraud, and abuse.

Such misconduct in these markets can impact everything from the price of oil, natural gas, and bread, to the interest rates on mortgages, credit cards, auto loans, and student loans.

As we saw in the financial crisis, fraud and abuse in the swaps markets can lead to systemic risks. Recall that credit default swaps, made famous by AIG, fueled the crisis, bankrupted millions of homeowners, and cost taxpayers trillions of dollars. To prevent that from happening again, Congress,

in the Dodd-Frank Act, gave the CFTC new authority over the swaps market and required it to adopt reforms which, thanks to its hard work, are largely in place.

But rather than applaud the work of the CFTC and provide it with funds it needs to do its job, Republicans continue to seek to undermine its regulatory authority, impose new procedural hurdles, and ultimately thwart its ability to protect the American people.

For example, H.R. 238 would impose onerous burdens and introduce new litigation risks by requiring the CFTC to conduct what is known as cost-benefit analysis slanted toward the industry, tying the CFTC's hands and setting up roadblocks to prevent them from doing their job and protect investors. This is a tactic used by opponents of financial reform to prevent, delay, weaken, and now under a Trump administration, repeal any rules implementing the Dodd-Frank Act.

This bill also would make it harder for the CFTC to police the overseas derivatives operations of megabanks like Citigroup, J.P. Morgan and Bank of America, even though the risk may still be borne by U.S. taxpayers. It also creates an unreasonable and hard-to-overturn presumption that the regulations of the largest eight foreign swaps markets are equivalent to U.S. regulation, allowing global megabanks to opt out of CFTC regulation.

H.R. 238 is simply a bad bill, but not leaving well-enough alone, Republicans are attempting to make it worse through multiple amendments. Troublingly, the Lucas amendment would create loopholes in our swaps regime by exempting trades between affiliates. Therefore, such trades would not have to comply with certain reporting, clearing, or initial margin requirements, creating a dangerous blind spot in the markets. What is more, the amendment is in direct contravention to already-provided, targeted relief, including the inter-affiliate clearing exemption that Congress passed in a bipartisan fashion in the 2016 Consolidated Appropriations Act, which contained numerous safeguards to ensure appropriate CFTC oversight.

I urge my colleagues to join me in opposing that and other harmful amendments, and oppose H.R. 238.

Mr. CONAWAY. Mr. Chairman, I would like to point out for the RECORD that the cost-benefit analysis rules in this bill are modeled after Executive Order 13563, which President Obama signed into the executive order status, and they are forward-looking. Nothing in our bill would require what might be a much-needed re-look at the Dodd-Frank rules done in the past. The cost-benefit analysis would require any future rulemaking to comply.

I yield 3 minutes to the gentleman from California (Mr. LAMALFA), another valuable member of the Agriculture Committee.

Mr. LAMALFA. Mr. Chairman, I thank Chairman CONAWAY for his leadership and the opportunity to speak today.

I rise today in strong support of H.R. 238, the Commodity End-User Relief Act. For the last 2 years, as a member of the Agriculture Committee, I have worked continuously to improve the operations of the Commodity Futures Trading Commission.

Through a great deal of bipartisan hearings, members were able to hear from everyone at the table—the regulators, market participants, and end users alike. When discussing how to ensure robust markets, consumer protections, and relief for end users, H.R. 238 truly represents a true agreement. After all, the end users are our customers. They are the whole reason for this legislation and this entity to begin with.

Another important provision included in this bill is language I had previously introduced, the Public Power Risk Management Act, which ensures that 47 million Americans who rely on public power for electricity will not see their rates increase due to unintended consequences of Dodd-Frank.

□ 1315

There are 2,000 publicly owned utilities across this country, including one in my own district in the city of Redding, who have used swaps to manage their risk for years, and this bill safeguards their ability to do so while protecting taxpayers from high, unnecessary costs.

Our farmers, ranchers, manufacturers—again, the end users—and other businesses who pose no systemic risk to our financial system and did not cause the financial crisis should not have to face costly red tape from policies meant to protect them in the first place.

I want to thank, again, Chairman CONAWAY for leading on this issue and for the hard work in committee, all the conversations, all the background it takes to get this done and put the light on the practical effects of the unintended consequences on the actual customers, the end users.

This bill is about American producers and consumers. I am proud to be part of this work product we have on the floor today, and I urge my colleagues to support this measure.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, may I inquire as to how much time is left on both sides.

The CHAIR. The gentleman from Texas has 13½ minutes remaining. The gentleman from Minnesota has 14½ minutes remaining.

Mr. CONAWAY. Mr. Chair, I yield 3 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), who is the chairman of the Subcommittee on Commodity Exchanges, Energy, and Credit.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise today in support of H.R. 238, the Commodity End-User Relief Act. It is simply good governance to reauthorize the Commodity Futures Trading Commission, which has been operating without authorization since 2013. I think this legislation represents the kind of thoughtful and bipartisan approach to policymaking that is often lacking in this place.

In the 114th Congress, I served as chairman of the Subcommittee on Commodity Exchanges, Energy, and Credit, and during several of the hearings on this reauthorization, we heard diverse perspectives from end users, from market participants, and from regulators. That testimony, coupled with the testimony from numerous other hearings at the subcommittee and full committee level in past Congresses, was instrumental in drafting the legislation before us today, which is the same legislation that passed the House of Representatives last Congress in June 2015.

This bill includes needed reforms to clarify congressional intent, minimize regulatory burdens, and, most importantly, preserve the ability of necessary risk management markets to serve those who need them.

Time and again we have heard how end users—who, I want to point out, were not the cause of the financial crisis—have been the collateral damage of Dodd-Frank reforms. These end users are our farmers, ranchers, manufacturers, and electric and gas utilities, and they rely on the derivatives markets to manage their risk, thereby helping to keep consumer costs low.

It is essential that we provide end users with much-needed relief and clarity in order to prevent the cost of unnecessary regulatory burdens that lead to increased costs and uncertainty being shouldered by the American citizens in my district and across the country.

I want to note that this legislation in no way undermines the goals of Dodd-Frank. Instead, it simply eases the regulatory burden on those who use the derivatives markets not so they can speculate, but so they can hedge risk. Ultimately, this bill is about protecting the American producer and the American consumer.

I want to close by thanking Chairman CONAWAY for his strong leadership on the House Committee on Agriculture, and the ranking member of the Commodity Exchanges, Energy, and Credit Subcommittee and my colleague from Georgia (Mr. DAVID SCOTT), who has been a steady partner throughout this effort.

We have worked diligently to produce legislation that provides needed reforms to ensure our regulatory framework protects the integrity of our markets, while not limiting the ability of end users to access those tools to conduct their business.

Mr. Chairman, I believe the CFTC should be reauthorized, and I am proud to support H.R. 238, the Commodity End-User Relief Act, and I urge my colleagues to join me in voting for this legislation.

Mr. PETERSON. Mr. Chairman, if I could inquire from Chairman CONAWAY if he has any more speakers?

Mr. CONAWAY. I have no further speakers.

Mr. PETERSON. Is the gentleman prepared to close?

Mr. CONAWAY. Mr. Chairman, may I inquire as to who has the right to close?

The CHAIR. The gentleman from Texas has the right to close.

Mr. PETERSON. Mr. Chairman, I yield myself such time as I may consume.

In closing, I just wish that I could support a reauthorization bill, a clean bill for the CFTC that came through the Committee on Agriculture in regular order, but that is not what has happened.

I want to thank Chairman CONAWAY for his work in the last Congress, trying to find common ground, and I hope that we can get back to regular order in the future in the committee.

So again, Mr. Chairman, I urge my colleagues to oppose H.R. 238, and I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I yield myself such time as I may consume.

As I close, I want to remind us of the need to act today. But before I do, I also want to thank the ranking member. While we may vote differently on this bill, he and I generally work well together on a myriad of issues that face not only production agriculture, but rural America as well, and I thank him for his work, even though we may not vote exactly the same way today.

Over the past 4 years, the Committee on Agriculture heard dozens of witnesses about the upheaval end users have been facing while trying to use derivative markets in the wake of the post-crisis financial reforms. While this Congress took affirmative steps in Dodd-Frank to protect end users from harm, today it is clear that there is still work to be done, have been facing while trying to use derivative markets in the wake of the post-crisis financial reforms. While this Congress took affirmative steps in Dodd-Frank to protect end users from harm, today it is clear that there is still work to be done.

It isn't enough to simply raise these issues and hope that the CFTC will take care of them for us—for one,

sometimes they cannot. There are numerous small oversights in the statute that have big implications for end users that we must correct in this legislation.

Currently, the CEA defines some utility companies as financial entities, stripping them of their status as end users. The Commission can't fix this.

The core principles for SEFs, which were added to the CEA by Dodd-Frank, were lifted almost word for word from the core principles for futures exchanges, even though swaps exchanges and futures exchanges operate completely differently and SEFs cannot perform many of the functions of a futures exchange. The Commission cannot fix this.

Certainly, the Commission can and has tried to paper over these problems, issuing staff letters explaining how it will deal with incongruities in the law. But that isn't good enough. We know the problems. We should fix them, and fix them now.

Sometimes, though, the problem isn't the statute. There are a number of end-user issues that we have heard testimony about which the CFTC will not fix, because the Commission simply disagrees with Congress about how to apply the law. We know these problems also.

The Commission has promulgated a rule that reduces the transaction threshold to be considered a swap dealer from \$8 billion to \$3 billion, a 60 percent decline, while it is still studying the matter. We should require that the CFTC complete the study and have a public vote on that matter.

The Commission has proposed a new method of granting bona fide hedge exemptions that is significantly narrower than the current method, upending longstanding hedging conventions for market participants. This proposal has the added disadvantage of being dramatically more labor intensive for the Commission. We should insist that historic hedging practices be protected.

The Commission has issued a new rule on ownership, control, and reporting that it knows isn't working. They have delayed its implementation for over 3 years by continuing to parcel out temporary reprieves. We should insist the Commission amend the rule so that market participants know definitively what their compliance obligations are.

The definition of swap does not exclude transactions that are wholly contained within a single company and not market facing. Regulators have used this leeway to require businesses and financial institutions to follow rules that are, quite frankly, inappropriate for risk management purposes and costly for the companies to use them. We should amend the statute, to make it clear that inter-affiliate transactions should not be regulated the same way as publicly transacted swaps.

The challenges facing businesses who hedge their risks in derivatives markets are real. Today we have an opportunity to fix some of those problems. Every dollar that a business can save by better managing its risk is a dollar available to grow that business, pay higher wages, and lower costs to consumers or protect investors.

Over the past week, over 30 organizations representing thousands of American businesses have voiced their support for the important reforms in the Commodity End-User Relief Act. Businesses from farm country to major manufacturers, to public utilities need every tool available to manage their businesses and reduce the uncertainties they face each day in today's global economy.

I urge my colleagues to support the Commodity End-User Relief Act, protect these companies, and ensure that they have the tools they need to compete in a global economy.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chair, I rise today to first express my great appreciation to Chairman MICHAEL CONAWAY and Subcommittee Chairman AUSTIN SCOTT for their hard work in crafting H.R. 238, the Commodity End-User Relief Act, legislation to reauthorize the Commodity Futures Trading Commission (CFTC). Chairman Conaway and Subcommittee Chairman AUSTIN SCOTT held four hearings throughout the 114th Congress regarding the CFTC and its future, during which time they invited input from a wide variety of interested stakeholders. I believe that they have struck the right balance in providing the CFTC with the authorizations necessary for the agency to do its job, while increasing oversight, instituting reforms to protect end-users from regulatory overreach, and improving consumer protection against fraud or mismanagement.

I am also pleased to see that since the House of Representatives last acted to reauthorize the CFTC, in light of many years of concern about aluminum markets and warehousing practices, the London Metal Exchange has implemented additional reforms to their aluminum warehousing practices and contracts. Now that the London Metal Exchange has been recognized by the CFTC as a Foreign Board of Trade, I look forward to continuing my review of these reforms and their impact on aluminum markets and end users, while remaining hopeful that these changes will accomplish their intended goal.

Once again, I would like to thank all those involved in bringing this bill to the floor, Chairman MICHAEL CONAWAY, Subcommittee Chairman AUSTIN SCOTT, and Ranking Member DAVID SCOTT. I ask my colleagues to join me in supporting this legislation.

Mr. CONAWAY. Mr. Chair, I include in the RECORD the following letters of support for H.R. 238:

JANUARY 11, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: FIA supports H.R. 238, the "Commodity End User Relief Act". Notably, this legislation reauthorizes the Commodity Futures Trading Commission (CFTC), which has been without statutory authorization for almost four years. In addition to reauthorizing the CFTC, Congress has historically taken the opportunity of reauthorization to periodically review and enhance the CFTC's authorities. This is essential in a regulatory environment where the marketplace is extremely dynamic. Given the constantly evolving structure to which these regulatory authorities apply, it is prudent for Congress to consider updating the statute in response to market changes. We commend the House Committee on Agriculture for efforts to build upon previous work and advance this legislation.

H.R. 238 contains prudent internal risk controls to safeguard market data and improved customer protections sought by the market participants who rely on derivatives to manage their risks. These are examples of policy enhancements that have garnered tremendous favor in recent years as evidenced by the bi-partisan support they have received in previous Congressional sessions.

As noted above, the constant evolution of the markets regulated by the CFTC has advanced even since the last time the House of Representatives passed similar legislation, which warrants the introduction of new statutory updates expected to be offered as floor amendments. In particular, FIA would like to lend our support to the bi-partisan Duffy/Scott amendment protecting critical intellectual property that is key to the innovative culture in the United States. Additionally, we commend Congresswoman Hartzler for her amendment recognizing the need to improve the quality of information submitted for the Commission's surveillance and large trader reporting programs.

We look forward to seeing this effort advance to the Senate where we expect to have continued dialogue on refinements.

Sincerely,

President and CEO.

INTERNATIONAL SWAPS AND DERIVATIVES ASSOCIATION, INC.,
Washington, DC, January 11, 2015.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: We are writing to express the International Swaps and Derivatives Association, Inc.'s ("ISDA") support for H.R. 238, the Commodity End-User Relief Act. The legislation was introduced on January 4, 2017.

Since 1985, ISDA has worked to make the global derivatives markets safer and more efficient. Today, ISDA has over 850 member institutions from 66 countries. These members comprise a broad range of derivatives market participants, including corporations, investment managers, government and supranational entities, insurance companies, energy and commodities firms, and international and regional banks. In addition to market participants, members also include

key components of the derivatives market infrastructure, such as exchanges, intermediaries, clearing houses and repositories, as well as law firms, accounting firms and other service providers. Information about ISDA and its activities is available on the Association's web site: www.isda.org.

H.R. 238 would codify new regulatory customer protections and enhance oversight of the Commodity Futures Trading Commission. The Commodity End-User Relief Act would also ease the regulatory burdens placed on end-users. These are measures that ISDA supports.

Please also note that, while ISDA appreciates and supports the Commodity End-User Relief Act, we look forward to working with Congress to ensure that the cross-border provisions of the bill are further addressed during the course of the legislative process.

ISDA urges you to vote for H.R. 238. Thank you for your consideration of our views. If you have any questions, please do not hesitate to contact our Head of US Public Policy Christopher Young.

Sincerely,

SCOTT O'MALIA,
Chief Executive Officer.

THE JEWISH FEDERATIONS®,
OF NORTH AMERICA,
Washington DC, January 11, 2017.

Hon. K. MICHAEL CONAWAY,
Chairman, House Agriculture Committee, Washington, DC.

DEAR CHAIRMAN CONAWAY: The Jewish Federations of North America (JFNA) is writing to express our support for H.R. 238, the "Commodity End-User Relief Act." We are particularly supportive of section 313 of the bill which provides for the exemption of qualified charitable organizations from designation and regulation as commodity pool operators.

JFNA is the national organization that represents and serves 149 Jewish Federations across the United States and North America. In their communities, Jewish Federations and related Jewish community foundations serve as the central address for fundraising and support for an extensive network of Jewish health, education and social services in their area. Part of the charitable mission of Jewish federations and Jewish community foundations is to help grow the endowment assets of their organizations as well as those of related Jewish agencies and synagogues who have entrusted their endowment funds with them. This is accomplished through pooling investment assets to maximize financial return, minimize cost and risk, and take advantage of investment expertise and economies of scale. Increased endowment dollars translate into more current support of essential program activities as well as helping to assure the long-term viability of Jewish organizations and institutions. The enactment of H.R. 238 will harmonize the registration exemptions between securities and commodities laws and regulations and exempt qualified charities from registering their pooled funds as commodity pools or as commodity pool operators. This exemption will eliminate confusion, spare needless legal costs, and ensure that such organizations as Jewish federations and foundations can continue to invest in widely diversified instruments in order to maximize returns to their beneficiaries who use such investment income to provide additional social services to the most needy among us.

Thank you again for efforts to ensure the enactment of the Commodity End-User Relief Act. JFNA and the federation system

stand ready to help you in any way to achieve this important goal. If you have any questions regarding JFNA and its involvement in this issue I urge you to contact Steven Woolf, JFNA Senior Tax Policy Counsel. Sincerely,

WILLIAM C. DAROFF,
Senior Vice President for Public Policy &
Director, of the Washington Office.

NRECA,

Arlington, VA, January 10, 2017.

Hon. MIKE CONAWAY,
Chairman, House Committee on Agriculture,
Washington, DC.

Hon. COLLIN PETERSON,
Ranking Member, House Committee on Agriculture,
Washington, DC.

DEAR CHAIRMAN CONAWAY AND RANKING MEMBER PETERSON: The National Rural Electric Cooperative Association (NRECA) supports the Commodity End User Relief Act (H.R. 238), legislation to reauthorize the Commodity Futures Trading Commission (CFTC) to be considered on the House floor this week.

NRECA is the national service organization representing over 900 not-for-profit, member-owned, rural electric cooperative systems, which serve 42 million customers in 47 states. NRECA estimates that cooperatives own and maintain 2.5 million miles or 42 percent of the nation's electric distribution lines covering three-quarters of the nation's landmass. Cooperatives serve approximately 18 million businesses, homes, farms, schools and other establishments in 2,500 of the nation's 3,141 counties.

Electric cooperatives are commercial end-users and not financial entities. NRECA believes that Congressional oversight is essential to help ensure that the CFTC is implementing the Dodd-Frank Act as Congress intended. To that end, NRECA supports H.R. 238 as a means to ensure that resources at the CFTC are prioritized to protect against systemic risk to our financial system, and to regulate swap dealers and large traders, and not fruitlessly focused on the everyday commodity transactions with which end-users hedge commercial risks arising from ongoing business operations.

Importantly, H.R. 238 amends the Commodity Exchange Act (CEA) in a very narrow but critical way: to clarify Congressional intent that the CFTC shall not regulate as "swaps" nonfinancial commodity contracts that are intended to be physically settled, whether those contracts are forward contracts or commodity trade options. Our members use these physical contracts to manage supply and demand for energy resources, and to keep the lights on for American businesses and consumers. NRECA is also particularly interested in H.R. 238 language that reduces onerous recordkeeping requirements, as well as a codified resolution to the utility special entity requirement that would otherwise negatively impact such utilities and their customers.

NRECA appreciates the Committee's continued work on CFTC reauthorization legislation this Congress, and urges Members of Congress to support H.R. 238 when it is considered by the House of Representatives.

Sincerely,

JIM MATHESON,
CEO, NRECA.

SIFMA®,

Washington, DC, January 10, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: SIFMA and its member firms support H.R. 238, Commodity End-User Relief Act, bipartisan legislation that seeks to reauthorize the Commodity Futures Trading Commission (CFTC) to better protect swaps customers, provide market certainty for end-users, and make basic reforms to improve the functioning of the CFTC.

SIFMA also supports the inter-affiliate amendment sponsored by Rep. Frank Lucas (R-Okla.), which includes language to clarify exemptions from swap rules, as well as requirements for reporting, risk management, and anti-evasion as it relates to such transactions.

Further, SIFMA appreciates efforts to establish a workable framework for cross-border regulation of derivatives transactions. We look forward to continuing to work with the Committee in an effort to consider this important issue. SIFMA urges you to vote for H.R. 238. Thank you for your consideration of our views.

Sincerely,

ANDY BLOCKER,
EVP, Public Policy and Advocacy, SIFMA.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-2. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commodity End-User Relief Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—CUSTOMER PROTECTIONS

Sec. 101. Enhanced protections for futures customers.

Sec. 102. Electronic confirmation of customer funds.

Sec. 103. Notice and certifications providing additional customer protections.

Sec. 104. Futures commission merchant compliance.

Sec. 105. Certainty for futures customers and market participants.

TITLE II—COMMODITY FUTURES TRADING COMMISSION REFORMS

Sec. 201. Extension of operations.

Sec. 202. Consideration by the Commodity Futures Trading Commission of the costs and benefits of its regulations and orders.

Sec. 203. Division directors.

- Sec. 204. Office of the Chief Economist.
 Sec. 205. Procedures governing actions taken by Commission staff.
 Sec. 206. Strategic technology plan.
 Sec. 207. Internal risk controls.
 Sec. 208. Subpoena duration and renewal.
 Sec. 209. Applicability of notice and comment requirements of the Administrative Procedure Act to guidance voted on by the Commission.
 Sec. 210. Judicial review of Commission rules.
 Sec. 211. GAO study on use of Commission resources.
 Sec. 212. Disclosure of required data of other registered entities.

TITLE III—END-USER RELIEF

- Sec. 301. Transactions with utility special entities.
 Sec. 302. Utility special entity defined.
 Sec. 303. Utility operations-related swap.
 Sec. 304. End-users not treated as financial entities.
 Sec. 305. Reporting of illiquid swaps so as to not disadvantage certain non-financial end-users.
 Sec. 306. Relief for grain elevator operators, farmers, agricultural counterparties, and commercial market participants.
 Sec. 307. Relief for end-users who use physical contracts with volumetric optionality.
 Sec. 308. Commission vote required before automatic change of swap dealer de minimis level.
 Sec. 309. Capital requirements for non-bank swap dealers.
 Sec. 310. Harmonization with the Jumpstart Our Business Startups Act.
 Sec. 311. Bona fide hedge defined to protect end-user risk management needs.
 Sec. 312. Cross-border regulation of derivatives transactions.
 Sec. 313. Exemption of qualified charitable organizations from designation and regulation as commodity pool operators.
 Sec. 314. Small bank holding company clearing exemption.
 Sec. 315. Core principle certainty.
 Sec. 316. Treatment of Federal Home Loan Bank products.
 Sec. 317. Treatment of certain funds.

TITLE IV—TECHNICAL CORRECTIONS

- Sec. 401. Correction of references.
 Sec. 402. Elimination of obsolete references to dealer options.
 Sec. 403. Updated trade data publication requirement.
 Sec. 404. Flexibility for registered entities.
 Sec. 405. Elimination of obsolete references to electronic trading facilities.
 Sec. 406. Elimination of obsolete reference to alternative swap execution facilities.
 Sec. 407. Elimination of redundant references to types of registered entities.
 Sec. 408. Clarification of Commission authority over swaps trading.
 Sec. 409. Elimination of obsolete reference to the Commodity Exchange Commission.
 Sec. 410. Elimination of obsolete references to derivative transaction execution facilities.
 Sec. 411. Elimination of obsolete references to exempt boards of trade.
 Sec. 412. Elimination of report due in 1986.
 Sec. 413. Compliance report flexibility.
 Sec. 414. Miscellaneous corrections.

TITLE I—CUSTOMER PROTECTIONS

SEC. 101. ENHANCED PROTECTIONS FOR FUTURES CUSTOMERS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21) is amended by adding at the end the following:

“(t) A registered futures association shall—
 “(1) require each member of the association that is a futures commission merchant to maintain written policies and procedures regarding the maintenance of—

“(A) the residual interest of the member, as described in section 1.23 of title 17, Code of Federal Regulations, in any customer segregated funds account of the member, as identified in section 1.20 of such title, and in any foreign futures and foreign options customer secured amount funds account of the member, as identified in section 30.7 of such title; and

“(B) the residual interest of the member, as described in section 22.2(e)(4) of such title, in any cleared swaps customer collateral account of the member, as identified in section 22.2 of such title; and

“(2) establish rules to govern the withdrawal, transfer or disbursement by any member of the association, that is a futures commission merchant, of the member’s residual interest in customer segregated funds as provided in such section 1.20, in foreign futures and foreign options customer secured amount funds, identified as provided in such section 30.7, and from a cleared swaps customer collateral, identified as provided in such section 22.2.”

SEC. 102. ELECTRONIC CONFIRMATION OF CUSTOMER FUNDS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21), as amended by section 101 of this Act, is amended by adding at the end the following:

“(u) A registered futures association shall require any member of the association that is a futures commission merchant to—

“(1) use an electronic system or systems to report financial and operational information to the association or another party designated by the registered futures association, including information related to customer segregated funds, foreign futures and foreign options customer secured amount funds accounts, and cleared swaps customer collateral, in accordance with such terms, conditions, documentation standards, and regular time intervals as are established by the registered futures association;

“(2) instruct each depository, including any bank, trust company, derivatives clearing organization, or futures commission merchant, holding customer segregated funds under section 1.20 of title 17, Code of Federal Regulations, foreign futures and foreign options customer secured amount funds under section 30.7 of such title, or cleared swap customer funds under section 22.2 of such title, to report balances in the futures commission merchant’s section 1.20 customer segregated funds, section 30.7 foreign futures and foreign options customer secured amount funds, and section 22.2 cleared swap customer funds, to the registered futures association or another party designated by the registered futures association, in the form, manner, and interval prescribed by the registered futures association; and

“(3) hold section 1.20 customer segregated funds, section 30.7 foreign futures and foreign options customer secured amount funds and section 22.2 cleared swaps customer funds in a depository that reports the balances in these accounts of the futures commission merchant held at the depository to the registered futures association or another party designated by the registered futures association in the form, manner, and interval prescribed by the registered futures association.”

SEC. 103. NOTICE AND CERTIFICATIONS PROVIDING ADDITIONAL CUSTOMER PROTECTIONS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21), as amended by sections 101 and 102 of this Act, is amended by adding at the end the following:

“(v) A futures commission merchant that has adjusted net capital in an amount less than the amount required by regulations established by the Commission or a self-regulatory organization of which the futures commission merchant is a member shall immediately notify the Commission and the self-regulatory organization of this occurrence.

“(w) A futures commission merchant that does not hold a sufficient amount of funds in segregated accounts for futures customers under section 1.20 of title 17, Code of Federal Regulations, in foreign futures and foreign options secured amount accounts for foreign futures and foreign options secured amount customers under section 30.7 of such title, or in segregated accounts for cleared swap customers under section 22.2 of such title, as required by regulations established by the Commission or a self-regulatory organization of which the futures commission merchant is a member, shall immediately notify the Commission and the self-regulatory organization of this occurrence.

“(x) Within such time period established by the Commission after the end of each fiscal year, a futures commission merchant shall file with the Commission a report from the chief compliance officer of the futures commission merchant containing an assessment of the internal compliance programs of the futures commission merchant.”

SEC. 104. FUTURES COMMISSION MERCHANT COMPLIANCE.

(a) IN GENERAL.—Section 4d(a) of the Commodity Exchange Act (7 U.S.C. 6d(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting “(1)” before “It shall be unlawful”; and

(3) by adding at the end the following new paragraph:

“(2) Any rules or regulations requiring a futures commission merchant to maintain a residual interest in accounts held for the benefit of customers in amounts at least sufficient to exceed the sum of all uncollected margin deficits of such customers shall provide that a futures commission merchant shall meet its residual interest requirement as of the end of each business day calculated as of the close of business on the previous business day.”

(b) CONFORMING AMENDMENT.—Section 4d(h) of such Act (7 U.S.C. 6d(h)) is amended by striking “Notwithstanding subsection (a)(2)” and inserting “Notwithstanding subsection (a)(1)(B)”.

SEC. 105. CERTAINTY FOR FUTURES CUSTOMERS AND MARKET PARTICIPANTS.

Section 20(a) of the Commodity Exchange Act (7 U.S.C. 24(a)) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “; and”; and

(3) by adding at the end the following:

“(6) that cash, securities, or other property of the estate of a commodity broker, including the trading or operating accounts of the commodity broker and commodities held in inventory by the commodity broker, shall be included in customer property, subject to any otherwise unavoidable security interest, or otherwise unavoidable contractual offset or netting rights of creditors (including rights set forth in a rule or bylaw of a derivatives clearing organization or a clearing agency) in respect of such property, but only to the extent that the property that is otherwise customer property is insufficient to satisfy the net equity claims of public customers (as such term may be defined by the Commission by rule or regulation) of the commodity broker.”

TITLE II—COMMODITY FUTURES TRADING COMMISSION REFORMS

SEC. 201. EXTENSION OF OPERATIONS.

Section 12(d) of the Commodity Exchange Act (7 U.S.C. 16(d)) is amended to read as follows:

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$250,000,000 for each of fiscal years 2017 through 2021 to carry out this Act.”.

SEC. 202. CONSIDERATION BY THE COMMODITY FUTURES TRADING COMMISSION OF THE COSTS AND BENEFITS OF ITS REGULATIONS AND ORDERS.

Section 15(a) of the Commodity Exchange Act (7 U.S.C. 19(a)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

“(1) **IN GENERAL.**—Before promulgating a regulation under this Act or issuing an order (except as provided in paragraph (3)), the Commission, through the Office of the Chief Economist, shall assess and publish in the regulation or order the costs and benefits, both qualitative and quantitative, of the proposed regulation or order, and the proposed regulation or order shall state its statutory justification.

“(2) **CONSIDERATIONS.**—In making a reasoned determination of the costs and the benefits, the Commission shall evaluate—

“(A) considerations of protection of market participants and the public;

“(B) considerations of the efficiency, competitiveness, and financial integrity of futures and swaps markets;

“(C) considerations of the impact on market liquidity in the futures and swaps markets;

“(D) considerations of price discovery;

“(E) considerations of sound risk management practices;

“(F) available alternatives to direct regulation;

“(G) the degree and nature of the risks posed by various activities within the scope of its jurisdiction;

“(H) the costs of complying with the proposed regulation or order by all regulated entities, including a methodology for quantifying the costs (recognizing that some costs are difficult to quantify);

“(I) whether the proposed regulation or order is inconsistent, incompatible, or duplicative of other Federal regulations or orders;

“(J) the cost to the Commission of implementing the proposed regulation or order by the Commission staff, including a methodology for quantifying the costs;

“(K) whether, in choosing among alternative regulatory approaches, those approaches maximize net benefits (including potential economic and other benefits, distributive impacts, and equity); and

“(L) other public interest considerations.”;

and

(2) by adding at the end the following:

“(4) **JUDICIAL REVIEW.**—Notwithstanding section 24(d), a court shall affirm a Commission assessment of costs and benefits under this subsection, unless the court finds the assessment to be an abuse of discretion.”.

SEC. 203. DIVISION DIRECTORS.

Section 2(a)(6)(C) of the Commodity Exchange Act (7 U.S.C. 2(a)(6)(C)) is amended by inserting “, and the heads of the units shall serve at the pleasure of the Commission” before the period.

SEC. 204. OFFICE OF THE CHIEF ECONOMIST.

(a) **IN GENERAL.**—Section 2(a) of the Commodity Exchange Act (7 U.S.C. 2(a)) is amended by adding at the end the following:

“(16) **OFFICE OF THE CHIEF ECONOMIST.**—

“(A) **ESTABLISHMENT.**—There is established in the Commission the Office of the Chief Economist.

“(B) **HEAD.**—The Office of the Chief Economist shall be headed by the Chief Economist,

who shall be appointed by the Commission and serve at the pleasure of the Commission.

“(C) **FUNCTIONS.**—The Chief Economist shall report directly to the Commission and perform such functions and duties as the Commission may prescribe.

“(D) **PROFESSIONAL STAFF.**—The Commission shall appoint such other economists as may be necessary to assist the Chief Economist in performing such economic analysis, regulatory cost-benefit analysis, or research any member of the Commission may request.”.

(b) **CONFORMING AMENDMENT.**—Section 2(a)(6)(A) of such Act (7 U.S.C. 2(a)(6)(A)) is amended by striking “(4) and (5) of this subsection” and inserting “(4), (5), and (16)”.

(c) **SENSE OF THE CONGRESS.**—It is the sense of the Congress that the Commodity Futures Trading Commission should take all appropriate actions to encourage applications for positions in the Office of the Chief Economist from members of minority groups, women, disabled persons, and veterans.

SEC. 205. PROCEDURES GOVERNING ACTIONS TAKEN BY COMMISSION STAFF.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)) is amended—

(1) by striking “(12) The” and inserting the following:

“(12) **RULES AND REGULATIONS.**—

“(A) **IN GENERAL.**—Subject to the other provisions of this paragraph, the”; and

(2) by adding after and below the end the following new subparagraph:

“(B) **NOTICE TO COMMISSIONERS.**—The Commission shall develop and publish internal procedures governing the issuance by any division or office of the Commission of any response to a formal, written request or petition from any member of the public for an exemptive, a no-action, or an interpretive letter and such procedures shall provide that the commissioners be provided with the final version of the matter to be issued with sufficient notice to review the matter prior to its issuance.”.

SEC. 206. STRATEGIC TECHNOLOGY PLAN.

Section 2(a) of the Commodity Exchange Act (7 U.S.C. 2(a)), as amended by section 204(a) of this Act, is amended by adding at the end the following:

“(17) **STRATEGIC TECHNOLOGY PLAN.**—

“(A) **IN GENERAL.**—Every 5 years, the Commission shall develop and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a detailed plan focused on the acquisition and use of technology by the Commission.

“(B) **CONTENTS.**—The plan shall—

“(i) include for each related division or office a detailed technology strategy focused on market surveillance and risk detection, market data collection, aggregation, interpretation, standardization, harmonization, normalization, validation, streamlining or other data analytic processes, and internal management and protection of data collected by the Commission, including a detailed accounting of how the funds provided for technology will be used and the priorities that will apply in the use of the funds;

“(ii) set forth annual goals to be accomplished and annual budgets needed to accomplish the goals; and

“(iii) include a summary of any plan of action and milestones to address any known information security vulnerability, as identified pursuant to a widely accepted industry or Government standard, including—

“(I) specific information about the industry or Government standard used to identify the known information security vulnerability;

“(II) a detailed time line with specific deadlines for addressing the known information security vulnerability; and

“(III) an update of any such time line and the rationale for any deviation from the time line.”.

SEC. 207. INTERNAL RISK CONTROLS.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)), as amended by section 205 of this Act, is amended by adding at the end the following:

“(C) **INTERNAL RISK CONTROLS.**—The Commission, in consultation with the Chief Economist, shall develop comprehensive internal risk control mechanisms to safeguard and govern the storage of all market data by the Commission, all market data sharing agreements of the Commission, and all academic research performed at the Commission using market data.”.

SEC. 208. SUBPOENA DURATION AND RENEWAL.

Section 6(c)(5) of the Commodity Exchange Act (7 U.S.C. 9(5)) is amended—

(1) by striking “(5) SUBPOENA.—For” and inserting the following:

“(5) **SUBPOENA.**—

“(A) **IN GENERAL.**—For”; and

(2) by adding after and below the end the following:

“(B) **OMNIBUS ORDERS OF INVESTIGATION.**—

“(i) **DURATION AND RENEWAL.**—An omnibus order of investigation shall not be for an indefinite duration and may be renewed only by Commission action.

“(ii) **DEFINITION.**—In clause (i), the term ‘omnibus order of investigation’ means an order of the Commission authorizing 1 of more members of the Commission or its staff to issue subpoenas under subparagraph (A) to multiple persons in relation to a particular subject matter area.”.

SEC. 209. APPLICABILITY OF NOTICE AND COMMENT REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT TO GUIDANCE VOTED ON BY THE COMMISSION.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)), as amended by sections 205 and 207 of this Act, is amended by adding at the end the following:

“(D) **APPLICABILITY OF NOTICE AND COMMENT RULES TO GUIDANCE VOTED ON BY THE COMMISSION.**—The notice and comment requirements of section 553 of title 5, United States Code, shall also apply with respect to any Commission statement or guidance, including interpretive rules, general statements of policy, or rules of Commission organization, procedure, or practice, that has the effect of implementing, interpreting or prescribing law or policy and that is voted on by the Commission.”.

SEC. 210. JUDICIAL REVIEW OF COMMISSION RULES.

The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended by adding at the end the following:

“SEC. 24. JUDICIAL REVIEW OF COMMISSION RULES.

“(a) A person adversely affected by a rule of the Commission promulgated under this Act may obtain review of the rule in the United States Court of Appeals for the District of Columbia Circuit or the United States Court of Appeals for the circuit where the party resides or has the principal place of business, by filing in the court, within 60 days after publication in the Federal Register of the entry of the rule, a written petition requesting that the rule be set aside.

“(b) A copy of the petition shall be transmitted forthwith by the clerk of the court to an officer designated by the Commission for that purpose. Thereupon the Commission shall file in the court the record on which the rule complained of is entered, as provided in section 2112 of title 28, United States Code, and the Federal Rules of Appellate Procedure.

“(c) On the filing of the petition, the court has jurisdiction, which becomes exclusive on the filing of the record, to affirm and enforce or to set aside the rule in whole or in part.

“(d) The court shall affirm and enforce the rule unless the Commission’s action in promulgating the rule is found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; or without observance of procedure required by law.”

SEC. 211. GAO STUDY ON USE OF COMMISSION RESOURCES.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study of the resources of the Commodity Futures Trading Commission that—

(1) assesses whether the resources of the Commission are sufficient to enable the Commission to effectively carry out the duties of the Commission;

(2) examines the expenditures of the Commission on hardware, software, and analytical processes designed to protect customers in the areas of—

(A) market surveillance and risk detection; and

(B) market data collection, aggregation, interpretation, standardization, harmonization, and streamlining;

(3) analyzes the additional workload undertaken by the Commission, and ascertains where self-regulatory organizations could be more effectively utilized; and

(4) examines existing and emerging post-trade risk reduction services in the swaps market, the notional amount of risk reduction transactions provided by the services, and the effects the services have on financial stability, including—

(A) market surveillance and risk detection;

(B) market data collection, aggregation, interpretation, standardization, harmonization, and streamlining; and

(C) oversight and compliance work by market participants and regulators.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains the results of the study required by subsection (a).

SEC. 212. DISCLOSURE OF REQUIRED DATA OF OTHER REGISTERED ENTITIES.

Section 8 of the Commodity Exchange Act (7 U.S.C. 12) is amended by adding at the end the following:

“(j) **DISCLOSURE OF REQUIRED DATA OF OTHER REGISTERED ENTITIES.**—

“(1) Except as provided in this subsection, the Commission may not be compelled to disclose any proprietary information provided to the Commission, except that nothing in this subsection—

“(A) authorizes the Commission to withhold information from Congress; or

“(B) prevents the Commission from—

“(i) complying with a request for information from any other Federal department or agency, any State or political subdivision thereof, or any foreign government or any department, agency, or political subdivision thereof requesting the report or information for purposes within the scope of its jurisdiction, upon an agreement of confidentiality to protect the information in a manner consistent with this paragraph and subsection (e); or

“(ii) making a disclosure made pursuant to a court order in connection with an administrative or judicial proceeding brought under this Act, in any receivership proceeding involving a receiver appointed in a judicial proceeding brought under this Act, or in any bankruptcy proceeding in which the Commission has intervened or in which the Commission has the right

to appear and be heard under title 11 of the United States Code.

“(2) Any proprietary information of a commodity trading advisor or commodity pool operator ascertained by the Commission in connection with Form CPO-PQR, Form CTA-PR, and any successor forms thereto, shall be subject to the same limitations on public disclosure, as any facts ascertained during an investigation, as provided by subsection (a); provided, however, that the Commission shall not be precluded from publishing aggregate information compiled from such forms, to the extent such aggregate information does not identify any individual person or firm, or such person’s proprietary information.

“(3) For purposes of section 552 of title 5, United States Code, this subsection, and the information contemplated herein, shall be considered a statute described in subsection (b)(3)(B) of such section 552.

“(4) For purposes of the definition of proprietary information in paragraph (5), the records and reports of any client account or commodity pool to which a commodity trading advisor or commodity pool operator registered under this title provides services that are filed with the Commission on Form CPO-PQR, CTA-PR, and any successor forms thereto, shall be deemed to be the records and reports of the commodity trading advisor or commodity pool operator, respectively.

“(5) For purposes of this section, proprietary information of a commodity trading advisor or commodity pool operator includes sensitive, non-public information regarding—

“(A) the commodity trading advisor, commodity pool operator or the trading strategies of the commodity trading advisor or commodity pool operator;

“(B) analytical or research methodologies of a commodity trading advisor or commodity pool operator;

“(C) trading data of a commodity trading advisor or commodity pool operator; and

“(D) computer hardware or software containing intellectual property of a commodity trading advisor or commodity pool operator.”

TITLE III—END-USER RELIEF

SEC. 301. TRANSACTIONS WITH UTILITY SPECIAL ENTITIES.

Section 1a(49) of the Commodity Exchange Act (7 U.S.C. 1a(49)) is amended by adding at the end the following:

“(E) **CERTAIN TRANSACTIONS WITH A UTILITY SPECIAL ENTITY.**—

“(i) Transactions in utility operations-related swaps shall be reported pursuant to section 4r.

“(ii) In making a determination to exempt pursuant to subparagraph (D), the Commission shall treat a utility operations-related swap entered into with a utility special entity, as defined in section 4s(h)(2)(D), as if it were entered into with an entity that is not a special entity, as defined in section 4s(h)(2)(C).”

SEC. 302. UTILITY SPECIAL ENTITY DEFINED.

Section 4s(h)(2) of the Commodity Exchange Act (7 U.S.C. 6s(h)(2)) is amended by adding at the end the following:

“(D) **UTILITY SPECIAL ENTITY.**—For purposes of this Act, the term ‘utility special entity’ means a special entity, or any instrumentality, department, or corporation of or established by a State or political subdivision of a State, that—

“(i) owns or operates, or anticipates owning or operating, an electric or natural gas facility or an electric or natural gas operation;

“(ii) supplies, or anticipates supplying, natural gas and or electric energy to another utility special entity;

“(iii) has, or anticipates having, public service obligations under Federal, State, or local law or regulation to deliver electric energy or natural gas service to customers; or

“(iv) is a Federal power marketing agency, as defined in section 3 of the Federal Power Act.”

SEC. 303. UTILITY OPERATIONS-RELATED SWAP.

(a) **SWAP FURTHER DEFINED.**—Section 1a(47)(A)(iii) of the Commodity Exchange Act (7 U.S.C. 1a(47)(A)(iii)) is amended—

(1) by striking “and” at the end of subclause (XXI);

(2) by adding “and” at the end of subclause (XXII); and

(3) by adding at the end the following:

“(XXIII) a utility operations-related swap;”

(b) **UTILITY OPERATIONS-RELATED SWAP DEFINED.**—Section 1a of such Act (7 U.S.C. 1a) is amended by adding at the end the following:

“(52) **UTILITY OPERATIONS-RELATED SWAP.**—The term ‘utility operations-related swap’ means a swap that—

“(A) is entered into by a utility to hedge or mitigate a commercial risk;

“(B) is not a contract, agreement, or transaction based on, derived on, or referencing—

“(i) an interest rate, credit, equity, or currency asset class;

“(ii) except as used for fuel for electric energy generation, a metal, agricultural commodity, or crude oil or gasoline commodity of any grade; or

“(iii) any other commodity or category of commodities identified for this purpose in a rule or order adopted by the Commission in consultation with the appropriate Federal and State regulatory commissions; and

“(C) is associated with—

“(i) the generation, production, purchase, or sale of natural gas or electric energy, the supply of natural gas or electric energy to a utility, or the delivery of natural gas or electric energy service to utility customers;

“(ii) fuel supply for the facilities or operations of a utility;

“(iii) compliance with an electric system reliability obligation;

“(iv) compliance with an energy, energy efficiency, conservation, or renewable energy or environmental statute, regulation, or government order applicable to a utility; or

“(v) any other electric energy or natural gas swap to which a utility is a party.”

SEC. 304. END-USERS NOT TREATED AS FINANCIAL ENTITIES.

(a) **IN GENERAL.**—Section 2(h)(7)(C)(iii) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)(iii)) is amended to read as follows:

“(iii) **LIMITATION.**—Such definition shall not include an entity—

“(I) whose primary business is providing financing, and who uses derivatives for the purpose of hedging underlying commercial risks related to interest rate and foreign currency exposures, 90 percent or more of which arise from financing that facilitates the purchase or lease of products, 90 percent or more of which are manufactured by the parent company or another subsidiary of the parent company; or

“(II) who is not supervised by a prudential regulator, and is not described in any of subclauses (I) through (VII) of clause (i), and—

“(aa) is a commercial market participant; or

“(bb) enters into swaps, contracts for future delivery, and other derivatives on behalf of, or to hedge or mitigate the commercial risk of, whether directly or in the aggregate, affiliates that are not so supervised or described.”

(b) **COMMERCIAL MARKET PARTICIPANT DEFINED.**—

(1) **IN GENERAL.**—Section 1a of such Act (7 U.S.C. 1a), as amended by section 303(b) of this Act, is amended by redesignating paragraphs (7) through (52) as paragraphs (8) through (53), respectively, and by inserting after paragraph (6) the following:

“(7) **COMMERCIAL MARKET PARTICIPANT.**—The term ‘commercial market participant’ means any producer, processor, merchant, or commercial

user of an exempt or agricultural commodity, or the products or byproducts of such a commodity.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 1a of such Act (7 U.S.C. 1a) is amended—

(i) in subparagraph (A) of paragraph (18) (as so redesignated by paragraph (1) of this subsection), in the matter preceding clause (i), by striking “(18)(A)” and inserting “(19)(A)”;

(ii) in subparagraph (A)(vii) of paragraph (19) (as so redesignated by paragraph (1) of this subsection), in the matter following subclause (III), by striking “(17)(A)” and inserting “(18)(A)”.

(B) Section 4(c)(1)(A)(i)(I) of such Act (7 U.S.C. 6(c)(1)(A)(i)(I)) is amended by striking “(7), paragraph (18)(A)(vii)(III), paragraphs (23), (24), (31), (32), (38), (39), (41), (42), (46), (47), (48), and (49)” and inserting “(8), paragraph (19)(A)(vii)(III), paragraphs (24), (25), (32), (33), (39), (40), (42), (43), (47), (48), and (50)”.

(C) Section 4q(a)(1) of such Act (7 U.S.C. 60-1(a)(1)) is amended by striking “1a(9)” and inserting “1a(10)”.

(D) Section 4s(f)(1)(D) of such Act (7 U.S.C. 6s(f)(1)(D)) is amended by striking “1a(47)(A)(v)” and inserting “1a(48)(A)(v)”.

(E) Section 4s(h)(5)(A)(i) of such Act (7 U.S.C. 6s(h)(5)(A)(i)) is amended by striking “1a(18)” and inserting “1a(19)”.

(F) Section 4t(b)(1)(C) of such Act (7 U.S.C. 6t(b)(1)(C)) is amended by striking “1a(47)(A)(v)” and inserting “1a(48)(A)(v)”.

(G) Section 5(d)(23) of such Act (7 U.S.C. 7(d)(23)) is amended by striking “1a(47)(A)(v)” and inserting “1a(48)(A)(v)”.

(H) Section 5(e)(1) of such Act (7 U.S.C. 7(e)(1)) is amended by striking “1a(9)” and inserting “1a(10)”.

(I) Section 5b(k)(3)(A) of such Act (7 U.S.C. 7a-1(k)(3)(A)) is amended by striking “1a(47)(A)(v)” and inserting “1a(48)(A)(v)”.

(J) Section 5h(f)(10)(A)(iii) of such Act (7 U.S.C. 7b-3(f)(10)(A)(iii)) is amended by striking “1a(47)(A)(v)” and inserting “1a(48)(A)(v)”.

(K) Section 21(f)(4)(C) of such Act (7 U.S.C. 24a(f)(4)(C)) is amended by striking “1a(48)” and inserting “1a(49)”.

SEC. 305. REPORTING OF ILLIQUID SWAPS SO AS TO NOT DISADVANTAGE CERTAIN FINANCIAL END-USERS.

Section 2(a)(13) of the Commodity Exchange Act (7 U.S.C. 2(a)(13)) is amended—

(1) in subparagraph (C), by striking “The Commission” and inserting “Except as provided in subparagraph (D), the Commission”; and

(2) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively, and inserting after subparagraph (C) the following:

“(D) REQUIREMENTS FOR SWAP TRANSACTIONS IN ILLIQUID MARKETS.—Notwithstanding subparagraph (C):

“(i) The Commission shall provide by rule for the public reporting of swap transactions, including price and volume data, in illiquid markets that are not cleared and entered into by a non-financial entity that is hedging or mitigating commercial risk in accordance with subsection (h)(7)(A).

“(ii) The Commission shall ensure that the swap transaction information referred to in clause (i) of this subparagraph is available to the public no sooner than 30 days after the swap transaction has been executed or at such later date as the Commission determines appropriate to protect the identity of participants and positions in illiquid markets and to prevent the elimination or reduction of market liquidity.

“(iii) In this subparagraph, the term ‘illiquid markets’ means any market in which the volume and frequency of trading in swaps is at such a level as to allow identification of individual market participants.”.

SEC. 306. RELIEF FOR GRAIN ELEVATOR OPERATORS, FARMERS, AGRICULTURAL COUNTERPARTIES, AND COMMERCIAL MARKET PARTICIPANTS.

The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended by inserting after section 4t the following:

“SEC. 4u. RECORDKEEPING REQUIREMENTS APPLICABLE TO NON-REGISTERED MEMBERS OF CERTAIN REGISTERED ENTITIES.

“Except as provided in section 4(a)(3), a member of a designated contract market or a swap execution facility that is not registered with the Commission and not required to be registered with the Commission in any capacity shall satisfy the recordkeeping requirements of this Act and any recordkeeping rule, order, or regulation under this Act by maintaining a written record of each transaction in a contract for future delivery, option on a future, swap, swaption, trade option, or related cash or forward transaction. The written record shall be sufficient if it includes the final agreement between the parties and the material economic terms of the transaction.”.

SEC. 307. RELIEF FOR END-USERS WHO USE PHYSICAL CONTRACTS WITH VOLUMETRIC OPTIONALITY.

Section 1a(48)(B)(ii) of the Commodity Exchange Act (7 U.S.C. 1a(47)(B)(ii)), as so redesignated by section 304(b)(1) of this Act, is amended to read as follows:

“(ii) any purchase or sale of a nonfinancial commodity or security for deferred shipment or delivery, so long as the transaction is intended to be physically settled, including any stand-alone or embedded option for which exercise results in a physical delivery obligation;”.

SEC. 308. COMMISSION VOTE REQUIRED BEFORE AUTOMATIC CHANGE OF SWAP DEALER DE MINIMIS LEVEL.

Section 1a(50)(D) of the Commodity Exchange Act (7 U.S.C. 1a(49)(D)), as so redesignated by section 304(b)(1) of this Act, is amended—

(1) by striking all that precedes “shall exempt” and inserting the following:

“(D) EXCEPTION.—

“(i) IN GENERAL.—The Commission”; and

(2) by adding after and below the end the following new clause:

“(ii) DE MINIMIS QUANTITY.—The de minimis quantity of swap dealing described in clause (i) shall be set at a quantity of \$8,000,000,000, and may be amended or changed only through a new affirmative action of the Commission undertaken by rule or regulation.”.

SEC. 309. CAPITAL REQUIREMENTS FOR NON-BANK SWAP DEALERS.

(a) COMMODITY EXCHANGE ACT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)) is amended—

(1) in paragraph (2)(B), by striking “shall” and inserting the following: “and the Securities and Exchange Commission, in consultation with the prudential regulators, shall jointly”; and

(2) in paragraph (3)(D)—

(A) in clause (ii), by striking “shall, to the maximum extent practicable,” and inserting “shall”; and

(B) by adding at the end the following:

“(iii) FINANCIAL MODELS.—To the extent that swap dealers and major swap participants that are banks are permitted to use financial models approved by the prudential regulators or the Securities and Exchange Commission to calculate minimum capital requirements and minimum initial and variation margin requirements, including the use of non-cash collateral, the Commission shall, in consultation with the prudential regulators and the Securities and Exchange Commission, permit the use of comparable financial models by swap dealers and major swap participants that are not banks.”.

(b) SECURITIES EXCHANGE ACT OF 1934.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-10(e)) is amended—

(1) in paragraph (2)(B), by striking “shall” and inserting the following: “and the Commodity Futures Trading Commission, in consultation with the prudential regulators, shall jointly”; and

(2) in paragraph (3)(D)—

(A) in clause (ii), by striking “shall, to the maximum extent practicable,” and inserting “shall”; and

(B) by adding at the end the following:

“(iii) FINANCIAL MODELS.—To the extent that security-based swap dealers and major security-based swap participants that are banks are permitted to use financial models approved by the prudential regulators or the Commodity Futures Trading Commission to calculate minimum capital requirements and minimum initial and variation margin requirements, including the use of non-cash collateral, the Commission shall, in consultation with the Commodity Futures Trading Commission, permit the use of comparable financial models by security-based swap dealers and major security-based swap participants that are not banks.”.

SEC. 310. HARMONIZATION WITH THE JUMPSTART OUR BUSINESS STARTUPS ACT.

Within 90 days after the date of the enactment of this Act, the Commodity Futures Trading Commission shall—

(1) revise section 4.7(b) of title 17, Code of Federal Regulations, in the matter preceding paragraph (1), to read as follows:

“(b) Relief available to commodity pool operators. Upon filing the notice required by paragraph (d) of this section, and subject to compliance with the conditions specified in paragraph (d) of this section, any registered commodity pool operator who sells participations in a pool solely to qualified eligible persons in an offering which qualifies for exemption from the registration requirements of the Securities Act pursuant to section 4(2) of that Act or pursuant to Regulation S, 17 CFR 230.901 et seq., and any bank registered as a commodity pool operator in connection with a pool that is a collective trust fund whose securities are exempt from registration under the Securities Act pursuant to section 3(a)(2) of that Act and are sold solely to qualified eligible persons, may claim any or all of the following relief with respect to such pool;”;

(2) revise section 4.13(a)(3)(i) of such title to read as follows:

“(i) Interests in the pool are exempt from registration under the Securities Act of 1933, and such interests are offered and sold pursuant to section 4 of the Securities Act of 1933 and the regulations thereunder;”.

SEC. 311. BONA FIDE HEDGE DEFINED TO PROTECT END-USER RISK MANAGEMENT NEEDS.

Section 4a(c) of the Commodity Exchange Act (7 U.S.C. 6a(c)) is amended—

(1) in paragraph (1)—

(A) by striking “may” and inserting “shall”; and

(B) by striking “future for which” and inserting “future, to be determined by the Commission, for which either an appropriate swap is available or”;

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “subsection (a)(2)” and all that follows through “position as” and inserting “paragraphs (2) and (5) of subsection (a) for swaps, contracts of sale for future delivery, or options on the contracts or commodities, a bona fide hedging transaction or position is”; and

(B) in subparagraph (A)(ii), by striking “of risks” and inserting “or management of current or anticipated risks”; and

(3) by adding at the end the following:

“(3) The Commission may further define, by rule or regulation, what constitutes a bona fide

hedging transaction, provided that the rule or regulation is consistent with the requirements of subparagraphs (A) and (B) of paragraph (2).”.

SEC. 312. CROSS-BORDER REGULATION OF DERIVATIVES TRANSACTIONS.

(a) **RULEMAKING REQUIRED.**—Within 1 year after the date of the enactment of this Act, the Commodity Futures Trading Commission shall issue a rule that addresses—

(1) the nature of the connections to the United States that require a non-United States person to register as a swap dealer or a major swap participant under the Commodity Exchange Act and the regulations issued under such Act;

(2) which of the United States swaps requirements apply to the swap activities of non-United States persons and United States persons and their branches, agencies, subsidiaries, and affiliates outside of the United States, and the extent to which the requirements apply; and

(3) the circumstances under which a United States person or non-United States person in compliance with the swaps regulatory requirements of a foreign jurisdiction shall be exempt from United States swaps requirements.

(b) **CONTENT OF THE RULE.**—

(1) **CRITERIA.**—In the rule, the Commission shall establish criteria for determining that 1 or more categories of the swaps regulatory requirements of a foreign jurisdiction are comparable to and as comprehensive as United States swaps requirements. The criteria shall include—

(A) the scope and objectives of the swaps regulatory requirements of the foreign jurisdiction;

(B) the effectiveness of the supervisory compliance program administered;

(C) the enforcement authority exercised by the foreign jurisdiction; and

(D) such other factors as the Commission, by rule, determines to be necessary or appropriate in the public interest.

(2) **COMPARABILITY.**—In the rule, the Commission shall—

(A) provide that any non-United States person or any transaction between 2 non-United States persons shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of a foreign jurisdiction which the Commission has determined to be comparable to and as comprehensive as United States swaps requirements; and

(B) set forth the circumstances in which a United States person or a transaction between a United States person and a non-United States person shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of a foreign jurisdiction which the Commission has determined to be comparable to and as comprehensive as United States swaps requirements.

(3) **OUTCOMES-BASED COMPARISON.**—In developing and applying the criteria, the Commission shall emphasize the results and outcomes of, rather than the design and construction of, foreign swaps regulatory requirements.

(4) **RISK-BASED RULEMAKING.**—In the rule, the Commission shall not take into account, for the purposes of determining the applicability of United States swaps requirements, the location of personnel that arrange, negotiate, or execute swaps.

(5) No part of any rulemaking under this section shall limit the Commission's antifraud or antimanipulation authority.

(c) **APPLICATION OF THE RULE.**—

(1) **ASSESSMENTS OF FOREIGN JURISDICTIONS.**—Beginning on the date on which a final rule is issued under this section, the Commission shall begin to assess the swaps regulatory requirements of foreign jurisdictions, in the order the Commission determines appropriate, in accordance with the criteria established pursuant to

subsection (b)(1). Following each assessment, the Commission shall determine, by rule or by order, whether the swaps regulatory requirements of the foreign jurisdiction are comparable to and as comprehensive as United States swaps requirements.

(2) **SUBSTITUTED COMPLIANCE FOR UNASSESSED MAJOR MARKETS.**—Beginning 18 months after the date of enactment of this Act—

(A) the swaps regulatory requirements of each of the 8 foreign jurisdictions with the largest swaps markets, as calculated by notional value during the 12-month period ending with such date of enactment, except those with respect to which a determination has been made under paragraph (1), shall be considered to be comparable to and as comprehensive as United States swaps requirements; and

(B) a non-United States person or a transaction between 2 non-United States persons shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of any of such unexcepted foreign jurisdictions.

(3) **SUSPENSION OF SUBSTITUTED COMPLIANCE.**—If the Commission determines, by rule or by order, that—

(A) the swaps regulatory requirements of a foreign jurisdiction are not comparable to and as comprehensive as United States swaps requirements, using the categories and criteria established under subsection (b)(1);

(B) the foreign jurisdiction does not exempt from its swaps regulatory requirements United States persons who are in compliance with United States swaps requirements; or

(C) the foreign jurisdiction is not providing equivalent recognition of, or substituted compliance for, registered entities (as defined in section 1a(41) of the Commodity Exchange Act) domiciled in the United States,

the Commission may suspend, in whole or in part, a determination made under paragraph (1) or a consideration granted under paragraph (2).

(d) **PETITION FOR REVIEW OF FOREIGN JURISDICTION PRACTICES.**—A registered entity, commercial market participant (as defined in section 1a(7) of the Commodity Exchange Act), or Commission registrant (within the meaning of such Act) who petitions the Commission to make or change a determination under subsection (c)(1) or (c)(3) of this section shall be entitled to expedited consideration of the petition. A petition shall include any evidence or other supporting materials to justify why the petitioner believes the Commission should make or change the determination. Petitions under this section shall be considered by the Commission any time following the enactment of this Act. Within 180 days after receipt of a petition for a rulemaking under this section, the Commission shall take final action on the petition. Within 90 days after receipt of a petition to issue an order or change an order issued under this section, the Commission shall take final action on the petition.

(e) **REPORT TO CONGRESS.**—If the Commission makes a determination described in this section through an order, the Commission shall articulate the basis for the determination in a written report published in the Federal Register and transmitted to the Committee on Agriculture of the House of Representatives and Committee on Agriculture, Nutrition, and Forestry of the Senate within 15 days of the determination. The determination shall not be effective until 15 days after the committees receive the report.

(f) **DEFINITIONS.**—As used in this Act and for purposes of the rules issued pursuant to this Act, the following definitions apply:

(1) **UNITED STATES PERSON.**—The term “United States person”—

(A) means—

(i) any natural person resident in the United States;

(ii) any partnership, corporation, trust, or other legal person organized or incorporated under the laws of the United States or having its principal place of business in the United States;

(iii) any account (whether discretionary or non-discretionary) of a United States person; and

(iv) any other person as the Commission may further define to more effectively carry out the purposes of this section; and

(B) does not include the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the United Nations, their agencies or pension plans, or any other similar international organizations or their agencies or pension plans.

(2) **UNITED STATES SWAPS REQUIREMENTS.**—The term “United States swaps requirements” means the provisions relating to swaps contained in the Commodity Exchange Act (7 U.S.C. 1a et seq.) that were added by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8301 et seq.) and any rules or regulations prescribed by the Commodity Futures Trading Commission pursuant to such provisions.

(3) **FOREIGN JURISDICTION.**—The term “foreign jurisdiction” means any national or supranational political entity with common rules governing swaps transactions.

(4) **SWAPS REGULATORY REQUIREMENTS.**—The term “swaps regulatory requirements” means any provisions of law, and any rules or regulations pursuant to the provisions, governing swaps transactions or the counterparties to swaps transactions.

(g) **CONFORMING AMENDMENT.**—Section 4(c)(1)(A) of the Commodity Exchange Act (7 U.S.C. 6(c)(1)(A)) is amended by inserting “or except as necessary to effectuate the purposes of the Commodity End-User Relief Act,” after “to grant exemptions.”

SEC. 313. EXEMPTION OF QUALIFIED CHARITABLE ORGANIZATIONS FROM DESIGNATION AND REGULATION AS COMMODITY POOL OPERATORS.

(a) **EXCLUSION FROM DEFINITION OF COMMODITY POOL.**—Section 1a(11) of the Commodity Exchange Act (7 U.S.C. 1a(11)), as so redesignated by section 304(b)(1) of this Act, is amended by adding at the end the following:

“(C) **EXCLUSION.**—The term ‘commodity pool’ shall not include any investment trust, syndicate, or similar form of enterprise excluded from the definition of ‘investment company’ pursuant to section 3(c)(10) or 3(c)(14) of the Investment Company Act of 1940.”

(b) **INAPPLICABILITY OF PROHIBITION ON USE OF INSTRUMENTALITIES OF INTERSTATE COMMERCE BY UNREGISTERED COMMODITY TRADING ADVISOR.**—Section 4m of such Act (7 U.S.C. 6m) is amended—

(1) in paragraph (1), in the second sentence, by inserting “: Provided further, That the provisions of this section shall not apply to any commodity trading advisor that is: (A) a charitable organization, as defined in section 3(c)(10)(D) of the Investment Company Act of 1940, or a trustee, director, officer, employee, or volunteer of such a charitable organization acting within the scope of the employment or duties of the person with the organization, whose trading advice is provided only to, or with respect to, 1 or more of the following: (i) any such charitable organization; or (ii) an investment trust, syndicate or similar form of enterprise excluded from the definition of ‘investment company’ pursuant to section 3(c)(10) of the Investment Company Act of 1940; or (B) any plan, company, or account described in section 3(c)(14) of the Investment

Company Act of 1940, any person or entity who establishes or maintains such a plan, company, or account, or any trustee, director, officer, employee, or volunteer for any of the foregoing plans, persons, or entities acting within the scope of the employment or duties of the person with the organization, whose trading advice is provided only to, or with respect to, any investment trust, syndicate, or similar form of enterprise excluded from the definition of ‘investment company’ pursuant to section 3(c)(14) of the Investment Company Act of 1940” before the period; and

(2) by adding at the end the following:

“(4) **DISCLOSURE CONCERNING EXCLUDED CHARITABLE ORGANIZATIONS.**—The operator of or advisor to any investment trust, syndicate, or similar form of enterprise excluded from the definition of ‘commodity pool’ by reason of section 1a(10)(C) of this Act pursuant to section 3(c)(10) of the Investment Company Act of 1940 shall provide disclosure in accordance with section 7(e) of the Investment Company Act of 1940.”

SEC. 314. SMALL BANK HOLDING COMPANY CLEARING EXEMPTION.

Section 2(h)(7)(C) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)) is amended by adding at the end the following:

“(iv) **HOLDING COMPANIES.**—A determination made by the Commission under clause (ii) shall, with respect to small banks and savings associations, also apply to their respective bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956), or savings and loan holding company (as defined in section 10 of the Home Owners’ Loan Act of 1933), if the total consolidated assets of the holding company are no greater than the asset threshold set by the Commission in determining small bank and savings association eligibility under clause (ii).”

SEC. 315. CORE PRINCIPLE CERTAINTY.

Section 5h(f) of the Commodity Exchange Act (7 U.S.C. 7b-3(f)) is amended—

(1) in paragraph (1)(B), by inserting “except as described in this subsection” after “Commission by rule or regulation”;

(2) in paragraph (2), by amending subparagraph (D) to read as follows:

“(D) have reasonable discretion in establishing and enforcing its rules related to trade practice surveillance, market surveillance, real-time marketing monitoring, and audit trail given that a swap execution facility may offer a trading system or platform to execute or trade swaps through any means of interstate commerce. A swap execution facility shall be responsible for monitoring trading in swaps only on its own facility.”;

(3) in paragraph (4)(B), by adding at the end the following: “A swap execution facility shall be responsible for monitoring trading in swaps only on its own facility.”;

(4) in paragraph (6)(B)—
(A) by striking “shall—” and all that follows through “compliance with the” and insert “shall monitor the trading activity on its facility for compliance with any”; and
(B) by adding at the end the following: “A swap execution facility shall be responsible for monitoring positions only on its own facility.”;

(5) in paragraph (8), by striking “to liquidate” and all that follows and inserting “to suspend or curtail trading in a swap on its own facility.”;

(6) in paragraph (13)(B), by striking “1-year period, as calculated on a rolling basis” and inserting “90-day period, as calculated on a rolling basis, or conduct an orderly wind-down of its operations, whichever is greater”; and

(7) in paragraph (15)—

(A) in subparagraph (A), by adding at the end the following: “The individual may also perform other responsibilities for the swap execution facility.”;

(B) in subparagraph (B)—

(i) in clause (i), by inserting “, a committee of the board,” after “directly to the board”;

(ii) by striking clauses (iii) through (v) and inserting the following:

“(iii) establish and administer policies and procedures that are reasonably designed to resolve any conflicts of interest that may arise;

“(iv) establish and administer policies and procedures that reasonably ensure compliance with this Act and the rules and regulations issued under this Act, including rules prescribed by the Commission pursuant to this section; and”; and

(iii) by redesignating clause (vi) as clause (v);
(C) in subparagraph (C), by striking “(B)(vi)” and inserting “(B)(v)”;

(D) in subparagraph (D)—

(i) in clause (i)—

(I) by striking “In accordance with rules prescribed by the Commission, the” and inserting “The”; and
(II) by striking “and sign”;

(ii) in clause (ii)—

(I) in the matter preceding subclause (I), by inserting “or senior officer” after “officer”;

(II) by amending subclause (I) to read as follows:

“(I) submit each report described in clause (i) to the Commission; and”; and

(III) in subclause (II), by inserting “materially” before “accurate”.

SEC. 316. TREATMENT OF FEDERAL HOME LOAN BANK PRODUCTS.

(a) Section 1a(2) of the Commodity Exchange Act (7 U.S.C. 1a(2)) is amended—

(1) in subparagraph (B), by striking “and”;

(2) in subparagraph (C), by striking the period and inserting “; and”;

(3) by adding at the end the following:

“(D) is the Federal Housing Finance Agency for any Federal Home Loan Bank (as defined in section 2 of the Federal Home Loan Bank Act).”

(b) Section 402(a) of the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27(a)) is amended—

(1) by striking “or” at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting “; or”;

(3) by adding at the end the following:

“(8) any Federal Home Loan Bank (as defined in section 2 of the Federal Home Loan Bank Act).”

SEC. 317. TREATMENT OF CERTAIN FUNDS.

(a) **AMENDMENT TO THE DEFINITION OF COMMODITY POOL OPERATOR.**—Section 1a(12) of the Commodity Exchange Act (7 U.S.C. 1a(11)), as so redesignated by section 304(b)(1) of this Act, is amended by adding at the end the following:

“(C)(i) The term ‘commodity pool operator’ does not include a person who serves as an investment adviser to an investment company registered pursuant to section 8 of the Investment Company Act of 1940 or a subsidiary of such a company, if the investment company or subsidiary invests, reinvests, owns, holds, or trades in commodity interests limited to only financial commodity interests.

“(ii) For purposes of this subparagraph only, the term ‘financial commodity interest’ means a futures contract, an option on a futures contract, or a swap, involving a commodity that is not an exempt commodity or an agricultural commodity, including any index of financial commodity interests, whether cash settled or involving physical delivery.

“(iii) For purposes of this subparagraph only, the term ‘commodity’ does not include a security issued by a real estate investment trust, business development company, or issuer of asset-backed securities, including any index of such securities.”.

(b) **AMENDMENT TO THE DEFINITION OF COMMODITY TRADING ADVISOR.**—Section 1a(13) of such Act (7 U.S.C. 1a(12)), as so redesignated by section 304(b)(1) of this Act, is amended by adding at the end the following:

“(E) The term ‘commodity trading advisor’ does not include a person who serves as an investment adviser to an investment company registered pursuant to section 8 of the Investment Company Act of 1940 or a subsidiary of such a company, if the commodity trading advice relates only to a financial commodity interest, as defined in paragraph (12)(C)(ii) of this section. For purposes of this subparagraph only, the term ‘commodity’ does not include a security issued by a real estate investment trust, business development company, or issuer of asset-backed securities, including any index of such securities.”.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 401. CORRECTION OF REFERENCES.

(a) Section 2(h)(8)(A)(ii) of the Commodity Exchange Act (7 U.S.C. 2(h)(8)(A)(ii)) is amended by striking “5h(f) of this Act” and inserting “5h(g)”.

(b) Section 5c(c)(5)(C)(i) of such Act (7 U.S.C. 7a-2(c)(5)(C)(i)) is amended by striking “1a(2)(i)” and inserting “1a(19)(i)”.

(c) Section 23(f) of such Act (7 U.S.C. 26(f)) is amended by striking “section 7064” and inserting “section 706”.

SEC. 402. ELIMINATION OF OBSOLETE REFERENCES TO DEALER OPTIONS.

(a) **IN GENERAL.**—Section 4c of the Commodity Exchange Act (7 U.S.C. 6c) is amended by striking subsections (d) and (e) and redesignating subsections (f) and (g) as subsections (d) and (e), respectively.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 2(d) of such Act (7 U.S.C. 2(d)) is amended by striking “(g) of” and inserting “(e) of”.

(2) Section 4f(a)(4)(A)(i) of such Act (7 U.S.C. 6f(a)(4)(A)(i)) is amended by striking “, (d), (e), and (g)” and inserting “and (e)”.

(3) Section 4k(5)(A) of such Act (7 U.S.C. 6k(5)(A)) is amended by striking “, (d), (e), and (g)” and inserting “and (e)”.

(4) Section 5f(b)(1)(A) of such Act (7 U.S.C. 7b-1(b)(1)(A)) is amended by striking “, (e), and (g)” and inserting “and (e)”.

(5) Section 9(a)(2) of such Act (7 U.S.C. 13(a)(2)) is amended by striking “through (e)” and inserting “and (c)”.

SEC. 403. UPDATED TRADE DATA PUBLICATION REQUIREMENT.

Section 4g(e) of the Commodity Exchange Act (7 U.S.C. 6g(e)) is amended by striking “exchange” and inserting “each designated contract market and swap execution facility”.

SEC. 404. FLEXIBILITY FOR REGISTERED ENTITIES.

Section 5c(b) of the Commodity Exchange Act (7 U.S.C. 7a-2(b)) is amended by striking “contract market, derivatives transaction execution facility, or electronic trading facility” each place it appears and inserting “registered entity”.

SEC. 405. ELIMINATION OF OBSOLETE REFERENCES TO ELECTRONIC TRADING FACILITIES.

(a) Section 1a(19)(A)(x) of the Commodity Exchange Act (7 U.S.C. 1a(18)(A)(x)), as so redesignated by section 304(b)(1) of this Act, is amended by striking “(other than an electronic trading facility with respect to a significant price discovery contract)”.

(b) Section 1a(40) of such Act (7 U.S.C. 1a(41)), as so redesignated by section 304(b)(1) of this Act, is amended—

(1) by adding “and” at the end of subparagraph (D); and

(2) by striking all that follows “section 21” and inserting a period.

(c) Section 4a(e) of such Act (7 U.S.C. 6a(e)) is amended—

(1) in the first sentence—

(A) by striking “or by any electronic trading facility”;

(B) by striking “or on an electronic trading facility”; and

(C) by striking “or electronic trading facility” each place it appears; and

(2) in the second sentence, by striking “or electronic trading facility with respect to a significant price discovery contract”.

(d) Section 4g(a) of such Act (7 U.S.C. 6g(a)) is amended by striking “any significant price discovery contract traded or executed on an electronic trading facility or”.

(e) Section 4i of such Act (7 U.S.C. 6i) is amended—

(1) by striking “, or any significant price discovery contract traded or executed on an electronic trading facility or any agreement, contract, or transaction that is treated by a derivatives clearing organization, whether registered or not registered, as fungible with a significant price discovery contract”; and

(2) by striking “or electronic trading facility”.

(f) Section 6(b) of such Act (7 U.S.C. 8(b)) is amended by striking “or electronic trading facility” each place it appears.

(g) Section 12(e)(2) of such Act (7 U.S.C. 16(e)(2)) is amended by striking “in the case of—” and all that follows and inserting “in the case of an agreement, contract, or transaction that is excluded from this Act under section 2(c) or 2(f) of this Act or title IV of the Commodity Futures Modernization Act of 2000, or exempted under section 4(c) of this Act (regardless of whether any such agreement, contract, or transaction is otherwise subject to this Act).”.

SEC. 406. ELIMINATION OF OBSOLETE REFERENCES TO ALTERNATIVE SWAP EXECUTION FACILITIES.

Section 5h(h) of the Commodity Exchange Act (7 U.S.C. 7b–3(h)) is amended by striking “alternative” before “swap”.

SEC. 407. ELIMINATION OF REDUNDANT REFERENCES TO TYPES OF REGISTERED ENTITIES.

Section 6b of the Commodity Exchange Act (7 U.S.C. 13a) is amended in the first sentence by striking “as set forth in sections 5 through 5c”.

SEC. 408. CLARIFICATION OF COMMISSION AUTHORITY OVER SWAPS TRADING.

Section 8a of the Commodity Exchange Act (7 U.S.C. 12a) is amended—

(1) in paragraph (7)—

(A) by inserting “the protection of swaps traders and to assure fair dealing in swaps, for” after “appropriate for”;

(B) in subparagraph (A), by inserting “swaps or” after “conditions in”; and

(C) in subparagraph (B), by inserting “or swaps” after “future delivery”; and

(2) in paragraph (9)—

(A) by inserting “swap or” after “or liquidation of any”; and

(B) by inserting “swap or” after “margin levels on any”.

SEC. 409. ELIMINATION OF OBSOLETE REFERENCES TO THE COMMODITY EXCHANGE COMMISSION.

Section 13(c) of the Commodity Exchange Act (7 U.S.C. 13c(c)) is amended by striking “or the Commission”.

SEC. 410. ELIMINATION OF OBSOLETE REFERENCES TO DERIVATIVE TRANSACTION EXECUTION FACILITIES.

(a) Section 1a(13)(B)(vi) of the Commodity Exchange Act (7 U.S.C. 1a(12)(B)(vi)), as so redesignated by section 304(b)(1) of this Act, is amended by striking “derivatives transaction execution facility” and inserting “swap execution facility”.

(b) Section 1a(35) of such Act (7 U.S.C. 1a(34)), as so redesignated by section 304(b)(1) of

this Act, is amended by striking “or derivatives transaction execution facility” each place it appears.

(c) Section 1a(36)(B)(iii)(I) of such Act (7 U.S.C. 1a(35)(B)(iii)(I)), as so redesignated by section 304(b)(1) of this Act, is amended by striking “or registered derivatives transaction execution facility”.

(d) Section 2(a)(1)(C)(ii) of such Act (7 U.S.C. 2(a)(1)(C)(ii)) is amended—

(1) by striking “, or register a derivatives transaction execution facility that trades or executes.”;

(2) by striking “, and no derivatives transaction execution facility shall trade or execute such contracts of sale (or options on such contracts) for future delivery”; and

(3) by striking “or the derivatives transaction execution facility.”.

(e) Section 2(a)(1)(C)(v)(I) of such Act (7 U.S.C. 2(a)(1)(C)(v)(I)) is amended by striking “, or any derivatives transaction execution facility on which such contract or option is traded.”.

(f) Section 2(a)(1)(C)(v)(II) of such Act (7 U.S.C. 2(a)(1)(C)(v)(II)) is amended by striking “or derivatives transaction execution facility” each place it appears.

(g) Section 2(a)(1)(C)(v)(V) of such Act (7 U.S.C. 2(a)(1)(C)(v)(V)) is amended by striking “or registered derivatives transaction execution facility”.

(h) Section 2(a)(1)(D)(i) of such Act (7 U.S.C. 2(a)(1)(D)(i)) is amended in the matter preceding subclause (I)—

(1) by striking “in, or register a derivatives transaction execution facility”; and

(2) by striking “, or registered as a derivatives transaction execution facility for.”.

(i) Section 2(a)(1)(D)(i)(IV) of such Act (7 U.S.C. 2(a)(1)(D)(i)(IV)) is amended by striking “registered derivatives transaction execution facility,” each place it appears.

(j) Section 2(a)(1)(D)(ii)(I) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(I)) is amended to read as follows:

“(1) the transaction is conducted on or subject to the rules of a board of trade that has been designated by the Commission as a contract market in such security futures product; or”.

(k) Section 2(a)(1)(D)(ii)(II) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(II)) is amended by striking “or registered derivatives transaction execution facility”.

(l) Section 2(a)(1)(D)(ii)(III) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(III)) is amended by striking “or registered derivatives transaction execution facility member”.

(m) Section 2(a)(9)(B)(ii) of such Act (7 U.S.C. 2(a)(9)(B)(ii)) is amended—

(1) by striking “or registration” each place it appears;

(2) by striking “or derivatives transaction execution facility” each place it appears;

(3) by striking “or register”;

(4) by striking “, registering,”; and

(5) by striking “registration.”.

(n) Section 2(c)(2) of such Act (7 U.S.C. 2(c)(2)) is amended by striking “or a derivatives transaction execution facility”.

(o) Section 4(a)(1) of such Act (7 U.S.C. 6(a)(1)) is amended by striking “or derivatives transaction execution facility” each place it appears.

(p) Section 4(c)(1) of such Act (7 U.S.C. 6(c)(1)) is amended—

(1) by striking “or registered” after “designated”; and

(2) by striking “or derivatives transaction execution facility”.

(q) Section 4a(a)(1) of such Act (7 U.S.C. 6a(a)(1)) is amended—

(1) by striking “or derivatives transaction execution facilities”; and

(2) by striking “or derivatives transaction execution facility”.

(r) Section 4a(e) of such Act (7 U.S.C. 6a(e)) is amended—

(1) by striking “, derivatives transaction execution facility,” each place it appears; and

(2) by striking “or derivatives transaction execution facility”.

(s) Section 4c(e) of such Act (7 U.S.C. 6c(g)), as so redesignated by section 402(a) of this Act, is amended by striking “or derivatives transaction execution facility” each place it appears.

(t) Section 4d of such Act (7 U.S.C. 6d) is amended by striking “or derivatives transaction execution facility” each place it appears.

(u) Section 4e of such Act (7 U.S.C. 6e) is amended by striking “or derivatives transaction execution facility”.

(v) Section 4f(b) of such Act (7 U.S.C. 6f(b)) is amended by striking “or derivatives transaction execution facility” each place it appears.

(w) Section 4i of such Act (7 U.S.C. 6i) is amended by striking “or derivatives transaction execution facility”.

(x) Section 4j(a) of such Act (7 U.S.C. 6j(a)) is amended by striking “and registered derivatives transaction execution facility”.

(y) Section 4p(a) of such Act (7 U.S.C. 6p(a)) is amended by striking “, or derivatives transaction execution facilities”.

(z) Section 4p(b) of such Act (7 U.S.C. 6p(b)) is amended by striking “derivatives transaction execution facility.”.

(aa) Section 5c(f) of such Act (7 U.S.C. 7a–2(f)) is amended by striking “and registered derivatives transaction execution facility”.

(bb) Section 5c(f)(1) of such Act (7 U.S.C. 7a–2(f)(1)) is amended by striking “or registered derivatives transaction execution facility”.

(cc) Section 6 of such Act (7 U.S.C. 8) is amended—

(1) by striking “or registered”;

(2) by striking “or derivatives transaction execution facility” each place it appears; and

(3) by striking “or registration” each place it appears.

(dd) Section 6a(a) of such Act (7 U.S.C. 10a(a)) is amended—

(1) by striking “or registered”;

(2) by striking “or a derivatives transaction execution facility”; and

(3) by inserting “shall” before “exclude” the first place it appears.

(ee) Section 6a(b) of such Act (7 U.S.C. 10a(b)) is amended—

(1) by striking “or registered”; and

(2) by striking “or a derivatives transaction execution facility”.

(ff) Section 6d(1) of such Act (7 U.S.C. 13a–2(1)) is amended by striking “derivatives transaction execution facility.”.

SEC. 411. ELIMINATION OF OBSOLETE REFERENCES TO EXEMPT BOARDS OF TRADE.

(a) Section 1a(19)(A)(x) of the Commodity Exchange Act (7 U.S.C. 1a(18)(A)(x)), as so redesignated by section 304(b)(1) of this Act, is amended by striking “or an exempt board of trade”.

(b) Section 12(e)(1)(B)(i) of such Act (7 U.S.C. 16(e)(1)(B)(i)) is amended by striking “or exempt board of trade”.

SEC. 412. ELIMINATION OF REPORT DUE IN 1986.

Section 26 of the Futures Trading Act of 1978 (7 U.S.C. 16a) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 413. COMPLIANCE REPORT FLEXIBILITY.

Section 4s(k)(3)(B) of the Commodity Exchange Act (7 U.S.C. 6s(k)(3)(B)) is amended to read as follows:

“(B) REQUIREMENTS.—A compliance report under subparagraph (A) shall—

“(i) include a certification that, under penalty of law, the compliance report is materially accurate and complete; and

“(ii) be furnished at such time as the Commission determines by rule, regulation, or order, to be appropriate.”.

SEC. 414. MISCELLANEOUS CORRECTIONS.

(a) Section 1a(13)(A)(i)(II) of the Commodity Exchange Act (7 U.S.C. 1a(12)(A)(i)(II)), as so redesignated by section 304(b)(1) of this Act, is amended by adding at the end a semicolon.

(b) Section 2(a)(1)(C)(ii)(III) of such Act (7 U.S.C. 2(a)(1)(C)(ii)(III)) is amended by moving the provision 2 ems to the right.

(c) Section 2(a)(1)(C)(iii) of such Act (7 U.S.C. 2(a)(1)(C)(iii)) is amended by moving the provision 2 ems to the right.

(d) Section 2(a)(1)(C)(iv) of such Act (7 U.S.C. 2(a)(1)(C)(iv)) is amended by striking "under or" and inserting "under".

(e) Section 2(a)(1)(C)(v) of such Act (7 U.S.C. 2(a)(1)(C)(v)) is amended by moving the provision 2 ems to the right.

(f) Section 2(a)(1)(C)(v)(VI) of such Act (7 U.S.C. 2(a)(1)(C)(v)(VI)) is amended by striking "III" and inserting "(III)".

(g) Section 2(c)(1) of such Act (7 U.S.C. 2(c)(1)) is amended by striking the second comma.

(h) Section 4(c)(3)(H) of such Act (7 U.S.C. 6(c)(3)(H)) is amended by striking "state" and inserting "State".

(i) Section 4c(c) of such Act (7 U.S.C. 6c(c)) is amended to read as follows:

"(c) The Commission shall issue regulations to continue to permit the trading of options on contract markets under such terms and conditions that the Commission from time to time may prescribe."

(j) Section 4d(b) of such Act (7 U.S.C. 6d(b)) is amended by striking "paragraph (2) of this section" and inserting "subsection (a)(2)".

(k) Section 4f(c)(3)(A) of such Act (7 U.S.C. 6f(c)(3)(A)) is amended by striking the first comma.

(l) Section 4f(c)(4)(A) of such Act (7 U.S.C. 6f(c)(4)(A)) is amended by striking "in developing" and inserting "In developing".

(m) Section 4f(c)(4)(B) of such Act (7 U.S.C. 6f(c)(4)(B)) is amended by striking "1817(a)" and inserting "1817(a)".

(n) Section 5 of such Act (7 U.S.C. 7) is amended by redesignating subsections (c) through (e) as subsections (b) through (d), respectively.

(o) Section 5b of such Act (7 U.S.C. 7a-1) is amended by redesignating subsection (k) as subsection (j).

(p) Section 5f(b)(1) of such Act (7 U.S.C. 7b-1(b)(1)) is amended by striking "section 5f" and inserting "this section".

(q) Section 6(a) of such Act (7 U.S.C. 8(a)) is amended by striking "the the" and inserting "the".

(r) Section 8a of such Act (7 U.S.C. 12a) is amended in each of paragraphs (2)(E) and (3)(B) by striking "Investors" and inserting "Investor".

(s) Section 9(a)(2) of such Act (7 U.S.C. 13(a)(2)) is amended by striking "subsection 4c" and inserting "section 4c".

(t) Section 12(b)(4) of such Act (7 U.S.C. 16(b)(4)) is amended by moving the provision 2 ems to the left.

(u) Section 14(a)(2) of such Act (7 U.S.C. 18(a)(2)) is amended by moving the provision 2 ems to the left.

(v) Section 17(b)(9)(D) of such Act (7 U.S.C. 21(b)(9)(D)) is amended by striking the semicolon and inserting a period.

(w) Section 17(b)(10)(C)(ii) of such Act (7 U.S.C. 21(b)(10)(C)(ii)) is amended by striking "and" at the end.

(x) Section 17(b)(11) of such Act (7 U.S.C. 21(b)(11)) is amended by striking the period and inserting a semicolon.

(y) Section 17(b)(12) of such Act (7 U.S.C. 21(b)(12)) is amended—

(1) by striking "(A)"; and
(2) by striking the period and inserting "and".

(z) Section 17(b)(13) of such Act (7 U.S.C. 21(b)(13)) is amended by striking "A" and inserting "a".

(aa) Section 17 of such Act (7 U.S.C. 21), as amended by sections 101 through 103 of this Act, is amended by redesignating subsection (q), as added by section 233(5) of Public Law 97-444, and subsections (s) through (w) as subsections (r) through (x), respectively.

(bb) Section 22(b)(3) of such Act (7 U.S.C. 25(b)(3)) is amended by striking "of registered" and inserting "of a registered".

(cc) Section 22(b)(4) of such Act (7 U.S.C. 25(b)(4)) is amended by inserting a comma after "entity".

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115-3. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ADERHOLT

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-3.

Mr. ADERHOLT. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following:

SEC. 213. ELIMINATION OF CERTAIN LEASING AUTHORITY OF THE COMMISSION.

Section 12(b)(3) of the Commodity Exchange Act (7 U.S.C. 16(b)(3)) is amended—

(1) by striking "including, but not limited to," and inserting "excluding"; and

(2) by adding at the end the following new sentence: "In the case of an existing lease contract entered into under this paragraph, the Commission may not extend the lease term, but may agree to any other contract modification that does not result in any additional cost to the Federal Government."

The CHAIR. Pursuant to House Resolution 40, the gentleman from Alabama (Mr. ADERHOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ADERHOLT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I present to you an amendment, as the chairman of the Appropriations Subcommittee for Agriculture, that provides funding oversight for the Commodity Futures Trading Commission, known as the CFTC.

This amendment that is before us this afternoon is a simple, yet a very necessary solution to issues identified at the CFTC regarding its leasing practices by its own inspector general and the Government Accountability Office.

This amendment, Mr. Chairman, would allow the CFTC to manage its leases through a third party, such as the General Services Administration.

Up until now, the CFTC has demonstrated they have not responsibly managed their own leases, and such missteps have created a number of problems for the agency itself. These include poor management and oversight of the agency's leasing practices, resulting in millions of dollars in excess space and leasing costs.

The GAO legal division has identified instances of the CFTC violating the appropriations law with regard to its leasing payments and contracts.

GAO is further reviewing four additional legal issues that are related to the CFTC's leasing contracts, and we expect the issuance of opinions in the near future that will justify the need for this very amendment that we are talking about this afternoon.

Let me add that at the CFTC, they are experts at their oversight of the commodity and the futures and the swap markets. However, the CFTC is not expert in leasing practices, and they should be relieved from the burden of doing this as we move forward.

I would ask my colleagues to support this amendment at the desk.

I yield back the balance of my time.
Mr. PETERSON. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, I rise in opposition to this amendment.

According to the CFTC, there is a drafting error in this amendment. I don't know exactly what it is, but they claim that there is a drafting error.

They also claim that it prohibits the CFTC from entering into leases going forward. They have expressed concern that this prohibition will affect their ability to enter into contracts with GSA in emergency situations and in order to sublease unused space.

This is one of the problems that I have with this bill in skipping the process of consideration in the Committee on Agriculture. If we would have done that, we would have had a chance to go over this and figure out exactly what is going on and who is right and who is wrong and what the situation is.

So, according to them, there are problems. We haven't gone through regular order, so I reluctantly oppose the amendment.

I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, this amendment has been vetted by the House Legislative Counsel and the staff at the CFTC.

The CHAIR. The gentleman from Alabama has yielded back. Does the gentleman from Alabama seek unanimous consent to reclaim the balance of the time?

Mr. ADERHOLT. Mr. Chairman, I ask unanimous consent to reclaim my time.

The CHAIR. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ADERHOLT. The amendment has been vetted by the House Legislative Counsel and the staff at the CFTC. I understand and I can appreciate any concerns that the ranking member would have.

Let me say, as we move forward, we will take any of this into account as we move forward on this process, any technical changes that are necessary before this bill becomes law, and we will be happy to work with the ranking member as we move forward with this amendment.

□ 1330

Mr. PETERSON. Will the gentleman yield?

Mr. ADERHOLT. I yield to the gentleman from Minnesota.

Mr. PETERSON. Again, we are being told by the CFTC that this is not the case.

So, again, I don't know who is right or wrong, and I appreciate your offer to work with us to get to the bottom of this. Again, this is the problem that you have when you don't go through regular order.

Mr. ADERHOLT. Reclaiming my time, I would just add that, for this amendment, we will work with any concerns that they may have and try to fix anything that may be, but this is something that needs to be addressed, as there are real problems at the CFTC regarding the leasing issue.

I would ask my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. ADERHOLT).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-3.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title II, add the following:

SEC. 213. REFORM OF THE CUSTOMER PROTECTION FUND.

Section 23(g) of the Commodity Exchange Act (7 U.S.C. 26(g)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “or fiscal year limitation”;

(B) in subparagraph (A), by striking “; and” and inserting “, without fiscal year limitation.”; and

(C) in subparagraph (B), by striking “thereunder.” and inserting “, the total amount of which shall not exceed \$5,000,000 per fiscal year.”;

(2) in paragraph (3)(A), by striking “unless the balance of the Fund at the time the monetary judgment is collected exceeds \$100,000,000” and inserting “, but only to the

extent that the resulting balance of the Fund does not exceed \$50,000,000”; and

(3) by redesignating paragraph (5) as paragraph (6) and inserting after paragraph (4) the following:

“(5) REVERSION TO TREASURY.—Notwithstanding the preceding provisions of this subsection, to the extent the balance of the Fund exceeds \$50,000,000, the excess amount shall be deposited in the Treasury of the United States as miscellaneous receipts.”.

The CHAIR. Pursuant to House Resolution 40, the gentleman from Georgia (Mr. AUSTIN SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

AUSTIN SCOTT of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer the Scott amendment to H.R. 238, the Commodity End-User Relief Act.

This commonsense amendment brings much needed reforms and guidance for the consumer protection fund at the Commodity Futures Trading Commission. The drafters of Dodd-Frank envisioned the consumer protection fund to be capped at \$100 million. However, through agency interpretations, this fund currently has a balance of nearly \$250 million.

While the fund is certainly well-intended and can be used to pay whistleblower awards and fund customer education initiatives, there is no limit on the amount of the fund that can be spent on these customer education initiatives.

There is also a very broad definition of what constitutes a customer education initiative. For instance, the vast majority of the fund is currently being spent on programs like advertising, opening offices in cities with little need, and paying for CFTC staff travel.

This amendment would do two things. First, it would place a hard cap, one which administrators can't bypass, on the fund of \$50 million. This would simply make a commonsense decision to return approximately \$200 million to the Treasury and keep the fund from carrying an excessive balance in the future. Should whistleblower payouts exceed \$50 million, the Treasury would place additional money into the fund.

The amendment's second reform would limit spending on customer education initiatives to \$5 million per year. This limit would bring discipline to the provision that has been used to spend millions in advertising and social media outreach.

The Congressional Budget Office informally indicates that these changes would save more than \$40 million and would preserve the customer protection fund while making commonsense reforms to protect taxpayer resources.

I encourage adoption of my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. PETERSON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chair, as was indicated, this places a \$5 million limit on expenditures.

Again, I don't know if it is a drafting error or a difference of opinion, but, according to the CFTC, they claim that this amendment does things that were not explained and were not, in their opinion, made clear in the amendment. I don't know if they are calling it an error, or whatever it is, but there is a provision in there that says that this fund, once it gets above \$100 million, can't go above \$50 million.

So what this does is it basically limits the amount, once they get an amount to go back into the fund to replenish it. Again, I am not exactly sure who is right or who is wrong here, but it is another example of, I think, something that could have been avoided if this would have come through the Agriculture Committee in regular order.

The CFTC's education initiatives to help consumers protect themselves have been successful since this initiative began. The main expense is the Web site BrokerCheck. The whistleblower awards have increased recently and have been shown to be an effective method of enforcing the Commodity Exchange Act.

So, again, I would ask opposition to the amendment and again make the point that, had we gone through the committee process, we could have resolved this and probably been on the same page.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The gentleman from Minnesota has yielded back.

The gentleman from Georgia yielded back his time. Does the gentleman wish to request unanimous consent to reclaim the balance of his time?

Mr. AUSTIN SCOTT of Georgia. Yes, Mr. Chair.

The CHAIR. Without objection, so ordered.

There was no objection.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would point out that there is over \$200 million in the account. If somebody were going to make \$200 million subject to the appropriations process, I imagine any bureaucrat would object if that was going to happen to their agency.

But the fact of the matter is, that is one of the ways that we as Members of Congress are able to make sure that taxpayer funds are spent where we expect them to be spent. This does not in any way, shape, or form hinder the ability to pay out to whistleblowers. I firmly believe we should be paying whistleblowers.

If the fund needs additional resources, we have the ability to appropriate it, but it would prevent the

agency from maintaining balances well in excess of what was anticipated in the Dodd-Frank legislation.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CONAWAY

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115-3.

Mr. CONAWAY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, after line 3, insert the following:

(L) Section 3a(68)(A)(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(68)(A)(i)) is amended by striking “(47)(B)(x)” and inserting “(48)(B)(x)”.

(M) Section 3C(g)(3)(A)(v) of the Securities Exchange Act of 1934 (15 U.S.C. 78c-3(g)(3)(A)(v)) is amended by striking “1a(10)” and inserting “1a(11)”.

(N) Section 6(g)(5)(B)(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78f(g)(5)(B)(i)) is amended—

(i) in subclause (I), by striking “1a(18)(B)(ii)” and inserting “1a(19)(B)(ii)”; and

(ii) in subclause (II), by striking “1a(18)” and inserting “1a(19)”.

(O) Section 15F(h)(5)(A)(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-10(h)(5)(A)(i)) is amended by striking “1a(18)” and inserting “1a(19)”.

Page 50, line 21, strike “1a(10)(C)” and insert “1a(11)(C)”.

The CHAIR. Pursuant to House Resolution 40, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, this is a pretty straightforward amendment. It proposes certain technical corrections within the bills. This would have normally been handled by the Rules Committee without need for a particular amendment, but because, as I said yesterday, the language of H.R. 238 is the exact language out of last year's June 15 bill, except for things that we dropped and limiting the appropriations to \$250 million.

So, in the spirit of total transparency, I bring this amendment forward so the full body can work its will on this technical correction that would have normally been fixed by the Rules Committee.

Mr. PETERSON. Will the gentleman yield?

Mr. CONAWAY. I yield to the gentleman from Minnesota.

Mr. PETERSON. Mr. Chair, I support the amendment.

Mr. CONAWAY. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CONAWAY

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115-3.

Mr. CONAWAY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 40, line 4, strike “paragraphs (2) and (5) of subsection (a)” and insert “paragraph (1)”.

Add at the end of title III the following:

SEC. 318. REQUIREMENTS RELATED TO POSITION LIMITS.

(a) IN GENERAL.—Section 4a(a) of the Commodity Exchange Act (7 U.S.C. 6a(a)) is amended—

(1) by striking paragraphs (2), (3), (5), and (6); and

(2) by redesignating paragraphs (4) and (7) as paragraphs (2) and (3), respectively.

(b) BONA FIDE HEDGING TRANSACTION DEFINITION.—Section 4a(c)(2)(A)(i) of such Act (7 U.S.C. 6a(c)(2)(A)(i)) is amended by inserting “normally” before “represents”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this section.

The CHAIR. Pursuant to House Resolution 40, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, the amendment I offer today will clarify amendments made to the Commodity Exchange Act by Dodd-Frank and require the CFTC to actually determine that position limits will, in fact, help reduce excessive speculation before they implement those new rules.

This past fall, my colleagues and I all ran for reelection promising to reduce government regulation and eliminate rules that needlessly burden the economy. As we consider the CFTC's ongoing work, we should look no further than the position limits rulemaking to begin that task.

Position limits are a tool that have merit and purpose in regulating the commodities market. Today, designated contract markets core principle V requires every U.S. exchange to impose, as is necessary and appropriate, position limits or position accountability levels on the contracts they offer.

Further, there are several agricultural contracts that have long-established and well understood federally mandated position limits. My amendment will not change any of those existing position limits regime.

Prior to Dodd-Frank, the law was clear: if the Commission wanted to impose position limits, it first had to make a determination that such limits would diminish, eliminate, or prevent the burdens of excessive speculation. Post-Dodd-Frank, the courts have ruled that additions to the statute have rendered it ambiguous.

Chairman Massad and I have disagreed for the past 3 years about how to read the statute. So today, my amendment fixes the ambiguity by affirmatively requiring the Commission to determine that position limits will serve to reduce the burdens of excessive speculation before they put them in place.

It is important that the Commission affirmatively determines the need for position limits because limits are an unmistakable burden on market participants.

The current position limits proposal will cost market participants substantially in time and money to comply with. Most importantly, it fundamentally changes the way hedgers can seek relief from the rules.

Agricultural producers and processors, power companies, and other commercial hedgers may have fewer bona fide hedges. What is more, they might get a hedge exemption, only to get a call from Washington telling them their hedge is invalid and they must liquidate their position.

The proposal also imposes new recordkeeping and reporting obligations on Futures Commission Merchants, exchanges, and market participants. Less well understood, but no less important, is the impact that position limits in later months might have on market liquidity.

Position limits do not have anything to do with the long-term price of commodities. The price of oil, no matter how high it climbs or how low it falls, is driven by supply and demand.

Congress itself recognized this when it characterized the burdens of excessive speculation as the sudden or unreasonable fluctuations or unwarranted changes in the price of a commodity. There is nothing sudden about a year's-long run-up or a year's-long decline in commodity prices.

That said, I agree there is a role for position limits to play in the management of our commodity markets, especially in managing the convergence of prices at the expiration of a contract. But limits are a regulatory tool to promote orderly markets, not a silver bullet to lower commodity prices for consumers.

As a tool, they need to be calibrated to the unique characteristics and historical patterns of each commodity. We cannot impose them in blind faith that more regulation automatically improves markets.

My amendment is agnostic about the merits of position limits, but it is clear about the need for the government to justify its rules that restrict economic activity.

As this Congress sets about reducing regulatory burdens, it is important that we start by requiring the CFTC to make a determination about the need for further regulations before they act.

Mr. Chair, I reserve the balance of my time.

Mr. PETERSON. Mr. Chair, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, I yield my time to the gentleman from Connecticut (Mr. COURTNEY), who was one of the original folks who brought this forward and one of the original authors, I think, of this provision. So I am going to let him carry the day on the opposition to this amendment.

The CHAIR. The gentleman from Connecticut will control the time in opposition.

Mr. COURTNEY. Mr. Chairman, I thank Mr. PETERSON and Mr. CONAWAY, with whom I did serve on the Agriculture Committee with for a number of years, and I recall well some of the discussion and debate as Chairman Gensler appeared before the committee on article 7 of the Dodd-Frank Act.

Although, I didn't author that position, former-Senator Dodd is a constituent of mine. So I guess that is close enough to the work that was done creating this section.

Again, let's be very clear about what this amendment does. It is not about clarifying anything. It is about stripping from the law article 7 of Dodd-Frank, which was a congressional mandate to establish position limits for speculative trading.

Again, this was not done in a vacuum. It was done because there has been an explosion of speculative trading that is taking place in commodities markets. We had testimony in the Congress back in 2010 that it had grown from 22 percent to 67 percent speculation on Wall Street. Goldman Sachs—when, again, we were dealing with close to \$4 a gallon for gas—had a report which said that 27 percent of that price was due to speculation. So, Congress appropriately instructed CFTC to come back with a regulatory plan to limit speculative positions in a reasonable way.

Again, no one quarrels with the fact that end users, whether it is farms, ranchers, airlines, or businesses of all sorts, should be able to exercise options in market swaps.

□ 1345

In those instances, these are firms and businesses which actually take physical possession and control of the commodity. Again, what Goldman Sachs and other analysts had demonstrated is that what has been a burgeoning trend is that firms were beginning to take dominant position in markets that, again, were not even close or remotely involved in the actual production, processing, or use of the commodities that were in question.

So again, CFTC has begun an arduous, painful process of trying to craft a rule. In fact, just a few weeks ago, on December 5, the CFTC voted unani-

mously to again move that process along and come up with a draft of a balanced, reasonable rule, so it is not a dead-end situation.

As has been reported, what they basically were looking at was a fundamental or a basic limit of roughly about 25 percent of a commodity could not be controlled by one firm. The end users that I spoke to, as this rule has been making its way, actually think that the CFTC is being too generous in terms of allowing an individual firm to control up to 25 percent of a market. I think a lot of Americans would understand that that kind of position really would provide for an opportunity to manipulate market prices.

In fact, there are some end users who think the rule should be very simple, that you have to take actual physical possession of the commodity in order to be able to hedge a position or engage in a future option. Again, the CFTC did not go to that radical extreme. Again, they tried to listen to the thousands of comments—Chairman Gensler, Chairman Massad—to try to fashion a rule that allowed a healthy market but did not allow situations which were occurring during high gas and oil prices.

In Connecticut, we had home heating oil suppliers who were describing situations where the price of the heating oil by the time the truck left the garage and came back was going up 10, 15 cents just during that short period of time for no reason at all. There wasn't like a refinery explosion or some incident that was happening overseas. It was, again, the movement on Wall Street of people who were profiting not from use of the commodity but, in fact, just from the movement on the price. That is really what CFTC has been hard at work doing.

This amendment will basically shut that down. It is not a clarification. It basically takes away what was Congress' instruction to CFTC.

Again, I respectfully oppose this amendment. I think we should allow the Commission, which is going to have a Republican Chairman in a few weeks, to continue to work on this issue and to provide protection for the true end users, the people who actually use the commodities, as well as consumers. Whether it is those who get their home heating oil tank full, their gas tank full, whether it is farmers and ranchers who are dealing with things like feed costs, we should have a healthy system of making sure that individuals or firms cannot have a dominant position in terms of controlling commodities.

This is not an arcane, esoteric issue for Americans. This affects bread-and-butter issues in terms of how much they pay for essential goods and commodities for them and their families. I would strongly urge the Members to not accept this amendment. I urge a "no" vote.

Mr. Chairman, I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from Texas has 1½ minutes remaining.

Mr. CONAWAY. Mr. Chairman, the CFTC prepared a draft report this past year. Quoting from page 142 of that draft, it says the Masters Hypothesis, which my colleague—who I do have great respect for—said the mere presence of passives distorts the marketplace, that is what Masters Hypothesis said. The CFTC found there are no reputable economic studies which fully endorse this view of how the commodity futures markets work.

I would like to close with this comment from another study by the chief economist: "Comment letters on either side declaring that the matter is settled in their favor among respectable economists is simply incorrect. The best economists on both sides of the debate concede that there is legitimate debate afoot. This analysis paper documents that the academic debate amongst economists about the magnitude, prevalence, and pervasiveness of the risk of outsized market positions has reputable and legitimate standard-bearers for opposing positions."

I agree with that in full. All we are asking the CFTC to do, Mr. Chairman, is to do the work to prove that the specific position list they want to implement, should they believe one is needed, that they would have to go through regular order, their regular order, to make that happen. I encourage a "yes" vote on the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. COURTNEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. DUFFY

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115-3.

Mr. DUFFY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title III the following:
SEC. 318. PROCEDURE FOR OBTAINING CERTAIN INTELLECTUAL PROPERTY.

The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended by inserting after section 4t the following:

"SEC. 4u. PROCEDURE FOR OBTAINING CERTAIN INTELLECTUAL PROPERTY.

"The Commission is not authorized to compel persons to produce or furnish algorithmic trading source code or similar intellectual property to the Commission, unless the Commission first issues a subpoena."

The CHAIR. Pursuant to House Resolution 40, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. DUFFY. Mr. Chairman, I appreciate the support of the gentleman from Texas and his insight in this amendment. I was a prosecutor in a former life, and we care a lot about due process, making sure that the government can't take something from a private individual just because they want to take it.

As an American, I know that protecting intellectual property is a cornerstone of our free enterprise system. That is why I am concerned about the CFTC's rule on automated trading, which takes the unprecedented step of requiring a wide array of market participants engaged in algorithmic trading to maintain a source code repository and make it available for inspection by the CFTC or the Department of Justice without a subpoena.

Now, this is highly sensitive source code. This is intellectual property that helps the functionality of our marketplace, and to think that this kind of sensitive data can be taken by the Federal Government without a subpoena should shock our conscience. There are times when the government should get this information; but if they should have it, they should be able to use a subpoena and lay out the cause and the case for why they need to have it.

That is not just my only concern. But the CFTC is potentially going to be taking this source code from all different market players and holding it in a warehouse or a repository, and so we have a concern for hacking. It has been a big conversation as of late. But instead of a foreign entity hacking in to individual companies, they just have to hack the CFTC and they get all the source code. Just think of the malicious things that can happen if you have the source code of market players, how you can disrupt it, how you can take it down. It is absolutely frightening.

So I think we should have great pause, take a little time to reflect on our Constitution, and continue to respect and support due process, which means, if the government wants this information, they should have a subpoena, lay out their case, and that is the avenue by which they get it, not just because they want it.

Mr. Chairman, I reserve the balance of my time.

Mr. PETERSON. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, this amendment addresses a problem that the CFTC is already well on its way to resolving in its proposed rule on auto-

mated trading. It requires that the Commission must vote to issue a subpoena to collect source code from high-frequency trading firms before the Commission can examine it.

I support the protections for the source code as intellectual property. I know Commissioner—soon to be Chairman, I think—Giancarlo has made this a priority, but this amendment I think is poorly drafted. Again, I don't want to harp on this too much, but it is something that could have been resolved had we had a committee process to do this bill.

One of the questions I have: I don't quite understand why this language is in the bill regarding similar intellectual property. The people at the CFTC, they don't know what this means, they don't know why you put that language in there, and they think it is going to cause a lot of problems. So we are trying to get at the source code. I have a problem with that. But why is this language in there?

Would the gentleman be willing to explain to me why that is in there and what it means?

Mr. DUFFY. Will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from Wisconsin.

Mr. DUFFY. I appreciate the gentleman for yielding.

Again, as an American, when the government wants to take very secure intellectual property and data, we do have this belief that they should be able to get a subpoena to access it. Again, we don't have a disagreement that the CFTC, in circumstances, we want them to get access to this information.

Mr. PETERSON. Right.

Mr. DUFFY. But highly sensitive intellectual property, we think, similar data, should require a subpoena.

Mr. PETERSON. What is that intellectual property that the CFTC might go after? They don't know what it is. I don't know what it is. Is there some reason?

The source code is what the issue is, right?

Mr. DUFFY. If the gentleman would yield, is the gentleman saying that if the government just wants highly sensitive and intellectual property they should be able to go in and just ask for it and require it to be delivered?

Mr. PETERSON. This isn't the government. It is the CFTC. It is a very specific part of the government.

Mr. DUFFY. But it is the government.

Mr. PETERSON. Well, right. I don't know what it means. They think it is problematic, and I think it is another example of where we would have been better off with regular order.

I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DUFFY. Mr. Chairman, I just want to clarify that in the proposed

rule there is no requirement for a subpoena. That doesn't exist. Now, they might have told you that they want to reform that rule, but that is not the way the proposed rule stands today. Again, if our government wants information from the private sector, we all believe they should have a subpoena for it, number one.

Again, on the concern of hacking, I wrote the Chair of the CFTC and asked for additional information about how they can preserve and protect this very sensitive information, and, in essence, they said: We can protect it because we say we can protect it. That doesn't give me great confidence.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. LAMALFA

The CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115-3.

Mr. LAMALFA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, insert the following:

SEC. ____ . DETERMINATION OF PREDOMINANT ENGAGEMENT.

Section 2(h)(7)(C) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)), as amended by section 314 of this Act, is amended by adding at the end the following:

“(v) In determining whether a person is predominantly engaged in a business or activity for purposes of clause (i)(VIII), there shall be excluded revenues and assets that are, or result from, any transaction that is entered into solely for purposes of hedging or mitigating commercial risk (as defined by the Commission for purposes of subparagraph (A)(ii)).”.

The CHAIR. Pursuant to House Resolution 40, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, my amendment is a simple, straightforward one, bringing clarity to the law and relief, again, to the end users, such as farmers, ranchers, and manufacturers that use swaps to hedge commercial risks associated with their business, including volatile markets and price fluctuations on a day-to-day basis. This critical financial tool allows them to do their jobs and provide products in an affordable and accessible manner, keeping consumer costs low.

Discussing Dodd-Frank, Congress always intended that these end users should not have to clear the swaps entered to hedge these commercial risks and provide the end-user exemption to that end.

The Commodity Exchange Act defines as a financial entity a person predominantly engaged in certain financial activities. The Fed's rulemaking when defining financial activities repeatedly states the rule is for the purpose of title I; therefore, bringing it in to title VII was something they did not have in mind when issuing their definitions of predominantly engaged for financial entities. Therefore, financial entities cannot rely on this end-user exception.

However, because of a catchall in the definition of financial entities, end users who engage in successful hedging programs could be regarded as financial entities, thereby creating barriers and unnecessary restrictions to their business operations. This completely turns the concept of being an end user in title VII on its head.

My amendment today ensures end users will not lose their ability to rely on the end-user exception, which is a clearing requirement due simply to the position performance of a transaction entered into solely to mitigate commercial risk.

Mr. Chairman, I yield back the balance of my time.

Mr. PETERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR (Mr. MCCLINTOCK). The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chair, I am not exactly sure why this is needed, but I don't have any problem with the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The amendment was agreed to.

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AMENDMENT NO. 7 OFFERED BY MR. LUCAS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 115-3.

Mr. LUCAS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, insert the following:
SEC. ____ . TREATMENT OF TRANSACTIONS BETWEEN AFFILIATES.

Section 1a(48) of the Commodity Exchange Act (7 U.S.C. 1a(47)), as so redesignated by section 304(b)(1) of this Act, is amended by adding at the end the following:

“(G) TREATMENT OF TRANSACTIONS BETWEEN AFFILIATES.—

“(i) EXEMPTION FROM SWAP RULES.—An agreement, contract, or transaction described in subparagraphs (A) through (F) shall not be regulated as a swap under this Act if all of the following apply with respect to the agreement, contract, or transaction:

“(I) AFFILIATION.—1 counterparty, directly or indirectly, holds a majority ownership interest in the other counterparty, or a third party, directly or indirectly, holds a majority ownership interest in both counterparties.

“(II) FINANCIAL STATEMENTS.—The affiliated counterparty that holds the majority interest in the other counterparty or the third party that, directly or indirectly, holds the majority interests in both affiliated counterparties, reports its financial statements on a consolidated basis under generally accepted accounting principles or International Financial Reporting Standards, or other similar standards, and the financial statements include the financial results of the majority-owned affiliated counterparty or counterparties.

“(ii) REPORTING REQUIREMENT.—If at least 1 counterparty to an agreement, contract, or transaction that meets the requirements of clause (i) is a swap dealer or major swap participant, that counterparty shall report the agreement, contract, or transaction pursuant to section 4r, within such time period as the Commission may by rule or regulation prescribe—

“(I) to a swap data repository; or

“(II) if there is no swap data repository that would accept the agreement, contract or transaction, to the Commission .

“(iii) RISK MANAGEMENT REQUIREMENT.—If at least 1 counterparty to an agreement, contract, or transaction that meets the requirements of clause (i) is a swap dealer or major swap participant, the agreement, contract, or transaction shall be subject to a centralized risk management program pursuant to section 4s(j) that is reasonably designed to monitor and to manage the risks associated with the agreement, contract, or transaction.

“(iv) VARIATION MARGIN REQUIREMENT.—Affiliated counterparties to an agreement, contract, or transaction that meets the requirements of clause (i) shall exchange variation margin to the extent prescribed under any rule promulgated by the Commission or any prudential regulator pursuant to section 4s(e).

“(v) ANTI-EVASION REQUIREMENT.—An agreement, contract, or transaction that meets the requirements of clause (i) shall not be structured to evade the Dodd-Frank Wall Street Reform and Consumer Protection Act in violation of any rule promulgated by the Commission pursuant to section 721(c) of such Act.”.

The Acting CHAIR. Pursuant to House Resolution 40, the gentleman from Oklahoma (Mr. LUCAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LUCAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of the Lucas amendment to H.R. 238. This amendment works to provide much-needed relief and certainty for American companies by clarifying how the internal risk reducing transactions amongst the businesses' own affiliates are regulated. Many businesses of all types and sizes in our country use derivatives to manage the risks they face within their daily operations. Interaffiliate swaps are a commonly used and effective internal risk management tool these businesses rely upon.

Unfortunately, derivatives reforms implemented under Dodd-Frank fail to distinguish the difference between interaffiliate transactions and transactions executed between unaffiliated

third parties. Such internal transactions ensure firms to centralize their risk management activities between affiliate counterparties and do not create additional counterparty exposure outside of a corporate group. This amendment, therefore, clarifies that interaffiliate swaps are not subject to the same regulatory requirements as external, market-facing swaps between third parties.

In addition, this amendment is consistent with the CFTC's attempts to provide similar relief through rule exceptions and no-action letters. While such actions by the CFTC have provided relief, they do not provide a workable, clear, and predictable set of regulations that market participants can effectively operate under.

This amendment will keep in place appropriate regulatory reforms and provide much-needed regulatory and legal certainty for U.S. companies. Please join me in supporting this needed reform.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to my friend Mr. LUCAS' amendment. This amendment rejects the bipartisan compromise negotiated over 4 years to strike the right balance regarding interaffiliate swaps. Indeed, Democrats like Ms. MOORE and Republicans like Mr. STIVERS carefully negotiated a way to balance the needs of operating companies like airlines and refineries. This amendment, however, would exempt swaps between affiliates, including megabanks like Goldman Sachs and J.P.Morgan, from the mandatory margin, clearing, trade execution, capital, and every other protection under Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.

While we generally agree that swaps between affiliated corporate entities do not pose a systemic threat, we are deeply troubled about this desire to undermine all swaps rules and harm our economy.

During testimony on a similar version of this amendment, the CFTC's former chairman, Gary Gensler, stated that such an exemption would provide a big loophole around our derivatives rules and that it would “blow a hole in Dodd-Frank.”

Specifically, the amendment exempts affiliate swaps no matter where the affiliate resides. So, an affiliate could reside in a foreign jurisdiction that lacks any swaps regulation and share its risks with a U.S. affiliate, but our regulators would be prohibited from imposing any safeguards such as initial

margin or capital requirements. Why would we pass such a self-inflicted wound?

With that, Mr. Chairman, I urge all Members to vote “no” on this amendment.

I yield back the balance of my time. Mr. LUCAS. Mr. Chairman, I yield myself the remainder of my time simply to note to my colleagues the goal of this amendment is to allow business entities to efficiently manage their risk. If that risk is managed internally where it is no threat to third parties then they should have the ability to do it in the most efficient fashion. As I noted in my earlier comments, CFTC has provided similar relief through rule exceptions and no-action letters. What we are trying to do here is clarify this situation.

As far as one of the previous chairmen of the CFTC, while a very enthusiastic regulator, I would note that I and many participants down through the years have disagreed with his interpretations on several things. But, with that, I have the greatest respect for my colleague over there. This is a sincere difference of opinion.

Mr. Chairman, I yield the remainder of my time to the gentleman from Texas (Mr. CONAWAY) who is the chairman of the full committee.

Mr. CONAWAY. Mr. Chairman, I support the gentleman’s amendment.

I would point out that at the end of his amendment is an anti-avoidance requirement which would allow the CFTC to watch for the kinds of things that the gentlewoman from California was worried about in which foreign markets might be involved and other things. So there are, structured in the Lucas amendment, protections to avoid a crafty, interaffiliate kind of circumstance that she was concerned about.

Mr. LUCAS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. LUCAS).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MRS. HARTZLER

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 115-3.

Mrs. HARTZLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. ____ . DELAY IN FULL IMPLEMENTATION OF THE FINAL RULE ON OWNERSHIP AND CONTROL REPORTING.

The Commodity Futures Trading Commission may not enforce non-compliance with the final rule titled “Ownership and Control Reports, Forms 102/2S, 40/40S, and 71” (78 FR 69178; November 18, 2013) until the Commission votes to approve a final rule that has been amended to—

(1) provide that the reportable trading volume level shall be at least 300 contracts;

(2) provide that the reporting entity shall not be required to provide natural person controller data; and

(3) provide that the reporting entity is not obligated to supply data that violates foreign privacy laws.

The Acting CHAIR. Pursuant to House Resolution 40, the gentlewoman from Missouri (Mrs. HARTZLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Missouri.

Mrs. HARTZLER. Mr. Chairman, I rise today to offer an amendment to bring certainty to farmers, agricultural cooperatives, and grain elevators across Missouri and the country that are having problems complying with burdensome reporting requirements at the CFTC. Dodd-Frank never intended to regulate end users like independent grain elevators who work on behalf of Missouri farmers to help manage their price risk. My amendment works to correct this oversight and provide a stable environment for all players in the industry.

My amendment is simple. It would require the Commission to address three outstanding concerns to the Ownership and Control Reports rule, better known as the OCR rule, before the Commission can begin enforcement, which, by the way, the CFTC is not enforcing presently. This industry currently is operating under a no-action relief letter, meaning the OCR rule is not being enforced due to the inability of the industry to meet the stringent requirements of the CFTC regulations. That could change, and the problem needs to be addressed.

Specifically, my amendment does three things. First, it increases the threshold from 50 to 300 contracts per day per commodity for those market participants that need to comply with this rule. This will exempt low-volume entities like grain elevators and small agricultural cooperatives from the reporting requirements for large trading firms and major players in these markets. Even with the new threshold established by my amendment, the CFTC will still gather ownership and control information on the major players and mid-sized traders.

Second, my amendment removes a small but very burdensome portion of the long list of reporting requirements under the final OCR rule. My amendment removes the natural person controller requirements which require farmer cooperatives and grain elevators to report specifically personally identifiable information on individual employees. The CFTC has never required such granular information for many of my constituent businesses, and such requirements are making Futures Commission Merchants much less willing to work with small and medium-sized entities in the countryside. Even with the small changes made by my amendment, the CFTC will still be

properly equipped to track ownership and account control data across the market.

Finally, this amendment will require the CFTC to ensure that current regulations do not conflict with current foreign privacy laws. Having a large, open, liquid market is important to managing risk, and operating on an international basis is a valuable aspect of a commodity market. The CFTC should be responsible for dealing with other governments on privacy concerns. It is inappropriate to push that burden onto the firms and customers that it regulates.

This amendment is supported by a wide range of industry and farmers groups, and I encourage my colleagues to support my amendment to provide relief from the regulatory burdens of this rule on small cooperatives, grain elevators, and farmers who are merely hedging their legitimate market risk and serving their customers’ interests.

Mr. Chairman, I reserve the balance of my time.

Mr. PETERSON. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, this amendment contains several troubling drafting—some people call them—errors or, I guess, questions. It prevents the CFTC from enforcing noncompliance with the final rule that includes more forms than were targeted.

When we did our part of the Dodd-Frank bill, one of the things that I thought was really not controversial was that we were going to try to find out, once and for all, who owned all of these swaps; who was on what side of positions. This is what caused the problem in the first place with the financial meltdown. When Lehman Brothers went down and we allowed them to go broke, it created this big panic, AIG didn’t know if they could cover their swaps or not, and it was going to unravel the whole situation because these firms that were trading didn’t know who held what and what was going on. That was the underlying problem. So what we were trying to do is get some understanding of where everybody was in this market. When we were doing the bill, we made it very clear, and I put in the legislation, that end users were not covered. That shouldn’t have been an issue.

The problem with this amendment is it looks like it is going to include more than just that. So, I guess, again, this is a final example in this bill of a process moving too quickly and a lack of regular order.

Finally, it contains a section on foreign privacy laws that could result in the agencies seeing a reduced scope of market in their surveillance activities that may not be the intention. But, again, without the chance to consider

this provision in regular order, we are not sure, and concerns that some people have remain unaddressed. So this could have been resolved during the process. It hasn't been. In its present form, I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I would remind our colleagues that this rule is right now under a no-action relief letter because it isn't working, and that is what this amendment does is to fix this problem. So I believe this amendment is very important. It makes a few common-sense changes to the OCR rule that will provide regulatory relief to farmers, agricultural cooperatives, and grain elevators while allowing the CFTC to adequately regulate the futures industry.

So, Mr. Chairman, I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER).

The amendment was agreed to.

Mr. CONAWAY. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 238) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, had come to no resolution thereon.

SEC REGULATORY ACCOUNTABILITY ACT

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to submit extraneous material on H.R. 78, to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 40 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 78.

The Chair appoints the gentleman from California (Mr. MCCLINTOCK) to preside over the Committee of the Whole.

□ 1415

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 78) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders, with Mr. MCCLINTOCK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of H.R. 78, the SEC Regulatory Accountability Act.

I thank the gentlewoman from Missouri (Mrs. WAGNER) for leading this effort in the House.

This bill is technically about something called economic analysis or cost-benefit analysis. That may sound like Ph.D. economics, but it is really about kitchen table economics because, Mr. Chairman, it is truly about whether we are going to have a stronger economy—one that creates good-paying jobs so that parents can afford to raise their children today and these same children can have a brighter future tomorrow. It is about making sure we have an accountable government that expands personal opportunity, not government bureaucracy.

Mr. Chairman, I think we all know that small businesses are truly America's job engine. They create nearly two-thirds of all new jobs in our economy. Our economy works better for all when small businesses can focus on creating jobs and on serving their customers rather than navigating needless government red tape.

Unfortunately, for America's small businesses, bureaucratic red tape has no better friend than the Obama administration. It has issued more than 4,400 final regulations, with an astronomical cost to all of us of \$1 trillion. Just since the election on November 8, the Obama administration had cynically issued 145 midnight regulations with a cost of more than \$21 billion.

For anyone who believes that this doesn't hurt our small businesses, they need to listen to their constituents, because I certainly listen to mine. I heard from a small business owner named Chris, who is back in my district and who wrote me:

We have seen wave after wave of Federal regulations affect our ability to grow. The

costs associated with additional reporting, auditing, and compliance are massive. The money spent is significant and costs jobs and potential jobs.

Mr. Chairman, he is exactly right. The true cost of Washington red tape cannot just be measured in dollars. The true cost includes the jobs not created, the small businesses not started, and the dreams of our children not fulfilled. Ill-advised laws like the Dodd-Frank Act empower unelected, unaccountable bureaucrats to callously hand down crushing regulations without adequately considering what impact those regulations have on jobs.

As one former SEC Commissioner testified before the Financial Services Committee, which I have the honor of chairing, these Washington elites have forgotten the key to sensible regulation:

The most appropriate regulatory solution should be the one that imposes the least burden on society while maximizing potential benefits even if that means choosing not to regulate at all.

Although the Securities and Exchange Commission is one of the few Washington agencies that engages in at least some base level of economic analysis, putting this requirement into law is definitely preferable to current agency procedures. After all, the SEC's recent interest in economic analysis came only on the heels of numerous Federal courts throwing out some of its regulations because the Commission failed to adequately take into account, again, the true costs and benefits of its rules.

Passing this bill will erase any doubt that the Securities and Exchange Commission must conduct sound economic analysis. It must consider the impact of their rules on our jobs and our family budgets. That is what cost-benefit analysis is all about.

Mr. Chairman, we may hear today from the usual suspects—the opponents of this bill—that somehow this is meant to hinder the rulemaking process and encourage litigation against the SEC. You will hear these same people say, once again, that this is somehow dangerous. Mr. Chairman, what is dangerous is being ignorant of the impact the proposed regulations will have on our economy and on the American people's wallets before they get implemented. That is what is dangerous.

What is interesting, Mr. Chairman, is that Presidents, frankly, of both parties seem to agree. Even Presidents Clinton and Obama directed independent agencies to engage in, essentially, exactly the same procedures that H.R. 78 would make into law. Such irony, Mr. Chairman, that some Democrats will come to the floor today and oppose codifying into law Clinton and Obama policy. Again, the irony of it all.

I urge all Members to join me in supporting this bill because we must hold

Washington accountable to the American people. We must build a stronger, healthier economy so struggling Americans can get back to work and achieve financial independence.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just as I opposed the bill before us today in the previous three Congresses, I rise in opposition to it now. Republicans have crafted H.R. 78 to tie the hands of the Securities and Exchange Commission, the SEC, and to prevent it from issuing new rules to address market failures and protect investors. At the same time, the bill would enable the Trump administration to easily repeal important Dodd-Frank rules by tilting the SEC's decisions toward what is best for industry and, worse, what enriches the President-elect and his cronies.

Before I discuss H.R. 78, I think it is important to point out that 14 members of the Financial Services Committee, as well as the millions of Americans they represent, are being denied the opportunity to discuss this bill through hearings and markups. We are barely into the second week of this Congress and the Republican leadership is completely ignoring regular order—despite Speaker RYAN's declaration less than a week ago of a return to regular order—by skipping the committee process to bring this bill to the floor; but this is par for the course.

In the other Chamber, Senate Republican leadership is similarly jamming Donald Trump's conflicted nominees through the confirmation process even before the FBI has completed background checks. And with barely 10 days until his inauguration, Donald Trump has already given up on "draining the swamp" and has broken his promise to hold Wall Street accountable by nominating Wall Street insiders to nearly every key economic and regulatory post.

Let me turn back to the problems with H.R. 78.

During the past four Congresses, Republicans have sought to increase the cost-benefit requirements that are related to SEC rulemakings even though the Commission is already subject to stringent economic analysis for which it is held accountable. Current law requires the SEC to conduct the same economic analysis that is required of all agencies under the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act. Unlike other financial regulators, the SEC has additional statutory requirements to study how its rules affect market efficiency, competition, and capital formation.

Additionally, in 2012, the SEC voluntarily issued internal guidance on economic analysis for rulemakings that

closely follow Executive Order No. 12866. Since adopting this guidance, the SEC has dramatically expanded its economic analysis capabilities, including by increasing the staff and the budget of its economics division by more than 300 percent over the last 5 years. In any other reality, the SEC would be held up as a model of effective economic analysis.

When asked by Republicans in Congress to review the SEC's analysis, the inspector general concluded:

We determined that the SEC's use of its current guidance has been effective in incorporating economic analysis into the rule-making process.

H.R. 78, however, goes much, much further in radically directing the SEC to no longer be concerned with the protection of investors. In fact, the only reference to investors anywhere in the bill is in a provision requiring the SEC to consider the impact these rules will have on "investor choice."

The American public knows full well that "investor choice" is a code for industry's wanting to offer a menu of predatory products, such as subprime—toxic—mortgages or retirement products that are designed to bankrupt low- and middle-income Americans and line the pockets of Wall Street executives. Further suggestions that the bill is only codifying the cost-benefit executive orders are false as the bill omits one key provision from those orders: the prohibition of private rights of action, which is simply the right to sue.

As a result, H.R. 78 provides industry with endless avenues to sue the SEC and, thereby, puts pressure on the regulator to adopt the rules it wants and to repeal everything else. What is worse, the bill is the first signal to Wall Street that the SEC is leaving the enforcement business. H.R. 78 provides no new funding for the SEC to address the substantial, analytic, and potential litigation responsibilities the bill would create even though the Congressional Budget Office estimates that the analytical workload alone would cost \$27 million.

Let's not fool ourselves that Republicans are going to increase the SEC's funding. That is at the top of their agenda—kill the SEC by taking away the funding that they need to be the cops on the block.

Members of Congress just finished debating a bill that caps the SEC's sister agency, the Commodity Futures Trading Commission, at a woefully inadequate funding level for the next 5 years, denying the CFTC the hundreds of millions of dollars it needs to adequately police the swaps markets.

Further, Donald Trump has nominated a lifelong defender of Wall Street's to lead the SEC, which I can only assume means that Trump's SEC will equally pillage the Commission's overworked enforcement staff to help pay for the Republicans' planned repeal of Dodd-Frank.

□ 1430

As President-elect Trump takes office next week, beginning what is the most conflicted administration in U.S. history, I urge my colleagues to join me, investor and consumer advocates, public pension plans, civil rights groups, labor unions, and supporters of financial reform in opposing H.R. 78 to ensure that the actions of Trump's SEC are in the interest of America's economic stability and not in Russia's or Wall Street's interests.

I am amazed that the Republicans can be so blatant, so noncaring to come to us at this time with a bill that would basically take our cop on the block, the SEC, and literally obliterate it. I am absolutely amazed that they have the nerve and the gall to try this in face of everything that we already know about what they have done to strip it of its appropriate funding. But now with all of the debate and the concern about Trump and Russia and everything that is going on, they would come here with this bill today and try to pull this off.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I am very pleased now to yield 4 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the author of the SEC Regulatory Accountability Act and the chairman of our Oversight and Investigations Subcommittee.

Mrs. WAGNER. Mr. Chair, I thank Chairman HENSARLING, the gentleman from Texas, for his leadership on this issue and on so many regulatory reform issues that we will be addressing this week and in the future.

Mr. Chair, I am proud to sponsor and bring to the floor H.R. 78, the SEC Regulatory Accountability Act. This legislation fits perfectly with the theme of the week here in the House to advance key regulatory reform ideas as a change of pace from the outgoing administration.

For the past 8 years, the amount of regulatory burden that has been placed on Americans and small businesses has been crushing. In 2015, Federal regulation cost almost \$1.9 trillion. That is nearly \$15,000 per household in a hidden compliance tax.

The Obama administration issued over 600 economically significant rules, which are those that have an economic impact of over \$100 million. As a result of this wave of regulations, we have been part of the slowest economic recovery in our lifetimes.

We now have an opportunity to enact policy that ensures smart regulation going forward so that we are doing things in the best and most efficient way. The people have spoken, Mr. Chair. Business as usual in Washington is over and it is time to do things differently. There is, indeed, a better way.

This legislation is really about what everyday Americans do when they are making major life decisions in weighing the costs and the benefits, the pros

and the cons. Whether it is buying a car, buying a home, deciding whether to take out a loan to go to school, everyone must consider the core economic factors when making important life decisions.

The SEC Regulatory Accountability Act places statutory requirements on the SEC when issuing rulemaking that ensures that, first, they identify the problem that regulation is trying to address; second, they weigh the cost and benefits to ensure that the benefits justify costs of compliance; and thirdly, they identify and assess whether there are any available alternatives to rulemaking.

Additionally, this bill contains a provision that requires the SEC to review its existing regulations every 5 years, at the minimum, to determine whether any such regulations are outdated, ineffective, or excessively burdensome, as well as requiring the SEC to modify, streamline, repeal, or even to expand regulations based on that review.

As a regulator of our capital markets, the SEC has an immeasurable influence on our economy and the ability of small business and entrepreneurs to be able to access capital in order to innovate, grow, and most of all, create jobs.

I strongly believe that this legislation is nonpartisan and common sense and what our government regulators should have been doing in the first place. The American people deserve a break from the irresponsible regulation they have grown accustomed to over the past 8 years. There is a better way.

I ask my colleagues to support this commonsense piece of legislation and urge passage of it through the House.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GONZALEZ), a new member of the Financial Services Committee.

Mr. GONZALEZ of Texas. Mr. Chairman, I support the regular review of regulations to ensure that they are still relevant to our ever-changing economy.

Unfortunately, the retrospective review requirement in H.R. 78 is counterproductive and places heavy administrative burdens on the Securities and Exchange Commission, an already overburdened and underfunded regulator.

Specifically, it required the Commission to review all of its rules within 1 year of an enactment, and to constantly review its rules every 5 years thereafter, regardless of whether there is any cause for concern with a particular regulation. I find this appalling.

That means the Commission will have to go back to 1934 and review every single rule, even ones industry likes and rules that have made our capital markets the envy of the world.

Today the SEC has a number of formal and informal processes for intel-

ligently identifying rules for review. For example, the Regulatory Flexibility Act requires the SEC to conduct a 10-year retrospective rule review, and the Paperwork Reduction Act requires periodic reviews of information collection burdens.

Under the Regulatory Flexibility Act, the SEC publishes a plan to look at rules that have a significant economic impact on smaller businesses, inviting public comment on the rules, including how it could be amended to reduce the impact of many small businesses within my district and certainly around the country.

In addition, the SEC has been conducting several broad-based reviews of rules on its own accord related to issuer disclosure, equity market structure, and even the definition of what an accredited investor is.

As an already cash-strapped agency, the SEC, tasked with such an onerous retrospective rule review required by H.R. 78, would be forced to divert already scarce resources from other important tasks, including policing the markets for fraud and stopping bad actors before they can drain the life savings of investors and many retirees in my district and around the country. This is our seniors we are talking about.

Looking at the bill as a whole, it appears that this is the point of the legislation: rather than have the SEC focus on its mission to protect investors and support many small businesses, H.R. 78 focuses on the burdens of the financial industry and repealing those rules.

I oppose this bill.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. HUIZENGA), the chairman of our Subcommittee on Capital Markets and Government Sponsored Enterprises.

Mr. HUIZENGA. Mr. Chair, I rise today in support of H.R. 78, the SEC Regulatory Accountability Act, which would improve and strengthen the SEC's rulemaking process by requiring more rigorous economic analysis.

What exactly does that mean?

Well, an economic analysis is quite simple, frankly. It is a systemic approach to determine the optimum use of scarce resources involving comparison of two or more alternatives to achieve a specific objective under the given assumptions and constraints. That is a whole lot of words and jumbo. But what we need to do is make a comparison, what is going to be the benefit.

Economic analysis takes into account the opportunity costs of resources employed and attempts to measure, in monetary terms, the private and social costs and benefits of a project to a community, an economy, or to an individual.

In its simplest terms, the SEC would have to determine the costs and bene-

fits of proposed regulations, as well as potential alternatives to determine a best direction forward, basically ensuring that the SEC is thoroughly assessing both the need for the regulation and adequately evaluating the potential consequences, both intended and unintended, and is there a benefit.

Mr. Chairman, requiring economic analysis by Federal regulators is not a partisan issue. In fact, both President Clinton and President Obama issued executive orders requiring regulators to ensure that their rules were maximizing and achieving a net benefit.

H.R. 78, the SEC Regulatory Accountability Act, would ensure consistent and effective application of the SEC's economic analysis guidance by building on the bipartisan effort to strengthen economic analysis requirements, as well as require a retrospective review of existing regulations for independent agencies like the SEC.

Specifically, the bill would enhance the SEC's existing economic analysis requirements by requiring the Commission to first clearly identify the nature of the problem that would be addressed before issuing a new regulation—too often, we are just shooting at a target that we don't even know is actually a target—and to prohibit the SEC from issuing a rule when it cannot make “a reasoned determination that the benefits of the intended regulation justify the costs of the regulation.”

Additionally, H.R. 78 would require the SEC to assess the costs and the benefits of available regulatory alternatives, including the alternative of not issuing a regulation, and choose the approach that would maximize the net benefit. The SEC must also evaluate whether a proposed regulation is inconsistent or incompatible or duplicative of other Federal regulations.

In testimony before the Subcommittee on Capital Markets and Government Sponsored Enterprises last year, former SEC Commissioner Dan Gallagher noted that the SEC Regulatory Accountability Act would “promote and improve economic analysis at the SEC and make the agency even more accountable to the investing public.” He further testified that this bill “will help ensure the economic analysis conducted by economists is firmly entrenched in every rulemaking the SEC conducts under the Federal securities laws.”

The Acting CHAIR (Mr. COLLINS of New York). The time of the gentleman has expired.

Mr. HENSARLING. Mr. Chair, I yield an additional 30 seconds to the gentleman from Michigan.

Mr. HUIZENGA. Mr. Chair, I commend the gentlewoman from Missouri (Mrs. WAGNER) for introducing this important piece of legislation, which will equip the SEC with the necessary tools to ensure that all future SEC regulations will meet these standards with

the ultimate goal of achieving the SEC's statutory mission of protecting investors and facilitating capital formation.

I urge my colleagues on both sides of the aisle to support this important bill. Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Let me point out how H.R. 78 tilts their decisionmaking process toward Wall Street. First, let's go back and review everything the President-elect said about Wall Street, and then we can understand exactly what is being done here.

In August 2015, President-elect Trump told CBS: "The hedge fund guys didn't build this country. These are guys that shift paper around and they get lucky. They make a fortune. They pay no tax. It's ridiculous, okay?"

In January 2016, Trump told Iowans: "I'm not going to let Wall Street get away with murder. Wall Street has caused tremendous problems for us."

I repeat, he said: "Wall Street has caused tremendous problems for us."

In February of 2016, Trump said: "I know the guys at Goldman Sachs, they have total control over Hillary Clinton."

In July of 2016, Trump tweeted: "Hillary will never reform Wall Street. She is owned by Wall Street."

He also told Iowans: "I don't care about the Wall Street guys. I'm not taking any of their money."

Now, Trump has totally betrayed his promise to drain the swamp. He has appointed Goldman Sachs bankers to the Treasury and the National Economic Council, and his pick to head the Securities and Exchange Commission is a lawyer whose career has been based upon defending Wall Street, including Goldman Sachs. This legislation today is part and parcel to that betrayal.

This is how you do it: cost-benefit analysis, you can attach this to any and all monetary and financial services legislation. You can attach it wherever you would like and, thus, cause the delays, cause the undermining of legislation, put the SEC in the position where it has to defend in court, costing them more money that they don't have because they have denied them adequate funding.

□ 1445

This is what this is all about. How do we get our Wall Street friends and cronies back into the business, because Dodd-Frank began to deal with them and to reverse some of what had been happening for far too long. Now they come with this attack and they talk about cost-benefit analysis. Mr. Chairman, this is what they are going to use to ride their way back into making sure that they give the protection and the advantages to all of their friends on Wall Street.

Mr. Trump was not about draining the swamp. He is about making sure

that there is a swamp, digging it deeper and wider.

I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, despite the personal attacks happening on the floor here, I am glad to see that we are making real progress. Apparently, we are making an impact here.

With that, I yield 1½ minutes to the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Chairman, I rise in support of H.R. 78, the SEC Regulatory Accountability Act. If passed, the SEC would be required to follow President Obama's executive order that requires a thorough cost-benefit analysis of new rules and a comprehensive review of existing regulations. Under current law, the SEC must consider the effect of its rules on "efficiency, competition, and capital formation," and weighing costs and benefits is necessary to meet this requirement.

Cost-benefit analysis is not a new idea. Agencies have done this kind of analysis for over 30 years. In fact, it is a bipartisan idea. In 1981, President Reagan issued an executive order requiring Cabinet-level agencies to engage in cost-benefit analysis, which President Clinton expanded with another executive order in 1993.

Unfortunately, independent agencies are not subject to executive orders and those regulated by the SEC have suffered as a result. From 2005 to 2012, SEC regulations were overturned consistently by the courts for inadequate economic analysis and unjustified costs. While the SEC has taken steps to improve its rulemaking process, H.R. 78 will ensure that future rules maximize economic benefit and companies do not face unnecessary hurdles when they access our capital markets. Democrats and Republicans often do not agree on policy, but I hope we can agree on the need for a fair, transparent, and informed process.

I thank my distinguished colleague for introducing this vital legislation.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield the balance of my time to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, I rise in strong opposition to H.R. 78, the SEC Regulatory Accountability Act. This bill would require the SEC to do an absurd amount of time-consuming, duplicative cost-benefit analysis before they can even propose a rule. This is the fourth time, Mr. Chairman, that we are voting on this partisan bill because the previous three times the bill has been rejected by the Senate and President Obama has strongly opposed it.

But let's be clear about what this bill is not about. It is not about ensuring that the SEC conducts a cost-benefit analysis on the rules. If that were the

case, then no legislation would be necessary. The SEC is already required to conduct a cost-benefit analysis and has already adopted internal guidance on economic analysis that mirrors the exact requirements of this bill before us today. So the problem is not that the SEC doesn't currently conduct cost-benefit analyses or that it does it poorly; the real goal of this bill is simply to give the industry more chances to sue the SEC on cost-benefit grounds when it issues rules the industry does not like. That is essentially the only thing that would change if this bill were signed into law.

The SEC's cost-benefit analysis would be the same, but the industry would have more opportunities to sue the SEC over alleged flaws in the cost-benefit analysis. And the threat of a lawsuit would force the SEC to divert even more of its scarce resources to cost-benefit analysis, which would delay the key reforms and undermine the SEC's ability to protect investors— their core mission.

So I urge my colleagues to oppose this bill, as they have in three previous votes before this body.

I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL), the whip of our Financial Services Committee.

Mr. HILL. Mr. Chairman, I thank the gentleman from Michigan for yielding me the time.

Today I rise in support of H.R. 78, the SEC Regulatory Accountability Act.

One can cut the hyperbole on the other side of the aisle with a knife today because we are not here talking about gutting enforcement. We are not here talking about exceptionally benefiting Wall Street operators. What we are talking about is enhancing the SEC's cost-benefit process.

The Commission has made many positive strides toward its economic analysis in the past few years. This bill will enhance their efforts at ranking and providing resources to the rules that will in fact provide investor protection and provide efficient, competitive U.S. markets. Too many of their resources have been deviated on wild goose hunts related to the Dodd-Frank mandates.

During this same time, we have experienced a sharp decline in initial public offerings and public companies generally. Largely, in my view, that is as a result of the regulatory burden and the costs associated with being a public company. This should be a concern to every Member of this body.

This bill would make the SEC's rulemaking process more accountable by enhancing its cost-benefit analysis requirements and would require the Commission to revisit its rules after implementation to ensure they are actually achieving their intended purposes.

This bill does away with the notion that congressional mandates are exempt from cost-benefit analysis and requires the Commission to evaluate these rules as well—a good thing; Congress doesn't always get it right—in addition to identifying alternatives which might even include no rule at all, in short, using common sense.

Requiring this sort of more robust economic analysis will also help the SEC set priorities. Chair White testified before our committee in the past Congress that they have 50 front burners. They can't decide what their most important agenda item is. Let's fix it, Mr. Chairman, by passing this bill.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HUIZENGA. I yield the gentleman an additional 30 seconds.

Mr. HILL. This bill will focus attention where attention is needed to benefit investors, our capital markets, and the economy the most. H.R. 78, along with the HALOS Act that we passed in the House on Tuesday, will help ensure that the SEC regulations do not unnecessarily impede consumer and business access to capital.

I thank the chairman for the time. I appreciate Mrs. WAGNER for her work on this bill.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I enter into the RECORD the following letters of opposition to H.R. 78 signed by the Consumer Federation of America, Americans for Financial Reform, the California State Teachers' Retirement System, and the Council of Institutional Investors. These institutions represent various groups such as investors, consumers, public pension plans, labor unions, and communities of color.

CONSUMER FEDERATION
OF AMERICA,
January 10, 2017.

VOTE NO ON H.R. 78, THE "SEC REGULATORY ACCOUNTABILITY ACT"—BILL WOULD PARALYZE THE AGENCY'S ABILITY TO PROTECT INVESTORS AND PROMOTE MARKET INTEGRITY

DEAR REPRESENTATIVE: This week the House is expected to vote on H.R. 78, the "SEC Regulatory Accountability Act." The bill imposes burdensome new rulemaking requirements that would prevent the agency from responding in a timely manner either to emerging threats in the marketplace or to industry requests for guidance or legal interpretations. As such, it threatens to undermine the stability and integrity essential to healthy capital markets, with harmful consequences for investors, capital formation, and the overall economy. I am writing on behalf of the Consumer Federation of America to urge you to vote no when the bill is brought to the floor for a vote.

The bill is being promoted as a measure to enhance cost-benefit analysis at the Securities and Exchange Commission (SEC). And, in that regard, certain of the bill's requirements are relatively benign, such as the requirements that the agency discuss the nature and scope of the problem it is intending to solve when it engages in rulemaking, carefully analyze available alternatives, and consider the costs of the various alternatives

as well as their relative effectiveness in determining on a course of action. But these are things the SEC already does, having learned the painful lesson that failure to do so can result in its rules' being overturned in court. Indeed, both the Government Accountability Office and the SEC's Office of the Inspector General have in recent years praised the agency for the extent and quality of its cost-benefit analysis.

Other of the bill's provisions are far more harmful. The following are among the most serious problems with this legislation:

It requires the agency to adopt, not the most cost-effective regulatory approach, but the least burdensome approach. As such, it prioritizes minimizing regulatory costs over promoting regulatory effectiveness.

The bill requires the agency to consider a number of specific factors in assessing regulations, including their effect on efficiency, competition, and capital formation as well as investor choice, market liquidity, and small business. Not included are any specific requirement to assess their impact on investor protection or market integrity, stability, and transparency.

If the Commission fails to address concerns raised by "industry groups" related to costs and benefits, it must explain its reasons. There is no comparable requirement to explain any decision not to address investor concerns.

It imposes these burdensome new requirements, not just on regulations, but also on agency orders, interpretations, and other statements of general applicability "that the agency intends to have the force and effect of law." Firms seeking a timely response from the agency staff on issues important to their business are likely to face significant delays if the legislation is enacted.

It requires the agency to engage in a constant retrospective review of all its regulations every five years, regardless of whether there is any cause for concern with a particular regulation. Since the bill doesn't include any new funding authorization to provide for this review, and Congress has been highly reluctant to provide funding increases commensurate with the agency's workload, the inevitable result is that the agency will be forced to take resources away from other more important regulatory priorities to fund this generally meaningless exercise.

While a reasonable and balanced analysis of costs and benefits can promote effective rulemaking, this legislation goes far beyond what is reasonable or balanced. It would tie the SEC in procedural knots, keep its focus on an endless review of existing rules rather than emerging issues, provide endless grounds for legal challenge, causing a serious drain on agency resources, and undermine the agency's focus on its central mission of protecting investors and promoting market integrity and stability. Indeed, the bill would exacerbate rather than ameliorate the most serious short-comings in the agency's current regulatory process—its inability to complete rulemakings regarding pressing issues in a timely manner.

For these reasons, we urge you to vote "No" when H.R. 78, the "SEC Regulatory Accountability Act," is brought to the floor for a vote. The only "accountability" this legislation promotes, is the SEC's accountability to the firms it is supposed to regulate rather than the investors it is supposed to protect.

Respectfully submitted,

BARBARA ROPER,
Director of Investor Protection.

AFR AMERICANS FOR
FINANCIAL REFORM,

Washington, DC, January 12, 2017.

DEAR REPRESENTATIVE: On behalf of Americans for Financial Reform, we are writing to express our opposition to HR 78, the "SEC Regulatory Accountability Act" despite the fact that the Securities and Exchange Commission (SEC) is already subject to more stringent economic analysis requirements than any other Federal financial regulator, and has greatly increased its investment in economic analysis in recent years, this legislation would impose a host of unworkable bureaucratic and administrative requirements on the agency. While they are justified using the rhetoric of "cost benefit analysis", these requirements appear designed not to improve SEC economic analysis but instead to make create major new barriers to effective agency action.

The most prominent new requirement would mandate that the SEC identify every "available alternative" to a proposed regulation or agency action and quantitatively measure the costs and benefits of each such alternative prior to taking action. Since there are always numerous possible alternatives to any course of action, this requirement alone could force the agency to complete dozens of additional analyses before passing a rule or guidance. Placing this mandate in statute will also provide near-infinite opportunities for Wall Street lawsuits aimed at halting or reversing SEC actions, and would be a gift to litigators who work on such anti-government lawsuits. No matter how much effort the SEC devotes to justifying its actions, the question of whether the agency has identified all possible alternatives to a chosen action, and has properly measured the costs and benefits of each such alternative, will always remain open to debate.

Like other agencies, the SEC is already required to conduct economic analyses under the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act. Unlike all other financial regulators, the SEC also has additional statutory requirements to examine how each rule affect market efficiency, competition, and capital formation. The SEC has also issued binding internal guidance on economic analysis for rulemakings that closely follows Executive Order 12866 and OMB Circular A-4, and has more than tripled its spending on economic and risk analysis since 2012.

Despite these already existing commitments to economic analysis, this proposal would load the agency with a crushing burden of additional administrative burdens under the rubric of "cost-benefit analysis". In addition to the enormous task of identifying and analyzing every available alternative to a course of action, the agency would be required to perform half a dozen new analyses in addition to its current requirements concerning market efficiency, competition, and capital formation. These new requirements include analyses of effects on small business, market liquidity, state and local government, investor choice, and "market participants". Notably, no new requirements concerning the protection of investors or preventing another financial crash are included.

This legislation also requires the SEC to review every single regulation in effect within one year after the passage of this Act, and again every five years thereafter, with an eye to weakening or eliminating such regulations. This will be an enormous drain on SEC resources and a distraction from addressing emerging issues in our ever more complex financial markets.

This legislation is transparently an effort to paralyze the SEC and to empower Wall Street lawyers to overturn its decisions, not to improve its analysis or decision making. We urge you to reject it.

Thank you for your consideration. For more information please contact AFR's Policy Director, Marcus Stanley.

Sincerely,

AMERICANS FOR FINANCIAL REFORM.

CALIFORNIA STATE TEACHERS'
RETIREMENT SYSTEM,

January 10, 2017.

Re H.R. 78—SEC Regulatory Accountability Act.

Hon. JEB HENSARLING,
Chairman, House Committee on Financial Services, Washington, DC.

Hon. MAXINE WATERS,
Ranking Member, House Committee on Financial Services, Washington, DC.

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: I am writing on behalf of the California State Teachers' Retirement System (CalSTRS) to express our concerns regarding the SEC Regulatory Accountability Act—H.R. 78.

CalSTRS' mission is to secure the financial future and sustain the trust of California's educators. We serve the investment and retirement interests of more than 914,000 plan participants. CalSTRS is the largest educator only pension fund in the world, with a global investment portfolio valued at approximately \$193 billion as of November 30, 2016. We have a vested interest in ensuring shareholder protections are safeguarded within the U.S. Securities and Exchange Commission's (SEC) rules and regulations, and thereby are keenly interested in the rules and regulations that govern the securities market. CalSTRS fully supports the mission of the SEC, which is to protect investors, maintain fair, orderly and efficient markets, promote competition and facilitate capital formation.

As a long-term shareholder, and fiduciary to California's teachers, we believe it is vital to avoid unnecessary regulatory costs that could obstruct the efficiency of the capital markets and the economy. CalSTRS relies heavily on the SEC shareholder protections in allocating capital on behalf of California teachers. However, CalSTRS is unclear on how the provisions of H.R. 78 would improve the cost-effectiveness of the SEC rulemaking process with the addition of these cumbersome, unnecessary and seemingly duplicative steps. As you know the Office of Inspector General, Office of Audits (OIG) issued a report, *Use of the Current Guidance on Economic Analysis in SEC Rulemakings*, which provided six recommendations to strengthen the SEC's economic analysis process. The report by the OIG found in its sample review that the SEC "followed the spirit and intent of the Current Guidance as well as . . . justification for the rule, considered alternatives and integrated the economic analysis into the rulemaking process." The proposed "SEC Regulatory Accountability Act" requires the SEC to address any industry's or consumer group's concerns on the potential costs or benefits in its final rule, including an explanation of any changes that were made in response to these concerns and if not incorporated, reasons why.

Since this report, the Division of Economic and Risk Analysis (DERA) at the SEC has devoted considerable resources to integrate the six recommendations, having already addressed what is being proposed in the "SEC

Regulatory Accountability Act." We fully endorse the SEC's current process, which ensures a robust cost benefit analysis in rulemakings. The SEC, DERA and Office of the General Counsel are highly committed to a cost effective rulemaking process as evidenced by the current diligent economic analysis in the SEC proposed and final rulemakings.

The proposed amendments to Section 23 of the Securities Exchange Act of 1934 through H.R. 78 are unnecessary as DERA currently fulfills the actions outlined in this bill. We believe H.R. 78 is redundant and unneeded with the steps already taken by the SEC in their economic analysis processes. Also alarming is that H.R. 78 is being brought directly to the House Floor for action without any consideration or vetting by the Committee on Financial Services. CalSTRS does not support circumventing the vetting process with an immediate vote, bypassing comprehensive safeguards. If this this bill is pushed through an immediate vote, we are concerned important rulemakings to enhance investor protection will cease at the SEC, thereby impacting shareholder protections and the mission of the SEC.

We respectfully ask that our views be entered into the record. We would be happy to discuss our perspective on this issue with you or your staff at your convenience. Thank you for your consideration.

Sincerely,

JACK EHNES,
Chief Executive Officer.

COUNCIL OF INSTITUTIONAL INVESTORS,
January 11, 2017.

Hon. PAUL D. RYAN,
House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER AND MINORITY LEADER PELOSI: I am writing on behalf of the Council of Institutional Investors (CII). CII is a non-profit, nonpartisan association of public, corporate and union employee benefit funds, and other employee benefit plans, foundations and endowments with combined assets under management exceeding \$3 trillion. Our member funds include major long-term shareowners with a duty to protect the retirement savings of millions of workers and their families. Our associate members include a range of asset managers with more than \$20 trillion in assets under management.

The purpose of this letter is to express our opposition to H.R. 78, which we understand is likely to be considered on the floor of the U.S. House of Representatives (House).

As an association of long-term shareowners interested in maximizing long-term share value, CII believes it is "vital to avoid unnecessary regulatory costs." However, it is not clear to us how the provisions of H.R. 78 would improve the cost-effectiveness of the U.S. Securities and Exchange Commission's (SEC or Commission) existing thorough rulemaking process or somehow benefit long-term investors, the capital markets or the overall economy.

SEC'S EXISTING ECONOMIC ANALYSIS IS
EXTENSIVE

The Commission's rulemaking process is already governed by a number of legal requirements, including those under the federal securities laws, the Administrative Procedure Act, the Paperwork Reduction Act of 1980, the Small Business Regulatory Enforcement Fairness Act of 1996 and the Regu-

latory Flexibility Act. Moreover, under the federal securities laws, the SEC is generally required to consider whether its rulemakings are in the public interest and will protect investors and promote efficiency, competition and capital formation.

Since the 1980s, the Commission has conducted, to the extent possible, an analysis of the costs and benefits of its proposed rules. The SEC has further enhanced the economic analysis of its rulemaking process in recent years. That process is far more extensive than that of any other federal financial regulator.

H.R. 78 WOULD UNNECESSARILY IMPEDE THE SEC
FROM PROTECTING INVESTORS

The provisions of H.R. 78 create a false and misleading expectation that the SEC can reasonably measure, combine and compare the balance of all costs and benefits of its proposals consistent with its mandate to protect investors. As explained by Professor Craig M. Lewis, former chief economist and director of the SEC's Division of Economic and Risk Analysis: "[W]ith regard to investor protection, the Commission is often unable to reasonably quantify the related benefits or costs."

H.R. 78, if adopted, would impose upon the SEC a costly, time consuming and incomplete analysis in which the Commission would be hard pressed to determine that the benefits of a proposal or rule "justify the costs of the regulation." As a result, we believe the provisions of H.R. 78 would unnecessarily impede the ability of the SEC to issue proposals in furtherance of its mission to protect investors—the element of its mission that, in our view, is most critical to maintaining and enhancing a fair and efficient capital market system consistent with economic growth.

H.R. 78 SHOULD BE SUBJECT TO A PUBLIC
HEARING

Finally, as indicated, it is not clear to us how the provisions of H.R. 78 would improve the cost-effectiveness of SEC rulemaking or benefit long-term investors, the capital markets or the overall economy. Moreover, we believe it is unlikely that the House could demonstrate that the benefits to investors of H.R. 78 justify the costs of implementing the bill. In that regard, perhaps before the House votes on H.R. 78, the committee of jurisdiction; the House Committee on Financial Services (including its fourteen new members) should conduct a public hearing on the bill. The hearing might include testimony from the SEC, investors, and other knowledgeable market participants about, among other issues, the potential costs and benefits of the proposed legislation.

We would respectfully request that you oppose the passage of H.R. 78.

Thank you for consideration of our views. If we can answer any questions or provide additional information on this important matter, please do not hesitate to contact me.

Sincerely,

JEFF MAHONEY,
General Counsel.

BETTER MARKETS

FACT SHEET ON H.R. 78, THE SEC REGULATORY
ACCOUNTABILITY ACT

H.R. 78 amends the Securities Exchange Act of 1934 and requires the Securities and Exchange Commission (SEC) to follow burdensome new procedures before it issues any new rules.

The SEC is the federal agency responsible for protecting investors and markets by regulating securities professionals and much of

the financial industry, including most of the activities on Wall Street. H.R. 78 would impose significant new and onerous requirements on the SEC, which would make it much more difficult to effectively regulate Wall Street and protect investors and our markets.

Specifically, H.R. 78 requires the SEC to undertake extensive cost-benefit analyses of every proposed rule, and requires the SEC, before even proposing a new regulation, to first identify every “available alternative”—an impossible standard to meet—and to then explain why each of those alternatives was insufficient. Not only would this bog down the agency with endless analysis of all possibilities, but it would also result in endless litigation as industry participants sue to overturn rules they don’t like; industry would only have to assert that the SEC hadn’t considered some alleged “available alternative” for the rule to be thrown out. This would effectively paralyze the SEC from issuing any new rules, leaving investors, customers and our markets unprotected.

Not just new regulations would be impacted; long-established, decades-old rules that have kept the markets operating effectively for years would also be in jeopardy. H.R. 78 requires the SEC to review every regulation on its books within one year, and repeat the exercise every five years. Because H.R. 78 does not provide additional funding for the SEC, it is inevitable that these requirements would overwhelm the agency, which would have to divert its already limited resources away from policing Wall Street to endlessly reviewing rules.

Although H.R. 78 requires the SEC to consider a rule’s impact on the financial industry, there is no such requirement for the SEC to consider its benefits to the public. H.R. 78 does not explain why the SEC should weigh a rule’s costs to the industry more than it weighs its benefits to the American taxpayer.

Importantly, the SEC already does extensive economic analyses of its rules. Former SEC Chairman Mary Schapiro testified before Congress that “The SEC’s substantive rule releases include more extensive economic analysis than those of any other federal financial regulator.” Independent reviews by the Government Accountability Office and the SEC’s Inspector General concluded the SEC’s economic analyses were of a high standard and appropriately “reflected statutory requirements to consider certain types of benefits and costs.”

As noted by the Council of Institutional Investors, requiring SEC to do cost-benefit analyses like those proposed in H.R. 78 would “undermine effective investor safeguards” and “paralyze the [SEC’s] regulatory activities.” Former SEC Chairman Arthur Levitt said these efforts were attempts by Congress to “emasculate” independent agencies like the SEC “under the false guise of modernization.” In an article entitled “The Trojan Horse of Cost Benefit Analysis,” John Kemp, a market analyst at Reuters, said bills like H.R. 78 “are not really about cost benefit analysis at all. . . . The standard they seek to enforce would be impossible to meet.”

115th Congress—January 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Texas (Mr. AL GREEN), a member of the Financial Services Committee.

Mr. AL GREEN of Texas. Mr. Chairman, I thank the gentlewoman for yielding.

I am absolutely amazed this legislation has progressed to this point. This is not a panacea. This is not legislation that will prevent some harm being done to mom-and-pops. This is about Wall Street. This is about multi-million-dollar corporations. It is not unusual here for those who would benefit from the use of those who live on Main Street, they would benefit from it by saying that the bill is for Main Street when in fact it is for Wall Street.

This bill should properly be labeled the bill that the SEC rulings would come under stagnation, litigation, and decimation as a result of, because the way the bill is worded, there will be much litigation, and that litigation will tie the SEC up in court for many years. That will create the stagnation which will cause the SEC to be ineffective; and, as a result, the SEC, in terms of its rulemaking, will be decimated.

Let’s talk for a moment about a cost-benefit analysis. That is a very simple formula that can be used if you want to refinance your home and you want to get a different interest rate over a different period of time. All of the numbers associated with it are quantifiable. But if you want to do cost-benefit analysis in terms of fraud prevention, the prevention of fraud is not quantifiable; it is not knowable.

Bernie Madoff made off with approximately \$64 billion, and in so doing, he perpetrated one of the biggest frauds ever perpetrated on the United States of America, the American people. If we had a regulation in place to prevent that fraud that Bernie Madoff perpetrated, there would be no way of knowing that he would have perpetrated the \$64 billion fraud. You can’t quantify legislation that prevents the fraud.

If we had legislation in place to prevent the downturn in 2008, that would have prevented the 327s, the 228s, the teaser rates that coincided with prepayment penalties, the no-doc loans. If we had regulations in place to prevent it, then we would never have known the harm it would have caused the economy.

That is what this bill will do. It will put the SEC in a position such that it cannot produce the rules to prevent the fraud that we can never measure. It is not knowable how much fraud will be prevented by the rules that the SEC promotes and produces.

This legislation also does not allow the SEC to move at the speed of innovation. Innovation moves quickly. The SEC has to be able to produce rules to match the speed of innovation. This is why it was difficult to do something about what was happening to the economy leading up to 2008. We didn’t have the speed necessary, and now we are going to put a further burden on the SEC such that the SEC won’t be able to respond to these new products that are

coming on the market. And make no mistake, they will come on the market.

The stock market crash of 1929 was something that rules and regulations could have prevented. They were not there. They put them in place. Glass-Steagall was one of them. It took 66 years, but they got Glass-Steagall. I don’t know how long it is going to take them, but they intend to get Dodd-Frank. This is the first step in the direction of making Dodd-Frank important.

Mr. HUIZENGA. Mr. Chairman, at this time I yield 3 minutes to the gentleman from Illinois (Mr. HULTGREN), the vice chairman of the Capital Markets Subcommittee.

□ 1500

Mr. HULTGREN. Mr. Chairman, I rise today to speak in support of the SEC Regulatory Accountability Act. I thank the gentlewoman from Missouri (Mrs. WAGNER) for championing this important legislation.

Those of us who were in Congress last year will remember the leadership of Scott Garrett in ensuring our financial regulators, especially the SEC, make use of robust cost-benefit analysis while imposing rules on businesses and the American people.

That is why this bill was reported from the Financial Services Committee with bipartisan support in the 114th Congress and has consistently received votes from both sides of the aisle in the past.

Policymaking can be tough. There are always dozens of pros and cons that need to be considered. Every good idea, even those with the best of intentions, likely have minor drawbacks. However, the idea of ensuring benefits exceed the costs should not be a partisan one. We are simply saying that our government’s policies should do more good than harm.

You might be surprised to hear that the SEC’s Inspector General has issued a report expressing several concerns about the quality of the SEC’s economic analysis. It found none of the rulemaking it examined attempted to quantify either benefits or costs other than information collection costs. However, our job creators and investors know the scope of the potential cost is far broader than this.

That is exactly what the SEC Regulatory Accountability Act does. It strengthens the cost-benefit analysis at a key regulator overseeing our financial markets.

While the SEC has some existing cost-benefit-related policies put forth by its staff, this bill would strengthen those requirements and ensure that they are codified so that we can be certain that future generations benefit from prudent rulemaking.

It would also subject the SEC to Executive Orders 12866 and 13563 issued by Presidents Clinton and Obama.

Oddly enough, some have even made the argument that rules promulgated by the SEC should not be subject to cost-benefit analysis if they were mandated by Congress. I don't know where they got this idea, but it is a chilling reminder that Congress must do more to ensure that the SEC avoids politically motivated rulemaking that disregards the foundations of sound policy.

In testimony before the committee last year, Dan Gallagher, a former Republican SEC Commissioner, noted the CEO pay ratio disclosure rule as a prime example of agency lawyers taking advantage of loopholes in the cost-benefit analysis rules and imposing significant burdens on public companies. This could become a slippery slope if not stopped by Congress.

We have an opportunity today to protect our capital markets, investors, and job creators by ensuring that the SEC is doing less harm than good. I would urge all of my colleagues to vote in favor of sound policymaking criteria and support Mrs. WAGNER's important legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

I would like to share with my colleagues and the American public how American organizations that work day in and day out to fight to protect investors, consumers, minorities, workers, and pension plans view this bill.

The director of investor protection of the Consumer Federation of America states: "This legislation goes far beyond what is reasonable or balanced and, indeed, the bill would exacerbate, rather than end the most serious shortcomings in the agency's current regulatory process, its inability to complete rulemaking regarding pressing issues in a timely manner."

The general counsel of Council of Institutional Investors stated: "We believe the provisions of H.R. 78 would unnecessarily impede the ability of the SEC to issue proposals in furtherance of its mission, its mission to protect investors."

Finally, the Americans for Financial Reform stated: "This legislation is transparently an effort to paralyze the SEC and to empower Wall Street lawyers to overturn its decisions and sue and not to improve its analysis or decisionmaking process."

I urge my colleagues to heed these warnings and to really hear what these representatives of the public are saying; and I urge them to vote "no" on the underlying bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, may I inquire as to what is the balance of the time remaining on each side?

The Acting CHAIR. The gentleman from Michigan has 10¼ minutes remaining. The gentlewoman from New York has 6½ minutes remaining.

Mr. HUIZENGA. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. ROSS).

Mr. ROSS. Mr. Chairman, I thank my good friend from Michigan (Mr. HUIZENGA).

I rise today in support of my good friend from Missouri (Mrs. WAGNER's) legislation, H.R. 78, the SEC Regulatory Accountability Act.

The American people have grown tired of unaccountable and unelected Washington bureaucrats bringing forward burdensome regulations without fully considering the effect on families in our districts.

This simple and straightforward legislation would enact a statutory requirement for the SEC to outline enhanced economic analysis requirements for any new regulations before they can be enacted. It also requires a review of existing regulations to determine if they are unduly burdensome or duplicative.

Accountability. The impact of burdensome regulations that lack a thorough vetting by the SEC can have an untold effect across our entire economy.

Court cases, Government Accountability Office reports, and the SEC's own Office of Inspector General have raised important questions and recommended improvements to various components of the SEC's economic analysis in its rulemaking.

This legislation would go further by prohibiting the SEC from issuing a rule when it cannot make a reasoned determination that the benefits of the intended regulation justify the cost of the regulation. Logic and reason.

In closing, I support this good-government, commonsense legislation introduced by Chair WAGNER. The SEC Regulatory Accountability Act will take an important step in preventing the SEC from implementing a regulation before understanding its full impact on our economy and on the families in our congressional districts and across the country.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

My Republican colleagues, regrettably, want to impose cost-benefit analysis that tilts towards industry costs because they know something that they don't want the American people to know. An impartial cost-benefit analysis of Wall Street reform rules would inevitably demonstrate how wildly beneficial such rules are to the U.S. economy and to the lives of everyday Americans.

Earlier this week, the bipartisan think tank, Third Way, found that Dodd-Frank's bank capital rules will add \$351 billion—as in B, billion—to the U.S. economy over the next 10 years. This report presents a cost-benefit analysis that shows that, while lending becomes slightly more expensive when

banks are required to maintain higher capital levels, the benefits of mitigating another financial crisis greatly exceed any costs. This report is one of many which Republicans intentionally ignore.

Reducing the likelihood of another financial crisis does not come without cost, but the costs are worth it. Let us not forget the widespread human suffering that has been felt across this Nation because of the financial crisis. The 2008 financial crisis destroyed 8.7 million American jobs, wiped out \$2.8 trillion in retirement savings of ordinary Americans, and led to the foreclosure, the loss—15 million Americans lost their homes due to financial mismanagement in this country.

If those aren't significant costs for policymakers to consider, then what else is?

Mr. Chairman, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. ROYCE), the chairman of the House Foreign Affairs Committee.

Mr. ROYCE of California. Mr. Chairman, this has been an issue in Europe. It has been an issue in the United States. I would like to make the point that, with respect to looking at economic analysis and making certain that it is bipartisan, I think there is a way to make certain it is objective.

As I look at the underlying text and then look at the amendment that we are accepting, we should reflect on this. We are going to have the SEC here look at both the protection of investors and the effects to ensure competition and efficiency. So I would explain to the Members that adding that into what I already thought was pretty exacting rules here in terms of an objective analysis should really succeed in our attempt here.

And what is the attempt in this Regulatory Accountability Act?

It is to make sure that the U.S. capital markets are unmatched in terms of their size, their depth, their resiliency, and transparency. And this Regulatory Accountability Act gives the Commission the opportunity to ensure that its rules and regulations, past and present, each of those are worth pursuing when measured against their economic costs.

Growing access to capital, protecting investors, preserving the world's strongest capital markets are not mutually exclusive objectives here.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HUIZENGA. I yield the gentleman an additional 15 seconds.

Mr. ROYCE of California. And here is what I would like to point out. The European Union clearly recognizes this conundrum right now. They are launching a call for evidence to investigate the unintended consequences created by their regulatory framework

because they are searching for balance in this, too, to make sure that they have retrospective examination.

It is prudent. Frankly, as the effectiveness of regulation is measured by outcomes rather than volume in a situation like this, it drives us toward efficiency in the market.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

I want to point out that with Dodd-Frank and the reforms that the Democrats put in place, our economy bounded back faster and stronger than all of Europe. And I must say that one of the areas that we need to work on, where we are falling behind in our economy, is exports. We need to support exports.

Despite all the talk that we hear from Republicans about enacting policies that support jobs and job creation, and the slew of tweets from the President-elect discouraging American companies from moving U.S. jobs overseas—and I support his efforts to stop our companies from going overseas—one proven job creator has remained on the sidelines, and that is the U.S. Export-Import Bank. This Bank has played a critical role in opening up international markets to U.S. exporters, which, in turn, helps create and preserve jobs here in America.

The export-import banks of our competitors are supported by those countries five times more than what we do here in America. In fact, the ability of the Export-Import Bank to even operate, even though it makes money and has succeeded in building up American exports, has been hamstrung by the leadership of my good friends and colleagues on the other side of the aisle.

In recognition of the Bank's success and supporting U.S. jobs over the past 80 years, in December of 2015 the House and the Senate voted with overwhelming majorities to reauthorize the Export-Import Bank. Despite this broad support, the Bank has remained hamstrung because, with three empty seats on its five-member board, the Bank lacks the quorum it needs in order to approve transactions over \$10 million.

Although President Obama nominated two individuals to serve on the Ex-Im's bipartisan board, the Senate Republican leadership refused to consider them, and Ex-Im's board remains without a quorum. They can not approve these exports. I think it is a national scandal.

Indeed, it has been more than 18 months since the Export-Import Bank's board was last able to consider transactions, which has limited its ability to ensure U.S. workers and businesses of all sizes are able to compete around the world for contracts, as well as support jobs for the many small businesses that contribute to the supply chains for these high-value exports.

□ 1515

In fact, the bank currently has 50 transactions in its pipeline valued at nearly \$40 billion, which, if approved, would support more than 100,000 American high-skill and high-wage jobs. I intend to bring this to the attention of the President-elect.

So, as we talk today about how these Republican bills will create American jobs, I think it is important that we look at the GOP's full record on job creation or, might I say in this case, job prevention. As their record shows, Republican leaders have been all too willing to let U.S. jobs slip away to our foreign competitors.

Until Congress restores Ex-Im to full functionality, U.S. companies selling expensive capital goods such as aircraft, locomotives, nuclear reactors, and turbines will remain at a unique competitive disadvantage because their foreign competitors all enjoy ample financing from their home-country export credit agencies—enough to easily knock U.S. companies out of the competition. This is unfair.

We cannot compete and win in the global economy unless we support our businesses. We will lose global market share in key sectors such as the satellite industry, aerospace, and telecommunications. We will lose tens of thousands of jobs as some of the biggest U.S. exports suffer declining overseas sales, and, eventually, some of these companies would be forced to move jobs to where export credit is still available. We have seen this reported in the news daily where they are moving to our competitors.

So, in short, we need to support the Export-Import Bank. We need to not hamstring the SEC by requiring it to have unnecessary, time-consuming, duplicative rules that are already in place and that allow people to sue them more easily.

Mr. Chairman, I urge my colleagues on both sides of the aisle who care, as President-elect Trump does, about job creation to be opposed to this bill.

Mr. Chair, I yield back the balance of my time.

Mr. HUIZENGA. Mr. Chairman, may I inquire as to the balance of the time remaining?

The Acting CHAIR. The gentleman from Michigan has 7 minutes remaining. The gentlewoman from New York's time has expired.

Mr. HUIZENGA. Mr. Chairman, at this time, I do not intend to yield to the gentlewoman from New York, even though I struggle to understand how the Export-Import Bank had anything to do with what we are talking about here today.

Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON), a member of the Financial Services Committee.

Mr. TIPTON. Mr. Chairman, the SEC Regulatory Accountability Act sub-

jects the SEC to enhanced cost-benefit analysis requirements and requires a review of existing regulations.

By promoting economic analysis requirements during the regulatory process, this bill ensures that regulation writing is data driven and not done on an ad hoc basis with little thought to the true impact the expanding regulatory net has on businesses and the economy.

It is a mistake for regulators over-seeing our financial system and the capital markets, including the SEC, to promulgate regulations without fully considering the costs and benefits, as well as all of the available regulatory alternatives.

This bill also takes the commonsense approach of requiring the SEC to evaluate whether a proposed regulation is inconsistent with, or duplicative of, other Federal regulations. When our businesses are being overwhelmed by compliance obligations that demand more and more time and resources, it is crucial that our regulators do everything in their power to ensure that regulations are effective, streamlined, and nonduplicative to minimize impact.

It is important to note that this legislation does not limit the SEC's rule-making authority in any capacity. The bill appropriately strengthens the SEC's existing cost-benefit-related requirements to ensure that the true impact of regulations can be calculated.

To advocate for the status quo and against this legislation shows a fundamental misunderstanding of the financial system and the regulatory process. This legislation is a vote of confidence that, with the appropriate tools and a data-driven approach, our regulatory agencies can create a framework of safety and soundness that does not unduly burden our economy.

I am happy to lend my support to this bill and encourage my colleagues to support this commonsense measure. I, again, thank the gentlewoman from Missouri for her efforts on this legislation.

Mr. HUIZENGA. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, Americans have heard time and time again over the last 8 years that our economy is in the slowest recovery since World War II. Why? It is because unelected bureaucrats bypass this body of Congress and continually push out hundreds of burdensome regulations onto American families who are struggling just to get by.

The onslaught of regulations by this administration has proven to kill jobs, shut down businesses, and stifle our economic growth. But now it is time to make good on our promise to make a brighter future for Americans and begin to turn this Nation around.

Just as the American people expect us to know what it is in a bill before we

vote on it, it is equally important to know what is in a regulation.

Most Federal agencies are required to conduct a thorough cost-benefit analysis of each regulation before finalizing it. But this isn't always the case for the Securities and Exchange Commission. While the SEC is subject to some cost-benefit requirements when a new regulation could have an overbearing impact on our marketplaces, they are exempt from having to identify alternative policies.

I rise today in support of the SEC Regulatory Accountability Act because it will require the SEC to follow its own core principle of disclosure that it, in itself, enforces on the securities industry in this Nation. This bill would require the SEC to disclose all the costs and benefits of each proposed regulation to the public.

We must not allow regulatory agencies to be a roadblock to job creation by failing to consider the impact proposed rules would have on our securities market. Additionally, this bill requires the SEC to clearly identify the nature of the issue before establishing a new regulation.

Mr. Chairman, our economy cannot flourish without healthy capital markets. We must hold regulatory agencies to strict standards, just as they do the businesses they regulate across this Nation. This bill takes meaningful steps toward achieving these goals, and I urge my colleagues to vote "yes."

Mr. HUIZENGA. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina (Mr. BUDD), a new member of the Financial Services Committee.

Mr. BUDD. Mr. Chairman, the debate over financial regulation is not just about more versus less. It is also about the idea that financial liberty and personal liberty are connected, and they have been for most of history.

This goes back to the Middle Ages, when widespread use of a bill of exchange—basically, a check—made it much more difficult for government to wrongly take people's wealth. That development was one of the first building blocks of limited government.

Now, today, we see a similar principle at work in global capital. Like the bill of exchange placing gold or silver out of the reach of government, the connected global economy allows capital to flow away from harsh regulation. Countries that get it right are the ones that win.

There are a number of statistics that suggest that we are getting the short end of the stick in this arena. We are losing our financial competitiveness. For example, nearly 10 percent of foreign companies left the New York Stock Exchange this year, almost double the historic average. Finally, from 2010 to 2016, the United States slipped from 6th to 11th in the Index of Economic Freedom.

While this problem has a number of causes, the Securities and Exchange Commission Regulatory Accountability Act will help improve our economic competitiveness by requiring that the SEC put its regulations through a strong cost-benefit analysis and review regulations that are just plain outdated.

I urge a "yes" vote.

Mr. HUIZENGA. Mr. Chairman, I yield myself the balance of my time.

I would just like to point out to those watching on TV the earlier Democrat-sponsored hot air portion of the bill today.

You heard about the Export-Import Bank. You heard about Bernie Madoff. You heard about the Dodd-Frank Act being the only answer to an economic crisis that was caused by a housing crisis which, by the way, the Dodd-Frank Act did nothing about. By the way, on the Bernie Madoff situation, the SEC ignored a whistleblower for 10 years.

This bill has nothing to do with fraud, and it is not about a trial of the effectiveness or lack thereof of the SEC today. This is about a commonsense notion that we ought to actually identify the target that these rules are trying to hit and then find out if it is the right target and analyze that.

What you see on the other side of the aisle is the philosophy that more is better: the more regulation that the SEC has, the more paperwork, a bigger budget with more employees. We are not sure what their effectiveness is, and we are not sure what exactly they are trying to achieve here, but all we can tell you is that more is better. Damn the costs; it doesn't matter.

That is, obviously, not the intent that we have on this side of the aisle. We are trying to make sure that the proper protection of the investors is there. We are trying to make sure that the three parts of the SEC's mandate, of which one of those is capital formation and creating a robust atmosphere, are actually happening.

I urge passage of the bill.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 78

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "SEC Regulatory Accountability Act".

SEC. 2. CONSIDERATION BY THE SECURITIES AND EXCHANGE COMMISSION OF THE COSTS AND BENEFITS OF ITS REGULATIONS AND CERTAIN OTHER AGENCY ACTIONS.

Section 23 of the Securities Exchange Act of 1934 (15 U.S.C. 78w) is amended by adding at the end the following:

"(e) CONSIDERATION OF COSTS AND BENEFITS.—

"(1) IN GENERAL.—Before issuing a regulation under the securities laws, as defined in section 3(a), the Commission shall—

"(A) clearly identify the nature and source of the problem that the proposed regulation is designed to address, as well as assess the significance of that problem, to enable assessment of whether any new regulation is warranted;

"(B) utilize the Chief Economist to assess the costs and benefits, both qualitative and quantitative, of the intended regulation and propose or adopt a regulation only on a reasoned determination that the benefits of the intended regulation justify the costs of the regulation;

"(C) identify and assess available alternatives to the regulation that were considered, including modification of an existing regulation, together with an explanation of why the regulation meets the regulatory objectives more effectively than the alternatives; and

"(D) ensure that any regulation is accessible, consistent, written in plain language, and easy to understand and shall measure, and seek to improve, the actual results of regulatory requirements.

"(2) CONSIDERATIONS AND ACTIONS.—

"(A) REQUIRED ACTIONS.—In deciding whether and how to regulate, the Commission shall assess the costs and benefits of available regulatory alternatives, including the alternative of not regulating, and choose the approach that maximizes net benefits. Specifically, the Commission shall—

"(i) consistent with the requirements of section 3(f) (15 U.S.C. 78c(f)), section 2(b) of the Securities Act of 1933 (15 U.S.C. 77b(b)), section 202(c) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(c)), and section 2(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(c)), consider whether the rule-making will promote efficiency, competition, and capital formation;

"(ii) evaluate whether, consistent with obtaining regulatory objectives, the regulation is tailored to impose the least burden on society, including market participants, individuals, businesses of differing sizes, and other entities (including State and local governmental entities), taking into account, to the extent practicable, the cumulative costs of regulations; and

"(iii) evaluate whether the regulation is inconsistent, incompatible, or duplicative of other Federal regulations.

"(B) ADDITIONAL CONSIDERATIONS.—In addition, in making a reasoned determination of the costs and benefits of a potential regulation, the Commission shall, to the extent that each is relevant to the particular proposed regulation, take into consideration the impact of the regulation on—

"(i) investor choice;

"(ii) market liquidity in the securities markets; and

"(iii) small businesses.

"(3) EXPLANATION AND COMMENTS.—The Commission shall explain in its final rule the nature of comments that it received, including those from the industry or consumer groups concerning the potential costs or benefits of the proposed rule or proposed rule change, and shall provide a response to those comments in its final rule, including an explanation of any changes that were made in response to those comments and the reasons that the Commission did not incorporate those industry group concerns related to the potential costs or benefits in the final rule.

“(4) REVIEW OF EXISTING REGULATIONS.—Not later than 1 year after the date of enactment of the SEC Regulatory Accountability Act, and every 5 years thereafter, the Commission shall review its regulations to determine whether any such regulations are outmoded, ineffective, insufficient, or excessively burdensome, and shall modify, streamline, expand, or repeal them in accordance with such review. In reviewing any regulation (including, notwithstanding paragraph (6), a regulation issued in accordance with formal rulemaking provisions) that subjects issuers with a public float of \$250,000,000 or less to the attestation and reporting requirements of section 404(b) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7262(b)), the Commission shall specifically take into account the large burden of such regulation when compared to the benefit of such regulation.

“(5) POST-ADOPTION IMPACT ASSESSMENT.—

“(A) IN GENERAL.—Whenever the Commission adopts or amends a regulation designated as a ‘major rule’ within the meaning of section 804(2) of title 5, United States Code, it shall state, in its adopting release, the following:

“(i) The purposes and intended consequences of the regulation.

“(ii) Appropriate post-implementation quantitative and qualitative metrics to measure the economic impact of the regulation and to measure the extent to which the regulation has accomplished the stated purposes.

“(iii) The assessment plan that will be used, consistent with the requirements of subparagraph (B) and under the supervision of the Chief Economist of the Commission, to assess whether the regulation has achieved the stated purposes.

“(iv) Any unintended or negative consequences that the Commission foresees may result from the regulation.

“(B) REQUIREMENTS OF ASSESSMENT PLAN AND REPORT.—

“(i) REQUIREMENTS OF PLAN.—The assessment plan required under this paragraph shall consider the costs, benefits, and intended and unintended consequences of the regulation. The plan shall specify the data to be collected, the methods for collection and analysis of the data and a date for completion of the assessment. The assessment plan shall include an analysis of any jobs added or lost as a result of the regulation, differentiating between public and private sector jobs.

“(ii) SUBMISSION AND PUBLICATION OF REPORT.—The Chief Economist shall submit the completed assessment report to the Commission no later than 2 years after the publication of the adopting release, unless the Commission, at the request of the Chief Economist, has published at least 90 days before such date a notice in the Federal Register extending the date and providing specific reasons why an extension is necessary. Within 7 days after submission to the Commission of the final assessment report, it shall be published in the Federal Register for notice and comment. Any material modification of the plan, as necessary to assess unforeseen aspects or consequences of the regulation, shall be promptly published in the Federal Register for notice and comment.

“(iii) DATA COLLECTION NOT SUBJECT TO NOTICE AND COMMENT REQUIREMENTS.—If the Commission has published its assessment plan for notice and comment, specifying the data to be collected and method of collection, at least 30 days prior to adoption of a final regulation or amendment, such collection of data shall not be subject to the notice

and comment requirements in section 3506(c) of title 44, United States Code (commonly referred to as the Paperwork Reduction Act). Any material modifications of the plan that require collection of data not previously published for notice and comment shall also be exempt from such requirements if the Commission has published notice for comment in the Federal Register of the additional data to be collected, at least 30 days prior to initiation of data collection.

“(iv) FINAL ACTION.—Not later than 180 days after publication of the assessment report in the Federal Register, the Commission shall issue for notice and comment a proposal to amend or rescind the regulation, or publish a notice that the Commission has determined that no action will be taken on the regulation. Such a notice will be deemed a final agency action.

“(6) COVERED REGULATIONS AND OTHER AGENCY ACTIONS.—Solely as used in this subsection, the term ‘regulation’—

“(A) means an agency statement of general applicability and future effect that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency, including rules, orders of general applicability, interpretive releases, and other statements of general applicability that the agency intends to have the force and effect of law; and

“(B) does not include—

“(i) a regulation issued in accordance with the formal rulemaking provisions of section 556 or 557 of title 5, United States Code;

“(ii) a regulation that is limited to agency organization, management, or personnel matters;

“(iii) a regulation promulgated pursuant to statutory authority that expressly prohibits compliance with this provision; and

“(iv) a regulation that is certified by the agency to be an emergency action, if such certification is published in the Federal Register.”

SEC. 3. SENSE OF CONGRESS RELATING TO OTHER REGULATORY ENTITIES.

It is the sense of the Congress that the Public Company Accounting Oversight Board should also follow the requirements of section 23(e) of such Act, as added by this title.

SEC. 4. ACCOUNTABILITY PROVISION RELATING TO OTHER REGULATORY ENTITIES.

A rule adopted by the Municipal Securities Rulemaking Board or any national securities association registered under section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o-3) shall not take effect unless the Securities and Exchange Commission determines that, in adopting such rule, the Board or association has complied with the requirements of section 23(e) of such Act, as added by section 2, in the same manner as is required by the Commission under such section 23(e).

The Acting CHAIR. No amendment to the bill shall be in order except those printed in part A of House Report 115-3. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. AL GREEN OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115-3.

Mr. AL GREEN of Texas. Mr. Chairman, I have an amendment at the desk as the designee of the gentlewoman from California (Ms. MAXINE WATERS).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 3, strike “and”.

Page 3, line 8, strike the period and insert “; and”.

Page 3, after line 8, insert the following:

“(E) in consultation with the Ethics Counsel of the Commission, identify any former nongovernmental employer of a Commissioner, Director, Deputy Director, Associate Director, or Assistant Director that would receive direct or indirect benefit from a rule or regulation, analyze the benefits to such employer, and whether the regulation should be amended to address any potential conflict of interest or appearance of a conflict of interest.”

Page 6, after line 5, insert the following:

“(5) CONFLICTS OF INTEREST.—The Commission shall identify the employers of any Commissioners, Directors, Deputy Directors, Associate Directors, and Assistant Directors who have left the Commission within five years of the scheduled adoption of the final rule, and whether such employers receive direct or indirect benefits, and whether the Commission should amend the rule to address the identified conflict of interest.”

Page 7, line 19, insert after the period the following: “The assessment plan shall also include an analysis of whether and how any former nongovernmental employer of a Commissioner, Director, Deputy Director, Associate Director, or Assistant Director, or the current employer of a former Commissioner, Director, Deputy Director, Associate Director, or Assistant Director who departed the Commission within five years of the scheduled adoption of the regulation, directly and indirectly benefits from the regulation, and a recommendation as to whether such regulation should be amended to address the identified conflict of interest.”

The Acting CHAIR. Pursuant to House Resolution 40, the gentleman from Texas (Mr. AL GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I think it appropriate to point out what the style of this bill is, what the words on the actual bill say. There seems to be some confusion with my colleagues on the other side as to whether or not this is a mom-and-pop bill.

The bill itself says, “A bill to improve the consideration by the Securities and Exchange Commission of the cost and benefits of its regulations and orders.”

The Securities and Exchange Commission deals with Wall Street, deals with megabusineses. This is not about a mom-and-pop store. This is not about the small business in the neighborhood.

This is about megabusineses desiring to have access to markets without the regulations necessary to protect investors.

This bill, if it passes, will place the SEC in a mission impossible position because it will be impossible for the SEC to do what it needs to do to promote regulations that will prevent fraud. Either litigation will stop them or they won't be able to define and quantify the benefits associated with regulation that can prevent fraud.

A good example has been presented, but some things bear repeating. If we had produced regulations that would have prevented Bernie Madoff from robbing the country of \$64 billion, we wouldn't have known it, we couldn't quantify it, because it wasn't knowable.

This bill puts the SEC in a position of having to do that which is not knowable because it would prevent fraud.

□ 1530

Now, having said this, the Waters amendment will at least allow us to curtail some of the conflicts of interest that can take place by persons who will come from some entity that works with persons on Wall Street or when they leave, go to an entity that works with Wall Street. Our regulators ought not be able to take their rules and regulations to companies and businesses that will impact Wall Street after they leave or impact their businesses once they are on Wall Street.

This amendment that the Honorable MAXINE WATERS has presented would cause the SEC to identify, analyze, and address potential conflicts of interest in its proposed rules, and it would go on to make sure that persons who work for the SEC do not create conflicts of interest.

We live in a world where it is not enough for things to be right; they must also look right. It doesn't look right for these Wall Street types, the persons from Goldman Sachs and related industries who will come to Wall Street, take jobs, and promote rules that benefit their former employers, nor does it look right for them to produce rules that will benefit employers that they will go to when they leave Wall Street.

That is what this amendment will prevent. It is simple. It is not complicated, and it deals with conflicts of interest. I think this amendment ought to be supported.

Mr. Chairman, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. PALMER). The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, I feel compelled to point out to my col-

leagues that we are not paid by the word that is put into the Federal Register. I think, once again, you are hearing this example of more is better. It doesn't matter what the words say, just let's have more of them.

We already have the SEC Chairman and the Commissioners covered by both governmentwide ethics laws and regulations as well as SEC supplemental ethics regulations which apply to all SEC employees. For example, they cannot participate personally and substantially in any matter that would have direct or predictable effect on his or her financial interests or imputed financial interests in the future, as required under the code.

Also, unless they are specifically authorized by the SEC's ethics counsel, they should recuse from any matter in which he or she has a "covered relationship." Well, what is a covered relationship? Well, a covered relationship includes former employees, clients, and even a spouse's employer. Further, the SEC employees must report their financial holdings to the SEC's ethics counsel; and this requirement goes beyond, frankly, the governmentwide reporting requirement.

Finally, the SEC Chairman or a Commissioner must not engage in any other business, employment, or vocation while in office; nor may he or she ever use the power of their office to influence their name to promote the business interests of others, as required by law.

As such, I ask my colleagues to join me in opposing this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. AL GREEN of Texas. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining.

Mr. AL GREEN of Texas. Mr. Chairman, let me say this in my 1 minute. It appears that the other side believes that nothing is better because that is what this bill would cause the SEC to produce—nothing. It would stagnate the SEC. It would place the SEC in litigation. It would literally decimate the SEC because you cannot quantify bills or regulations that will prevent fraud. You can't quantify it. I have given you the example.

I know the public is listening. You need to weigh in on this, members of the public, because this is not about mom-and-pops. It is about megacorporations. This piece of legislation that Ms. WATERS offers at least will deal with conflicts of interest beyond the person who happens to work with the SEC, which is what has been addressed. It will deal with conflicts of interest as they relate to the businesses that they will go to or the businesses that they have left.

Mr. Chairman, I yield back the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I will wrap up here by simply saying that the bill before us today is intending to clarify—or have the SEC, I should say, clarify what the goal and objective is of their proposed rule. Let's find out what they are trying to do, and then, more importantly, find out if it is actually effective.

There might be a rule in place already somewhere else. The other side is trying to strike that provision. They are trying to say: No. No. It doesn't matter what the other hand of government is saying. We are going to just add more and more regulation added on.

We need to have a clear understanding of what the objective is, what the target is, and whether it is an effective rule to get to that point. I just would encourage my colleagues to oppose the Waters-Green amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. AL GREEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. AL GREEN of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115-3.

Ms. VELÁZQUEZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 1, insert after "making" the following: ", in addition to being in the interest of protecting investors,".

Page 5, line 21, insert after the period the following: "Whenever pursuant to this paragraph the Commission is engaged in a review, it shall consider whether an action is necessary or appropriate in the public interest, the protection of investors, and whether the action will promote efficiency, competition, and capital formation.".

The Acting CHAIR. Pursuant to House Resolution 40, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is simple and straightforward. It will help ensure the SEC fulfills one of its core mission functions—protecting investors.

As Members of Congress, we must never forget the lessons of the financial

crisis and the Great Recession. Americans lost \$14 trillion, suffering sharp declines in retirement savings, pension funds, and overall wealth. This was due, in part, to being pushed into abstract and sophisticated financial products and securities that they knew little or nothing about.

I was here in 2008, Mr. Chairman. I listened to the people. I heard their stories. Unfortunately, for many of them, the financial crisis and the Great Recession caused deep and lasting harm. Many may never recover.

I proudly supported the Dodd-Frank Act and believe the SEC has implemented many regulations that will guard against another financial crisis and help preserve the financial future of American families for generations to come. For these reasons, I am concerned the regulatory reviews required by the underlying bill do not properly account for investor protection.

To that end, my amendment ensures the SEC does more than just consider how a proposed regulation will impact businesses. It expressly instructs the SEC to weigh the safeguards of investors when changing a rule or regulation. My amendment instructs the SEC to continue focusing on investor protection not only when drafting new rules but also when reviewing existing regulations. Let me be clear: it is vitally important that this language be included to ensure investors' needs do not take a backseat to industry concerns.

We must never go back to the days leading up to the crisis, Mr. Chairman. By simply instructing the SEC to take into account investor protections when reviewing and considering new or existing regulations, my amendment helps ensure the safeguards we put in place under the Dodd-Frank Act are preserved. This will mean retirement savings and household wealth are more secure, and we are not once again risking deep and lasting harm to our economy and financial markets. For these reasons, I urge the adoption of my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I ask unanimous consent to claim the time in opposition to this amendment, though I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, I am prepared to accept the amendment and support its immediate passage. I want to thank the sponsor for working with us to draft the language that is consistent with the SEC's tripartite mission to: number one, protect investors; number two, maintain fair, orderly,

and efficient markets; and, number three, facilitate capital formation.

I would like to ask my colleagues to join me in supporting the amendment and the underlying bill.

Mr. Chairman, I reserve the balance of my time.

Ms. VELAZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the gentleman and Chairman HENSARLING for working with me on this important amendment. I urge Members to vote "yes," which is a vote to protect average, ordinary American investors.

Mr. Chairman, I yield back the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Ms. VELÁZQUEZ).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. AL GREEN
OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 115-3.

Mr. AL GREEN of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, line 16, strike "and".

Page 10, line 20, strike the first period and all that follows and insert "; and".

Page 10, after line 20, insert the following: "(iv) a regulation promulgated to maintain or support U.S. financial stability or prevent or reduce systemic risk."

The Acting CHAIR. Pursuant to House Resolution 40, the gentleman from Texas (Mr. AL GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chair, this amendment would exclude from this bill regulations that would promote financial stability and prevent or reduce systemic risk. I have indicated previously that we are concerned about the bill's unintended consequence—I don't think that my colleagues are doing this with malice aforethought—the unintended consequence of stagnating the SEC to the point that it cannot produce regulations that will prevent fraud. Nowhere in the bill does it exempt regulation that will prevent fraud.

I believe that this will help us because the bill needs to allow the SEC the ability to move at the speed of innovation. These products are coming on the market. The best way for the SEC to be able to react to them efficaciously would be for the SEC to have rulemaking authority at the same speed of the innovation.

I hope that we won't allow the SEC to be bogged down with a cost-benefit

analysis that is impossible to produce and that, when produced, will produce litigation. Again, I think this is a reasoned, thoughtful amendment. I trust that it will be adopted.

Mr. Chair, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, I just find it a bit ironic that the other side is not interested in doing this cost-benefit analysis which is in the underlying bill here because it is too burdensome. But what do they want to do? They want to add more paperwork and more burden in their amendments.

Despite what you have heard, the SEC is not a systemic risk regulator; and even the former chairman of the Committee on Financial Services, Barney Frank, noted at the time when the FSOC was reviewing asset managers for systemic designations, he recognized that these are not entities that pose a systemic risk to the financial system. And while the SEC does not regulate systemic risk, I am afraid that this amendment could be potentially politically misinterpreted and applied to a number of capital market participants and activities which they, frankly, have no business regulating. So it would lead to the same fire, aim, ready kind of situation rulemaking that we have seen from the current administration that hinders growth and that capital market formation that we have just talked about in the last amendment.

The bill before us will ensure that future SEC rulemakings are prudently proposed and adopted to achieve the maximum net benefit, and that is what we are really talking about here today. While I support the underlying bill, I will have to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

□ 1545

Mr. AL GREEN of Texas. Mr. Chairman, I would remind my friend across the aisle that the Volcker rule does deal with systemic risk. I would remind him that the SEC does play a role in regulating systemic risk.

Having said that, let's just talk again. And I would engage in a colloquy with you and use my time. Explain to me how you would quantify a regulation designed to prevent fraud such as the fraud perpetrated by Madoff.

How would you quantify it in dollars and cents? Because that is what you are all about, dollars and cents. How do you quantify that?

Mr. HUIZENGA. Will the gentleman yield?

Mr. AL GREEN of Texas. I yield to the gentleman from Michigan.

Mr. HUIZENGA. This has nothing to do with Bernie Madoff since the whistleblower approached the SEC and the SEC, using its dollars, was not able to stop him.

Mr. AL GREEN of Texas. Reclaiming my time, Mr. Chairman, it does have to do—you are trying to divert us from the actual problem, which is regulations that can prevent fraud.

How do you propose to quantify in dollars and cents regulations that will prevent fraud when the fraud that can be perpetrated is not knowable?

I yield to the gentleman from Michigan.

Mr. HUIZENGA. I appreciate the gentleman yielding. Working together on the Financial Services Committee, we know that there are actuarial tables and analyze risk all the time. You are able to analyze fraud.

Mr. AL GREEN of Texas. Reclaiming my time, there is no way for anyone to have known.

Mr. HUIZENGA. You are able to analyze that risk.

Mr. AL GREEN of Texas. I reclaim my time. There is no way for anyone to have known what Bernie Madoff was going to do. It was not knowable. You are imposing a mission impossible upon the SEC.

There is a real question that has to be answered today, Mr. Chair, or at some point in the future: Does Congress regulate Wall Street or does Wall Street regulate Congress?

Now, this is a serious question because that is what this kind of regulation gives us the image of being a part of.

Wall Street wants this. This benefits Wall Street. It doesn't benefit mom and pops. It doesn't benefit Main Street. It benefits megacorporations. And you can couch the language in any clever way that you want.

In the final analysis, this is all about megacorporations being able to do things that would prevent—that would not be in the best interest of investors. Investors who are listening to this. You ought to be concerned. This impacts you. If this legislation passes, your opportunity to participate in Wall Street with regulations that are going to prevent fraud from being perpetrated upon you—similar to what Madoff perpetrated—will not be possible.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

The gentleman from Michigan is recognized.

Mr. HUIZENGA. Mr. Chairman, may I inquire as to the remaining balance of my time.

The Acting CHAIR. The gentleman from Michigan has 3½ minutes remaining, and the gentleman from Texas has 30 seconds remaining.

Mr. HUIZENGA. At this point I am ready to close and I reserve the balance of my time.

Mr. AL GREEN of Texas. Mr. Chairman, in closing, let me simply say this: People who are viewing this at home should become very much concerned about the direction that we are headed in. This is a new Congress and here we are currently trying to emasculate the SEC by putting it in a position such that it cannot produce rules to protecting investors; by requiring it to know the unknowable; to know that a rule that you are putting in place to prevent fraud has a quantifiable dollar amount that you can produce so that you can measure that against the cost of producing the rule.

Mr. Chairman, this amendment that I propose would benefit the SEC and investors.

Mr. Chair, I yield back the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I would just like to point out to all of my colleagues and to the American people that currently the SEC is under a court order to clarify how exactly they are doing their rulemaking. And there is a staff-level rule letter.

With this underlying bill, we are trying to codify that. We are trying to make sure, not just with a letter, but by law, that they do what they are being ordered to do. And I will remind all of my colleagues and those of you out watching us, the Securities and Exchange Commission has a mission that has three parts.

The first part is to protect investors. Nothing in this bill weakens there. Nothing in this bill takes anything away from that. We, in fact, underscore that.

The second mission that it has is to maintain fair, orderly, and efficient markets. Emphasis again, fair, orderly, and efficient markets. What we are seeing is inefficiency that is being built into the marketplace right now, and we are here to clarify that. Let's find out, as the SEC is preparing a rule, what the goal and objective is and what is going to be the impact on it. Yes, cost is part of that, and we are able to look at that.

The third thing the SEC intended to do is to facilitate capital formation.

Why is that important and what exactly does that mean?

It means making sure that there is enough money around so that companies, big, medium, and small, are able to go in there and get the cash and the credit that they need to go and expand and do the job that they are trying to do, which is, by the way, employ all of us in America.

We have talked a lot about the underlying bill and not so much about the particular amendment that we have before us, but I do continue to oppose the amendment and encourage the passage of the underlying bill.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. AL GREEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. AL GREEN of Texas. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mrs. WALORSKI) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 84. An act to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

The SPEAKER pro tempore. The Committee will resume its sitting.

SEC REGULATORY ACCOUNTABILITY ACT

The Committee resumed its sitting.

AMENDMENT NO. 4 OFFERED BY MR. DESAULNIER

The Acting CHAIR (Mr. PALMER). It is now in order to consider amendment No. 4 printed in part A of House Report 115-3.

Mr. DESAULNIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. DIVESTITURE REQUIREMENT.

The amendment made by section 2 shall not take effect until the Chairman of the Securities and Exchange Commission, and all immediate family members of the Chairman, divests all securities owned by the Chairman and such immediate family members of the Chairman from any financial institution regulated by the Securities and Exchange Commission to ensure that proper and fair rulemaking is administered in accordance with this Act.

The Acting CHAIR. Pursuant to House Resolution 40, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment to the SEC Regulatory

Accountability Act in a spirit of cooperation. It is most important for the integrity of the SEC, for the investor community, for the entire U.S. population, and indeed for the economic benefit of the United States that integrity and transparency are paramount. So this amendment strengthens the bill, I believe, on behalf of the American investor as well as industry by reaffirming transparency as a core principle of efficient markets and places public service ahead of personal gain.

By requiring the head of the SEC and his immediate family members to divest themselves of all securities connected to the financial institutions regulated by the agency, we reinforce investor confidence that agency decisions are driven by market forces, not the portfolio of the Chair.

Mr. Chairman, the power and stability of U.S. markets rely on the fundamental belief that the system is transparent and fair. Anything that causes investors to question the integrity of the U.S. markets, including lack of information or opaqueness of information, will necessarily hurt our markets and make capital formation more difficult.

The SEC plays a critical role in promoting adequate transparency. Requiring the SEC Chairperson to cut financial ties with institutions that the SEC oversees is a commonsense protection of the agency's credibility and improvement to the underlying bill in my belief.

I hope my Republican colleagues agree and will support this amendment that puts public service ahead of potential personal gain.

Mr. Chairman, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, again, I think we are stumbling over the fact that my colleagues on the other side of the aisle believe that we are somehow paid by the words put into the Federal Registry here.

The SEC is already covered by both governmentwide ethics laws and regulations as well as SEC supplemental ethics regulations which apply to all SEC employees, including the Chair.

Perhaps the sponsor of the amendment is not aware that under existing Federal law, the SEC Chairman cannot participate personally in any matter that would have a direct and predictable effect on her financial interests or imputed financial interest, and I would invite the sponsor to review the code at this point.

Additionally, SEC supplemental regulations prohibit SEC employees, including the Chair, from holding any security in a directly regulated entity, and they must also preclear all purchases and sales of securities.

Further, the Chairman or Commissioner must not engage in any other business, employment, or vocation while in office, nor may she ever use the power of her office or the influence of her name to promote the business interests of others.

Finally, the amendment does not seem to address what I believe Congressman DESAULNIER's description is intending to address as it is the Federal Reserve, not the Securities and Exchange Commission, that regulates the too-big-to-fail banks or, as the amendment states, financial institutions.

The SEC does not regulate financial institutions. The code defines the term "financial institution," and the definition includes "a bank, a foreign bank, and a savings association."

Since the SEC does not regulate any of these entities, the amendment would require the SEC Chair to divest of exactly zero entities. So notwithstanding that important discrepancy here, I ask my colleagues to join me in opposing the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DESAULNIER. Mr. Chairman, I honestly respect the tutorial, but, with all due respect, I do think that this amendment complements the existing rules and protects the investors.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. I thank the chairman. I really appreciate the gentleman, Mr. DESAULNIER, for bringing forth this amendment.

Disclosures of and divestment in conflicts are becoming increasingly important in this administration coming up. The conflicts that we know about and the conflicts that we suspect exist with President-elect Trump and his nominees have become a tremendous source of concern as not only do they undermine the faith and fairness of U.S. financial markets, as has been pointed out, but, quite frankly, they have become a matter of national security concern.

The amendments that were rejected by Ranking Member WATERS and this amendment by Representative DESAULNIER together restore confidence that the U.S. financial system is not being manipulated for the gain of a few government officials.

Mr. Chairman, I urge all of my colleagues to support this amendment.

Mr. HUIZENGA. Mr. Chairman, at this time I am prepared to close, and I reserve the balance of my time.

Mr. DESAULNIER. Mr. Chairman, with all due respect, I really think this is, as intended, a commonsense amendment. I do think it complements rather than adds on to the existing requirements to protect investors. And I really think this House, with all due respect, would want to see the markets

work efficiently. We also want to ensure that the integrity of those markets and the investors are also strengthened. So I think transparency in this case with the acknowledgment that there are other already existing regulations and the belief that this amendment complements those, I would ask for the House's support.

Mr. Chairman, I yield back the balance of my time.

□ 1600

Mr. HUIZENGA. Mr. Chairman, I would just point out again that this amendment does not hit the target. The SEC does not regulate financial institutions. 15 U.S.C. 78c defines the term "financial institutions," and that definition includes a bank, a foreign bank, and a savings association. The SEC does not regulate any of the entities that are described in this.

In addition to that, the Securities and Exchange Commission's Chair—Chairwoman in this instance, who will be resigning soon—is covered under governmentwide ethics rules and laws. The SEC has additional SEC-specific rules that are in place. This amendment would do absolutely nothing to support or diminish those because it doesn't actually address any situation that they have.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DESAULNIER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. RASKIN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 115-3.

Mr. RASKIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. TRAINING REQUIREMENT FOR THE CHAIRMAN AND COMMISSIONERS OF THE SEC.

The amendment made by section 2 shall not take effect until the Chairman and each Commissioner of the Securities and Exchange Commission undergoes effective training on conduct and ethical standards to ensure all actions of the Commission are done in a manner free of conflicts of interest, specifically those related to prior employment at financial institutions and prior legal representation of financial institutions.

The Acting CHAIR. Pursuant to House Resolution 40, the gentleman

from Maryland (Mr. RASKIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. RASKIN. Mr. Chairman, this amendment would require both the Chairman of the SEC and all of its Commissioners to undergo a comprehensive, professional ethics training in order to ensure that all SEC regulations and actions are free from conflicts of interest that may arise from their past or future employment or by legal representation of regulated entities.

This training into all of the ethical standards that were just invoked by my distinguished colleague from Michigan is critical to guard against regulatory capture and to protect the public interest. The whole challenge of a republic is how to get legislators and other public officers, who are agents of the people, to serve the common good rather than their own, private interests. In the cost-benefit terms of this legislation, you would call this the "agency problem." Our Constitution, with everything from the separation of powers to the Emoluments Clause, to the Title of Nobility Clause is designed to safeguard the public interest and to reduce the prospects for mischief, corruption, and self-dealing by people in government. Providing mandatory ethics training is a simple way to remind all of us in public life whom we really work for—the American people.

Requiring employees to undergo basic ethics training is not unusual. In fact, every congressional staffer who works in this body is required to undergo ethics training in his or her first 60 days of employment here. The freshman class, of which I am a proud member, just had an excellent briefing on professional ethics standards a couple of weeks ago.

Under this amendment, Congress will be able to ensure that the SEC officials who are making the critical rules that govern the financial securities industry are looking out for the American people and not for any particular special interest.

Conflicts of interest have been rife in the financial sector. In 2008, while Wall Street and big banks preyed on the victims of the mortgage crisis, American families lost trillions of dollars in retirement values, home values, equity, and so on.

This amendment would implement a simple safeguard, ensuring that the people who regulate the financial sector are not crossing any ethical lines or are bending the rules in favor of past or future employers or of any other special interests. The people of the United States expect and deserve nothing less from Washington.

In closing, I urge all of my colleagues on both sides of the aisle to support this amendment.

I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, I believe the sponsor of the amendment was in the Chamber when we were discussing this on the last amendment. Federal law, as well as SEC supplemental regulations, already govern ethics and conflicts of interest.

It is well-known, especially if you check out my Twitter account, I think, that most people who support this President don't believe I support this President enough. A number of people would say that I haven't supported the SEC Chairman to the level that I should. This, frankly, is insulting to the current President as well as the Chair. Implying somehow that this Chair has preyed off of poor people until they went bankrupt, as was just sort of laid out by the sponsor of this, is an insult.

To believe this of the SEC Chair, who is typically—and I know in this particular case is—a very accomplished professional, is amazingly shortsighted, I believe. Additionally, the Chair is required to receive personal annual ethics training as well as an initial ethics briefing. I direct the sponsor to review the statute on this.

Additionally, the Chairman and the Commissioners are required to file an ethics agreement letter in which she will agree to divest prohibited assets, and if she has not done so prior to the appointment, she is to recuse herself from matters in which she has financial conflict or the impartiality conflict, which can be found also in code.

Finally, the Chairman or a Commissioner is prohibited from engaging in any other business, employment, or vocation while in office, or she may never use the power of her office or her name to promote or influence a business interest.

Once again, I think that what we are trying to do here with the underlying bill is to make sure that the SEC follows through on what the courts have mandated in previous rulings in that they use a cost-benefit analysis. This is not about fraud. This is not about whether Mary Jo White needs ethics training. This is about making sure that the SEC has an identifiable target and goal with the rules that it is putting in place and then analyzing whether the costs and the benefits weigh in favor of protecting the consumer. Ultimately, this amendment does nothing to forward that. I oppose the amendment.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, the gentleman from Michigan has invited us, through the various colloquies this afternoon, to believe that there is a comprehensive ethical regime in place.

We agree that there is, but what there is not is a requirement that the Chair of the SEC and each of its Commissioners undergo ethics training, the kind of training that millions of Americans undergo all the time in order to understand precisely what their ethical obligations are. It is as if to say that nobody needs to have stop signs or stoplights out there because there is a traffic code someplace. There may be, but we need to give the actual direction to people who are participating in the activity of regulation.

Nothing that the good gentleman has said persuades me that the ethics training is actually taking place or that the SEC Commissioners and the Chair of the SEC do not need it.

If anything I said is read by anyone to insult the President of the United States or the current Chair of the SEC, then I would stand corrected. I don't think I said anything that would have affronted any of them. This is basic ethics training that takes place for people across the government. For the life of me, I can't understand what the opposition to it is.

There seems to be a kind of fetishizing of cost-benefit analysis above everything else. The Constitution doesn't include the words "cost-benefit." There are a whole series of rules that we have in there, including the Emoluments Clause, which established the principle of no conflicts of interest, no foreign bribery, no domestic bribery, no compromising of the integrity of government; and I do not understand why we are so afraid of building those principles into the legal architecture that governs the Securities and Exchange Commission.

I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I understand that the sponsor is a constitutional law professor.

I direct the gentleman to 5 CFR 2638.305 and 5 CFR 2638.304, which read:

The Chair of the SEC is required to receive in person annual ethics training as well as an initial ethics briefing. Additionally, Chairmen and Commissioners are required to file ethics agreement letters in which they agree to divest.

The bottom line is that we don't need additional words in the Federal Register to do what is already being done.

The sponsor of the amendment mentioned that cost-benefit analysis is not in the U.S. Constitution, but neither is the SEC. However, due process is in the Constitution, and what we are trying to get at is due process to make sure that we have—us, as a legislative body—properly involved and engaged in this and that we understand what the goals and objectives of the Securities and Exchange Commission are when it is issuing a rule and whether that rule is going to effect the change intended.

What are those benefits? Is it going to benefit and protect the consumer?

Again, I reiterate the three elements of the mission of the Securities and Exchange Commission: number one, to

protect investors; number two, to maintain fair and orderly and efficient markets; and number three, to facilitate capital formation. Those are the stated goals and is the job of the Securities and Exchange Commission.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I think we have arrived at what the difference is between me and the gentleman from Michigan.

The regulation, as he reads it, applies only to the Chair. This amendment would extend the ethics training, which he seems to support, to all of the members of the Securities and Exchange Commission. It is true that they all have to do a filing, as we all do, about our various finances, but that is not the comprehensive ethical training that all of us need to get in order to avoid conflicts of interest. So, if that is something that is good enough for the Chair, it is, presumably, good enough for all of the members of the SEC.

I would urge my colleague to rethink his opposition to this commonsense amendment, which, I think, would install precisely what the American people are asking of us, which is that all of us pay attention to public ethics in the conduct of our duties.

I yield back the balance of my time.

Mr. HUIZENGA. Mr. Chairman, I maintain my opposition to this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. RASKIN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RASKIN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 115-3 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. AL GREEN of Texas.

Amendment No. 3 by Mr. AL GREEN of Texas.

Amendment No. 4 by Mr. DESAULNIER of California.

Amendment No. 5 by Mr. RASKIN of Maryland.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. AL GREEN OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. AL GREEN)

on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 233, not voting 9, as follows:

[Roll No. 46]

AYES—192

Adams	Gabbard	Nolan
Aguliar	Galleo	Norcross
Barragán	Garamendi	O'Halleran
Bass	Gonzalez (TX)	O'Rourke
Beatty	Gottheimer	Pallone
Becerra	Green, Al	Panetta
Bera	Green, Gene	Pascarell
Beyer	Grijalva	Payne
Bishop (GA)	Gutierrez	Pelosi
Blumenauer	Hanabusa	Perlmutter
Blunt Rochester	Hastings	Peters
Bonamici	Heck	Peterson
Boyle, Brendan	Higgins (NY)	Pingree
F.	Himes	Polis
Brady (PA)	Hoyer	Price (NC)
Brown (MD)	Huffman	Quigley
Brownley (CA)	Jackson Lee	Raskin
Bustos	Jayapal	Rice (NY)
Butterfield	Jeffries	Richmond
Capuano	Johnson (GA)	Rosen
Carbajal	Johnson, E. B.	Roybal-Allard
Cárdenas	Jones	Ruiz
Carson (IN)	Kaptur	Ruppersberger
Cartwright	Keating	Rush
Castor (FL)	Kelly (IL)	Sánchez
Castro (TX)	Kennedy	Sarbanes
Chu, Judy	Khanna	Schakowsky
Cicilline	Kihuen	Schiff
Clark (MA)	Kildee	Schneider
Clarke (NY)	Kilmer	Schrader
Clay	Kind	Scott (VA)
Cleaver	Krishnamoorthi	Scott, David
Clyburn	Kuster (NH)	Serrano
Cohen	Langevin	Sewell (AL)
Connolly	Larsen (WA)	Shea-Porter
Conyers	Larson (CT)	Sherman
Cooper	Lawrence	Sinema
Correa	Lawson (FL)	Sires
Costa	Lee	Slaughter
Courtney	Levin	Smith (WA)
Crist	Lewis (GA)	Soto
Crowley	Lieu, Ted	Speier
Cuellar	Lipinski	Suozzi
Cummings	Loeb sack	Swalwell (CA)
Davis (CA)	Lofgren	Takano
Davis, Danny	Lowenthal	Thompson (CA)
DeFazio	Lowe	Thompson (MS)
DeGette	Lujan Grisham,	Titus
Delaney	M.	Tomko
DeLauro	Luján, Ben Ray	Torres
DelBene	Lynch	Tsongas
Demings	Maloney,	Vargas
DeSaulnier	Carolyn B.	Veasey
Deutch	Maloney, Sean	Vela
Dingell	Matsui	Velázquez
Doggett	McCollum	Visclosky
Doyle, Michael	McEachin	Walz
F.	McGovern	Wasserman
Ellison	McNerney	Schultz
Engel	Meeks	Waters, Maxine
Eshoo	Meng	Watson Coleman
Españillat	Moore	Welch
Esty	Moulton	Wilson (FL)
Evans	Murphy (FL)	Yarmuth
Foster	Nadler	
Fudge	Napolitano	

NOES—233

Abraham	Babin	Bergman
Aderholt	Bacon	Beutler
Allen	Banks (IN)	Biggs
Amash	Barletta	Billirakis
Amodei	Barr	Bishop (MI)
Arrington	Barton	Bishop (UT)

Black	Harris	Pittenger
Blackburn	Hartzler	Poe (TX)
Blum	Hensarling	Poliquin
Bost	Hice, Jody B.	Posey
Brady (TX)	Higgins (LA)	Ratcliffe
Brat	Hill	Reed
Bridenstine	Holding	Reichert
Brooks (AL)	Hollingsworth	Renacci
Brooks (IN)	Hudson	Rice (SC)
Buchanan	Huizenga	Roby
Buck	Hultgren	Roe (TN)
Bucshon	Hunter	Rogers (AL)
Budd	Hurd	Rogers (KY)
Burgess	Issa	Rohrabacher
Byrne	Jenkins (KS)	Rokita
Calvert	Jenkins (WV)	Rooney, Francis
Carter (GA)	Johnson (LA)	Rooney, Thomas
Carter (TX)	Johnson (OH)	J.
Chabot	Johnson, Sam	Ros-Lehtinen
Chaffetz	Jordan	Roskam
Cheney	Joyce (OH)	Ross
Coffman	Katko	Rothfus
Cole	Kelly (MS)	Rouzer
Collins (GA)	Kelly (PA)	Royce (CA)
Collins (NY)	King (IA)	Russell
Comer	King (NY)	Sanford
Comstock	Kinzing	Scalise
Conaway	Knight	Schweikert
Cook	Kustoff (TN)	Scott, Austin
Costello (PA)	Labrador	Sensenbrenner
Cramer	LaHood	Sessions
Crawford	LaMalfa	Shimkus
Culberson	Lamborn	Shuster
Curbelo (FL)	Lance	Simpson
Davidson	Latta	Smith (MO)
Davis, Rodney	Lewis (MN)	Smith (NE)
Denham	LoBiondo	Smith (NJ)
Dent	Long	Smith (TX)
DeSantis	Loudermilk	Smucker
DesJarlais	Love	Stefanik
Diaz-Balart	Lucas	Stewart
Donovan	Luetkemeyer	Stivers
Duffy	MacArthur	Taylor
Duncan (SC)	Marchant	Tenney
Duncan (TN)	Marino	Thompson (PA)
Dunn	Marshall	Thornberry
Emmer	Massie	Tiberi
Farenthold	Mast	Tipton
Faso	McCarthy	Trott
Ferguson	McCaul	Turner
Fitzpatrick	McClintock	Upton
Fleischmann	McHenry	Valadao
Flores	McKinley	Wagner
Fortenberry	McMorris	Walberg
Fox	Rodgers	Walden
Fox	Rodgers	Walorski
Franks (AZ)	McSally	Walters, Mimi
Frelinghuysen	Meadows	Weber (TX)
Gaetz	Meehan	Webster (FL)
Gallagher	Messer	Wenstrup
Garrett	Garrett	Westerman
Gibbs	Moolenaar	Williams
Gohmert	Mooney (WV)	Wilson (SC)
Goodlatte	Mullin	Wittman
Gosar	Murphy (PA)	Womack
Gowdy	Newhouse	Woodall
Granger	Noem	Yoder
Graves (GA)	Nunes	Yoho
Graves (LA)	Olson	Young (AK)
Graves (MO)	Palazzo	Young (IA)
Griffith	Palmer	Zeldin
Grothman	Paulsen	
Guthrie	Pearce	
Harper	Perry	

NOT VOTING—9

Frankel (FL)	Pompeo	Ryan (OH)
Mulvaney	Price, Tom (GA)	Walker
Neal	Rutherford	Zinke

□ 1635

Mr. SIMPSON, Ms. CHENEY, and Mr. GOHMERT changed their vote from "aye" to "no."

Messrs. PASCRELL and LOWENTHAL changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. AL GREEN OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. AL GREEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 232, not voting 11, as follows:

[Roll No. 47]

AYES—191

- Adams Foster Moulton
Aguilar Fudge Murphy (FL)
Barragan Gabbard Nadler
Bass Gallego Napolitano
Beatty Garamendi Neal
Becerra Gonzalez (TX) Nolan
Bera Gottheimer Norcross
Beyer Green, Al O'Halleran
Bishop (GA) Green, Gene O'Rourke
Blumenauer Grijalva Pallone
Blunt Rochester Gutierrez Panetta
Bonamici Hanabusa Pascrell
Boyle, Brendan Hastings Payne
F. Heck Pelosi
Brady (PA) Higgins (NY) Perlmutter
Brown (MD) Himes Peterson
Brownley (CA) Hoyer Pingree
Bustos Huffman Pocan
Butterfield Jackson Lee Costello (PA)
Capuano Jayapal Polis
Carbajal Jeffries Price (NC)
Cardenas Johnson (GA) Quigley
Carson (IN) Johnson, E. B. Raskin
Cartwright Jones Rice (NY)
Castor (FL) Kaptur Richmond
Castro (TX) Keating Dent
Chu, Judy Kelly (IL) Roybal-Allard
Cicilline Kennedy Ruiz
Clark (MA) Khanna Ruppersberger
Clarke (NY) Kihuen Rush
Clay Kildee Sanchez
Clever Kilmier Sarbanes
Clyburn Kind Schakowsky
Cohen Krishnamoorthi Schiff
Connolly Kuster (NH) Schneider
Conyers Langevin Schrader
Cooper Larsen (WA) Scott (VA)
Correa Larson (CT) Scott, David
Costa Lawrence Serrano
Courtney Lawson (FL) Sewell (AL)
Crist Lee Shea-Porter
Crowley Levin Sherman
Cuellar Lewis (GA) Sires
Cummins Lieu, Ted Slaughter
Davis (CA) Lipinski Frelighuysen
Davis, Danny Loebsock Smith (WA)
DeFazio Lofgren Soto
DeGette Lowenthal Speier
Delaney Lowey Suozzi
DeLauro Lujan Grisham, Swallow (CA)
DelBene M. Takano
Demings Lujan, Ben Ray Thompson (CA)
DeSaulnier Lynch Thompson (MS)
Deutch Maloney, Titus
Dingell Carolyn B. Tonko
Doggett Maloney, Sean Torres
Doyle, Michael Matsui Tsongas
F. McCollum Vargas
Ellison McEachin Veasey
Engel McGovern Vela
Eshoo McNeerney Velazquez
Espallat Meeks Visclosky
Esty Meng Walz
Evans Moore Wasserman

SchultzWaters, Watson Coleman Wilson (FL)
Maxine Welch Yarmuth

NOES—232

- Abraham Goodlatte Palmer
Aderholt Gosar Paulsen
Allen Gowdy Pearce
Amash Granger Perry
Amodei Graves (GA) Peters
Arrington Graves (LA) Pittenger
Babin Graves (MO) Poe (TX)
Bacon Griffith Poliquin
Banks (IN) Grothman Posey
Barletta Guthrie Ratcliffe
Barr Harper Reed
Barton Harris Reichert
Bergman Hartzler Renacci
Beutler Hensarling Rice (SC)
Biggs Hice, Jody B. Roby
Bilirakis Higgins (LA) Roe (TN)
Bishop (MI) Hill Rogers (AL)
Bishop (UT) Holding Rogers (KY)
Black Hollingsworth Rohrabacher
Blackburn Hudson Rokita
Blum Huizenga Rooney, Francis
Bost Hultgren Rooney, Thomas
Brady (TX) Hunter J.
Bridenstine Hurd Ros-Lehtinen
Brooks (AL) Issa Roskam
Brooks (IN) Jenkins (KS) Ross
Buchanan Jenkins (WV) Rothfus
Buck Johnson (LA) Rouzer
Bucshon Johnson (OH) Royce (CA)
Fudge Johnson, Sam Russell
Burgess Jordan Sanford
Byrne Joyce (OH) Scalise
Calvert Katko Schweikert
Carter (GA) Kelly (MS) Scott, Austin
Carter (TX) Kelly (PA) Sensenbrenner
Chabot King (IA) Sessions
Chaffetz King (NY) Shimkus
Cheney Kinzinger Shuster
Coffman Knight Simpson
Cole Kustoff (TN) Sinema
Collins (GA) Labrador Smith (MO)
Collins (NY) LaHood Smith (NE)
Comer Lamborn Smith (NJ)
Constock Lance Smith (TX)
Conaway Latta Smucker
Cook Lewis (MN) Stefanik
Costello (PA) LoBiondo Stewart
Crawford Long Stivers
Culberson Loudermilk Taylor
Curbelo (FL) Love Tenney
Davidson Lucas Thompson (PA)
Davis, Rodney Luetkemeyer Thornberry
Denham MacArthur Tiberi
Dent Marino Tipton
DeSantis Marshall Trott
DesJarlais Massie Turner
Diaz-Balart Mast Upton
Dunovan McCarthy Valadao
Duffy McCaul Wagner
Duncan (SC) McClintock Walberg
Duncan (TN) McHenry Walden
Dunn McKinley Walker
Emmer McMorris Walorski
Farenthold Rodgers Walters, Mimi
Faso McSally Weber (TX)
Ferguson Meadows Webster (FL)
Fitzpatrick Meehan Wenstrup
Fleischmann Messer Westerman
Flores Mitchell Williams
Fortenberry Mooleenaar Wilson (SC)
Fox Moeony (WV) Wittman
Franks (AZ) Mullin Womack
Frelighuysen Murphy (PA) Woodall
Galt Newhouse Yoder
Soto Noem Yoho
Garrett Nunes Young (AK)
Gibbs Olson Young (IA)
Gohmert Palazzo Zeldin

NOT VOTING—11

- Brat Marchant Rutherford
Cramer Mulvaney Ryan (OH)
Frankel (FL) Pompeo Zinke
LaMalfa Price, Tom (GA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1640

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. DESAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 233, not voting 7, as follows:

[Roll No. 48]

AYES—194

- Adams Esty McGovern
Aguilar Evans McNeerney
Barragan Fitzpatrick Meeks
Bass Foster Meng
Beatty Fudge Moore
Becerra Gabbard Moulton
Bera Gallego Murphy (FL)
Beyer Garamendi Nadler
Bishop (GA) Gonzalez (TX) Napolitano
Blumenauer Gottheimer Neal
Blunt Rochester Green, Al Nolan
Bonamici Green, Gene Norcross
Boyle, Brendan Grijalva O'Halleran
F. Gutierrez O'Rourke
Brady (PA) Hanabusa Pallone
Brown (MD) Hastings Panetta
Brownley (CA) Heck Pascrell
Bustos Higgins (NY) Payne
Butterfield Himes Pelosi
Capuano Hoyer Perlmutter
Carbajal Huffman Peters
Cardenas Jackson Lee Peterson
Carson (IN) Jayapal Pingree
Cartwright Jeffries Pocan
Castro (TX) Johnson (GA) Polis
Chu, Judy Johnson, E. B. Price (NC)
Cicilline Jones Quigley
Clark (MA) Kaptur Raskin
Clay Keating Rice (NY)
Clever Kelly (IL) Richmond
Clyburn Kennedy Rosen
Cohen Khanna Roybal-Allard
Connolly Kihuen Ruiz
Conyers Kildee Ruppersberger
Cooper Kilmier Rush
Correa Kind Sanchez
Costa Krishnamoorthi Sarbanes
Courtney Kuster (NH) Schakowsky
Crist Lawrence Schiff
Crowley Larsen (WA) Schneider
Cuellar Larson (CT) Schrader
Cummins Lawrence Scott (VA)
Davis (CA) Lawson (FL) Scott, David
Davis, Danny Lee Serrano
DeFazio Levin Sewell (AL)
DeGette Lewis (GA) Shea-Porter
Delaney Lieu, Ted Sherman
DeLauro Lipinski Sinema
DelBene Loebsock Sires
Demings Lofgren Slaughter
DeSaulnier Lowenthal Smith (WA)
Deutch Lowey Soto
Dingell Lujan Grisham, Speier
Doggett M. Suozzi
Doyle, Michael Lujan, Ben Ray Swallow (CA)
F. Lynch Takano
Ellison Maloney, Thompson (CA)
Engel Carolyn B. Thompson (MS)
Eshoo Maloney, Sean Titus
Espallat Matsui Tonko
McCollum Vargas Torres
McEachin Veasey Tsongas

Vargas
Veasey
Vela
Velázquez
Visclosky

Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman

Welch
Wilson (FL)
Yarmuth

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. RASKIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. RASKIN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 231, not voting 7, as follows:

[Roll No. 49]

AYES—196

Abraham
Aderholt
Allen
Amash
Amodi
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Beutler
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert

Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Adams
Aguilar
Espaillat
Barragan
Bass
Beatty
Becerra
Bera
Beutler
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Torres
Tsongas
Vargas
Veasey
Vela

Velázquez
Visclosky
Walz
Wasserman
Schultz

Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—231

Abraham
Aderholt
Allen
Amash
Amodi
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson

Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Frankel (FL)
Mulvaney
Pompeo

Price, Tom (GA)
Rutherford
Ryan (OH)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

NOT VOTING—7

Frankel (FL)
Mulvaney
Pompeo

□ 1646

So the amendment was rejected.

□ 1650

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. PALMER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 78) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders, and, pursuant to House Resolution 40, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. BUSTOS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. BUSTOS. Mr. Speaker, I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Bustos moves to recommit the bill, H.R. 78 to the Committee on Financial Services with instructions to report the same back to the House forthwith, with the following amendment:

Page 4, after line 25, insert the following:

“(C) CONSIDERATION OF THE POTENTIAL OUTSOURCING OF U.S. JOBS.—In making a reasoned determination of the costs and benefits of a proposed regulation, the Commission shall, to the extent that it is relevant to the proposed particular regulation, consider whether market participants would have an incentive to relocate their operations outside of the United States.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BUSTOS) is recognized for 5 minutes in support of her motion.

Mrs. BUSTOS. Mr. Speaker, this final amendment says plainly that the Securities and Exchange Commission should take into account whether any proposed rule will have an impact on outsourcing American jobs.

Many of us, especially those of us in the industrial heartland, represent regions that have experienced serious job losses because of companies sending jobs overseas. I will tell you a little bit about mine.

I have the honor of serving Illinois' 17th Congressional District. Most of

my district is rural. It spans 7,000 square miles, 14 counties, and covers the entire northwestern region of the State of Illinois. We are the world headquarters for John Deere. You have probably seen the tractors or the combines out there on the farmland.

We are also the world headquarters for Caterpillar, and, as you have traveled around our country and around our world, you have probably also seen the yellow, big, earth-moving equipment. That comes from my congressional district.

But like many parts of our heartland, our region has seen far too many manufacturing jobs shipped overseas. I am going to give you a couple of examples.

In a town called Galesburg, Illinois, we had a Maytag plant that made refrigerators. Overnight, every last one of those jobs was shipped to Mexico. A dozen years later, the wages there still have not recovered because of that outsourcing.

We have a town called Hanover, Illinois, a little, bitty town in northwestern Illinois. There was a plant called Robertshaw. They made little valves that go inside of washing machines and dishwashers that measured the water that would flow through. There was nearly a zero percent defect rate on what was produced out of that plant, and the company was profitable. And yet, every last one of those jobs went to Mexico.

And then we had a company called Sensata. They made auto part sensors, and it was bought out by a company called Bain Capital. You might know a little bit about this company called Bain Capital. And they shipped every one of those jobs over to China.

I have made friends with a lot of the workers there, one of whom is named Dot Turner. She had worked there for 40-plus years, started right out of high school. And she had the indignity of—the last function that she had to do at that plant was to scrape the tape off the floor that laid the area for where the machinery had been; that was what she had to do.

So I am here to tell you those stories, but also to say that this is happening to way too many workers. Men and women like Dot Turner understand the dignity that comes with having a good job and putting in a good, hard day's work. They understand that a good career is a pathway to a better future for themselves and for their families. But too many people like Dot have been left behind.

So what are we going to do? What is ahead?

In just 9 days, President-elect Trump will take the oath of office after running on a platform of making America great again. He said he would do that by bringing home jobs that had been sent overseas.

Well, many my colleagues on this side of the aisle have been fighting to

protect American jobs for years. In fact, we have put forth real solutions to spur growth in the manufacturing sector and get our middle class back to work. We have introduced more than 80 bills in our Make It In America agenda, but we have been blocked at so many turns.

So what kind of legislation is making it to the House floor instead? Bills like the one we are going to be voting on soon; bills that would make it more difficult for the Securities and Exchange Commission to protect investors and consumers, would make it more difficult for that to happen, and bills that would gamble the retirement savings of everyday Americans as if we were a Trump casino.

Working families deserve more than a bumper sticker slogan. They know that talk can be cheap in a place like Washington, D.C., and they are tired of politicians putting billionaires over the little guy. That is why this motion would ensure that our focus is on bringing back outsourced jobs.

Working families need to know that we here in Washington are fighting for them. Please join me, and let's show the American people that we are serious about this issue.

Mr. Speaker, I yield back the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Speaker, I have to commend my colleague. This is close, but this isn't horseshoes. Words have meaning. And I have to tell you that our underlying bill does actually do what you are talking about.

□ 1700

I will direct you to page 4.

Page 4: “evaluate whether, consistent with obtaining regulatory objectives, the regulation is tailored to impose the least burden on society, including market participants, individuals, businesses of different sizes, and other entities, including State and local government entities, taking into account, to the extent practicable, the cumulative costs of regulations.”

So, what we have here, Mr. Speaker, is a problem. We have a problem with U.S. businesses not performing the way that they should. We have to understand, though, why that is happening.

I have to point out to my colleague that, frankly, we have fewer publicly traded companies in this country right now. You have to ask yourself why.

We have virtually no IPOs happening in this country. You have to ask yourself why.

Well, we know the answer. It is because we have overly burdened ourselves in this country and are no longer competitive.

In fact, here is what I look forward to on January 21: I look forward to repealing the Tax Code that we have, and

then we don't have to worry; I am looking forward to repealing ObamaCare, and then we don't have to worry; I am looking forward to real regulatory reform, and then we don't have to worry about that as a country.

So, while this may be close on the objective of what our sponsor is trying to do, I would recommend voting against this motion to recommit and vote for the underlying bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. BUSTOS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 232, not voting 7, as follows:

[Roll No. 50]

AYES—195

Adams	DeFazio	Khanna
Aguilar	DeGette	Kihuen
Barragán	Delaney	Kildee
Bass	DeLauro	Kilmer
Beatty	DelBene	Kind
Becerra	Demings	Krishnamoorthi
Bera	DeSaulnier	Kuster (NH)
Beyer	Deutch	Langevin
Bishop (GA)	Dingell	Larsen (WA)
Blum	Doggett	Larson (CT)
Blumenauer	Doyle, Michael	Lawrence
Blunt Rochester	F.	Lawson (FL)
Bonamici	Duncan (TN)	Lee
Boyle, Brendan	Ellison	Levin
F.	Engel	Lewis (GA)
Brady (PA)	Eshoo	Lieu, Ted
Brown (MD)	Espallat	Lipinski
Brownley (CA)	Esty	Loehsack
Bustos	Evans	Lofgren
Butterfield	Foster	Lowenthal
Capuano	Fudge	Lowe
Carbajal	Gabbard	Lujan Grisham,
Cárdenas	Gallego	M.
Carson (IN)	Garamendi	Luján, Ben Ray
Cartwright	Gonzalez (TX)	Lynch
Castor (FL)	Gottheimer	Maloney,
Castro (TX)	Green, Al	Carolyn B.
Chu, Judy	Green, Gene	Maloney, Sean
Ciçilline	Grijalva	Matsui
Clark (MA)	Gutiérrez	McCollum
Clarke (NY)	Hanabusa	McEachin
Clay	Hastings	McGovern
Cleaver	Heck	McNerney
Clyburn	Higgins (NY)	Meeks
Cohen	Himes	Meng
Connolly	Hoyer	Moore
Conyers	Huffman	Moulton
Cooper	Jackson Lee	Murphy (FL)
Correa	Jayapal	Nadler
Costa	Jeffries	Napolitano
Courtney	Johnson (GA)	Neal
Crist	Johnson, E. B.	Nolan
Crowley	Jones	Norcross
Cuellar	Kaptur	O'Halleran
Cummings	Keating	O'Rourke
Davis (CA)	Kelly (IL)	Pallone
Davis, Danny	Kennedy	Panetta

Pascrell	Sarbanes
Payne	Schakowsky
Pelosi	Schiff
Perlmutter	Schneider
Peters	Schrader
Peterson	Scott (VA)
Pingree	Scott, David
Pocan	Serrano
Polis	Sewell (AL)
Price (NC)	Shea-Porter
Quigley	Sherman
Raskin	Sinema
Rice (NY)	Sires
Richmond	Slaughter
Rosen	Smith (WA)
Roybal-Allard	Soto
Ruiz	Speier
Ruppersberger	Suozi
Rush	Swalwell (CA)
Sánchez	Takano

NOES—232

Abraham	Gaetz
Aderholt	Gallagher
Allen	Garrett
Amash	Gibbs
Amodei	Gohmert
Arrington	Goodlatte
Babin	Gosar
Bacon	Gowdy
Banks (IN)	Granger
Barletta	Graves (GA)
Barr	Graves (LA)
Barton	Graves (MO)
Bergman	Griffith
Beutler	Grothman
Biggs	Guthrie
Bilirakis	Harper
Bishop (MI)	Harris
Bishop (UT)	Hartzler
Black	Hensarling
Blackburn	Hice, Jody B.
Bost	Higgins (LA)
Brady (TX)	Hill
Brat	Holding
Bridenstine	Hollingsworth
Brooks (AL)	Hudson
Brooks (IN)	Huizenga
Buchanan	Hultgren
Buck	Hunter
Bucshon	Hurd
Budd	Issa
Burgess	Jenkins (KS)
Byrne	Jenkins (WV)
Calvert	Johnson (LA)
Carter (GA)	Johnson (OH)
Carter (TX)	Johnson, Sam
Chabot	Jordan
Chaffetz	Joyce (OH)
Cheney	Katko
Coffman	Kelly (MS)
Cole	Kelly (PA)
Collins (GA)	King (IA)
Collins (NY)	King (NY)
Comer	Kinzinger
Comstock	Knight
Conaway	Kustoff (TN)
Cook	Labrador
Costello (PA)	LaHood
Cramer	LaMalfa
Crawford	Lamborn
Culberson	Lance
Curbelo (FL)	Latta
Davidson	Lewis (MN)
Davis, Rodney	LoBiondo
Denham	Long
Dent	Loudermilk
DeSantis	Love
DesJarlais	Lucas
Diaz-Balart	Luetkemeyer
Donovan	MacArthur
Duffy	Marchant
Duncan (SC)	Marino
Dunn	Marshall
Emmer	Massie
Farenthold	Mast
Faso	McCarthy
Ferguson	McCaul
Fitzpatrick	McClintock
Fleischmann	McHenry
Flores	McKinley
Fortenberry	McMorris
Fox	Rodgers
Franks (AZ)	McSally
Frelinghuysen	Meadows

Thompson (CA)	Walters, Mimi
Thompson (MS)	Weber (TX)
Titus	Webster (FL)
Tonko	Wenstrup
Torres	Westerman
Tsongas	
Vargas	
Veasey	
Vela	
Velázquez	
Visclosky	
Walz	
Wasserman	
Schultz	
Waters, Maxine	
Watson Coleman	
Welch	
Wilson (FL)	
Yarmuth	

Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman

Williams	Yoder
Wilson (SC)	Yoho
Wittman	Young (AK)
Womack	Young (IA)
Woodall	Zeldin

NOT VOTING—7

Frankel (FL)	Price, Tom (GA)	Zinke
Mulvaney	Rutherford	
Pompeo	Ryan (OH)	

□ 1706

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. MAXINE WATERS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 184, not voting 7, as follows:

[Roll No. 51]

AYES—243

Abraham	Davis, Rodney	Johnson (OH)
Aderholt	Denham	Johnson, Sam
Allen	Dent	Jordan
Amash	DeSantis	Joyce (OH)
Amodei	DesJarlais	Katko
Arrington	Diaz-Balart	Kelly (MS)
Babin	Donovan	Kelly (PA)
Bacon	Duffy	King (IA)
Banks (IN)	Duncan (SC)	King (NY)
Barletta	Duncan (TN)	Kinzinger
Barr	Dunn	Knight
Barton	Emmer	Kustoff (TN)
Bergman	Farenthold	Labrador
Beutler	Faso	LaHood
Biggs	Ferguson	LaMalfa
Bilirakis	Fitzpatrick	Lamborn
Bishop (GA)	Fleischmann	Lance
Bishop (MI)	Flores	Latta
Bishop (UT)	Fortenberry	Lewis (MN)
Black	Fox	LoBiondo
Blackburn	Franks (AZ)	Long
Blum	Frelinghuysen	Loudermilk
Bost	Gaetz	Love
Brady (TX)	Gallagher	Lucas
Brat	Garrett	Luetkemeyer
Bridenstine	Gibbs	MacArthur
Brooks (AL)	Gohmert	Marchant
Brooks (IN)	Goodlatte	Marino
Buchanan	Gosar	Marshall
Buck	Gottheimer	Massie
Bucshon	Gowdy	Mast
Budd	Granger	McCarthy
Burgess	Graves (GA)	McCaul
Byrne	Graves (LA)	McClintock
Calvert	Graves (MO)	McHenry
Cárdenas	Griffith	McKinley
Carter (GA)	Grothman	McMorris
Carter (TX)	Guthrie	Rodgers
Chabot	Harper	McSally
Chaffetz	Harris	Meadows
Cheney	Hartzler	Meehan
Coffman	Hensarling	Messer
Cole	Hice, Jody B.	Mitchell
Collins (GA)	Higgins (LA)	Moolenaar
Collins (NY)	Hill	Mooney (WV)
Comer	Holding	Mullin
Comstock	Hollingsworth	Murphy (PA)
Conaway	Hudson	Newhouse
Cook	Huizenga	Noem
Costello (PA)	Hultgren	Nunes
Cramer	Hunter	Olson
Crawford	Hurd	Palazzo
Cuellar	Issa	Palmer
Culberson	Jenkins (KS)	Paulsen
Curbelo (FL)	Jenkins (WV)	Pearce
Davidson	Johnson (LA)	Perry

Peters
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)

NOES—184

Adams
Aguilar
Barragán
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espallat
Esty
Evans
Foster
Fudge

Russell
Sanford
Scalise
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozi
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi

Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7
Frankel (FL)
Mulvaney
Pompeo
Price, Tom (GA)
Rutherford
Ryan (OH)

□ 1712

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

COMMODITY END-USER RELIEF ACT

The SPEAKER pro tempore. Pursuant to House Resolution 40 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 238.
Will the gentleman from Georgia (Mr. CARTER) kindly take the chair.

□ 1713

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 238) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, with Mr. CARTER of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 8 printed in part B of House Report 115-3 offered by the gentlewoman from Missouri (Mrs. HARTZLER) had been disposed of.

AMENDMENT NO. 4 OFFERED BY MR. CONAWAY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CONAWAY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 191, not voting 7, as follows:

[Roll No. 52]

AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)

Barletta
Barr
Barton
Bergman
Beutler
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)

Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer

Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—191

Adams
Aguilar
Barragán
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)

Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave

Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette

Delaney	Larsen (WA)	Raskin
DeLauro	Larson (CT)	Rice (NY)
DeBene	Lawrence	Richmond
Demings	Lawson (FL)	Rosen
DeSaulnier	Lee	Royal-Allard
Deutch	Levin	Ruiz
Dingell	Lewis (GA)	Ruppersberger
Doggett	Lieu, Ted	Rush
Doyle, Michael	Lipinski	Sánchez
F.	Loeb sack	Sarbanes
Ellison	Lofgren	Schakowsky
Engel	Lowenthal	Schiff
Eshoo	Lowe y	Schneider
Espallat	Lujan Grisham,	Schrader
Esty	M.	Scott (VA)
Evans	Lujan, Ben Ray	Scott, David
Foster	Lynch	Serrano
Fudge	Maloney,	Sewell (AL)
Gabbard	Carolyn B.	Shea-Porter
Galle go	Maloney, Sean	Sherman
Garamendi	Matsui	Sinema
Gonzalez (TX)	McCollum	Sires
Gottheimer	McEachin	Slaughter
Green, Al	McGovern	Smith (WA)
Green, Gene	McNerney	Soto
Grijalva	Meeks	Speier
Gutiérrez	Meng	Suo zzi
Hanabusa	Moore	Swalwell (CA)
Hastings	Moulton	Takano
Heck	Murphy (FL)	Nadler
Higgins (NY)	Nadler	Thompson (CA)
Himes	Napolitano	Thompson (MS)
Hoyer	Neal	Titus
Jackson Lee	Nolan	Tonko
Jayapal	Norcross	Torres
Jeffries	O'Halleran	Tsongas
Johnson, E. B.	O'Rourke	Vargas
Jones	Pallone	Veasey
Kaptur	Panetta	Vela
Keating	Pascrell	Velázquez
Kelly (IL)	Payne	Visclosky
Kennedy	Pelosi	Walz
Khanna	Perlmutter	Wasserman
Kihuen	Peters	Schultz
Kildee	Peterson	Waters, Maxine
Kilmer	Pingree	Watson Coleman
Kind	Pocan	Welch
Krishnamoorthi	Polis	Wilson (FL)
Kuster (NH)	Price (NC)	Yarmuth
Langevin	Quigley	

NOT VOTING—7

Frankel (FL)	Price, Tom (GA)	Zinke
Mulvaney	Rutherford	
Pompeo	Ryan (OH)	

□ 1717

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. CARTER of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 238) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, and, pursuant to House Resolution 40, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LANGEVIN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LANGEVIN. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Langevin moves to recommit the bill H.R. 238 to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment:

Page 44, line 15, strike "and".

Page 44, after line 15, insert the following:

(B) the Commission shall not consider the swaps regulatory requirements of a foreign jurisdiction described under subparagraph (A) as comparable to and as comprehensive as United States swaps requirements, if that foreign jurisdiction has been found by the Commission, in consultation with the Director of National Intelligence, to have engaged in cyber-attacks targeting any election held in the United States; and

Page 44, line 16, strike "(B)" and insert "(C)".

The SPEAKER pro tempore. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to a vote on final passage as amended.

Mr. Speaker, the amendment I am offering this afternoon is simple. It would prevent any jurisdiction's swap laws from automatically being considered comparable to the United States if it is found to have engaged in cyber attacks targeting U.S. elections. As someone who has been involved in cybersecurity policy for the better part of a decade, it could not be more relevant, it could not be more timely.

During the past year, Mr. Speaker, the core of our democracy came under attack. The Russian Government, acting under the orders of authoritarian President Vladimir Putin, conducted a sustained information warfare campaign designed to undermine the American people's faith in our electoral system. The influence operation involved traditional tradecraft, including Russian state-owned media broadcasters.

It also, notably and notoriously, involved the hacking of Democratic Party organizations, including the Democratic National Committee.

These are facts, Mr. Speaker. They are the findings of independent security researchers that have been recently confirmed by the brave men and women serving their country as part of the intelligence community for whom I have great respect. The contours of what happened are indisputable, and they should be undisputed.

Yet, our response to this unprecedented attack has been anything but unified. Putin and his henchmen acted with an intent to sow discord, to make us question each other's motives, and to raise doubt about the validity of our election results. We know this was Putin's intent, and yet, rather than acting with solidarity to address the problem, we bicker.

Mr. Speaker, next Friday, I will be here at the Capitol for one of the greatest American traditions, the peaceful transition of power. Mr. Trump may not have been my choice for President, but, come next week, he will nonetheless be my President. I will join with my colleagues here, and we will congratulate him on his inauguration. We will do so because there is no evidence that any vote tallies were altered and, like it or not, Mr. Trump clearly prevailed in the electoral college.

But if we can join together on the election of the President, something many of my colleagues have severe disagreements about, why can we not do so to decry Putin's attempted interference? Why do we not speak today as a body with one voice to say: you've failed, Mr. Putin; our faith in our democracy is as strong as ever?

I will not pretend that my amendment to this bill is sufficient punishment for the brazen attack on our democracy. But it will send a powerful message that this House is unified. It will send a powerful message to Putin that American democracy is resilient. It will send a powerful message to our allies that we will not stand idly by as Russians attempt to affect their democratic institutions. And it will send a powerful message to our constituents that our commitment to free and fair elections rises above partisan politics.

President Obama spoke very eloquently on Tuesday about the challenges faced by our democracy. "Our democracy is threatened," he said, "whenever we take it for granted." Passing this amendment makes it abundantly clear that we very much understand how lucky we are to live in this country and how attacks on it will not be tolerated. I will reiterate that this amendment will not kill the bill in any way. Rather, we will move immediately to vote on final passage following its adoption.

I urge my colleagues to join me in this display of solidarity and resilience.

Mr. Speaker, I yield back the balance of my time.

Mr. CONAWAY. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Speaker, I rise in opposition to the gentleman's amendment. Those of you who paid attention to the debate earlier in the day will find it curious that much of the debate, some of the debate, was about the specificity with which we instructed the CFTC to set up a regime in which to evaluate foreign jurisdictions, and it irritated the group. In fact, many of them are voting against it because that is in the underlying bill that is there, so I oppose the gentleman's amendment.

I also don't know that it wouldn't require a referral to the Permanent Select Committee on Intelligence, and while the vaunted Committee on Agriculture would love to claim all the jurisdiction we possibly could, I am not interested in referring it to a different committee.

For 4 years now, the end users and folks have been waiting to get this thing done. It is time for us to get it done. I urge my colleagues to vote against this motion to recommit and support the Commodity End-User Relief Act.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. LANGEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 9, as follows:

[Roll No. 53]

AYES—190

Adams	Brownley (CA)	Clyburn
Aguilar	Bustos	Cohen
Barragan	Butterfield	Connolly
Bass	Capuano	Conyers
Beatty	Carbajal	Cooper
Becerra	Cardenas	Correa
Bera	Carson (IN)	Costa
Beyer	Cartwright	Courtney
Bishop (GA)	Castor (FL)	Crist
Blumenauer	Castro (TX)	Crowley
Blunt Rochester	Chu, Judy	Cuellar
Bonamici	Cicilline	Cummings
Boyle, Brendan	Clark (MA)	Davis (CA)
F.	Clarke (NY)	Davis, Danny
Brady (PA)	Clay	DeFazio
Brown (MD)	Cleaver	DeGette

Delaney	Langevin	Raskin
DeLauro	Larsen (WA)	Rice (NY)
DeBene	Larson (CT)	Richmond
Demings	Lawrence	Rosen
DeSaulnier	Lawson (FL)	Roybal-Allard
Deutch	Lee	Ruiz
Dingell	Levin	Ruppersberger
Doggett	Lewis (GA)	Rush
Doyle, Michael	Lieu, Ted	Sanchez
F.	Lipinski	Sarbanes
Ellison	Loeb	Schakowsky
Engel	Loeb	Schiff
Eshoo	Lofgren	Schneider
Espallat	Lowenthal	Schrader
Esty	Lowe	Scott (VA)
Evans	Lujan Grisham,	Scott, David
Foster	M.	Scott, David
Fudge	Lujan, Ben Ray	Serrano
Gabbar	Lynch	Sewell (AL)
Gallego	Maloney, Sean	Shea-Porter
Garamendi	Matsui	Sherman
Gonzalez (TX)	McCollum	Sinema
Gottheimer	McEachin	Sinema
Green, Al	McGovern	Sires
Green, Gene	McNerney	Slaughter
Grijalva	Meeks	Smith (WA)
Hanabusa	Meng	Soto
Hastings	Moore	Speier
Heck	Moulton	Suozi
Higgins (NY)	Murphy (FL)	Swalwell (CA)
Himes	Nadler	Takano
Hoyer	Napolitano	Thompson (CA)
Huffman	Nolan	Thompson (MS)
Jackson Lee	Norcross	Titus
Jayapal	O'Halleran	Tonko
Jeffries	O'Rourke	Torres
Johnson (GA)	Pallone	Tsongas
Johnson, E. B.	Panetta	Vargas
Kaptur	Pascrell	Veasey
Keating	Payne	Vela
Kelly (IL)	Pelosi	Velazquez
Kennedy	Perlmutter	Visclosky
Khanna	Peters	Walz
Kihuen	Peterson	Wasserman
Kildee	Pingree	Schultz
Kilmer	Pocan	Waters, Maxine
Kind	Polis	Watson Coleman
Krishnamoorthi	Price (NC)	Welch
Kuster (NH)	Quigley	Wilson (FL)
		Yarmuth

NOES—235

Abraham	Comstock	Grothman
Aderholt	Conaway	Guthrie
Allen	Cook	Harper
Amash	Costello (PA)	Harris
Amodei	Cramer	Hartzler
Arrington	Crawford	Hensarling
Babin	Culberson	Hice, Jody B.
Bacon	Curbelo (FL)	Higgins (LA)
Banks (IN)	Davidson	Hill
Barletta	Davis, Rodney	Holding
Barr	Denham	Hollingsworth
Barton	Dent	Hudson
Bergman	DeSantis	Huizenga
Beutler	DesJarlais	Hultgren
Biggs	Diaz-Balart	Hunter
Bilirakis	Donovan	Hurd
Bishop (MI)	Duffy	Issa
Bishop (UT)	Duncan (SC)	Jenkins (KS)
Black	Duncan (TN)	Jenkins (WV)
Blackburn	Dunn	Johnson (LA)
Blum	Emmer	Johnson (OH)
Bost	Farenthold	Johnson, Sam
Brady (TX)	Faso	Jones
Brat	Ferguson	Jordan
Bridenstine	Fitzpatrick	Joyce (OH)
Brooks (AL)	Fleischmann	Katko
Brooks (IN)	Flores	Kelly (MS)
Buchanan	Fortenberry	Kelly (PA)
Buck	Fox	King (IA)
Bucshon	Franks (AZ)	King (NY)
Budd	Frelinghuysen	Kinzinger
Burgess	Gaetz	Knight
Byrne	Gallagher	Kustoff (TN)
Calvert	Garrett	Labrador
Carter (GA)	Gibbs	LaHood
Carter (TX)	Gohmert	LaMalfa
Chabot	Goodlatte	Lamborn
Chaffetz	Gosar	Lance
Cheney	Gowdy	Latta
Ciencin	Granger	Lewis (MN)
Coffman	Graves (GA)	LoBiondo
Cole	Graves (LA)	Long
Cole	Graves (MO)	Loudermilk
Collins (GA)	Griffith	Love
Collins (NY)		
Comer		

Lucas	Poliquin	Smith (TX)
Luetkemeyer	Posey	Smucker
MacArthur	Ratcliffe	Stefanik
Marchant	Reed	Stewart
Marino	Reichert	Stivers
Marshall	Renacci	Taylor
Massie	Rice (SC)	Tenney
Mast	Roby	Thompson (PA)
McCarthy	Roe (TN)	Thornberry
McCaul	Rogers (AL)	Tiberi
McClintock	Rogers (KY)	Tipton
McHenry	Rohrabacher	Trott
McKinley	Rokita	Turner
McMorris	Rooney, Francis	Upton
Rodgers	Rooney, Thomas	Valadao
McSally	J.	Wagner
Meadows	Ros-Lehtinen	Walberg
Meehan	Roskam	Walden
Messer	Ross	Walker
Mitchell	Rothfus	Walorski
Moolenaar	Rouzer	Walters, Mimi
Mooney (WV)	Royce (CA)	Weber (TX)
Mullin	Russell	Webster (FL)
Murphy (PA)	Sanford	Webster
Newhouse	Scalise	Westerman
Noem	Schweikert	Williams
Nunes	Scott, Austin	Wilson (SC)
Olson	Sensenbrenner	Wittman
Palazzo	Sessions	Womack
Palmer	Shimkus	Woodall
Paulsen	Shuster	Yoder
Pearce	Simpson	Yoho
Perry	Smith (MO)	Young (AK)
Pittenger	Smith (NE)	Young (IA)
Poe (TX)	Smith (NJ)	Zeldin

NOT VOTING—9

Frankel (FL)	Mulvaney	Ryan (OH)
Gutierrez	Pompeo	Zinke
Maloney,	Price, Tom (GA)	
Carolyn B.	Rutherford	

□ 1734

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PETERSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 182, not voting 13, as follows:

[Roll No. 54]

YEAS—239

Abraham	Brooks (IN)	Davidson
Aderholt	Buchanan	Davis, Rodney
Allen	Buck	Denham
Amash	Bucshon	Dent
Amodei	Budd	DeSantis
Arrington	Burgess	DesJarlais
Babin	Byrne	Diaz-Balart
Bacon	Calvert	Donovan
Banks (IN)	Carter (GA)	Duffy
Barletta	Carter (TX)	Duncan (SC)
Barr	Chabot	Duncan (TN)
Barton	Chaffetz	Dunn
Bergman	Cheney	Emmer
Beutler	Coffman	Farenthold
Biggs	Cole	Faso
Bilirakis	Collins (GA)	Ferguson
Bishop (GA)	Collins (NY)	Fitzpatrick
Bishop (MI)	Comer	Fleischmann
Bishop (UT)	Comstock	Flores
Black	Conaway	Fortenberry
Blackburn	Cook	Fox
Blum	Costello (PA)	Franks (AZ)
Bost	Cramer	Frelinghuysen
Brady (TX)	Crawford	Gaetz
Brat	Cuellar	Gallagher
Bridenstine	Culberson	Gibbs
Brooks (AL)	Curbelo (FL)	Gohmert

Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer

MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Pittenger
Poe (TX)
Poliquin
Posey
Ratchiffe
King (IA)
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer

Royce (CA)
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozi
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Pittenger
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—182

Adams
Aguilar
Barragan
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist

Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty
Evans
Foster
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee

Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin

McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)

Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto

Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Chu, Judy
Demings
Frankel (FL)
Garrett
Loeb sack

Mulvaney
Murphy (PA)
Payne
Pompeo
Price, Tom (GA)

Rutherford
Ryan (OH)
Zinke

□ 1740

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MURPHY of Pennsylvania. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 54.

Ms. MAXINE WATERS of California. Mr. Speaker.

The SPEAKER pro tempore. Does the gentlewoman from California seek recognition?

Ms. MAXINE WATERS of California. Yes, sir. I seek recognition to get an explanation of what happened on C-SPAN today.

Did this House have anything to do with it?

I would like to explain that today while I spoke on the House floor on H.R. 78—

The SPEAKER pro tempore. The gentlewoman will suspend.

Is the gentlewoman seeking unanimous consent to address the House for 1 minute?

Ms. MAXINE WATERS of California. Yes, I am.

The SPEAKER pro tempore. Without objection, the gentlewoman is recognized for 1 minute.

HOUSE INVESTIGATION REQUESTED IN RE C-SPAN INTERRUPTED BY "RUSSIA TODAY"

(Ms. MAXINE WATERS of California asked and was given permission to address the House for 1 minute.)

Ms. MAXINE WATERS of California. Mr. Speaker, today while I spoke on the House floor on H.R. 78, the state-owned Russian channel called "Russia Today" suddenly interrupted my speech, and C-SPAN coverage was replaced with Russian programming.

Can the Chair please explain the proper rules for coverage of House floor proceedings? How did this happen?

The SPEAKER pro tempore. The Chair will inform the gentlewoman that the Chair has no information on this at this point.

Ms. MAXINE WATERS of California. Mr. Speaker, I would like to request an investigation of this incident because it does not seem to be coincidental. I was speaking about the SEC, and I was speaking about President-elect Trump and how he could influence the SEC and his relationship with Russia when I was interrupted.

The SPEAKER pro tempore. As debate, the gentlewoman's remarks will appear in the RECORD.

Ms. MAXINE WATERS of California. Mr. Speaker, I am requesting an investigation by the House.

The SPEAKER pro tempore. As debate, the gentlewoman's remarks will appear in the RECORD.

Ms. MAXINE WATERS of California. Mr. Speaker, I am requesting an investigation by the House.

The SPEAKER pro tempore. The Chair cannot unilaterally grant an investigation. The gentlewoman is welcome to use whatever other procedural means that she may have at her disposal to effect a result.

Ms. MAXINE WATERS of California. I thank the Chair. I have made it known. I have asked for the investigation. If there is no assistance from the House, I would appreciate allowing other kinds of cooperation.

I must say this, Mr. Speaker, if we were sitting in on the House and if we were streaming, then the House would know what to do since they investigated our past actions when we were trying to bring attention to gun violence in this country. So I don't really accept the fact that the House has no role in this and that it should not be participating in it.

The House participates when it wants to, and I am asking the House to participate and investigate in this the same way you did when you decided that somehow it was improper for us to stream from the House on this issue.

The SPEAKER pro tempore. The gentlewoman yields back.

Ms. MAXINE WATERS of California. No, I don't yield back.

The SPEAKER pro tempore. The gentlewoman's time has expired. The gentlewoman is no longer recognized.

□ 1745

IN SUPPORT OF NOMINATION OF Betsy DeVos OF EDUCATION

(Mr. TROTT asked and was given permission to address the House for 1 minute.)

Mr. TROTT. Mr. Speaker, I rise this evening to voice my strong support for

President-elect Trump's outstanding choice for Secretary of Education, Betsy DeVos.

A fellow Michigander, Betsy has worked tirelessly on behalf of the children of our country, striving to improve education and return authority back to those who know best—parents and the States. Not only has Michigan benefited from her efforts, but she has worked across the country to improve test scores and promote the highest level of academic achievement. She is committed to not only promoting strong schools, but she has also worked on an individual basis by personally mentoring children and interacting with their parents.

I have no doubt that Betsy will continue to be a strong advocate for our children and that she will ensure that our education is as it should be—the greatest in the world.

THE AFFORDABLE CARE ACT WORKS

(Mr. BROWN of Maryland asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Maryland. Mr. Speaker, I rise on behalf of the residents of Maryland's Fourth Congressional District to say that the Affordable Care Act works. It has improved the health of thousands of men, women, and children in my district, and it has also reduced the level of uncompensated care in our community hospitals.

Repealing the Affordable Care Act will result in more uninsured patients, and more uninsured people will drive up costs for everyone. Community hospitals, such as MedStar Health and Anne Arundel Medical Center, will be forced to lay off doctors and nurses. Major medical centers, like John Hopkins and the University of Maryland, will be forced to cut back investments in research that we so desperately need to fight cancer, to treat diabetes, and to reduce infant mortality.

In the Fourth Congressional District, we are on the verge of establishing a new regional medical center that will both improve the quality of care throughout the National Capital Region and will create thousands of healthcare-related jobs in my district.

Mr. Speaker, repealing the Affordable Care Act is simply wrong. Hospital services will be reduced, local economies will be weakened, and job losses will follow. Let's protect our care and protect our jobs.

HUMAN TRAFFICKING AWARENESS MONTH

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise to recognize National Human Trafficking Awareness Month.

In my home State of California, human trafficking is a notoriously large and dangerous industry, with over 300 reported cases of trafficking that involved children, teens, and young adults last year, including the very mysterious case that happened in November, that of Sherri Papini from Shasta County, who may or may not have been drawn into this. Fortunately, she was released on Thanksgiving Day. Indeed, the whole State is thankful for her release and that she didn't get caught in that horrible system.

We must do more to stop this human trafficking. That is why I am a proud supporter of H.R. 440, the SHAME Act, which was introduced by my colleague, Mr. POE of Texas. The bill makes public the names and pictures of criminals who have been convicted of buying sex from a minor or from a sex trafficking victim—stripping their anonymity and sentencing them to the public humiliation they deserve for their despicable acts.

I believe the SHAME Act will help to discourage participation in further human trafficking and will lead to a safer environment for our children in America. We must combat this now—indeed, a very dangerous and immoral problem.

REPEAL OF THE AFFORDABLE CARE ACT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, we are less than 2 weeks into the start of the new Congress and Republicans are already trying to make good on their central campaign promise to repeal the Affordable Care Act.

Regrettably, it is a promise that will cause more than 30 million Americans and at least 86,000 Rhode Islanders to lose their health coverage. It will increase prescription drug costs for almost 16,000 Ocean State seniors, and it will cost Rhode Island an estimated 12,000 jobs in 2019, according to a recent report by The Commonwealth Fund and George Washington University.

Mr. Speaker, the Republicans' promise to repeal the Affordable Care Act will have devastating consequences for healthcare providers, patients, families, and even employers. I have long said that ObamaCare isn't perfect, and I am willing to work in a bipartisan manner to improve it—a task we have tried to accomplish for years without Republican cooperation.

Mr. Speaker, the budget resolution the Republicans are jamming through Congress now is anything but bipartisan. I pledge to do everything in my power to fight their cynical attempts to revoke the health coverage of thousands of Rhode Islanders and of mil-

lions of Americans who need it and who depend on it.

IN SUPPORT OF NOMINATION OF SECRETARY OF EDUCATION BETSY DEVOS

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, for too long, Washington has spent education dollars by building bureaucracy instead of by advancing opportunities for our children.

As a member of the House Committee on Education and the Workforce, I believe we must change the status quo and restore local control in education. We need someone to lead the Department of Education and to work with Congress and leave decisionmaking in the hands of parents and local communities, not in Washington. Betsy DeVos is that person.

She has dedicated her life to fighting for children in Michigan. She has been a tireless advocate for giving families choices and for ensuring our kids have access to quality education, including in public schools, regardless of their Zip Codes. She has a heart for children and will be a champion for every student in America.

I encourage the Senate to confirm her quickly so that, together, we can get to work on ensuring a high-quality education is within reach for every child.

IN MEMORY OF THE LIFE AND LEGACY OF LENO BRADBY

(Mr. MCKEACHIN asked and was given permission to address the House for 1 minute.)

Mr. MCKEACHIN. Mr. Speaker, I trespass on the time of the House today to honor the life and legacy of Mr. Leno Bradby.

Mr. Bradby was a true leader of our community—a community in the Fourth Congressional District, known as Charles City County. He was an active member of his NAACP chapter, of the National Association for the Advancement of Colored People, as well as being a member of the Charles City County Democratic Committee.

Mr. Bradby dedicated his time to helping folks vote by supporting voter registration and voter education efforts in our district. He regularly volunteered at the polling locations and provided community members with transportation to cast their ballots. I know that his presence was greatly missed in a special election that was held within our district yesterday.

It is sad to see a devout and active member of our community leave us, but his legacy will live on with his fellow community members. This is a great loss to Charles City County.

IN SUPPORT OF NOMINATION OF
SECRETARY OF EDUCATION
BETSY DEVOS

(Mr. HUIZENGA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUIZENGA. Mr. Speaker, I rise to support my friend Betsy DeVos, President-elect Trump's nominee to serve as the next Secretary for the Department of Education.

Betsy is a passionate and dedicated servant with a big heart for kids. She is a grandmother of five who has made it her life's mission to ensure that all children in America have access to a quality education no matter what their ZIP Codes are. Betsy has fought for children in classrooms to State capitols, and her efforts have given more kids hope for a brighter future. In our shared home State of Michigan, Betsy led the effort to pass the State's first charter school law. According to Stanford University, Michigan's charter school students now perform at a higher level than do their peers.

I witnessed Betsy's creativity and discipline firsthand when we served together on the board of the Compass College of Cinematic Arts, a Grand Rapids, Michigan-based film school and production company. We implemented rigorous standards that set Compass up for accreditation, and it now holds them accountable.

I know that Betsy is up to the challenge of ensuring our children are prepared to compete and thrive in our ever-changing world.

REPEAL OF THE AFFORDABLE
CARE ACT

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, for over 6 years, we have watched House Republicans attack the Affordable Care Act. The law may not be perfect, but Republicans can't ignore the fact that the ACA has allowed 30 million Americans to access affordable health care.

Calls and emails have poured into my office from my constituents who are begging me to do everything in my power to protect their health care and to strengthen the ACA. Earlier this week I received an email from Brian in San Bernardino, who shared that his wife didn't have insurance before the ACA. When the law went into effect, she had a physical, whereby doctors discovered she had ovarian cancer. It was caught early and treated, and now she is living healthy in San Bernardino. If she had not obtained health insurance through the ACA, she wouldn't have had a preventative screening, which saved her life.

Mr. Speaker, we cannot strip 30 million people of their health care. We cannot look people in the eyes and say

we are doing everything we can to help them if we allow insurance companies to discriminate against them and to cap their coverage. I will not compromise their health care or our future, and neither should you.

IN SUPPORT OF NOMINATION OF
SECRETARY OF EDUCATION
BETSY DEVOS

(Mr. MOOLENAAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOOLENAAR. Mr. Speaker, I rise in support of the nomination of Betsy DeVos, of my home State of Michigan, to be the next Secretary of Education.

She shares our belief that all children should have the opportunity to learn in a world-class environment and that they, along with their parents, should be able to choose the schools that are best for them. In Michigan, she has improved learning opportunities for students from low-income backgrounds all across the State. She knows that local control plays a key role in an educator's ability to tailor lesson plans that best provide the education for our students.

For decades, Betsy DeVos has worked tirelessly on education issues, and she has been a champion for parents and students. As a parent of six children who have attended public schools, I am confident that she will do an outstanding job as our next Secretary of Education.

REPEAL OF THE AFFORDABLE
CARE ACT

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, tomorrow, this House, the people's House, will vote to take the first step in a blindly ideological crusade to break our entire healthcare system and rip health insurance away from more than 20 million Americans.

Repeal would cripple our Nation's hospitals and create a \$723 million budget shortfall in my congressional district alone, resulting in countless job losses across our great country. Repeal would return everyone to the days of big insurance companies and their denying of needed care due to annual and lifetime limits on coverage. Repeal would mean higher costs for individuals who seek routine preventative care, like mammograms or birth control.

This is not what the people want. People are sick and tired of Republicans playing political games with their health care. The Affordable Care Act is not perfect. Deductibles, out-of-pocket costs, and prescription drug

prices are still too high for many working families. People are frustrated when they are faced with narrow networks or surprise medical bills.

Unfortunately, these are not the problems that Republicans are focused on fixing. In fact, the only problem Republicans seem to be trying to solve is that too many people have health insurance. Republicans want to roll back the progress that has been made and create a healthcare system that eliminates the guarantees of affordable coverage, by which families will face even higher deductibles and copays—a concept they euphemistically call “skin in the game,” and those with preexisting conditions, including expectant mothers, would again face a closed door instead of care.

HUMAN TRAFFICKING

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, earlier this week we observed National Human Trafficking Awareness Day, and we continue to shine a light on this modern form of slavery. As a part of that effort, I am cosponsoring the Trafficking Survivors Relief Act, which is the next step in helping the victims of human trafficking.

The heinous practice of human trafficking exploits young girls and boys. These victims are oftentimes our most vulnerable and are taken advantage of by those with no regard for their well-being. The Trafficking Survivors Relief Act will allow victims to petition courts to have their criminal records cleared of nonviolent offenses that were committed as a direct result of being trapped in human trafficking. It is a very important step, Mr. Speaker, in helping these individuals get the opportunity to return to living fulfilling lives on their own terms and getting the fresh start that they deserve.

No man, woman, girl, or boy should ever be subjected to sex trafficking. We must remain vigilant in our fight against this crime and ensure that the victims receive the support and resources they need because, together, we can stop human trafficking.

REPEAL OF THE AFFORDABLE
CARE ACT

(Mr. CARBAJAL asked and was given permission to address the House for 1 minute.)

Mr. CARBAJAL. Mr. Speaker, I rise for the first time as a Member of Congress to discuss an issue that is at the forefront of the American conscience and is one that I care deeply about: protecting and improving the Affordable Care Act.

Today, over 45,000 of my constituents have access to reliable, affordable

healthcare coverage thanks to the Affordable Care Act. These are seniors who would otherwise be unable to afford their prescription drugs. These are working families who no longer have to worry about being one illness away from bankruptcy. These are children who have been born with birth defects who would have previously been denied coverage for having a preexisting condition or reached their lifetime limits before they even started school.

What concerns me most is this effort to repeal the Affordable Care Act without putting forth any sort of replacement. This will have real consequences for American families, and it is simply reckless governance. We cannot play politics with 20 million American lives who depend on the Affordable Care Act for access to quality, affordable health care. This is not a game.

□ 1800

**WSAV GENERAL MANAGER
RETIRING**

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Ms. Deb Thompson, who recently retired as general manager of WSAV News Station in Savannah, Georgia.

Ms. Thompson began working with WSAV in 2005. She moved to Savannah from Dallas, Texas, and started her outstanding career bringing news to our local community as a sales manager for the station.

Her dedication and passion for the Savannah community made her a perfect fit for the job, and she quickly moved to general manager of WSAV in 2009. An example of this passion was showcased when she was arrested in March of 2016, as part of the Muscular Dystrophy Association's Lock-Up event to help combat neuromuscular disease. The money that Ms. Thompson raised for bail helped two local children attend an MDA summer camp that gives children with muscle-debilitating diseases the best week of the year.

Ms. Thompson was also instrumental in expanding WSAV's news coverage from 17 hours per week to 30 hours per week and creating a 10 p.m. program reaching a much broader audience.

I am proud to recognize her today for all of her hard work and dedication to southeast Georgia. I wish her the best of luck in the future.

**REJECT ATTEMPTS TO REPEAL
THE ACA**

(Mr. SCHRADER asked and was given permission to address the House for 1 minute.)

Mr. SCHRADER. Mr. Speaker, in a bizarre rant yesterday, President-elect

Donald Trump said he would be "the greatest jobs producer that God ever created." Mr. Trump might need to rethink that statement, given his top priority is to repeal the Affordable Care Act.

Make no mistake, Mr. Speaker, while the Republicans haven't given us any details about an ACA replacement policy at all, we know exactly what will happen if they repeal it: millions of jobs will be lost.

Since the ACA was passed in March 2010, the U.S. economy has added more than 15 million private sector jobs and the unemployment rate has been cut in half. In fact, the longest streak in private sector job growth began the month the ACA was passed. Now, folks on the other side of the aisle want to risk all of that going away by repealing the law.

A recent study has found that repealing the ACA would kill 2.6 million jobs in just 1 year, including 45,000 in my home State of Oregon. Thirty million Americans will lose access to health care, and \$350 billion gets added to our budget deficit.

Mr. Speaker, we can't afford the reckless ACA repeal policy. I urge my colleagues to reject attempts to repeal the law and focus on ways we can fix and improve our healthcare system while creating jobs.

**REPEALING ACA WITHOUT A
REPLACEMENT IS DANGEROUS**

(Ms. BARRAGAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BARRAGAN. Mr. Speaker, today, I rise because I offered an amendment to the budget resolution bill that is going to be up for a vote tomorrow. The amendment that I offered was a statement of policy that repealing the Affordable Care Act without a replacement is dangerous and irresponsible. This is a bipartisan sentiment.

Senator LISA MURKOWSKI, a Republican from Alaska, stated: "I have great concerns that we inject a level of great uncertainty into an already uncertain environment if we don't give people a clear indication as to what will come once we repeal."

I don't support a repeal, but people in my district cannot afford to go without health care in the 44th Congressional District.

I urge my colleagues to think about this, to think and to listen to their Republican colleagues. We need to see a replacement plan.

**FIVE IMPACTS OF THE ACA
REPEAL**

(Ms. JAYAPAL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JAYAPAL. Mr. Speaker, the immoral effort to take away health care from millions of working families across the country has begun.

Thanks to the Affordable Care Act, thousands of families in my home State of Washington have been able to get quality health care, and now the Republican majority is set to strip away that healthcare coverage from those struggling to make ends meet.

If they succeed, three quarters of a million Washingtonians will lose their health care; 55,000 young people in our State will be kicked off their parents' healthcare plans; being a woman, once again, becomes a preexisting condition where women would again have to pay out of pocket for basic, preventive screenings and birth control; nearly 4 million Washingtonians, covered by their employers, would see their costs increase and coverage decline; and 50,000 Washingtonians who gained health care through Medicaid expansion will lose it.

Mr. Speaker, health care is a fundamental right and not a privilege. Instead of rolling back the progress we have made, we should be strengthening and expanding health care to cover all who live in our Nation.

**DREAMER INFORMATION
PROTECTIONS**

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, this Sunday at 1:30 p.m. in El Paso, Texas, hundreds of my fellow citizens will come out to San Jacinto Plaza to join us in celebrating, supporting, and defending those DREAMers who, across this country, are 700,000 strong, who were brought here at a young age are now contributing in, living in our communities, going to school, serving in the military, and helping to create jobs and grow our economy.

I am also introducing tomorrow the DREAMER Information Protection Act to protect those DREAMers who voluntarily came forward out of the shadows to give their personal information, their names, telephone numbers, and addresses to the Federal Government. I want to protect them and make sure that same government doesn't turn around and use that information to deport them, as the incoming administration has promised to end the executive DACA action and potentially deport those DREAMers on who this country is depending, not just for our economic success but our growth and success as a country that has always gained from immigrants who contribute to the American way of life.

**SUPPORTING BETSY DEVOS'
NOMINATION**

(Mr. BISHOP of Michigan asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today in strong support of a true leader and friend, Betsy DeVos, for the nomination of Secretary of Education.

By far and away, Betsy DeVos is the ideal candidate to guide our Nation's education policies. For three decades, she has been focused on making sure all of our Nation's children have access to quality education, particularly for the disenfranchised and those in real need.

The Associated Press recently ran a piece highlighting West Michigan Aviation Academy and the tremendous difference the school is making in the lives of the children in Michigan. Betsy DeVos had her hand in that process, as she has in so many of the other schools across western Michigan.

Mr. Speaker, being from Michigan myself, I have seen firsthand what Betsy DeVos has done for education in Michigan. She understands the important role of public schools in the K-12 system, but also believes that competition, school choice, and parental control will help drive success in all schools to ensure that all children are receiving the best possible education, no matter their circumstances.

I hope to work with my friends on the other side of the Capitol. And I hope, during this time before the Senate committee considers Ms. DeVos' nomination, that the rest of the Nation will hear of the great things that Betsy DeVos has done and see how qualified she is for this job.

MICHIGANDERS CONCERNED OVER REPEAL OF ACA

(Mrs. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DINGELL. Mr. Speaker, last weekend, I held a roundtable discussion in my district with healthcare providers, hospitals, doctors, nurses, clinics, labor leaders, and working families to talk about what the Affordable Care Act means to them. All of them are opposed and concerned for the repeal of the Affordable Care Act.

We talked about how important it was to protect the 695,000 Michiganders who have gained coverage since the ACA was enacted and the fact that the uninsured rate in Michigan has been cut in half.

The story that struck me the most was from a local clergyman, Bishop Walter Starghill, who gained coverage for the first time through Medicaid expansion. He told me:

The impact on Black men with increased access to insurance coverage is big. We didn't take care of ourselves until it was too late. We ended up in the emergency room and some of us died. Now we can get checked out early.

I heard from another local UAW worker who said:

I come from a family where many members have struggled with cancer. We wouldn't have healthcare coverage after leaving our jobs or we'd have gone bankrupt without the ACA.

Everywhere I go in the district, people are frightened and come up and say: What will happen?

Tomorrow, you need to look people in the eye and tell them why you are taking their insurance away.

APPOINTMENT OF MEMBERS TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore (Mr. GAETZ). The Chair announces the Speaker's appointment, pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2017, of the following Members on the part of the House to the Joint Economic Committee:

Mr. PAULSEN, Minnesota
Mr. SCHWEIKERT, Arizona
Mrs. COMSTOCK, Virginia
Mr. LAHOOD, Illinois
Mr. FRANCIS ROONEY, Florida
Mrs. CAROLYN MALONEY, New York
Mr. DELANEY, Maryland
Ms. ADAMS, North Carolina
Mr. BEYER, Virginia

INTRODUCING REPUBLICAN FRESHMEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

Mr. COLLINS of Georgia. Mr. Speaker, it is a privilege to be here tonight. As we all get started in a new session, we get started with the newness and excitement. We have already hit the ground running.

This Congress is going to be one of action. The American people spoke. They spoke loudly—they have been over the past few years—saying that the direction of our country needed to change. By changing, they meant change toward a government that is more conservative, one that is listening to them and hasn't forgot that it is not about the government worker that we are about in this place and not about government in and of itself, but it is about what government does for the American people.

Tonight, as I have taken on my role as the vice chair in the Republican Conference, we have been talking about how we can introduce our Members and also work to get our messaging out.

Tonight is the first night where we have some of our new freshmen here on the floor, Mr. Speaker, as you can well attest to. We are going to take time just to get to know them, where they came from, introduce them to the

floor, and introduce them to what we are going to be about and what their passion is to share with as part of our majority going forward.

The first gentleman is a dear friend from my home State of Georgia. He is, as what we call back home a dagg, D-A-G-G. We don't use the extra G, but we will do the first G. How about that?

He is a mayor from West Point, Georgia. He understands what real life is about. He understands about making jobs and getting people taken care of. He also is a dentist. He is going to stay on this side of the aisle tonight, Mr. Speaker, because I am not going over there to find out anything about that.

We are excited to have him. It is going to be a good time tonight.

I yield to the gentleman from Georgia (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, I rise today to deliver my first remarks on the House floor.

Before I became mayor of West Point, I watched my hometown almost fall completely apart. I saw what happened when bad Washington policies almost destroyed my hometown by creating the environment for manufacturing jobs to go overseas. I watched Federal programs that were failing to meet the needs of my friends and neighbors try to take the place of good jobs.

The Federal programs weren't fixing the underlying programs in my hometown. They were simply catching people in the cycle of poverty, and we surely didn't want a handout. We wanted jobs.

I was faced with a choice of whether or not to move my dental practice and my family away from my hometown to a more profitable community or get involved and be part of the solution. I chose to get involved and work to better the lives of my neighbors and my hometown.

Instead of being satisfied with one-size-fits-all government programs that simply perpetuated the existing problems, we worked to bring manufacturing jobs back to West Point, Georgia, by making targeted investments in economic development and infrastructure.

We attracted a Kia Motors manufacturing plant, and the automotive industry brought with it suppliers and other related businesses that produced over 15,000 jobs in just a few years.

□ 1815

The city of West Point and the surrounding area today is revitalized not because of Federal Government programs or regulations, but because we worked at the local level to find solutions to meet the needs of our area.

I ran for Congress so that I could apply these lessons at the Federal level. We need policies that make America the most competitive place in the world to do business instead of creating policies that incentivize companies to take their jobs overseas. We

need policies that help get people out of poverty instead of trapping them in a multigenerational cycle of property.

I know firsthand that more government programs do not make communities, schools, or individuals great. In fact, I have lived through and governed out of the dependence created by bad D.C. policy and government programs that continue to trap people in poverty.

What we have collectively done to those in poverty with these policies is morally wrong. There is a better way, and we will do right by our fellow Americans. I am excited to work with my colleagues to craft and enact these policies that will improve the lives of our citizens.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the gentleman from Georgia and his passion to serve and be a part of what is going to be going on here. We are a week away from the inauguration of our new President-elect, and we are excited about that and moving forward.

As we move across the country, all the way to Arizona, our next speaker is the gentleman from Arizona (Mr. BIGGS). I am looking forward to serving with ANDY BIGGS on the Judiciary Committee. His background is working to promote a conservative, small-business agenda, which is something that is going to be valuable here. He is also an author. For those of us working in intellectual property and copyright, that is very important. There is so much job creation that is made by the intellectual spark that comes from our entrepreneurs. Tonight I am honored to have the second of our speakers, ANDY BIGGS from Arizona's Fifth Congressional District.

I yield to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Georgia for yielding, and I am grateful for this opportunity to introduce myself to this Chamber.

My name is ANDY BIGGS. I represent Arizona's Fifth Congressional District. I hope to pick up where my good friend and predecessor, former Congressman Matt Salmon, left off. He left me big shoes to fill, but I am blessed to be able to counsel with him, and I am honored to follow his example.

My district covers parts of the southeast metropolitan area of Phoenix, the cities of Chandler, Gilbert, Mesa, Queen Creek, and communities like Sun Lakes. Many families have lived there for generations. They are hardworking, patriotic, and faith-driven people.

I am a native Arizonan, one of the few. I live in Gilbert with my wife of 35 years, Cindy. We have six children and four grandchildren. I received my bachelor's degree in Asian Studies from Brigham Young University, my master's degree from Arizona State University, and my law degree from the Uni-

versity of Arizona, and I have pursued additional graduate work.

For the past 14 years, I have had the opportunity to serve in the Arizona State legislature where I served as the senate president for the last 4 years. During that time, we balanced the budget, going from the worst budget situation in the Nation on a per capita basis, and we reduced taxes. We cut government regulations. We asserted Arizona's 10th Amendment rights, and protected life at all stages.

When Congressman Salmon decided to retire last year, he asked me to run for his seat to ensure that his constituents would continue to receive the adherence to conservative principles that Congressman Salmon stood for. After a four-way primary, I won my primary election by 27 votes.

On the campaign trail last year, I promised my constituents that I would fight to achieve six major goals and introduce bills to reflect those goals in this Congress:

Preventing Members of Congress from being paid until a balanced budget is passed. Yahoo.

Reining in bureaucratic rulemaking and restoring Article I authority to Congress.

Ending the ObamaCare loophole that is designed to benefit Members of Congress.

Passing Grant's law to protect innocent U.S. citizens from violent illegal immigrants.

Ensuring that Common Core never becomes a Federal mandate and that States and local officials have authority over the teaching of our Nation's youth.

And my sixth initiative is to remove Arizona from the out-of-control, overburdened, and out-of-whack 9th Federal Circuit Court district and placing it into a newly established district that more accurately reflects Arizona's values and promotes and protects due process rights.

I have worked hard to achieve these goals already, and will continue to pursue those goals.

Last week, Members of this body were filled with great optimism and enthusiasm for the future. I am hopeful that we will continue in that spirit as we await a new administration and strive to do the bidding of our constituents. I will never forget the people who elected me to this high office and the principles that are important to them and my home, Arizona.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the gentleman.

Again, we see the quality and we see who the American people have sent here, people like ANDY BIGGS. We got started with the REINS Act, a bill that I sponsored that talked about reining in regulations. Andy jumped in with a couple of amendments. He wanted to be a part of the solution to start with.

Next up is a gentleman from Kentucky, the First District of Kentucky,

Mr. COMER. He comes to us from a farm background. He wore the blue jacket and the green jacket, 4-H and FFA. He was the Commissioner of Agriculture for the State of Kentucky. He has been a legislator. He also is a good friend of my Commissioner of Agriculture, Gary Black. Gary called me up and said there is a good one in Kentucky. I said when Gary says that, we know something good is going on.

It is my pleasure, Mr. Speaker, to yield to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I thank the gentleman from Georgia for yielding. It is indeed an honor to be a Member of this great body. I ran a 14-month campaign for Congress not simply to have a prestigious title ahead of my name or to simply come to Washington to point fingers at the other political party and blame everybody else for our Nation's many problems. Rather, I ran for Congress so I could come here and work to solve our Nation's many challenges.

The First Congressional District of Kentucky stretches from the foothills of Appalachia all the way to the western most counties along the Mississippi River. It is a conservative, rural district comprised of 35 unique counties with the main industries being agriculture, coal, and manufacturing.

My constituents feel like Washington has forgotten them. Unfair trade agreements have cost us good-paying manufacturing jobs. The EPA's war on coal has devastated the coal economy and its massive economic spin-off. Overburdensome regulations like waters of the U.S. threaten the viability of our family farmers, and an unsustainable government takeover of our healthcare system, better known as ObamaCare, has significantly increased healthcare premiums on my small businesses and working middle-class families.

Mr. Speaker, as I stand here today, there is a great sense of hope in Kentucky. My district voted overwhelmingly for Donald Trump and voted out of office six incumbent Democrat State representatives. My people expressed their displeasure at the polls, and for once they feel like their voices were heard and their votes mattered.

I have heard my people's cries. As a farmer, small-business owner, and parent of three small children, I have also felt their pain.

Mr. Speaker, I pledge here today to work with my fellow freshmen colleagues, the incoming Trump administration, and the leadership in Congress to make America great again. I am proud that in the first 2 weeks of this Congress we have passed bills to undo the regulatory damage that the Obama administration has done to our businesses. In the coming weeks, I look forward to repealing the failing ObamaCare healthcare system and replacing it with a market-driven

healthcare fix. I am confident that I can play a role in working with the new administration to renegotiate our main trade deals to ensure that American workers are on a level playing field.

There is a better way to run America. The assault on the private sector must end. The disregard and disrespect for conservative, pro-family values must end. The bloated Federal Government must shrink and Congress must regain control of our Federal Government away from unelected bureaucrats. That is the will of the people of Kentucky One.

The voters spoke loudly on November 8. I look forward to working with my fellow freshmen colleagues to ensure that we improve our economy, abide by the Constitution, and restore the confidence of the American people.

Mr. COLLINS of Georgia. I thank the gentleman.

Those are exciting values. My district is one of the more rural agricultural districts. We are not far from Atlanta, but poultry is important to my district, and I appreciate him bringing those values to us.

Mr. Speaker, our next speaker is BRIAN MAST from Florida. I got to know BRIAN when he was running for this office. I got to visit with him in his district as he was running.

Let me just say that many times we talk about elections with campaign ads and speeches, and all of those kind of things that are very true, but it is also when a person connects with the people they are representing. When they connect with them in such a way that it sort of even transcends their ideological perspective. I remember a story that I want to tell. We were at a polling precinct and we were holding signs. People were early voting. I remember one lady parked her car and got her young child out. She came up to BRIAN and said: I am a Democrat; I am voting for other Democrats, but I am voting for you, and I wanted my daughter to meet you.

When you make that kind of connection, that is what makes America great. That is the kind of connection people need to have with their Federal Government. That is why the people's House is such a special place to be, and the people's House has a special Representative from Florida.

I now yield to the gentleman from Florida (Mr. MAST), representing Florida's 18th Congressional District.

Mr. MAST. Mr. Speaker, I thank the gentleman from Georgia (Mr. COLLINS) for including me in this Special Order tonight and for yielding to me and for becoming a friend of mine.

Mr. Speaker, it is with tremendous honor and humility that I rise to represent the hardworking values of the 18th Congressional District of Florida, with communities like Palm Beach Gardens, home of the PGA tour; Stu-

art, Florida, home to the U.S. Sailing Academy; Port St. Lucie, the spring training home of the New York Mets; and Fort Pierce, Florida, the home of the only Navy UDT-SEAL Museum in the entire country. It is an amazing place for anyone to go to.

Before I go any further, I do want to—and I know I am joined by the rest of my freshmen colleagues, and probably the entire body, when I say that our thoughts and our prayers have been with our new colleague, Mr. RUTHERFORD from the Fourth District of Florida, the sheriff as I call him. He is a friend and a patriot. I know that we are all praying for his speedy recovery.

As I talk to people in my community, there is one issue that keeps them up at night more than any other issue, and that issue is the water quality in our area, or rather, the lack thereof. I can tell you, it is nonnegotiable. It is a nonnegotiable priority for me, that we allow the water in our community, water that used to be so blue that it looked like something out of a postcard, to once again become clean for this generation and for future generations.

When I was studying at Harvard, I studied the environment. I did very specific work in watershed infrastructure. I can tell you, it doesn't take an academic to know that these waterways are irreplaceable treasures. They are central to the economy and the quality of life in our region. It is why most people I know make our 18th District home, why they call it some place that they want to live for the rest of their life. It is the water and it is the weather. To tell you the truth, if you take the water away, the weather isn't always that comfortable.

Right now there is water being discharged from the center of our State, Lake Okechobee into the Treasure Coast of Florida, destroying our community, putting our people out of business, killing sea life, and making people sick. What makes our community so beautiful is literally being robbed from us, and this cannot continue. Our lagoon and our estuaries have to be restored. I will work endlessly to strengthen the partnership between our local, State, and Federal agencies to upgrade that infrastructure; not just talk about it, but actually get it done because this is life or death for the community that I represent.

□ 1830

Mr. Speaker, if I sound heated over this, it is because I am heated over this. When I look back at history and see that the Panama Canal took less than a decade to build once the United States Government got involved, that the Hoover Dam was built and open in 5 years, as far as I can tell, construction technology has only improved since the 1930s, but the infrastructure restoration surrounding Lake Oke-

chobee and the Florida Everglades is taking decades. It is an absolute embarrassment that the water infrastructure projects in Florida are taking so long and at such a great social and economic cost to communities like my own. We can't afford to wait any longer, and this will be my top priority.

Another issue that I hear about constantly is from people in our community talking about the role America's weak foreign policy over the last 8 years has played in destabilizing the Middle East and making our country and communities—places like Fort Pierce, where the terrorist who attacked the Orlando nightclub lived, where he worshipped—making our country less safe.

As a Member of Congress, I will work every day to provide the men and women of our armed services with the tools and the flexibility that they need to do their job and to come home alive.

When I was serving in the Army, I had the honor to work alongside the best men and women that I have ever known. I worked as a bomb technician in our highest level of military special operations; and under the cover of darkness in Afghanistan, our job was to kill or capture the most menacing targets each and every night that we could find.

I witnessed firsthand the extremists that want to literally destroy our way of life. My scars and the scars of my fellow veterans and peers, they should be a continual reminder of the enemy that we are fighting and why the work that we are doing is so important.

For me, on September 19, 2010, I found my last explosive device, and it wasn't that much different from so many others that have claimed the lives of friends of mine. It was homemade explosives encapsulated in pieces of glass—nails, ball bearings, shrapnel that was meant to detonate whenever it was stepped on.

Mr. Speaker, the people that put that bomb there, that manufactured that device, who have killed or wounded our bravest men and women, their goal is to wipe our country and our allies off the face of this Earth, to bring that same war to our hometowns as they have done in so many places already, places like New York and Boston and Chattanooga, San Bernardino, Fort Hood, and Orlando.

Eight years of failed international leadership has created a vacuum of power that is being filled by ISIS and other terrorist groups. ISIS right now has more money, more land, more resources than al Qaeda did at 9/11.

Sitting back and waiting for peace, that is not a strategy. Containment, that is not a strategy. We need an aggressive strategy to root out extremists, eliminate any safe haven to prevent future attacks on the United States of America.

I can tell you, Mr. Speaker, I am as well aware as anybody that defeating those who come against us out of a hatred, it comes at a cost. Friends of mine—too many friends of mine—have lost three or four limbs, have been blinded, have been covered on their entire body with burns, have had massive head trauma or some combination of all of the above injuries.

Sadly, I am also aware of how often the VA fails these men and women, and I can tell you that it is not an option. We have to do better. We owe our veterans better than the care that they are getting right now.

Improving care for our veterans, it starts with reforming the Department of Veterans Affairs. I strongly believe that the best way to do this is to give veterans the flexibility to choose anytime, anywhere medical care. The increased competition will force the Department of Veterans Affairs to provide a higher quality of care to our servicemen and -women.

Beyond this, we have to eliminate the corruption and the incompetence at the Department of Veterans Affairs to reduce the claims backlog currently plaguing the VA hospitals across the country. These pending claims make it nearly impossible for the men and women who fought in places like Iwo Jima, the Chosin Reservoir, Saigon, Mogadishu, Kandahar, Mosul, and any other places to live their life, as they have to wait years for a decision from the Department of Veterans Affairs. Fixing these problems will ensure that the future generations of servicemen and -women are not burdened with the same challenges that today's veterans are facing.

In addition to physical health care, we have to do more to help veterans with mental health care. There is a stat that is thrown around all too often that there are more than 20 veterans a day who take their own life. I have known some of them. I could tell you how that is an unacceptable rate that far exceeds the average of the civilian population. But the fact is, to lose just one veteran from suicide is completely unacceptable.

This is very personal to me. I have seen firsthand the impact that war can have on soldiers returning home, all of whom daily work through the trauma of having friends whom they are forced to remember who didn't come home with them.

Not a week goes by where I don't get a call from someone who wants to talk about the fact that they want to step in front of a bus or go to sleep in their garage with the car running and never wake up. Often this call comes after a traumatizing experience that they have just had at the Department of Veterans Affairs.

We need to be there for one another, and we need to be there for our veterans. I think often about something

that President Kennedy once said. He said:

The cost of freedom has always been high, but Americans have always been willing to pay that price.

Our veterans, they do pay that price. They make tremendous personal sacrifices. But just because they are always going to be there and they are always willing to make these sacrifices for our freedom, that doesn't mean that we can take their service for granted, which is exactly what is happening every single time one of our veterans is failed.

I am committed to doing all that I can to increase mental health resources for our veterans and doing anything, whether that is legislatively or personally, to reduce veteran suicide rates.

But we also have to do more to assist returning veterans in finding jobs and starting new careers once they do exit the military. I know that the men and women that I served with were among the most talented and hardworking men and women that I have ever met in this entire world.

Veterans know what it is like to work in high-pressure situations, to be held to a standard of excellence. They know the stress of loading their body down with hundreds of pounds of equipment and trekking that across long distances, working together as a team. They know what it takes to go out there and get the job done, no matter what challenge is placed in front of them. And they know what it is to not just risk the bottom line, but to actually go out there and put their own life on the line.

Veterans are among the most qualified employees for any position. But veterans returning home from Iraq and Afghanistan, they face an unemployment rate that is substantially higher than the national average. I am committed to working with local businesses and community leaders to discuss ways to reverse this troubling trend, as well as supporting legislation that will help our veterans use the very unique skills and talents that they have developed for the rest of their life.

Mr. Speaker, following my service in the U.S. Army, I made a very conscious choice to volunteer with the Israeli Defense Forces because our countries share common ideals of freedom and democracy and mutual respect for all people, something that I know firsthand is not common in most of the Middle East.

During my time in Israel, I served alongside soldiers driven by love for their fellow man rather than by hatred for their neighbors. I learned with each family that I got to know just how much each family truly desires peace with every neighbor of Israel, regardless of their religion or their history with those countries. The same cannot be said of Israel's enemies.

For the United States, the choice is very clear: we either stand with a historic friend and ally who shares our values, or we cave to groups like the Palestinians or countries like Iran who represent everything that the United States is not.

I have found that the most important time to stand for what is right is when it is the most difficult time to stand for what is right. This moment in history is no different. We have to be proud of who we are, and we have to stand with those who stand with us and stand against any terrorist regime who seeks to threaten even one of us.

Mr. Speaker, the last thing that I want to say tonight is simply that it is a tremendous honor to have the opportunity to serve the people of Florida's 18th Congressional District. I know very well that the office that I occupy, it doesn't truly belong to me. It belongs to those people. And the simple fact is that the status quo has not been good enough for them. Families across the country, they are hurting, and I know that we have a lot of work to do.

I have laid out a number of priorities to help the 18th District and to strengthen our country, but I also know this: the problems Washington, D.C. is facing, they cannot just be fixed with bills and laws.

One of the most important lessons that I ever learned in the military, that I ever learned in combat, was that inspiration matters. Military leaders that I had who displayed courage and valor and selflessness, they drew the exact same thing out of every single soldier that surrounded them. And that is my goal as I am here in the Halls of Congress, every day, that I work to, above all, inspire each peer that I have here, Republican and Democrat, to have courage and to make sure that their sense of duty is to America above anything else, and to make sure that we serve selflessly and, every day that we are given the honor to serve here, to make this country and our communities that much better.

Mr. COLLINS of Georgia. Mr. Speaker, as you can tell, the passion that this class brings is no more better exemplified than by our friend from Florida (Mr. MAST).

We now go back north. All over this election, it was an election heard clear all over the country, from the north to the south, to the areas in between, from Georgia to California. We have new voices, fresh voices here, ones who come from business, who made their life helping others find the workforce skills, the development.

That is what my friend, Mr. MITCHELL, from Michigan's 10th Congressional District, PAUL MITCHELL has done. He has made that a process in his life, one that he wants to lead, and he wants to lead by helping others. There is no greater satisfaction than to watch somebody else that you have

helped succeed, and he understands that. So he brings that desire to us tonight.

He comes from the wonderful State of Michigan. He is a Spartan, Michigan State University. As he comes along tonight, we look forward to what PAUL MITCHELL from Michigan's 10th Congressional District is going to bring to us tonight.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I thank the gentleman from Georgia for yielding.

Mr. Speaker, I rise to thank the people of Michigan's 10th Congressional District. I am honored to represent them and humbled by their trust in electing me to the 115th Congress.

The weight of this office is not lost on me. As Majority Leader MCCARTHY said:

If you walk on the floor of this House and you don't get goosebumps, it's time to go home.

Standing here at this podium, I have goosebumps.

People often ask me why I ran for Congress. Put simply, I ran with the goal of helping people achieve their American Dream. For too many, the idea of the American Dream is just that: an idea, a fantasy, a fairytale.

I believe in the American Dream because I have lived it. I was born in South Boston to a working class family. Opportunity took my family to Michigan when I was 11. My dad got a good job building trucks on the line at General Motors, and my mom worked at the Salvation Army. My parents worked hard to provide for me and my six younger siblings. I learned the value of hard work at a young age watching my parents.

I was the first of my extended family to go to college and worked full-time to pay for my education; and then I dedicated my career to workforce training, helping people build the skills necessary to get good jobs to begin their careers to support their families. There is something about the pride that comes when someone gets a job. Their whole world changes when they see what they are able to achieve and what their work does for their families.

Over the last several years, failed policies and an unstable economy have put the American Dream out of reach for many. Though overall unemployment rates are down, long-term unemployment is high; labor force participation rates have dropped dramatically, and wage growth is anemic.

□ 1845

Instead of getting ahead, many Americans are just getting by.

In the November elections, Americans screamed for relief. My message to the people of Michigan's 10th District is that your voices have been heard. We are already working here in

the House on measures to roll back regulations to support families, businesses, and the economy, and to breathe life back into the American Dream.

In order to make it possible for more people to achieve their American Dream, we must give them the freedom and the tools to succeed. This begins by stemming the extreme regulatory overreach, fixing our healthcare system, and strengthening our workforce while restoring our critical infrastructure.

As we have learned in the last 8 years, we cannot regulate our way towards a stronger economy. The opposite is true: government overreach cripples our economy. From my years of running a business, I have firsthand knowledge of how excessive regulations make it harder to succeed. Time and resources that could be better spent on growing a business and creating jobs are spent navigating a never-ending and confusing maze of Federal regulations.

Many of those regulations have been imposed without a cost-benefit analysis, placing costly burdens on families and businesses while providing little benefit. Regulators have exceeded their authority by placing undue burdens on those struggling to make the economy work.

The House has already acted by passing the REINS Act and the Midnight Rules Relief Act. Each of these measures would put accountability where it rightly belongs: with the people's elected Representatives in Congress, not with unelected bureaucrats.

We are also reforming health care in American to prevent further harm to families and businesses. Patients and doctors should be in charge of their health care, not the government. Since the Affordable Care Act was passed, patient choice and access to care has declined while costs are ever increasing.

Despite all of the promises, many people who had plans or doctors they liked could not keep them. Insurance carriers are forced to severely narrow their networks to combat cost.

Our healthcare reform is a better way to increase accessibility and patient choice, in addition to reducing cost. We will do that by allowing purchase of coverage across State lines, authorizing businesses and individuals to band together to increase purchasing power and negotiate prices, allowing health savings accounts, and expanding risk pools. Our plan focuses on putting power where it belongs: with the people, with the patients.

Government overreach does not stop with our health care. I know that surprises you. The one-size-fits-all approach to education legislation in recent years has failed America's students. It is time to put parents and individuals in control of their education and give them options that will best

suit their needs. I am eager to advance solutions that will help students learn and be better equipped for future jobs, to create flexibility for working families and prepare the workforce for a modern economy.

In addition to a strong workforce, our modern economy requires a robust infrastructure. It is essential that we protect and strengthen America's infrastructure to keep Americans safe and create jobs, and I plan to work with this House to do just that.

There is much work to be done, but I stand ready to work with my colleagues in the House and Senate to revise the American Dream. It is more than an idea. It should be more than a wish. I have lived it, and I want every young person in America to have the ability to pursue their American Dream.

Mr. COLLINS of Georgia. I thank the gentleman for bringing that passion for helping others, for bringing that passion to teach.

I have always said that I believe that those who want to get involved in politics and run for elected office, there are two things that they need to be a part of. Number one, they need to care for people deeply. They need to make sure that they have people at the first and foremost. They need to have alligator skin to let a lot of things roll off their back, but they also need to have a heart that cares. They also need to be willing to understand that our job involves teaching; and, Paul, I appreciate you sharing that.

Our next speaker for the night, we share not only the privilege of serving the people's House, but we also shared, up until just recently, a common passion. We both served in the United States Air Force. General Bacon distinguished himself in that regard, helping our airmen all across the world, doing so with integrity and doing so with a passion for this country that he will bring to this floor, and we are excited about that.

He will take that passion for what is really the concerns of the world and be a part of it. When I saw that in the Nebraska Home, when I went out there and was walking with him and seeing and listening to him talk, you could hear the desire to serve and to be a part of the wonderful heartland of America.

I don't believe, Mr. Speaker, they could have sent a better witness to not only blue proud Air Force values, but also American values. And, hopefully, as we continue, all will see the Nebraska values shown in General DON BACON.

With that, I yield to the gentleman from Nebraska's Second Congressional District (Mr. BACON).

Mr. BACON. I thank the gentleman from Georgia for yielding, and, Mr. Speaker, what an honor to be able to introduce myself as a freshman of the

115th Congress and serve with some great colleagues and freshmen. It is great to be called a freshman again. It has been a long time since I have been called a freshman.

I am very honored to serve the Second District of Nebraska. It is one of three districts of the State that consists of a county-and-a-half around Omaha, and it is a great home, a great place to live.

I was raised on a farm in a small town in Illinois, Momence, Illinois, a town of about 1,800. We had corn, soybeans—I baled hay four times a year—beef cattle, and I did that until I was 21 years old. I know firsthand how hard our farmers work to make a living, and it is an honor to be able to serve on the Agriculture Committee to make a difference there.

I started serving in the Air Force back in 1985 as a 21-year-old, as a newlywed. My wife and I had 16 assignments; four different continents we were located in, coast to coast, and a lot of places in the middle. I was very honored to be able to serve as a commander of five different units, to include Ramstein Air Base in Germany. And there I got to see firsthand the importance of working with our allies and the importance of NATO, and I am going to take that experience with me.

I was also honored to serve as the commander of Offutt Air Force Base near Omaha, Nebraska. I loved the missions there. I loved the people. I had several different flying missions, a nuclear mission there as well, and I look forward to being a strong voice for Offutt and our military community there.

I was also able to deploy four times to the Middle East, and I look forward to using the experiences that I have learned to make sure that our men and women are equipped and trained to win.

I also did missile defense in Israel. It was an honor to work with our Israeli friends. I look forward to being a strong voice to improve the friendship with our great ally Israel.

Out of those 16 assignments, I did have three assignments at Offutt, and I will tell you that my wife, Angie, and I loved eastern Nebraska. The people are friendly. They have character. They love the military. And we are so blessed to be able to call it our home now, and so honored to be able to represent the great people of the Second District.

I will be serving on three different committees. I will be on the Armed Services Committee, the Agriculture Committee, and the Small Business Committee. I look forward to using my experiences to make a difference in all three. I am going to work my hardest on all three to make a difference.

One thing I am certain of: when Americans are put on a level playing field, we win. When our businessmen

and -women and when our farmers are put on a level playing field, we win.

It has been our own government that has put our citizens at a disadvantage: high corporate taxes, regulations, our broken healthcare system. I am going to dedicate myself to fixing these because we need to help our Nation get on this level playing field where we start prospering and succeeding once again.

During my time at Congress, I look forward to doing the following and focusing on the following goals:

I want to reduce the burdensome regulations. And we have had a great start in the 115th Congress. It is so exciting to see the great votes we have already taken. We have over 3,000 regulations, on average, that are put out by our agencies. And when you add up the cost of those from the past and those present, it adds up to almost \$2 trillion, Mr. Speaker. That is almost 10 percent of our GDP, and it falls unfairly on our small business community, our farmers, and we have got to do better.

We need to reduce the cost of health care, and we are starting to work on that now. I look forward to being part of the solution. We need to ensure that folks have patient-centered health care that is supported by their doctors, not Federal bureaucrats running their health care where it is a one-size-fits-all approach.

I am going to work hard to open up markets for farmers and ranchers. Nebraska has such a great agriculture, farming, and ranching community. We are going to give them that opportunity, and we are going to work hard to do it.

I am going to work hard to reform a broken Tax Code. It is not right that our Nation has the highest corporate taxes, and it puts us at a disadvantage when we compete overseas and with our neighbors. We must fix that.

I want to work hard to rebuild and restore our military's readiness. It is hard to believe, Mr. Speaker, that our readiness is at the lowest level since post-Vietnam, and it is wrong. We have got to fix it.

Finally, I want to work hard to restore our allies' faith in our Nation. Leading from behind has been a failure.

I will close with this thought, and it is something that I communicated much during the campaign. Winning elections is not the goal, but it is a means to an end.

Mr. Speaker, we are going to work hard in this Congress and I am going to be dedicated to working my hardest to deliver results for the American people and our district. It is about defending liberty. It is about ensuring that we have opportunity and prosperity for the next generations. It is about making sure that our Nation stays secure.

I thank the gentleman again for this opportunity to introduce myself.

Mr. COLLINS of Georgia. It is good to have the General here.

It is going to be an interesting time. I know you are the last speaker here, but not the last of all of the freshmen. We are going to be doing this more in the coming weeks. But I just know as I watch tonight, it is the passion of your class coming in.

I have watched you all as you have come and gone through orientation and done all of the things together and that there is a bond. I notice you come and sit together and you all talk together, and there is an understanding that you all come here for a purpose bigger than yourselves—and that is exciting to see. So I am excited to have you here. It is going to be a good year.

Mr. Speaker, as we have introduced and talked about these new Members and they have allowed themselves to introduce themselves, one of the things that I wanted to do is just make sure, as we look ahead, we see folks who have made a place—they made a place in their communities; they made a place in their homes. As they look forward to serving here in this Congress, we are looking forward to having them here.

Mr. Speaker, I want to take just a few moments to discuss something else, and that is, as we move forward and as we continue here, the majority, with these new freshmen and all coming in, are going to be fighting for what matters. It is sort of amazing to me now that, as we enter tomorrow and we take the first step toward repealing, really, what is a disastrous law, it is amazing now the cries of: Oh, what is going to be done? What are you doing now? But it didn't seem to matter just a few years ago when they said: Here is what you are going to have. You are going to take it no matter what it does. You want your doctor? Keep him.

That is a lie.
You want to keep your health provider? Keep him. Your insurance is fine.

That is a lie. It is amazing now how some on the other side are just wanting to start yelling and saying: Oh, you have got to have a plan.

Have a plan?

Let's remind the American people why we are here. The majority is here because of 6 years of poor decision-making. It started at the base and has gone up. And we are going to continue as this majority to put people first, those who get up every morning, who want a job, who want to be able to go to their job and to start businesses and start and use that intellectual capital so that they can continue to do those things without government interference.

I heard just the other day as I was here working on a rule, Mr. Speaker, I heard one of the speakers actually say that we should not put these burdens on government employees because it would make their jobs so much harder.

Please, tell me where the voice is for the American worker out in the field every day just trying to make ends meet. It is in this majority. And we will continue to put forth policy that takes away the government overreach and puts it back where it belongs, and that is in the entrepreneurs, the moms, the dads, the kids, those who have a dream right now in a freshman English class or a science class, that have a dream that one day they will own their own business or go further.

Mr. Speaker, let's put this in perspective. This majority is putting people first, and over the past 6 years, the American people have responded. It is now our time to act. People say, if you don't have a plan, then you are not understanding. This is friends and neighbors that elected us, and we will not fail in this moment.

We have said what we are going to do. We are going to put people first in their businesses, in their jobs, and in their health care. When we do that, that is what makes America great.

So tonight is the first night for letting our freshmen come, share their heart. We have heard their passion. We are going to continue to hear their passion as new and more freshmen come.

Mr. Speaker, you are part of that. There are many others that will be a part. I am looking forward to leading in our majority, putting people first, putting Americans first, and this country is going to be the better for it.

Mr. Speaker, I yield back the balance of our time.

□ 1900

CONGRESSIONAL PROGRESSIVE CAUCUS: THE TRUMP ADMINISTRATION NOMINEES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, I am here this evening representing the Congressional Progressive Caucus in this Special Order hour, and I will be joined by colleagues as we will examine what our future appears to look like as we plan for the transition which is taking place. We are 8 days away from a new President and administration that continues to refuse to put Americans first and

complicit with Republican-controlled Congress that will help them execute that mission.

At 1 a.m. this morning, 51 Republican Senators voted to repeal the Affordable Care Act with no replacement. After 6 years of hollow grandstanding, Republicans now know that their plan to repeal the ACA would dump massive costs on families, businesses, and the Federal budget. The facts are clear, Mr. Speaker.

Republicans' repeal of the ACA would result in the loss of 2.6 million jobs and more than 250 billion—that is billion, B—of gross State products in 2019 alone. Family budgets and State budgets alike would be rocked by the reverberations of the repeal. And we cannot forget about our healthcare providers.

The repeal of the ACA will crumble our critical healthcare infrastructure, decimating hospitals' and healthcare systems' ability to provide services, weaken local economies that hospitals help sustain and grow, and result in massive job losses of healthcare professionals. While Republicans claim to champion reducing the deficit, OMB calculates that the Republican budget resolution and repealing of ACA would lead to significantly larger deficits in each year and add more than \$2 trillion in debt over the next decade.

Taking away 30 million Americans' health care, blowing a hole in our budget, and saddling future generations with debt is the height of irresponsibility. It is important to note that just 20 percent of Americans support this repeal and delay plan.

In fact, the American people want Congress to focus on raising wages and creating good-paying jobs for everyone everywhere in America. The American people want to be assured that their Federal Government is working for all of their interests. That is what I want to do as well. I stand ready to work with anyone who is serious about these priorities.

Mr. Speaker, the nominees that this President-elect has put forth are focused on everything but the true interests of the American people. Maybe they are focused on the personal interests of the President-elect. Today, the nominee to lead the Department of Housing and Urban Development, Dr. Ben Carson, could not even promise that not one decision or dollar would go to benefit the President-elect or his family. This is a problem.

Maybe they are focused on rolling back hard fought freedoms or protections. Yesterday, New Jersey Senator CORY BOOKER reminded us that the nominee for the Attorney General, Senator JEFF SESSIONS, has not demonstrated a commitment to the central requirement of the job, that is to aggressively pursue the congressional mandate of civil rights, equal rights, and justice for all. This, Mr. Speaker, is a problem.

Perhaps maybe they are not even interested in siphoning money from children and public schools. Nominee Betsy DeVos, the nominee for the Secretary of Education, has made a career of advocating for the shutdown of public schools and supporting legislation that has reduced oversight and accountability in Michigan charter schools. Her life work is the very antithesis of everything that the Department of Education represents.

This is a problem, and to speak to this problem I would like to yield to the gentleman from California (Mr. TAKANO), who has experience in standing up for public education for our children.

Mr. TAKANO. Mr. Speaker, I thank my dear colleague, BONNIE WATSON COLEMAN, for yielding to me.

Mr. Speaker, I rise today to express my strong opposition to the nomination of Betsy DeVos for Secretary of Education. To start, President-elect Trump's nominee to lead our country's education policy has absolutely no experience in public schools: not as a teacher, not as a student, and not as a parent. That lack of experience makes her efforts to privatize public education particularly shameful.

I was a public schoolteacher for more than 24 years—I taught high school—which means that I have spent at least 24 more years in a public school classroom than Betsy DeVos. If she actually stepped inside of a classroom in a public school, here is what she would find: she would find teachers who are giving everything they can, their passion, their time, and often their own money to give kids the best education possible. She would find facilities in need of repair, classrooms in need of modern equipment, and programs in desperate need of funding. She would find students who deserve to receive an exceptional education that will help them reach their potential.

But Ms. DeVos has no interest in supporting America's public education system. Instead, she will insert a profit motive into our children's education that will cripple our public schools and punish the millions of children who attend them every day. The Obama administration pushed public schools on a race to the top. Betsy DeVos will create a race to the bottom line.

The result of her work in Michigan serves as a warning to schools across America. By using her personal fortune to influence policy, Betsy DeVos engineered a massive influx of for-profit charter schools into the State of Michigan. Michigan taxpayers now hand for-profit charter schools \$1 billion every year, and, in return, many of those schools underperform public schools while evading accountability.

The opportunity that comes with a good education is what makes the American Dream possible for each new generation. If we abandon our public

schools, we abandon the millions of children and parents who rely on them as a path to a brighter future.

It is very simple. The Senate should not confirm a Secretary of Education who does not believe in public education. Senate Democrats and Republicans must send a clear message to parents, teachers, and students across the country that we stand by our public schools. I hope they will do so by rejecting this nomination. I thank my dear colleague from the State of New Jersey. I appreciate this opportunity to let my views be known and to make a plea with our colleagues in the other house to do their duty and hold out for a Secretary of Education who actually believes in public education.

Mrs. WATSON COLEMAN. I want to thank my colleague for coming and taking the time and speaking on behalf of public education and students everywhere. We talked about it before, and I am happy to announce that we will be working as part of the House Public Education Caucus and looking very closely at those issues that are being brought forth and those plans that are being offered.

I know if you look at my district in my State of New Jersey, you see some of the finest public schools in the country. At the same time, just 12 miles away, you see some of the most challenging. I know in my district that, if Elizabeth DeVos would take a look at what is happening in my district, she would see schoolteachers anxious to teach but have textbooks in what is considered advanced placement classes that don't even have the cover on the top of the book that those children are using. I know this because I have seen it for myself.

So higher education is, indeed, that issue, that opportunity, that difference between living a life of poverty and being able to educate yourself and prepare yourself for a future that we must stand up for, and we will. I thank the gentleman for the time that he has given us.

Mr. TAKANO. If I might join in a little more, I became a teacher—more than, wow, gosh, it must be 30 years ago now—having experienced the disparity in the public schools in the Boston, Massachusetts, area; some days being a substitute teacher in Brookline, Massachusetts, and other days being a substitute teacher in inner city Boston. The contrast between the wealthy Brookline School District and then the inner city Boston where you walk through a metal detector woke me up. And I really believed that if we did not address the achievement gap in our country, that if the American Dream of social economic mobility was only available to some and not all of our students, that our very democracy would be in jeopardy.

It pains me to see from the incoming Trump administration such a super-

official, extreme profit-driven notion of improving our schools. I wish that both President-elect and Betsy DeVos could see some of the great work that is being done at my schools in my congressional district where we have a teacher—I am blanking on his name, but he is responsible for one-fourth of all the Latinos in the State of California that score 4s and 5s on the physics AP test. Remarkable work being done in a regular school that does not cherry-pick its students. It is a public school in the Val Verde Unified School District that is making remarkable strides. This work is not being looked at carefully, is being overlooked, and it is a shame that we have a nominee for Secretary of Education, Betsy DeVos, who has such a terrible history, who is committed to actually tearing down our public school system.

Mrs. WATSON COLEMAN. By nominating TOM PRICE as the Secretary of Health and Human Services, President-elect Trump will continue his assault on the health of Americans. The HHS nominee has made a career on lining the pockets of insurance companies at the expense of the sick, on behalf of the rich, and his unwavering support of cuts to Medicaid and Medicare are forever known.

This signals yet another broken promise by the incoming President to pledge to leave the essential Federal programs alone, and he is doing the opposite. This is, indeed, a problem.

Defending the sanctity of American democracy is more important than any partisan consideration. Yet, after reports of Russia's attack on our democracy were confirmed, Rex Tillerson, nominee for Secretary of State, wouldn't say if he would support sanctions against the country. In fact, Mr. Tillerson admitted that he had not yet spoken with the President-elect about the conflict. This is a huge problem, not the least of which is one whether or not we can believe it.

I now yield to the gentlewoman from California (Ms. LEE), a champion for all progressive needs and for all families.

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman from New Jersey for yielding, but also for her tremendous leadership on so many issues, including as a champion for women and women's health and reproductive health care, and also for this important discussion tonight.

□ 1915

I just want to mention that I serve on the Budget Committee, and you mentioned a nominee, Congressman TOM PRICE of Georgia, for Secretary of Health and Human Services. Once again, we see President-elect Donald Trump making recommendations of those individuals who want to dismantle the safety net and dismantle health care within the agencies that they are going to run. This is a very,

very troubling development in terms of these cabinet appointee nominees.

I note that—and many know—President-elect Trump ran one of the most divisive and prejudiced campaigns that we have witnessed in modern history. Since winning the Presidency, he has nominated billionaires to serve in his cabinet, proving that he will govern just as he campaigned. Also, he has nominated individuals who want to dismantle, for the most part, the agencies that they will have jurisdiction over.

Another example is his choice for Secretary of State, which Congresswoman WATSON COLEMAN mentioned, and that is Rex Tillerson. I serve on the State, Foreign Operations, and Related Programs Subcommittee of the Appropriations Committee and understand the importance of our diplomatic initiatives, our USAID initiatives, and our efforts to really bring education and health care to the poorest of the poor around the world. Our Secretary of State serves as the Nation's chief diplomat and represents America's interests around the world. I have the opportunity and the privilege to serve on the committee that funds the majority of these efforts.

So the nomination of Secretary of State Rex Tillerson really troubles me. His extensive ties to the Kremlin raises the question: Whose interest will he represent?

Our country cannot afford a Secretary of State who will place private corporate interests over the needs of the American people and our national security interests. His recent confirmation hearing revealed what we have known all along in Republican-controlled Washington, that cabinet officials will cater to special interests, not to American families, based on the nominees that we have seen come forward.

It is not just the Secretary of State we should be concerned about. Here at home, President-elect Trump has nominated cabinet officials that would turn back the clock on progress. His nomination for Secretary of Labor, Andrew Puzder, is another millionaire CEO who benefits from an economy rigged against families struggling to make ends meet. He earns more than \$1 million a year, but opposes a raise for low-wage workers earning just \$15,000 a year. He says that food assistance programs keep low-wage workers like those he employs at, I believe, Carl's Jr. and Hardee's—he says that if low-wage workers apply for these food assistance programs, then the programs actually discourage work. There are millions of people who are working two jobs being paid minimum wage who need food assistance, who need food stamps, because they can't survive in today's economy.

So the working, poor, low-income individuals, should be very troubled by this appointment as Secretary of

Labor, which is supposed to look out for the rights of working men and women. We need a Labor Secretary committed to helping working families and addressing the epidemic of poverty, not one who caters to the most affluent.

Also, by nominating Senator SESSIONS to lead the Justice Department, President-elect Donald Trump is making it clear that he will abandon our fundamental civil and human rights. Senator SESSIONS has a long history of opposing civil rights and equality. I am very proud of members of the Congressional Black Caucus for really setting forth his record and his history, such as laying out the fact that he was rejected from serving as a Federal judge due to his blatantly racist comment. He forcefully degraded the LGBT community, opposed the Violence Against Women Act, and violated the Voting Rights Act, calling it an intrusive piece of legislation.

Clearly, someone who has publicly shown prejudice and intolerance is not qualified to serve as the chief law enforcement for our civil rights laws. Once again, you see a nominee who really doesn't believe in the values of liberty and justice for all, a person to head an agency that is supposed to be an agency that ensures the civil and human rights for all. Let me be clear, these nominations are a chilling indication of how a Trump administration intends to govern.

Our Nation has made tremendous progress in the fight to protect, preserve, and expand civil rights, civil liberties, and human rights for all Americans. We will not allow a Trump administration to drag us back into the past.

Finally, let me just say something that is troubling me tremendously at this point in our history. Our Nation prides itself on being a democracy. We actually promote democracy abroad through our democracy programs, which, of course, I have historically opposed. The point I am trying to make and want to make clear is that this new administration, when you look at the majority of cabinet nominees, they are very, very wealthy and do not fundamentally believe in a strong public sector and in many ways do not support the mission of the cabinets they are actually asked to lead.

Privatizing Medicare and other public sector programs that ensure that the most vulnerable have a safety net and an opportunity to live the American Dream by privatizing these agencies is dangerous. It will lead to chaos. Private sector takeover of the government is dangerous and it erodes our public institutions that are required in a democracy.

So, Congresswoman WATSON COLEMAN, I believe this is the dangerous, slippery slope that this administration has embarked upon, and we need to ex-

pose every step of the way who these individuals are, their background, and we have to urge that they comply with the ethics requirement and submit their financial disclosure statements and all the required ethics forms so that the public will know who they are. We must be transparent and, of course, we would like for our President-elect to release his income taxes also.

Again, we kind of see what is taking place now. We knew this during the campaign. I thought that we were going to see now more of an effort to unify the country, but, unfortunately, I think these nominees show us which direction, unfortunately, this new administration will take.

Mrs. WATSON COLEMAN. I thank the Congresswoman. It is true. As we see the unfolding of some of the drama that is taking place, including that which affects us and is associated with Russia, it is even more important than ever that the President show us that he is not hiding anything regarding his relationships that potentially present a contradiction of his first and foremost responsibility to us and show us his tax returns.

I thank the gentlewoman from California very much for being here.

I yield to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentlewoman from New Jersey for yielding, for hosting this Special Order, and for granting me this opportunity to speak.

Since the first nomination was announced by President-elect Trump's transition team, phones in my office have been ringing off the hook; and not a day goes by when I do not hear from my neighbors, friends, and constituents of their angst, frustration, and discontent. I share their anger and dread—that feeling of being punched in the gut—as name after name has been released. Each nomination from President-elect Trump has put the fox in charge of the henhouse.

We are not talking about simple differences in partisan ideology. We are talking about nominees who have devoted much of their professional lives to undermining the small-d democratic institutions that are the foundation of our country. This new administration is so extreme that we cannot, in any good faith, give this President-elect the traditional deference to name a cabinet that represents his governing philosophy because the appointments show it to be a philosophy that seeks to corrupt, if not fully destroy, our institutions, traditions, and values.

Senator JEFF SESSIONS, the nominee for Attorney General, was considered too racist to serve on the Federal bench by a Republican Senate, much less to head the Justice Department, and is someone who has so little respect for women's rights he voted against the Violence Against Women Act and called *Roe v. Wade* a colossal mistake.

Ben Carson, the nominee for HUD Secretary, said today in his confirmation hearing that he was against protecting LGBT Americans from housing discrimination because protecting them from housing discrimination would be granting them extra rights, refusing to recognize that LGBT Americans deserve equal rights.

TOM PRICE, the nominee for HHS Secretary, wants to eliminate Medicare and Medicaid as we know them, repeal the Affordable Care Act without a second thought for the millions of Americans who would lose coverage or would be subject to limits on preexisting conditions and would be subject to lifetime and annual limits, and has so little understanding of women's health that he insisted that not a single woman would lose access to contraception if contraception coverage were eliminated.

Betsy DeVos, the nominee for Education Secretary, advocated for years to move taxpayer dollars away from public schools and towards for-profit, private schools that would leave behind low-income students, minority students, and children with disabilities.

Scott Pruitt, the nominee for EPA administrator, does not believe in climate change and is so linked to the fossil fuel industry that he has sued the EPA a dozen times to block environmental regulations designed to protect us from the effects of climate change.

The list goes on and on, each more horrifying than the one before. These are not the values the majority of Americans voted for in November, and I don't just mean because Hillary Clinton won the popular vote by 3 million. I cannot imagine that the voters who wanted to drain the swamp and voted for Mr. Trump for that purpose and have the needs of working people represented are thrilled to see him name the wealthiest cabinet—with the greatest collection of Wall Street insiders—in American history.

The fact is, President-elect Trump and the Republican Party do not have any mandate from the people to carry out the dystopian horror show this cabinet presents. Rather than rubber stamping the most extreme cabinet I have seen in my 25 years in Washington, the Senate should reject these extreme nominees, and then both Houses should do their constitutional duty to conduct oversight of the administration.

I am ready to do that work. Over a month ago, along with my Democratic Judiciary Committee colleagues, I sent a letter to Chairman GOODLATTE asking him to hold hearings on the conflict of interest and ethics provisions that apply to the President of the United States. I have not heard a response. Every Democrat in this House

signed on to the Protect Our Democracy Act, legislation to create an independent, bipartisan-appointed commission to investigate Russian hacking in the 2016 election and to make recommendations to ensure nothing like that happens again. It is interesting that not a single House Republican has joined us.

I join my constituents and millions of Americans in wanting to know why Republicans are working so hard to protect President-elect Trump from having to answer questions about Russian influence in this election. Why are Republicans working so hard to support President-elect Trump's extreme and out-of-touch cabinet? Why aren't Republicans asking the same questions about how President-elect Trump will avoid conflicts of interest?

I have served in this body for nearly 25 years. I have seen this body take on the big questions of our time—the role of government in the lives of everyday Americans, the threat of terrorism in the city I call home and around the country, the right of every American to marry whomever they love, the right of every American to vote free of intimidation, and the right of every American to make their own healthcare choices. I have seen us come through those battles bruised and battered but stronger.

That is why I refuse to despair. I refuse to put my head down and hide. I refuse to give up on America. I will stand here and fight for the country we all believe in. I will do everything in my power to represent the strong progressive values of the men and women who sent me here.

I will work with my colleagues here in the House and the Senate to stand united against any effort to undermine the rights we have fought so hard to achieve, whether it comes from the other end of the world or the other end of Pennsylvania Avenue.

But if there is to be any check on this administration, congressional Republicans will need to join in that fight, and it starts with rejecting the shameful slate of nominees.

Mrs. WATSON COLEMAN. I thank my colleague for sharing his insights and his experience with us. We have a lot of work to do, and we are ready to do it.

Mr. Speaker, in addition to those that my colleague has mentioned, I would like to bring attention to some of the other nominees that we should be considering here.

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We haven't mentioned the Department of Energy and the nominee, Governor Rick Perry, who disregarded this agency so much that he couldn't even remember that he wanted to eliminate it when he was running for President, or even Linda McMahon, who is the wife of a billionaire. It seems to me

that this litany of nominees belongs to the millionaire-billionaire club. They know each other well, and the one thing that they are committed to is ensuring that their interests and the interests of this President-elect, in his private life, are advanced. I think that the people in this country need to understand how troublesome this is.

I yield to the gentlewoman from New York (Ms. CLARKE), the co-chair of the Caucus on Black Women and Girls and a fighter for the rights of all working families and all vulnerable families.

Ms. CLARKE of New York. I thank the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mr. Speaker, I rise in opposition to the nomination of Betsy DeVos as Secretary of Education.

I know that my colleagues have been talking about their concerns with regard to the troubling nominations of Donald Trump, and I want to add my voice with respect to the Secretary of Education.

About 90 percent of Americans—Republicans and Democrats alike—send their children to public schools; and as a proud graduate of the New York City public school system, I, myself, know firsthand of the importance of both primary and secondary education as part of early childhood and young adulthood. Most public schools in the United States are operated by the city, town, or county for the benefit of the public, and all of the resources that are allocated to public schools are used to support the development of students and to prepare them for success in the 21st century.

Mr. Speaker, I believe Betsy DeVos has a very different approach to education, and that is extremely clear. She and her family, over the years, have devoted millions of dollars to replacing public schools in Michigan with charter schools, most of which have recorded test scores in reading and math that are well below the State average. Let me repeat that—most of which have recorded test scores in reading and math that are well below the State average.

Recently, the Detroit Free Press released an article that explained, while families in Detroit have the choice of many different charter schools, few of these choices actually offer a quality education.

Mr. Speaker, I am concerned that Betsy DeVos has used donations to provide to Republicans in the Michigan State Legislature to prevent State agencies from investigating as to whether charter schools are providing students with a comprehensive education that will prepare them for the future. I am alarmed that the system that was developed by Betsy DeVos, which allows for-profit corporations to operate charter schools, realigns those resources intended for schoolchildren into the pockets of shareholders—making a profit off the backs of children.

Since 1959, the DeVos family has operated Amway, which is a business that has been labeled as a pyramid scheme—paying out millions of dollars in fines and cheating working families. We cannot allow Betsy DeVos the chance to extend those same basic principles used during her time at Amway to affect our education system—enriching wealthy investors at the expense of our children's education. It is not a solution. It is a problem.

I thank my colleague for giving me the time. I hope that the American people are watching very closely as to what is taking place here because, indeed, it is a travesty.

Mrs. WATSON COLEMAN. I thank my friend and my colleague.

Mr. Speaker, defending the sanctity of American democracy is more important than any partisan consideration. We are at a juncture at which we will experience a President-elect who has displayed breathtaking ignorance about the powers and the basic functions of government and who has identified the nominees for these cabinet positions who, if confirmed, will dismantle equality, equity, and opportunity at every turn, capped off by a Republican-controlled Congress that would rather make good on divisive rhetoric instead of working in the best interests of Americans.

There is just so much at stake as we go forth in the next couple of weeks and as the President-elect identifies and puts forth his nominees. Whether it is in the Department of State or in the Department of Education or in Energy or in HUD or in Health and Human Services or in Justice or in the Environmental Protection Agency—where a nominee, as Attorney General, spends his time dismantling and litigating against the Environmental Protection Agency—or whether it is Labor, where the Labor Secretary doesn't seem to care about working individuals and protecting workers' rights, or whether it is an SBA administrator who doesn't have any idea what it is to be a part of a working class or a middle class, or whether it is even the Treasurer of the country, who comes from massive wealth and Big Business, each of these illustrations, in combination with there being the decisions already to dismantle—to take health care away from millions of families, to create the loss of jobs as a result of dismantling the Affordable Care Act without placing anything in its place—represent the dismantling of the democracy that we have fought so hard to sustain.

If we are going to watch these serious attacks on the equality and opportunity for all people, then we must make sure that the people in this country see these things. I have a question for all of us to answer. As we look toward all of these issues, either individually or collectively, at what point do

we conclude with the question: Is what is happening in America un-American?

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). Members are reminded to refrain from engaging in personalities toward the President-elect or a sitting Senator.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committees on the Judiciary and Homeland Security Committee; Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and the Congressional Voting Rights Caucus, I rise today to express my views regarding the more troubling nominations made by the President-Elect to fill the important Cabinet posts at the Departments of Justice, Health and Human Services, and Energy.

Let me begin with the nomination of U.S. Senator JEFFERSON BEAUREGARD "JEFF" SESSIONS III of Alabama to be the next Attorney General of the United States.

Mr. Speaker, those of us who oppose the nomination of Senator SESSIONS to be Attorney General owe a responsibility to the public to clear and forthright in stating the reasons they believe he should not be confirmed as the Attorney General of the United States.

Many of the senator's supporters, ranging from his Republican colleagues in the Senate to current and former staffers to home state friends and constituents, praise the senator for his modesty and courtesy and manners.

The four-term senator and former state and federal prosecutor is, we are told, learned in the law, a person of deep faith, a good man who loves his family, his state, and his country.

We can, as the lawyers say, stipulate that these assertions are true.

But that does not make him an appropriate and deserving candidate to be Attorney General of the United States.

And that is because the office of Attorney General and the Department of Justice he or she leads is different in a very fundamental way from every other Cabinet department.

Unlike the Secretary of Transportation or Commerce or Education, or even the Secretary of Defense or State, the Attorney General leads a department that is charged with administering the laws and enforcing the Constitutional guarantees and protections that directly affect every American, all 320 million of us.

To quote then-Senator JOSEPH BIDEN during the 2001 confirmation hearing of Attorney General nominee John Ashcroft:

"This Cabinet position is the single most unique position of any Cabinet office."

"For it's the only one where the nominee or the Cabinet officer has an equally strong and stronger, quite frankly, responsibility to the American people as he does to the person who nominates him."

At that same confirmation hearing, Sen. DICK DURBIN of Illinois observed that "the attorney general, more than any other Cabinet officer, is entrusted with protecting the civil rights of Americans."

The Attorney General is not the lawyer for the President; the Attorney General is the law-

yer, and the Department of Justice the law firm, for the American people.

That is why I agree so strongly with then-Senator BIDEN when he said in 2001:

"[F]or the office of attorney general, first, the question is whether the attorney general is willing to vigorously enforce all the laws in the Constitution, even though he might have philosophical disagreements."

"[The second question is] whether he possesses the standing and temperament that will permit the vast majority of the American people to believe that you can and will protect and enforce their individual rights."

Put another way, the U.S. Attorney General and Justice Department is not only the instrument of justice but also the living symbol of the Constitution's promise of equal justice under law.

Mr. Speaker, the nation's greatest Attorney Generals conveyed this commitment to equal justice by their prior experience, their words and deed, and their character.

Think Herbert Brownell, Attorney General for Republican President Eisenhower, who oversaw the integration of Little Rock's Central High School.

Think Robert Jackson, Attorney General for Democratic President Franklin Roosevelt, who led the prosecution team at the Nazi War Crimes trial in Nuremberg, Germany.

Think Robert F. Kennedy, for whom the Main Justice Building is named, bringing to bear the instruments of federal power to protect Mississippi Freedom Riders and to stare down Governor George Wallace in the successful effort to integrate the University of Alabama.

The nomination of Alabama Senator SESSIONS as Attorney General does not inspire the necessary confidence.

As a U.S. Senator from Alabama, the state from which the infamous Supreme Court decision in *Shelby County v. Holder* originated, Senator SESSIONS has failed to play a constructive role in repairing the damage to voting rights caused by that decision.

He was one of the leading opponents of the reauthorization of the Violence Against Women Act.

He is one of the Senate's most hostile opponents of comprehensive immigration reform and was a principal architect of the draconian and incendiary immigration policy advocated by the President-Elect during the campaign.

And his record in support of efforts to bring needed reform to the nation's criminal justice system is virtually non-existent.

In 1986, ten years before Senator SESSIONS was elected to the Senate, he was rejected for a U.S. District Court judgeship in view of documented incidents that revealed his lack of commitment to civil and voting rights, and to equal justice.

And his Senate voting record and rhetoric has endeared him to white nationalist websites and organizations like Breitbart and Stormfront.

As a U.S. attorney, Senator SESSIONS was the first federal prosecutor in the country to bring charges against civil rights activist for voter fraud.

Senator SESSIONS charged the group with 29 counts of voter fraud, facing over 100 years in prison.

Senator SESSIONS has repeatedly denied the disproportionate impact of voting restrictions on minorities and has been a leader in the effort to undermine the protections of the Voting Rights Act.

Senator SESSIONS has spoken out against the Voting Rights Act, calling it "a piece of intrusive legislation."

Senator SESSIONS criticized Attorney General Eric Holder for challenging state election laws, claiming they are necessary to fight voter fraud.

However, evidence supports that voter fraud is almost nonexistent, with 31 confirmed cases out of more than 1 billion ballots cast.

As Attorney General of the state of Alabama, Senator SESSIONS fought to continue practices that harmed schools predominantly attended by African-American students.

Senator SESSIONS led the fight to uphold the state of Alabama's inequitable school funding mechanism after it had been deemed unconstitutional by the Alabama circuit court.

In the state of Alabama nearly a quarter of African-American students attend apartheid schools, meaning the school's white population is less than one percent.

Although Senator SESSIONS has publicly taken credit for desegregation efforts in the state of Alabama, there is no evidence of his participation in the desegregation of Alabama schools or any school desegregation lawsuits filed by then Attorney General SESSIONS.

Mr. Speaker, The United States has been blessed to have been served as Attorney General by such illustrious figures as Robert Jackson, Robert Kennedy, Herbert Brownell, Ramsey Clark, Nicholas Katzenbach, Eric Holder, and Edward H. Levi.

Nothing would do more to reassure the American people that the President-Elect is committed to unifying the nation than the nomination and appointment of a person to be Attorney General who has a record of championing and protecting, rather than opposing and undermining, the precious right to vote; the constitutionally guaranteed right of privacy, criminal justice reform, and support for reform of the nation's immigration system so that it is fair and humane.

Regrettably, Sen. JEFF SESSIONS of Alabama is not that person and he should not be confirmed by the Senate to be the nation's 84th Attorney General.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committees on the Judiciary and Homeland Security Committee; Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and the Congressional Voting Rights Caucus, I rise today to express my views regarding the more troubling nominations made by the President-Elect to fill the important Cabinet posts at the Departments of Justice, Health and Human Services, and Energy.

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THE WALL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is Thursday evening in the House of Representatives, and I continue to hear friends, fellow Members of the House, and reporters in anguish over the issue of a potential wall between the United States and Mexico; so I thought it was worth looking at some information about Mexico—our closest neighbor to the south. The data should be recent.

They have got nearly 120 million people in Mexico. The gross domestic product is around 2.1 trillion in pesos. They have 2.1 percent growth—terrible. It is about like the Obama economy. The average income is around \$17,000 per capita. Inflation is 4.0 percent.

Yet, you look at the economics of Mexico in the world, and you think, wow. You look at their resources—extraordinary resources, just extraordinary resources. We know they have got hardworking people because we know, from the people of Mexico who have come to the United States, that people constantly indicate, gee, they are the best workers we have, these hardworking folks from Mexico.

So you have got hardworking people in the nation of Mexico, and you have got incredible natural resources that have never been tapped—or not adequately tapped. We don't even know the full potential—oil, gas, copper. There are all of these different minerals that Mexico is supposed to have. You look at what people have done over the thousands of years—I mean, advanced civilizations. Why is Mexico not one of the top 10 or even top five economies in the world? It is listed 62nd in the world.

They have got plenty of land. I can personally testify that they have some of the most beautiful terrain in the world—beautiful beaches, mountains,

farming regions; just magnificent land, minerals, and hardworking people. Why is it 62nd in the world as an economy? That is an interesting question.

It would seem to be because—from hearing people who have looked at Mexico and who have either tried to start a business there or who have looked at it to start a business there, to start manufacturing there—of course, there are many who have set up manufacturing shops down there, but they are easily persuaded out of it if they can find a more suitable place. The reason it is often easy to persuade people to set up shop somewhere else is because of the drug cartels, the corruption that the drug cartels bring to Mexico.

What is it the drug cartels are making billions of dollars off of that allow them to corrupt police departments? city governments? the Mexican border patrol? the Mexican military?

Obviously, the people in all of the Mexican Government are not corrupt. I have met too many who want desperately to make the nation of Mexico one of the greatest in the world, and it is possible that could happen but not so long as the drug cartels are, potentially, the most powerful entities in Mexico. I mean, they are right next to the United States. They really should be one of the top, at least 10—if not the top five or the top three or four—economies in the world, but they are nowhere close.

Drug cartels, we have found—and we know—make money, particularly off shipping illegal drugs into the United States. They have made a fortune off of it. I have heard from friends of mine in Texas who are in the drug enforcement business, both Federal and State. When the U.S. Congress took action to make it more difficult to get SUDAFED, which is used in the cooking of substances that are put together in order to create methamphetamine, that meth lab became much more rare, especially in east Texas, where I live, where we have got lots of trees, woods—terrain where people can easily hide out, set up a lab, cook some methamphetamine, especially as developed during my time on the felony bench, where people in Texas learned how to cook methamphetamine, create methamphetamine with a cold cooking process that didn't subject them to quite the danger and didn't create quite the nasty smell that often got meth labs reported to the authorities.

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By drying up so many of the meth labs, we were told it is going to be a great day for America. We dry up the meth labs by making it tougher to get Sudafed because you have to ask, give your driver's license, and you are restricted to a very limited amount of Sudafed. We were told that is going to dry up drugs. Methamphetamine is

going to be a thing of the past. We will cut it to next to nothing.

Well, it is true. It is not as widespread as it used to be, but I am told that more pure drugs with much more devastating results and much more addictive are coming up from Mexico in greater numbers, greater quantities. It is even worse than it was when methamphetamine was being cooked because of the purity of the substances and the addictive nature. Also, as a result of drying up so much in the way of methamphetamine, we have much more of the heroin epidemic crossing America.

Additional drugs have come from Mexico across our porous border that seems to have grown during the Obama administration dramatically. Why? Because our border has really not particularly been all that enforced.

It turns out that it is not just other drugs that are coming across our border. Since we have been able to eliminate so many meth labs, especially in Texas, we see stories like this one from Bob Price, January 5, "Feds Seize Nearly \$7M in Meth At Texas Border." That is a story about the seizure of methamphetamine at two international border bridges in south Texas in 1 week. The Customs and Border Protection, CBP, that was assigned to the World Trade Center International Bridge in Laredo, this article reports how they had caught two drug traffickers with 200 pounds of crystal meth in one vehicle, and that was December 22, 2016.

We also know that the border security under this administration has become just almost nonexistent. We had an article from January 12, today, from McAllen, from Fox News, entitled, "Cartels, Smugglers Exploit Border Wall Fears Ahead of Trump Presidency." So apparently they are using this time before President Trump is sworn in next week to scare people into coming now. Bring your drugs now. Come illegally now into the U.S. before Trump becomes President.

I guess it is a bit akin to Iran. After holding American hostages for over a year under Commander in Chief Jimmy Carter, became so scared of a tough, independent-minded Ronald Reagan coming into office, they let those hostages go on the very day he was sworn in. So they didn't risk him taking military action against them.

This is another story from Jessica Vaughan, January 2017, that reports that "ICE Deportations Hit 10-Year Low." This is January 2017. DHS has hit a 10-year low in deportations.

We see stories about how border control is almost nonexistent on our southern border, stories that expectation of amnesty is attracting immigrants to our U.S. border.

Here is another story from January 10 by Brittany Hughes, "Border Agents Catch Another Wave of Illegal Aliens

From Cuba Amid Escalating Spike." I have been told, when I am down there, they are seeing more and more Cubans coming across the Mexican border of all places.

So the insecurity—not mentally—of the United States, but the actual insecurity of the United States because of our vulnerability to people that hate us and drug cartels that want to make billions of dollars by hooking people on drugs that they will deliver, has reached insane levels. That is probably part of the reason that Donald Trump was elected President by an avalanche in the electoral college.

If you look at the counties that voted for Hillary Clinton and you look at the counties that voted for Donald Trump, it becomes very clear that the Democratic Party in the United States has basically become a fringe party. They won the fringes: West Coast, East Coast, part of Florida, part of the northeast, Chicago, Detroit, some of the northern cities, the southern valley of Texas. I mean, it is a fringe party. There are a few exceptions inside the country, but basically the rock-solid interior that the American people make up—in what some refer to as fly-over country in America—voted rather solidly for Donald Trump.

Here are numbers from the CIA World Factbook on Mexico:

Crude oil exports, a 2015 estimate, had 1.199 million barrels per day. Country comparison to the world, 13.

Crude oil imports, 11,110 barrels a day. Crude oil, proved reserves, 9.7 billion barrels, and that is just proven reserves.

If you look at natural gas from a 2014 estimate, 44.37 billion cubic meters. That is supposed to be 19th in the world, but when you consider how productive they could become once they began fracking, using more advanced technology, then you find out that, wow, this is a nation—the nation of Mexico—that really should be one of the top 10 economies in the world.

What is the excuse that it is not? It has hardworking people, natural resources that most of the world could only envy. Why is it not one of the top 10? We keep coming back to the drug cartels and the corruption that they have brought to Mexico and the billions of dollars that are generated by the drug cartels.

As we have talked about here in the House, the border patrolmen tell me—I have been there all night—there is not a single inch of the U.S.-Mexico border that is not controlled by one of the drug cartels and that nobody should cross the border unless they have paid the drug cartels, have the drug cartels' permission.

I have seen firsthand how it works. They will send a group across the river with coyotes in rafts when they are down on the Rio Grande. That keeps the Border Patrol busy. At another place, they send people with drugs.

I have been there and seen their look-outs, climbed up on perches where they can watch. When the Border Patrol goes by, they know they won't be back for a while, so they get surprised when I drive by in the middle of the night.

They are all over the place around our southern border. They are making billions of dollars. Whoever came up with the business model for the drug cartels that you could make such massive amounts of money bringing drugs illegally into the United States, it was really a business genius. But it would take a business fool in the United States to allow the kind of model that Mexico has set up for its drug business to even get a foothold in the United States.

As I have mentioned, one of the Border Patrol told me that the drug cartels call the Department of Homeland Security their logistics. They bring their drug dealers. They bring their drug traffickers. They bring their prostitutes. Unfortunately, girls are being forced, often, into drug trafficking or human trafficking, and they are going to be used as prostitutes to make money for the drug cartels. They send them across.

As a border patrolman said, they send them across, and then DHS here in America becomes their logistics. We ship them wherever they want them to go in the United States. All they have to do oftentimes is just have—I have seen them—a Xerox copy of the address where they are supposed to go, and DHS puts them on the bus—sometimes flies them, but usually buses—and ships them off to a city where the drug cartels want them to set up shop.

I have been there in the middle of the night when border patrolmen will ask how much they paid to be brought in illegally to the U.S. Some of the Spanish speakers in our Border Patrol are really incredible as they drill down and get answers to their questions that are not always on the list that DHS tells them to get.

“How much money did you pay?” They would say, “Well, you didn't have \$6,000, \$7,000, \$8,000. Where did you get that money?”

“Well, I was able to get \$1,000 from somebody in the U.S., \$1,000 from somebody in Mexico or Guatemala.”

“Well, what about the rest?”

“They are going to let me pay that out after I am in the United States.”

□ 2000

It becomes clear very quickly that, once again, this business model that the drug cartels have includes getting people in rafts where the Rio Grande River requires a raft, or just getting them across in unguarded areas, or areas where we need a wall and don't have one, getting them across, and then getting DHS to send them to the city where they want to set up shop as drug traffickers, human traffickers.

What a business model. You get the Federal Government of the United States to help you set up your business machine, your business model in the United States. They are shipping your employees around the country to different cities. Yes, it is normally under the guise of: I have a relative there, here is the relative's address. They are going to take care of me.

Perhaps you get delayed and have to wait for an immigration judge that was appointed by Eric Holder to give you a notice to appear for a hearing 4 years later, a year, 2 years later, and then you can go on to the city where the drug cartels want you to finish paying off what you owe them for getting you into the United States.

So to have a business model that requires your workers to pay you is extraordinary, but that is what drug cartels are able to do when you have a willing Obama administration here in the United States that will help you set up your drug cartel mechanism here in the United States. That is what has been going on.

In the meantime, back in Mexico, you generate so much money by having your workers pay you to work for you, and getting billions of dollars from the drugs that are sent into the United States, hooking people here in America, making them reliant on and addicted to drugs that destroy their lives. So basically the drug cartels get a two-for. They destroy the human infrastructure of the United States with poison that some would say, well, that is another name for illegal drugs. And then, in the meantime, you have got all of that money coming to you, and you use that money to buy off police. Thank God there are some stand-up police in Mexico that can't be bought. But if they go too strongly head to head with the drug cartels—we have seen the pictures—they can end up with their head on a pike as a message. We have had chiefs of police that were killed when they refused to kowtow to the drug cartels, and so the message becomes pretty clear.

It seems to me that the biggest reason that Mexico—with extraordinary people and extraordinary natural resources, a beautiful, fantastic country, a location that is just incredibly advantageous because they have got shipping that can go out on the West Coast like we do to the Pacific, shipping on the East Coast into the Caribbean, the Gulf of Mexico, ready access to North American markets, ready access to South American market, what an opportunistic location for Mexico. Yet, they struggle so far behind most nations, or so many nations in the world. Dozens and dozens, 60 or so, are before them because drug cartels have such a powerful part in Mexico itself.

So there are many Americans, especially friends of mine across the aisle here, who think it is an absolute out-

rage to talk about building a wall between the United States and Mexico. There are some Mexican officials that think it is an outrage to talk about building a wall between the United States and Mexico.

Now, some of those Mexican officials think it is an outrage because they haven't thought through the magnificence that may arise in Mexico once we have secured the border between Mexico and the United States and we can slow the drug trafficking to a trickle. So the drug cartels will not be looking at billions of U.S. dollars; they will be looking at thousands; and if they are extremely powerful, maybe millions. But if we get that down to thousands, then the Mexican people will be able to have control without corruption, without massive pockets of corruption, without a drug cartel that can buy soldiers, buy police, buy chiefs of police, and buy mayors. Again, thank God it is only a small part of Mexico, but it keeps Mexico suppressed from the great economic power that it could be. And the potential is all there.

You build a wall, then you shut down the drug cartels. And when they only have thousands of dollars to bribe police instead of millions or billions of dollars, then law and order will prevail and the drug cartels will not, and we will have the most extraordinary neighbor to our south all because we followed the example in Mending Wall, and we had a wall between us that we kept up, we took care of, we shut down, helped Mexico shut down the drug cartels by being a good neighbor, enforcing the border, and the standard of living in Mexico spirals upwards through the sky. The power Mexico would have as a nation in any international organization will be extraordinary, and the United States will reach an unparalleled relationship as a neighbor. That is worth building a wall for.

Mr. Speaker, I yield back the balance of my time.

OPPOSING WAIVER FOR GENERAL MATTIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Arizona (Mr. GALLEG0) for 30 minutes.

Mr. GALLEG0. Mr. Speaker, I am a marine, just like James Mattis. While I was a grunt and he was a general, we both fought in Iraq. He is a man of social integrity and patriotism.

War shows the character of military leaders. Marines who served under Mattis in Iraq speak in glowing terms about his strength, intelligence, and ability.

Mr. Speaker, it is with sadness that I rise this evening to oppose legislation that would allow General Mattis to serve as our 26th Secretary of Defense. This might seem contradictory. It

might appear partisan or unpatriotic. In fact, the opposite is true.

My position is entirely straightforward, Mr. Speaker. When it comes to something as basic as civilian control of the military, I believe exceptions should be granted for extraordinary circumstances, not extraordinary people.

For more than half a century, recently retired military leaders have been barred from assuming the top post at the Pentagon. The Members of Congress who enshrined this prohibition in law had fresh memories of the Second World War. They are wary of a decorated general slipping off his uniform and immediately stepping into a civilian role. They were apprehensive about installing a Secretary of Defense who could be perceived as partial to one service over others. They are also worried about whether the reputation of our military as a nonpartisan institution would suffer if its most respected leaders could transition directly into political positions.

The last time a recently retired military man, the great George Marshall, was permitted to lead the Pentagon, America was facing the prospect of a humiliating defeat in the Korean war. Even then, congressional leaders specified that his waiver was a one-time exception to the rule.

While our country must confront an array of threats today, none of our national security challenges remotely compares to a massive ground war in the Far East.

Mr. Speaker, I understand that many of my colleagues are eager to grant this waiver because they greeted the announcement of Mattis' appointment with a sigh of relief, a sigh of relief because it meant Donald Trump had picked someone who is known to be competent and patriotic, and someone who doesn't have a cozy relationship with the Russian Government.

That is an understandable reaction, and we are all extremely confident that General Mattis will do a much better job than General Flynn or some of the other alternatives.

We shouldn't let Trump's bad behavior and poor judgment compel Congress to lower the bar. If anything, we should raise the bar for Trump, not make exceptions just because we are glad he didn't go with someone like Flynn.

Mr. Speaker, a simple set of rules and norms form the fabric of American democracy. Since the founding of the Republic, leaders of every party and political persuasion have upheld this basic framework. For generations, American leaders have placed principle before party.

With remarkably few exceptions, Presidents from George Washington to Barack Obama have valued our institutions and our democracy more than private gain or personal advancement. Now, Mr. Speaker, we have a Presi-

dent-elect who doesn't think the rules should apply to him. We have a President-elect who is brazenly breaking norms left and right. We have a President-elect who promises to make America great again, but is dividing the country as never before.

Here in the United States, we believe every American is entitled to equal justice under the law. But Donald Trump believes that a different set of rules should apply to him than apply to President Obama or President Bush or any of the other men who have held our highest office.

Unlike his predecessors, Donald Trump has stubbornly refused to release his tax returns. Unlike his predecessors, Donald Trump has irresponsibly meddled in our foreign relations throughout the transition. Unlike his predecessors, Trump has done nothing to diminish massive conflicts of interest stemming from his complex business dealings overseas.

Yet, instead of applying a check on this pattern of reckless behavior, House Republicans have rolled over time and time again.

Mr. Speaker, the Republicans won't stand up to a President entering office with just a 37 percent approval rating because it is precisely that 37 percent of the public that scares them. In fact, that 37 percent has terrified them for 8 long years. It scared them into turning a blind eye to the racist birther conspiracy theories. It scared them into shutting down the Federal Government. That 37 percent even scared them into risking a debt limit default which would have immediately triggered an unprecedented economic meltdown.

Mr. Speaker, we need a President like Barack Obama who looks out for 100 percent of the American people. We need a President like Barack Obama who abides by 100 percent of the rules. We need a House majority that is willing to uphold its constitutional obligations 100 percent of the time.

Moving forward in this Congress, the power to check Donald Trump is in Republican hands and depends on Republican votes, but they have been too scared, too cowed, and too unwilling to do what these tough times demand.

If we, the Members of this great body, won't stand up for the norms that have sustained this Republic for 238 years, then who will?

General Mattis is a patriot, but now is the time for all of us in this Chamber to reiterate a basic truth in a democracy—rules matter. They shouldn't be discarded at the first sign of difficulty. They shouldn't be undercut by waivers. Important precedents must be upheld in good times and bad.

This is America, Mr. Speaker, not some banana republic where the incoming strongman gets to rewrite the rule book. Our principles are enduring. Our values are timeless. For more than two

centuries, our commitment to the rule of law has been unshakable. That is why we should reject this waiver. That is why we must hold Donald Trump to the same high standards as all of the 43 Presidents who came before him.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 8 o'clock and 15 minutes p.m.), the House stood in recess.

□ 2027

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HIGGINS of Louisiana) at 8 o'clock and 27 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. CON. RES. 3, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017, AND PROVIDING FOR CONSIDERATION OF S. 84, PROVIDING FOR EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 115-4) on the resolution (H. Res. 48) providing for consideration of the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026, and providing for consideration of the bill (S. 84) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUTHERFORD (at the request of Mr. MCCARTHY) for today and for the balance of the week on account of medical reasons.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 29 minutes

p.m.), the House adjourned until tomorrow, Friday, January 13, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

167. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's interim rule — Revisions to Inspection Application Requirements [Docket No.: AMS-SC-16-0063] received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

168. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Regulatory Capital Rules: Implementation of Capital Requirements for Global Systemically Important Bank Holding Companies [Docket No.: R-1535] (RIN: 7100 AE-49) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

169. A letter from the Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting the Department's "Strategic Petroleum Reserve Annual Report for Calendar Year 2014", in accordance with Sec. 165 of the Energy Policy and Conservation Act (42 U.S.C. 6245); to the Committee on Energy and Commerce.

170. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective November 27, 2016, the following qualified for Danger Pay: Philippines: Mindanao Regions with Mindanao; Autonomous Region of Muslim Mindanao; Zamboanga Peninsula; Northern Mindanao; Davao Region; Soccsksargen Caraga at 25 percent; to the Committee on Foreign Affairs.

171. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective November 27, 2016, the following posts no longer qualified for Danger Pay: N'Djamena, Chad; Nairobi, Kenya; Abuja, Nigeria; and Khartoum, Sudan; to the Committee on Foreign Affairs.

172. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Update to Incorporate FOIA Improvement Act of 2016 Requirements [NRC-2016-0171] (RIN: 3150-AJ84) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

173. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation (GSAR); Fair Opportunity Complaints on GSA Contracts [Change 81; GSAR Case 2015-G513; Docket No.: 2016-0021; Sequence No. 1] (RIN: 3090-AJ79) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

174. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's Semiannual Report of the Inspector General and the Management Re-

sponse for the period of April 1, 2016, through September 30, 2016, pursuant to Sec. 5, Public Law 95-452, as amended; to the Committee on Oversight and Government Reform.

175. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's Uniformed and Overseas Citizens Absentee Voting Act Annual Report to Congress for 2016, pursuant to 52 U.S.C. 20307(b); Public Law 99-410, Sec. 105 (as amended by Public Law 111-84, Sec. 587(2)); (123 Stat. 2333); to the Committee on House Administration.

176. A letter from the Division Chief, Bureau of Land Management, Department of the Interior, transmitting the Department's final order — Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Onshore Oil and Gas Order Number 1, Approval of Operations [WO-300-L13100000.PP0000] (RIN: 1004-AE37) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

177. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's seventh annual report regarding compliance of federal departments and agencies with providing relevant information to the National Instant Criminal Background Check System, pursuant to 18 U.S.C. 922 note; Public Law 103-159, Sec. 103(e)(1)(E) (as added by Public Law 110-180, Sec. 101(a)); (121 Stat. 2561); to the Committee on the Judiciary.

178. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Changes in Requirements for Affidavits or Declarations of Use, Continued Use, or Excusable Nonuse in Trademark Cases [Docket No.: PTO-T-2016-0002] (RIN: 0651-AD07) received January 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

179. A letter from the Chair, NASA Aerospace Safety Advisory Panel, transmitting the NASA Aerospace Safety Advisory Panel's Annual Report for 2016 to Congress and to the Administrator of the National Aeronautics and Space Administration; to the Committee on Science, Space, and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 48. Resolution providing for consideration of the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026, and providing for consideration of the bill (S. 84) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces (Rept. 115-094). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. LEWIS of Minnesota:
H.R. 462. A bill to amend title 5, United States Code, to include guidance documents in the congressional review process of agency rulemaking; to the Committee on the Judiciary.

By Mr. CONNOLLY (for himself and Mr. CHABOT):
H.R. 463. A bill to prohibit United States Government recognition of Russia's annexation of Crimea; to the Committee on Foreign Affairs.

By Mr. CONNOLLY (for himself, Mr. POE of Texas, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. COHEN, Mr. LYNCH, Mr. NADLER, Ms. NORTON, Mr. QUIGLEY, and Mr. YARMUTH):

H.R. 464. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

By Mr. GIBBS (for himself and Mr. CHABOT):

H.R. 465. A bill to amend the Federal Water Pollution Control Act to provide for an integrated planning and permitting process, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HULTGREN (for himself, Mr. SMITH of New Jersey, Mr. MOONEY of West Virginia, Mr. PITTENGER, Mr. GUTHRIE, Mr. WALBERG, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 466. A bill to amend the Trafficking Victims Protection Act of 2000 relating to determinations with respect to efforts of foreign countries to reduce demand for commercial sex acts under the minimum standards for the elimination of trafficking; to the Committee on Foreign Affairs.

By Mrs. WALORSKI:

H.R. 467. A bill to direct the Secretary of Veterans Affairs to ensure that each medical facility of the Department of Veterans Affairs complies with requirements relating to scheduling veterans for health care appointments, to improve the uniform application of directives of the Department, and for other purposes; to the Committee on Veterans Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURBELO of Florida (for himself, Mr. SOTO, Ms. PINGREE, Mr. LOWENTHAL, Mr. YOUNG of Alaska, Mr. HASTINGS, Ms. NORTON, Ms. WASSERMAN SCHULTZ, Mr. GAETZ, Mr. PAYNE, Mr. KATKO, Ms. ROS-LEHTINEN, Mr. BLUMENAUER, and Mr. DIAZ-BALART):

H.R. 468. A bill to amend the Oil Pollution Act of 1990 to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COLLINS of Georgia (for himself, Mr. GOODLATTE, Mr. CARTER of Georgia, Mr. CRAWFORD, Mr. TIPTON, Mr. GOSAR, Mr. MARINO, Mr. SMITH of Texas, Mr. LATTA, Mr. PEARCE, Mr. FARENTHOLD, Mr. BABIN, Mr. BARR, Mr. YOHO, Mr. CHABOT, Mr. GOHMERT, and Mr. CRAMER):

H.R. 469. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other

purposes; to the Committee on the Judiciary.

By Mr. ELLISON (for himself, Mr. HUFFMAN, Mr. CONYERS, and Ms. MCCOLLUM):

H.R. 470. A bill to establish minimum standards of fair conduct in franchise sales and franchise business relationships, and for other purposes; to the Committee on the Judiciary.

By Mr. ELLISON (for himself, Mr. HUFFMAN, Mr. CONYERS, and Ms. MCCOLLUM):

H.R. 471. A bill to establish minimum standards of disclosure by franchises whose franchisees use loans guaranteed by the Small Business Administration; to the Committee on Energy and Commerce.

By Mr. ISSA (for himself, Mr. MOULTON, Mrs. MIMI WALTERS of California, Mr. CALVERT, Mr. HUNTER, Mr. ROYCE of California, and Mr. ROHRABACHER):

H.R. 472. A bill to amend the Fair Housing Act to better protect persons with disabilities and communities; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. COFFMAN):

H.R. 473. A bill to amend title 54, United States Code, to provide that if the head of the agency managing Federal property objects to the inclusion of certain property on the National Register or its designation as a National Historic Landmark for reasons of national security, the Federal property shall be neither included nor designated until the objection is withdrawn, and for other purposes; to the Committee on Natural Resources.

By Mr. ISSA (for himself, Mr. CONAWAY, Mr. CALVERT, Mr. CULBERSON, Mr. YOUNG of Alaska, Ms. PINGREE, Mr. SAM JOHNSON of Texas, Mr. CARTER of Texas, Ms. BORDALLO, Mr. PETERS, Mr. WELCH, Ms. MATSUI, Mr. GENE GREEN of Texas, Mr. HUNTER, Mr. BERA, Mr. NEAL, Mr. COURTNEY, and Mr. LEWIS of Minnesota):

H.R. 474. A bill to amend the Nuclear Waste Policy Act of 1982 to authorize the Secretary of Energy to enter into contracts for the storage of certain high-level radioactive waste and spent nuclear fuel, take title to certain high-level radioactive waste and spent nuclear fuel, and make certain expenditures from the Nuclear Waste Fund; to the Committee on Energy and Commerce.

By Mr. ISSA (for himself, Mr. ABRAHAM, Mr. ADERHOLT, Mrs. COMSTOCK, Mr. FRANKS of Arizona, Mr. GOHMERT, Mrs. RADEWAGEN, Mr. ROHRABACHER, Mr. ROYCE of California, Mr. YOUNG of Alaska, and Mr. MOONEY of West Virginia):

H.R. 475. A bill to designate the exclusive economic zone of the United States as the "Ronald Wilson Reagan Exclusive Economic Zone of the United States"; to the Committee on Natural Resources.

By Mr. NEWHOUSE (for himself, Mr. GOHMERT, Mr. HENSARLING, Mr. JONES, Mr. MARSHALL, Mr. OLSON, Mrs. RADEWAGEN, and Mr. YOUNG of Iowa):

H.R. 476. A bill to amend title 38, United States Code, to clarify the emergency hospital care furnished by the Secretary of Veterans Affairs to certain veterans; to the Committee on Veterans' Affairs.

By Mr. HUIZENGA (for himself, Mr. POSEY, and Mr. HIGGINS of New York):

H.R. 477. A bill to amend the Securities Exchange Act of 1934 to exempt from registra-

tion brokers performing services in connection with the transfer of ownership of smaller privately held companies; to the Committee on Financial Services.

By Mr. POE of Texas (for himself and Mr. SHERMAN):

H.R. 478. A bill to require the imposition of sanctions against Iran's Islamic Revolutionary Guard Corps, and for other purposes; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself and Mr. SHERMAN):

H.R. 479. A bill to require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FLORES:

H.R. 480. A bill to amend the Internal Revenue Code of 1986 to allow qualified scholarship funding corporations to access tax-exempt financing for alternative private student loans; to the Committee on Ways and Means.

By Mr. CALVERT:

H.R. 481. A bill to amend the National Environmental Policy Act of 1969 to authorize assignment to States of Federal agency environmental review responsibilities, and for other purposes; to the Committee on Natural Resources.

By Mr. GOSAR (for himself, Mr. BABIN, Mrs. BLACKBURN, Mr. BLUM, Mr. BUCK, Mr. BURGESS, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FRANKS of Arizona, Mr. GROTHMAN, Mr. KING of Iowa, Mr. MASSIE, Mr. MCCLINTOCK, Mr. POE of Texas, Mr. ROHRABACHER, Mr. SESSIONS, Mr. SMITH of Missouri, Mr. WEBSTER of Florida, Mr. YOHO, and Mr. BRAT):

H.R. 482. A bill to nullify certain regulations and notices of the Department of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. HUNTER (for himself, Mr. BARLETTA, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. ALLEN, Mr. JONES, Mr. ROHRABACHER, Mr. BIGGS, Mr. BABIN, Mr. GOHMERT, Mr. GROTHMAN, Mr. GRAVES of Louisiana, Mr. CRAMER, and Mr. BRAT):

H.R. 483. A bill to amend title IV of the Higher Education Act of 1965 to prohibit the provision of funds under such title to institutions of higher education that violate the immigration laws, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DEFAZIO (for himself and Ms. SLAUGHTER):

H.R. 484. A bill to amend the Lobbying Disclosure Act of 1995 and the Foreign Agents Registration Act of 1938 to restrict the lobbying activities of former political appointees, and for other purposes; to the Committee on the Judiciary.

By Mrs. BEATTY (for herself, Ms. MAXINE WATERS of California, Mr. CONYERS, Mr. DAVID SCOTT of Georgia, and Mr. ELLISON):

H.R. 485. A bill to amend the Federal Reserve Act to require Federal Reserve banks to interview at least one individual reflective of gender diversity and one individual reflective of racial or ethnic diversity when appointing Federal Reserve bank presidents, and for other purposes; to the Committee on Financial Services.

By Mr. BIGGS (for himself, Mr. SCHWEIKERT, Mr. GOSAR, Mr. CRAMER, Mr. BROOKS of Alabama, Mr.

BARLETTA, Mr. MCKINLEY, Mr. CHABOT, Mr. PALMER, Mr. CARTER of Georgia, Mr. DUNCAN of South Carolina, Mr. GROTHMAN, Mr. BRAT, and Mr. FRANKS of Arizona):

H.R. 486. A bill to require the Secretary of Homeland Security to detain any alien who is unlawfully present in the United States and is arrested for certain criminal offenses; to the Committee on the Judiciary.

By Mr. BURGESS (for himself and Mr. AMASH):

H.R. 487. A bill to prohibit the Central Intelligence Agency from using an unmanned aerial vehicle to carry out a weapons strike or other deliberately lethal action and to transfer the authority to conduct such strikes or lethal action to the Department of Defense; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. AMODEI, Ms. BORDALLO, Ms. BROWNLEY of California, Mrs. BUSTOS, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. COSTELLO of Pennsylvania, Mr. COURTNEY, Mr. CUMMINGS, Ms. DELBENE, Mr. DOGGETT, Mr. ELLISON, Mr. ENGEL, Mr. FARENTHOLD, Mr. FOSTER, Ms. GABBARD, Mr. GARAMENDI, Mr. HECK, Mr. HIMES, Mr. HURD, Mr. SENSENBRENNER, Mr. JONES, Mr. KATKO, Mr. KEATING, Mr. KILMER, Mr. LANCE, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LIPINSKI, Mr. LOBIONDO, Mr. LOEBSACK, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MCGOVERN, Mr. MCKINLEY, Mr. MCNERNEY, Ms. NORTON, Mr. PEARCE, Mr. PITTENGER, Mr. QUIGLEY, Mrs. RADEWAGEN, Mr. ROTHFUS, Mr. RUSH, Mr. RYAN of Ohio, Ms. SLAGHTER, Mr. SOTO, Ms. SPEIER, Mr. THOMPSON of California, Mr. THOMPSON of Pennsylvania, Mr. TIPTON, Mr. TURNER, Mr. WALZ, Mr. YOUNG of Iowa, Mr. MARSHALL, Mr. KNIGHT, Mr. BISHOP of Georgia, and Mr. RUSSELL):

H.R. 488. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State; to the Committee on Ways and Means.

By Ms. DELBENE (for herself, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. COHEN, Ms. JUDY CHU of California, Mr. ELLISON, Mr. CARSON of Indiana, and Ms. MATSUI):

H.R. 489. A bill to prohibit the collection of information and the establishment or utilization of a registry for the purposes of classifying or surveilling certain United States persons and other individuals on the basis of religious affiliation, and for other purposes; to the Committee on the Judiciary.

By Mr. KING of Iowa (for himself and Mr. FRANKS of Arizona):

H.R. 490. A bill to amend title 18, United States Code, to prohibit abortion in cases where a fetal heartbeat is detectable; to the Committee on the Judiciary.

By Mr. CAPUANO:

H.R. 491. A bill to provide for the repayment of amounts borrowed by Fannie Mae and Freddie Mac from the Treasury of the

United States, together with interest, over a 30-year period, and for other purposes; to the Committee on Financial Services.

By Mr. CAPUANO:

H.R. 492. A bill to ensure that any authority of the Mutual Mortgage Insurance Fund to borrow amounts from the Treasury is used only to pay mortgage insurance claims; to the Committee on Financial Services.

By Mr. CAPUANO (for himself, Mr. LYNCH, and Mr. ELLISON):

H.R. 493. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require certain systemically important entities to account for the financial benefit they receive as a result of the expectations on the part of shareholders, creditors, and counterparties of such entities that the Government will shield them from losses in the event of failure, and for other purposes; to the Committee on Financial Services.

By Mr. CARTER of Georgia (for himself, Mr. ALLEN, Mr. BISHOP of Georgia, Mr. COLLINS of Georgia, Mr. FERGUSON, Mr. GRAVES of Georgia, Mr. JODY B. HICE of Georgia, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. LOUDERMILK, Mr. AUSTIN SCOTT of Georgia, Mr. DAVID SCOTT of Georgia, and Mr. WOODALL):

H.R. 494. A bill to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTER of Texas:

H.R. 495. A bill to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to provide for the expedited removal of unaccompanied alien children who are not victims of a severe form of trafficking in persons and who do not have a fear of returning to their country of nationality or last habitual residence, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COFFMAN (for himself, Mr. GUTIÉRREZ, Mr. CURBELO of Florida, Ms. ROYBAL-ALLARD, Mr. DENHAM, Ms. LOFGREN, Ms. ROS-LEHTINEN, and Ms. JUDY CHU of California):

H.R. 496. A bill to provide provisional protected presence to qualified individuals who came to the United States as children; to the Committee on the Judiciary.

By Mr. COOK (for himself and Mr. AGUILAR):

H.R. 497. A bill to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAMER (for himself and Mr. WELCH):

H.R. 498. A bill to authorize the exportation of consumer communication devices to Cuba and the provision of telecommunications services to Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESANTIS:

H.R. 499. A bill to require members of Congress and congressional staff to abide by the

Patient Protection and Affordable Care Act with respect to health insurance coverage, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on House Administration, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESJARLAIS (for himself, Mrs. BLACK, Mrs. BLACKBURN, Mr. BRAT, Mr. COHEN, Mr. COOPER, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. KING of Iowa, Mr. KUSTOFF of Tennessee, Mr. MASSIE, Mr. ROE of Tennessee, Mr. ROHRBACHER, Mr. STIVERS, and Mrs. BROOKS of Indiana):

H.R. 500. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased or disabled veterans; to the Committee on Ways and Means.

By Mrs. DINGELL (for herself and Mr. WALBERG):

H.R. 501. A bill to require increased reporting regarding certain surgeries scheduled at medical facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRIJALVA (for himself and Mr. MEEHAN):

H.R. 502. A bill to permanently reauthorize the Land and Water Conservation Fund; to the Committee on Natural Resources.

By Mr. LABRADOR:

H.R. 503. A bill to amend title 28, United States Code, to provide for an additional judge for the district of Idaho, and for other purposes; to the Committee on the Judiciary.

By Mr. LANCE:

H.R. 504. A bill to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property; to the Committee on the Judiciary.

By Ms. MCSALLY (for herself, Mr. GOSAR, Mr. HENSARLING, Mr. HURD, Mr. KATKO, Mr. KING of New York, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Ms. SINEMA, Mrs. COMSTOCK, Mr. RUSSELL, Mr. DONOVAN, Mr. MCCAUL, Mr. BIGGS, and Mr. ROGERS of Alabama):

H.R. 505. A bill to amend the Homeland Security Act of 2002 to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMAS J. ROONEY of Florida (for himself and Mr. DEUTCH):

H.R. 506. A bill to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSS:

H.R. 507. A bill to require zero-based budgeting for departments and agencies of the Government; to the Committee on the Budget.

By Ms. ROYBAL-ALLARD (for herself, Ms. WASSERMAN SCHULTZ, Mr. LOEBSACK, Mr. CICILLINE, Mr. LYNCH, Ms. CLARK of Massachusetts, Mr. SERRANO, Ms. KAPTUR, Mr. CLAY, Mr. RUPPERSBERGER, Mr. BISHOP of Georgia, Mr. DANNY K. DAVIS of Illinois, Mr. CLYBURN, Mr. THOMPSON of Mis-

issippi, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. BASS, Mrs. DINGELL, Mr. CÁRDENAS, Ms. HANABUSA, Mr. AGUILAR, Mrs. LAWRENCE, Mr. POCAN, Ms. LEE, Mr. MOULTON, Ms. PINGREE, Mr. VELA, Mr. VEASEY, Ms. MATSUI, Ms. TSONGAS, Ms. SPEIER, Ms. DELAURO, Ms. SHEA-PORTER, Mr. ESPAILLAT, Mr. WELCH, Mr. JOHNSON of Georgia, Ms. VELÁZQUEZ, Mr. KEATING, Ms. DELBENE, Ms. KELLY of Illinois, Mr. TAKANO, Mr. DELANEY, Ms. MOORE, Mr. MEEKS, Ms. SCHAKOWSKY, Ms. NORTON, Mr. SCOTT of Virginia, Mr. COHEN, Mr. FOSTER, Mr. SOTO, Mr. JEFFRIES, Mr. EVANS, Mr. TED LIEU of California, Mr. RYAN of Ohio, Mr. HASTINGS, Mrs. RADEWAGEN, Mrs. WATSON COLEMAN, Mr. GALLEGU, Mr. KILDEE, Mr. CONYERS, Mr. VARGAS, Ms. MENG, Ms. BROWNLEY of California, Mr. DEFAZIO, Mr. CAPUANO, Ms. ESTY, Ms. WILSON of Florida, Ms. JACKSON LEE, Mr. TONKO, Mr. CONNOLLY, Mrs. NAPOLITANO, Mr. SARBANES, Ms. MAXINE WATERS of California, Mr. PETERS, Ms. SLAUGHTER, Mr. GARAMENDI, Mr. LARSEN of Washington, Mr. SABLAN, Mr. CUMMINGS, Mr. HECK, Mr. KILMER, Mr. SUOZZI, Ms. PLASKETT, Ms. CLARKE of New York, Mrs. BEATTY, Mr. GRIJALVA, Ms. SEWELL of Alabama, Mr. RUIZ, Ms. BONAMICI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SHERMAN, Mr. KENNEDY, Mr. MCGOVERN, Ms. LOFGREN, Mr. SCHIFF, Mr. GUTIÉRREZ, Mr. O'HALLERAN, Mr. O'ROURKE, Ms. TITUS, Mr. GONZALEZ of Texas, Mr. LOWENTHAL, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. RUSH, Mr. BLUMENAUER, Mrs. TORRES, Mr. SEAN PATRICK MALONEY of New York, Ms. CASTOR of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NADLER, Mr. CARSON of Indiana, Ms. MCCOLLUM, Mr. DAVID SCOTT of Georgia, Mr. LARSON of Connecticut, Mr. SWALWELL of California, Ms. JUDY CHU of California, Mr. BUTTERFIELD, Mr. CORREA, Mrs. BUSTOS, Mr. AL GREEN of Texas, Mr. PERLMUTTER, Mr. DESAULNIER, and Mr. CARTWRIGHT):

H.R. 508. A bill to expand Medicare coverage to include eyeglasses, hearing aids, and dental care; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 509. A bill to abolish the Bureau of Alcohol, Tobacco, Firearms, and Explosives, transfer its functions relating to the Federal firearms, explosives, and arson laws, violent crime, and domestic terrorism to the Federal Bureau of Investigation, and transfer its functions relating to the Federal alcohol and tobacco smuggling laws to the Drug Enforcement Administration, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. SWALWELL of California, Mr. RODNEY DAVIS of Illinois, Mr. KIND, Mr. RYAN of Ohio, Mr. COHEN, Mrs. WAGNER, Mr. RATCLIFFE, Ms. SPEIER, Mr. PEARCE, and Mr. DESAULNIER):

H.R. 510. A bill to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime

and reduce the current DNA analysis backlog; to the Committee on the Judiciary.

By Mr. WELCH (for himself and Mrs. BROOKS of Indiana):

H.R. 511. A bill to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOHO (for himself, Mr. RODNEY DAVIS of Illinois, Ms. SINEMA, Mr. DELANEY, Mr. BABIN, Mr. BISHOP of Michigan, Mrs. BLACKBURN, Mr. COSTA, Mr. DAVIDSON, Mr. DESJARLAIS, Mrs. DINGELL, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. GOHMERT, Mr. GOSAR, Mr. HARRIS, Mr. HILL, Mr. JONES, Mr. JOYCE of Ohio, Mr. KING of Iowa, Ms. SHEA-PORTER, Mr. ROSKAM, Mr. MAST, Mr. YOUNG of Iowa, Mr. NOLAN, Mr. ROGERS of Kentucky, Ms. MCSALLY, Mr. BUCHANAN, Mr. CROWLEY, Mr. CÁRDENAS, Mr. BACON, Mrs. COMSTOCK, Mr. KINZINGER, Mr. COURTNEY, Mrs. BUSTOS, Mr. EMMER, Mr. REED, Mrs. NAPOLITANO, Mr. HIMES, Mr. RUTHERFORD, Mrs. BLACK, Mr. BISHOP of Utah, Mr. DAVID SCOTT of Georgia, Mr. BLUMENAUER, Mr. SAM JOHNSON of Texas, Ms. FRANKEL of Florida, Mr. ROGERS of Alabama, Mr. WITTMAN, Mr. FARENTHOLD, Mr. RICE of South Carolina, Mr. SABLAN, Ms. JACKSON LEE, Mr. CARTER of Georgia, Mrs. BEATTY, Mr. ALLEN, Mr. GROTHMAN, Mr. COLE, Mr. TIP-TON, Mr. BERA, Mr. CUMMINGS, Mr. LOWENTHAL, Mrs. RADEWAGEN, Mr. CONYERS, Ms. LEE, Ms. KAPTUR, Mrs. HARTZLER, Mr. GALLEGRO, Mr. FRANCIS ROONEY of Florida, Mr. BRIDENSTINE, Mr. BARLETTA, Mr. MCCAUL, Mr. RUSH, Mr. BYRNE, Mr. BARR, Mr. RATCLIFFE, Mr. ROUZER, Mr. POE of Texas, Mr. MITCHELL, Mr. MARSHALL, Mrs. BROOKS of Indiana, Mrs. LOVE, Mr. MARINO, Mr. MASSIE, Mr. MEEHAN, Mr. MESSER, Mr. PEARCE, Mr. ROKITA, Mr. THOMAS J. ROONEY of Florida, Mr. ROYCE of California, Mr. THOMPSON of California, Mr. WEBER of Texas, Mr. WILSON of South Carolina, Mr. ABRAHAM, Mr. BERGMAN, Mr. BRAT, Mr. CRIST, Mr. FASO, Mr. CURBELO of Florida, Ms. GABBARD, Mr. GAETZ, Mr. PERRY, Mr. COOK, Mrs. WAGNER, Mr. BUCHSON, Mr. OLSON, Mr. DUNCAN of Tennessee, Mr. MOONEY of West Virginia, Ms. ROSLEHTINEN, Mr. PETERS, Mr. PALAZZO, Mr. JODY B. HICE of Georgia, Mr. THOMPSON of Pennsylvania, Mr. SMITH of Missouri, Mr. CRAMER, Mr. DONOVAN, Mr. DESAULNIER, Mr. SOTO, Mr. DUNN, Mr. GRAVES of Louisiana, Mr. LEWIS of Minnesota, Mr. COLLINS of Georgia, Mr. GRIFFITH, Mr. HURD, Mr. LANCE, Mr. LAMALFA, Mr. LAWSON of Florida, Mr. NEWHOUSE, Mr. SRES, Mr. SHIMKUS, Mr. LAHOOD, Mr. FERGUSON, Mr. COMER, Mr. MEEKS, Mr. GOWDY, Mr. BOST, Mr. MEADOWS, Mr. DUNCAN of South Carolina, Mr. KELLY of Mississippi, Mr. VALADAO, Mrs. McMORRIS RODGERS, Mr. CICCILLINE, Mr. SCHNEIDER, Mr. WALBERG, Mr. SWALWELL of California, Mr. GRIJALVA, Mr. SEAN PATRICK MALONEY of New York, Mr. GUTHRIE, Mr. ISSA, Ms. JUDY CHU of California, Mr. BIGGS, Mr. DESANTIS, and Mr. ENGEL):

H.R. 512. A bill to title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H.R. 513. A bill to provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes; to the Committee on Natural Resources.

By Mr. WENSTRUP (for himself, Mr. ROE of Tennessee, Mr. ROTHFUS, and Mrs. WAGNER):

H.J. Res. 27. A joint resolution disapproving the action of the District of Columbia Council in approving the Death with Dignity Act of 2016; to the Committee on Oversight and Government Reform.

By Mr. GRAVES of Missouri (for himself and Mr. WALZ):

H. Res. 46. A resolution recognizing the increased risk of sleep apnea among soldiers returning from active duty and the benefits of continuous positive airway pressure (CPAP) therapy on treating obstructive sleep apnea (OSA) in soldiers suffering from Posttraumatic Stress Disorder (PTSD); to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself, Mr. QUIGLEY, Mr. AMODEI, and Mr. WESTERMAN):

H. Res. 47. A resolution amending the Rules of the House of Representatives respecting budget-related points of order; to the Committee on Rules.

By Ms. LEE (for herself, Ms. CLARKE of New York, Ms. MAXINE WATERS of California, Mr. HASTINGS, Mr. CONYERS, Mr. MCGOVERN, Ms. WILSON of Florida, Mr. RUSH, Mr. ENGEL, Mr. GRIJALVA, Ms. NORTON, Mrs. LOWEY, and Ms. TSONGAS):

H. Res. 49. A resolution recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in the earthquake and in Hurricane Matthew in October 2016, and expressing continued solidarity with the Haitian people; to the Committee on Foreign Affairs.

By Mr. SESSIONS (for himself and Mr. CARTER of Georgia):

H. Res. 50. A resolution recognizing the historical importance of Associate Justice Clarence Thomas; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LEWIS of Minnesota:

H.R. 462.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clauses 1 to 17, of the United States Constitution; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;"

By Mr. CONNOLLY:

H.R. 463.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the authority delineated in Article I, Section I, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mr. CONNOLLY:

H.R. 464.

Congress has the power to enact this legislation pursuant to the following:

The "necessary and proper" clause of Article I, Section 8 of the United States Constitution.

By Mr. GIBBS:

H.R. 465.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the several States).

By Mr. HULTGREN:

H.R. 466.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mrs. WALORSKI:

H.R. 467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. CURBELO of Florida:

H.R. 468.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Commercial Activity Regulation

By Mr. COLLINS of Georgia:

H.R. 469.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution, Article I, Section 8 of the United States Constitution, including, but not limited to, Clauses 1, 3, and 18, and Article III of the United States Constitution, Section 2.

By Mr. ELLISON:

H.R. 470.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and 3.

By Mr. ELLISON:

H.R. 471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and 3.

By Mr. ISSA:

H.R. 472.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 of the United States Constitution grants Congress the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States;

Article I, section 8, clause 3 of the United States Constitution grants Congress the power to regulate commerce among the several states;

Article I, section 8, clause 18 of the United States Constitution grants Congress the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ISSA:

H.R. 473.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution which empowers Congress "To . . . provide for the common defence [sic] and general Welfare of the United States;" Article 1, Section 8, Clauses 11 through 16 which give Congress additional authorities to ensure the national security of the United States;

Article 1, Section 8, Clause 18, which empowers Congress to "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. ISSA:

H.R. 474.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3: to regulate commerce with foreign nations, and among the several state, and with the Indian tribes

By Mr. ISSA:

H.R. 475.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section III: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.'

By Mr. NEWHOUSE:

H.R. 476.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. HUIZENGA:

H.R. 477.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof).

By Mr. POE of Texas:

H.R. 478.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mr. POE of Texas:

H.R. 479.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. FLORES:

H.R. 480.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. CALVERT:

H.R. 481.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. GOSAR:

H.R. 482.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 affords Congress the power to legislate on this matter. The executive branch, through the Department of Housing and Urban Development (HUD), has misinterpreted its authority under the Fair Housing Act of 1968, as demonstrated in its Affirmatively Furthering Fair Housing Rule. Two cases before the United States Supreme Court—*Magner v. Gallagher* and *Mount Holly v. Mount Holly Gardens Citizens in Action*—were settled less than a month before the Court entertained oral arguments. The plaintiffs were concerned that their challenges would not be affirmed by the Court. The Court is currently considering a case, *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project*, which may set a precedent for the issue of "disparate impact." Regardless, Congress has the legislative authority to address the Affirmatively Furthering Fair Housing rule head on and prevent that rule, or any substantially similar successor rule.

Section 3 of this bill is authorized through clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ."

Section 4 of the bill promotes a core component of our republic known as federalism. It requires the executive branch, through HUD, to consult with State and local officials to further the purposes and policies of the Fair Housing Act.

By Mr. HUNTER:

H.R. 483.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 4 and 18

By Mr. DEFazio:

H.R. 484.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mrs. BEATTY:

H.R. 485.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, The Commerce Clause.

The Congress shall have the power to regulate Commerce with Foreign Nations and among the several States.

By Mr. BIGGS:

H.R. 486.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 enumerated powers.

By Mr. BURGESS:

H.R. 487.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section VIII, Clause 1, "The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States . . ." In addition, Article I, Section VIII, Clause 14 provides, "To make rules for the government and regulation of the land and naval forces." Lastly, Article I, Section VIII, Clause 16 states "The Congress shall have Power To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress."

By Mr. CARTWRIGHT:

H.R. 488.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Ms. DELBENE:

H.R. 489.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. KING of Iowa:

H.R. 490.

Congress has the power to enact this legislation pursuant to the following:

Congress has authority to extend protection to unborn children with a detectable heartbeat under the Constitution's grants of powers to Congress under the Equal Protection, Due Process, and Enforcement Clauses of the Fourteenth Amendment.

By Mr. CAPUANO:

H.R. 491.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. CAPUANO:

H.R. 492.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. CAPUANO:

H.R. 493.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CARTER of Georgia:

H.R. 494.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CARTER of Texas:

H.R. 495.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 4:

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

Article I Section 8, Clause 10:

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

By Mr. COFFMAN:

H.R. 496.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4 states that "Congress shall have the power to establish an uniform rule of naturalization."

By Mr. COOK:

H.R. 497.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CRAMER:

H.R. 498.

Congress has the power to enact this legislation pursuant to the following:

Section 1, Article 8, Clause 3 of the United States Constitution

By Mr. DESANTIS:

H.R. 499.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution and Article I, section 9, clause 7 of the United States Constitution.

By Mr. DESJARLAIS:

H.R. 500.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mrs. DINGELL:

H.R. 501.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 502.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mr. LABRADOR:

H.R. 503.

Congress has the power to enact this legislation pursuant to the following:

Clause 9 of Section 8 of Article I of the Constitution—The Congress shall have the Power to constitute Tribunals inferior to the supreme Court.

By Mr. LANCE:

H.R. 504.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 1, of the United States Constitution

This states that "Congress shall have power to . . . lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Ms. MCSALLY:

H.R. 505.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. THOMAS J. ROONEY of Florida:

H.R. 506.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. ROSS:

H.R. 507.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. ROYBAL-ALLARD:

H.R. 508.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. SENSENBRENNER:

H.R. 509.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1

By Mr. SENSENBRENNER:

H.R. 510.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3

By Mr. WELCH:

H.R. 511.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: The Congress shall have Power To . . . regulate commerce with foreign nations, and among the several states, and with the Indian tribes

By Mr. YOHO:

H.R. 512.

Congress has the power to enact this legislation pursuant to the following:

Title I, Section 8 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 513.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. WENSTRUP:

H.J. Res. 27.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 35: Mr. HUDSON.

H.R. 38: Mr. YOUNG of Alaska, Mr. BURGESS, Mr. THOMPSON of Pennsylvania, Mr. MITCHELL, and Mr. JOHNSON of Louisiana.

H.R. 41: Mr. GROTHMAN.

H.R. 60: Mr. DESAULNIER, Mr. CORREA, Mr. AGUILAR, and Mrs. RADEWAGEN.

H.R. 146: Mr. COOK.

H.R. 241: Mr. MARCHANT, Mr. GOHMERT, and Mr. GROTHMAN.

H.R. 246: Mr. DUNN, Mr. BIGGS, Mr. ROKITA, Mr. BABIN, Mr. RUSSELL, Mr. ROYCE of California, Mrs. MIMI WALTERS of California, Mr. FORTENBERRY, Ms. STEFANIK, Mr. DUFFY, Mr. PAULSEN, and Mr. PEARCE.

H.R. 277: Mr. MCCLINTOCK.

H.R. 300: Mr. GOSAR, Mr. BURGESS, and Mr. PITTENGER.

H.R. 303: Ms. SWALWELL and Mr. COLE.

H.R. 305: Mr. SWALWELL of California, Mr. SCHIFF, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 331: Ms. TITUS.

H.R. 332: Ms. SHEA-PORTER.

H.R. 350: Mr. MEADOWS, Mr. AMODEI, Mr. CRAWFORD, Mr. SCHWEIKERT, Mr. ROUZER, Mr. THOMPSON of Pennsylvania, and Mr. PETERSON.

H.R. 355: Mr. GIBBS, Mr. GROTHMAN, Mr. ROUZER, Mr. POLIQUIN, Mr. FLORES, Mr. HULTGREN, Mr. LAHOOD, Mr. POSEY, Mr. LAMALFA, and Mr. JENKINS of West Virginia.

H.R. 367: Mr. CRAMER, Mr. FRANKS of Arizona, Mr. SHUSTER, Mr. GROTHMAN, Mr. BUDD, Mr. ROKITA, Mr. KELLY of Pennsylvania, Mr. MCCLINTOCK, Mr. ROGERS of Kentucky, Mr. ROE of Tennessee, Mr. JENKINS of West Virginia, Mr. BANKS of Indiana, Mr. SESSIONS, Mr. GRIFFITH, Mr. ROUZER, Mr. WALKER, Mr. MOOLENAAR, and Mr. BABIN.

H.R. 377: Mr. SMITH of Texas, Mr. DESANTIS, Mr. AUSTIN SCOTT of Georgia, and Mr. DENT.

H.R. 382: Ms. SLAUGHTER.

H.R. 390: Mr. KING of Iowa.

H.R. 391: Mr. BARLETTA.

H.R. 392: Ms. GABBARD, Mr. RUSSELL, and Mr. LABRADOR.

H.R. 407: Mr. PALAZZO.

H.R. 426: Mr. BURGESS, Mr. WOMACK, Mr. SMITH of Texas, and Mr. FLORES.

H.R. 433: Mr. LEWIS of Minnesota.

H.R. 440: Mr. LAMALFA.

H.R. 442: Mr. COMER.

H.R. 448: Mr. THOMPSON of California, Mr. GARAMENDI, and Mr. SWALWELL of California.

H.J. Res. 11: Mr. KINZINGER and Mr. WOMACK.

H. Res. 31: Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Mr. JEFFRIES, and Mr. PERLMUTTER.

EXTENSIONS OF REMARKS

RECOGNIZING STEVE SPEAR

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today to recognize Steve Spear of Carol Stream, Illinois, for his outstanding display of service for those in need.

On December 31st, Steve completed his annual Reflection Run to raise money for clean water in Africa through Team World Vision. Each year, Steve celebrates his New Year's Eve birthday by running a kilometer for each year of his life, and is now up to 53, or 32.9 miles. On his most recent Reflection Run, Steve was joined by 25 other runners and their goal was to raise \$10,000, enough to bring clean water to 200 people.

In 2013, Steve left his pastoral position at Willow Creek Community Church to take on an unbelievable task. He ran from Los Angeles to New York, 35 miles a day, 5 days a week, for 5 months, and raised \$500,000. The two days per week he was not running, he was addressing congregations across the country about the importance of following God and looking out for our fellow man. His Reflection Run teammate, Alex Schorr described his passion for helping others best, saying, "Everything Steve does is incredible and inspirational, everything from the Reflection Runs to running across the country. It's never about him. It's always about those he's running on behalf of."

Steve has demonstrated exceptional charity and service, and I am proud to represent him. He is a leader and role model for all Americans. Mr. Speaker, please join me in commending Steve Spear for his extraordinary commitment to those around the world who need our help the most.

IN RECOGNITION OF HEATHER SAWYER AND HER SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. CONYERS. Mr. Speaker, I, along with Representative JERROLD NADLER of New York, Representative ELIJAH E. CUMMINGS of Maryland, and Representative JANICE D. SCHA-KOWSKY of Illinois, would like to thank Heather Sawyer for a decade of service to the House of Representatives. Heather Sawyer is a brilliant legal mind and incredible litigator. Her calm, clear-eyed professionalism has been instrumental in protecting the rights of marginalized Americans, including Americans

with disabilities, the LGBTQ community, people of color, and women. As a senior and trusted counsel, she helped to roll back the worst civil rights abuses of the post-9/11 era.

Heather left the Georgetown Law Center to join the staff of the House Committee on the Judiciary in 2007. She was instrumental in working to pass the Americans with Disabilities Amendments Act to ensure that Americans with disabilities have the same protections as every other American. During her tenure on the Committee, she worked with Congressman Nadler to draft the Pregnant Workers Fairness Act, which built upon the ADA framework to protect pregnant women who need simple accommodations to stay in the workplace throughout their pregnancies.

Perhaps her most indelible legacy on the Judiciary Committee was her work on marriage equality. Heather worked with Congressman Nadler to draft and introduce the Respect for Marriage Act to overturn DOMA. She also helped draft the congressional amicus brief in the Windsor and Obergefell cases, the two landmark Supreme Court cases that paved the way for marriage equality in the United States.

Heather has always been a true champion of women's rights. For the last year, Heather has served as the Staff Director and General Counsel for the Select Investigative Panel, where she worked tirelessly to protect the rights of women, health care providers, and researchers. She navigated the Panel through a difficult and polarized investigation, and astutely defended the facts and the truth. Heather's command of House procedures and rules helped to ensure that the views of the Democratic Members were represented at every step, and she was instrumental in the Panel's ultimate findings and report. She vigorously fought on behalf of women's right to access reproductive health care services, and her brilliant legal analysis and oversight acumen were invaluable to the Panel.

Heather has never been afraid to go head to head with those who would threaten the rights enshrined in our Constitution. During the Bush Administration, Heather worked to expose illegal interrogation tactics and other human rights abuses. She helped Congressman Nadler write the State Secrets Protection Act and legislation to protect the privacy of electronic communications.

Heather is a bright, strategic, and immensely skilled attorney who has never faced a challenge she could not meet. She dedicated more than two years of her public service as the Chief Counsel for the Select Committee on Benghazi. In that role, she fought to defend the truth, expose procedural excesses, and to provide serious and substantive recommendations to improve the safety and security of Americans serving our country overseas. The Members she has served, the staff who have worked beside her, and the institution as a whole are better because of Heather.

On the most sensitive issues of the day, Heather worked side by side with Members of

the Judiciary Committee to ensure that the government adhered to the Constitution and respected the basic human and legal rights of all people. Running through all of this work is Heather's uncompromising sense of justice. She simply will not shy away from a fight. Whether it was fighting against torture and the use of secret evidence, partisan attacks against Secretary of State Hillary Clinton on the Benghazi investigation, or anti-choice partisans who tried to intimidate doctors working on women's health issues.

Heather is a true champion of civil rights and civil liberties and of the Constitution itself and it was truly an honor to work by her side for these many years. We wish her all the best in her future endeavors.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call votes 27 and 30 on Tuesday, January 10, 2017. Had I been present, I would have voted "nay" on roll call vote 27 and I would have voted "yea" on roll call vote 30.

HONORING MR. RICHARD THOMAS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. THOMPSON of California. Mr. Speaker, I, along with Congressman HUFFMAN, rise today to honor Richard Thomas, the recipient of the 2017 Nick Frey Community Contribution Award. This award was established by the Sonoma County Winegrape Commission in 2013 to recognize members of our community who have made important contributions to grape growing.

A Sonoma County native, Mr. Thomas graduated from Santa Rosa High School, where he was an award-winning member of the Future Farmers of America. He studied agriculture at the University of California, Davis, before going on to work as a vocational agriculture instructor at Healdsburg High School and livestock manager of the Sonoma County Fair.

Mr. Thomas saw Sonoma County's potential for viticulture and became an instructor at Santa Rosa Junior College, where he taught thousands of vineyard owners and workers throughout his 28 year career. He enjoys sharing that "God put Sonoma County on earth for one reason: to produce great wines." His past students are now at the helm of many of the great viticulture operations in our Sonoma County wine community today.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Thomas is a life-long learner and educator. After taking a sabbatical to study wine trellising in New Zealand and Australia, he brought the skills he acquired back to winegrowers in California, helping to shape the look of Sonoma County Vineyards. He has lectured in the United States and around the world, sharing his mastery of grape growing. He is the founder of the Sonoma County Grape Growers Association and the Sonoma County Vineyard Technical Group, which support our community by discussing and implementing the best practices in grape production.

Mr. Speaker, Richard Thomas has been a leader in the transformation of Sonoma County into some of the best of Wine Country. He is respected as a world-class educator and our Sonoma community considers him the Dean of Sonoma County grape production. Therefore, it is fitting and proper that we honor him here today and congratulate him on this well-deserved award.

IN CELEBRATION OF THE LIVES
IMPROVED BY THE AFFORDABLE
CARE ACT IN TEXAS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Ms. JACKSON LEE. Mr. Speaker, as a senior member of both the Judiciary Committee and the Homeland Security Committee, I rise in celebration of the over 1 million Texans who have gained healthcare coverage under the Affordable Health Care Act, and the millions of Americans more whose lives have been exponentially improved by access to substantial increases in life-saving coverage.

The data show that the uninsured rate in Texas has fallen by 28 percent since the Affordable Care Act (ACA) was enacted in 2010, translating into 1,781,000 Texans gaining coverage.

In addition to residents who would otherwise be uninsured, millions more Texans with employer, Medicaid, individual market, or Medicare coverage have also benefited from new protections as a result of the law.

With respect to employer coverage, 13,709,000 people in Texas are covered through employer-sponsored health plans.

Since the ACA was enacted in 2010, this group has seen:

(1) An end to annual and lifetime limits:

Before the ACA, 7,536,000 Texans with employer or individual market coverage had a lifetime limit on their insurance policy.

That meant their coverage could end exactly when they needed it most.

The ACA prohibits annual and lifetime limits on policies, so all Texans with employer plans now have coverage that's there when they need it.

(2) Young adults covered until age 26:

An estimated 205,000 young adults in Texas have benefited from the ACA provision that allows kids to stay on their parents' health insurance up to age 26.

(3) Free preventive care:

Under the ACA, health plans must cover preventive services—like flu shots, cancer

screenings, contraception, and mammograms—at no extra cost to consumers.

This provision benefits 10,278,005 people in Texas, most of whom have employer coverage.

(4) Slower premium growth:

The average premium for Texas families with employer coverage grew 3.5 percent per year from 2010–2015, compared with 8.1 percent over the previous decade.

Assuming Texas premiums grew in line with the national average in 2016, family premiums in Texas are \$5,400 lower today than if growth had matched the pre-ACA decade.

(5) Better value through the 80/20 rule:

Because of the ACA, health insurance companies must spend at least 80 cents of each premium dollar on health care or care improvements, rather than administrative costs like salaries or marketing, or else give consumers a refund.

Texans with employer coverage have received \$20,082,448 in insurance refunds since 2012.

With respect to Medicaid, 4,770,229 people in Texas are covered by Medicaid or the Children's Health Insurance Program, including 3,512,929 children and 374,617 seniors and people with disabilities covered by both Medicaid and Medicare.

The ACA expanded Medicaid eligibility and strengthened the program for those already eligible.

An estimated 1,107,000 Texans could have health insurance today if Texas expanded Medicaid under the ACA.

Coverage improves access to care, financial security, and health; expansion would result in an estimated 127,000 more Texans getting all needed care, 157,400 fewer Texans struggling to pay medical bills, and 1,330 avoided deaths each year.

406,000 Texans, or an estimated 23 percent of those who could gain Medicaid coverage through expansion, have a mental illness or substance use disorder.

Texas could be saving millions in uncompensated care costs. Instead of spending \$1 billion on uncompensated care, which increases costs for everyone, Texas could be getting \$5 billion in federal support to provide low-income adults with much needed care.

Children, people with disabilities, and seniors can more easily access Medicaid coverage. The ACA streamlined Medicaid eligibility processes, eliminating hurdles so that vulnerable Texans could more easily access and maintain coverage.

Texas can better fight opioids. Under the ACA, CMS provided technical assistance that is giving Texas the opportunity to strengthen Medicaid services for people struggling with opioid abuse or other substance use disorders (SUDs).

With respect to Medicare, 3,765,946 people in Texas are covered by Medicare. The ACA strengthened the Medicare Trust Fund, extending its life by over a decade. In addition, Medicare enrollees have benefited from:

Lower costs for prescription drugs: Because the ACA is closing the prescription drug donut hole, 346,750 Texas seniors are saving \$366 million on drugs in 2015, an average of \$1,057 per beneficiary.

Free preventive services: The ACA added coverage of an annual wellness visit and elimi-

nated cost-sharing for recommended preventive services such as cancer screenings. In 2015, 1,746,043 Texas seniors, or 72 percent of all Texas seniors enrolled in Medicare Part B, took advantage of at least one free preventive service.

Fewer hospital mistakes: The ACA introduced new incentives for hospitals to avoid preventable patient harms and avoidable readmissions. Hospital readmissions for Texas Medicare beneficiaries dropped 6 percent between 2010 and 2015, which translates into 4,960 times Texas Medicare beneficiaries avoided an unnecessary return to the hospital in 2015.

More coordinated care: The ACA encouraged groups of doctors, hospitals, and other health care providers to come together to provide coordinated high-quality care to the Medicare patients they serve. 37 Accountable Care Organizations (ACOs) in Texas now offer Medicare beneficiaries the opportunity to receive higher quality, more coordinated care.

Now is not the time to undermine or slow the ability of our insurance providers to address growing threats and active cases of Americans' health crises.

Accordingly, I urge all Members to join me in protecting the gains achieved by the Affordable Healthcare Act.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. BECERRA. Mr. Speaker, I was unable to cast my floor votes on January 10 and 11, 2017.

Had I been present for the votes, I would have voted "no" on roll call vote number 26, "no" on roll call vote number 27, "no" on roll call vote number 28, "yes" on roll call vote number 29, "yes" on roll call vote number 30, "no" on roll call vote number 31, "yes" on roll call vote number 34, "no" on roll call vote number 35, "no" on roll call vote number 36, "yes" on roll call vote number 37, "yes" on roll call vote number 38, "yes" on roll call vote number 39, "yes" on roll call vote number 40, "yes" on roll call vote number 41, "yes" on roll call vote number 42, "yes" on roll call vote number 43, "yes" on roll call vote number 44, and "no" on roll call vote number 45.

TEXAN VICTOR LOVELADY KILLED
IN ALGERIAN TERRORIST ATTACK

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. POE of Texas. Mr. Speaker, January 17 marks the fourth anniversary of the death of Victor Lovelady from Atascocita, Texas. Mr. Lovelady was killed by al Qaeda terrorists in Algeria while he was working at a BP gas facility. I rise to tell his story again, as I have done on this floor before, because it is a story that reminds us about what it means to be a true American hero.

You can learn a lot about a man when trial comes. The trial that came upon Victor Lovelady on January 16, 2013 told us a lot about who Victor was. Victor had been on the job in Algeria only about a week when terrorists stormed the gas plant where he was working. Victor was in a break room when one of his coworkers burst through the door, bleeding from a gunshot wound in the stomach. Seeing the man in need, Victor jumped into action, dressing his wound and caring for him. Knowing the terrorists were working their way through the plant, Victor helped hide the wounded man in a food container. The gunshots grew closer. Victor selflessly first helped other coworkers in the break room climb up into a false ceiling. Only after they had climbed into the ceiling did Victor try and do the same but fell. Before he knew it, terrorists stormed into the break room and took him hostage.

They tied up his hands and feet. The next day the terrorists placed a ring of explosives around his neck before loading him into a vehicle to take him to another part of the gas plant. Victor never made it—the terrorists blew him up along the way.

We may like to think so, but none of us really know if we would put others before ourselves if we were faced with a life or death situation like Victor was. But we know what Victor did. We know what he chose. In all, Victor's quick thinking and acts of selflessness helped save the lives of four of his coworkers.

Selflessness wasn't something that all of a sudden came upon Victor in this moment either. It marked him as a man, a brother, a husband, and a father. Selflessness was a part of who he was. No, this ultimate trial simply exposed what was already there. Victor was a man who lived his life serving others. So it was only fitting that in his final hours, we were blessed to see one last and heroic act of selflessness in Victor's life.

Victor is survived by his wife, Maureen, and his two children, Erin and Grant. To his family I want to say that my thoughts and prayers are with you on this painful day. We have not forgotten your heroic husband and father.

And that's just the way it is.

PERSONAL EXPLANATION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. AL GREEN of Texas. Mr. Speaker, I missed the following votes:

H. Res. 40, Motion on Ordering the Previous Question on the Rule. Had I been present, I would have voted "NO" on this bill.

H. Res. 40, Rule Providing for consideration of both H.R. 78—SEC Regulatory Accountability Act and H.R. 238—Commodity End-User Relief Act. Had I been present, I would have voted "NO" on this bill.

H.R. 39, TALENT Act of 2017. Had I been present, I would have voted "YES" on this bill.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Ms. MOORE. Mr. Speaker, on January 11, 2017, I missed three votes in order to attend the testimony of my colleagues Sen. BOOKER and Rep. LEWIS in opposition to the confirmation of Sen. SESSIONS for Attorney General. Had I been present, I would have voted NO on the Motion on Ordering the Previous Question, NO on H. Res. 40, and YES on H.R. 39, the TALENT Act.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call vote 32 on Wednesday, January 11, 2017. Had I been present, I would have voted "nay" on roll call vote 32.

PERSONAL EXPLANATION

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on H.R. 5, the Regulatory Accountability Act on Wednesday, January 11, 2017. I had intended to vote "no" on Roll Call vote 35, "no" on vote 36, "yes" on vote 37, "yes" on vote 38, "yes" on vote 39, "yes" on vote 40, "yes" on vote 41, "yes" on vote 42, "yes" on vote 43, "yes" on vote 44, and "no" on vote 45.

PERSONAL EXPLANATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. HUFFMAN. Mr. Speaker, I erroneously voted "yes" on roll call vote 36, an amendment to H.R. 5 offered by Mr. Peterson of Minnesota. I intended to vote "no" on the amendment.

HESPERIA PARKS AND RECREATION BOARD MEMBER REBEKAH SWANSON

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the 10 years of service of outgoing

Hesperia Parks and Recreation Board Member Rebekah Swanson. Rebekah was elected to the Hesperia City Council this past November and is stepping down from her current position on the board.

Rebekah was first elected to the Hesperia Parks and Recreation Board in 2006. Since that time, Rebekah has vociferously fought to improve the quality of recreation programs within the city, culminating in the construction of competition level soccer fields. She also championed better utilization of Hesperia's Civic Park and spearheaded improvements to all of the parks throughout the district. Perhaps her most impressive achievement was that she, along with her colleagues on the board, accomplished these important projects without raising taxes or exceeding the district's budget.

On behalf of the U.S. House of Representatives, I would like to thank Rebekah for her leadership and tireless advocacy for the people of Hesperia. I look forward to working closely with her in her new role as a member of the Hesperia City Council.

CELEBRATING THE LIFE OF TYRUS WONG

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. TED LIEU of California. Mr. Speaker, I rise today to celebrate the life of Tyrus Wong—father, artist, and an inspirational American—who passed away on Friday, December 30, 2016.

Tyrus was born as Wong Gen Yeo on October 25, 1910 in Guangdong Province, China. A decade later, he and his father came to the United States in search of a better economic future. Forced to travel under the false identity Look Tai Yow, Tyrus and his father were able to overcome the obstacles of the Chinese Exclusion Act of 1882 through luck and perseverance. They began in San Francisco, were separated shortly, but reunited and moved to Sacramento where his teacher Americanized "Tai Yow" to "Tyrus".

They eventually arrived in Los Angeles, where his father taught him art and trained him in calligraphy. While in junior high, Tyrus's drawing talent was recognized by a teacher who helped him receive a summer scholarship to the Otis Art Institute (located in my district) in Los Angeles. He found his calling and studied there for five years while working as a janitor before graduating in the 1930s.

Among friends, Tyrus founded the Oriental Artists' Group of Los Angeles to provide an opportunity for artists to exhibit their work, which was unparalleled exposure for Asian artists during that time. This group was dispersed, however, during World War II.

Before joining Disney in 1938, Tyrus was an artist for the Works Progress Administration from 1936 to 1938. Tyrus's moment came in the late 1930s when Disney started working on the now famous movie Bambi. Inspired by the landscape paintings of the Song Dynasty, he painted the masterpiece that Bambi became. While he was unofficially promoted to

the rank of inspirational sketch artist, he contributed much more and influenced the movie from all aspects.

In 1941, Disney fired Tyrus after the employees' strike. From 1942, Tyrus was employed at Warner Brothers before he retired in 1968. In retirement, Tyrus continued to create art and was famous for building beautiful kites. He also created cards for Hallmark and painted Asian-inspired designs on dinnerware. As a testament to Tyrus's impressive work, Disney honored him in 2001 with the prestigious Disney Legend.

Tyrus is survived by his three daughters, Kay Fong, Tai-Ling Wong, and Kim Wong and two grandchildren. I hope his family can rest knowing his story is an inspiration for all Americans. I ask that my colleagues join me in recognizing Tyrus Wong's incredible and resilient life.

INTRODUCTION OF THE VETERANS EMERGENCY TREATMENT ACT

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to introduce the Veterans Emergency Treatment (VET) Act. One of the most important functions of our federal government is to support and sustain those who have been willing to sacrifice all they have to defend our nation. Whenever our government fails to meet this responsibility, swift action must be taken. Far too many stories of our nation's veterans receiving inadequate care have plagued the Department of Veterans' Affairs (VA). My legislation seeks to improve one aspect of treatment for our men and women who have served in uniform. The VET Act will ensure every veteran is afforded the highest level of emergency care at all emergency-capable medical facilities under the jurisdiction of the Department of Veterans' Affairs (VA).

The VET Act applies the statutory requirements of the Emergency Medical Treatment and Labor Act (EMTALA) to emergency care provided by the VA to enrolled veterans. EMTALA was enacted by Congress as part of the Consolidated Omnibus Budget Reconciliation Act of 1985 and is designed to prevent hospitals from transferring, or "dumping," uninsured or Medicaid patients to public hospitals. The legislation requires a hospital to conduct a medical examination to determine if an emergency medical condition exists. If such a condition does exist, the hospital is required to either stabilize the patient or comply with the statutory requirements of a proper transfer. If an emergency medical condition still exists and has not been stabilized, the hospital may not transfer the patient unless the patient, after being made aware of the risks, makes a transfer request in writing or a physician certifies that the medical benefits of a transfer outweigh the risks.

It has become clear that the VA is not fulfilling the EMTALA directive. All too frequently, the policy is to turn down those who try to access an emergency room. In February of 2015, 64-year-old Army veteran Donald

Siefken, from Kennewick, WA, arrived at the Seattle VA hospital emergency room in severe pain and with a broken foot that had swollen to the size of a football. No longer able to walk, he requested emergency room staff assist him in traveling the ten feet from his car to the emergency room. Hospital personnel promptly hung up on him after stating that he would need to call 911 to assist him at his own expense. Several minutes later a Seattle fire captain and three firefighters arrived to assist him into the emergency room.

The VET Act will amend current law to remove the "non-participating" designation from VA hospital facilities and statutorily require them to fulfill the requirements of EMTALA. My commonsense and straightforward legislation will ensure that every enrolled veteran who arrives at the emergency department of a VA medical facility indicating an emergency condition exists is assessed and treated in an effort to prevent further injury or death.

I urge all members to join me in supporting this legislation. We must ensure our veterans are treated fairly and with the respect they deserve.

HONORING THE LIFE AND SERVICE OF VICTOR CORSIGLIA, JR.

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Ms. LOFGREN. Mr. Speaker, a mere 62 years ago young Victor Corsiglia Jr. proudly graduated from Stanford Medical School and, in 1956, began a lifetime of practicing medicine. This month, his long practice is ending in retirement.

Vic and his wife, Joan, a registered nurse, first served their country when Vic served as a doctor for the Marines at Camp Pendleton right after graduation. In 1961, they made their way back home to San Jose.

Vic and Joan have never been the kind of people who expect others to do the work. They made immense contributions to our local arts world. Vic volunteered for the San Jose Arts Commission, served as a board member for the San Jose Symphony and, along with Ken Wiener and Barbara Day Turner, founded the San Jose Chamber Orchestra. While serving on the San Jose Arts Commission, Vic brought together Jim Reber and Clay Feldman, who founded the San Jose Repertory Theatre. Joan was also active with the San Jose Symphony and was instrumental in restoring its auxiliary. It is not an exaggeration to say that absent the many contributions of Joan and Vic Corsiglia, the artistic life of our community would have been much poorer.

Joan and Vic also took a great interest in the overall health of the community. Vic served on the Santa Clara County Mental Health Board for many years. Joan, as a neighborhood activist, but also as a nurse who understood the need for effective care, worked for decent care for the mentally ill in group homes.

Joan Corsiglia, with Vic by her side, helped found the Campus Community Association (CCA), one of the first active neighborhood as-

sociations in the city of San Jose. CCA grew to become an effective grassroots organization in the Naglee Park neighborhood, protecting the quality of life in this downtown neighborhood. The CCA founded the Naglee Park Fourth of July Parade. Before the parade begins, there is a traditional Coyote Creek Run, first initiated by Vic and Mike McDonald. Joan's civic engagement also included chairing the SJSU Campus-Community Task Force in the 1970s, and working on various local political campaigns, including the election of San Jose's first female mayor, Janet Gray Hayes. Joan served as an aide for Mayor Hayes and later for Mayor Susan Hammer.

Vic and Joan also made an invaluable contribution to local parks when, along with David Pandori and Kathy Muller, Joan helped create the Guadalupe River Park Gardens.

Vic and Joan raised four children in the Naglee Park neighborhood, and all four grew up to follow their parents into careers in the medical professions.

What a mark Vic Corsiglia has made as a member of the medical profession. As a leader of the San Jose Medical Group, he ensured that institutions dedicated to patient well-being would exist and flourish even after his retirement.

As a practicing physician, Vic has been a model of what a doctor should be. Modern insurance schemes don't always compensate the internal medicine physician when a patient is hospitalized. But that never stopped Vic from always attending to any patient who was hospitalized. Vic was always on duty to his patients and cared about them as human beings.

Vic Corsiglia has been a doctor who is really obsessive about keeping up with the latest in medicine and he's also a physician who takes the time to thoroughly explore every patient's symptoms, to understand just what is going on with a patient. That may be why Vic Corsiglia is known to have an almost uncanny ability to diagnose ailments, even obscure ones, among his patients. If you don't know what's wrong with you, but you know something is wrong, Vic is the man to see.

In the 56 years he has practiced medicine at the San Jose Medical Clinic, he has saved countless lives and has engendered the gratitude and trust of thousands of patients.

One of them is me. I am grateful that in December of 1980 Vic saved my life just as I am grateful that he has helped heal me and my family so many times over the years. To say we will miss him as a physician does not really capture the sense of loss all of his patients feel. However, I count myself among the lucky because although Vic Corsiglia is retiring from the practice of medicine, he is not retiring from being my neighbor and my friend. I know that Vic and Joan Corsiglia will have many new ventures and adventures before them and I hope to share some of them.

Please join me in recognizing Vic and Joan for their decades of service to our community.

TRIBUTE TO COLONEL PAUL E. BELL

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to Paul Edward Bell, Colonel, U.S. Air Force (Retired), who passed away in California on November 16, 2016. Col. Bell dedicated thirty-three years of his life to serve in our military and he will be deeply missed.

Shortly after his high school graduation, Col. Bell enlisted in the U.S. Army Air Corps as an aviation cadet. During World War II, Col. Bell served as a B-24 crew member. Throughout the war, he participated in conflicts on the islands of Morotai, Indonesia and Okinawa, Japan, as well as in support of the final bombing offensive in the Pacific. Col. Bell flew 251 combat missions amassing 862 combat hours in fighter, bomber and rotary wing aircraft. His awards and decorations included the Legion of Merit with four oak leaf clusters, the Distinguished Flying Cross, and the Air Medal with eleven oak leaf clusters, just to name some of the many medals he received.

Even after leaving the military, Col. Bell continued his public service through his participation in numerous community, military support groups and veteran's organizations. He was a member of the Knights of Columbus, the Elks and the Newcomen Society. He was an area vice president for the California Air Force Association; was on the governing boards of the Silver Eagles, the March Field Air Museum, the Forum, the Riverside Chamber Military Affairs Committee and the 15th Air Force Association. Col. Bell was instrumental in establishing several historic sites on March Air Reserve Base, persuaded Bob Hope to allow the Riverside chapter of the Air Force Association be named in his honor, and established the

chapter's annual "Air Crew Excellence Award" for airmen of the 4th Air Force. In 1995, Col. Bell was recognized by Air Mobility Command as its Citizen of the Year. Col. Bell's significant contributions to the base, its units, its uniformed members and government employees will long preserve March Air Reserve Base's legacy in Riverside history.

I had the distinct privilege of knowing Col. Bell for many years and I will deeply miss him. I extend my heartfelt condolences to Col. Bell's wife, Helen, as well as the entire Bell family. Although Col. Bell may be gone, his selfless dedication to our nation will long be remembered.

HONORING THE LIFE OF SARAH JEFFERSON SIMON

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. BABIN. Mr. Speaker, I rise today to honor the life of Sarah Jefferson Simon. Born and raised in Orange, Texas on November 26, 1961, Sarah was a lifelong Texan.

In 1989, Sarah joined the Orange Police Department and quickly rose through the ranks as she put her life on the line to protect those of us who call East Texas home. After only one year as a Patrol Officer, she was promoted to the Detective Division and given the rank of Detective-Sergeant. Sarah was the first African-American woman to attain this esteemed role within the City of Orange Police Department. Sarah had a God-given gift for her craft, and was often called upon by other law enforcement agencies to break cold cases and execute some of the region's most challenging criminal investigations.

It is no surprise that, with such a heart for the community, Sarah was also deeply involved with the local school district as a tutor,

and served as a Trustee of the West Orange-Cove school district. Her children, Diztorsha and Herman, have continued her legacy of public service as educators.

Sarah was a woman of God, a pillar of faith for those in her community and to those in her care. For over 30 years, she attended Starlight Church of God in Christ and richly gave of her time and talent in service of the Church and its parishioners. Her son, Herman, pastors the faithful in Bon Weir.

Sarah went home to be with her Lord and Savior on Friday, January 6, 2017. She will be deeply missed by those whose lives she touched. My prayers and condolences go out to Sarah's loving family, and her children, Diztorsha, and Herman. Sarah will be sorely missed, but her legacy will certainly live on.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 2017

Mr. BECERRA. Mr. Speaker, I was unable to cast my floor votes on January 4 and 5, 2017. Had I been present for the votes, I would have voted "yes" on roll call vote number 7, "no" on roll call vote number 8, "no" on roll call vote number 9, "no" on roll call vote number 10, "no" on roll call vote number 11, "no" on roll call vote number 12, "yes" on roll call vote number 13, "yes" on roll call vote number 14, "yes" on roll call vote number 15, "yes" on roll call vote number 16, "yes" on roll call vote number 17, "yes" on roll call vote number 18, "yes" on roll call vote number 19, "yes" on roll call vote number 20, "no" on roll call vote number 21, "yes" on roll call vote number 22, and "no" on roll call vote number 23.

SENATE—Friday, January 13, 2017

The Senate met at 10 and 1 second a.m. and was called to order by the Honorable TIM SCOTT, a Senator from the State of South Carolina.

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 13, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIM SCOTT, a Senator from the State of South Carolina, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SCOTT thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL TUESDAY,
JANUARY 17, 2017, AT 3 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 3 p.m. on Tuesday, January 17, 2017.

Thereupon, the Senate, at 10 and 37 seconds a.m., adjourned until Tuesday, January 17, 2017, at 3 p.m.

HOUSE OF REPRESENTATIVES—Friday, January 13, 2017

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 13, 2017.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of this assembly to be the best and most faithful servants of the people they serve. Purify their intentions, that they will say what they believe and act consistent with their words.

Help them to be honest with themselves so that they will be concerned not only with how their words and deeds are weighed by others, but also with how their words and deeds affect the lives of those in need and those who look to them for support, help, strength, and leadership.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WOODALL. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WOODALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Washington (Mr. HECK) come forward and lead the House in the Pledge of Allegiance.

Mr. HECK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

OBAMACARE FAILURES

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, today, we come and find this one truism: ObamaCare showed that a Federal Government takeover of health care is not in the best interest of addressing our healthcare system.

Today, we are going to be taking a closer look at the top three ObamaCare failures: premiums have gone up, not down; instead of lowered costs, healthcare prices have gone up; and people have less choice than ever before.

Before we examine these, let's remember how we got here. There seems to be some selective amnesia on this floor. It was after months of backroom deals, in the middle of the night, last-minute deals, and without giving the American people enough time to even read the bill. That is not what is going to happen this time. Republicans are going to do what we said we would do: listen to the American people.

We are going to do this right, with input from our neighbors, the folks we go to church with, and our families and our communities. We are not going to pull the rug out from under anyone.

We have listened to our constituents, and what we are hearing over and over again are the same three failures: pre-

miums have gone up, not down; instead of lowered costs, healthcare prices went up; and people have less choice than ever before, which, in many cases, is no choice at all. This is a failure, Mr. Speaker, and it is time to end.

ACA AND AMERICANS WITH DISABILITIES

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I absolutely disagree with the previous speaker. He is wrong. He is wrong on the facts. The fact is, the Affordable Care Act was on the table longer than any bill since I have been in Congress—which is 36 years—to read, to review, to analyze, and to make a decision.

Every American will be adversely affected if we repeal the Affordable Care Act. Millions of Americans with disabilities depend on access to quality, affordable health care and deserve to have their voices heard in the debate over our healthcare system.

In fact, only one in five Americans, when polled, think we ought to repeal the Affordable Care Act without having a replacement. There is no replacement. Sixty-four times they voted to repeal the Affordable Care Act. They still do not have a replacement.

According to the CDC, 53 million Americans live with some form of disability. Were the Affordable Care Act to be repealed, insurers would again be permitted to discriminate against them, denying coverage for increasing premiums based on their disabilities. Repeal would also allow insurance companies again to impose annual and lifetime limits on coverage for every American.

Do not repeal the Affordable Care Act. Show us the beef. Show us the alternative.

PREMIUMS HAVE GONE UP, NOT DOWN

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. Mr. Speaker, ObamaCare is built on broken promises.

President Obama promised that, through his healthcare law, premiums would go down. Instead, they have gone up. In most States, premiums have increased by double digits. In some States, like Oklahoma, premiums are going up by as much as 76 percent.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I am from Indiana. In Indiana, in 2017, based upon current enrollments, the average rate will increase by 18.7 percent. Overall, the premiums in Indiana have gone up by 70 percent since the Affordable Care Act was first enacted.

Not only are Americans paying more for coverage, the costs have gone up as well: out-of-pocket costs, deductibles. For 2017, four carriers will be selling on the Indiana Marketplace. I have one county in my district, Wayne County, where no carriers provide for the local hospital.

Today, we will start a process of keeping our promises, Mr. Speaker. We promised the American people that we would repeal and replace this failed healthcare law. Only in Washington would keeping your promise somehow be controversial.

KEEP THE ACA

(Mr. HECK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECK. Mr. Speaker, I have a constituent named Martha. She goes by Marty.

Marty was studying to earn her bachelor's degree in nursing at Pacific Lutheran University when she was diagnosed with rectal cancer. Not good.

Without medical insurance, as we all know, that is a certain death sentence. There is no other way about it. But it wasn't for Marty. Frankly, less than a year before she had finally found affordable healthcare insurance for herself through the Washington State Health Benefit Exchange.

Every family, every person in this Chamber, has been affected by it. Cancer has a way of ripping bodies apart, ripping families apart, and ripping communities apart.

It didn't rip Marty apart. Through her strength, courage, and health insurance, she persevered. She has conviction that God used her community of friends and her family and the Affordable Care Act to help her through treatment and into recovery.

Not only could Marty share that story with me back in 2015, but she graduated cum laude from PLU in nursing just this last December. I am sharing her remarkable story with you—it could be replicated millions of times—to urge you to set aside and rise above partisan politics and not repeal the lifesaving Affordable Care Act. I ask you to do this not just for the sake of Marty, but because there, my friends, but for the grace of God, go each and every one of us.

WE ARE HERE TO FIX OBAMACARE

(Mr. JENKINS of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. JENKINS of West Virginia. Mr. Speaker, the ACA, ObamaCare, or whatever you want to characterize it as, is broken, and we are here to fix it. We want to empower patients. We want to bring health care back to the American people.

Let me talk about access to insurance coverage. People have less access today to insurance coverage than at actually any time in the past. Instead of competition to bring down and drive down insurance costs, one-third of the counties in the United States have only one choice of an insurance carrier, which is no choice at all. No competition. Insurance carriers are pulling out of the exchanges en masse, citing unsustainable costs because of ObamaCare.

The American people are demanding change. Enough is enough. They want relief. They want competition. They want lower costs. They want better quality.

We are here to fix ObamaCare and honor the promise to the American people to empower the patients of America to give them the choice, the quality, and the cost control they so desperately need and that ObamaCare robbed them of.

NOT ATTENDING INAUGURATION

(Mr. GRIJALVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRIJALVA. Mr. Speaker, I rise today to tell my constituents that I will not be attending the inauguration of Donald Trump as our next President.

My absence is not motivated by disrespect for the office or motivated by disrespect for the government that we have in this great democracy but as an individual act, yes, of defiance at the disrespect shown to millions and millions of Americans by this incoming administration and by the actions we are taking in this Congress.

The majority of voters rejected Trump. They deserve respect. The 20 million-plus Americans threatened by the repeal of the Affordable Care Act without a replacement deserve respect. The millions who did not vote because they blame both parties deserve respect.

I will be at home in Arizona meeting with seniors, the immigrant community, folks who care about the environment and climate change, healthcare providers, and marching in Tucson with folks who will demand respect. I will be talking about the need to defend and protect the future for all Americans.

Rather than participate in the inauguration, I will be participating in my district and reaffirming and renewing this democracy and the people that are part of it.

SAVE CHRISTIANS IN THE MIDDLE EAST

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRBACHER. Mr. Speaker, today, I will reintroduce legislation entitled, Save the Christians From Genocide Act. The bill declares Christians and Yazidis in Iraq, Syria, Pakistan, Iran, and Libya as targets of genocide, and thus gives them a priority for immigrant and refugee visas.

Importantly, this bill does not circumvent or change current vetting processes, but rather simply ensures that these targets of genocide are placed at the front of the line for immigration and refugee visa processing.

The Save the Christians From Genocide Act was submitted but not brought to the floor for a vote in the last Congress. During that time, thousands of Christians have been killed and often turned into helpless and hopeless refugees on the run from radical Islamic terrorism. The Save the Christians From Genocide Act will give Middle East Christians a safe haven.

Christians are being slaughtered. As we speak today, Christians are being slaughtered in the Middle East. We must save them if we can.

MENTAL HEALTH AND THE ACA

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Mr. Speaker, one of ObamaCare's most critical successes was increased mental health services.

Because of ACA, over 48 million are now covered by mental health and parity laws. Insurance companies can no longer deny coverage for patients needing mental health services, but we do need tougher enforcement on this, as well as the insurance rate increases.

The ACA expanded Medicaid, the single largest payer of behavioral health services, to a new population. That has allowed over 1.6 million Americans to gain access to substance abuse treatment.

Last month, we signed into law reforms to mental health and substance abuse grants and services. Repealing ACA would harm those advances. ACA should be strengthened, not repealed, so more Americans have access to lifesaving mental health services.

We must move mental health forward, not back. Support ACA.

□ 0915

STOP THIS MADNESS

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, the American people have directly felt the

cost of our Nation's interventionist wars, a cost borne by our Nation's sons and daughters who have served and by communities and people in every part of this country.

We have spent trillions of dollars on regime-change wars in the Middle East while communities like mine in Hawaii face a severe lack of affordable housing, aging infrastructure, the need to invest in education, health care, and so much more.

Our limited resources should go toward rebuilding our communities here at home, not fueling more counter-productive regime-change wars abroad. I have introduced the Stop Arming Terrorists Act, legislation that would stop our government from using taxpayer dollars to directly or indirectly support groups who are allied with and supporting terrorist groups like ISIS and al Qaeda in their war to overthrow the Syrian Government.

The fact that our resources are being used to strengthen the very terrorist groups we should be focused on defeating should alarm every American. I urge my colleagues to support this bipartisan legislation and stop this madness.

PROVIDING FOR CONSIDERATION OF S. CON. RES. 3, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017, AND PROVIDING FOR CONSIDERATION OF S. 84, PROVIDING FOR EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 48 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 48

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed two hours, with 90 minutes of general debate confined to the congressional budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and 30 minutes of general debate on the subject of economic goals and policies equally divided and controlled by Representative Tiberi of Ohio and Representative Carolyn Maloney of New York or their respective designees. After general debate the concurrent resolution shall be considered for

amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except the amendment printed in the report of the Committee on Rules accompanying this resolution. Such amendment may be offered only by the Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent. All points of order against such amendment are waived. After the conclusion of consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and on any amendment thereto to adoption without intervening motion. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (S. 84) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) 90 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services; and (2) one motion to commit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 48 provides for consideration of S. Con. Res. 3, the FY17 budget resolution, as well as consideration of a bill to move forward on the process of confirming our civilian Secretary of Defense, former General Mattis.

Mr. Speaker, the rule is a structured rule today to move expeditiously on both of these measures, and in the time we have gotten to spend together, Mr. Speaker, you know I am a fan of the festival of democracy that can be the Committee on Rules process, particularly the appropriations process. But there are times where moving expeditiously is required, and today is one of those days.

You are not going to see a rule like this come very often because we are considering the FY17 budget resolution today. Historically, as you know, in this Chamber, when we get ready to consider budget resolutions, Mr. Speaker, we are considering every single one that any Member of Congress would have an opportunity to write. That process takes place every spring to meet the statutory deadline of passing budgets by April. This is not that budget today, Mr. Speaker.

This is a budget, as you know, to move us forward on a reconciliation process to finish up the FY17 budget process, and rather than considering all the amendments that one might have to offer, we have made in order just one. It is the Democratic substitute. It is offered by my good friend, the ranking member on the Committee on the Budget, Mr. YARMUTH, and it is absolutely worthy of the Membership's consideration. But it is not going to be a vote-a-rama on every budget known to mankind. It will be the underlying budget from the House Committee on the Budget as well as one substitute from the ranking member.

Mr. Speaker, when it comes to consideration of the measure to waive a statutory prohibition on naming a civilian Secretary of Defense who has been out of the military for less than 7 years, we are also offering that under a closed rule today. No amendments are going to be made in order. You may not know, Mr. Speaker, but that is the only statutory change that has passed the United States Senate in 2017.

When we talk about having to move expeditiously, when we talk about whether or not we are going to have an open process or a closed process, understand that while this body has passed dozens of statutory changes in just these first 9 days of legislative activity, the Senate has passed but one. This is in anticipation of an inauguration of a President on January 20. This is in anticipation of trying to fill out a Cabinet. This is in anticipation of trying to make sure that civilian leadership is in place on day one to lead and to serve the men and women of the United States military.

This is not the time to have that vote-a-rama. This is the time to move expeditiously, again, with a bill that has passed in a bipartisan way in the other Chamber. I look forward to getting back into the business of leading the Senate, not following the Senate. I look forward to getting back in the business of voting on absolutely every idea that Members bring to this floor.

Today, Mr. Speaker, I urge my colleagues to support this rule so that we can move expeditiously on two of our priorities: passing that FY17 budget resolution and ensuring the speedy confirmation of the civilian leader of the Department of Defense.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Georgia (Mr. WOODALL) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. MCGOVERN. Mr. Speaker, I rise in very strong opposition to this restrictive rule, and I rise in strong opposition to the underlying legislation.

Because of Republican in-fighting, Congress was unable to do one of its most basic jobs last year, passing a full budget for FY17. So now House Republicans have brought this budget bill to the floor, but we all know that this is just a vehicle for them to repeal the Affordable Care Act and take away health care from millions and millions of Americans.

For nearly 7 years, my Republican friends have railed against the Affordable Care Act. Their well-funded allies have spent billions of dollars distorting the ACA and lying to the American people about what it actually does. And for nearly 7 years there has not been a single comprehensive healthcare bill brought to the floor by Republicans as a replacement for the Affordable Care Act. Not one.

We have voted over 60 times to repeal the ACA on the House floor. I will be the first to admit that ACA is not perfect, but rather than work together to tweak it or to make it better, all we get from them are repeal bills, repeal bills, repeal bills. Let me again point out that not once, not once, was there a replacement bill offered.

Not only do Republicans not have a plan to replace the Affordable Care Act and protect access to health care for more than 20 million Americans who gained coverage, they can't even agree on a timeline for when they will pass their replacement. President-elect Trump says repeal and replace will be done on the same day, and he wants it to happen now. Representative STEVE SCALISE said Republicans will replace the ACA over the course of the next few months. Senator JOHN THUNE said it could take 2 or 3 years for the replacement to be implemented. Representative CHRIS COLLINS said Republicans have 6 months to work out the replacement plan, and Senator MITCH MCCONNELL refused to even give a timeline, just saying that it would happen.

Well, while the Republicans fight with each other over timelines, I think it is appropriate to ask: If they did have a replacement, what would that replacement be?

Well, President-elect Trump has the answer. When asked what we should replace ObamaCare with, he said: "Something terrific." When pressed for further details, and more specificity, he said: "Something that people will really, really, really like."

Mr. Speaker, you can't make this stuff up. It would be laughable if it weren't so tragic. It is tragic because

what Republicans are trying to do is take healthcare protections away from millions and millions of families.

Now, no one in this Congress has to worry about health care if the Affordable Care Act is repealed, and the Donald Trumps of the world certainly don't have to worry about health care if the Affordable Care Act is repealed. If someone in their family gets really sick, they will just sell some stocks or close down another American factory or not pay their workers, as our President-elect has been known to do on many, many occasions.

But for millions of Americans, it will be a different story. Repealing the ACA would mean over 30 million Americans would lose coverage, including nearly 4 million children. More than 52 million individuals with preexisting conditions could have coverage rescinded or see their premiums dramatically increased. Millions of young adults would be unable to stay on their parents' plans until they are 26. Over 14 million individuals enrolled in Medicaid under the expansion would lose coverage, and nearly 140 million individuals with private insurance would lose access to preventive services without copays and deductibles. And millions of seniors would see their prescription drug prices increase because it would reopen the so-called doughnut hole that the ACA has begun to close.

Republicans want to slash Medicaid, a healthcare program that does a lot of good stuff and enables mothers to work their way out of poverty by providing affordable coverage for their children. As someone who represents Massachusetts, this is especially personal because Medicaid is one of the best tools we have in the fight against opioid addiction, providing real care for the addiction and underlying conditions that drive the opioid epidemic in our communities. Repealing Medicaid expansion under the ACA would rip coverage away from an estimated 1.6 million newly insured individuals with substance use disorders.

That is what is at stake, and that is what my Republican colleagues are so happy, giddy, and excited to do. It is sad. It is pathetic, but they are moving forward anyway with no replacement in sight. I suppose they can roll out their oldies but goodies, like health savings accounts or their other healthcare prescription, take two tax breaks and call me in the morning. But that doesn't do it.

Mr. Speaker, we have a complicated healthcare system, no doubt. I wish it were simpler. That is why I have always favored a single-payer system and that is why I favored a public option. But the problem with our system before ObamaCare was that it left all the decisions up to the insurance companies.

Do you remember the days when insurance companies could charge

women more for health insurance because they said being a woman was a preexisting condition?

They can't do that anymore. Why? Not because of my Republican friends. They can't do it anymore because we passed the ACA.

This budget bill would also give Republicans a green light to defund Planned Parenthood. To my colleagues who are so anxious to defund Planned Parenthood just to satisfy their right-wing base, let me ask: Have you ever visited a Planned Parenthood clinic? Because if you had, you would understand why what you are doing is so wrong.

□ 0930

The fact is that Planned Parenthood plays a critical role in protecting and providing access to critical health services for both women and men. One in five women has relied on a Planned Parenthood health center for care in her lifetime, and Planned Parenthood serves 2.7 million patients each year. One of the most important statistics that my Republican friends like to ignore is that more than 90 percent of what Planned Parenthood does nationally is preventive care, including cervical cancer screenings, breast cancer screenings, and family planning, not abortion services.

Add to this fact that Planned Parenthood clinics are often one of the few affordable healthcare options available for many women. Nearly 80 percent of women using Planned Parenthood clinics have incomes at or below 150 percent of poverty. It is easy to see why a majority of Americans don't think Federal funding should be eliminated. In one recent poll, 63 percent of voters, including 72 percent of independents, do not agree with my Republican friends that Federal funding for Planned Parenthood should be eliminated.

In fact, we also heard very little about the consequences that defunding Planned Parenthood would have for families across the country. One of the biggest myths perpetrated by Republicans is the idea that our Nation's community health centers, which I love and adore and respect, could suddenly pick up the slack if Planned Parenthood is defunded.

For the millions of low-income women who depend on Planned Parenthood clinics, defunding them would mean the loss of affordable and accessible contraceptive services and counseling, as well as breast and cervical cancer screenings. Simply put, for the many communities served by Planned Parenthood clinics, recklessly cutting funding would wipe out access to vital health services for the people who need them the most.

Let me make something very clear. Zero Federal dollars go towards the abortion services provided by Planned

Parenthood—zero. The vast majority of funding that Planned Parenthood receives comes in the form of Medicaid reimbursements for preventive care that they provide.

Mr. Speaker, it is a cruel thing to do, to take away people's health care. I will say to my Republican colleagues that they need to know that we are going to fight you every step of the way on this. There are some battles on behalf of the American people that are worth having and worth fighting, and this is one of them—making sure that their health care protections remain intact. I came to Congress to help people, not make their lives more miserable.

Finally, Mr. Speaker, let me comment briefly on the other piece of legislation in this rule, S. 84. General James Mattis has been praised by both Democrats and Republicans, but there is very real concern about civilian control over the military, the language of the underlying legislation, and the duties and responsibilities of the House of Representatives.

General Mattis has a distinguished career, but we are talking about changing the law here. Approving a waiver for him to serve in the Cabinet so soon after his military service is a serious decision. It is so serious that such a waiver has happened only once before in the entire history of the United States. Now, we should debate this. Instead, the Trump transition team canceled General Mattis' testimony before the House Armed Services Committee and now expects us to vote for him willy-nilly without us being able to ask him any questions.

Congress is supposed to be a check on the executive branch, but if the House is denied the opportunity to meet with and question the military officer who is nominated as our next Defense Secretary, how can we fulfill our duty and blindly just vote for him?

I would also say to my Republican friends, this is an early warning sign of the disregard that this new administration has for the House of Representatives. General Mattis was willing to testify, but the Trump team said no. They said no to the House of Representatives. Caving in on this issue will only mean continued disregard for the people's House in the future, and I think that that is regrettable.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, it is my great pleasure to yield 4 minutes to the gentleman from Oklahoma (Mr. COLE), who probably knows more about the Health and Human Services Appropriations bill than anyone else in this Congress, the cardinal from that committee in the 114th Congress.

Mr. COLE. Mr. Speaker, I thank the gentleman for his kind words and for yielding.

Mr. Speaker, I rise in support of the rule and the underlying legislation. As

has been made clear, we are actually talking about two different pieces of legislation here today.

The waiver for Secretary-designee James Mattis is, quite frankly, a no-brainer. The Senate voted 81–17 in favor of that waiver. I would suspect there will be similar bipartisan support here.

My friend is correct, of course; this is a serious matter whenever we grant exceptions to the law. But General Mattis is just uniformly and universally respected across the lines for his distinguished work in defense of this country, so I hope we move ahead on that.

The budget resolution that comes before us is another matter, and there will be a great deal of contention. Frankly, the resolution itself is not, as my good friend from California pointed out, and should not be seen as, a traditional budgetary item. It is, frankly, a projection of what will happen if we do absolutely nothing over the next decade and leave the current set of policies in place.

It is a sobering document to read in that regard because it shows rising deficits every single year for a decade, beginning at over \$580 billion and then moving well north of \$1 trillion. Frankly, in my view, it is something that we ought to look at and come to the realization that we are going to need to do entitlement reform in the next decade, something that people on both sides of the aisle seem to want to ignore. Absent that, we will, indeed, have extraordinary budget deficits, and they will be large enough to undercut and undermine our economy.

The budget resolution is also a vehicle, a tool, to begin to repeal the Affordable Care Act. This is necessary for, really, one simple reason. The Affordable Care Act, or ObamaCare as it is popularly known, is a failing system. It is unpopular. It has never been popular, never hit 50 percent of popularity. Frankly, in my view, it has cost our friends their majority in the House, then cost them their majority in the Senate, and may well have cost them the Presidency of the United States. The American people have spoken pretty emphatically: We don't like this product. And it is collapsing financially right now. This is not a system that is an operation that is really doing well.

Let me just talk about my own State. We have about 197,000 people that have gotten insurance under ObamaCare. This year, they will have exactly one choice as to what company they want to choose to provide them, and their rates will go up by 69 percent. Now, nationally, I think the average is over 25 percent.

Clearly, this is not a system that is working very well. Politically, the easy thing to do would be what our friends want us to do—let's just leave it alone.

It will fall under its own weight, and it will be very clear who is responsible for that collapse: the current administration and my friends on the other side. But that also would be the irresponsible thing to do, and that would be, in itself, an abdication of leadership and, ultimately, unfair to the American people.

Instead, we are going to repeal the system and begin to replace it with something that will work better. Now, my friend's point is a fair one. There is not a single plan out there, but there are plenty of plans. I know I cosponsor a couple myself. I think we will be able to work through this relatively easily.

There has been a lot of discussion and a lot of diagnosis about what the failures of ObamaCare are, but there has been very little in the way of actual legislative remedy. We have a unique opportunity to do that. Frankly, I am proud of our Speaker, and I am proud of our conference that they are going to seize that and begin this process because I don't think there is anything more important facing us.

So I would urge the passage of the rule and then the passage, obviously, of the underlying legislation, particularly the budget resolution that allows us to begin the necessary work in repealing and replacing ObamaCare, and, obviously, the waiver that would allow us to have a distinguished Secretary of Defense, General Mattis.

Mr. MCGOVERN. Mr. Speaker, I want to point out a couple of things.

First of all, according to the Brookings Institution, without the ACA, insurance premiums would be 44 percent higher.

And the other fact I point out for my colleagues is that healthcare costs are growing at the slowest rate in the last 50 years. Families are spending over \$3,500 a year less than they would have because of the ACA. I would say to my colleagues, yeah, we want to do better, but let's work to address some of the shortcomings of the ACA rather than repeal it and put in danger all these healthcare protections that people have.

I yield 1½ minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Speaker, we are in week 2 of this 115th Congress, and, as promised, my colleagues and I are here to stand up for this good Nation. Unfortunately, House Republicans cannot say the same.

Last night, they decided that nursing home coverage for millions of seniors, comprehensive health care for young children, and the benefits earned after a lifetime of hard work are not worth fighting for. That is exactly why the gentleman from Wisconsin offered an amendment to ensure that the budget resolution being considered today could not be used to cut benefits from three critically important programs:

Medicaid, Medicare, and Social Security.

In fact, the President-elect promised many times that he would neither cut Social Security benefits for seniors nor would he support cuts to Medicaid and Medicare. But the rule under consideration this morning fails to allow a debate or vote on this amendment, which places the earned benefits and the financial future of American people at risk.

Who are my Republican colleagues looking out for? Certainly not their constituents.

It is clear that we are faced with a Republican-controlled Congress that is ensuring the divided and self-serving rhetoric that echoed throughout this campaign season rings true. This is not democracy. This is not outlined in our Constitution. This is not the democracy we are sworn to protect.

With that, I urge my colleagues to reject this rule.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds to thank my colleague for her admonition to reject divisive and self-serving rhetoric because I think that is absolutely something we should take to heart.

Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. NEWHOUSE), a member of the Rules Committee and a new member of the Appropriations Committee.

Mr. NEWHOUSE. Mr. Speaker, I thank my good friend from Georgia for yielding me this time to speak on these important issues.

Mr. Speaker, the opportunity to speak on this important rule that provides consideration for the fiscal year 2017 budget resolution and S. 84, which provides a legal exception for General Mattis to serve as Secretary of Defense, certainly are important issues. As a member of the House Rules Committee, I am very proud to support this rule as well as both of the underlying measures.

S. 84 provides a one-time exemption on behalf of an individual who is uniquely qualified to serve during a very challenging period in our Nation's history and a time when U.S. national security and military readiness is of paramount importance for both Americans and our allies around the world.

This legislation does not permanently change the law nor does it diminish the founding principle of civilian control of our military. In fact, this rule allows for consideration of legislation providing for a one-time exemption that does exactly the opposite. It reinforces the doctrine of civilian control of our military. By setting into motion this unique procedure, the people's elected representatives are taking the seriousness of this circumstance to heart, to debate and carefully weigh granting a historic exception, only provided on one other occasion in our history.

The man at the center of this matter demonstrates the extraordinary nature of the situation we currently face. General James N. Mattis has served our Nation with unparalleled distinction over the past 40-plus years. Born in Pullman, Washington, General Mattis grew up in my congressional district, the Fourth District of the State of Washington. He attended what was then Columbia High School, now Richland High, and graduated from Central Washington University.

It was growing up along the banks of the Columbia River in Richland where General Mattis' parents instilled in him a deep passion for reading, which then developed into a renowned lifelong devotion to intellectualism, military and world history, and the study of war.

General Mattis has been in command at increasing levels throughout his career within the United States Marine Corps, where he began as a student enrolled in ROTC, rose to the rank of general, and served as commander of the United States Central Command responsible for American military operations in the Middle East, Northeast Africa, and Central Asia. Few individuals command the respect and admiration General Mattis has earned amongst the troops, national security experts, and military and civic leaders.

This rule allows for the consideration of legislation to provide the United States Senate its proper role of advice and consent regarding the nomination of General Mattis to serve as our next Secretary of Defense.

□ 0945

I urge my colleagues to support this rule so the Senate can rightfully provide its constitutional guidance, which I am confident will overwhelmingly support this distinguished leader and public servant from the great State of Washington.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I urge my colleagues to vote "no" on the previous question. If we defeat the previous question, I will offer an amendment to the rule to allow for the consideration of Representative POCAN's amendment, of which I am a proud cosponsor, to create a point of order against any legislation that would cut benefits under Social Security, Medicare, or Medicaid or that would attempt to privatize Social Security. All are things that my Republican friends have advocated for in previous budgets.

Mr. Speaker, I ask unanimous consent to include in the RECORD the text of the amendment, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. I thank the gentleman from Massachusetts for yielding.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so that we can bring up my amendment, which would block the House GOP majority from cutting Medicare, Medicaid, and Social Security.

President-elect Donald Trump has promised many times throughout his campaign that he would not cut Social Security benefits for seniors nor would he support cuts to Medicare or Medicaid benefits. In fact, at least 15 times he said he would not make cuts to Medicare or Social Security. He even tweeted it; so we know he really, really meant it.

If it is important to the Democrats and if it is important to the President-elect and if it is important to the American people, let's make sure it is absolutely certain that no one has to worry about a cut in one's Social Security and Medicare benefits—not a single cut to anyone. If we could do that, that would be the single biggest success of the 115th Congress.

If you support the idea that you will not cut Social Security and Medicare and that you will protect the promise to our constituents, then support this amendment. But if you are not sure yet or if you might be willing to cut Social Security and Medicare or if you are actually considering cutting these programs, then you should oppose this amendment.

Again, our amendment would block any legislation before the House or Senate which cuts guaranteed, earned benefits under Social Security, Medicare, or Medicaid programs; which increases the retirement age for these benefits or which privatizes Social Security. Nationally, over 64 million people receive benefits from Social Security.

I want to read a couple of comments from constituents from the State of Wisconsin, the home State of Speaker PAUL RYAN and mine.

Robyn from Mount Horeb, Wisconsin, said: "Please do everything in your power to oppose Speaker RYAN's legislation to privatize Social Security and Medicare. These are our earned benefits for a lifetime of working as dairy farmers."

Carol from Madison said: "I am a retired Navy veteran and a cancer survivor. My grandfather, a World War II and Korean war vet, is living in a home on Medicaid and Medicare. What is going to happen to him if . . . Republicans are successful in drastically altering these programs?"

Democrats believe we need to protect our senior citizens and the most vulnerable in our society. Democrats believe we need to strengthen the middle

class through the preservation of Social Security and Medicare, and so do the American people.

Do Republicans share our belief? Let's make it crystal clear. Do you want to protect Social Security and Medicare, or do you want to cut these earned benefits? You can decide that with this vote.

I urge my colleagues to vote "no" and defeat the previous question so we can bring up the CPC—the Pocan-Ellison-Grijalva-Lee-Schakowsky amendment—and find out who truly supports Medicare and Social Security in this House.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Reluctantly I recognize that we are, apparently, not going to have an end to divisive, self-serving rhetoric. I am still optimistic, as it is a long year ahead of us.

What the gentleman from Wisconsin (Mr. POCAN) is suggesting, Mr. Speaker, is that we ensure the failure of Social Security going forward. The only guaranteed benefit in Social Security is that it is guaranteed to fail. Those are not my words. These are the words of the actuaries who are in charge of protecting Social Security. The non-partisan actuaries who govern Social Security say that there is not enough money today to pay the benefits that folks are expecting. The law of the land, as it exists today, requires that, when that day comes, benefits will get cut dramatically. Only a 75 percent realization of benefits is what the law requires that befalls our senior citizens. If we pass the amendment that is suggested by my friend, we would be prohibited from considering any solutions to that problem. Means testing, which my colleagues have advocated for years, is off the table under that scenario.

Mr. Speaker, to suggest that anyone on this side of the aisle wants to undermine the commitment that this country has made to our seniors is ludicrous; but to suggest that I go to a 22-year-old, whose polling today suggests he or she believes they are more likely to see a UFO in their lifetime than a Social Security check in their lifetime—to suggest that going to that 22-year-old and my thinking that maybe his retirement age would be a year or two higher than his great-grandparents' since he is now living decades longer—I will remind my colleagues we came together in a bipartisan way to raise the retirement age from 65 to 67 in 1983, not because one of us hated seniors and one of us loved seniors, but because we all believed in our commitment to seniors.

Mr. Speaker, don't let the RECORD reflect anything other than that this budget resolution provides the framework to begin this discussion, to begin the discussion of what comes next. There is not a single line of authorizing

language in this budget resolution. Any suggestion that the law will change tomorrow because of this budget resolution is false. The law will be the same tomorrow as it was yesterday. The difference is we have begun a path—we will have created a framework; we will have provided the tools—to have a discussion about how to solve very real problems in this country.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me respond to my colleague, the gentleman from Georgia, by saying that I don't know what he is talking about. The Pocan amendment is pretty clear. It says that there will be a point of order against any legislation that would cut the benefits under Social Security, Medicare, or Medicaid or would attempt to privatize Social Security.

Now, I know my Republican friends want to privatize Social Security, because they tried that in the past; and I know they want to privatize Medicare and turn it into a voucher system, because that is what their budgets continually do. I mean, that is what we are trying to prevent.

If you want to privatize Social Security, if you want to privatize Medicare and turn it into a voucher system, then stand with them. But if you want to protect these programs—and the vast majority of Americans—Democrats, Republicans, and Independents want to protect the integrity of Social Security, Medicare, and Medicaid—then oppose this budget.

By the way, this budget, basically, is the green light to go ahead and destroy the protections that people value in this country.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Rules Committee.

Ms. SLAUGHTER. I thank my colleague for yielding me the time.

Mr. Speaker, it is unconscionable to me that the majority is prioritizing a repeal of the Affordable Care Act as its top priority for the 115th Congress as the Nation's infrastructure crumbles and as the cost of education continues to skyrocket. It is particularly outrageous that this budget puts the wheels in motion, as my colleague has said, for a repeal of the healthcare law without there being anything to take its place.

This budget would also increase our Nation's debt by \$9.5 trillion over the next 10 years. Apparently the party that has tried to claim the mantle of balanced budgets for years doesn't really care about fiscal responsibility.

It is the first step toward defunding Planned Parenthood, which serves 2.5 million patients—men and women—across the country every year and provides preventative care, like birth control and cancer screenings. It seems to

me, for the majority of my adult life, I have been trying to defend Planned Parenthood. The excuse given that the community health centers can pick up the slack is so enormously wrong that the community health centers are scared to death that they are going to be asked to try to pick up that slack of 2.5 million patients. That is absolutely a cover for something that doesn't make any sense at all.

I was shocked to read a study over the summer that found that the rate of pregnancy-related deaths in the State of Texas, since they did away with Planned Parenthood, seems to have doubled since 2010, making Texas one of the most dangerous places in the world to have a baby.

What was happening in Texas during this time?

The State legislature was not only making cuts to family planning clinics where many low-income women received the only medical care they got, but the State was absolutely refusing to expand its Medicaid program, which would have given lower income women desperately needed access to prenatal services.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 1 minute.

Ms. SLAUGHTER. The point being—and one of the things we talked about last night at Rules—is that, of the many States in which the premiums, they thought, had gone reasonably high, these were also the States that did not expand Medicaid or set up the exchanges, which were intended to cut the costs. While the causes of maternal deaths are complex, certainly leaving women without access to medical care will not do anything to decrease that mortality rate.

Today my Republican friends want to inflict the same harm on pregnant women all over the country by taking away the Medicaid expansion and by taking away money for clinics like Planned Parenthood. I cannot believe that in this day and age and in this century it is even contemplated. I know the American people are paying attention because every day in my office we get between 20 and 30 calls—and have for the last 2 or 3 weeks—begging us not to repeal the ACA.

This agenda has the potential to devastate millions of people from coast to coast. Instead of solving problems, the majority is on the verge of creating new ones for families all across the country.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Massachusetts said in his opening statement that he didn't come to Congress to hurt people; that he came to help people. I want to stipulate that that is 100 percent true. There is no one in this Chamber who I believe has a bigger heart for men and

women than the gentleman from Massachusetts, which is why I know that he does not support what I see happening to my constituency.

He says people are paying less for their health care today. I dispute those numbers writ large, but I know it is true in my district because the free healthcare clinic has doubled since the passage of ObamaCare. Folks once had access to small plans that they chose for their families. Those plans were outlawed. Now they have high deductible plans that are worthless to them, so they seek care at the free clinics. I know that ripping the plans out from under those men and women in my district was not the gentleman's intention when he passed the Affordable Care Act, but it is absolutely the result.

I know that when the gentleman set up those exchanges, which all Americans were supposed to be able to go to to buy their healthcare plans, he did not intend for those plans to get canceled year after year after year after year, because they were unsustainable. We all know, of the constituents in our districts who did what the government told them to do, they lost the plans their employers used to provide; they went to the exchanges to buy a plan; and, 1 year later, those plans were canceled. They went through the process again: they picked out other plans; they went through the exchanges and paid their money; and, 1 year later, those plans were canceled again and again.

We all know those constituents; so to suggest that the only reason someone would come to the floor today would be to solve a nonexistent problem is ridiculous. We all know that there are problems. What is ridiculous are the folks who would come and defend the status quo. The status quo is indefensible, Mr. Speaker.

When we get together, we can do amazing things. There are vast experiences of the Members in this Chamber, Mr. Speaker, and our bringing those to the table leads to better solutions. We have spent 6 years being stuck in the status quo, and this bill represents an opportunity to turn the page on that status quo, and I know every single Member has constituents in his district who will welcome it.

Mr. Speaker, I reserve the balance of my time.

□ 1000

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I just want to help the gentleman understand the benefits of the ACA in his home State of Georgia:

There are 468,000 individuals in the State who have gained coverage since the ACA was implemented, and now they could lose it if he gets his way.

478,000 individuals in the State who were able to purchase high-quality marketplace coverage now stand to

lose that coverage if the gentleman gets his way.

In 2016, 427,000 individuals in the State have received financial assistance to purchase marketplace coverage; they are at risk of losing that.

65,000 kids have gained coverage since the ACA was implemented in the State of Georgia.

74,000 young adults are able to stay on their parents' health insurance until they are 26 because of the ACA.

That is all in Georgia. So I would hope the gentleman would understand what is happening in his own State before he votes to repeal it.

Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, last night Speaker RYAN told a national audience on CNN ObamaCare is crumbling. Donald Trump has said over and over again ObamaCare is a disaster. I would like to share just a tiny fraction of the emails my office has received in the last few days to demonstrate that the opposite is true:

Peter, a 63-year-old farmer from Ellington, Connecticut:

ACA has allowed me and my wife access to quality health care. If this law is repealed, either I sell off my land and livestock or go without insurance.

Becky, a 41-year-old small-business owner and single mom from Enfield, before ACA hadn't seen a doctor in 4 years. Now, she and her kids have a plan for \$315 a month.

George, a 53-year-old freelance designer from Niantic: the past 2 years, he and his wife with preexisting conditions have been covered by an affordable plan.

Michelle, a registered nurse with health issues from Killingworth, has the same message.

Sue from Vernon, her husband has cancer.

Barbara from North Stonington, a 59-year-old registered nurse, has a chronic condition.

All are watching this destructive process with outrage. For these people, the only thing that is crumbling is their confidence in Congress to do the right thing and stop this rush to repeal.

As George from Niantic said:

I have never been so worried for my country.

Vote "no" on repeal. Vote "no" on the rule.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I was not in Congress at the time the Affordable Care Act passed, but I remember it, watching from home. We talk about this as if it was some sort of thoughtfully crafted piece of legislation that folks are so tremendously proud of. I happen to have the numbers here, Mr. Speaker.

It was H.R. 4872 that moved through the House, that was the authorizing

part. We had three votes in the U.S. House of Representatives on that bill. We had a motion to recommit, as it was not actually a healthcare bill to begin with, and a vote on final passage.

Then it went over to the U.S. Senate where they worked their will on it. They had 43 votes on it, amendments offered, ideas, and changes.

Then it came back to the House where we changed it not at all. There was one straight partisan vote on the Affordable Care Act. Not one idea from the U.S. House of Representatives added, not one change from the U.S. House of Representatives, not one alteration of any kind.

As you recall, Mr. Speaker, they had a filibuster-proof majority in the United States Senate, so Democrats could work their will any way they wanted. When they lost that filibuster-proof majority—they only had 59 votes out of 100 instead of 60—they ended debate, they ended discussion, they ended collaboration and jammed what they had passed at midnight on Christmas Eve right on through the U.S. House of Representatives. I can't imagine who defends that as the proper outcome of the legislative process. We have a chance to change that, Mr. Speaker.

I am glad that my friend from Connecticut has some constituents that have benefited. I have some constituents that have benefited. But I have constituents who are being failed, and I know my friend from Connecticut does, too.

I am glad that my friends on the other side of the aisle are talking about all of their success stories, but I want my friends to join me and grapple with all of the failures.

I will not deny the way the conversation about health care has changed since the passage of the Affordable Care Act—folks talking about preexisting conditions, folks talking about lifetime caps, folks talking about keeping young kids on their policies until they are 26.

I just don't understand why my colleagues would deny that folks who used to have care, now don't. Folks who used to have affordable plans, now don't. Folks who used to be able to take care of their employees through their small business plans, now can't. This is undisputed, and we have an opportunity to do better. I hope my colleagues will join me in doing that.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Georgia (Mr. WOODALL) is entitled to his own opinions but not his own facts. The facts with regard to the process in which the Affordable Care Act was developed, I think, are worth repeating here.

In the House of Representatives, we held nearly 100 hours of hearings and 83 hours of committee markups. The House heard from 181 witnesses, both

Democrats and Republicans. 239 amendments were considered in the three committees of jurisdiction, and 121 of them were adopted. The bill was available for 72 hours before Members were asked to vote on the floor.

In the Senate, the Senate Finance Committee held more than 53 hearings. The committee also spent 8 days marking up the legislation, the longest markup in the 22 years of the committee. The Senate Health Committee held 47 bipartisan hearings, roundtables, and walkthroughs on the healthcare reform bill.

So to say that this was not a thoughtful process is just wrong.

Compare that to the way this budget bill is being brought to the floor. There is no committee consideration, no deliberation. It is just given to us. In fact, most of the committees aren't even organized yet in the House of Representatives.

So there is a contrast there, and I stand with the way we approached the Affordable Care Act as opposed to the way the Republicans have approached this budget deal.

Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Speaker, here is my 1-minute breakdown on why I oppose repealing ObamaCare without replacement:

First, this law protects all Americans with preexisting conditions; second, it keeps all young adults on their parents' insurance until age 26; third, it protects all Americans from bankruptcy if they get sick by removing lifetime caps.

Before the act, millions of Americans were simply kicked off their insurance when these problems arose. We Democrats support keeping these protections for all Americans, and the Republicans want to repeal them. We support improving the act, and the Republicans want to eliminate it.

While many have stoked fear and spread false information for political gain, it is clear that repeal without replacement equals disaster. It will eliminate these protections for all Americans, create chaos for working families, and send our country into another recession.

It is clear we need to improve the act rather than repeal it. It is time to do the right thing for all Floridians and for all Americans.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to share with my friend from Massachusetts (Mr. MCGOVERN) that one is not entitled to their own facts, but one is also not entitled to share just half the story and leave it as if it is the entire story.

Everything the gentleman from Massachusetts said was true, until the U.S. House abdicated any responsibility whatsoever and passed exactly what the Senate did with no amendment

whatsoever. All of the work product the gentleman talked about, all of the work that the gentleman talked about went for naught in this U.S. House of Representatives.

To deny that this is not the bill that folks wanted to have crafted is to deny reality. To deny that this is not the bill that folks wanted to have crafted is to deny the nine different times the Republican House and Senate sent to the President repeals of ObamaCare, things that were so broken even the President couldn't live with it and he signed those repeals into law.

Mr. Speaker, I am not trying to denigrate any of the motives of my friends on the other side of the aisle. I just can't understand, for the life of me, why they don't want to try to do better.

That pride of authorship, that arrogance, it has a real impact on the men and women that I serve, and I am asking my friends to partner with me to help me fix it. But if they won't partner with me, I am going to move forward and fix it anyway.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

We have been willing to work with our Republican friends to try to improve the Affordable Care Act for nearly 7 years. They have been unwilling to work with us in a bipartisan way. Instead, they just want to repeal, repeal, repeal.

Now, I don't know what their motivation is. Maybe it is because they don't like President Obama. Judging from some of the rhetoric that we have heard on this House floor over these years, I think some of the Members over there actually hate the President of the United States, and this is all driven by this personal animosity.

Let me just say to the gentleman that the Affordable Care Act may have started out with a different bill number, but the facts remain that there were hundreds of hours of hearings on the Affordable Care Act, 181 witnesses testified; hundreds of amendments were considered in committee.

The process of using a different bill number is very common in both Chambers. In fact, the House Republicans have done it several times in the past 3 years. Regardless of the bill number, the work that went into forming this legislation was one of the most open processes in the history of the Congress, and it has resulted in providing protections and health care for millions and millions of people in this country. All of that is at risk with this budget resolution.

Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I agree with the gentleman from Massachusetts (Mr. MCGOVERN). I was in the middle of hundreds of hours of discus-

sion and debate in committee, on the floor. It is amazing to think of all the time and energy that went into it.

Was it a perfect bill? Absolutely not. It would have been much better if the legislative process hadn't collapsed in the Senate and forced reconciliation as the vehicle.

The offer to somehow become bipartisan and work together to solve the problems ring hollow. I have been on the Ways and Means Committee for the last 6 years when Republicans were in charge with constant efforts to repeal ObamaCare, but they refused to work with us to fine-tune the legislation when we could move forward and build on this foundation and not be in a situation where we are going to unsettle healthcare markets, leave people doubting about where they are, and having no clue about what comes forward.

There is a reason, after 6 years, the Republicans do not have an alternative to offer now. It is because their wildly contradictory promises cannot be met.

I urge rejection of the rule and rejection of this effort to gut the most important healthcare reform in the last 50 years.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I am on the Energy and Commerce Committee the healthcare bill came through. We can debate how many hearings, how many questions, and all of that. The public has rendered judgment on this healthcare law.

In 2010, Republicans took back control of the House over two issues: ObamaCare and cap-and-trade. And then our base was saying to repeal ObamaCare, all the way back to 2010.

In 2014, the Republicans took over the Senate. Our base is saying: You have got the House. You have got the Senate. Repeal ObamaCare. It is harmful. It is destructive—and I will tell you why in a minute.

So why should anybody not expect us, in 2016, when the public has rendered judgment again in a national election that we have to repeal ObamaCare?

So when I talk to my constituents and people talk to me, this is going to happen, and we know there is going to be a replacement.

There are two different ideologies of how to provide care. We believe in markets; you believe in centralized control. We believe in people choosing the best plan for them in the private markets; and those who need help and assistance to get in those markets, we are going to help them get in those markets. But to have our Federal Government say that you only have one of four choices—my constituents pay for health care that they can't use because they can't pay the deductibles, so they are forced to buy something that they can't use.

So this is timely. I am glad we are moving expeditiously, and we look forward to the year ahead.

Mr. MCGOVERN. Mr. Speaker, we believe healthcare protections ought to be enshrined in the law and not left up to insurance companies.

I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to the rule. It sets into motion the repeal of the Affordable Care Act.

This repeal-only bill takes money intended to fund health care for middle class families and it hands it to the wealthy families and to big health corporations in the form of tax cuts. The public does not know this.

According to the Center on Budget and Policy Priorities, this bill would give the 400 highest income families in the United States an average tax cut of \$7 million a year. It would rob millions of families of the money they need for their insurance. It hands it over to the wealthy, including nearly \$250 billion over 10 years in tax cuts for health insurance companies and drug manufacturers.

□ 1015

Where are the majority's values? We should be providing more Americans with health insurance, not fewer; and we should be creating jobs, not eliminating them. This bill is a disgrace. It is a betrayal of the working families of this Nation.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds just to say absolutely none of that is true. Absolutely not one word of that is true. This bill does not one of those things. This bill does, in fact, nothing to change the law at all in any way, shape, or form. It is not true. This bill provides a process for debating the law, and I certainly hope we will pass it so we can have that debate.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I rise in strong opposition to this bill which will set forth the repeal of ObamaCare. But I also am concerned that the bill doesn't have a basic amendment which would allow for the importation of drugs from Canada.

Senator SANDERS courageously, on Wednesday night, went on the floor and introduced an amendment to allow for the importation of drugs from Canada that the overwhelming number of Republicans and Democrats support. It was appalling that 13 Senate Democrats voted against the Sanders amendment, and they did so because the pharmaceutical industry is a cancer on this body; the pharmaceutical companies' contributions are a cancer.

We need to allow for the importation of drugs, we need that to be an amend-

ment to this bill, and we need to take it up as a body.

Mr. WOODALL. Mr. Speaker, I advise my friend from Massachusetts I do not have any further speakers and would be happy to close when he is prepared.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. A report by Families U.S.A. said that repeal of the Affordable Care Act equals a huge tax cut for the wealthy.

What people don't know, and the public doesn't know at the moment, is that this will hand over to wealthy and major corporations new tax breaks worth nearly \$600 million—more than a half-trillion dollars over 10 years, \$345.8 billion over 10 years in tax cuts for people whose incomes are over a specified threshold; \$200,000 for single individuals; and \$250,000 for families. There are \$274.4 billion over 10 years going to health insurance companies, drug manufacturers, and other large healthcare corporations.

That is what repeal of the Affordable Care Act does. My colleagues need to face up to that, and the public needs to know it.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I include in the RECORD a letter from the American Medical Association, a letter from 120 interfaith groups, a letter from the Consumers Union, a letter from the Massachusetts Health & Hospital Association, a letter from a number of labor organizations in my home State of Massachusetts, and a letter from UMassMemorial Community Healthlink, which is a provider of comprehensive health care in my district. They are all opposed to undoing the Affordable Care Act.

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, January 3, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. CHARLES E. SCHUMER,
Democratic Leader, U.S. Senate,
Washington, DC.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, LEADER SCHUMER, SPEAKER RYAN AND LEADER PELOSI: On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing regarding our ongoing commitment to reform of the health care system and potential legislative actions during the first months of the 115th Congress.

The AMA has long advocated for health insurance coverage for all Americans, as well as pluralism, freedom of choice, freedom of practice, and universal access for patients. These policy positions are guided by the actions of the AMA House of Delegates, composed of representatives of more than 190 state and national specialty medical associations, and they form the basis for AMA con-

sideration of reforms to our health care system. (A summary of key AMA objectives for health system reform is attached.)

Health system reform is an ongoing quest for improvement. The AMA supported passage of the Affordable Care Act (ACA) because it was a significant improvement on the status quo at that time. We continue to embrace the primary goal of that law—to make high quality, affordable health care coverage accessible to all Americans. We also recognize that the ACA is imperfect and there a number of issues that need to be addressed. As such, we welcome proposals, consistent with the policies of our House of Delegates, to make coverage more affordable, provide greater choice, and increase the number of those insured.

In considering opportunities to make coverage more affordable and accessible to all Americans, it is essential that gains in the number of Americans with health insurance coverage be maintained.

Consistent with this core principle, we believe that before any action is taken through reconciliation or other means that would potentially alter coverage, policymakers should lay out for the American people, in reasonable detail, what will replace current policies. Patients and other stakeholders should be able to clearly compare current policy to new proposals so they can make informed decisions about whether it represents a step forward in the ongoing process of health reform.

We stand ready to work with you to continue the process of improving our health care system and ensuring that all Americans have access to high quality, affordable health care coverage.

Sincerely,

JAMES L. MADARA, MD,
Executive Vice President, CEO.

JANUARY 12, 2017.

DEAR PRESIDENT-ELECT TRUMP AND MEMBERS OF THE U.S. CONGRESS: We the undersigned members of the investment and public health communities want to re-affirm our deep commitment to a more accessible and affordable health care system by voicing our support for the continued expansion of coverage under the Affordable Care Act (ACA).

In order for our economy to thrive and Americans to prosper, our health care system must be both equitable and efficient. As a result of ACA's implementation, quality and affordable health insurance has been guaranteed to more than 20 million previously uninsured Americans. While the ACA has dramatically expanded coverage, we support reforms within the framework of the Act to further contain rising health care costs.

We agree that thoughtful improvements to the ACA are needed, but we are deeply concerned by threats to repeal and/or replace the ACA before these improvements are implemented. Repeal of the ACA would destroy the tremendous strides we have made as a nation in expanding coverage, would have a destabilizing effect on jobs, businesses and our economy, and would further jeopardize the health and financial security of millions of Americans.

We call on you, our elected leaders to:

- 1) Preserve the Affordable Care Act.
- 2) Work collaboratively with all key stakeholders to improve the ACA and better rein in health care costs.
- 3) Make the fiscal and political commitment necessary to expand quality health care coverage to all Americans.

We pledge to do our part to support the ACA and expanded health care coverage

through our own operations and beyond, and request that as legislators and leaders of our nation entrusted with the health of all Americans, you will do the same.

Sincerely,

Interfaith Center on Corporate Responsibility; Adrian Dominican Sisters; Amalgamated Bank; American Baptist Home Mission Society; Arc Advisers, LLC; Augustinian Province of St. Thomas of Villanova; Benedictine Sisters; Benedictine Sisters of Baltimore; Benedictine Sisters of Florida; Benedictine Sisters of Holy Name; Benedictine Sisters of Mount St. Scholastica; Benedictine Sisters of the Sacred Heart; Benedictine Women of Madison, Inc.; Benet Hill Monastery; Bon Secours Health System, Inc.; Boston Common Asset Management; BVM Shareholder Education & Advocacy Group; CHRISTUS Healthcare; Clean Yield Asset Management.

Congregation of Divine Providence Inc.; Congregation of Holy Cross, Moreau Province; Congregation of Sisters of St. Agnes; Congregation of St. Basil; Congregation of the Sisters of Charity of the Incarnate Word; Congregation of the Sisters of Divine Providence; Corporate Responsibility Office of the Sisters of Charity of Nazareth; Daughters of Wisdom; Dignity Health; Diocese of Springfield, IL; Dominican Sisters, Sparkill; Dominican Sisters, Grand Rapids; Dominican Sisters of Hope; Dominican Sisters of Houston; Dominican Sisters of Peace; Dominican Sisters of San Rafael; Dominican Sisters of Springfield, IL; Dooley Center; Earth Equity Advisors.

Everence and the Praxis Mutual Funds; Felician Franciscan Sisters; Felician Sisters—Buffalo Region; Franciscan Action Network; Franciscan Sisters of Perpetual Adoration; FundX Investment Group; Glenmary Home Missioners; Green America; Health Care Without Harm; Holy Name Monastery; Horizons Sustainable Financial Services, Inc.; Incarnate Word Associates; Incarnate Word Convent; Incarnate Word Sisters; IWBS Associate; Jantz Management LLC; Leadership Council of the Sisters, Servants of the Immaculate Heart of Mary—Monroe, MI; Marist Fathers.

Maryknoll Sisters; Mennonite Education Agency; Midwest Coalition for Responsible Investment; Miller/Howard Investments, Inc.; Missionary Oblates of Mary Immaculate; Missionary Oblates of Mary Immaculate, JPIC Office; MomsRising; Mount St. Scholastica Monastery; Newground Social Investment; NorthStar Asset Management, Inc.; Northwest Coalition for Responsible Investment; Peace/Justice Committee, Benedictine Sisters of FL; Progressive Asset Management; Region VI Coalition for Responsible Investment; Religious of the Sacred Heart of Mary WAP; S&C North America; SC Ministry Foundation; School Sisters of Notre Dame Cooperative Investment Fund; School Sisters of St. Francis.

Sinsinawa Dominican Peace and Justice Office; Sinsinawa Dominican Shareholder Action Committee; Sisters of Bon Secours USA; Sisters of Charity BVM; Sisters of Charity Cincinnati; Sisters of Charity of New York; Sisters of Charity of the Incarnate Word; Sisters of Charity, Halifax; Sisters of Incarnate Word and Blessed Sacrament; Sisters of O.L. of Christian Doctrine; Sisters of St. Dominic of Blauvelt, NY; Sisters of St. Dominic of Caldwell, NJ; Sisters of St. Dominic, Racine, WI; Sisters of St. Francis of Philadelphia; Sisters of St. Joseph; Sisters of St. Joseph of Boston; Sisters of St. Joseph of Chestnut Hill, Philadelphia, PA; Sisters of St. Joseph of Orange; Sisters of St. Joseph of Springfield; Sisters of the Good Shepherd.

Sisters of the Holy Cross; Sisters of the Humility of Mary; Sisters of the Incarnate Word; Sisters of the Incarnate Word & Blessed Sacrament; Sisters of the Presentation; Sisters of the Presentation of the BVM; Socially Responsible Investment Coalition; Society of Mary (Marianists); SRI Investing LLC; St. Jude League; Stardust; The Pension Boards—United Church of Christ, Inc.; Trillium Asset Management; Trinity Health; Tri-State Coalition for Responsible Investment; Unitarian Universalist Association; United Church Funds; United Methodist Women; University Presbyterian Church; Ursuline Sisters of Tildonk, U.S. Province; Ursulines of the Roman Union—Eastern Province; Veris Wealth Partners; Walden Asset Management; Zevin Asset Management, LLC.

CONSUMERS UNION,

January 11, 2017.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MCGOVERN: On behalf of Consumers Union, the public policy and mobilization arm of nonprofit Consumer Reports, I write to express our deep concern that the budget resolution for fiscal year 2017 will begin a process that could lead to the repeal of several key parts of the Affordable Care Act (ACA), and could result in tens of millions of Americans losing vital health coverage and the destabilization of insurance markets. As an organization whose founding principles include ensuring access to quality, affordable health coverage and care for all, Consumers Union is concerned that this would jeopardize both the health and financial stability of American families.

Consumers Union has a long history of working for a fairer and more just marketplace for consumers. We believe all Americans deserve care and coverage that is accessible, affordable, understandable, fairly priced, and meets high, uniform standards for quality and safety. The Affordable Care Act was an important step towards this goal, allowing more than 20 million consumers to purchase private insurance through exchanges or benefit from the Medicaid expansion, thus lowering the uninsurance rate in our nation to its lowest point ever.

The ACA also includes a number of critical consumer protections that benefit all consumers, regardless of the source of their coverage. The law prevents insurers from discriminating against consumers with pre-existing conditions or charging them more for coverage, prohibits insurers from imposing annual or lifetime limits on coverage, and ensures coverage of a comprehensive package of essential health care services. It also takes steps to measure and improve the safety and quality of care received by all. Consumers Union opposes legislative changes that would eliminate or weaken these critical consumer protections.

A move to repeal the ACA without a simultaneous replacement that, at minimum, maintains coverage for the number of people currently covered and provides comparable consumer protections would be irresponsible and affect every American family. It could destabilize the individual market for those who buy insurance for themselves, resulting in fewer choices for consumers and sending premiums skyrocketing while benefits shrink. Consumers do not want to go back to a time in which health insurers ran unchecked and insurance coverage was out-of-reach and unreliable for so many Americans.

Consumers Union strongly urges you to oppose the repealing of the Affordable Care Act.

Sincerely,

Laura MacCleery,
Vice President, Consumer Policy and
Mobilization, Consumer Reports.

MASSACHUSETTS HEALTH &
HOSPITAL ASSOCIATION,

January 12, 2017.

Hon. ELIZABETH WARREN,
U.S. Senate, Washington, DC.

Hon. E. RICHARD NEAL,
House of Representatives, Washington, DC.

Hon. NIKI TSONGAS,
House of Representatives, Washington, DC.

Hon. KATHERINE M. CLARK,
House of Representatives, Washington, DC.

Hon. MICHAEL E. CAPUANO,
House of Representatives, Washington, DC.

Hon. WILLIAM KEATING,
House of Representatives, Washington, DC.

Hon. EDWARD J. MARKEY,
Senate, Washington, DC.

Hon. JIM MCGOVERN,
House of Representatives, Washington, DC.

Hon. JOSEPH P. KENNEDY, III,
House of Representatives, Washington, DC.

Hon. SETH W. MOULTON,
House of Representatives, Washington, DC.

Hon. STEPHEN F. LYNCH,
House of Representatives, Washington, DC.

DEAR MEMBERS OF THE MASSACHUSETTS CONGRESSIONAL DELEGATION: On behalf of our member hospitals and health systems, the Massachusetts Health and Hospital Association (MHA) opposes the repeal of the Affordable Care Act (ACA). MHA is a founding member of the new Massachusetts Coalition for Coverage and Care that was formed to preserve and improve access to health insurance coverage in Massachusetts and to protect the gains in access to care, health, and health equity that have resulted from near universal coverage. We stand ready both as an individual organization and as a coalition member to provide you the information and resources you will need to oppose efforts to repeal the ACA.

As you know, Massachusetts has been a pioneer in expanding health coverage over the years, including our state's historic 2006 health reform law that served as a model for the ACA. We believe our state serves as an example of how the ACA's approach to expanding access to affordable health coverage can be successful nationally if given the time and support it deserves. With 10 years now passed since then-Governor Mitt Romney signed our initial health reform initiative into law, we can proudly say that the commonwealth is better off than where we stood in 2005. We know we share this sentiment with other Massachusetts healthcare providers, insurers, the employer community, government leaders, and, most importantly, Massachusetts consumers and families. With time, support, and improvements to the ACA, we know the country will value and appreciate the full benefits of ensuring access to affordable health coverage to all citizens as well as creating an environment for our health system to better manage its resources and deliver high-quality care.

While we were successful in achieving expanded coverage prior to the ACA, it took time and the collective effort of all stakeholders to achieve the reductions in uninsured. Expanding Medicaid was essential to providing coverage to the poorest individuals in our society. First through waivers and then through the ACA, the federal government has played an instrumental role in supporting coverage to economically challenged

Massachusetts residents. Approximately 300,000 individuals now are covered due to the ACA's Medicaid expansion, many of whom would otherwise be unable to afford health insurance in the commercial market even with government subsidies.

Since 2006, our state's health insurance exchange has consistently served as a dynamic marketplace for those purchasing insurance in the small group and non-group market. In Massachusetts, we have modified our exchange to conform to the ACA and it remains as robust as it did 10 years ago. The state's Health Connector has experienced broad participation from many health insurers, with 10 insurers currently offering 62 insurance products. Lower and middle income individuals have relied on the exchange for the past decade to shop for affordable health coverage, benefitting from subsidy support, which now comes in the form of federal tax credits and co-payment subsidies. More than 234,000 individuals purchased their insurance coverage through the state's exchange in December, including more than 190,000 with the support of federal advanced premium tax credits. Another 1,300 small groups covering more than 6,000 lives also purchased insurance in the exchange.

The effect of these expansions in reducing the number of uninsured has been well documented. According to the United States Census Bureau, Massachusetts had 97.2% of its population covered with health insurance in 2015 compared to 89.3% for the three-year average between 2002 and 2005. This coverage expansion had its greatest effect on people with great healthcare needs, working adults with disabilities, younger adults, people with low incomes, and women—all who gained coverage at a faster rate than the general population. And while there are many statistics that highlight the achievements made in expanding coverage, there has been a tremendous positive effect on individual lives as result of better access to care. Researchers have found improvements in physical health, mental health, functional limitations, joint disorders, and body mass index for those in Massachusetts, especially for those with low incomes, minorities, near-elderly adults, and women. Individuals here and around the country also no longer fear not being able to access health coverage due to pre-existing conditions or having inadequate health coverage during their times of medical need.

The cost of providing care to the uninsured also has been significantly reduced due to reform. In Massachusetts, our state's Uncompensated Care Pool covered hospital care for low-income uninsured and underinsured residents for decades. In FY2005 hospital uncompensated care costs totaled \$702 million, or \$992 million adjusting for inflation. This financial burden to hospitals, insurers, and government was yet another reason to address affordable coverage for low-income residents so care could be better managed with insurance coverage, including Medicaid. Hospital costs in the program's successor, now called the Health Safety Net, was \$407 million in FY2016—or 59% percent less than prior to our 2006 reform adjusting for inflation. While there have been some changes to the program over the years, undoubtedly the most significant contributor to this reduction has been the expansion of coverage. Also, it is impossible to calculate the unknown potential for increased numbers of uninsured if affordable health insurance had not been introduced in 2006 and maintained for the past 10 years.

A repeal of the ACA would turn back the clock here in Massachusetts. Attempting to

revert back to our Massachusetts coverage programs that existed before the ACA would not be accomplished easily and would involve significant challenges related to the federal support needed for the current level of coverage as well as hospital uncompensated care for uninsured residents. The current subsidized insurance offerings in the state's Connector exchange are now built off of the ACA federal tax credit approach, and the financing of that coverage is heavily dependent on federal funding. On the Medicaid side, the ACA expanded Medicaid eligibility even in states like Massachusetts that had higher levels of Medicaid coverage through waivers. Massachusetts would likely need to seek a waiver to maintain that coverage through Medicaid if the ACA expansions were repealed. Of great concern, losing the ACA's enhanced federal Medicaid funding for these expansions would be a significant issue as the MassHealth program is already facing financial challenges with growing enrollment and reimbursement cuts to hospitals and other providers.

The ACA also ushered in profound innovations that have improved how healthcare is paid for and delivered. These enhancements improved quality of care, improved value, enhanced integration and collaborations in delivering care, and expanded preventive health screening. And other federal statutes, like meaningful use electronic medical record changes and the new Medicare physician payment law (MACRA), are designed to integrate with the ACA for success. The ACA included many less well known provisions that have improved the integrity of our healthcare system, such as the "sunshine" act provisions which greatly improved transparency in the financial relationships between clinicians and manufacturers. These are only a handful of the examples of how significantly the ACA has changed the way we deliver healthcare and, either directly or indirectly, has led to improvements in access and quality for everyone.

As you know, our hospitals are also in the midst of responding to an opioid use crisis, increased prescription drug prices, a behavioral health system in drastic need of repair, and an aging patient population—all with limited financial resources. The Massachusetts healthcare system is also focused on improving the delivery of care and achieving cost savings through increased care coordination. The ACA aligns financial incentives and alternative payments as levers for improving healthcare quality while driving down costs. Without comprehensive health coverage, progress on all of these efforts will be seriously challenged.

In dollar terms the picture is very clear if the ACA were to be repealed—especially since a large part of the funding for the ACA came from payment cuts to hospitals, and since those cuts may continue despite repeal of essential ACA components. A recent study commissioned by the American Hospital Association (AHA) and Federation of American Hospitals (FAH) found that hospitals stand to lose \$289.5 billion in Medicare inflation updates alone from 2018 to 2026 if the payment cuts in the ACA are continued, and estimated further hospital losses of \$102.9 billion if Medicare and Medicaid disproportionate share hospital reductions are retained. The effect of these losses in Massachusetts would be \$12.3 billion over this time period, according to the study. The report also estimates that nationwide insurance coverage losses without a replacement would have an additional \$165.8 billion financial impact on hospitals in this same time period.

The AHA/FAH analysis also estimates the cumulative federal payment reductions to hospital services that have been imposed through other actions subsequent to, and independent of, the ACA; these cuts total another \$148 billion nationally from 2010 to 2026, and come on top of the ACA cuts.

The ACA, like Medicare in 1965, has had its growing pains, but the benefits of the ACA far exceed any ongoing problems. As with any comprehensive law it has been a work in progress. We are still trying to review all the potential aspects of what repeal might mean, but simply getting beyond the key threats of repeal is difficult; the effect on coverage and on the Medicaid waiver programs, the end of quality initiatives, and the great hospital financial hit of not reversing the cuts in place to pay for expansion are all extraordinarily troubling. To our knowledge, no proposal has been floated that would actually maintain insurance coverage that now currently exists as a result of the ACA, or that would continue the quality and delivery system improvements now underway.

Our hospitals, and the thousands of healthcare employees in the commonwealth, are on the frontline of providing some of the best healthcare in the world. Every day Americans see the importance of access to high-quality, cost-effective healthcare, and millions more are insured because of the ACA. We will work with you to ensure that affordable health coverage is sustained so that our efforts can continue to focus on the payment and delivery reforms which remain underway.

Sincerely,

LYNN NICHOLAS,
MHA President & CEO.

JANUARY 12, 2017.

Congressman JIM MCGOVERN,
Washington, DC.

DEAR CONGRESSMAN MCGOVERN: We write today on behalf of adults and children, persons with lived experience, family members, providers, and organized labor that make up the mental health and addiction disorders advocacy community to urge you to strongly oppose any major restructuring of the Medicaid program.

A study done by the Substance Abuse and Mental Health Services Administration (SAMHSA) concluded that one in five Americans experience a mental illness or addiction in any given year. The number of adults and children in the Commonwealth who need behavioral health care services is staggering. In 2015 in Massachusetts, about 4.2% of all adults aged 18 or older had a serious mental illness within the year prior to being surveyed; 46.2% of these individual did not receive any mental health treatment/counseling during that time period.

Massachusetts and the United States as a whole are in the midst of an unprecedented opioid epidemic. In Massachusetts, an estimated 1475 individuals died from January 2016 to September 2016. The first 9 months of 2016 saw a higher opioid overdose rate than the first 9 months of 2015. Nationwide, more people died from drug overdoses in 2014 than in any year on record, and the majority of drug overdose deaths (more than six out of ten) involved an opioid.

We know that recovery is possible for these individuals with effective treatment and supports, which is why preserving Medicaid funding for vital treatment services is so important.

In 2014, spending by Medicaid accounted for 25% of all mental health spending in the U.S. and 21% of all substance use disorder expenditures in the nation. People with behavioral

health conditions are nearly one-third of the ACA expansion population.

Republican proposals to drastically restructure Medicaid will shift costs onto states and enrollees, restrict access to care, and increase the number of uninsured and underinsured. The ultimate goal of re-financing Medicaid into block grants/per capita caps is to massively cut the amount of federal spending for Medicaid. According to House Speaker Paul Ryan's proposed Medicaid plan, these proposed changes would result in a total of \$1 trillion in cuts to federal Medicaid spending over the next ten years. Massachusetts would then be forced to increase state spending on the Commonwealth's Medicaid program, and/or reduce eligibility, payments to providers, or benefits.

Proponents of the block grant/per capita cap approach have argued that states would gain greater flexibility in designing and managing their Medicaid programs. However, block grants/per capita caps will not provide any greater programmatic flexibility to states than they have under current law. States currently work with CMS through the section 1115 waiver process to tailor their Medicaid program to fit the needs of their specific state.

We are especially concerned about how many of the proposals being offered by the President-Elect and Republican members of Congress will impact access to vital behavioral health services. The pressure on state Medicaid programs and the corresponding efforts to reduce funding and eligibility will put mental health and substance use disorder services at significant risk. The risk to behavioral health services is so high because Massachusetts, like the rest of the nation, is not required to cover mental health and addiction treatment services as part of our state Medicaid program.

Over the past decade, the Commonwealth of Massachusetts has implemented many reforms to improve health care delivery in the Massachusetts. Despite these efforts, access to a robust continuum of behavioral health services continues to be a challenge for individuals living with a mental health and/or addiction disorder. Any changes that result in reduced funding for Massachusetts' Medicaid program will only exacerbate this problem as Medicaid continues to be the largest payer of these services across the Commonwealth.

It is imperative that adults, children and families be able to access the services they need, when they need them, where they need them. These services should be person-centered, outcome-oriented and clinically and cost effective. Massive cuts to Medicaid funding will make the provisions of such services almost impossible.

Thank you very much for your attention to this important matter. Our organizations are available at your convenience to answer any questions you or your staff may have in relation to our letter.

Sincerely,

Vicker DiGravio III, President/CEO, Association for Behavioral Healthcare; Monica Valdes Lupi, JD, MPH, Executive Director, Boston Public Health Commission; Emily Stewart, Executive Director, Casa Esperanza; Nancy Allen Scannell, Children's Mental Health Campaign; Erin Bradley, Executive Director, Children's League; Melody Hugo, Director, Clinicians United; John McGahan, President/CEO, Gavin Foundation & Recovery Homes Collaborative; Stephen Rosenfeld, Interim Executive Director, Health Care For All; Matt Selig, Executive

Director, Health Law Advocates; David Matteodo, Executive Director, Massachusetts Association of Behavioral Health Systems; Danna Mauch, Ph.D., President/CEO, Massachusetts Association for Mental Health; Steve Walsh, President & CEO, Massachusetts Council of Community Hospitals.

Georgia Katsoulomitis, Executive Director, Massachusetts Law Reform Institute; Joseph Weeks, LMHC, President & Midge Williams, LMHC Executive Director, Massachusetts Mental Health Counselors Association; Maryanne Frangules, Executive Director, Massachusetts Organization for Addiction Recovery; Mark J. Hauser, M.D., President, Massachusetts Psychiatric Society; Mary McGeown, Executive Director, Massachusetts Society for the Prevention of Cruelty to Children; Laurie Martinelli, LICSW, NAMI Massachusetts; Carol J. Trust, LICSW, Executive Director, National Association of Social Workers—MA Chapter; Lisa Lambert, Executive Director PPAL; Michael Weeks, President & CEO, Providers Council; Peter MacKinnon, President, SEIU 509; Siva Sundaram, Student Coalition on Addiction.

UMASS MEMORIAL
COMMUNITY HEALTHLINK,

January 10, 2017.

Attn: JENNIFER CHANDLER, Chief of Staff,
Hon. Representative JIM MCGOVERN,
Washington, DC.

DEAR REPRESENTATIVE MCGOVERN: On behalf of Community Healthlink located in Worcester, Leominster and Fitchburg Massachusetts, I am writing today to urge and request your support in protecting the Affordable Care Act and preserving Medicaid expansion in the 115th Congress.

We provide care to approximately 20,000 of the Commonwealth's most vulnerable individuals. We deliver outpatient mental health and substance abuse services, residential programs for those with mental illness and addiction, detoxification and stabilization services, emergency services for Worcester and North Central Massachusetts, for youth and adults. We also provide primary care for a significant number of adults in addition to services for the homeless in Worcester. The vast majority of our patients are Medicaid eligible and many of the adults are disabled due to mental illness. Though Massachusetts lead the way with covering all of its citizens, at this point the ACA provides a good deal of the funding that we need to continue to provide this near universal coverage.

Recent health insurance data show that Americans with mental health and substance use disorders are the single largest beneficiaries of the Affordable Care Act's Medicaid expansion. Approximately one in three people who receive health insurance coverage through the Medicaid expansion either have a mental illness, substance use disorder or both simultaneously. By repealing the Medicaid expansion, this population of vulnerable American would be left without access to lifesaving treatment, driving up costs in emergency room visits and hospital stays.

Moreover, I am writing to urge your support for the protection of the Medicaid program from proposals to restructure Medicaid as a block grant or capped program. These proposals would reduce federal investment in Medicaid and leave millions of Americans without access to needed mental health and addictions treatment in our state and communities. Please work with your colleagues to protect our nation's most vulnerable patient population and preserve their access to treatment.

Thank you for your continued support. I would be honored to help you in any way possible.

Sincerely,

MARIE HOBART, MD,
Chief Medical Officer,
Community
Healthlink Clinical
Associate Professor
of Psychiatry Uni-
versity of Massachu-
setts Medical School.

Mr. MCGOVERN. Mr. Speaker, I urge all my colleagues to vote "no" on the previous question, and that would allow us to vote on an amendment by Mr. POCAN which would create a point of order against any legislation that would cut the benefits under Social Security, Medicare or Medicaid, or attempts to privatize Social Security.

So if you want to protect those programs, and if you are against privatizing Social Security, then vote against the previous question so we can bring this up.

Finally, Mr. Speaker, let me just say that this is a sad day because what we are doing here by voting for this budget is setting in motion a process to deny millions of people healthcare protections. I can't imagine why anybody would want to do that.

Is the Affordable Care Act perfect? No, and we are the first to admit it. We want to work in a bipartisan way to strengthen it, to make it better, and to make it less onerous on certain businesses. But my colleagues don't want to do that. They are determined just to vote for an outright repeal, and that is going to hurt countless people in this country, people who have now benefited from no preexisting conditions, people who have benefited from allowing their kids to stay on their insurance until they are 26, and senior citizens who have benefited from closing the doughnut hole. I could go on and on and on. All of that is about to be eliminated.

We are told that there will be replacement someday, somehow. For 6 years—over 6 years—you have been talking about repealing the Affordable Care Act and a replacement, and you haven't brought one bill to the floor—not one.

Now, we believe that health care ought to be a right; I know you don't. We believe that healthcare protections ought to be in law; you believe they ought to be up to the insurance company. But this is a lousy thing to do. As I said in my opening statement, we are going to fight you on this. This is a fight worth having. Protecting people's health care is something that we all should be dedicated to, and we're going to fight you on this.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I am fond of telling folks back home, Mr. Speaker, when they tell me they know exactly what is going to happen over the next 2 years, that I don't think they are telling me the truth. Because I confess to you, I have absolutely no idea what is coming over these next 2 years. I think these next 2 years are going to be unlike any we have seen in the history of self-governance in this land; and, candidly, I am excited about that because the status quo isn't working for the 700,000 people that I represent.

I don't know what's going to happen over these next 2 years, but I believe that, for the first time, we are going to grapple with some really, really, really hard problems that folks on both sides of the aisle have been ignoring for too long.

Mr. Speaker, I don't question the commitment of my friends on the other side of the aisle to the American people. I question the legislation that they use to deliver it. You heard my friend from Oklahoma talk about premiums going up 67 percent for his constituents. That is indefensible. It is not okay. We can do better, and, with the passage of this budget resolution, we will have the tools to do that. I say again, the law will be the same tomorrow as it is today, but we will have the tools to grapple with these problems.

Eight million Americans were so failed by the Affordable Care Act that they paid a tax penalty instead of accessing care. That is not okay. I don't believe a single Member on the other side of the aisle decided they just wanted to tax young people instead of provide young people with quality care. This budget will give us the opportunity to have the tools to fix that problem.

Billions of dollars, Mr. Speaker, have gone into State-based co-ops that have failed, gone bankrupt, and terminated all of their plans which not only ripped health care out from under the American people, Mr. Speaker, but threw billions of dollars away in administrative costs at the same time. That is not okay. That is indefensible. We can do better. Passing this budget resolution will give us those tools.

Mr. Speaker, I made a commitment in the Rules Committee last night to do everything I could to stop poisoning the well of public discourse. Then I reupped for the Rules Committee, and I realized that is going to be a tough promise to fulfill. We have difficult work to do, and we are passionate about the quality of that work.

But, Mr. Speaker, we all know the status quo has failed. We all know that we have the opportunity to deliver, and we all know that a vote of "yes" on this budget resolution will give us more tools to deliver that success than we have today. We need to do this. We need to celebrate doing this.

Mr. Speaker, I ask my colleagues to support the rule and support the two

underlying measures that it will bring to the floor.

Mr. ELLISON. Mr. Speaker, we are voting on a Budget Resolution later today that makes it possible to take away health coverage from tens of millions of people.

But the Democrats know that this is just the beginning.

Congressional Republicans have started their plans to not just repeal the Affordable Care Act, but to gut Medicare, Medicaid and Social Security.

Republican proposals would threaten nursing home coverage for millions of seniors, undermine comprehensive health care for children by cutting Medicaid, and slash benefits earned after years of hard work.

The CPC and Congressional Democrats will not stand for this. That is why we introduced an amendment that would ensure the Budget Resolution we are voting on today or any future bill can't be used to cut benefits from Social Security, Medicare or Medicaid, increase the retirement age for these benefits, or privatize Social Security.

But, the majority is not allowing debate or a vote on our amendment.

This sends a clear message: Congressional Republicans are willing to put the lives and futures of millions of children, seniors and working families at risk.

It also puts them on the wrong side of history. Cutting Medicare, Medicaid and Social Security is not what the American people want.

President-elect Trump has promised several times that he will not support cuts to these important programs that help millions of Americans make ends meet.

This leaves Congressional Republicans in a tough spot. Whose side are they on?

Will they commit to protecting hard-working Americans? Will they protect America's children? Seniors? What about people with disabilities?

Or, will they yet again cut the benefits of working people so they can give tax breaks to big corporations?

The Congressional Progressive Caucus and House Democrats will not back down. We will oppose any cuts to Medicare, Medicaid, and Social Security.

I urge my colleagues to vote no and defeat the previous question so we can bring up the CPC amendment to block the House GOP from cutting Medicare, Medicaid and Social Security.

Will House Republicans stand with us?

Today, 55 million older people and people with disabilities have health care because of Medicare.

82 percent of Americans—including 74 percent of Republicans, 88 percent of Democrats and 83 percent of independents—agree it is critical to preserve Social Security for future generations even if it means increasing Social Security taxes paid by working Americans.

In 2015, 11 million Americans became newly eligible for Medicaid thanks to Medicaid expansion.

If Republicans repeal the ACA, at least 11 million people's Medicaid coverage will be at risk.

The House Republican budget plan for fiscal year 2017 would have cut federal Medicaid

funding by \$1 trillion—or nearly 25 percent—over ten years. That is in addition to ending Medicaid expansion.

The Urban Institute estimated that the 2012 Ryan proposal would lead states to drop between 14.3 million and 20.5 million people from Medicaid by the tenth year, in addition to the effects of repealing health reform's Medicaid expansion.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 48 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 3. Notwithstanding any other provision of this resolution, following general debate on Senate Concurrent Resolution 3 and prior to consideration of the amendment printed in the report of the Committee on Rules accompanying this resolution, the amendment specified in section 4 shall be in order if offered by Representative Pocan of Wisconsin or a designee. Such amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendment are waived.

SEC. 4. The amendment referred to in section 3 is as follows:

At the end of the concurrent resolution, add the following:

SEC. ____ POINT OF ORDER AGAINST LEGISLATION THAT WOULD BREAK DONALD TRUMP'S PROMISE NOT TO CUT SOCIAL SECURITY, MEDICARE, OR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) result in a reduction of guaranteed benefits scheduled under title II of the Social Security Act (42 U.S.C. 401 et seq.);

(2) increase either the early or full retirement age for the benefits described in paragraph (1);

(3) privatize Social Security;

(4) result in a reduction of guaranteed benefits for individuals entitled to, or enrolled for, benefits under the Medicare program under title XVIII of 18 such Act (42 U.S.C. 1395 et seq.); or

(5) result in a reduction of benefits or eligibility for individuals enrolled in, or eligible to receive medical assistance through, a State Medicaid plan or waiver under title XIX of such Act (42 U.S.C. 1396 5 et seq.).

(b) WAIVER AND APPEAL IN THE SENATE.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(c) WAIVER IN THE HOUSE.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of subsection (a). As disposition of a point of order under this subsection, the Chair shall put the question of consideration with respect to the rule or order, as applicable. The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes

by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 234, nays 179, not voting 21, as follows:

[Roll No. 55]

YEAS—234

Abraham	Farenthold	Loudermilk
Aderholt	Faso	Love
Allen	Ferguson	Lucas
Amash	Fitzpatrick	Luetkemeyer
Amodei	Fleischmann	MacArthur
Arrington	Flores	Marchant
Babin	Fortenberry	Marino
Bacon	Fox	Marshall
Banks (IN)	Franks (AZ)	Massie
Barletta	Frelinghuysen	Mast
Barr	Gaetz	McCarthy
Barton	Gallagher	McCauley
Bergman	Garrett	McClintock
Beutler	Gibbs	McHenry
Biggs	Gohmert	McKinley
Bilirakis	Goodlatte	McMorris
Bishop (MI)	Gosar	Rodgers
Bishop (UT)	Gowdy	McSally
Black	Granger	Meadows
Blackburn	Graves (GA)	Meehan
Blum	Graves (LA)	Messer
Bost	Graves (MO)	Mitchell
Brady (TX)	Griffith	Moolenaar
Brat	Grothman	Mooney (WV)
Bridenstine	Guthrie	Mullin
Brooks (AL)	Harper	Murphy (PA)
Brooks (IN)	Harris	Newhouse
Buchanan	Hartzer	Noem
Buck	Hensarling	Nunes
Bucshon	Hice, Jody B.	Olson
Budd	Higgins (LA)	Palazzo
Burgess	Hill	Palmer
Byrne	Holding	Paulsen
Calvert	Hollingsworth	Pearce
Carter (GA)	Hudson	Perry
Carter (TX)	Huizenga	Pittenger
Chabot	Hultgren	Poe (TX)
Chaffetz	Hunter	Poliquin
Cheney	Hurd	Posey
Coffman	Issa	Ratcliffe
Cole	Jenkins (KS)	Reed
Collins (GA)	Jenkins (WV)	Reichert
Collins (NY)	Johnson (LA)	Renacci
Comer	Johnson (OH)	Rice (SC)
Comstock	Johnson, Sam	Roby
Conaway	Jones	Roe (TN)
Cook	Jordan	Rogers (AL)
Costello (PA)	Joyce (OH)	Rogers (KY)
Cramer	Katko	Rohrabacher
Crawford	Kelly (MS)	Rokita
Culberson	Kelly (PA)	Rooney, Francis
Curbelo (FL)	King (IA)	Rooney, Thomas
Davidson	King (NY)	J.
Davis, Rodney	Kinzinger	Ros-Lehtinen
Denham	Knight	Roskam
Dent	Kustoff (TN)	Ross
DeSantis	Labrador	Rothfus
DesJarlais	LaHood	Rouzer
Diaz-Balart	LaMalfa	Royce (CA)
Donovan	Lamborn	Russell
Duffy	Lance	Sanford
Duncan (SC)	Latta	Scalise
Duncan (TN)	Lewis (MN)	Schweikert
Dunn	LoBiondo	Scott, Austin
Emmer	Long	Sensenbrenner

Sessions	Thompson (PA)
Shimkus	Thornberry
Shuster	Tiberi
Simpson	Tipton
Smith (MO)	Trott
Smith (NE)	Turner
Smith (NJ)	Upton
Smith (TX)	Valadao
Smucker	Wagner
Stefanik	Walberg
Stewart	Walden
Stivers	Walker
Taylor	Walorski
Tenney	Walters, Mimi

Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Zeldin

NAYS—179

Adams	Fudge	Neal
Aguilar	Gabbard	Nolan
Barragan	Gallego	Norcross
Bass	Garamendi	O'Halleran
Beatty	Gonzalez (TX)	O'Rourke
Becerra	Gottheimer	Pallone
Bera	Green, Al	Panetta
Beyer	Green, Gene	Pascrell
Bishop (GA)	Grijalva	Payne
Blumenauer	Gutiérrez	Perlmutter
Blunt Rochester	Hanabusa	Peters
Bonamici	Hastings	Peterson
Boyle, Brendan	Heck	Pingree
F.	Higgins (NY)	Pocan
Brady (PA)	Himes	Polis
Brown (MD)	Hoyer	Price (NC)
Brownley (CA)	Jackson Lee	Quigley
Bustos	Jayapal	Raskin
Butterfield	Jeffries	Rice (NY)
Capuano	Johnson, E. B.	Richmond
Carbajal	Kaptur	Rosen
Cárdenas	Kelly (IL)	Royal-Allard
Carson (IN)	Kennedy	Ruiz
Cartwright	Khanna	Ruppersberger
Castor (FL)	Kihuen	Ryan (OH)
Castro (TX)	Kildee	Sánchez
Chu, Judy	Kilmer	Sarbantes
Ciçilline	Kind	Schakowsky
Clark (MA)	Krishnamoorthi	Schiff
Clarke (NY)	Kuster (NH)	Schneider
Clay	Langevin	Schrader
Cleaver	Larsen (WA)	Scott (VA)
Clyburn	Larson (CT)	Scott, David
Cohen	Lawrence	Serrano
Connolly	Lawson (FL)	Sewell (AL)
Conyers	Lee	Shea-Porter
Cooper	Levin	Sherman
Correa	Lewis (GA)	Sinema
Courtney	Lieu, Ted	Sires
Cuellar	Lipinski	Slaughter
Cummings	Loeb sack	Smith (WA)
Davis (CA)	Lofgren	Soto
Davis, Danny	Lowenthal	Speier
DeFazio	Lowey	Swalwell (CA)
DeGette	Lujan Grisham,	Takano
Delaney	M.	Thompson (CA)
DeLauro	Luján, Ben Ray	Thompson (MS)
DelBene	Lynch	Titus
Demings	Maloney	Tonko
DeSaulnier	Carolyn B.	Torres
Deutch	Maloney, Sean	Tsongas
Dingell	Matsui	Vargas
Doggett	McCollum	Veasey
Doyle, Michael	McEachin	Vela
F.	McGovern	Velázquez
Ellison	McNerney	Visclosky
Engel	Meng	Walz
Eshoo	Moulton	Watson Coleman
Espallat	Murphy (FL)	Welch
Esty	Nadler	Wilson (FL)
Foster	Napolitano	Yarmuth

NOT VOTING—21

Costa	Meeks	Suozi
Crist	Moore	Wasserman
Crowley	Mulvaney	Schultz
Evans	Pelosi	Waters, Maxine
Frankel (FL)	Pompeo	Young (AK)
Huffman	Price, Tom (GA)	Zinke
Johnson (GA)	Rush	
Keating	Rutherford	

□ 1047

Messrs. DOGGETT and CLYBURN changed their vote from "yea" to "nay."

Messrs. BRADY of Texas, SMITH of New Jersey, and JORDAN changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 188, not voting 11, as follows:

[Roll No. 56]

AYES—235

Abraham	Faso	Lucas
Aderholt	Ferguson	Luetkemeyer
Allen	Fitzpatrick	MacArthur
Amash	Fleischmann	Marchant
Amodei	Flores	Marino
Arrington	Fortenberry	Marshall
Babin	Fox	Massie
Bacon	Franks (AZ)	Mast
Banks (IN)	Frelinghuysen	McCarthy
Barletta	Gaetz	McCaul
Barr	Gallagher	McClintock
Barton	Garrett	McHenry
Bergman	Gibbs	McKinley
Beutler	Gohmert	McMorris
Biggs	Goodlatte	Rodgers
Bilirakis	Gosar	McSally
Bishop (MI)	Gowdy	Meadows
Bishop (UT)	Granger	Meehan
Black	Graves (GA)	Messer
Blackburn	Graves (LA)	Mitchell
Blum	Graves (MO)	Moolenaar
Bost	Griffith	Mooney (WV)
Brady (TX)	Grothman	Mullin
Brat	Guthrie	Murphy (PA)
Bridenstine	Harper	Newhouse
Brooks (AL)	Harris	Noem
Brooks (IN)	Hartzler	Nunes
Buchanan	Hensarling	Olson
Buck	Hice, Jody B.	Palazzo
Bucshon	Higgins (LA)	Palmer
Budd	Hill	Paulsen
Burgess	Holding	Pearce
Byrne	Hollingsworth	Perry
Calvert	Hudson	Pittenger
Carter (GA)	Huizenga	Poe (TX)
Carter (TX)	Hultgren	Poliquin
Chabot	Hunter	Posey
Chaffetz	Hurd	Ratcliffe
Cheney	Issa	Reed
Coffman	Jenkins (KS)	Reichert
Cole	Jenkins (WV)	Renacci
Collins (GA)	Johnson (LA)	Rice (SC)
Collins (NY)	Johnson (OH)	Roby
Comer	Johnson, Sam	Roe (TN)
Comstock	Jones	Rogers (AL)
Conaway	Jordan	Rogers (KY)
Cook	Joyce (OH)	Rohrabacher
Costello (PA)	Katko	Rokita
Cramer	Kelly (MS)	Rooney, Francis
Crawford	Kelly (PA)	Rooney, Thomas
Culberson	King (IA)	J.
Curbelo (FL)	King (NY)	Ros-Lehtinen
Davidson	Kinzinger	Roskam
Davis, Rodney	Knight	Ross
Denham	Kustoff (TN)	Rothfus
Dent	Labrador	Rouzer
DeSantis	LaHood	Royce (CA)
DesJarlais	LaMalfa	Russell
Diaz-Balart	Lamborn	Sanford
Donovan	Lance	Scalise
Duffy	Latta	Schweikert
Duncan (SC)	Lewis (MN)	Scott, Austin
Duncan (TN)	LoBiondo	Sensenbrenner
Dunn	Long	Sessions
Emmer	Loudermilk	Shimkus
Farenthold	Love	Shuster

Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry

Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)

Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—188

Adams
Aguilar
Barragan
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Corbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Fudge
Crowley
Frankel (FL)
Huffman
Mulvaney

Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Pelosi
Pompeo
Price, Tom (GA)
Rush

NOT VOTING—11

□ 1053

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SUOZZI. Mr. Speaker, I was not able to vote during the following rollcall votes. Had I been present, I would have voted in the following manner. On vote roll No. 55, I would have voted “nay.” On vote roll No. 56, I would have voted “nay.”

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017

GENERAL LEAVE

Mrs. BLACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. Con. Res. 3.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 48 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution, S. Con. Res. 3.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

□ 1057

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026, with Mr. HULTGREN in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIR. Pursuant to the rule, the concurrent resolution is considered read the first time.

General debate shall not exceed 2 hours, with 90 minutes confined to the congressional budget, equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, and 30 minutes on the subject of economic goals and policies, equally divided and controlled by the gentleman from Ohio (Mr. TIBERI) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), or their designees.

The gentlewoman from Tennessee (Mrs. BLACK) and the gentleman from Kentucky (Mr. YARMUTH) each will control 45 minutes of debate on the congressional budget.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to inform my colleagues that I intend to reserve

5 minutes of debate time to use after the Joint Economic Committee debate has concluded.

Mr. Chairman, I rise today to speak on behalf of Americans everywhere who are hurting because of ObamaCare. They are calling out for relief from this disastrous law, and Republicans are here today to begin delivering on our promise to provide relief.

We hear plenty of claims from the other side of the aisle during this debate, but let's be clear: ObamaCare has failed and it is only going to get worse.

□ 1100

Patients have seen skyrocketing premiums and deductibles, lost access to the doctors they preferred, had fewer coverage options, while others have had their plans canceled outright. It is no wonder so many people have rejected this law.

In 2015, roughly 8 million Americans paid the ObamaCare penalty, and more than 12 million Americans claimed an exemption from the penalty. That is 20 million Americans. What does that say about this law that 20 million Americans want nothing to do with it, many preferring to pay a penalty rather than to be subjected to its higher costs and fewer choices? If you ask me, it is strong evidence that the American people are tired of paying more and getting less.

Of course, the destruction that ObamaCare has caused extends beyond discouraging individuals to purchase coverage. It has been a direct attack on those who had insurance already.

In my home State of Tennessee, 28,000 people lost coverage on a single day when the CoverTN program lapsed after the Obama administration decreed that it ran afoul of the Federal Government's top-down requirements. Now premiums in our State are rising by an average of 63 percent, and three-quarters of our counties only have one coverage option to choose from on the ObamaCare exchange.

In five other States around the country—Alabama, Alaska, Oklahoma, South Carolina, and Wyoming—patients only have one insurer in the marketplace to choose from. That makes it pretty difficult for someone to find a plan that meets their unique needs or that of their family.

President Obama promised that this law would lower premiums by \$2,500 per year for the average family. The exact opposite has happened. Average family premiums have gone up by \$4,300, and deductibles have gone up by 60 percent. This is hitting hardworking Americans, many of whom are already struggling to make ends meet.

Folks in Tennessee and all across the country are spending more and more money on their health insurance because of ObamaCare, when they would rather be saving for a new house or for their children's college. The last thing

working men and women need right now is the Federal Government making their life harder with more expensive health insurance by continuing to support this failed law.

That is why we are here today. The Senate successfully passed this resolution yesterday, and now it is time for the House to deliver on our promise, by kick-starting the reconciliation process so that we can repeal ObamaCare and provide relief for the folks who are hurting because of this law.

While our friends on the other side of the aisle always claim that Republicans have no ideas or no plans to replace ObamaCare, that simply isn't true, and they know it. I have with me here today a few examples, including A Better Way, the 37-page proposal that will provide access to care for all Americans and increase choice and competition.

I would like to also reference that PETE SESSIONS has a healthcare bill that he has filed. The RSC, with PHIL ROE, has a replacement bill that has been filed. PAUL RYAN filed a bill right after the passage of ObamaCare. We also have TOM PRICE's replacement bill that is here. All of these documents are here and available for people to look at and to also find online, as well as A Better Way that we have put out from our Conference.

I urge my colleagues to vote "yes" on this resolution to begin the process of repealing ObamaCare and paving the way for patient-centered reforms.

Mr. Chair, I reserve the balance of my time.

Mr. YARMUTH. Mr. Chairman, I yield myself such time as I may consume.

I would like to remind my colleague that her vote today to repeal the Affordable Care Act will result in 266,000 people from her State of Tennessee losing their healthcare coverage, 57,000 workers losing their jobs, and an economic loss of \$34.2 billion in gross State product for the State of Tennessee over 5 years.

The so-called budget before us was drafted by Republicans for the sole purpose of repealing the Affordable Care Act and defunding Planned Parenthood by a simple majority in the Senate. It squanders the opportunity to start this new Congress working together to address the concerns and priorities of the American people in a constructive and bipartisan manner.

The Affordable Care Act is making an incredible difference across my home State of Kentucky, as in many other places. With our expansion of Medicaid and the success of our State marketplace, Kynect, more than half a million Kentuckians in a State of 4 million have gained quality, affordable coverage. In Louisville alone, the uninsured rate dropped 81 percent.

In a State with tremendous health needs, we are a national model of ACA

success. Even our Republican Senator, RAND PAUL, and our Republican Governor, Matt Bevin, who are vehemently opposed to the law, know we can't go back to where we were before the ACA. They now acknowledge that Republicans in Congress should not repeal the Affordable Care Act without immediately replacing it.

Much of the debate about the ACA focuses on the 20 million newly insured individuals, but the law has done much more than that. Millions of seniors on Medicare have saved on prescription drug coverage. For people on their employer's plan, out-of-pocket costs are capped, and lifetime limits are gone. If you are one of the 129 million Americans with a preexisting condition, you currently have the peace of mind of knowing that you can always get coverage if you lose your job, change your job, or start your own business.

Let me tell you about Steve Riggert, my constituent who recently wrote to me. When Steve's daughter Anna was 12, she was diagnosed with chronic pancreatitis, a rare disease for a child. This is Anna. Over the next 3 years, she was hospitalized 15 times. Despite their best efforts and prayers, transplant surgery did not achieve success. She has struggled with diabetes and complications. At age 22, she has been hospitalized 26 times for various reasons.

From the beginning, Steve knew that Anna's preexisting condition would make getting medical coverage difficult. So far, he has been able to cover her medical bills through his employer plan. When the ACA was passed, he was immensely relieved that Anna could always get coverage even though she has had a serious preexisting medical condition.

But the Republican plan to repeal the ACA has now left Steve feeling—and these are his words—helpless, petrified, and, literally, losing sleep. At age 64 and recently diagnosed with pancreatic cancer, he fears for how much he can support her. To quote his letter: "Repeal of all aspects of the Affordable Care Act would place everything I have worked for and those I care about in jeopardy."

Mr. Chairman, I am here today to fight for Steve, for Anna, and for all the Americans across the country who are begging you not to take away their health care. Repealing the Affordable Care Act without a replacement will cause chaos. Nearly 30 million people would lose coverage, including more than 4 million kids. Any consumers left in the individual market are likely to face higher premiums and fewer choices as insurers exit the system.

It has been nearly 7 years since the Affordable Care Act was signed into law, and Republicans still do not have a viable plan to replace it, period. Republican Conference Chair CATHY MCMORRIS RODGERS said this week that the Republican replacement plan will

guarantee “no one who has coverage today because of ObamaCare will lose that coverage.”

We are waiting for that plan because none of the bills Republicans will wave from that podium today meet that standard or has the support of the majority of their Conference. Democrats offered a number of amendments to this budget to protect the ACA and make it reflect the priorities of American families. We owe the millions of people who are deeply concerned about this process nothing less. Unfortunately, Republicans refuse to allow a vote on a single one.

Putting American families and our Nation’s healthcare system at risk is irresponsible. I, therefore, urge my colleagues to oppose the Republican budget. The American people deserve better. Anna deserves better. Her father and her family deserve better.

Mr. Chairman, I reserve the balance of my time.

Mrs. BLACK. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. ROKITA), one of my classmates and also the vice chair of the Committee on the Budget.

Mr. ROKITA. Mr. Chair, I thank the chairwoman for yielding the time. It is a pleasure to continue our work together on this very important issue.

It has taken us 6 years to get to today, the first real step in repealing what is one of the most insidious laws that ever came out of these Chambers—insidious because it was built on lies. Remember “You can keep your doctor if you want to,” “You can keep your plan if you want to”? Lies. Remember when premiums were to go down because this, of course, Mr. Chairman, was the Affordable Care Act? Lies.

The gentleman from Kentucky made some assertions just a while ago. I want to take a look at the State of Kentucky itself. Four plans left the ObamaCare exchange at the end of 2016 in the State of Kentucky. Of the remaining plans, each increased their premiums by double digits: 22.9 percent, 29.3 percent, and 33.7 percent, respectively, for 2017. And Kentucky’s exchange enrollment decreased by 12 percent.

How, Mr. Chairman, is this helping people?

Look, if we didn’t care about people, we could stand by and watch this failed plan, this insidious law continue to implode, continue to hurt people. Instead, we stand here ready to erase the foundation that this law was based on and put forth a better one, one that doesn’t leave anyone behind, one that is based on market-driven, consumer-driven, patient-driven needs and expectations and allows them to, for example, keep their job.

What do I mean by that, Mr. Chairman? Consider this. Not only do we have bad healthcare outcomes as a re-

sult of this insidious law, people are losing work. They are being robbed of their dignity to work. Since ObamaCare, 21 percent of businesses are reducing the number of employees, their wages and salaries and their benefits, including their retirement benefits.

So this insidious law is not only having detrimental implications on our health care and people’s health, but it is taking away the very dignity that they have to work.

It is also spelling the death of health savings accounts, proven over the last several years to be part of the solution to consumer-driven health care. The idea that you can save for your healthcare expenses, with or without the government’s help, so that you can make value decisions as to your health care without government interference. It leads to better patient outcomes. It leads to freedom to make healthcare decisions absent the oversight of the government. ObamaCare all but outlawed health savings accounts. I think health savings accounts are probably in every one of those different plans the chairwoman pointed out.

So we are offering a replacement. We are offering solutions. We are offering a better way.

Mr. YARMUTH. Mr. Chairman, I would like to thank my colleague for the shout-out to Kentucky. He neglected to mention that our Governor, Republican Governor, who was elected in 2015 has done virtually everything he could over the last year to sabotage the Affordable Care Act, including dismantling our incredibly successful Kynect exchange, and that is one of the reasons why some of the enrollments declined, because he has made it harder for people to enroll.

I would remind my friend, also, that his vote today to repeal the Affordable Care Act will result in 339,000 people from his State of Indiana losing their healthcare coverage, 55,000 workers losing their jobs, and an economic loss of \$30.4 billion in gross State product over 5 years in Indiana.

I now yield to the gentleman from Texas (Mr. GENE GREEN) for a unanimous consent request.

Mr. GENE GREEN of Texas. Mr. Chairman, I oppose the Republican resolution and support the Democratic resolution. We shouldn’t deal with affordable care without a solution. Just don’t repeal. Let’s see what the replacement is so we don’t, as Kentucky would say, buy a pig in a poke.

Mr. Chair, I rise in opposition to S. Con. Res. 3, the FY 2017 Budget Resolution, the next step in the process of repealing essential coverage and patient protections established by the Affordable Care Act.

Moving forward with implementing the GOP’s devastating ACA repeal plan will lead to massive losses of coverage and consumer protections for people enrolled in insurance and in the Medicaid program.

It will hamper the movement towards value-based payment reforms, burden seniors with higher out-of-pocket costs on their prescription drugs, and undermine prevention and wellness initiatives.

Repealing the ACA will leave every state with big increases in the uninsured rate and higher uncompensated care costs, and threatens coverage for people with pre-existing conditions.

Charging forward without even agreeing on a replacement plan is a blatant abdication of the responsibilities we have as representatives of the American people.

The effects of doing so are not abstract. People are going to get hurt in very real ways.

The American people deserve to know how Republicans plan to avoid the devastating consequences of ACA repeal, which include millions losing coverage, chaos in the insurance markets, hospitals and states losing billions of dollars and a hit to our economy.

In addition, the FY17 Budget Resolution shamelessly prioritizes politics over patients by proposing to defund Planned Parenthood.

Denying patients the quality care—including breast exams, contraception, and preventive and primary care services—will only exacerbate the pain felt from coverage losses for the 2.5 million patients who depend on Planned Parenthood each year for care.

The Resolution is bad for patients, budgets, and will upend our health care system.

It fails the test of sensible policymaking.

The lack of any details on the ACA replacement Republicans say they will enact fails the test of sensible policymaking: having the key information before voting.

We should be taking steps to amend, not upend, the law.

I urge my colleagues to abandon this collision course and stop working against the American people.

We should not be “Making America Sick Again.”

Mr. YARMUTH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington (Ms. DELBENE), a distinguished member of the Committee on the Budget.

Ms. DELBENE. Mr. Chairman, I rise in strong opposition to this reckless budget resolution. Congress had an opportunity to start on a bipartisan note, to work on creating jobs, building an economy that works for everyone, and investing in our infrastructure. Instead, House Republicans are ringing in the new year by repealing the Affordable Care Act, stripping more than 20 million people of their health insurance. What is worse, there is still no plan for what comes next, threatening massive disruption to the entire healthcare system.

I offered a number of amendments to this legislation, none of which were allowed a vote today. My amendments would have stopped this dangerous process from moving forward if the Republican budget reduces access to treatment for those suffering from addiction, reduces access to health care in rural areas, forces seniors to pay more for care, or privatizes Medicare. I

also cosponsored an amendment by Congresswoman LEE to protect women's access to reproductive health and family planning services.

□ 1115

Apparently, the majority is not concerned with these issues. Before the ACA, the situation was unacceptable. It was a time when people went bankrupt because they got sick, when individuals with preexisting medical conditions found it virtually impossible to obtain affordable coverage.

But now, more than 120 million Americans with preexisting conditions are no longer denied coverage, and young adults can stay on their parents' plans until they are 26.

Over 10 million seniors have received help with their prescription drug payments, and all insurance plans are required to cover preventative services with no copayments.

Rather than focusing on common-sense reforms to strengthen the ACA, Republicans want to eliminate vital lifesaving policy with no plan for what comes next. I strongly urge a "no" vote.

Mrs. BLACK. Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON), one of my classmates from the 2010 class, and a member of the Budget Committee.

Mr. JOHNSON of Ohio. Mr. Chair, it is amazing to me now that some of our colleagues on the other side of the aisle are calling to see the replacement before the repeal. What irony that is when—at that time the Speaker—the leader of their party, said: let's pass this law so we can see what is in it.

Well, the American people saw what is in it, and they don't like it. It is broken. It needs to be fixed.

The American people deserve a stable transition to a patient-centered healthcare system that gives them access to high-quality, affordable health care.

It has got to be done thoughtfully and carefully as it will impact millions—because I agree with my colleagues that it is going to impact millions. But it is going to positively impact millions if we do it right. And we will.

The only way to accomplish it in this current environment, the only way to accomplish the repeal of ObamaCare, is through the budget reconciliation process. And so this budget resolution that we are going to be considering today is simply a requirement, the triggering mechanism for the reconciliation process.

We are going to get to the fiscal year 2018 budget, a budget that balances, a budget that puts us on a path of fiscal sustainability, but this resolution essentially fires the starting pistol. Mr. Chairman, for repeal of ObamaCare, which has failed the American people.

We will be addressing the spending levels for the future in the fiscal year 2018 budget. This is something the American people have demanded, and now Republicans are going to deliver on it.

Mr. YARMUTH. Mr. Chairman, I remind my colleague that his vote today to repeal the Affordable Care Act will result in 664,000 people from his State of Ohio losing their healthcare coverage; 126,000 workers losing their jobs; and an economic loss of \$69.5 billion in gross State product for the State of Ohio. Ohio's Republican Governor is begging us not to repeal the Affordable Care Act.

Mr. Chairman, I now yield 1 minute to the gentleman from Illinois (Mr. KRISHNAMOORTHY), a distinguished member of the Education and the Workforce Committee.

Mr. KRISHNAMOORTHY. Mr. Chairman, I am Congressman RAJA KRISHNAMOORTHY, and I represent the hardworking families of Chicago's west and northwest suburbs.

I rise today in strong opposition to S. Con. Res. 3.

Repealing without replacing the Affordable Care Act at the same time would devastate our economy and harm millions of middle class families. Within the Eighth District of Illinois alone, we could lose upwards of \$550 million from our economy, and over 4,000 jobs.

Before joining Congress, I ran small businesses in the Chicago area in the national security and technology sectors. I know firsthand how important health coverage is to our workers and to our businesses. Without the protections of the ACA, we will see fewer entrepreneurs take the risk of starting a business and fewer workers taking the risk of working for a startup.

Middle class and working families need good-paying jobs and affordable health care. And, unfortunately, the bill before us today would rob them of both.

Mrs. BLACK. Mr. Chairman, I do want to make reference to Ranking Member YARMUTH's information on the Commonwealth fund. I want to note that that report that was reported out does not take into account that Republicans do have a plan. It also does not take into account that the repeal of the taxes would put money back into the economy and boost the economy.

I yield 1 minute to the gentleman from Minnesota (Mr. LEWIS), a freshman and one of the newest members of the Budget Committee.

Mr. LEWIS of Minnesota. Mr. Chairman, today, I join many of my colleagues in taking the first steps to repeal and replace ObamaCare.

My home State of Minnesota has been hit especially hard by this law. Minnesotans have seen their health insurance choices shrink, while their premiums, copays, and deductibles skyrocket. I should know.

For the last, in fact, over 5 years, I have been in the individual market and my own insurance premiums have nearly tripled, and I have gone through three insurers.

Minnesotans have seen a 50 to 67 percent increase in the premium costs this year alone. That is the fourth highest increase in the country.

As Democratic Governor Mark Dayton of Minnesota stated: ". . . the Affordable Care Act is no longer affordable. . . ."

In fact, politicians in Minnesota are looking for waivers from the Affordable Care Act; not more of it. The other side likes to talk about healthcare access. Mr. Chairman, I would argue that the single biggest obstacle to healthcare access right now is the Affordable Care Act. It is not sustainable.

It is time to repeal this failed legislation and replace it with meaningful reforms that empower consumers, expand choice, and increase affordability.

I urge my colleagues to support this resolution, so all Minnesotans and all Americans can have access to affordable and portable health care.

Mr. YARMUTH. Mr. Chairman, I remind my colleague that his vote today to repeal the Affordable Care Act will result in 250,000 people from his State of Minnesota losing their healthcare coverage; 53,000 workers losing their jobs; and an economic loss of \$32.9 billion in gross State product over 5 years.

Mr. Chairman, it now gives me great pleasure to yield 1 minute to the gentleman from California (Mr. THOMPSON), a distinguished member of the Ways and Means Committee.

Mr. THOMPSON of California. Mr. Chair, I rise in opposition to repeal of the Affordable Care Act.

For 7 years, all we have heard from the Republicans regarding health care is repeal and replace.

After 7 years and more than 60 votes, they still have not come up with the replace. This isn't just a talking point. This is literally a matter of life and death for people.

Raymond, from Napa in my district, was diagnosed with stage III renal cancer in 1996. His premiums rose year after year until we passed the ACA.

Before the ACA, Raymond worried about losing his insurance because of his preexisting condition. In fact, his cancer returned in 2014, but, thanks to the ACA, he got the treatment he needed.

What are Republicans going to do for Raymond if they repeal the ACA and his premiums go up, or his insurance drops him because he had cancer over 20 years ago, or he hits his lifetime cap on coverage?

Republicans need to ask themselves if they are willing to return Americans like Raymond to a time when the care they needed was always beyond their grasp.

I am not saying that it is perfect, but we need to keep it. It also kills 3 million jobs.

Mrs. BLACK. Mr. Chairman, it is my distinct honor to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), our House whip.

Mr. SCALISE. Mr. Chair, I thank the gentlewoman from Tennessee for bringing this budget resolution to the floor.

Mr. Chairman, ObamaCare has failed the American people. And if you go back to the beginning, it was created with a series of lies to the American people. We all remember: if you like what you have, you can keep it. How has that worked out for millions of Americans who lost the plans that they liked and now cannot keep that plan?

What about the promise, Mr. Chairman, that premiums would go down by \$2,500? President Obama made that claim. And today, in States all across the Nation, you are seeing premiums go up, on average, 25 percent, and that is on top of double-digit increases every single year ObamaCare has been in effect.

This law is not working. It is failing families. It is costing jobs across our economy. It is time to repeal this law and actually replace it with reforms that put patients back in charge of their medical decisions with their doctors. What a great concept that would be.

It is about time we focus on lowering the cost of health care and giving people real choices. In so many markets across the country—and it is a growing number—families have only one choice for health care now because ObamaCare has forced so many people out of the marketplace, which means you as a family don't have any choices, because one choice means it is a monopoly. And you wonder why the costs are skyrocketing.

Mr. Chairman, this should not be about preserving somebody's legacy. It should be about fulfilling those promises to the American people that were broken. And we are here to fulfill that promise—how refreshing it is that you have people that ran for years saying we are going to repeal ObamaCare—with a President who is ready to sign the bill to repeal ObamaCare.

Today, just in the second week of this new Congress, we are taking the first step to fulfill that promise to the American people, to put their healthcare decisions back in their hands with costs that they can afford, and real choices that work for all Americans.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result in 269,000 people from his State of Louisiana losing their healthcare coverage; 37,000 workers losing their jobs; and an economic loss of \$21.5 billion in gross State product over 5 years for the State of Louisiana.

Mr. Chairman, I now yield 2 minutes to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM), a distinguished member of the Budget Committee.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, I can tell you who is happy that the budget resolution will likely pass the House today, Big Pharma. Pharmaceutical companies are once again escaping any changes to a system which has repeatedly allowed them to prioritize profits over people and drive increases in out-of-pocket healthcare costs.

Companies like Mylan, Turing, and Valeant are jacking up lifesaving drugs like EpiPen for anaphylactic shock; Daraprim for HIV and cancer patients; and Nitropress for heart failure overnight without any accountability.

While the American people increasingly can't afford their medicine, pharmaceutical companies are the wealthiest they have been in years.

In fact, median healthcare and pharmaceutical executive pay is higher than any other industry in the United States.

And even though taxpayers fund billions of dollars of basic medical research used to develop groundbreaking drugs, pharmaceutical companies often charge Americans many times what the rest of the world pays.

Mr. Chair, Americans can't afford to continue giving pharmaceutical and health insurance executives a pay raise, and many on both sides of the aisle agree.

Just this week, President-elect Donald Trump added his voice to that effort saying: pharma was "getting away with murder." I agree. They are literally getting away with murder. Because if a mother can't afford her child's EpiPen, or a cancer patient can't afford treatment, people die.

So I offered an amendment to this budget resolution seeking to lower prescription drug costs, but Republicans refuse to even allow debate on my amendment.

Instead of fighting to make sure Americans have access to lifesaving medications, Republicans are protecting the ability of pharmaceutical companies to continue to shake down the American people.

I urge my colleagues to oppose this resolution and, instead, address these healthcare costs and access issues that every American knows too well.

Mrs. BLACK. Mr. Chairman, it is my honor to yield 3 minutes to the distinguished gentlewoman from North Carolina (Ms. FOXX), who is the chairman of the Education and the Workforce Committee.

□ 1130

Ms. FOXX. I thank my colleague from Tennessee for yielding time.

Mr. Chairman, today, we take the next step in the process of providing

the American people a better way on health care. We have all heard from constituents and families who are struggling to get by as they suffer the consequences of the fatally flawed healthcare law.

In my home State of North Carolina, the average ObamaCare premium has increased by a staggering 40 percent. Terry from Advance, North Carolina, is a 70-year-old retiree, but now he is working part time just to help pay for his wife's healthcare premiums, which jumped from \$300 a month to more than \$887 a month.

On top of higher premiums, deductibles have skyrocketed, too. Patricia from Kernersville now has a whopping \$6,550 deductible, and her premiums increased by 80 percent this year. Like so many Americans, Patricia is paying more for less coverage.

Despite being promised, "if you like your healthcare plan, you can keep it," millions of Americans have been kicked off their plans. Scott from Hickory has had his health insurance canceled three times now; disrupting his continuity of care.

We have also heard from countless small-business owners who can no longer afford coverage for their employees because of limited resources and soaring costs. Facing similar challenges, school leaders and college administrators have spoken out about how ObamaCare is exacerbating tight budgets—hurting teachers, faculty members, and, ultimately, the students they serve.

The current situation is not sustainable; so Republicans are here on a rescue mission by providing the American people relief. It is time to repeal President Obama's government takeover of health care. It is time to advance patient-centered reforms that lower costs, provide more choices, and put working families—not government bureaucrats—in control of their health care.

I urge my colleagues to support this budget resolution because it will move us one step closer to the patient-centered health care the American people desperately want and need.

Mr. YARMUTH. Mr. Chairman, I will remind the gentlewoman that her vote today to repeal the Affordable Care Act will result in 552,000 people from her State of North Carolina losing their healthcare coverage, 76,000 workers losing their jobs, and an economic loss of \$39.4 billion in gross State product, over 5 years, for North Carolina.

Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI), a distinguished member of the Education and the Workforce Committee.

Ms. BONAMICI. Mr. Chairman, I rise in opposition to this budget resolution. The Affordable Care Act saves lives.

Today I want to talk about Mark Rouska from Tualatin, Oregon. Mark

was diagnosed with stage IV renal cancer, and doctors told him the cancer had metastasized to his lungs. He had to resign from a job he loved as a special education teacher. Without chemotherapy, he would probably not be alive. That treatment costs about \$20,000 a month, but because he has insurance through the Affordable Care Act, Mark pays about \$175 a month. At the end of this month, Mark and his wife, Patrice, will celebrate their 31st anniversary.

Repealing the Affordable Care Act will endanger health coverage for millions of people. One of them is Mark. I will do everything in my power to protect the many Oregonians who rely on the Affordable Care Act. I urge my colleagues to oppose this resolution.

Mrs. BLACK. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. GROTHMAN), who is also a member of our Budget Committee.

Mr. GROTHMAN. I thank the gentlewoman.

Mr. Chairman, it is not a surprise, when you try to take over such a sizable chunk of America's economy, that you have all sorts of unintended bad consequences. I am going to focus on two consequences that are true of so many programs that the government puts out there.

First of all, ObamaCare is one more program that discourages work. If you talk to your accountants again and again, they will tell you stories of people who are very conscious of the fact that, as they get a raise, as they work more overtime, they lose big subsidies. If I were to lose my next election, ObamaCare would continue. As my income would go up from \$49,000 to \$50,000, I would get hammered with a \$4,500 loss. So it wouldn't be surprising that people in my position would be very careful not to get a raise or not to work overtime.

Even worse, this is one more government program that discourages marriage. If you have a single parent who is making \$20,000 and if he decided to marry somebody making \$30,000 or \$40,000, he would be hammered with a \$3,500 loss. Combined with the FoodShare program, the low-income housing subsidies, Pell grants, and various TANF programs, this is just one more step that the American Government has taken to discourage work and to discourage marriage.

Mr. YARMUTH. Mr. Chairman, I will remind the gentleman that his vote today to repeal the Affordable Care Act will result in 211,000 people from his State of Wisconsin losing their healthcare coverage, 46,000 workers losing their jobs, and an economic loss of \$25.7 billion in gross State product, over 5 years, for the State of Wisconsin.

Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), a distinguished member of the Judiciary Committee.

Ms. JACKSON LEE. I thank the distinguished gentleman.

Mr. Chairman, I stand in opposition to this reckless, irresponsible, heartless, and bare bones Republican budget resolution because it does nothing to provide jobs for the American workers; it does nothing to invest in the roads, bridges, ports, cyber networks, and other infrastructure that is needed to sustain economic growth; it explodes the deficit and enriches those who are already wealthy at the expense of middle and working class families.

In particular, this foolish rush to repeal the Affordable Care Act makes plain for all to see that congressional Republicans are far more interested in scoring political points with their rightwing base than they are in protecting the health and economic security of American families.

Thirty million people will lose their insurance; the insurance market will be in shambles; and families left behind will have higher premiums. We will close rural hospitals; and hospitals will lose billions of dollars and might reduce services and cut jobs. The economy will lose 2.6 million jobs.

Repeal and replace is just a straw man. It is about real lives, like Pamela Gross', who suffers from chronic lupus and a number of other autoimmune disorders that have required her to spend upwards of \$5,000.

The CHAIR. The time of the gentlewoman has expired.

Mr. YARMUTH. I yield the gentlewoman an additional 15 seconds.

Ms. JACKSON LEE. I thank the gentleman.

She writes: "I asked my doctor recently, 'With all that's going on, would I make it without treatment?' The doctor's answer: 'No.'"

In her instance, if the Affordable Care Act goes—if it repealed—she could completely lose her eligibility for expanded Medicaid and simply die. A young man in my district would die as well.

This is a bad bill. Vote against it. Save America's good health.

Mr. Chair, I rise today in strong opposition to S. Con. Res. 3, the Congressional Budget Resolution for Fiscal Year 2017, which more appropriately should be known as the "Make America Sick Again" Budget.

I stand in opposition to this reckless, irresponsible, heartless, and bare-bones Republican budget resolution because it does nothing to provide jobs for American workers; does nothing to invest in the roads, bridges, ports, cybernetworks, and other infrastructure needed to sustain economic growth; and explodes the deficit and enriches those who are already wealthy at the expense of middle and working-class families.

Let us be very clear about the real objective of our Republican colleagues: their sole purpose in bringing this resolution to the floor is to pave the way for the repeal of the Affordable Care Act and the defunding of Planned Parenthood by a simple majority vote in the Senate.

This foolish rush to repeal the Affordable Care Act makes plain for all to see that congressional Republicans are far more interested in scoring political points with their right-wing base than they are in protecting the health and economic security of American families.

Mr. Chair, the Affordable Care Act has been an undisputed success, making access to quality affordable healthcare available to more than 20 million Americans who previously lived with the dreaded fear that an unexpected injury or illness to them or a family member would go untreated or could bankrupt their families.

While House Republicans may pine for a return to those bad old days, the large majority of Americans do not because they understand that repeal of the Affordable Care Act will have devastating consequences for working families, women, and the economy.

Mr. Chair, health care experts, governors, and hospitals warn that repealing the ACA without a comprehensive plan in its place will cause chaos and catastrophe, including:

1. Nearly 30 million people would lose health care coverage, including more than 4 million kids;

2. With the individual insurance market in shambles, families remaining in what's left of it could face higher premiums and fewer choices as insurers exit;

3. Hospitals would lose billions of dollars and might reduce services or cut jobs; and rural hospitals would close.

4. The economy would lose 2.6 million jobs in 2019, with the majority in non-health sectors.

Additionally, eliminating Medicaid funding to Planned Parenthood would severely restrict women's access to comprehensive care such as contraception, cancer screenings, and STI tests and treatments.

Mr. Chair, Republicans claim they have a replacement plan for the Affordable Care Act but the truth is they do not have a plan now nor have they in the past nor will they in the future.

"Repeal and Replace" is an empty slogan and is about as serious as the President-Elect's promise of "something terrific."

Republicans have had seven years to produce and coalesce around an alternative to the ACA, and they totally failed.

The reason for their failure is they are afflicted with Obama Derangement Syndrome that blinds them to the ACA's substantial and positive improvements in people's lives.

Without the ACA, insurance companies could continue to make their own rules, and deny coverage based on a person's health status or job, offer lousy benefits, and impose annual and lifetime limits.

Without the ACA, seniors would still face the Part D donut hole and have to pay more for drugs, and parents would not be able to keep their kids on their plan until age 26.

Without the ACA, 20 million people would not have gained coverage, and we would not have the lowest uninsured rate on record.

If Republicans really thought they could match this record of success, they would have unveiled and campaigned on their alternative plan in the last election or at least reveal it to the American people right now.

It is immoral to put families, the health care system, or our economy at risk by repealing

the ACA, hurting the economy, ballooning the deficit, and giving hundreds of billions of dollars in tax cuts to corporations and the wealthy.

Mr. Chair, the constituents of the 18th Congressional District of Texas, which I am privileged to represent, are not buying the 'Repeal and Replace' bill of goods that Republicans are selling because they know the Affordable Care Act, which they lovingly call ObamaCare, has brought peace of mind and security where before there was only worry and fear.

Here are some of the ways the Affordable Care Act has made a positive difference to the residents of my congressional district:

1. Coverage for the Previously Uninsured.

Up to 193,000 individuals in the district who lack health insurance will have access to quality, affordable coverage without fear of discrimination or higher rates because of a pre-existing health condition.

2. Tax Credits to Make Insurance Affordable.

Under the ACA, tax credits are available to assist individuals and families purchase the private health insurance they need.

The amount of these tax credits range from \$630 to \$4,480 for individuals and from \$3,550 to \$11,430 for a family of four.

This benefits as many as 446,850 constituents in my congressional district.

3. Extra Benefits for Seniors.

More than 4,100 seniors in my district receive prescription drug discounts worth an average of \$828 per person.

4. Extended Coverage for Young Adults.

11,400 young adults in the district now have health insurance through their parents' plan.

5. No Exorbitant Out-of-Pocket Expenses, Deductibles or Co-Pays.

121,000 individuals in my district—including 23,000 children and 50,000 women—now have health insurance that covers preventive services without any co-pays, coinsurance, or deductible.

6. Premium Rebates.

113,000 individuals in my district are saving money due to ACA provisions that prevent insurance companies from spending more than 20% of their premiums on profits and administrative overhead.

7. No Discrimination for Pre-Existing Conditions.

In my district, up to 46,000 children with preexisting health conditions no longer can be denied coverage by health insurers.

8. No Annual or Lifetime Caps on Coverage.

153,000 individuals in my district now have insurance that cannot place lifetime limits on their coverage and no long face annual limits on coverage.

It is said often, Mr. Chair, but is no less true, that the federal budget is more than a financial document; it is an expression of the nation's most cherished values.

As the late and great former senator and Vice-President Hubert Humphrey said:

The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in shadows of life, the sick, the needy, and the handicapped.

It is for this reason that in evaluating the merits of a budget resolution, it is not enough

to subject it only to the test of fiscal responsibility.

To keep faith with the nation's past, to be fair to the nation's present, and to safeguard the nation's future, the budget must also pass a "moral test."

The Republican budget resolution fails both of these standards.

Because the American people deserve to know exactly what ills Republicans have in store for them, I strongly oppose S. Con. Res. 3 and urge all Members to join me in voting against the reckless, cruel, and heartless measure that will do nothing to improve the lives or well-being of middle and working class families.

Pamela Gross dreads repeal of Medicaid expansion. Still, millions of people like Gross, could face immediate effects. While her disability allows her access to Medicare coverage, she also relies on Medi-Cal, California's Medicaid program, to help pay for costs Medicare doesn't. Gross says she was insured before Obamacare became law. But her Medi-Cal coverage, which she relies on to pay her monthly premiums and co-pays, hung in the balance each year when she received a Supplemental Security Income cost of living increase. The minor jump in pay threatened to push her out of eligibility for the program, which would leave her without the means to pay for a private insurance policy and the doctor visits and medications she says her life literally depends on.

"I asked my doctor recently, with all that's going on would I make it without treatment?" The doctor's answer: "No," Gross says.

Because Obamacare expanded eligibility for Medicaid and increased the program's income limits, Gross no longer has to be concerned each year that the cost-of-living increase she receives from her SSI income will throw her out of coverage. That would change if Medicaid expansion is eliminated as part of the law's repeal.

"If they repeal I could completely lose eligibility," she says. "I would die."

Mrs. BLACK. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. FERGUSON), a new member of the Budget Committee.

Mr. FERGUSON. Mr. Chairman, I rise in support of the fiscal year 2017 budget resolution.

The need for this process can best be explained by a story I have been telling my colleagues.

A little over 6 years ago, I lived in a pretty decent house. One day I heard a knock on the door, and before I knew it, my colleagues on the other side of the aisle had let a goat loose in my house. Now, for 6 years that goat has been messing in and destroying my house. I want to renovate my house, but before I can, I have to get the goat out of the house before it does any more damage. It makes no sense to start fixing up my house until I can get the goat out. Voting for the fiscal year '17 budget resolution gets this goat out of my house.

Mr. Chairman, make no mistake: we must renovate our house; we must undo the Affordable Care Act. We can

no longer as a nation hold on to policies that rob us of our freedom of choice, that destroy family finances, that rob people of their jobs, and leave the most vulnerable with substandard care.

Now is the time for a 21st century healthcare system that puts patients and doctors first and sends government regulators and rulemakers to the back row. No more 32 percent increase in Georgia premiums; no more having your doctor pulled away from you; and no more government mandates.

This is not a return to the pre-ObamaCare status quo, but is a new approach to putting consumers in the driver's seat. The first step in this process is to gut ObamaCare with this resolution, and I am honored to support it.

Mr. YARMUTH. Mr. Chairman, I will remind the gentleman that his vote today to repeal the Affordable Care Act will result in 581,000 people from his State of Georgia losing their healthcare coverage, 71,000 workers losing their jobs, and an economic loss of \$39.4 billion in gross State product, over 5 years, for the State of Georgia.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. JEFFRIES), a distinguished member of the Budget Committee.

Mr. JEFFRIES. Mr. Chairman, this is a sad day in the history of this country as Republicans begin the process of destroying health care in America.

"Repeal and replace" is just a slogan. It is not a solution. For more than 6 years, we have been waiting for a credible Republican healthcare plan, and none has been forthcoming. All you have is smoke and mirrors, and the American people are getting ready to get screwed.

Under the so-called Republican plan, seniors will be forced to pay more for their medicine. Under the so-called Republican plan, children with pre-existing conditions, like pediatric cancer, will be at risk of being kicked off of their health plans or of being denied health coverage. Under the so-called Republican plan, young people in America will no longer be able to stay on their parents' health insurance through the age of 26. Under the so-called Republican plan, more than a million people who are receiving drug treatment because of opioid addiction will be at risk of being denied that life-saving care.

Under the so-called Republican plan, premiums will go up, co-pays will go up, deductibles will go up; and the American people will be screwed. People in Michigan, Pennsylvania, Wisconsin, Ohio—screwed. Seniors in Florida—screwed. People on the west coast and on the east coast—screwed. People in Appalachia and rural America—screwed.

The only folks who will benefit are the fat cats who are part of the

healthcare cartel. The system, indeed, is rigged, and the American people should pay attention as to who is jamming them up.

Mrs. BLACK. Mr. Chairman, in response to the gentleman from New York, when he says we do not have a plan, I reference him to all of the plans that are here on the desk. He says we don't have a plan, but then he references all of the things that will happen under the Republican plan. He can't have it both ways.

Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK), who is a member of both the Budget Committee and the Appropriations Committee.

Mr. WOMACK. I thank the distinguished chair of the Budget Committee for giving me some time to talk today. She is a distinguished person, a colleague, a classmate, and somebody I have the utmost respect for.

Mr. Chairman, I rise in support of the House budget resolution and to recognize the very important first step we are taking in our country today regarding ObamaCare. By adopting this budget resolution, we will set into motion the repeal of the Affordable Care Act.

Last week, on this very floor, the minority leader, Ms. PELOSI, stood here and called ObamaCare a magnificent success. Yet, since being sworn into office in 2011, I have heard just the opposite from my constituents. Every single day, I have heard that ObamaCare is raising the cost of health care, is creating uncertainty in Arkansas, is hurting Americans, and that we need to replace it with real reforms that focus on the patient, not the government.

This law is not just bad for patients and healthcare consumers. ObamaCare's onerous mandates and endless regulations are hitting industry across the board. It stifles business; it squelches private sector job growth; it hurts our economy. Let me give you an example.

Mr. Chairman, Superior Linen Service, in my district, employs over 300 people. Prior to the enactment of ObamaCare, Superior Linen Service recognized the importance of having a healthy workforce and was already providing quality health insurance to its employees, and it was able to manage its payroll insurance benefits in-house for the entire 60 years of its existence. After the passage of the Affordable Care Act, Superior Linen Service could no longer manage the sheer amount of paperwork it took to prove that it was, in fact, complying with the law.

Let me be clear. Thanks to ObamaCare, the company provided no new benefits, but had to outsource its payroll and management at a cost of \$100,000 a year. This is just one of many examples. This is an important day. I urge a "yes" vote on the resolution.

□ 1145

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result 234,000 people from his State of Arkansas losing their healthcare coverage, 28,000 workers losing their jobs, and an economic loss of \$15.8 billion in gross State product over 5 years for the State of Arkansas.

Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a member of the Energy and Commerce Committee.

Ms. SCHAKOWSKY. Mr. Chair, I want to say right now I believe—and it will be true, you will see—that Republicans will regret the repeal of ObamaCare.

Hospitals in rural and underserved areas are panicking right now because they are finally getting paid through ObamaCare to serve low-income people. Jobs will be lost. Those hospitals could close. Thirty million people will lose their benefits.

I want to tell you, on the Energy and Commerce Committee, I have been hearing for years ever since ObamaCare passed, all these horror stories that my Republican colleagues embrace as evidence that this thing isn't working. Never once have they been willing to sit down with us.

We don't claim that the bill is perfect, but we know that there are millions and millions of people with pre-existing conditions or who run out of insurance when they hit their lifetime caps. We know it has helped, and yet never has a Republican been willing to sit down with us and craft amendments that would make this legislation better.

Repeal means that the Republicans will make Americans sick again.

Mrs. BLACK. Mr. Chairman, I would just like to note that it is ObamaCare that has, sadly, hurt these rural hospitals, healthcare providers, and people living in those rural areas. As a matter of fact, since January of 2010, there have been at least 80 rural hospitals that have had to close. The damage has already been done.

Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. ARRINGTON), a freshmen on the Budget Committee.

Mr. ARRINGTON. Mr. Chairman, I rise in strong support of S. Con. Res. 3 that would begin the process to repeal ObamaCare.

Our experimentation in the Soviet-style, central planning of our healthcare system has been an abject failure: ObamaCare has failed our middle and working class families who have seen an uncontrollable increase in deductibles and premiums; it has failed our providers who spent years pursuing their passion for healing our sick but now find themselves spending more time filling out paperwork than caring for their patients; it has failed our

small businesses that create 64 percent of the jobs in this country.

Although the pathway of ObamaCare has been paved with good intentions, it has led to a series of disastrous, unintended consequences. To use a medical analogy, ObamaCare has made America sick; and when America is sick, rural America is in the ICU.

I represent 29 rural counties in west Texas, ag producers, oil and gas and renewable energy operators, community bankers, and community hospitals. Like many rural areas throughout the country, my district is feeding and clothing the American people, bolstering our economy, and strengthening our national security.

While large hospitals also suffer under ObamaCare, community hospitals are simply unable to handle the crushing weight of ACA's shrinking reimbursements, regulatory burden, and unfunded mandates. Since ObamaCare was implemented, 80 rural hospitals have closed and 600 more are in danger of closing. Without access to quality health care, our hardworking families in middle America are left high and dry.

The CHAIR. The time of the gentleman has expired.

Mrs. BLACK. Mr. Chairman, I yield an additional 15 seconds to the gentleman from Texas.

Mr. ARRINGTON. Mr. Chairman, one of the greatest travesties of ObamaCare is not just the damage that it has done to our economy, but the destruction of a way of life of over 60 million Americans who call small town America their home. Whether it is producing reliable and affordable energy or a safe and abundant supply of food, people from all over the country rely on rural communities to make America great.

We must repeal ObamaCare, restore market forces, and return to patient-centered care.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result in 1.8 million people from his State of Texas losing their healthcare coverage, 175,000 workers losing their jobs, and an economic loss of \$107 billion in gross State product over 5 years for the State of Texas.

I yield 1 minute to the gentleman from Washington (Mr. LARSEN), a distinguished member of the Transportation and Infrastructure Committee.

Mr. LARSEN of Washington. Mr. Chairman, I rise today in opposition to this budget resolution that would begin the process of repealing the Affordable Care Act without a plan to replace it, and I rise on behalf of my constituents who are imploring Congress to save the Affordable Care Act.

Luanne from Coupeville, Washington, wrote to me. She said:

As someone with several serious pre-existing conditions, I could not get insurance

coverage in the past. My husband and I spent an incredible amount of money—including retirement savings and out-of-pocket dollars—for my care and prescriptions. There were truly times when we had to choose food over medication.

And without the ACA, Jennifer from Lynnwood told me that her best friend “will be forced to work as many jobs as she can in order to obtain money due to the costs of her pregnancy that will no longer be covered. . . . She needs the Affordable Care Act, as do many Americans. Please, I beg you, do not get rid of it. . . . The Republicans in Congress do not understand how much of us low-income Americans need this.”

These are just two of the hundreds of Washingtonians who have contacted me over the past 2 weeks.

Mr. Chairman, do not take away these lifesaving benefits from Luanne, Jennifer’s friend, and the rest of my constituents.

I urge my colleagues to oppose this bill.

Mrs. BLACK. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. SMUCKER), who is a new member of our Budget Committee.

Mr. SMUCKER. Mr. Chairman, I rise in support of this resolution, which will be the first step to repealing ObamaCare.

I, like so many of my colleagues, have heard from citizens all across my district in regard to the impact of this system on them. I want to share a conversation I had recently with a constituent.

Tim Hollinger called me. Tim and his wife, Phyllis, are residents of Mount Joy, Pennsylvania, in my home county of Lancaster. Tim is on Medicare, but Phyllis, who is self-employed, has a healthcare plan that she obtained through the ObamaCare marketplace.

Tim and Phyllis’ annual income is \$53,000 per year. Phyllis’ healthcare premium is over \$1,000 a month and carries a \$2,700 deductible. Let me repeat that. Phyllis’ healthcare premium is over \$1,000 per month. That is 23 percent of their combined annual income.

The CHAIR. The time of the gentleman has expired.

Mrs. BLACK. Mr. Chair, I yield an additional 15 seconds to the gentleman from Pennsylvania.

Mr. SMUCKER. Mr. Chair, now Phyllis receives a Federal subsidy that covers 35 percent of that monthly cost. She takes pride in the fact that she has never taken a government handout in her life.

Now that she is on ObamaCare, the American taxpayers have to subsidize her health care. To Phyllis, that is not right. To Phyllis, this is about her pride. She is not asking for a lot. She is simply asking that she have access to affordable health care that doesn’t require the American taxpayers to help her pay for it.

I look forward to working with my colleagues to fix our Nation’s failed healthcare system.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result 479,000 people from his State of Pennsylvania losing their healthcare coverage, 173,000 workers losing their jobs, and an economic loss of \$76.5 billion over 5 years in gross State product for the State of Pennsylvania.

I yield 2 minutes to the gentlewoman from California (Ms. LEE), a distinguished member of the Budget Committee.

Ms. LEE. Mr. Chairman, I thank our ranking member for yielding and also for his steadfast commitment to protecting the health and well-being of all Americans.

Mr. Chairman, I rise in strong opposition to this resolution, which would advance the repeal of the Affordable Care Act without any replacement in sight.

Let me be clear. This resolution would wipe away health care from 30 million Americans and raise premiums for millions more. It would also create chaos through our community and our economy and our Nation. It would put the insurance companies back in charge.

It is not just the Affordable Care Act that is on the chopping block. Republicans also want to cut women’s reproductive health care. Once again, they want to defund Planned Parenthood, one of the Nation’s leading providers of high-quality, affordable health care for women and families. Women would be denied breast cancer screenings and preventive health care. Community clinics in rural and urban communities would be devastated.

We know that Planned Parenthood is one of the Nation’s leading providers of high-quality, affordable health care for women and their families. Denying access to healthcare providers such as Planned Parenthood will hurt women who need these services the most: low-income women and women of color. That is why I offered an amendment to protect these critical services. Shamefully, the Rules Committee refused to make it in order and even allow for a debate on this floor.

I also cosponsored the amendment with Representative POCAN and others within the Congressional Progressive Caucus opposing cuts to Medicare, Medicaid, and Social Security benefits. Republicans refused to allow a debate on this critical issue as well.

The most vulnerable—the poor, seniors, and disabled individuals—would be left to fend for themselves, and their lives would be shattered through these Republican cuts.

Mr. Chairman, we must stand up for the millions of people who have coverage because the Affordable Care Act really does save lives. It is a disgrace; Republicans continue to raise this war to kill the ACA without replacing it.

Once again, it will hurt the most vulnerable. People will be sicker again.

America will be sick again. This is a matter of life and death.

Mrs. BLACK. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. GAETZ), who is a freshman on our Budget Committee.

Mr. GAETZ. Mr. Chairman, lend me your ears. I come to bury ObamaCare, not to praise it. The evil that men do lives after them.

This is the true legacy of the last 8 years: a doubling of the national debt and \$4 trillion in additional spending projected through ObamaCare.

What have my constituents gotten from ObamaCare? Higher taxes, higher premiums, unaffordable deductibles, crippling drug costs, fewer choices, and more mandates.

This resolution shows what will happen if we do nothing. Inaction will lead to \$30 trillion in debt, the greatest generational theft the world has ever known.

So it is past time to get the Federal Government out of the healthcare mandate business. Let people buy insurance across State lines; allow people to own their own healthcare decisions through health savings accounts; block-grant Medicaid to our States, our laboratories of democracy; and let’s reinvigorate a Federal system that is promised by our Founders.

The jobs data cited by the Democrats doesn’t assume the positive economic benefits that come from ObamaCare repeal, including, according to the Congressional Budget Office, \$200 billion in additional economic activity, more jobs, more opportunity, and more freedom. This is a flawed study that my friends across the aisle cite, and it is the Republican resolution before this body that offers a better way.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result in 1.6 million people from his State of Florida losing their healthcare coverage, 181,000 workers losing their jobs, and an economic loss of \$90.4 billion in gross State product over 5 years in Florida.

I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic Whip.

Mr. HOYER. Mr. Chairman, every American will be affected by this vote, not just the 20 million people who will lose their insurance immediately. Thirty million, in total, will lose their insurance. Everybody’s premium will ultimately go up. Preexisting conditions will not be available. Seniors will pay more for prescription drugs. 25-, 24-, 23-year-olds will be dropped from the insurance of their families.

The fact of the matter is—the gentleman from Florida that just spoke—there is not a better way that has been proposed. There is some discussion about across State lines. There is some other discussion about health savings accounts, which is great if you have

the kind of salaries we have; but if you are an average American trying to support your family, getting additional funds to put into a health savings account is not available to you.

Mr. Chairman, this budget resolution is an abdication of responsibility and duty. Rather than showing Republican spending and revenue priorities, it is nothing more than a vehicle for expediting a repeal of the Affordable Care Act and taking insurance coverage away from 30 million people.

□ 1200

Again, let me remind you it is hundreds of millions of people that will be adversely affected.

Since taking the House majority, Republicans have held 65 votes on this floor to undo healthcare reforms that have brought the uninsured rate to its lowest in recorded history and banned discrimination and discriminatory practices, such as denying coverage to Americans with preexisting conditions or charging women higher rates than men simply because of their gender.

Now our Republican colleagues want to repeal the Affordable Care Act without immediately replacing it, contrary to at least 12 of their colleagues in the United States Senate—Republicans—saying that is not the right way to go. That is what this resolution would do.

By the way, they should have adopted this resolution last Congress by April 15. They didn't do so.

This is not a real budget resolution. This is simply a device so that they can jam through repeal of the Affordable Care Act in the United States Senate contrary to the existing rules. It would come at a severe cost to our economy and our budget sustainability.

In addition to the 30 million who would lose their insurance, tens of millions more, as I have said, would see their costs go up. A report by the non-partisan Commonwealth Fund and Milken Institute found that the repeal would lead to the loss of 3 million jobs, and the Committee for a Responsible Federal Budget found it would add \$350 billion to deficits over the next 10 years.

Let us be clear, Mr. Chairman, a vote for this budget resolution is a vote to take health insurance away from 30 million Americans and adversely impact the health care of millions more.

I urge my Republican colleagues who have serious concerns about our fiscal path and misgivings about repealing the Affordable Care Act without replacing it: let's lay down a marker that Congress should not rush headlong into this costly repeal not only in terms of dollars, but in terms of health security consequences for the American people.

Mr. Chairman, I urge the House to vote "no" on this dangerous and destructive resolution.

Mrs. BLACK. Mr. Chairman, I do want to note, once again, for my col-

leagues on the other side of the aisle, if they say we have no plans, I want to reference them several plans that have been filed, and I will leave those here on the desk so they can pick those up at their convenience.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chairman, the Affordable Care Act is a collection of failed policies and many empty promises.

The American people have spoken. They do not want ObamaCare's high-cost, job-killing, conscious-violating healthcare system. Since the enactment of ObamaCare, almost 5 million Americans have lost their insurance plans and their own doctors. This is a far cry from the fake promises that were made on this House floor in the dark of the night when we were told: "Pass the bill so that we can figure out what is in it."

The American people are the ones paying for these failed promises. In fact, it is expected that in 2017, ObamaCare premiums will grow by an average of 22 percent across America. ObamaCare is hurting individual citizens, and it is also hurting small businesses. Out of 75 issues, small-business owners ranked the cost of health insurance as the number one problem they faced in 2016.

ObamaCare is neither affordable, and it is certainly not better care. We cannot afford ObamaCare. Health care should be a decision made by individuals in America, not by bureaucrats here in Washington, D.C. The repeal bill is the first step in finally correcting this huge legislative blunder. Replace ObamaCare with a free-market alternative that provides affordable health care to all Americans. Let Americans choose their health care.

ObamaCare has the efficiency of the post office and the compassion of the IRS, and it is time to make America healthy. Repeal this government control of our health.

And that is just the way it is.

Mr. YARMUTH. Mr. Chairman, I will remind my good friend that his vote today to repeal the Affordable Care Act will result in 1.8 million people from his State of Texas losing their healthcare coverage, 175,000 workers losing their jobs, and an economic loss of \$107 billion in gross State product, over 5 years, in Texas.

Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR), who is a distinguished member of the Energy and Commerce Committee.

Ms. CASTOR of Florida. Mr. Chairman, I am compelled to come to the floor this morning to oppose the Republican attempt to pull the rug out from under American families.

Why are we going to a repeal bill without a replacement?

It is irresponsible. What you are doing is you are throwing American

families into quicksand. Here is a dirty little secret: this is also a fiscally irresponsible move because this is likely to balloon the debt and the deficit.

Now, what I hear from my families back home in Florida is that the Affordable Care Act has been a godsend to them, and that includes the 9 million families that have private health insurance. The Affordable Care Act has provided vital consumer protections to prevent them from being discriminated against for a preexisting condition or being canceled if they do get sick, and it has kept premium costs in check.

We also have a lot of Floridians who depend on Medicare; and because of the ACA, Medicare is stronger. In 2015 alone, the average Medicare recipient has put about \$1,000 back into their pocket because the ACA closes the doughnut hole.

I urge the House to vote "no." Don't throw American families into chaos and don't wreak havoc on our economy.

Mrs. BLACK. Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Chairman, I rise today in support of today's resolution to repeal the Affordable Care Act.

As a physician, I have lived the nightmare of the ACA for the past 6 years. Because of ObamaCare, I know more physicians leaving their practice this year than any other year. With \$12,000 deductibles and annual premium spikes of over 50 and many times over 100 percent, ObamaCare has made health care truly unaffordable and unattainable for many, many people. In fact, it would be irresponsible for Congress to sit back and watch the ACA continue its death spiral and bankrupt our country.

As we begin to replace ObamaCare, we want to reassure Americans we will not pull the rug out from anyone. If you are on a current exchange policy or have preexisting conditions, we will have a period of transition and high-risk pools that will provide you with quality, affordable alternatives.

Like many others, my district sent me here to fix health care, and we intend to do just that.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result in 137,000 people from his State of Kansas losing their healthcare coverage, 19,000 workers losing their jobs, and an economic loss of \$10.5 billion in gross State product, over 5 years, for Kansas.

Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE), who is a distinguished member of the Judiciary Committee.

Mr. CICILLINE. Mr. Chairman, for 8 years, House Republicans have wrongly claimed that the Affordable Care Act will be catastrophic for hardworking Americans.

Here are the facts: since its passage, the ACA has helped cover 20 million previously uninsured Americans; 95 percent of America's children are now covered; almost 130 million Americans with preexisting conditions now have the peace of mind to know that they will not be denied health services; and healthcare costs have been growing at the slowest rate in 50 years.

But as Republicans prepare to take control of the White House, it is clear they don't have an actual plan to replace ObamaCare. Not only will their repeal and displace plan cut off millions of Americans—men, women, and children—from quality, affordable health care, but it will also have devastating impacts on our economy.

Repealing the Affordable Care Act will cause the loss of 2.6 million jobs, a majority of which will be non-health industry jobs. It is projected that my home State of Rhode Island will lose more than 12,000 jobs.

This budget resolution will not only increase prescription drug prices for our seniors, raise premiums and out-of-pocket expenses for Americans who buy insurance, but will lead to significantly larger yearly deficits and contribute more than \$9.5 trillion in debt over the next decade.

I urge my colleagues to oppose this budget resolution, to protect the American people's access to quality, affordable health care, and to vote "no."

Mrs. BLACK. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. MITCHELL), who is one of our freshman Members.

Mr. MITCHELL. Mr. Chairman, I rise to support the resolution to give relief to the millions of Americans who are struggling to access health care due to the destructive impact of the Affordable Care Act. Americans were promised that, with the passage of the Affordable Care Act, costs for health insurance would decrease and patients could keep their plans and their doctors if they liked them. Americans have now seen the truth: massive increases in premiums, constantly rising deductibles and copays, and fewer plans with fewer providers.

Just because an individual or a family has insurance does not mean they can access and afford health care. Health insurance means little if they cannot find a participating doctor or afford the deductible. In Michigan, premiums have risen over 17 percent this year, and deductibles are up an average of \$492.

There is a plan. I will hand carry it over for you to read it. I suggest we not instill fear but, rather, we move forward with a better way to provide health insurance. Broken promises have led us to a broken healthcare system. We promise to fix it and, beginning today, we are going to do just that.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote

today to repeal the Affordable Care Act will result in 618,000 people from his State of Michigan losing their healthcare coverage, 101,000 workers losing their jobs, and an economic loss of \$54 billion in gross State product, over 5 years, for Michigan.

Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. LEVIN), who is a distinguished member and former chairman of the Ways and Means Committee.

Mr. LEVIN. Mr. Chairman, I just want to say to my colleague from Michigan: Hundreds of thousands of people are going to lose their insurance under a plan that was agreed to by the Republican Governor, and I will send you the numbers in your district.

Mr. Chairman, the Republican effort to repeal the ACA, causing 30 million Americans to lose their health insurance, is built on a foundation of misrepresentations and falsehoods. Yesterday, the Speaker said the Affordable Care Act is collapsing. It is not. Nationwide, enrollment is higher than it is has ever been, and the percentage of Americans without health insurance is at the lowest level on record.

What is collapsing is the time for Republicans to move beyond their rhetoric and come up with a plan. They say they will produce a comprehensive replacement, but they have been saying that for 7 years.

Mr. NEAL is here. Seven years, Mr. NEAL, we have been hearing that.

Those files on the Republican desk—I wish you would raise them again—aren't a plan. They are a ploy.

Republicans say repealing the Affordable Care Act will help people, and there is at least a sliver of truth to that claim. The GOP repeal bill will help millionaires, providing them an average tax cut of over \$50,000 a year. At the same time, it will actually raise taxes on millions of moderate and middle-income families who will lose tax credits for purchasing health insurance.

Mrs. BLACK. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. GARRETT), who is one of our freshman Members.

Mr. GARRETT. Mr. Chairman, I rise today to make a clarification because while I support this resolution, I oppose the description that some here have used. They are calling it a budget. This isn't a budget. It is a paper trail of crimes our government commits against the future of our Nation vis-a-vis overwhelming debt. We need to be honest. We are sitting on \$20 trillion in debt, and aside from starting the repeal of the unaffordable care act, this does nothing to address that.

Reluctantly I will vote for it to repeal the monstrosity that is the unaffordable care act.

We were told we need to pass the bill so that we could find out what was in it. Well, we found out what was in it.

We saw premiums skyrocket; we saw families lose their plans and their doctors, even the ones they liked and they wanted to keep; and we saw businesses struggle. Now we are left in a position where we need to pass this resolution to get rid of what we found.

Liberty and self-determination are the lifeblood of this Nation, and the Nation is terminally ill. Our debt is a cancer that continues to grow; and like a cancer, it doesn't discriminate. It is colorblind, it is gender neutral, and it doesn't care about your political affiliation or what State you are from. It is here, and it continues to grow.

Our children are being encumbered, packaged, and sold to the gallows by way of unprecedented debt. This is an unprecedented treatment, but if we continue down the ObamaCare unaffordable care act path that we are on, the results are guaranteed.

Today's resolution provides treatment for some of the symptoms, but it is about time that we started getting to the root causes of the disease. The more government encroaches on the lives of its citizens, the more debt grows, the less our liberties can breathe, and the sicker we become. I may be new here, but in Virginia we keep a balanced budget; and it is about time we got serious about one in D.C.

□ 1215

I will vote to pass this here today, but I refuse to call it a budget. I refuse to ignore the problems the unaffordable care act was meant to address. Problems aren't political, solutions are, and we can provide a better way.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result in 327,000 people from his State of Virginia losing their healthcare coverage, 52,000 workers losing their jobs, and an economic loss of \$31 billion over 5 years in gross State product for Virginia.

Mr. Chairman, how much time remains?

The CHAIR. The gentlewoman from Tennessee has 14¾ minutes remaining. The gentleman from Kentucky has 14¾ minutes remaining.

Mr. YARMUTH. Mr. Chairman, I yield 1 minute to the gentleman from Vermont (Mr. WELCH), a distinguished member of the Energy and Commerce Committee.

Mr. WELCH. Mr. Chairman, on probably the most important issue, we are having the dumbest debate. We say the healthcare bill is good. You say it stinks.

We think it is good because we think it is good that kids, until they are age 26, can stay on their parents' plan. We think it is good because people with preexisting conditions ought to have access to health care, and we think it is good that a person who gets sick shouldn't lose their health care.

You say it is bad, even though the plan was based on a Heritage Foundation initiative and adopted largely in Massachusetts by a Republican governor.

Bottom line, you are the majority in the House; you are the majority in the Senate; and you have got the Presidency. You have got some responsibility to show us the beef. Where is the plan?

Now, there is a lot of paper over there, but you haven't shown us a plan. And here is why: because when you put pen to paper, all hell is going to break loose on your side because you have to move beyond the rhetoric to figuring out how you are going to pay to keep our kids on our healthcare plan. You are going to figure out how to pay if we are going to let folks with preexisting conditions have health care.

Those don't solve themselves, and you don't have a plan. We are entitled, the American people are entitled, to have it.

The CHAIR. Members are reminded to address their remarks to the Chair.

Mrs. BLACK. Mr. Chairman, it is now my honor to yield 1½ minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), one of the leaders of our conference.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, ObamaCare is not working. We know this because the average increase for plans in Illinois was between 45 and 55 percent this year. As a matter of fact, a good friend of mine had an 87 percent increase.

We know this because millions of Americans who were told they could keep their health insurance were kicked off their plans. We know it is not working because 31 million people are underinsured, meaning they can't afford to use the insurance they have. Deductibles are simply too high.

It is not enough to judge this law simply by the number of people who are insured, since it mandates people buy insurance anyway. We must remember the people paying premiums that continue to double and then have a deductible so high that it will never be reached.

That is not success. That is a problem for hardworking taxpayers, many of whom don't qualify for subsidies but were forced off their previous plans because they didn't meet the standards set by ObamaCare and now can't afford the plan they are mandated to buy.

We know it is not working because people in a third of our counties in the U.S. only have one insurance provider to choose from. ObamaCare is collapsing on itself.

Some say: Why not work to fix it? I did. We did. We passed my Hire More Heroes Act. It helps small businesses, helps our heroes. But we have to begin today to fix the bill itself.

To know why this process is needed, let's remember how we got here. This

bill was rushed through Congress. It then had 20,000 pages of regulations just for that one bill.

But taking this first step to repeal it should not be mistaken for supporting the status quo before the ACA was put in place. We have a plan. We are going to cover preexisting conditions. Because my wife is a cancer survivor, we have to do that.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result in 850,000 people from his State of Illinois losing their healthcare coverage, 114,000 workers losing their jobs, and an economic loss of \$66 billion in gross State product over 5 years for Illinois.

I yield 1½ minutes to the gentleman from Massachusetts (Mr. NEAL), the distinguished ranking member of the Ways and Means Committee.

Mr. NEAL. Mr. Chairman, I want to tell you that the last speaker said this was rushed through Congress. It took 2 years to write this legislation. Even by congressional standards, this was not rushed through Congress.

We have waited 7 years to hear the alternative, and the gentlewoman from Tennessee has all of these plans over there, and she says: we have got plans right here. How about one plan that we might have a chance to focus on?

They have had the luxury of saying: we are going to do a better job without telling us what the better job entails.

The Governor of Massachusetts recently wrote to our delegation and to the leadership in the House and said: During the ACA repeal-replace deliberations, it is important that coverage gains, patient protections and market stability be maintained.

Let me give you some numbers from Massachusetts. 97.2 percent of the residents of Massachusetts have health care. 100 percent of the children in Massachusetts now have health care.

This is an effort at rhetoric. We want to hear what the plan is. We want to understand what the alternative is. We want to know precisely what is going to be included and, just as importantly, what will be excluded from the benefits that this Affordable Care Act has given to the American people.

Twenty-two million Americans now have healthcare insurance who didn't have it. Nine percent of the American people are without adequate health care. We should be fixing that.

The CHAIR. The time of the gentleman has expired.

Mr. YARMUTH. I yield the gentleman an additional 15 seconds.

Mr. NEAL. I have heard this, in the 29 years I have been in Congress, time and again. Till an honorable effort is put forward, you know what the Republicans should be saying to us right now? Let's get on, together, with making it all work, instead of saying repeal and replace. How empty is that rhetoric?

Mrs. BLACK. Mr. Chairman, it is my distinct honor to yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), who was the chair of our Budget Committee, our Ways and Means Committee, and now he is the Speaker of the House.

Mr. RYAN of Wisconsin. My colleagues, I rise to urge our colleagues in the House to support this resolution, and let me tell you why.

This provides Congress with the legislative tools that we need to repeal and replace ObamaCare. This is a critical first step toward delivering relief to Americans who are struggling under this law.

In the weeks ahead, several steps will be taken to provide relief. Some steps will be taken by this body. Some steps will be taken by the new administration, including, after he is confirmed as HHS Secretary, our own colleague from Georgia (Mr. PRICE).

Our goal is a truly patient-centered system, which means more options to choose from, lower costs, and greater control over your coverage. And as we work to get there, we will make sure that there is a stable transition period so that people don't have the rug pulled out from under them; so that this will be a thoughtful, step-by-step process, and we welcome ideas from both sides of the aisle.

But today, I can't help but think back to, when we were debating this law in 2010, what was said at the time. I was a member of the minority then. I stood right here and pleaded with the majority not to do this. Don't take something so personal like your health care and subject it to a Big Government experiment. Don't do something so arrogant and so contrary to our founding principles.

But they pushed it all the way through, making all kinds of promises. People were promised that their premiums would go down, but, instead, they are skyrocketing. Look at the new premium increases announced just this year: Kansas, 42 percent increase in their premiums; Illinois, 43 percent; Pennsylvania, 53 percent; Nebraska, 51 percent; Alabama, 58 percent; Minnesota, 59 percent; Tennessee, 63 percent increase in premiums; Oklahoma, 69 percent increase this year in premiums; Arizona, 116 percent increase in their premiums.

People were promised: if you like your plan, you can keep it. Well, guess what? That was rated the lie of the year that year. People lost their plans.

People were promised all sorts of choices. You will have all these great menus of choices to choose from. A third of all the counties in America today, you get one choice. Five whole States, one insurer. If you have one choice, that is not a choice, that is a monopoly.

My colleagues, this experiment has failed. This law is collapsing while we

speak. We have to step in before things get worse. This is nothing short of a rescue mission.

By taking this step today, we are doing what is right. We are stepping in and stopping the collapse from doing more harm to the working families of America, to bring the kind of relief and bring the kind of solutions that we need to really achieve the noble goal here.

Everyone in America should have access to affordable health care, including people with preexisting conditions. This is what we want to achieve, but that is not what is happening under ObamaCare. The law is collapsing. The insurers are pulling out. People can't afford it. The deductibles are so high it doesn't even feel like you have got insurance in the first place.

This is a rescue mission. This is a necessary move, and I urge all of our colleagues to do what is right because the time is urgent. On top of this, to my colleagues, we need to keep our promise that we made to the American people, and this helps us do just that.

Mr. YARMUTH. Mr. Chairman, I will remind the Speaker that his vote today to repeal the Affordable Care Act will result in 211,000 people from his State of Wisconsin losing their healthcare coverage, 46,000 workers losing their jobs, and an economic loss of \$25.7 billion in gross State product over 5 years in Wisconsin.

It gives me great pleasure now to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Democratic leader and architect of the Affordable Care Act.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding. I am so proud of him and his leadership as the ranking member on the Budget Committee.

I am so sorry that the Speaker left the floor because I have some very good news for him. Clearly, he does not understand what the Affordable Care Act has brought to our country in terms of expanding benefits, lowering costs, and expanding the access of many more people to the promise of our founders, of life, liberty, and the pursuit of happiness, a healthier life, and the freedom to pursue their happiness.

I understand why the Speaker may want to concentrate on some mythology that he presented about the Affordable Care Act, because he is not going to focus on what this bill on the floor does today, and the Republican budget. It does not create more good-paying jobs, or raise wages. It does not invest in infrastructure to rebuild our Nation.

The Republican plan does not invest in the education of our children or the lifetime learning of working people. It does not help Americans find balance between work and family. It does not reduce the deficit. In fact, it increases the deficit. And it does not seek to

drain the swamp of secret money from our elections.

Instead, the Republicans are feeding their ideological obsession with repealing the ACA and dismantling the health and economic security of hard-working families.

We all know that a budget should be a statement of our values. What is important to us as a nation should be reflected in our budget proposals. I always say: Show me your values, show me your budget.

Well, you heard me say some of what this budget does not do. As we get further into the next stage of the budget, we will see that what their budget does is just broaden, widen the disparity in income in our country, give tax breaks to the high end. And part of their tax breaks for the high end is to repeal the Affordable Care Act so they can eliminate the tax on those who are helping to fund the Affordable Care Act.

So let me just talk about the Affordable Care Act for a while, because one of the things that the public should know is that the ACA, Medicare, and Medicaid, are now wed. If you mess with the ACA, it directly impacts these other important initiatives, Medicare and Medicaid.

The Republicans have never supported Medicare. They opposed it at its origin and, over time, continued to oppose it.

□ 1230

In the nineties, their Speaker, Newt Gingrich, said Medicare should wither on the vine. Their Speaker, PAUL RYAN, has in his budget removing the guarantee of Medicare for our seniors. Remove the guarantee. That means you get a voucher and you go shop for Medicare in this nonexistent health plan that they put forth.

Republicans talk about how they are going to repeal and replace. It is interesting illustratively, but not realistic in terms of the fact that, for 6 years, they have had a chance to propose an alternative. We have seen nothing.

What we have seen is cut and run. They want to cut benefits and run. They want to cut savings and run. They want to cut access and run. They want to cut Medicare and run. They want to cut Medicaid and run. The list goes on and on. They want to cut jobs. We will lose 3 million jobs if they have their way with their nonexistent cut-and-run plan on the Affordable Care Act.

Let's talk about the relationship between ACA and Medicare and Medicaid. Hospitals will be devastated under the ACA repeal because they will be left with uncompensated care.

One of the challenges to hospitals was that they must care for people who come in and don't have the ability to pay. With the Affordable Care Act, we now take care of that. That alleviates the cost to corporate America or those

who are providing health benefits to their workers, adding between \$1,000 and \$3,000 a year per policy because they are carrying the uncompensated care cost. The Affordable Care Act alleviates that.

The reality is, as Mr. NEAL, our new ranking member on the Ways and Means Committee, has said, Medicaid is now a health program that crosses the economic spectrum. It is not just for the poor. People think of Medicaid as a poor people initiative—no. It enables mothers to work their way out of poverty by providing affordable coverage for their children—yes.

It enables people with disabilities to get the care needed to live and work in the community, and it provides critical nursing home care for middle class elderly who have spent down their savings and have no other alternatives. As Mr. NEAL says, Grandma is going to be living in the guest room or in the attic or in the basement if you cannot have nursing home care.

This is very important to families because we want a budget that enables people to have good-paying jobs, increase their paycheck so that they can afford their home, address the aspirations of their children, and have a dignified retirement. If they have to care for their aging parents, they do less for their children. This assault on Medicaid is an assault on the financial stability of families across the board, whatever their age.

Furthermore, Medicaid is one of best tools to fight addiction. We made a big deal about our opioid legislation. Americans who previously did not have access to health care and, therefore, self-medicated with opioids and other painkillers are able to access diagnosis, treatment, and pain management. Medicaid provides real care for the addiction and underlying condition to turn for the better for individuals and their families and the community. The list goes on and on.

The jobs issue. In most of your communities, healthcare providers, hospitals, et cetera, are the biggest employers. They won't be anymore. Millions of jobs will be lost.

Mr. PALLONE, our ranking member on Energy and Commerce, another committee of jurisdiction, keeps making that point. Why are you being, he says, ideological about this when the practical effect is about the economic security of our families? I thank Mr. PALLONE for that.

Mr. BOBBY SCOTT, the ranking member on the Education and the Workforce Committee shows what happens to States if you overturn the Affordable Care Act. In his own State of Virginia, he can give testimony to the increased cost to the State or lack of meeting the healthcare needs of constituents.

The ACA guards and strengthens the health care and economic security of

every American, no matter where he or she gets health insurance. It delivers transformational progress in terms of coverage, quality, and cost.

Much has been said about the fact that more than 20 million people now have access to affordable health care. This is a wonderful and remarkable thing, but that is only part of the story.

Every American who has access to health care benefits from this. Most Americans receive their health benefits in the workplace. If you do, you now cannot be discriminated against because of a preexisting medical condition.

You cannot be discriminated against if you are a woman. No longer is being a woman a preexisting medical condition, which means you paid more if you are a woman.

No longer can the insurance companies levy lifetime limits for a preexisting condition that you may have or even for the care that you are getting on a new basis. The list goes on and on.

Do you know how many people have a preexisting medical condition? There are 100 million families affected by preexisting conditions, such as if your child is born prematurely.

I, myself, have five children. Long ago, insurance companies said to me: You are a poor risk because you have had five children. I said: I thought that was a sign of my strength. I didn't know that you were measuring it as a weakness.

Any excuse would have done, but not with the Affordable Care Act. It stands there as a pillar of economic and health security. It stands there as a pillar of economic security like Social Security, Medicare, and Medicaid, which, again, the Republicans and Newt Gingrich opposed in the 1990s and said would wither on the vine. In his budget, PAUL RYAN takes away the guarantee. But it is a pillar of economic and health security.

So the proposal today increases the deficit, does not create jobs, undermines the health security of the American people, and does not do much in any regard to address the challenges I posed in the beginning. It is no wonder they want to talk about the Affordable Care Act. They have nothing to recommend in their budget resolution.

The GOP's repeal plan will raise premiums. Mr. Chairman, the rate of growth of healthcare costs in our country has been greatly diminished by the Affordable Care Act. In the more than 50 years that they have been measuring the rate of growth, it has never been slower than now.

Repeal will create chaos that will echo in the health coverage and costs of every American. Chaos is the order of the day for them.

The American people will not be dragged back to the days when an ill-

ness or injury meant financial ruin, that you might not get a job because someone in your family was ill and was going to raise the cost of health care in a company that might hire you, that you could lose your home. Most bankruptcies spring because of not being able to pay medical bills.

In short, we will not allow the Republicans to make America sick again. I urge a "no" vote on this unfortunate resolution.

Mrs. BLACK. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. FASO), one of our newest Members.

Mr. FASO. Mr. Chairman, I thank the new chairman of the Budget Committee for yielding.

Mr. Chairman, I have listened to the debate and I understand the difficulty that both sides have with fixing this system.

We clearly believe the system needs to be repealed and replaced. Moreover, the system needs to be reformed. And there is perhaps no better prominent Democrat in this country who has made the case for reforming this system. I quote former President Bill Clinton, who said just last October:

So you have got this crazy system where, all of a sudden, 25 million more people have health care and then the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half. It's the craziest thing in the world.

President Bill Clinton.

Mr. Chairman, this is just the first step in terms of fixing this problem. The taxes, the premium increases, the loss of coverage, the small businesses who have been priced out of the market, the discouragement of employment in our country because of the costs that are imposed on the business sector through the ACA have to be fixed; they have to be addressed. Today is just the first step in addressing that.

Later, we will have regulatory changes that come from the Department of Health and Human Services. More importantly, we will all have to come back here to work out a new plan to fix it.

Mr. Chairman, I urge my colleagues to vote for this resolution.

Mr. YARMUTH. Mr. Chairman, I will remind my colleague that his vote today to repeal the Affordable Care Act will result in 939,000 people from his State of New York losing their healthcare coverage, 131,000 workers losing their jobs, and an economic loss of \$89.7 billion in gross State product over 5 years in New York.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. MAXINE WATERS), the distinguished ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise to oppose this budget, which is designed to repeal—not replace—ObamaCare.

I am adamant about this because of what I have witnessed all of my life. I am going to share with you—and some of you may have never heard of these things—that I have watched people die from preventable diseases.

I have watched, over the years, from the time I was a child, where people had home remedies. They didn't have any prescription drugs.

I watched as my great-grandmother was in pain, in tears, because of arthritis and rheumatism. We had to rub her down with something called liniment.

I have watched men get up and try to go to work with pneumonia. They tried to heal pneumonia with what was known as hot toddies.

I have watched as children have died. Little children used to walk around with little bags around their neck with something in it called asafidya that was supposed to protect them from harm. They had pneumonia. They had colds. That is all they had. They didn't have a doctor. They died from preventable diseases.

Now we have 20 million more people who are insured under this healthcare plan. This is a healthcare plan for all Americans.

The Republicans will tell you that, yes, they are going to give you something better, but they have been saying this for 8 years. They have been after what is known as ObamaCare for 8 years. Why don't they have a remedy? Why don't they have a plan? Why don't they have anything?

They didn't have anything when they started to attack ObamaCare, they don't have anything today, and they are not going to have anything better than the ACA.

Mrs. BLACK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to read the names of some of the groups that have written to us in support of S. Con. Res. 3. There are more than 35 names on here, but I am going to read off some that we would recognize very quickly:

The American Center for Law and Justice, Association of Mature American Citizens, Citizens Against Government Waste, Concerned Women for America, Health Benefits Group, Independent Women's Voice, Medical Device Manufacturers Association, National Association of Manufacturers, National Association of Wholesaler-Distributors, National Restaurant Association, National Retail Federation, National Taxpayers Union, Society for Human Resource Management, and the U.S. Chamber of Commerce.

I just want to extract one paragraph out of the U.S. Chamber's letter that they have written:

The U.S. Chamber of Commerce supports S. Con. Res. 3, the concurrent resolution setting forth the congressional budget for 2016, an initial step toward making critical improvements to the American healthcare system."

I think that you can see that not only do our constituents support a

change, but also these companies around the country.

Mr. Chairman, I reserve the balance of my time.

Mr. YARMUTH. Mr. Chairman I yield 1½ minutes to the gentleman from Virginia (Mr. SCOTT), the distinguished ranking member of the Education and the Workforce Committee.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to this budget resolution and its intent to compromise the health insurance of all Americans.

Republicans continue to pursue the repeal of the Affordable Care Act, root and branch, despite the fact that there is no credible plan to deal with the chaos that this repeal will create.

Thirty million Americans will lose their insurance, the vast majority being working families. There is no plan to protect the other Americans who have enjoyed improved consumer protections and benefits.

Although the rates have gone up, they have gone up at half the rate that they had been going up before ObamaCare, and most of those in the marketplace don't even have to pay those increased prices because of increased tax credits.

□ 1245

When Republicans talk about repeal and replace, the only thing guaranteed is the repeal part. Republicans have shown little interest in producing an alternative. We have heard lots of complaints, but we have not seen a plan that will make things any better.

Remember, when Medicare was created, most of the Republicans in Congress voted "no." Republicans in the House have voted numerous times, over 60 times, to repeal some or all of the Affordable Care Act without proposing a credible alternative, and now we have some vague ideas but no plan to deal with the total chaos that will be created if ObamaCare is repealed.

I urge my colleagues to save the health and economic security of all Americans by defeating this resolution.

Mrs. BLACK. Mr. Chairman, what I would like to do now is to read some of the broken promises that have occurred through the Affordable Care Act.

Here is one that I think we will all recognize: "That means that no matter how we reform health care, we will keep this promise to the American people: If you like your doctor, you will be able to keep your doctor, period." Those are remarks by the President at the annual conference of the American Medical Association back on June 15, 2009.

Here is another one: "I will sign a universal health care bill into law by the end of my first term as president that will cover every American and cut the cost of a typical family's premium by up to \$2,500 a year." This was in a speech on June 23, 2007.

Here is another: "You should know that once we have fully implemented, you're going to be able to buy insurance through a pool so that you can get the same good rates as a group that if you're an employee at a big company you can get right now—which means your premiums will go down." Which we know has absolutely not happened. These were remarks that were made by the President at a campaign event on July 16, 2012.

Here is another one, remarks made by the President after a meeting with the Senate Democrats on December 15, 2009: "Whatever ideas exist in terms of bending the cost curve and starting to reduce costs for families, businesses, and government, those elements are in this bill." As we know today, those elements have not come to fruition.

Another: "So this law means more choice, more competition, lower costs for millions of Americans." These were remarks by the President on the Affordable Care Act and the government shutdown on October 1, 2013.

Another: "In my mind the Affordable Care Act has been a huge success, but it's got real problems." This came from Jonathan Chait, "Five Days That Shaped a Presidency," on October 2, 2016.

The last one that I will read to you: "I'm willing to look at other ideas to bring down costs. . . ." These were remarks by the President in the State of the Union Address on January 25, 2011.

In 2013, PolitiFact rated this the number one lie of the year. At publication, PolitiFact found that there were at least 37 instances when President Obama made this vow to the American people. I can say that, as we look at these statements that were made, these are not statements that have come true.

Mr. Chairman, I reserve the balance of my time.

Mr. YARMUTH. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. PALLONE), the distinguished ranking member of the Committee on Energy and Commerce.

Mr. PALLONE. Mr. Chair, I have listened to every Republican who spoke during this budget debate, and I am convinced they will repeal the ACA and run. There will never be a replacement because they don't have the votes for it. The Republicans are ideologues. They don't believe we should regulate insurance companies or help people pay for their premiums, so they can never support a replacement plan that would do these things.

The ACA is a market-based plan to deal with the healthcare crisis that we faced 8 years ago. More and more people didn't have health insurance. Insurance companies wouldn't sell them health insurance if they had a pre-existing condition like cancer. People were paying more and more out of pocket, and the fact of the matter is

that we stepped in in a practical way, not because we were ideologues, because we were looking at the situation practically to help people.

What did we do? We provided 20 or 30 million people who didn't have insurance with insurance. For those who had health insurance through their employer, we guaranteed them a good benefit package, and we limited their out-of-pocket costs. We looked at this practically because we are trying to help the American people. We were not ideologues. We didn't care about whether you were on the left or the right.

But what the Republicans are doing today is really a farce. They don't care about the average American. They don't care about all these people who have insurance now who didn't have it before, about the benefits that they are getting, that their out-of-pocket costs have been limited. No. They are just ideologues. They want to repeal this. They have no intention of ever replacing it, in my opinion, and they want to go back to the good old days when the insurance companies controlled the market. That is what we are going to have. Repeal and run, that is what you are doing.

Mrs. BLACK. Mr. Chairman, I reserve the balance of my time.

Mr. YARMUTH. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE), a distinguished member of the Committee on Appropriations.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in strong opposition to this sham Republican budget resolution.

After wringing their hands for the last 8 years about debt and deficits, today's resolution makes clear Republicans care about fiscal discipline only when it is a Democratic President they are dealing with. This budget resolution would add \$9.5 trillion to the debt over the next 10 years. It has only one purpose: to provide for the eventual repeal of the Affordable Care Act, but it would ruin our fiscal health as well.

Of course, the ACA was fully paid for by Democrats with new revenue and with cost-containment measures. Non-partisan budget experts say that repealing the ACA would actually increase the deficit by \$350 billion. So the hypocrisy of our Republican colleagues on this issue is simply breathtaking, even by Washington standards.

Of course, repeal of ACA wouldn't just blow a hole in the budget, it would: destabilize the insurance market and cause premiums to skyrocket; eliminate insurance coverage for 30 million Americans, including 4 million children; raise taxes on the middle-class; burden local and rural hospitals with more uncompensated care; eliminate Medicaid benefits for millions of vulnerable citizens; and abolish vital patient protections, including the provision that stopped insurance companies from discriminating against those with preexisting condition.

After more than 6 years, moreover, we are still waiting for that comprehensive Republican plan to replace the ACA. News flash: they don't have one.

The CHAIR. The time of the gentleman has expired.

Mr. YARMUTH. Mr. Chairman, I yield the gentleman an additional 15 seconds.

Mr. PRICE of North Carolina. They simply don't have one. Rather than work with Democrats to improve the ACA, Republicans continue to put their own political ideology over the health and well-being of the Americans we are all pledged to serve.

I urge all Members to forcefully reject this budget resolution.

Mrs. BLACK. Mr. Chairman, I reserve the balance of my time.

Mr. YARMUTH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington (Ms. JAYAPAL), a distinguished member of the Committee on the Budget.

Ms. JAYAPAL. Mr. Chairman, I rise in strong opposition to this budget resolution. It begins the gutting of the Affordable Care Act, stripping health care for millions of working families across the Nation, including over three-quarters of a million in my home State of Washington.

Here is the bottom line: This repeal will put into chaos small businesses, hospitals, and community health centers. I have one of those in Seattle called the International Community Health Services, which provides culturally appropriate health services to anyone in need. Recently, an elderly woman at ICHS shared her fears about the ACA repeal. She and her husband, a heart attack survivor who went through bypass surgery, rely on Medicare and Medicaid for affordable health services. They have an annual joint income, Mr. Chairman, of \$14,000, and they would be unable to afford quality care if the ACA repeal happens and, let's be clear, with absolutely no better plan to replace it.

Mr. Chairman, the budget resolution is a moral document. It does translate our values into commitments, and it should tell the world what the United States stands for. Looking at this budget resolution, I cannot help but conclude that our moral compass will be broken if we pass this resolution. I urge my colleagues to oppose this immoral budget resolution.

Mrs. BLACK. Mr. Chairman, I reserve the balance of my time.

Mr. YARMUTH. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New York (Ms. VELAZQUEZ), the ranking member of the Committee on Small Business.

Ms. VELAZQUEZ. I rise in strong opposition to this resolution. Mr. Chairman, if Republicans go forward with this plan to dismantle the Affordable Care Act, 30 million Americans will

lose health insurance. In New York State alone, 1.6 million of our neighbors—who gained coverage through ACA—will lose their health insurance and will see their health insurance taken away, and 2.7 million New Yorkers who have enrolled in Medicaid could lose coverage.

But this is not just about Medicaid, and it is not just about who obtained coverage through the exchanges. This is about the young person just out of college who can stay on their parents' insurance until they turn 26, giving them time to secure employment and coverage on their own. It is about patients with preexisting conditions who, until the ACA, were blocked from securing quality medical insurance. It is about women who have faced gender discrimination in the insurance market. These are the people Republicans will harm with their irresponsible attack on our healthcare system.

Now, let me also note this: the Republican slogan, repeal and replace, is a sham. What are they going to replace the ACA with? They have never, not once, put together a realistic, defensible plan to replace the ACA. Their plan should be called repeal and displace because it will displace millions of Americans from their health coverage. Reject repeal and displace. Vote "no" on this bill.

Mr. YARMUTH. Mr. Chairman, I reserve the balance of my time.

Mrs. BLACK. Mr. Chairman, I have no other speakers, and I reserve the balance of my time to conclude the debate of the budget resolution after the Joint Economic Committee has finished its debate.

The CHAIR. The gentleman from Ohio (Mr. TIBERI) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) each will control 15 minutes on the subject of economic goals and policies.

The Chair recognizes the gentleman from Ohio.

Mr. TIBERI. Mr. Chairman, it is a pleasure for me to be here in my role as chairman of the Joint Economic Committee. I am also pleased to have a couple of our new Members here today.

I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD), a new member of the Joint Economic Committee.

Mr. LAHOOD. Mr. Speaker, I rise today in support of this budget resolution as a first step in the process to repeal and replace ObamaCare. It is undeniable that ObamaCare has failed. It has broken promise after promise to the American people.

Constituents in my district in central Illinois are watching their premiums skyrocket by an average of 15 percent. This chart next to me here shows, all across the country in State after State, premiums have skyrocketed. Citizens also face deductibles that are so high that they try to get by without going to a doctor.

One constituent from Roseville, Illinois, whose insurance costs have gone up 75 percent, stated to me recently: "This is crazy. Almost half of my paycheck goes to insurance. How do they expect us to afford this?"

These burdensome costs stifle families and our small businesses' ability to participate in and help grow our economy. We have a mandate from the American people to fix this broken system and to rescue citizens from escalating healthcare costs.

□ 1300

The goal is not to pull the rug out from underneath anyone. In fact, we are working to provide a stable transition to better, more affordable health care. We must have something that is economically sustainable and fiscally responsible, something that actually works.

I look forward to working with my colleagues to replace ObamaCare with a system grounded in economic reality—a market-driven, consumer-centered healthcare system that provides Americans with more choices, lower costs, and greater flexibility. That is why we are working on a replacement system that will expand consumer choice through health care focused on their needs; a system that will spur innovation in health care; attract new doctors and healthcare providers; and protect patients with preexisting conditions.

Mr. Chairman, we must help Americans gain access to insurance they can afford. Passing this legislation is one step towards helping people and fulfilling our promise to the American people.

I urge my colleagues to support this resolution. We owe it to our citizens.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Here we are more than 3 months into fiscal year 2017, debating a budget which is not really a budget resolution. Even the majority admits it is nothing more than a shell to help them repeal the Affordable Care Act. It doesn't contain any way to grow jobs and it doesn't contain any new ideas to grow our economy.

With all of the majority's rhetoric about deficits over the last decade or more, this budget explodes the deficit and adds \$2 trillion—as in T—to the national debt, only to set the stage for repeal of healthcare assistance to millions of Americans.

What is more, the Congressional Budget Office has told us that repeal of the Affordable Care Act would increase the deficit by \$353 billion over 10 years. Now, many of my colleagues have noted the devastating effect of the repeal of the Affordable Care Act, the effect that it would have on millions of Americans' health. Thirty million Americans would lose insurance, including 4 million children. The cost of

prescription drugs would go up for our seniors. Young people would lose the coverage on their parents' health care. Women wouldn't be protected, and men with preexisting conditions. Pregnancy would no longer be covered.

The Affordable Care Act has made critical progress for Americans. Millions have gained health care that they never had before. Our uninsured rate is now at 8.9 percent. It is the lowest rate in the history of our great country. It is nearly halved from before the Affordable Care Act took place, as you can see from this chart. This is something we should be proud of. We have allowed more and more and more Americans to have health care when they need it. It is literally a life-and-death situation to millions of Americans.

This reckless repeal of the Affordable Care Act will also cause economic havoc. It not only hurts people; it hurts our economy. Now, just last month, our economy added 144,000 private sector jobs—the 75th straight month of job growth in the United States of America. That is something we can all be proud of. That is the longest stretch of job creation since 1939 in our Nation's history.

That is in stark contrast to the way things were at the time that the last Presidential transition took place. When Barack Obama took the oath of office, our economy was shedding a staggering amount of jobs. In December of 2008, the economy lost 695,000 jobs. The next month, another 598,000 jobs gone. We were losing, over a period of time, roughly 700,000 jobs a month. The banks were teetering, lending had halted, the auto industry was exploding, our Nation was in economic turmoil. The combination of a bursting asset bubble and bank panic brought this country to the edge of collapse. It was the worst financial crisis in global history, according to the head of the Federal Reserve, Ben Bernanke—in global history.

Today we have a very different story. Thank you, President Obama. Our unemployment rate, which had soared up to 10 percent, is now at 4.7 percent. That is a great achievement. In 2016 alone, our country added 2.2 million jobs, bringing the total to over 15 million new jobs created over the last 7 years. Instead of shedding jobs and losing jobs under the prior administration, we were gaining.

Just look at this chart. We moved from the deep red valley of political devastation, economic loss of jobs and suffering, to moving out of our economic troubles to a continued growth of blue job creation. In the job creation and in our economy, we also expanded health care to help our people. Just look at this chart. It tells the story—the deep red valley of economic devastation caused by the last Republican administration and the steady job growth under President Obama.

We are now seeing stronger job growth after years of stagnation. Over the past year, average hourly earnings rose to 2.9 percent; another great success. But now we are considering a heartless and, I would say, reckless plan to repeal the Affordable Care Act; a move that threatens to undo our progress and will turn millions of lives absolutely upside down across this great Nation.

A report issued this month by The Commonwealth Fund outlined the disastrous economic consequences of the majority's plan. In just the first year of repeal, our economy will lose nearly 2.6 million jobs and over \$255 billion in economic output. Over the course of 5 years, our economy will lose over \$1.5 trillion in output.

These devastating job losses are not limited to the healthcare industry. As was pointed out by many Democratic speakers, our whole industry is intertwined. You can't cut the Affordable Care Act without also impacting not only people, but also the delivery of services through our hospitals, and also Medicaid and Medicare. It is all intertwined. It is reckless to move forward and say: Oh, we are going to come up with a good plan.

Well, where is it?

You have had years to come up with it. We have never seen it.

We will lose not just two-thirds, over 1.6 million, of jobs just in health care, but also in related industries—construction, retail, and other sectors. What is more, this repeal plan would also place massive financial burdens on our State budgets.

The Commonwealth Fund report estimates that in just the first year, States would lose out on \$8.2 billion in tax revenue. Over 5 years, our States would lose over \$48 billion in tax revenue. That means hits to our schools, our roads, our first responders, and our neighborhoods.

Of course, repealing the Affordable Care Act will hurt the millions of people who have directly benefited from it. People have come up to me and told me on the street: I finally have health care; I have health care for my children; I know if they get hurt, they are going to be taken care of.

People in my home State of New York will be hit very hard. Over 2.7 million New Yorkers have healthcare coverage today that they did not have before because of the Affordable Care Act. Now their health care is on the line, for they are among the 30 million who would lose health coverage under the majority's repeal plan.

This not only hurts people, it cost economic development—a loss of \$89.7 billion in gross State product for my State of New York alone.

This is the way it is all across the country. Americans of every political stripe, who work hard and play by the rules and think they finally have

health care, who have at long last gained it, are now worried about what is going to happen to them tomorrow. They deserve better. They deserve what they already have. They, at least, deserve a plan.

We should not repeal. We shouldn't repeal it in the first place. But if you are going to repeal it, let's be responsible about it and have what it is you are going to put back in place to help people. It is reckless to repeal it.

In the most advanced, most economically prosperous country in the history of the world, our people deserve the certainty that they can have access to health care for themselves and their families. With all that is at stake—health care for millions, the loss of 2.6 million jobs, economic havoc—it is simply irresponsible to move forward with a budget, and reckless to repeal the Affordable Care Act without any real solution to help people.

I urge my colleagues on both sides of the aisle to vote against this budget resolution, which is nothing more than a plan to take health care away from Americans.

Mr. Chairman, I reserve the balance of my time.

Mr. TIBERI. Mr. Chairman, it is a pleasure to yield 2 minutes to the gentleman from Florida (Mr. FRANCIS ROONEY), a new Member of this Congress, and a new member of the Joint Economic Committee.

Mr. FRANCIS ROONEY of Florida. Mr. Chairman, I rise to speak about and oppose the travesty known as ObamaCare.

The need to replace this program was obvious on day one. It is a failed socioeconomic experiment perpetrated by people who don't believe in individual choice and don't understand free market competition. In fact, we can see less than half of the folks that were supposed to sign up have done it because it is a bad deal for them. Nothing promised under this medical health insurance program has proved true. Care costs have gone up, premiums and deductibles have skyrocketed.

We have another chart here, if I might, that shows a projected 25-plus percent increase in premiums in 2017. My State of Florida is 19 percent. Coverage has been circumscribed and reduced. This business about keeping your doctor has proven to be another falsehood. You can't afford to keep your doctor. You can't afford to keep your insurance.

The entire program was flawed from the beginning. It is a top-down, government-run boondoggle. All it has done is create monopolies for a bunch of insurance companies. I have heard heart-wrenching personal stories from so many families in southwest Florida who have suffered severe financial burdens and have had reduced and dropped coverage because of ObamaCare.

Paying more for less is bad policy. It is bad economics. It is a raw deal for

Americans. Now we have the opportunity to do three things to turn the page and put this disaster of ObamaCare behind us. We have the opportunity today to enact the resolution, which will lead to repealing ObamaCare. We have the opportunity to have Dr. PRICE take the helm of Health and Human Services and begin a substantial administrative overhaul. And we have the opportunity to put in the replacement plan that has been talked about, described in A Better Way for America, which provides a seamless transition into a new form of health care, leaves no one without coverage, and assures the continual coverage of preexisting conditions. But it will offer consumer choice the American way. It will make coverage affordable and competitive.

The CHAIR. The time of the gentleman has expired.

Mr. TIBERI. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. FRANCIS ROONEY of Florida. It will stimulate competition for insurance coverage across State lines for moving an archaic and artificial barrier, which shouldn't be there in the first place. Lastly, it will encourage innovation in the delivery of health care in advances in treatment.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, first, I would like to apologize to two dedicated members of the committee on which we serve: Mr. BEYER and Mr. DELANEY, who have been sitting here, waiting for a long time. But Mr. NADLER tells me he has an absolute pressing emergency and must go first.

Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, repeal of the Affordable Care Act will be a disaster for the American public. It will send America back to the days when people went bankrupt trying to pay medical bills, and seniors on Medicare spent \$3,000 on prescription drugs alone.

Adding insult to a very serious injury, the bill before us would defund Planned Parenthood because of debunked accusations. Republicans are asking us to pass legislation that will punish an invaluable organization without any evidence of due process because they don't agree with it. This bill smacks of an unconstitutional bill of attainder.

If we do pass this bill, we will leave millions of women with no access to health care. Republicans know that community health centers and Medicaid networks do not include enough providers, particularly OB/GYNs, to take on all of Planned Parenthood's patients.

□ 1315

By voting to defund Planned Parenthood today, we will be leaving 2.7 mil-

lion women and men with no access to reproductive health care.

What a statement for the Republicans to make as their first major piece of legislation. They are saying to the American people, and to women in particular: Republicans don't care about your health or about your families. Republicans just care about politics.

Well, my Democratic colleagues and I care about the health of the American people, about American jobs and about American women. That is why we will vote against this absurd budget resolution; that, and the ACA repeal.

I urge my colleagues to vote against this bill.

Mr. Chair, this budget resolution is primarily a vehicle to repeal the Affordable Care Act and to defund Planned Parenthood, steps the Republicans are taking without putting any plans in place to ensure that millions of men, women, and children will continue to have access to health care they need. They are proposing to let Americans get sick, even die, to score cheap political points.

Repeal of the Affordable Care Act will be a disaster for the American public. In New York State alone, it will result in 2.7 million people losing health insurance and will create a \$3 billion hole in the state budget. It will also result in the loss of thousands of health care jobs across the state. Republicans will send America back to the days when people went bankrupt trying to pay medical bills. It will mean that people with private insurance—from their employers or the individual market—will have their insurance cancelled for pre-existing conditions. It will mean that people once again will be subject to annual or lifetime limits—in other words, if you get an expensive illness, a heart attack or cancer, your insurance will run out just when you need it the most. And people on Medicare will have to pay an average of \$3,000 a year for prescription drugs.

Adding insult to very serious injury, this bill would defund Planned Parenthood because of debunked accusations. If members have real evidence that Planned Parenthood broke the law, they should send it to federal law enforcement agencies. Instead, they are asking us to pass legislation that will punish an invaluable organization without any evidence or due process because they don't agree with them. My colleagues who love to cloak themselves in the Constitution should know Congress is not the law enforcement body this bill asks us to be—it smacks of a clearly unconstitutional bill of attainder.

If we do pass this bill, we will leave millions of women with no access to health care. Republicans may claim that women can go elsewhere for the services provided by Planned Parenthood—they've even gone so far as to provide additional funding for Community Health Centers to fill the gaps they clearly know this bill will leave behind. But did they check to see if the existing Community Health Centers or Medicaid networks can fill these gaps? Did they ask HHS to confirm that Community Health Centers even employ enough OB/GYNs and other specialists to actually take on the patients currently treated by Planned Parenthood? Of course not.

Republicans know HHS would never be able to make that determination. More than half of Planned Parenthood patients rely on Medicaid. Most states do not have enough Medicaid providers, particularly specialists like OB/GYNs, to absorb Planned Parenthood's patients. By voting to defund Planned Parenthood today, you are leaving 2.7 million women, men, and families with no access to health care.

Republicans are leaving women to suffer with no access to prenatal care, condemning seniors to undiagnosed cancers, and leaving children to suffer with asthma and other chronic illnesses all to make a political statement.

And what a statement for Republicans to make as their first major piece of legislation. They are saying to the American people, and women in particular: Republicans don't care about your health. Republicans don't care about your families. Republicans just care about politics.

Well, my Democratic colleagues and I care about the health of the American people. We care about American jobs. We care about American women. That's why we will vote against this absurd budget resolution. I urge my Republican colleagues to join us.

Mr. TIBERI. I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. I yield 2 minutes to the gentleman from the great State of Virginia (Mr. BEYER.)

Mr. BEYER. Mr. Chair, I rise with my Joint Economic Committee Democratic colleagues to address the terrible effects that the Republican budget will have on this country's health.

I listened with rapt astonishment to Speaker RYAN's recitation of the percentage increases in the premium costs for insurance, for insurers on the Obama exchanges. But the Speaker omitted important facts.

Number one, more than 80 percent of ObamaCare customers get subsidies to help them pay the cost of these premiums. They do not pay the full cost and will not feel the brunt of these increases.

Number two, these increases are uneven. Yes, Arizona is up, but Rhode Island will decrease 14 percent. The Speaker cherry-picked the highest ones, omitting the overall increase.

But most importantly, number three, most people are unaffected because most people get their insurance through their employer, Medicare, Medicaid, or the VA. Only a small fraction of Americans actually buy insurance on the individual market. Premiums, for the average single person through the employer market last year, were exactly the same as those for families; only up 3 percent.

As an employer myself who offers health insurance to more than 300 people, and someone who is very concerned about the debt, my great concern is that the Republicans seem willing to throw out our total commitment to managing our debt for this repeal.

I have listened to my friends in the Freedom Caucus lament about our national debt and together we have made

significant progress on the budget deficits.

But blowing up ObamaCare will blow up our national debt, the most fiscally irresponsible act since we waged two wars without paying for them.

A study by the Commonwealth Fund projects that repealing ObamaCare will cause the State of Virginia to lose up to 100,000 jobs and \$50 billion in business output.

I urge my colleagues to vote “no” on this most fiscally irresponsible plan.

Mr. TIBERI. I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. I yield 2 minutes to the gentleman from Maryland (Mr. DELANEY), another distinguished member of the Joint Economic Committee.

Mr. DELANEY. Mr. Chair, we all know that hard-edged partisan politics has not only eroded the confidence that the American people have in our government, but it has caused government to function to a very low standard.

In my 4 years that I have been in this Congress, I have never seen a better example of that than what we have here today. Because today, we are considering a budget that is not only fiscally irresponsible, it doubles our deficits across 10 years, increases the national debt by \$10 trillion, but its sole purpose is to repeal the Affordable Care Act.

The purpose of today’s budget is not to amend the Affordable Care Act to preserve its strengths and tackle its weaknesses, nor is the purpose of today’s budget to repeal the Affordable Care Act and put something in place that has been well thought through and shared with the American public. The purpose of today’s bill is to repeal the Affordable Care Act in a cold, hard way and let the chips fall where they fall. And this is not being done because it is good policy.

Anyone who is serious about healthcare policy—even people who oppose the Affordable Care Act—who has looked at this issue, has concluded, by any measure, the Affordable Care Act should not be repealed without a replacement. It is being done for political reasons because my colleagues, unfortunately, for years, have told their supporters that they would repeal this bill at all cost, without having the courage or convictions to explain to them the consequences of repeal without replacement; nor without the determination to do the work to come up with an alternative.

The Affordable Care Act was passed 8 years ago. It was passed on a straight party-line basis, which was unfortunate. It had three important goals, which it has achieved: to expand health care in over 20 million people; to lower the overall cost of health care in this country, which is the most important number in our fiscal health; and to improve the quality of health care.

Is it perfect? No. Are we addressing its problems today? No. Are we repeal-

ing it without any replacement? Yes. By any measure, will that be bad for the public health and potentially cause a public health crisis in the United States of America? The answer to that is yes.

I urge my colleagues to reject the budget proposal.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I urge a strong “no” vote. This budget resolution jeopardizes the very health of our citizens and puts our economic recovery at risk. I urge a “no” vote.

I yield back the balance of my time. Mr. TIBERI. Mr. Chair, I am prepared to close, and I yield myself such time as I may consume.

Mr. Chair, there are several perspectives, important perspectives, to health care and health insurance: one, value delivered to patients in terms of insurance plan options, choice of doctors, access to treatment, and, most importantly, health outcomes; two, health insurance premiums and healthcare cost sharing; three, budgetary cost to the Federal and State governments; four, supply of healthcare services, including by doctors and hospitals and through medications; and fifth, indirect costs to the economy, such as reduced job creation and labor force participation.

The Affordable Care Act fails on all five counts, and that is why we are here today, to start the process of repealing and replacing it. The program is dysfunctional, and its costs have become and will become more unsustainable.

Supposedly, the central objective of passing the ACA was to insure those who did not have coverage. I was there.

Yet, the increased government sprawl shown in this chart in health care is striking.

The Joint Economic Committee chart from the time of the law’s passage illustrates the law’s mind-numbing complexity. Unsurprising to anyone skeptical of bureaucratic solutions, the Obama healthcare system has not worked.

Instead of empowering innovators, doctors, patients, ObamaCare has implemented a complex scheme that relies on unelected bureaucrats. And this chart demonstrates that clearly.

Mr. Chair, ObamaCare means fewer choices. In fact, Kimberly, a constituent in my district, recently told me that she had a brain tumor. She said:

Virtually no doctors take the marketplace insurance, so I am left to change doctors who I have seen for 30 years and switch to new doctors who I don’t trust and cannot provide the same healthcare benefits that I have received in the past.

Traumatic for her.

Remarkably, the enrollment failure is happening, despite penalties on individuals failing to obtain coverage and on employers failing to provide it.

Even with billions of dollars in subsidies, in my opinion, this illustrates that many would likely prefer to trade their subsidies for more flexibility, the choice of their own doctors, and useful alternatives.

ObamaCare also means higher premiums. Ohioans, on the individual marketplace, have seen increased premiums by 111 percent since passage of ObamaCare, and now in my State, the average premium is over \$5,000.

Republicans agree that the system needs reform, but ObamaCare cannot be reformed. The argument that parts of the American healthcare insurance system were not working previously, and that more people now have health insurance, is irrelevant to the decision to repeal ObamaCare. Nobody claims that the former system was perfect. I certainly don’t.

Certainly, the government can increase coverage with subsidies, increase coverage with mandates, but what has it done to the underlying health care that is being provided?

The extent and method by which ObamaCare increases coverage has caused huge and unnecessary collateral damage to all others in the marketplace, all others with respect to patient choice of their doctors, the quality of the care that they are receiving, the supply of health care, and, certainly, State and Federal budgets.

The focus of ObamaCare advocates has been almost exclusively on increasing the number of insured by government subsidy and mandate. I get that. I understand that, but not on maximizing healthy outcomes. Those aren’t the same things.

Health insurance is not an end in itself. Effective treatment to healthcare problems is.

Private investment is so needed to push forward medical discoveries, innovation, accelerate drug development, personalize medicine, and harness technology to coordinate our health care and help administrate it.

There is a better way. You will hear from the other side of the aisle that Republicans have no plan to replace ObamaCare. Here are the plans. It is just not true. The goal of the Republican plan is not to go back to the way things were before ObamaCare; it is to move forward.

We want to facilitate a well-functioning market in health care, and health insurance as well. In the United States, we let the marketplace work things out. Republicans want to fix those obstacles and make it better.

Among the features of the Better Way is: portability, patient-centered care, insurance across State lines, medical liability reform, new mechanisms for small businesses and individuals to power together to negotiate, flexibility for our Governors, a patient-centered, patient-focused program.

The government has a role and a responsibility to provide support for

those who can't afford it, for those who fall through the cracks. A refundable tax credit is part of our plan, addressing preexisting conditions is part of our plan, and keeping dependents up to 26 on their parents' plan is part of our plan.

But the deeper points to recognize are: One, there is no reason why a free market could not offer insurance to individuals that provides continuous coverage throughout their lives. There is no reason that helping the poor should not limit the choices and flexibilities of everyone else, which ObamaCare has done, much less interfere with the large economy.

Moreover, the law has had an impact on employment. I see it every week. Economics Professor Casey Mulligan of the University of Chicago estimated that the ACA taxes will affect nearly half of the working population in America, reducing average wages, hours worked, and GDP.

And based upon CBO estimates, the overall impact of the ACA on the supply of labor will become progressively worse as time passes.

ObamaCare took certain problems in healthcare insurance—a large number of uninsured, lack of individual coverage for preexisting conditions, higher premiums for individuals—and used them as an excuse to create socialized medicine.

The repeal of ObamaCare will take us off that path and replacement will offer shortcomings to other problems.

Going forward, Republicans stand ready to provide support away from ObamaCare through a transition. And getting an improved healthcare system in place improves consumer choice.

I understand the anxiety that many are feeling right now listening to the Democrats tell them that health care is going to be yanked out from under them.

When I was a kid, my dad, a steel worker, lost his job. We lost our health care. We lost our insurance. I know what that anxiety is like. And I want to assure everyone today, that is not what we are doing here today.

I know what we are doing here today. We are empowering patients. We are empowering doctors, not bureaucrats. We are giving them more choices, more opportunities, and a better healthcare system.

Mr. Chair, I ask that we support this resolution.

I yield back the balance of my time. The CHAIR. All time for the Joint Economic Committee has expired.

The gentlewoman from Tennessee has 6 minutes remaining. The gentleman from Kentucky has 2 minutes remaining.

The Chair recognizes the gentleman from Tennessee.

Mrs. BLACK. I reserve the balance of my time.

Mr. YARMUTH. I am prepared to close, and I yield myself the balance of my time.

Mr. Chairman, everybody in this room wants the same thing. We want the best quality of care available to the most people at the lowest price. That is what every American wants. That is what Republicans and Democrats alike want.

We have put our plan to do that on the table. We recognize that there are ways it could be improved. But the idea that there is a plan competing on the other side is just hilarious.

□ 1330

Last night, I testified at the Rules Committee before Chairman SESSIONS. Chairman SESSIONS introduced a bill last year. He had one cosponsor. That gentleman is no longer in the House, so he has no cosponsors as of now. His plan is called the World's Greatest Healthcare Act. I like the name, but I don't know how that relates to any of those other plans. I know that probably some of the elements are similar.

This is the problem with the exercise we are going through. We are heading down a road with no final determination or destination. We are going to repeal the Affordable Care Act, eliminating all the protections that we have provided for 300 million Americans—expanded coverage, expanded guarantees, benefits, and quality—and we don't know what the alternative is.

Waiving around a bunch of papers does not mean there is a plan. It does not mean that the Republicans can say to the American public: "Here is what your health care is going to look like when we get finished with our repeal and replace." They just can't do that.

That is why only 18 percent of the American people, according to a Kaiser survey, want this course of action, want a repeal without a replacement.

All I have to say is, if we go down this path, we won't have repeal and replace. What we will have is repeal and regret because we are going to owe a huge apology to the American people for the damage that we have caused.

I urge my colleagues to reject this resolution.

I yield back the balance of my time.

Mrs. BLACK. Mr. Chairman, after all the debate that we have had today, these facts remain: ObamaCare is failing; health coverage is becoming less affordable; health care is becoming less accessible; and the American people want and deserve something better than this broken status quo.

While my colleagues on the other side of the aisle are doing their best to defend this law and make excuses for the harm it is causing, Republicans promised the American people we will not ignore those in our country who are suffering under the current healthcare system.

Today, we have an opportunity to begin to bring relief to the American people. Today's vote will kick-start the reconciliation process through which

we can and must repeal ObamaCare and pave the way to a patient-centered healthcare system, and I include in the RECORD letters supporting passage of S. Con. Res. 3.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, DC, January 13, 2017.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce supports S. Con. Res. 3, the concurrent resolution setting forth the congressional budget for fiscal year 2017, as an initial step toward making critical improvements to the American health care system.

Congress must repeal the "Cadillac" tax, the health insurance tax, the medical device tax, the employer responsibility penalties, and other harmful taxes of the Affordable Care Act that have increased health care costs for millions of Americans. As committees begin consideration of reconciliation legislation, the Chamber will continue to advocate strongly for those and other issues.

Furthermore, this proposal provides for modifications to enacted FY 2017 discretionary spending levels to bring them into alignment with the Appropriations Committee's existing allocation as part of the deeming resolution required by the Bipartisan Budget Act of 2015. These levels are consistent with the statutory limits established by the Budget Control Act and amended by the Bipartisan Budget Act. This legislation would also make changes to mandatory spending to reflect \$2 billion in mandatory savings—the same amount established in the reconciliation instructions.

The FY 2017 Appropriations bills include many Chamber policy priorities. The Chamber strongly supports completing work on those bills and hopes that passage of this budget resolution will provide the framework for their quick consideration, including beginning the important work on fiscal year 2018 bills.

Sincerely,

JACK HOWARD.

NATIONAL RETAIL FEDERATION,
January 11, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: I write to share the support of the National Retail Federation (NRF) for S. Con. Res. 3, the fiscal year 2017 budget resolution. Please note that NRF may consider votes on S. Con. Res. 3 and related procedural motions as Opportunity Index Votes for our annual voting scorecard.

The Affordable Care Act (ACA) remains a great concern for NRF and the greater retail community. The ACA adversely influences staffing patterns, discourages full-time employment and adds to the cost of goods in retail stores. NRF opposed enactment of the ACA in 2010 but has also worked steadfastly to change the law since its enactment. We have supported reasonable bipartisan efforts to reduce the ACA's cost burdens and ease compliance concerns. The ACA remains a heavy burden for the retail community despite all of our efforts to fix and adjust to the law.

This budget resolution is the first step toward the eventual repeal of the ACA. We support this first step but will be closely watching the ensuing reconciliation legislation to help keep employment-based coverage as

stable and predictable as possible. We strongly urge that the process of replacing the ACA be both bipartisan as well as deliberate. Consensus reform will build on the employment based system, which covers 178 million Americans, but not threaten this coverage in the effort to help others.

For all of these reasons, NRF supports S. Con. Res. 3 and ask for your vote in support. Sincerely,

DAVID FRENCH,
Senior Vice President, Government Relations.

NATIONAL ASSOCIATION OF
WHOLESALE-DISTRIBUTORS,
Washington, DC, January 12, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: I write on behalf of the National Association of Wholesaler-Distributors (NAW) to express support for S. Con. Res. 3, the Fiscal Year 2017 Budget Resolution. Passage of the budget resolution will provide an important first step toward the repeal and replacement of the Affordable Care Act (ACA).

It has become painfully apparent that the ACA has not and will not achieve the affordability, competition and choice goals promised by its sponsors. Looking forward, NAW members are deeply concerned about the ACA's potential to do harm to the employment-based health insurance system through which some 170 million Americans acquire their health coverage, particularly as two ill-advised ACA financing components—the excise tax on high-cost health plans (the “Cadillac Tax”) and the annual fee on health insurance providers (the “Health Insurance Tax” or “HIT”)—take hold.

NAW looks forward to working with Members of both houses of Congress on both sides of the aisle in what we hope will be a collaborative effort to find common legislative ground on marketplace-driven, patient-centered ways to achieve shared access, cost-containment, and quality goals.

I advise that votes taken on and in relation to S. Con. Res. 3 may be considered key votes for the 115th Congress.

Sincerely,

JAMES A. ANDERSON, Jr.,
Vice President-Government Relations.

NATIONAL ASSOCIATION OF
MANUFACTURERS,
Washington, DC, January 12, 2017.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States, representing manufacturers in every industrial sector and in all 50 states, urges you to support S. Con. Res. 3 the Obamacare Repeal Resolution.

The Budget Resolution takes the first step towards repealing the mandates and taxes resulting from the Patient Protection and Affordable Care Act that are driving up the costs of healthcare for manufacturers. Manufacturers believe that repeal of the 40 percent excise tax on high cost plans, the Health Insurance Tax, the Medical Device Tax, and other fees and taxes associated with the Affordable Care Act will help employers contain rising health care costs.

Manufacturers historically have led the business community in providing health benefits to their employees and are committed to continuing this tradition in the future. At the same time, providing health coverage in

an environment where costs are consistently rising represents a major challenge for the industry.

The NAM's Key Vote Advisory Committee has indicated that votes on S. Con. Res. 3, including podural motions, may be considered for designation as Key Manufacturing Votes in the 115th Congress.

Thank you for your consideration.

Sincerely,

ARIC NEWHOUSE,
Senior Vice President, Policy and
Government Relations.

COUNCIL FOR CITIZENS AGAINST
GOVERNMENT WASTE,
Washington, DC, January 12, 2017.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: You will soon have the opportunity to vote on S. Con. Res. 3, a budget resolution that will begin the long-awaited process of repealing the Patient Protection and Affordable Care Act (ACA), better known as Obamacare. On behalf of the more than one million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I urge you to support this important legislation.

Obamacare, which has been a disaster for patients and taxpayers since it was passed in 2010, cannot be fixed. Premiums have dramatically increased, co-ops and state exchanges have failed, and medical costs continue to skyrocket. Conservative estimates suggest that, by its sixth birthday in early 2016, Obamacare had wasted \$55 billion, while its onerous regulations and taxes have stifled economic growth and job creation.

Over the past year, more co-ops have collapsed; health insurers have abandoned numerous exchanges; and premiums have increased an average of 25 percent for 2017. Even worse, Obamacare has allowed overzealous Washington bureaucrats to meddle in Americans' most personal and private decisions concerning their health. At the same time, patients are getting less care for their plans due to fewer healthcare options and increasing medical costs; some counties have only one or even no healthcare insurance options (and have to pay a fine, as a result).

Obamacare must be repealed before it further damages consumers and the slow-growing economy. Passage of the “Obamacare repeal resolution” is the first step to accomplishing that critical objective. All votes on S. Con. Res. 3 will be among those considered for CCAGW's 2017 Congressional Ratings.

Sincerely,

TOM SCHATZ,
President.

AMERICANS FOR TAX REFORM

Congress is expected to soon vote on S. Con. Res. 3, a budget resolution providing for repeal of Obamacare. The “repeal resolution” is step one in undoing the legacy of broken promises under the Barack Obama presidency which have led to higher healthcare costs, cancelled plans, lost doctors, and more than \$1 trillion in tax increases which hit millions of middle class families.

All members of the House and Senate should vote “yes” on the repeal resolution. The record of Obamacare is one of broken promises and failed policies. Poll after poll has shown the law is unpopular with the American people. Republicans campaigned on repealing Obamacare and this resolution will allow them to fulfill that promise.

Members of the Senate should also vote “no” on the numerous amendments expected

to be offered during consideration of the repeal resolution. The purpose of this budget resolution is to allow for an expedited process to repeal Obamacare through budget reconciliation. These amendments will slow down the process and are largely an attempt for members to play political games.

Passing the repeal resolution will allow members of Congress to pass the first of many tax cuts over the next four years by repealing the more than \$1 trillion in higher taxes over a decade. Obamacare's tax hikes directly hit middle class families, in violation of President Obama's “firm pledge” not to raise any tax on any family earning less than \$250,000 per year. Passing the repeal resolution will allow members of Congress the opportunity to pass the first of many tax cuts over the next four years by repealing these taxes.

The Obamacare law imposed taxes on Health Savings Accounts and Flexible Spending Accounts and imposed an income tax increase on Americans with high medical bills. Obamacare levied a new tax on health insurance, a tax on medical devices, a tax on employer provided care, a steep “indoor tanning tax” and even a tax for not buying “qualifying” government-mandated insurance.

Passing the repeal resolution will also allow Congress to undo a long list of wasteful subsidies including the risk corridor and reinsurance programs as well as the Prevention and Public Health slush fund. Each of these programs and agencies have seen billions in taxpayer dollars wasted on partisan activities at a time when the federal government already spends far too much. Support for S. Con. Res. 3 is the first step toward enacting a conservative, patient-centered, fiscally responsible healthcare system and eliminating the broken promises, wasteful spending, and higher taxes of the Obama years.

AMERICANS FOR PROSPERITY

For years, our lawmakers in Congress have vowed to get rid of Obamacare. Now, they have their best chance yet to make good on their word.

Barack Obama's signature health-care law has failed to deliver on its promises, and continues to leave Americans with cancelled insurance plans, reduced access to doctors, and premium increases in the double digits—or worse.

Using a process called budget reconciliation, Obamacare's opponents in our new Senate can repeal large portions of the law with a simple majority, while leaving no possibility of a filibuster by lawmakers who want to keep it. Then, the resolution would just need to be passed in the House of Representatives and signed by President Trump after he takes office.

We can't let our lawmakers pass up this opportunity to turn back years of terrible policy and free Americans from Obamacare's burdensome mandates and costs.

Mrs. BLACK. Mr. Chair, I urge my colleagues to vote in favor of this resolution so that we can pursue those solutions that will expand access to care, increase the quality and affordability of that care, and give the American people, not Washington, the power to choose what best fits their individual needs.

I yield back the balance of my time.

Ms. ESHOO. Mr. Chair, I rise today to express my grave concerns with the Republican budget proposal for 2017. The budget before

us today is a disaster for the American people. Not only does it add \$9 trillion to the national debt and put our nation on the path to fiscal ruin, it begins the process of dismantling the Affordable Care Act, taking health insurance away from 30 million Americans.

Our national budget is not just pages of numbers. It is a statement of our nation's values. By that measure, this budget is morally bankrupt.

The Affordable Care Act became law in March 2010, yet despite their condemnations of the law, Republicans have failed to present any comprehensive alternative in the nearly seven years since it was signed into law. Not one single proposal. The Majority Leader KEVIN MCCARTHY said it best at the Washington Post's Daily 202 interview on November 29th last year when he suggested our healthcare system should look more like the cable industry because of all the choices consumers have in that market. He said, "I always use the analogy, would I want to pick a cable company to watch what I want to watch on TV? I love the options that I have, I love the ability to switch, I love the different packages that I can pick if I like a certain sports team, or I want to watch HBO or something else. Why can't we have health care in a manner that we can do something to that extent?"

If Republicans think the American people want the cable industry to serve as a model for the health insurance market, our Republican colleagues are even more out of touch than I ever imagined.

After spending years and 65 votes to repeal the ACA, and warning Americans about the dire threats of budget deficits and the national debt, Republicans have suddenly done an about face. They no longer care about the fiscal impact of this budget which adds \$9 trillion to the national debt over 10 years. Nor do they care about the fiscal impact of repealing the Affordable Care Act which is estimated to cost \$350 billion over 10 years according to the Congressional Budget Office.

The House majority has also set its sights on dismantling our nation's premier social insurance program by including in the House Rules package the unprecedented requirement that each standing committee identify programs that can be moved from mandatory to discretionary spending. This is a chilling and thinly veiled move to begin dismantling the guarantee of Social Security, Medicare, and Medicaid, and tie the future of these essential programs to the uncertainty of the annual appropriations process.

I urge my colleagues to think long and hard about the far-reaching consequences of this budget on the well-being of the American people and the fiscal health of our nation and vote 'No' on final passage.

Mr. BRADY of Texas. Mr. Chair, this bill is a critical first step in our effort to repeal the Affordable Care Act and deliver relief to the millions of Americans who continue to be hurt by this failing law.

The Affordable Care Act has helped some, but it's also inflicted tremendous harm to families and small businesses nationwide. And the damage grows bigger each passing year.

Out of pocket cost are skyrocketing—often more than \$10,000 a year.

Choices have disappeared.

And control over your personal health care decisions—whether it's which doctors you can see or which health plan you can have—is gone. It doesn't belong to the American people anymore. Instead, Washington is now in control of people's personal healthcare decisions.

It doesn't have to be this way.

The American people sent a clear signal in November. They are sick of this law because it hasn't improved their care, lowered their costs, or kept its promises.

They want the Affordable Care Act repealed and replaced with a 21st century system—one based on what patients and families want and need, not what Washington thinks is best.

Today, with this legislation, we have an opportunity to send a clear signal of our own: Relief is on the way.

That's what I want to say to all of my constituents in Texas.

People like Bill in The Woodlands, who just had his health plan canceled for the second year in a row.

People like Lauren in South Montgomery County whose premiums just went up to \$900 a month.

Families like the Thomas's in Montgomery, who say they have paid over \$24,000 this year for the poorest-quality care they have received in their adult lives. The Thomas's say it'll be \$30,000 before their insurance contributes a dime.

To the people of my district—to Bill, to Lauren, to the Thomas family—and to the millions of Americans across the country who are suffering because of the Affordable Care Act: Relief is on the way.

We are working to deliver health care solutions that truly lower costs, increase choices, and put Americans back in control of their own health care decisions.

That all starts today. It starts by passing this budget legislation and taking the crucial first step to repeal the Affordable Care Act.

Ms. ESHOO. Mr. Chair, I rise today to express my grave concerns with the Republican budget proposal for 2017.

The budget before us today is a disaster for the American people. Not only does it add \$9 trillion to the national debt and put our nation on the path to fiscal ruin, it begins the process of dismantling the Affordable Care Act, taking health insurance away from 30 million Americans.

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"I always use the analogy, would I want to pick a cable company to watch what I want to watch on TV? I love the options that I have, I love the ability to switch, I love the different

packages that I can pick if I like a certain sports team, or I want to watch HBO or something else. Why can't we have health care in a manner that we can do something to that extent?"

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After spending years and 65 votes to repeal the ACA, and warning Americans about the dire threats of budget deficits and the national debt, Republicans have suddenly done an about face. They no longer care about the fiscal impact of this budget which adds \$9 trillion to the national debt over 10 years. Nor do they care about the fiscal impact of repealing the Affordable Care Act which is estimated to cost \$350 billion over 10 years according to the Congressional Budget Office.

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I urge my colleagues to think long and hard about the far-reaching consequences of this budget on the well-being of the American people and the fiscal health of our nation and vote 'No' on final passage.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the concurrent resolution shall be considered for amendment under the 5-minute rule and is considered read.

The text of the concurrent resolution is as follows:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2017 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2018 through 2026.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2017.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

Sec. 1101. Recommended levels and amounts.
Sec. 1102. Major functional categories.

Subtitle B—Levels and Amounts in the Senate

Sec. 1201. Social Security in the Senate.
Sec. 1202. Postal Service discretionary administrative expenses in the Senate.

TITLE II—RECONCILIATION

Sec. 2001. Reconciliation in the Senate.

(B) Outlays, \$42,254,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$43,738,000,000.
 (B) Outlays, \$44,916,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$44,486,000,000.
 (B) Outlays, \$45,425,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$46,201,000,000.
 (B) Outlays, \$46,647,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$47,126,000,000.
 (B) Outlays, \$47,457,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$48,203,000,000.
 (B) Outlays, \$48,388,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$49,403,000,000.
 (B) Outlays, \$49,536,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$50,497,000,000.
 (B) Outlays, \$50,055,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$51,761,000,000.
 (B) Outlays, \$51,164,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$53,017,000,000.
 (B) Outlays, \$51,915,000,000.
 (6) Agriculture (350):
 Fiscal year 2017:
 (A) New budget authority, \$25,214,000,000.
 (B) Outlays, \$24,728,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$26,148,000,000.
 (B) Outlays, \$24,821,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$23,483,000,000.
 (B) Outlays, \$21,927,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$22,438,000,000.
 (B) Outlays, \$21,751,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$22,834,000,000.
 (B) Outlays, \$22,179,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$22,600,000,000.
 (B) Outlays, \$21,984,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$23,037,000,000.
 (B) Outlays, \$22,437,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$23,018,000,000.
 (B) Outlays, \$22,409,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$23,343,000,000.
 (B) Outlays, \$22,714,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$23,812,000,000.
 (B) Outlays, \$23,192,000,000.
 (7) Commerce and Housing Credit (370):
 Fiscal year 2017:
 (A) New budget authority, \$14,696,000,000.
 (B) Outlays, \$666,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$16,846,000,000.
 (B) Outlays, \$1,378,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$18,171,000,000.
 (B) Outlays, \$5,439,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$15,799,000,000.
 (B) Outlays, \$2,666,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$14,821,000,000.
 (B) Outlays, \$915,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$15,408,000,000.
 (B) Outlays, \$674,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$15,739,000,000.
 (B) Outlays, -\$840,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$16,143,000,000.
 (B) Outlays, -\$1,688,000,000.

Fiscal year 2025:
 (A) New budget authority, \$17,889,000,000.
 (B) Outlays, -\$2,003,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$17,772,000,000.
 (B) Outlays, -\$2,238,000,000.
 (8) Transportation (400):
 Fiscal year 2017:
 (A) New budget authority, \$92,782,000,000.
 (B) Outlays, \$91,684,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$94,400,000,000.
 (B) Outlays, \$93,214,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$96,522,000,000.
 (B) Outlays, \$95,683,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$91,199,000,000.
 (B) Outlays, \$97,992,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$92,154,000,000.
 (B) Outlays, \$99,772,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$93,111,000,000.
 (B) Outlays, \$101,692,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$94,118,000,000.
 (B) Outlays, \$103,431,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$95,143,000,000.
 (B) Outlays, \$105,313,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$96,209,000,000.
 (B) Outlays, \$107,374,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$97,323,000,000.
 (B) Outlays, \$109,188,000,000.
 (9) Community and Regional Development (450):
 Fiscal year 2017:
 (A) New budget authority, \$19,723,000,000.
 (B) Outlays, \$22,477,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$19,228,000,000.
 (B) Outlays, \$21,277,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$19,457,000,000.
 (B) Outlays, \$20,862,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$19,941,000,000.
 (B) Outlays, \$20,011,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$20,384,000,000.
 (B) Outlays, \$21,048,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$20,825,000,000.
 (B) Outlays, \$19,831,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$21,288,000,000.
 (B) Outlays, \$19,535,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$21,756,000,000.
 (B) Outlays, \$19,787,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$22,245,000,000.
 (B) Outlays, \$19,285,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$22,751,000,000.
 (B) Outlays, \$20,037,000,000.
 (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2017:
 (A) New budget authority, \$104,433,000,000.
 (B) Outlays, \$104,210,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$108,980,000,000.
 (B) Outlays, \$112,802,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$112,424,000,000.
 (B) Outlays, \$110,765,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$114,905,000,000.
 (B) Outlays, \$113,377,000,000.
 Fiscal year 2021:

(A) New budget authority, \$116,921,000,000.
 (B) Outlays, \$115,591,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$119,027,000,000.
 (B) Outlays, \$117,545,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$121,298,000,000.
 (B) Outlays, \$119,761,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$123,621,000,000.
 (B) Outlays, \$122,001,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$126,016,000,000.
 (B) Outlays, \$124,359,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$128,391,000,000.
 (B) Outlays, \$126,748,000,000.
 (11) Health (550):
 Fiscal year 2017:
 (A) New budget authority, \$562,137,000,000.
 (B) Outlays, \$560,191,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$583,006,000,000.
 (B) Outlays, \$593,197,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$615,940,000,000.
 (B) Outlays, \$618,089,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$655,892,000,000.
 (B) Outlays, \$645,814,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$677,902,000,000.
 (B) Outlays, \$676,781,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$711,176,000,000.
 (B) Outlays, \$709,301,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$744,335,000,000.
 (B) Outlays, \$742,568,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$780,899,000,000.
 (B) Outlays, \$778,293,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$818,388,000,000.
 (B) Outlays, \$815,246,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$857,176,000,000.
 (B) Outlays, \$853,880,000,000.
 (12) Medicare (570):
 Fiscal year 2017:
 (A) New budget authority, \$600,857,000,000.
 (B) Outlays, \$600,836,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$600,832,000,000.
 (B) Outlays, \$600,762,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$667,638,000,000.
 (B) Outlays, \$667,571,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$716,676,000,000.
 (B) Outlays, \$716,575,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$767,911,000,000.
 (B) Outlays, \$767,814,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$862,042,000,000.
 (B) Outlays, \$861,941,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$886,515,000,000.
 (B) Outlays, \$886,407,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$903,861,000,000.
 (B) Outlays, \$903,750,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$1,007,624,000,000.
 (B) Outlays, \$1,007,510,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$1,085,293,000,000.
 (B) Outlays, \$1,085,173,000,000.
 (13) Income Security (600):
 Fiscal year 2017:
 (A) New budget authority, \$518,181,000,000.
 (B) Outlays, \$511,658,000,000.
 Fiscal year 2018:

- (A) New budget authority, \$524,233,000,000.
(B) Outlays, \$511,612,000,000.
Fiscal year 2019:
(A) New budget authority, \$542,725,000,000.
(B) Outlays, \$534,067,000,000.
Fiscal year 2020:
(A) New budget authority, \$558,241,000,000.
(B) Outlays, \$549,382,000,000.
Fiscal year 2021:
(A) New budget authority, \$571,963,000,000.
(B) Outlays, \$563,481,000,000.
Fiscal year 2022:
(A) New budget authority, \$590,120,000,000.
(B) Outlays, \$587,572,000,000.
Fiscal year 2023:
(A) New budget authority, \$599,505,000,000.
(B) Outlays, \$592,338,000,000.
Fiscal year 2024:
(A) New budget authority, \$609,225,000,000.
(B) Outlays, \$597,287,000,000.
Fiscal year 2025:
(A) New budget authority, \$630,433,000,000.
(B) Outlays, \$619,437,000,000.
Fiscal year 2026:
(A) New budget authority, \$646,660,000,000.
(B) Outlays, \$641,957,000,000.
(14) Social Security (650):
Fiscal year 2017:
(A) New budget authority, \$37,199,000,000.
(B) Outlays, \$37,227,000,000.
Fiscal year 2018:
(A) New budget authority, \$40,124,000,000.
(B) Outlays, \$40,141,000,000.
Fiscal year 2019:
(A) New budget authority, \$43,373,000,000.
(B) Outlays, \$43,373,000,000.
Fiscal year 2020:
(A) New budget authority, \$46,627,000,000.
(B) Outlays, \$46,627,000,000.
Fiscal year 2021:
(A) New budget authority, \$50,035,000,000.
(B) Outlays, \$50,035,000,000.
Fiscal year 2022:
(A) New budget authority, \$53,677,000,000.
(B) Outlays, \$53,677,000,000.
Fiscal year 2023:
(A) New budget authority, \$57,540,000,000.
(B) Outlays, \$57,540,000,000.
Fiscal year 2024:
(A) New budget authority, \$61,645,000,000.
(B) Outlays, \$61,645,000,000.
Fiscal year 2025:
(A) New budget authority, \$66,076,000,000.
(B) Outlays, \$66,076,000,000.
Fiscal year 2026:
(A) New budget authority, \$70,376,000,000.
(B) Outlays, \$70,376,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2017:
(A) New budget authority, \$177,448,000,000.
(B) Outlays, \$182,448,000,000.
Fiscal year 2018:
(A) New budget authority, \$178,478,000,000.
(B) Outlays, \$179,109,000,000.
Fiscal year 2019:
(A) New budget authority, \$193,088,000,000.
(B) Outlays, \$192,198,000,000.
Fiscal year 2020:
(A) New budget authority, \$199,907,000,000.
(B) Outlays, \$198,833,000,000.
Fiscal year 2021:
(A) New budget authority, \$206,700,000,000.
(B) Outlays, \$205,667,000,000.
Fiscal year 2022:
(A) New budget authority, \$223,542,000,000.
(B) Outlays, \$222,308,000,000.
Fiscal year 2023:
(A) New budget authority, \$221,861,000,000.
(B) Outlays, \$220,563,000,000.
Fiscal year 2024:
(A) New budget authority, \$219,382,000,000.
(B) Outlays, \$218,147,000,000.
Fiscal year 2025:
(A) New budget authority, \$237,641,000,000.
(B) Outlays, \$236,254,000,000.
Fiscal year 2026:
(A) New budget authority, \$245,565,000,000.
(B) Outlays, \$244,228,000,000.
(16) Administration of Justice (750):
Fiscal year 2017:
(A) New budget authority, \$64,519,000,000.
(B) Outlays, \$58,662,000,000.
Fiscal year 2018:
(A) New budget authority, \$62,423,000,000.
(B) Outlays, \$63,800,000,000.
Fiscal year 2019:
(A) New budget authority, \$62,600,000,000.
(B) Outlays, \$66,596,000,000.
Fiscal year 2020:
(A) New budget authority, \$64,168,000,000.
(B) Outlays, \$69,555,000,000.
Fiscal year 2021:
(A) New budget authority, \$65,134,000,000.
(B) Outlays, \$68,538,000,000.
Fiscal year 2022:
(A) New budget authority, \$66,776,000,000.
(B) Outlays, \$67,691,000,000.
Fiscal year 2023:
(A) New budget authority, \$68,489,000,000.
(B) Outlays, \$68,466,000,000.
Fiscal year 2024:
(A) New budget authority, \$70,227,000,000.
(B) Outlays, \$69,976,000,000.
Fiscal year 2025:
(A) New budget authority, \$72,023,000,000.
(B) Outlays, \$71,615,000,000.
Fiscal year 2026:
(A) New budget authority, \$79,932,000,000.
(B) Outlays, \$80,205,000,000.
(17) General Government (800):
Fiscal year 2017:
(A) New budget authority, \$25,545,000,000.
(B) Outlays, \$24,318,000,000.
Fiscal year 2018:
(A) New budget authority, \$27,095,000,000.
(B) Outlays, \$25,884,000,000.
Fiscal year 2019:
(A) New budget authority, \$27,620,000,000.
(B) Outlays, \$26,584,000,000.
Fiscal year 2020:
(A) New budget authority, \$28,312,000,000.
(B) Outlays, \$27,576,000,000.
Fiscal year 2021:
(A) New budget authority, \$29,046,000,000.
(B) Outlays, \$28,366,000,000.
Fiscal year 2022:
(A) New budget authority, \$29,787,000,000.
(B) Outlays, \$29,149,000,000.
Fiscal year 2023:
(A) New budget authority, \$30,519,000,000.
(B) Outlays, \$29,886,000,000.
Fiscal year 2024:
(A) New budget authority, \$31,101,000,000.
(B) Outlays, \$30,494,000,000.
Fiscal year 2025:
(A) New budget authority, \$31,942,000,000.
(B) Outlays, \$31,248,000,000.
Fiscal year 2026:
(A) New budget authority, \$32,789,000,000.
(B) Outlays, \$32,071,000,000.
(18) Net Interest (900):
Fiscal year 2017:
(A) New budget authority, \$393,295,000,000.
(B) Outlays, \$393,295,000,000.
Fiscal year 2018:
(A) New budget authority, \$453,250,000,000.
(B) Outlays, \$453,250,000,000.
Fiscal year 2019:
(A) New budget authority, \$526,618,000,000.
(B) Outlays, \$526,618,000,000.
Fiscal year 2020:
(A) New budget authority, \$590,571,000,000.
(B) Outlays, \$590,571,000,000.
Fiscal year 2021:
(A) New budget authority, \$645,719,000,000.
(B) Outlays, \$645,719,000,000.
Fiscal year 2022:
(A) New budget authority, \$698,101,000,000.
(B) Outlays, \$698,101,000,000.
Fiscal year 2023:
(A) New budget authority, \$755,288,000,000.
(B) Outlays, \$755,288,000,000.
Fiscal year 2024:
(A) New budget authority, \$806,202,000,000.
(B) Outlays, \$806,202,000,000.
Fiscal year 2025:
(A) New budget authority, \$854,104,000,000.
(B) Outlays, \$854,104,000,000.
Fiscal year 2026:
(A) New budget authority, \$903,443,000,000.
(B) Outlays, \$903,443,000,000.
(19) Allowances (920):
Fiscal year 2017:
(A) New budget authority, -\$3,849,000,000.
(B) Outlays, \$7,627,000,000.
Fiscal year 2018:
(A) New budget authority, -\$56,166,000,000.
(B) Outlays, -\$39,329,000,000.
Fiscal year 2019:
(A) New budget authority, -\$55,423,000,000.
(B) Outlays, -\$47,614,000,000.
Fiscal year 2020:
(A) New budget authority, -\$58,021,000,000.
(B) Outlays, -\$52,831,000,000.
Fiscal year 2021:
(A) New budget authority, -\$61,491,000,000.
(B) Outlays, -\$57,092,000,000.
Fiscal year 2022:
(A) New budget authority, -\$63,493,000,000.
(B) Outlays, -\$60,260,000,000.
Fiscal year 2023:
(A) New budget authority, -\$65,783,000,000.
(B) Outlays, -\$62,457,000,000.
Fiscal year 2024:
(A) New budget authority, -\$67,817,000,000.
(B) Outlays, -\$64,708,000,000.
Fiscal year 2025:
(A) New budget authority, -\$70,127,000,000.
(B) Outlays, -\$66,892,000,000.
Fiscal year 2026:
(A) New budget authority, -\$69,097,000,000.
(B) Outlays, -\$68,467,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2017:
(A) New budget authority, -\$87,685,000,000.
(B) Outlays, -\$87,685,000,000.
Fiscal year 2018:
(A) New budget authority, -\$88,347,000,000.
(B) Outlays, -\$88,347,000,000.
Fiscal year 2019:
(A) New budget authority, -\$80,125,000,000.
(B) Outlays, -\$80,125,000,000.
Fiscal year 2020:
(A) New budget authority, -\$81,468,000,000.
(B) Outlays, -\$81,468,000,000.
Fiscal year 2021:
(A) New budget authority, -\$84,183,000,000.
(B) Outlays, -\$84,183,000,000.
Fiscal year 2022:
(A) New budget authority, -\$86,292,000,000.
(B) Outlays, -\$86,292,000,000.
Fiscal year 2023:
(A) New budget authority, -\$87,518,000,000.
(B) Outlays, -\$87,518,000,000.
Fiscal year 2024:
(A) New budget authority, -\$91,245,000,000.
(B) Outlays, -\$91,245,000,000.
Fiscal year 2025:
(A) New budget authority, -\$99,164,000,000.
(B) Outlays, -\$99,164,000,000.
Fiscal year 2026:
(A) New budget authority, -\$97,786,000,000.
(B) Outlays, -\$97,786,000,000.

Subtitle B—Levels and Amounts in the Senate

SEC. 1201. SOCIAL SECURITY IN THE SENATE.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal

Disability Insurance Trust Fund are as follows:

- Fiscal year 2017: \$826,048,000,000.
- Fiscal year 2018: \$857,618,000,000.
- Fiscal year 2019: \$886,810,000,000.
- Fiscal year 2020: \$918,110,000,000.
- Fiscal year 2021: \$950,341,000,000.
- Fiscal year 2022: \$984,537,000,000.
- Fiscal year 2023: \$1,020,652,000,000.
- Fiscal year 2024: \$1,058,799,000,000.
- Fiscal year 2025: \$1,097,690,000,000.
- Fiscal year 2026: \$1,138,243,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

- Fiscal year 2017: \$805,366,000,000.
- Fiscal year 2018: \$857,840,000,000.
- Fiscal year 2019: \$916,764,000,000.
- Fiscal year 2020: \$980,634,000,000.
- Fiscal year 2021: \$1,049,127,000,000.
- Fiscal year 2022: \$1,123,266,000,000.
- Fiscal year 2023: \$1,200,734,000,000.
- Fiscal year 2024: \$1,281,840,000,000.
- Fiscal year 2025: \$1,369,403,000,000.
- Fiscal year 2026: \$1,463,057,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

- Fiscal year 2017:
 - (A) New budget authority, \$5,663,000,000.
 - (B) Outlays, \$5,673,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$6,021,000,000.
 - (B) Outlays, \$5,987,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$6,205,000,000.
 - (B) Outlays, \$6,170,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$6,393,000,000.
 - (B) Outlays, \$6,357,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$6,589,000,000.
 - (B) Outlays, \$6,552,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$6,787,000,000.
 - (B) Outlays, \$6,750,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$6,992,000,000.
 - (B) Outlays, \$6,953,000,000.
- Fiscal year 2024:
 - (A) New budget authority, \$7,206,000,000.
 - (B) Outlays, \$7,166,000,000.
- Fiscal year 2025:
 - (A) New budget authority, \$7,428,000,000.
 - (B) Outlays, \$7,387,000,000.
- Fiscal year 2026:
 - (A) New budget authority, \$7,659,000,000.
 - (B) Outlays, \$7,615,000,000.

SEC. 1202. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES IN THE SENATE.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

- Fiscal year 2017:
 - (A) New budget authority, \$274,000,000.
 - (B) Outlays, \$273,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$283,000,000.
 - (B) Outlays, \$283,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$294,000,000.
 - (B) Outlays, \$294,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$304,000,000.

- (B) Outlays, \$304,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$315,000,000.
 - (B) Outlays, \$315,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$326,000,000.
 - (B) Outlays, \$325,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$337,000,000.
 - (B) Outlays, \$337,000,000.
- Fiscal year 2024:
 - (A) New budget authority, \$350,000,000.
 - (B) Outlays, \$349,000,000.
- Fiscal year 2025:
 - (A) New budget authority, \$361,000,000.
 - (B) Outlays, \$360,000,000.
- Fiscal year 2026:
 - (A) New budget authority, \$374,000,000.
 - (B) Outlays, \$373,000,000.

TITLE II—RECONCILIATION

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the Senate, not later than January 27, 2017, the Committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving all such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

SEC. 2002. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(b) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means of the House of Representatives shall submit changes in laws within its jurisdiction to reduce the deficit by not less than \$1,000,000,000 for the period of fiscal years 2017 through 2026.

(c) SUBMISSIONS.—In the House of Representatives, not later than January 27, 2017, the committees named in subsections (a) and (b) shall submit their recommendations to the Committee on the Budget of the House of Representatives to carry out this section.

TITLE III—RESERVE FUNDS

SEC. 3001. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE LEGISLATION.

The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

- (1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026; and

- (2) in the House of Representatives, one or more bills, joint resolutions, amendments, or conference reports related to health care by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2017 through 2026.

SEC. 3002. RESERVE FUND FOR HEALTH CARE LEGISLATION.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate and the Chairman of the Committee on the Budget of the House of Representatives may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and, in the Senate, make adjustments to the pay-as-you-go ledger, for—

- (1) in the Senate, one or more bills, joint resolutions, amendments, amendments between the Houses, conference reports, or motions related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—
 - (A) \$2,000,000,000; from
 - (B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(1); and

- (2) in the House of Representatives, one or more bills, joint resolutions, amendments, or conference reports related to health care by the amounts necessary to accommodate the budgetary effects of the legislation, provided that the cost of such legislation, when combined with the cost of any other measure with respect to which the Chairman has exercised the authority under this paragraph, does not exceed the difference obtained by subtracting—

- (A) \$2,000,000,000; from
- (B) the sum of deficit reduction over the period of the total of fiscal years 2017 through 2026 achieved under any measure or measures with respect to which the Chairman has exercised the authority under section 3001(2).

(b) EXCEPTIONS FROM CERTAIN PROVISIONS.—Section 404(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, and section 3101 of S. Con. Res. 11 (114th Congress), the concurrent resolution on the budget for fiscal year 2016, shall not apply to legislation for which the Chairman of the Committee on the Budget of the applicable House has exercised the authority under subsection (a).

TITLE IV—OTHER MATTERS

SEC. 4001. ENFORCEMENT FILING.

(a) IN THE SENATE.—If this concurrent resolution on the budget is agreed to by the Senate and House of Representatives without the appointment of a committee of conference on the disagreeing votes of the two Houses, the Chairman of the Committee on the Budget of the Senate may submit a statement for publication in the Congressional Record containing—

- (1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and
- (2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2017, 2017 through 2021,

and 2017 through 2026 consistent with the levels in title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, if a concurrent resolution on the budget for fiscal year 2017 is adopted without the appointment of a committee of conference on the disagreeing votes of the two Houses with respect to this concurrent resolution on the budget, for the purpose of enforcing the Congressional Budget Act and applicable rules and requirements set forth in the concurrent resolution on the budget, the allocations provided for in this subsection shall apply in the House of Representatives in the same manner as if such allocations were in a joint explanatory statement accompanying a conference report on the budget for fiscal year 2017. The Chairman of the Committee on the Budget of the House of Representatives shall submit a statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations consistent with title I for fiscal year 2017 and for the period of fiscal years 2017 through 2026 for the purpose of enforcing 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633).

SEC. 4002. BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the report accompanying this concurrent resolution on the budget, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, or a statement filed under section 4001 shall include in an allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations of the applicable House of Congress amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—In the Senate and the House of Representatives, for purposes of enforcing section 302(f) of the Congressional Budget Act of 1974 (2 U.S.C. 633(f)), estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in subsection (a).

SEC. 4003. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution,

the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Chairman of the Committee on the Budget of the applicable House of Congress.

(d) AGGREGATES, ALLOCATIONS AND APPLICATION.—In the House of Representatives, for purposes of this concurrent resolution and budget enforcement, the consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the Chairman of the Committee on the Budget of the House of Representatives makes adjustments or revisions in the allocations, aggregates, and other budgetary levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 3101 of S. Con. Res. 11 (114th Congress).

SEC. 4004. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of either the Senate or the House of Representatives to change those rules (insofar as they relate to that House) at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate or House of Representatives.

The CHAIR. No amendment shall be in order except the amendment printed in House Report 115-4.

Such amendment may be offered only by the Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent.

AMENDMENT NO. 1 OFFERED BY MR. YARMUTH

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-4.

Mr. YARMUTH. Mr. Chairman, I have an amendment in the nature of a substitute.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2017 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2018 through 2026.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2017.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

Sec. 1101. Recommended levels and amounts.

Sec. 1102. Major functional categories.

Subtitle B—Levels and Amounts in the Senate

Sec. 1201. Social Security in the Senate.

Sec. 1202. Postal Service discretionary administrative expenses in the Senate.

TITLE II—RESERVE FUND

Sec. 2001. Deficit-neutral reserve fund for job creation, infrastructure investment, and tax reform.

TITLE III—OTHER MATTERS

Sec. 3001. Budgetary treatment of administrative expenses.

Sec. 3002. Application and effect of changes in allocations and aggregates.

Sec. 3003. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

SEC. 1101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2017 through 2026:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2017: \$2,682,088,000,000.
 Fiscal year 2018: \$2,787,834,000,000.
 Fiscal year 2019: \$2,884,637,000,000.
 Fiscal year 2020: \$3,012,645,000,000.
 Fiscal year 2021: \$3,131,369,000,000.
 Fiscal year 2022: \$3,262,718,000,000.
 Fiscal year 2023: \$3,402,888,000,000.
 Fiscal year 2024: \$3,556,097,000,000.
 Fiscal year 2025: \$3,727,756,000,000.
 Fiscal year 2026: \$3,903,628,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2017: \$0.
 Fiscal year 2018: \$0.
 Fiscal year 2019: \$0.
 Fiscal year 2020: \$0.
 Fiscal year 2021: \$0.
 Fiscal year 2022: \$0.
 Fiscal year 2023: \$0.
 Fiscal year 2024: \$0.
 Fiscal year 2025: \$0.
 Fiscal year 2026: \$0.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2017: \$3,308,000,000,000.
 Fiscal year 2018: \$3,350,010,000,000.
 Fiscal year 2019: \$3,590,479,000,000.
 Fiscal year 2020: \$3,779,449,000,000.
 Fiscal year 2021: \$3,947,834,000,000.
 Fiscal year 2022: \$4,187,893,000,000.
 Fiscal year 2023: \$4,336,952,000,000.
 Fiscal year 2024: \$4,473,818,000,000.
 Fiscal year 2025: \$4,726,484,000,000.
 Fiscal year 2026: \$4,963,189,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2017: \$3,264,662,000,000.
 Fiscal year 2018: \$3,329,394,000,000.
 Fiscal year 2019: \$3,558,237,000,000.
 Fiscal year 2020: \$3,741,304,000,000.

Fiscal year 2021: \$3,916,533,000,000.
 Fiscal year 2022: \$4,159,803,000,000.
 Fiscal year 2023: \$4,295,742,000,000.
 Fiscal year 2024: \$4,419,330,000,000.
 Fiscal year 2025: \$4,673,813,000,000.
 Fiscal year 2026: \$4,914,240,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2017: \$582,574,000,000.
 Fiscal year 2018: \$541,560,000,000.
 Fiscal year 2019: \$673,600,000,000.
 Fiscal year 2020: \$728,659,000,000.
 Fiscal year 2021: \$785,164,000,000.
 Fiscal year 2022: \$897,085,000,000.
 Fiscal year 2023: \$892,854,000,000.
 Fiscal year 2024: \$863,233,000,000.
 Fiscal year 2025: \$946,057,000,000.
 Fiscal year 2026: \$1,010,612,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(5)), the appropriate levels of the public debt are as follows:

Fiscal year 2017: \$20,034,788,000,000.
 Fiscal year 2018: \$20,784,183,000,000.
 Fiscal year 2019: \$21,625,729,000,000.
 Fiscal year 2020: \$22,504,763,000,000.
 Fiscal year 2021: \$23,440,271,000,000.
 Fiscal year 2022: \$24,509,421,000,000.
 Fiscal year 2023: \$25,605,527,000,000.
 Fiscal year 2024: \$26,701,273,000,000.
 Fiscal year 2025: \$27,869,175,000,000.
 Fiscal year 2026: \$29,128,193,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2017: \$14,593,316,000,000.
 Fiscal year 2018: \$15,198,740,000,000.
 Fiscal year 2019: \$15,955,144,000,000.
 Fiscal year 2020: \$16,791,740,000,000.
 Fiscal year 2021: \$17,713,599,000,000.
 Fiscal year 2022: \$18,787,230,000,000.
 Fiscal year 2023: \$19,901,290,000,000.
 Fiscal year 2024: \$21,033,163,000,000.
 Fiscal year 2025: \$22,301,661,000,000.
 Fiscal year 2026: \$23,693,879,000,000.

SEC. 1102. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2017 through 2026 for each major functional category are:

(1) National Defense (050):

Fiscal year 2017:
 (A) New budget authority, \$623,910,000,000.
 (B) Outlays, \$603,716,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$618,347,000,000.
 (B) Outlays, \$601,646,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$632,742,000,000.
 (B) Outlays, \$617,943,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$648,198,000,000.
 (B) Outlays, \$632,435,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$663,703,000,000.
 (B) Outlays, \$646,853,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$679,968,000,000.
 (B) Outlays, \$666,926,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$696,578,000,000.
 (B) Outlays, \$678,139,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$713,664,000,000.
 (B) Outlays, \$689,531,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$731,228,000,000.
 (B) Outlays, \$711,423,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$750,069,000,000.
 (B) Outlays, \$729,616,000,000.
 (2) International Affairs (150):
 Fiscal year 2017:

(A) New budget authority, \$61,996,000,000.
 (B) Outlays, \$51,907,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$60,099,000,000.
 (B) Outlays, \$53,541,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$61,097,000,000.
 (B) Outlays, \$55,800,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$60,686,000,000.
 (B) Outlays, \$57,690,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$61,085,000,000.
 (B) Outlays, \$58,756,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$62,576,000,000.
 (B) Outlays, \$60,205,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$64,141,000,000.
 (B) Outlays, \$61,513,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$65,588,000,000.
 (B) Outlays, \$62,705,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$67,094,000,000.
 (B) Outlays, \$63,915,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$68,692,000,000.
 (B) Outlays, \$65,305,000,000.
 (3) General Science, Space, and Technology (250):
 Fiscal year 2017:
 (A) New budget authority, \$31,562,000,000.
 (B) Outlays, \$30,988,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$32,787,000,000.
 (B) Outlays, \$32,225,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$33,476,000,000.
 (B) Outlays, \$32,978,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$34,202,000,000.
 (B) Outlays, \$33,645,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$34,961,000,000.
 (B) Outlays, \$34,313,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$35,720,000,000.
 (B) Outlays, \$35,038,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$36,516,000,000.
 (B) Outlays, \$35,812,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$37,318,000,000.
 (B) Outlays, \$36,580,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$38,151,000,000.
 (B) Outlays, \$37,393,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$39,021,000,000.
 (B) Outlays, \$38,238,000,000.
 (4) Energy (270):
 Fiscal year 2017:
 (A) New budget authority, \$4,773,000,000.
 (B) Outlays, \$3,455,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$4,509,000,000.
 (B) Outlays, \$3,495,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$4,567,000,000.
 (B) Outlays, \$4,058,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$4,975,000,000.
 (B) Outlays, \$4,456,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$5,109,000,000.
 (B) Outlays, \$4,523,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$5,019,000,000.
 (B) Outlays, \$4,332,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$4,083,000,000.
 (B) Outlays, \$3,337,000,000.
 Fiscal year 2024:

(A) New budget authority, \$3,590,000,000.
 (B) Outlays, \$2,796,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$3,608,000,000.
 (B) Outlays, \$2,755,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$5,955,000,000.
 (B) Outlays, \$5,124,000,000.
 (5) Natural Resources and Environment (300):
 Fiscal year 2017:
 (A) New budget authority, \$41,264,000,000.
 (B) Outlays, \$42,254,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$43,738,000,000.
 (B) Outlays, \$44,916,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$44,486,000,000.
 (B) Outlays, \$45,425,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$46,201,000,000.
 (B) Outlays, \$46,647,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$47,126,000,000.
 (B) Outlays, \$47,457,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$48,203,000,000.
 (B) Outlays, \$48,388,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$49,403,000,000.
 (B) Outlays, \$49,536,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$50,497,000,000.
 (B) Outlays, \$50,055,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$51,761,000,000.
 (B) Outlays, \$51,164,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$53,017,000,000.
 (B) Outlays, \$51,915,000,000.
 (6) Agriculture (350):
 Fiscal year 2017:
 (A) New budget authority, \$25,214,000,000.
 (B) Outlays, \$24,728,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$26,148,000,000.
 (B) Outlays, \$24,821,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$23,483,000,000.
 (B) Outlays, \$21,927,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$22,438,000,000.
 (B) Outlays, \$21,751,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$22,834,000,000.
 (B) Outlays, \$22,179,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$22,600,000,000.
 (B) Outlays, \$21,984,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$23,037,000,000.
 (B) Outlays, \$22,437,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$23,018,000,000.
 (B) Outlays, \$22,409,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$23,343,000,000.
 (B) Outlays, \$22,714,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$23,812,000,000.
 (B) Outlays, \$23,192,000,000.
 (7) Commerce and Housing Credit (370):
 Fiscal year 2017:
 (A) New budget authority, \$14,696,000,000.
 (B) Outlays, \$666,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$16,846,000,000.
 (B) Outlays, \$1,378,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$18,171,000,000.
 (B) Outlays, \$5,439,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$15,799,000,000.
 (B) Outlays, \$2,666,000,000.

Fiscal year 2021:	(A) New budget authority, \$14,821,000,000.	(B) Outlays, \$915,000,000.	(A) New budget authority, \$104,433,000,000.	(B) Outlays, \$104,210,000,000.	(B) Outlays, \$903,750,000,000.
Fiscal year 2022:	(A) New budget authority, \$15,408,000,000.	(B) Outlays, \$674,000,000.	(A) New budget authority, \$108,980,000,000.	(B) Outlays, \$112,802,000,000.	Fiscal year 2025:
Fiscal year 2023:	(A) New budget authority, \$15,739,000,000.	(B) Outlays, —\$840,000,000.	(A) New budget authority, \$112,424,000,000.	(B) Outlays, \$110,765,000,000.	(A) New budget authority, \$1,007,624,000,000.
Fiscal year 2024:	(A) New budget authority, \$16,143,000,000.	(B) Outlays, —\$1,688,000,000.	(A) New budget authority, \$114,905,000,000.	(B) Outlays, \$113,377,000,000.	(B) Outlays, \$1,007,510,000,000.
Fiscal year 2025:	(A) New budget authority, \$17,889,000,000.	(B) Outlays, —\$2,003,000,000.	(A) New budget authority, \$116,921,000,000.	(B) Outlays, \$115,591,000,000.	Fiscal year 2026:
Fiscal year 2026:	(A) New budget authority, \$17,772,000,000.	(B) Outlays, —\$2,238,000,000.	(A) New budget authority, \$119,027,000,000.	(B) Outlays, \$117,545,000,000.	(A) New budget authority, \$1,085,293,000,000.
(8) Transportation (400):			(A) New budget authority, \$121,298,000,000.	(B) Outlays, \$119,761,000,000.	(B) Outlays, \$1,085,173,000,000.
Fiscal year 2017:	(A) New budget authority, \$92,782,000,000.	(B) Outlays, \$91,684,000,000.	(A) New budget authority, \$123,621,000,000.	(B) Outlays, \$122,001,000,000.	(13) Income Security (600):
Fiscal year 2018:	(A) New budget authority, \$94,400,000,000.	(B) Outlays, \$93,214,000,000.	(A) New budget authority, \$126,016,000,000.	(B) Outlays, \$124,359,000,000.	Fiscal year 2017:
Fiscal year 2019:	(A) New budget authority, \$96,522,000,000.	(B) Outlays, \$95,683,000,000.	(A) New budget authority, \$128,391,000,000.	(B) Outlays, \$126,748,000,000.	(A) New budget authority, \$518,181,000,000.
Fiscal year 2020:	(A) New budget authority, \$91,199,000,000.	(B) Outlays, \$97,992,000,000.	(A) New budget authority, \$122,001,000,000.	(B) Outlays, \$122,001,000,000.	(B) Outlays, \$511,658,000,000.
Fiscal year 2021:	(A) New budget authority, \$92,154,000,000.	(B) Outlays, \$99,772,000,000.	(A) New budget authority, \$126,016,000,000.	(B) Outlays, \$124,359,000,000.	Fiscal year 2018:
Fiscal year 2022:	(A) New budget authority, \$93,111,000,000.	(B) Outlays, \$101,692,000,000.	(A) New budget authority, \$128,391,000,000.	(B) Outlays, \$126,748,000,000.	(A) New budget authority, \$524,233,000,000.
Fiscal year 2023:	(A) New budget authority, \$94,118,000,000.	(B) Outlays, \$103,431,000,000.	(A) New budget authority, \$122,001,000,000.	(B) Outlays, \$122,001,000,000.	(B) Outlays, \$511,612,000,000.
Fiscal year 2024:	(A) New budget authority, \$95,143,000,000.	(B) Outlays, \$105,313,000,000.	(A) New budget authority, \$126,016,000,000.	(B) Outlays, \$124,359,000,000.	Fiscal year 2019:
Fiscal year 2025:	(A) New budget authority, \$96,209,000,000.	(B) Outlays, \$107,374,000,000.	(A) New budget authority, \$128,391,000,000.	(B) Outlays, \$126,748,000,000.	(A) New budget authority, \$542,725,000,000.
Fiscal year 2026:	(A) New budget authority, \$97,323,000,000.	(B) Outlays, \$109,188,000,000.	(A) New budget authority, \$122,001,000,000.	(B) Outlays, \$122,001,000,000.	(B) Outlays, \$534,067,000,000.
(9) Community and Regional Development (450):			(A) New budget authority, \$615,940,000,000.	(B) Outlays, \$618,089,000,000.	Fiscal year 2020:
Fiscal year 2017:	(A) New budget authority, \$19,723,000,000.	(B) Outlays, \$22,477,000,000.	(A) New budget authority, \$655,892,000,000.	(B) Outlays, \$645,814,000,000.	(A) New budget authority, \$558,241,000,000.
Fiscal year 2018:	(A) New budget authority, \$19,228,000,000.	(B) Outlays, \$21,277,000,000.	(A) New budget authority, \$677,902,000,000.	(B) Outlays, \$676,781,000,000.	(B) Outlays, \$549,382,000,000.
Fiscal year 2019:	(A) New budget authority, \$19,457,000,000.	(B) Outlays, \$20,862,000,000.	(A) New budget authority, \$711,176,000,000.	(B) Outlays, \$709,301,000,000.	Fiscal year 2021:
Fiscal year 2020:	(A) New budget authority, \$19,941,000,000.	(B) Outlays, \$20,011,000,000.	(A) New budget authority, \$744,335,000,000.	(B) Outlays, \$742,568,000,000.	(A) New budget authority, \$571,963,000,000.
Fiscal year 2021:	(A) New budget authority, \$20,384,000,000.	(B) Outlays, \$21,048,000,000.	(A) New budget authority, \$780,899,000,000.	(B) Outlays, \$778,293,000,000.	(B) Outlays, \$563,481,000,000.
Fiscal year 2022:	(A) New budget authority, \$20,825,000,000.	(B) Outlays, \$19,831,000,000.	(A) New budget authority, \$818,388,000,000.	(B) Outlays, \$815,246,000,000.	Fiscal year 2022:
Fiscal year 2023:	(A) New budget authority, \$21,288,000,000.	(B) Outlays, \$19,535,000,000.	(A) New budget authority, \$857,176,000,000.	(B) Outlays, \$853,880,000,000.	(A) New budget authority, \$590,120,000,000.
Fiscal year 2024:	(A) New budget authority, \$21,756,000,000.	(B) Outlays, \$19,787,000,000.	(A) New budget authority, \$886,515,000,000.	(B) Outlays, \$886,407,000,000.	(B) Outlays, \$587,572,000,000.
Fiscal year 2025:	(A) New budget authority, \$22,245,000,000.	(B) Outlays, \$19,285,000,000.	(12) Medicare (570):		Fiscal year 2023:
Fiscal year 2026:	(A) New budget authority, \$22,751,000,000.	(B) Outlays, \$20,037,000,000.	(A) New budget authority, \$600,857,000,000.	(B) Outlays, \$600,836,000,000.	(A) New budget authority, \$599,505,000,000.
(10) Education, Training, Employment, and Social Services (500):			(A) New budget authority, \$600,832,000,000.	(B) Outlays, \$600,762,000,000.	(B) Outlays, \$592,338,000,000.
Fiscal year 2017:			(A) New budget authority, \$667,638,000,000.	(B) Outlays, \$667,571,000,000.	Fiscal year 2024:
			(A) New budget authority, \$716,676,000,000.	(B) Outlays, \$716,575,000,000.	(A) New budget authority, \$609,225,000,000.
			(A) New budget authority, \$767,911,000,000.	(B) Outlays, \$767,814,000,000.	(B) Outlays, \$597,287,000,000.
			(A) New budget authority, \$862,042,000,000.	(B) Outlays, \$861,941,000,000.	Fiscal year 2025:
			(A) New budget authority, \$886,515,000,000.	(B) Outlays, \$886,407,000,000.	(A) New budget authority, \$630,433,000,000.
					(B) Outlays, \$619,437,000,000.
					Fiscal year 2026:
					(A) New budget authority, \$646,660,000,000.
					(B) Outlays, \$641,957,000,000.
					(14) Social Security (650):
					Fiscal year 2017:
					(A) New budget authority, \$37,199,000,000.
					(B) Outlays, \$37,227,000,000.
					Fiscal year 2018:
					(A) New budget authority, \$40,124,000,000.
					(B) Outlays, \$40,141,000,000.
					Fiscal year 2019:
					(A) New budget authority, \$43,373,000,000.
					(B) Outlays, \$43,373,000,000.
					Fiscal year 2020:
					(A) New budget authority, \$46,627,000,000.
					(B) Outlays, \$46,627,000,000.
					Fiscal year 2021:
					(A) New budget authority, \$50,035,000,000.
					(B) Outlays, \$50,035,000,000.
					Fiscal year 2022:
					(A) New budget authority, \$53,677,000,000.
					(B) Outlays, \$53,677,000,000.
					Fiscal year 2023:
					(A) New budget authority, \$57,540,000,000.
					(B) Outlays, \$57,540,000,000.
					Fiscal year 2024:
					(A) New budget authority, \$61,645,000,000.
					(B) Outlays, \$61,645,000,000.
					Fiscal year 2025:
					(A) New budget authority, \$66,076,000,000.
					(B) Outlays, \$66,076,000,000.
					Fiscal year 2026:
					(A) New budget authority, \$70,376,000,000.
					(B) Outlays, \$70,376,000,000.
					(15) Veterans Benefits and Services (700):
					Fiscal year 2017:
					(A) New budget authority, \$177,448,000,000.
					(B) Outlays, \$182,448,000,000.
					Fiscal year 2018:
					(A) New budget authority, \$178,478,000,000.
					(B) Outlays, \$179,109,000,000.
					Fiscal year 2019:
					(A) New budget authority, \$193,088,000,000.
					(B) Outlays, \$192,198,000,000.
					Fiscal year 2020:
					(A) New budget authority, \$199,907,000,000.
					(B) Outlays, \$198,833,000,000.
					Fiscal year 2021:
					(A) New budget authority, \$206,700,000,000.

(B) Outlays, \$205,667,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$223,542,000,000.
 (B) Outlays, \$222,308,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$221,861,000,000.
 (B) Outlays, \$220,563,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$219,382,000,000.
 (B) Outlays, \$218,147,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$237,641,000,000.
 (B) Outlays, \$236,254,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$245,565,000,000.
 (B) Outlays, \$244,228,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2017:
 (A) New budget authority, \$64,519,000,000.
 (B) Outlays, \$58,662,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$62,423,000,000.
 (B) Outlays, \$63,800,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$62,600,000,000.
 (B) Outlays, \$66,596,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$64,168,000,000.
 (B) Outlays, \$69,555,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$65,134,000,000.
 (B) Outlays, \$68,538,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$66,776,000,000.
 (B) Outlays, \$67,691,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$68,489,000,000.
 (B) Outlays, \$68,466,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$70,227,000,000.
 (B) Outlays, \$69,976,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$72,023,000,000.
 (B) Outlays, \$71,615,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$79,932,000,000.
 (B) Outlays, \$80,205,000,000.
 (17) General Government (800):
 Fiscal year 2017:
 (A) New budget authority, \$25,545,000,000.
 (B) Outlays, \$24,318,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$27,095,000,000.
 (B) Outlays, \$25,884,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$27,620,000,000.
 (B) Outlays, \$26,584,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$28,312,000,000.
 (B) Outlays, \$27,576,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$29,046,000,000.
 (B) Outlays, \$28,366,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$29,787,000,000.
 (B) Outlays, \$29,149,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$30,519,000,000.
 (B) Outlays, \$29,886,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$31,101,000,000.
 (B) Outlays, \$30,494,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$31,942,000,000.
 (B) Outlays, \$31,248,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$32,789,000,000.
 (B) Outlays, \$32,071,000,000.
 (18) Net Interest (900):
 Fiscal year 2017:
 (A) New budget authority, \$393,295,000,000.
 (B) Outlays, \$393,295,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$453,250,000,000.

(B) Outlays, \$453,250,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$526,618,000,000.
 (B) Outlays, \$526,618,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$590,571,000,000.
 (B) Outlays, \$590,571,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$645,719,000,000.
 (B) Outlays, \$645,719,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$698,101,000,000.
 (B) Outlays, \$698,101,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$755,288,000,000.
 (B) Outlays, \$755,288,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$806,202,000,000.
 (B) Outlays, \$806,202,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$854,104,000,000.
 (B) Outlays, \$854,104,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$903,478,000,000.
 (B) Outlays, \$903,478,000,000.
 (19) Allowances (920):
 Fiscal year 2017:
 (A) New budget authority, -\$3,849,000,000.
 (B) Outlays, \$7,627,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$56,166,000,000.
 (B) Outlays, -\$39,329,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$55,423,000,000.
 (B) Outlays, -\$47,614,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$58,021,000,000.
 (B) Outlays, -\$52,831,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$61,491,000,000.
 (B) Outlays, -\$57,092,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$63,493,000,000.
 (B) Outlays, -\$60,260,000,000.
 Fiscal year 2023:
 (A) New budget authority, -\$65,783,000,000.
 (B) Outlays, -\$62,457,000,000.
 Fiscal year 2024:
 (A) New budget authority, -\$67,817,000,000.
 (B) Outlays, -\$64,708,000,000.
 Fiscal year 2025:
 (A) New budget authority, -\$70,127,000,000.
 (B) Outlays, -\$66,892,000,000.
 Fiscal year 2026:
 (A) New budget authority, -\$71,097,000,000.
 (B) Outlays, -\$70,467,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2017:
 (A) New budget authority, -\$87,685,000,000.
 (B) Outlays, -\$87,685,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$88,347,000,000.
 (B) Outlays, -\$88,347,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$80,125,000,000.
 (B) Outlays, -\$80,125,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$81,468,000,000.
 (B) Outlays, -\$81,468,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$84,183,000,000.
 (B) Outlays, -\$84,183,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$86,292,000,000.
 (B) Outlays, -\$86,292,000,000.
 Fiscal year 2023:
 (A) New budget authority, -\$87,518,000,000.
 (B) Outlays, -\$87,518,000,000.
 Fiscal year 2024:
 (A) New budget authority, -\$91,245,000,000.
 (B) Outlays, -\$91,245,000,000.
 Fiscal year 2025:
 (A) New budget authority, -\$99,164,000,000.
 (B) Outlays, -\$99,164,000,000.

Fiscal year 2026:
 (A) New budget authority, -\$97,786,000,000.
 (B) Outlays, -\$97,786,000,000.

Subtitle B—Levels and Amounts in the Senate

SEC. 1201. SOCIAL SECURITY IN THE SENATE.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$826,048,000,000.
 Fiscal year 2018: \$857,618,000,000.
 Fiscal year 2019: \$886,810,000,000.
 Fiscal year 2020: \$918,110,000,000.
 Fiscal year 2021: \$950,341,000,000.
 Fiscal year 2022: \$984,537,000,000.
 Fiscal year 2023: \$1,020,652,000,000.
 Fiscal year 2024: \$1,058,799,000,000.
 Fiscal year 2025: \$1,097,690,000,000.
 Fiscal year 2026: \$1,138,243,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2017: \$805,366,000,000.
 Fiscal year 2018: \$857,840,000,000.
 Fiscal year 2019: \$916,764,000,000.
 Fiscal year 2020: \$980,634,000,000.
 Fiscal year 2021: \$1,049,127,000,000.
 Fiscal year 2022: \$1,123,266,000,000.
 Fiscal year 2023: \$1,200,734,000,000.
 Fiscal year 2024: \$1,281,840,000,000.
 Fiscal year 2025: \$1,369,403,000,000.
 Fiscal year 2026: \$1,463,057,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2017:
 (A) New budget authority, \$5,663,000,000.
 (B) Outlays, \$5,673,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$6,021,000,000.
 (B) Outlays, \$5,987,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$6,205,000,000.
 (B) Outlays, \$6,170,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$6,393,000,000.
 (B) Outlays, \$6,357,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$6,589,000,000.
 (B) Outlays, \$6,552,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$6,787,000,000.
 (B) Outlays, \$6,750,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$6,992,000,000.
 (B) Outlays, \$6,953,000,000.
 Fiscal year 2024:
 (A) New budget authority, \$7,206,000,000.
 (B) Outlays, \$7,166,000,000.
 Fiscal year 2025:
 (A) New budget authority, \$7,428,000,000.
 (B) Outlays, \$7,387,000,000.
 Fiscal year 2026:
 (A) New budget authority, \$7,659,000,000.
 (B) Outlays, \$7,615,000,000.

SEC. 1202. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES IN THE SENATE.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2017:

(A) New budget authority, \$274,000,000.

(B) Outlays, \$273,000,000.

Fiscal year 2018:

(A) New budget authority, \$283,000,000.

(B) Outlays, \$283,000,000.

Fiscal year 2019:

(A) New budget authority, \$294,000,000.

(B) Outlays, \$294,000,000.

Fiscal year 2020:

(A) New budget authority, \$304,000,000.

(B) Outlays, \$304,000,000.

Fiscal year 2021:

(A) New budget authority, \$315,000,000.

(B) Outlays, \$315,000,000.

Fiscal year 2022:

(A) New budget authority, \$326,000,000.

(B) Outlays, \$325,000,000.

Fiscal year 2023:

(A) New budget authority, \$337,000,000.

(B) Outlays, \$337,000,000.

Fiscal year 2024:

(A) New budget authority, \$350,000,000.

(B) Outlays, \$349,000,000.

Fiscal year 2025:

(A) New budget authority, \$361,000,000.

(B) Outlays, \$360,000,000.

Fiscal year 2026:

(A) New budget authority, \$374,000,000.

(B) Outlays, \$373,000,000.

TITLE II—RESERVE FUND

SEC. 2001. DEFICIT-NEUTRAL RESERVE FUND FOR JOB CREATION, INFRASTRUCTURE INVESTMENT, AND TAX REFORM.

In the House of Representatives, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provide job creation through robust Federal investments in America's infrastructure and reforming the tax code to provide relief for American families. The revisions may be made for any measure that—

(1) provides for additional investments in highways, public transit, rail, aviation, harbors, seaports, inland waterway systems, public housing, broadband, energy, water, and other job-creating infrastructure improvements, and

(2) reforms the tax code to support hard-working American families; by the amounts provided in such measure if such measure does not increase the deficit for either of the following time periods: fiscal year 2017 to fiscal year 2021 or fiscal year 2017 to fiscal year 2026.

TITLE III—OTHER MATTERS

SEC. 3001. BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the report accompanying this concurrent resolution on the budget, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, shall include in an allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations of the applicable House of Congress amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—In the Senate and the House of Representatives, for purposes of enforcing section 302(f) of the Congressional Budget Act of 1974 (2 U.S.C. 633(f)), estimates of the level of total new budget authority and total outlays provided by a measure

shall include any discretionary amounts described in subsection (a).

SEC. 3002. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution, the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Chairman of the Committee on the Budget of the applicable House of Congress.

SEC. 3003. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of either the Senate or the House of Representatives to change those rules (insofar as they relate to that House) at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate or House of Representatives.

The CHAIR. Pursuant to House Resolution 48, the gentleman from Kentucky (Mr. YARMUTH) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. YARMUTH. Mr. Chairman, the Republican rush to eliminate the Affordable Care Act, to take health insurance from 30 million Americans, introduce chaos into the health insurance market, and give millionaires and billionaires a giant tax cut is misguided and does not reflect the values of the American people. On top of that, it can significantly damage our economy.

Repeal will upend our Nation's healthcare system. Hospitals will see a spike in uncompensated care, leading to reduced services, job cuts, or higher prices for every one. It will cost the Nation 2.6 million jobs in 2019 alone, including 44,000 jobs in Kentucky. The hit to the economy will be in the trillions of dollars, and it will give corporations and the wealthy hundreds of billions of dollars of tax cuts.

Repeal isn't about what is best for the American people. It is solely about politics and what is in the financial interest of the well-off and the well-connected. There is absolutely no logic to this.

That said, if Republicans are determined to rush something through Congress right now using the budget process, we would suggest a totally different approach. Let's look at areas where this Congress and this incoming administration can work together to address a pressing challenge facing the country.

Members of both parties and the President-elect have expressed support for repairing our Nation's failing infrastructure, investing in our roads, bridges, ports, and other transportation needs to create jobs and build a stronger economic future. The substitute I have offered today provides the budget procedures needed for such a bill to be considered.

Mr. Chair, I urge my colleagues to support this alternative budget so we can move our Nation forward together.

I reserve the balance of my time.

Mrs. BLACK. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentlewoman from Tennessee is recognized for 10 minutes.

Mrs. BLACK. Mr. Chairman, the Democratic substitute would guarantee that the American people continue to be harmed by ObamaCare. It would ensure that insurance markets continue to collapse and that premiums and deductibles continue to rise and that patients have less access to healthcare choices.

At a time when we are trying to provide relief to the American people and protect them from a failed and broken status quo, this amendment ignores those who are suffering under the law. It ignores the 20 million Americans who have either paid the ObamaCare penalty or sought an exemption from it because the cost of complying with the law is either too costly or not worth their trouble.

This amendment tells those families who have seen their premiums go up dramatically—many, who are paying more and getting less—that there is no relief in sight for you. What is more, the substitute does not include any reconciliation instructions, and it lacks the savings we achieve through our instructions.

The bottom line is this: ObamaCare is collapsing. It is failing. The American people need relief. And in order to get them that relief, we need to reject this amendment and get to work on patient-centered solutions for our Nation's healthcare challenges.

I yield back the balance of my time.

Mr. YARMUTH. Mr. Chair, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), a distinguished member of the Budget Committee.

Ms. WASSERMAN SCHULTZ. Mr. Chair, as a mother, a breast cancer survivor, and a proud Floridian, I rise today in strong opposition to the majority's irresponsible efforts to repeal the Affordable Care Act. The facts speak for themselves:

20 million Americans, including more than a million and a half Floridians, have obtained quality, affordable health care since the ACA became law.

129 million Americans, who, like me, have preexisting conditions, can no longer be discriminated against by their health insurance company.

Our Nation's young adults now rest easy that they can stay on their parents' insurance until they are 26.

Allow me to remind my colleagues on the other side of the aisle that we are elected to help Americans, not hurt Americans. Make no mistake, repealing the ACA will not only rip health care away from millions of Americans who have ObamaCare, but we owe it to the 155 million Americans with employer-based coverage to maintain the prohibition against annual and lifetime limits.

Before the ACA, 105 million Americans, most of them with employer coverage, had a lifetime limit on their insurance policy. The ACA prohibits annual and lifetime limits on policies.

We owe it to our seniors to stop the repeal of key new Medicare benefits. Repeal of these lifesaving provisions would actually increase prescription drug costs for millions of seniors in the doughnut hole who are currently saving more than \$2,000 on their drugs due to the ACA by reopening the gap in Medicare part D coverage.

In addition, since enactment of the ACA, the solvency of the Medicare trust fund has been extended by 11 years. And we owe it to the 129 million Americans like me with preexisting conditions, such as breast cancer survivors, to stop repeal so they cannot be dropped or denied coverage or charged an exorbitant premium by their insurance company.

As a cancer survivor, I am also appalled that the Republican plan—or lack of a plan—would increase out-of-pocket costs for every patient by requiring them once again to pay for preventative services like cancer screenings.

Mr. Chairman, the assault on the well-being of our constituents is an outrage, and we will not take it lying down. We will fight tooth and nail for the established right of all Americans to have quality, affordable healthcare coverage and not return to the days when it was available only as a privilege to those who could afford it or who were fortunate enough not to have a preexisting condition.

Mr. YARMUTH. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN), a distinguished member of the Judiciary Committee.

Mr. COHEN. Mr. Chairman, I have been listening to the debate, and I see the buzzwords that have been used about the repeal of the Affordable Care Act: "patient-centered"—that sounds good—and "against bureaucrats"—that sounds good. What they don't tell you

is that it is for the insurance companies.

They say it leaves it patient-centered and for the people to deal with it, not the government—because the people will have to deal with the insurance companies in the future. The people don't want to have to deal with insurance companies when their claims are denied, when they won't pay them, when they won't allow them to have certain procedures. That is what the American people are against.

The Affordable Care Act was insurance reform on steroids. And you can't have all of the insurance reform on steroids without government action looking out for the people versus the insurance companies.

They also don't tell you about rich people, who the other side is always concerned about, who could use tax credits and get a lot more money for their tax credits because they are at a higher tax rate than others. So, in essence, they are going to get more out of this.

What we ought to be doing—it is what this alternative budget is about—is trying to create jobs, jobs for people in infrastructure, construction jobs for people out there in middle America.

America used to be first in infrastructure, and now we are 28th in infrastructure. We need to have an infrastructure that gets goods to market and goods to the public for sale. That helps create jobs further. Jobs is what is important, and it is where America used to be first—in infrastructure jobs.

America has always been last in health care. We were the only industrialized country in the world without a national healthcare policy, and the Republicans never wanted a national healthcare policy until now.

So the Affordable Care Act did good because it woke the people up on the other side of the aisle to the fact that we needed to have a policy to make sure people got health care because they have never, ever cared about it.

Teddy Roosevelt cared about it in their party. Richard Nixon cared about it in their party. Mitt Romney cared about it in their party. But they were mute. They didn't say a word about it. All of a sudden—because they found something they thought is good.

Two-thirds of the people in Tennessee like the Affordable Care Act. Don't repeal it.

Pass this alternative budget and create jobs.

Mr. YARMUTH. Mr. Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), a new member of the Budget Committee.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, it is interesting that after 6 years of the mantra of repeal and replace, here we are. And we have repeal and maybe replace at some point when we get around to it; although, that shouldn't be very surprising, considering.

What is ObamaCare?

More than 20 years ago, Senator Bob Dole, then the Republican leader of the Senate, and a group of his colleagues introduced the Republican alternative to the then-Democratic plan to expand health insurance to some 40 million Americans who didn't have it. The Republican plan hatched at the Heritage Foundation was, instead of expanding Medicare for all, let's instead create a system of taxes and tax credits where we pool all the uninsured together and we enable them to buy private health insurance on a marketplace.

Fast-forward about two decades. Barack Obama comes to the White House wanting to compromise, wanting to create a system that would disrupt the existing healthcare system as little as possible, and decides to go in this direction. Then suddenly, all of those on the other side who supported that idea for two decades decided it was socialism and could not possibly be the healthcare law.

So the reason why they don't have an alternative to ObamaCare is because this is the market solution. This was the more moderate approach. This actually isn't a Big Government-run plan.

So I am extending a hand to the other side. If they really want to come up with a way to improve the Affordable Care Act, there are many of us on this side who genuinely want to work on that. I have already voted, as a Member only here 2 years, on ways we can improve the Affordable Care Act and make some modifications, the same way we have made modifications to Medicare and Medicaid many times since 1965.

Mr. Chairman, if the real intent of the other side is just to strip away health insurance to 22 million Americans, we will say "no" and continue to fight it.

□ 1345

Mr. YARMUTH. Mr. Chairman, as I said in my closing to the debate on the resolution itself, it would be wonderful if the Republicans had a plan that they could describe to the American people so that American families would know what would be in their healthcare future. It would also be nice if they would wait to repeal the Affordable Care Act until they could do that. I think the American people expect it. The poll I mentioned from Kaiser, 82 percent of the people preferred to go in that direction. Let's find out if there is a better way.

I have said many times in public the reason there has been no Republican alternative to the Affordable Care Act is because there really are only two alternatives: one is to go back to the era in which insurance companies decided who lived and died, and the other one is to go to single payer, something like Medicare for everyone. I would love to

discuss that option. I think it would be immensely popular in this country. But, instead, Republicans come up with ideas that are drifting in the other direction, again, back to not patient-centered care but back to insurance company-centered care.

The important thing today is that we have an alternative here through which we can actually do something constructive for the American people, something that will help the economy, something that will make vital investments in our Nation and the future economy instead of putting the country's healthcare system at risk. That is what this amendment does. That is why I introduced it, and that is why I urge my colleagues to support it.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. YARMUTH).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. YARMUTH. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kentucky will be postponed.

Mrs. BLACK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. HULTGREN, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026, had come to no resolution thereon.

PROVIDING FOR EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY

Mr. THORNBERRY. Mr. Speaker, pursuant to House Resolution 48, I call up the bill (S. 84) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 48, the bill is considered read.

The text of the bill is as follows:

S. 84

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS REGULAR COMMISSIONED OFFICERS OF THE ARMED FORCES.

(a) IN GENERAL.—Notwithstanding the second sentence of section 113(a) of title 10, United States Code, the first person appointed, by and with the advice and consent of the Senate, as Secretary of Defense after the date of the enactment of this Act may be a person who is, on the date of appointment, within seven years after relief, but not within three years after relief, from active duty as a commissioned officer of a regular component of the Armed Forces.

(b) LIMITED EXCEPTION.—This section applies only to the first person appointed as Secretary of Defense as described in subsection (a) after the date of the enactment of this Act, and to no other person.

The SPEAKER pro tempore. The bill shall be debatable for 90 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

The gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 45 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on S. 84.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THORNBERRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me get right to the heart of the matter. We have to pass this legislation in order for James N. Mattis to be able to serve as Secretary of Defense. I know of no one more respected and more admired in the field of national security today than General Mattis. It is true that this is an extraordinary thing we are doing to pass a new law to provide a onetime exception to an underlying law so that a particular individual can serve. The last time we did this was 67 years ago.

Our predecessors then faced challenging times and believed it was appropriate to go through extraordinary lengths to allow an exceptional individual, George C. Marshall, to serve as Secretary of Defense. History reveals that it was fortuitous that they chose to do so.

We face challenging times today. We live in an increasingly dangerous world, and we confront it with a military that has been significantly damaged by budget cuts and other actions. I believe it is appropriate—in fact, I believe it is necessary—for us to rise to meet the challenges of our time as our predecessors did in theirs and allow an exceptional leader to once again serve our country.

Now, there are legitimate complaints about the wording of the resolution, about various procedural flaws, and about not exempting General Mattis from the UCMJ. In that regard, let me correct something I said before the Rules Committee last night. A retired officer can be held accountable for acts after they retire, although never has that happened to someone in civilian office. But there are legitimate complaints about the President-elect's transition team refusing to allow General Mattis to come to a hearing and testify before the House even though he was very eager to do so himself.

I share all of those concerns. I think it was a mistake and shortsighted to deny the House the opportunity to question General Mattis on the issues related to this legislative exception. I think it was an opportunity to facilitate giving him a large, bipartisan vote out of this House which reflects the overwhelming bipartisan support that he has in this House.

But getting back to the bottom line, even with those concerns, we have a responsibility to the men and women who serve, and I think we have a responsibility for the safety and security of every American to see that there is a fully functional Secretary of Defense on day one of the new administration. The only way we can do that is to pass this legislation today.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to thank the chairman, and I want to thank the members of the Armed Services Committee. I think we had a very excellent debate on this issue yesterday in committee. A lot of very well thought-out opinions on both sides were expressed in a respectful way.

I also want to thank the chairman because the second that it was said that General Mattis was going to be the President-elect's selection for Secretary of Defense, he joined me in saying that we wanted General Mattis to appear before our committee to answer our questions. This is something that has only happened twice, and the first time in 67 years; and our committee members wanted the opportunity to do our job as the House Armed Services Committee and hear from the nominee about how he felt about the civilian control of the military, which is the reason that this law was put in place back in 1947. So I thank the chairman for that. Unfortunately, it didn't happen.

The one thing I would correct, we do have to pass this piece of legislation in order for General Mattis to become the Secretary of Defense. We do not have to do it now. I will explain more on how we can do that in just a second. But the problem of where we are at

right now because of the actions of the transition team, we basically, certainly on the House Armed Services Committee and, to some extent, in the full House, are being treated as irrelevant.

It was mentioned during our committee that General Mattis received an 81-17 vote on this legislation in the Senate. That is true, it was bipartisan. He appeared before the Senate Armed Services Committee. The Senate Armed Services Committee was given the respect to do their job, and they heard him, and they asked him questions. It didn't take very long. He was done by 12:30, and they voted. That didn't happen for us.

Really, it is sort of a two-step process in which the legislative branch—in this case, the House—was basically ignored and treated as irrelevant. First was in the continuing resolution that we passed to keep the government open where, with guidance from the transition team, they insisted on very specific language in the CR to set it up so that General Mattis could be confirmed, and that was stuck into the CR. Now, we, on the Democratic side objected to a couple of things in that at the time, but those objections were ignored, and it was put in, and we were not prepared to shut down the government over this issue since it was put into the CR.

The chairman has mentioned one of the problems with it, and the biggest one, and that is in the past, in the case of General Marshall, they exempted him from this provision that retired officers are subject to the UCMJ. They did not exempt General Mattis. When we are talking about civilian control of the military, if you have a retired military officer who is still subject to military law, that, without question, blurs the line between his being a military officer and his being a civilian. It is something we easily could have fixed. But the way they wrote it into the CR there was no way for us to do that.

Then, second, and more—I can't think of the right word—second and worse, let's just put it that way, as we said, we agreed. We were going to have General Mattis come and talk to us. Both the chairman and I spoke to General Mattis on the phone. He was very anxious to come testify. In fact, 3 days ago, we noticed in our committee that we were going to have a public hearing with General Mattis before us answering our questions and addressing whatever concerns we might have. Then, the next day, 24 hours before he was supposed to appear, the transition team—and as I was led to believe, it was some low-level person on the transition team—said: Nah, we are not going to let him come.

Reporters have asked me many times: Why did the transition team do that? The best answer to that question is because they could, because they

just really didn't feel like it. Some people have said: Well, it would be a lot of effort, a lot of work.

Like I said, General Mattis testified before the Senate committee. Most of us watched it on television. He was done at 12:30. We were scheduled to have him at 2:30. He could have had a nice lunch, walked over to the House, sat down for an hour, and the House Armed Services Committee could have been permitted to do its job.

The reason this is important—and I have heard for 8 years endless complaints from the Republican side of the aisle about how President Obama has ignored the legislative branch, how executive authority is making irrelevant the people's House, and how wrong that was. On a number of occasions I've actually agreed with them. I think that has happened.

But here we are before this President is even in office, at the very first opportunity, he is choosing to completely ignore us for no reason. You cannot tell me that General Mattis couldn't handle an hour-and-a-half's worth of questioning in the House Armed Services Committee. He has done it before countless times.

So what we can do and what I think we should do, what I think we should have done at the time when the transition team called up and said that, is we should have said: Okay. We appreciate your opinion, but you need us to pass this law in order for General Mattis to be Secretary of Defense. We have been told that he is going to appear before our committee. We have told our members of the committee and everybody else that he is going to appear; and until he does, we are not going to pass that law.

Now, I am of the opinion that if we had said that, if we had shown some backbone and stood up for what is our right as the legislative body, that all of a sudden General Mattis would have been available and we could have avoided all of this.

Even today, I submit that if we defeat this bill on the floor, we couldn't get him in by January 20. I grant you that. But we are back January 23 and 24. We were scheduled to be here January 25. I gather that got canceled because the Republican retreat is going to be a bit longer than expected.

□ 1400

But we could certainly take that day back. We could wait 3 or 4 days, which I don't think would be the end of the world, and assert our authority as the legislative branch. Because, let me tell you something, if we set this precedent now, if you think President Obama exercised executive authority in a high-handed way, ignoring the legislative branch, there is every indication that President-elect Trump is going to have an even greater approach in that direction. So if we don't stand up for our-

selves now, we are going to be rolled over countless.

We all want to support General Mattis. We want that bipartisan vote. The way to get that bipartisan vote is to do what we said we were going to do, have him come before the Armed Services Committee and simply address the issue we want to raise. That is why I would ask this body to reject this motion now, so that we can actually have the Armed Services Committee do its job.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I thank Chairman MAC THORNBERRY for yielding. I appreciate the gentleman's positive leadership as chairman of the House Armed Services Committee.

I am grateful to endorse this selection of General Jim Mattis for Secretary of Defense and, based on his extraordinary background, believe a waiver is appropriate. General Mattis' recent experience in the Middle East makes him uniquely qualified to address the threats to servicemembers overseas and American families at home. I am confident that, through his position, General Mattis will continue the great traditions of civilian control of the military, delivering peace through strength.

My personal perspective of appreciation of General Mattis is as the grateful son of a World War II Flying Tiger who served in India and China, as the son-in-law of a Marine who received the Navy Cross for Okinawa service, as a 31-year veteran myself of the Army Reserve and Army National Guard, with four sons who have served in the military, as Army Field Artillery in Iraq, as a Navy doctor in Iraq and Italy, as a signal officer in Egypt, as an engineer in Afghanistan, and with an Air Force nephew serving in Iraq.

In his testimony before the Senate yesterday reaffirming the European Reassurance Initiative from the Baltics to Bulgaria, General Mattis spoke bluntly about the readiness crisis facing our military, and we are eager to work with him on the critical task of rebuilding our national defense to promote peace through strength.

Simultaneously, bipartisan endorsements, to me personally, from his fellow Marines confirm he is the right person at the right time.

General Mattis' swift confirmation is crucial to continuity for our ongoing military operations and protecting American families. I urge my colleagues to support the waiver for General Mattis.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MCEACHIN).

Mr. MCEACHIN. Mr. Speaker, I rise today in opposition to this bill.

Mr. Speaker, every one of us in this body was elected to serve and represent the people of our districts. Doing our jobs means fairly and fully considering the legislation that comes before us. If we pass this measure, we will have failed to meet that incredible responsibility.

Our democracy depends, in part, on civilian control of the military. If we are going to appoint a recently retired general as the new Secretary of Defense, that decision calls for careful deliberation and informed debate.

Mr. Speaker, I hear nothing but good things about General Mattis, but the good people of the Fourth Congressional District of Virginia didn't hire me to take someone else's word for it. If we are going to waive this law that has been on the books for oh so many years, Members of this body deserve the opportunity to ask General Mattis questions, to hear his answers, and to weigh his views.

Unlike our colleagues in the Senate, Members of this body did not have the opportunity to have a full committee hearing with General Mattis. For that reason, I urge my colleagues to oppose this bill.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Speaker, the United States and our allies currently face some of the most complex security challenges in our recent history. ISIS continues to sweep across much of the Middle East. An expansionist China continues to develop its military prowess in order to counter the United States and its allies in the region. We continue to face a nuclear threat posed by countries such as North Korea and Iran; and an increasingly hostile Russia seeks to destabilize much of Europe.

It is imperative that the Department of Defense not lose continuity in leadership, administration, and governance. General Mattis must be confirmed expeditiously. Such a lapse would create vulnerabilities in our national security strategy and would be detrimental to the safety and security of our Armed Forces.

Civilian control of military is undoubtedly crucial to the success and health of our Defense Department. This candidate's military experience alone should not bar him from serving in a civilian role as the Secretary of Defense. It actually enhances the capabilities he brings to the job. This is a unique exception for a candidate whose exemplary leadership and experience would come at a crucial time for our country and for our men and women in uniform.

I understand that many of our colleagues across the aisle are choosing to vote against a waiver for General Mattis, despite the fact that they support General Mattis himself as an emi-

nently qualified nominee for the Secretary of Defense. That is a mistake. To do so is self-defeating.

Under these circumstances, a vote against the process by which General Mattis is nominated is, in fact, a vote against General Mattis himself from becoming our next Secretary of Defense.

I thank Chairman THORNBERRY for his leadership throughout these important deliberations and for his work for obtaining this waiver for General Mattis and for the future of the service of General Mattis to our country.

I urge our colleagues on both sides of the aisle to support S. 84.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I opposed similar legislation in a markup yesterday, and I cannot support it today. My concerns are not with the exceptional qualifications and decades of honorable service of General Mattis, but I am opposed to a process that has made this House irrelevant.

We have an obligation under the law to review this nomination based on General Mattis' military service, a law that codified the principle of civilian control of the military. General Mattis agreed, and was even eager, according to the chairman, to speak before the Armed Services Committee.

The people have the right to know that the Presidential transition team blocked him from appearing. The American people, frankly, don't care what unelected members of the transition team think and would much rather hear from General Mattis on why we in the House should grant this exception to law.

His testimony would be in all of our best interest. General Mattis could certainly start the new relationship that he has with the House Armed Services Committee, with our committee, through a thoughtful and a productive conversation on the issues.

Today we are casting off our duty and agreeing to be irrelevant. To accept this legislation without making the appropriate changes, without fully participating in this legislative process, under a closed rule, we are doing nothing to safeguard civilian control of our military. In fact, we are accepting poorly drafted language, and we are not performing proper oversight.

Why are we doing that?

Because the President-elect's transition team said so.

My colleagues have said that there is no requirement that General Mattis speak before us, but I want to say to them: Why cede our power to the Senate? Both houses of Congress have a duty here. Why let a nascent administration push us and a distinguished general around?

I will not roll over and allow the transition team to dictate the charge

of the people's House. We can fix this, Mr. Speaker, and we should.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Speaker, I rise today in strong support of the rule and passage of H.R. 393, to allow retired General James Mattis to become our Nation's 26th Secretary of Defense.

First of all, I would like to say that I believe civilian control over our military is one of the pivotal principles of our Republic. This body must ensure that our military leaders remain accountable to civilian authorities lest we put our hard-won liberties at risk.

That is why, before I decided to vote for this waiver, I had to answer two very important questions. First, does the appointment of James Mattis present any threat at all to the concept of civilian control of our military?

The answer is clearly no. James Mattis has demonstrated his openness as a straight shooter throughout his long career. I am confident he will continue to candidly face the problems in the Department of Defense and be a positive force for change.

It is James Mattis' record of reform-minded openness, his scholarly understanding of history and military matters, and his almost 4-year separation from defense interests, that assures me that this waiver, as a unique measure, poses no risk to civilian control of the military.

The second question, then: Is the appointment of James Mattis worth waiving the 7-year requirement?

The answer is clearly yes. The United States Armed Forces are at a pivotal moment in their history. After 8 years of neglect under this administration, our military has been brought to its lowest point in the past 4 decades.

James Mattis has the experience, knowledge, and leadership skills to rally the services while they rebuild for the next 4 decades. He will start on day one with a strong grasp of the challenges facing our military and with the ideas to meet those challenges. That is why I support this one-time waiver, which will allow James Mattis to serve as our Nation's 26th Secretary of Defense.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. Mr. Speaker, I rise in opposition to this legislation.

In the aftermath of World War II, leaders from both parties, who many in this House revere to this day, developed the principle of civilian control of our Armed Forces and codified it into law. They had seen the rise of fascism and communism, and held this principle dear because they believed it was necessary for the safety of our democracy. It was the outgrowth of a long tradition of thinking about civil-military relations, as old as our Republic itself, going back to the Founders.

Yet, almost all of these same leaders and legislators made an exception for General George Marshall; but when they did so, they did not take the action lightly. The exception in 1950 did a number of things that this legislation does not, which my colleagues have spoken about. All are serious, but I want to highlight one.

The exception in 1950 named General Marshall by name and applied the exception only to him. This bill does not name General Mattis, and it is written more broadly. The principle of civilian control of the Armed Forces was important to the Greatest Generation and it was an exception in every sense, an exception for an exceptional individual.

This matter should not be rammed through Congress. There are serious issues to discuss. I believe civil-military relations remain vitally important to the American people and to the health of our democracy.

I believe that General Mattis is an excellent general officer. He has served our Nation well, and he will be a capable Secretary of Defense. My opposition to this legislation is not about General Mattis' capacity to serve in this role.

Mr. Speaker, I ask: Why is this legislation written so that it could apply to other individuals and does not name General Mattis and state that this is only for him?

We are being asked to rush, without conducting proper oversight, without holding a hearing, and after being prevented by an unelected transition team to hear from General Mattis himself.

This is the people's House. The House should have a proper hearing before a decision of this magnitude is made. General Mattis should have been allowed to testify before our committee, as I am told was his desire. If today's legislation addressed these concerns, which could have been achieved, my vote would likely be different today.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 30 seconds.

Ms. ROSEN. But I cannot, given this process and this language, vote for this legislation today in good conscience.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I rise in support of S. 84, a bill that would allow for General James Mattis to be considered for an appointment as the 26th Secretary of Defense of the United States.

Leading up to this vote, I have heard time and time again from my colleagues that they respect General Mattis' service to our country. I have also heard that they understand him to be an intelligent, capable leader. Some have even gone so far as to say he is a

military hero. I don't doubt the sincerity of my colleagues' words. In fact, I echo them.

But for some of my colleagues, this praise for General Mattis is followed by what I believe is a flawed line of thinking. I have heard the argument that this vote we have before us today is not about General Mattis.

My friends, today's vote is clearly about General Mattis. Make no mistake, a "yes" vote today will not permanently change the requirements prohibiting the appointment of anyone inside of 7 years of Active Duty service.

□ 1415

This vote will provide a one-time-only exception for General Mattis, a man of the utmost character.

The original intent of this law was to prevent an Active-Duty servicemember from retiring and then becoming Secretary of Defense within the same Presidential administration. With President-elect Trump raising his right hand in 7 days, it is clear that General Mattis does not violate the law's original intent. The fact that we are here to deliberate this issue only proves that the nomination and appointment process works.

I am encouraged that we are having this debate today. But at the end of the day, we should not deny the best candidate to become the Secretary of Defense.

A vote of "no" is a vote against General James Mattis. I urge my fellow colleagues to join me in voting in favor of an exception for an exceptional American, General James Mattis.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

This is not a vote against General Mattis. I think I made that very, very clear. I think it is very important that the House have the opportunity to hear from him, as we said we were going to do.

Now, yes, he has appeared before the Senate. But, as all of us on the Armed Services Committee know, after the transition is over and the new Secretary of Defense is in place, one of the first things they do is come up and report the budget to us. The Secretary of Defense and the Chairman of the Joint Chiefs of Staffs will come up. They go to the Senate, too.

Are we just going to say we can watch the television? Why does he need to go to both places? Why would we bother to have him come all the way over to the House and have our members have the opportunity to ask him questions? I don't want to set that precedent.

So, as passionate as the previous speaker was, please understand—and I have expressed this directly to General Mattis—this is not a vote against General Mattis. In fact, I have said: if we have the opportunity to do our job as

the House Armed Services Committee, if we simply do not roll over for the transition team, we would be more than happy to support General Mattis in a bipartisan way. We have plenty of time to do this right, instead of doing it in the rushed way that disregards the power and importance of the House Armed Services Committee.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I rise in strong support of S. 84.

Here is what I think this is about. We feel slighted. We in Congress feel slighted that the Trump administration did not deign to have General Mattis come and speak to us, the House, which is not required by any law, not required by any statute. We feel slighted.

I do feel the same way that the ranking member feels, in terms of how the administration is treating the House of Representatives and this body.

But it is times like this where we need to rise above the slights from the future Trump administration. I think there are going to be a few more. I think this future administration does not hold this body in the highest regard. That is going to become evident over the next 4 years.

I think we are going to have to take things like that as a body and do what is best for this Nation. That is why they argue with the process and that the House was slighted by the future President. I understand it. I feel that as well. But it is time for us to say: hey, we need to be above that. This is about the future of our Nation, it is about our men and women who are serving in conflict right now, under fire, and they need General Mattis as their Secretary of Defense.

For those who assert that the Marshall prohibition, which bars, in the absence of a waiver, a general from becoming Secretary of Defense, a glance at the operational chain of command is in order.

Under the U.S. Constitution and statute, the command of the Armed Forces flows from the President to the Secretary of Defense to the combatant commanders around the world. The idea that a link in the chain of commanding operations—namely, the Secretary of Defense—cannot be a military leader is nonsensical. General Mattis will bring insight to a job that no background in academia or business could ever provide.

Lastly, when I met General Mattis for the very first time, I was going to Iraq for Kuwait. We got ambushed by machine gun. I got shot in the arm. He drops into my Humvee. We pull out of the ambush area.

My convoy gets up to Dewaniya where Jim Mattis is. I had never met

him. I had heard of him a little bit. I was a lieutenant in the Marine Corps. I didn't know much about much at that point. There is General Mattis in the operation center.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. HUNTER. He turns to me and he says: Lieutenant HUNTER, good to see you. I said: good to see you, sir. I was already sweating and shaking, speaking to a one-star general officer. For a lieutenant, that could be very trying.

He said: Did you kill him? I said: Kill who, sir? He said: the guys who ambushed you. I said: no, sir. We followed procedure and drove out of the ambush area. He said: next time, son, you need to kill them.

Hearts of every single man and woman in the U.S. Armed Forces will be filled with pride when John Mattis is sworn in as the next Secretary of Defense.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds.

I have an enormous amount of respect for the gentleman from California. I have enjoyed traveling with him to Afghanistan and elsewhere.

I think what he said in the first part of his remarks was, basically, the Trump administration is going to ignore us, and we just need to get used to it. That is not my interpretation of our jobs. I think we were elected as well, particularly on the Armed Services Committee, and, in our elections, we even got more votes than our opponents. That is how we were able to get here.

So I don't think we should simply roll over for the Trump administration because that is the way he is likely to behave.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Speaker, I rise in strong support of S. 84.

If we look back at the origin of this 1947 law in the aftermath of World War II, it was really written to require, I think at that time, 10 years of separation between anybody who had served in the military and then serving as a Secretary of Defense. I think one of the core reasons for that is the fact of would there, in fact, be a bias between that military officer and their branch of service.

I think when we look at General Mattis and this waiver, that is certainly not the case. He was the combat and commander for Joint Forces Command when it was standing. The purpose of Joint Forces Command was to integrate our military together in terms of jointness. He was very successful at that. So that bias is not going to be there.

In the State of Colorado, he came out about a year ago to speak before the University of Colorado Denver to our veterans' association. I will never forget those young marines and soldiers who had served under him in combat, those junior enlisted, and how they looked up to him in a way I have never seen junior enlisted look up, in my time in the Army and Marine Corps, to a flag officer in the same way.

So I think he is going to be such an extraordinary asset to the national security of this country, and I am proud to rise in support of S. 84.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. KHANNA), a new member of the Armed Services Committee.

Mr. KHANNA. Mr. Speaker, I want to say what an honor it is to be on this Committee with Chairman THORNBERRY and Ranking Member SMITH and their leadership. When I joined, I was told this was one of the only bipartisan committees in the House. While we had a disagreement—and I associate myself with Ranking Member SMITH's remarks—I will say that, to me, the debate seemed civil. It seemed genuine on philosophical and constitutional principles. I am hopeful that, after this debate, we will be able to work in a bipartisan way.

I know General Mattis was out in Silicon Valley. He has tremendous respect in the Valley for dealing with issues of cybersecurity and the future of the military. I think some of those ideas can help our troops. I look forward to working on the Committee to support those initiatives.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Speaker, I rise today as an advocate for the United States military and the selfless men and women who fill its ranks.

While I fully appreciate the points that my colleagues are making, this is an extraordinary time as we consider this legislation and an extraordinary man about whom we are talking.

In just 1 week, our Nation will have its new President. Precedent tells us that we should also have the President's Secretary of Defense to step in and assume control of the Department of Defense that day, as well. Our soldiers, sailors, airmen, and marines must have their organization's leader in position. That clear and steady leadership is crucial when lives are on the line.

The state of our military's readiness, under the current administration, also merits mentioning within this discussion. Troop OPTEMPO rates are dangerously high and retention rate is low. Our aircraft are unreliably old and many maintainers are inexperienced and new. Never before have there been such extraordinary challenges to the

manning, training, and equipping of our forces with limited resources.

We ask our troops to stand ready to and actively fight against a resurgent Russia, emergent China, unstable North Korea, unpredictable Iran, and widespread violent terrorism. Never before has there been such an extraordinary demand on our men and women in uniform.

These are extraordinary times with extraordinary circumstances. General Mattis is the extraordinary man who will lead the Department of Defense in the direction it so desperately needs.

For this reason, I urge my colleagues to vote "yes" on this measure.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I rise in strong support of providing a waiver permitting the nomination of General James Mattis to the Office of Secretary of Defense.

General Mattis is an exceptional warrior, strategist, and leader. At a time in which the United States faces an increasingly diverse array of threats around the globe, his unique skill set and decades of experience render him worthy of this exceptional legislation.

Civilian control of the military is a foundational underpinning of our system of government, and it is one of General Mattis' nomination strengths, not weaknesses.

Just as every one is a civilian before they join the military, they return to civilian life when they leave it. Since becoming a civilian 3½ years ago, General Mattis has thoughtfully analyzed the civilian-military relationship, co-editing an analysis of the state of civilian-military relations today. This work includes recommendations that aim to, in his words: "Ensure our military are braided tightly to our broader society in a manner that will keep alive our experiment in democracy."

Throughout his distinguished career, General Mattis has demonstrated a mastery of all aspects of American leadership on the global stage. He has a keen grasp of the value of diplomacy and has been a strong supporter of the State Department and its valuable mission.

Throughout his decades of service, he has accumulated a deep understanding of the importance of deterrence and how a well-guarded peace can prevent conflict before it begins. As a seasoned strategic thinker, he has been an incisive critic of current and serious, long-term planning for American national security that hasn't really existed.

General Mattis knows firsthand the reality of combat and the stakes involved in any decision to use military force. The United States needs a Secretary of Defense equipped to use every

tool necessary to defend our Nation and defeat our adversaries.

Because of General Mattis' unique capabilities to address the multitude of threats our country faces today, I urge all my colleagues to support this legislation.

Mr. SMITH of Washington. Mr. Speaker, I would just point out that, because of the way this law is written, General Mattis actually will not be going back to civilian life after he leaves. He is still subject to the UCMJ and, therefore, is still, in some ways, a military officer while he will be the "civilian head" of the Defense Department.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman specifically for a clarity on the status of General Mattis as the legislation is written.

I think it is important, Mr. Speaker, that all of us who stand make sure the American people know of our greatest respect and honor for General Mattis. His history of service to this Nation, his tactical expertise, and his ability to acknowledge the constitutional underpinnings of which this Nation is based is without question. But we have, as my colleagues have said on the other side of the aisle, a very serious moment in history.

In the public domain is a conspicuous intrusion of Russia and the election of 2016. There is also knowledge of other areas of which they have used the cyber system for cyber warfare.

The talent of military persons is welcome, but that is the strength of this Nation: that we don't yield and bend this little book called the Constitution, which has, as I indicated, its essence being that our Nation is governed by the civilian population under principles of democracy and equality, the recognition of the three branches of government, and the separation of our military and civilian operation.

□ 1430

This waiver is extraordinary. This waiver, I believe, undermines the very sense of the freedom of our military, its ability to counsel as a separate entity, and it undermines, again, the idea that in 1947 our Congress decided to acknowledge and only waived to General Marshall because of the potential concern and catastrophe of the Korean conflict, now Korean war. It has not been done since.

So I would ask my colleagues whether or not we are going to bend—not bend the arc toward justice and recognition of the Constitution, but bend at any moment of convenience. I do not believe that this is a time in history to bend for convenience.

I believe General Mattis would agree, with his very fine record, that civilian control of the government should be

superior and raise the question himself, if asked, whether or not this waiver is for this time and for now and whether or not we are in such a moment of history that that waiver needs to be granted. My view is that it does not. My view is that we should, in essence, adhere to the regularness of constitutional premise and also to recognize the well-established separation of civilian and military.

At this time, I want to thank General Mattis for his service, and I would argue that this resolution should receive a "no" vote from our colleagues in the United States House of Representatives.

Mr. Speaker, I rise in strong opposition to S. 84, which provides an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces so that the President-Elect can nominate Gen. James Mattis to serve as the next Secretary of Defense.

Gen. Mattis retired from active duty in 2013, which under current law, makes him ineligible for appointment as Secretary of Defense.

Civilian control of the military has been a bedrock principle of our democracy since the founding of the Republic.

That principle has served the nation well and there is no reason to depart from from 66 years of precedent in strictly protecting the American principle of civilian control over the military.

Indeed, in the history of the Department of Defense, the only Defense Secretary ever given a waiver was then-Secretary of State, General George Marshall—who was provided an individual waiver in 1950 at the height of the Korean War in a stand-alone bill approved by the Congress.

It is not the service of the individual nominated or his or her fitness to serve that is in question, but the dangerous precedent that would be set by entrusting leadership of the Department of Defense to a retired military person whose active duty military experiences have not been moderated by the tempering effect of life in the civil sector.

I urge all Members to join me in voting against S. 84.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Speaker, I support this legislation in order to ensure General James Mattis can become the next United States Secretary of Defense. It is critically important to our military men and women as well as to the safety and security of the American people that the Trump administration has a capable, competent Secretary of Defense in place on January 20.

Our soldiers, sailors, and airmen need to know who their leader is, and we should do everything we can to minimize any gap in leadership. General Mattis is uniquely qualified for this vital role, and his nomination has earned praise from both Democrats and Republicans, as shown by the vote yesterday in the United States Senate.

During his over 40 years of service to our country, he has consistently shown both a great appreciation for the true toils of conflict and the clear ability to defeat an enemy. That is an important balance for anyone leading our military.

Now, I know some of my colleagues on the other side have concerns about the process, but let's not get caught up in a process fight when it comes to the safety and security of the American people. The fundamental question should be: Do you or do you not support General Mattis serving as our Secretary of Defense?

Now, when I found out General Mattis would not be appearing before our committee, of course I was disappointed, but I pulled out my copy of "Meditations" by the great Roman Emperor Marcus Aurelius, which is his favorite book. He carries it with him everywhere. If you read those meditations, you know where they were written. They were written on the northern frontier of the Roman Empire where the Emperor General Marcus Aurelius spent several years to be with his legionnaires as they fought against the enemy across the line of the Rhine. In those meditations he talks about the importance of humility.

Any general who reads the "Meditations" of Marcus Aurelius consistently so that he can remember that his duty is to his soldiers and to a humility before the power that he has is someone who should be leading the Department of Defense of the United States. I have great confidence that he knows that the strength of our military lies in the men and women who fight for us.

I urge my colleagues to support this important legislation to help pave the way for General Mattis to lead our military and protect the safety and the security of the American people.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. RUSSELL).

Mr. RUSSELL. Mr. Speaker, what is it that objectors are truly afraid of? We hear the words "civilian control of the military" as if somehow those American citizens who have borne the brunt of service or battle are somehow no longer entitled to their citizenship, forever imprinted with some mark of Cain.

What are opponents trying to say? Is it: We are afraid of the warrior class. We are afraid they might cause a war? American battle-hardened warriors understand the need to prevent human suffering, the chaos of destroyed communities, the loss of order, the lack of public services, and carnage caused by weapons, disease, or hopelessness. My own observation is that the greatest saber rattling often seems to occur from bloviating politicians who have never borne the sword.

What are opponents trying to say? Is it: We are afraid they might take over the government? Well, if there was ever an opportunity for that concern, it was in the 1790s. President George Washington, a general, was revered. He had appointed to his Cabinet five generals and a couple of colonels. If there was ever a time for a military takeover of the United States, it was then. Instead, George Washington relinquished the most important, powerful position in the land. He, like all warriors, understood what it meant to serve their country.

If you look at our own Secretaries of State, historically, nearly one-third had military service, with 10 obtaining senior rank. The parade of notable senior warriors serving as Secretary of State remind us that military leaders have often made the best foreign policy for our country. Why no such concerns about military takeover there? On observation, it appears as if America has a phobia of civilian control of diplomacy.

General Mattis is a warrior who will put the national security and peace of the United States above all other concerns. He will do it with humility and continued selfless service. He needs to be waived and confirmed immediately for the good of our country.

Mr. SMITH of Washington. Mr. Speaker, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. KELLY).

Mr. KELLY of Mississippi. Mr. Speaker, I rise today in support of the legislation that would allow General James Mattis to be allowed to serve as our Secretary of Defense.

As Members of Congress, we are sworn to uphold the Constitution and defend our country against its enemies. In order to secure our national security, we must have a seamless transition from one administration to another when it comes to military leadership. I somehow wonder which other Cabinet appointees has the House questioned, and the answer is none.

Although this requires a waiver, there is a Senate confirmation process that determines whether or not General James Mattis is the right person. I wish he would have testified in front of our committee, but there is no requirement that he testify in front of our committee. That is why we have the Senate. It is their duty to vet the candidates for these positions. It is their duty to confirm the candidates for each of the Cabinet positions, and no other member who is trying to be on the Cabinet has to come before the House and testify. I do wish General Mattis did because he would have excelled like he has done in every other thing he has done in his life.

I have concerns about the legislation undermining civilian control, also; but

I also, like Colonel Russell, think that there may not necessarily be the need for that. Even if there is, there is civilian control of the military. The President is Commander in Chief. The Secretary of Defense answers to the Commander in Chief, who is a civilian.

Some people say interservice rivalry may be the reason that they want him to stay out for 7 years. I can assure you that 30 years from today General Mattis will be as much a marine as he is today, and 7 years or 4 years or 10 years or 30 years will not prevent him from being a marine every day for the rest of his life as he was the days preceding it.

Passing this legislation ensures that our military will have a leader on the day the President is sworn in.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. KELLY of Mississippi. Like the Member who spoke before me—General Grant served as Commander in Chief of the Union armies and later of all the Armies of the U.S. and then was President within 4 years of having that title. General Eisenhower served as Supreme Commander and then served as President of the United States, the ultimate civilian authority. General Washington was also our first President.

I ask that we pass this legislation and that we say yes to General Mattis.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds just to say, not to be a stickler for detail, but we are actually not giving a waiver here. We are changing the law, and that is what makes this appointment different. When you confirm someone to the Cabinet, the gentleman is absolutely right, the Senate, that is their authority. It is in the Constitution. We don't get involved in that. But when you are changing a law, the House has a say in that. It is the Senate and the House.

This debate actually makes me even more strongly opposed to this bill as I continue to hear about: We just don't matter. The Senate has got it. Trump has got it. What do we need to do?

We have a responsibility as the House, and when you are changing a law, it has to go through the Senate and the House.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Speaker, like every marine of my generation, during my time in the Corps I gained a profound respect for General Jim Mattis as simply the finest warrior that we have produced since Chesty Puller, and much has been made in the last few weeks about his war-fighting prowess.

What commands my respect, why I rise today, and what I believe binds Jim so closely to the hearts of everyone who has ever worn the uniform is his humility. General Mattis understands not only how to wield military power decisively but also its limits. General Mattis also realizes that the true source of our military strength doesn't come from the E-ring of the Pentagon but, rather, from the fighting spirit of the brave soldiers, sailors, airmen, and marines that are deployed right now doing a very dangerous job.

As the chairman mentioned, they deserve a Secretary of Defense on day one. With Jim Mattis as that Secretary, they will have a leader who always puts their welfare first and their mission first.

Now, I respect the concerns of my colleagues about the longstanding principle of civilian control of the military, but I know Jim Mattis personally, and I know how seriously he holds this principle as well. When I deployed to Iraq in 2007 and again in 2008, it was the words of General Mattis that reminded us that, if we ever showed contempt for civilians, we would give the enemy a victory.

So I say, for the mission's sake, for our country's sake, and the sake of men and women who have carried our colors in past battles, let's come together today in support of Jim Mattis and thereby send a signal to the world that there is once again no better friend, no worse enemy than the United States of America.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Mr. Speaker, I rise in support of S. 84 today to do this one-time exception so that we can have General Mattis as our next Secretary of Defense.

Today our Nation is confronted with a complex array of transregional threats. We exist in one of the most dynamic and dangerous periods in our history, and this list of threats grow more vast and more dangerous. In the meantime, our military readiness is at dangerous lows and our modernization falls behind. Amidst these dangers, we are fortunate to be presented with a historic opportunity to select and elevate one of the most distinguished military leaders in our Nation's history to the position of Secretary of Defense.

General Mattis is many things. He is an infantry marine, a decorated warrior, an experienced combat leader, and a respected commander who has fought our Nation's wars and knows firsthand the human costs of war and the consequences of operating unguided by strategy.

James Mattis is also a strategic thinker who understands that true

strength and security results from coordinated application of all elements of national power: our diplomatic influence, our economic wealth, our values, and, only when absolutely necessary, our military force.

Mr. Speaker, not since George Marshall have we had a nominee whose distinguished military service record and mastery of operational art is matched by his intellectual prowess and grasp of strategy. One thing else is clear: not since General George Marshall have we needed this type of leader as our Secretary of Defense.

We need a Secretary of Defense Mattis on day one of the Trump administration. A vote “no” means we won’t have him on day one. It could be day 3 or day 30.

Our men and women in uniform deserve General Mattis as their Secretary of Defense on day one. These are extraordinary times, and General Mattis is an extraordinary leader. We need him on day one. I urge support for the one-time exception.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BANKS).

□ 1445

Mr. BANKS. Mr. Speaker, I rise today to express my strong support for granting a waiver for James Mattis continuing his distinguished service to our Nation as our next Secretary of Defense.

We live in deeply troubling times as America’s standing in the world and our military readiness have both deteriorated significantly over the past 8 years. Whether it is only one-third of the active Army’s brigade combat teams being ready for combat, or Marines being forced to pull spare parts from museum aircraft to repair their F/A-18 Super Hornet fighter jets. These are not the marks of a ready force.

This moment requires trusted leadership and someone with a genuine understanding of what is required of our brave men and women to stand ready when our Nation calls. There is no one better equipped to understand the dangers that we face, how to repair our world image, and set us on a path to rebuilding our military than President-elect Trump’s nominee for Secretary of Defense, General James Mattis. General Mattis embodies all of the traits we should look for when selecting a Secretary of Defense.

As a member of the Armed Services Committee, I look forward to working with him to put our military back on sure footing and help advance our Nation toward peace and stability.

I encourage my colleagues to vote “yes” on the measure.

Mr. SMITH of Washington. Mr. Speaker, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, I rise today in support of this legislation.

Civilian control of the military is a very important principle that has served our country well. Current law provides that there should be a 7-year gap between military service and serving as the Secretary of Defense. This is a general rule, but we know there are always exceptions to the rule. That is what this legislation makes today, clearing the path for a retired general who has been back in the civilian world for more than 3½ years.

I support this exception because we live in exceptional times. Over the past 15 years, we have seen millions of American servicemembers deployed overseas. Thousands are still deployed. They have served well and served with courage. Many of them, and their families, have paid a particularly heavy price. More than 6,000 did not come home. Tens of thousands sustained life-changing injuries. Thousands have injuries we cannot see. Many families broke under the pressure of repeated deployments.

Retired General James Mattis, now a civilian, has been there. He has been with these soldiers. He has been with these families. I appreciate the perspective General Mattis will bring to the Defense Department and President-elect’s national security team. He understands more than most in a very personal way the gravity of putting our servicemembers in harm’s way. He understands the moral obligation we have to ensure that those who are sent into harm’s way are properly equipped. As important, he will be able to convey to his national security counterparts the impact decisions made in Washington have on the war fighter.

General Mattis is the right person at the right time. I encourage my colleagues to support this waiver and vote for this legislation.

Mr. SMITH of Washington. Mr. Speaker, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DESANTIS).

Mr. DESANTIS. Mr. Speaker, I rise in support of this measure.

I think it is important to point out that when you talk about civilian control, General Mattis is, in fact, a civilian. He is not in command of any Marine divisions right now. I don’t think prior military service should be held against him when he has the ability to offer additional service to the country.

I hear this argument that: Well, he is a retired general, he is subject to the UCMJ. That is not an argument that has much merit. If that were the case, you couldn’t have retired military officers serve in the Congress. If they were still considered military officers, it

would violate the incompatibility clause of the Constitution.

Now, this 7-year statutory restriction, I think it is understandable, but I don’t think it is in any way sacrosanct. If you go back to the founding of our country, a 7-year restriction would have prevented George Washington from being the first civilian commander in chief because he had resigned his commission in 1784, he took the oath of office as our first President in 1789. Nobody was under any illusions that he was a civilian, and he was somebody who was revered.

Now, it is true the Founders feared the civil being subordinate to the military, but that is because they thought Republican government could be overrun by a military junta. We don’t have that danger here. We have a civilian President of the United States, a civilian Congress that is charged under the Constitution with providing and maintaining our Navy, with raising and supporting our armies, and prescribing rules for the regulation of the Armed Forces, and we will have Jim Mattis, who is a civilian, as a Secretary of Defense.

This man, Jim Mattis, has been a faithful servant to our country. He is also a strategic thinker, who I think can do a great job in rebuilding our military and getting our national security policy on a firmer, stronger foundation.

Mr. SMITH of Washington. Mr. Speaker, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TAYLOR).

Mr. TAYLOR. Mr. Speaker, I rise to speak in support of General Mattis. I rise to speak to my colleagues, both Republican and Democrat. I rise to appeal to the unity of our Chamber, unity of our voice to the world, unity for our men and women who voluntarily fight on our behalf.

Less than 1 percent of this Nation has gone forth for the past 15 years, over and over, sacrificing their youth, time with their loved ones, and sometimes their lives. Imagine you are standing there next to your spouse, best friend, or battle buddy at attention, and a flag-draped coffin passes you by, carried by an honor guard dressed in impeccable military uniform. Uncontrollable tears flow around the room as a ceremonial flag is tightly folded and presented to the stoic Gold Star family. “Amazing Grace” played on the bagpipes is at once the most beautiful and the most dreadful tone you have ever heard. You yearn to hear it again, and you never want to hear it again.

Men and women like General Mattis, who have been here, understand the true costs of war. Men and women like General Mattis will think deliberately and carefully about putting the military into harm’s way. Men and women

like General Mattis will fight very hard to put the tools and the leadership in the hands of the military members so that they may win.

Military members, perhaps more than our civilian counterparts, understand civilian control of the Armed Forces. For in every headquarters building that General Mattis or anyone else has served, there is a prominent display of pictures of civilian leadership above military commanders.

I am not naive to the politics. I, too, believe he should have been here yesterday, but those opposed have made their point. We were divided yesterday, but we can unify today. I ask that you rise above politics. I ask you to support General Mattis not just with your words, but with your vote. I ask that you show the same unity military members show each other every single day. Let's give them a leader on day one.

Mr. THORNBERRY. Mr. Speaker, I would inform the gentleman that I have no additional requests for time, and I reserve the balance of my time in order to close.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of the time.

I thank the folks for the debate. I think it has been very good, as it was in committee. But it is disturbing to hear this described as politics, or we feel slighted and we should rise above that. This isn't what this is about. It is about our exercising our constitutional authority as Members of the House and our constitutional authority as members of the Armed Services Committee. It is about us being relevant in the process and doing our jobs, as I said in the opening.

Again, there is every opportunity to confirm and then also pass this change in the law that is necessary to make General Mattis the next Secretary of Defense. We can simply insist with the transition team that he appear before our committee. As I have pointed out, if we had done that in the first place, we could have met the January 20 deadline; and even now we could still do it by January 23 or 24. I don't think a few days would make that big a difference compared to the institution of the House actually mattering.

Now, I will say that, as I listened to the debate today, I become even a little bit more disturbed, as we have heard some of the reasoning behind supporting this change in the law to allow General Mattis to become the Secretary of Defense. As was said, basically, the Trump administration is going to do this kind of thing quite frequently, as one Member of the opposite party said, so we should just get used to it.

I really do think that makes it all the more important at this point, at this moment, that we assert our authority. Again, we can do that and

have a bipartisan vote and approve General Mattis. We just have to insist upon it instead of rolling over and accepting what the transition team has said. That was my original argument. I will not belabor it or restate it. I think it is compelling. I think we should stand up for our rights here in the House and on the Armed Services Committee.

The final thing I will say is, while I have an enormous amount of respect for General Mattis—and like many who have spoken, I have not served in the armed services, I didn't work with him there, but I certainly have worked with him on the committee—I will point out that General Mattis is not God. As we listen to the people talk here about how we absolutely have to have somebody from the warrior class lead us in the military, that we have to have him in there in order to protect us from this dangerous world, that sort of language kind of makes me a little nervous.

That is the point of civilian control of the military. We do not want to be run by the warrior class alone. Now, absolutely we have many Members on both sides of the aisle who have served in the military, and I think that is terrific. That perspective is enormously important. It is not the only perspective that is important to running a representative democracy. We have heard comparisons to the Roman Empire. Again, another analogy that is somewhat troubling. That is not what we want. But more than anything, what we don't want is we don't want a president who thinks that he can roll over the House Armed Services Committee and the entire House any time he feels like it, frankly, as in this case, for no reason.

General Mattis, as everyone has admitted, was perfectly prepared to testify, perfectly prepared to come before us, and they simply decided not to send him. I don't think it was mere pettiness or anything like that. I have watched the way President-elect Trump conducts himself, and he is, shall we say, aggressive. I think they wanted to make it clear that they are going to be running things and that we better get the heck out of the way.

Well, that is not what I was elected to do as a member of the House Armed Services Committee or a Member of the House. We are not here simply to get out of the way of President Obama or President-elect Trump. We are here to stand up for the people who elected us and for the country and to do our jobs. In this case, for no good reason, we were denied the ability to do that.

So, again, I will urge Members to vote down this bill today so that we can assert our authority, hear from General Mattis, get him approved, go forward, but do it in a way that shows that the House of Representatives and the House Armed Services Committee

actually matter. We cannot set the precedent that the President of the United States can simply ignore us on a whim.

So I would urge us to vote "no" on this matter.

I, again, thank the chairman for his leadership on this. We have worked very closely on this issue, amongst many others. To echo the comments of the freshman colleague from California, this is a very bipartisan committee. It will continue to be. We have done a bill for 55 straight years, and I am hoping we will make it 56 this year. I look forward to working with Chairman THORNBERRY, all of the members of the committee, and all of the Members of the House to achieve that goal.

Mr. Speaker, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I completely agree that this is a bipartisan committee. Here we have a large amount of agreement, but we have a difference of judgment on what is best for the country.

I would say to all Members: We are about to do our job, and that is vote up or down on legislation that would allow General Mattis to serve.

Now, we are not irrelevant, because if we don't vote for this legislation, he does not serve. That is what Members are elected to do: to vote. We are about to vote, and we have essentially two choices.

Mr. Speaker, as I made clear, I share many of the concerns about the process, about some of the decisions that the transition team made. There has been a lot of discussion about this setting a poor precedent; but, actually, there is only one precedent before us. That was 1950 with General Marshall. And General Marshall himself did not testify in front of the House or the Senate on the waiver legislation.

It was only after the waiver legislation was signed into law that General Marshall came to testify in front of the Senate for his confirmation hearing. But there is nothing that is different from what we are doing today from the only precedent that exists. So the notion that we are suddenly irrelevant, that we are harming the House, et cetera, I believe is mistaken.

I hope that we do not have a national security crisis on January 21 or 22, but the fact is, unless we pass this bill today, we are not able to have a Secretary of Defense on January 20. I think, given the state of the world and given a number of other factors, it is important that we do so.

□ 1500

Just two other brief points, Mr. Speaker.

The press is reporting that the White House has indicated that President Obama will sign this legislation. I hope he does. That would ensure that General Mattis, if confirmed by the Senate

on January 20, will go ahead and be sworn in and take office at that point.

There are, as I have said, many concerns about how this was handled—the wording, et cetera. The bottom line, as some of my colleagues have mentioned, is that there are men and women who have volunteered to serve our Nation even at the risk of their own lives. There are Americans throughout the country who depend on those men and women to keep them safe and secure. All of them deserve to have a Secretary of Defense who is fully functional on day one of the administration. The only way that happens is to vote “yes.” I urge my colleagues to do so.

Mr. Speaker, I yield back the balance of my time.

Mr. CONAWAY. Mr. Speaker, I rise today on this piece of legislation before us that would provide a waiver for the appointment of Mr. Jim Mattis to serve as Secretary of Defense. I've listened to and respect much of the conversation here today from my colleagues on the other side of the aisle. However, much of it is repetitive from a process standpoint. Nothing I've heard so far says that the commander in chief will not be president of the United States, so the ultimate civilian leadership rests with the commander and chief. He then hires someone with the advice and consent of the Senate to be the Secretary of Defense. I don't know what's magic about the requirement to wait for seven years. I've heard nothing during this process conversation on the floor today that says anyone needs a seven year detox [detoxification] program to shed themselves of all the nasty vices you get while serving in the military. We've got a general officer sitting on the front row of the Armed Services Committee; we've got a colonel sitting on the second row of the Armed Services Committee to name just a few, and no one would remotely suggest that they are more loyal to the military than they are loyal to the constituents they represent back home. So, I ask, why is five years not an appropriate length of time for a detox program? Why is three years not appropriate? Clearly, no one is going to put a uniformed officer in the position of Secretary of Defense. So as we think about the appropriate amount of time for a nominee to Secretary of Defense to have been out of the military, I've not heard the psychology behind or scientific evidence to say seven years is somehow a magic length of time.

Mr. Mattis has been out of the military for four years and I'm quite comfortable saying that he is going to be more respectful of the civilian as he approaches the job than his previous service as a military man. The conversation and debate has been high-minded and respectful and I appreciate that, but this is going to be a party-line vote. And unfortunately, you are going to send the next Secretary of Defense into his role to lead every man and woman in uniform with a split vote between the majority and minority. That does not send a very good message. I can assure you those young sergeants and E-4s and E-3s out there that are going to be asked to follow the instruction of the civilian leadership will be much more impressed if it was a unanimous vote for Mr. Mattis. So however you couch your lan-

guage, I'm voting for Mr. Mattis to be Secretary of Defense today. My vote on this bill will be for Mr. Mattis to be Secretary of Defense. The process discussed now by my colleagues, I understand. You can make those arguments and you have done that very well—and I respect that. But, for me and my vote, it will be for Mr. Mattis to be Secretary of Defense.

Ms. KAPTUR. Mr. Speaker, I am deeply troubled by the majority's action this week in capitulating to the President-elect's transition team to deny the House the opportunity to hear from the esteemed nominee for Secretary of Defense, General James Mattis.

To eliminate the opportunity for the chamber closest to the American citizens, the People's House, to have a full dialogue in advance of changing a law paramount to the civilian control of the Defense Department is troubling. Rolling over a Congressional Chamber to expedite a waiver that has only happened once before denigrates the responsibilities of our representative democracy.

General James Mattis—has served our nation and the U.S. Marine Corps with distinction in war and peace. He has earned the moniker “warrior-monk-intellectual” for his devotion to his soldiers, the library of widely ranging books he carries with him, and his lifetime devotion to the study of war.

To politicize the nomination of a great General rather than allow Congress the proper procedure to deliberate his talent and experience is a blemish to liberty.

Mr. BLUMENAUER. Mr. Speaker, today, I will vote against S. 84, the bill to exempt retired Marine Gen. James N. Mattis from the prohibition on individuals who have spent less than seven years out of uniform for appointment as Secretary of Defense. Even though he is qualified and probably the best appointee we could expect from the Trump administration, there is a reason for the law that requires a waiver. This issue should have been addressed more directly.

Civilian control of the Armed Forces is a critical cornerstone of our democracy. Regardless of the individual under consideration for such a waiver, a major departure from longstanding law merits a full conversation and discussion in Congress. I am concerned by reports that the Trump presidential transition team prevented Gen. Mattis from testifying before the House Armed Services Committee, though he was willing.

It's unfortunate that both chambers did not have the opportunity to hear from Gen. Mattis. I suspect that if the process were allowed to work, he may well have received stronger bipartisan support for the waiver.

Mrs. MURPHY of Florida. Mr. Speaker, I rise—reluctantly—in opposition to S. 84.

There is a federal law, enacted as part of the National Security Act of 1947, providing that the Secretary of Defense shall be “appointed from civilian life by the President.” Originally, the law provided that the individual being considered for appointment to this position cannot have served as a commissioned officer in a regular component of the military within 10 years of his appointment as Secretary. In 2008, Congress amended the law from 10 years to seven years.

The law, which is rooted in the deeply American principle that civilians should exer-

cise control over the military, does not provide for any waivers or exceptions. In the 70 years that this statutory restriction has been on the books, Congress has only once enacted legislation to suspend the restriction. In September 1950, in the first year of the Korean War, Congress—acting at the behest of President Truman—approved legislation to suspend the provision in order to enable General George Marshall, at the time an active-duty member of the military, to serve as Secretary of Defense. The 1950 law providing for the suspension referenced General Marshall by name and expressed the sense of Congress that “after General Marshall leaves the office of Secretary of Defense, no additional appointments of military men to that office shall be approved.”

This Congress is now being asked to provide a second exemption. President-elect Trump has nominated former General James Mattis—who was, by nearly all accounts, one of the nation's most distinguished and capable military officers, inspiring loyalty from the men and women under his command—to serve as Secretary of Defense. Because General Mattis retired from active service within the last seven years, Congress must enact legislation suspending applicable law in order for General Mattis to become Secretary.

While the Constitution gives the Senate the sole power to confirm presidential nominees, we are not talking simply about a confirmation process here. To the contrary, we are also dealing the enactment of significant, potentially precedent-setting legislation. That means that both the Senate and the House must approve the bill authorizing the exception before it is sent to the president for signature. It is up to each chamber to determine whether General Mattis is uniquely qualified to serve as Secretary of Defense, such that legislation suspending generally applicable law would be warranted.

General Mattis testified before the Senate Armed Services Committee, and was fully prepared to testify before the House Armed Services Committee. However, despite General Mattis' willingness to appear before the House Armed Services Committee, the president-elect's transition team declined to make him available to testify.

This decision is difficult to fathom, and strikes me as an unforced error. It is highly likely that, were General Mattis to testify, the House Armed Services Committee would conclude in bipartisan fashion that approving legislation granting an exception to General Mattis is appropriate. I, personally, would be likely to support an exception, in light of General Mattis's impeccable record of service.

But I cannot in good conscience support legislation granting an exemption without the House Armed Services Committee having had the opportunity to speak with General Mattis, to ask him about his views on civilian-military relations and other issues related to our national defense, and to take the full measure of the man. To reiterate, based on everything I know about General Mattis, he would have passed this test with flying colors.

We are a nation of laws. We abide by those laws whether they are convenient or not. Federal law, in place for many decades, prohibits a former military officer within seven years of

his departure from active military service from being appointed as Secretary of Defense. We can debate whether this law should be modified, but unless and until it is, it remains the law. Congress can, as it has on one previous occasion, enact legislation to suspend this law. As long as the law remains on the books, it stands to reason that exceptions to the law should be granted only in exceptional circumstances, where the individual to be appointed is uniquely qualified in light of all the circumstances. The House Armed Services Committee cannot reasonably be expected to make such a determination without at least having had an opportunity to pose questions to that individual.

My hope is that the president-elect's transition team would reconsider its decision not to authorize General Mattis to testify before the House Armed Services Committee, that General Mattis would so testify (as he is prepared to do), and that the Committee would act expeditiously on legislation to exempt General Mattis—and Mr. Mattis alone, which the broadly-worded legislation before us does not do—from generally applicable federal law.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 48, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SMITH of Washington. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017

The SPEAKER pro tempore. Pursuant to House Resolution 48 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, S. Con. Res. 3.

Will the gentleman from North Carolina (Mr. HOLDING) kindly take the chair.

□ 1501

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018

through 2026, with Mr. HOLDING (Acting Chair) in the chair.

The Clerk read the title of the concurrent resolution.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 1 printed in House Report 115-4 by the gentleman from Kentucky (Mr. YARMUTH) had been postponed.

AMENDMENT NO. 1 OFFERED BY MR. YARMUTH

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky (Mr. YARMUTH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 149, noes 272, not voting 13, as follows:

[Roll No. 57]

AYES—149

- Adams
- Barragán
- Bass
- Beatty
- Becerra
- Beyer
- Bishop (GA)
- Blumenauer
- Blunt Rochester
- Bonamici
- Boyle, Brendan F.
- Brady (PA)
- Brown (MD)
- Butterfield
- Capuano
- Carbajal
- Cárdenas
- Carson (IN)
- Cartwright
- Castor (FL)
- Castro (TX)
- Chu, Judy
- Ciulline
- Clark (MA)
- Clarke (NY)
- Clay
- Cohen
- Conyers
- Courtney
- Crowley
- Cummings
- Davis (CA)
- Davis, Danny
- DeFazio
- DeGette
- DeLauro
- Demings
- DeSaulnier
- Deuch
- Dingell
- Doggett
- Doyle, Michael F.
- Ellison
- Engel
- Eshoo
- Espallat
- Esty
- Evans
- Fudge
- Gabbard
- Gallego
- Garamendi
- Gonzalez (TX)
- Green, Al
- Grijalva
- Gutiérrez
- Hanabusa
- Hastings
- Heck
- Higgins (NY)
- Hoyer
- Huffman
- Jackson Lee
- Jayapal
- Jeffries
- Johnson (GA)
- Johnson, E. B.
- Kaptur
- Keating
- Kelly (IL)
- Kennedy
- Khanna
- Kihuen
- Kildee
- Krishnamoorthi
- Langevin
- Larsen (WA)
- Larson (CT)
- Lawson (FL)
- Lee
- Levin
- Lewis (GA)
- Lowenthal
- Lowe
- Lujan Grisham, M.
- Luján, Ben Ray
- Lynch
- Maloney, Carolyn B.
- Maloney, Sean
- Matsui
- McCollum
- McEachin
- McGovern
- McNerney
- Meeks
- Meng
- Moore
- Moulton
- Nadler
- Napolitano
- Neal
- Nolan
- Norcross
- O'Rourke
- Pallone
- Panetta
- Pascrell
- Payne
- Pelosi
- Perlmutter
- Pingree
- Pocan
- Price (NC)
- Quigley
- Raskin
- Richmond
- Roybal-Allard
- Ruppersberger
- Ryan (OH)
- Sánchez
- Sarbanes
- Schakowsky
- Schiff
- Scott (VA)
- Scott, David
- Serrano
- Sewell (AL)
- Shea-Porter
- Sherman
- Sires
- Slaughter
- Smith (WA)
- Speier
- Swalwell (CA)
- Takano
- Thompson (CA)
- Thompson (MS)
- Titus
- Tonko
- Torres
- Vargas
- Veasey
- Vela
- Velázquez
- Wasserman Schultz
- Waters, Maxine
- Watson Coleman
- Welch
- Yarmuth

- Abraham
- Aderholt
- Aguilar
- Allen
- Amash
- Amodei
- Arrington
- Babin
- Bacon
- Banks (IN)
- Barletta
- Barr
- Barton
- Bera
- Bergman
- Beutler
- Biggs
- Billirakis
- Bishop (MI)
- Bishop (UT)
- Black
- Blackburn
- Blum
- Bost
- Brady (TX)
- Brat
- Bridenstine
- Brooks (AL)
- Brooks (IN)
- Brownley (CA)
- Buchanan
- Buck
- Bucshon
- Budd
- Burgess
- Bustos
- Byrne
- Calvert
- Carter (GA)
- Carter (TX)
- Chabot
- Chaffetz
- Cheney
- Coffman
- Cole
- Collins (GA)
- Collins (NY)
- Comer
- Comstock
- Conaway
- Connolly
- Cook
- Cooper
- Correa
- Costa
- Costello (PA)
- Cramer
- Crawford
- Crist
- Cuellar
- Culberson
- Curbelo (FL)
- Davidson
- Davis, Rodney
- Delaney
- DelBene
- Denham
- Dent
- DeSantis
- DesJarlais
- Diaz-Balart
- Donovan
- Duffy
- Duncan (SC)
- Duncan (TN)
- Dunn
- Emmer
- Farenthold
- Faso
- Ferguson
- Fitzpatrick
- Fleischmann
- Flores
- Fortenberry
- Foster
- Fox
- Franks (AZ)
- Frelinghuysen
- Gaetz
- Gallagher
- Garrett
- Gibbs
- Gohmert
- Goodlatte
- Gosar
- Gottheimer
- Gowdy
- Granger
- Graves (GA)
- Graves (LA)
- Graves (MO)
- Griffith
- Grothman
- Guthrie
- Harper
- Harris
- Hartzler
- Hensarling
- Hice, Jody B.
- Higgins (LA)
- Hill
- Himes
- Holding
- Hollingsworth
- Hudson
- Huizenga
- Hultgren
- Hunter
- Hurd
- Issa
- Jenkins (KS)
- Jenkins (WV)
- Johnson (LA)
- Johnson (OH)
- Johnson, Sam
- Jones
- Jordan
- Joyce (OH)
- Katko
- Kelly (MS)
- Kelly (PA)
- Kilmer
- Kind
- King (IA)
- King (NY)
- Kinzinger
- Knight
- Kuster (NH)
- Kustoff (TN)
- Labrador
- LaHood
- LaMalfa
- Lamborn
- Lance
- Latta
- Lewis (MN)
- Lipinski
- LoBiondo
- Loeb
- Lofgren
- Long
- Loudermilk
- Love
- Lucas
- Luetkemeyer
- MacArthur
- Marchant
- Marino
- Marshall
- Massie
- Mast
- McCarthy
- McCaul
- McClintock
- McHenry
- McKinley
- McMorris Rodgers
- McSally
- Meadows
- Meehan
- Messer
- Mitchell
- Moolenaar
- Mooney (WV)
- Mullin
- Murphy (FL)
- Murphy (PA)
- Newhouse
- Noem
- Nunes
- O'Halleran
- Olson
- Palazzo
- Palmer
- Paulsen
- Pearce
- Perry
- Peters
- Peterson
- Pittenger
- Poe (TX)
- Poliquin
- Polis
- Posey
- Ratcliffe
- Reed
- Reichert
- Renacci
- Rice (NY)
- Rice (SC)
- Roby
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rohrabacher
- Rokita
- Rooney, Francis
- Rooney, Thomas J.
- Ros-Lehtinen
- Rosen
- Roskam
- Ross
- Rothfus
- Rouzer
- Royce (CA)
- Ruiz
- Russell
- Sanford
- Scalise
- Schneider
- Schrader
- Schweikert
- Scott, Austin
- Sensenbrenner
- Sessions
- Shimkus
- Shuster
- Simpson
- Sinema
- Smith (MO)
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smucker
- Soto
- Stefanik
- Stewart
- Stivers
- Suozi
- Taylor
- Tenney
- Thompson (PA)
- Thornberry
- Tiberi
- Tipton
- Trott
- Tsongas
- Turner
- Upton
- Valadao
- Visclosky
- Wagner
- Walberg
- Walden
- Walker
- Walorski
- Walters, Mimi
- Walz
- Weber (TX)
- Webster (FL)
- Wenstrup
- Westerman
- Williams
- Wilson (SC)
- Wittman
- Womack
- Woodall
- Yoder
- Yoho
- Young (AK)
- Young (IA)
- Zeldin

NOT VOTING—13

Cleaver Lieu, Ted Rutherford
 Clyburn Mulvaney Wilson (FL)
 Frankel (FL) Pompeo Zinke
 Green, Gene Price, Tom (GA)
 Lawrence Rush

□ 1524

Messrs. LATTA, CARTER of Georgia, SENSENBRENNER, DAVIDSON, Ms. TSONGAS, Messrs. SOTO, and VISCLOSKY changed their vote from “aye” to “no.”

Ms. VELÁZQUEZ, Mr. QUIGLEY, Ms. MOORE and Mr. WELCH changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WILSON of Florida. Mr. Chair, had I been present, I would have voted “yea” on rollcall No. 57.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. HOLDING, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026, and, pursuant to House Resolution 48, he reported the concurrent resolution back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on adoption of the concurrent resolution.

Under clause 10 of rule XX, the yeas and nays are ordered.

Members will record their votes by electronic device.

Pursuant to clause 8 of rule XX, this 5-minute vote on adoption of the concurrent resolution will be followed by 5-minute votes on passage of the bill, S. 84, and agreeing to the Speaker’s approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 198, not voting 10, as follows:

[Roll No. 58]

YEAS—227

Abraham Bishop (UT) Calvert
 Aderholt Black Carter (GA)
 Allen Blackburn Carter (TX)
 Amodei Blum Chabot
 Arrington Bost Chaffetz
 Babin Brady (TX) Cheney
 Bacon Brat Coffman
 Banks (IN) Bridenstine Cole
 Barletta Brooks (AL) Collins (GA)
 Barr Brooks (IN) Collins (NY)
 Barton Buchanan Comer
 Bergman Buck Comstock
 Beutler Bucshon Conaway
 Biggs Budd Cook
 Bilirakis Burgess Costello (PA)
 Bishop (MI) Byrne Cramer

Crawford Kelly (MS)
 Culberson Kelly (PA)
 Curbelo (FL) King (IA)
 Davidson King (NY)
 Davis, Rodney Kinzinger
 Denham Knight
 DeSantis Kustoff (TN)
 DesJarlais LaHood
 Diaz-Balart LaMalfa
 Donovan Lamborn
 Duffy Lance
 Duncan (SC) Latta
 Duncan (TN) Lewis (MN)
 Dunn LoBiondo
 Emmer Long
 Farenthold Loudermill
 Love
 Ferguson Lucas
 Fleischmann Luetkemeyer
 Flores Marchant
 Fortenberry Marino
 Foxx Marshall
 Franks (AZ) Mast
 Frelinghuysen McCarthy
 Gaetz McCaul
 Gallagher McHenry
 Garrett McKinley
 Gibbs McKinnley
 Gohmert McMorris
 Goodlatte Rodgers
 Gosar McSally
 Gowdy Meadows
 Granger Meehan
 Graves (GA) Messer
 Graves (LA) Mitchell
 Graves (MO) Moolenaar
 Griffith Mooney (WV)
 Grothman Murphy (PA)
 Guthrie Newhouse
 Harper Noem
 Harris Nunes
 Hartzler Olson
 Hensarling Palazzo
 Hice, Jody B. Palmer
 Higgins (LA) Paulsen
 Hill Pearce
 Holding Perry
 Hollingsworth Pittenger
 Hudson Poe (TX)
 Huizenga Poliquin
 Hultgren Posey
 Hunter Ratcliffe
 Hurd Reed
 Issa Reichert
 Jenkins (KS) Renacci
 Jenkins (WV) Rice (SC)
 Johnson (LA) Roby
 Johnson (OH) Roe (TN)
 Johnson, Sam Rogers (AL)
 Jordan Rogers (KY)
 Joyce (OH) Rohrabacher

NAYS—198

Adams Cohen
 Aguilar Connolly
 Amash Conyers
 Barragán Cooper
 Bass Correa
 Beatty Costa
 Becerra Courtney
 Bera Crist
 Beyer Crowley
 Bishop (GA) Cuellar
 Blumenauer Cummings
 Blunt Rochester Davis (CA)
 Bonamici Davis, Danny
 Boyle, Brendan DeFazio
 F. DeGette
 Brady (PA) Delaney
 Brown (MD) DeLauro
 Black Brownley (CA) DelBene
 Bustos Demings
 Butterfield Dent
 Capuano DeSaulnier
 Carbajal Deutch
 Cardenas Dingell
 Carson (IN) Doggett
 Cartwright Doyle, Michael
 Castor (FL) F.
 Castro (TX) Ellison
 Chu, Judy Engel
 Cicilline Eshoo
 Clark (MA) Espaillat
 Clarke (NY) Esty
 Clay Evans

Rokita
 Rooney, Francis
 Rooney, Thomas
 J.
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce (CA)
 Russell
 Ryan (WI)
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Love
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smucker
 Stefanik
 Stewart
 Stivers
 Taylor
 Tenney
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Posey
 Williams
 Wilson (SC)
 Reed
 Wittman
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Zeldin

Kilmer
 Kind
 Krishnamoorthi
 Kuster (NH)
 Labrador
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 Loebsack
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 MacArthur
 Maloney,
 Carolyn B.
 Maloney, Sean
 Massie
 Matsui
 McClintock
 McCollum
 McEachin
 McGovern
 McNeerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O’Halloran
 O’Rourke
 Pallone
 Panetta
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider

Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Soto
 Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Raskin
 Veasey
 Vela
 Velázquez
 Rosen
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

NOT VOTING—10

Cleaver Mulvaney Rutherford
 Clyburn Pompeo Zinke
 Frankel (FL) Price, Tom (GA)
 Green, Gene Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1531

So the concurrent resolution was concurred in.

The result of the vote was announced as above recorded.

PROVIDING FOR EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (S. 84) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces, on which a recorded vote was ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 268, noes 151, answered “present” 1, not voting 14, as follows:

[Roll No. 59]

AYES—268

Abraham Bacon Bergman
 Aderholt Banks (IN) Beutler
 Allen Barletta Beyer
 Amodei Barr Biggs
 Arrington Barton Bilirakis
 Babin Bera Bishop (MI)

Bishop (UT) Guthrie
 Black Harper
 Blackburn Harris
 Blum Hartzler
 Bost Hensarling
 Brady (TX) Hice, Jody B.
 Brat Higgins (LA)
 Bridenstine Hill
 Brooks (AL) Holding
 Brooks (IN) Hollingsworth
 Brownley (CA) Hudson
 Buck Huizenga
 Bucshon Hultgren
 Budd Hunter
 Burgess Hurd
 Byrne Issa
 Calvert Jenkins (KS)
 Carter (GA) Jenkins (WV)
 Carter (TX) Johnson (LA)
 Cartwright Johnson (OH)
 Chabot Johnson, Sam
 Chaffetz Jordan
 Cheney Joyce (OH)
 Coffman Katko
 Cohen Keating
 Cole Kelly (MS)
 Collins (GA) Kelly (PA)
 Collins (NY) King (IA)
 Comer King (NY)
 Comstock Kinzinger
 Conaway Knight
 Connolly Kuster (NH)
 Cook Kustoff (TN)
 Cooper Labrador
 Correa LaHood
 Costa LaMalfa
 Costello (PA) Lamborn
 Cramer Lance
 Crawford Latta
 Crist Lewis (MN)
 Cuellar LoBiondo
 Culberson Loeb sack
 Curbelo (FL) Long
 Davidson Loudermilk
 Davis, Rodney Love
 DeFazio Lucas
 Delaney Luetkemeyer
 Denham MacArthur
 Dent Maloney, Sean
 DeSantis Marchant
 DesJarlais Marino
 Diaz-Balart Marshall
 Donovan Massie
 Duffy Mast
 Duncan (SC) McCarthy
 Duncan (TN) McCaul
 Dunn McClintock
 Emmer McHenry
 Eshoo McKinley
 Farenthold McMorris
 Faso Rodgers
 Ferguson McSally
 Fitzpatrick Meadows
 Fleischmann Meehan
 Flores Messer
 Fortenberry Mitchell
 Foxx Moolenaar
 Franks (AZ) Mooney (WV)
 Frelinghuysen Moulton
 Gaetz Mullin
 Gallagher Murphy (PA)
 Garrett Newhouse
 Gibbs Noem
 Gohmert Nolan
 Goodlatte Norcross
 Gosar Nunes
 Gottheimer O'Halleran
 Gowdy Olson
 Granger Palazzo
 Graves (GA) Palmer
 Graves (LA) Panetta
 Graves (MO) Pascrell
 Griffith Paulsen
 Grothman Pearce

NOES—151

Adams Bonamici
 Aguilar Boyle, Brendan
 Amash F.
 Barragan Brady (PA)
 Bass Brown (MD)
 Beatty Bustos
 Bishop (GA) Butterfield
 Blumenauer Capuano
 Blunt Rochester Carbajal

Perlmutter
 Perry
 Peterson
 Pittenger
 Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (SC)
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney, Francis
 Rooney, Thomas
 J.
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce (CA)
 Ruppertsberger
 Russell
 Ryan (OH)
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Scott, David
 Sensenbrenner
 Sessions
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smucker
 Stefanik
 Stewart
 Stivers
 Suozi
 Taylor
 Tenney
 Thompson (CA)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Walz
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Zeldin

Conyers
 Courtney
 Crowley
 Cummings
 Davis (CA)
 Davis, Danny
 DeGette
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Lawson (FL)
 Dingell
 Doggett
 Doyle, Michael
 F.
 Ellison
 Engel
 Espallat
 Esty
 Evans
 Foster
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gonzalez (TX)
 Green, Al
 Grijalva
 Gutiérrez
 Hanabusa
 Hastings
 Heck
 Higgins (NY)
 Himes
 Hoyer
 Huffman
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Kaptur
 Kelly (IL)

Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 Kind
 Krishnamoorthi
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lieu, Ted
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 Maloney,
 Carolyn B.
 Matsui
 McCollum
 McEachin
 McGovern
 McNeerney
 Meeks
 Meng
 Moore
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 O'Rourke
 Pallone
 Payne
 Pelosi
 Peters
 Pingree

Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Serrano
 Sewell (AL)
 Shea-Porter
 Slaughter
 Smith (WA)
 Soto
 Speier
 Swalwell (CA)
 Takano
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

ANSWERED "PRESENT"—1

Lipinski

NOT VOTING—14

Becerra
 Buchanan
 Cleaver
 Clyburn
 Frankel (FL)
 Green, Gene
 Johnson, E. B.
 Jones
 Mulvaney
 Pompeo
 Price, Tom (GA)
 Rush
 Rutherford
 Zinke

□ 1537

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 57. "Nay" on rollcall No. 58. "Nay" on rollcall No. 59.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Mr. Speaker, by direction of the House Republican Conference, I offer a privi-

leged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 51

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE: Mr. Goodlatte, Mr. Lucas, Mr. King of Iowa, Mr. Rogers of Alabama, Mr. Thompson of Pennsylvania, Mr. Gibbs, Mr. Austin Scott of Georgia, Mr. Crawford, Mr. DesJarlais, Mrs. Hartzler, Mr. Denham, Mr. LaMalfa, Mr. Rodney Davis of Illinois, Mr. Yoho, Mr. Allen, Mr. Bost, Mr. Rouzer, Mr. Abraham, Mr. Kelly of Mississippi, Mr. Comer, Mr. Marshall, Mr. Bacon, Mr. Faso, Mr. Dunn, and Mr. Arrington.

COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. Wilson of South Carolina, Mr. Hunter, Mr. Roe of Tennessee, Mr. Thompson of Pennsylvania, Mr. Walberg, Mr. Guthrie, Mr. Rokita, Mr. Barletta, Mr. Messer, Mr. Byrne, Mr. Brat, Mr. Bishop of Michigan, Mr. Grothman, Ms. Stefanik, Mr. Allen, Mr. Lewis of Minnesota, Mr. Francis Rooney of Florida, Mr. Mitchell, Mr. Garrett, Mr. Smucker, and Mr. Ferguson.

COMMITTEE ON FOREIGN AFFAIRS: Mr. Smith of New Jersey, Ms. Ros-Lehtinen, Mr. Rohrabacher, Mr. Chabot, Mr. Wilson of South Carolina, Mr. McCaul, Mr. Poe of Texas, Mr. Issa, Mr. Marino, Mr. Duncan of South Carolina, Mr. Brooks of Alabama, Mr. Cook, Mr. Perry, Mr. DeSantis, Mr. Meadows, Mr. Yoho, Mr. Kinzinger, Mr. Zeldin, Mr. Donovan, Mr. Sensenbrenner, Mrs. Wagner, Mr. Mast, Mr. Francis Rooney of Florida, Mr. Fitzpatrick, and Mr. Garrett.

COMMITTEE ON HOMELAND SECURITY: Mr. Smith of Texas, Mr. King of New York, Mr. Rogers of Alabama, Mr. Duncan of South Carolina, Mr. Marino, Mr. Barletta, Mr. Perry, Mr. Katko, Mr. Hurd, Ms. McCally, Mr. Ratcliffe, Mr. Donovan, Mr. Gallagher, Mr. Higgins of Louisiana, Mr. Rutherford, Mr. Garrett, and Mr. Fitzpatrick.

COMMITTEE ON THE JUDICIARY: Mr. Sensenbrenner, Mr. Smith of Texas, Mr. Chabot, Mr. Issa, Mr. King of Iowa, Mr. Franks of Arizona, Mr. Gohmert, Mr. Jordan, Mr. Poe of Texas, Mr. Chaffetz, Mr. Marino, Mr. Gowdy, Mr. Labrador, Mr. Farenthold, Mr. Collins of Georgia, Mr. DeSantis, Mr. Buck, Mr. Ratcliffe, Mr. Bishop of Michigan, Mrs. Roby, Mr. Gaetz, Mr. Johnson of Louisiana, and Mr. Biggs.

COMMITTEE ON NATURAL RESOURCES: Mr. Young of Alaska, Mr. Gohmert, Mr. Lamborn, Mr. Wittman, Mr. McClintock, Mr. Pearce, Mr. Thompson of Pennsylvania, Mr. Gosar, Mr. Labrador, Mr. Tipton, Mr. LaMalfa, Mr. Denham, Mr. Cook, Mr. Westerman, Mr. Graves of Louisiana, Mr. Jody B. Hice of Georgia, Mrs. Radewagen, Mr. LaHood, Mr. Webster of Florida, Mr. Rouzer, Mr. Bergman, Ms. Cheney, Mr. Johnson of Louisiana, and Miss Gonzalez-Colon of Puerto Rico.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM: Mr. Duncan of Tennessee, Mr. Issa, Mr. Jordan, Mr. Sanford, Mr. Amash, Mr. Gosar, Mr. DesJarlais, Mr. Gowdy, Mr. Farenthold, Ms. Foxx, Mr. Massie, Mr. Meadows, Mr. DeSantis, Mr. Ross, Mr. Walker, Mr. Blum, Mr. Jody B. Hice of Georgia, Mr. Russell, Mr. Grothman, Mr. Hurd, Mr. Palmer, Mr. Comer, and Mr. Mitchell.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Rohrabacher, Mr. Lucas, Mr. Brooks of Alabama, Mr. Hultgren, Mr. Posey,

Mr. Massie, Mr. Bridenstine, Mr. Weber of Texas, Mr. Knight, Mr. Babin, Mrs. Comstock, Mr. Palmer, Mr. Loudermilk, Mr. Abraham, Mr. LaHood, Mr. Webster of Florida, Mr. Banks of Indiana, Mr. Biggs, Mr. Marshall, Mr. Dunn, and Mr. Higgins of Louisiana.

COMMITTEE ON SMALL BUSINESS: Mr. King of Iowa, Mr. Luetkemeyer, Mr. Brat, Mrs. Radewagen, Mr. Knight, Mr. Kelly of Mississippi, Mr. Blum, Mr. Comer, Miss Gonzalez-Colon of Puerto Rico, Mr. Bacon, Mr. Fitzpatrick, and Mr. Marshall.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Young of Alaska, Mr. Duncan of Tennessee, Mr. LoBiondo, Mr. Graves of Missouri, Mr. Hunter, Mr. Crawford, Mr. Barletta, Mr. Farenthold, Mr. Gibbs, Mr. Webster of Florida, Mr. Denham, Mr. Massie, Mr. Meadows, Mr. Perry, Mr. Rodney Davis of Illinois, Mr. Sanford, Mr. Woodall, Mr. Rokita, Mr. Katko, Mr. Babin, Mr. Graves of Louisiana, Mrs. Comstock, Mr. Rouzer, Mr. Bost, Mr. Weber of Texas, Mr. LaMalfa, Mr. Westerman, Mr. Smucker, Mr. Mitchell, Mr. Faso, Mr. Ferguson, Mr. Mast, and Mr. Lewis of Minnesota.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Bilirakis, Mr. Coffman, Mr. Wenstrup, Mrs. Radewagen, Mr. Bost, Mr. Poliquin, Mr. Dunn, Mr. Arrington, Mr. Rutherford, Mr. Higgins of Louisiana, Mr. Bergman, Mr. Banks of Indiana, and Miss Gonzalez-Colon of Puerto Rico.

Mrs. McMORRIS RODGERS (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT FROM FRIDAY, JANUARY 13, 2017, TO TUESDAY, JANUARY 17, 2017

Mrs. McMORRIS RODGERS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Tuesday, January 17, 2017.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Oversight and Government Reform:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 13, 2017.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: I, Brendan F. Boyle, am submitting my resignation from the Oversight and Government Reform Committee effective immediately. It has been a

privilege and honor to have served on this committee.

Sincerely,

BRENDAN F. BOYLE,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 13, 2017.

Hon. PAUL D. RYAN,
Speaker of the House, Washington, DC.

DEAR SPEAKER RYAN: I, Ted W. Lieu, am submitting my resignation from the House Oversight and Government Reform Committee effective immediately. It has been a privilege and honor to have served on this committee.

Sincerely,

TED W. LIEU,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 52

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Ms. Blunt Rochester.

(2) COMMITTEE ON THE BUDGET.—Ms. Wasserman Schultz, Mr. Brendan F. Boyle of Pennsylvania, Mr. Khanna, Ms. Jayapal, and Mr. Carabajal.

(3) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Ted Lieu of California.

(4) COMMITTEE ON NATURAL RESOURCES.—Ms. Hanabusa, Ms. Barragán, Mr. Soto, Mr. Panetta, Mr. McEachin, and Mr. Brown of Maryland.

(5) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mrs. Demings, Mr. Krishnamoorthi, and Mr. Raskin.

(6) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Rosen.

(7) COMMITTEE ON SMALL BUSINESS.—Mr. Evans and Mrs. Murphy of Florida.

(8) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Correa.

Mr. CROWLEY (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING MARY FRANCES REPKO

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, every one of us who serves in this House relies on the talented and hardworking staff of ours and of the House itself. We couldn't do what we do without them. They not only serve us faithfully, but serve our constituents as well, and they often do so without recognition.

Today my colleagues and I want to recognize someone who has been serving the people of Maryland's Fifth District and our country as a senior member of my staff for a decade and, indeed, before that, on the Senate side for close to a decade as well.

Many of my colleagues on both sides of the aisle have come to know Mary Frances Repko. If you have dealt with the environment, if you have dealt with energy, or if you have dealt with the history of the Senate and the House on energy legislation and environmental legislation over the last 20 years, you know Mary Frances Repko.

Mr. Speaker, many of my colleagues on both sides of the aisle know Mary Frances well and respect her deep intellect, her professionalism, and her sage counsel. When it comes to energy policy and environmental issues, there are few on this Hill who know more of the intricacies and complexities of the issues than she does.

I am very proud of Mary Frances because the leadership staffs on both the Democratic and Republican side engage her in order to ensure that all the facts and ramifications of energy and environmental legislation are known and considered.

Mary Frances has been integrally involved in every major energy and environmental legislative debate over the past 10 years.

I know Leader PELOSI is also a great admirer of Mary Frances Repko. Her staff and Mary Frances have worked very closely together, including on the Recovery Act, the American Clean Energy and Security Act, the Energy Independence and Security Act, the EPA Act of 2005, the Renewable Fuel Standard, the BP oil spill, flood insurance, Hurricane Sandy relief, the Water Resources Development Act, the Flint water crisis, the Toxic Substances Control Act, the Land and Water Conservation Fund, land conservation bills, transportation bills, and fighting partisan antienvironmental riders—an extraordinary history of deep and effective involvement on the issues.

□ 1545

She has also been my lead staff on Puerto Rico, working closely with the

Resident Commissioner's staff to help the people of the island through a debt crisis and Zika. For the past 4 years, she has also been the lead staffer for House Democrats' Make It In America plan for investing in job creation and making opportunities more accessible to American workers.

When Mary Frances first came to the whip's office in 2007, I felt fortunate to have enticed her to leave the United States Senate, where she had served as a senior policy adviser for the Committee on the Environment and Public Works. Earlier, she had served as Senator CANTWELL's legislative director, and as legislative staffer for former Senator Russ Feingold.

Now it is with a great sadness that we must wish her farewell and send her back to the Senate, where she will return to the Environment and Public Works Committee as its new deputy staff director.

Ms. PELOSI. Will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Ms. PELOSI. Mr. Speaker, I thank Whip HOYER for yielding and for calling attention to the serious loss the House will suffer with Mary Frances leaving.

The first thing that I am inclined to say is: Mary Frances, say it isn't so. We so depend on your wisdom, your knowledge, your judgment, your advice, and guidance on all of the issues that the distinguished whip has mentioned.

The appreciation for Mary Frances goes well beyond the whip's office, throughout the leadership, and our caucus and, I think, across the aisle, certainly across the Capitol.

I was hoping in the last couple of days that the decision might be reversed, but Mary Frances, we wish her well. We are not sending her, Mr. HOYER, to the Senate. She is going to the Senate. But it is wonderful to know that the Senate will be blessed with her great leadership, knowledge, wisdom, judgment, and beautiful temperament.

Mary Frances, thank you. Don't be a stranger to us. We look forward to continuing our work together to preserve our planet, to create jobs in our country, to do so many things that are a part of your values and our values.

Mr. HOYER. Mr. Speaker, I know that Mary Frances very much appreciates the words of Leader PELOSI. I know that the leader is absolutely correct: we are not sending her. She is going.

But I want to tell the leader and tell this House that I talked to Senator CARPER, who is the chairman of the committee, and I said: TOM, I will not stand in the schoolhouse door, if you will, and not let her out of our office; but you must pledge that she will be available for our calls and for our questions on a regular basis.

Madam Leader, he assures me that that is the case. I thank the gentleman for the comments.

Mr. Speaker, our loss, though, is the Senate's gain. I have no doubt that Mary Frances will bring her talents, her wisdom, and her Michigan-bred can-do attitude to the important work the committee will undertake this Congress and in the years ahead.

I hope all of my colleagues and, indeed, the American people we serve will join me in thanking Mary Frances Repko for her contributions to the work of this House and to the service she has given to our country during her time as a member of the staff of the Senate and the House.

I hope you will all join me in wishing her great success in her new position, in which I can assure you she will not be a stranger to us in the House, but a crucial liaison to the work of the Environment and Public Works Committee just across the hall.

Thank you, Mary Frances. Thank you for a job well done and for your service and wise counsel.

MARTIN LUTHER KING, JR. DAY OF SERVICE AT CENTRAL PENNSYLVANIA FOOD BANK

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Monday, I will honor Dr. Martin Luther King, Jr.'s, legacy by volunteering my time to help veterans in my community. Congressman SCOTT PERRY of Pennsylvania's Fourth District and I will be at the Central Pennsylvania Food Bank in Harrisburg to pack boxes for the MilitaryShare program.

MilitaryShare is a program that serves fresh, nutritious meals to families with at least one member who has served in the military. This program assists area veterans and their families to ensure they do not go hungry.

Our veterans have numerous needs when they leave the military, and many of them are life-threatening challenges as a result of combat such as post-traumatic stress injury. When we help meet the nutritional needs of military families, it allows them to focus on other pressing issues such as joblessness or treatment for combat-related health issues.

MilitaryShare serves more than 4,000 households in central Pennsylvania, which translates to about 10,000 people a month.

Mr. Speaker, to serve one's country is a noble and selfless act. The very least we can do is to help our veterans transition to civilian life when they return home.

RECOGNITION OF NATIONAL MENTORING MONTH AND YOUTH MENTORS ACROSS THE NATION

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I rise in recognition of National Mentoring Month and in honor of the youth mentors across Rhode Island and the Nation.

Every day, mentors enrich the lives of young people. They are powerful role models who provide essential support for at-risk youth.

Just some of examples of the powerful impact that mentors have in the life of young people are that vulnerable young people with mentors are more likely to enroll in college and volunteer more regularly than their peers. They are 46 percent less likely to start using drugs and 52 percent less likely to skip school.

They are also more likely to develop self-confidence, form healthy relationships, and cultivate productive habits.

Organizations like the Rhode Island Mentoring Partnership and Big Brothers Big Sisters lead the way in the Ocean State. Organizations like this and mentors across the country are improving our communities one child at a time, and I am proud to honor them as we recognize National Mentoring Month this January 2017. I encourage more people to step forward and serve as mentors and make a difference in the lives of young people.

THE PRESIDENT SHOULD DESIGNATE THE IRGC AS A TERRORIST ORGANIZATION

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Iran is the world's leading state sponsor of terrorism. It funds and controls terrorists groups like Hezbollah. Its tentacles stretch all over the world, far beyond the Middle East.

Many of its activities are done through the Iranian Revolutionary Guard Corps, which has funded, planned, and executed terrorist attacks in the United States and elsewhere for decades.

The IRGC is the parent organization of the Quds Force and is directly responsible for its terrorist activities worldwide. But somehow this group has managed to escape repercussions, and the United States has never recognized it as a terrorist organization. I am working to change that.

This week I introduced the IRGC Terrorist Sanctions Act. This bill will require the President to designate the IRGC for its terrorist activity and levy the relevant statutory sanctions against it.

It is time to close loopholes like these that allow terrorist-affiliated groups to continue their reign of terror. Designate and sanction these terrorist groups that are sponsored by the number one world state sponsor of terrorism, Iran.

And that is just the way it is.

SHAM AND SCAM

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, the Republicans just voted to begin the repeal of the Affordable Care Act. Their misguided and heartless effort will not just affect thousands of insurance policies in Nevada, but it will cost the State jobs, it will diminish access to health care, and it will jeopardize lives.

Nevada had one of the highest uninsured rates in the country before the ACA. Since then, we have cut the rate by almost 50 percent, and we have created a system that now provides 400,000 children and adults with coverage. But Trump and the congressional Republicans don't want to hear about that.

Make no mistake, when they voted to repeal the ACA, they are revoking vital programs that offer cancer screenings and mental health assistance. They are rescinding provisions that prevent insurance companies from charging women more than men, or from denying benefits because of preexisting conditions.

This is unconscionable. Instead of repeal and replace, the Republicans should just call their proposal "destroy and delay," or perhaps just simply "scam and sham."

RUSSIAN THREAT TO U.S. DEMOCRACY

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, the freedom to live in a democratic society with freedom of speech, assembly, press, and religion are rights Americans hold most precious.

Not so in Putin's Russia. Putin's Russia brutally invaded Ukraine in 2013, resulting, to date, in over 10,000 war dead, with millions of displaced persons. The war grinds on.

Dozens and dozens of Putin's critics in the press have ended up dead, murdered for expressing their views. In 2015, Boris Nemstov, about to lead an assembly in favor of Ukrainian independence in Moscow, was murdered on the stairs near the Kremlin.

Georgiy Gongadze, editor of the news Website *Ukrayinska Pravda*, featured critical articles about Putin ally Leonid Kuchma. He disappeared in the year 2000, and his headless body was discovered in a forest more than 40 miles from home.

Anna Politkovskaya, a Russian journalist, was murdered in the elevator of her block of flats in 2006.

And Paul Klebnikov, an American, who was chief editor of the Russian edition of *Forbes*, was killed in 2004, likely by hired assassins.

All dead, no investigations, no justice. This is Putin's Russia.

President-elect Trump best be very wary of whom he showers praise upon, for the cock is crowing too close to home.

COMMEMORATING THE SEVENTH ANNIVERSARY OF THE EARTHQUAKE IN HAITI

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise to commemorate the anniversary of the devastating earthquake that struck the nation of Haiti on January 12, 2010. This Thursday marked 7 years since a magnitude 7.0 earthquake struck Haiti's capital, Port-au-Prince, killing Haiti's population center and the seat of its government.

The aftermath of the quake was unimaginable. 316,000 people perished, and 1.3 million were displaced. This tragedy struck a nation already hobbled by grinding poverty, health disparities, and food insecurity. Approximately 147,000 people remain internally displaced in Haiti, with countless others displaced outside IDP camps.

The world and the American people, though, responded to the earthquake with generosity. To date, the United States has contributed billions to recovery efforts, along with donors from around the world.

The Assessing Progress in Haiti Act, which was a bipartisan effort with Congresswoman ILEANA ROS-LEHTINEN and was signed into law 3 years ago, provides us critical oversight to ensure that aid continues in the most effective way possible.

Unfortunately, more work needs to be done. Haiti continues to be struck by natural disasters, including severe drought and devastating effects of Hurricane Matthew in 2016.

WE ARE MAKING A MISTAKE IF WE REPEAL OBAMACARE

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, the Affordable Care Act has improved the health care and financial security of every American, regardless of where he or she gets health insurance.

Healthcare costs have been growing at the slowest rate in more than 50 years. Seniors in the so-called Medicare doughnut hole have saved more than \$23 billion on their prescription

drugs. Every American woman can rest easier knowing that women are no longer charged more than men for the same coverage. And 137 million Americans with private insurance now receive free preventive services.

Despite this remarkable progress, the majority has made it their mission to destroy the Affordable Care Act, no matter the cost, and those costs would extend far beyond the healthcare system.

A recent report found that repeal would cause just New York to lose more than 130,000 jobs in 2019 alone.

The Affordable Care Act has reduced the burden of healthcare costs for hard-working families not only in New York, but across the Nation; and it is those Americans for whom repeal would be so devastating.

We are making a mistake if we repeal ObamaCare.

□ 1600

SUPPORT OF THE AFFORDABLE CARE ACT

(Mr. EVANS asked and was given permission to address the House for 1 minute.)

Mr. EVANS. Mr. Speaker, I stood in the well of this House some days ago, when I was sworn in, and basically said that I am not naive.

Today, I rise in support of the Affordable Care Act and oppose any effort to repeal it, which just took place. Since the ACA was enacted in 2010, the uninsured rate in Pennsylvania has fallen by 37 percent. Additionally, millions more Pennsylvanians, who would otherwise be uninsured, have coverage with an employer, Medicaid, individual market, or Medicare coverage as a result of the new protections provided by the law.

No matter what lens you look through, Pennsylvanians and individuals throughout our Nation have better health coverage and care today as a result of the ACA. Let us keep moving forward and help our communities have healthcare access, quality, and affordability.

Recently, our Pennsylvania Governor, Tom Wolf, sent a letter to Majority Leader KEVIN MCCARTHY to underscore the importance of furthering access to care, keeping prices affordable and spending in check, and improving health care for those in our home State of Pennsylvania.

Just in Pennsylvania alone, we have had over 670,000 individuals who have enrolled in HealthChoices, Pennsylvania's mandatory managed care Medicaid program. That is 670,000 individuals who previously did not have access to quality of care.

We do not need the rhetoric of repeal and replace.

COMMONWEALTH OF PENNSYLVANIA,
OFFICE OF THE GOVERNOR,
Harrisburg, PA, December 20, 2016.
Hon. KEVIN MCCARTHY,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY: Thank you for the opportunity to weigh in on the critically important conversation about the future of health care in our country. As Governor of the Commonwealth of Pennsylvania, I am immensely proud of the work we have done to further access to care, keep prices affordable and spending in check, and improve health outcomes since my administration began tackling health care as a top priority.

One of my first decisions as Governor was to expand Medicaid to individuals up to 138 percent of Federal Poverty Level (FPL). Since that decision was made in February 2015, more than 670,000 individuals have enrolled in HealthChoices, Pennsylvania's mandatory managed care Medicaid program. That's 670,000 Pennsylvanians that previously did not have access to quality care, if they had access to care at all. Total program enrollment now tops 2.8 million Pennsylvanians. U.S. Census data shows that the commonwealth's uninsured rate has dropped from 10.2 percent in 2010 to 6.4 percent in 2015, and state General Fund costs have been reduced by more than \$500 million as a result of Medicaid expansion.

Even before the passage of the Affordable Care Act, Medicaid was the largest single payer in the United States for behavioral health services, including mental health and substance use services. In the midst of an exploding heroin use and opioid abuse epidemic that is gripping Pennsylvania and the nation, the role that Medicaid plays in addressing this epidemic cannot be understated. More than 3,500 Pennsylvanians died from heroin and opioid-related overdoses last year and that number is expected to rise again in 2016. However, in the first year of Pennsylvania's Medicaid expansion, almost 63,000 newly eligible Medicaid enrollees accessed drug and alcohol treatment. Demands on the treatment system are growing by the day but Medicaid expansion has opened the door to treatment that otherwise would not be available, much less affordable, to those without insurance.

Of course, the benefits of the Affordable Care Act (ACA) are not limited to those with Medicaid. The ACA has had far-reaching positive impacts on every community in Pennsylvania. In 2016, more than 439,000 people had selected health coverage through the Marketplace.

Seventy six percent of those Pennsylvanians received subsidies to make those plans more affordable. In 2016, 60 percent of those enrollees could obtain coverage for \$100 or less after tax credits. For a family, that may be the difference between choosing to pay for food for dinner or having stable health insurance. In addition, several pieces of the ACA, including the provision that allows children to remain on their parents' insurance until age 26 and the provision that requires coverage of pre-existing conditions, have made the benefits of health insurance coverage more enticing than ever before.

Nonprofits that have historically served as the safety nets of our health care system saw some relief with the passage of the ACA. For many, this meant they could finally bill for some of the services that they've typically provided for free for individuals who are uninsured. To shift the burden back on to these providers to serve an enormous influx of people who would lose access to insurance under

an ACA repeal is doing a disservice to our nonprofit partners and our communities. The upheaval would be instant and real and would devastate families that have finally been able to set aside health coverage from their list of daily worries.

I respectfully ask that you carefully consider the needs of the people as you move forward with discussions about the future of the ACA. All too often we get swept up in the politics and financial impacts to large businesses and big political donors and forget that these are real people, who suffer from real diseases and every day maladies. Americans need real, meaningful health care coverage. They need options that are affordable, easy to understand, responsive to their needs, and available immediately—with no lapse in coverage. They need leadership and compassion and solutions—and together, we can provide them with all of those things.

I look forward to future conversations. Thank you again for the opportunity to contribute to this incredibly important dialogue.

Sincerely,

TOM WOLF,
Governor.

APPOINTMENT OF MEMBERS TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore (Mr. GARRETT). The Chair announces the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2017, of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. CRAWFORD, Arkansas
Mr. GOWDY, South Carolina
Ms. STEFANIK, New York

OATH OF OFFICE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Mr. Speaker, given that last week I took the oath of office as a Member of the new 115th Congress of the United States and given that next week we will watch President-elect Trump also take the oath of office, I want to share a few thoughts on the deep importance of this constitutional duty that we share.

Mr. Speaker, as you are aware, last week on Capitol Hill was marked by a day of celebration. It was a day of renewal of friendships, even between people who have deep, deep disagreements in this body. Families and guests all gathered to share in the moment's excitement and meaning, and Members of Congress congratulated one another on their recent victories. We all took a reprieve from the intensity of the policy debate for just a moment. But amidst all of that swirl of activity, the day was set apart by the oath of office.

Mr. Speaker, the oath lays down a clear marker of the serious obligations

ahead for all of us. In our day and time, we no longer are deeply connected to this concept of oath. We see it in the courtroom when somebody is required to tell the truth. We will see it again next week when President-elect Trump is sworn in. But we rarely take the time to reflect on its deeper meaning.

We see it more like an old tradition, a nostalgic option that we exercise out of deference to our history. However, the oath is much, much more. It is a solemn declaration. It is a pause, the start of sacred duty.

By taking an oath, you effectively hold your very self at ransom. You commit, at the deepest levels, that you will perform the tasks ahead of you to the best of your ability.

The oath is the ultimate test and measure of integrity. If you violate it, you tear at the center of your being, to the detriment of not only yourself but to the community, to those you are sworn to serve. This is a very high bar, indeed, Mr. Speaker.

I am reminded of the words of Sir Thomas More, who was the Lord High Chancellor of England during the 16th century. He strove to live a life worthy of excellence in public service. But in the end, he was put to death by the very state that he sought to so nobly serve.

In an earlier reflection on the idea of oath, Sir Thomas More had this to say: "When a man takes an oath, he's holding his own self in his own hands like water, and if he opens his fingers then, he needn't hope to find himself again."

Mr. Speaker, throughout that wonderful day last week of our swearing in here in the body, I was reflecting personally on a singular word. That word is replenishment.

Our American system of governance has an extraordinary capacity to replenish itself with new ideas, new people, and refreshed perspectives. Our political system starts with the belief that political power is derived from each person's dignity.

By voting, citizens invest that very power in the Representatives that are sent here to make judgments on their behalf. But, of course, to earn that right in the first place, the Representative must make his case to the people. In spite of the drama, in spite of the raucous nature of elections—and we have just come through one—the fact that America goes through this cycle of constant replenishment is truly an extraordinary gift.

Mr. Speaker, as I stood in the center aisle right here last week, I raised my right hand. I raised it right along with everyone else who is a Member of this new 115th Congress, and I took that oath of office.

Mr. Speaker, I just think it is worthwhile to read these powerful words:

"I do solemnly swear, or affirm, that I will support and defend the Constitution of the United States against all

enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.”

Mr. Speaker, indeed, this is a very high bar. This is a sacred duty. This is a solemn task. It sets this body and our system of governance apart by forcing each of us who have been given this extraordinary privilege of taking on the heavy mantle and weighty responsibility of making decisions on behalf of this great country, and to do so to the best of our ability, having put our very self, the integrity of what it means to be a person, on the line to uphold that commitment.

Mr. Speaker, I yield back the balance of my time.

115TH CONGRESS STAFF DEPOSITION AUTHORITY PROCEDURES

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RULES,
Washington, DC, January 13, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

MR. SPEAKER: Pursuant to section 3(b)(2) of House Resolution 5, 115th Congress, I hereby submit the following regulations regarding the conduct of depositions by committee and select committee staff for printing in the Congressional Record.

Sincerely,

PETE SESSIONS,
Chairman, Committee on Rules.

115TH CONGRESS STAFF DEPOSITION AUTHORITY PROCEDURES

1. Notices for the taking of depositions shall specify the date, time, and place of examination (if other than within the committee offices). Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths.

2. Consultation with the ranking minority member shall include three days notice before any deposition is taken. All members of the committee shall also receive three days notice that a deposition will be taken. For purposes of these procedures, a day shall not include Saturdays, Sundays, or legal holidays except when the House is in session on such a day.

3. Witnesses may be accompanied at a deposition by personal, nongovernmental counsel to advise them of their rights. Only members, committee staff designated by the chair or ranking minority member, an official reporter, the witness, and the witness's counsel are permitted to attend. The chair of the committee that noticed the deposition may designate that deposition as part of a joint investigation between committees. If such a designation is made, the chair and ranking minority member of the committee that provided notice of such deposition may each also designate up to two committee staff from committees designated as part of the joint investigation to attend the deposition after consultation with the chair or ranking minority member of the designated committees. Observers or counsel for other persons, including counsel for government agencies, may not attend.

4. If member attendance is required, the deposition will stand in recess for any period in which a member is not present.

5. A deposition shall be conducted by any member or staff attorney designated by the chair or ranking minority member. When depositions are conducted by committee staff attorneys, there shall be no more than two committee staff attorneys permitted to question a witness per round. One of the committee staff attorneys shall be designated by the chair and the other by the ranking minority member per round. Other committee staff members designated by the chair or ranking minority member, including designated staff from additional committees in the case of a joint investigation, may attend, but may not question the witness.

6. Deposition questions shall be propounded in rounds. The length of each round shall be determined by the chair after consultation with the ranking minority member, shall not exceed 90 minutes per side, and shall provide equal time to the majority and the minority. In each round, a member or committee staff attorney designated by the chair shall ask questions first, and the member or committee staff attorney designated by the ranking minority member shall ask questions second.

7. Only the witness or the witness's personal counsel may make objections during a deposition. Objections must be stated concisely and in a non-argumentative and non-suggestive manner. A committee may punish counsel who violate these requirements by censure, and by suspension or exclusion, either generally or in a particular investigation, from further representation of clients before the committee. A committee may also cite the counsel to the House for contempt. If the witness raises an objection, the deposition will proceed, and testimony taken is subject to any objection. The witness may refuse to answer a question only to preserve a testimonial privilege. When the witness has objected and refused to answer a question to preserve a testimonial privilege, the chair of the committee may rule on any such objection after the deposition has recessed. If the chair overrules any such objection and thereby orders a witness to answer any question to which a testimonial privilege objection was lodged, such ruling shall be filed with the clerk of the committee and shall be provided to the members and the witness no less than three days before the reconvened deposition. If the witness or a member of the committee chooses to appeal the ruling of the chair, such appeal must be made within three days, in writing, and shall be preserved for committee consideration. A deponent who refuses to answer a question after being directed to answer by the chair in writing may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed on appeal.

8. Committee chairs shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days after a transcript is made available to the witness, the witness may submit suggested changes to the chair. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes,

modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

9. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the committee for the committee's use. The chair and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

10. The chair and ranking minority member shall consult regarding the release of deposition transcripts and recordings. If either objects in writing to a proposed release of a deposition transcript or recording, or a portion thereof, the matter shall be promptly referred to the committee for resolution.

11. A witness shall not be required to testify unless the witness has been provided with a copy of Rule XI of the Rules of the House of Representatives and these procedures.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON ARMED SERVICES
FOR THE 115TH CONGRESS

Mr. THORNBERRY. Mr. Speaker, I respectfully submit the Rules of the Committee on Armed Services for the 115th Congress, as adopted by the committee on January 12, 2017.

RULE 1. GENERAL PROVISIONS

(a) The Rules of the House of Representatives are the rules of the Committee on Armed Services (hereinafter referred to in these rules as the “Committee”) and its subcommittees so far as applicable.

(b) Pursuant to clause 2(a)(2) of rule XI of the Rules of the House of Representatives, the Committee's rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the chair of the committee is elected in each odd-numbered year.

RULE 2. FULL COMMITTEE MEETING DATE

(a) The Committee shall meet every Wednesday at 10:00 a.m., when the House of Representatives is in session, and at such other times as may be fixed by the Chairman of the Committee (hereinafter referred to as the “Chairman”), or by written request of members of the Committee pursuant to clause 2(c) of rule XI of the Rules of the House of Representatives.

(b) A Wednesday meeting of the Committee may be dispensed with by the Chairman, but such action may be reversed by a written request of a majority of the members of the Committee.

RULE 3. SUBCOMMITTEE MEETING DATES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it. Insofar as possible, meetings of the Committee and its subcommittees shall not conflict. A subcommittee Chairman shall set meeting dates after consultation with the Chairman, other subcommittee Chairmen, and the Ranking Minority Member of the

subcommittee with a view toward avoiding, whenever possible, simultaneous scheduling of Committee and subcommittee meetings or hearings.

RULE 4. JURISDICTION AND MEMBERSHIP OF COMMITTEE AND SUBCOMMITTEES

(a) Jurisdiction

(1) The Committee retains jurisdiction of all subjects listed in clause 1(c) and clause 3(b) of rule X of the Rules of the House of Representatives and retains exclusive jurisdiction for: defense policy generally, ongoing military operations, the organization and reform of the Department of Defense and Department of Energy, counter-drug programs, security and humanitarian assistance (except special operations-related activities) of the Department of Defense, acquisition and industrial base policy, technology transfer and export controls, joint interoperability, detainee affairs and policy, force protection policy and inter-agency reform as it pertains to the Department of Defense and the nuclear weapons programs of the Department of Energy. In addition the committee will be responsible for intelligence policy (including coordination of military intelligence programs), national intelligence programs, and Department of Defense elements that are part of the Intelligence Community. While subcommittees are provided jurisdictional responsibilities in subparagraph (2), the Committee retains the right to exercise oversight and legislative jurisdiction over all subjects within its purview under rule X of the Rules of the House of Representatives.

(2) The Committee shall be organized to consist of seven standing subcommittees with the following jurisdictions:

Subcommittee on Tactical Air and Land Forces: All Army, Air Force and Marine Corps acquisition programs (except Marine Corps amphibious assault vehicle programs, strategic missiles, space, lift programs, special operations, science and technology programs, and information technology accounts) and the associated weapons systems sustainment. In addition, the subcommittee will be responsible for Navy and Marine Corps aviation programs and the associated weapons systems sustainment, National Guard and Army, Air Force and Marine Corps Reserve modernization, and ammunition programs.

Subcommittee on Military Personnel: Military personnel policy, Reserve Component integration and employment issues, military health care, military education, and POW/MIA issues. In addition, the subcommittee will be responsible for Morale, Welfare and Recreation issues and programs.

Subcommittee on Readiness: Military readiness, training, logistics and maintenance issues and programs. In addition, the subcommittee will be responsible for all military construction, depot policy, civilian personnel policy, environmental policy, installations and family housing issues, including the base closure process, and energy policy and programs of the Department of Defense.

Subcommittee on Seapower and Projection Forces: Navy acquisition programs, Naval Reserve equipment, and Marine Corps amphibious assault vehicle programs (except strategic weapons, space, special operations, science and technology programs, and information technology programs), deep strike bombers and related systems, lift programs, seaborne unmanned aerial systems and the associated weapons systems sustainment. In addition, the subcommittee will be responsible for Maritime programs under the jurisdiction of the Committee as delineated in

paragraphs 5 and 9 of clause 1(c) of rule X of the Rules of the House of Representatives.

Subcommittee on Strategic Forces: Strategic weapons (except deep strike bombers and related systems), space programs (including national intelligence space programs), ballistic missile defense, the associated weapons systems sustainment, and Department of Energy national security programs.

Subcommittee on Emerging Threats and Capabilities: Defense-wide and joint enabling activities and programs to include: Special Operations Forces; counter-proliferation and counter-terrorism programs and initiatives; science and technology policy and programs; information technology programs; homeland defense and Department of Defense related consequence management programs; related intelligence support; and other enabling programs and activities to include cyber operations, strategic communications, and information operations; and the Cooperative Threat Reduction program.

Subcommittee on Oversight and Investigations: Any matter within the jurisdiction of the Committee, subject to the concurrence of the Chairman of the Committee and, as appropriate, affected subcommittee chairmen. The subcommittee shall have no legislative jurisdiction.

(b) Membership of the Subcommittees

(1) Subcommittee memberships, with the exception of membership on the Subcommittee on Oversight and Investigations, shall be filled in accordance with the rules of the Majority party's conference and the Minority party's caucus, respectively.

(2) The Chairman and Ranking Minority Member of the Subcommittee on Oversight and Investigations shall be filled in accordance with the rules of the Majority party's conference and the Minority party's caucus, respectively. Consistent with the party ratios established by the Majority party, all other Majority members of the subcommittee shall be appointed by the Chairman of the Committee, and all other Minority members shall be appointed by the Ranking Minority Member of the Committee.

(3) The Chairman of the Committee and Ranking Minority Member thereof may sit as ex officio members of all subcommittees. Ex officio members shall not vote in subcommittee hearings or meetings or be taken into consideration for the purpose of determining the ratio of the subcommittees or establishing a quorum at subcommittee hearings or meetings.

(4) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee and participate during any of its hearings but shall not have authority to vote, cannot be counted for the purpose of achieving a quorum, and cannot raise a point of order at the hearing.

RULE 5. COMMITTEE PANELS AND TASK FORCES

(a) Committee Panels

(1) The Chairman may designate a panel of the Committee consisting of members of the Committee to inquire into and take testimony on a matter or matters that fall within the jurisdiction of more than one subcommittee and to report to the Committee.

(2) No panel appointed by the Chairman shall continue in existence for more than six months after the appointment. A panel so appointed may, upon the expiration of six months, be reappointed by the Chairman for a period of time which is not to exceed six months.

(3) Consistent with the party ratios established by the Majority party, all Majority members of the panels shall be appointed by

the Chairman of the Committee, and all Minority members shall be appointed by the Ranking Minority Member of the Committee. The Chairman of the Committee shall choose one of the Majority members so appointed who does not currently chair another subcommittee of the Committee to serve as Chairman of the panel. The Ranking Minority Member of the Committee shall similarly choose the Ranking Minority Member of the panel.

(4) No panel shall have legislative jurisdiction.

(b) Committee and Subcommittee Task Forces

(1) The Chairman of the Committee, or a Chairman of a subcommittee with the concurrence of the Chairman of the Committee, may designate a task force to inquire into and take testimony on a matter that falls within the jurisdiction of the Committee or subcommittee, respectively. The Chairman and Ranking Minority Member of the Committee or subcommittee shall each appoint an equal number of members to the task force. The Chairman of the Committee or subcommittee shall choose one of the members so appointed, who does not currently chair another subcommittee of the Committee, to serve as Chairman of the task force. The Ranking Minority Member of the Committee or subcommittee shall similarly appoint the Ranking Minority Member of the task force.

(2) No task force appointed by the Chairman of the Committee or subcommittee shall continue in existence for more than three months. A task force may only be reappointed for an additional three months with the written concurrence of the Chairman and Ranking Minority Member of the Committee or subcommittee whose Chairman appointed the task force.

(3) No task force shall have legislative jurisdiction.

RULE 6. REFERENCE AND CONSIDERATION OF LEGISLATION

(a) The Chairman shall refer legislation and other matters to the appropriate subcommittee or to the full Committee.

(b) Legislation shall be taken up for a hearing or markup only when called by the Chairman of the Committee or subcommittee, as appropriate, or by a majority of the Committee or subcommittee, as appropriate.

(c) The Chairman, with approval of a majority vote of a quorum of the Committee, shall have authority to discharge a subcommittee from consideration of any measure or matter referred thereto and have such measure or matter considered by the Committee.

(d) Reports and recommendations of a subcommittee may not be considered by the Committee until after the intervention of three calendar days from the time the report is approved by the subcommittee and available to the members of the Committee, except that this rule may be waived by a majority vote of a quorum of the Committee.

(e) The Chairman, in consultation with the Ranking Minority Member, shall establish criteria for recommending legislation and other matters to be considered by the House of Representatives, pursuant to clause 1 of rule XV of the Rules of the House of Representatives. Such criteria shall not conflict with the Rules of the House of Representatives and other applicable rules.

RULE 7. PUBLIC ANNOUNCEMENT OF HEARINGS AND MEETINGS

(a) Pursuant to clause 2(g)(3) of rule XI of the Rules of the House of Representatives,

the Chairman of the Committee, or of any subcommittee, panel, or task force, shall make a public announcement of the date, place, and subject matter of any hearing or meeting before that body at least one week before the commencement of a hearing and at least three days before the commencement of a meeting. However, if the Chairman of the Committee, or of any subcommittee, panel, or task force, with the concurrence of the respective Ranking Minority Member, determines that there is good cause to begin the hearing or meeting sooner, or if the Committee, subcommittee, panel, or task force so determines by majority vote, a quorum being present for the transaction of business, such chairman shall make the announcement at the earliest possible date. Any announcement made under this rule shall be promptly published in the Daily Digest, promptly entered into the committee scheduling service of the House Information Resources, and promptly made publicly available in electronic form.

(b) At least 24 hours prior to the commencement of a meeting for the markup of legislation, or at the time of an announcement under paragraph (a) made within 24 hours before such meeting, the Chairman of the Committee, or of any subcommittee, panel, or task force shall cause the text of such measure or matter to be made publicly available in electronic form as provided in clause 2(g)(4) of rule XI of the Rules of the House of Representatives.

RULE 8. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

(a) Pursuant to clause 2(e)(5) of rule XI of the Rules of the House of Representatives, the Committee shall, to the maximum extent practicable, provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings. The Committee shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(b) Clause 4 of rule XI of the Rules of the House of Representatives shall apply to the Committee.

RULE 9. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) Each hearing and meeting for the transaction of business, including the markup of legislation, conducted by the Committee, or any subcommittee, panel, or task force, to the extent that the respective body is authorized to conduct markups, shall be open to the public except when the Committee, subcommittee, panel, or task force in open session and with a majority being present, determines by record vote that all or part of the remainder of that hearing or meeting on that day shall be in executive session because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance no fewer than two members of the Committee, subcommittee, panel, or task force may vote to close a hearing or meeting for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. If the decision is to proceed in executive session, the vote

must be by record vote and in open session, a majority of the Committee, subcommittee, panel, or task force being present.

(b) Whenever it is asserted by a member of the Committee or subcommittee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, notwithstanding the requirements of (a) and the provisions of clause 2(g)(2) of rule XI of the Rules of the House of Representatives, such evidence or testimony shall be presented in executive session, if by a majority vote of those present, there being in attendance no fewer than two members of the Committee or subcommittee, the Committee or subcommittee determines that such evidence may tend to defame, degrade, or incriminate any person. A majority of those present, there being in attendance no fewer than two members of the Committee or subcommittee may also vote to close the hearing or meeting for the sole purpose of discussing whether evidence or testimony to be received would tend to defame, degrade, or incriminate any person. The Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee or subcommittee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(c) Notwithstanding the foregoing, and with the approval of the Chairman, each member of the Committee may designate by letter to the Chairman, one member of that member's personal staff, and an alternate, which may include fellows, with Top Secret security clearance to attend hearings of the Committee, or that member's subcommittee(s), panel(s), or task force(s) (excluding briefings or meetings held under the provisions of committee rule 9(a)), which have been closed under the provisions of rule 9(a) above for national security purposes for the taking of testimony. The attendance of such a staff member or fellow at such hearings is subject to the approval of the Committee, subcommittee, panel, or task force as dictated by national security requirements at that time. The attainment of any required security clearances is the responsibility of individual members of the Committee.

(d) Pursuant to clause 2(g)(2) of rule XI of the Rules of the House of Representatives, no Member, Delegate, or Resident Commissioner may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee, unless the House of Representatives shall by majority vote authorize the Committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures designated in this rule for closing hearings to the public.

(e) The Committee or the subcommittee may vote, by the same procedure, to meet in executive session for up to five additional consecutive days of hearings.

RULE 10. QUORUM

(a) For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

(b) One-third of the members of the Committee or subcommittee shall constitute a quorum for taking any action, with the following exceptions, in which case a majority

of the Committee or subcommittee shall constitute a quorum:

- (1) Reporting a measure or recommendation;
- (2) Closing Committee or subcommittee meetings and hearings to the public;
- (3) Authorizing the issuance of subpoenas;
- (4) Authorizing the use of executive session material; and
- (5) Voting to proceed in open session after voting to close to discuss whether evidence or testimony to be received would tend to defame, degrade, or incriminate any person.

(c) No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present.

RULE 11. THE FIVE-MINUTE RULE

(a) Subject to rule 15, the time any one member may address the Committee or subcommittee on any measure or matter under consideration shall not exceed five minutes and then only when the member has been recognized by the Chairman or subcommittee chairman, as appropriate, except that this time limit may be exceeded by unanimous consent. Any member, upon request, shall be recognized for not more than five minutes to address the Committee or subcommittee on behalf of an amendment which the member has offered to any pending bill or resolution. The five-minute limitation shall not apply to the Chairman and Ranking Minority Member of the Committee or subcommittee.

(b)(1) Members who are present at a hearing of the Committee or subcommittee when a hearing is originally convened shall be recognized by the Chairman or subcommittee chairman, as appropriate, in order of seniority. Those members arriving subsequently shall be recognized in order of their arrival. Notwithstanding the foregoing, the Chairman and the Ranking Minority Member will take precedence upon their arrival. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the Majority to Minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of either party.

(2) Pursuant to rule 4 and subject to rule 15, a member of the Committee who is not a member of a subcommittee may be recognized by a subcommittee chairman in order of their arrival and after all present subcommittee members have been recognized.

(3) The Chairman of the Committee or a subcommittee, with the concurrence of the respective Ranking Minority Member, may depart with the regular order for questioning which is specified in paragraphs (a) and (b) of this rule provided that such a decision is announced prior to the hearing or prior to the opening statements of the witnesses and that any such departure applies equally to the Majority and the Minority.

(c) No person other than a Member, Delegate, or Resident Commissioner of Congress and committee staff may be seated in or behind the dais area during Committee, subcommittee, panel, or task force hearings and meetings.

RULE 12. POWER TO SIT AND ACT; SUBPOENA POWER

(a) For the purpose of carrying out any of its functions and duties under rules X and XI of the Rules of the House of Representatives, the Committee and any subcommittee is authorized (subject to subparagraph (b)(1) of this paragraph):

- (1) to sit and act at such times and places within the United States, whether the House

is in session, has recessed, or has adjourned, and to hold hearings, and

(2) to require by subpoena, or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents, including, but not limited to, those in electronic form, as it considers necessary.

(b)(1) A subpoena may be authorized and issued by the Committee, or any subcommittee with the concurrence of the full Committee Chairman and after consultation with the Ranking Minority Member of the Committee, under subparagraph (a)(2) in the conduct of any investigation, or series of investigations or activities, only when authorized by a majority of the members voting, a majority of the Committee or subcommittee being present. Authorized subpoenas shall be signed only by the Chairman, or by any member designated by the Committee.

(2) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, compliance with any subpoena issued by the Committee or any subcommittee under subparagraph (a)(2) may be enforced only as authorized or directed by the House of Representatives.

RULE 13. WITNESS STATEMENTS

(a) Any prepared statement to be presented by a witness to the Committee or a subcommittee shall be submitted to the Committee or subcommittee at least 48 hours in advance of presentation and shall be distributed to all members of the Committee or subcommittee as soon as practicable but not less than 24 hours in advance of presentation. A copy of any such prepared statement shall also be submitted to the Committee in electronic form. If a prepared statement contains national security information bearing a classification of Confidential or higher, the statement shall be made available in the Committee rooms to all members of the Committee or subcommittee as soon as practicable but not less than 24 hours in advance of presentation; however, no such statement shall be removed from the Committee offices. The requirement of this rule may be waived by a majority vote of the Committee or subcommittee, a quorum being present. In cases where a witness does not submit a statement by the time required under this rule, the Chairman of the Committee or subcommittee, as appropriate, with the concurrence of the respective Ranking Minority Member, may elect to exclude the witness from the hearing.

(b) The Committee and each subcommittee shall require each witness who is to appear before it to file with the Committee in advance of his or her appearance a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of the submitted written statement.

(c) Pursuant to clause 2(g)(5) of rule XI of the Rules of the House of Representatives, written witness statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

RULE 14. ADMINISTERING OATHS TO WITNESSES

(a) The Chairman, or any member designated by the Chairman, may administer oaths to any witness.

(b) Witnesses, when sworn, shall subscribe to the following oath:

“Do you solemnly swear (or affirm) that the testimony you will give before this Committee (or subcommittee) in the matters now

under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?”

RULE 15. QUESTIONING OF WITNESSES

(a) When a witness is before the Committee or a subcommittee, members of the Committee or subcommittee may put questions to the witness only when recognized by the Chairman or subcommittee chairman, as appropriate, for that purpose according to rule 11 of the Committee.

(b) Members of the Committee or subcommittee who so desire shall have not more than five minutes to question each witness or panel of witnesses, the responses of the witness or witnesses being included in the five-minute period, until such time as each member has had an opportunity to question each witness or panel of witnesses. Thereafter, additional rounds for questioning witnesses by members are within the discretion of the Chairman or subcommittee chairman, as appropriate.

(c) Questions put to witnesses before the Committee or subcommittee shall be pertinent to the measure or matter that may be before the Committee or subcommittee for consideration.

RULE 16. PUBLICATION OF COMMITTEE HEARINGS AND MARKUPS

The transcripts of those hearings conducted by the Committee, subcommittee, or panel will be published officially in substantially verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. The transcripts of markups conducted by the Committee or any subcommittee may be published officially in verbatim form. Any requests to correct any errors, other than those in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted. Any transcript published under this rule shall include the results of record votes conducted in the session covered by the transcript and shall also include materials that have been submitted for the record and are covered under rule 19. The handling and safekeeping of these materials shall fully satisfy the requirements of rule 20. No transcript of an executive session conducted under rule 9 shall be published under this rule.

RULE 17. VOTING AND ROLLCALLS

(a) Voting on a measure or matter may be by record vote, division vote, voice vote, or unanimous consent.

(b) A record vote shall be ordered upon the request of one-fifth of those members present.

(c) No vote by any member of the Committee or a subcommittee with respect to any measure or matter shall be cast by proxy.

(d) In the event of a vote or votes, when a member is in attendance at any other committee, subcommittee, or conference committee meeting during that time, the necessary absence of that member shall be so noted in the record vote record, upon timely notification to the Chairman by that member.

(e) The Chairman of the Committee or a subcommittee, as appropriate, with the concurrence of the Ranking Minority Member or the most senior Minority member who is present at the time, may elect to postpone requested record votes until such time or point at a markup as is mutually decided. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, the under-

lying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 18. COMMITTEE REPORTS

(a) If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives timely notice of intention to file supplemental, Minority, additional or dissenting views, all members shall be entitled to not less than two calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such days) in which to file such written and signed views with the Staff Director of the Committee, or the Staff Director's designee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter.

(b) With respect to each record vote on a motion to report any measure or matter, and on any amendment offered to the measure or matter, the total number of votes cast for and against, the names of those voting for and against, and a brief description of the question, shall be included in the Committee report on the measure or matter.

(c) Not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee, the Chairman shall cause the text of each such amendment to be made publicly available in electronic form as provided in clause 2(e)(6) of rule XI of the Rules of the House of Representatives.

RULE 19. PUBLIC INSPECTION OF COMMITTEE ROLLCALLS

The result of each record vote in any meeting of the Committee shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee and also made publicly available in electronic form within 48 hours of such record vote pursuant to clause 2(e)(1)(B)(i) of rule XI of the Rules of the House of Representatives. Information so available shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition and the names of those members present but not voting.

RULE 20. PROTECTION OF NATIONAL SECURITY AND OTHER INFORMATION

(a) Except as provided in clause 2(g) of rule XI of the Rules of the House of Representatives, all national security information bearing a classification of Confidential or higher which has been received by the Committee or a subcommittee shall be deemed to have been received in executive session and shall be given appropriate safekeeping.

(b) The Chairman of the Committee shall, with the approval of a majority of the Committee, establish such procedures as in his judgment may be necessary to prevent the unauthorized disclosure of any national security information that is received which is classified as Confidential or higher. Such procedures shall, however, ensure access to this information by any member of the Committee or any other Member, Delegate, or Resident Commissioner of the House of Representatives, staff of the Committee, or staff designated under rule 9(c) who have the appropriate security clearances and the need to know, who has requested the opportunity to review such material.

(c) The Chairman of the Committee shall, in consultation with the Ranking Minority Member, establish such procedures as in his judgment may be necessary to prevent the

unauthorized disclosure of any proprietary information that is received by the Committee, subcommittee, panel, or task force. Such procedures shall be consistent with the Rules of the House of Representatives and applicable law.

RULE 21. COMMITTEE STAFFING

The staffing of the Committee, the standing subcommittees, and any panel or task force designated by the Chairman or chairmen of the subcommittees shall be subject to the Rules of the House of Representatives.

RULE 22. COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in ac-

cordance with rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of rule VII, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee.

RULE 23. HEARING PROCEDURES

Clause 2(k) of rule XI of the Rules of the House of Representatives shall apply to the Committee.

RULE 24. COMMITTEE ACTIVITY REPORTS

Not later than January 2nd of each odd-numbered year the Committee shall submit

to the House a report on its activities, pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives.

ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Tuesday, January 17, 2017, at noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2016, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO FRANCE AND THE UNITED KINGDOM, EXPENDED BETWEEN OCT. 23 AND OCT. 28, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hugh N. Halpern	10/24	10/25	France		345.00		*2,443.46				2,788.46
Karen L. Haas	10/24	10/25	France		345.00		*2,443.46				2,788.46
Thomas Wickham	10/24	10/25	France		345.00		*2,443.46				2,788.46
Nicole Foltz	10/24	10/25	France		345.00		*2,443.46				2,788.46
Shuwanza Goff	10/24	10/25	France		345.00		*2,443.46				2,788.46
Stephen Cote	10/24	10/25	France		313.00		*2,443.46				2,756.46
Don Sisson	10/24	10/25	France		313.00		*2,443.46				2,756.46
Hugh N. Halpern	10/25	10/28	U.K.		1,319.78						1,319.78
Karen L. Haas	10/25	10/28	U.K.		1,319.78						1,319.78
Thomas Wickham	10/25	10/28	U.K.		1,319.78						1,319.78
Nicole Foltz	10/25	10/28	U.K.		1,319.78						1,319.78
Shuwanza Goff	10/25	10/28	U.K.		1,319.77						1,319.77
Stephen Cote	10/25	10/28	U.K.		1,319.77						1,319.77
Don Sisson	10/25	10/28	U.K.		1,319.77						1,319.77
Committee total					11,589.43		17,104.22				28,693.65

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
 * Airfare all-inclusive.

HUGH N. HALPERN, Jan. 6, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at the right to so indicate and return. <input checked="" type="checkbox"/>											

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DIANE BLACK, Jan. 6, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input checked="" type="checkbox"/>											

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES W. DENT, Chairman, Jan. 4, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input checked="" type="checkbox"/>											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Dec. 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Terry Camp	9/22	10/6	South Africa	4,566.81	1,937.06						6,503.87
Matthew Strickler	9/30	10/6	South Africa	1,392.47	2,353.56						3,746.03
Hon. Sablan	10/15	10/22	Micronesia	827.89	1,267.20						2,095.09
Marc Alberts	10/15	10/22	Micronesia	827.89	3,068.76						3,896.65
Brian Modeste	10/15	10/22	Micronesia	827.89	13,978.56						14,806.45
Kate MacGregor	10/31	11/6	Norway/Germany	1,652.48	5,186.76						6,839.24
Steven Feldgus	10/31	11/6	Norway/Germany	1,652.48	5,186.76						6,839.24
Michael Freeman	10/31	11/6	Norway/Germany	1,652.48	5,186.76						6,839.24
Matthew Schafie	10/31	11/6	Norway/Germany	1,652.48	5,186.76						6,839.24
Molly Block	10/31	11/6	Norway/Germany	1,652.48	5,186.76						6,839.24
Sang Yi	10/31	11/6	Norway/Germany	1,652.48	5,186.76						6,839.24
Committee total				18,357.83	53,725.70						72,083.53

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROB BISHOP, Chairman, Jan. 4, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

SENATOR ORRIN G. HATCH, Chairman, Jan. 6, 2017.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

180. A letter from the PRAO Branch Chief, Food and Nutrition Service, Department of Agriculture, transmitting the Department's Major final rule and interim final rule — Supplemental Nutrition Assistance Program (SNAP): Eligibility, Certification, and Employment and Training Provisions of the Food, Conservation and Energy Act of 2008 [FNS 2011-0008] (RIN: 0584-AD87) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

181. A letter from the Supervisory Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting the Department's final rule — Fees for Official Inspection and Official Weighing Services Under the United States Grain Standards Act (USGSA) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

182. A letter from the Deputy Chief, Disability Rights Office, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting the Commission's final rule — Transition from TTY to Real-Time Text Technology [CG Docket No.: 16-145]; Petition for Rulemaking to Update the Commission's Rules for Access to Support the Transition from TTY to Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support of TTY Technology [GN Docket No.: 15-178] received January 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

183. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major direct final rule — Energy Conservation Program: Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps [Docket No.: EERE-2014-BT-STD-0048] (RIN: 1904-AD37) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

184. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Efficiency Standards for the Design and Construction of New Federal Low-Rise Residential Buildings' Baseline Standards Update [Docket No.: EERE-2016-BT-STD-0003] (RIN: 1904-AD56) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

185. A communication from the President of the United States, transmitting an Executive Order revoking section 1 and 2 of Executive Order 13067 of November 3, 1997, and revoking Executive Order 13412 of October 13, 2006, pursuant to 50 U.S.C. 1703(b); Public Law 95-223 Sec. 204(b); (91 Stat. 1627) (H. Doc. No. 115—6); to the Committee on Foreign Affairs and ordered to be printed.

186. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Implementation of the February 2016 Australia Group (AG) Intersessional Decisions and the June 2016 AG Plenary Understandings [Docket No.: 160922876-6876-01] (RIN: 0694-AH14) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law

104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

187. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Sudanese Sanctions Regulations received January 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

188. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Prohibition on Reimbursement for Congressional Investigations and Inquiries [FAC 2005-95; FAR Case 2015-016; Item V; Docket No.: 2015-0016; Sequence No.: 1] (RIN: 9000-AM97) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

189. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-95 [Docket No.: FAR 2016-0051, Sequence No.: 9] received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

190. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-95; Introduction [Docket No.: FAR 2016-0051, Sequence No.: 9] received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

191. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Uniform Use of Line Items [FAC 2005-95; FAR Case 2013-014; Item I; Docket No.: 2013-0014, Sequence No.: 1] (RIN: 9000-AM73) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

192. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Acquisition Threshold for Special Emergency Procurement Authority [FAC 2005-95; FAR Case 2016-004; Item II; Docket No.: 2016-0004, Sequence No.: 1] (RIN: 9000-AN18) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

193. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Contractor Employee Internal Confidentiality Agreements or Statements [FAC 2005-95; FAR Case 2015-012; Item III; Docket No.: 2015-0012, Sequence No.: 1] (RIN: 9000-AN04) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

194. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Contracts Under the Small Business Administration 8(a) Program [FAC 2005-95; FAR Case 2012-022; Item IV; Docket No.: 2012-0022, Sequence No.: 1] (RIN: 9000-AM68) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

195. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's interim rule — Veterans' Preference (RIN: 3206-AN47) received January 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

196. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; American Fisheries Act; Amendment 113 [Docket No.: 151113999-6999-02] (RIN: 0648-BF54) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

197. A letter from the Acting Chief, Branch of Conservation and Communications, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Candidate Conservation Agreements With Assurances [Docket No.: FWS-HQ-ES-2015-0171; FF09E40000 167 FXES11150900000] (RIN: 1018-BB25) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

198. A letter from the Chief, Division of Policy, Performance, and Management Programs, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Refuge-Specific Regulations; Public Use; Kenai National Wildlife Refuge [Docket No.: FWS-R7-NWRS-2014-0003; FF07RKNA00 FXRS12610700000 167] (RIN: 1018-AX56) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

199. A letter from the Chief, Division of Policy, Performance, and Management Programs, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Identification of 14 Distinct Population Segments of the Humpback Whale and Revision of Species-Wide Listing [Docket No.: FWS-HQ-ES-2016-0126; FXES11130900000 167 FF09E42000] (RIN: 1018-BB80) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

200. A letter from the Chief, Division of Policy, Performance, and Management Programs, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska—2016-17 and 2017-18 Subsistence Taking of Wildlife Regulations [Docket No.: FWS-R7-SM-2014-0062; FXFR13350700640-167-FF07J00000 FBMS #4500094243] (RIN: 1018-BA39) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

201. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Civil Penalty Inflation Adjustments received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

202. A letter from the Deputy Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's final rule — Nondiscrimination on the Basis of Disability by Public Accommodations — Movie Theaters; Movie Captioning and Audio Description [CRT Docket No.: 126; AG Order No.: 3779-2016] (RIN: 1190-AA63) received January 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

203. A letter from the Regulatory Affairs Specialist, Bureau of Ocean Energy Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf-Civil Penalties Inflation Adjustments [Docket ID: BOEM-2016-0055] (RIN: 1010-AD95) received January 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

204. A letter from the Assistant Secretary, Federal Maritime Commission, transmitting the Commission's final rule — Inflation Adjustment of Civil Monetary Penalties [Docket No.: 17-01] (RIN: 3072-AC67) received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

205. A letter from the Attorney-Advisor, Bureau of the Fiscal Service, Department of the Treasury, transmitting the Department's final rule — Regulations Governing Retirement Savings Bonds (RIN: 1530-AA13) re-

ceived January 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

206. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Maximum Vehicle Values for 2017 for Use With Vehicle Cents-Per-Mile and Fleet-Average Valuation Rules [Notice 2017-03] received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

207. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance Relating to the Availability and Use of an Account Transcript as a Substitute for an Estate Tax Closing Letter [Notice 2017-12] received January 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself, Mr. LIPINSKI, Mrs. BLACK, Ms. FOXX, Mrs. WAGNER, Mrs. BLACKBURN, Mrs. NOEM, Ms. CHENEY, Mrs. HARTZLER, Mr. ADERHOLT, Mr. JODY B. HICE of Georgia, Mr. HULTGREEN, Mr. HUIZENGA, Mr. FARENTHOLD, Mr. KELLY of Mississippi, Mr. ROTHFUS, Mr. PITTENGER, Mr. ROSKAM, Mr. DUNCAN of South Carolina, Mr. GIBBS, Mr. MOOLENAAR, Mr. BANKS of Indiana, Mr. COLLINS of New York, Mr. DUFFY, Mr. BILIRAKIS, Mr. ROGERS of Alabama, Mr. MULLIN, Mr. LUETKE-MEYER, Mr. PEARCE, Mr. MOONEY of West Virginia, Mr. OLSON, Mr. LATTA, Mr. ROKITA, Mr. CRAMER, Mr. RODNEY DAVIS of Illinois, Mr. LAHOOD, Mr. WENSTRUP, Mr. JONES, Mr. STEWART, Mr. FLORES, Mr. SCALISE, Mr. EMMER, Mr. YODER, Mr. WILSON of South Carolina, Mr. BABIN, Mr. LAMBORN, Mr. MASSIE, and Mr. AMASH):

H.R. 7. A bill to prohibit taxpayer funded abortions; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. MCCLINTOCK, Mr. ROHRBACHER, Mr. LAMALFA, and Mr. COOK):

H.R. 514. A bill to deny Federal funding to any State or political subdivision of a State that has in effect any law, policy, or procedure that prevents or impedes a State or local law enforcement official from maintaining custody of an alien pursuant to an immigration detainer issued by the Secretary of Homeland Security, and for other purposes; to the Committee on the Judiciary.

By Mr. ELLISON:

H.R. 515. A bill to authorize the Secretary of Housing and Urban Development to provide grants and loans to owners of dated manufactured homes for the replacement of such dated manufactured homes with Energy Star-qualified manufactured or modular homes, and for other purposes; to the Committee on Financial Services.

By Mr. ELLISON:

H.R. 516. A bill to amend the Internal Revenue Code of 1986 to reduce the mortgage interest deduction relating to acquisition indebtedness for certain taxpayers; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 517. A bill to amend the Real Estate Settlement Procedures Act of 1974 to prohibit certain financial benefits for referrals of business and to improve the judicial relief for certain violations, and for other purposes; to the Committee on Financial Services.

By Ms. DEGETTE (for herself, Mr. GUTHRIE, Ms. MATSUI, and Mr. DENT):

H.R. 518. A bill to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BUCK (for himself, Mr. GOSAR, Mr. TIPTON, Mrs. LOVE, and Mr. BISHOP of Utah):

H.R. 519. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Ways and Means.

By Mr. AMODEI:

H.R. 520. A bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the economic and national security and manufacturing competitiveness of the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. AMODEI (for himself, Mr. GOSAR, Mr. MCCLINTOCK, Mr. PITTENGER, Mr. FRANKS of Arizona, and Mr. HUIZENGA):

H.R. 521. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange; to the Committee on Ways and Means.

By Mr. GOODLATTE (for himself, Mr. PETERSON, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. CHABOT, Mr. ISSA, Mr. KING of Iowa, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JORDAN, Mr. POE of Texas, Mr. CHAFFETZ, Mr. MARINO, Mr. GOWDY, Mr. LABRADOR, Mr. FARENTHOLD, Mr. COLLINS of Georgia, Mr. DESANTIS, Mrs. MIMI WALTERS of California, Mr. BUCK, Mr. RATCLIFFE, Mr. TROTT, Mr. BISHOP of Michigan, Mrs. ROBY, Mr. GAETZ, Mr. BIGGS, and Mr. JOHNSON of Louisiana):

H.R. 522. A bill to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

By Mr. MARCHANT:

H.R. 523. A bill to provide further means of accountability of the United States debt and promote fiscal responsibility; to the Committee on Ways and Means.

By Mr. LAMBORN (for himself, Mr. WENSTRUP, Mr. MOONEY of West Virginia, and Mr. JONES):

H.R. 524. A bill to prohibit any person from soliciting or knowingly acquiring, receiving, or accepting a donation of human fetal tis-

sue for any purpose other than disposal of the tissue if the donation affects interstate commerce and the tissue will be or is obtained pursuant to an induced abortion, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CRAWFORD (for himself, Mr. CONAWAY, Mr. ABRAHAM, Mr. POE of Texas, Mr. COMER, Ms. LEE, Ms. KELLY of Illinois, Ms. DELBENE, Mr. FARENTHOLD, Mr. THOMPSON of Mississippi, Mr. MOULTON, Mr. EMMER, Ms. MCCOLLUM, Ms. CASTOR of Florida, Mr. HARPER, Mr. WESTERMAN, Mr. ROKITA, Mr. MARSHALL, Mr. SMITH of Missouri, Mr. RODNEY DAVIS of Illinois, Mr. PALAZZO, Mr. YOUNG of Alaska, Mr. THOMPSON of Pennsylvania, Mr. BANKS of Indiana, Mrs. BUSTOS, Mr. BEYER, and Mr. JONES):

H.R. 525. A bill to modify the prohibition on United States assistance and financing for certain exports to Cuba under the Trade Sanctions Reform and Export Enhancement Act of 2000, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. HURD, Mr. DONOVAN, Mr. VELA, Mr. KEATING, Mr. MCCAUL, Mr. PAYNE, Ms. MCSALLY, and Mr. RATCLIFFE):

H.R. 526. A bill to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes; to the Committee on Homeland Security.

By Mr. BISHOP of Utah (for himself, Mr. SIMPSON, Mr. AMODEI, Mr. GOSAR, Mr. STEWART, Mrs. LOVE, Mr. LABRADOR, Mr. CHAFFETZ, Mrs. MCMORRIS RODGERS, Mr. TIPTON, and Ms. CHENEY):

H.R. 527. A bill to provide for the conservation and preservation of the Greater Sage Grouse by facilitating State recovery plans, and for other purposes; to the Committee on Natural Resources.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. JONES, and Mr. NOLAN):

H.R. 528. A bill to amend the Federal Election Campaign Act of 1971 to prohibit individuals holding Federal office from directly soliciting contributions to or on behalf of any political committee under such Act, and for other purposes; to the Committee on House Administration.

By Ms. JENKINS of Kansas (for herself and Mr. KIND):

H.R. 529. A bill to amend the Internal Revenue Code of 1986 to make improvements in the rules related to qualified tuition programs and qualified ABLE programs; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. CONNOLLY, Mr. SOTO, Mr. KEATING, Mr. SIREN, Ms. KELLY of Illinois, Ms. FRANKEL of Florida, Ms. NORTON, Mr. TED LIEU of California, Mr. DESAULNIER, Mr. CICILLINE, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Mrs. LAWRENCE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SHEAPORTER, Mr. CASTRO of Texas, Mr. ESPAILLAT, Mr. SHERMAN, Mr. SMITH of Washington, Mr. CONYERS, Mr. THOMPSON of Mississippi, Ms. TITUS,

Mr. BERA, Mr. DEUTCH, Mr. GARAMENDI, Mr. WELCH, Mr. MCGOVERN, Mr. SCHNEIDER, Mr. CROWLEY, Ms. MENG, Mr. LOWENTHAL, Mr. MEEKS, Ms. PLASKETT, Mr. CUMMINGS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CLAY, Mr. JOHNSON of Georgia, Mr. DELANEY, Mr. RUSH, Mr. PERLMUTTER, Ms. GABBARD, Mrs. TORRES, Ms. PINGREE, Mrs. LOWEY, Mr. HIGGINS of New York, Mr. COURTNEY, Ms. BASS, Mr. SUOZZI, Mr. NADLER, Mr. CRIST, Ms. ESTY, Mrs. CAROLYN B. MALONEY of New York, Mr. LYNCH, Mr. MOULTON, Mr. SCHIFF, Ms. CLARKE of New York, Ms. WILSON of Florida, Ms. BONAMICI, Mr. HASTINGS, Mr. COHEN, Mrs. BUSTOS, Mr. KIND, Mr. QUIGLEY, and Ms. VELÁZQUEZ):

H.R. 530. A bill to expose and deter unlawful and subversive foreign interference in elections for Federal office, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HILL (for himself and Mr. SCHWEIKERT):

H.R. 531. A bill to amend the Internal Revenue Code of 1986 to make an exception to the 100 shareholder S corporation limitation in the case of shareholders whose shares were acquired through certain crowd-funding or small public offerings; to the Committee on Ways and Means.

By Mr. O'ROURKE (for himself, Mr. MCGOVERN, Ms. JUDY CHU of California, Ms. BARRAGÁN, Mr. CORREA, Mr. KRISHNAMOORTHY, Ms. LOFGREN, Mr. TAKANO, Mr. BROWN of Maryland, Mr. CUMMINGS, Mr. DEUTCH, Mr. POLIS, Ms. MENG, Mr. CAPUANO, Mr. CÁRDENAS, Mr. ELLISON, Mr. GRIMALVA, Ms. HANABUSA, Mr. KIHUEN, Mr. TED LIEU of California, Ms. MATSUL, Mr. TONKO, Mrs. TORRES, Mr. VARGAS, Ms. TITUS, and Ms. SLAUGHTER):

H.R. 532. A bill to provide for the protection of information submitted to the Department of Homeland Security pursuant to the Deferred Action for Childhood Arrivals program, and for other purposes; to the Committee on the Judiciary.

By Mr. EMMER (for himself and Mrs. LOVE):

H.R. 533. A bill to amend the Internal Revenue Code of 1986 to lower the corporate rate of income tax to the OECD average, and for other purposes; to the Committee on Ways and Means.

By Mr. EMMER (for himself, Ms. MCCOLLUM, Mr. ELLISON, Mr. NOLAN, Mr. PETERSON, Mr. PAULSEN, Mr. LEWIS of Minnesota, Mr. WALZ, and Mr. WEBER of Texas):

H.R. 534. A bill to require the Secretary of State to take such actions as may be necessary for the United States to rejoin the Bureau of International Expositions, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CHABOT (for himself, Mr. ROYCE of California, and Mr. SHERMAN):

H.R. 535. A bill to encourage visits between the United States and Taiwan at all levels, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BIGGS:

H.R. 536. A bill to provide that the salaries of Members of a House of Congress will be

held in escrow if that House has not agreed to a concurrent resolution on the budget for fiscal year 2018 by April 15, 2017, and to withhold the salary of the Director of OMB upon failure to submit the President's budget to Congress as required by section 1105 of title 31, United States Code; to the Committee on House Administration, and in addition to the Committees on the Budget, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS:

H.R. 537. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange; to require Members of Congress and congressional staff to abide by the Patient Protection and Affordable Care Act with respect to health insurance coverage; and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Georgia (for himself and Mr. AUSTIN SCOTT of Georgia):

H.R. 538. A bill to redesignate Ocmulgee National Monument in the State of Georgia and revise its boundary, and for other purposes; to the Committee on Natural Resources.

By Mrs. BLACKBURN (for herself and Mr. RUSH):

H.R. 539. A bill to amend title IX of the Public Health Service Act to revise the operations of the United States Preventive Services Task Force, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Ms. BONAMICI, Mr. BEYER, Ms. TITUS, Ms. CLARK of Massachusetts, Mr. DEFazio, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. TED LIEU of California, Ms. VELÁZQUEZ, Ms. KAPTUR, Mr. NADLER, Mr. EVANS, Ms. ROYBAL-ALLARD, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. ELLISON, Mr. MEEKS, Mr. GARAMENDI, Ms. SLAUGHTER, Mr. COHEN, and Ms. LOFGREN):

H.R. 540. A bill to require the disclosure of the Federal income tax returns of the President; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of New York (for himself, Mr. MULLIN, Mr. GUTHRIE, Mr. BUCSHON, and Mr. FLORES):

H.R. 541. A bill to amend title XIX of the Social Security Act to improve the calculation, oversight, and accountability of non-DSH supplemental payments under the Medicaid program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COLLINS of New York (for himself, Mr. MULLIN, Mr. GUTHRIE, Mr. BUCSHON, and Mr. FLORES):

H.R. 542. A bill to amend title XI of the Social Security Act to require the Secretary of Health and Human Services to follow rule-making procedures for costly Medicaid sub-regulatory policies; to the Committee on Energy and Commerce.

By Mr. COLLINS of New York (for himself, Mr. MULLIN, Mr. GUTHRIE, Mrs. BLACKBURN, Mr. BUCSHON, and Mr. FLORES):

H.R. 543. A bill to amend title XIX of the Social Security Act for purposes of prioritizing the most vulnerable Medicaid patients; to the Committee on Energy and Commerce.

By Mr. COOK (for himself, Mr. BISHOP of Georgia, Ms. JUDY CHU of California, Ms. JENKINS of Kansas, Mr. POLIQUIN, and Mr. DUNN):

H.R. 544. A bill to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces; to the Committee on the Judiciary.

By Mr. CRAMER (for himself, Mr. FRANKS of Arizona, Mr. PETERSON, and Mr. DAVID SCOTT of Georgia):

H.R. 545. A bill to establish the United States Commission on the Organization of Petroleum Exporting Countries, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CULBERSON (for himself, Mr. SESSIONS, Mr. SMITH of Texas, Mr. WEBER of Texas, and Mr. BARLETTA):

H.R. 546. A bill to amend section 412(a)(2) of the Immigration and Nationality Act to require the Director of the Office of Refugee Resettlement to obtain the approval of the Governor of a State before placing or resettling a refugee with the State, and for other purposes; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Mr. TAKANO, Ms. KAPTUR, Ms. SLAUGHTER, Mr. DEUTCH, Ms. DELBENE, Ms. CLARK of Massachusetts, Mr. LARSEN of Washington, Ms. PINGREE, Ms. SPEIER, Ms. MOORE, Mr. HASTINGS, Mr. LARSON of Connecticut, Mr. SCHIFF, Mr. CARTWRIGHT, Mr. RYAN of Ohio, Ms. MATSUI, Mr. CICILLINE, Mr. PRICE of North Carolina, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SERRANO, Ms. KELLY of Illinois, Mr. TONKO, Mr. LIPINSKI, Mr. KILDEE, Mr. RICHMOND, Mr. LOWENTHAL, Mr. WELCH, Mr. GARAMENDI, Ms. NORTON, Ms. BONAMICI, Ms. BORDALLO, Mrs. DINGELL, Mr. CARSON of Indiana, Mr. VEASEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LANGEVIN, Mr. CÁRDENAS, Ms. KUSTER of New Hampshire, Ms. SCHAKOWSKY, Mr. KEATING, Ms. SÁNCHEZ, Mrs. LAWRENCE, Mr. FOSTER, Mr. ENGEL, Mr. POCAN, Mr. LYNCH, Mr. HECK, Ms. MCCOLLUM, Ms. MENG, Mr. SARBANES, Mr. LEVIN, Mr. PAYNE, Mr. HIMES, Mr. CONYERS, Ms. JUDY CHU of California, Mr. SCOTT of Virginia, Mr. MCGOVERN, Ms. SHEA-PORTER, Mrs. LOWEY, Mr. SHERMAN, Mr. ELLISON, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, Ms. ESTY, Mr. DESAULNIER, Mr. COURTNEY, Mr. KILMER, Ms. VELÁZQUEZ, Ms. LEE, Mr. COHEN, Ms. ESHOO, Ms. CLARKE of New York, and Mr. BLUMENAUER):

H.R. 547. A bill to facilitate efficient investments and financing of infrastructure

projects and new job creation through the establishment of a National Infrastructure Development Bank, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself, Mr. LANGEVIN, Mr. SESSIONS, Mr. KELLY of Pennsylvania, Mr. JOYCE of Ohio, Mr. GOSAR, and Mr. HARPER):

H.R. 548. A bill to improve access to emergency medical services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DONOVAN (for himself, Mr. KING of New York, Mr. KATKO, Miss RICE of New York, Mr. PAYNE, and Mr. MCCAULY):

H.R. 549. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes; to the Committee on Homeland Security.

By Mr. ENGEL (for himself, Mr. DONOVAN, Mr. ZELDIN, Ms. SINEMA, Mr. SWALWELL of California, Ms. MENG, Mr. LOWENTHAL, Mr. KING of New York, Ms. SHEA-PORTER, and Mr. PASCRELL):

H.R. 550. A bill to amend title 49, United States Code, to require the deployment of law enforcement personnel at airport screening locations at very large airports, and for other purposes; to the Committee on Homeland Security.

By Mr. FORTENBERRY:

H.R. 551. A bill to amend the Patient Protection and Affordable Care Act to permit insurers to offer catastrophic coverage plans to anyone, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY:

H.R. 552. A bill to prohibit implementation of the revised definition of short-term, limited duration insurance in order to permit such insurance to provide up to 12 months of coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JODY B. HICE of Georgia:

H.R. 553. A bill to redesignate Gravelly Point Park, located along the George Washington Memorial Parkway in Arlington County, Virginia, as the Nancy Reagan Memorial Park, and for other purposes; to the Committee on Natural Resources.

By Mr. KILDEE:

H.R. 554. A bill to suspend the authority of a State to administer funds under Federal block grant programs if the State does not enact certain conflict of interest protections, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Financial Services, Homeland Security, the Judiciary, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER (for himself, Mr. COURTNEY, and Mr. WALDEN):

H.R. 555. A bill to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LANCE (for himself and Mr. PASCRELL):

H.R. 556. A bill to require the Administrator of the Federal Highway Administration to make an exception to the Manual on Uniform Traffic Control Devices to allow for certain colored markings between longitudinal parallel lines for celebratory or ceremonial purposes; to the Committee on Transportation and Infrastructure.

By Mr. LATTA:

H.R. 557. A bill to amend the Communications Act of 1934 to reform the Federal Communications Commission by requiring an analysis of benefits and costs during the rule making process and creating certain presumptions regarding regulatory forbearance and biennial regulatory review determinations; to the Committee on Energy and Commerce.

By Mr. LOUDERMILK (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. BISHOP of Georgia, Mr. WOODALL, Mr. JOHNSON of Georgia, Mr. CARTER of Georgia, Mr. JODY B. HICE of Georgia, and Mr. ALLEN):

H.R. 558. A bill to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Natural Resources.

By Mr. LOUDERMILK (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. GROTHMAN, Mr. BARR, Mr. MESSER, Mr. BABIN, Mr. ARRINGTON, and Mr. BISHOP of Michigan):

H.R. 559. A bill to amend title 5, United States Code, to provide for an alternative removal for performance or misconduct for Federal employees; to the Committee on Oversight and Government Reform.

By Mr. MARINO (for himself and Mr. CARTWRIGHT):

H.R. 560. A bill to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. MESSER:

H.R. 561. A bill to amend the Internal Revenue Code of 1986 to modify the definition of applicable large employer for purposes of the employer mandate in the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. MESSER:

H.R. 562. A bill to amend the Internal Revenue Code of 1986 to flatline the individual mandate penalty; to the Committee on Ways and Means.

By Mr. MESSER:

H.R. 563. A bill to amend the Internal Revenue Code of 1986 to exempt certain individuals from the individual health insurance mandate; to the Committee on Ways and Means.

By Mr. POSEY (for himself, Mr. MURPHY of Pennsylvania, Mr. CALVERT, Mr. YODER, Mr. ROGERS of Kentucky, Ms. JENKINS of Kansas, Ms. ROSLEHTINEN, Mr. RUPPERSBERGER, Mr. KNIGHT, Mr. CÁRDENAS, Mr. BILIRAKIS, Mr. DIAZ-BALART, Ms. CASTOR

of Florida, Mr. WALKER, Ms. FOX, Mr. HOLDING, Mr. KELLY of Pennsylvania, Mr. COLE, Mr. HARRIS, Mr. ROSS, Mr. SCHRADER, Mr. BARLETTA, Mr. YOHO, Mr. SESSIONS, Mr. PASCRELL, Mrs. BLACKBURN, Mr. HUDSON, Mr. HASTINGS, Mr. EMMER, Mr. LAHOOD, Ms. TITUS, Mr. CURBELO of Florida, Mr. CLEAVER, Mr. HUNTER, Mr. BISHOP of Georgia, Mr. MAST, Mr. BRAT, Mr. PETERSON, Ms. WILSON of Florida, and Mr. DENHAM):

H.R. 564. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER (for himself, Mr. POE of Texas, Mr. KING of Iowa, Mr. BISHOP of Michigan, Mr. WEBSTER of Florida, and Mr. GROTHMAN):

H.R. 565. A bill to recognize that Christians and Yazidis in Iraq, Syria, Pakistan, Iran, and Libya are targets of genocide, and to provide for the expedited processing of immigrant and refugee visas for such individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. SHERMAN, and Mr. ZELDIN):

H.R. 566. A bill to require the President to report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities, and for other purposes; to the Committee on Foreign Affairs.

By Ms. SÁNCHEZ (for herself, Ms. SHEA-PORTER, Mr. CIGILLINE, Ms. KAPTUR, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. O'HALLERAN, Mr. THOMPSON of Mississippi, Mr. MCGOVERN, Mr. BUTTERFIELD, Mr. LANGEVIN, Mr. ELLISON, Ms. JAYAPAL, Ms. PINGREE, and Mr. SARBANES):

H.R. 567. A bill to amend title 5, United States Code, to clarify the application of the restriction on the appointment of relatives to a position in the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. SÁNCHEZ (for herself, Ms. JAYAPAL, and Ms. VELÁZQUEZ):

H.R. 568. A bill to amend the Ethics in Government Act of 1978 to require certain Federal officials to make requisite financial disclosures within 30 days of assuming office, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 569. A bill to amend title 10, United States Code, to provide for retroactive calculation since the start of combat operations in Afghanistan of days of certain active duty or active service performed as a member of the Ready Reserve to reduce the eligibility age for receipt of retired pay for non-regular service; to the Committee on Armed Services.

By Mr. SERRANO:

H.R. 570. A bill to authorize microenterprise assistance for renewable energy

projects in developing countries; to the Committee on Foreign Affairs.

By Mr. SERRANO:

H.R. 571. A bill to permit members of the House of Representatives to donate used computer equipment to public elementary and secondary schools designated by the members; to the Committee on House Administration.

By Mr. SERRANO:

H.R. 572. A bill to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 573. A bill to waive certain prohibitions with respect to nationals of Cuba coming to the United States to play organized professional baseball; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 574. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, Financial Services, the Judiciary, Oversight and Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS:

H.R. 575. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish new procedures and requirements for the registration of cosmetic manufacturing establishments, the submission of cosmetic and ingredient statements, and the reporting of serious cosmetic adverse events, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TIBERI (for himself, Mr. DELANEY, Mr. MACARTHUR, Mr. LARSON of Connecticut, Mr. POLIS, Mr. BLUMENAUER, Mrs. BROOKS of Indiana, Mrs. WALORSKI, and Mr. PAULSEN):

H.R. 576. A bill to encourage and support partnerships between the public and private sectors to improve our Nation's social programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS:

H.R. 577. A bill to designate a peak in the State of Nevada as Maude Frazier Mountain; to the Committee on Natural Resources.

By Mr. WITTMAN (for himself and Mr. ISSA):

H.R. 578. A bill to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use

the same residences as the servicemembers; to the Committee on Veterans' Affairs.

By Mr. YARMUTH (for himself and Mr. SCHWEIKERT):

H.R. 579. A bill to require the Secretary of the Treasury to mint coins in commemoration of Muhammad Ali; to the Committee on Financial Services.

By Mr. YARMUTH (for himself, Mr. MEEKS, and Mr. COHEN):

H.R. 580. A bill to establish a grant program to preserve the legacy and ideals of Muhammad Ali and promote global respect, understanding, and communication, and for other purposes; to the Committee on Foreign Affairs.

By Mr. YOUNG of Iowa:

H.R. 581. A bill to provide for the issuance of a semipostal to support Department of Agriculture conservation programs, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL:

H.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States to protect the voting rights of the citizens of the United States; to the Committee on the Judiciary.

By Mr. LOUDERMILK (for himself, Mr. CARTER of Georgia, Mr. BARTON, Mr. GRIFFITH, Mr. BRAT, Mr. DESJARLAIS, Mr. SCHWEIKERT, Mrs. NOEM, Mr. RODNEY DAVIS of Illinois, Mr. SMITH of Texas, Mr. COLLINS of Georgia, Mr. GOWDY, and Mr. JODY B. HICE of Georgia):

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced; to the Committee on the Judiciary.

By Ms. FUDGE (for herself, Ms. ADAMS, Mrs. BEATTY, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Mr. ENGEL, Mr. EVANS, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. LARSEN of Washington, Ms. LEE, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Ms. PINGREE, Ms. PLASKETT, Mr. QUIGLEY, Mr. RASKIN, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SOTO, Mr. THOMPSON of Mississippi, Ms. TITUS, Mr. TONKO, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. BISHOP of Georgia, Mr. BROWN of Maryland, Mr. CLAY, Mr. LAWSON of Florida, Mr. MCEACHIN, and Ms. WILSON of Florida):

H. Con. Res. 9. Concurrent resolution expressing the sense of Congress that a day should be designated as "National Voting Rights Act Mobilization Day"; to the Committee on Oversight and Government Reform.

By Mr. PAULSEN (for himself and Mr. KIND):

H. Con. Res. 10. Concurrent resolution expressing the sense of the Congress that tax-exempt fraternal benefit societies have historically and continue to provide critical benefits to Americans and United States communities; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS:

H. Res. 51. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. CROWLEY:

H. Res. 52. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. LATTA:

H. Res. 53. A resolution expressing the sense of the House of Representatives that in order to continue aggressive growth in the Nation's telecommunications and technology industries, the United States Government should "Get Out of the Way and Stay Out of the Way"; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of New Jersey:

H.R. 7.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8 of the Constitution.

By Mr. CALVERT:

H.R. 514.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is Section 8 of Article I of the Constitution, specifically Clauses 1 (relating to providing for the general welfare of the United States) and 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) of such section.

OR

The constitutional authority of Congress to enact this legislation is Article I, Section 8, Clause 1 and Clause 18.

By Mr. ELLISON:

H.R. 515.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. ELLISON:

H.R. 516.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 1 and Section 8, Clause 1.

By Mr. ELLISON:

H.R. 517.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 3.

By Ms. DEGETTE:

H.R. 518.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BUCK:

H.R. 519.

Congress has the power to enact this legislation pursuant to the following:

"The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

By Mr. AMODEI:

H.R. 520.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. AMODEI:

H.R. 521.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States

Article I, Section 8, Clause 1

By Mr. GOODLATTE:

H.R. 522.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution, in that the legislation concerns the Appropriations Power granted to Congress by that section;

Article I, Section 7, Clause 1 of the United States Constitution, in that the legislation concerns the legislative powers granted to Congress by that section;

Article I, Section 8, Clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof"

By Mr. MARCHANT:

H.R. 523.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Art. I Sec. 8 cl. 2, under the power "To borrow Money on the credit of the United States"; and

Art. I Sec. 8 cl. 18, under the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. LAMBORN:

H.R. 524.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution states that Congress has the authority to "regulate Commerce with foreign nations, and among the several states."

By Mr. CRAWFORD:

H.R. 525.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to the enumerate powers listed in Article 1, Section 8 of the US

Constitution, to regulate Commerce with Foreign Nations.

By Mr. KATKO:

H.R. 526.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. BISHOP of Utah:

H.R. 527.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 provides authority to Congress to provide for the common Defense and general Welfare of the United States; as well as to make provisions and regulations for the military forces of the United States. Since federal land use restrictions implemented by the Department of Interior ostensibly to protect habitat for the Greater Sage Grouse also negatively impact several vital military installations and training facilities in the Western United States, the Congress has authority under Section 8 to act to mitigate negative impacts of the federal land use restrictions in order to preserve national defense readiness, while at the same time, respecting the 10th Amendment prerogatives of the States for the management of wildlife within their state boundaries through the facilitation of their respective state wildlife management plans for the preservation and recovery of the Greater Sage Grouse.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 528.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U. S. Constitution, which grants Congress the power to “lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common defense and general Welfare of the United States.”

By Ms. JENKINS of Kansas:

H.R. 529.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. ENGEL:

H.R. 530.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Mr. HILL:

H.R. 531.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. O'ROURKE:

H.R. 532.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. EMMER:

H.R. 533.

Congress has the power to enact this legislation pursuant to the following:

(Clause 1, Section 8 of Article 1 of the United States Constitution which reads: “The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”)

By Mr. EMMER:

H.R. 534.

Congress has the power to enact this legislation pursuant to the following:

(Congress has the power to enact this legislation pursuant to the following: Article 1 Section 8 of the U.S. Constitution grants Congress the authority to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.)

By Mr. CHABOT:

H.R. 535.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. BIGGS:

H.R. 536.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 enumerated powers.

By Mr. BIGGS:

H.R. 537.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 enumerated powers

By Mr. BISHOP of Georgia:

H.R. 538.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Section 8, clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mrs. BLACKBURN:

H.R. 539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. CICILLINE:

H.R. 540.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. COLLINS of New York:

H.R. 541.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. COLLINS of New York:

H.R. 542.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. COLLINS of New York:

H.R. 543.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. COOK:

H.R. 544.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CRAMER:

H.R. 545.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to regulate

Commerce with foreign Nations in Article I, Section 8 of the United States Constitution, specifically Clause 3.

By Mr. CULBERSON:

H.R. 546.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 and Article I, Section 8, Clause 18

By Ms. DELAURO:

H.R. 547.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DENT:

H.R. 548.

Congress has the power to enact this legislation pursuant to the following:

In the power of Congress to provide for the general welfare, to regulate commerce, and to make all laws which shall be necessary and proper for carrying into execution Federal powers (section 8 article I of the Constitution)

By Mr. DONOVAN:

H.R. 549.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. ENGEL:

H.R. 550.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I §1; and
U.S. Const. Art. I §8

By Mr. FORTENBERRY:

H.R. 551.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. FORTENBERRY:

H.R. 552.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. JODY B. RICE of Georgia:

H.R. 553.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states:

“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . .”

By Mr. KILDEE:

H.R. 554.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. KINZINGER:

H.R. 555.

Congress has the power to enact this legislation pursuant to the following:

The Fourteenth Amendment, Section 1 [Rights Guaranteed]; . . . the means employed to effect its exercise may be neither arbitrary nor oppressive but must bear a real and substantial relation to an end that is public, specifically, the public health, safety, or morals, or some other aspect of the general welfare.

By Mr. LANCE:

H.R. 556.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the power to regulate commerce with foreign nations, and among the several States, and with the Indian Tribes.

By Mr. LATTA:

H.R. 557.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the Power . . . “to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.”

By Mr. LOUDERMILK:

H.R. 558.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LOUDERMILK:

H.R. 559.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, cl. 18

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MARINO:

H.R. 560.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MESSER:

H.R. 561.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. MESSER:

H.R. 562.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. MESSER:

H.R. 563.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. POSEY:

H.R. 564.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

Article 1, Section 8, Clause 18

By Mr. ROHRBACHER:

H.R. 565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 of the United States Constitution, which gives Congress the power “To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.”

By Mr. ROSKAM:

H.R. 566.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution.

Article 1, Section 8, Clause 3 of the Constitution.

Article 1, Section 8, Clause 18 of the Constitution.

By Ms. SÁNCHEZ:

H.R. 567.

Congress has the power to enact this legislation pursuant to the following:

Article One, section 8, clause 18:

Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Ms. SÁNCHEZ:

H.R. 568.

Congress has the power to enact this legislation pursuant to the following:

Article One, section 8, clause 18:

Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. SERRANO:

H.R. 569.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, of the Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. SERRANO:

H.R. 570.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. SERRANO:

H.R. 571.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 5 of article I of the Constitution, which states: “Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.”

Additionally, Congress has the power to enact this legislation under Clause 2 of section 3 of article IV of the Constitution, which states that “The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.”

By Mr. SERRANO:

H.R. 572.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the Constitution

By Mr. SERRANO:

H.R. 573.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the Constitution

Article I, Section 8, clause 4 of the Constitution

Article I, Section 8, clause 18 of the Constitution

By Mr. SERRANO:

H.R. 574.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the Constitution

Article I, Section 8, clause 18 of the Constitution

By Mr. SESSIONS:

H.R. 575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

Congress shall have the Power to regulate Commerce with foreign Nations, and among several States, and with the Indian Tribes.

By Mr. TIBERI:

H.R. 576.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to “provide for the common Defence and general Welfare of the United States.”

By Ms. TITUS:

H.R. 577.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. WITTMAN:

H.R. 578.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. YARMUTH:

H.R. 579.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. YARMUTH:

H.R. 580.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. YOUNG of Iowa:

H.R. 581.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. ENGEL:

H.J. Res. 28.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. V

By Mr. LOUDERMILK:

H.J. Res. 29.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. BLUM, Mr. HURD, Mr. GOWDY, Mr. TURNER, Mr. ROKITA, Mr. KATKO, Mr. BABIN, Mr. JORDAN, Mr. KELLY of Pennsylvania, and Mr. WITTMAN.

H.R. 29: Mr. MOONEY of West Virginia and Mr. ROTHFUS.

H.R. 36: Mr. ROKITA, Mr. JODY B. HICE of Georgia, Mr. CRAMER, Mr. COLLINS of Georgia, Mr. SAM JOHNSON of Texas, Mr. STEWART, Mr. HILL, Mr. BUCSHON, Mr. EMMER, Mr. YODER, Mr. SCALISE, Mr. WILSON of South Carolina, Mr. BABIN, Mr. LAMBORN, Mr. PALAZZO, Mr. WITTMAN, and Mr. AMASH.

H.R. 37: Mr. ROKITA, Mr. CRAMER, Mr. COLLINS of Georgia, Mr. RODNEY DAVIS of Illinois, Mr. SAM JOHNSON of Texas, Mr. STEWART, Mr. EMMER, Mr. YODER, Mr. SHIMKUS,

Mr. WILSON of South Carolina, Mr. BABIN, Mr. CARTER of Georgia, Mr. LAMBORN, Mr. BRIDENSTINE, Mr. WITTMAN, and Mr. PALAZZO.

H.R. 38: Mr. BISHOP of Michigan, Mr. WALBERG, Mr. COLLINS of New York, Mr. BARLETTA, Mr. DENHAM, Mr. WITTMAN, and Mr. BYRNE.

H.R. 60: Mr. KING of New York, Mrs. TORRES, Mr. STEWART, and Mr. THOMAS J. ROONEY of Florida.

H.R. 80: Mr. AUSTIN SCOTT of Georgia, Mr. STEWART, Ms. CHENEY, Mr. LAMALFA, Mr. CHABOT, Mr. DESJARLAIS, Mr. LANCE, Mr. CRAMER, and Mr. FARENTHOLD.

H.R. 82: Mr. GOHMERT, Mr. YOHO, Mr. ABRAHAM, Mrs. NOEM, Mr. CUELLAR, Mr. BROOKS of Alabama, Mr. CALVERT, Mr. GAETZ, Mr. GROTHMAN, Ms. CHENEY, Mr. BARR, Mr. HUNTER, and Mr. GARRETT.

H.R. 113: Mr. TONKO, Ms. TSONGAS, and Ms. BROWNLEY of California.

H.R. 115: Mr. GAETZ.

H.R. 116: Mr. WITTMAN.

H.R. 147: Mr. ROKITA, Mr. CRAMER, Mr. COLLINS of Georgia, Mr. SAM JOHNSON of Texas, Mr. STEWART, Mr. EMMER, Mr. YODER, Mr. WILSON of South Carolina, Mr. BABIN, Mr. LAMBORN, Mr. BRIDENSTINE, and Mr. PALAZZO.

H.R. 161: Mr. BISHOP of Georgia.

H.R. 173: Ms. CLARK of Massachusetts, Mrs. DINGELL, Mr. ELLISON, Mr. LARSON of Connecticut, Mr. SERRANO, Ms. PINGREE, Mr. BARLETTA, and Mr. EMMER.

H.R. 198: Ms. BEUTLER, Mr. CALVERT, Mr. PEARCE, Mr. RATCLIFFE, Mr. HILL, Mr. BILIRAKIS, Mr. COLLINS of Georgia, Mr. GARRETT, Mr. CARTER of Texas, Mr. KNIGHT, Mr. WITTMAN, Mr. JOHNSON of Louisiana, and Mr. JORDAN.

H.R. 244: Ms. ESTY.

H.R. 246: Mr. LUETKEMEYER, Mr. CURBELO of Florida, Mr. GRAVES of Missouri, Mr. BLUM, Mrs. COMSTOCK, and Mr. WITTMAN.

H.R. 257: Mr. JOHNSON of Ohio.

H.R. 299: Mrs. DAVIS of California, Mr. LOWENTHAL, Ms. GABBARD, Mr. JENKINS of West Virginia, Mr. VELA, Mr. GONZALEZ of

Texas, Mr. COLE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LANCE, Mr. TONKO, Mr. HILL, Mr. CALVERT, Mr. MCKINLEY, Mr. GENE GREEN of Texas, Mr. CONNOLLY, Mr. ROHR-ABACHER, Mr. MCGOVERN, Ms. BONAMICI, Mr. POCAN, Mr. SCOTT of Virginia, Mr. LARSON of Connecticut, Mr. OLSON, Mr. DUFFY, Mr. COSTA, Mr. KIND, Mr. MACARTHUR, Ms. MENG, Mr. BISHOP of Utah, Mr. SIRES, Mr. PERLMUTTER, Ms. JUDY CHU of California, Ms. SÁNCHEZ, Mr. GRIFFITH, Mr. BISHOP of Georgia, Ms. ESTY, and Mr. SWALWELL of California.

H.R. 333: Ms. BROWNLEY of California, Ms. JACKSON LEE, Mr. JONES, Ms. SHEA-PORTER, Mr. SOTO, and Mr. PETERS.

H.R. 350: Mr. JOHNSON of Ohio, Mr. KING of Iowa, Mr. BISHOP of Michigan, and Mr. MACARTHUR.

H.R. 355: Mr. GRIFFITH, Mr. GOWDY, Mr. DUNCAN of South Carolina, and Mrs. WALORSKI.

H.R. 358: Mr. BURGESS and Mr. WITTMAN.

H.R. 360: Mrs. NAPOLITANO, Ms. NORTON, Ms. TSONGAS, Mr. CLAY, and Mr. SOTO.

H.R. 367: Mr. CRAWFORD, Mr. WILLIAMS, Mr. WALBERG, Mr. MARCHANT, Mrs. WALORSKI, Mr. HILL, and Mr. WITTMAN.

H.R. 369: Mr. KNIGHT.

H.R. 371: Ms. LOFGREN, Ms. JAYAPAL, Mr. SIRES, Mrs. DAVIS of California, Mr. KIHUEN, Mr. SWALWELL of California, Ms. ESTY, Mr. SCHNEIDER, and Mrs. LOWEY.

H.R. 377: Mr. ZELDIN and Mr. JOYCE of Ohio.

H.R. 390: Mr. GOWDY.

H.R. 406: Mr. MOULTON, Mrs. RADEWAGEN, and Mr. RYAN of Ohio.

H.R. 411: Ms. GABBARD, Ms. BORDALLO, Mr. MCGOVERN, Mr. MARSHALL, Mr. SENSENBRENNER, Mr. WELCH, Mr. GARAMENDI, and Mr. SWALWELL of California.

H.R. 432: Mr. DEFAZIO and Mr. GRIJALVA.

H.R. 437: Mr. KING of New York.

H.R. 439: Miss RICE of New York.

H.R. 441: Mr. CRAMER.

H.R. 442: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. PAULSEN.

H.R. 459: Mr. LUETKEMEYER.

H.R. 471: Mr. LARSON of Connecticut.

H.R. 475: Mr. NEWHOUSE.

H.R. 499: Mr. BIGGS.

H.R. 502: Mr. REICHERT, Mr. COSTELLO of Pennsylvania, Mr. LOBIONDO, Ms. TSONGAS, Mr. HUFFMAN, Mr. THOMPSON of California, Ms. STEFANIK, and Mr. LOWENTHAL.

H.R. 505: Mr. FITZPATRICK.

H.R. 512: Mrs. TORRES, Ms. HANABUSA, Ms. STEFANIK, and Mr. COFFMAN.

H.J. Res. 11: Mr. FLORES.

H.J. Res. 26: Ms. CLARK of Massachusetts, Mr. WELCH, Mr. DESAULNIER, and Mr. GRIJALVA.

H.J. Res. 27: Mr. RUSSELL, Mr. MEADOWS, Mr. KELLY of Mississippi, Mr. LAMBORN, Mr. ADERHOLT, and Mr. ROUZER.

H. Con. Res. 5: Mr. CICILLINE.

H. Res. 20: Ms. BORDALLO.

H. Res. 23: Mr. SWALWELL of California and Ms. MOORE.

H. Res. 28: Mr. CICILLINE, Mr. RUPPERSBERGER, Mr. GARAMENDI, Mr. KILDEE, Mr. SERRANO, Ms. BROWNLEY of California, Mr. AGUILAR, Ms. DELBENE, Mr. POCAN, Ms. NORTON, Ms. SÁNCHEZ, Ms. JACKSON LEE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARTWRIGHT, Mr. RODNEY DAVIS of Illinois, Mr. DEFAZIO, Mr. DEUTCH, Mr. FASO, Ms. VELÁZQUEZ, Ms. TITUS, Mr. WALZ, Mr. MCNERNEY, Mrs. LAWRENCE, Mr. SEAN PATRICK MALONEY of New York, Mr. BRADY of Pennsylvania, Mr. KELLY of Pennsylvania, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SWALWELL of California, Mr. RUSH, Mr. GONZALEZ of Texas, Mr. LOBIONDO, Mr. CROWLEY, Mr. VELA, Mr. MCKINLEY, Ms. PINGREE, Mr. JENKINS of West Virginia, Ms. MCCOLLUM, Mr. RICHMOND, Mr. CONNOLLY, Mrs. BUSTOS, Mr. BLUMENAUER, Mr. GRIFFITH, Mr. JOHNSON of Ohio, Mr. SIRES, Ms. JUDY CHU of California, Mr. JEFFRIES, Mrs. WATSON COLEMAN, Mr. PERLMUTTER, Ms. BASS, Ms. CASTOR of Florida, Mr. QUIGLEY, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. BEUTLER, Mr. WELCH, and Ms. DEGETTE.

EXTENSIONS OF REMARKS

TRIBUTE TO PENNSYLVANIA
STATE TROOPER LANDON E.
WEAVER

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. SHUSTER. Mr. Speaker, we started this week with National Law Enforcement Appreciation Day. I appreciate every colleague of mine who came to praise our men and women who keep us safe in the most perilous of times. The greatest souls of this nation run towards the danger, never thinking of themselves, but always ensuring those around them are safe. These men and women are our protectors, our guards, our stalwarts. And I rise today to pay tribute to one of the greatest in our nation, who was senselessly and tragically taken from us too soon.

Landon Eugene Weaver was a proud son of Pennsylvania. He was born in Altoona, and graduated from Central High School in Martinsburg. He attended the Indiana University of Pennsylvania until he was accepted into the Pennsylvania State Police Academy in Hershey, achieving his life-long dream to become a State Trooper. On June 4th last year, he married his high school sweetheart Macy at Zion Lutheran Church in Williamsburg. Thirteen days later, Trooper Weaver graduated from the State Police Academy and was assigned to Troop G of the Pennsylvania State Police, Huntingdon Barracks where he proudly swore his life to protecting and defending our commonwealth. Like most of us, Landon and his wife had big plans for the New Year and their life ahead. They were going to buy a house and start a family together. Landon was going to continue doing the only job he has ever wanted to do—protect his community as a Pennsylvania State Trooper.

Mr. Speaker, Trooper Weaver's short watch came to an end on December 30, 2016, just 49 days after his 23rd birthday. Trooper Weaver was responding to a domestic incident in Juniata Township, Huntingdon County, when he was shot and killed. He died doing what he did every day, trying to make life for others a little bit better and a little bit safer than the day before.

Last Thursday, January 5th, was Landon's funeral. It was here, Mr. Speaker, where the true magnitude of our community's loss could be felt the most. His wife Macy, now a young widow, was forced to say farewell to her best friend and husband. Landon's parents had to do the hardest thing a parent ever has to do: put their son to rest. More than 1,000 law enforcement officers from around the nation, representing virtually every state, attended Trooper Weaver's funeral to say goodbye to their brother. Police uniforms of every color and squad cars of every design followed Trooper Weaver, lights flashing, to escort him to his final resting place in Martinsburg.

Trooper Weaver lived up to the call of honor of the Pennsylvania State Police, which states:

I am a Pennsylvania State Trooper, a soldier of the law. To me is entrusted the honor of the force. I must serve honestly, faithfully, and if need be, lay down my life as others have done before me, rather than swerve from the path of duty. It is my duty to obey the law and to enforce it without any consideration of class, color, creed or condition. It is also my duty to be of service to anyone who may be in danger or distress, and at all times so conduct myself that the honor of the force may be upheld.

My prayers are with Trooper Weaver's family, and the entire region that is struggling to make sense of this loss. Rest easy, Trooper, and may God bless every man and woman in the law enforcement community.

RECOGNIZING THE 95TH BIRTHDAY
OF CLARENCE "BUD" ANDERSON

HON. DOUG LaMALFA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. LAMALFA. Mr. Speaker, I rise today to recognize the 95th birthday of Clarence "Bud" Anderson. A Colonel in the United States Air Force, Bud is a veteran of both the Vietnam War and World War II, where he achieved the status of "triple ace" after shooting down a total of 16¼ enemy planes and was awarded the Congressional Gold Medal, the highest honor bestowed by Congress.

Born in Oakland, California, Bud grew up on a farm near Newcastle, California and joined the United States Army as an aviation cadet in 1942, where he soon received his commission as second lieutenant in the United States Air Force. In the Second World War, Bud flew with the 363rd Fighter Squadron of the 357th Fighter Group and tallied 116 missions in his P-51D Mustang, nicknamed Old Crow.

In 1944 and at the young age of 22, Bud had already reached the rank of Major before returning home to the United States in 1945. He then became a fighter test pilot before serving as a Wing Commander on another tour of duty in Vietnam. Bud retired as a Colonel in 1972 and has been decorated 25 times for his service in the United States Air Force. In 2008, Bud Anderson was inducted into the National Aviation Hall of Fame.

I've been proud to call Bud a friend of mine for several years. He is a true patriot and someone who is more than deserving of the accolades he has received throughout his life and career. Our nation would be grateful to have more Americans like Bud Anderson.

RECOGNIZING THE CENTENNIAL
OF THE LIONS CLUB INTER-
NATIONAL

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. BABIN. Mr. Speaker, I rise today to recognize the Centennial Year of the Lions Club International.

Founded by Melvin Jones in June, 1917, the Lions Club was established as a place where men of, "drive, intelligence and ambition," could come together and, "put their talents to work improving their communities." It was Jones' vision that the Lions Club become the global leader in community and humanitarian service.

Indeed, 100 years later the Lions Club has become an international movement with 1.4 million men and women across nearly 200 countries—including my hometown of Woodville, Texas. Across the globe, the Lions Club is empowering volunteers to serve their communities, meet humanitarian needs, encourage peace and promote international understanding. As a Lions Club member myself, I share this commitment to serving others.

My own club, in Woodville Texas is part of Lions Club District 2-S1, and the 36th Congressional District that I represent is encompassed by both Lions Club Districts 2-S1 and 2-S2. Members within these districts are paragons of servant leadership, and have mobilized to support countless worthy causes across Texas—including natural disaster recovery, vision screenings and diabetes awareness. I want to take the time to personally thank each Lions Club within these two districts, and commend the dedication and servant leadership that each Lion gives to their community.

District 2-S1: Alto Lions Club, Angelina County Ladies Lions Club, Beaumont Breakfast Lions Club, Beaumont Founders, Beaumont South/Forest Park Lions Club, Beckville Lions Club, Bridge City Lions Club, Buna Lions Club, Burkeville—Toledo Bend Lions Club, Carthage Noon Lions Club, Center Noon Lions Club, Chester Lions Club, Corrigan Lions Club, Cushing Lions Club, Diboll Lions Club, Dick Dowling Lions Club, Garrison Lions Club, Groveton Lions Club, Hampshire Fannett Lions Club, Hemphill Lions Club, Jacksonville Lions Club, Jasper Evening Lions Club, Jasper Lions Club, Kirbyville Lions Club, Lamar University, Little Cypress Lions Club, Livingston Lions Club, Lufkin Evening Lions Club, Lufkin Host Lions Club, Lumberton Lions Club, Metro Lions Club, Nacogdoches Breakfast Lions Club, Nacogdoches Ladies Lions Club, Nederland Professional Lions Club, New Summerfield Lions Club, Newton Lions Club, Onalaska Greater Lions Club, Orange Lions Club, Orange Noon Lions Club, Panola County Lions Club, Port Arthur Founders, Port

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Neches Lions Club, Rusk Lions Club, San Augustine Lions Club, Shelbyville Lions Club, Silsbee Lions Club, Sour Lake Lions Club, South County Breakfast Lions Club, Spurger Lions Club, Trinity Lions Club, Vidor Lions Club, Winnie Stowell Lions Club, Woodville Lions Club.

District 2—S2: Alief Lions Clubs, Anahuac Lions Clubs, Barbers Hill Lions Clubs, Baytown Lions Clubs, Brookshire/Pattison Lions Clubs, Cleveland Lions Clubs, Conroe Noon Lions Clubs, Crosby Lions Clubs, Cut and Shoot Family Lions Clubs, Dayton Noon Lions Clubs, Deer Park Lions Clubs, Hardin Lions Clubs, Hempstead Lions Clubs, Houston Aldine & Spring Area Lions Clubs, Houston City-Fair Lions Clubs, Houston Founder Lions Clubs, Houston Fil-Am Lions Clubs, Houston Greenspoint Lions Clubs, Houston Heights Lions Clubs, Houston Hobby Airport Lions Clubs, Houston Lady Lions Clubs, Houston Memorial Lions Clubs, Houston Midwest Lions Clubs, Houston Millennium Lions Clubs, Houston Northwest Lions Clubs, Houston Royal Oks Lions Clubs, Houston Southwest Lions Clubs, Houston Space City Lions Clubs, Houston Sports Lions Clubs, Houston Spring Branch Lions Clubs, Houston Westbury Lions Clubs, Huffman Lions Clubs, Humble Lions Clubs, Humble Noon Lions Clubs, Huntsville Lions Clubs, Katy Lions Clubs, Kingwood Lions Clubs, Klein Lions Clubs, La Porte Lions Clubs, Liberty Lions Clubs, Magnolia Lions Clubs, Montgomery Lions Clubs, Panorama Lions Clubs, Pasadena Lions Clubs, Prairie View A&M University Lions Clubs, Sam Houston State University Lions Clubs, South Montgomery County Lions Clubs, The Woodlands Lions Clubs, Tomball Lions Clubs, Twin City Lions Clubs, Walker County Lions Clubs, Waller Lions Clubs.

On behalf of the 36th Congressional District of Texas, I commend the Lions for their 100 years of service to our communities across East Texas, to our nation and to those in need across the world.

REVEREND PAUL MARTIN
KWIATKOWSKI

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. KAPTUR. Mr. Speaker, I rise today in memory of Reverend Paul Kwiatkowski, who passed away in early December.

Rev. Kwiatkowski was known throughout Northwest Ohio for his intellect, humor, knowledge, and empathy. Ordained a priest at St. Peter's Basilica in Rome in 1964, Father Kwiatkowski has dedicated his entire life to serving the people in parishes at Our Lady of Lourdes, Holy Spirit Seminary, St. James, Immaculate Conception, and St. Hedwig in Toledo, as well as St. Mary Parish in Bluffton and St. Joseph Parish in Maumee. St. Hedwig is notable as Father Kwiatkowski's great-grandfather was one of the original bricklayers of the church in 1891. He was incredibly dedicated to the parishes and the communities he served, a truth highlighted in Rev. Kwiatkowski's presence as a violinist with the Perrysburg Symphony for 45 years.

As many parents do, Rev. Kwiatkowski's parents, Ted and Evelyn, knew he was musically inclined from a young age. Few parents experience the joy of knowing their child is also inclined to serve others. When neighborhood children gathered to play, Rev. Kwiatkowski often pretended to be their priest. His dream was realized when he enrolled in seminary studies at St. Meinrad Seminary in Indiana and the Pontifical North American College in Rome.

His devotion to people and his community led him to accept a teaching position at his alma mater, Central Catholic High School, after his retirement. Father Kwiatkowski's parishioners, students, family and friends, were buoyed by the joy and fellowship he brought into their lives each and every day. For many who knew him, the first words to describe the Reverend would be "fun" and "compassionate." A man with a bright, infectious spirit, Father Kwiatkowski will be dearly missed. He was an institution unto himself in Northwest Ohio, and will long be remembered as such.

In every parish community he served, Father Paul left a neighborhood and his church property in an improved condition. Buildings were restored, streets paved, festivals established, church celebrations enhanced. He was gifted and kind.

As a fellow Polish-American, I will remember his participation every Memorial Day at the Veterans' Mass at Mt. Carmel Cemetery in Toledo. He arranged for an organ to be brought on site, he played the violin as his vestments blew in the soft spring breeze, he distributed communion to the gathered worshippers who were dressed so royally for the solemn occasion. Fr. Paul made each occasion beautiful and worthy of the people he served. He was an extraordinary diocese priest who cared and shepherded his flock with great love.

JAMES "BIMBO" BREWER

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the loss of a Northeast Georgian whose voice has touched tens of thousands in the Ninth District.

To the Hall County community James "Bimbo" Brewer was known as a cheerful radio personality. For many years, his personality and storytelling brought happiness and entertainment to not only those who tuned in to his show, but also to those who were close to him.

"Bimbo" was a dedicated servant to the people of Gainesville. He volunteered as deacon at his church and later joined the Hall County Sheriff's Office, where he worked as an advocate for crime victims and their families.

In that role, Bimbo walked with many Hall County citizens through the trials and heartbreak that fall on the victims of violent crimes. Reverend Bill Couch of the First Baptist Church of Gainesville said it best when he described "Bimbo" as someone who "no matter how traumatic the scene . . . was strong and dependable."

The Ninth District of Georgia will always remember this encouraging, steadfast member of our community. Mr. Speaker, I ask that we all keep his loved ones in our thoughts and prayers in the coming days, as we reflect on Bimbo's many contributions to our corner of Georgia.

CONGRATULATIONS TO DR. DAVID
SHULKIN

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. WILSON of South Carolina. Mr. Speaker, on January 11th, President-elect Donald Trump nominated Dr. David Shulkin to serve as the Secretary of the Department of Veterans Affairs.

Dr. Shulkin has served as the undersecretary of the Department of Veterans Affairs for Health since June 2015. Having seen the inner-workings of the Department of Veterans Affairs, he is an excellent candidate to reform the department and serve the needs of our veterans.

President-elect Donald Trump said that he has "no doubt Dr. Shulkin will be able to lead the turnaround our Department of Veterans Affairs needs. His sole mandate will be to serve our veterans and restore the level of care we owe to our brave men and women in the military. Dr. Shulkin has the experience and the vision to ensure we will meet the healthcare needs of every veteran."

I am confident in the appointment of Dr. David Shulkin and I look forward to working with him in this new role. He will continue the promotion of positive reforms by former House Veterans Affairs Chairman Jeff Miller of Florida.

In conclusion, God Bless our Troops and may the President by his actions never forget September 11th in the Global War on Terrorism.

SUPPORT FOR ACA—THE STORY
OF ONE ALABAMIAN

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. SEWELL of Alabama. Mr. Speaker, More than 20 million Americans woke up today with the security of health coverage they didn't have 8 years ago. Of the Americans who stand to lose their health insurance under the GOP repeal plan, 82 percent are from working families, including 150,000 enrollees in my State of Alabama.

Despite facts, Republicans have done a remarkable job convincing the American people, even those who are on the exchanges, that the ACA only benefits people who don't work. They perpetuate the tired fallacy that ACA, Medicaid, and even Medicare recipients are living off the government without contributing to our economy.

Mr. Speaker, this brings me to a story about Hank Adcock. Hank is a life-long farmer who

has been working on his family farm in Alabama for the majority of his 62 years. Back in 2015, his hands got stuck in a hay baler and he lost his right hand. Before the ACA, Hank's family hadn't had health coverage since the 1980s. His ACA policy ended up covering his entire hospital bill, which he says could have cost him his farm if he hadn't had insurance. If the farming work that Hank, his wife, Sharon, and their children have committed their lives to isn't enough to qualify as "hard work" to my Republican friends, then I suggest we let Hank and Sharon come up here to Washington while we all go down to North Alabama to trade jobs for a few days.

The ACA is far from perfect. This is why I have worked across the aisle to try to make meaningful changes to the ACA that don't compromise the law's benefits. But after 7 years of engaging in a fact-free, taxpayer-funded crusade against the ACA, the GOP should have a stellar replacement plan that we can all agree on.

Every member in this body has constituents who have insurance because of the ACA. While I understand that the law is unpopular in many districts across the country, political expediency has no place in this hallowed body, especially when the economy and American lives are at stake.

The American people deserve a Congress that will work together to fix what's wrong with the ACA and build upon what's working. We need to work towards increased access, market stabilization and cost reduction. I stand ready to work with my colleagues to achieve these goals and protect the millions of Americans who like Hank were at one time just one medical emergency away from financial ruin.

PERSONAL EXPLANATION

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. FRANKEL of Florida. Mr. Speaker, on roll call votes 46, 47, 48, 49, 50, 51, 52, 53, and 54, I was not present because of an urgent family matter. Had I been present, I would have voted: on Roll Call Vote 46: AYE, on Roll Call Vote 47: AYE, on Roll Call Vote 48: AYE, on Roll Call Vote 49: AYE, on Roll Call Vote 50: AYE, on Roll Call Vote 51: NAY, on Roll Call Vote 52: NAY, on Roll Call Vote 53: AYE, on Roll Call Vote 54: NAY.

PERSONAL EXPLANATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. HUFFMAN. Mr. Speaker, on January 12, 2017, I erroneously voted "yes" on roll call vote 52, an amendment to H.R. 238 offered by Mr. Conaway of Texas. I intended to vote "no" on the amendment.

HONORING RUFUS SAMES FOR HIS
TIRELESS WORK TO BETTER THE
LIVES OF MAINERS

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. PINGREE. Mr. Speaker, I would like to recognize a tireless advocate in my state who is retiring after nearly two decades of working to improve the lives of his fellow Mainers.

In 1997, Rufus Sames began his 19-year career with the Maine Department of Labor, starting as a Claims Taker and ending as a Labor Program Specialist. Through it all, he has lifted the burdens of claimants, employers, and advocates with prompt help, good information, and a deep understanding of the stresses individuals and families face navigating the maze of benefits following job loss and transition.

For years, whenever my staff has had a question about unemployment benefits in my state, Rufus was there to respond, often with a message sent in the wee hours of the morning when he arrived at his desk at the crack of dawn. He has been tireless, good-hearted, efficient, and effective, and will be missed immeasurably.

Public servants like Rufus are unsung heroes. He has touched many lives with his can-do spirit and deep commitment to serving the people of Maine.

I wish him all the best in his retirement and thank him wholeheartedly.

TRIBUTE TO THREE POWER
LINEMEN VOLUNTEERS

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. PETERSON. Mr. Speaker, I rise today to recognize three of my constituents, Mr. Anthony Spaeth, Mr. Lucas Bakken, and Mr. Troy Seter, who volunteered three weeks of their time to build and upgrade power lines in Haiti. They work for Lake Region Electric Cooperative in Pelican Rapids, MN.

These men decided to put their skills to work as power linemen in an area that desperately needs help. They were selected and sent to Haiti by the National Rural Electric Cooperative Association (NRECA) International, a non-profit development corporation which helps build energy distribution infrastructure in regions of need.

Mr. Spaeth, Mr. Bakken, and Mr. Seter worked side-by-side with NRECA International on the U.S. Agency for International Development-funded Pilot Project for Sustainable Electricity Distribution in Haiti. This project is commercializing power from the Caracol Industrial Park generation station that is currently serving more than 10,000 Haitians in Caracol, a community in northern Haiti. These volunteers provided their expertise to NRECA International to eventually connect 20,000 Haitians in the local area with electricity.

Only thirteen percent of Haitians currently have access to electricity. This alarming sta-

tistic provided an opportunity for these three men to impact the lives of thousands of Haitians who depend on reliable electricity for health care services, education, and economic expansion. Today, I urge lawmakers to join me in commending Mr. Anthony Spaeth, Mr. Lucas Bakken, and Mr. Troy Seter for their service.

RECOGNIZING SIGNIFICANCE OF
MARTIN LUTHER KING, JR. DAY

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mrs. BEATTY. Mr. Speaker, on Monday, January 16, 2017, our nation will signify the tremendous life and legacy of Dr. Martin Luther King, Jr. Each year, on the third Monday in January, we remember and celebrate a man who led a non-violent movement that urged our country to become more fair and more just and provide equal opportunity for all.

As our nation honors the life of Dr. King, I call to mind his statement, "Life's most persistent and urgent question is: what are you doing for others?"

This year, on what would have been his eighty-eighth birthday, countless people in my home state of Ohio are answering his call to serve by advocating for civil rights and greater access and equal opportunity at the ballot box, inspiring the next generation of community and national leaders, helping the sick, elderly, and poor and many more profound acts of service.

Like Dr. King, they understand the power and impact of service—not just on our community and State, but on our entire country and across the world. We all need to be more and do more for others and to promote unity and peace. This is of what Dr. King dreamed.

Because this day isn't meant to be a "day off," it is meant to be a "day on": a day on of service.

In that spirit, as we celebrate the thirty-first MLK Day of Service, I challenge all Americans to make a difference in their community.

Indeed, that is how we can best honor Dr. King's legacy and how we make his dream—where we are not judged by the color of our skin, but by the content of our character—a reality for all people.

Happy Birthday Dr. King. He should be pleased his legacy endures.

HONORING THE 50TH ANNIVERSARY OF THE
BLACK PANTHER PARTY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. LEE. Mr. Speaker, I rise today to honor the 50th anniversary of the founding of the Black Panther Party.

Originally called The Black Panther Party for Self Defense, the Party was founded in 1966 by Huey Newton and Bobby Seale in response to the wide-spread poverty, lack of

economic and educational opportunities, and police oppression experienced by the African American community in Oakland, California.

Promoting the idea of "All Power to the People", and unwilling to wait for the political and social leaders of the time to address the needs of the African American community, the Panthers took action themselves to force change and bring about liberation from all forms of human exploitation and oppression.

The most immediate need that the Party addressed was the rampant abuse of power by the police, and they soon began undertaking patrols and holding rallies to highlight incidents of police brutality throughout the East Bay. The images of armed Panthers storming the State House in Sacramento in 1967 in opposition to the Mulford Act brought national attention to these efforts, and highlighted the dire circumstances that many African Americans experienced on a daily basis.

Beyond self-defense, the Panthers undertook a wide assortment of social programs to help improve the quality of life for inner-city blacks, organized around the Party's Ten-Point Program. The Panthers started a free breakfast program for children, medical clinics, drug and alcohol rehab programs, free groceries and clothing giveaways, legal aid, education and a housing cooperative, among other initiatives.

As the Panthers numbers and influence grew nationwide, federal authorities saw their work as a threat to national security and undertook operations to monitor, obstruct, and undermine the party's activities. FBI Director Hoover even called the Party the "greatest threat to the internal security of the country" in 1968, and directed the covert "COINTELPRO" to neutralize the Party and its members.

Despite this opposition by the authorities, throughout the 1960's and 1970's the Panthers became a national force for social change, empowering a new generation of African Americans to seize political power, partnering with other disenfranchised communities around the country, and demonstrating that the legacy of slavery and racial oppression still prevented so many from experiencing the promise of prosperity and equality that is the foundation of the American dream.

I must also personally thank former Party Chairwoman Elaine Brown for her bold leadership, for being a strong role model for African American women, and for her friendship. Since 1971 I have witnessed her ability to face challenges with "righteous indignation" and a deep love for all people who lack power in our country. I was proud to work on her trail-blazing campaign for Oakland City Council, and learned from her the importance of focusing on issues that have the ability to improve people's daily lives. For that I am deeply grateful.

As we see so apparently every time another young African American is shot by police, the work of the Panthers is far from done. On behalf of California's 13th Congressional District, where the Panthers first came together and where their efforts were headquartered, I extend my sincerest congratulations to the Black Panther Party on the occasion of its 50th anniversary. Thank you to all who continue the work to combat racial oppression, and work for a world of true justice, peace, and equality.

RECOGNIZING MILTON VFW POST
483, JOHN O. CONNOR POST

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. GAETZ. Mr. Speaker, I rise to recognize the Milton VFW Post 4833, John O. Connor Post, in Northwest Florida. This month the Post will be celebrating their 50th Anniversary.

For five decades, this Post has been committed to serving our Nation's veterans. In the past year alone, they have made seventeen visits to area hospitals in support of ill or injured veterans, conducted funeral services for two combat veterans, and sponsored two handicap ramps for veterans.

The Post's commendable care for their community is exemplified by some of their service acts including conducting a cleanup and beautification of Strickland Cemetery, prompting other local organizations to follow suit, and placing more than three hundred flags and wreaths on gravesites of local veterans.

The members of Post 4833 have proven their enthusiasm for engaging the youth in our communities by participating in and funding a local Eagle Scout project, overseeing local submissions to the VFW's Voice of Democracy scholarship program, and by briefing the local Boy Scout pack on proper handling of the American flag.

Additionally, Post 4833 has demonstrated impeccable generosity by organizing three major fundraisers in support of veterans in need, sponsored facilities that house the offices for Disabled American Veterans serving in the Pace and Milton area, provided funding to the Veteran's Dive Locker program, assisted two families by providing grant money for temporary lodging, and donated one thousand two hundred dollars for transportation services of disabled veterans. This year the Post has provided an impressive amount of donations, grants, and assistance; including over eight thousand dollars to Veterans' Programs, three thousand dollars to college grant foundations, and one thousand dollars to summer student leadership courses.

I would like to personally thank all of the members of Milton Post 4833 and specifically recognize the Post's Officers: Post Commander Mike Messer, Senior Vice Commander Bill Ross, Treasurer Chris Williams, and Chaplain Florencio "Cho" Ramirez. Under the officers' leadership, the Post has accomplished increased involvement with community programs and has demonstrated a laudable degree of service for veterans.

On behalf of the United States Congress, I am honored to recognize VFW Post 4833 for their long history of unwavering service to veterans and their community, and sincerely congratulate them on celebrating their 50th Anniversary.

COMMEMORATING 31ST ANNIVERSARY OF REV. DR. MARTIN LUTHER KING, JR. HOLIDAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. JACKSON LEE. Mr. Speaker, this Monday, January 16, the nation observes for the 31st time the Martin Luther King, Jr. Holiday.

Each year this day is set aside for Americans to celebrate the life and legacy of a man who brought hope and healing to America.

The Martin Luther King Holiday reminds us that nothing is impossible when we are guided by the better angels of our nature.

Dr. King's inspiring words filled a great void in our nation, and answered our collective longing to become a country that truly lived by its noblest principles.

Yet, Dr. King knew that it was not enough just to talk the talk, that he had to walk the walk for his words to be credible.

And so we commemorate on this holiday the man of action, who put his life on the line for freedom and justice every day.

We honor the courage of a man who endured harassment, threats and beatings, and even bombings.

We commemorate the man who went to jail 29 times to achieve freedom for others, and who knew he would pay the ultimate price for his leadership, but kept on marching and protesting and organizing anyway.

Dr. King once said that we all have to decide whether we "will walk in the light of creative altruism or the darkness of destructive selfishness."

"Life's most persistent and nagging question," he said, is "what are you doing for others?"

And when Dr. King talked about the end of his mortal life in one of his last sermons, on February 4, 1968 in the pulpit of Ebenezer Baptist Church, even then he lifted up the value of service as the hallmark of a full life:

I'd like somebody to mention on that day Martin Luther King, Jr. tried to give his life serving others," he said. "I want you to say on that day, that I did try in my life . . . to love and serve humanity."

We should also remember that the Rev. Dr. Martin Luther King, Jr. was, above all, a person who was always willing to speak truth to power.

There is perhaps no better example of Dr. King's moral integrity and consistency than his criticism of the Vietnam War being waged by the Johnson Administration, an administration that was otherwise a friend and champion of civil and human rights.

Martin Luther King, Jr. was born in Atlanta, Georgia on January 15, 1929.

Martin's youth was spent in our country's Deep South, then run by Jim Crow and the Ku Klux Klan.

For young African-Americans, it was an environment even more dangerous than the one they face today.

A young Martin managed to find a dream, one that he pieced together from his readings—in the Bible, and literature, and just about any other book he could get his hands on.

And not only did those books help him educate himself, but they also allowed him to work through the destructive and traumatic experiences of blatant discrimination, and the discriminatory abuse inflicted on himself, his family, and his people.

The Rev. Dr. Martin Luther King, Jr. that we celebrate here today could have turned out to be just another African-American who would have had to learn to be happy with what he had, and what he was allowed.

But he learned to use his imagination and his dreams to see right through those "White Only" signs—to see the reality that all men, and women, regardless of their place of origin, their gender, or their creed, are created equal.

Through his studies, Dr. King learned that training his mind and broadening his intellect effectively shielded him from the demoralizing effects of segregation and discrimination.

Dr. Martin Luther King was a dreamer.

His dreams were a tool through which he was able to lift his mind beyond the reality of his segregated society, and into a realm where it was possible that white and black, red and brown, and all others live and work alongside each other and prosper.

But Martin Luther King, Jr. was not an idle daydreamer.

He shared his visions through speeches that motivated others to join in his nonviolent effort to lift themselves from poverty and isolation by creating a new America where equal justice and institutions were facts of life.

In the Declaration of Independence in 1776, Thomas Jefferson wrote, "We hold these truths to be self evident, that all Men are Created Equal."

At that time and for centuries to come, African-Americans were historically, culturally, and legally excluded from inclusion in that declaration.

Reverend Dr. Martin Luther King's "I Have a Dream" Speech, delivered 53 years ago, on August 28, 1963, was a clarion call to each citizen of this great nation that we still hear today.

His request was simply and eloquently conveyed—he asked America to allow of its citizens to live out the words written in its Declaration of Independence and to have a place in this nation's Bill of Rights.

The 1960s were a time of great crisis and conflict.

The dreams of the people of this country were filled with troubling images that arose like lava from the nightmares of violence and the crises they had to face, both domestically and internationally.

It was the decade of the Cuban Missile Crisis, the Vietnam War, and the assassinations of President John Fitzgerald Kennedy, Malcolm X, Presidential Candidate Robert Kennedy, and the man we honor here today.

Dr. Martin Luther King's dream helped us turn the corner on civil rights.

It started when Dr. King led the Montgomery Bus Boycott, with Rosa Parks and others, that lasted for 381 days, and ended when the United States Supreme Court outlawed racial segregation on all public transportation.

But the dream did not die there.

It continued with a peaceful march for suffrage that started in Selma, Alabama on March 7, 1965—a march that ended with vio-

lence at the hands of law enforcement officers as the marchers crossed the Edmund Pettus Bridge.

Dr. King used several nonviolent tactics to protest against Jim Crow Laws in the South and he organized and led demonstrations for desegregation, labor and voting rights.

On April 4, 1967, at Riverside Church in New York City, he spoke out against the Vietnam War, when he saw the devastation that his nation was causing abroad and the effect that it had on the American men and women sent overseas.

When the life of Dr. Martin Luther King was stolen from us, he was a very young 39 years old.

People remember that Dr. King died in Memphis, but few can remember why he was there.

On that fateful day in 1968 Dr. King came to Memphis to support a strike by the city's sanitation workers.

The garbage men there had recently formed a chapter of the American Federation of State, County and Municipal Employees to demand better wages and working conditions.

But the city refused to recognize their union, and when the 1,300 employees walked off their jobs the police broke up the rally with mace and billy clubs.

It was then that union leaders invited Dr. King to Memphis.

Despite the danger he might face entering such a volatile situation, it was an invitation he could not refuse.

Not because he longed for danger, but because the labor movement was intertwined with the civil rights movement for which he had given up so many years of his life.

The death of the Rev. Dr. Martin Luther King, Jr., will never overshadow his life.

That is his legacy as a dreamer and a man of action.

It is a legacy of hope, tempered with peace.

It is a legacy not quite yet fulfilled.

I hope that Dr. King's vision of equality under the law is never lost to us, who in the present, toil in times of unevenness in our equality.

For without that vision—without that dream—we can never continue to improve on the human condition.

For those who have already forgotten, or whose vision is already clouded with the fog of complacency, I would like to recite the immortal words of the Rev. Dr. Martin Luther King, Jr.:

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former shareholders will be able to sit down together at the table of brotherhood.

I have a dream that one day even the State of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin, but for the content of their character.

I have a dream today.

I have a dream that one day down in Alabama with its vicious racists, with its Governor having his lips dripping with words of interposition and nullification—one day right there in Alabama, little black boys and

black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough place will be made plain and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

Dr. King's dream did not stop at racial equality, his ultimate dream was one of human equality and dignity.

There is no doubt that Dr. King wished and worked for freedom and justice for every individual in America.

He was in midst of planning the 1968 Poor People's Campaign for Jobs and Justice when he struck down by the dark deed of an assassin on April 4, 1968.

It is for us, the living, to continue that fight today and forever, in the great spirit that inspired the Rev. Dr. Martin Luther King, Jr.

BERNADETTE J. WINHOVEN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. KAPTUR. Mr. Speaker, I rise today in memoriam of Bernadette "Bubbles" Winhoven.

Bernadette passed away fourteen years ago on December 9. Her family dearly remembers her as a bright spirit that left this world too soon, fondly recalling how she encouraged and inspired everyone who came into contact with her. Bernadette inspired me to seek to become a Congresswoman. Our friendship dated back to elementary school at Little Flower Parish. She was the young student who loved "twirly" skirts. Bernadette's life should serve as a template for all of us. She was an exemplary citizen who simply wanted to improve the lives of those around her. The sense of community she created for those who knew her has continued to thrive in the years since her passing, and is certain to continue into the future, sustained by the friends and family she knew and loved.

I am confident that Bernadette's family and friends were deeply cherished and that she gave them the very best in life. Her role in their lives will forever be exemplary, guiding their decisions, inspiring kindness and good humor in all situations. She will continue to always be there to help, advise and to give to everyone she has crossed paths with.

In remembering Bernadette, I am reminded of the words by St. John Chrysostom: "They whom we love and lost are no longer where they were before. They are now wherever we are." I know the family and friends of Bernadette feel her presence with them daily, and hope they find comfort in knowing she is with them during every milestone and small step in between. We offer her family our prayers and hope they continue to find comfort in their wonderful memories of "Bubbles."

TRIBUTE TO CYNDI MONROE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Corona in Riverside County, California are exceptional. On Thursday, January 19th, Cyndi Monroe will be honored as the Citizen of the Year by the Corona Chamber of Commerce.

Cyndi is the founder of Christian Arts and Theatre (CAT), a non-profit performing arts education program for children. For more than 17 years, thousands of children have participated in CAT's award-winning program. The CAT Ambassadors Program encourages young members of our community to share their incredible talents at community events, such as Chamber of Commerce gatherings, concerts in the park, and various holiday festivals.

In addition to giving back to the community through CAT, Cyndi is an active member and Past President of Soroptimist International of Corona. Cyndi is a tireless advocate for Corona and fostering partnerships that bring people together to better serve our community. As an author, playwright, and inspirational speaker, Cyndi has enriched the cultural opportunities for every Corona family.

In light of all that Cyndi has done for the community of Riverside County and the city of Corona, it is only fitting to honor her as Citizen of the Year. Cyndi has contributed immensely to the betterment of our region and I am proud to call her a fellow community member, American and a constituent of the 42nd Congressional District. I add my voice to the many who will be congratulating Cyndi Monroe on being named Citizen of the Year by the Corona Chamber of Commerce.

HONORING COACH BARBARA CAMPBELL

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mrs. BLACKBURN. Mr. Speaker, there are coaches that have the exceptional ability to cultivate greatness within an athlete, a team, and school. They can help an athlete live up to his or her potential and challenge them to exceed every goal and expectation set before them. Today, I rise to honor Coach Barbara Campbell who has exemplified these traits and led her team to another State Championship this past fall. She has made a tremendous impact during her tenure coaching the Brentwood High School volleyball team in Brentwood, Tennessee.

Barbara Campbell has been coaching at Brentwood High School since 1988. She has a record of over 1500 wins, twelve State Champions and seven state runner-ups. She has a reputation of creating well-rounded and hardworking athletes who have continued their

volleyball careers beyond high school. She pushes each player to not only be motivated in athletics, but academics as well and fosters character development with student success.

Brentwood High School is a powerful force in volleyball. These young athletes have made their mark in the world of high school athletics due to the talented persistence and drive of Coach Barbara Campbell. Now I ask my colleagues to join me in honoring Coach Campbell for the numerous successes and wins she has accomplished and for the investment she has made in the lives of our communities and young people.

HONORING THE SERVICE OF ANDY SIGMON

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. TURNER. Mr. Speaker, as Members of Congress, we know that the key to a successful congressional office is to recruit the best and brightest people to serve the people we represent. Today I want to recognize a valued staff member, Andy Sigmon, who is leaving my office after 6½ years of faithful service to me, and to my constituents in Southwest Ohio.

Andy graduated from the University of Tennessee in Knoxville, the city where he was born and raised. He moved to my congressional district to attend law school, and earned his law degree from the University of Dayton. He joined my office as an intern in 2010, and quickly moved up the career ladder to legislative assistant. For the past 16 months he has served as my legislative director.

Andy has had a direct role in the success of many of my top legislative priorities. In 2013, he helped gather bipartisan support among the Ohio congressional delegation, which enabled Central State University, one of our nation's oldest historically black institutions of higher education, to achieve land-grant status.

His input and knowledge has been indispensable to my work on the House Oversight and Government Reform Committee, particularly in my efforts to hold the Obama administration accountable for its decision to cut the pension and health benefits of the Delphi Salaried Retirees, following the government's bailout of General Motors. Andy has taken a heartfelt interest in seeking justice for the Delphi retirees in my district, and directed my efforts to restore the Health Coverage Tax Credit (HCTC), which thousands of Delphi Salaried Retirees have used to offset their increased healthcare costs.

Andy Sigmon's hard work, loyalty, and public service exemplify his home state's Volunteer spirit. He is one of the finest people you could ever work with, or call a friend. I will always be grateful for his work these past six years on behalf of the people of Ohio's Tenth Congressional District. I wish him all the best as he begins the next chapter in his career.

NATIONAL PHARMACIST DAY

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in recognition of National Pharmacist Day, which celebrates the work of pharmacists across America.

Pharmacists dedicate their lives to the health and wellbeing of their patients. They ensure their customers receive their medications properly and provide invaluable advice to those they serve.

In particular, I'd like to recognize the independent and community pharmacists in Northeast Georgia and across the United States, who play an essential role in the rural health ecosystem. In fact, pharmacists serve as the primary point of contact with the healthcare system for over 62 million Americans today.

Community pharmacists ensure that patients have access to affordable, lifesaving medications in rural areas throughout Georgia and across the United States. Often, these pharmacists are more than a face behind the counter—they are neighbors, friends, community leaders, and providers of advice and care. These local pharmacists live and work alongside their patients, building lasting relationships and regularly seeing their patients at church, school, and the grocery store. These strong relationships ensure quality care for patients, who bring their medical questions and concerns to their community pharmacist.

I know from my own experience what a difference a trusted pharmacist can make.

It is a privilege to thank and recognize pharmacists across our nation for their hard work today, on National Pharmacist Day. I will continue supporting our nation's pharmacists and working to ensure that patients have access to care from their local and community pharmacists for years to come.

JEFFREY BALLOU

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I rise today to recognize one of my constituents, Jeffrey Ballou, who takes up new responsibilities today as the 110th President of the National Press Club.

Jeff is a Pittsburgh native, the son of Geneva and Henry Ballou. He grew up in Pittsburgh's Homewood-Brushton neighborhood, and he attended Taylor Allderdice High School before going on to earn his undergraduate degree in journalism from Penn State University and his graduate degree in journalism and public affairs from American University. Jeff is an unwavering fan of Pittsburgh's legendary sports teams—the Pirates, the Steelers, and the Penguins.

Jeff started his career in journalism working for CONUS Communications covering the White House. He subsequently worked as planning editor for Fox Television Channel 5,

WTTG, here in Washington, DC. He worked at C-SPAN and National Public Radio as well. He's spent roughly the last ten years at Al Jazeera Media Network, first as its Deputy News Editor and then as Editor of its 24-hour English language news channel.

Throughout his career, Jeff Ballou has demonstrated a strong commitment to objective journalism and to improving the profession. He served on the Executive Committee of the Radio & Television Correspondents Association, for example, and he served as President and National Committee Co-Chair of the National Association of Black Journalists.

Finally, he has been actively involved in the National Press Club, which proudly claims the title of "the world's leading professional organization for journalists." For more than a hundred years, the National Press Club has been a prominent organization in the field of journalism and an advocate for free press around the world. Jeff has been a member of the National Press Club since 1992 and served on its board from 2014 to 2015. Jeff was elected to serve as Vice President of the organization over the past year, and in recognition of his extensive experience in journalism and his proven leadership skills, Jeff was elected to serve as the 110th President of the National Press Club for the coming year.

I am confident that Jeff's many years of experience have prepared him well for his new responsibilities as President of this storied institution. I want to congratulate Jeff on this honor—and new opportunity to improve the profession of journalism, and I wish him a successful term as the 110th President of the National Press Club.

RECOGNIZING PAUL MICKELSON

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. POCAN. Mr. Speaker, I rise today to recognize the life of Paul Mickelson—a constituent who dedicated his life's work to public service in his community, his state, and abroad.

Paul Mickelson began his career in public service by joining the Beloit Fire Department. He worked there for 26 years serving several roles including motor pump operator, firefighter, and ambulance attendant. Paul also honorably served as the Fire Department's Union Representative and Union President.

After his retirement from the Beloit Fire Department, Paul joined the U.S. Peace Corps and served in Cameroon. While he was there, he fell in love with the country and wanted to give back to the community where he worked. He founded Paul's Computer Institute (PCI) in Bamenda, Cameroon in 1997 which focuses on delivering high levels of professional training based in the Information and Communication Technology sectors. Thanks to Paul's hard work and dedication to increase access to high quality education and professional training, the PCI has become one of the largest and most respected computer training centers in West Africa.

For all his contributions to public service, Paul was recognized as a Paul Harris Fellow

by Rotary Club and was honored by Beloit College for his work and success with PCI.

Paul's commitment to education and public service will live on through the Beloit community and the school he built in Cameroon.

Mr. Speaker, it is with great honor that I recognize the life of Mr. Paul Mickelson today.

A DECADE OF SERVICE

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. EMMER. Mr. Speaker, I rise today to honor a Minnesota public servant. After nearly a decade of service to his community, my friend, and St. Michael Mayor, Jerry Zachman is retiring from his post.

Jerry has deep roots in St. Michael as he is a part of the fifth generation of his family to live there and these strong ties to his beloved community no doubt inspired Jerry to serve.

As the community began to grow and develop, his main goal was to ensure St. Michael residents were always put first. I think that it's safe to say that Jerry did just that.

During his ten years as mayor, Jerry has made numerous improvements to this ever-growing city. One major project Jerry played a huge role in is the expansion of the I-94 corridor, which cuts through Minnesota's Sixth District.

I would like to thank Jerry for his unwavering dedication to St. Michael and to our great state, and I wish him nothing but the best in his future endeavors.

INTRODUCTION OF THE NO CONGRESSIONAL CONSENT FOR PRESIDENT DONALD J. TRUMP TO ACCEPT FOREIGN EMOLUMENTS OF ANY KIND WHATSOEVER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. KAPTUR. Mr. Speaker, the Constitution clearly states: "No Title of Nobility shall be granted by the United States: And no Person holding any office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State."

The law defines public service as a public trust. It requires government employees to place loyalty to the Constitution, and laws and ethical principles above private gain. At his inauguration, President-elect Donald J. Trump will swear an oath to uphold the Constitution. Given the immensity of Mr. Trump's business dealings, grave concerns exist that he will immediately be in violation of this oath. Every one of his personal investments will pose a conflict of interest. Any ongoing foreign business relationship threatens to violate the Constitution's Emoluments Clause. The Constitution must be upheld.

Our Founding Fathers identified the principles important to the bedrock of our democracy; they included an anticorruption measure known as the Emolument Clause. Its inclusion emphasized their desire to preserve independence from external influence. There is no question this principle should apply to this President, as it has to every other President of our nation.

Mr. Trump has achieved great wealth and his investments spread across the United States and dozens of foreign countries. His personal finances are directly impacted not only by our own policy but also by policies adopted in other nations. His debt obligations pose great conflicts of interests and the possibility of hidden influences will eclipse every action and decision Mr. Trump makes. There is no way to be sure of the full depth of Mr. Trump's conflicts. He continues to refuse to release his tax returns, a key component of accountability provided by every President and presidential candidate since Richard Nixon.

When asked what he will do to eliminate the conflicts, Mr. Trump has said it's "a very simple situation" and "routine." Yet, thus far, he has not explained how he will address the conflicts. Meanwhile, there has been little division between Mr. Trump's business interests and his transition. This fly-by-the-seat-of-your-pants approach is unconstitutional and dangerous to liberty.

Our Founding Fathers would not accept this uncertainty and subversion of the Constitution. They constructed the Clause to clearly forbid self-serving dealings. They established a clear baseline of unacceptable conduct, rather than force after-the-fact judgement. Further, they granted Congress the power to validate exchanges.

This is why I am introducing a joint resolution, the "No Congressional Consent for President Donald J. Trump to Accept Foreign Emoluments of Any Kind Whatsoever." It empowers Congress to act by explicitly denying consent for Mr. Trump to accept any and all emoluments, whatever they may be.

The resolution details that since the President is a federal office holder, he is subject to the strict scrutiny of the Emolument Clause. As such, the President cannot accept any Emolument without the consent of Congress and since emolument is broadly qualified, the consent or denial is in effect for a full spectrum of transactions. Specifically, these transactions include emoluments from foreign States and corporations owned or controlled by foreign governments. Further, the resolution explicitly denies Congressional consent for Mr. Trump's acceptance of any emolument, whatever it may be and requires President Trump to report back to Congress on specific action taken to ensure his compliance with the Emoluments Clause.

Mr. Speaker, Congress must act to uphold our Constitution and decide what should be allowed and what cannot be tolerated with Mr. Trump's business dealings. Without full sunlight and full separation of private interests from the public trust, we must deny any acceptance of any emolument.

RECOGNIZING MRS. OLIVIA S. JACKSON

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to acknowledge Mrs. Olivia S. Jackson on her 88th birthday, which was December 13, 2016. Mrs. Jackson celebrated her birthday on January 7th in Chicago with her family and friends.

I am hopeful that she has many birthdays to come and wish her all the fun and joy in celebrating throughout the year.

REGARDING LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY DURING 2016

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise today to address an increasing concern about the threat against our law enforcement officers, many of whom have been killed by civilians in the line of duty this past year.

We must honor and protect the men, and women that wake up every day to put their lives on the line for us, making an incredible sacrifice to keep their communities safe.

Without them our communities would be broken and our nation would be left fragmented.

Today more than 900,000 law enforcement officers serve the people of this nation, risking their lives for the communities they serve.

Last year proved to be one of tremendous violence, witnessing the loss of 140 law enforcement officers' lives across the nation—65 of whom died from gun violence alone.

Texas experienced the highest rate of law enforcement killings in the line of duty during, tolling 19 deaths—seven of whom were killed as a result of gun violence.

Dallas Police Department:
Senior Corporal Lorne Bradley Ahrens, July 8, 2016;

Officer Patricio E. Zamarripa, July 7, 2016;
Sergeant Michael Joseph Smith, July 7, 2016;

Officer Michael Leslie Krol, July 7, 2016.
Dallas Area Rapid Transit Police Department:

Officer Brent Alan Thompson, 7/7/16.

Eules Police Department:
Officer David Stefan Hofer, 3/1/16.

San Antonio Police Department:
Detective Benjamin Edward Marconi, 11/20/16.

Today I rise in solidarity with the police departments and communities mourning the loss of their loved ones.

These brave men and women risk their lives to keep us safe and are too often taken from their families by the violence they toil to prevent.

Mr. Speaker, I ask for a moment of silence in memory of all of the Law Enforcement officers killed on the line of duty during 2016.

HART COUNTY LIBRARY

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 13, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the dedication and enthusiasm of the team at the Hart County Library, located in Hartwell, Georgia.

The library, which had its humble beginnings in 1938 as a small lending library, has continuously sought to educate and inspire residents in the community it serves. In 2015, the Georgia Public Library Service established a Library Awards program to recognize individuals and libraries that provide outstanding service and achievements within Georgia's public library system.

Hart County Library has been recognized as Georgia's Public Library of the Year for 2016, which is a testament to the professionals who positively impact the lives of residents through their expertise and service.

Georgia currently has 400 public library facilities, and Georgia's Library Awards program has created a tremendous amount of awareness and support for public libraries, reading, and imagination across Georgia.

Mr. Speaker, I am honored to recognize the staff of the Hart County Library for their work to make these achievements possible. These individuals have truly invested in the community by promoting a more educated and enlightened Georgia.

HOUSE OF REPRESENTATIVES—Tuesday, January 17, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 17, 2017.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious and merciful God, we give You thanks for giving us another day.

In this Chamber where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live and for this great Nation which You have inspired in developing over so many years.

Our Nation prepares for the ritual transfer of power, celebrated with the inauguration of our 45th President. Bless us all this week. Give to us and all people a vivid sense of Your presence, that we may learn to understand each other, to respect each other, to work with each other, to live with each other, and to do good to each other. So shall we make our Nation great in goodness and good in its greatness.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 40, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF MEMBER TO BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. Pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 3, 2017, of the following Member on the part of the House to the Board of Regents of the Smithsonian Institution:
Ms. MATSUI, California

APPOINTMENT OF MEMBER TO BOARD OF TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107-117, and the order of the House of January 3, 2017, of the following Member on the part of the House to the Board of Trustees of the John F. Kennedy Center for the Performing Arts:
Mr. KENNEDY, Massachusetts

APPOINTMENT OF MEMBERS TO JOHN F. KENNEDY CENTENNIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(a) of the John F. Kennedy Centennial Commission Act (Public Law 114-215), and the order of the House of January 3, 2017, of the following Members on the part of the House to the John F. Kennedy Centennial Commission:

Mr. MCCARTHY, California
Ms. STEFANIK, New York

REAPPOINTMENT OF INDIVIDUAL TO COMMISSION ON CIVIL RIGHTS

The SPEAKER pro tempore. The Chair announces the Speaker's reappointment, pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975), and the order of the House of January 3, 2017, of the following individual on the part of the House to the Commission on Civil Rights for a term expiring December 15, 2022:

Upon the recommendation of the minority leader:

Mr. Michael Yaki, San Francisco, California

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution

40, the House stands adjourned until 10 a.m. on Friday, January 20, 2017.

Thereupon (at 12 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until Friday, January 20, 2017, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

208. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's 2015 Progress Report on Understanding the Long-Term Health Effects of Living Organ Donation, pursuant to 42 U.S.C. 273b, Public Law 110-144; to the Committee on Energy and Commerce.

209. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

210. A communication from the President of the United States, transmitting a letter designating Rhonda Schnare Schmidlein as Chair of the United States International Trade Commission, pursuant to 19 U.S.C. 1330(c)(1); June 17, 1930, ch. 497, Sec. 330(c)(1) (as amended by Public Law 95-106, Sec. 1); (91 Stat. 867) (H. Doc. No. 115-7); to the Committee on Ways and Means and ordered to be printed.

211. A communication from the President of the United States, transmitting notification that the national emergency with respect to Libya, that was declared in Executive Order 13566 of February 25, 2011, is to continue in effect beyond February 25, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115-8); to the Committee on Foreign Affairs and ordered to be printed.

212. A communication from the President of the United States, transmitting notification that the national emergency with respect to Iran, originally declared on March 15, 1995, by Executive Order 12957 is to continue in effect beyond March 15, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115-9); to the Committee on Foreign Affairs and ordered to be printed.

213. A communication from the President of the United States, transmitting notification that the national emergency regarding terrorists who threaten to disrupt the Middle East peace process, that was declared in Executive Order 12947 of January 23, 1995, is to continue in effect beyond January 23, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115-10); to the Committee on Foreign Affairs and ordered to be printed.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

214. A communication from the President of the United States, transmitting notification that the national emergency with respect to the situation in Venezuela that was declared in Executive Order 13692 of March 8, 2015, is to continue in effect beyond March 8, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—11); to the Committee on Foreign Affairs and ordered to be printed.

215. A communication from the President of the United States, transmitting notification that the national emergency with respect to the actions and policies of persons that undermine democratic processes and institutions in Ukraine, that was declared in Executive Order 13660 of March 6, 2014, is to continue in effect beyond March 6, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—12); to the Committee on Foreign Affairs and ordered to be printed.

216. A communication from the President of the United States, transmitting notification that the national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions, is to continue in effect beyond March 6, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—13); to the Committee on Foreign Affairs and ordered to be printed.

217. A communication from the President of the United States, transmitting notification that the national emergency with respect to Cuba that was declared on March 1, 1996, in Proclamation 6867, as amended by Proclamation 7757 on February 26, 2004, and Proclamation 9398 on February 25, 2016, is to continue in effect beyond February 25, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—14); to the Committee on Foreign Affairs and ordered to be printed.

218. A letter from the Administrator, General Services Administration, transmitting notification of the adjustment of 2017 mileage reimbursement rates for Federal employees who use privately owned vehicles (POVs), including privately owned automobiles, motorcycles, and airplanes, while on official travel, pursuant to 5 U.S.C. 5707(b)(1)(A); Public Law 89-554 (as added by Public Law 113-291, Sec. 915(b)(1)); (128 Stat. 3476); to the Committee on Oversight and Government Reform.

219. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's Semiannual Report of the Inspector General and the Management Response for the period of April 1, 2016, through September 30, 2016, pursuant to Sec. 5, Public Law 95-452, as amended; to the Committee on Oversight and Government Reform.

220. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's inventories of commercial and inherently governmental activities performed for fiscal years 2014 and 2015, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

221. A letter from the Attorney General, Department of Justice, transmitting a decision of the United States District Court for the Middle District of Pennsylvania, Michael L. Keyes and Jonathan K. Yox v. Lynch, No. 1:15-cv-457, 2016 WL 3670852 (M.D. Pa. July 11, 2016), pursuant to 28 U.S.C. 530D(a)(1); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

222. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report on the activities of the Center for Medicare and Medicaid Innovation, pursuant to 42 U.S.C. 1315a(g); Aug. 14, 1935, ch. 531, title XI, Sec. 1115A(g) (as amended by Public Law 111-148, Sec. 3021(a)); (124 Stat. 394); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOHMERT (for himself, Mr. WEBER of Texas, Mr. BRADY of Texas, Mr. KING of Iowa, Mr. FARENTHOLD, Mr. MCCAUL, Mr. CULBERSON, Mr. YOHIO, Mr. CRAMER, Mr. SHIMKUS, Mrs. BLACK, Mr. SESSIONS, Mr. FRANKS of Arizona, Mr. ADERHOLT, Mr. BURGESS, and Mr. CUELLAR):

H.R. 582. A bill to amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN:

H.R. 583. A bill to direct the Federal Communications Commission to revoke certain changes to the ownership reporting requirements for noncommercial educational broadcast stations; to the Committee on Energy and Commerce.

By Mr. DONOVAN (for himself, Mr. PAYNE, Mr. MCCAUL, and Mr. RATCLIFFE):

H.R. 584. A bill to amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, and for other purposes; to the Committee on Homeland Security.

By Mr. ELLISON (for himself, Mr. CAPUANO, Mr. LYNCH, Mr. MEEKS, Ms. SLAUGHTER, Mr. GRIJALVA, Mr. HECK, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. POCAN, Ms. SCHAKOWSKY, and Mr. SERRANO):

H.R. 585. A bill to amend the Securities Exchange Act of 1934 to prohibit mandatory pre-dispute arbitration agreements, and for other purposes; to the Committee on Financial Services.

By Mr. JODY B. HICE of Georgia (for himself, Mr. ALLEN, Mr. CARTER of Georgia, Mr. COLLINS of Georgia, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. FERGUSON, Mr. FRANKS of Arizona, Mr. GRAVES of Georgia, Mr. GROTHMAN, Mr. JOHNSON of Ohio, Mr. LATTA, Mr. LONG, Mr. LOUDERMILK, Mr. OLSON, Mr. ROE of Tennessee, Mr. RUSSELL, Mr. AUSTIN SCOTT of Georgia, Mr. WILSON of South Carolina, and Mr. WOODALL):

H.R. 586. A bill to provide that human life shall be deemed to begin with fertilization; to the Committee on the Judiciary.

By Mr. KENNEDY:

H.R. 587. A bill to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commis-

sion for purposes of rehearing and court review; to the Committee on Energy and Commerce.

By Mr. PALLONE:

H.R. 588. A bill to direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GOHMERT:

H.R. 582.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the U.S. Constitution, "The Congress shall have Power . . . to regulate Commerce . . . among the several States." Telecommunication devices, such as a multi-line telephone system (MLTS), enable the interstate transmission of voice telephony communication. Additionally, MLTS devices enter the stream of commerce as part of an economic enterprise and affect interstate commerce in that they are bought, sold and transported across state lines, and under Article I, Section 8 Congress has the authority to regulate products in interstate Commerce. See also, *U.S. v. Lopez*, 514 U.S. 549 (1995).

By Mrs. BLACKBURN:

H.R. 583.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. DONOVAN:

H.R. 584.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. ELLISON:

H.R. 585.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. JODY B. HICE of Georgia:

H.R. 586.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 that states that Congress shall have the Power "To make all Laws which shall be necessary for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

Additionally, Section 1 of the XIV Amendment states, ". . . nor shall any State deprive any person of life, liberty, or property, without due process of law. . ." and under Section 5 of the XIV Amendment, "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

By Mr. KENNEDY:

H.R. 587.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—to provide for the general welfare and to regulate commerce among the states.

By Mr. PALLONE:

H.R. 588.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the U.S. Constitution. That provision gives Congress the power “to regulate commerce with for-

eign nations, and among the several states, and with the Indian tribes.”

ADDITIONAL SPONSORS

Under Clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. ALLEN, Mr. STIVERS, Mr. WOMACK, and Ms. MCSALLY.

H.R. 60: Mr. DEFazio.

H.R. 300: Ms. JENKINS of Kansas.

H.R. 331: Mr. COHEN.

H.R. 332: Mr. SIREs and Mr. COHEN.

H.R. 334: Mr. GARAMENDI, Ms. MENG, Ms. JUDY CHU of California, Ms. VELÁZQUEZ, and Ms. ROYBAL-ALLARD.

H.R. 365: Ms. JENKINS of Kansas.

H.R. 460: Mr. LUTKEMEYER.

H.R. 466: Mr. WITTMAN and Mrs. HARTZLER.

H.R. 525: Mr. WILLIAMS.

H. Con. Res. 8: Mr. JEFFRIES.

H. Res. 30: Ms. DEGETTE, Mr. TED LIEU of California, Ms. STEFANIK, Mr. GALLEGRO, Miss RICE of New York, Mr. GAETZ, Mr. BEYER, Mr. SERRANO, and Mr. VARGAS.

SENATE—Tuesday, January 17, 2017

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, our shield, look with favor upon us today. Enable us to go from strength to strength, as we strive to live in day-tight compartments. Guide our Senators around the obstacles that hinder them from living for Your glory, as they seek to fulfill Your purpose for their lives in this generation. As they strive to please You, empower them to stand for right and leave the consequences to You. Lord, give them the grace to seek You with their whole hearts, knowing that those who passionately pursue You will find You. May they daily yield themselves to You through prayer and obedience. May they grasp Your firm hand, depending on You to lead them through the darkness to the light.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. ISAKSON). The majority leader is recognized.

COAL MINER RETIREES' HEALTH BENEFITS

Mr. McCONNELL. Mr. President, in the days since President Obama took office, too many coal miners have lost their jobs, including well over 10,000 in Kentucky, and more than 25 coal mining companies have filed for bankruptcy. This means that there are fewer active workers available to pay into an expanding retirement pool, leaving health benefits in jeopardy for thousands of retired miners.

Last year, I was proud to be able to secure an extension of these benefits past their year-end expiration date. While I advocated for a longer term solution, we did secure a 4-month plan. I made a commitment at that time to work with my colleagues on a long-

term health care solution for these retired miners.

Today, I plan to introduce legislation to protect and permanently extend those benefits for thousands of coal miner retirees and their dependents. Recognizing the damage that has been done over the past 8 years, my legislation also calls on Congress to work with the incoming Trump administration to repeal regulations that are harming the coal industry and to support economic development efforts in coal country.

I highlighted those goals in a letter I sent to President-Elect Trump earlier in the year regarding ways in which I hope we can work together to provide relief to coal country. I look forward to continuing to work with my colleagues and the incoming administration on these important issues.

REMEMBERING TIM MITCHELL

Mr. McCONNELL. Mr. President, we were all saddened by the news that Tim Mitchell, a longtime member of the Democratic floor staff, passed away this past weekend after his heartbreaking battle with brain cancer. I know the Democratic leader will have more to say in just a moment, but I wanted to take a moment myself to reflect on Tim's Senate service and express our condolences to his family.

Last September, the former Democratic leader and I had the opportunity to recognize Tim for a remarkable 25 years of Senate service. As we noted then, Tim has long been a critical member of the Senate team who worked tirelessly with his colleagues on both sides to ensure that the floor operated smoothly and efficiently.

Despite his passion for this institution, however, we know that Tim's family always remained his top priority. I know his wife Alicia and his young son Ben know this as well. Our prayers are with them at this immensely difficult time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING TIM MITCHELL

Mr. SCHUMER. Mr. President, we received sad news yesterday. We lost a dear friend to many of us here in the Senate, a wonderful man, Tim Mitchell. He had a long battle with brain cancer. He was a member of the floor staff for many years. He did an amazingly outstanding job.

Every organization has what they call unsung heroes. On the battlefield, they are the soldiers, our infantry men and women. In the automobile plant, they are the assembly line workers. In the hospital, they may be the nurses, the clerical workers, or the folks who clean up the floors late at night. Those organizations can't go on without these people. They are the heart and soul of these organizations. They do their work quietly but proudly.

If you had to pick someone who personified the unsung hero of this body, it would be Tim. He did his job every day. When you talked to him, you could see the pride and the knowledge he had in doing his job and doing his job well. He will be sorely missed by every Member here today, Democrat and Republican.

Let's take a moment to remember Tim and send our best wishes and prayers to his family and his loved ones.

(Moment of silence.)

Thank you, Mr. President.

NOMINEE FOR SECRETARY OF HEALTH AND HUMAN SERVICES

Mr. SCHUMER. Mr. President, I wish to address a troubling report about the President-elect's nominee for Secretary of Health and Human Services that came out last night. We learned that Congressman PRICE bought shares in a medical device manufacturing company just days before introducing legislation in the House that would directly benefit that company.

His legislation wasn't broad legislation. It didn't affect health care in general. It specifically blocked a regulation on medical device companies that do hip and knee implants, including the very business he bought stock in. According to CNN, the company Representative PRICE bought stock in was one of two companies that would have been hardest hit by this new regulation—one of two—and he puts in legislation to repeal it just after buying stock in it.

Again, this is not someone who has Johnson & Johnson stock and then votes to cut Medicare. This is a narrow company that works on hip and knee implants—narrow legislation that deals with undoing some regulations on them. It is really troubling.

These revelations come on top of the report late last year by CQ and the Wall Street Journal that Congressman PRICE had traded stocks in dozens of health care companies valued at hundreds of thousands of dollars during his time in the House as chair on the Budget Committee, when he introduced, sponsored, or cosponsored several pieces of legislation that impacted these companies.

Yesterday's report makes it clear that this isn't just a couple of questionable trades but, rather, a clear and troubling pattern of Congressman PRICE trading stock and using his office to benefit the companies in which he was investing.

Our President-elect claims he wants to drain the swamp, but Congressman PRICE has spent his career filling it up. I have asked the Office of Congressional Ethics to investigate whether or not Congressman PRICE violated the STOCK Act during his time in office before his nomination moves forward in any way.

It may well be that this trade was illegal. This isn't a witch hunt. These are serious and disquieting allegations. The American people deserve to know if their potential Secretary of Health and Human Services violated a law against insider trading in Congress.

The facts here are a narrow company with hip and knee implants and legislation with hip and knee implants coming soon thereafter, after he bought stock—*whoa*. These questions cry out for answers before—let me underline "before"—Nominee PRICE goes before the Senate Finance Committee.

When the public faith in government is as low as it is today, when politics and campaigns are saturated by money, as they are today, when folks feel their representatives are beholden to special interests before their constituents, reports like the one that just came out about Congressman PRICE perpetuate that distrust. They add fuel to the fire.

We need to get to the bottom of these allegations and get to the bottom of them quickly. The only way to restore faith in our government and in our most important democratic institutions is to insist upon transparency and ethical behavior by those in positions of the highest public trust. Until a congressional ethics investigation can be completed, this report and his previous trades cast serious doubt on whether Congressman PRICE is fit to hold the office of Secretary of Health and Human Services.

CBO REPORT ON REPEALING THE AFFORDABLE CARE ACT

Mr. SCHUMER. Finally, Mr. President, I wish to turn to the CBO report that just came out today. The Congressional Budget Office today released a new report outlining the consequences

of the Republican plan to repeal the Affordable Care Act. Remember, the CBO is a nonpartisan entity. The numbers don't lie. Try as they might, our Republican colleagues can't discredit them.

The numbers are even worse than experts could have imagined. Repealing the Affordable Care Act will mean tens of millions will lose their health insurance and individuals will see their premiums double. Let me repeat that. If the Republican bill passes—according to CBO, which is nonpartisan—tens of millions will lose their health insurance and individuals will see premiums double. Thirty-two million Americans would lose their health insurance, 18 million within the first year of repeal.

The report makes it crystal clear that the Republican effort to repeal the Affordable Care Act will increase health care costs for millions of Americans and kick millions more off their health insurance. No wonder President-Elect Trump realizes repeal without replace is the real disaster. No wonder he has admonished the Congress not to do plain repeal.

Some Republicans have tried to dismiss the CBO report as meaningless. I would remind my Republican friends of two points. First, this is the CBO Director that Republicans handpicked. This is not some Democratic operative. He is a person who knows numbers, who was chosen by our Republican colleagues. You can't reject his findings.

Second, this is your repeal bill that the CBO is analyzing. They didn't make up the scenario. They took the exact bill we had on the floor and said: What are going to be the consequences? Devastating—over 30 million losing coverage, premiums doubling. All the things that our colleagues are complaining about with ACA are even worse under their bill. Their complaints on ACA are incorrect. We have gained numbers, and costs have gone down. The rate of costs have gone down—much lower than they would be under this report.

I say to my colleagues, this is your repeal bill. The CBO didn't make this up. It looked at the bill you sent to the President's desk, the bill you say your repeal bill will be modeled on. It isn't meaningless. It is your plan.

Now that repeal is real and not just a political exercise, the tide is turning. The American people are becoming roused by the prospects of dismantling health reform and leaving chaos in its wake. This is exactly why Republican Members of Congress are getting an earful back home from constituents who want them to turn back from their dangerous plan to make America sick again. I urge my Republican colleagues to listen to the growing outcry before it is too late.

CABINET NOMINEE HEARINGS

Mr. SCHUMER. One final issue: As the hearings continue this week on the President-elect's Cabinet nominees, I want to make a few points. As I have mentioned here on the floor several times, we Democrats want the process to be as fair and transparent as possible, abiding by all the ethics requirements demanded of nominees in the past. Yet the HELP Committee today will hold a hearing on Education Secretary nominee Betsy DeVos, who is worth \$5 billion and owns an investment company with untold financial entanglements, despite the fact that she doesn't have a signed ethics agreement in place. When somebody has such wealth and such complicated holdings, we have always made them sign an ethics agreement that says "Here is how I am going to divest so there is no conflict of interest," so it is clear that the nominee is doing things for their country, not for their financial holdings. We don't have it, and we are rushing ahead with hearings in the HELP Committee. My dear friend whom I have so much respect for, the chair, the Senator from Tennessee, is just rushing forward, rushing forward. That is not a good way to start. It is not a good way for my Republican colleagues or the President-elect to start.

Then we have Wilbur Ross. He is the nominee for Commerce. He is a billionaire. We have a Cabinet loaded with billionaires, despite how President-Elect Trump campaigned. Mr. Wilbur Ross is a billionaire with vast and complicated holdings. He just delivered his paperwork yesterday. His hearing is scheduled for tomorrow. The paperwork is very complicated. When you have \$1 billion, it is not just in U.S. treasuries. But they are rushing forward. The committee needs some time to review those documents before a hearing. I am hopeful we can move it back.

Then there is the fact that tomorrow there are four hearings. We have asked the majority to space out the hearing schedule so that Members who sit on multiple committees can have time to prepare and attend all the hearings. That is going to be very difficult for many Members tomorrow.

We have tried to cooperate with my friend, the majority leader. These are not good signs. They don't bode well.

You can see why the President-elect and Republicans are trying to rush these nominees through. The President-elect promised to change the way America operates, to oppose elites and the rigged system, to clean the swamp, and to pay attention to working families. But now he is rigging the Cabinet with billionaires and bankers. It is exactly the opposite of what the President-elect campaigned on, so they are trying to get it done as quickly as possible—the less scrutiny, the better. They don't want these people exposed

for who they are and what they represent. Oh, no, that is not fair to the American people. They deserve the chance to get a good look at these nominees.

Thank you, Mr. President.
I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. TELLIS). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 4:15 p.m., with Senators permitted to speak therein up to 10 minutes each.

The Senator from Georgia.

CBO ESTIMATE ON OBAMACARE REPEAL

Mr. ISAKSON. Mr. President, I am delighted to follow the distinguished minority leader, who is a gifted orator, a brilliant legislator, and an expert in something called disparate impact. Disparate impact is where you take two facts that are extraneous and put them together for an appearance of an irregularity or an impropriety without any fact being true.

The statements made about the CBO estimate were accurate in what he said but wrong in the implication. He is accurate that CBO did say it would cost money if we didn't have a replacement for ObamaCare, which is the replacement being worked on as we speak right here today. Both are facts, but when put together the way he put them together, it makes it look as though we are spending money that we are not, in fact, spending at all.

The CBO estimate also does not include the impact of legislative and administrative action to stabilize individual markets. In the absence of making that consideration, of course it is going to be more costly. Those are both extraneous facts that, when put together, make the appearance of a crime, which just isn't there.

NOMINATION OF TOM PRICE

Mr. ISAKSON. Mr. President, I come to the floor today to talk about my friend, Dr. TOM PRICE. In a way, I am glad the minority leader brought up Representative PRICE and brought up specific allegations that have been made against him so I can hopefully put some light on the misperception that those allegations made and, in fact, shine some positive light on a great nominee to be Secretary of Health and Human Services.

I have known TOM PRICE for 30 years of my life. He and his wife Betty are

dear friends. Their son Robert is the age of one of my sons. He is a fine young man. TOM is a leader in our community, a leader in the Roswell United Methodist Church, the first-ever elected Republican majority leader of the State of Georgia Senate, the chairman of the Budget Committee of the U.S. House of Representatives, former president of the study committee in the House of Representatives, and an all-around terrific individual who has a litany and liturgy of recommended approvals and improvements that have made the United States of America legislatively and legally much better.

TOM is a family man. I mentioned Betty and his son Robert. He is an accomplished professional. He is an orthopedic surgeon. He and his wife Betty met during their residencies at Grady Memorial Hospital. She is an anesthesiologist. TOM is an accomplished orthopedic surgeon.

TOM is one of those orthopedists who came together with a number of other orthopedists to form what is known as Resurgens Orthopaedics, the largest orthopedic practice in the Southeastern United States—one of the finest anywhere in the country.

TOM has worked tirelessly in the Republican Party, tirelessly on the Democratic-Republican bipartisan agreements that have been made, and tirelessly on behalf of his community.

He is a fine individual and is uniquely qualified to be the Secretary of Health and Human Services. This is an agency that will spend \$1 trillion of the taxpayers' money on an annual basis. You want a man who has been chairman of the Budget Committee. You want a man who understands finances. You want a former legislator who knows how to get the job done. TOM PRICE is that man.

In fact, I am particularly well qualified to introduce TOM to this body and recommend him as Secretary of HHS because he replaced me when I left the House when I was elected to the Senate. He has been reelected six times. He served 6½ terms in the House of Representatives, and he has an extensive legal background, an extensive legislative background, and an accomplished background of conservative leadership for the United States of America. Most importantly, he has done so on many issues dealing with medicine, and why not? He is an expert in medicine.

I know a little bit about real estate. I authored legislation on real estate. That is what you do when you are in a profession and know a little about something Congress is looking at. But the allegations made by Senator SCHUMER—and being echoed in some of the media and papers around town—are just another example of taking disparate impact.

I want to talk to you a little about what Senator SCHUMER was talking about. He was talking about the pur-

chase of Zimmer Biomet stock, 26 shares, worth \$2,674. That is what he was talking about. The two disparate facts that he put together to make a wrong were this: The purchase was made without TOM's knowledge because his account is managed by Smith Barney and Morgan Stanley. They manage his account. They make the decisions about what to buy. TOM doesn't make them. TOM found out about it and documented it on April 4, even though the purchase was made in March. He didn't even know the purchase had been made on his behalf until it was disclosed, which he did as he is required to do by the STOCK Act.

Every single fact brought up by the distinguished minority leader is a fact that is a required disclosure of the rules of the U.S. Senate to the Ethics Committee under the STOCK Act. So don't make this look like some sinister thing, and let's take it at face value. If you take it at face value, it was a purchase TOM didn't make; it was made on his behalf. It was a purchase we documented that he didn't know about until the 4th of April; the purchase was made in March. The purchase did not work to his benefit because the decision was not made by him.

He is like every other Member of the Senate and House who makes required disclosures of their activity because of the STOCK Act. TOM obeyed the law. TOM did what was right. What was done is right and is being made to look wrong only because of appearance but not because of fact. That is the wrong way to take on the consideration of any nominee of a President of the United States to be a Secretary of any part of the Cabinet.

I reiterate: Who else would be better to oversee \$1 trillion in spending than TOM PRICE, chairman of the Budget Committee, former member of Ways and Means, an accomplished legislator who put together the largest orthopedic practice in Atlanta, GA, and the State of Georgia? He is well qualified and eminently qualified. This body should overwhelmingly confirm his nomination to be U.S. Secretary of Health and Human Services in the United States of America.

I am proud as his friend, I am proud as a former associate and legislator, I am proud as the person he succeeded in the U.S. House of Representatives, and I am proud as an American citizen to know that our President has picked someone who is eminently qualified, who has an impeccable record of success in his legislative jobs, who is a fine family man, a member of his church, a disciplined member of his political party and, most importantly, a man who loves his country and is volunteering to sacrifice his time and his knowledge to make America's Department of Health and Human Services better.

Lastly, there is a little rumor going around that he is not for extending Social Security. That is ironic to me. Let me tell you what he and I did in November and December. We traveled throughout Georgia on behalf of AARP, presenting ways to save Social Security. Day in and day out, TOM PRICE is on the record of the State of Georgia, fighting to preserve Social Security for those who have it and for those who will get it in the future. So don't take this disparate impact of extraneous facts someone put together to try to make a wrong out of a right. Instead, look at the record of an impeccable legislator, a dedicated family man, a great American, and the next Secretary of Health and Human Services of the United States of America, Dr. TOM PRICE.

I commend him to every Member of this Senate and hope you will confirm him when his vote comes before the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOEVEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE REPLACEMENT PLAN

Mr. CASSIDY. Mr. President, I was pleased to see on the front page of the Washington Post that President-Elect Trump was speaking about how we should maintain at least the number of people covered under ObamaCare in a new kind of replacement for that portion of ObamaCare. If you will, I agree totally with him. We should fulfill this promise and do it, as he said, at a lower cost.

We think we have a mechanism to do so with Senator COLLINS. We will speak to that today. First, let me point out, for those who are praising ObamaCare, I will say that since it has passed, the American people have been voting consistently against candidates who supported ObamaCare, culminating in the election of President-Elect Trump. So whatever folks might say about how wonderful it is, the American people are voting against it consistently.

That said, there is a mandate from the American people not just to repeal but to replace. So it is not that the American people don't want to have coverage, and they want folks with pre-existing conditions to have their issues addressed, but what they are concerned about is the way ObamaCare was forced upon them, with the power of Washington, DC, reaching into their own life, if you will, to their kitchen table, promising them penalties unless they comply with the Washington bureau-

crats directly. That is what the American people do not like.

So, first, can we maintain coverage? President-Elect Trump said we are going to have insurance for everybody. Two, will we cover more? Yes. Three, can we lower costs? The answer there is yes.

Now, let's first speak to covering more Americans than ObamaCare. President-Elect Trump, Majority Leader MCCONNELL, and Speaker RYAN have all committed to maintaining coverage for all.

People speak of the advances made under ObamaCare. I will give them those advances. There are still 30 million people uninsured. Our alternative has the potential to cover 95 percent of Americans without a mandate. The way we do this is that as we return power to the States, we give States the option of saying that everyone who is eligible for coverage is enrolled unless they choose not to be.

Just like when I turned 65 and I am on Medicare. I am on Medicare. I don't feel it is a mandate. No one calls me up. Indeed, if I don't want to be on Medicare, I have to call someone up and tell them I don't want to be on it. State legislatures would have the option to say you are in unless you call and tell us you are out. I say that addresses two folks who are hard to reach; the fellow whose life is so in disarray that he is living beneath a park bench and the typical 28-year-old male who never thinks about health insurance. All of a sudden he is in without even realizing he is in, until he needs it, and then he will be very pleased.

On the other hand, if you don't want to be in, we make it easy to get out. By the way, I spoke of that fellow living beneath the park bench. As a physician who has worked in a hospital for the uninsured for 30 years, that was not tongue-in-cheek, and that is not a throwaway line. That person living beneath the park bench will never have his life well enough together, or almost never, to go to a public library to log onto healthcare.gov. He does not have a W-2—and if he did, he lost it long ago—to submit it to sign up.

Under our program, he is enrolled. What are the benefits that he would get? He would have a health savings account so that if he goes to the urgent care center with a nail in his foot, it is covered. He has a pharmacy benefit, so that if he gets his life together while he is at that urgent care center to take an antipsychotic, he has a pharmacy benefit. Lastly, if something terrible happens, he is hit by a car or something, then he is brought to the hospital and that catastrophic coverage protects society against the cost of his hospitalization.

By the way, under our plan, we give States the power. I would like to think that this is something Democrats and Republicans can agree to. When Repub-

licans say: You can keep your plan if you like it, and we mean it, we mean it. The way we would do this is that Congress would give States alternative options. The State would have the choice.

The State could go with the alternative, which we will lay out. The State could opt for nothing, no Medicaid expansion and no help for their lower income folks, or the State could opt to stay in ObamaCare. If Illinois, California, Massachusetts, New York want to stay in ObamaCare, we think they should have the right to stay in ObamaCare.

ObamaCare, if it is working for your State, God bless you. On the other hand, it is not working for a State where there are double-digit and sometimes triple-digit premium increases in 1 year.

So the State could choose to stay in ObamaCare, for nothing, or for the alternative, which we lay out for them. By the way, I would say that those who govern closest to those who are governed govern best. We know that the State of Alaska is far different than the State of California, Illinois, Louisiana, or New York. So let those States decide the system that works best for them.

What is the timeline? This year, 2017, we would like to repeal ObamaCare but put in place the legislation which allows, in 2018, for a State legislature or a Governor to choose the option they wish and the method by which they wish to enroll the people of their State. In 2019, the State would implement the replacement option of their choice. By 2020, the repeal and the replace would have been finished.

If, at a later date, a State wishes to change their option—they decided to stay with ObamaCare but on second thought now they wish to have the alternative we lay out, which I actually think would be something that might happen, they could choose that as a later option.

We are not being partisan. I tell folks, this is not a Republican plan, not a Democratic plan, it is a patient plan, born out of my experience working in a public hospital for the uninsured; that if you give the patient the power, things line up. If we can make it an American patient plan, it does not matter what your State decides. I am comfortable that we will end up in the right place.

Our goal is to fulfill President-Elect Trump's promise, more coverage at lower cost. We think we have laid out a pathway which can truly be bipartisan to achieve that goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, first, let me start by commending the Senator from Louisiana for all of the thought and the work he has put into

coming up with an alternative plan that would fix ObamaCare and result in more Americans having affordable health insurance. As a physician, Senator CASSIDY cares deeply about his patients and about patients in general. His goal, which I share, is to make sure every American has access to affordable health care. I commend him for his hard work and leadership.

There has been much debate lately on the best approach to replacing and reforming the Affordable Care Act, also known as ObamaCare. Some of my colleagues have argued for immediate repeal without any replacement, an option I reject, for it risks leaving millions of vulnerable Americans without affordable health insurance and would undo important consumer protections provided by current law.

Others have proposed repeal with a delayed effective date of 2 or 3 years to allow time for the Senate to devise legislation that would provide a better approach to health insurance. My concern with the repeal-and-delay plan is that the ObamaCare exchanges, already on very shaky financial ground, would go into a death spiral as consumers would face uncertainty and insurers would have no basis for pricing their policies.

Already we have seen insurers fleeing the marketplaces in many States, reducing choices for consumers. In some States, only one or two insurers remain on the exchanges, leaving individuals and families with few, if any, choice of insurance carriers. Every single one of the 23 State cooperatives whose startup costs were financed by ObamaCare has experienced severe financial problems and only five remain operational today.

Many States, including Maine, are experiencing double-digit increases in premiums, causing increased costs for consumers and for taxpayers. So repeal and delay would only exacerbate this problem.

I am pleased to see a growing consensus among Members of both the Senate and the House that we must fix ObamaCare, provide reforms at nearly the same time that we repeal the law, in order to protect families who rely on the program and to give insurers time to transition to a new marketplace that is based on more choices for consumers.

Many of us have been working for years on proposals to reform our health care system, to expand coverage, and to encourage new delivery systems that would help restrain the growth in health care costs. That is what the legislation that I am going to be pleased to be joining my colleague from Louisiana on, would do. It is focused on giving more choices while ensuring that consumers have access to affordable health insurance.

We have advanced bipartisan proposals in the past to deal with provi-

sions of the law that have increased costs and discouraged employers from hiring full-time workers. Regrettably, every such reform has been met with a veto threat. That is why we continued to work.

In 2015, I joined Senator CASSIDY in introducing a more comprehensive and creative approach, the Patient Freedom Act, which is the basis for the legislation we are going to be introducing soon. It would allow States to have more choices. If they like the Affordable Care Act, they can keep the Affordable Care Act. If they want to go an alternative route that is more patient-centered, that would provide more choices and help to restrain costs, they can do that, too, and the Federal Government would bundle the funding that would otherwise be used for ACA subsidies and the expansion of Medicaid in their State and allow them to proceed along a more creative route.

We recognize how different the needs of our States are, but our citizens should have access to affordable health care and be able to choose the path that works best for them.

We will be talking more about the specifics of our bill when we introduce it, but I am excited about this approach. I am not saying it is perfect, but it is important that we put specific proposals on the table that our colleagues can coalesce around, debate, and refine so that we can move ahead and remove the fear and uncertainty of families who are relying on coverage through the exchanges without putting an undue burden on the employers who create jobs in this country.

Mr. President, let me again commend the Senator from Louisiana. He has worked so hard to come up with a fresh approach. He has been very open to suggestions that I and others have made.

We all understand the importance of maintaining the consumer protections that help individuals with preexisting conditions, that ensure that young people can remain on their parents' insurance policies until age 26, and that prohibit lifetime caps. Those provisions would remain. But what we want to do is to allow our States the option of selecting a different path that will lead to patient-directed reforms that contain costs and provide citizens with more health care choices. The Patient Freedom Act does just that.

Again, I want to commend my colleague Senator CASSIDY for his leadership.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me start by commending my colleagues from Louisiana and Maine. I really believe their approach to the Affordable Care Act is much more reasonable than what we have heard in the past from some.

Senator COLLINS just went through a litany of options of repeal and run or repeal and replace 2 years from now. None of those are good options, and there is a reason why there is a backlash against this repeal effort across the country now, even among many Republicans as they consider the chaos that would be created by simply repealing it.

I don't know the merits of the proposal they brought before us. I can tell you, having been through the debate on the Affordable Care Act, which went on for years, that there are many complex questions that need to be addressed to satisfy all of us that we are doing the best we can do to give affordable, quality health care to more and more people across the United States.

The Congressional Budget Office just put out its report on what would happen if we just repealed, and it is a disaster. The number of people who are uninsured would increase by 18 million in the first new year following enactment of a repeal bill.

Later, after the elimination of the ACA's expansion of Medicaid eligibility and subsidies for insurance purchased through the ACA, that number will increase to 27 million more uninsured and then to 32 million in 2026. Disastrous.

Premiums in the nongroup market—and those are folks who don't work for companies that provide health insurance—premiums in the nongroup market, with just repeal, would increase by 20 to 25 percent in the first year and then reach 50 percent in the year following the elimination of the Medicaid expansion and would double by 2026. So fewer people would have insurance, and those who do would pay dramatically more.

So we shouldn't take this as just a matter of being able to have a bragging right about repeal. If we are serious about legislating, we should be looking at the options to find out how to make the Affordable Care Act better or how to approach it in a different manner.

I commend my colleagues on the Republican side. Here is what it comes down to: If a handful of Republican Senators will say to the leadership: We are not going to vote to repeal until we have a replacement, then we can have a constructive conversation. But this notion of repealing the Affordable Care Act and then getting around to replacing it at some later time is irresponsible, will create chaos, and really says to the American people: We are no longer committed to making sure your family has the peace of mind of good health insurance. So I thank them for the efforts they have put into this, and I look forward to working with them.

PRESIDENT OBAMA'S LEGACY

Mr. DURBIN. Mr. President, yesterday I went to the White House. It was

a great celebration of the World Series champion Chicago Cubs being recognized in the White House by our President from Illinois, Barack Obama. Of course, he is a White Sox fan, and he didn't apologize or change his stripes, but it was a great day of celebration. During the course of it, he said it was his last public event in the White House, and I came to realize that we are only days away from a new President and President Obama leaving.

I think back to a memorable moment in my life which most people wouldn't have remembered, but I will never forget. It was July 27, 2004. The place was Boston, MA. At the last minute, I was called on to introduce a friend of mine, a skinny lawyer and State senator from Illinois who was about to deliver the keynote address at the 2004 Democratic National Convention. His name was Barack Obama. I had known him for several years. I knew he was an extraordinarily gifted politician, and I knew he was a very good person.

I had seen him inspire many audiences back home, including some in the most unlikely places. I once saw him hold spellbound a group of blue-collar workers and farmers in Carroll, IL—a town which in the 1960s was completely devastated by racial tension and the presence of a local branch of the Ku Klux Klan—but even I was not prepared for the powerfully moving speech Barack Obama gave after I introduced him in Boston. It has been quoted in the Times. He told us:

There is not a liberal America and a conservative America—there is the United States of America. There is not a Black America and a White America and Latino America and Asian America—there's the United States of America.

He went on to say:

The pundits like to slice and dice our country into red States and blue States; red States for Republicans, blue States for Democrats. But I've got news for them, too. We worship an awesome God in the blue States, and we don't like Federal agents poking around in our libraries in the red States. We coach Little League in the blue States, and, yes, we've got some gay friends in the red States. There are patriots who opposed the war in Iraq, and there are patriots who supported the war in Iraq.

He only spoke for 17 minutes at that Boston convention—17 minutes—and in that time, he gave voice to what another tall, lanky lawyer from Illinois once called “the better angels of our nature.” He touched a longing deep within the hearts of millions of Americans who wanted to believe in those better angels, who wanted to believe in what Barack Obama called “the audacity of hope,” the audacity to believe that America, which had achieved so many miracles, was capable of even greater goodness. People inside the convention hall and millions outside who heard that speech all had the same reaction: I have seen America's future.

I remember going back to Illinois a few days after that convention and

campaigning with Barack as he was running for the U.S. Senate. He went to the most unlikely downstate towns—Calumet, IL; Freeport, IL. Huge crowds were coming in from adjoining States because they had seen him give that speech at the Democratic Convention. I knew there was something special about him.

His grandmother called him after he gave the speech. She gave him some advice. “You did well,” she said. “I just kind of worry about you. I hope you keep your head on straight.” Good advice for all of us.

A little over 4 years later, my friend—then the U.S. Senator from Illinois—was elected the 44th President. On inauguration day 2009, 2 million Americans stood shoulder to shoulder outside on the Mall near the Capitol dome and cheered as the son of a father from Kenya and a mother from Kansas placed his hand on the family Bible of Abraham Lincoln and swore to uphold and defend the Constitution of the United States.

For the last 8 years, President Barack Obama, First Lady Michelle Obama, their daughters Malia and Sasha, and First Grandmother Marian Robinson have made their home in the White House. What an irony—they were living in a house originally built by slaves.

The audacity of hope. The awe-inspiring strength of America to continually seek and stretch to be that “more perfect Union.”

Part of the miracle of America is also the peaceful transition of power from one President to the next. As we prepare for the transition to a new President, we would do well to look back on the historic Presidency of Barack Obama. He was elected and reelected President both times convincingly.

His grandmother would be proud that he has not only kept his head on straight, he has held his head high, kept his priorities straight even amidst often unprecedented, unyielding opposition and searingly personal attacks. As First Lady Michelle Obama told us, the motto for the entire Obama family has been “When they go low, we go high.” We have seen that grace in them time and time again.

President Obama is a profoundly good and decent man who has served America with dignity and integrity. He has been thoughtful, calm, and resolute—never rash or impulsive. He is a disciplined leader who has grappled honestly with complex challenges facing America and the world, and he has delivered solutions that improved lives.

In his farewell speech in Chicago, President Obama quoted the fictional hero Atticus Finch, reminding us: “You never really understand a person until you consider things from his point of view . . . until you climb into his skin and walk around in it.” Put-

ting himself in another person's shoes, seeing life through another person's eyes, and finding shared hopes is a lifelong habit and a special gift of this President.

He has tried his level best to heal and unite our divided Nation. His accomplishments are significant, and history will record many of them as profound.

He was first elected at a time when America badly needed hope. President Obama inherited—inherited—the greatest financial and economic crisis since the Great Depression. The country had lost more than 2 million jobs in the previous 4 months before he was sworn in. By inauguration day, the country's top four banks had lost half their value in less than a year. There was an urgent danger that not only the American economy would collapse, but the economy of the Western world was teetering in the balance.

The American Recovery and Reinvestment Act, called the stimulus bill, saved the U.S. and global economy from a major crash and helped create the conditions for recovery. Unemployment today is at 4.9 percent. America has just seen the longest streak of private job creation in the Nation's history. To borrow a phrase, thanks, Obama.

Our friends across the aisle said: Let America's auto industry die. The Obama administration said: No way. They decided to place their bets on American manufacturing and workers instead. The Center for Automotive Research estimates that the special bankruptcy process for General Motors and Chrysler saved at least 1.5 million American jobs. Detroit has posted record profits for 7 years in a row. Barack Obama would not give up on American autoworkers or American auto companies, and it paid off.

Predatory lending and other systemic abuses were the cancer at the heart of the great financial meltdown of 2008 and 2009.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be recognized for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Thank you, Mr. President.

Under this President, Congress passed the most comprehensive overhaul of financial regulations since the Great Depression, protecting consumers and taxpayers.

President Obama inherited a Federal budget hemorrhaging red ink. Under his watch, the budget deficit has fallen \$1 trillion, despite record investments in education, green energy, broadband, high-speed rail, medical research, and other high-return priorities.

He brought us the Affordable Care Act. I am not going to dwell on it because I spoke on it before when the other Senators were on the floor.

There was a skit on “Saturday Night Live” last week that talked about, would the Republicans be happy if we banned the word “ObamaCare”? Can we stick with the Affordable Care Act since it is helping so many people? Sometimes we think that is what this is all about: We have to get rid of it because it has his name on it. Well, we shouldn’t. We should reflect on the good that it has done and make sure we do nothing less in the future. Health insurance costs are going down at the fastest rate in 50 years. Medicare gets an additional projected 10 years of solvency because of the Affordable Care Act. Numerous Republican Governors, including Vice President-Elect Mike Pence, have used Medicaid expansion of ObamaCare to reduce the uninsured in their States.

On the issue of climate, I will defer to my friend from Rhode Island, who has stepped off of the floor for a moment, but when it comes to this, President Obama has taken climate change seriously. He does not view it as an unproven theory or a Chinese-authored hoax; he believes it is a fact, and so do I. It is a threat to the existence of humanity, and we are running out of time to prevent a climate catastrophe.

Americans built on the historic breakthrough at the 2015 U.N. summit on climate change in Paris. When that summit ended, 195 countries joined the United States and agreed to lower greenhouse gas emissions.

The President once told a group of young people: “I refuse to condemn your generation and future generations to a planet that is beyond fixing.”

We have a safer and more secure America. This President brought troops home—massive numbers of troops—who were dispatched around the world in harm’s way. He understands we can’t fix all the world’s problems. We learned that the hard way. He banned the use of torture. We have seen the withdrawal of the majority of U.S. troops from Iraq and Afghanistan. Al Qaeda has been decimated, Osama bin Laden is history, and ISIS is on the run.

Under President Obama, Americans led the successful global effort to conquer an Ebola epidemic in West Africa, and he helped preserve a democratic Ukraine, despite the aggression of Vladimir Putin of Russia. He has restored relations with Cuba after 50 years of a failed policy. The President and John Kerry had enormous diplomatic success with the Iran agreement to protect our friend and ally Israel and many other states in the Middle East.

I want to close by saying that his efforts in two areas are personal to me. Criminal justice reform, this President is determined to make sure our sentencing laws are just. There are things going on now that are just indefensible. We have been jailing people and impris-

oning them for drug crimes for decades—unacceptable. The President is determined to get this done. We did part of it. I hope we can do more.

Finally, let me just say that this President, more than any, has really shown a caring for the DREAMers, a bill I introduced 16 years ago, so that those who came to the United States as children, through no fault of their own undocumented, would get a chance. That was it. He put together DACA, an Executive order which gave them that chance.

We have to work now to protect these bright, young people. I am so encouraged that Speaker PAUL RYAN, at the CNN town meeting last week, acknowledged this and said he was willing to work to make sure we protected them. Barack Obama was the one who gave them this opportunity, and now it is up to us to follow through and give them a fair shake in life.

Mr. President, to reiterate, the Affordable Care and Patient Protection Act that our colleagues across the aisle are now rushing headlong to repeal—without anything to replace it—represents the greatest advance in economic fairness and security for most Americans since at least the creation of Medicare 50 years ago.

ObamaCare has made the health coverage of all insured Americans more secure and more valuable by: outlawing discrimination based on pre-existing conditions; eliminating costs for checkups, mammograms and many other preventive measures; and allowing young people to stay on their parent’s policies until age 26—among other new protections.

It has reduced the ranks of uninsured Americans by 20 million, and it has saved money. That’s not a matter of opinion, it’s a fact.

According to an analysis by the respected, nonpartisan Brookings Institution, health insurance exchange premiums are 44 percent lower today than they would have been without ObamaCare.

Health insurance costs are going down at the fastest rate in 50 years.

Numerous Republican Governors—including Vice President-Elect Mike Pence—have used the Medicaid expansion in ObamaCare to reduce the uninsured in their States. That’s a good thing.

But now President-Elect Trump and our Republican colleagues tell us that they want to repeal ObamaCare, cancel those patient protections, go back to the days when insurance companies write all the rules, and leave 20 million Americans without insurance.

They say they will come up “fairly easily” with something better than ObamaCare.

I say to my friends: If it were easy, it would have happened already. Work with us to fix the things that can be improved, not kill it. Lives are at stake.

President Obama understands that climate change is not an unproven theory or a Chinese-authored hoax, it is a fact. It is a threat to the very existence of humanity and we are running out of time to prevent a climate catastrophe.

Under Barack Obama, America went from being the chronic spoiler to being a world leader in global climate change negotiations.

We reached a sweeping bilateral climate pact with China to cut greenhouse gas emissions—something critics said could never happen.

American built on that historic breakthrough at the 2015 U.N. summit on climate change in Paris. When the summit ended, 195 countries had agreed to lower greenhouse-gas emissions.

The President once told a group of young people: “I refuse to condemn your generation and future generations to a planet that’s beyond fixing.”

He has done his part to keep that commitment. We should build on his progress, not reverse it.

The cornerstone of President Obama’s foreign policy is a recognition that America remains the world’s one indispensable nation and that we, and the world, are safer when America chooses engagement over either isolation or unilateralism.

He also understands that America cannot fix all of the world’s problems. We have to choose wisely, based on our ideals, our priorities and our limits.

He banned the use of torture. He has seen the withdrawal of the majority of U.S. troops from Iraq and Afghanistan. Al Qaeda has been decimated, ISIS is on the run, and Osama Bin Laden is dead.

Under President Obama, America led the successful global effort to contain and conquer an Ebola epidemic in West Africa.

And we helped preserve a democratic Ukraine against Russian aggression.

President Obama announced plans to restore normal relations with Cuba—reversing 50 years of a failed policy that done at least as much harm to America’s relations with our neighbors in this hemisphere as it had done to depose the Castro regime.

The President and Secretary of State John Kerry made a momentous diplomatic success in negotiating an agreement to prevent Iran from gaining nuclear weapons, protecting our ally Israel and many nations across the Mideast.

The Iran nuclear deal holds the promise of defusing a ticking time bomb. If Iran fails to live up to that promise, we will know quickly and we will take the steps to stop them.

I want to touch briefly on two other issues that I have worked on very closely and to which I am deeply committed.

The first is the growing, bipartisan movement to end America’s era of overincarceration.

America has 5 percent of the world's population—and nearly 25 percent of the world's prisoners. That ignominious fact is largely the result of inflexible antidrug laws that disproportionately punish people of color, especially poor people of color.

In 2010, President Obama signed a law that I introduced with Senator SESSIONS called the Fair Sentencing Act. It replaced a Federal law that demanded dramatically harsher sentences for convictions involving crack cocaine than powder cocaine.

I have worked with Democrats and some brave Republican colleagues for a few years to further reform Federal sentencing—to allow Federal judges some discretion in nonviolent drug cases, and eliminate “three strikes and you're out law” and other overly harsh and inflexible laws that are overly harsh and hugely expensive to enforce.

In the absence of action from us, President Obama has used his powers to commute the sentences of more than 1,000 people—more than 50 times the number of people whose sentences were commuted by President George W. Bush and more than the past 11 Presidents combined.

We can't have it both ways. If we don't want Presidents to use their lawful Executive authority to correct injustices, we need to correct those injustices ourselves. I hope we will do so in this new Congress.

Finally, we must—we must—fix America's broken immigration system.

And let's start by assuring DREAMers—those young people who were brought to this country as children and who are undocumented through no fault of their own—that we will not deport them from the only nation they have ever called home.

I have come to this floor dozens of times to tell you their stories. They are scholars, American soldiers, researchers, doctors, engineers, lawyers, clergy members.

DACA—the President's Executive order—allows them to stay in this country temporarily while Congress works to pass a comprehensive immigration reform plan that meets the needs of our economy, and honors our values and our unique and powerful heritage as a nation of immigrants.

More than 750,000 DREAMers put their trust in our Government and came forward to register under DACA.

What will happen to them if—as many fear—DACA is not extended?

Immigrants are not a threat to America. Immigrants are America. The sooner we acknowledge that fact and align our laws with it, the better we will be.

Mr. President, I could go on for quite some time about what President Obama, Vice President BIDEN, and their administration have meant for America, but time precludes that so I will close with these last thoughts.

In that historic speech he delivered in Boston 12 years ago, President Obama told us that, in his father's native tongue, the name “Barack” means “blessing.”

President Obama leaves office now as the most popular politician in America, and assured of his place in history. I believe that America has been fortunate—even blessed—by his service and sacrifice as our President.

President Obama has also warned us that “History travels not only forwards; history can travel backwards, history can travel sideways.” I hope that we can all pledge, regardless of party, to keep history moving forward.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that at the conclusion of the majority whip's remarks, I be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I thank the Presiding Officer, and I yield to the majority whip.

OBAMACARE REPLACEMENT

Mr. CORNYN. Mr. President, I thank my friend from Rhode Island for his courtesy.

Last week, the Senate took the first step in providing needed relief for the American people from a health care plan, the Affordable Care Act, that overpromised and underdelivered. Many people are hurting now as a result of the failed promises of ObamaCare. They were told their premiums would go down, that they would be able to keep the policy they had if they liked it, and that if they liked their doctor, they could keep their doctor, none of which has proved to be true. So it is important that we keep our commitment to the American people. I believe we have gotten a mandate as a result of the election on November 8 that we keep our promise to repeal the Affordable Care Act and to deliver health care that is affordable and is a matter of individual choice and freedom of choice.

The basic problem with ObamaCare is that it was command and control right out of Washington, DC, where people didn't have sufficient humility when it comes to rearranging one-sixth of our national economy and believed that they could, in the process of writing a 2,700-page bill—that I doubt many of them read—take over and improve our health care delivery system.

It was sold on the basis of providing people access to affordable care, and in many instances, according to my constituents, they have seen their premiums skyrocket and deductibles skyrocket, effectively being insured but giving them no benefit of insurance coverage at all.

I realize there were some things that people liked to talk about when they talk about ObamaCare that were positive; for example, dealing with people with preexisting conditions. I agree that people should not lose their health insurance coverage when they change employers and be caught in a trap where your insurance company doesn't cover your preexisting condition, but you don't need ObamaCare in order to deal with that problem. People also like the idea that single adults living at home can continue to be listed on their parents' health insurance up to age 26. That is enormously popular on a bipartisan basis. Again, we don't need a 2,700-page takeover of the health care system in order to deliver some of these consensus items of reform.

I believe, and we believe, that there are certain principles that ought to govern the replacement of ObamaCare that we will see unfold in the coming weeks; first and foremost, moving the health care decisions outside of Washington and back to where they belong—to patients, families, and their doctor.

We also believe patients ought to have more tools, such as health savings accounts which they can use to pay for their regular health care along with perhaps a catastrophic coverage which would help them in the event of an unexpected health care condition that would require hospitalization. If you are young and healthy and don't need all the money you set aside in health savings accounts, you can keep that money and use it for your eventual retirement.

We also believe we ought to break down barriers that restrict choice and permit Americans to pick an insurance plan that is best for them and their family. One of the worst aspects of ObamaCare is that Washington, DC, said: Here is your health care coverage, and we are going to punish you with a penalty if you don't buy it, forcing people to buy coverage that they didn't want and didn't need—for example, a single male being forced, in essence, to buy maternity coverage. That is just 1 of the 10 essential health benefits that was mandated in ObamaCare that drove the cost of insurance through the roof, not to mention the fact that the pools of people who were insured tended to be older and less well, thus driving premiums again through the roof.

Another principle that is really important to our health care reform replacement is empowering small businesses to provide employees with the kind of health care coverage that meets their needs through association health plans so they can pool their risks together to bring costs down and to increase their choices. We believe there ought to be flexibility on the part of the States when it comes to Medicaid spending. We ought to, in my book, give the States the money and the block grant and say: Come up with

a health care delivery system for Medicaid's low-income citizens that best suits their needs. We haven't done that under ObamaCare. We have had a mandate and tied the hands of the States when it comes to coming up with alternatives to health care delivery.

Finally, when it comes to employers that provide 61 percent of the health care coverage for Americans, rather than tying their hands and driving up costs, what we ought to do is allow for increased flexibility for employer-sponsored plans that will help bring down the costs. We hear our colleagues on the other side of the aisle talking about ObamaCare like it was the gold standard: There is nothing wrong with it. It is just perfect as it is.

Well, I don't have to tell our Democratic friends about the unintended consequences of this partisan exercise. ObamaCare was passed without a single Republican vote so the problems that have developed from it are problems that were created by our Democratic colleagues. Having said that, we hope they will work with us to come up with an alternative which we believe would be an improvement on the status quo, to make health care more available, at a price people can afford, with choices that would be theirs, not a mandate out of Washington, DC.

CABINET NOMINATIONS

Mr. CORNYN. Mr. President, let me talk just a minute about the nominations process. In 2009, when President Obama was sworn into office, there were seven Cabinet members sworn in on his first day in office. That is a demonstration of the good faith and civility that ordinarily extends in the peaceful transition of power from one President to another. That doesn't mean we were excited on this side of the aisle about the fact that President Obama won as opposed to our preferred candidate, but we believed it was our responsibility to carry on this tradition of peaceful transition of power. The President, having won the election, was entitled to surround himself with his team, subject to the vetting and the confirmation process and the process known as advise and consent.

I believe we need to see some cooperation from our colleagues across the aisle, including the confirmation of the next Attorney General of the United States, Senator JEFF SESSIONS. Our Senate colleagues know JEFF SESSIONS. They have worked alongside him. They don't need to read his resume, they don't need to know more about his record because they know his heart. They know JEFF to be an honorable and decent man who believes fervently in the rule of law and who will drain that swamp known as the Department of Justice, which has become an outpost of the political operation in the White House, and restore it to its

rightful reputation as a Department of Justice that believes in equal justice under the law and doesn't play politics.

I would also state that our colleagues across the aisle ought to work with us to confirm the next Secretary of State, Rex Tillerson. Mr. Tillerson, I believe, is an inspired choice for Secretary of State. Some have wanted to say that the relationships he has developed around the world working on behalf of the shareholders of ExxonMobil are a liability. I actually view it as a spring. When you are talking to somebody, you are less likely to get involved in a fight or get involved in a misunderstanding that might lead to some unnecessary conflict. I don't have any doubts about his willingness and commitment to work on behalf of the United States and all of our people, just like he has worked on behalf of the shareholders of the business he has run for all these years.

Finally, let me just say a word about the Secretary of Defense nominee, Gen. James Mattis. We overwhelmingly passed a waiver that would reduce the number of years a uniformed military officer had to be out of the military before they would be eligible for Secretary of Defense. I think the reason it passed by such a wide bipartisan majority is people realize there aren't many men or women in the world like Gen. James Mattis with the qualities that he brings to this important job. He is a real warrior statesman. Someone who has walked the walk and seen live combat during a 40-year career in the U.S. Marine Corps.

During his hearing before the Senate Armed Services Committee last week, all of us had a chance, along with our colleagues on the Armed Services Committee, to ask him how he would handle a host of foreign policy and national security issues. During the question-and-answer period, he mentioned the importance of preserving our country's military power, but he also noted that our Nation has historically held the power of inspiration by our example, inspiring others around the world with our democracy. That extends well beyond our uniformed military and the threat of military might. That is something that should be cultivated well beyond our military preparedness. The point is, with General Mattis, we have a strategic thinker who sees the big picture, and I am confident he will lead our military in a way that advances our interests around the world, and what I am particularly looking for are leaders in the Trump administration who will restore America's leadership role around the world wherever we go and wherever we look because I believe, in my heart of hearts, that one reason the world has become more dangerous and less stable is because many people around the world who are adversaries have viewed the Obama administration as retreating from America's

traditional leadership role in the world, and believe me, there are plenty of countries—plenty of bad actors—that are willing to take advantage of that void when America retreats and doesn't demonstrate its historic leadership role.

I hope all of our colleagues will join us in supporting not only General Mattis's confirmation but Secretary of State Tillerson's and all of the others, including the Attorney General nominee, JEFF SESSIONS, and all of the other nominees of President-Elect Trump. They have every right to a thorough vetting. They have every right to ask hard questions to get information to help them vet these nominees. That is our job. In the end, they should not delay for just delay's sake, which unfortunately some of them have threatened to do. That will not help anybody. It will not help this new administration, it will not make America a safer place, and it will make us more vulnerable to those around the world who want to disrupt the peaceful transition of power from one Presidency to the next.

Mr. President, I thank my colleague from Rhode Island for his courtesy, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, the senior Senator from West Virginia has a very short time clock and has asked me to yield 2 minutes to him before I begin my remarks.

I ask unanimous consent that that take place and that then I be recognized at the conclusion of his remarks to speak in morning business for the duration of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I thank my most generous friend from Rhode Island, Senator WHITEHOUSE, for allowing me to speak for a few minutes.

(The remarks of Mr. MANCHIN pertaining to the introduction of S. 175 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MANCHIN. Again, I thank the Senator.

Mr. WHITEHOUSE. My pleasure.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, in my "Time to Wake Up" climate speech—this is No. 154—I sometimes feel as if I am out here banging hopelessly against a tightly locked, barred, and soundproofed door. I make them anyway because, at a minimum, I want history to know what happened here when people look back and ask what the hell went wrong with American democracy. But I do admit that it can sometimes be discouraging.

However, last week something important happened. A public servant won a victory against a massive special interest. A court in Massachusetts allowed the attorney general of that Commonwealth to obtain files and records from the ExxonMobil corporation about its climate denial enterprise.

That is great news, and it is an important event. There is virtually universal scientific consensus—and even alarm—about climate and oceanic changes caused by burning the fossil fuel industry's products. In the face of that concern, the fossil fuel industry has gone to the mattresses to defend its business model. It is defending what the International Monetary Fund has described as a \$700 billion—billion with a "b"—annual subsidy just in the United States.

To defend a prize of that magnitude, the industry has set up an array of front groups to obscure its hand and to propagate fake science designed to raise doubts about the real thing. With that fake science, they dupe the public and provide talking points for their political operatives. The front groups are a tentacled Hydra named after everyone from Cato to Madison, Jefferson, and Franklin, to George C. Marshall. The resemblances between this fossil fuel climate denial operation and the tobacco fraud scheme are profound, and these resemblances are noted often, including by the lawyer who won the tobacco case. Yes, the Department of Justice won that case.

At the same time, the fossil fuel industry has taken advantage of the political weaponry handed to them by five Republican appointees on the Supreme Court. This industry has used the unprecedented political power bestowed on mighty special interests by the Citizens United decision to extirpate—root out—any Republican support for climate action. When I got here, there was plenty of Republican support for climate action, but after Citizens United that changed. They have seized that party like a hostile political takeover and turned the Republican Party into the fossil fuel industry's political arm. It turns out that you can do this on the cheap, compared to losing a subsidy of \$700 billion a year.

This whole scheme reeks of mischief and self-interest, but in political forums the industry is such a powerful behemoth that it can block proper hearings, spout calculated misinformation, cloud up the truth, lobby to its heart's content, refuse to answer questions, pile up the spin doctors and front groups, buy and rent politicians, and threaten to end careers of anyone who crosses them—and they do. They made an example of Representative Bob Inglis and bragged of the political peril—their words—that would result to those who crossed them. That is how they play in the political branches. Truth

doesn't matter to them. Truth is their adversary.

But you cannot play that way in court. That is why last week's victory was important. Court is different. In court you have to speak truthfully. Your lawyers can be sanctioned for lying in court. In court, your testimony is under oath, and you can be cross-examined. In court, evidence can be demanded and must be produced. In court, you cannot buy a judge's good will or bully a jury into compliance. Tampering with the jury is a crime. Judges cannot meet secretly with one side. No money can change hands, and biased judges must be recused.

Sir William Blackstone was the best-known jurist in England and America at the time of the Revolution. Trial by jury, he said, "preserves in the hands of the people that share which they ought to have in the administration of public justice, and prevents the encroachments of the more powerful and wealthy citizens."

No wonder powerful and wealthy ExxonMobil wants no part of that. This industry has gotten used to saying things with no accountability, dodging the truth, hiding the evidence, and using the massive weight of their political might to see to it that Congress has just the right bias wherever fossil fuel interests are a concern.

This Massachusetts ruling is a chink of light—and a welcome one—as darkness falls over an executive administration stuffed with nominees from the climate denial fringe, wrapped tight in the political tentacles of fossil fuel interests.

It makes the fossil fuel folks crazy to be called into court and to have to stand annoyingly equal before the law when they are used to being the big behemoth, able to tell everyone what to do or pay them or threaten them to do what industry wants. That is why they launched legislative subpoenas at attorneys general and what even Texas newspapers have called out as unseemly abuse of government power.

That is why they rush to the oil patch for judges who will interfere in investigations by attorneys general, even suggesting that attorneys general should not pursue cases against corporations whom they believe are responsible for misconduct because believing that is prejudicial.

Think of that. That is why the industry PR machine creates and propagates magical theories about the industry's First Amendment rights, when it is black letter law—admitted even by Senator SESSIONS in his Judiciary Committee hearing—that the First Amendment ends where fraud begins. Fraudulent speech, including fraudulent corporate speech, is not protected by the First Amendment. It is not now, and it never has been.

To clarify this point, I ask unanimous consent to have printed in the

RECORD a June 2016 Washington Post op-ed by Yale Law School dean Robert Post titled "Exxon-Mobil is abusing the first amendment."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 24, 2016]

EXXON-MOBIL IS ABUSING THE FIRST AMENDMENT

(By Robert Post)

Global warming is perhaps the single most significant threat facing the future of humanity on this planet. It is likely to wreak havoc on the economy, including, most especially, on the stocks of companies that sell hydrocarbon energy products. If large oil companies have deliberately misinformed investors about their knowledge of global warming, they may have committed serious commercial fraud.

A potentially analogous instance of fraud occurred when tobacco companies were found to have deliberately misled their customers about the dangers of smoking. The safety of nicotine was at the time fiercely debated, just as the threat of global warming is now vigorously contested. Because tobacco companies were found to have known about the risks of smoking, even as they sought to convince their customers otherwise, they were held liable for fraud. Despite the efforts of tobacco companies to invoke First Amendment protections for their contributions to public debate, the Court of Appeals for the D.C. Circuit found: "Of course it is well settled that the First Amendment does not protect fraud."

The point is a simple one. If large corporations were free to mislead deliberately the consuming public, we would live in a jungle rather than in an orderly and stable market.

ExxonMobil and its supporters are now eliding the essential difference between fraud and public debate. Raising the revered flag of the First Amendment, they loudly object to investigations recently announced by attorneys general of several states into whether ExxonMobil has publicly misrepresented what it knew about global warming.

The National Review has accused the attorneys general of "trampling the First Amendment." Post columnist George F. Will has written that the investigations illustrate the "authoritarianism" implicit in progressivism, which seeks "to criminalize debate about science." And Hans A. von Spakovsky, speaking for the Heritage Foundation, compared the attorneys general to the Spanish Inquisition.

Despite their vitriol, these denunciations are wide of the mark. If your pharmacist sells you patent medicine on the basis of his "scientific theory" that it will cure your cancer, the government does not act like the Spanish Inquisition when it holds the pharmacist accountable for fraud.

The obvious point, which remarkably bears repeating, is that there are circumstances when scientific theories must remain open and subject to challenge, and there are circumstances when the government must act to protect the integrity of the market, even if it requires determining the truth or falsity of those theories. Public debate must be protected, but fraud must also be suppressed. Fraud is especially egregious because it is committed when a seller does not himself believe the hokum he foists on an unwitting public.

One would think conservative intellectuals would be the first to recognize the necessity

of prohibiting fraud so as to ensure the integrity of otherwise free markets. Prohibitions on fraud go back to Roman times; no sane market could exist without them.

It may be that after investigation the attorneys general do not find evidence that ExxonMobil has committed fraud. I do not prejudge the question. The investigation is now entering its discovery phase, which means it is gathering evidence to determine whether fraud has actually been committed.

Nevertheless, ExxonMobil and its defenders are already objecting to the subpoena by the attorneys general, on the grounds that it "amounts to an impermissible content-based restriction on speech" because its effect is to "deter ExxonMobil from participating in the public debate over climate change now and in the future." It is hard to exaggerate the brazen audacity of this argument.

If ExxonMobil has committed fraud, its speech would not merit First Amendment protection. But the company nevertheless invokes the First Amendment to suppress a subpoena designed to produce the information necessary to determine whether ExxonMobil has committed fraud. It thus seeks to foreclose the very process by which our legal system acquires the evidence necessary to determine whether fraud has been committed. In effect, the company seeks to use the First Amendment to prevent any informed lawsuit for fraud.

But if the First Amendment does not prevent lawsuits for fraud, it does not prevent subpoenas designed to provide evidence necessary to establish fraud. That is why when a libel plaintiff sought to inquire into the editorial processes of CBS News and CBS raised First Amendment objections analogous to those of ExxonMobil, the Supreme Court in the 1979 case *Herbert v. Lando* unequivocally held that the Constitution does not preclude ordinary discovery of information relevant to a lawsuit, even with respect to a defendant news organization.

The attorneys general are not private plaintiffs. They represent governments, and the Supreme Court has always and rightfully been extremely reluctant to question the good faith of prosecutors when they seek to acquire information necessary to pursue their official obligations. If every prosecutorial request for information could be transformed into a constitutional attack on a defendant's point of view, law enforcement in this country would grind to a halt. Imagine the consequences in prosecutions against terrorists, who explicitly seek to advance a political ideology.

It is grossly irresponsible to invoke the First Amendment in such contexts. But we are witnessing an increasing tendency to use the First Amendment to unravel ordinary business regulations. This is heartbreaking at a time when we need a strong First Amendment for more important democratic purposes than using a constitutional noose to strangle basic economic regulation.

Mr. WHITEHOUSE. Mr. President, it makes this industry crazy to be in court and to have to tell the truth, so they will fight desperately on. The \$700 billion a year in subsidies makes it profitable to "lawyer up" by the boatload for this fight and to litigate to their damndest. So this is not over, but this may be the moment when the truth finally found a path around the ramparts of our well-kept congressional indifference and began to find its way into the daylight.

That is one of the reasons the Founding Fathers gave us independent courts

and juries. "Representative government and trial by jury are the heart and lungs of liberty," wrote John Adams. Independent courts and trial by jury were a big deal to the founding generation. The Founding Fathers had a keen sense of history and of politics and of the mischief of conniving men. They were deeply concerned about corruption—corruption of the body politic by interests and factions.

They knew the Bible and had read Isaiah's warning of how "the faithful city has become a whore," with "princes" that are "companions of thieves." They knew about abusive power. They could envision an interest become so powerful as to overwhelm the executive and legislative branches of government and bend those branches to its will. They could envision a special interest so powerful that it could buy its own presses and confuse or beguile the public with propaganda and nonsense. They could envision special interests so powerful as to abuse and distort the very democracy they were building.

So there stand the courts and there stands the jury, the places in our system of government where money has no sway and where evidence, testimony, and truth rule the day.

God bless America.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. JOHNSON). Morning business is closed.

GAO ACCESS AND OVERSIGHT ACT OF 2017

The PRESIDING OFFICER. Under the previous order, the Committee on Homeland Security and Governmental Affairs is discharged from the bill, and the Senate will proceed to consideration of H.R. 72, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 72) to ensure the Government Accountability Office has adequate access to information.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate, equally divided in the usual form.

The Senator from Nebraska.

Mr. SASSE. Mr. President, in just a few minutes we are going to vote on a bill that probably will not get a lot of attention in Washington. No cable news shows are going to give it breaking alerts, headlines. Roundtables of pundits will not be gathering to scream about it, and partisans are not going to score the bill.

It is a straightforward bill with a straightforward purpose—to ensure that the Government Accountability Office can tap into the data at the Department of Health and Human Serv-

ices. But in this case, looks can be deceiving. The GAO Oversight and Access Act of 2017, which I introduced together with Senator TESTER 1 year ago, represents a significant victory for taxpayers.

Its impact won't be felt tomorrow in Washington, but over many years to come, taxpayers from Nebraska and across the country will see how passing this legislation played a role in forcing Congress to address some of the biggest problems that our government faces. Let's step back for a moment and understand why. What is the problem?

The Federal Government has a very serious budget problem. This isn't news to anyone who has been paying attention. It is not even something about which Democrats and Republicans disagree. We may not often agree on solutions, but we can and should agree to clearly identify the problems that the government and, therefore, our people face. Some of the problems are very big—so big, in fact, that it is hard to even wrap our minds around how large the numbers are, like the fact that last year this government spent \$587 billion more than all it collected in taxes. Consider how big \$587 billion is.

National defense is the first and fundamental reason that the Federal Government exists. Last year we spent \$595 billion on all of our national security or in the entire defense budget. When Ronald Reagan was sworn into office, the entire Federal budget was \$590 billion. Now that is what we are borrowing annually.

Or look at it this way. Historically, the amount we borrowed last year was bigger than every Federal budget for the first 160 years of the Nation—combined. That is, if you added up every dollar that the government spent from 1789 through 1950, it would still be less than the \$587 billion that we overspent and therefore borrowed just last year. The former number got us through the Civil War, two world wars, and the Great Depression.

Some of our problems are actually relatively small, but they ultimately add up to something big. Just look at some of the stuff Senator FLAKE dug up in this year's "Wastebook" report or what Senator LANKFORD put in his report this year entitled "Federal Fumbles." The Commerce Department gave \$1.7 million to the National Comedy Museum to resurrect dead comedians using holograms. Also, \$70,000 of our taxpayers' money went to a Minnesota theater to put together an opera of Steven King's "The Shining." And \$17,000 was spent for people to wear fat suits to learn sensitivity to those with weight problems. These things are tiny individually, but when you put them together, they add up to a lot of our budget.

Expert after expert testifies before our committees that this is unsustainable. We all know this cannot

go on forever. At some point, the government's borrowing and overspending ways will catch up with us and we will have a Greek-style debt crisis.

Congress needs to begin acting now to fix the government's structural problems—chiefly in the entitlement programs, for those are the spending categories whose trajectories dwarf all others.

All of this gets to the central problem that the bill we are considering this afternoon was designed to solve—namely, that Congress is flying blind when it comes to overseeing huge portions of our budget, and therefore we don't have the information we need to fix these problems.

The portion in particular I have in mind is the means-tested entitlement programs and the tax credits program. These include Medicaid; the earned-income tax credit, or EITC; the Supplemental Security Income—or disability—Program; food stamps; and Pell grants. All of these were designed to assist our low-income friends and neighbors. All of them together absorb a significant part of today's Federal budget.

As of right now, \$1 in every \$6 we spend is on only 10 means-tested programs and tax credits like the ones just listed, according to the CBO, but because of an anomaly in the law, Congress has been blocked from getting the best information that is available about how these programs are actually working or not working. What do I mean by that? For years, the Government Accountability Office—the GAO, the agency that is supposed to be the taxpayers' watchdog because it is supposed to hunt down waste and expose abuses—has been trying to gain access to a database at the Department of Health and Human Services called the National Directory of New Hires. The new hires database was created in 1996 to help enforce child support payments, and in order to do that, it collected some basic information—basically, who has a job, where they work, whom they work for, and how much they make.

The GAO's interest in this data should be pretty obvious. If it could compare the information in the database to the information in the means-tested programs, it could easily spot fraud, waste, and mismanagement. For instance, if a program's rules say that to qualify for benefits, a person needs to earn less than a certain amount of income annually, GAO would be able to use the database to see if the program is actually operating as designed and then issue reports to Congress. This is exactly the kind of thing that the GAO does across all other Federal programs and that Congress routinely uses the GAO for—to take their recommendations to figure out how we should reform programs that are failing. Only in this case, HHS has blocked the GAO from accessing the database.

Again, these are the biggest categories of Federal spending. The place the GAO has not been able to do its work is in the places where we are spending the most money. It is classic Washington—bureaucracy blocking oversight for taxpayers. It is not always malicious, but this is definitely wrong.

HHS has argued that when Congress created the new hires database, it didn't expressly give the GAO permission to look at this data, and so its hands are tied. GAO countered that Congress had previously given blanket permission to the GAO to access all Federal records many years prior.

Many in Congress believed that the law was clear and that GAO is entitled to this entitlement data under the law, but HHS has refused to budge, and the argument stalemated. The result has been the status quo, with GAO repeatedly requesting data and HHS steadfastly refusing to grant them access to the data, which means they have refused to grant us access to the data.

The GAO Access and Oversight Act of 2017 was introduced to settle this legal dispute between GAO and HHS once and for all in GAO's favor or, better, in the taxpayers' favor. In short, today's bill ensures that the GAO will have full access to the data in the national directory. By doing so, it will ensure for the first time that GAO has a key tool it needs to oversee some of the government's largest spending categories.

This bill does two additional things as well. No. 1, it clarifies that GAO does have standing in court to fight for Federal records the next time a Federal agency tries to deny the GAO—and therefore us—access to that data; and No. 2, it requires the GAO to let all relevant congressional committees know when it issues reports in their jurisdiction.

We are now on the doorstep of hopefully passing this legislation today, which has rightly gotten a lot of support in Congress. When it passes the Senate tonight, it will head straight to the President's desk for figure. Last year, it passed the House by a vote of 403 to 0, and the only reason it failed to pass the Senate was because of an anonymous hold.

In response, the House of Representatives took up this legislation as one of its first pieces of business and sent it over to the Senate 2 weeks ago, on January 4, moving just as quickly. It is a pleasure that the Presiding Officer today happens to be the chairman of the relevant committee that moved so quickly. Chairman JOHNSON and his new ranking member, CLAIRE MCCASKILL, immediately took up this legislation and moved it through the Committee on Homeland Security and Governmental Affairs, for both the chairman—the Presiding Officer today—and Senator MCCASKILL, the champions of oversight of the GAO. I thank the Pre-

siding Officer, the chairman of the committee, for his leadership.

I urge all of my colleagues to support this bill tonight. It is appropriate that one of the first bills of this new Congress will be one to strengthen the authority of the GAO because by strengthening the powers of the GAO, what we are really doing is strengthening the Congress.

There has been lots of talk around here on both sides of the aisle about the needs to reclaim Congress's article I power. Across the 240 years of this Nation—or 226 years since the Constitution; 227 as I do the math here in my head—the Congress is at a fairly weak point in history, and we should be strengthening the article I branch of the Constitution.

One obvious important way to strengthen the powers of the Congress and therefore the accountability that we all have to the American people is by doing better oversight. Conducting hard-hitting but fair oversight of the executive branch agencies is how we protect the separation of powers, and it is how we guard the taxpayers' funds, how we guard the wallet of the people. It is the Congress's job to write the laws and to control the purse strings, and it is the President's job to faithfully execute the laws. Good oversight gives the Congress the information we need to do our job and to ensure that the executive agencies are doing theirs. There is no better friend of the Congress in this regard than the Government Accountability Office. GAO is not simply another agency of a big government; the GAO is a part of the legislative branch, and it works hard to give Congress world-class insights into the operations of the other two branches. GAO is thorough, independent, and respected for its judgments by people of either party and no party at all.

I am deeply proud to see that Senator TESTER has joined us on the floor, for he and I were the original sponsors of this bill. It is a pleasure that tonight we will be giving the GAO the tools it needs for oversight and therefore for our oversight.

It would only be natural, at the start of a new administration and a change of party in the executive branch, for Democrats to become more interested in oversight and Republicans to become less so. May that not be the case. I am hopeful that oversight will remain a top priority for Members on both sides of the aisle. None of us came here to be partisan cheerleaders. We came here to exercise the functions of this office on behalf of the people in our States and across this Nation. It is therefore encouraging tonight, even as a new administration is about to begin in 3 days, that Congress will be asserting its constitutional right to oversight with a big bipartisan vote.

I want to thank my partner on the bill, JON TESTER of Montana, who will

speaking next. When we first heard about this issue together during briefings and committee hearings, we immediately realized that something was wrong, that the GAO had been handcuffed and not able to access this data, and we committed to each other to make sure something was done about it.

I would also like to name the other original cosponsors of this bill, including RON JOHNSON, CLAIRE McCASKILL, TOM CARPER, MIKE ENZI, BRIAN SCHATZ, MIKE LEE, TAMMY BALDWIN, DAVID PERDUE, JONI ERNST, JIM RISCH, STEVE DAINES, TAMMY DUCKWORTH, JOHN MCCAIN, THOM TILLIS, TODD YOUNG, ROB PORTMAN, and JAMES LANKFORD.

Finally, I wish to thank our House partners, including Representative BUDDY CARTER, Chairman JASON CHAFFETZ, and Ranking Member ELIJAH CUMMINGS.

Mr. President, I yield the floor, and I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to start off my remarks by thanking Senator SASSE for us being able to work on this bill together. This is a good bill. He is exactly right—that this bill came out of the Presiding Officer's committee last year, the Committee on Homeland Security and Governmental Affairs. We met in the hallway and said: Let's fix this problem, because it is a problem. We have a bill on the floor today that does exactly that. It is a good-government bill. As the Senator from Nebraska has already pointed out, it is a truly bipartisan bill.

The GAO Access and Oversight Act makes the government more transparent and more accountable to our taxpayers.

Congress passed legislation in 1996 that created the National Directory of New Hires at the Department of Health and Human Services. Since that time, Congress has amended the law to permit other Federal agencies to access the directory. Today, Departments such as the Department of Education and the Department of the Treasury can access the directory for information on the collection of defaulted student loans or the collection of delinquent Federal loans, but the GAO—the Government Accountability Office—has not been allowed access to this directory.

Now, by clarifying that the GAO has the authority to access the National Directory of New Hires, we can ensure that the taxpayers' watchdog is more easily able to do its job and root out Federal overpayments as well as waste, fraud, and abuse.

Federal agencies reported nearly \$125 billion in improper payments in fiscal year 2014 alone—that is \$125 billion with a "b." By allowing the GAO access to this directory, Congress will provide the office with a critical tool that can help save taxpayers billions of dollars in unnecessary waste.

Once again, I thank the Senator from Nebraska for reaching across the aisle and working in a bipartisan fashion. This bill has strong support from Senators on both sides of the aisle, and—guess what—it passed unanimously in the House of Representatives.

I agree with folks across the country who have made themselves heard. They want a more transparent government, a more accountable government, and a more efficient government, and that is exactly what this bill does. That is why I encourage a "yes" vote on this good-government bill today.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Mr. President, I ask unanimous consent that all remaining debate time on H.R. 72 be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. SASSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 28 Leg.]

YEAS—99

Alexander	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gardner	Nelson
Bennet	Gillibrand	Paul
Blumenthal	Graham	Perdue
Blunt	Grassley	Peters
Booker	Harris	Portman
Boozman	Hassan	Reed
Brown	Hatch	Risch
Burr	Heinrich	Roberts
Cantwell	Heitkamp	Rounds
Capito	Heller	Rubio
Cardin	Hirono	Sanders
Carper	Hoeven	Sasse
Casey	Inhofe	Schatz
Cassidy	Isakson	Schumer
Cochran	Johnson	Scott
Collins	Kaine	Shaheen
Coons	Kennedy	Shelby
Corker	King	Stabenow
Cornyn	Klobuchar	Sullivan
Cortez Masto	Lankford	Tester
Cotton	Leahy	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	Markey	Udall
Donnelly	McCain	Van Hollen
Duckworth	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Ernst	Merkley	Wicker
Feinstein	Moran	Wyden
Fischer	Murkowski	Young

NOT VOTING—1

Sessions

The bill (H.R. 72) was passed.
The PRESIDING OFFICER. The Senator from South Dakota.

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF SCOTT PRUITT

Mr. SCHATZ. Mr. President, having Scott Pruitt in charge of the EPA is bad for the air we breathe and the water we drink, and it is bad for American leadership on climate. It is not just that I have a different view from Mr. Pruitt on the Environmental Protection Agency, it is that he has made a career out of undermining the Clean Air and Clean Water Acts. It is not just that he is a Republican or that he doesn't share my views about clean energy.

Look, I understand that when a Republican administration comes in, their EPA nominee is going to have a different view of what the Agency ought to be doing. I am not suggesting that we are going to get Henry Waxman or JEFF MERKLEY to run the EPA. That is not what is going on here. Here is what it is, and I want people to listen carefully.

Scott Pruitt is a professional climate denier. That is his job. He has made his political bones trying to shred the EPA's ability to enforce the laws that protect clean air and clean water. The core mission of the EPA is to safeguard public health by enforcing the laws on the books, and the cornerstones of the EPA's authorities are the Clean Air Act and the Clean Water Act. These laws were passed over 40 years ago with huge bipartisan majorities, and they have been extremely successful.

It is especially important for the dozens of young people watching C-SPAN right now to understand that the state of the environment in the late 1960s was catastrophic, like out of a science fiction movie. Even for those of us who were around, it is a good reminder of what the EPA has accomplished over the decades.

The Cuyahoga River in Ohio was so polluted that it caught on fire. Lake Erie was so polluted that almost nothing could live in it. Bacteria levels in the Hudson River were 170 times above levels that could be considered safe. Raw sewage was directly discharged into rivers and streams where children swam. The FDA found that 87 percent of U.S. swordfish contained so much mercury that they were unfit for human consumption. Then the Clean Water Act was passed. We made incredible progress in the last 44 years. We still have a long way to go, as about one-third of our waterways are not yet fishable and swimmable, as the law requires.

Scott Pruitt's opposition to the Clean Water Act and EPA makes me terrified that we could go back to the bad old days of water pollution. EPA's enforcement of the Clean Air Act is an even bigger success story. This law has saved millions of lives and improved the health of millions of others. EPA's enforcement of the law has reduced air pollution by 70 percent since 1970. Smog levels in L.A. have fallen two-thirds since their peak. Lead in the air is down 98 percent, carbon monoxide down 85 percent, sulfur dioxide down 80 percent. Acid rain is down over 50 percent and at a fraction of the anticipated cost. But this progress is in real jeopardy.

As the Oklahoma attorney general and as the head of the Republican Attorneys General Association, he dismantled the unit in his office charged with enforcing Federal environmental laws and stood up a unit to undermine Federal environmental law. He led the opposition to the Clean Power Plan. He sued the Federal Government over a dozen times to prevent the implementation of rules that would protect our health and our environment. What he does is fight the EPA. That is his thing.

As Oklahoma attorney general, he literally—I am not making this up—he literally copied and pasted a letter from a major oil company onto his official State attorney general letterhead and then sent it to the EPA as though it were his own.

I have never met Mr. Pruitt—and I assume he is personally a good guy—so I will say it like this: A person who works so closely with industries that pollute our air and water is an unusually bad fit to run the EPA. Never before in the history of the EPA has a President nominated someone so opposed to the EPA to run it, and on the most significant environmental challenge of our generation, he is aggressively wrong. He has said that the climate debate is “far from settled” and that “scientists continue to disagree about the degree and extent of global warming and its connections to the actions of mankind.” This, of course, is nuts. The climate debate is settled and

has been for some time. More than 97 percent of climate scientists agree that the climate is changing and that humans are responsible. Ask a scientist, ask a farmer, ask a fisherman, ask a skier or snowboarder. If you don't believe 97 percent of scientists, will you at least believe your own eyes?

His position even puts him at odds with the Department of Defense, which has called climate change a “threat multiplier.” Here is the good news. We are actually making a lot of progress in clean energy, almost all of it in the private sector. The cost of solar power has dropped by 60 percent in the last 10 years and more new solar capacity was added in 2016 than any other energy source. Wind power was by far the largest source added to the grid in 2015. Clean energy generation grew by about 20 percent in the last year, and the long-term extensions of the renewable energy tax credits give us hope to think that kind of trajectory can be sustained. This comes at a time when public concern about climate change is at an alltime high, and with three-quarters of Americans, including half of Republicans, supporting Federal efforts to reduce carbon pollution.

This progress is fragile, and confirming Scott Pruitt can undermine our momentum. Again, here is Mr. Pruitt in his own words about the Clean Power Plan: “The EPA does not possess the authority under the Clean Air Act to accomplish what it proposes in the unlawful Clean Power Plant.” This is flat wrong.

Let me quickly explain a lawsuit called *Massachusetts v. EPA*. The Supreme Court ruled that the Clean Air Act requires the EPA to regulate air pollution and carbon pollution as a pollutant so it is not only that the EPA may regulate greenhouse gas emissions, under the Clean Air Act they are actually required to do so. Mr. Pruitt has bragged that he “led the charge with repeated notices and subsequent lawsuits against the U.S. Environmental Protection Agency.”

On climate change, he has said:

Is it truly manmade or is it just simply another period of time when the Earth is cooling, increasing in heat? Is it just typical, natural type of occurrences as opposed [to] what the administration says?

I cannot think of a person more ill-suited to run this Agency.

On clean energy, the Chinese are leading. Mexico is leading. Europe is leading, Germany, Africa. The question isn't whether the clean energy revolution will occur, the question is whether we will lead it or get left in the dust.

This is where we are. A nominee who does not understand the vital role of clean air, clean water, and protecting the environment has been nominated to lead the EPA, who denies decades of scientific research.

To my Republican colleagues, I have had many encouraging, rational con-

versations about climate with you but almost exclusively in private. I say this. This vote is the litmus test, the one your grandkids will ask you about. I know being in the Senate is about making choices—and lots of times it is great—but this issue, this vote is absolutely simple: Don't vote for a climate denier. You cannot dabble in conservation or energy efficiency or vote for a budget amendment recognizing the scientific consensus on climate change and then vote yes on this nominee. If you say you are not a climate denier, this is the point in your career when you get to prove it. If we find another nominee, even one who hates the Clean Power Plan, who shares your view on federalism, who shares your view about the United Nations, about President Obama, that is fair, that is fine, but this nominee is out of bounds.

Please, consult your voters, your university experts, talk to your kids. It is their planet. It is their future—or consult with your own conscience.

I know sometimes politics is complicated and the right thing to do is not that easy to determine in the fog of the battle. This is not one of those times. For future generations, for the planet, for the future of the Republican Party, you have to get this one right. If you are not a climate denier, do not put one in charge of the Environmental Protection Agency.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

MR. PETERS. Mr. President, today I rise to talk about a critically important position in the Trump administration Cabinet: The Administrator of the Environmental Protection Agency. The EPA is charged with making sure that all Americans are safeguarded from major environmental threats to human health, where they live, where they learn, and where they work.

Originally proposed by a Republican administration, the EPA's mission has been supported by Democrats, Republicans, and Independents alike. Clean air to breathe and clean water to drink are basic human needs that we all must work to protect. Disagreements involving the EPA usually stem from how to best preserve our vital resources, and we certainly welcome those debates in the Senate.

Oftentimes, the role of the Environmental Protection Agency is to provide a check and balance to activities that pollute our air, dirty our waterways, and contaminate our land. This is why I am so troubled by the nomination of Scott Pruitt as EPA Administrator. Mr. Pruitt's track record on environmental issues as Oklahoma's attorney general is, in a word, dismal.

I am particularly concerned about the influence of the fossil fuel industry over Mr. Pruitt's decisions and actions. As Oklahoma's attorney general, he filed 148 lawsuits against the EPA to

undermine their efforts. In 13 of those cases, companies that gave political donations to Mr. Pruitt also joined in that suit. As ranking member of the Science Subcommittee, I am worried that scientific data of the Environmental Protection Agency will be minimized, suppressed, or politicalized. Mr. Pruitt has tried to instill doubt in the strong consensus of global climate change scientists, claiming that the debate on fundamental scientific principles is far from settled.

If his confirmation goes through, I am concerned that the work of EPA scientists may be edited, twisted, or buried to protect special interests and prevent necessary action. Many Michiganders are rightfully afraid that Mr. Pruitt will not enforce our bedrock environmental laws like the Clean Water Act and the Clean Air Act. We have seen him fight against these very laws from his current position.

All across the Nation, communities are dealing with contamination and environmental catastrophes. Rural and urban communities alike depend on the strength of these laws as well as EPA's resources and their expertise. For example, the people of Flint, MI, are still suffering through devastating effects of a catastrophic drinking water crisis. The Environmental Protection Agency is heavily involved to make sure the drinking water in Flint will be safe and the National Safe Drinking Water Act rules will be updated. I am very concerned that the EPA will ignore the lessons learned after the Flint water crisis under Administrator Pruitt, and Flint is not the only community facing a water quality crisis. For example, Monroe County—which gets its water from Lake Erie—has seen its drinking water affected because of toxins in western Lake Erie.

Algae blooms—a result of runoff pollution—have made their way into drinking water intakes. Harmful algal blooms are a problem that scientists say will only get worse as we see higher temperatures and more precipitation in the future.

In addition to providing safe drinking water, I am concerned that enforcement of clean air policies would be weakened. Keeping our air clean isn't just about climate change. It is about keeping pollutants out of the lungs of our children. People in places like Southwest Detroit and St. Clair County all too often suffer the harmful impacts from poor air quality. Detroit has some of the highest child asthma rates in the entire country. Children can't learn if they are too sick to be in school.

Mr. Pruitt has a record we can look at, and it is very extreme. He has attacked measures that reduced interstate smog pollution, including protections against arson and mercury. If Mr. Pruitt has sought to weaken these protections around the country that pro-

tect us from poisons like arsenic and mercury, I think we have to ask the question, if he is confirmed, will he be protecting American families or will he be protecting the bottom line of multinational corporations?

To those who welcome Mr. Pruitt's approach of attacking the EPA, I would say strengthening our economy and our environment are not mutually exclusive. In fact, each effort depends on the success of the other. We must protect our natural resources so future generations will be able to sustainably use them.

Businesses can only attract top talent and jobs to the United States if we have clean places to live and to work and if we have a healthy workforce. Sick days brought on by environmental toxins hurt small businesses, and environmental catastrophes can decimate a lifetime's worth of equity built up by homeowners.

Smart, effective protections can be good, not just for our physical health but for our economic health as well. Previous EPA nominees from both parties have understood these basic principles. What separates Mr. Pruitt from past EPA nominees is his contempt for the mission of the Environmental Protection Agency and his disregard for the science that provides the very foundation for the Agency's actions.

Just as I would not vote to confirm a fox to guard a henhouse, I will not vote to confirm Mr. Pruitt to safeguard our Nation's environment.

I urge my colleagues to join me to oppose Mr. Pruitt's nomination.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I spent the last few days having town hall meetings at home. It was a big challenge. We had a tremendous amount of snow. The distinguished Presiding Officer is very familiar with that. We had the most snow since 1937, and it just goes on and on. We are battling freezing rain. Yet Oregonians came out in big numbers to participate in the discussion about what is going on in Washington, DC. They were particularly troubled about what was being done at the Environmental Protection Agency in the nomination of Scott Pruitt to head it. We had 200 people in McMinnville on Saturday night, a small community. I think the temperature was about 22 degrees. What really troubled them is that it sure looks like, when you examine the record of Mr. Pruitt, that he is trampling on everything we call the Oregon Way. The Oregon Way is something that Democrats, Republicans, people across the political spectrum subscribe to because it involves protecting our treasured land, air, and water. It was something we want for our generation, and we will pass it on to our kids, and it has been hugely valuable to us in attracting more industries that pay well because

the workers at those industries want clean air and clean water.

When you look at Mr. Pruitt's career, it really upends everything that I would call the Oregon Way—repeated attempts to weaken or eliminate health-based environmental standards, air quality standards for toxic air pollutants, limits on carbon emissions to take on the challenge of climate change. These rollbacks are particularly harmful to children and low-income households, communities of color, minorities, families, and communities.

Yesterday, Senator MERKLEY and I spoke at our wonderful Martin Luther King Day Breakfast put on by The Skanner. Bernie and Bobbie Foster have been doing this for years. All I could think of is, if you roll back clean air and health standards, the people who are going to be hurt the most are low-income minorities, and communities of color. I don't see a big outcry in America for policies that would do that kind of harm to some of the most vulnerable Americans.

Mr. Pruitt also has a troubling history of denying that fundamental science really ought to be the basis of American policymaking when it comes to environmental protection.

For example, he disputed the Agency's science-based findings in 2009 that greenhouse gases endanger public health and welfare. Now, my view is that this is an inarguable and unfortunate reality of climate change. But Mr. Pruitt's challenge suggests either a misunderstanding about how environmental agencies ought to make science-based decisions or, even worse, a habit of setting science aside when the outcome is at odds with the special interests.

Again, that comes back to the kind of comments that were made during my five town hall meetings over the last few days at home. People would say: Look, Democrats and Republicans at home in Oregon, great Republican Governors—particularly led by the late Tom McCall—they would constantly come back to the proposition that you should not let the special interests trample on your treasures, your land and your air and your water, because not only was it bad for this generation—our generation—but it would be particularly damaging to our young people.

So it is really troubling that this has been the choice of the President-elect. My own view is that when it comes to environmental standards, one of the unsung successes of the last few years has been a rule cutting emissions of mercury, arsenic, lead, and other dangerous materials. It prevented, in 2016, 11,000 premature deaths. My concern is that a lot of those deaths would be seen in minority communities and communities of color, the people I was concerned about when we had our Martin Luther King Day Breakfast.

Mr. Pruitt worked hard to gut that rule. He really pulled out all the stops to oppose a rule cutting emissions of mercury, arsenic, lead and dangerous heavy metals. He worked hard to gut it. If he is confirmed, he may just possibly be successful.

Now, the message that I have heard again and again is that we can do better than this. We can do better than this. I think the American people, when they see what is at stake—it has been hard to follow all of the hearings. I know that I was very interested in the questioning in the Foreign Relations Committee by the Presiding Officer. I was trying to follow all the nominations, and I could not get to all the hearings. I could not follow all of the questioning that I thought was important.

But even when all of this is going on, when people tell you before a Trailblazers game—at home in Portland, a pregame event—that they are unhappy about the environmental rules and the prospects of the environmental rules being gutted by the new head of the EPA, you know that you have people alarmed.

Oregon is no stranger to the threats of pollution. In 2015, there was a discovery that heavy metals, including cadmium and arsenic, had been emitted for decades into the air of Portland neighborhoods at dangerous levels.

This pollution was caused by a regulatory loophole the size of Crater Lake. At the time, I called on the Environmental Protection Agency to take action. Within days, they were on the ground in Portland helping to assess the public health risks. Not long after, they identified the cause of the regulatory oversight and corrected course.

It seems to me that Americans need to trust that the Environmental Protection Agency will be able to defend their communities from air pollution or from water contamination. That is how we have always looked at it in my home State of Oregon. We always felt that we could trust those that we elected of both political parties for years and years to say: You don't mess with Oregon's land and air and water.

Now, obviously, we have continued, even with that ethic, to have problems. While I was pleased that we were able to get some significant public health changes after we made that discovery in 2015 that there were heavy metals, including cadmium and arsenic, in the air of our neighborhoods, we have to do better. We have to do better at every level of government, and the EPA plays a critical role in ensuring clean and safe water, whether the water is running through a mountain stream or through a pipe to a Portland kitchen. Cities across the country, like my home town of Portland, are facing threats with high levels of lead in the water supply and outdated infrastructure to fix the problem.

These communities are counting on the Environmental Protection Agency to be in a partnership with them to get this fixed to enforce strong water quality standards, and it only can happen if you have strong leadership that starts at the top. The American people have a right to have confidence that the head of the Environmental Protection Agency is going to defend the health and well-being of our communities and not the profits and the pocketbooks of the most powerful special interests in our country.

I am going to close by saying that I am not confident that a Pruitt EPA will stand on the side of those families against the special interests. That is why tonight I state that I will be opposing the nomination of Mr. Scott Pruitt to head the Environmental Protection Agency.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from New Jersey.

Mr. BOOKER. Mr. President, I join with my colleagues today. I appreciate the Senator from Oregon and his remarks. I join with him and the others who have spoken to express my grave concerns about the nomination of Scott Pruitt as Administrator of the Environmental Protection Agency.

It is really unacceptable to me that someone who denies climate change science could be put in charge of an agency that is really tasked with advancing our national strategy to address climate change and the ills resulting. Mr. Pruitt has said—the overwhelming evidence to the contrary—that the debate is far from settled. He denies what is happening in regards to the evidence and the science and the conclusions of the near consensus of scientists.

Time and again, this attorney general from Oklahoma, Mr. Pruitt, has filed suits actually to block the EPA's clean air and clean water regulations protocols, which have allowed the United States to lead the efforts to reduce carbon emissions and address the climate crisis we face.

There are few issues, in my opinion, that are as urgent as this, and across the globe that we must meaningfully do something collectively about. America must lead and not have a leader on this issue that is now so far out of step with global consensus. Everyone, from scientists and climate experts to business leaders and even our own military officials, understands that climate change is a real threat, not just to our environment but also to our economy, to the health of our people and our national security.

It is disturbing that, in a way—and it also defies common sense—if you hear the way some people talk about climate change, including our President-elect and Mr. Pruitt, you might think that not only is climate change not a problem but that it is not our problem.

This could not be further from the truth. We are already, here in America, dealing with and seeing the very real impact of climate change.

Ask anyone living in my home State along the shore or a family in Louisiana whose home has been destroyed by severe flooding or a farmer whose land has become barren from the droughts in California whether or not these consequences are real for their families. Yet, the President-elect and Mr. Pruitt not only refuse to acknowledge the consequences that we are facing but the dangerous and destructive path ahead. They are failing to face that if we fail to act.

Now, the facts of climate change are worth repeating. Air temperatures are rising. Ocean temperatures are increasing. The ocean is becoming far more acidic. Sea levels are rising, both because of expansion of warming oceans and because of the melting of land-based snow and ice that is now entering our oceans. Many mountain glaciers are melting away and the Arctic sea ice is decreasing.

Climate change is an American issue and it is a global issue. Addressing climate change should be a cause where we find agreement across political and geographic divides. In many ways, it already is. We have seen 36 Noble prize winners come together in 2015 in a historic declaration on the threats of climate change. Brad Schmidt, winner of the 2011 Noble Prize in Physics stated: "I see this issue as the single greatest threat to human prosperity."

That is why, in late December 2015, 195 countries signed the Paris Agreement, a historic global agreement to meaningfully address climate change. That is why the Climate and Security Advisory Group, a nonpartisan group of 43 military and national security experts, including former military officials, spoke out to urge the next administration to "comprehensively address the security risks of climate change at all levels of national security planning."

That is why more than 300 American businesses—significant economic engines of our economy—sent a letter to the President-elect urging him to address climate change and to continue America's participation in the Paris Agreement, saying: "Implementing the Paris Agreement will enable and encourage businesses and investors to turn the billions of dollars in existing law-carbon investments into trillions of dollars the world needs to bring clean energy and prosperity to all."

You see, that is the false narrative—that somehow people's working on the climate change issue is done at the expense of businesses. But business leaders understand that there is a tremendous opportunity in the new economy—in a green-energy economy. There is tremendous agreement that America should be leading on this innovation

and these ideas, not following that of others around the globe.

They are health care folks who understand the challenges to American health. That is why the American Lung Association warned that “climate change threatens the health of millions of people. While everyone is at risk for the harms of climate change and air pollution, those most at risk include infants, children, older adults, and those with lung disease (such as asthma and COPD), cardiovascular disease or diabetes. They are the ones who must rush to the emergency room when they cannot breathe because of worsened ozone pollution during a heat wave, or when smoke blows into their yard from wildfires that may be burning hundreds of miles away.”

When we talk about climate change, we aren't talking about ideology or opinion. We are talking about science and evidence. We are talking about national security. We are talking about creating greater economic prosperity, and obviously we are talking about public health.

America cannot sit idly by. We cannot be sidelined in this effort, not just because we produce such a significant amount of the climate-changing chemicals and byproducts but also because we don't want to shirk the opportunities of being a leader in this space. And the American people really understand this. They understand that this isn't a lose-lose, that this could be a win-win for America and the globe. And that is why, according to a Gallop poll from March of last year—it said clearly that the majority of Americans are worried about global warming, and the majority of Americans believe global warming is a result of manmade pollution.

I understand that for many people climate change is not an immediate urgency and reality, but, again, we should understand that right now, many of our more vulnerable Americans are suffering as a result. I see this when I go home from here in Washington to Newark. Newark has almost an epidemic level of asthma, with kids missing school because of this health and lung risk. The facts are clear: The pollutants kids breathe are real. For families living in communities on the shore in my State who are still rebuilding after Superstorm Sandy, the facts are clear: Their homes are being destroyed by unpredictable weather events. In New Jersey, we have seen the damage up and down our coast, with rising sea levels, flooding, and extreme weather.

We know that those who can least afford it—low-income, hard-working families—are severely impacted around the country. Communities that are poor, often minority populations, disproportionately endure pain and suffering related to changes in the weather due to climate change.

We know that when evacuation orders are given, those who can afford to

leave their homes face a far different reality than those who have financial constraints.

Not only is it more difficult for working families to deal with climate-related issues, but the neighborhoods and communities in which they live are often the ones that are more affected by the rising temperatures and the pollution caused by climate change. One researcher who conducted a 2014 study on the effects of climate change reported that “generally, higher poverty neighborhoods are warmer, and wealthier neighborhoods are cooler.” We see that in cities in New Jersey.

Multiple studies continue to show that poorer communities are more likely to be exposed to harmful pollutants than higher income communities. One study from the University of Minnesota found that Americans of color are exposed on average to 38 percent higher levels of outdoor nitrogen dioxide and that disparities in exposure amount to about 7,000 deaths a year from the health problems caused by these realities.

Climate change is already posing real dangers. The most recent National Climate Assessment released in 2014 noted that communities in rural America, as well as urban communities, have already experienced consequences of climate change, including “crop and livestock loss from severe drought and flooding, damage to levees and roads from extreme storms, shifts in planting and harvesting times, and large-scale losses from fires and other weather-related disasters.” The report concludes that “these impacts have profound effects, often significantly affecting the health and well-being of rural residents and communities.”

In States like Oklahoma, for example, where the State legislature mandated a study on the potential impacts of climate change, the group commissioned to do that study, the Oklahoma Climatological Survey, definitively concluded the following:

The Earth's climate has warmed during the last 100 years. The Earth's climate will continue to warm for the foreseeable future. Much of the global average temperature increases over the last 50 years can be attributed to human activities, particularly increasing greenhouse gases in the atmosphere. Oklahoma will be impacted.

Undoubtedly, New Jersey, Oklahoma—where Mr. Pruitt is from—and the rest of our country and the world will continue to be impacted by this problem, especially if America does not lead and falls behind.

We have made great strides, though, in addressing climate change under President Obama, including critical tax credits for wind and solar energy that not only help deal with climate change but also help American businesses thrive and lead, with now more people being employed by solar than coal. We have the historic Paris agreement and EPA regulations to reduce

emissions from the electric power and transportation sectors. We are making strides of which we all should be proud, and actually our economy is benefiting as a result.

The United States has now emerged as a global leader in meaningfully addressing climate change. We cannot afford to slow down this progress, but I am afraid that under the leadership of President-Elect Donald Trump, that is exactly where we are headed. Despite scientific evidence, popular concern, and the real-life impacts of climate change being evidenced in communities all across the country, all different backgrounds, from urban to rural, our President-elect and his nominee for the EPA, Attorney General Scott Pruitt, plan to advance special interests ahead of the common interest, of the global interest, of America's interests.

The United States has a long legacy of leading, being a global leader in times of crisis, and at a time when we see the realities of climate change, at a time when we and many scientists are concluding that there is a global crisis and military leaders are concluding that we have a global crisis, at a time when we are seeing the effect of that crisis being made real in regions across our Nation and our planet Earth, America must not waiver in its commitment.

I believe the Environmental Protection Agency deserves a leader who is prepared to lead—not deny, not retreat, not equivocate, not surrender ground that we have gained. We deserve to have an EPA leader who is just that—someone who stands up to lead, who makes the difficult choices and finds ways to unify our country, to pull from the wisdom of the military, the wisdom of businesses, the wisdom of communities like the one in which I live, and chart a course for this country that helps to lead the globe, lead planet Earth out of this crisis and into the strength we can find through American leadership. I believe that is the task: that we can save our environment and create incredible prosperity in the future.

With that, Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JOHN SULLIVAN

Mr. DURBIN. Mr. President, today I want to take a few moments to acknowledge Illinois State Senator—and my friend—John Sullivan. John is one

of the best and most decent men in politics—and there is no stronger advocate for the people of western Illinois. After all, they are John’s lifelong friends and family. He has been living and farming there his entire life. And after 14 years in the Illinois Senate, John retired and returned to the family business.

John Sullivan grew up on his family farm in Macomb, Nauvoo, and Hamilton. He spent his summers taking care of livestock and baling hay. In 1981, John graduated from Quincy College—known today as Quincy University—with a degree in history. After college, he went to auction school and obtained his real estate license. He sold insurance before taking a job in Rushville with Production Credit Association.

He didn’t know anyone in Rushville—a town of just over 3,000 people—but he joined the local parish and quickly made friends. As fate would have it, Joan Merna moved to town and joined the same parish. Their friends decided to introduce them, and the rest is history. Today, John and Joan have been married for more than 33 years. And if you talk to their friends, they will tell you their marriage was one of the best things that happened to Rushville. They are a great team and have a wonderful family

In 1986, John joined the family real estate and auction business, which his children and siblings still run today. Nearly 20 years later, he sat down with Joan at the kitchen table and decided to run for office. It was something he always wanted to do—and 2002 was as good a time as any. Before John, no one thought a Democrat could be elected Senator in western Illinois. For years, good candidates tried and failed. But John won office the old-fashioned way—by knocking on doors, walking in parades, and listening to people. He also had a secret weapon—six brothers and four sisters. Republicans said it was like running against the Walton family. And a couple of his brothers look just like John. The resemblance was so great that, during that first campaign, people sometimes thought John was everywhere all at once. They didn’t realize that sometimes they

were seeing one of the Sullivan brothers.

John learned fast and rose in just a few years from a political novice to a leader of the Democratic Party in the Illinois Senate. If you want to see John’s legacy, you can look at the extensions of Route 336 and Route 67—main arteries that created hundreds of new jobs—and will continue to bring new jobs to the region long after we are gone. He has secured more than \$820 million for Western Illinois University in Macomb—and over \$16 million to keep the Quincy Veterans Home Guest House open.

But the greatest part of John’s legacy is the civility, reason, and dignity he has brought to his work—qualities that are needed in public service today. John understands that getting things done involves finding middle ground and getting along with people. Progress is a long march. It demands patience and perseverance. And sometimes, it requires the wisdom and humility to compromise, a lesson John learned from his parents, growing up as one of 11 children. When fights broke out, his parents didn’t get involved, they simply said: “Figure it out and just get along.” And they did. John took the same approach to governance and built his reputation as someone who is always willing to listen to the other side to see if there is a way to move forward together. He knows that principled compromise isn’t capitulation, but how democracy is supposed to work. He will be sorely missed in the Illinois Senate.

Despite his many achievements, his proudest accomplishment is his family. John and Joan still live on their family farm in Rushville where they raised four children. Matthew, Mark, Luke, and Emily. And let me tell you, Emily inherited some good public service genes—I am indebted to John and Joan for letting her work in my Washington office.

I will close with this. On the wall in John’s Senate office was a photograph of his dad, along with the advice he gave him. He told John: “Don’t forget the little guy.” Throughout his career, he has never forgotten the little guys—family farmers, small business owners, and hard-working people wondering

how they will send their children to college or retire with dignity. John has stood with them and been their champion. Now, as he enters the next chapter in his life, I want to wish him and Joan many years of happiness and the best of luck with the family business and family farm.

FISCAL YEAR 2017 ENFORCEMENT FILING

Mr. ENZI. Mr. President, S. Con. Res. 3, the fiscal year 2017 congressional budget resolution, included an instruction to the chairman of the Senate Committee on the Budget to file enforceable levels in the Senate in the event the budget was agreed to without the need to appoint a committee of conference on the measure. On Thursday, January 12, 2017, the Senate passed the budget by a vote of 51–48. On Friday, January 13, 2017, the House of Representatives passed the budget without changes on a vote of 227–198. As such, today I wish to submit the required filing found in the resolution.

Specifically, section 4001 of the fiscal year 2017 congressional budget resolution requires the chairman to file: No. 1, an allocation for fiscal year 2017 for the Committee on Appropriations; and No. 2, an allocation for fiscal years 2017, 2017 through 2021, and 2017 through 2026 for committees other than the Committee on Appropriations.

The figures included in this filing are consistent with the spending limits set forth in the Budget Control Act of 2011, as amended by the Bipartisan Budget Act of 2015, and the levels included in S. Con. Res. 3.

For purposes of enforcing the Senate’s pay-as-you-go rule, which is found in section 201 of S. Con. Res. 21, the fiscal year 2008 congressional budget resolution, I am resetting the Senate’s scorecard to zero for all fiscal years.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the tables detailing enforcement in the Senate be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ALLOCATION OF SPENDING AUTHORITY TO SENATE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2017

[\$ billions]

	Budget Authority	Outlays
Appropriations:		
Revised Security Category Discretionary Budget Authority ¹	557.015	n/a
Revised Nonsecurity Category Discretionary Budget Authority ¹	526.951	n/a
General Purpose Outlays ¹	n/a	1,187.014
Memo:		
Subtotal	1,083.966	1,187.014
on-budget	1,078.487	1,181.466
off-budget	5.479	5.548
Mandatory	1,018.836	1,006.323

¹ The allocation will be adjusted following the reporting of bills, offering of amendments, or submission of conference reports that qualify for adjustments to the discretionary spending limits as outlined in section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA).

Note: This allocation is consistent with the statutory limits imposed by the Budget Control Act of 2011, as amended. Regular appropriations assumed in this allocation total \$551.068 billion in revised security category discretionary budget authority and \$518.531 billion in revised nonsecurity category discretionary budget authority. The allocation assumes \$1,181,800 in general purpose outlays stemming from those regular appropriations amounts. This allocation also includes the cap adjustments that occurred in calendar year 2016 for full-year spending for fiscal year 2017, pursuant to Section 251 of BBEDCA and Sections 302 and 314 of the Congressional Budget Act of 1974. Details of those adjustments can be found in the Congressional Record for May 12, 2016, May 26, 2016, June 27, 2016, September 2, 2016, and December 9, 2016.

ALLOCATION OF SPENDING AUTHORITY TO SENATE COMMITTEES OTHER THAN APPROPRIATIONS

[\$ billions]

	2017	2017–2021	2017–2026
Agriculture, Nutrition, and Forestry:			
Budget Authority	133.327	655.014	1,326.997
Outlays	121.523	602.835	1,227.828
Armed Services:			
Budget Authority	162.100	866.015	1,881.409
Outlays	162.432	862.246	1,878.163
Banking, Housing and Urban Affairs:			
Budget Authority	23.973	114.120	214.810
Outlays	1.767	–6.607	–44.043
Commerce, Science, and Transportation:			
Budget Authority	19.607	97.634	201.084
Outlays	14.227	78.264	153.420
Energy and Natural Resources:			
Budget Authority	3.635	21.597	44.402
Outlays	3.477	21.927	44.992
Environment and Public Works:			
Budget Authority	45.086	220.077	424.157
Outlays	2.593	12.994	25.832
Finance:			
Budget Authority	2,277.203	13,101.022	31,274.627
Outlays	2,262.047	13,073.093	31,233.186
Foreign Relations:			
Budget Authority	36.313	163.870	312.459
Outlays	30.758	149.512	296.865
Homeland Security and Government Affairs:			
Budget Authority	139.912	743.116	1,605.703
Outlays	138.197	730.847	1,571.469
Judiciary:			
Budget Authority	30.054	90.554	164.524
Outlays	16.069	94.016	171.897
Health, Education, Labor, and Pensions:			
Budget Authority	17.204	90.282	176.893
Outlays	15.841	89.820	183.421
Rules and Administration:			
Budget Authority	0.265	0.697	1.034
Outlays	0.236	0.565	0.799
Intelligence:			
Budget Authority	0.514	2.570	5.140
Outlays	0.514	2.570	5.140
Veterans' Affairs:			
Budget Authority	102.650	550.301	1,227.011
Outlays	108.091	557.468	1,233.262
Indian Affairs:			
Budget Authority	0.469	2.053	4.484
Outlays	0.829	3.038	5.263
Small Business:			
Budget Authority	0.000	0.000	0.000
Outlays	0.000	0.000	0.000
Unassigned to Committee:			
Budget Authority	–844.671	–4,649.869	–10,724.965
Outlays	–835.437	–4,608.689	–10,648.885
Total:			
Budget Authority	2,147.641	12,069.053	28,139.769
Outlays	2,043.164	11,663.899	27,338.609

Includes entitlements funded in annual appropriations acts.

PAY-AS-YOU-GO SCORECARD FOR THE SENATE

[\$ billions]

	Balances
Fiscal Years 2016 through 2021	0
Fiscal Years 2016 through 2026	0

TRIBUTE TO DR. ERICA TOWLE

Mr. THUNE. Mr. President, today I recognize Dr. Erica Towle, a Knauss Sea Grant fellow on the U.S. Senate Committee on Commerce, Science, and Transportation, for all of the hard work she has done for me, my staff, and other members of the committee over the past year. Dr. Towle received her Ph.D. in coral reef ecology from the University of Miami. In her post-graduate work, she has used her scientific expertise to inform public policy. I extend my sincere thanks and appreciation to Dr. Towle for all of the fine work she has done. I wish her continued success in the years to come.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE BLUE WATER AREA CHAMBER OF COMMERCE

• Mr. PETERS. Mr. President, today I wish to recognize the Blue Water Area Chamber of Commerce on the occasion of its 100th anniversary. The chamber was founded in 1906 by a group of businessowners and entrepreneurs in Port Huron who volunteered their time and financial resources to the growth of the greater Port Huron-Marysville community.

Within its first year, the chamber had accomplished its goal of encouraging economic growth with the addition of new factories and the establishment of an industrial enterprise fund. Its work attracted new business from around Michigan, Illinois, and Kentucky. By the time the chamber was officially incorporated in 1917, it had grown to 905 members. This expansion allowed the chamber to begin to improve the well-being of the Port Huron community, a tradition that continues to this day.

Throughout its history, the Blue Water Area Chamber of Commerce has been more than just a way to connect

businesses in the Port Huron area. It continually advocates for the community. Over the past few years, the chamber has led initiatives that have addressed housing shortages, advocated for improved conditions in our schools through finance reform and millage campaigns, and supported campaigns to improve our regional infrastructure. It has fought, time and time again, not just for better business, but for the prosperity of the entire Blue Water region.

Today the Blue Water Area Chamber of Commerce continues its great tradition of fostering economic prosperity and community improvement. The guiding force throughout the last century has been the chamber's five core values: integrity, relationships, freedom, excellence, and happiness. By adhering to these values, they have grown and continued to succeed. In 2007, the Blue Water Area Chamber of Commerce was awarded the Chamber of the Year Award from the Michigan Association of Chamber Professionals. It received this great honor again in 2010, for its continued and outstanding work in advocacy, education, and assistance programs to its community, a true testament to the membership and leadership. The growth we have seen in the

Port Huron over the past few years has been remarkable, and the Blue Water Chamber has been a critical component of that success and progress.

I am pleased today to ask my colleagues to join me in recognizing such an auspicious milestone for the Blue Water Area Chamber of Commerce. On its 100th anniversary, the chamber and its members have much to celebrate, and I wish them continuing success and prosperity in the years ahead.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and treaties which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 84. An act to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 78. An act to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders.

H.R. 238. An act to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 3. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2017, the Speaker appoints the following Members on the part of the House of Representatives to the Joint Economic

Committee: Mr. Paulsen of Minnesota, Mr. Schweikert of Arizona, Mrs. Comstock of Virginia, Mr. LaHood of Illinois, Mr. Francis Rooney of Florida, Mrs. Carolyn Maloney of New York, Mr. Delaney of Maryland, Ms. Adams of North Carolina, and Mr. Beyer of Virginia.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 78. An act to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 238. An act to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2017" (Rept. No. 115-1).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO (for himself, Mr. FLAKE, Mr. MCCAIN, Mr. LEE, and Mr. COTTON):

S. 147. A bill to prevent a taxpayer bailout of health insurance issuers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 148. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified elementary and secondary education tuition; to the Committee on Finance.

By Mr. RUBIO:

S. 149. A bill to amend the Higher Education Act of 1965 to provide student loan deferment for victims of terrorist attacks; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 150. A bill to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 151. A bill to provide appropriate information to Federal law enforcement and intelligence agencies, pursuant to investigating terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. MCCAIN, and Mr. TOOMEY):

S. 152. A bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NELSON:

S. 153. A bill to ensure reliable observation of hurricanes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. NELSON):

S. 154. A bill to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO:

S. 155. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 156. A bill to require the Secretary of the Treasury to implement security measures in the electronic tax return filing process to prevent tax refund fraud from being perpetrated with electronic identity theft; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. NELSON, and Mr. LEE):

S. 157. A bill to allow seniors to file their Federal income tax on a new Form 1040SR; to the Committee on Finance.

By Mr. RUBIO:

S. 158. A bill to eliminate the payroll tax for individuals who have attained retirement age, to amend title II of the Social Security Act to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title, and for other purposes; to the Committee on Finance.

By Mr. RUBIO:

S. 159. A bill to terminate Operation Choke Point; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO:

S. 160. A bill to reform the inspection process of housing assisted by the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself and Mr. NELSON):

S. 161. A bill to improve hurricane forecasting and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 162. A bill to restore Second Amendment rights in the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER (for himself, Mr. LANKFORD, and Mr. BOOKER):

S. 163. A bill to amend chapter 31 of title 5, United States Code, to establish in statute the Presidential Innovation Fellows Program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself, Mr. BARRASSO, Mr. ENZI, Ms. BALDWIN, and Ms. KLOBUCHAR):

S. 164. A bill to direct the Secretary of the Interior to reissue the final rules relating to the listing of the gray wolf in the Western Great Lakes and the State of Wyoming under the Endangered Species Act of 1973; to the Committee on Environment and Public Works.

By Mr. ROUNDS:

S. 165. A bill to amend title 10, United States Code, to require an element in

preparation counseling for members of the Armed Forces on assistance and support services for caregivers of certain veterans through the Department of Veterans Affairs; to the Committee on Armed Services.

By Mr. HATCH (for himself and Mr. BOOKER):

S. 166. A bill to require the Secretary of the Treasury to mint coins in commemoration of Muhammad Ali; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. 167. A bill to designate a National Memorial to Fallen Educators at the National Teachers Hall of Fame in Emporia, Kansas; to the Committee on Energy and Natural Resources.

By Mr. WICKER (for himself, Mr. CASEY, Mr. RUBIO, Mr. NELSON, and Mr. THUNE):

S. 168. A bill to amend and enhance certain maritime programs of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. COTTON):

S. 169. A bill to counter anti-Semitism at the United Nations, and for other purposes; to the Committee on Foreign Relations.

By Mr. RUBIO (for himself, Mr. MANCHIN, Mr. CRAPO, Mr. NELSON, Mr. CORNYN, Mr. CARDIN, Mr. GRAHAM, Mr. MENENDEZ, Mr. HATCH, Mr. WYDEN, Mr. COTTON, Mr. BLUMENTHAL, Mr. PORTMAN, Mr. PETERS, Mr. CRUZ, Ms. STABENOW, Ms. MURKOWSKI, Mr. BENNET, and Mr. BLUNT):

S. 170. A bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SULLIVAN (for himself, Mr. THUNE, Mr. NELSON, Ms. MURKOWSKI, Mr. SCHATZ, Ms. CANTWELL, and Mr. WICKER):

S. 171. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself, Ms. WARREN, Ms. STABENOW, Mr. MARKEY, and Mr. MERKLEY):

S. 172. A bill to require the President to withdraw from the Trans-Pacific Partnership Agreement and to make that Agreement ineligible for expedited consideration by Congress; to the Committee on Finance.

By Mr. RUBIO (for himself and Mr. NELSON):

S. 173. A bill to require the United States Postal Service to designate a single, unique ZIP code for particular communities; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER (for himself and Mr. SCHATZ):

S. 174. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; to the Committee on Commerce, Science, and Transportation.

By Mr. MANCHIN (for himself, Mrs. CAPITO, Mr. CASEY, Mr. BROWN, Mr.

KAINE, Mr. WARNER, Mr. PORTMAN, Mr. TESTER, Mrs. MURRAY, Mr. SANDERS, Mr. DURBIN, Mr. FRANKEN, Mr. BOOKER, Mr. DONNELLY, Mr. HEINRICH, Mrs. MCCASKILL, Ms. HEITKAMP, Mr. NELSON, Mr. BURR, and Mr. SULLIVAN):

S. 175. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes; to the Committee on Finance.

By Mr. MCCONNELL:

S. 176. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. BROWN, Mr. WHITEHOUSE, Mr. REED, Mr. WYDEN, Mr. FRANKEN, Ms. STABENOW, Mr. MARKEY, Mr. UDALL, Ms. KLOBUCHAR, Mr. KAINE, Mr. MERKLEY, Mr. BOOKER, Mr. WARNER, Ms. WARREN, Mr. SANDERS, Mr. VAN HOLLEN, and Mr. MENENDEZ):

S.J. Res. 5. A joint resolution removing the deadline for the ratification of the equal rights amendment; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DAINES (for himself, Mr. HATCH, Mr. BLUNT, Mr. LANKFORD, Mr. INHOFE, Mr. CORNYN, Mr. BOOZMAN, Mr. WICKER, Mr. RISCH, Mr. TILLIS, Mr. SASSE, Mr. LEE, and Mr. CRAPO):

S. Con. Res. 5. A concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and protected for all people of the United States under the Constitution of the United States, and recognizing the 231st anniversary of the enactment of the Virginia Statute for Religious Freedom; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. HELLER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 11, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 17

At the request of Mr. SASSE, the names of the Senator from Idaho (Mr. RISCH), the Senator from Utah (Mr. LEE), the Senator from Montana (Mr. DAINES), the Senator from Indiana (Mr. YOUNG), the Senator from Arizona (Mr. MCCAIN), the Senator from Oklahoma (Mr. LANKFORD), the Senator from North Carolina (Mr. TILLIS), the Senator from Ohio (Mr. PORTMAN) and the Senator from Illinois (Ms. DUCKWORTH)

were added as cosponsors of S. 17, a bill to ensure the Government Accountability Office has adequate access to information.

S. 47

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 47, a bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect.

S. 66

At the request of Mr. HELLER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 66, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 71

At the request of Mr. NELSON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 71, a bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty.

S. 87

At the request of Mr. TOOMEY, the names of the Senator from Utah (Mr. HATCH) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 87, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S.J. RES. 4

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S.J. Res. 4, a joint resolution disapproving the action of the District of Columbia Council in approving the Death with Dignity Act of 2016.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

S. RES. 9

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 9, a resolution honoring in praise and remembrance the extraordinary

life, steady leadership, and remarkable, 70-year reign of King Bhumibol Adulyadej of Thailand.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MANCHIN (for himself, Mrs. CAPITO, Mr. CASEY, Mr. BROWN, Mr. KAINE, Mr. WARNER, Mr. PORTMAN, Mr. TESTER, Mrs. MURRAY, Mr. SANDERS, Mr. DURBIN, Mr. FRANKEN, Mr. BOOKER, Mr. DONNELLY, Mr. HEINRICH, Mrs. MCCASKILL, Ms. HEITKAMP, Mr. NELSON, Mr. BURR, and Mr. SULLIVAN):

S. 175. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes; to the Committee on Finance.

Mr. MANCHIN. Mr. President, I am back again to introduce the Miners Protection Act.

It is bipartisan. We worked on it in a bipartisan manner, and we said: If it comes to the floor, we will pass it. So we are here again.

This is a promise that was made since 1946. These are men who have worked hard. They paid through the hard work they have accomplished through their own sweat, and we are trying to make sure they have their permanent fix to their health care and to their pensions. This is something that has a pay-for. It is back up again. It should have been done last year. We had an extension at the end until April. April is going to come and go again, and then we are going to start playing politics with this. If we get this done now and get it done quickly, it is something that we can move on, and we can take care of the other problems we have.

Again, this is the Miners Protection Act, which our miners have worked for, earned, and deserved. Their widows and families are expecting this. They need this in order to live any type of a quality life.

I thank you, again. I thank all of my colleagues—my Republican friends for signing onto this piece of legislation and all of my Democratic caucus, which unanimously signed onto it. It is something that should be done and done quickly.

By Mr. MCCONNELL:

S. 176. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan, and for other purposes; to the Committee on Finance.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Helping Ensure Long-Term Protection for Coal Miners Health Care Act of 2017” or the “HELP for Coal Miners Health Care Act of 2017”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Over the 8 years preceding the date of the introduction of this Act, the coal industry and the communities supported by that industry have struggled, in large part due to overregulation.

(2) Excessive regulation has, in large part, made coal more expensive to mine and use and has put it at an unfair disadvantage in the marketplace.

(3) Because of these struggles—

(A) the coal mining industry has lost over 30,000 jobs since President Obama’s inauguration;

(B) over 600 coal mines have shuttered since President Obama’s inauguration;

(C) more than 25 coal mining companies have filed for bankruptcy since President Obama’s inauguration;

(D) Kentucky alone has lost over 10,000 coal mining jobs since President Obama’s inauguration; and

(E) the total number of operating coal mines has hit its lowest point on record.

(4) Because of the health risks often associated with mining, robust health benefits are vital to coal miner retirees; however, coal company bankruptcies, job cuts, and closures have exhausted the ability of many coal companies to continue providing health benefits to retirees and their dependents.

(5) Congress has stepped in twice before, in 1992 and in 2006, to assist retired miners and to secure their health benefits. When thousands more were at risk of losing their benefits at the end of 2016, Congress intervened again to provide a 4-month extension in health benefits for orphaned retired miners and their dependents.

(6) While this extension helped prevent the loss of health benefits for thousands of miners, it did not provide a long-term solution.

(7) It is necessary to provide a permanent extension of health care benefits for the orphaned retirees who are at risk of losing their retirement health benefits at the end of April 2017.

SEC. 3. INCLUSION OF CERTAIN RETIREES IN THE MULTIEMPLOYER HEALTH BENEFIT PLAN.

(a) IN GENERAL.—Section 402(h)(2)(C) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C)), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017, is amended—

(1) by striking clauses (ii), (iii), and (iv); and

(2) by inserting after clause (i) the following:

“(ii) CALCULATION OF EXCESS.—The excess determined under clause (i) shall be calculated by taking into account only—

“(I) those beneficiaries actually enrolled in the Plan as of the date of the enactment of the HELP for Coal Miners Health Care Act of 2017 who are eligible to receive health benefits under the Plan on the first day of the calendar year for which the transfer is made, other than those beneficiaries enrolled in the Plan under the terms of a participation agreement with the current or former employer of such beneficiaries; and

“(II) those beneficiaries whose health benefits, defined as those benefits payable, fol-

lowing death or retirement or upon a finding of disability, directly by an employer in the bituminous coal industry under a coal wage agreement (as defined in section 9701(b)(1) of the Internal Revenue Code of 1986), would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012 or 2015.

For purposes of subclause (I), a beneficiary enrolled in the Plan as of the date of the enactment of the HELP for Coal Miners Health Care Act of 2017 shall be deemed to have been eligible to receive health benefits under the Plan on January 1, 2017.

“(iii) ELIGIBILITY OF CERTAIN RETIREES.—Individuals referred to in clause (ii)(II) shall be treated as eligible to receive health benefits under the Plan.

“(iv) REQUIREMENTS FOR TRANSFER.—The amount of the transfer otherwise determined under this subparagraph for a fiscal year shall be reduced by any amount transferred for the fiscal year to the Plan, to pay benefits required under the Plan, from a voluntary employees’ beneficiary association established as a result of a bankruptcy proceeding described in clause (ii).”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 2016.

(c) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, and every 3 years thereafter, the Comptroller General of the United States shall conduct a study of the Multiemployer Health Benefit Plan described in section 402(h)(2)(C)(i) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C)(i)) and shall submit to the appropriate committees of Congress a report analyzing whether Federal funds are being spent appropriately by such Plan.

SEC. 4. CLARIFICATION OF FINANCING OBLIGATIONS.

(a) IN GENERAL.—Subsection (a) of section 9704 of the Internal Revenue Code of 1986 is amended—

(1) by striking paragraph (3),

(2) by striking “three premiums” and inserting “two premiums”, and

(3) by striking “, plus” at the end of paragraph (2) and inserting a period.

(b) CONFORMING AMENDMENTS.—

(1) Section 9704 of the Internal Revenue Code of 1986 is amended—

(A) by striking subsection (d), and

(B) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively.

(2) Subsection (d) of section 9704 of such Code, as so redesignated, is amended—

(A) by striking “3 separate accounts for each of the premiums described in subsections (b), (c), and (d)” in paragraph (1) and inserting “2 separate accounts for each of the premiums described in subsections (b) and (c)”, and

(B) by striking “or the unassigned beneficiary premium account” in paragraph (3)(B).

(3) Subclause (I) of section 9703(b)(2)(C)(ii) of such Code is amended by striking “9704(e)(3)(B)(i)” and inserting “9704(d)(3)(B)(i)”.

(4) Paragraph (3) of section 9705(a) of such Code is amended—

(A) by striking “the unassigned beneficiary premium under section 9704(a)(3) and” in subparagraph (B), and

(B) by striking “9704(i)(1)(B)” and inserting “9704(h)(1)(B)”.

(5) Paragraph (2) of section 9711(c) of such Code is amended—

(A) by striking “9704(j)(2)” in subparagraph (A)(i) and inserting “9704(i)(2)”,

(B) by striking “9704(j)(2)(B)” in subparagraph (B) and inserting “9704(i)(2)(B)”, and

(C) by striking “9704(j)” and inserting “9704(i)”.

(6) Paragraph (4) of section 9712(d) of such Code is amended by striking “9704(j)” and inserting “9704(i)”.

(c) ELIMINATION OF ADDITIONAL BACKSTOP PREMIUM.—

(1) IN GENERAL.—Paragraph (1) of section 9712(d) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C).

(2) CONFORMING AMENDMENT.—Paragraph (2) of section 9712(d) of such Code is amended—

(A) by striking subparagraph (B),

(B) by striking “, and” at the end of subparagraph (A) and inserting a period, and

(C) by striking “shall provide for—” and all that follows through “annual adjustments” and inserting “shall provide for annual adjustments”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after September 30, 2016.

SEC. 5. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should work with the administration to—

(1) repeal onerous regulations that have contributed to the downfall of the coal industry; and

(2) support economic growth in Appalachia and other coal communities by promoting growth-oriented economic development efforts.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 5—AFFIRMING THE IMPORTANCE OF RELIGIOUS FREEDOM AS A FUNDAMENTAL HUMAN RIGHT THAT IS ESSENTIAL TO A FREE SOCIETY AND PROTECTED FOR ALL PEOPLE OF THE UNITED STATES UNDER THE CONSTITUTION OF THE UNITED STATES, AND RECOGNIZING THE 231ST ANNIVERSARY OF THE ENACTMENT OF THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM

Mr. DAINES (for himself, Mr. HATCH, Mr. BLUNT, Mr. LANKFORD, Mr. INHOFE, Mr. CORNYN, Mr. BOOZMAN, Mr. WICKER, Mr. RISCH, Mr. TILLIS, Mr. SASSE, Mr. LEE, and Mr. CRAPO) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 5

Whereas United States democracy is rooted in the fundamental truth that all people are created equal, endowed by the Creator with certain inalienable rights, including life, liberty, and the pursuit of happiness;

Whereas the freedom of conscience was highly valued by—

(1) individuals seeking religious freedom who settled in the American colonies;

(2) the founders of the United States; and

(3) Thomas Jefferson, who wrote in his letter to the Society of the Methodist Episcopal Church at New London, Connecticut, dated February 4, 1809, that “[n]o provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprizes of the civil authority”;

Whereas the Virginia Statute for Religious Freedom was—

(1) drafted by Thomas Jefferson, who considered the Virginia Statute for Religious Freedom to be one of his greatest achievements;

(2) enacted on January 16, 1786; and

(3) the forerunner to the Free Exercise Clause of the First Amendment to the Constitution of the United States;

Whereas section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)) states that—

(1) “[t]he right to freedom of religion undergirds the very origin and existence of the United States”; and

(2) religious freedom was established by the founders of the United States “in law, as a fundamental right and as a pillar of our Nation”;

Whereas the role of religion in United States society and public life has a long and robust tradition;

Whereas individuals who have studied United States democracy from an international perspective, such as Alexis de Tocqueville, have noted that religion plays a central role in preserving the United States Government because religion provides the moral base required for democracy to succeed;

Whereas, in *Town of Greece v. Galloway*, 134 S. Ct. 1811 (2014), the United States Supreme Court affirmed that “people of many faiths may be united in a community of tolerance and devotion”;

Whereas the principle of religious freedom “has guided our Nation forward”, as expressed by the 44th President of the United States in his Presidential proclamation on Religious Freedom Day in 2011, and freedom of religion “is a universal human right to be protected here at home and across the globe”, as expressed by that President of the United States on Religious Freedom Day in 2013;

Whereas “[f]reedom of religion is a fundamental human right that must be upheld by every nation and guaranteed by every government”, as expressed by the 42nd President of the United States in his Presidential proclamation on Religious Freedom Day in 1999;

Whereas the First Amendment to the Constitution of the United States protects—

(1) the right of individuals to express freely and act on their religious beliefs; and

(2) individuals from coercion to profess or act on a religious belief to which they do not adhere;

Whereas “our laws and institutions should not impede or hinder but rather should protect and preserve fundamental religious liberties”, as expressed by the 42nd President of the United States in his remarks accompanying the signing of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.);

Whereas for countless people of the United States, faith is an integral part of every aspect of daily life and is not limited to their homes, houses of worship, or doctrinal creeds;

Whereas “religious faith has inspired many of our fellow citizens to help build a better Nation” in which “people of faith continue to wage a determined campaign to meet needs and fight suffering”, as expressed by the 43rd President of the United States in his Presidential proclamation on Religious Freedom Day in 2003;

Whereas “from its birth to this day, the United States has prized this legacy of religious freedom and honored this heritage by standing for religious freedom and offering

refuge to those suffering religious persecution”, as noted in section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a));

Whereas Thomas Jefferson wrote—

(1) in 1798 that each right encompassed in the First Amendment to the United States Constitution is dependent on the other rights described in that Amendment, “thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: inasmuch, that whatever violated either, throws down the sanctuary which covers the others”; and

(2) in 1822 that the constitutional freedom of religion is “the most inalienable and sacred of all human rights”;

Whereas religious freedom “has been integral to the preservation and development of the United States”, and “the free exercise of religion goes hand in hand with the preservation of our other rights”, as expressed by the 41st President of the United States in his Presidential proclamation on Religious Freedom Day in 1993; and

Whereas we “continue to proclaim the fundamental right of all peoples to believe and worship according to their own conscience, to affirm their beliefs openly and freely, and to practice their faith without fear or intimidation”, as expressed by the 42nd President of the United States in his Presidential proclamation on Religious Freedom Day in 1998: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) on Religious Freedom Day on January 16, 2017, honors the 231st anniversary of the enactment of the Virginia Statute for Religious Freedom; and

(2) affirms that—

(A) for individuals of any faith and individuals of no faith, religious freedom includes the right of an individual to live, work, associate, and worship in accordance with the beliefs of the individual;

(B) all people of the United States can be unified in supporting religious freedom, regardless of differing individual beliefs, because religious freedom is a fundamental human right; and

(C) “the American people will remain forever unshackled in matters of faith”, as expressed by the 44th President of the United States in his Presidential proclamation on Religious Freedom Day in 2012.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have two requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on January 17, 2017, at 2:15 p.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 17, 2017, at 5 p.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled "Nomination of Betsy DeVos to serve as Secretary of Education."

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NOS. 115-1 AND 115-2

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on January 17, 2017, by the President of the United States: Extradition Treaty with the Republic of Serbia, Treaty Document No. 115-1; Extradition Treaty with the Government of the Republic of Kosovo, Treaty Document No. 115-2. I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the United States of America and the Republic of Serbia (the "Treaty"), signed at Belgrade on August 15, 2016. I also transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty would replace the Treaty between the United States of America and the Kingdom of Serbia for the Mutual Extradition of Fugitives from Justice, signed October 25, 1901 (the "1901 Treaty"), which applies to the Republic of Serbia as a successor state to the former Socialist Federal Republic of Yugoslavia. The Treaty follows generally the form and content of other extradition treaties recently concluded by the United States. It would replace an outmoded list of extraditable offenses with a modern "dual criminality" approach, which would enable extradition for such offenses as money laundering, cyber-related crimes, and other newer offenses not appearing on the 1901 Treaty list. The Treaty also provides that extradition shall not be refused based on the nationality of the person sought and contains a modernized "political offense" clause. Finally, the Treaty incorporates a series of procedural improvements to streamline and expedite the extradition process.

I recommend that the Senate give early and favorable consideration to

the Treaty, and give its advice and consent to ratification.

BARACK OBAMA.
THE WHITE HOUSE, January 17, 2017.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the Government of the United States of America and the Government of the Republic of Kosovo (the "Treaty"), signed at Pristina on March 29, 2016. I also transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty would replace the Treaty between the United States of America and the Kingdom of Serbia for the Mutual Extradition of Fugitives from Justice, signed October 25, 1901 (the "1901 Treaty"), which applies to the Republic of Kosovo as a successor state to the former Socialist Federal Republic of Yugoslavia. The Treaty follows generally the form and content of other extradition treaties recently concluded by the United States. It would replace an outmoded list of extraditable offenses with a modern "dual criminality" approach, which would enable extradition for such offenses as money laundering, cyber-related crimes, and other newer offenses not appearing on the 1901 Treaty list. The Treaty also provides that extradition shall not be refused based on the nationality of the person sought and contains a modernized "political offense" clause. Finally, the Treaty incorporates a series of procedural improvements to streamline and expedite the extradition process.

I recommend that the Senate give early and favorable consideration to the Treaty, and give its advice and consent to ratification.

BARACK OBAMA.
THE WHITE HOUSE, January 17, 2017.

TALENT ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 39, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 39) to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 39) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR FRIDAY, JANUARY
20, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Friday, January 20; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Senators should gather in the Chamber at 10 a.m. on Friday for the inauguration. Rollcall votes are possible on Friday afternoon on Cabinet nominations.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of the Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEVOS NOMINATION HEARING

Mr. SCHUMER. Mr. President, I have just been told that the hearing for Ms. DeVos, nominee for Secretary of Education, which began at 5 p.m., much to our chagrin, is now going to be—the chairman of the committee, Senator ALEXANDER, my dear friend, has stated that there will be only one round of questions, 5 minutes each.

I tell my friend the majority leader, who just left, and my colleagues that this is not the way for comity: a hearing on a nominee with only one round of questioning, 5 minutes each, for a controversial nominee who has \$5 billion of investments, who has not filed her papers yet. We feel very strongly that there ought to be another hearing, and this will affect how the rest of the nominees will go forward because we need time on them.

I have never heard of anything like this—a major nominee with major controversy, not having filed her papers,

and then the hearing only beginning at 5 p.m. today because my friend Senator ALEXANDER wouldn't switch the hearing to a different day, even though there is no rush. Now Senator ALEXANDER has just decreed as the hearing convened that there will be only one round of questioning, 5 minutes each.

I understand why my Republican colleagues are rushing through these nominees—and this one in particular. They are afraid of what the public will hear. They are afraid of what these nominees represent. President-Elect Trump has said he is going to drain the swamp. What does he have? A rigged Cabinet of billionaires and not the blue-collar people he has appealed to. How do we know they will represent the interests of the country, of the President-elect himself—at least what he said in his campaign? How do we know they are free of conflicts of interest? There is no way to know.

Tonight's hearing is an indication that the swamp is not close to getting cleaned up; in fact, it is getting worse.

I have not heard of any hearing like this.

I would respectfully urge my colleague, the chairman of the HELP Committee, which covers education, to have another hearing because this hearing is not close to being adequate; it is a mockery of the process.

I yield the floor.

ADJOURNMENT UNTIL FRIDAY,
JANUARY 20, 2017, AT 4 P.M.

The PRESIDING OFFICER. The Senate stands adjourned until 4 p.m. on Friday, January 20, 2017.

Thereupon, the Senate, at 6:05 p.m., adjourned until Friday, January 20, 2017, at 4 p.m.

NOMINATIONS

Executive nominations received by the Senate:

STATE JUSTICE INSTITUTE

GAYLE A. NACHTIGAL, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE

INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018. (REAPPOINTMENT)

COMMODITY FUTURES TRADING COMMISSION

CHRISTOPHER JAMES BRUMMER, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2021, VICE MARK P. WETJEN, TERM EXPIRED.

BRIAN D. QUINTENZ, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2020, VICE SCOTT O'MALLIA, RESIGNED.

UNITED STATES INTERNATIONAL TRADE COMMISSION

JASON E. KEARNS, OF COLORADO, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING DECEMBER 16, 2024, VICE DEAN A. PINKERT, TERM EXPIRED.

DEPARTMENT OF STATE

TODD PHILIP HASKELL, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE CONGO.

UNITED STATES SENTENCING COMMISSION

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2021. (REAPPOINTMENT)

DANNY C. REEVES, OF KENTUCKY, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2019, VICE RICARDO H. HINOJOSA, TERM EXPIRED.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 2017

Ms. LEE. Mr. Speaker, if I were present, I would have voted no on roll call number 32 on the motion on ordering the previous question to H. Res. 40.

If I were present, I would have voted no on roll call number 33 to H. Res. 40.

If I were present, I would have voted yes on roll call number 34 to H.R. 39.

TRIBUTE TO MARLENE JOHNSON-
ODOM

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 2017

Ms. MOORE. Mr. Speaker, I rise today to pay tribute to my friend Marlene Johnson-

Odom. She served as alderwoman on the City of Milwaukee Common Council for the sixth aldermanic district for more than 24 years. Ms. Johnson-Odom passed away on January 9, 2017.

Marlene Johnson-Odom was a lifelong Milwaukee resident. She was a product of the public school system and a fellow graduate of North Division High School. Marlene received a Bachelor of Science degree from the University of Wisconsin-Milwaukee.

Prior to becoming an elected official, Ms. Johnson-Odom worked for Milwaukee Public Schools and was TV Hostess at Channel 18, a local television station. Ms. Johnson-Odom succeeded her first husband Ben Johnson on the Common Council and was known as a quiet but effective leader. While serving on the Common Council, one of the achievements of which she was most proud was the renaming of 3rd Street to Martin Luther King Drive. Always approachable, Marlene provided outstanding service to her constituents.

Ms. Johnson-Odom was always extremely involved in the community and served on numerous boards and commissions including:

Milwaukee Area Technical College Board, United Way Board of Directors, Black Women's Network and Pabst Theater Board.

Ms. Johnson-Odom leaves behind 3 children: Jan Johnson Carlyle, Paula Darling and Jay Johnson, 2 grandchildren: Amber Brown and Ellis Johnson, 8 great-grandchildren and a host of other relatives and friends to mourn her passing. She leaves a strong legacy of leadership for her children and grandchildren to model.

Mr. Speaker, Marlene was my friend and a Milwaukee and Wisconsin treasure and I valued her service to the 4th Congressional District. I urge you and my colleagues in the U.S. House of Representatives to join me in a salute to the late Marlene Johnson-Odom.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HOUSE OF REPRESENTATIVES—Friday, January 20, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. KING of New York).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 20, 2017.

I hereby appoint the Honorable PETER T. KING to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

You are the father of us all, and Your divine providence has led this Nation in the past and guides all human affairs to this very day.

On this day the American people join Congress as we call upon Your holy name. We pray for Vice President MIKE PENCE and, most especially, for your servant, Donald Trump, our elected 45th President of these United States.

May Your holy spirit descend upon him that he may see things as You see things. May he be strengthened in his work and grow in understanding as he proves ever attentive to the people.

May he respond to the Nation's deepest needs and lift up all of us to higher standards of equal justice, true goodness, and peaceful union. Grant him health and protection, sincere collaboration and renewed faith.

Lord, may the people of this Nation and those around the world stand with him to face any challenge, endure any difficulty without fear, learn how to accept every success and every failure with grace, and support him with encouragement and prayer. We pray that he become his best self.

As always, may all that is done be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 40, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. TONKO) come for-

ward and lead the House in the Pledge of Allegiance.

Mr. TONKO led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 17, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 17, 2017, at 5:24 p.m.:

That the Senate passed without amendment H.R. 72.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 18, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 18, 2017, at 9:48 a.m.:

That the Senate passed without amendment H.R. 39.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

JANUARY 17, 2017.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S.
Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 603 of the Department of State Authorities

Act, Fiscal Year 2017 (Pub. L. 114-323), I am pleased to appoint the following individual to the Western Hemisphere Drug Policy Commission:

Mr. Sam Farr of Carmel, California
Thank you for your attention to this matter.

Best regards,

NANCY PELOSI,
Democratic Leader.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

JANUARY 18, 2017.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S.
Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 553 of the National Defense Authorization Act for Fiscal Year 2017 (Pub. L. 114-328), I am pleased to appoint the following individual to the National Commission on Military, National and Public Service:

Mr. Edward T. Allard III of Los Angeles, California.

Thank you for your consideration of this appointment.

Best regards,

NANCY PELOSI,
Democratic Leader.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore UPTON on Thursday, January 19, 2017:

H.R. 39, to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes;

H.R. 27, to ensure the government Accountability Office has adequate access to information.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Thursday, January 19, 2017:

S. 84, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that in order to be

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

seated on the platform, sitting Members of the 115th Congress must have an official pin, which they will be given as they leave the Chamber.

Members are advised there are no extra seats available on the platform. Therefore, only sitting Members will be seated on the platform.

Under no circumstances will former Members, former House officers, spouses, or children be able to join the procession or be seated on the platform.

The Sergeant at Arms will precede the procession bearing the mace.

Members will be escorted to the west terrace in order of seniority.

At this time, Members, the Resident Commissioner, and Delegates should congregate in the well by class.

Pursuant to H. Res. 37, upon completion of the ceremony, the House will stand adjourned until noon on Monday, January 23, 2017, for morning-hour debate and 2 p.m. for legislative business.

Pursuant to H. Res. 37, Members will now proceed to the west front to attend the inaugural ceremonies for the President and Vice President of the United States.

Thereupon, at 10 o'clock and 6 minutes a.m., the Members of the House, preceded by the Sergeant at Arms and the Speaker, proceeded to the west front of the Capitol.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. UPTON on Thursday, January 19, 2017:

H.R. 39. An Act to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

H.R. 72. An Act to ensure the Government Accountability Office has adequate access to information.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title on Thursday, January 19, 2017:

S. 84, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

ADJOURNMENT

At the conclusion of the inaugural ceremonies (at 12 o'clock and 27 minutes p.m.), the House, without returning to its Chamber, adjourned until Monday, January 23, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

223. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Joseph P. Mulloy, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

224. A communication from the President of the United States, transmitting the Administration's description of its efforts to close the Guantanamo Bay Detention Facility (H. Doc. No. 115—15); to the Committee on Armed Services and ordered to be printed.

225. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's Major final rule — Total Loss-Absorbing Capacity, Long-Term Debt, and Clean Holding Company Requirements for Systemically Important U.S. Bank Holding Companies and Intermediate Holding Companies of Systemically Important Foreign Banking Organizations [Docket No.: R-1523] (RIN: 7100-AE37) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

226. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Student Assistance General Provisions [Docket ID: ED-2015-OPE-0103] (RIN: 1840-AD22) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

227. A letter from the Regulations Coordinator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting the Department's final rule — Confidentiality of Substance Use Disorder Patient Records [SAMHSA-4162-20] (RIN: 0930-AA21) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

228. A letter from the Regulations Coordinator, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting the Department's final rule — Control of Communicable Diseases [CDC Docket No.: CDC-2016-0068] (RIN: 0920-AA63) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

229. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicaid Program; The Use of New or Increased Pass-Through Payments in Medicaid Managed Care Delivery Systems [CMS-2402-F] (RIN: 0938-AT10) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

230. A letter from the Regulations Coordinator, Office of the Assistant Secretary for Health, Department of Health and Human Services, transmitting the Department's Major final rule — Federal Policy for the Protection of Human Subjects (RIN: 0937-

AA02) received January 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

231. A letter from the Surgeon General and Deputy Assistant Secretary for Mental Health and Substance Use, Department of Health and Human Services, transmitting a report titled "Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs, and Health"; to the Committee on Energy and Commerce.

232. A letter from the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Establishment of a New Drug Code for Marihuana Extract [Docket No.: DEA-342] (RIN: 1117-AB33) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

233. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Technical Correction to the National Ambient Air Quality Standards for Particulate Matter [EPA-HQ-OAR-2016-0408; FRL-9958-29-OAR] (RIN: 2060-AS89) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

234. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's partial withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances; Withdrawal [EPA-HQ-OPPT-2016-0207; FRL-9958-20] (RIN: 2070-AB27) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

235. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2008 Lead, 2008 Ozone, 2010 NO₂, 2010 SO₂, and 2012 PM_{2.5} National Ambient Air Quality Standards; Wyoming [EPA-R08-OAR-2012-0933; FRL-9958-35-Region 8] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

236. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Participation by Disadvantaged Business Enterprises in Procurement Under EPA Financial Assistance Agreements [EPA-HQ-OA-2006-0278; FRL-9958-44-OA] (RIN: 2090-AA40) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

237. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements [EPA-HQ-OAR-2009-0234; FRL-9958-30-OAR] (RIN: 2060-AS75) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

238. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Deadline for Action on the November 28, 2016 Section 126 Petition From Delaware [EPA-HQ-OAR-2016-0764;

FRL-9958-26-OAR] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

239. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Determination of Attainment and Approval of Base Year Emissions Inventories for the Imperial County, California Fine Particulate Matter Nonattainment Area [EPA-R09-OAR-2016-0772; FRL-9958-21-Region 9] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

240. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Texas; El Paso Carbon Monoxide Limited Maintenance Plan [EPA-R06-OAR-2016-0550; FRL-9957-56-Region 6] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

241. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Inspection and Maintenance Program Error Correction [EPA-R06-OAR-2011-0695; FRL-9957-41-Region 6] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

242. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revisions to Nonattainment Permitting Regulations [EPA-R08-OAR-2016-0620; FRL-9958-28-Region 8] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

243. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Amendment to Standards and Practices for All Appropriate Inquiries Under CERCLA [EPA-HQ-OLEM-2016-0786; FRL-9958-47-OLEM] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

244. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Disapproval; AL; Prong 4 Visibility for the 2008 8-hour Ozone Standard [EPA-R04-OAR-2012-0689; FRL-9958-42-Region 4] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

245. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; NOx as a Precursor to Ozone, PM2.5 Increment Rules and PSD Infrastructure SIP Requirements [EPA-R05-OAR-2016-0134; FRL-9957-58-Region 5] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

246. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's

final rule — Air Plan Approval; District of Columbia; Update to Materials Incorporated by Reference [DC104-2052; FRL-9955-98-Region 3] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

247. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2.4-D; Pesticide Tolerances [EPA-HQ-OPP-2016-0594; FRL-9958-07] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

248. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

249. A letter from the Secretary, Department of the Treasury, transmitting the Department's "Fiscal Year 2016 Financial Report of the U.S. Government", pursuant to 31 U.S.C. 331(e)(1); Public Law 97-258, Sec. 331(e)(1) (as amended by Public Law 103-356, Sec. 405(c)); (108 Stat. 3416); to the Committee on Oversight and Government Reform.

250. A letter from the President and CEO, African Development Foundation, transmitting a letter fulfilling the annual requirements contained in the Inspector General Act of 1978, as amended, covering the period October 1, 2015 to September 30, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act), Sec. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

251. A letter from the Chairman, National Transportation Safety Board, transmitting a Board's report to Congress on FY 2016 competitive sourcing efforts, pursuant to 31 U.S.C. 501 note; Public Law 108-199, Sec. 647(b); (118 Stat. 361); to the Committee on Oversight and Government Reform.

252. A letter from the Division Chief, Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting the Department's Major final rule — Waste Prevention, Production Subject to Royalties, and Resource Conservation [17X.LLWO310000.L13100000.PP0000] (RIN: 1004-AE14) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

253. A letter from the Deputy Designated Agency Ethics Official, Office of the Solicitor, Department of the Interior, transmitting the Department's direct final rule — Supplemental Standards of Ethical Conduct for Employees of the Department of the Interior [Docket ID: DOI-2016-0007; 167D0102R2; DS636440000; DR2000000.CH7000] (RIN: 1092-AA12) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

254. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule — Civil Monetary Penalties Inflation Adjustments for Ethics in Government Act Violations (RIN: 3209-AA00) (RIN: 3209-AA38) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

255. A letter from the Director, Office of Surface Mining Reclamation and Enforce-

ment, Department of the Interior, transmitting the Department's final rule — Civil Monetary Penalty Inflation Adjustments [Docket ID: OSM-2016-0015; SID1S SS08011000 SX064A000 178S180110; S2D2S SS08011000 SX064A00 17XS501520] (RIN: 1029-AC74) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

256. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Update of FEMA's Public Assistance and Fire Management Assistance Grant Regulations To Reflect the Terminology of Uniform Administrative Requirements, Cost Principles, and Audit Requirements [Docket ID: FEMA-2016-0034] (RIN: 1660-AA89) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

257. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Airworthiness Standards for Normal, Utility, Acrobatic, and Commuter Category Airplanes [Docket No.: FAA-2015-1621; Amdt. Nos.: 21-100, 23-64, 35-10, 43-49, 91-346, 121-378, and 135-136] (RIN: 2120-AK65) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

258. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshift Engines [Docket No.: FAA-2015-3753; Directorate Identifier 2015-NE-26-AD; Amendment 39-18406; AD 2016-04-12] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

259. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-3142; Directorate Identifier 2015-NM-003-AD; Amendment 39-18728; AD 2016-25-02] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

260. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-8850; Directorate Identifier 2016-NM-031-AD; Amendment 39-18755; AD 2016-25-29] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

261. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation [Docket No.: FAA-2016-9537; Directorate Identifier 2016-SW-075-AD; Amendment 39-18759; AD 2016-24-51] (RIN: 2120-AA64) received January 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

262. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters [Docket No.: FAA-2016-5247; Directorate Identifier 2015-SW-008-AD; Amendment 39-18740; AD 2016-25-14] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

263. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0143; Directorate Identifier 2012-NM-113-AD; Amendment 39-18753; AD 2016-25-27] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

264. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-8180; Directorate Identifier 2016-NM-083-AD; Amendment 39-18760; AD 2016-26-02] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

265. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes [Docket No.: FAA-2016-9109; Directorate Identifier 2016-NM-011-AD; Amendment 39-18761; AD 2016-26-03] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

266. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cedar City, UT [Docket No.: FAA-2016-9119; Airspace Docket No.: 16-ANM-15] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

267. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Kahului, HI [Docket No.: FAA-2014-1068; Airspace Docket No.: 14-AWP-12] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

268. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Healy, AK [Docket No.: FAA-2016-9159; Airspace Docket No.: 13-AAL-7] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

269. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of an Air Traffic Service (ATS) Route; Western United

States [Docket No.: FAA-2015-1345; Airspace Docket No.: 14-AWP-13] (RIN: 2120-AA66) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

270. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9057; Directorate Identifier 2016-NM-055-AD; Amendment 39-18763; AD 2016-26-05] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

271. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Offshore Airspace Areas; Control 1154H, Control 1173H, Control 1154L, and Control 1173L, California [Docket No.: FAA-2016-9263; Airspace Docket No.: 15-AWA-6] (RIN: 2120-AA66) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

272. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31107; Amdt. No.: 3723] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

273. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; B-N Group Ltd. Airplanes [Docket No.: FAA-2016-9160; Directorate Identifier 2016-CE-022-AD; Amendment 39-18767; AD 2016-26-09] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

274. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31109; Amdt. No.: 3725] received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

275. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AgustaWestland S.p.A. Helicopters [Docket No.: FAA-2016-4278; Directorate Identifier 2012-SW-022-AD; Amendment 39-18758; AD 2016-26-01] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

276. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-6894; Directorate Identifier 2015-NM-120-AD; Amendment 39-18729; AD 2016-25-03] (RIN:

2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

277. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2015-5807; Directorate Identifier 2015-SW-063-AD; Amendment 39-18754; AD 2016-25-28] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

278. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2015-3929; Directorate Identifier 2015-SW-031-AD; Amendment 39-18746; AD 2016-25-20] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

279. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-7525; Directorate Identifier 2015-NM-064-AD; Amendment 39-18727; AD 2016-25-01] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

280. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-7425; Directorate Identifier 2014-NM-244-AD; Amendment 39-18741; AD 2016-25-15] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

281. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly known as Saab AB, Saab Aerosystems) Airplanes [Docket No.: FAA-2016-9056; Directorate Identifier 2016-NM-007-AD; Amendment 39-18743; AD 2016-25-17] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

282. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-8847; Directorate Identifier 2016-NM-020-AD; Amendment 39-18742; AD 2016-25-16] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

283. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-5816; Directorate Identifier 2015-NM-029-AD; Amendment 39-18731; AD 2016-25-05] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to

the Committee on Transportation and Infrastructure.

284. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-8845; Directorate Identifier 2016-NM-094-AD; Amendment 39-18732; AD 2016-25-06] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

285. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Airplanes [Docket No.: FAA-2016-9527; Directorate Identifier 2016-CE-036; Amendment 39-18748; AD 2016-25-22] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

286. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-7531; Directorate Identifier 2015-NM-052-AD; Amendment 39-18747; AD 2016-25-21] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

287. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Airplanes [Docket No.: FAA-2016-0457; Directorate Identifier 2015-NM-084-AD; Amendment 39-18751; AD 2016-25-25] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

288. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-3698; Directorate Identifier 2015-NM-138-AD; Amendment 39-18733; AD 2016-25-07] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

289. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robinson Helicopter Company Helicopters [Docket No.: FAA-2016-0733; Directorate Identifier 2015-SW-040-AD; Amendment 39-18762; AD 2016-26-04] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

290. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-7424; Directorate Identifier 2015-NM-173-AD; Amendment 39-18756; AD 2016-25-30] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

291. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes [Docket No.: FAA-2016-7003; Directorate Identifier 2016-CE-015-AD; Amendment 39-18766; AD 2016-26-08] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

292. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-3631; Directorate Identifier 2015-NM-060-AD; Amendment 39-18757; AD 2016-25-31] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

293. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-6898; Directorate Identifier 2016-NM-101-AD; Amendment 39-18752; AD 2016-25-26] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

294. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters [Docket No.: FAA-2014-0498; Directorate Identifier 2013-SW-052-AD; Amendment 39-18745; AD 2016-25-19] (RIN: 2120-AA64) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

295. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Extension of the Prohibition Against Certain Flights Within the Damascus (OSTT) Flight Information Region (FIR) [Docket No.: FAA-2014-0708; Amendment No.: 91-334A] (RIN: 2120-AK93) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

296. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines and Standards for the Dental Category [EPA-HQ-OW-2014-0693; FRL-9957-10-OW] (RIN: 2040-AF26) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

297. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aquatic Life Criteria for Cadmium in Oregon [EPA-HQ-OW-2016-0012; FRL-9958-40-OW] (RIN: 2040-AF60) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

298. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Depart-

ment's final rule — Monetary Threshold for Reporting Rail Equipment Accidents/Incidents for Calendar Year 2017 [FRA-2008-0136, Notice No.: 9] (RIN: 2130-ZA14) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

299. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure regarding the Section 403(b) Remedial Amendment Period (Rev. Proc. 2017-18) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

300. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Allocation Rules for Post-2000 State Housing Credit Ceiling (Rev. Rul. 2016-29) received January 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

301. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare and Medicaid Program: Conditions of Participation for Home Health Agencies [CMS-3819-F] (RIN: 0938-AG81) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

302. A letter from the Regulations Coordinator, Office of the Secretary/Office of Medicare Hearings and Appeals, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program: Changes to the Medicare Claims and Entitlement, Medicare Advantage Organization Determination, and Medicare Prescription Drug Coverage Determination Appeals Procedures [HHS-2016-79] (RIN: 0991-AC02) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WEBER of Texas, Mr. KNIGHT, Mr. HULTGREN, Mr. LUCAS, Mr. LIPINSKI, Mr. ROHRBACHER, Ms. ESTY, Mr. BABIN, Mr. PERLMUTTER, Mr. BANKS of Indiana, Mr. TONKO, Mr. BIGGS, Mr. DUNN, and Mr. HIGGINS of Louisiana):

H.R. 589. A bill to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. LATTA (for himself, Mr. MCNERNEY, Mr. FLEISCHMANN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HUDSON, and Mr. TONKO):

H.R. 590. A bill to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies; to the Committee on Energy and

Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT (for himself, Mr. GOSAR, Mr. BURGESS, Mr. GRIFFITH, Mr. BABIN, Mr. DUNCAN of South Carolina, Mr. BUCK, Mr. GOHMERT, Mr. EMMER, and Mr. BYRNE):

H.R. 591. A bill to amend the Immigration and Nationality Act to require deposits into the Immigration Examinations Fee Account to be subject to appropriations, and for other purposes; to the Committee on the Judiciary.

By Mr. GUTHRIE (for himself, Mr. KIND, Mr. REED, Mr. BUTTERFIELD, Mrs. BLACKBURN, Mr. KING of Iowa, Ms. KUSTER of New Hampshire, Mr. BOST, Mr. FOSTER, Mr. RYAN of Ohio, Mr. SWALWELL of California, Mr. SHUSTER, Mr. THOMAS J. ROONEY of Florida, Mr. TIPTON, Mr. BROOKS of Alabama, Mr. FARENTHOLD, Mr. YOUNG of Alaska, Mrs. MCMORRIS RODGERS, Ms. NORTON, Mr. LANGEVIN, Mr. STEWART, Mr. CUMMINGS, Mr. BILIRAKIS, Mr. CONNOLLY, Mr. LIPINSKI, Ms. DELAURO, Mr. MEEHAN, Mr. COLLINS of Georgia, Mr. LONG, Mr. MASSIE, Mr. DUNCAN of Tennessee, Mr. WALBERG, Mr. HILL, Ms. SPEIER, Ms. DELBENE, Mrs. WALORSKI, Ms. PINGREE, Mr. CARTER of Texas, Mr. BLUM, Ms. SLAUGHTER, Mr. ROGERS of Kentucky, Mr. PETERSON, Mr. LOBRONDO, Mr. SMITH of Texas, Mr. TIBERI, Mr. WEBSTER of Florida, Ms. TSONGAS, Mr. DELANEY, Mr. STIVERS, Mr. HUNTER, Mr. MESSER, Mr. YOHO, Mr. JONES, Mr. KNIGHT, Mrs. COMSTOCK, Mr. CARTER of Georgia, Mr. LARSON of Connecticut, Mr. COLLINS of New York, Mr. ROYCE of California, Mr. PITTINGER, Mr. HASTINGS, Mr. THOMPSON of Pennsylvania, Mr. AUSTIN SCOTT of Georgia, Mr. COHEN, Mr. RODNEY DAVIS of Illinois, Mr. MULLIN, Mr. HENSARLING, Mr. GIBBS, Mr. JOYCE of Ohio, Ms. STEFANIK, Mr. PRICE of North Carolina, Mr. BARLETTA, Mr. TURNER, Mr. OLSON, Mr. CRAMER, Mr. BYRNE, Mr. JOHNSON of Ohio, Mr. WALZ, Mr. VEASEY, Mr. KATKO, Mr. HURD, Mr. HUDSON, Mr. POCAN, Ms. MCSALLY, Mr. MARINO, Mr. DEFazio, Mr. HARPER, Mr. DESJARLAIS, Mrs. BUSTOS, Mr. HECK, Mr. SHIMKUS, Mr. PAULSEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. WELCH, Mr. LOEBESACK, Mr. GRAVES of Missouri, Mr. ABRAHAM, Mr. BISHOP of Michigan, Ms. MOORE, Mr. LANCE, Mr. LUCAS, Mr. KINZINGER, Mr. LUETKEMEYER, Ms. GABBARD, Ms. KELLY of Illinois, Mr. DENT, Mr. POLIQUIN, and Mr. EMMER):

H.R. 592. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. JONES, and Mr. PETERS):

H.R. 593. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the conversion of leadership PAC funds to per-

sonal use; to the Committee on House Administration.

By Mr. CAPUANO (for himself and Mr. LYNCH):

H.R. 594. A bill to establish the Securities and Derivatives Commission in order to combine the functions of the Commodity Futures Trading Commission and the Securities and Exchange Commission in a single independent regulatory commission; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO:

H.R. 595. A bill to amend the Federal Reserve Act to reform the Federal Reserve System; to the Committee on Financial Services, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 596. A bill to require the President to withdraw from the Trans-Pacific Partnership Agreement; to the Committee on Ways and Means.

By Mr. DENHAM:

H.R. 597. A bill to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes; to the Committee on Natural Resources.

By Mr. LYNCH (for himself, Mr. QUIGLEY, Mr. GALLEGRO, Mr. CAPUANO, Ms. CLARK of Massachusetts, Ms. SINEMA, Mr. JEFFRIES, Mr. BEYER, Ms. ESHOO, Mr. CROWLEY, Ms. MENG, Ms. SPEIER, Ms. NORTON, Mr. LIPINSKI, Ms. SCHAKOWSKY, Mr. PETERS, Mr. TED LIEU of California, Miss RICE of New York, and Mr. SUOZZI):

H.R. 598. A bill to require the Administrator of the Federal Aviation Administration to commission a study of the health impacts of airplane flights on affected residents of certain metropolitan areas, and for other purposes; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Texas:

H.R. 589.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. LATTA:

H.R. 590.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BRAT:

H.R. 591.

Congress has the power to enact this legislation pursuant to the following:

American immigration law stems from Congress' powers to "establish a uniform Rule of Naturalization" (Article I, Section 8, Clause 4) and to "regulate Commerce with foreign Nations" (Article I, Section 8, Clause 3). Only Congress has the power to "lay and collect Taxes, Duties, Imposts and Excises" (Article I, Section 8, Clause 1), and Article I, Section 9, Clause 7 states that "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law," designating Congress as the final authority to control or limit the spending of the federal government. Furthermore, it is both "necessary and proper" (Article I, Section 8, Clause 18) that Congress maintain control over funds through appropriations to ensure that the President "take Care that the Laws be faithfully executed" (Article II, Section 3).

By Mr. GUTHRIE:

H.R. 592.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. CAPUANO:

H.R. 593.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 4, CLAUSE 1

By Mr. CAPUANO:

H.R. 594.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CAPUANO:

H.R. 595.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. DELAURO:

H.R. 596.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DENHAM:

H.R. 597.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LYNCH:

H.R. 598.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 7: Mr. BRIDENSTINE, Mr. MITCHELL, Mr. PALAZZO, Mr. SESSIONS, Mr. CHAFFETZ, Mr. SMITH of Texas, Mr. COLLINS of Georgia, Mr. HENSARLING, Mr. MEADOWS, and Mr. YOHO.

H.R. 38: Ms. STEFANIK and Mr. BIGGS.

H.R. 140: Mr. ROE of Tennessee and Mr. GOODLATTE.

H.R. 300: Mr. FORTENBERRY.

H.R. 331: Ms. NORTON.

H.R. 361: Mr. CRAMER and Mr. BRIDENSTINE.

H.R. 367: Mr. WOMACK.

H.R. 376: Ms. CLARK of Massachusetts and Mr. DESAULNIER.

H.R. 380: Mr. WEBER of Texas, Mr. CARTER of Texas, Mr. ROHRABACHER, Mr. DUNCAN of South Carolina, Mr. COFFMAN, and Mr. GARRETT.

H.R. 394: Mr. KELLY of Pennsylvania.

H.R. 482: Mr. JOYCE of Ohio.

H.R. 525: Mr. HOLLINGSWORTH.

H.R. 539: Mr. ALLEN and Mr. MULLIN.

H.R. 587: Ms. CLARK of Massachusetts, Mr. GUTHRIE, Mr. LYNCH, Mr. CAPUANO, Mr. CICILLINE, Mr. RUSH, Mr. COURTNEY, Mr. LAN-

GEVIN, Mr. MCGOVERN, Mr. WELCH, Mr. MULLIN, Mr. KINZINGER, Mr. HUDSON, Mr. MOULTON, and Ms. KUSTER of New Hampshire.

H.J. Res. 17: Mr. COFFMAN.

H. Res. 15: Mr. AGUILAR, Mr. BRADY of Pennsylvania, Mr. CASTRO of Texas, Mr. CICILLINE, Mrs. DAVIS of California, Ms. DELBENE, Mr. DEFazio, Mr. FASO, Ms. NORTON, Mr. JENKINS of West Virginia, Mr. KRISHNAMOORTHY, Mr. LOBIONDO, Mr. SEAN PATRICK MALONEY of New York, Mr. MCKINLEY, Mr. NOLAN, Mr. RICHMOND, Mr. SERRANO, Ms. TITUS, Mrs. WATSON COLEMAN, Mr. BEYER, Ms. JUDY CHU of California, Mr. JEFFRIES, Mr. JOHNSON of Ohio, Mr. LAHOOD, Mr. LIPINSKI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. MCCOLLUM.

PETITIONS, ETC.

Under clause 3 of rule XII,

3. The SPEAKER presented a petition of the City Commission of Miami Florida, relative to Resolution R-16-0592, urging President Barack H. Obama, President-elect Donald J. Trump and his administration, and the Members of the 114th United States Congress to set out policy changes implementing democratic procedures within the Cuban governmental structure aimed towards promoting a better quality of life and a more sustainable environment for the people of Cuba; which was referred to the Committee on Foreign Affairs.

SENATE—Friday, January 20, 2017

The Senate met at 4 p.m. and was called to order by the Honorable DAN SULLIVAN, a Senator from the State of Alaska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, our souls long for You, for we find strength and joy in Your presence. Increase our faith and teach us to trust You even during life's storms.

Today we have witnessed the peaceful transition of power, and we are grateful for this great land. Guide our lawmakers. May they find strength and joy in Your presence. Lord, give them the wisdom to claim Your promise that You will never leave or forsake them and that nothing can separate them from Your love. Empower them to seek in every undertaking to know Your will, daily claiming the promise of Your wisdom. Keep them without stumbling or slipping, as You continue to do for them more than they can ask or imagine.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 20, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DAN SULLIVAN, a Senator from the State of Alaska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SULLIVAN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

INAUGURATION AND CABINET NOMINEES

Mr. MCCONNELL. Mr. President, in November's election, the people called for a new direction, a change from the last 8 years. Today, we took a meaningful step toward that new direction as we inaugurated a new President of the United States.

I think it is important for all Americans—regardless of party—to remember the significance of inauguration day. As we celebrate our Nation's rich electoral tradition, we can begin to move our country forward together.

It is always an honor to participate in the historical transition of power and the ceremonies surrounding it. Today was certainly no exception. On behalf of the Senate, I wish to express our gratitude to each individual, from law enforcement personnel to Inaugural Committee staff, to congressional staff of volunteers whose efforts made this event a success.

I wish to again congratulate President Trump and Vice President PENCE on today's inauguration. We are eager to work with you and the administration in advancing policies that can improve the lives of the American people.

Today marks a new beginning. We are faced with many new opportunities. We are faced with some new challenges too. I will have more to say on that in the coming days. For now, the Senate remains hard at work as we move forward with the confirmation process on President Trump's nominees. We will have an opportunity to confirm some today.

It is imperative to proceed with confirmations without delay, especially when it comes to key national and economic security needs. I urge colleagues to remember that we worked with the administration of former President Obama after he was first inaugurated. We confirmed seven—seven—members of his Cabinet on the day he took office and nearly the entire Cabinet was filled within 2 weeks.

I wish to say, parenthetically, there is a lot the minority can do at the very beginning by refusing to give consent to drag this out, and that is what apparently is occurring here. The nominations we are not doing are not even controversial.

I would hope the feeling around here would be at least on day one to have

some level of cooperation. We should work in the same spirit with the current administration and put the rest of President Trump's team in place as soon as possible. Specifically, it is important that we confirm General Mattis and General Kelly to their crucial positions as the Secretaries of Defense and Homeland Security.

That is not enough. We live in dangerous times. As the Democratic leader noted earlier just today, "We face threats foreign and domestic." It is critical for the President to have a full national security team today, day one. That includes, in particular, the Director of the CIA. It makes no sense to leave the post open, not for another week, not for another day, not for another hour. America's enemies will not pause in plotting, planning, and training simply because the Democrats refuse to vote. The American people expect more.

Earlier today, the Director and Deputy Director of the CIA resigned. They left. They are gone. The Director's job is open and unfilled. We need to confirm a new Director today. We need to confirm the rest of the Cabinet as quickly as we can.

Republicans treated a newly inaugurated President Obama's nominees fairly, and our Democratic friends should do so now. Our country is counting on it. I am told we want to have some debate about this. We will have as much debate time, starting right now, as our Democratic colleagues would like, but at the end of the debate, today—not Monday—we should install a new CIA Director.

THANKING FORMER PRESIDENT OBAMA

Mr. MCCONNELL. Mr. President, I wish to offer a few words regarding our outgoing President. I had a chance, as some others did yesterday, to receive a call from him, which I appreciated. I want to say farewell to President Obama. I think it is worth, once again, reflecting on the significance of his election and the historic achievement it represented in terms of our country's past. That is something both he and our country should be very proud of.

It is no secret that the President and I and other Members of my party have not always seen eye to eye. Over the years, we have pursued totally different legislative priorities. Everybody around here knows that. The American people know that too. It is a big country. We have different views about what ought to be done.

Let me say this. I think I speak for all Americans when I thank our former

President for his tremendous service to our Nation. As can be said of all First Families, he and his family have made many personal sacrifices over the past 8 years. Through it all, they have done so with dignity and with grace.

To our 44th President, I wish to say, for your leadership, we are grateful. We wish you, Michelle, Malia, and Sasha all the best as you embark on this new chapter of your lives.

The ACTING PRESIDENT pro tempore. The Democratic whip is recognized.

NOMINATIONS

Mr. DURBIN. Mr. President, I listened carefully to the statement by the Republican leader on the floor, and I am hoping we can reach some agreement later today as to the nominations to be considered this day and very quickly next week. I will, for the record, make it clear that the seven nominees who moved through on the first day of the Obama administration were people who had their ethics statements filed on time, had filed all the legally required papers on time for review.

Unfortunately, that is not the case for all of the nominees by the new Trump administration. Some of them bring to this nomination some extraordinarily challenging financial data, and because of their companies, because of their lifestyles, because of their wealth, it takes longer to go through these documents than it does for people of modest means. When we proposed, by the Obama administration, Penny Pritzker, of Chicago, to serve as Secretary of Commerce, it took 6 months to clear the paperwork on her financial background. The more complex the financial data, the more difficult and challenging it is for the committees of the Senate to do their work and to do it properly.

We want to make certain we don't cut any corners. We don't want to create any advantage for any single nominee. They have to be held to the same standard as the nominees under the Obama administration. I am hoping we can move on it with dispatch on some of these nominees, and I don't quarrel with the Republican leader's premise that there are some noncontroversial nominees who would be easier to handle than others.

Let me quickly add, for those who have forgotten the record of the Republicans in the Senate when it comes to delaying nominations, exhibit A will continue to be the vacancy on the U.S. Supreme Court. For the first time in the history of the United States of America, the Republican majority in the U.S. Senate refused a hearing and a vote on a nominee to fill a vacancy on the U.S. Supreme Court. That went on for the entire duration of the Obama Presidency. Some 11 months, that posi-

tion on the highest Court in the land remained vacant because of the specific political strategy of the Republican leader on the other side.

He said: We will keep this open in the hopes that a Republican President will be able to fill it. He had a grin and a smile and, I guess, a feeling of accomplishment on election day when a Republican was elected President. That vacancy continued for political reasons, regardless of the fact that it created at least a hardship and some confusion on the highest Court of the land. It went on for 10, 11 months, and it continues to this day.

I might also remind him that the nomination of Loretta Lynch for the highest law enforcement position in America sat on that Senate calendar for months, with no objection stated by any Member on the other side. They refused to call her name and allow a vote for the Attorney General of the United States of America. Similarly, an Assistant Secretary of the Department of Treasury, a key position to deal with terrorism financing, was held on that calendar, I believe, for a year or more with no controversy. They had the power to do it, and they did it. So this notion that we slowed things down really negates and ignores the reality of the record before us.

Mr. President, I yield the floor.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

PEACEFUL TRANSFER OF POWER AND HOMEOWNER INSURANCE PREMIUMS

Mr. SCHUMER. Mr. President, today we celebrate one of our democracy's core attributes: the peaceful transfer of power. It is remarkable. I am always amazed how voters, on a cold November evening in my State, come home from work—they would like to serve dinner to their kids or sit in their favorite chair and watch their favorite TV show, but in quiet dignity, they wait in line and wait their turn to cast their vote. Then everyone awaits the decision. And the next morning, we all abide by it. It is an amazing thing about this democracy. There are no riots and tanks in the streets. It is a

great thing. And although I regret the outcome of the election obviously—deeply—I still am awed by how the wellspring of democracy continues to work for 225 years after the Founders put together the remarkable document, the Constitution.

Now it falls to us—Senators from both parties—to promote and defend these principles, as we must every day: the rule of law, equal protection for all Americans under it, and freedom of speech, press, and religion. We must also endeavor to expand opportunity and increase prosperity while broadening the circle of Americans who share in it. The peaceful transfer of power occurred, and our work starts now.

President Trump said in his inaugural address this afternoon:

For too long, a small group in our Nation's capital has reaped the rewards of government while the people have borne the cost. Washington flourished—but the people did not share its wealth.

He promised to combat that trend, but in one of his first acts as President, President Trump made it harder for Americans to afford a mortgage. For working-class Americans, struggling Americans, now it is harder for them to get a mortgage. What did he do? He reversed a recent decision by the Department of Housing and Urban Development to reduce annual insurance premiums that many borrowers pay, saving new homeowners an average of \$500 per year. What a terrible thing to do to homeowners. President Trump, with a flick of the pen, ended that new policy, making it harder for Americans of modest means to obtain their piece of the rock, the American dream: their own home. It took only an hour after his positive words on the inaugural platform for his words to ring hollow. And actions speak louder than words. One hour after talking about helping working people and ending the cabal in Washington that hurts people, he signs a regulation that makes it more expensive for new homeowners to buy mortgages—1 hour later.

I ask the American people—because we Democrats are going to do this. We are going to hold the President accountable. Look at what the President said and then an hour later, look at what the President did. Again, actions speak louder than words. The words on that inaugural platform in relation to this new action ring hollow.

Democrats agree with President Trump on this: The working men and women of America do not need more promises, they need policies that give them a leg up, help them succeed, help them afford a home, for instance. We urge President Trump to reverse this decision and give new homeowners across America their \$500 back.

CABINET NOMINEES

Mr. SCHUMER. Mr. President, on another matter—nominations—Senators

on both sides of the aisle have expressed support for the President's key national security nominees. This evening, we expect to be able to vote on General Kelly and General Mattis, and we look forward to beginning the debate on Congressman POMPEO in the hopes that he can also receive a quick vote, but from there, we intend to have a full and rigorous debate on the President-elect's remaining nominees.

My friends on the other side of the aisle did not want to have a full debate on the merits of these nominees in committee, so they should be prepared to do so on the Senate floor. Over the last several weeks, Republicans have made a mockery of the Cabinet hearing process, trying to jam through nominees in truncated hearings—nominees with serious conflicts of interest and ethical issues unresolved—without giving Senators and the American people a fair chance to question and hear from these nominees.

If ever there were a group of Cabinet nominees who cry out for rigorous scrutiny, it is this one. I have never heard such a parade of potential ethical violations. The President-elect's Cabinet is a swamp Cabinet, full of billionaires and bankers, loaded with conflicts of interest and ethical lapses as far as the eye can see.

Congressman MULVANEY failed to pay taxes on a household worker—the exact same issue that has caused past nominees to withdraw.

Congressman PRICE is facing serious scrutiny for trading stock with one hand and pushing legislation to boost that stock with the other.

Rex Tillerson has refused to recuse himself from matters relating to ExxonMobil for the length of his term.

Just yesterday we learned that Steve Mnuchin tried to hide his holdings in the Cayman Islands from the Senate Finance Committee.

And, of course, at the top of the list is Betsy DeVos. Her ethics paperwork just came in after the hearing was completed. Did she not want to answer any questions on it? It shows that she was invested in multiple education companies, including companies that have millions of dollars of contracts with the Department of Education to collect on student debt. Senators have not been given an opportunity to question her about these investments because we only got the information after the hearing. Sadly, the list goes on and on.

The President-elect isn't draining the swamp with his Cabinet picks, he is filling it up. It is no wonder that the American people have expressed discontent with how this transition period is going.

These issues that I mentioned, and many others, deserve to be thoroughly and rigorously reviewed by the Senate. If Senate Republicans will not let that happen in hearings, it will happen right here on the floor.

Thank you, Mr. President.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

UNANIMOUS CONSENT AGREE-
MENT—EXECUTIVE NOMINA-
TIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations received today: James N. Mattis to be Secretary of Defense; and John F. Kelly to be Secretary of Homeland Security. I ask consent that there be 20 minutes of debate on the nominations, equally divided in the usual form, and that following the use or yielding back of time, the Senate vote on the nominations in the order listed with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I renew my unanimous consent request that I previously stated.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATIONS

The ACTING PRESIDENT pro tempore. The Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The senior assistant legislative clerk read the nominations of James Mattis, of Washington, to be Secretary of Defense; and John F. Kelly, of Virginia, to be Secretary of Homeland Security.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. MCCONNELL. Mr. President, let me just, for the information of all Members, point out that after we vote on Mattis and Kelly, we will turn to the Pompeo nomination, begin that debate, and hopefully finish it at some point tonight.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, there is not a lot of benefit in being around here for a long period of time, but I remember very well in January of 2009, when the new President of the United States and, in a spirit of enthusiasm and bipartisanship, the Senate, on the first day of the inauguration, approved of seven Cabinet members, seven—not two, as we are presently contemplating, but seven. All of those individuals, as I recall, had some degree of concern about them, had some degree of controversy—some more, some less. But the fact is, we moved forward and almost unanimously voted in favor of these Cabinet members for the simple reason that the American people had spoken, and we had a new President of a different party, and we ought to give that President the team that he needed in order to get his job done.

Now, the one difference between what I have seen here in 2017, since 2009, is that the world is on fire. Look at the world today, and look at a map of it in 2009. There weren't 6 million refugees out of Syria. There weren't 400,000 people murdered by Bashar al-Assad with the assistance of Vladimir Putin and the Iranian Revolutionary Guard. We didn't have Russians using precision-guided weapons, striking hospitals in Aleppo, slaughtering innocent men, women, and children. We didn't have the Chinese acting in the most belligerent fashion in the South China Sea, asserting their sovereignty over an international waterway through which about 60 percent of the world's economy moves, as they are now.

We didn't have Vladimir Putin invading Crimea in a violation of the Budapest agreement, in which Ukraine gave up their nuclear weapons arsenal in exchange for a guarantee of the territorial integrity of Ukraine that included Crimea. We didn't have Vladimir Putin invading the land of Ukraine and partitioning it and slaughtering some 10,000 brave Ukrainians who stood up against that invasion while, by the way, we wouldn't even give them lethal weapons to defend themselves.

We have a world on fire. And we have a nominee to be the Director of the CIA. I happen to know Congressman POMPEO very well. I happen to admire his work. I happened to notice in the hearing that there was really relatively no controversy associated with his candidacy, with his nomination to be the Director of the CIA.

So my question to my dear friends on the other side of the aisle is: Why the hell won't we just go ahead and give the President his national security team when we need it more than at any time in recent history?

The American people have spoken about who they want to be Commander in Chief. Now let's give the Commander in Chief his Secretary of Defense, his

Secretary of Homeland Security, and let's give him a leader of our intelligence community, the CIA. And, by God, when you look at the controversy surrounding our intelligence agencies—which is gigantic—we need a new Director of the CIA more than ever.

The American people made a decision, but they also voiced—at least in my campaign, and I can only speak, frankly, for my own—a great dissatisfaction about the fact that we don't work together, the fact that we don't sit down and talk about these things and get some kind of working arrangement. Well, how do you do that when we won't even allow a non-controversial nominee for the Director of the CIA to be confirmed? I don't get it.

What is the point here? Is the point that we are just going to show the Republicans by slow-walking their nominees? Is that what the point of this is? If it is, then in my view, you are contradicting the will of the American people and the verdict of the American people.

I know there is controversy about the fact that Secretary Clinton got a larger number of the popular vote. I know the controversy that there were narrow victories in some of the States. But the fact is that no one in their right mind has challenged the fact that the President of the United States, whose inauguration took place today, is the President of the United States.

So why would we want to—right out of the box, right out of the box, right immediately, at an incredibly controversial time—block a member of his Cabinet who needs to take charge with the confidence of the U.S. Senate that he will do a job and, frankly, restore—whether you happen to like the outgoing team or not. And if you want to praise them, fine; if you want to support them, fine. But the fact is, there is a huge controversy about our intelligence community. In fact, some of that, in my view, has been contributed to by the now-President of the United States with his comments about the intelligence community.

But on both sides of the aisle, we respect and admire Congressman POMPEO, who is well qualified. Is there anyone who has said he is not qualified? Is there anyone on the other side who said that POMPEO is not qualified; we haven't examined his record enough? I don't think so. If so, I haven't heard it.

But is the message now: We are just going to slow-walk the Republicans because we don't like the outcome of the election? I don't think that is the message that I would like to send from our side.

Have we, on our side, slow-walked from time to time? Have we done everything right? I am not defending everything that we have done on this side. But I do argue that, in January of

2009, we confirmed seven members of the President's team on the first day.

Mr. CORNYN. Mr. President, will the Senator yield for a question?

Mr. MCCAIN. I am glad to yield for a question.

Mr. CORNYN. I ask the distinguished chairman of the Armed Services Committee whether a period of transition from one administration to another is a time of particular vulnerability to the United States, at a time when we are transitioning not only to a new administration but also to a new national security Cabinet.

Isn't this a time of particular vulnerability for the United States?

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be yielded an additional 2 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I would just like to say to my friend from Texas, our leader, that there is enormous controversy about our intelligence community overall. Questions have been raised going all the way back to weapons of mass destruction in Iraq, questions about what we know or don't know about Russian involvement in the last election.

It seems to me that all of the things that the Senator from Texas just said argue for a rapid transition to a person we all trust.

I would ask the Senator from Texas very quickly: Has he heard someone who objects to Congressman POMPEO assuming the role of Director of the CIA?

Mr. CORNYN. Mr. President, I am responding to the Senator from Arizona.

I am not confident that he will get a unanimous vote here, but he will certainly be confirmed resoundingly under the rules established by the Democratic majority in the last Congress, which allow 51 votes for confirmation.

Mr. MCCAIN. Respectfully and with high regard, I would just ask my colleagues on the other side of the aisle—let's get this intelligence team to work. Let's put them together. We will have outstanding individuals in a time when, in the view of most observers, this Nation is in greater peril than it has been in 70 years.

This is a very, very serious situation we find ourselves in. The people have spoken. Let's confirm them today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I have the privilege of being the ranking member of the Armed Services Committee, working with Senator MCCAIN with respect to the nomination of General Mattis.

I am strongly in favor of the general's confirmation for many reasons. He possesses three distinct qualities that are absolutely critical: con-

fidence, courage, and character. And he will eminently demonstrate those virtues as Secretary of Defense, in my view.

I would like to also inform the body and everyone else that we just did this in a very thorough, careful, thoughtful way.

General Mattis was subject to a 60-vote procedural vote because we had to waive his time from retirement to his ability to serve as Secretary of Defense.

We had a hearing under the auspices of the chairman about the policy with two noted historians and policy experts. Then we had a hearing with General Mattis. We have collectively—and the chairman's leadership is invaluable—moved to ensure that today we can confirm General Mattis.

This has been an opportunity that we have not used to delay, defer, or deflect the Mattis nomination. In fact, it was the one that we all recognized that would have been subject to a 60-vote point of order. So this represents the demonstrated good faith of our focus to ensure that we can get people in place for the President.

With that, I yield to the Senator from Oregon, Mr. WYDEN.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, I will be very brief, just to respond to my good friend from Arizona who said that the Senate not taking up Pompeo would be contradicting the will of the people. That is not the case at all. This is about whether the Senate is going to be a rubberstamp and whether the Senate is in effect going to abdicate its responsibility to do oversight.

Let me just mention four points real quickly.

No. 1, this nomination has not been considered in the Intelligence Committee. It could have been. It was not. No. 2, we have not been able to get answers to our questions. A major question in particular, this body voted to sideline a law that collected phone records on law-abiding Americans. Congressman POMPEO has proposed something that makes the law we sidelined look like small potatoes. He is talking about collecting lifestyle information on all Americans. We are trying to get an answer about whether there are any legal boundaries at all. We have not been able to get them. That is argument No. 2.

Argument No. 3 is that we have never confirmed on inauguration day a CIA Director. That is the history of this particular nomination. No. 4, I want to talk about the realities of national security because I share the view of the chairman of the committee that this is a dangerous time. That is not up for debate. There are lots of people out there who do not wish our country well. If we were to have a tragedy tonight or tomorrow—heaven forbid that

happens to our great country—if it did, we would have the talented senior people at the CIA there to protect our country, and I would submit, however you feel about Mr. POMPEO, the reality is that if he got confirmed tonight or tomorrow, and heaven forbid there was that tragedy, we would still be relying on those trained, talented professionals at the CIA who have been there, in some cases for decades, to protect our country when we are vulnerable.

That is what this is all about, ensuring that we actually have some discussion here when there are outstanding questions. Senator LEAHY, Senator BLUMENTHAL, and I have all said we just believe there ought to be some debate. There hasn't been any in the Intelligence Committee. There hasn't been any on the floor. I have gone through the history of this nomination and explained what would happen if a tragedy were to befall our great country. That is why I think we ought to have a debate in broad daylight, not when Senators are trying to figure out if their tux is going to fit and we can't get people into a real discussion.

The ACTING PRESIDENT *pro tempore*. The Senator from Arizona.

Mr. McCAIN. Mr. President, let me just say to my colleagues that I have had the great honor in my life of knowing some outstanding military leaders. I consider it one of the highlights of my life being around one of these great leaders.

I want to share with my colleagues that I haven't seen a finer leader, a more outstanding and respected leader, and a more beloved leader than the man we are going to be voting on to be the Secretary of Defense, James Mattis.

My friends, I am very confident that when we finish this vote, the morale all over the U.S. military will go up because they will know they have a leader and a leader they can not only respect but they admire and in many cases have great affection for. So I urge my colleagues to vote aye on the Mattis nomination.

Mr. President, today on the steps of this Capitol, our Nation completed another peaceful transition of power and inaugurated a new President. This is a sacred rite of our democracy, one that so many have given their lives to make possible. And as free citizens, we should count ourselves fortunate to have witnessed it.

As our new Commander In Chief assumes the awesome responsibilities of his office and with threats to our national security growing in scope and severity, it is imperative that the Senate act quickly to provide advice and consent for the new cabinet, especially for the new Secretary of Defense.

Have no doubt: our adversaries will test us in the coming days and weeks. And when they do, I want our Commander In Chief to have Gen. James Mattis at his side.

I have had the privilege of knowing General Mattis for many years. He is, without a doubt, one of the finest military officers of his generation and an extraordinary leader who inspires a rare and special admiration of his troops. In fact, since his selection to be our next Secretary of Defense, I have received countless messages of support from those who had the honor of serving with him.

At his confirmation hearing before the Senate Armed Services Committee, General Mattis demonstrated exceptional command of the issues confronting the United States, the Department of Defense, and our military servicemembers. He also showed that his understanding of civil-military relations is deep and that his commitment to civilian control of the Armed Forces is ironclad.

Over more than four decades of service, General Mattis's character, judgment, and commitment to defending our Nation and our Constitution have earned him the trust of Presidents, Members of Congress on both sides of the aisle, and so many serving in our Armed Forces.

That is why the Senate Armed Services Committee approved General Mattis's nomination this Wednesday with an overwhelming bipartisan vote of 26 to 1. I hope the Senate will follow suit with a strong vote to put General Mattis to work at the Pentagon. America will be fortunate to have General Mattis at her service once again.

Mr. LEAHY. Mr. President, today I will vote for James Mattis to be the next Secretary of Defense. General Mattis stands out as a top practitioner in his field. He has earned—and rightly deserves—near-universal respect. While I opposed the hurried waiving of a carefully considered statutory cooling off period for members of the military before they can become eligible for this civilian position, I made clear then, and restate now, that my opposition to this waiver was never about General Mattis himself.

I was grateful when General Mattis said in his confirmation hearing that, even from his first days as a marine, he has observed that, in the photographs on the walls of Department of Defense establishments, the civilians in suits were above those of the men and women in uniforms. I was pleased that he vowed to uphold that meaningful tradition. I am confident that, as the President's top adviser on matters of defense, as Secretary, General Mattis will carefully provide considered defense advice, maximizing the wisdom of not only the Active, Reserve, and National Guard, but the whole of the Department of Defense, including Department civilians.

Donald Trump will sorely need that experience and advice. Last weekend, President Trump again denigrated our NATO allies, a partnership that Presi-

dent Kennedy very much had in mind when he vowed at his own inauguration to "pay any price, bear any burden, meet any hardship, support any friend, and oppose any foe to assure the survival and success of liberty." General Mattis clearly understands the value of our NATO alliance. His condemnation of Russia's efforts to "break" NATO stands in stark contrast to the position of the man who has nominated him and, to me, demonstrates the sound, experienced reasoning that will provide a necessary balance to President Trump.

I do harbor reservations about General Mattis's past statements as a private citizen related to equality within the ranks of our servicemembers. I would have much preferred to hear General Mattis renounced those past statements, but I do appreciate that, in his confirmation hearings, he said that there is nothing innate about gender or orientation that makes someone a better soldier than another. I believe the results of the progress made under President Obama will show clearly that the Nation succeeds when it has the best individuals serving to their fullest potential in the position that best matches his or her abilities.

The Secretary of Defense is, of course, a critically important position. There are countless difficult choices General Mattis will have to make in steering the Department in a direction that more effectively utilizes its budget to respond to today's rapidly evolving challenges. And whether it is the persistent, shockingly high rates of sexual assault within the Armed Forces and of suicide among young veterans, or the need for far more rigorous oversight of Defense resources to reduce waste, fraud, and abuse, the next Secretary will need to demonstrate that the Department is capable of effectively addressing its own internal problems, in addition to defending the Nation.

In these unsettling times, General Mattis will provide a voice of experience and reason to what, by all accounts, looks to be an undisciplined, impulsive, and inexperienced Commander in Chief. On the Appropriations Committee and in other ways, I look forward to working closely with General Mattis in this new role.

Mr. President, the Senate today considers the nomination of John Kelly to be the Secretary of Homeland Security. A retired marine, General Kelly is no stranger to security efforts. Over more than four decades of service in the Marines, General Kelly distinguished himself through multiple commands and tours of duty. He is well respected by elected officials, military officers, the Marines under his command, and the law enforcement and intelligence communities. I have no reason to doubt that he is a man of integrity.

But General Kelly is nominated to a far different post than those he occupied during his distinguished military career. The Department of Homeland Security—a civilian agency within our government—is charged with a far-reaching mission. From protecting national security to implementing immigration policies, from our emergency response to domestic crises, to assisting in the unending fight against drugs in our communities that today features opioids and heroin as its most prevalent threat, the Department of Homeland Security faces challenges as unique as they are numerous. While I am confident that General Kelly is well equipped to exert leadership on many of these challenges, his nomination has also raised concerns.

As we look ahead to the policies and practices this new administration will seek to implement, we cannot forget the work left unfinished in the Obama administration due to the obstruction of congressional Republicans. In 2013, after a strong bipartisan vote in the Senate, truly comprehensive immigration reform legislation was sent to the House of Representatives, where Republican leaders there refused to even bring it to a vote. That legislation addressed a litany of issues facing our broken immigration system, from securing our borders to reforming visa programs, from bringing the undocumented out of the shadows to reuniting families.

After House Republicans failed to bring that bill to a vote, President Obama took executive action to expand the Deferred Action for Childhood Arrivals, DACA, and establish the Deferred Action for Parents of Americans and Lawful Permanent Residents, DAPA, programs. These actions would have offered a reprieve for young people and parents so that they could remain in the country, with their families, and without fear of deportation. It is fundamentally unfair for the new administration to revoke a policy designed to bring vulnerable immigrants out of the shadows and then to use information gained from that policy to punish them.

I was disheartened when a Federal court issued an injunction preventing implementation of these policies. I was more disheartened when the Supreme Court was unable to resolve this court challenge, again, due to obstruction from congressional Republicans in the consideration of President Obama's nominee to the Supreme Court. Now, this new administration is poised to withdraw these executive orders.

General Kelly is no stranger to the problems we face along the southern border. As the commander of U.S. Southern Command, he is familiar not only with immigration challenges, but with drug trafficking. While I am grateful that he has not subscribed to the singular approach that President

Trump has thus far proposed with respect to constructing a wall along our southern border, I am deeply concerned that he has admonished so-called sanctuary cities and has testified that accelerating the deportation of undocumented immigrants will provide the solution to our broken immigration system. These views are not supported by the facts, and they are contrary to the work undertaken by the Senate just 4 years ago to comprehensively address these problems. I am also concerned about his tenure as the military officer in charge of the detention facility at Guantanamo Bay, given reports that he opposed its closure and limited press access to the facility.

Vermonters know that the explosion of heroin and opioid abuse across the country can, in many ways, be attributed to the cross-border trafficking of illegal drugs. General Kelly has been a strong defender of a U.S. counter-narcotics strategy which, in my view and the view of many others, has been a costly failure. Since President Reagan's first Andean Counter Drug Program, the interrelated problems of drugs, corruption, and violence that have plagued countries in South and Central America, and spilled over into our own country, have gotten progressively worse.

I do not doubt that General Kelly will be confirmed to this post. Knowing that, I do want to work with him to build on successful policies such as preclearance operations, TSA Precheck, and the visa waiver program. I look forward to partnering with him to ensure the continuation of efforts to keep our northern border secure, while remaining open to the trade and commerce we conduct with Canada, our largest trading partner. I look forward to working with General Kelly to ensure that the Federal Emergency Management Agency is fully supported and able to respond to domestic disasters. And I look forward to working with General Kelly to address vulnerabilities in our cyber infrastructure.

There are many challenges ahead. The Department of Homeland Security was hastily created in the wake of the September 11 attacks and, in my view, has become an unwieldy bureaucracy that suffers from inadequate transparency and accountability. This has resulted in adverse, sometimes severe consequences for many vulnerable people and their families who deserved better from this country. The Department needs significant reform in order to effectively confront these challenges, and I urge General Kelly to seek the input of a wide range of experts, as well as Congress, in identifying and implementing long overdue reforms. And above all, I hope General Kelly, as the Secretary of Homeland Security, will provide a thoughtful and reasoned balance to the extreme pro-

posals thus far put forward by President Trump.

Mr. MENENDEZ. Mr. President, I rise to speak on the nomination of Gen. John F. Kelly to be Secretary of Homeland Security. This is a tremendously important position, especially in these dangerous and uncertain times, and it requires a highly qualified nominee who will be able to handle one of the most complex positions here in Washington, DC. After his impressive career and nomination hearing, few would question that he has the knowledge and the skill to lead the agency.

He has years of experience working with our neighbors in Latin America as former commander of U.S. Southern Command, where he saw firsthand the drivers of the unaccompanied minors crisis. In his testimony, he outlined what he saw as the root causes of migration, including people fleeing violence and seeking asylum within the United States.

Yet the position requires more than experience, it requires a true understanding of the issues and how they affect the men and women we are all sworn to serve. It is in this aspect that I have lingering concerns.

Anyone running DHS must be able to prioritize their resources in the apprehension, detention, and removal of undocumented immigrants. On November 20, 2014, the Department of Homeland Security outlined how scarce Federal resources would be allocated in enforcing our Nation's immigration laws. The memo focused resources on threats to national security, threats to national safety, and threats to border security, while deemphasizing law-abiding immigrants who have integrated themselves into society. I have been generally supportive of this prioritization, as I believe that Federal resources should be spent on enforcement actions against serious criminals.

On day one as Secretary of Homeland Security, General Kelly will have to address this. I hope he will recognize the wisdom of keeping families together, protecting children and the Deferred Action for Childhood Arrivals DACA Program and focus on deporting serious criminals and those who truly pose a threat to our national security. This focus isn't about being liberal or conservative but is a smart and humane approach to enforcement of our immigration laws.

General Kelly will have to grapple with the realities of our immigration system. As Secretary of Homeland Security, General Kelly will be tasked with the critical duty of maintaining our southwest borders. We have heard promises by the President-elect to build a wall that would cost taxpayers \$25 billion; yet a wall will not secure the border or stop the flow of illegal drugs into the country. General Kelly himself noted that a wall alone is not enough. I hope that General Kelly will

recognize that \$25 billion is better spent trying to reduce factors that drive people to the United States.

After speaking to General Kelly and listening to his testimony, I am cautiously optimistic that this is a nominee who understands the issues that will be in front of a Homeland Security Secretary. Ultimately, to truly understand the issues, General Kelly will need an ongoing dialog with those such as myself who care deeply about fixing our immigration system. As my colleagues are aware, my record of standing up for immigrants is clear from years of work on comprehensive immigration reform. General Kelly should hear the stories about those with loved ones who have been torn from their homes and sent back to a country they no longer have a connection with. He should talk to those young immigrants who are American in every way except for a piece of paper who have come out of the shadows, registered with the government, and applied for DACA and fear being deported under this new administration. He should hear from parents who have U.S. citizen children and have lived in this country for over a decade and live with the constant threat of being separated from their children.

I will support the nomination of General Kelly to be the Secretary of Homeland Security. However, I plan on using every procedural and legislative tool to push back against any deportation force or policies that indiscriminately separate families, targets DREAMers, and generate fear in our immigrant communities.

Mr. JOHNSON. Mr. President, I am honored to speak today in support of Gen. John Kelly's nomination to be America's fifth Secretary of the Department of Homeland Security.

We would be hard pressed to find an individual who is better suited to this challenge, in these perilous times.

General Kelly served this Nation for 45 years as a proud marine. He commanded the finest among us during three tours in Iraq. He rose to the rank of four-star general. And tragically, he became the most senior military officer to lose a child in combat when his son, Marine 2nd. Lt. Robert Kelly, was killed in November of 2010 in Afghanistan.

As a four star general and a Gold Star parent, General Kelly has served and sacrificed—he knows the price of freedom.

Perhaps the best way to describe the man we should confirm today is to use his own words given in testimony before our committee:

"I am humbled to once again be called to serve, this time with the men and women of the Department of Homeland Security.

As I solemnly swore before God when I entered the Marine Corps, if confirmed, I will faithfully support and de-

fend the Constitution of the United States against all enemies foreign and domestic—every second of every day.

I believe in America and the principles upon which our country and way of life are guaranteed. I believe in respect, tolerance, and diversity of opinion. I have a profound respect for the rule of law and will always strive to uphold it. I have never had a problem speaking truth to power, and I firmly believe that those in power deserve full candor and my honest assessment and recommendations.

I love my country, and I will do everything within my power to preserve our liberty, enforce our laws, and protect our citizens. I recognize the many challenges facing the Department of Homeland Security—and should I be confirmed—I look forward to partnering with you all to protect the homeland."

Colleagues, we are fortunate to have a man of such high caliber who is willing to once again answer the call of duty. I urge all of you to support his confirmation today.

Mr. VAN HOLLEN. Mr. President, I support the nomination of General James Mattis to serve as Secretary of Defense.

I voted against enacting an exception to the National Security Act for a recently retired general to serve as Secretary of Defense, but that vote was in support of our Nation's tradition of civilian leadership of the military. Now that General Mattis's nomination is before the Senate on the merits, I believe that he will provide the experience and steady hand that will serve this administration well.

General Mattis has served as a commander of NATO coalition troops. He commanded troops in Iraq and Afghanistan. And he was commander of the U.S. Central Command, responsible for American military operations in the Middle East, Northeast Africa, and Central Asia. General Mattis has served as a visiting fellow at the Hoover Institution at Stanford University, and Members of both parties who have worked with him have testified to his breadth of knowledge and understanding of key threats and America's role in the world.

I was heartened to hear in the course of General Mattis's hearing and the Senate's consideration of his nomination that he has many views that are more reasoned than those expressed by President-Elect Trump. His testimony made clear that he recognizes the very real challenges posed by Russia, and the importance of reassuring our NATO allies of America's commitment to our common defense and mutual obligations. I am pleased to hear that General Mattis opposes the use of torture and has no intention to reverse Department of Defense policies on women and the LGBT community. I hope that General Mattis's counsel will persuade President Trump on these matters.

I believe that General Mattis's knowledge of and familiarity with international affairs will be of help to the incoming President and the Nation and thus I support his nomination.

Mr. President, President Trump ran a divisive campaign that engaged in fear-mongering against many immigrants and scapegoated Muslim Americans. To the extent that he attempts to act on that irresponsible rhetoric, I will strongly oppose him.

Thus, I appreciated many of General Kelly's comments in his confirmation hearing before the Committee on Homeland Security and Governmental Affairs, including his opposition to a registry based on ethnicity or religion and his skepticism of the utility of an expensive massive border wall. I hope that General Kelly will use his voice to advocate for those views in the new administration.

General Kelly has an admirable record of public service, including leadership of the U.S. Southern Command, which is responsible for Central America, South America, and the Caribbean. He has a strong relationship with current Homeland Security Secretary, Jeh Johnson, which will help support a smooth transition of the \$40 billion agency with its 240,000 employees.

I am concerned, however, that at General Kelly's confirmation hearing, Senator HARRIS repeatedly asked him whether he would honor the commitment made to DACA children and DREAMers not to share their personal information with Immigration and Customs Enforcement to protect them from deportation. General Kelly repeatedly declined to say that he would. DACA recipients submitted their personal information to the government on the assurance from the Department of Homeland Security that their information would not be used against them. These families now live in fear that the new administration will tear them apart.

I hope that these concerns prove to be unwarranted, and, should General Kelly be confirmed, I look forward to working with him to both protect our homeland and the values we hold dear. However, his failure to provide assurances that he will meet the commitment we have made to these individuals who came to the United States as children means I cannot support his nomination today.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Mr. President, I ask unanimous consent for 2 additional minutes on each side.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. BURR. Mr. President, I would like to respond to the statement of the Senator from Oregon. As chairman of the Intelligence Committee, let me just tell Members that Congressman

POMPEO has made himself available to every Member on the Committee for private meetings in their office. For everyone who would take a meeting, he met with them.

He came before the committee in open session and in closed session. In open session, he stayed for as long as Members had questions, and all questions were answered. Congressman POMPEO received from the committee over 150—may have been over 200—questions for the record. Today all questions are answered.

I can't address whether there was ever a CIA Director who was confirmed on inauguration day, but I can't think of a time where the country has been more challenged with threats around the world and at home than we are right now. We carried out military acts last night and the night before. We have just gotten through with one of the highest security events in the history of this country in Washington, DC.

Why aren't we taking up Representative POMPEO today? It is not because there is disagreement, it is not because we haven't had an opportunity to ask enough questions or talk to him face-to-face and get answers. It is because some people don't want to vote on it today. They want to wait until Monday.

I am willing to debate this as long as it needs to be debated. I don't want to cut off anybody's debate, but I think we owe it to the country to have a vote today. That can be in an hour, it can be in 5 hours, but I think we ought to provide this President with a CIA Director who is in charge.

Mr. DURBIN. Will the Senator yield for a question?

Mr. BURR. I will be happy to yield.

Mr. MCCAIN. I object. It is time for the vote.

Mr. DURBIN. Mr. President, there were 2 minutes extended to each side, if I am not mistaken.

The ACTING PRESIDENT pro tempore. The Senator cannot object. There is 2 minutes on both sides.

Mr. BURR. Mr. President, let me conclude and then the Senator can claim his own time.

We ought to do this. We ought to do it for the country, not for ourselves. It is not about us. This is about doing something for the country. An Acting Director of the CIA is just not sufficient, whether it is for a day or whether it is for a week. Right now they need leadership that is permanent. They need to know tomorrow who is heading that Agency. I would urge my colleagues, let's confirm him today. We have had enough time to ask every question possible, and now is the time to vote on confirmation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I only want to ask my friend from North

Carolina, the chairman of the committee, two questions.

Is it traditional for the Senate Intelligence Committee that you chair to report out a nominee like Congressman POMPEO, and have you reported him out of your committee to the floor?

Mr. BURR. The Senator's question is a very good one.

It is normal for us to report out. We thought we had a deal with the Democratic leader. That is why we didn't discharge him. That is why we didn't have a business meeting this week. I regret that I didn't schedule that, but it certainly could have been, and I will not make that mistake again.

The ACTING PRESIDENT pro tempore. All time for the majority has expired.

Who yields time?

The Senator from Michigan.

Mr. DURBIN. The Democratic side yields back all time.

The ACTING PRESIDENT pro tempore. All time has expired.

VOTE ON MATTIS NOMINATION

The question is, Will the Senate advise and consent to the Mattis nomination?

Mr. MCCAIN. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER (Ms. COLLINS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 29 Ex.]

YEAS—98

Alexander	Feinstein	Merkley
Baldwin	Fischer	Moran
Barrasso	Flake	Murkowski
Bennet	Franken	Murphy
Blumenthal	Gardner	Murray
Blunt	Graham	Nelson
Booker	Grassley	Paul
Boozman	Harris	Perdue
Brown	Hassan	Peters
Burr	Hatch	Portman
Cantwell	Heinrich	Reed
Capito	Heitkamp	Risch
Cardin	Heller	Roberts
Carper	Hirono	Rounds
Casey	Hoeven	Rubio
Cassidy	Inhofe	Sanders
Cochran	Isakson	Sasse
Collins	Johnson	Schatz
Coons	Kaine	Schumer
Corker	Kennedy	Scott
Cornyn	King	Shaheen
Cortez Masto	Klobuchar	Shelby
Cotton	Lankford	Stabenow
Crapo	Leahy	Sullivan
Cruz	Lee	Tester
Daines	Manchin	Thune
Donnelly	Markey	Tillis
Duckworth	McCain	Toomey
Durbin	McCaskill	Udall
Enzi	McConnell	Van Hollen
Ernst	Menendez	

Warner
Warren

Whitehouse
Wicker

Wyden
Young

NAYS—1
Gillibrand
NOT VOTING—1
Sessions

The nomination was confirmed. The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Madam President, I think under the circumstances the Democratic leader and I have come up with a solution that I think at least moves the ball in the right direction. First, I want to implore our colleagues on the other side to give us a vote on POMPEO today.

UNANIMOUS CONSENT REQUEST—PRESIDENTIAL NOMINATION

Therefore, following disposition of the Kelly nomination, I ask unanimous consent that the Intelligence Committee be discharged and the Senate proceed to the consideration of the following nomination received today: MIKE POMPEO to be Director of the Central Intelligence Agency. I ask that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, and the President be notified of the Senate's action.

The PRESIDING OFFICER. Is there objection to the request?

Mr. WYDEN. I object, Madam President.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, it is pretty obvious the Senator from Oregon is not interested in approving this CIA nomination today. I would remind everyone the previous Director is gone. The Deputy, the No. 2 person, is gone. I don't think it is a great idea for Senate Democrats to be holding this vacant over the weekend.

UNANIMOUS CONSENT AGREEMENT—PRESIDENTIAL NOMINATION

Mr. President, given what we have heard, following disposition of the Kelly nomination, I ask unanimous consent that the Intelligence Committee be discharged and the Senate vote on the motion to proceed to the consideration of the following nomination received today: MIKE POMPEO to be Director of the Central Intelligence Agency—the motion to proceed. I further ask consent that following leader remarks on Monday, January 23, there be 6 hours of debate on the nomination, equally divided in the usual form, and that following the use or yielding back of time, the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, this would ensure that there would be a debate about the CIA and its future Director in the light of day. I am not going to object, and I withdraw my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question now occurs on the Kelly nomination.

Mr. MCCAIN. Madam President, I ask for 1 minute on the nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I know it is unnecessary, but I urge an "aye" vote on General Kelly. He is experienced. He is talented. He understands borders. He understands the challenges we face for our national security throughout the world. I strongly urge an "aye" vote for General Kelly.

VOTE ON KELLY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Kelly nomination?

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll. The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER (Mr. ROUNDS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 11, as follows:

[Rollcall Vote No. 30 Ex.]

YEAS—88

Alexander	Fischer	Murkowski
Baldwin	Flake	Murphy
Barrasso	Franken	Murray
Bennet	Gardner	Nelson
Blunt	Graham	Paul
Boozman	Grassley	Perdue
Brown	Hassan	Peters
Burr	Hatch	Portman
Cantwell	Heitkamp	Reed
Capito	Heller	Risch
Cardin	Hirono	Roberts
Carper	Hoeven	Rounds
Casey	Inhofe	Rubio
Cassidy	Isakson	Sanders
Cochran	Johnson	Sasse
Collins	Kaine	Schatz
Coons	Kennedy	Schumer
Corker	King	Scott
Cornyn	Klobuchar	Shaheen
Cotton	Lankford	Shelby
Crapo	Leahy	Stabenow
Cruz	Lee	Sullivan
Daines	Manchin	Tester
Donnelly	Markey	Thune
Duckworth	McCain	Tillis
Durbin	McCaskill	Toomey
Enzi	McConnell	
Ernst	Menendez	
Feinstein	Moran	

Warner
Whitehouse

Wicker
Young

NAYS—11

Blumenthal
Booker
Cortez Masto
Gillibrand

Harris
Heinrich
Merkley
Udall

Van Hollen
Warren
Wyden

NOT VOTING—1

Sessions

The nomination was confirmed. The PRESIDING OFFICER. With respect to the Mattis and Kelly nominations, under the previous order, the motions to reconsider are considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

PRESIDENTIAL NOMINATION—
MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Select Committee on Intelligence is discharged from further consideration of the nomination of MIKE POMPEO, of Kansas, to be Director of the Central Intelligence Agency, and the question is on agreeing to the motion to proceed to the nomination.

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll. The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 8, as follows:

[Rollcall Vote No. 31 Ex.]

YEAS—89

Alexander	Durbin	Manchin
Baldwin	Enzi	Markey
Barrasso	Ernst	McCain
Bennet	Feinstein	McCaskill
Blunt	Fischer	McConnell
Boozman	Flake	Menendez
Brown	Franken	Moran
Burr	Gardner	Murkowski
Cantwell	Graham	Murphy
Capito	Grassley	Murray
Cardin	Harris	Nelson
Carper	Hassan	Paul
Casey	Hatch	Perdue
Cassidy	Heinrich	Peters
Cochran	Heitkamp	Portman
Collins	Heller	Reed
Coons	Hirono	Risch
Corker	Hoeven	Roberts
Cornyn	Inhofe	Rounds
Cortez Masto	Johnson	Rubio
Cotton	Kennedy	Sasse
Crapo	King	Schatz
Cruz	Klobuchar	Schumer
Daines	Lankford	Scott
Donnelly	Leahy	Shaheen
Duckworth	Lee	Shelby

Stabenow
Sullivan
Tester
Thune

Tillis
Toomey
Van Hollen
Warner

Whitehouse
Wicker
Young

NAYS—8

Blumenthal
Booker
Gillibrand

Merkley
Sanders
Udall

Warren
Wyden

NOT VOTING—3

Isakson

Kaine

Sessions

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senate will proceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of MIKE POMPEO, of Kansas, to be Director of the Central Intelligence Agency.

The PRESIDING OFFICER. The Senate majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFIRMATION OF JOHN KELLY

Mr. DURBIN. Mr. President, I voted in favor of the nomination of Gen. John Kelly to be U.S. Secretary of Homeland Security, and I am submitting this statement to explain my vote.

This nomination is not a referendum on President Donald Trump's immigration policy. If it were, I would have voted against the nomination.

In considering this nomination, the questions are whether General Kelly is unqualified to serve as Homeland Security Secretary and whether his views are too extreme to lead our homeland security and immigration enforcement efforts. In my view, General Kelly easily passes both tests.

Gen. John Kelly is clearly qualified to head up the Homeland Security Department. He served honorably in the U.S. Marine Corps for more than four decades, first as an enlistee and later as an officer, culminating in his role as commander of U.S. Southern Command. As SOUTHCOM commander, Kelly oversaw a variety of operations in the Caribbean, Central America, and South America from headquarters in Miami.

General Kelly knows better than most what is at stake in our efforts to protect our Nation from harm. He served three tours in Iraq, and in 2010, his son, Marine 1st Lt. Robert Michael Kelly, 29, was killed in southern Afghanistan while leading his platoon on

a combat patrol when he stepped on a concealed bomb. He is the highest ranking military officer to lose a child in combat in Afghanistan or Iraq.

I am sure that I will disagree with General Kelly on some occasions, but he does not have a track record of extreme statements on immigration or the other issues that will be under his jurisdiction as Homeland Security Secretary.

I know that some of my Democratic colleagues voted against General Kelly's nomination because he refused to publicly commit to keeping the Deferred Action for Childhood Arrivals—DACA—program in place and to protecting DACA recipients from deportations. Reasonable people can disagree, and I respect my colleagues who are voting against General Kelly's nomination, but I don't believe this justifies opposing this nomination.

There is no one in the Senate who is more committed than I to protecting the DACA program and no one who has worked harder to protect the young immigrants who are eligible for this program. Seven years ago, I was the first Member of Congress to ask President Obama to establish the DACA program. DACA is based on the DREAM Act, legislation I first introduced 16 years ago that would give undocumented students who grew up in this country a chance to earn their citizenship.

The young people who are eligible for DACA and the DREAM Act are known as DREAMers. Over the years, I have met hundreds of DREAMers and I have come to the floor more than 100 times to tell these DREAMers' stories, which make the case for DACA and the DREAM Act better than I ever could.

Last week, General Kelly came to my office to meet with me. We spent most of our time discussing DACA and the DREAMers. General Kelly promised me that, if he was confirmed, he would be a part of the discussions about the future of DACA. He said that he felt strongly that DREAMers should be protected from deportation and that he would fight for that view. General Kelly also committed that he would come to Chicago with me to meet with a group of DREAMers and to visit an immigration detention center, so that he would understand the human impact of the laws he will be enforcing.

Based on these assurances, I am pleased to be able to support General Kelly's nomination. But let me be clear. If General Kelly supports an effort by the new administration to rescind DACA or deport DREAMers, I will fight him tooth and nail.

I congratulate General Kelly on his confirmation, and I look forward to working with him on the critical issues under his jurisdiction, especially the future of DACA and the DREAMers.

Mr. UDALL. Mr. President, today I voted against the confirmation of Gen-

eral John Kelly to be Secretary of Homeland Security. I have deep concerns about the homeland security policies that President Trump advocated during the campaign, and I worry that as Secretary of Homeland Security, General Kelly will feel it necessary to work to advance those reckless policies. For instance, General Kelly was unable to promise the Senate that the administration will refrain from deporting our nation's DREAMers, and I am troubled by his stated plans to reverse the Deferred Action for Child Arrivals, DACA, program. Furthermore, General Kelly did not provide sufficient assurance that he fully opposes the President's wasteful and misguided plan for a border wall.

However, now that he has been confirmed, it is my hope that Secretary Kelly will be the voice of reason in the deliberations to shape the Trump administration's homeland security policy and that many of the reckless ideas candidate Trump espoused during the election will never become reality.

While I voted against General Kelly, I recognize and appreciate his long and distinguished career in the marines. I believe this experience, particularly his final assignment as head of the U.S. Southern Command, will serve him well. In addition, I am encouraged by several statements General Kelly made during his confirmation hearing—statements that are at odds with the dangerous comments President Trump made during the campaign.

At the hearing, General Kelly spoke out against the use of torture and said the U.S. should always abide by the Geneva Conventions. He did state that building a wall along the southern border was not an effective way to secure the border, though he has not promised to oppose such a plan. He agreed with the intelligence community's assessment that Russia was responsible for hacking into our elections. He said that surveilling mosques and targeting Muslims as security threats was unacceptable. Finally, he said the sweeping collection of data on Americans violated the right to privacy and a much more focused effort is needed.

General Kelly has a reputation for speaking truth to power—I sincerely hope he does so as a member of the Cabinet, and I hope the President will listen. New Mexico is a majority-minority border State with thousands of hard-working families now living in fear of President Trump's immigration plans. Unfortunately, I am deeply concerned that General Kelly will be the instrument of the President's harmful and backwards homeland security agenda.

CONFIRMATION OF JAMES MATTIS

Mr. UDALL. Mr. President, Gen. Jim Mattis is an extraordinary individual and an American patriot who has dedicated his life to service of country.

Nevertheless, his nomination did concern me, given that it was contrary to underlying law that has been in place since World War II. This law restricts individuals who have come out of the military less than 7 years ago from serving as Secretary of Defense. The reason for this longstanding law is to ensure civilian control over the military. Civilian control is an important American tradition which General Mattis himself called a "fundamental tenet of the American military tradition."

Due to this fundamental concern, I opposed the legislation to create an exception to the law to allow General Mattis to serve. I intend to oppose any future such exceptions for any future President as long as I serve in the Senate. However, now that the exception exists for General Mattis, and he is eligible to serve and has been nominated, I supported his confirmation today.

During his confirmation hearing, he clearly stressed that he understood his new role and would work to ensure the longstanding American tradition of civilian control. He will serve at the pleasure of the new President, but his job now is not to simply give and follow orders, but provide candid advice, ask tough questions, provide civilian leadership, and exert broad management over all aspects of DOD, not only warfighting. During his career in the U.S. Marines he has distinguished himself both in combat and at home, earning the respect of his fellow marines as well as servicemembers in every branch of the military. He has also held his marines and anyone serving with him to the highest of standards, emphasizing commitment to duty and the importance of learning and perfecting their profession.

While I voted against a waiver for him to serve as Secretary of Defense, I in no way can oppose him on the merits now that the waiver has been approved. My vote on the waiver was no way a reflection of my support for his qualifications, but a vote which I felt was important to maintain the tradition of civilian control of the military, an important American tradition which General Mattis himself called a "fundamental tenet of the American military tradition."

As Secretary of Defense, he will be charged with the important task of providing civilian leadership at the Department of Defense, the largest agency in our country, and the one tasked with our national defense.

New Mexico plays an outsized role in these efforts, beginning with our national labs, that maintain our nuclear weapons and play an important role in multiple defense efforts.

In addition, New Mexico is home to three Air Force bases. Kirtland Air Force Base, one of the most diverse in the country, not only plays a lead role in managing our nuclear weapons, but

is both the home of state of the art Air Force Research Lab facilities and AFSOC's premier training wing—the 58th Special Operations Wing. Cannon Air Force Base, home of the 27th Special Operations Wing, is at the tip of the spear in our efforts to counter terrorist threats to the United States. Holloman Air Force Base, which was recently selected to receive additional F-16s, continues a proud tradition of training our future F-16 pilots. Furthermore, White Sands Missile Range, which is utilized by all our services, is the premier testing facility in the country. Finally, New Mexico also shares the Army's Ft. Bliss with our neighbor El Paso.

I would encourage Secretary Mattis to visit New Mexico as soon as possible to learn more about how New Mexico supports our Nation's military. I am proud to support them and our many veterans who have made New Mexico their home.

THANKING FORMER PRESIDENT OBAMA

Mr. CASEY. Mr. President, I rise to offer my words of gratitude to President Obama as his service to our Nation comes to a close. I want to commend him for his 8 years of dedicated public service. From the first time we met in 2005, I was struck by his integrity, his intellect and his decency. His achievements as President are too numerous to list, but 3 are significant. Over 15 million jobs created since the end of the great recession, 20 million more Americans with health care, and a \$1 trillion reduction in the deficit.

President Obama was a strong fighter for the middle class and the vulnerable. Our Nation and the Commonwealth of Pennsylvania are in a stronger position today than when President Obama took the oath of office in January 2009. As a nation, we have made progress, but we still face substantial challenges in order to grow incomes, provide a quality education for more children, and keep our nation safe. We will miss President Obama's principled leadership and enduring commitment to strengthening America.

Mr. President, I ask unanimous consent that a CNN article about President Obama be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From CNNMoney (New York), Dec. 2, 2016]

OBAMA'S GIFT TO TRUMP: A 'PRETTY SOLID' ECONOMY

(by Heather Long)

President Obama is giving President-elect Trump a welcome gift: A pretty good economy.

Unemployment is at its lowest level since 2007.

Home prices are back at all-time highs.

Growth is picking up. The economy expanded at a 3.2% annual rate from July through September.

Even the middle class is (finally) getting a raise in pay.

"President Trump really is inheriting an economy that's pretty solid," said Kevin Hassett, an economist at the conservative American Enterprise Institute, on CNBC Friday.

The "Obama economy" deserves a "B or B+" grade, says Paul Ashworth, chief economist at Capital Economics.

GRADING THE OBAMA ECONOMY

That's not an A, but the economy is certainly better off than it was when Obama walked into the Oval Office in 2009. Back then, the country was in the midst of a deep financial crisis and recession. The very month Obama took office, nearly 800,000 Americans lost their jobs.

Obama believes he hasn't received enough credit for the big turnaround. "Anyone claiming that America's economy is in decline is peddling fiction," Obama said earlier this year.

Unemployment has fallen dramatically from 10% to just 4.6% now. America has gained over 11 million new jobs since Obama took office.

TRUMP POINTS TO THOSE LEFT BEHIND IN RECOVERY

Trump has repeatedly called the unemployment rate "a joke" and "a hoax." It's unclear whether he will change that message when he takes office. Then he would be able to take credit for keeping unemployment down—or even causing it to go lower.

For now, Trump continues to hammer the Obama economy as terrible. "Companies are not going to leave the United States anymore without consequences," Trump said at a speech at a Carrier factory in Indianapolis, Indiana. "We're losing so much."

While hiring has picked up rapidly under President Obama—2014 and 2015 were the best years of job growth since the late 1990s—the gains have almost all come in the so-called "service sector," not in manufacturing and blue collar work.

"There are some people doing fabulously well and others on death's doorstep. And there's a heck of a gulf in between," says Mark Hamrick, senior economic analyst at Bankrate.com.

The U.S. has 54,000 fewer manufacturing jobs now than a year ago, according to the Labor Department.

Trump is trying to stem that decline. He and vice President-elect Mike Pence negotiated a deal with Carrier to keep about 1,000 jobs in Indiana. Some of those jobs would have gone to Mexico.

The Obama team counters that 1,000 jobs is small compared to the 178,000 jobs added in November alone. It was the 74th consecutive month of job gains under Obama.

CAN TRUMP DO BETTER?

Trump and his new team of economic advisers promise to hypercharge U.S. growth. They say they can get it to 4%—stronger than recent years when the economy has grown only 2%.

The question is how.

Trump wants big tax cuts for businesses and individuals. He's also planning to roll back regulation and spend more on roads and bridges.

Wall Street has given these plans a big thumbs up. The stock market rallied to record levels in November after Trump won the presidency. Business and consumer confidence has also shot up since the momentous win.

THE BIG PROBLEM FOR TRUMP

There's just one catch: The U.S. economy has less potential to grow now than in the past, argues economist Ashworth.

Two key factors drive growth: More people entering the workforce and workers being more productive on the job.

Right now, the U.S. has an aging population and little appetite for much more immigration, so it's hard to see more workers flooding into the workforce. Trump likes to claim 94 million Americans are out of work and need jobs, but that's not correct. That number includes retirees, people in school and those who have chosen not to work in order to take care of their family.

In reality, about 2.1 million lost their jobs in recent years and appear to have simply given up looking. They are the hidden unemployed. Getting them jobs won't be easy as many jobs today require specialized skills.

Trump's big hope is to get productivity up by encouraging businesses to invest more in their factories, research and workers. Business investment has been one of the missing parts of the recovery.

"We're not quite there yet, but we've made a considerable amount of progress," says Ashworth.

REMEMBERING KEN HECHLER

Mr. MANCHIN. Mr. President, today I wish to honor Ken Hechler, a former Presidential adviser, veteran, public servant, author, Congressman, West Virginia's 26th Secretary of State, and educator who left a significant imprint on my home State of West Virginia.

Ken was born on September 20, 1914, in Roslyn, NY. Always a staunch advocate for engaging the public in politics, he helped organize support for President Franklin D. Roosevelt's New Deal while attending Swarthmore College. He later earned a master's degree and Ph.D. in political science, both from Columbia University.

Shortly after the United States entered World War II, Ken was drafted into the Army where he trained as an infantryman and a tank commander. Eventually he was assigned as an Army combat historian and rose to the rank of colonel. He was one of five people assigned to interview leaders of Nazi Germany after the war.

His experience as a war historian led to his joining the Truman administration as an adviser on local issues during his tours across the Nation. He remained on Truman's administration throughout the remainder of his tenure and briefly into the administration of Dwight D. Eisenhower.

He was the author of "The Bridge at Remagen," which detailed the Army's crossing of the Rhine River during World War II. This publication helped make him a household name.

Ken later joined the American Political Science Association, with one of his jobs requiring him to find political science professors for colleges. His legacy in West Virginia began in 1957 when he got a request to teach political science at Marshall College, now Marshall University. Following one term at Marshall, he ran for Congress and won. He served nine terms in the U.S. House of Representatives from 1957 to 1977.

He saw West Virginia for the welcoming place it is. Once you have visited our little State, it never really leaves you. Most importantly, Ken recognized quickly the issues that matter in West Virginia—mostly concerning the coal industry and protection of our miners. In the wake of the explosion at the Consol No. 9 mine in my hometown of Farmington, Ken played a key role in the promotion of the Coal Mine Health and Safety Act of 1969. I personally lost many individuals who I knew well, including my dear Uncle John and several classmates, in that explosion. The implementation of the Coal Mine Health and Safety Act set the groundwork for everything we have accomplished for our miners since then. I will always be grateful for Ken's contributions.

Among his many history-making legacies, Ken joined the march to Selma with the Rev. Dr. Martin Luther King, Jr., in 1965. He was the only active Member of Congress to participate.

After a successful tenure in Congress, Ken served as West Virginia's Secretary of State. He moved his desk out front so he could interact with visitors passing through. He loved to visit with all West Virginians. He fought for transparency in our campaign finance system, was passionate about protecting our democratic process, and fought to ensure that West Virginians had access to cast their ballots.

Ken never gave up his commitment to public service and continued to be active on the issues that matter to the public. At the age of 85, he walked 530 miles with Granny D to show his unwavering commitment to campaign finance reform, shortly after the McCain-Feingold Act passed Congress. Put simply, Ken was never one to back down from a challenge. The man was fearless and fought tirelessly for causes he believed in.

What is most important is that he lived a full life, surrounded by dear friends and family. It is my hope that Ken's loved ones are able to find peace, strength, and support in one another. This is a time to celebrate his life and vast accomplishments, as well as the countless lives he touched, and to honor his memory in our thoughts and prayers.

Again, I extend my most sincere condolences to his loving wife, Carol, and the entire Hechler family and dear friends. I am honored to join the people of West Virginia and beyond in recognizing his memory, as well as the unwavering love he had for his loved ones and our great Nation. His legacy of service will live on forever.

REMEMBERING TIM MITCHELL

Mr. CARDIN. Mr. President, I have said many times that the Senate is a family, and today we are a family in mourning. Tim Mitchell, the assistant

Democratic secretary and a 25-year Senate staffer, lost his battle with brain cancer this past Saturday night. It was a battle he waged with uncommon courage and grace. We are disconsolate that such an outstanding person in the prime of his life has been taken from his family and from the Senate. We send our deepest condolences and prayers to his beloved wife Alicia; his cherished son Ben; his father, the Reverend Dr. Philip Mitchell; his sister Christi; and the rest of his family and many, many friends.

While Tim spent part of his formative years in Binghamton, NY, he was born in Boston and also grew up in New Hampshire, so he ultimately pledged his sports allegiance to Boston and New England. He called himself a P-K—a preacher's kid. He earned his undergraduate degree from the State University of New York at Fredonia. He earned his juris doctor degree at night while he worked here in the Senate, from Catholic University's Columbus School of Law. Tim loved his family most of all, but he also loved the Senate, and he loved the Boston Red Sox—I am not sure of the order there; maybe they were tied. He actually acquired two seats from Fenway Park and put them in his basement for when he wanted to watch a game. They were just part of his extensive collection of Red Sox memorabilia, hats, ties, and the like. I don't think any other fan was as excited and as proud as Tim was when the Red Sox won the World Series in 2004, ending an 86-year drought.

Tim started his Senate career following his junior year in college as an intern for then-Senator Don Riegle from Michigan. He returned to the Senate after he graduated to work as a staff assistant in Senator Riegle's office, where he quickly displayed his talents and work ethic and was promoted to a job on the Senate Banking Committee. Later, he worked on the special Whitewater Committee. He also worked for former Democratic Leader Tom Daschle, on his personal staff and on the Democratic Policy Committee, before joining the floor staff in 2001.

As a member of the floor staff, Tim was intimately involved in every bill, every nomination, every accomplishment of the Senate. Throughout it all, he was always calm, always patient, always courteous, and always exhibiting his innate sense of decency and fairness. He was a parliamentary expert and a trusted adviser.

I hope Tim's wife Alicia, his son Ben, and his other family members know just how much Tim was loved and respected here in the Senate. Given the partisan nature of his job, that is, perhaps, the best testament to the type of person Tim was. Our hearts, like theirs, are broken. I hope they may find some solace in these words written by the Reverend Henry Scott Holland, originally as a sermon, but usually reprinted as a poem:

Death is nothing at all.

It does not count.

I have only slipped away into the next room. Nothing has happened.

Everything remains exactly as it was.

I am I, and you are you, and the old life that we lived so fondly together is untouched, unchanged.

Whatever we were to each other, that we are still.

Call me by the old familiar name.

Speak of me in the easy way which you always used.

Put no difference into your tone.

Wear no forced air of solemnity or sorrow.

Laugh as we always laughed at the little jokes that we enjoyed together.

Play, smile, think of me, pray for me.

Let my name be ever the household word that it always was.

Let it be spoken without an effort, without the ghost of a shadow upon it.

Life means all that it ever meant.

It is the same as it ever was.

There is absolute and unbroken continuity.

What is this death but a negligible accident?

Why should I be out of mind because I am out of sight?

I am but waiting for you, for an interval, somewhere very near, just round the corner.

All is well.

Nothing is hurt; nothing is lost.

One brief moment and all will be as it was before.

How we shall laugh at the trouble of parting when we meet again!

ADDITIONAL STATEMENTS

STATE OF THE UNION ESSAY CONTEST WINNERS

● Mr. SANDERS. Mr. President, since 2010, I have sponsored a State of the Union essay contest for Vermont students. The contest, now in its 7th year, is an opportunity for Vermont's high school students to articulate what issues they would prioritize if they were President of the United States. A panel of Vermont teachers reviewed all of the essays submitted and selected the top 20.

I would like to congratulate each and every finalist and to specifically acknowledge Quinn Nelson Mayo as this year's winner of the contest. I would also like to recognize Musa Mayange for placing second and A.J. DeFelice for placing third. I ask to have printed in the RECORD the winning essays.

The material follows:

QUINN NELSON MAYO, ST. JOHNSBURY ACADEMY JUNIOR (WINNER)

The United States was founded on several core values; the most important, as most of us agree, is freedom. This shared belief has been the foundation of our country for over 200 years. And for centuries, media has been a major outlet for people to exercise this freedom because it allows them to share their opinions with the masses. The idea of free speech took on a different meaning with the development of the internet in the late 80s. Since then, this liberty has grown exponentially. Now people have the ability to share their thoughts with a much larger audience. It is possible to do this anonymously

and without fear of consequence. The internet is an incredible asset which has helped with globalization and the spread of information. However, this form of media does have its drawbacks. The leading issue is that it enables the spread of false information. So, while the internet embodies our nation's core value of freedom, it can also be detrimental to another vital aspect of our society: educated and well informed citizens.

Regardless of one's political views, we can all agree that 2016 has been a tumultuous year for politics, here in the United States and across the globe. The 2016 presidential campaign was a dramatic affair, and just the opening act to one of the most high-stakes elections in our country's history. The actions and rhetoric of the president-elect have inspired a great political shift, as well as a burgeoning sense of xenophobia and hatred throughout the country. During times such as these, it is important to focus on what we can do to create a better future. Much of the hate directed towards certain groups of people is due to ignorance and can be traced back to stereotypes perpetrated by unreliable media sources. Forcing media sites to drastically increase their censorship would rightfully anger their users, on the grounds that it restricts their constitutional right to free speech. Therefore, the most plausible and effective solution to the problem of misinformation is to educate people.

As of this year, 78% of the United States population has a social media profile (Statista). Facebook and Twitter have billions of users across the world. It is imperative that we use such sites with care. The recent controversies over fake news have made the influence of the media on politics increasingly apparent. The rumor now known as "Pizzagate" is a prime example of a fake news story with tremendous influence. Millions of people believed that Hillary Clinton was involved in a child-prostitution ring run out of a pizza parlor. This is because, for a vast number of people, social media and biased news sources are their only ways of acquiring information. In fact, it is estimated that 62% of American adults use social media at least occasionally as a news source (Pew Research Center). However, many blindly make the assumption that it is accurate. When hundreds of thousands of people are susceptible to hate-driven fake news, it can have a huge impact on our democracy.

This is why I propose the incorporation of media literacy as a core subject in all public schools. Public schools educate the majority of our nation's children. Which is why, by teaching America's youth how to approach sources impartially and critically, we can fix this problem of misinformation. Integrating media literacy as a required course at elementary and high-school levels is an investment in our future generations.

MUSA MAYANGE, WINOOSKI HIGH SCHOOL SENIOR
(SECOND PLACE)

Twelve years and still no change. After fleeing from a civil war in Somalia in 1992, my parents took refuge at a refugee camp in Kakuma, Kenya. After 12 years of struggle, in 2004 we flew from the National Airport of Kenya to J.F.K. International Airport in New York thinking our lives were saved. Finally here, the land of the free and the home of the brave. One of the only places on earth where you can taste opportunity and smell a second chance. At the age of 17, I can see it now. America's resistance to change.

Racism exists in America. Surveys reveal that whites apply stereotypical thinking about blacks, considering them lazy and unintelligent. What are we going to do about these attitudes towards persons of color?

The American National Election Studies asked voters to rank blacks and whites from hardworking to lazy, from intelligent to unintelligent. In 2012, 62 percent of whites gave blacks a lower score in at least one area. In 2008, 45 percent of whites expressed negative feelings about black stereotypes. (Milbank, Washington Post)

For a while, we thought that the issue of racism was over and that our nation was going to move forward and "leave the past in the past." It almost had me fooled because we live in Vermont and we sometimes can be isolated from world issues. But racism is still here. When everyone thought that it was no longer "relevant," it's still alive.

As a young African-American immigrant, how can I wrap my head around this? As Vermonters how can we annihilate racism and get our community to be accepting of all races, cultures, and ethnic backgrounds?

Ta-Nehisi Coates addresses the disadvantages of living with black skin in *Between the World and Me*. Coates says "... today, when 8% of the world's prisoners are black men, our race has been refinanced to the Dream of being white. Black life is cheap, but in America, black bodies are a natural resource of incomparable value." Black people are born with a disadvantage. We are more likely to go jail than white people. The Center for American Progress says, "In the United States, black people account for 60 percent of those imprisoned. The prison population grew by 700 percent from 1970 to 2005, a rate that is outpacing crime and population rates.

Black people make up 17% of the United States population yet more of us are in jail. A black man is twice as likely to go to jail than a white man, even if they did the same crime.

Racism was born when humans identified skin color as a positive or negative factor. If each of us could accept that we are all humans, we come from different places, and have different interests, we could accept racial differences, but not let them divide us. We will never move forward if we don't work together side by side and knock down obstacles.

AJ DEFELICE, HARTFORD HIGH SCHOOL
FRESHMAN (THIRD PLACE)

The United States is one of the greatest countries on Earth, prized for its natural beauty, economic opportunities, and democratic principles. However, many challenges face our nation. Among the most pressing issues are climate change, immigration, and income inequality.

Perhaps the most daunting problem we face is climate change, and the crucial role our country plays in it. Although President Obama recently signed the Paris Agreement to limit greenhouse gas emissions, much must still be done to combat this issue. We can begin by putting unemployed or low-income Americans to work—manufacturing, transporting, and installing renewable energy products—such as solar panels, wind turbines, and more. This would produce a similar effect as the New Deal put into place by President Franklin D. Roosevelt to combat the negative effects of the Great Depression. Additionally, a carbon tax should be established nationally, to lower emissions, and encourage the usage of renewable energy. A carbon tax would also allow for tax reductions in other areas, and combined with employing Americans to transition to widespread renewable energy, would create economic growth, while simultaneously reducing our carbon footprint.

Another controversial issue which troubles our nation is immigration. The United

States is a country built on the backs of immigrants, and to deny a path to citizenship to millions who long only for a higher quality of life is unpatriotic. We must stop dehumanizing these people and see them only for who they are—people. Immigrants strengthen our economy, whether it be as producers, consumers, or developers. To deny them access to citizenship in our nation would be depriving ourselves of economic growth and cultural diversity. Economic and cultural change that would only strengthen American society.

Income inequality is another issue which plagues our nation today. According to countless years of research, income inequality has a direct correlation on social and health issues. A study conducted by the University of Wisconsin found that people who reside in more financially unequal communities are more likely to die before the age of 75. As national income inequality decreases, so do social and health problems. This decline can be seen in Scandinavian countries, where having a more equal gross domestic product per capita results in a higher quality of life. To make this possible for the United States, corporations must be regulated and held accountable by lawmakers to be sure that the American people are receiving the representation they deserve. As citizens, we must be responsible in electing officials who will place the needs of the greater population above the interests of wealthy corporate executives.

Our nation is at a turning point in its history, and the choices we make today will have lasting effects on future generations.

The United States of America will remain a strong, respected, and prosperous nation if we are able to look past our disagreements and focus on making progress through compromise. We must act wisely, and keep our eyes on what is most important—the liberty we treasure as our nation's crowning promise. ●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on January 19, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. UPTON) had signed the following enrolled bills:

H.R. 39. An act to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

H.R. 72. An act to ensure the Government Accountability Office has adequate access to information.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bills were signed on January 19, 2017, during the adjournment of the Senate by the President pro tempore (Mr. HATCH).

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on January 19, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

S. 84. An act to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bill was signed on January 19, 2017, during the adjournment of the Senate by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE

At 4:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975), and the order of the House of January 3, 2017, and upon recommendation of the Minority Leader, the Speaker reappoints the following individual on the part of the House of Representatives to the Commission on Civil Rights for a term expiring December 15, 2022: Mr. Michael Yaki of San Francisco, California.

The message further announced that pursuant to section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107-117, and the order of the House of January 3, 2017, the Speaker appoints the following Member of the House of Representatives to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: Mr. KENNEDY of Massachusetts.

The message also announced that pursuant to section 4(a) of the John F. Kennedy Centennial Commission Act (Public Law 114-215), and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the John F. Kennedy Centennial Commission: Mr. MCCARTHY of California and Ms. STEFANIK of New York.

The message further announced that pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 3, 2017, the Speaker appoints the fol-

lowing Member of the House of Representatives to the Board of Regents of the Smithsonian Institution: Ms. MATSUI of California.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 20, 2017, she had presented to the President of the United States the following enrolled bill:

S. 84. An act to provide for an exception to a limitation against appointments of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. 133. A bill to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 115-2).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEE:

S. 177. A bill to provide for congressional review of the imposition of duties and other trade measures by the executive branch, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. BLUMENTHAL, Mr. TILLIS, Ms. KLOBUCHAR, Mr. CORNYN, Mr. LEAHY, Mr. BENNET, and Mrs. FEINSTEIN):

S. 178. A bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. BOOZMAN, Mr. CORKER, Mr. COTTON, Mr. ENZI, Mr. LEE, Mr. SHELBY, Mr. THUNE, and Mr. WICKER):

S. 179. A bill to expand the use of E-Verify, to hold employers accountable, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. BROWN, and Mr. BLUMENTHAL):

S. 180. A bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN:

S. 181. A bill to ensure that certain Federal public works and infrastructure projects use materials produced in the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself and Mr. CORNYN):

S. 182. A bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. LEE):

S. 183. A bill to allow for expedited approval of generic prescription drugs and temporary importation of prescription drugs in the case of noncompetitive drug markets and drug shortages; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself, Mr. ROBERTS, Mrs. FISCHER, Mr. PORTMAN, Mr. DAINES, Mr. RUBIO, Mr. RISCH, Mr. COCHRAN, Mr. CRAPO, Mr. BLUNT, Mr. LEE, Mr. SHELBY, Mr. SCOTT, Mr. INHOFE, Mr. PAUL, Mr. ENZI, Mr. CASSIDY, Mr. BARRASSO, Mr. MCCAIN, Mr. GRASSLEY, Mr. ISAKSON, Mr. CRUZ, Mr. MORAN, Mr. LANKFORD, Mr. CORNYN, Mr. GRAHAM, Mr. CORKER, Mr. BOOZMAN, Mr. TILLIS, Mrs. ERNST, Mr. KENNEDY, Mr. SASSE, Mr. FLAKE, Mr. HOEVEN, Mr. THUNE, Mr. YOUNG, and Mr. PERDUE):

S. 184. A bill to prohibit taxpayer funded abortions; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. COONS, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MARKEY, and Ms. WARREN):

S.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEE (for himself, Mr. DAINES, Mr. MORAN, Mr. SASSE, Mr. CORNYN, Mr. CRUZ, and Mr. PAUL):

S. Res. 15. A resolution expressing the sense of the Senate that the Mexico City policy should be permanently established; to the Committee on Foreign Relations.

By Mr. MCCONNELL:

S. Res. 16. A resolution to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. SCHUMER:

S. Res. 17. A resolution to constitute the minority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 41

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 41, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 128

At the request of Mr. NELSON, his name was added as a cosponsor of S.

128, a bill to provide provisional protected presence to qualified individuals who came to the United States as children.

S. RES. 6

At the request of Mr. KAINE, his name was added as a cosponsor of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. BLUMENTHAL, Mr. TILLIS, Ms. KLOBUCHAR, Mr. CORNYN, Mr. LEAHY, Mr. BENNET, and Mrs. FEINSTEIN.

S. 178. A bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I have fought for years to protect our Nation's seniors from abuse and exploitation, initially, as former Chairman of the Senate Aging Committee, former Chairman of the Senate Finance Committee, and more recently, as Chairman of the Senate Judiciary Committee.

This past June, I chaired a Judiciary Committee hearing on Protecting Older Americans from Financial Exploitation. At the hearing, we heard about numerous scams in which seniors were targeted time after time, resulting in their being defrauded, often with devastating consequences. We also heard that many older Americans don't report instances of elder abuse or exploitation due to embarrassment, a refusal to acknowledge that they were victimized, or reliance on the perpetrator as their caretaker.

Sadly, these accounts of elder abuse are nothing new. What has changed is that the scams targeting seniors are becoming increasingly sophisticated. That is one of the reasons why elder financial exploitation has been dubbed "the crime of the 21st century."

I have made it a top priority to get the Federal Government to step up its efforts to fight the abuse, neglect, and financial exploitation of our Nation's seniors.

Last year, I called on the Justice Department to outline its efforts to prevent and respond to instances of elder abuse. First, I sent a letter to the Department to find out what it's doing to protect seniors from a new and particularly troubling form of exploitation: the photographing and online publication of nursing home residents in embarrassing and compromising situations.

I also sent a letter to inquire about the Department's efforts to fight im-

poster scams, in which fraudsters pose as employees of the IRS or another government agency, in order to deprive ordinary Americans of millions of dollars of their hard earned money. And as tax season approaches once again, it's critical that folks watch out for these deceitful scams.

I also asked about the data the Department is collecting on financial exploitation, as well as how this data is being used to support Federal efforts to protect America's seniors.

In its response to my inquiries, the Justice Department effectively admitted that it falls short in several respects. The Department said that it "does not collect data on the prevalence of elder financial exploitation nationwide." Further, the Department said that it can't provide statistical information on the number of cases it has prosecuted for elder financial exploitation.

What all this means is that we are not getting the full picture of elder financial exploitation.

We do know that some older Americans' trusting and polite nature, combined with their hard-earned retirement savings, make them particularly attractive targets for fraudsters. We also know that the abuse and exploitation of older Americans is on the rise and it can take many forms.

Financial exploitation is the most widespread form of elder abuse, costing America's seniors between an estimated \$2.9 billion and \$36 billion annually. But, sadly, its costs aren't limited to the negative effect on seniors' bank accounts. Victims suffer all sorts of negative effects, including diminished health, loss of independence, and psychological distress.

It is estimated that up to 37 percent of seniors in the United States are affected by some form of financial exploitation in any 5-year period.

In my home State of Iowa, so-called grandparent scams are on the rise. In these scams, fraudsters present themselves to an older American as a grandchild in distress, hoping to convince the grandparent to send cash or give out a credit card number.

Con artists are also using sweepstakes scams to steal money from seniors. A senior is called and told they have won a prize or sum of money. But before they can claim the supposed prize, the victim is required to pay taxes or processing fees. Once the money is paid to cover the taxes and fees, however, no prize ever materializes.

Other instances of elder financial exploitation are more personal in nature and have especially devastating effects. Some victims are pressured into signing over a deed, modifying a will, or giving a power of attorney. Americans have lost their farms, homes, and life savings to this form of fraud.

In short, elder abuse and exploitation is a serious problem, and it demands a

strong response. It requires all of us to work together in a collaborative way.

So, today I am proud to introduce the Elder Abuse Prevention and Prosecution Act. I thank my colleagues—Senators BLUMENTHAL, TILLIS, KLOBUCHAR, and CORNYN for collaborating with me on this comprehensive and bipartisan bill's development and for joining as original cosponsors. It takes a multi-pronged approach to combating the abuse and financial exploitation of our nation's senior citizens.

We have heard a need for specialized prosecutors and more focused efforts to combat abuse and exploitation. That is why the bill directs the Attorney General to designate at least one federal prosecutor in each U.S. Attorney's Office to serve as an Elder Justice Coordinator for that district.

To ensure that elder abuse is a priority for the Federal Trade Commission and the Justice Department, the bill also calls for each agency to have an Elder Justice Coordinator.

We also need to send a strong message that efforts to target our Nation's seniors won't be tolerated. That is why the bill enhances elder victims' access to restitution and increases penalties for criminals who use telemarketing or email in their schemes to defraud seniors.

The bill also requires that the Justice Department partner with the Department of Health and Human Services to provide training and technical assistance to State and local governments on the investigation, prevention, prosecution, and mitigation of elder abuse and neglect.

Finally we have heard about the need for more data on financial exploitation and the government's response. Gathering accurate information about elder abuse is not only crucial to understanding the scope of the problem, but it is also essential in determining where resources should be allocated. So, the bill helps to accomplish that.

It requires that data be collected from federal prosecutors and law enforcement in cases where an older American was the target of abuse or exploitation.

These and other reforms included in the bill are the product of a truly bipartisan effort, as well as insight from key stakeholders and those who've been battling elder financial exploitation on the front lines.

This 21st century crime requires a 21st century response. The Elder Abuse Prevention and Prosecution Act takes a strong step toward protecting our Nation's seniors, and I urge my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 15—EX-PRESSING THE SENSE OF THE SENATE THAT THE MEXICO CITY POLICY SHOULD BE PERMANENTLY ESTABLISHED

Mr. LEE (for himself, Mr. DAINES, Mr. MORAN, Mr. SASSE, Mr. CORNYN, Mr. CRUZ, and Mr. PAUL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 15

Whereas section 104(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(f)) (commonly referred to as the “Helms amendment”) states that no foreign assistance funds may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions;

Whereas section 518 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109-102; 119 Stat. 2202) (commonly referred to as the “Siljander Amendment”) states that no foreign assistance funds may be used to lobby for or against abortion;

Whereas, in 1984, President Ronald Reagan established the “Mexico City Policy,” which prohibits foreign aid for family planning purposes from being given to foreign nongovernmental organizations that perform abortions or actively promote abortion as a method of family planning, regardless of the source of funding;

Whereas, upon assuming office on January 20, 1989, President George H.W. Bush continued to enforce the Mexico City Policy as established by President Reagan;

Whereas the Mexico City Policy was reestablished on January 22, 2001, by President George W. Bush; and

Whereas, on January 23, 2009, President Barack Obama rescinded the Mexico City Policy;

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President should immediately reapply and consider improving the Mexico City Policy; and

(2) Congress should expeditiously consider statutory changes that permanently codify the Mexico City Policy or an improved version thereof.

SENATE RESOLUTION 16—TO CONSTITUTE THE MAJORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 16

Resolved, That the following shall constitute the majority party’s membership on the following committee for the One Hundred Fifteenth Congress, or until their successors are chosen:

Committee on Rules and Administration: Mr. Shelby, Mr. McConnell, Mr. Cochran, Mr. Alexander, Mr. Roberts, Mr. Blunt, Mr. Cruz, Mrs. Capito, Mr. Wicker, Mrs. Fischer.

SENATE RESOLUTION 17—TO CONSTITUTE THE MINORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 17

Resolved, That the following shall constitute the majority party’s membership on the following committee for the One Hundred Fifteenth Congress, or until their successors are chosen:

Committee on Rules and Administration: Ms. Klobuchar, Mrs. Feinstein, Mr. Schumer, Mr. Durbin, Mr. Udall, Mr. Warner, Mr. Leahy, Mr. King, Ms. Cortez Masto.

INAUGURAL CEREMONY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Inaugural Ceremony proceedings be printed in the RECORD.

There being no objection, the proceedings of the Inaugural Ceremony were ordered to be printed in the RECORD, as follows:

INAUGURAL CEREMONY

Inauguration of Donald John Trump, January 20, 2017, 11:33 a.m.

The Architect of the Capitol, Stephen T. Ayers, accompanied by Mrs. Jennifer Ayers, assembled on the President’s platform.

The leadership of the 58th Presidential Inaugural Committee, Chairman Tom Barrack, Chief Executive Officer Sara Armstrong, and Deputy Chairman Rick Gates, assembled on the President’s platform.

Former Senate Majority Leaders Robert Dole, Trent Lott, and Bill Frist, accompanied by Mrs. Elizabeth Dole, Mrs. Tricia Lott, and Mrs. Karyn Frist, assembled on the President’s platform.

Former Speakers of the House of Representatives Newt Gingrich and John Boehner, accompanied by Mrs. Callista Gingrich and Mrs. Debbie Boehner, assembled on the President’s platform.

The Chairman of the Joint Chiefs of Staff, Gen. Joseph F. Dunford, Jr., and Mrs. Ellyn Dunford, accompanied by the Joint Chiefs of Staff, assembled on the President’s platform.

Former Vice Presidents Dan Quayle and Dick Cheney, accompanied by Mrs. Marilyn Quayle and Mrs. Lynne Cheney, assembled on the President’s platform.

Members of the 115th House of Representatives of the United States, led by Majority Whip Steve Scalise and Democratic Whip Steny Hoyer, assembled on the President’s platform.

The Governors of the United States and its territories and the Mayor of the District of Columbia assembled on the President’s platform.

Members of the 115th Senate of the United States assembled on the President’s platform.

The President-elect’s Cabinet and agency designees assembled on the President’s platform.

Their Excellencies, the Chiefs of Diplomatic Missions, led by the Acting Dean of the diplomatic corps, His Excellency Serge Mombouli, assembled on the President’s platform.

The Chief Justice of the United States, the Honorable John G. Roberts, Jr., and the Associate Justices assembled on the President’s platform.

The 39th President of the United States, Jimmy Carter, and Mrs. Rosalynn Carter assembled on the President’s platform.

The 42nd President of the United States, William Jefferson Clinton, and the Honorable Hillary Rodham Clinton, assembled on the President’s platform.

The 43rd President of the United States, George W. Bush, and Mrs. Laura Bush assembled on the President’s platform.

The children of Vice President-Elect Pence, 2nd Lt. Michael Pence, Charlotte Pence, and Audrey Pence, accompanied by Assistant Secretary of the Senate Mary Suit Jones and Deputy Clerk of the House of Representatives Robert Reeves, assembled on the President’s platform.

The children of President-Elect Trump, Donald Trump, Jr., Ivanka Trump, Eric Trump, Tiffany Trump, and Barron Trump, accompanied by Senate Majority Secretary Laura Dove and House of Representatives Chief Administrative Officer Phillip G. Kiko, assembled on the President’s platform.

The First Lady, Mrs. Michelle Obama, and the wife of the Vice President, Dr. Jill Biden, accompanied by the Democratic staff director of the United States Senate Committee on Rules and Administration, Kelly Fado, Ms. Iris Weinsall, and Mr. Paul Pelosi, assembled on the President’s platform.

Mrs. Melania Trump and Mrs. Karen Pence, accompanied by the Secretary of the Senate, Julie E. Adams; the Clerk of the House of Representatives, Karen Haas; Mrs. Abigail Blunt; Mrs. Janna Ryan; the Honorable Elaine L. Chao; and Mrs. Judy McCarthy, assembled on the President’s platform.

The President of the United States, the Honorable Barack H. Obama, and the Vice President, Joseph R. Biden, Jr., accompanied by Senate Democratic Secretary Gary Myrick, Senate Democratic Leader and Rules Committee Ranking Member Senator Charles E. Schumer, and House Democratic Leader Representative Nancy Pelosi, assembled on the President’s platform.

The Vice President-elect of the United States, Michael R. Pence, accompanied by the Inaugural Coordinator for the Joint Congressional Committee on Inaugural Ceremonies, Maria Miller Lohmeyer; the Senate Deputy Sergeant at Arms, James Morhard; the House Deputy Sergeant at Arms, Tim Blodgett; and Senator Patrick Leahy, assembled on the President’s platform.

The President-elect of the United States, Donald J. Trump, accompanied by the staff director for the Joint Congressional Committee on Inaugural Ceremonies, Stacy McHatton McBride; the Senate Sergeant at Arms, Frank J. Larkin; the House Sergeant at Arms, Paul Irving; the chairman of the Joint Congressional Committee on Inaugural Ceremonies, Senator Roy Blunt; the Rules Committee Ranking Member and Senate Democratic Leader, Senator Charles E. Schumer; the Speaker of the House of Representatives, Representative Paul Ryan; the Senate majority leader, Senator Mitch McConnell; the House majority leader, Representative Kevin McCarthy; and the House Democratic leader, Representative Nancy Pelosi, assembled on the President’s platform.

Mr. BLUNT. Thank you all. If you have a seat, you can sit down.

Mr. President, Mr. Vice President, Mr. President-elect, Mr. Vice President-elect, ladies and gentlemen, welcome to the inauguration of the 45th President of the United States of America.

Today, the legislative, the executive, and the judicial branches of our constitutional government come together for the inauguration of the 45th President of the United States. Millions of people all over the world will watch and will listen to this event.

(Applause.)

Thirty-six years ago, at his first inauguration—it was also the first inauguration on this side of the Capitol—President Ronald Reagan said that what we do here is both commonplace and miraculous—commonplace every 4 years since 1789, when President George Washington took this exact same oath; miraculous because we have done it every 4 years since 1789 and the example it sets for democracies everywhere. Washington believed the inauguration of the second President would be more important than the inauguration of the first. Many people had taken control of a government up until then, but few people had ever turned that control willingly over to anyone else.

As important as the first transfer of power was, many historians believe that the next election was even more important, when in 1801 one group of people—arguably, for the first time ever in history—willingly, if not enthusiastically, gave control of the government to people they believed had a dramatically different view of what the government would, should, and could do.

After an election that actually discovered a flaw in the Constitution itself, which was remedied by the 12th Amendment, Thomas Jefferson at that inauguration, beyond the chaos of the election that had just passed, said: “We are all Republicans; we are all Federalists.”

After 4 years of Civil War, Lincoln’s second inaugural speech tried to find reason for the continued war when he pointed out that both sides “prayed to the same God.” He had earlier written about those fervent prayers that “one side must be and both sides may be wrong,” but in 1865 he looked to the future—and the memorable moment in that speech was—“with malice toward none and charity for all.”

In the middle of the Depression, the country was told that the only thing we had to fear was fear itself. President Kennedy talked about the obligation in a democracy to country. The great question that day was “ask what you can do for your country.” So we come to this place again, commonplace and miraculous, a national moment of celebration but not a celebration of victory, a celebration of democracy.

(Applause.)

As we begin that celebration, I call on His Eminence Timothy Michael Cardinal Dolan, Reverend Dr. Samuel Rodriguez, and Pastor Paula White-Cain to provide readings and the invocation.

Cardinal DOLAN. The prayer of King Solomon from the Book of Wisdom.

Let us pray.

God of our ancestors and Lord of mercy, You have made all things, and in Your providence have charged us to rule the creatures produced by You, to govern the world in holiness and righteousness and to render judgment with integrity of heart. Give us wisdom, for we are Your servants, weak and short lived, lacking in comprehension of judgment and of laws. Indeed, though one might be perfect among mortals, if wisdom which comes from You be lacking, we count for nothing. Now with You is wisdom who knows Your will and was there when You made the world, who understands what is pleasing in Your eyes, what is conformable with Your commands. Send her forth from

Your holy heavens. From Your glorious throne dispatch her that she may be with us and work with us that we may grasp what is pleasing to You, for she knows and understands all things and will guide us prudently in our affairs and safeguard us by her glory. Amen.

Reverend RODRIGUEZ. From the Gospel of Matthew, the fifth chapter:

God blesses those who are poor and realize their need for Him, for the kingdom of heaven is theirs. God blesses those who mourn for they will be comforted. God blesses those who are humble, for they will inherit the Earth. God blesses those who hunger and thirst for justice, for they will be satisfied. God blesses those who are merciful, for they will be shown mercy. He blesses those who are pure in heart, for they will see God. God blesses those who work for peace, for they will be called children of God. God blesses those who are persecuted for doing right, for the Kingdom of Heaven is theirs. And God blesses you when people mock you and persecute you and lie about you and say all sorts of evil things against you because you are my followers, for you are the light of the world, like a city on a hilltop that cannot be hidden. No one lights a lamp and then puts it under a basket. Instead, a lamp is placed on its stand where it gives light to everyone in the house. In the same way, let your good deeds shine out for all to see, that everyone will praise your heavenly Father.

Respectfully in Jesus’s name.

Pastor WHITE-CAIN. We come to You, Heavenly Father, in the Name of Jesus, with grateful hearts, thanking You for this great country that You have decreed to Your people. We acknowledge we are a blessed nation with a rich history of faith and fortitude, with a future that is filled with promise and purpose. We recognize that every good and every perfect gift comes from You and the United States of America is Your gift, for which we proclaim our gratitude.

As a nation, we now pray for our President, Donald John Trump, Vice President Michael Richard Pence, and their families. We ask that You would bestow upon our President the wisdom necessary to lead this great Nation, the grace to unify us, and the strength to stand for what is honorable and right in Your sight.

In Proverbs 21:1, You instruct us that our leader’s heart is in Your hands. Gracious God, reveal to our President the ability to know Your will, the confidence to lead us in justice and righteousness, and the compassion to yield to our better angels.

While we know there are many challenges before us, in every generation You have provided us the strength and power to become that blessed Nation. Guide us in discernment, Lord, and give us that strength to persevere and thrive. Now bind and heal our wounds and divisions and join our Nation to Your purpose.

“Thy kingdom come, Thy will be done,” the Psalmist declared. Let Your favor be upon this one nation under God. Let these United States of America be that beacon of hope to all people and nations under Your dominion, a true hope for humankind.

Glory to the Father, the Son, and the Holy Spirit.

We pray this in the Name of Jesus Christ. Amen.

(Performance by the Missouri State University Chorale.)

(Applause.)

Mr. BLUNT. Well, the Missouri State University Chorale practices and performs about two blocks from my home in Springfield,

MO. So it was easy to find them. We are pleased they are here.

It is also a great opportunity for me to introduce my colleague, the Senator from New York, CHUCK SCHUMER.

Mr. SCHUMER. My fellow Americans, we live in a challenging and tumultuous time—a quickly evolving, evermore interconnected world; a rapidly changing economy that benefits too few while leaving too many behind; a fractured media; a politics frequently consumed by rancor. We face threats foreign and domestic. In such times, faith in our government, our institutions, and even our country can erode. Despite these challenges, I stand here today confident in this great country for one reason: you, the American people.

(Applause.)

We Americans have always been a forward-looking, problem-solving, optimistic, patriotic, and decent people. Whatever our race, religion, sexual orientation, gender identity, whether we are immigrant or native-born, whether we live with disabilities or do not, in wealth or in poverty, we are all exceptional in our commonly held yet fierce devotion to our country and in our willingness to sacrifice our time, energy, and even our lives to making it a more perfect union.

Today, we celebrate one of democracies core attributes—the peaceful transfer of power. Every day, we stand up for core democratic principles enshrined in the Constitution; the rule of law; equal protection for all under the law; the freedom of speech, press, religion—the things that make America “America.” We can gain strength from reading our history and listening to the voices of average Americans. They always save us in times of strife.

(Applause.)

One such American was MAJ Sullivan Ballou. On July 14, 1861, when the North and South were lining up for their first battle, a time when our country was bitterly divided and faith in the future of our country was at a nadir, Major Ballou of the 2nd Rhode Island volunteers penned a letter to his wife Sarah.

It is one of the greatest letters in American history. It shows the strength and courage of the average American. Allow me to read some of his words which echo through the ages.

My very dear Sarah [he wrote], the indications are very strong that we should move in a few days—perhaps tomorrow.

If it is necessary that I should fall on the battlefield for my country, I am ready. I have no misgivings about, or lack of confidence in, the cause in which I am engaged, and my courage does not halt or falter.

I know how strongly American Civilization now leans upon the triumph of the Government, and how great a debt we owe to those who went before us through the blood and suffering of the Revolution. And I am willing—perfectly willing—to lay down all my joys in this life, to help maintain this Government and to pay that debt.

Sarah, my love for you is deathless, it seems to bind me to you with mighty cables that nothing but Omnipotence could break; and yet my love of country comes over me like a strong wind and bears me irresistibly on with all these chains to the battlefield.

Sullivan Ballou gave his life on the battlefield a week later at the first Battle of Bull Run. It is because Sullivan Ballou and countless others believed in something bigger than themselves and were willing to sacrifice for it that we stand today in the full blessings of liberty in the greatest country on Earth. That spirit lives on in each of us, Americans

whose families have been here for generations and those who have just arrived. I know our best days are yet to come. I urge all Americans to read Ballou's full letter. His words give me solace and strength. I hope they will give you the same.

(Applause.)

Now, please stand while the Associate Justice of the Supreme Court, Clarence Thomas, administers the oath of office to the Vice President of the United States.

Associate Justice CLARENCE THOMAS administered to the Vice President-elect the oath of office prescribed by the Constitution, which he repeated, as follows:

I, MICHAEL RICHARD PENCE, do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Associate Justice THOMAS. God bless you.

(Applause.)

(Performance by the Mormon Tabernacle Choir, accompanied by the United States Marine Band.)

(Applause.)

Mr. BLUNT. Ladies and gentlemen, it is an honor to introduce the Chief Justice of the United States, John G. Roberts, Jr.

The Chief Justice of the Supreme Court, JOHN G. ROBERTS, JR., administered to the President-elect the oath of office prescribed by the Constitution, which he repeated, as follows:

I, DONALD JOHN TRUMP, do solemnly swear that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States. So help me God.

The Chief Justice. Congratulations, Mr. President.

(Applause.)

Mr. BLUNT. What a great honor to be able to introduce for the first time ever, anywhere, the 45th President of the United States of America, Donald J. Trump.

(Applause.)

The PRESIDENT. Chief Justice Roberts, President Carter, President Clinton, President Bush, President Obama, fellow Americans, and people of the world, thank you. We, the citizens of America, are now joined in a great national effort to rebuild our country and restore its promise for all of our people. Together we will determine the course of America and the world for many, many years to come.

We will face challenges. We will confront hardships, but we will get the job done.

Every 4 years we gather on these steps to carry out the orderly and peaceful transfer of power. And we are grateful to President Obama and First Lady Michelle Obama for their gracious aid throughout this transition. They have been magnificent.

Thank you.

(Applause.)

Today's ceremony, however, has very special meaning because today we are not merely transferring power from one administration to another or from one party to another, but we are transferring power from Washington, DC, and giving it back to you, the people.

For too long, a small group in our Nation's Capital has reaped the rewards of government while the people have borne the cost. Washington flourished, but the people did

not share in its wealth. Politicians prospered, but the jobs left and the factories closed. The establishment protected itself, but not the citizens of our country. Their victories have not been your victories. Their triumphs have not been your triumphs, and while they celebrated in our Nation's Capital, there was little to celebrate for struggling families all across our land.

That all changes starting right here and right now, because this moment is your moment. It belongs to you. It belongs to everyone gathered here today and everyone watching all across America. This is your day. This is your celebration. This, the United States of America, is your country.

(Applause.)

What truly matters is not which party controls our government but whether our government is controlled by the people. January 20, 2017, will be remembered as the day the people became the rulers of this Nation again.

(Applause.)

The forgotten men and women of our country will be forgotten no longer. Everyone is listening to you now. You came by the tens of millions to become part of a historic movement, the likes of which the world has never seen before. At the center of this moment is a crucial conviction that a nation exists to serve its citizens. Americans want great schools for their children, safe neighborhoods for their families, and good jobs for themselves.

(Applause.)

These are just and reasonable demands of righteous people and a righteous public. But for too many of our citizens, a different reality exists: mothers and children trapped in poverty in our inner cities, rusted-out factories scattered like tombstones across the landscape of our Nation, an education system flush with cash but which leaves our young and beautiful students deprived of all knowledge, the crime and the gangs and the drugs that have stolen too many lives and robbed our country of so much unrealized potential.

This American carnage stops right here and stops right now. We are one Nation and their pain is our pain. Their dreams are our dreams. Their success will be our success. We share one heart, one home, and one glorious destiny. The oath of office I take today is an oath of allegiance to all Americans. For many decades we have enriched foreign industry at the expense of American industry, subsidized the armies of other countries, while allowing for the very sad depletion of our military.

We have defended other nations' borders, while refusing to defend our own, and spent trillions and trillions of dollars overseas while America's infrastructure has fallen into disrepair and decay. We have made other countries rich while the wealth, strength, and confidence of our country has dissipated over the horizon.

One by one, the factories shuttered and left our shores, with not even a thought about the millions and millions of American workers that were left behind. The wealth of our middle class has been ripped from their homes and then redistributed all across the world.

But that is the past. Now, we are looking only to the future. We assembled here today are issuing a new decree to be heard in every city, in every foreign capital, and in every hall of power. From this day forward, a new vision will govern our land. From this day forward, it is going to be only America first—America first. Every decision on trade,

on taxes, on immigration, on foreign affairs will be made to benefit American workers and American families.

(Applause.)

We must protect our borders from the ravages of other countries making our products, stealing our companies, and destroying our jobs. Protection will lead to great prosperity and strength. I will fight for you with every breath in my body, and I will never, ever let you down. America will start winning again, winning like never before. We will bring back our jobs. We will bring back our borders. We will bring back our wealth. We will bring back our dreams.

(Applause.)

We will build new roads and highways and bridges and airports and tunnels and railways all across our wonderful Nation. We will get our people off of welfare and back to work rebuilding our country with American hands and American labor. We will follow two simple rules: Buy American and hire American.

(Applause.)

We will seek friendship and good will with the nations of the world, but we do so with the understanding that it is the right of all nations to put their own interests first.

We do not seek to impose our way of life on anyone but rather to let it shine as an example. We will shine for everyone to follow. We will reinforce old alliances and form new ones and unite the civilized world against radical Islamic terrorism, which we will eradicate completely from the face of the Earth.

(Applause.)

At the bedrock of our politics will be a total allegiance to the United States of America, and through our loyalty to our country, we will rediscover our loyalty to each other. When you open your heart to patriotism, there is no room for prejudice. The Bible tells us how good and pleasant it is when God's people live together in unity. We must speak our minds openly, debate our disagreements honestly, but always pursue solidarity.

(Applause.)

When America is united, America is totally unstoppable. There should be no fear. We are protected, and we will always be protected. We will be protected by the great men and women of our military and law enforcement and, most importantly, we will be protected by God.

(Applause.)

Finally, we must think big and dream even bigger. In America, we understand that a nation is only living as long as it is striving.

We will no longer accept politicians who are all talk and no action, constantly complaining but never doing anything about it. The time for empty talk is over. Now arrives the hour of action. Do not allow anyone to tell you that it cannot be done. No challenge can match the heart and fight and spirit of America. We will not fail. Our country will thrive and prosper again.

(Applause.)

We stand at the birth of a new millennium, ready to unlock the mysteries of space, to free the Earth from the miseries of disease, and to harness the energies, industries, and technologies of tomorrow. A new national pride will stir our soul, lift our sights, and heal our divisions.

(Applause.)

It is time to remember that old wisdom our soldiers will never forget—that whether we are Black or Brown or White, we all bleed the same red blood of patriots. We all enjoy the same glorious freedoms, and we all salute the same great American flag.

(Applause.)

Whether a child is born in the urban sprawl of Detroit or the windswept plains of Nebraska, they look up at the same night sky, they fill their heart with the same dreams, and they are infused with the breath of life by the same Almighty Creator.

So to all Americans in every city near and far, small and large, from mountain to mountain, from ocean to ocean, hear these words. You will never be ignored again. Your voice, your hopes, and your dreams will define our American destiny, and your courage and goodness and love will forever guide us along the way. Together, we will make America strong again. We will make America wealthy again. We will make America proud again. We will make America safe again. And, yes, together we will make America great again.

Thank you. God bless you, and God bless America. Thank you.

(Applause.)

Mr. BLUNT. At this time I call on Rabbi Marvin Hier, the Reverend Franklin Graham, and Bishop Wayne T. Jackson to provide readings and the benediction.

Rabbi HIER. Eternal God, bless President Donald J. Trump and America, our great Nation. Guide us to remember the words of the Psalmist:

Who may dwell on Your holy mountain? One who does what is right and speaks the truth, who knows that when you eat the labor of your hands, you are praiseworthy that he who sows in tears shall reap in joy, because the freedoms we enjoy are not granted in perpetuity, but must be reclaimed by each generation. As our ancestors have planted for us, so we must plant for others. While it is not for us to complete the tasks, neither are we free to desist from them.

Dispense justice to the needy and the orphan, for they have no one but their fellow citizens, and because a nation's wealth is measured by her values and not by her vaults. Bless all of our allies around the world who share our beliefs.

By the rivers of Babylon we wept as we remembered Zion. If I forget thee O Jerusalem, may my right hand forget its skill. The doer of all these shall never falter. May the days come soon when justice will dwell in the wilderness and righteousness will abide in the fertile fields, and the work of righteousness will be peace, quietness, and confidence forever. Amen.

Reverend GRAHAM. Mr. President, in the Bible, rain is a sign of God's blessing. And it started to rain, Mr. President, when you came to the platform. It is my prayer that God will bless you, your family, your administration, and may He bless America.

The passage of Scripture comes from 1 Timothy, chapter 2:

I urge them, first of all, that petitions, prayers, intercession, and thanksgiving be made for all people. For kings, for all those in authority, that we may live peacefully quiet lives in all Godliness and Holiness. This is good and it pleases God our Savior, who wants all people to be saved and come to a knowledge of the truth. For there is one God, and one Mediator between God and mankind, the man Christ Jesus who gave Himself as a ransom for all people. Now to the King Eternal, Immortal, Invisible, the only God, be honor and glory forever and ever.

In Jesus's Name. Amen.

Bishop JACKSON. We thank You, Father, for letting us share this great moment together. Let us not take for granted the air we breathe or the life You have given us. We

were all created by You with one blood, all nations to dwell upon this land together. We are not enemies. We are brothers and sisters. We are not adversaries, but we are allies. We are not foes, but we are friends. Let us be healed by the power of Your love and united by the bond of Your Spirit.

Today we pray for our 45th President, the Vice President, and their families, and give them the wisdom to guide this great Nation, the strength to protect it, and the hands to heal it. We bless President Donald J. Trump. We ask that You give him the wisdom of Solomon, the vision of Joseph, and the meekness of Christ—Solomon who kept peace among many nations, Joseph who dreamt better for the people, and Christ who accepted us all.

O Lord, mend our hearts and stitch together the fabric of this great country in the spirit of the legendary gospel singer Mahalia Jackson:

Oh, deep in my heart, I do believe. The Lord will see us through, I do believe. We are on our way to victory, I do believe. We will walk hand in hand, I do believe. We shall live in peace, I do believe. Oh, deep in my heart, I do believe.

America, we shall overcome. May the Lord bless and keep America, make His face shine upon us and be gracious unto us and give us peace.

In the mighty Name of Jesus. Amen.

(Performance of the National Anthem by Jackie Evancho and the United States Marine Band.)

(The Inaugural Ceremony was concluded at 12:27 p.m.)

TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 16, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 16) to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 16) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Democratic leader.

TO CONSTITUTE THE MINORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 17, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 17) to constitute the minority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I further ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 17) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senate majority leader.

ORDERS FOR MONDAY, JANUARY 23, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, January 23; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate proceed to executive session to resume consideration of the nomination of MIKE POMPEO to be Director of the Central Intelligence Agency.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JANUARY 23, 2017, AT 3 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Monday, January 23, 2017, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

REX W. TILLERSON, OF TEXAS, TO BE SECRETARY OF STATE.

DEPARTMENT OF THE TREASURY

STEVEN T. MNUCHIN, OF CALIFORNIA, TO BE SECRETARY OF THE TREASURY.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

STEVEN T. MNUCHIN, OF CALIFORNIA, TO BE UNITED STATES GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT, UNITED STATES GOVERNOR OF THE AFRICAN DEVELOPMENT FUND, AND UNITED STATES GOVERNOR OF THE ASIAN DEVELOPMENT BANK, VICE JACOB JOSEPH LEW, RESIGNED.

INTERNATIONAL MONETARY FUND

STEVEN T. MNUCHIN, OF CALIFORNIA, TO BE UNITED STATES GOVERNOR OF THE INTERNATIONAL MONETARY FUND, UNITED STATES GOVERNOR OF THE AFRICAN DEVELOPMENT BANK, UNITED STATES GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK, AND UNITED STATES GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS, VICE JACOB JOSEPH LEW, RESIGNED.

DEPARTMENT OF DEFENSE

JAMES MATTIS, OF WASHINGTON, TO BE SECRETARY OF DEFENSE.

DEPARTMENT OF JUSTICE

JEFF SESSIONS, OF ALABAMA, TO BE ATTORNEY GENERAL.

DEPARTMENT OF THE INTERIOR

RYAN ZINKE, OF MONTANA, TO BE SECRETARY OF THE INTERIOR.

DEPARTMENT OF COMMERCE

WILBUR L. ROSS, JR., OF FLORIDA, TO BE SECRETARY OF COMMERCE.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

THOMAS PRICE, OF GEORGIA, TO BE SECRETARY OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

BENJAMIN S. CARSON, SR., OF FLORIDA, TO BE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF TRANSPORTATION

ELAINE L. CHAO, OF KENTUCKY, TO BE SECRETARY OF TRANSPORTATION.

DEPARTMENT OF ENERGY

JAMES RICHARD PERRY, OF TEXAS, TO BE SECRETARY OF ENERGY.

DEPARTMENT OF EDUCATION

ELISABETH PRINCE DEVOS, OF MICHIGAN, TO BE SECRETARY OF EDUCATION.

DEPARTMENT OF LABOR

ANDREW F. PUZDER, OF TENNESSEE, TO BE SECRETARY OF LABOR.

DEPARTMENT OF VETERANS AFFAIRS

DAVID J. SHULKIN, OF PENNSYLVANIA, TO BE SECRETARY OF VETERANS AFFAIRS.

DEPARTMENT OF HOMELAND SECURITY

JOHN F. KELLY, OF VIRGINIA, TO BE SECRETARY OF HOMELAND SECURITY.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

DANIEL COATS, OF INDIANA, TO BE DIRECTOR OF NATIONAL INTELLIGENCE, VICE JAMES R. CLAPPER, JR.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT LIGHTHIZER, OF FLORIDA, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

CENTRAL INTELLIGENCE AGENCY

MIKE POMPEO, OF KANSAS, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY, VICE JOHN OWEN BRENNAN.

ENVIRONMENTAL PROTECTION AGENCY

SCOTT PRUITT, OF OKLAHOMA, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

DEPARTMENT OF COMMERCE

TODD M. RICKETTS, OF ILLINOIS, TO BE DEPUTY SECRETARY OF COMMERCE.

DEPARTMENT OF DEFENSE

VINCENT VIOLA, OF NEW YORK, TO BE SECRETARY OF THE ARMY, VICE ERIC KENNETH FANNING.

SECURITIES AND EXCHANGE COMMISSION

JAY CLAYTON, OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2021, VICE DANIEL M. GALLAGHER, JR. (TERM EXPIRED).

SMALL BUSINESS ADMINISTRATION

LINDA E. MCMAHON, OF CONNECTICUT, TO BE ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, VICE MARIA CONTRERAS-SWEET, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEEMA VERMA, OF INDIANA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, VICE MARILYN B. TAVENNER.

DEPARTMENT OF STATE

NIKKI R. HALEY, OF SOUTH CAROLINA, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

UNITED NATIONS

NIKKI R. HALEY, OF SOUTH CAROLINA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

DEPARTMENT OF STATE

TERRY BRANSTAD, OF IOWA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF CHINA.

DAVID FRIEDMAN, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ISRAEL.

DISCHARGED NOMINATION

The Senate Select Committee on Intelligence was discharged from further consideration of the following nomination by unanimous consent and the nomination was by unanimous consent agreement, debate and vote 1/23/2017:

MIKE POMPEO, OF KANSAS, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 20, 2017:

DEPARTMENT OF DEFENSE

JAMES MATTIS, OF WASHINGTON, TO BE SECRETARY OF DEFENSE.

DEPARTMENT OF HOMELAND SECURITY

JOHN F. KELLY, OF VIRGINIA, TO BE SECRETARY OF HOMELAND SECURITY.

EXTENSIONS OF REMARKS

HONORING MICHAEL J. KEENAN

HON. RUBEN GALLEGO

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 20, 2017

Mr. GALLEGO. Mr. Speaker, I rise to honor Michael J. Keenan, who is retiring having served the interests of Arizona's working men and women with distinction since the mid-1970s.

Upon graduating from the University of Arizona, Mike attended Georgetown Law School. Not forgetting his working class roots or union family heritage, Mike returned to Arizona to join the union-side law firm then known as Ward and Contreras. Through the years, Mike provided wise counsel to Arizona unions, enabling them to defend the rights of the Arizona workers to fair wages and safe working conditions. He also has represented well various trust funds which provide health insurance and retirement benefits for Arizona union members.

By advancing the interests and protecting the dignity of Arizona union members—often during challenging times—Mike earned a reputation as not only a zealous and highly effective advocate, but also as a highly ethical lawyer. Through his hard work and dedication, Mike immeasurably improved the lives of Arizona working men and women.

It is now time for Mike to enjoy a long retirement with his wife, Becky, his sons Jimmy and Joey, his daughter Katie and his granddaughter Avery. On behalf of our great state's workers, I thank him and wish him all the best.

RECOGNIZING THE 27TH ANNIVERSARY OF "BLACK JANUARY"

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 20, 2017

Mr. COHEN. Mr. Speaker, I rise today to recognize the 27th anniversary of "Black January" in Azerbaijan, a day that commemorates Azerbaijan's stand against Soviet soldiers for independence, sovereignty, territorial integrity over all lands under Azerbaijani jurisdiction, and freedom from communism and dictatorship.

On the evening of January 19, 1990, the U.S.S.R. Supreme Soviet Presidium backed by then-President Mikhail Gorbachev declared a state of emergency in response to the growing national independence movement in Azerbaijan. In response to the Azeri people's stand against Soviet aggression, Soviet troops stormed the Azerbaijani capital city of Baku and indiscriminately fired on peaceful demonstrators, including women and children. That night, more than 130 people died with over

700 injured, 841 arrested and five going missing.

While Soviet invaders attacked peaceful protestors, they also targeted critical infrastructure and workers. According to a report by Human Rights Watch entitled Black January in Azerbaijan, "among the most heinous violations of human rights during the Baku incursion were the numerous attacks on medical personnel, ambulances and even hospitals." Additionally, the Soviet attack served as an act of intimidation for all then-Soviet countries with independence ambitions. The Human Rights Watch report concluded that, "indeed the violence used by the Soviet Army on the night of January 19–20 constitutes an exercise in collective punishment. The punishment inflicted on Baku by Soviet soldiers may have been intended as a warning to nationalists, not only in Azerbaijan, but in other Republics of the Soviet Union."

Azerbaijani citizens, however, refused to succumb to Soviet aggression. Instead, the invasion gave new life to their nationalism and fight for true independence. In the days after the invasion, thousands of Azerbaijanis surrounded Communist Party headquarters demanding the resignation of the republic's leadership, the Baku City Council demanded that Soviet troops withdraw from Azeri territories and the legislature in Azerbaijan threatened to call a referendum on secession unless Soviet troops were withdrawn within 48 hours.

Soviet troops eventually withdrew and January 20th became known as "the Day of the Nationwide Sorrow." It would not be for nearly two years, however, before Azerbaijan gained political control from the Soviet Union. In October 1991, Azerbaijan's parliament—the National Assembly—declared its independence.

While Azerbaijan still faces challenges from its neighbors, today, Azerbaijan has developed into a thriving country with double-digit growth, in large part due to a freely elected president and parliament, and free market reforms led by the energy sector that helps support energy security in Israel and Europe. I ask my colleagues to join me in recognizing the tragic events of Black January that precipitated the independent Republic of Azerbaijan and the fall of the USSR.

PERSONAL EXPLANATION

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, January 20, 2017

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on January 13, 2017 regarding S. Con. Res. 3 and S. 84. I had intended to vote "yes" on Roll Call vote 57, "no" on vote 58, and "no" on vote 59.

PERSONAL EXPLANATION

HON. RUBEN GALLEGO

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 20, 2017

Mr. GALLEGO. Mr. Speaker, I was not present in the House owing to the birth of my son and missed roll call votes on Wednesday, January 4th and Thursday, January 5th. Had I been present, I would have voted in the following manner:

Roll Call Vote No. 7—Motion to Recommit: Midnight Rules Relief Act of 2017—YES

Roll Call Vote No. 8—Final Passage: Midnight Rules Relief Act of 2017—NO

Roll Call Vote No. 9—Ordering the Previous Question—NO

Roll Call Vote No. 10—H. Res. 22, rule providing for consideration of HR 26 and H. Res. 11—NO

Roll Call Vote No. 11—Final Passage: Objecting to United Nations Security Council Resolution 2334—YES

Roll Call Vote No. 12—Messer of Indiana Amendment No. 2—NO

Roll Call Vote No. 13—Grijalva of Arizona Amendment No. 3—YES

Roll Call Vote No. 14—Castor of Florida Amendment No. 4—YES

Roll Call Vote No. 15—Cicilline of Rhode Island Amendment No. 5—YES

Roll Call Vote No. 16—Conyers of Michigan Amendment No. 6—YES

Roll Call Vote No. 17—Johnson of Georgia Amendment No. 7—YES

Roll Call Vote No. 18—Nadler of New York Amendment No. 9—YES

Roll Call Vote No. 19—McNerney of California Amendment No. 10—YES

Roll Call Vote No. 20—Scott of Virginia Amendment No. 11—YES

Roll Call Vote No. 21—King of Iowa Amendment No. 12—NO

Roll Call Vote No. 22—Motion to Recommit: Regulations from the Executive in Need of Scrutiny Act of 2017—YES

Roll Call Vote No. 23—Final Passage: Regulations from the Executive in Need of Scrutiny Act of 2017—NO

TRIBUTE TO FRANK TAYLOR

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 20, 2017

Mr. KING of New York. Mr. Speaker, I rise today to recognize an extraordinary public servant and a dedicated leader of the U.S. Intelligence Community (IC), Brigadier General (Retired) Francis Xavier Taylor, the Under Secretary for Intelligence and Analysis at the Department of Homeland Security. Brig Gen

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Taylor came out of retirement in 2014 when the President nominated him to be the Under Secretary for Intelligence and Analysis (I&A) at the U.S. Department of Homeland Security (DHS). After nearly 40 years of honorable service to our nation, Under Secretary Taylor will retire again on Friday, January 20, 2017.

Under Secretary Taylor applied his knowledge and experience from his 31 years in the United States Air Force, his service at the U.S. Department of State as an Ambassador for Counterterrorism and head of Diplomatic Security, and as Vice President of Security at General Electric. Applying his decades of experience and innovative thinking, Under Secretary Taylor rolled up his sleeves and got to work.

Due to Under Secretary Taylor's leadership, I&A is much further along on its vision of driving information sharing and delivering intelligence and analysis to operators and deci-

sion-makers at all levels. One of Under Secretary Taylor's first actions at I&A was to guide the organization through a transformation. He removed internal I&A stovepipes and realigned the organization to ensure DHS-collected information now forms the basis of the majority of I&A production. Under Secretary Taylor also ordered that finished intelligence include State and local data.

Under Secretary Taylor also worked tirelessly to mature and strengthen the Department's relationship with the state and local fusion centers and make information sharing a priority. In FY2016, 62 percent of I&A's finished intelligence products were disseminated at the SECRET level or below to best serve those who protect our borders, critical infrastructure and communities.

Under Secretary Taylor also took to heart the need to invest in the workforce and address extremely low employee morale. He

spent a great deal of his tenure fine-tuning the organization, restructuring and rebalancing the workforce. He drastically reduced the ratio of supervisors to workers, reducing the amount of bloated management and replacing it with what he called "seed corn"—young, junior people brought in to rejuvenate the organization and help develop a truly homeland-focused workforce.

Our Nation owes this public servant a tremendous debt of gratitude. I wish to thank Under Secretary Taylor for his decades of exceptional service to our country and to wish him and his wife Connie the very best in the days and years ahead. Under Secretary Taylor can now enjoy his three grandchildren Ava, Aaron and Alexander, while taking in some more games under the Golden Dome at Notre Dame.

HOUSE OF REPRESENTATIVES—Monday, January 23, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. MEADOWS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 23, 2017.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

ACA'S IMPACT ON HUNGER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, 2 weeks ago, this Republican leadership brought to the floor a budget resolution that paves the way toward repealing the Affordable Care Act and taking health care away from millions and millions of American families.

Repealing the Affordable Care Act would cause over 30 million Americans to lose coverage, and millions to see an increase in healthcare costs. It would deny those with preexisting conditions access to quality health insurance. It would do away with Medicaid expansion, which is working to cover the most vulnerable people in 31 States and the District of Columbia, and would once again put insurance companies back in charge of our health care.

Repealing the Affordable Care Act would also have a detrimental effect on efforts to end hunger in our communities. Not only do we have a moral imperative to address food insecurity, but we have a financial incentive as well. Health costs attributable to hunger

have been estimated at \$160 billion annually.

As Catherine D'Amato, president and CEO of The Greater Boston Food Bank, pointed out in a recent piece in The Boston Globe, the community health needs assessments now required by the Affordable Care Act have led health centers across the country—from Massachusetts to Oregon—to develop partnerships with local food banks to address the food insecurity revealed in their assessments.

I am proud that Massachusetts has been a leader in addressing food insecurity and in treating hunger as the public health issue it is. Across the Commonwealth, health centers have used the community health needs assessment to identify challenges in accessing healthy foods for vulnerable populations.

UMass Memorial Medical Center, located in my hometown of Worcester, has identified access to healthy food as a community health need in its two most recent community health needs assessments.

In response to the findings, UMass Memorial worked with the city of Worcester and the Regional Environmental Council to establish an urban agricultural program within an underserved area of the city. The program employs kids from the neighborhood and teaches them how to grow produce.

The Veggie Mobile farmers' market then distributes the local produce to neighbors in food deserts across the city. Residents using SNAP dollars are given extra incentive to purchase the nutritious vegetables from these sites in the form of "double up bucks"—they receive \$2 worth of produce for every dollar spent.

The assessments have also led to the creation of another community garden project within a public housing development, and the creation of a backyard gardening program that teaches local residents how to grow food and eat healthy.

The Worcester County Food Bank has worked to sustain and expand these urban agriculture and anti-hunger measures in the city of Worcester, and has formed the Worcester Food Policy Council to support these efforts.

In western Massachusetts, the community health needs assessment is having similar results. A 2013 community health needs assessment conducted by Holyoke Medical Center identified uncertainty in food access and the presence of food deserts as two priority areas that need to be addressed to improve community health.

In response to these findings and in recognition that hunger is a serious health challenge among residents in western Massachusetts, two dozen organizations formed the region's Task Force to End Hunger.

Out of this effort came a collaboration between The Food Bank of Western Massachusetts, Holyoke Health Center, and other stakeholders to establish an innovative pilot that will connect food-insecure pediatric patients and their families with nutrition and other social services. The Holyoke Health Center will institute pediatric food insecurity screenings, and hungry families will be referred to the food bank for food assistance, including connections to food pantries and meal sites in their neighborhoods, nutrition education, and for help in applying for SNAP benefits.

These families will also be referred to specific social service providers for other resources like stable housing, financial literacy, employment services, and much more.

In the Boston area, as Ms. D'Amato pointed out in The Boston Globe, The Greater Boston Food Bank is partnering with community health centers to screen for food insecurity in their patients, provide toolkits of available food assistance and resources for families, and operate free mobile markets that distribute fresh fruits and vegetables to hundreds and hundreds of people a month.

The community health needs assessment, which came out of the Affordable Care Act, has required collaboration among public health experts and other stakeholders to identify the health challenges of communities across our country. It has forced these groups to look holistically at measures that can be taken to address the most pressing health issues facing families in these areas. It is just one example of the positive impact the Affordable Care Act is having on our constituents.

Mr. Speaker, if we repeal the Affordable Care Act, as my Republican colleagues are trying to do, there is no guarantee that these innovations and collaborations will continue. We need to focus on ending hunger now.

FHA MORTGAGE INSURANCE PREMIUM CUT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, there is no better sign of a healthy economy

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

than a healthy real estate market. We know this in this country from bitter experience since the real estate and financial collapse of 2008.

In my State in Connecticut, we are barely at a place now where home sales and home equity has even come in a positive direction and climbing back towards what existed back in 2008 when the collapse occurred.

Listening to the President's speech on Friday where he very powerfully talked about the forgotten American, middle class individuals and working people who really felt that they were left behind in terms of the work that happens in this city, he clearly touched a nerve that propelled him to the White House. As I said, it was probably the most powerful part of his message that he delivered on Friday.

I mention that because it was astonishing that within an hour after taking the oath, President Trump signed an executive order rolling back a rate reduction for mortgage insurance for homeowners. What that means is that for many homeowners—particularly first-time home buyers—they need to have mortgage insurance in order to qualify for a mortgage. That ensures that if there is a default, that the mortgage will be paid off. It de-risks the loan so that, again, particularly people who are first-time home buyers can actually buy a house. The Federal Housing Administration, FHA, runs this mortgage insurance program.

Again, there was a rate reduction that was slated to go into effect on January 27, from 0.85 percent down to 0.6 percent. President Trump canceled that reduction.

So what does that mean?

The National Association of Realtors, which is hardly a partisan group, has, in the wake of that order, released numbers that about 750,000 to 800,000 homeowners are going to be adversely affected by losing those savings that are just going to go to the government, by the way. Those mortgage premiums basically are paid into the government. And right now there is a surplus in that account, which is why the rate reduction was slated to go into effect. There is no reason for the government to be overcharging for mortgage insurance, given the healthy balance that exists in that mortgage insurance account.

They also calculate that 30,000 to 40,000 home buyers will not buy a home in 2017 because of that order that was issued on Friday. Again, these are people who—\$500 to \$1,000, which is going to come out of their pocket in terms of higher payments because of this executive order—are basically going to be priced out of buying a home. The home builders, the realtors, the people who are closest to the market and clearly are not partisan—I mean, I know a lot of these guys in my district, and they are staunch Republicans in many

cases—are dumbfounded at the fact that that order, of all things, within the first hours of the new administration, would be a priority for, again, the new Trump administration.

We have work to do in terms of getting this economy turned around, but if you look at home ownership, home construction, buying a house, having a healthy real estate market, that is absolutely the sweet spot of trying to succeed in this country. We do not need to be overcharging Americans for mortgage insurance, which, again, is the gateway for home ownership, particularly at that lower end of the market. Because every time someone buys a house for \$200,000 or \$250,000 in Connecticut, which is towards the lower end, or even lower in other parts of the country, that frees up existing homeowners either to buy up or to retire or get a condo. When those people are locked out—which raising these mortgage insurance premiums are going to effectively do—we are just stifling the real estate market from recovering. That is a bad start in terms of an administration that says it is about growing America's economy.

I will pledge to my constituents that I am going to do everything I can to reverse that unwise order and help the folks who are out there doing the hard work of selling houses, building houses, hiring people, to accomplish their goal because when they succeed, America succeeds.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Thank You, God, for giving us another day. This prayer is authored by a high school class at St. Anne Episcopal in West Chester, Ohio.

Dear God, we ask You to bless our country during this time of leadership transition. We ask that You guide the people of this land, and all nations, to honor one another, serve the common good, and promote the dignity and freedom of every person. We pray that everyone who rules this country might pursue peace and justice.

We pray for wisdom, humility, and mercy to be in the hearts of our leaders

as they make decisions for the welfare of all people. We ask that You allow our world's leaders, and those who have the burden of any power or authority, to execute their actions for the justice of the world and in harmony with Your word.

Please help to guide the President as he takes on his role. Ease his mind so that he is able to do his job. Help him to keep in mind the thoughts of others, to have a listening heart and an open mind, and to remember that he is a representative of all people of this country. Help him to do the will of what is best for the Nation.

We pray to You, O God, for the world's security, safety, and tranquility. Please let there be a guiding light to peace for all people and an end to all war and violence.

In Your name, we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida (Mr. BILLIRAKIS) come forward and lead the House in the Pledge of Allegiance.

Mr. BILLIRAKIS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRAY FOR VICTIMS OF STORM IN GEORGIA

(Mr. AUSTIN SCOTT of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I have the great privilege of representing a beautiful part of this country. Many of you have seen it on the news lately. Cook County is ground zero for the storms that hit this past weekend. We have seven deaths in Cook County, two in Berrien, two in Brooks, four in Dougherty—outside of my district—and we have four lives lost in Mississippi as well.

As I speak to you, the Georgia Forestry Commission is searching for five who are unaccounted for with cadaver dogs. I would ask that you pray for the families who have lost so much, and I would ask that we also pray that they find those who are unaccounted for.

Mr. Speaker, I want to say one thank you as well to the first responders, the volunteers, those from other counties who have provided mutual aid, and the

churches who have opened their doors to take care of those who have lost their homes. Thank you.

And I also want to thank Governor Deal and President Trump, both of whom were available yesterday to offer their support and pledge to help our communities rebuild.

WOMEN'S HEALTH ATTACKS

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, the age of coat hanger medicine has returned.

It may be a new year, a new Congress, a new administration, but Republicans are taking us back to a dangerous past, one where women were maimed and killed by back-alley abortions.

Today, our new President signed an executive order restricting safe abortions for women around the world. And tomorrow, Republicans will vote to block American women from access to full reproductive care.

Our government is about to enter our bedrooms and take the lives and liberty of our women and our families.

With every breath, we must fight back.

CONSTITUENT EXPERIENCES WITH OBAMACARE

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, last week, I met with a group of my constituents to discuss their experiences with the Affordable Care Act.

Here is what I heard: My deductible went from \$2,500 to \$6,000, so it wasn't even worth it.

The first year wasn't too bad until I found out I needed a knee replacement, said a constituent who found out her surgery wouldn't be covered because her physician was excluded from her plan's network.

A professor who saw his hours cut after passage of ObamaCare and lost his insurance because it didn't comply with the law's mandates said: I had to get a second job and sometimes a third job, and it made it very difficult.

A local small business owner saw premiums on his group plan increase by as much as \$2,500 a month for family coverage and \$975 a month for single employee coverage.

There were skyrocketing premiums, unaffordable deductibles, restricted access to physicians, and loss of coverage.

Mr. Speaker, these are real stories from real people in my district who want relief from the Affordable Care Act.

We are working to save patients from this disastrous law and to build a better healthcare system that lowers costs, expands access, and empowers patients.

MORTGAGE INSURANCE HURTS HOMEOWNERS

(Mr. KILDEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KILDEE. Mr. Speaker, I was really disappointed that, on his first day in office, President Trump took action through executive order to make it more difficult for hardworking families to own a home.

With this executive order that the President signed, again, on day one, he canceled a scheduled FHA directive that would have saved American homeowners hundreds of dollars a year.

Under President Obama, millions of Americans were set to receive hundreds of dollars in reduction in those fees, saving on their mortgage payments, saving on their monthly payment.

Under this executive order, not only will Americans with mortgages pay more than they would have, but it will also prevent many Americans from being able to own a home.

In fact, according to the National Association of Realtors, 40,000 American families who could have purchased a home will not have access to that part of the American Dream because of this executive order by President Trump. This has a real impact.

Rather than obsessing about the size of crowds at inaugurations, we ought to focus on this. This is real news.

FLOOD INSURANCE INTEGRITY ACT

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to discuss important legislation I will soon be introducing in this Congress, the Flood Insurance Integrity Act.

Flooding and flood insurance are major issues for Florida and my district. Our community along the coast is prone to experiencing hurricanes and tropical storms on a regular basis. Flood insurance is a must where we live.

But right now, the National Flood Insurance Program bases its flood insurance rates on maps that can be 50 years or older. Many are completely out of date and often inaccurate. It is also one of the reasons that NFIP is over \$23 billion in debt.

The Flood Insurance Integrity Act will require an open and transparent annual review of flood maps. It sounds good.

Americans who need flood insurance should be able to trust that their flood insurance premiums accurately reflect their flood risk. It is the least we can do. So that is why this bill seeks to do that.

MOURNING THE LOSS OF DETECTIVE JERRY WALKER

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, today I rise to honor the memory of Detective Jerry Walker of Little Elm, Texas.

Detective Walker was lost in the line of duty last week when he responded to an emergency call that involved an active shooter. This great loss has cast a shadow of sadness over our close-knit community. This is the first time in the city's history that we have lost an officer in the line of duty.

Detective Walker was a dedicated member of our police force and community. He was a husband, a father, a mentor, and a friend to many. I had the privilege of meeting Detective Walker when he was on duty at one of my townhall meetings in the summer of 2014. His dedication to protecting the residents of Little Elm was evident in all that he did.

Dallas Cowboys' wide receiver Cole Beasley sums up this loss precisely saying: "We lost a good one."

Our town of Little Elm continues to mourn the loss of one of our heroes. His service to our community will not be forgotten.

I extend my deepest sympathy to Detective Walker's family and will continue to keep them in my prayers.

EXCESSES OF MILITARY-INDUSTRIAL COMPLEX

(Mr. DUNCAN of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of Tennessee. Mr. Speaker, Bret Baier of Fox News has a new book called, "Three Days in January." It is primarily about President Eisenhower's warnings against the excesses of the military-industrial complex.

Today, we have a military-industrial security complex that is more about money than it is about any realistic threat.

I think President Eisenhower would be shocked at how far we have traveled down the road against which he warned us. Our new President has spoken out against the excessive, exorbitant cost of some of our newest military equipment and weapons systems.

The only way we will ever bring these costs under control is if we stop the revolving door at the Pentagon, where the defense contractors hire all of the retired admirals and generals.

President Eisenhower once said: Heaven help us if we ever have a President who doesn't know as much about the military as he did.

We need more leaders who have the guts to say "no" to the excessive spending by the military-industrial complex.

SCHOOL CHOICE WEEK 2017

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, at the heart of our American values is the belief that each of us, no matter our circumstance, can pursue our own success through hard work. That is how a small town boy like me wound up a businessman in Augusta and now a Member of Congress.

The value of education cannot be underestimated on the path to achieve the American Dream. That is why I proudly support school choice.

Support for school choice is growing. Evidence shows that 70 percent of Americans are in favor.

A great success story is in Dublin, Georgia, located in my district. Parents can choose an elementary school with learning tracks based on a student's individual needs and interest. And those tracks continue through their childhood education.

I am very proud to say that Dublin High School has a 96.3 percent graduation rate.

God created every child to be unique, each with special gifts and ideas that only he or she may have.

Families should have the opportunity to select a K-12 education and environment that is best suited for their children.

EL DORADO FURNITURE 50TH ANNIVERSARY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to rise today to recognize El Dorado Furniture, a family-owned business in my congressional district celebrating its 50th anniversary.

El Dorado was founded by Manuel Capo and his two sons Luis and Carlos within a year of arriving to the United States after fleeing Cuba due to the rise of the evil Castro regime.

They deemed it only appropriate to name their store El Dorado named after the small boat upon which they sailed to freedom to our lovely country.

Today, there are 14 locations throughout Florida, and it is recognized as the largest Hispanic-owned furniture retail business in the country. Not only does this company pro-

vide hundreds of jobs, but it also partners with numerous organizations in order to give back to the community and to those in need.

I ask my colleagues to join me in celebrating El Dorado Furniture's 50th anniversary, and congratulate the Capo family, and wish them all the best and continued success in the years ahead.

□ 1415

MEMBERS URGED TO JOIN GERMAN-AMERICAN CAUCUS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to highlight the good work of the Congressional German-American Caucus and to urge new Members of the House to consider joining.

I am cochairman of the caucus with Representative BILL KEATING from Massachusetts. The caucus seeks to highlight the friendship and the alliance between the United States and Germany. We do so through an Oktoberfest networking event and through our support of programs like the Congress-Bundestag Youth Exchange internship program. The caucus also discusses timely topics, such as trade, security, and foreign affairs, and how they relate to our German counterparts.

Mr. Speaker, German heritage has become widespread in America. According to the U.S. Census Bureau, Germans are the largest single ethnic group in the United States. Frederick Muhlenberg, a German immigrant and Lutheran pastor from Pennsylvania, whose family also founded Muhlenberg College, was the first Speaker of this House following the signing of the new Constitution.

Our caucus has nearly 100 members in the House, and I urge all of those who are interested in joining to do so today.

IN RECOGNITION OF WILEY WASDEN, JR.

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise to honor Mr. Wiley Anderson Wasden, Jr., from Savannah, Georgia, who passed away on January 18, 2017, just a few days shy of his 80th birthday.

Born in Millen, Georgia, to his parents, Wiley Senior and Katherine, Mr. Wasden moved to Savannah after graduating from high school in 1953. He then began studies at the University of Georgia, where he joined the Phi Delta Theta Fraternity and ignited his interest in government. Throughout his life,

Mr. Wasden continued this interest in government and used it to make the State of Georgia a better place to live, eventually serving as chairman of the Georgia State Republican Party and as a Georgia State senator. Outside of government, Mr. Wasden worked hard for his community. He was a well-respected local Realtor in Savannah while he also served as chairman of the board for Savannah Country Day School.

I am proud today to recognize Mr. Wasden's outstanding life and the positive impact he made on the State of Georgia. He will certainly be missed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m. today.

Accordingly (at 2 o'clock and 16 minutes p.m.), the House stood in recess.

□ 1529

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 3 o'clock and 29 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

POWER AND SECURITY SYSTEMS (PASS) ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 511) to provide for consideration of the extension under the Energy Policy and Conservation Act of non-application of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Power And Security Systems (PASS) Act".

SEC. 2. EXTENSION OF NONAPPLICATION OF NO-LOAD MODE ENERGY EFFICIENCY STANDARD TO CERTAIN SECURITY OR LIFE SAFETY ALARM OR SURVEILLANCE SYSTEMS.

(a) Section 325(u)(3)(D)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)(3)(D)(ii)) is amended—

(1) by striking “2015” each place it appears and inserting “2021”; and

(2) by striking “2017” and inserting “2023”.

(b) Section 325(u)(3)(E) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)(3)(E)) is amended—

(1) in clause (ii), by striking “July 1, 2017,” and inserting “the effective date of the amendment under subparagraph (D)(ii)”;

(2) by adding at the end the following:

“(iv) TREATMENT IN RULE.—In the rule under subparagraph (D)(ii) and subsequent amendments the Secretary may treat some or all external power supplies designed to be connected to a security or life safety alarm or surveillance system as a separate product class or may extend the nonapplication under clause (ii).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 511. I would note that this is our colleague Mr. WELCH's bill that moved through the regular process through the Committee on Energy and Commerce last year. It received extensive bipartisan support. I am again glad to move this bill today.

External power supplies, EPS, are used with a wide variety of devices, and we have learned from experience that the Federal energy efficiency standards for them are not compatible with some of these applications. In particular, we need an exemption from these rules for security and life safety alarms and surveillance systems. This bill, H.R. 511, the Power And Security Systems (PASS) Act, provides a targeted exemption that allows these critical systems to stay on the market.

Devices like home security alarms or fire detection systems need to be on 24/7, but the 2007 energy law requiring energy efficiency standards for external power supplies did not allow for this. Subsequent legislation created an exemption for external power supplies used with these always-on devices. This exemption will end on July 1 of this year. This bill extends that exemption until 2023.

The result of the bill would be that these important security systems will continue to be available, preserving the jobs of those who make them and certainly the safety of those who use them. As with H.R. 518, the other external power supply bill that we are ad-

ressing today, these provisions enjoyed strong bipartisan and bicameral support when they were added to last year's energy bill. They also passed under suspension last year.

I urge my colleagues to once again vote “yes” on this measure.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 511, the Power And Security Systems, or PASS, Act. As Chairman UPTON said, this bill will provide an important technical exemption for certain security and life safety products from energy efficiency standards set forth in the Energy Independence and Security Act of 2007.

As Mr. UPTON said, a provision in the law increased the energy efficiency requirements for battery chargers and external power supplies, something which this side of the aisle very strongly supported. However, the provision also mistakenly included security and life safety products and required that they be manufactured with a standby mode despite being products that are inherently always on.

Without providing this correction, the security industry will need to spend millions of dollars to comply with an energy standard that will yield no energy savings and could cost jobs, which, of course, was never the original intent of the law.

I am pleased that my colleagues Representatives WELCH and BROOKS have reintroduced the bill, which the House passed last year but the Senate failed to move before the end of the last Congress.

This is a commonsense and consensus fix to a simple problem. The language was developed by both industry and efficiency advocates, with technical assistance from the Department of Energy. It should come as no surprise that this bill enjoys broad support from the security industry and energy efficiency advocates. I urge all of my colleagues to support it.

I yield such time as he may consume to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank my colleagues for their support, the former chairman of the committee and now chair of the Subcommittee on Energy. He is a very important person over there, and there are no words I could convey that would meet the reputation of Mr. UPTON. I thank him and Ms. DEGETTE very much.

They have said a lot of the specific content of this bill. This is a situation where Congress passed a good law. There was a provision in it that needed to be corrected, and, lo and behold, Congress is correcting that provision. It is about these security devices that obviously can't operate on no-power mode. They have got to be on. When the bad guys come in, we have got to

be watching. That is really what this is all about.

It is a combination of the bipartisan commitment that we have had to energy efficiency, especially last year. I do give Mr. UPTON a lot of credit for this. We have had a lot of debates in this Congress about climate change, about the science, and aside from—we don't need to get into that—to embrace as we have in a bipartisan way, there are enormous benefits to efficiency every single place we can find it.

This efficiency bill originally was applying to all these devices to put them in no-load mode. That was cutting down on use of electricity. It was cutting down on carbon emissions. It was saving people money. But the no-load obviously couldn't apply to security devices.

Last year, Mr. POMPEO, when he was a Congressman, supported this, and now that he is going to be our leader in the CIA, he knows you have got to keep that watching device on when the bad guys are lurking around.

We are back this year. One of our first bills to be passed and hopefully signed by the President is the extension of the correction that we made sometime ago. I am delighted to be here with my colleagues in support of this legislation, getting this House of Representatives off to a constructive start.

Ms. DEGETTE. Mr. Speaker, I have no further speakers. I urge passage of the bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I just again urge my colleagues to support this good bipartisan bill. I appreciate the kind words always by Mr. WELCH. I urge my colleagues to vote “yes.”

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 511, the “Power and Security Systems Act of 2017, which will revise energy conservation standards for devices operating in standby mode.

In the early 1970s, I recall, as many of my colleagues do, the impact to our nation's economy when OPEC nations withheld oil from the United States causing one of the greatest peace-time energy shortages in United States history.

One of the remedial steps taken by the Carter Administration was the promulgation of regulations that required large appliances and equipment that used electricity to default to a power down mode when not in use.

Today, we take for granted that machines power down when not in use, but this one change in energy policy over the last 40 years has saved taxpayers, which includes businesses and private homes, billions of dollars in energy costs.

This was only one policy solution that was used to reduce our nation's dependence on foreign oil so that energy could go to vital services like fuel for electricity generation, gasoline, heating fuels, and diesel oil.

H.R. 511, the bill before us would extend energy conservation to digital technology that can operate in standby mode.

Most digital device technology manufactures already provide sleep mode on their devices to assist their users in conserving power on cellphones, smartphones, MP3 players, e-book readers, as well as desktop and laptop computers.

Today, 68 percent of U.S. adults own a smartphone, up from 35 percent in 2011, and tablet computer ownership has edged up to 45 percent among adults, according to newly released survey data from the Pew Research Center.

Considering not just smartphones, but all types of mobile phones, Pew notes that cellphones continue to top of the list.

Roughly nine-in-ten American adults or 92 percent own a mobile phone of some kind.

Although these mobile devices are ubiquitous today, the share of adults who own one has risen substantially since 2004.

Smartphone ownership is nearing the saturation point with some groups: 1. 86 percent of those ages 18–29; 2. 83 percent of those ages 30–49; and 3. 87 percent of those living in households earning \$75,000 and up annually own smartphones.

These facts highlight the importance of energy conservation for mobile communication users.

The battery life for these devices is limited and without power they are of no use to the user.

This bill will help users remain connected as long as possible because the energy consumption on their cellphones and other digital devices will be minimized when they are not in use.

Energy conservation will also assist consumers during times when power outages may occur due to weather or other electricity disruption.

The longer power life for cellphones will benefit consumers by reducing the amount of electricity needed to recharge their personal devices.

This bill will also benefit businesses that often have many computers that when in use can consume electricity if left on after business hours—especially over weekends.

For these reasons, I ask my colleagues to join me in supporting H.R. 511.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 511.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FAIR RATEPAYER ACCOUNTABILITY, TRANSPARENCY, AND EFFICIENCY STANDARDS ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 587) to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fair Ratepayer Accountability, Transparency, and Efficiency Standards Act” or the “Fair RATES Act”.

SEC. 2. AMENDMENT TO THE FEDERAL POWER ACT.

Subsection (d) of section 205 of the Federal Power Act (16 U.S.C. 824d(d)) is amended by adding at the end the following: “Any absence of action by the Commission that allows a change to take effect under this section, including the Commission allowing the sixty days’ notice herein provided to expire without Commission action, shall be treated as an order issued by the Commission accepting such change for purposes of section 313.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. KENNEDY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I complimented Mr. WELCH, I want to thank Mr. KENNEDY for his leadership on this bill. I would note that we passed this bill through regular order again in the last Congress, passed with bipartisan support. It is appropriate that we bring it up early this year. Again, this is another bipartisan bill. We must allow the public to have administrative process relief in those cases where FERC does not actually issue an order, and this legislation will do just that. I urge passage of the bill.

The Federal Power Act sets forth processes to set rates for electricity, including opportunities for the public to protest a rate change filed with FERC. New rates take effect if FERC approves them or if FERC fails to issue an order approving or denying the filed rate within 60 days.

The failure to approve or deny a rate may result from agency delay or, in some limited cases, from a vote that results in a deadlocked Commission, for example, a 2–2 vote. In such cases, the rates become effective by operation of law, even when these rates were not approved by a majority of Commissioners.

The Federal Power Act, of course, provides administrative redress for

members of the public to protest Commission rate decisions. However, if these rates become effective by operation of law, for example, that 2–2 deadlock, the administrative processes are not available to the public because FERC did not actually issue an order for the public to protest. The public literally gets shut out.

I don’t want to speak for the gentleman from Massachusetts, but I think some of his constituents recently experienced this firsthand. As a result of that and of the hard work by Mr. KENNEDY and of his staff and certainly of the committee staff on both sides of the aisle, the legislation was drafted. We considered it in committee during the 114th Congress, where it passed on a voice vote. We have it on the floor today.

I urge all Members to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. KENNEDY. I yield myself such time as I may consume.

Mr. Speaker, I want to thank you for allowing me to discuss the Fair RATES Act, H.R. 587, and for bringing it to the floor today for a vote. I also want to thank the subcommittee chairman, Mr. UPTON, his staff, and, of course, during his tenure as chairman of the full committee, his staff, along with the staff of Mr. PALLONE and the chairman and ranking member of the subcommittees.

We have worked on this legislation for now several years. It did pass unanimously, as Chairman UPTON indicated, on a bipartisan passage last year. I am grateful for his acknowledgment of that effort between our teams and that it is on the floor so early in this Congress.

Because many of my colleagues have heard me speak about this at length and patiently listened as I dove too far into the weeds about forward capacity auctions, I am hoping to keep this part short and am happy to answer any questions that anyone may have. As the chairman alluded to, New England holds an energy capacity auction to ensure that we have sufficient energy supply to meet consumer demand.

Mr. Speaker, 3 years ago, during an auction where there was a shortfall, those capacity payments tripled, skyrocketing from about \$1 billion to \$3 billion. That rate increase hasn’t even reached our constituents yet, but this June, a significant portion of their bills will triple due to that auction.

When the Federal Energy Regulatory Commission reviewed that rate increase, they were down to four Commissioners, and they deadlocked 2–2. One Democratic Commissioner and one Republican Commissioner raised concerns about whether those rates were just and reasonable for consumers. Because of the deadlock, those rates took effect by operation of law without any action from FERC. With no official decision from the agency, there was no

decision to appeal, leaving my constituents completely voiceless.

Mr. Speaker, in 2 weeks, our region will hold that same annual auction, once again determining rates that will be passed along to families and businesses in my district 3 years down the road. Once again, FERC is understaffed, without a full complement of Commissioners to consider the new rate filings.

Although the situation may sound complex and unique to New England, there is not a corner of this country that is immune from the unpredictability of American energy markets and the resulting burden our consumers and businesses are forced to bear as a result. That is why I urge my colleagues to pass this bill and enact a simple fix to a very complex problem.

Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), a new member of the committee but an old hand in Congress.

□ 1545

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 587, the Fair RATES Act.

This bill would amend the Federal Power Act so that those who are adversely affected by inaction of the Federal Energy Regulatory Commission on utility rate changes will have the right to a rehearing. Under current law, a court challenge to a FERC order may only be brought about petitioning the Commission for a rehearing.

But if the panel is deadlocked and no order is issued by FERC on a utility rate increase, affected parties cannot bring an action because there was no final order. Meanwhile, the utility rate increase moves forward without the ability of affected parties to be heard.

Under the Fair RATES Act, FERC's inaction on a utility's notice of a rate increase within 60 days will be treated as an order accepting the change. Affected parties will then be able to petition for a rehearing on the utility rate change.

This bill will ensure that consumers and other affected parties are able to have their concerns heard by Federal regulators. The Fair RATES Act will hold Federal regulators accountable to ensure utility rate increases are reasonable by increasing transparency in the process.

I urge my colleagues to support this bill.

Mr. KENNEDY. Mr. Speaker, I thank the gentleman for his comment.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I want to echo my support for this important piece of legislation.

This bill was passed last year on a bipartisan basis on a voice vote, in fact, but it was never taken up in the other body. This is becoming kind of a theme today. But, as Mr. KENNEDY pointed out, if we can't move this through Congress in the next few weeks, families and small businesses may be left with electric bills that they cannot afford. So what we are really doing today is we are cleaning up some of the leftover important legislation from the last Congress that really needs to pass.

Mr. UPTON and I worked hard, along with Mr. KENNEDY and Mr. WELCH and many other Members, on the 21st Century Cures bill last Congress. It was one of the last bills we passed on a bipartisan basis. I am happy that the Energy and Commerce Committee is getting a running start today in passing some of our key bipartisan legislation from last Congress, and I am hoping that this will be a bellwether for the rest of this Congress that we will continue in the grand tradition of the Energy and Commerce Committee.

I urge my colleagues to support this important legislation. And I hope that the Senate will work quickly so that we can send this important bill to the President's desk and we can stop those unanticipated rate increases.

Mr. KENNEDY. Mr. Speaker, I yield myself such time as I may consume.

I will stand on the remarks I have already made, and I urge quick passage of the legislation.

I, again, want to extend my gratitude and thanks to Chairman UPTON and his team for all of their work, both last Congress and this one.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

I would just like to reference the kind remarks by my friend, the gentlewoman from Colorado. This is the start of the next Congress. We are certainly looking forward to governing in a bipartisan way. That is what our committee has done for hundreds of bills in the last number of years. I look forward to that continued partnership. I know Chairman WALDEN on the full committee looks forward to doing that as well.

This is just the first step, literally one of the first days, obviously, in the new Trump administration, but we look forward to working with the Senate to get this bill to the new administration and get it signed into law, showing, again, the bipartisan support.

I want to compliment my friend, my colleague from Massachusetts (Mr. KENNEDY), for his good work on this. I urge my colleagues to vote "yes."

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 587, the "Fair Ratepayer Accountability, Transparency, and Efficiency Standards Act" (Fair RATES Act), which amends the Federal Power Act to permit administrative and judicial review of any rate

change filed by a public utility that takes effect without the approval of the Federal Energy Regulatory Commission (FERC).

The need for this change became evident in the wake of a New England Forward Capacity Market Auction in 2014, which occurred at a time when FERC only had 4 Commissioners.

When the New England Forward Capacity Market Auction issue was addressed by FERC, the Commissioners split evenly over the question of whether the auction results were just and reasonable.

Since FERC did not disapprove the auction results, wholesale electricity prices in New England increased dramatically; and

So, while rates went up, none of the affected parties could challenge the decision or resulting rate increase, and, therefore, no rehearing or judicial review was possible.

H.R. 587 provides those who want to challenge similar rulings or non-decisions by FERC the ability to challenge the decision administratively or in the courts.

The bill ensures that stakeholders have recourse when a non-decision by FERC has very real consequences for consumers, producers and others.

This bill would also improve the process by which FERC votes are reconsidered.

I ask my colleagues to join me in supporting H.R. 587.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 587.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ADVANCED NUCLEAR TECHNOLOGY DEVELOPMENT ACT OF 2017

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 590) to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Advanced Nuclear Technology Development Act of 2017".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nuclear energy generates approximately 20 percent of the total electricity and approximately 60 percent of the carbon-free electricity of the United States.

(2) Nuclear power plants operate consistently at a 90 percent capacity factor, and provide consumers and businesses with reliable and affordable electricity.

(3) Nuclear power plants generate billions of dollars in national economic activity

through nationwide procurements and provide thousands of Americans with high paying jobs contributing substantially to the local economies in communities where they operate.

(4) The United States commercial nuclear industry must continue to lead the international civilian nuclear marketplace, because it is one of our most powerful national security tools, guaranteeing the safe, secure, and exclusively peaceful use of nuclear energy.

(5) Maintaining the Nation's nuclear fleet of commercial light water reactors and expanding the use of new advanced reactor designs would support continued production of reliable baseload electricity and maintain United States global leadership in nuclear power.

(6) Nuclear fusion technology also has the potential to generate electricity with significantly increased safety performance and no radioactive waste.

(7) The development of advanced reactor designs would benefit from a performance-based, risk-informed, efficient, and cost-effective regulatory framework with defined milestones and the opportunity for applicants to demonstrate progress through Nuclear Regulatory Commission approval.

SEC. 3. DEFINITIONS.

In this Act:

(1) **ADVANCED NUCLEAR REACTOR.**—The term “advanced nuclear reactor” means—

(A) a nuclear fission reactor with significant improvements over the most recent generation of nuclear fission reactors, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency; or

(B) a nuclear fusion reactor.

(2) **DEPARTMENT.**—The term “Department” means the Department of Energy.

(3) **LICENSING.**—The term “licensing” means NRC activities related to reviewing applications for licenses, permits, and design certifications, and requests for any other regulatory approval for nuclear reactors within the responsibilities of the NRC under the Atomic Energy Act of 1954.

(4) **NATIONAL LABORATORY.**—The term “National Laboratory” has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(5) **NRC.**—The term “NRC” means the Nuclear Regulatory Commission.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

SEC. 4. AGENCY COORDINATION.

The NRC and the Department shall enter into the a memorandum of understanding regarding the following topics:

(1) **TECHNICAL EXPERTISE.**—Ensuring that the Department has sufficient technical expertise to support the civilian nuclear industry's timely research, development, demonstration, and commercial application of safe, innovative advanced reactor technology and the NRC has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications, and other requests for regulatory approval for advanced reactors.

(2) **MODELING AND SIMULATION.**—The use of computers and software codes to calculate the behavior and performance of advanced reactors based on mathematical models of their physical behavior.

(3) **FACILITIES.**—Ensuring that the Department maintains and develops the facilities to enable the civilian nuclear industry's timely research, development, demonstration, and commercial application of safe, in-

novative reactor technology and ensuring that the NRC has access to such facilities, as needed.

SEC. 5. ADVANCED REACTOR REGULATORY FRAMEWORK.

(a) **PLAN REQUIRED.**—Not later than 1 year after the date of enactment of this Act, the NRC shall transmit to Congress a plan for developing an efficient, risk-informed, technology-neutral framework for advanced reactor licensing. The plan shall evaluate the following subjects, consistent with the NRC's role in protecting public health and safety and common defense and security:

(1) The unique aspects of advanced reactor licensing and any associated legal, regulatory, and policy issues the NRC will need to address to develop a framework for licensing advanced reactors.

(2) Options for licensing advanced reactors under existing NRC regulations in title 10 of the Code of Federal Regulations, a proposed new regulatory framework, or a combination of these approaches.

(3) Options to expedite and streamline the licensing of advanced reactors, including opportunities to minimize the time from application submittal to final NRC licensing decision and minimize the delays that may result from any necessary amendments or supplements to applications.

(4) Options to expand the incorporation of consensus-based codes and standards into the advanced reactor regulatory framework to minimize time to completion and provide flexibility in implementation.

(5) Options to make the advanced reactor licensing framework more predictable. This evaluation should consider opportunities to improve the process by which application review milestones are established and maintained.

(6) Options to allow applicants to use phased review processes under which the NRC issues approvals that do not require the NRC to re-review previously approved information. This evaluation shall consider the NRC's ability to review and conditionally approve partial applications, early design information, and submittals that contain design criteria and processes to be used to develop information to support a later phase of the design review.

(7) The extent to which NRC action or modification of policy is needed to implement any part of the plan required by this subsection.

(8) The role of licensing advanced reactors within NRC long-term strategic resource planning, staffing, and funding levels.

(9) Options to provide cost-sharing financial structures for license applicants in a phased licensing process.

(b) **COORDINATION AND STAKEHOLDER INPUT REQUIRED.**—In developing the plan required by subsection (a), the NRC shall seek input from the Department, the nuclear industry, and other public stakeholders.

(c) **COST AND SCHEDULE ESTIMATE.**—The plan required by subsection (a) shall include proposed cost estimates, budgets, and specific milestones for implementing the advanced reactor regulatory framework by September 30, 2019.

(d) **DESIGN CERTIFICATION STATUS.**—In the NRC's first budget request after the acceptance of any design certification application for an advanced nuclear reactor, and annually thereafter, the NRC shall provide the status of performance metrics and milestone schedules. The budget request shall include a plan to correct or recover from any milestone schedule delays, including delays because of NRC's inability to commit resources

for its review of the design certification applications.

SEC. 6. USER FEES AND ANNUAL CHARGES.

Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) by striking “and” at the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting “; and”; and

(3) by adding at the end the following:

“(v) for fiscal years ending before October 1, 2020, amounts appropriated to the Commission for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 590, the Advanced Nuclear Technology Development Act of 2017.

This is a bipartisan bill. It passed in the last Congress as well. It was co-sponsored and led by Congressmen LATTA and MCNERNEY. And it will help American innovators and entrepreneurs develop and license advanced nuclear technologies. The U.S. will require reliable, baseload, and affordable energy in decades to come, and nuclear power has to remain an integral part of our electricity generation portfolio.

Unfortunately, an outdated and rigid regulatory regime will stifle new nuclear technology development. This bill will help modernize the regulatory framework for the 21st century to be adaptive, technology inclusive, and certainly predictable.

Advanced nuclear technologies may provide breakthroughs in safety and efficiency over the existing fleet of nuclear power plants. Absent the proper regulatory framework, our nuclear scientists and industry will look to other parts of the world to construct game-changing nuclear technologies. So the U.S. has to remain a global leader to create and maintain highly-paying and highly-skilled jobs right here at home.

This bill is a step towards ensuring that the NRC has the necessary expertise and the resources to be able to review and license new technologies and reactor designs, while appropriately collaborating with the Department of Energy's nuclear energy research programs and the private sector. With the

Federal Government, national labs, universities, and private industry all working together towards a common goal, the future of nuclear industry energy is certainly bright.

In the last Congress, as I mentioned at the beginning, this legislation passed unanimously out of the Energy and Commerce Committee and passed the House by a voice vote. I am pleased to support this legislation again, as part of our efforts to address burdensome regs that stifle economic growth and new technologies. I urge all of my colleagues to support it.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY,

Washington, DC, January 23, 2017.

Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 590, the "Advanced Nuclear Technology Development Act of 2017," which was introduced on January 20, 2017.

H.R. 590 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 23, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 590, Advanced Nuclear Technology Development Act of 2017.

As you noted, H.R. 590 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. I appreciate your willingness to forego action on the bill in order to expedite this bill for floor consideration. I agree that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I will place a copy of your letter and this response into the Congressional Record during the Floor consideration of this bill.

Sincerely,

GREG WALDEN,
Chairman.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 590, the Advanced Nuclear

Technology Development Act of 2017, introduced by Representatives LATTA and MCNERNEY.

This bill would enhance coordination between the Nuclear Regulatory Commission and the Department of Energy by requiring them to enter into a memorandum of understanding on issues related to advanced nuclear reactor technology.

This is a worthy goal, as the chairman said, and is a commonsense way for the Federal Government to support the advanced nuclear power industry. Advanced nuclear technologies have the potential to generate power more safely and with less nuclear waste, which is why I believe the Federal Government should be supporting advancements in nuclear technology.

The bill also requires NRC to develop an advanced reactor regulatory framework to evaluate options to expedite advanced reactor licensing and to make it more predictable. NRC would have 1 year from the date of enactment to submit this plan to Congress. In developing the plan, NRC must also seek input from interested stakeholders, which I believe to be a crucial part of this process.

Nuclear energy must play a continued role in our country's clean energy future to enable us to reach our goals set forth in the Paris climate agreement. I believe the Advanced Nuclear Technology Development Act will enable the Federal Government to more efficiently evaluate and support these promising nuclear technologies, which can put us on a path towards greater reductions in carbon emissions.

I commend both Representatives LATTA and MCNERNEY for introducing this important legislation, and I urge my colleagues to support it.

Mr. Speaker, I don't believe I have any further speakers on this, so I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 590, the Advanced Nuclear Technology Development Act of 2017.

This bill would require the Department of Energy and the Nuclear Regulatory Commission to work together to further the development of advanced nuclear technology. By directing the Department of Energy and the Nuclear Regulatory Commission to enter into a memorandum of understanding, this bill will reduce bureaucratic barriers to advanced nuclear technology research and development.

Growing a closer partnership between the Department of Energy and the Nuclear Regulatory Commission will help to chart an energy independence path for our Nation as we seek new possibilities and alternatives to power our way to a better future. Energy independ-

ence is critical to both our national security and to the continued growth of our economy.

There has been a considerable amount of research and development that has gone into nuclear energy, and it accounts for 60 percent of the clean energy produced in the United States. This legislation will knock down those walls to innovation and will provide an opportunity to develop advanced reactor designs that could be vital to our energy infrastructure.

I applaud my good friend, Mr. LATTA, for his leadership on this issue, and the Energy and Commerce Committee for their work on this bill.

I urge my colleagues to support this bill.

Mr. UPTON. Mr. Speaker, I urge my colleagues to again support this legislation on a bipartisan basis, and I thank all of my colleagues for speaking in support of it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 590.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EPS IMPROVEMENT ACT OF 2017

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 518) to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 518

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "EPS Improvement Act of 2017".

SEC. 2. APPLICATION OF ENERGY CONSERVATION STANDARDS TO CERTAIN EXTERNAL POWER SUPPLIES.

(a) DEFINITION OF EXTERNAL POWER SUPPLY.—Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through "The term" and inserting the following:

"(A) EXTERNAL POWER SUPPLY.—

"(i) IN GENERAL.—The term"; and

(2) by adding at the end the following:

"(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

"(I) light-emitting diodes providing illumination;

“(II) organic light-emitting diodes providing illumination; or

“(III) ceiling fans using direct current motors.”.

(b) STANDARDS FOR LIGHTING POWER SUPPLY CIRCUITS.—

(1) DEFINITION.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended by striking clause (v) and inserting the following:

“(v) electric lights and lighting power supply circuits;”.

(2) ENERGY CONSERVATION STANDARD FOR CERTAIN EQUIPMENT.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

“(g) LIGHTING POWER SUPPLY CIRCUITS.—If the Secretary, acting pursuant to section 341(b), includes as covered equipment solid state lighting power supply circuits, drivers, or devices described in section 321(36)(A)(ii), the Secretary may prescribe under this part, not earlier than 1 year after the date on which a test procedure has been prescribed, an energy conservation standard for such equipment.”.

(c) TECHNICAL CORRECTIONS.—

(1) Section 321(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(B)) is amended by striking “(19)” and inserting “(20)”.

(2) Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended by striking “(19)” each place it appears in each of subsections (a)(3), (b)(1)(B), (b)(3), and (b)(5) and inserting “(20)”.

(3) Section 325(1) of the Energy Policy and Conservation Act (42 U.S.C. 6295(1)) is amended by striking “paragraph (19)” each place it appears and inserting “paragraph (20)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise certainly in support of H.R. 518.

Regulations are based on the state of technology at the time that they are developed and may have the unintended consequences of hindering new advances in products. Such has been the case with the Department of Energy's efficiency standards for external power supplies, EPS. As the regs on the books now stand, it is not legally possible to make certain types of light-emitting diode—LED—devices, as well as some kinds of ceiling fans.

So this bill, H.R. 518, the EPS Improvement Act, provides a carefully tailored solution to the problem. And I want to thank two Members, Repub-

lican and Democrat, Mr. GUTHRIE and Ms. DEGETTE, for their good work on behalf of both the manufacturers, as well as the users, of these products.

The bill carves out an exception for these devices while giving DOE the option of setting separate efficiency standards that are more suited to them.

This bill has been thoroughly vetted—yes, it has. It was included in last year's energy package. And although that bill didn't make it to the finish line for unrelated reasons, language virtually identical to that in H.R. 518 enjoyed very strong bipartisan and certain bicameral support.

□ 1600

In addition, the bill passed the House on suspension last year as well, but failed to make it on the Senate calendar.

For the sake of the manufacturing jobs that are associated with these products as well as the consumers and small businesses that rely on them, I would urge all of my colleagues to support and vote for H.R. 518.

I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

I rise today to urge the passage of H.R. 518, the EPS Improvement Act.

Last session of Congress, I cosponsored this bill with our former colleague Congresswoman Ellmers, and this year, Representatives GUTHRIE, MATSUI, and DENT are joining me in this effort to strengthen the standards used to keep LED lighting safe and efficient.

By ensuring that our country's energy conservation standards are up to date with the latest developments in high-tech lighting, we can remove obstacles to innovation without sacrificing safety. And as we heard from the chairman, if there has ever been a bill in Congress that was vetted, it was this one.

We have been working on this bill for some years now, and, frankly, what it is doing is it is truly addressing unintended consequences that happened due to the Energy Policy Act of 2005. That act defined external power supplies in a way that just simply did not anticipate the rapid growth and use of LED and OLED light sources during the decade that followed.

Now, these lights are really energy efficient. They are up to 80 percent more efficient than traditional lights like fluorescent and incandescent lights, and 90 percent of the energy in LEDs is committed to illumination, while only 5 percent is heat; so it is no wonder they have become so popular in the last 10 years. Unfortunately, in the 2005 act, the standards did not allow for these types of lighting as their use continues to constitute an ever-growing share of our energy consumption.

What this bill does is it clarifies the definition of “external power supplies”

and it amends the conditions under which the Energy Department can undertake a rulemaking process in the future. The bill will facilitate the continued growth of LED lighting, and it will help lower energy prices for businesses and households both in my home State of Colorado and across America.

Clean energy truly is the future. It can be safe, efficient, and affordable for all when it is properly regulated, and that is exactly what this legislation does.

I urge everybody to support this act, and I hope that the Senate will pass it this year. We are getting a good, early start.

Mr. Speaker, I have no one else to speak on this bill, so I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I have no further speakers on this side of the aisle either.

I would urge my colleagues on both sides to again vote for this bill. Let's hope that the Senate can get it on their plate and get it to the President for him to sign into law.

Mr. Speaker, I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I rise today in support of the EPS Improvement Act of 2017. Michigan is a success story for clean energy job growth. For many years, the press reported on Detroit's urban decline and the lights literally going out. While this may have been true in the past, Detroit has been making a comeback.

After generations of urban flight, the population of Detroit is rising. Along with that growth has come revitalization. All across town, the lights are coming back on. The LED project cost \$185 million and was paid for by the city and the state. The Public Lighting Authority of Detroit, also received support from the Obama Administration with Department of Energy advising local officials on how to brighten up the city.

Investments by the Obama Administration in energy-efficient lighting has reduced costs across the industry, making LEDS feasible for a city like Detroit. Only three years ago, nearly half of the 88,000 streetlights in the city were out of commission.

This major infrastructure project in my city of Detroit, created not only smart urban design to an aging city, but it brought jobs. City officials told me that since 2014, using Federal Department of Transportation funding, Detroit has added buses, hired dozens of drivers and increased ridership by approximately 100,000 a week. Like the streetlights that are now on across the city, buses restore the fabric of the streets and re-establish a semblance of normalcy.

Mr. Speaker, infrastructure projects like the LED project in Detroit and the transportation funding for buses are what we need to get America back to work. These funded projects have a ripple effect on the community and not only rejuvenate it but put people back to work.

I support H.R. 518 and more projects that support clean energy growth.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Michigan (Mr. UPON) that the House suspend the rules and pass the bill, H.R., 518.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF 2017

Mrs. BLACKBURN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 290) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 290

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Communications Commission Process Reform Act of 2017”.

SEC. 2. FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM.

(a) IN GENERAL.—Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

“SEC. 13. TRANSPARENCY AND EFFICIENCY.

“(a) INITIAL RULEMAKING AND INQUIRY.—

“(1) RULEMAKING.—Not later than 1 year after the date of the enactment of this section, the Commission shall complete a rulemaking proceeding and adopt procedural changes to its rules to maximize opportunities for public participation and efficient decisionmaking.

“(2) REQUIREMENTS FOR RULEMAKING.—The rules adopted under paragraph (1) shall—

“(A) set minimum comment periods for comment and reply comment, subject to a determination by the Commission that good cause exists for departing from such minimum comment periods, for—

“(i) significant regulatory actions, as defined in Executive Order No. 12866; and

“(ii) all other rulemaking proceedings;

“(B) establish policies concerning the submission of extensive new comments, data, or reports towards the end of the comment period;

“(C) establish policies regarding treatment of comments, ex parte communications, and data or reports (including statistical reports and reports to Congress) submitted after the comment period to ensure that the public has adequate notice of and opportunity to respond to such submissions before the Commission relies on such submissions in any order, decision, report, or action;

“(D) establish procedures for, not later than 14 days after the end of each quarter of a calendar year (or more frequently, as the Commission considers appropriate), publishing on the Internet website of the Commission and submitting to Congress a report that contains—

“(i) the status of open rulemaking proceedings and proposed orders, decisions, reports, or actions on circulation for review by the Commissioners, including which Com-

missioners have not cast a vote on an order, decision, report, or action that has been on circulation for more than 60 days;

“(ii) for the petitions, applications, complaints, and other requests for action by the Commission that were pending at the Commission on the last day of such quarter (or more frequent period, as the case may be)—

“(I) the number of such requests, broken down by the bureau primarily responsible for action and, for each bureau, the type of request (such as a petition, application, or complaint); and

“(II) information regarding the amount of time for which such requests have been pending, broken down as described in subclause (I); and

“(iii) a list of the congressional investigations of the Commission that were pending on the last day of such quarter (or more frequent period, as the case may be) and the cost of such investigations, individually and in the aggregate;

“(E) establish deadlines (relative to the date of filing) for—

“(i) in the case of a petition for a declaratory ruling under section 1.2 of title 47, Code of Federal Regulations, issuing a public notice of such petition;

“(ii) in the case of a petition for rulemaking under section 1.401 of such title, issuing a public notice of such petition; and

“(iii) in the case of a petition for reconsideration under section 1.106 or 1.429 of such title or an application for review under section 1.115 of such title, issuing a public notice of a decision on the petition or application by the Commission or under delegated authority (as the case may be);

“(F) establish guidelines (relative to the date of filing) for the disposition of petitions filed under section 1.2 of such title;

“(G) establish procedures for the inclusion of the specific language of the proposed rule or the proposed amendment of an existing rule in a notice of proposed rulemaking; and

“(H) require notices of proposed rulemaking and orders adopting a rule or amending an existing rule that—

“(i) create (or propose to create) a program activity to contain performance measures for evaluating the effectiveness of the program activity; and

“(ii) substantially change (or propose to substantially change) a program activity to contain—

“(I) performance measures for evaluating the effectiveness of the program activity as changed (or proposed to be changed); or

“(II) a finding that existing performance measures will effectively evaluate the program activity as changed (or proposed to be changed).

“(3) INQUIRY.—Not later than 1 year after the date of the enactment of this section, the Commission shall complete an inquiry to seek public comment on whether and how the Commission should—

“(A) establish procedures for allowing a bipartisan majority of Commissioners to place an order, decision, report, or action on the agenda of an open meeting;

“(B) establish procedures for informing all Commissioners of a reasonable number of options available to the Commission for resolving a petition, complaint, application, rulemaking, or other proceeding;

“(C) establish procedures for ensuring that all Commissioners have adequate time, prior to being required to decide a petition, complaint, application, rulemaking, or other proceeding (including at a meeting held pursuant to section 5(d)), to review the proposed Commission decision document, including

the specific language of any proposed rule or any proposed amendment of an existing rule;

“(D) establish procedures for publishing the text of agenda items to be voted on at an open meeting in advance of such meeting so that the public has the opportunity to read the text before a vote is taken;

“(E) establish deadlines (relative to the date of filing) for disposition of applications for a license under section 1.913 of title 47, Code of Federal Regulations;

“(F) assign resources needed in order to meet the deadlines described in subparagraph (E), including whether the Commission’s ability to meet such deadlines would be enhanced by assessing a fee from applicants for such a license; and

“(G) except as otherwise provided in section 4(p), publish each order, decision, report, or action not later than 30 days after the date of the adoption of such order, decision, report, or action.

“(4) DATA FOR PERFORMANCE MEASURES.—The Commission shall develop a performance measure or proposed performance measure required by this subsection to rely, where possible, on data already collected by the Commission.

“(5) GAO AUDIT.—Not less frequently than every 6 months, the Comptroller General of the United States shall audit the cost estimates provided by the Commission under paragraph (2)(D)(iii) during the preceding 6-month period.

“(b) PERIODIC REVIEW.—On the date that is 5 years after the completion of the rulemaking proceeding under subsection (a)(1), and every 5 years thereafter, the Commission shall initiate a new rulemaking proceeding to continue to consider such procedural changes to its rules as may be in the public interest to maximize opportunities for public participation and efficient decisionmaking.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, United States Code, a bipartisan majority of Commissioners may hold a meeting that is closed to the public to discuss official business if—

“(A) a vote or any other agency action is not taken at such meeting;

“(B) each person present at such meeting is a Commissioner, an employee of the Commission, a member of a joint board or conference established under section 410, or a person on the staff of such a joint board or conference or of a member of such a joint board or conference; and

“(C) an attorney from the Office of General Counsel of the Commission is present at such meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Not later than 2 business days after the conclusion of a meeting held under paragraph (1), the Commission shall publish a disclosure of such meeting, including—

“(A) a list of the persons who attended such meeting; and

“(B) a summary of the matters discussed at such meeting, except for such matters as the Commission determines may be withheld under section 552b(c) of title 5, United States Code.

“(3) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection shall limit the applicability of section 552b of title 5, United States Code, with respect to a meeting of Commissioners other than that described in paragraph (1).

“(d) ACCESS TO CERTAIN INFORMATION ON COMMISSION’S WEBSITE.—The Commission shall provide direct access from the homepage of its website to—

“(1) detailed information regarding—

“(A) the budget of the Commission for the current fiscal year;

“(B) the appropriations for the Commission for such fiscal year; and

“(C) the total number of full-time equivalent employees of the Commission; and

“(2) the performance plan most recently made available by the Commission under section 1115(b) of title 31, United States Code.

“(e) INTERNET PUBLICATION OF CERTAIN FCC POLICIES AND PROCEDURES.—The chairman of the Commission shall—

“(1) publish on the Internet website of the Commission any policies or procedures of the Commission that—

“(A) are established by the chairman; and

“(B) relate to the functioning of the Commission or the handling of the agenda of the Commission; and

“(2) update such publication not later than 48 hours after the chairman makes changes to any such policies or procedures.

“(f) FEDERAL REGISTER PUBLICATION.—

“(1) IN GENERAL.—In the case of any document adopted by the Commission that the Commission is required, under any provision of law, to publish in the Federal Register, the Commission shall, not later than the date described in paragraph (2), complete all Commission actions necessary for such document to be so published.

“(2) DATE DESCRIBED.—The date described in this paragraph is the earlier of—

“(A) the day that is 45 days after the date of the release of the document; or

“(B) the day by which such actions must be completed to comply with any deadline under any other provision of law.

“(3) NO EFFECT ON DEADLINES FOR PUBLICATION IN OTHER FORM.—In the case of a deadline that does not specify that the form of publication is publication in the Federal Register, the Commission may comply with such deadline by publishing the document in another form. Such other form of publication does not relieve the Commission of any Federal Register publication requirement applicable to such document, including the requirement of paragraph (1).

“(g) CONSUMER COMPLAINT DATABASE.—

“(1) IN GENERAL.—In evaluating and processing consumer complaints, the Commission shall present information about such complaints in a publicly available, searchable database on its website that—

“(A) facilitates easy use by consumers; and

“(B) to the extent practicable, is sortable and accessible by—

“(i) the date of the filing of the complaint;

“(ii) the topic of the complaint;

“(iii) the party complained of; and

“(iv) other elements that the Commission considers in the public interest.

“(2) DUPLICATIVE COMPLAINTS.—In the case of multiple complaints arising from the same alleged misconduct, the Commission shall be required to include only information concerning one such complaint in the database described in paragraph (1).

“(h) FORM OF PUBLICATION.—

“(1) IN GENERAL.—In complying with a requirement of this section to publish a document, the Commission shall publish such document on its website, in addition to publishing such document in any other form that the Commission is required to use or is permitted to and chooses to use.

“(2) EXCEPTION.—The Commission shall by rule establish procedures for redacting documents required to be published by this section so that the published versions of such documents do not contain—

“(A) information the publication of which would be detrimental to national security, homeland security, law enforcement, or public safety; or

“(B) information that is proprietary or confidential.

“(i) TRANSPARENCY RELATING TO PERFORMANCE IN MEETING FOIA REQUIREMENTS.—The Commission shall take additional steps to inform the public about its performance and efficiency in meeting the disclosure and other requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), including by doing the following:

“(1) Publishing on the Commission’s website the Commission’s logs for tracking, responding to, and managing requests submitted under such section, including the Commission’s fee estimates, fee categories, and fee request determinations.

“(2) Releasing to the public all decisions made by the Commission (including decisions made by the Commission’s Bureaus and Offices) granting or denying requests filed under such section, including any such decisions pertaining to the estimate and application of fees assessed under such section.

“(3) Publishing on the Commission’s website electronic copies of documents released under such section.

“(4) Presenting information about the Commission’s handling of requests under such section in the Commission’s annual budget estimates submitted to Congress and the Commission’s annual performance and financial reports. Such information shall include the number of requests under such section the Commission received in the most recent fiscal year, the number of such requests granted and denied, a comparison of the Commission’s processing of such requests over at least the previous 3 fiscal years, and a comparison of the Commission’s results with the most recent average for the United States Government as published on www.foia.gov.

“(j) PROMPT RELEASE OF STATISTICAL REPORTS AND REPORTS TO CONGRESS.—Not later than January 15th of each year, the Commission shall identify, catalog, and publish an anticipated release schedule for all statistical reports and reports to Congress that are regularly or intermittently released by the Commission and will be released during such year.

“(k) ANNUAL SCORECARD REPORTS.—

“(1) IN GENERAL.—For the 1-year period beginning on January 1st of each year, the Commission shall prepare a report on the performance of the Commission in conducting its proceedings and meeting the deadlines established under subsection (a)(2)(E) and the guidelines established under subsection (a)(2)(F).

“(2) CONTENTS.—Each report required by paragraph (1) shall contain detailed statistics on such performance, including, with respect to each Bureau of the Commission—

“(A) with respect to each type of filing specified in subsection (a)(2)(E) or (a)(2)(F)—

“(i) the number of filings that were pending on the last day of the period covered by such report;

“(ii) the number of filings described in clause (i) for which each applicable deadline or guideline established under such subsection was not met and the average length of time such filings have been pending; and

“(iii) for filings that were resolved during such period, the average time between initiation and resolution and the percentage for which each applicable deadline or guideline established under such subsection was met;

“(B) with respect to proceedings before an administrative law judge—

“(i) the number of such proceedings completed during such period; and

“(ii) the number of such proceedings pending on the last day of such period; and

“(C) the number of independent studies or analyses published by the Commission during such period.

“(3) PUBLICATION AND SUBMISSION.—The Commission shall publish and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate each report required by paragraph (1) not later than the date that is 30 days after the last day of the period covered by such report.

“(1) DEFINITIONS.—In this section:

“(1) AMENDMENT.—The term ‘amendment’ includes, when used with respect to an existing rule, the deletion of such rule.

“(2) BIPARTISAN MAJORITY.—The term ‘bipartisan majority’ means, when used with respect to a group of Commissioners, that such group—

“(A) is a group of three or more Commissioners; and

“(B) includes, for each political party of which any Commissioner is a member, at least one Commissioner who is a member of such political party, and, if any Commissioner has no political party affiliation, at least one unaffiliated Commissioner.

“(3) PERFORMANCE MEASURE.—The term ‘performance measure’ means an objective and quantifiable outcome measure or output measure (as such terms are defined in section 1115 of title 31, United States Code).

“(4) PROGRAM ACTIVITY.—The term ‘program activity’ has the meaning given such term in section 1115 of title 31, United States Code, except that such term also includes any annual collection or distribution or related series of collections or distributions by the Commission of an amount that is greater than or equal to \$100,000,000.

“(5) OTHER DEFINITIONS.—The terms ‘agency action’, ‘ex parte communication’, and ‘rule’ have the meanings given such terms in section 551 of title 5, United States Code.”

(b) EFFECTIVE DATES AND IMPLEMENTING RULES.—

(1) EFFECTIVE DATES.—

(A) NONPUBLIC COLLABORATIVE DISCUSSIONS.—Subsection (c) of section 13 of the Communications Act of 1934, as added by subsection (a), shall apply beginning on the first date on which all of the procedural changes to the rules of the Federal Communications Commission required by subsection (a)(1) of such section have taken effect.

(B) REPORT RELEASE SCHEDULES.—Subsection (j) of such section 13 shall apply with respect to 2018 and any year thereafter.

(C) ANNUAL SCORECARD REPORTS.—Subsection (k) of such section 13 shall apply with respect to 2017 and any year thereafter.

(D) INTERNET PUBLICATION OF CERTAIN FCC POLICIES AND PROCEDURES.—Subsection (e) of such section 13 shall apply beginning on the date that is 30 days after the date of the enactment of this Act.

(2) RULES.—Except as otherwise provided in such section 13, the Federal Communications Commission shall promulgate any rules necessary to carry out such section not later than 1 year after the date of the enactment of this Act.

SEC. 3. CATEGORIZATION OF TCPA INQUIRIES AND COMPLAINTS IN QUARTERLY REPORT.

In compiling its quarterly report with respect to informal consumer inquiries and

complaints, the Federal Communications Commission may not categorize an inquiry or complaint with respect to section 227 of the Communications Act of 1934 (47 U.S.C. 227) as being a wireline inquiry or complaint or a wireless inquiry or complaint unless the party whose conduct is the subject of the inquiry or complaint is a wireline carrier or a wireless carrier, respectively.

SEC. 4. EFFECT ON OTHER LAWS.

Nothing in this Act or the amendments made by this Act shall relieve the Federal Communications Commission from any obligations under title 5, United States Code, except where otherwise expressly provided.

SEC. 5. APPLICATION OF ANTIINEFFICIENCY ACT TO UNIVERSAL SERVICE PROGRAM.

Section 302 of Public Law 108-494 (118 Stat. 3998) is amended by striking “December 31, 2017” each place it appears and inserting “December 31, 2021”.

SEC. 6. REPORT ON IMPROVING SMALL BUSINESS PARTICIPATION IN FCC PROCEEDINGS.

Not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission, in consultation with the Administrator of the Small Business Administration, shall submit to Congress a report on—

(1) actions that the Commission will take to improve the participation of small businesses in the proceedings of the Commission; and

(2) recommendations for any legislation that the Commission considers appropriate to improve such participation.

SEC. 7. TIMELY AVAILABILITY OF ITEMS ADOPTED BY VOTE OF THE COMMISSION.

(a) AMENDMENT.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended by adding at the end the following:

“(p) In the case of any item that is adopted by vote of the Commission, the Commission shall publish on the Internet website of the Commission the text of such item not later than 24 hours after the Secretary of the Commission has received dissenting statements from all Commissioners wishing to submit such a statement with respect to such item.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to an item that is adopted after the date that is 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

Mrs. BLACKBURN. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support H.R. 290, a bill to reform the FCC, sponsored by

the chair of the full Committee on Energy and Commerce.

Mr. Speaker, this bill has a unique history. It has been passed out of the House not once or twice, but four times already in the last three Congresses. The last three times this bill has come to the floor, it has passed on suspension with full bipartisan support. That support speaks to the deep necessity for fundamental reform of the Federal Communications Commission.

As Members of Congress, we hear from constituents whose applications at the FCC are left to languish unresolved while consumers and businesses let opportunities slip by because they haven't received approval yet from a Federal Government agency. It is even worse when the FCC, under its public interest mandate, decides to put its thumb on the scale in favor of one technology sector or another, often without providing reasonable evidence that its intervention is necessary and appropriate.

While I have faith that Chairman Pai will bring about real reform at the FCC, without legislative changes, I am afraid that this type of jury-rigged rulemaking will return under a future administration. That is why I have supported this bill each time it has made its way through our committee and each time it has come to the House floor. I believe that strong process can restore the agency's integrity and rein it back in the interest of the stakeholders and the society that it should serve.

The bill requires the FCC to conduct a notice and comment rulemaking in order to adopt clear rules to guide its own process. By giving the FCC flexibility when setting procedures and deadlines, we are not hamstringing the agency; rather, we are providing them with goals to meet and allowing them to determine the best way to meet those goals.

We are asking the FCC to consider and adopt rules for itself that would provide clear deadlines on starting and stopping comments, clear deadlines for resolving petitions filed by the public, clear notice of status to those affected by petitions and rules, and clear schedules of statistical reports.

The bill also requires the FCC to consider publication of Commission documents to be considered at an open meeting and to consider whether cost-benefit analysis just might improve their rulemakings. This legislation also changes the existing Sunshine Act to allow for greater collaboration between Commissioners.

There was fine bipartisan work that went into these bills, and I thank my Democratic colleagues for working with us to improve the agency.

This country is blessed with the most creative and competitive technology industry in the world. The agency charged with overseeing this robust

and dynamic sector should be open and transparent and foster continued growth, and I believe this bill will help in achieving that goal.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I rise in support of H.R. 290, and I yield myself as much time as I may consume.

Mr. Speaker, this bill was the same bill that passed the House last Congress and is the result of lengthy negotiations in the Subcommittee on Communications and Technology to come to a bipartisan agreement that all can support. This agreement requires the FCC to make certain procedural rule changes and requires an inquiry into other process changes.

The bill includes the FCC Collaboration Act, a bill that allows for more than two FCC Commissioners to discuss official business as long as certain safeguards are in place. This bill should help the Commissioners reach consensus more quickly.

The bill also includes important provisions offered by Democrats last Congress, such as Representative CLARKE's provision to require that the FCC provide quarterly reports on pending decisions to ensure accountability and timely responses, Representative MATSUI's provision that required the FCC to coordinate with the Small Business Administration to improve small business participation in FCC proceedings, and Representative LOEBSACK's provision that requires the FCC Chairman to publicly post the agency's internal policies and procedures for greater transparency. The addition of these Democratic ideas make this a better bill.

The bill also requires the FCC to post, in its entirety, any item adopted by the Commission within 24 hours of filing of final dissenting statements, a compromise that was reached by Congressman MCNERNEY and Congresswoman Ellmers last Congress.

FCC process reform has been an issue in our subcommittee going back several years. I hope this compromise bill is something all Members can support.

Mr. Speaker, I see no other speakers on my side of the aisle, so I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, at this time I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN), the author of the legislation and the chairman of the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, I thank my colleagues on both sides of the aisle on the Energy and Commerce Committee and our new chair of the Subcommittee on Communications and Technology, Mrs. BLACKBURN, and the new ranking member on the committee, Mr. DOYLE.

I believe by the end of today, Mr. Speaker, the House Energy and Commerce Committee will have produced

close to 20 pieces of legislation already this Congress for consideration by the House, and I think all of them have been bipartisan. That is the kind of work this great committee is known for and we hope to continue to do. I thank my colleagues on both sides of the aisle.

I think we agreed that the FCC was in need of process reform. This is the people's business that they are conducting. It needs to be done in an open and transparent and predictable way so that all of those involved in the public's business can see what is happening.

The Federal Communications Commission regulates an incredibly dynamic and innovative sector of the American economy. The communications technology sector directly impacts the lives of consumers in meaningful ways. Consumers are able to map their ways to new places, find information and enriching content, and reach their loved ones who might live in the most remote places, literally, of the globe.

Communications technology also enables other industries to reach their audiences in new and life-changing ways: health care, finance, manufacturing, agriculture. All of these industries are leveraging communications technologies in ways to better serve the American consumer.

It is essential that we do as much as we can to protect and promote innovation in this sector of the economy. We can't afford to allow this fundamental sector of the economy to languish or fail under outdated regulations or faulty regulatory processes. That is why Committee on Energy and Commerce has focused on improving the processes at the FCC, so that it operates in an effective and transparent manner.

This bill represents the fourth time, as you have heard, that we have brought a measure to this House floor that seeks to improve the way the FCC conducts its business. Last Congress, as chairman of the Subcommittee on Communications and Technology, process reform was a priority and it still is. I am committed to continuing the reform effort by supporting this legislation once again.

Over the years, we have worked closely across the aisle to formulate a bipartisan compromise piece of legislation that addresses many of the concerns that we all share. Whether it is creating certainty for regulated industries by requiring shot clocks and deadlines, protecting consumers by prohibiting data dumps at the eleventh hour, or empowering all Commissioners by creating a tool for bipartisan majority to bring an item up for a vote at the FCC, this legislation is intended to improve the way the FCC does its business all across the board.

One of the concerns we heard from some on the committee during the con-

sideration of this legislation was that an overly proscriptive piece of legislation could hamstring the agency. Well, I think we have structured this legislation to fully address that legitimate concern by allowing the agency, itself, to determine the specifics of the overarching principles that we set forth. We give them that flexibility. We just want them to do the job.

For example, the bill requires that all Commissioners have adequate time to review decision documents before having to vote. However, we allow the agency to determine what the adequate amount of time is through a rule-making process that will generate input from the industries, the consumers, the stakeholders; and, ultimately, that should result in a Commission decision that reflects the way that the agency can best function.

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I think it is important to note that we are still extremely committed to these important reforms, even though we have seen a change in administrations and will see a new chairman. Process reform is not about political ideology or partisan rancor, rather, it is about ensuring that government continues to work for the people. I am hopeful that this legislation will reach the President's desk and result in a better, more efficient, more transparent Federal Communications Commission, the kind of regulator that the most innovative and dynamic sector in the world deserves.

Mrs. BLACKBURN. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today to discuss H.R. 290, the FCC Process Reform Act of 2017.

I'm particularly proud of a bipartisan provision I first authored in the 112th Congress that I'm pleased is included in this legislation today. This provision would modify current FCC rules to allow three or more Commissioners to hold non-public collaborative discussions, as long as no agency action is taken.

Today, under the FCC's "Sunshine Rule," three Commissioners or more are prohibited from talking to each other outside of an official public meeting. The FCC oversees industries representing approximately one-sixth of the American economy. It must be able to collaborate freely and deliberate on our nation's most pressing communications issues, from enhancing universal service and public safety, to making more spectrum available for mobile broadband.

As Congress looks at ways to help modernize the FCC, this bipartisan, commonsense provision will help to promote greater discussion among the five FCC Commissioners and ensure they can benefit from each other's expertise and experience. Through greater collaboration, the FCC will be better positioned to respond to a fast-paced and rapidly growing telecommunications industry in the 21st century.

I thank Chairman WALDEN for including this provision in the bill the House has passed today.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) that the House suspend the rules and pass the bill, H.R. 290.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANTI-SPOOFING ACT OF 2017

Mrs. BLACKBURN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 423) to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of misleading or inaccurate caller identification information, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Anti-Spoofing Act of 2017".

SEC. 2. SPOOFING PREVENTION.

(a) EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) COMMUNICATIONS FROM OUTSIDE THE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking "in connection with any telecommunications service or IP-enabled voice service" and inserting "or any person outside the United States if the recipient is within the United States, in connection with any voice service or text messaging service".

(2) COVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(A) in subparagraph (A), by striking "telecommunications service or IP-enabled voice service" and inserting "voice service or a text message sent using a text messaging service";

(B) in the first sentence of subparagraph (B), by striking "telecommunications service or IP-enabled voice service" and inserting "voice service or a text message sent using a text messaging service"; and

(C) by striking subparagraph (C) and inserting the following:

“(C) TEXT MESSAGE.—The term ‘text message’—

“(i) means a message consisting of text, images, sounds, or other information that is transmitted to or from a device that is identified as the receiving or transmitting device by means of a 10-digit telephone number or N11 service code;

“(ii) includes a short message service (commonly referred to as ‘SMS’) message and a multimedia message service (commonly referred to as ‘MMS’) message; and

“(iii) does not include—

“(I) a real-time, two way voice or video communication; or

“(II) a message sent over an IP-enabled messaging service to another user of the same messaging service, except a message described in clause (ii).

“(D) TEXT MESSAGING SERVICE.—The term ‘text messaging service’ means a service that enables the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

“(E) VOICE SERVICE.—The term ‘voice service’—

“(i) means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

“(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.”

(3) TECHNICAL AMENDMENT.—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting “MISLEADING OR” before “INACCURATE”.

(4) REGULATIONS.—

(A) IN GENERAL.—Section 227(e)(3)(A) of the Communications Act of 1934 (47 U.S.C. 227(e)(3)(A)) is amended by striking “Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission” and inserting “The Commission”.

(B) DEADLINE.—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under paragraph (4).

(b) CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) DEVELOPMENT OF MATERIALS.—Not later than 1 year after the date of enactment of this Act, the Commission, in coordination with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

(B) existing technologies, if any, that a consumer can use to protect against such scams and other fraudulent activity.

(2) CONTENTS.—In developing the consumer education materials under paragraph (1), the Commission shall—

(A) identify existing technologies, if any, that can help consumers guard themselves against scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information, including—

(i) descriptions of how a consumer can use the technologies to protect against such scams and other fraudulent activity; and

(ii) details on how consumers can access and use the technologies; and

(B) provide other information that may help consumers identify and avoid scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information.

(3) UPDATES.—The Commission shall ensure that the consumer education materials required under paragraph (1) are updated on a regular basis.

(4) WEBSITE.—The Commission shall include the consumer education materials developed under paragraph (1) on its website.

(c) GAO REPORT ON COMBATING THE FRAUDULENT PROVISION OF MISLEADING OR INAC-

CURATE CALLER IDENTIFICATION INFORMATION.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(2) REQUIRED CONSIDERATIONS.—In conducting the study under paragraph (1), the Comptroller General shall examine—

(A) trends in the types of scams that rely on misleading or inaccurate caller identification information;

(B) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(C) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

(D) whether there are additional actions the Commission, the Federal Trade Commission, and Congress should take to combat the fraudulent provision of misleading or inaccurate caller identification information.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study under paragraph (1), including any recommendations regarding combating the fraudulent provision of misleading or inaccurate caller identification information.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to modify, limit, or otherwise affect any rule or order adopted by the Commission in connection with—

(1) the Telephone Consumer Protection Act of 1991 (Public Law 102-243; 105 Stat. 2394) or the amendments made by that Act; or

(2) the CAN-SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

(e) COMMISSION DEFINED.—In this section, the term “Commission” means the Federal Communications Commission.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

Mrs. BLACKBURN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 423, the Anti-Spoofing Act of 2017. Today we are considering a very worthy piece of legislation, which has been introduced in each of the last two Congresses by Vice Chairman BARTON, Vice Chairman LANCE, and Representative MENG. All of them have put a lot of hard work into this bill, and I thank each of them for their dedication in pursuing a much-needed update to the Truth In Caller ID Act.

Spoofing is the act of altering the number that will appear on the receiving end of the caller ID. It is a trick that has been around for more than a decade. Spoofing provides a false identity to bad actors and criminals who seek to harass and defraud our hard-working taxpayers, oftentimes through various scams.

Sometimes the scams are elaborate, and other times they are simple. But these schemes are all petty; and once carried out, they are criminal. Spoofing lets the bad guys disguise their identity and will often pose as official entities, such as credit card companies, hospitals, and government agencies to target their unsuspecting victims. These crooks regularly target seniors and use intimidation tactics to extract personal and financial information.

The FCC has the authority to levy penalties and criminal fines against individuals that use fake caller ID information for the purpose of defrauding or harming another. However, current law only covers traditional voice calls. While this was considered a good fix when it was enacted in 2009, the Truth in Caller ID Act no longer sufficiently protects consumers. New communication methods and an evolving consumer trend towards text messaging have left the law with significant holes for the fraudsters to fly through and avoid prosecution.

H.R. 423 would extend and clarify provisions of the Truth in Caller ID Act to include text messages and Voice over Internet Protocol services and would also apply the penalties to violators outside of the United States.

The bill would also seek to make it more challenging for those using fake caller ID information. In the past, you needed to have advanced skills and expensive equipment in order to spoof. Nowadays, it isn't hard. All someone needs to have is a smartphone and access to any of the various apps on the market that can instantly generate a fake caller ID.

This is another classic case where technology has outpaced the laws that govern it. We will never be able to legislate ahead of technology advancement, nor should we try to do so. But when we find areas where legislation can help shield our consumers and hold the bad guys accountable, it is incumbent on us to act.

I believe that the legislation we are considering today is a good next step in

our pursuit of stronger protection for our consumers. This bill will not prevent spoofing and it will not make our constituents invincible from the related scams and harassment, but what this bill does is important. By updating the law to more accurately reflect today's environment, we will be equipped to hold violators subject to the penalty of law.

I urge all of my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 423, the Anti-Spoofing Act, introduced by Representative MENG as well as Representative BARTON of Texas and Representative LANCE of New Jersey.

Consumers should feel safe knowing that the caller ID information they see when they answer the phone is accurate. Unfortunately, fraudsters use misleading caller ID numbers every day to trick consumers into handing over sensitive information.

Americans, from young people to senior citizens, are misled by crooks using a fake caller identification into thinking they are being connected to a trusted institution. This practice known as spoofing contributes to the millions of identity theft cases in our country each year and so many other forms of fraud.

Under the law today, it is already illegal for scammers to use fake caller ID information for regular voice calls. This legislation expands that band to text messages and to calls coming in from overseas. That just makes sense.

It is a bipartisan bill. It passed last Congress on a vote of 382-5.

I urge my colleagues to stand up for consumers and strengthen spoofing protection. It is time for us to pass the Anti-Spoofing Act.

Mr. Speaker, I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, I include in the RECORD the committee report for this legislation from the last Congress.

H.R. 423, ANTI-SPOOFING ACT OF 2017

BACKGROUND AND NEED FOR LEGISLATION

Spoofing is a practice in which a phone number shown on a phone or caller identification device is deliberately falsified, often to portray an official entity such as a government agency or credit card company, typically with malicious intent. Spoofing is a commonly used tool for a number of illegal practices, including phishing for personal information and swatting—calling in a fictitious crime in progress in order to generate a police response. The original Truth in Caller ID Act of 2009 prohibits spoofing voice caller identification. However, as communications methods and consumer habits continue to evolve, so too do the attempts by third parties to fraudulently gain personal information for criminal use. Many Americans are now relying on text messaging to stay connected, and this method of commu-

nication has become a target for spoofing in much the same way voice calls have been.

H.R. 423 extends the provisions of the Truth in Caller ID Act to include text messaging as well as Voice over Internet Protocol services. The legislation, introduced by Rep. Barton, Rep. Lance, and Rep. Meng, also addresses the growth of services that allow users to knowingly transmit misleading or inaccurate caller identification information by adding a definition of “spoofing service” to the Truth in Caller ID Act.

In amending H.R. 423, the Committee significantly changed the definitions of “text message” and “text messaging service.” The changes are designed to exclude from these definitions those online messaging services that use traditional telephone numbers for the purpose of identifying a user's account, just as other online services may use an email address or username for a similar purpose. The excluded services do not use telephone numbers to interconnect with the public switched telephone network or enable communication with individuals who do not subscribe to the same messaging service. The Committee intends the Commission to devise its rules using the meanings set forth in the legislation. “Short message service” and “multimedia message service” should be narrowly interpreted consistent with current industry standards (see, e.g., ETSI, Technical Specification, 3GPP TS 23.040 version 12.2.0 Release 12, ETSI TS 123 040 v12.2.0 (Oct. 2014), available at www.etsi.org).

The Committee takes notice of the fact that the language set forth in the version of H.R. 423, as ordered reported, is identical to the text relating to the same subject contained in S. 253, the Communications Act Update Act of 2016, as passed by the U.S. House of Representatives, on September 27, 2016. The House passed S. 253, as amended, by unanimous consent. The foregoing explanation should therefore serve as an explanation of that bill's provisions for purposes of legislative history.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that the Act may be cited as the “Anti-Spoofing Act of 2017”.

Section 2. Spoofing prevention

This section amends the Communications Act to expand the Truth in Caller Act to include text messaging services, as well as communications from outside of the United States. This section defines the terms “text message,” “text messaging service,” and “voice service.”

This section also requires the Commission, in coordination with the Federal Trade Commission, to develop consumer education materials regarding caller ID scams and technologies that can help consumers protect themselves against fraudulent activity.

This section also requires a Government Accountability Office report on the actions taken by the Federal Communications Commission and FTC to combat caller ID fraud.

Mrs. BLACKBURN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), a new member of the Energy and Commerce Committee.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 423, the Anti-Spoofing Act of 2017, because it addresses the issue of call spoofing and the impact that these deceitful callers are having on Americans.

Every day, millions of Americans are hit with calls using a fraudulent caller

ID profile and with impersonators on the other end of the line. These con artists are able to disguise their real number in an effort to convince unsuspecting victims that they are a representative from a government agency, financial company, healthcare system, or other organizations that may request information to contact someone. An example of a common call is someone saying they are calling from the IRS and are asking for personal information over the phone. This has got to stop.

Representatives MENG, BARTON, and LANCE have again introduced this legislation to prevent these criminals from further victimizing hardworking Americans.

We have a real opportunity to combat this growing tactic and protect those in our communities who are the most vulnerable.

I applaud the Energy and Commerce Committee for their continued effort to protect Americans from criminal behavior and in updating such important policy measures. Last Congress, this legislation passed the House with an overwhelming vote of 382-5 in support.

I urge my colleagues to support H.R. 423 because we have an opportunity to fix a growing problem in our country and to cut down on fraud.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. MENG), the primary sponsor of the Anti-Spoofing Act.

Ms. MENG. Mr. Speaker, I rise today to speak in strong support of my bill, H.R. 423, the Anti-Spoofing Act of 2017.

I am honored to have authored this bill with Congressman BARTON and Congressman LANCE once again, and I thank Amy Murphy and Ryan Farrell of their respective staffs for working so closely with mine. I also thank the COMET Civic Association from my district for first bringing this problem to my attention.

This legislation seeks to combat spoofing, which is when phone call recipients are tricked into answering the phone due to inaccurate caller ID information. Criminals have used this technique to scam thousands of Americans and steal millions of dollars. Recent spoofing attempts have included scam artists pretending to be sheriff's offices, hospitals, and even the IRS. The bill before us this afternoon expands spoofing protections to calls that originate outside of the country as well as text messages.

It is often stated that a measure of a society is how it treats its most vulnerable. Almost every day, I receive new reports of spoofing that harm the most vulnerable in my district, including immigrants, seniors, veterans, and those in need of help from law enforcement. That is why this legislation is

endorsed by senior citizens, law enforcement, and consumer protection groups.

The Anti-Spoofing Act of 2017 is a bipartisan bill. It passed the House in both the 113th and 114th Congresses under suspension of the rules, and it is my sincere hope that this bill will continue to be noncontroversial and that we will do everything in our power to combat telephone scams against our constituents.

In closing, I thank Representatives BLACKBURN and DOYLE for their support this afternoon, as well as Energy and Commerce Chairman WALDEN and Ranking Member PALLONE. Without their support, this legislation would not be on the floor.

I urge the Senate to quickly take up this legislation.

I urge all of my colleagues in this Chamber to support it once again.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I do not have any other speakers.

I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise in strong support of this bill, H.R. 423, the Anti-Spoofing Act. I am a proud sponsor of this with Congresswoman MENG and Congressman BARTON, and I commend them for their leadership on this issue.

Caller ID spoofing occurs when a scammer calls and attempts to disguise his or her identity by manipulating the recipient caller's caller ID display. The scammer may be posing as an IRS agent, a police officer, or a representative from another governmental agency. After tricking people in picking up the line, the criminal then attempts to entice the other person to giving up personal information.

To date, hundreds of thousands, perhaps even millions, have been defrauded, including veterans, immigrants, and senior citizens. In Somerset County, New Jersey, a county which I represent here in the House, scammers cloned the telephone number of the county sheriff's office and impersonated the sheriff's staff in an effort to steal residents' personal information.

This problem has gotten out of control. Millions of Americans continue to get ripped off by con artists and scammers who perpetuate this despicable crime.

Since Congress passed the Truth in Caller ID Act in 2009, new technologies have enabled these criminals to scam consumers with increased ease and efficiency.

This legislation is one step forward to ensure that governmental policies keep up with these criminals. This disgraceful practice must end, and this consumer protection legislation goes a long way toward accomplishing that critical goal.

The bill has been passed through the House twice before, as Congresswoman MENG has just said. And after collaboration with our colleagues in the Senate, we now have secured enough support to see that this commonsense consumer protection legislation will advance. I hope it advances in the 115th Congress as quickly as possible and I hope it reaches our new President's desk as quickly as possible.

□ 1630

Mrs. BLACKBURN. Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 423, the "Anti-Spoofing Act of 2017," which amends the Communications Act of 1934, to make it unlawful to cause a caller identification service to knowingly transmit inaccurate caller identification information with the intent to: defraud, cause harm, or wrongfully obtain anything of value.

Spoofing is a practice in which a phone number shown on a phone or caller identification device deliberately is falsified.

Spoofing is a commonly used tool for a number of illegal practices, including "phishing" for personal information and "swatting"—calling in a fictitious crime in progress in order to generate a police response.

The Truth in Caller ID Act of 2009 prohibits spoofing of voice caller identification information; however, as communications methods and consumer habits continue to evolve, so do the attempts by third parties to gain personal information for criminal use.

Many Americans now rely on text messaging to stay connected.

According to CTIA, in 2015, Americans sent over 156 billion text messages per month.

H.R. 423, the Anti-Spoofing Act, will extend the provisions of the Truth in Caller ID Act to include text messaging and text messaging services.

The legislation adds a definition of "spoofing service" to the statute, addressing the growth of services that allows a user to knowingly transmit misleading or inaccurate caller identification information.

In addition, it extends the prohibitions to any person or service placing an international call to a recipient within the United States.

Additionally, H.R. 423 will revise the definitions of "caller identification information" and "caller identification service" to include text messages sent using a text messaging service.

It defines "text message" as real-time messages consisting of text, images, sounds, or other information transmitted from or received by a device identified by a telephone number.

It also includes in the definition both, real-time and two-way voice or video communications, addressing the emerging law enforcement issue of "swatting" by which people can purposefully misdirect valuable, police efforts and resources.

This bill takes the right approach targeting behavior, while protecting innovations that are important to the digital economy.

As the Ranking Member of the Judiciary Subcommittee on Crime, I understand the vital need to safeguard against caller identification spoofing.

For example, women's abuse shelters and law enforcement officers working undercover have a need to protect their clients' identities.

This bill seeks to target those who have the intent to cause harm or commit a crime.

I support this legislation because it protects the consumer from criminal behavior, while protecting our fundamental right to privacy.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) that the House suspend the rules and pass the bill, H.R. 423.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. BLACKBURN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SECURING ACCESS TO NETWORKS IN DISASTERS ACT

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 588) to direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Securing Access to Networks in Disasters Act".

SEC. 2. STUDY ON NETWORK RESILIENCY.

Not later than 36 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publicly available on the Commission's website, a study on the public safety benefits and technical feasibility and cost of—

(1) making telecommunications service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 9-1-1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;

(2) the provision by non-telecommunications service provider-owned WiFi access points of public access to 9-1-1 services during times of emergency when mobile service is unavailable; and

(3) other alternative means of providing the public with access to 9-1-1 services during times of emergency when mobile service is unavailable.

SEC. 3. ACCESS TO ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES.

Section 427(a)(1)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e(a)(1)(A)) is amended by striking "telecommunications service" and inserting "wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service".

SEC. 4. DEFINITIONS.

As used in this Act—

(1) the term “Commission” means the Federal Communications Commission;

(2) the term “mobile service” means commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(3) the term “WiFi access point” means wireless Internet access using the standard designated as 802.11 or any variant thereof; and

(4) the term “times of emergency” means either an emergency as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or an emergency as declared by the governor of a State or territory of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RODNEY DAVIS) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 588.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 588 includes a provision to facilitate the repair of communications infrastructure in the wake of a disaster.

We know how critical communications can be following a disaster for first responders and everyone that is impacted. I commend the bill’s sponsor for pursuing this legislation, and I thank the Energy and Commerce Committee for working with the Transportation and Infrastructure Committee on this language.

I urge my colleagues to support this bill.

Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee (Mrs. BLACKBURN) be permitted to control the remainder of the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. BLACKBURN. Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 588, the Securing Access to Networks in Disasters Act, or the SANDY Act, introduced by Ranking Member FRANK PALLONE. This bill is all about making sure that the communication networks

that so many Americans rely on are as resilient as they can be.

Disaster is going to strike and networks are going to go down. The purpose of this bill is to ensure that when those networks go down, the network operators have the resources they need to get things back online as quickly as possible.

The bill also requires the FCC to conduct a study on the future of network resiliency, and how new and existing technologies can be used during our times of need to communicate with loved ones or call for help.

This is a commonsense piece of legislation that passed 389–2 in the last Congress, and I urge all Members to support it.

Mr. Speaker, I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, I yield myself such time as I may consume.

When disaster strikes, there is a lot of hard work to be done, and every second counts. First responders go into action for those that need help. Relief organizations and volunteers rush in to begin the process of cleaning up. Utilities and service providers must be on the ground repairing damaged infrastructure.

All of these mission-critical tasks require a functioning communications network. People turn to the network for potentially lifesaving information and rely on its functionality to reach emergency services.

We are here today to consider this bill. Representative PALLONE—I want to give some credit to him—has been a champion of following the eye-opening effects of Superstorm Sandy. He has worked tirelessly on this legislation since October 2012.

In total, the Sandy storm resulted in roughly \$74 billion in damages in the U.S. alone. Sometimes we forget the magnitude of that storm. Damage to power and communications infrastructure, it knocked out about 25 percent of the cell sites in its path. In some of the hardest-hit counties, 50 percent of those sites were down.

When the networks go down, public safety communications and emergency response services are threatened. In order for the networks to get back up and running, telecommunications providers need access to critical resources and permission to enter the disaster area.

The chaos immediately following a major disaster makes it challenging to obtain resources and entry to the affected area. What we saw after Sandy were communication providers being turned away from the disaster area and denied resources because they were not considered essential to the recovery effort. This bill seeks to change that.

In the wake of Sandy, and as a result of repair workers being barred from the recovery effort, communication net-

works remained offline for hours and, in some cases, days longer than need be. This left those who were still vulnerable in the disaster area without critical information and no means to call for help.

There are numerous entities that are essential for the rescue and recovery phase following a disaster. The affected area needs power. Water is critical. The bill would clarify that communications networks are also an essential service.

Whether it be wireline, mobile telephone, Internet, radio or television, communication services play a key role in facilitating recovery. In some cases it can be the difference between life and death. By defining these types of providers as essential, telecommunication companies will be granted the access and resources needed to get their networks back online.

The bill would also require the FCC to conduct a study on the feasibility and benefits of making WiFi access points available to the general public to access 911 services during times of emergency.

I would also like to recognize that the original version of this bill included a number of wireless provisions designed to increase preparedness. These provisions were removed, however, because the five largest wireless carriers voluntarily adopted these provisions.

H.R. 588, in its current form, combined with the voluntary framework established by the wireless carriers, leaves us with a strong, bipartisan bill that will improve the resiliency of our Nation’s communications infrastructure to avoid a recurrence of the widespread and extended service outages, as experienced in the aftermath of Superstorm Sandy.

I thank our colleagues from the Committee on Transportation and Infrastructure for working with us on this bill, and I urge the support of my colleagues for the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PALLONE), the primary sponsor of the bill, a friend and colleague, and the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, I thank the gentleman for yielding, and I would like to start today by congratulating him on taking the reins of the Subcommittee on Communications and Technology. That subcommittee is a critical part of the Energy and Commerce Committee and serves an important role for Congress as a whole. Congresswoman ESHOO left big shoes to fill, but I am confident that, with Ranking Member DOYLE and his long-time expertise in this area, the subcommittee is in capable hands.

I also thank our colleague from Tennessee, who is now the chairwoman of the subcommittee. The gentlewoman basically summarized what I was going to say about this bill, so I will try not to be too repetitive. But I do want to ask support for my bill, H.R. 588, the Securing Access to Networks in Disasters Act, or SANDy Act.

Superstorm Sandy had a traumatic effect on my district back in New Jersey, and we saw firsthand how critical communication networks can be damaged during emergencies. Broadcast and cable networks provide crucial information that helps us stay out of harm's way, and phone and Internet access makes sure we can call for help and keep track of our loved ones.

Unfortunately, when Sandy ripped through the Northeast, many of these networks went down when we needed them most. Across the region, nearly 1 in 4 cell towers were knocked out. But in some of the hardest-hit areas of New Jersey, as many as half of the towers were actually down. Many of them stayed down for weeks. That is why I have spent the past several years figuring out what went right and what went wrong.

Initially, I worked with the Nation's largest wireless carriers and the Federal Communications Commission to put together a voluntary resiliency framework. That framework, as Mrs. BLACKBURN mentioned, makes sure that if one cell network goes down, like AT&T did during Sandy in my district, its customers can access another network, like Verizon, that was still operational.

Everyone, I think, should be able to call for help as long as any signal is available.

Mr. Speaker, the voluntary resiliency framework will save lives during major emergencies in the future, and I would like to thank the wireless carriers and the FCC for working with me to craft that comprehensive agreement. Having these networks operational can mean the difference between life and death during an event like Superstorm Sandy.

The other major problem during Sandy was the inability of communications services to repair their equipment. The SANDy Act will recognize the critical role that wireline and mobile telephone, Internet, radio, and TV broadcast, cable and satellite services play during emergencies.

For example, "The RAT," which is a radio station at the Jersey Shore, switched from music to 24-hour news coverage right after Sandy, and that helped people to access vital services in the days after the storm.

These providers will receive, pursuant to the SANDy Act, priority access to otherwise restricted areas during emergencies like other utilities to help them repair and maintain their communications equipment during disasters.

The SANDy Act will begin a process to provide 911 services over Wi-Fi hotspots during emergencies.

Mr. Speaker, this is truly a common-sense, bipartisan bill. It passed the House last Congress on a vote of 389-2. I urge all Members to support the bill.

I understand the bill has been scheduled for a markup in the Senate tomorrow. So, hopefully, once they do their work, we can get this bill to the President and signed into law.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have no more speakers, so I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, again, I thank Mr. PALLONE for his diligence in solving this problem not only for his constituents there in New Jersey after Superstorm Sandy, but many of my family were down in south Mississippi and we know what happened in Katrina with those in the Gulf region around New Orleans and over in south Mississippi and the loss of communications that were there.

This week we are seeing it in Mr. CARTER's district in Georgia, again, the impact that a storm has when people cannot reach their loved ones and when they cannot get in contact to let people know the services that they needed or the injury that they are experiencing. So we are fortunate to be able to bring this bill forward. We extend our condolences and concerns to Mr. CARTER for what is going on in his district.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER) to speak on the bill.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 588, the Securing Access to Networks in Disasters Act because it will help to strengthen and reinforce our networks during times of emergency.

Representing the entire coast of Georgia, I am no stranger at what a working network means for the coordination of rescue and recovery efforts. Hurricane Matthew made landfall and had a significant impact on multiple States along the Southeastern seaboard, including Georgia. I personally toured many of the hardest-hit areas in my district and I have seen devastation that natural disasters, such as hurricanes, can inflict on areas such as ours.

Of course, just this past weekend, Mr. Speaker, we witnessed tornadoes in south Georgia, tornadoes that brought about tremendous devastation and the loss of life.

However, our first responders and emergency specialists are there to heed the call and assist in helping people who are most in need.

Ranking Member PALLONE's legislation would direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency and distress. Under this bill, the study done by the FCC

would be made publicly available on their Web site and would include public safety benefits and the costs of implementing new alternatives that will aid in contacting and coordinating emergency services during those difficult times.

I urge my friends and colleagues to support this legislation because I have seen firsthand not only what disasters can do to an area, but the importance of our emergency services in having the networks and communication means to coordinate relief.

Strengthening our network resiliency is a benefit to everyone across our great country.

□ 1645

Mrs. BLACKBURN. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 588, "Securing Access to Networks in Disaster Act", which requires the Federal Communications Commission to submit to Congress and publish on the FCC website a study on the: public safety benefits, technical feasibility, and cost of providing the public with access to 9-1-1 services during times of emergency when mobile service is unavailable.

As a senior member of the Homeland Security Committee, I am well aware of the importance of telephone service during disasters.

The Securing Access to Networks in Disasters (SANDy) Act seeks to ensure the resiliency of the nation's communications networks during emergencies.

Acquiring cellphone service during a massive natural or manmade disaster is often difficult, if not impossible, and this is why this piece of legislation is so essential.

During the September 11, 2001 terrorist attacks that destroyed the World Trade Center in New York City, cellphone service was severely disrupted, forcing many callers to repeatedly dial to get through to 9-1-1 emergency services.

On that day, some of the most tragic, heart wrenching calls came from those trapped in the Twin Towers.

It is not only during terrorist attacks that cellphone services are severely disrupted, but also natural disasters such as Hurricane Katrina, which claimed the lives of over 1,800 people.

The SANDy Act would ensure that during an emergency, consumers' cell phones work on other carriers' networks if a consumer's own network goes down.

H.R. 588 would give priority to calls to 9-1-1 services and emergency alerts.

It also would increase coordination between wireless carriers, utilities, and public safety officials by creating a directory of the contact information for relevant disaster response officials.

The bill would require the FCC to report to Congress regarding whether additional outage data should be provided in times of emergency.

In addition, the bill requires the FCC to report to Congress on the viability of providing 9-1-1 services over Wi-Fi hotspots during emergencies.

H.R. 588 would be of immense benefit to the 18th Congressional District and the greater Houston area.

On April 17–18, 2016, Houston experienced a historic flood event that claimed the lives of eight people; damaged over 1,150 households; disrupted hundreds of businesses; closed community centers, schools, and places of worship due to flood waters.

On April 25, President Obama granted the request for federal Individual Assistance for Harris County residences and business owners who were affected by severe weather and flooding.

Unfortunately, that was not the end of the story of flooding in Houston for 2016—in early June another record setting rainfall led to catastrophic flooding throughout the Houston area.

I am grateful to President Obama and the great work of those at the Department of Homeland Security who worked tirelessly to help people after both 2016 flood events.

I spoke on the House Floor several times about the floods and the suffering caused by the waters that came through our communities—damaging homes, our schools, places of business, and our places of worship.

The flooding problems in the Houston area are frequent, widespread, and severe, with projects to reduce flood risks in place that are valued at several billion dollars.

In 2015, the Houston and surrounding area experienced widespread historic flooding.

The importance of being able to contact emergency responders in the case of natural disasters is critical in order to save the lives of those directly affected by such events.

The SANDy Act would provide telecommunication access to victims of natural and man-made disasters.

The SANDy Act amends the Stafford Act to ensure that all communications providers:

1. Have the ability to access relevant disaster stricken areas during emergencies to restore service; and

2. Are included in the universal credentialing program for essential service providers.

The SANDy Act would recognize the critical role that all communications providers—broadcasters, cable, and telecommunications—serve in emergencies, but most notably, the bill would ensure consumers have access to wireless service even if their cellphone service provider's wireless network goes down.

I urge my colleagues to join me in supporting H.R. 588, the "Securing Access to Networks in Disaster Act."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill, H.R. 588.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMATEUR RADIO PARITY ACT OF 2017

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 555) to direct the Federal Com-

munications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 555

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Amateur Radio Parity Act of 2017".

SEC. 2. FINDINGS.

Congress finds the following:

- (1) More than 730,000 radio amateurs in the United States are licensed by the Federal Communications Commission in the amateur radio services.

- (2) Amateur radio, at no cost to taxpayers, provides a fertile ground for technical self-training in modern telecommunications, electronics technology, and emergency communications techniques and protocols.

- (3) There is a strong Federal interest in the effective performance of amateur stations established at the residences of licensees. Such stations have been shown to be frequently and increasingly precluded by unreasonable private land use restrictions, including restrictive covenants.

- (4) Federal Communications Commission regulations have for three decades prohibited the application to stations in the amateur service of State and local regulations that preclude or fail to reasonably accommodate amateur service communications, or that do not constitute the minimum practicable regulation to accomplish a legitimate State or local purpose. Commission policy has been and is to require States and localities to permit erection of a station antenna structure at heights and dimensions sufficient to accommodate amateur service communications.

- (5) The Commission has sought guidance and direction from Congress with respect to the application of the Commission's limited preemption policy regarding amateur service communications to private land use restrictions, including restrictive covenants.

- (6) There are aesthetic and common property considerations that are uniquely applicable to private land use regulations and the community associations obligated to enforce covenants, conditions, and restrictions in deed-restricted communities. These considerations are dissimilar to those applicable to State law and local ordinances regulating the same residential amateur radio facilities.

- (7) In recognition of these considerations, a separate Federal policy than exists at section 97.15(b) of title 47, Code of Federal Regulations, is warranted concerning amateur service communications in deed-restricted communities.

- (8) Community associations should fairly administer private land use regulations in the interest of their communities, while nevertheless permitting the installation and maintenance of effective outdoor amateur radio antennas. There exist antenna designs and installations that can be consistent with the aesthetics and physical characteristics of land and structures in community associations while accommodating communications in the amateur radio services.

SEC. 3. APPLICATION OF PRIVATE LAND USE RESTRICTIONS TO AMATEUR STATIONS.

(a) AMENDMENT OF FCC RULES.—Not later than 120 days after the date of the enactment

of this Act, the Federal Communications Commission shall amend section 97.15 of title 47, Code of Federal Regulations, by adding a new paragraph that prohibits the application to amateur stations of any private land use restriction, including a restrictive covenant, that—

- (1) on its face or as applied, precludes communications in an amateur radio service;

- (2) fails to permit a licensee in an amateur radio service to install and maintain an effective outdoor antenna on property under the exclusive use or control of the licensee; or

- (3) does not constitute the minimum practicable restriction on such communications to accomplish the lawful purposes of a community association seeking to enforce such restriction.

(b) ADDITIONAL REQUIREMENTS.—In amending its rules as required by subsection (a), the Commission shall—

- (1) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna;

- (2) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and

- (3) subject to the standards specified in paragraphs (1) and (2) of subsection (a), permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor antennas and support structures for the purpose of conducting communications in the amateur radio services.

SEC. 4. AFFIRMATION OF LIMITED PREEMPTION OF STATE AND LOCAL LAND USE REGULATION.

The Federal Communications Commission may not change section 97.15(b) of title 47, Code of Federal Regulations, which shall remain applicable to State and local land use regulation of amateur service communications.

SEC. 5. DEFINITIONS.

In this Act:

(1) COMMUNITY ASSOCIATION.—The term "community association" means any non-profit mandatory membership organization composed of owners of real estate described in a declaration of covenants or created pursuant to a covenant or other applicable law with respect to which a person, by virtue of the person's ownership of or interest in a unit or parcel, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvement, services, or other expenses related to common elements, other units, or any other real estate other than the unit or parcel described in the declaration.

(2) TERMS DEFINED IN REGULATIONS.—The terms "amateur radio services", "amateur service", and "amateur station" have the meanings given such terms in section 97.3 of title 47, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentleman from Pennsylvania (MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, amateur radio, also known as ham radio, is a fun hobby for enthusiasts who use it to communicate with people around the world while teaching themselves the basics of communications technology. But more importantly, amateur radio operators utilize their skills to provide essential communication services to first responders when the conventional networks go down in times of emergency.

In order to be eligible to operate an amateur radio station, individuals must obtain a license from the FCC and comply with the FCC's rules. One such requirement is that individuals must own and install the equipment needed to operate a station. This includes a transceiver, transmission lines, and an antenna. Currently, there are more than 730,000 amateur radio operators licensed in the United States, including a number of active clubs in New Jersey, the State I represent in the House.

Because communications equipment provides a societal benefit and is a critical part of our Nation's infrastructure, the FCC prohibits land use restrictions imposed by governments or homeowners' associations on certain communications equipment. However, these protections do not extend to amateur radio equipment.

Roughly 90 percent of new housing in the United States is subject to deed restrictions, homeowners' associations, and other land use limitations. This is increasingly making the installation of amateur radio equipment more challenging.

Amateur radio operators have a history and tradition of being ready, willing, and able to lend their services during times of emergencies at no cost to taxpayers. Due to the nature and structure of amateur radio, hams are able to link communications between first responders using their own networks and equipment.

The only necessity for amateur radio stations, however, is some form of outdoor antenna. For this group of unsung heroes with a long tradition of public service when it is needed most, Congress should help deter barriers to their operation. H.R. 555 would extend the FCC protections over limitations on communications equipment to include amateur radio equipment.

Now, while I have described the critical role that amateur radio plays during times of disaster, I also understand the concerns shared by homeowners' associations that this bill will expose

their neighborhoods to big towers and antennas. This bill recognizes that there needs to be a balance between the right of homeowners and their associations with the rights of amateur radio operators. That is why Mr. KINZINGER's bill passed without objection twice last Congress and enjoys the support of both the amateur radio community and the Community Associations Institute. I congratulate our distinguished colleague from Illinois on working with both sides on this critical issue.

Mr. Speaker, there was much discussion and hard work that went into this bill in order to strike the right balance between the rights of the amateur radio community and the concerns of homeowners' associations. Both sides were willing to compromise, and we are considering a good bill today because of that compromise. I hope all of our colleagues will support this bipartisan piece of legislation that I believe is critical to the safety of the American Nation.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 555, the Amateur Radio Parity Act. This is a bill that passed the House last Congress by voice vote after careful negotiations in the Subcommittee on Communications and Technology.

Amateur radio operators provide essential services in times of emergencies, and they shouldn't be prohibited from building their facilities. H.R. 555 will provide for new rules that will help these operators navigate homeowner association restrictions when they are attempting to build their stations.

The bill strikes the right balance to ensure that homeowner associations can impose reasonable regulations for amateur radio towers, but it would also make sure that amateur radio enthusiasts can continue to operate.

Again, this measure passed the House by voice vote last Congress, and I encourage Members to support it today.

Mr. Speaker, I reserve the balance of my time.

Mr. LANCE. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. KINZINGER), who is the sponsor of the bill.

Mr. KINZINGER. Mr. Speaker, I thank the gentleman from New Jersey for yielding. I also want to thank Chairman WALDEN and Congressman COURTNEY for working with me to introduce this legislation and bring it to the floor for debate today.

Additionally, I appreciate the willingness of the associations impacted by this legislation, both the CAI and the ARRL, for working with our offices last Congress in order to come to an agreement on where this legislation needs to be in order to move forward in a bipartisan and a positive manner.

The legislation before us today is the same legislative text as H.R. 1301, which was able to gather over 100 bipartisan cosponsors and passed the House by voice vote in the 114th Congress.

The intent of this legislation is to remedy current law which prohibits the use of any antenna for amateur radio operators in certain areas with no consideration for the emergency ramifications that come about as a result. For some, this is merely a nuisance, but for others—those who use their amateur radio licenses for emergency communications—a dangerous situation has been established by limiting the ability of hams to create effective communications for those in need.

For example, during times of emergency service, such as following a hurricane or a tornado, amateur radio operators are able to use their skills and equipment to create a network of communications that are utilized by first responders when other wired or wireless networks are taken down or are otherwise unavailable. This is a vital and lifesaving function.

Additionally, there are numerous hams that take their certifications even further by purchasing expensive equipment and going through extensive training to become part of MARS, the Military Auxiliary Radio System. I have personally used this system as a pilot in the military. What is amazing about MARS is that it gives our military members the ability to communicate both domestically and abroad when other systems are not available or are simply not able to establish communications the way that these hams are able to do.

MARS members are able to accomplish this not only due to their extensive training and knowledge, but due to their commitment to this program. MARS members must not only have access to expensive high-frequency radio equipment, but they must also file monthly reports and participate in a minimum of 12 hours of radio activity each quarter in order to stay in compliance with the requirements of this program. This is a great service provided by these individuals, and it is my hope that we can get even more amateur radio operators involved in the future with the passage of this bill.

Again, the purpose of this bipartisan legislation is to change current regulations hampering the ability of amateur radio operators to effectively communicate in certain areas, while respecting and maintaining the rights of local communities in which many of these hams reside. It is my hope that by passing this bipartisan legislation early in this session of Congress, that we will be able to get this legislation through the Senate and to the President's desk in short order.

Mr. Speaker, I urge support of this bill, and I thank all my friends who helped work with me on this.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. COURTNEY), in spite of the fact that the gentleman is a New England Patriots fan who showed no mercy to my Pittsburgh Steelers last night, to show there are no hard feelings.

Mr. COURTNEY. Mr. Speaker, I want to thank Mr. DOYLE for his generous yielding of time and the great work he does representing the great city of Pittsburgh, which has had many Super Bowl rings in the past and will again in the future no doubt.

Mr. Speaker, again, I rise in support of this measure. As Mr. KINZINGER indicated, this is the third try that we have pushed this bill on a bipartisan basis, and hopefully the third time will be the charm. It was introduced only 10 days ago, and the fact that, again, we are moving so quickly hopefully is going to send an encouraging signal that the Senate can really move forward and finish this very, I think, important and useful piece of legislation.

There are about 737,000 ham radio operators that have been licensed by the Federal Communications Commission across the country. As has been said, they provide a great backup for emergency services around the country. Again, in Connecticut, where we did get hit with Hurricanes Sandy and Irene in back-to-back years, the harm that was done to the wireless communications system as well as just the regular radio system really put the spotlight on the fact that ham radio operators were critical in terms of keeping police, fire, and small communities and State services in up-to-date, realtime communication regarding both weather conditions as well as public safety conditions. So the work that they perform is not just kind of a hobby; it really has great value to the country.

What I think this bill tries to address is that, in 1985, the FCC issued an order and ruling basically describing ham radio as critical to the Nation's information and communication infrastructure, and that reasonable accommodation should be made in terms of public entities like zoning boards and land use bodies. It did not extend, however, to private land use restrictions.

Since the 1980s, there probably hasn't been a deed signed in the country that hasn't had land use restrictions, and this bill really tries to, I think, adjust to that reality with the compromise language that has been put forward so that condominium associations and, again, neighborhood developments have to reasonably make sure that this network is going to be able to function.

The good news is that the technology has moved forward so well that the an-

tenna intrusion really is not what it used to be, that the equipment that they have is quite remarkable to see how strong their signals are and the reception is with, again, just really almost tiny antenna technology.

So, again, this legislation I think really updates the FCC's promotion of ham radio. Communities that are going to end up depending on it because of natural disaster and other emergency situations I think will benefit strongly. So again, I congratulate all the members of the Energy and Commerce Committee. I thank Mr. DOYLE again for generously yielding his time to me.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to add my voice of strong support for the Amateur Radio Parity Act of 2017. This important measure will affirm individual freedom and property rights and ensure every ham radio operator has the opportunity to enjoy their pastime regardless of the community in which they live.

H.R. 555 guarantees that all amateur radio operators living in deed-restricted communities have the right to construct and operate an effective outdoor antenna without burdensome restrictions being imposed by their respective homeowners' association.

Under the bill, HOAs would be required to allow ham radio use with the least practicable restrictions to preserve their aesthetic interests.

□ 1700

Across central Washington, many of my constituents are avid ham radio operators. I believe we should be encouraging this advocacy, which also serves as a useful tool for emergency communications and preparedness.

I was proud to cosponsor this legislation in the 114th Congress, and I commend the work of Chairman KINZINGER, Chairman WALDEN, and Mr. LANCE to bring this bill forward again.

I look forward to supporting this bill on the House floor later today, and remain hopeful that, in this new Congress, we can advance the Amateur Radio Parity Act to the President's desk, where it can be signed into law.

Mr. LANCE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 555.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

IMPROVING RURAL CALL QUALITY AND RELIABILITY ACT OF 2017

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 460) to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Rural Call Quality and Reliability Act of 2017".

SEC. 2. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

Part II of title II of the Communications Act of 1934 (47 U.S.C. 251 et seq.) is amended by adding at the end the following:

"SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

"(a) REGISTRATION AND COMPLIANCE BY INTERMEDIATE PROVIDERS.—An intermediate provider that offers or holds itself out as offering the capability to transmit covered voice communications from one destination to another and that charges any rate to any other entity (including an affiliated entity) for the transmission shall—

"(1) register with the Commission; and

"(2) comply with the service quality standards for such transmission to be established by the Commission under subsection (c)(1)(B).

"(b) REQUIRED USE OF REGISTERED INTERMEDIATE PROVIDERS.—A covered provider may not use an intermediate provider to transmit covered voice communications unless such intermediate provider is registered under subsection (a)(1).

"(c) COMMISSION RULES.—

"(1) IN GENERAL.—

"(A) REGISTRY.—Not later than 180 days after the date of enactment of this section, the Commission shall promulgate rules to establish a registry to record registrations under subsection (a)(1).

"(B) SERVICE QUALITY STANDARDS.—Not later than 1 year after the date of enactment of this section, the Commission shall promulgate rules to establish service quality standards for the transmission of covered voice communications by intermediate providers.

"(2) REQUIREMENTS.—In promulgating the rules required by paragraph (1), the Commission shall—

"(A) ensure the integrity of the transmission of covered voice communications to all customers in the United States; and

"(B) prevent unjust or unreasonable discrimination among areas of the United States in the delivery of covered voice communications.

"(d) PUBLIC AVAILABILITY OF REGISTRY.—The Commission shall make the registry established under subsection (c)(1)(A) publicly available on the website of the Commission.

"(e) SCOPE OF APPLICATION.—The requirements of this section shall apply regardless

of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect the regulatory classification of any communication or service.

“(g) **EFFECT ON OTHER LAWS.**—Nothing in this section shall be construed to preempt or expand the authority of a State public utility commission or other relevant State agency to collect data, or investigate and enforce State law and regulations, regarding the completion of intrastate voice communications, regardless of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(h) **EXCEPTION.**—The requirement under subsection (a)(2) to comply with the service quality standards established under subsection (c)(1)(B) shall not apply to a covered provider that—

“(1) on or before the date that is 1 year after the date of enactment of this section, has certified as a Safe Harbor provider under section 64.2107(a) of title 47, Code of Federal Regulations, or any successor regulation; and

“(2) continues to meet the requirements under such section 64.2107(a).

“(i) **DEFINITIONS.**—In this section:

“(1) **COVERED PROVIDER.**—The term ‘covered provider’ has the meaning given the term in section 64.2101 of title 47, Code of Federal Regulations, or any successor thereto.

“(2) **COVERED VOICE COMMUNICATION.**—The term ‘covered voice communication’ means a voice communication (including any related signaling information) that is generated—

“(A) from the placement of a call from a connection using a North American Numbering Plan resource or a call placed to a connection using such a numbering resource; and

“(B) through any service provided by a covered provider.

“(3) **INTERMEDIATE PROVIDER.**—The term ‘intermediate provider’ means any entity that—

“(A) enters into a business arrangement with a covered provider or other intermediate provider for the specific purpose of carrying, routing, or transmitting voice traffic that is generated from the placement of a call placed—

“(i) from an end user connection using a North American Numbering Plan resource; or

“(ii) to an end user connection using such a numbering resource; and

“(B) does not itself, either directly or in conjunction with an affiliate, serve as a covered provider in the context of originating or terminating a given call.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to re-

vide and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 460, the Improving Rural Call Quality and Reliability Act, a bill that earned unanimous support in the last Congress.

Consumers expect to be able to pick up the telephone and be connected with businesses, friends, and loved ones across the country. In today’s connected world, that should not be a tall request. Unfortunately, for many constituents across the country, particularly in rural areas, call quality and reliability are just not up to par compared to their urban counterparts.

This is due, partly, because of the call routing process where long distance and wireless providers use so-called least cost routers. These inexpensive third-party intermediate providers try to complete calls for the lowest possible price, without taking measures to ensure the call actually goes through.

I am sure that most of us have experienced the annoyance of at least one failed or dropped call. You make a call to someone and it rings over and over again but no one, not even the voicemail, picks up. Or, maybe you place a call, only to hear a prerecorded message telling you that the number you dialed is not in service, even though you know you have the right number. Even in cases where you are able to connect, the sound might be distorted or delayed.

For many constituents, this is more than just an annoyance. These missed connections have significant consequences.

Folks rely on the networks for more than just staying in touch with loved ones. Our constituents count on reliable networks to run their businesses and receive messages from our community institutions. A failed call can mean a lost sale for a small rural business. Another failed call might mean that a message from your child’s school or your medical provider goes undelivered. These are real and harmful impacts. This bill will address this situation through commonsense improvements.

For the most part, consumers are unaware of these intermediate providers, which has allowed them to be held unaccountable. H.R. 460 takes measured steps to bring these intermediate providers out from the shadows and into the light so that we can hold them accountable to the consuming public.

First, the bill requires intermediate providers to register with the FCC, and it prohibits carriers from using any

nonregistered provider. The bill also requires the FCC to establish a database and publish the list of registered providers on its Web site. Finally, the bill requires the FCC to establish quality standards for these intermediate providers, which will raise the bar for all of the providers who provide call routing services.

These straightforward measures are another step in our effort, on a bipartisan basis, to mitigate call completion and quality issues for the consuming public. This bill will build upon the work the FCC has done in recent years.

Our constituents in rural areas face significant challenges compared to their urban counterparts, but subpar call quality should not be one of them. By raising the bar, which this bill does, we will hold the bad actors to higher standards and allow consumers to benefit from the improved integrity of our networks.

Mr. Speaker, I yield back the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise to support H.R. 460, Improving Rural Call Quality and Reliability Act, the bipartisan bill introduced by Representative DAVID YOUNG and cosponsored by a number of other Members, including Representatives WELCH and LOEBSACK from the Energy and Commerce Committee.

We deal with a lot of high-tech and complicated issues on the Energy and Commerce Committee, but this bill aims to address the most basic function for a telephone system: making sure all Americans’ phone calls go through.

Many people take our modern communications tools for granted, but, in rural America, even the basic function of connecting a call is sometimes difficult. Consumers have been reporting to the FCC that calls in rural areas result in false busy signals, calls not arriving, or long pauses after dialing a number.

This isn’t just an important problem for rural Americans but also for people in all of our districts who want to reach loved ones across the country and can’t. This state of affairs is simply not acceptable. We need reliable telephone service to keep us connected.

Problems with call completion are often related to intermediate providers—the middlemen hired to route calls. This bill requires intermediate providers to register with the FCC and comply with service quality standards.

These commonsense steps should make it easier to figure out when providers are cutting corners or not doing their jobs. Ultimately, the bill puts consumers first by helping to make sure that we can stay connected to one another.

H.R. 460 is a bipartisan bill that passed on suspension last Congress, and

I urge my colleagues to support it today.

Mr. Speaker, I reserve the balance of my time.

Mr. LANCE. Mr. Speaker, I ask unanimous consent to reclaim the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. YOUNG), the distinguished sponsor of the legislation.

Mr. YOUNG of Iowa. Mr. Speaker, I rise in support of H.R. 460, the bipartisan Improving Rural Call Quality and Reliability Act, legislation I introduced with my colleague from Vermont, Congressman WELCH.

This bill helps fix the significant problems rural Iowans and other rural Americans face from dropped and poor quality calls. Reliable communication is critical for our constituents to live their lives, for our businesses to succeed, and for our communities to thrive. Yet, in rural States and areas across America, phone calls are not getting through or the connection and quality are poor.

Telephone companies often rely on intermediate providers, who are paid to route calls from larger networks to local service providers. Much of the time, this is to mixed results.

There simply is no excuse for these intermediate providers to not fulfill their contracts and leave our rural constituents with unreliable communication service. Dropped, looped, or poor quality calls hurt rural America's quality of life, impacting our small businesses, farmers, consumers, and our families who are in need of emergency assistance and public services. It also gives unfair blame to our essential local service providers when they are not the problem, they are the solution.

A family in rural America should not be disadvantaged because of where they live. Iowa businesses should have the same communication access to conduct daily businesses as those in urban areas.

Improving rural call completion rates and quality are important to ensuring the survival of small towns and granting Americans the choice to live and thrive in whatever community is best for them and their family, rural, urban, or anywhere in between.

Our bill will help address this problem by requiring providers to register with the FCC in order to meet quality standards and ensure reliable phone service in rural areas. It also prohibits providers from using intermediary routing services not registered with the FCC.

I want to personally thank Chairman BLACKBURN and Ranking Member PAL-LONE for their attention to this important issue, as well as my partner in

this, Congressman WELCH, for the opportunity to get this bill passed. This bill did pass the House in the 114th Congress, and I am hopeful we can get the partnership we need from the Senate to get this to the finish line. Rural Americans deserve it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield such time as he may consume to the gentleman from Vermont (Mr. WELCH), a distinguished colleague on the Energy and Commerce Committee.

Mr. WELCH. Mr. Speaker, I thank Mr. YOUNG for being a great partner in the presentation of this bill. Many of us worked together on rural telecommunications issues, from getting broadband to all Vermonters and folks in rural parts of your districts to improving our wireless infrastructure to ensuring we have adequate choice and competition in cable markets. That is because it is our desire, and mine especially, to ensure that rural America has comparable telecom services to urban and suburban America, just as the 1996 Telecommunications Act requires. Making that happen requires constant effort and focus.

We often focus on rural broadband accessibility and affordability so that the next generation of technological innovation does not skip rural America and leave it behind. The promise of innovation, like the Internet of things, should not be earmarked just for urban and suburban America, which is why it is backwards and unfortunate that we are still talking about finding ways to ensure that traditional landline telephone calls can be completed without interruption on a consistent basis, but that is exactly what this bill that I worked on with Representative YOUNG is getting at.

Our bill would require the FCC, the Federal Communications Commission, to establish rules that require third-party providers—or least cost routers, as they are called, which is the problem in the call chain—to register their companies, for the first time, with the FCC and, therefore, have to comply with FCC service quality regulations, just like other companies.

This legislation would make it easier for the FCC to hold accountable third-party providers. The FCC will finally know who they are and make them comply with those quality standards.

This is really important in rural areas because we have got companies that do business with urban America. In Vermont, Dakin Farm had rural call completion problems during their busiest times in 2012. That was the Thanksgiving to Christmas holiday period.

It really hurt their bottom line. It put them at a competitive disadvantage. When people call in and the call is dropped, they think it is bad service from Dakin Farm or the company that they are calling, when it is not. Those folks have to then deal with the reputational harm that is caused.

It is important in rural school districts like Camels Hump in Vermont that rely on these calls when there is a snowstorm or ice storm—and there is one coming tonight—to check whether, in fact, they have got to get their kids to school or not. So it is a big deal when they need it.

I appreciate, by the way, the work that Representative YOUNG has done on this. I look forward to this bill passing both Chambers and being signed into law so we can, hopefully, make rural call completion issues a thing of the past.

□ 1715

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have no other speakers.

I yield back the balance of my time. Mr. LANCE. Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 460, the "Improving Rural Call Quality and Reliability Act of 2017", which amends the Communications Act of 1934 to require voice communications that charge users to register with the FCC, and comply with service quality standards to be established by the FCC.

The bill, should it become law, prohibits long-distance providers from using an internet provider to transmit voice communications and signals unless the intermediate provider is registered.

H.R. 460 would require the FCC to:

1. Ensure the integrity of voice communications to all customers in the United States,
2. Prevent unjust or unreasonable discrimination across areas of the United States in the delivery of voice communications; and
3. Make a registry of intermediate providers publicly available on the FCC website.

H.R. 460, the Improving Rural Call Quality and Reliability Act of 2016, would seek to ensure that calls to Americans living in the rural areas of our country actually make it through to the intended receiver.

Making sure a call goes through, regardless of where it is being made, is fundamental to our communications system.

H.R. 460 would require the Federal Communications Commission (FCC) to establish basic quality standards for providers that transmit voice calls to consumers, among other things.

The Senate Commerce Committee adopted an amendment in the nature of a substitute (AINS) that made the following changes:

1. Extends deadlines for service quality standards for intermediate providers from 180 days to one year,
2. Exempts intermediate providers that have been certified as a safe harbor provider; and
3. Amends the definition of intermediate provider.

I urge my colleagues to join me in supporting H.R. 460, the "Improving Rural Call Quality and Reliability Act of 2017."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 460.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING ACT OF 2017

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 599) to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Communications Commission Consolidated Reporting Act of 2017”.

SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.

Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

“SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.

“(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the communications marketplace.

“(b) CONTENTS.—Each report required by subsection (a) shall—

“(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

“(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment, including whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion;

“(3) assess whether laws, regulations, or regulatory practices (whether those of the Federal Government, States, political subdivisions of States, Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or foreign governments) pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services;

“(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3); and

“(5) describe the actions that the Commission has taken in pursuit of the agenda described pursuant to paragraph (4) in the previous report submitted under this section.

“(c) EXTENSION.—If the President designates a Commissioner as Chairman of the Commission during the last quarter of an even-numbered year, the portion of the report required by subsection (b)(4) may be published on the website of the Commission and submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate as an addendum during the first quarter of the following odd-numbered year.

“(d) SPECIAL REQUIREMENTS.—

“(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

“(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall compile a list of geographical areas that are not served by any provider of advanced telecommunications capability.

“(3) INTERNATIONAL COMPARISONS AND DEMOGRAPHIC INFORMATION.—The Commission may use readily available data to draw appropriate comparisons between the United States communications marketplace and the international communications marketplace and to correlate its assessments with demographic information.

“(4) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and regulatory barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).

“(5) CONSIDERING CABLE RATES.—In assessing the state of competition under subsection (b)(1), the Commission shall include in each report required by subsection (a) the aggregate average total amount paid by cable systems in compensation under section 325 during the period covered by such report.”.

SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e; 114 Stat. 57) is repealed.

(b) SATELLITE COMPETITION REPORT.—Section 4 of Public Law 109–34 (47 U.S.C. 703) is repealed.

(c) INTERNATIONAL BROADBAND DATA REPORT.—Section 103 of the Broadband Data Improvement Act (47 U.S.C. 1303) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively.

(d) STATUS OF COMPETITION IN THE MARKET FOR THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—

(1) IN GENERAL.—Section 623 of the Communications Act of 1934 (47 U.S.C. 543) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENT.—Section 613(a)(3) of the Communications Act of 1934 (47 U.S.C. 533(a)(3)) is amended by striking “623(1)” and inserting “623(k)”.

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (c).

(g) SECTION 706 REPORT.—Section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302) is amended—

(1) by amending subsection (b) to read as follows:

“(b) DETERMINATION.—If the Commission determines in its report under section 13 of the Communications Act of 1934, after considering the availability of advanced telecommunications capability to all Americans (including, in particular, elementary and secondary schools and classrooms), that advanced telecommunications capability is not being deployed to all Americans in a reasonable and timely fashion, the Commission shall take immediate action to accelerate deployment of such capability by removing barriers to infrastructure investment and by promoting competition in the telecommunications market.”;

(2) by striking subsection (c);

(3) in subsection (d), by striking “this subsection” and inserting “this section”; and

(4) by redesignating subsection (d) as subsection (c).

(h) STATE OF COMPETITIVE MARKET CONDITIONS WITH RESPECT TO COMMERCIAL MOBILE RADIO SERVICES.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

(1) IN GENERAL.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENTS.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 9(i), by striking “In the Commission’s annual report, the Commission shall prepare an analysis of its progress in developing such systems and” and inserting “The Commission”; and

(B) in section 309(j)(8)(B), by striking the last sentence.

(j) ADDITIONAL OUTDATED REPORTS.—The Communications Act of 1934 is further amended—

(1) in section 4—

(A) in subsection (b)(2)(B)(ii), by striking “and shall furnish notice of such action” and all that follows through “subject of the waiver”; and

(B) in subsection (g), by striking paragraph (2);

(2) in section 215—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b);

(3) in section 227(e), by striking paragraph (4);

(4) in section 309(j)—

(A) by striking paragraph (12); and
(B) in paragraph (15)(C), by striking clause (iv);

(5) in section 331(b), by striking the last sentence;

(6) in section 336(e), by amending paragraph (4) to read as follows:

“(4) REPORT.—The Commission shall annually advise the Congress on the amounts collected pursuant to the program required by this subsection.”;

(7) in section 339(c), by striking paragraph (1);

(8) in section 396—

(A) by striking subsection (i);

(B) in subsection (k)—

(i) in paragraph (1), by striking subparagraph (F); and

(ii) in paragraph (3)(B)(iii), by striking subclause (V);

(C) in subsection (l)(1)(B), by striking “shall be included” and all that follows through “The audit report”;

(D) by striking subsection (m);

(9) in section 398(b)(4), by striking the third sentence;

(10) in section 624A(b)(1)—

(A) by striking “REPORT; REGULATIONS” and inserting “REGULATIONS”;

(B) by striking “Within 1 year after” and all that follows through “on means of assuring” and inserting “The Commission shall issue such regulations as are necessary to assure”; and

(C) by striking “Within 180 days after” and all that follows through “to assure such compatibility.”; and

(11) in section 713, by striking subsection (a).

SEC. 4. EFFECT ON AUTHORITY.

Nothing in this Act or the amendments made by this Act shall be construed to expand or contract the authority of the Federal Communications Commission.

SEC. 5. OTHER REPORTS.

Nothing in this Act or the amendments made by this Act shall be construed to prohibit or otherwise prevent the Federal Communications Commission from producing any additional reports otherwise within the authority of the Commission.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip of the House.

Mr. SCALISE. Mr. Speaker, I thank the gentleman from New Jersey for yielding and for managing the time here.

I bring forward this FCC Consolidated Reporting Act because this is a

bill that focuses on streamlining government. It focuses on really establishing and identifying areas where we need to improve competition in the telecommunications marketplace and make recommendations to Congress that can help us make better policy for the country. At the same time, we are eliminating a lot of unnecessary reports that are currently burdening not only the people who are out there creating jobs but also the FCC by having eight different reports that are required annually to be filed and to be evaluated by the FCC at disparate times throughout the year, to consolidate all that into one report, one report that focuses on the entire telecommunications marketplace on a biennial basis. That report would come in at the end of the 2-year period so that each new Congress would be presented with very relevant and much more timely information that would help each Congress evaluate if changes and reforms need to be made to the law.

What laws am I talking about, Mr. Speaker? I am talking about in the current marketplace some of these various disparate reports where you might have throughout the year a requirement where a report has to look just at the satellite industry or a report looks just at the cable industry or a report looks just at the landline industry. Mr. Speaker, as we know, all of these industries now compete against each other, and whether you are getting your telecommunications data at home, through a cable, through fiber, through satellite, on your mobile device, it is all ultimately the same content that people are consuming, and all of these companies are competing against each other.

It is not like in the old days where you just had telephone lines and the telephone companies would compete against each other, and then cable companies would compete against each other. Now it is a consolidated marketplace, and it is time that we get all these disparate reports that are outdated and bring them all into one place.

When you look at what this means, they say time is money, and so when all of these reports are required by Federal law, where all of these different entities have to put together reports and a lot of times create documents, paperwork that is unnecessary, that is outdated, that doesn't really reflect what is happening in the marketplace, that is time that they can better spend creating jobs, Mr. Speaker. It is time they can better spend reinvesting so that we can have better broadband as consumers, families across the country that use all of this great telecommunications infrastructure. Let's focus more on competing and creating a better marketplace.

Something else this bill does is get rid of some outdated laws, Mr. Speak-

er. Do you know there is still a requirement in Federal law, that we get rid of in this bill, that there is a requirement every year that there has to be a telegraph report that studies competition in the telegraph industry. Mr. Speaker, this might have been useful back in 1934 when Congress mandated it. You can go back to the 1830s when Samuel Morse invented the telegraph, but we don't really need to be spending time and legal requirements that there be a report filed annually on competition in the telegraph industry. We get rid of that in this bill.

So often we hear from people around the country, when Congress is contemplating new laws, when are they going to get rid of some of the old laws that are unnecessary on the books? We actually do that in this bill. This has bipartisan support. It is a commonsense piece of legislation that actually streamlines government and focuses on helping increase competition for families across this country.

I urge adoption of this piece of legislation.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 599, the FCC Consolidated Reporting Act. This bill passed the House last Congress with unanimous support after careful negotiations that resulted in a bipartisan agreement. The FCC oversees a wide range of industries that drive economic growth in the Nation. These industries connect businesses to markets large and small, but, most importantly, they deliver innovative new products and services to consumers.

Democrats and Republicans agree that the FCC needs to collect good data to inform the public about these dynamic markets. Good data is important for Congress to have as well so that we can make good policy decisions and conduct oversight of the FCC. At the same time, we have worked to ensure this effort to promote efficiency does not undermine important existing FCC obligations and authorities.

Again, this bill is one I think that all Members can support. I urge its passage today.

Mr. Speaker, I have no other speakers on my side, so I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill is an important step toward modernizing the Federal Communications Commission. The FCC has served Americans since 1934, and over the past more than 80 years, this agency has been responsible for overseeing the evolving telecommunications sector, with collecting information and analyzing the state of competition, and the impact of these changes on consumers.

As society has moved from one technology to the next, the FCC has been

asked to keep up with the changing technologies, and Congress has directed the Commission with reviewing data and reporting on everything from the telegraph, as Mr. SCALISE has indicated, and the AM radio to online video distributions like Hulu and Netflix. This bill will eliminate reports that are no longer necessary and waste time and resources on issues that are no longer critical to consumers.

The bill also recognizes that technology continues to progress and consumers are no longer served by separate voice, data, or video networks. Rather, providers are leveraging the same IP network to provide multiple services over the same network. Providers that were solely video providers now offer voice and data. Companies that thought of themselves as telephone providers are also offering video and broadband services. The game has changed, and we believe that the FCC should change its reporting to reflect the new reality.

This bill consolidates multiple annual or biennial reports that require the agency to evaluate competition in different sectors. We will no longer require a separate mobile wireless or a separate video competition report. Rather, the bill requires the Commission to evaluate the state of competition across multiple tech industries in a single biennial report on competition in the communications marketplace. Our policymakers should be looking at the world as it is, not the world that once existed.

I thank the majority whip for his leadership in sponsoring this bill. He has always shown a keen interest in modernizing the communications marketplace, and I welcome his continued engagement over the 115th Congress, where he serves with such distinction as our whip.

I also thank the gentlewoman from California (Ms. ESHOO), the former ranking member, for her work in ensuring that this bill is bipartisan in nature and is successful. I certainly thank Mr. DOYLE for his leadership as well.

I urge my colleagues to vote for this bill. I look forward to more bipartisan work on this and other issues in this Congress. I am hopeful that this bill will reach our new President's desk as soon as possible.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 599.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

KARI'S LAW ACT OF 2017

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 582) to amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kari's Law Act of 2017".

SEC. 2. CONFIGURATION OF MULTI-LINE TELEPHONE SYSTEMS FOR DIRECT DIALING OF 9-1-1.

(a) IN GENERAL.—Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding at the end the following:

"SEC. 721. CONFIGURATION OF MULTI-LINE TELEPHONE SYSTEMS FOR DIRECT DIALING OF 9-1-1.

"(a) SYSTEM MANUFACTURE, IMPORTATION, SALE, AND LEASE.—A person engaged in the business of manufacturing, importing, selling, or leasing multi-line telephone systems may not manufacture or import for use in the United States, or sell or lease or offer to sell or lease in the United States, a multi-line telephone system, unless such system is pre-configured such that, when properly installed in accordance with subsection (b), a user may directly initiate a call to 9-1-1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit '9', regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

"(b) SYSTEM INSTALLATION, MANAGEMENT, AND OPERATION.—A person engaged in the business of installing, managing, or operating multi-line telephone systems may not install, manage, or operate for use in the United States such a system, unless such system is configured such that a user may directly initiate a call to 9-1-1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit '9', regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

"(c) ON-SITE NOTIFICATION.—A person engaged in the business of installing, managing, or operating multi-line telephone systems shall, in installing, managing, or operating such a system for use in the United States, configure the system to provide a notification to a central location at the facility where the system is installed or to another person or organization regardless of location, if the system is able to be configured to provide the notification without an improvement to the hardware or software of the system.

"(d) EFFECT ON STATE LAW.—Nothing in this section is intended to alter the authority of State commissions or other State or local agencies with jurisdiction over emergency communications, if the exercise of such authority is not inconsistent with this Act.

"(e) ENFORCEMENT.—This section shall be enforced under title V, except that section 501 applies only to the extent that such section provides for the punishment of a fine.

"(f) MULTI-LINE TELEPHONE SYSTEM DEFINED.—In this section, the term 'multi-line telephone system' has the meaning given such term in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471)."

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), section 721 of the Communications Act of 1934, as added by subsection (a) of this section, shall apply beginning on the date that is 2 years after the date of the enactment of this Act.

(2) EXCEPTION.—Subsection (b) or (c) of such section 721 shall not apply to a multi-line telephone system that was installed before the date that is 2 years after the date of the enactment of this Act if such system is not able to be configured to meet the requirement of such subsection (b) or (c), respectively, without an improvement to the hardware or software of the system.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

At our subcommittee hearing last April, we heard the very moving testimony of Mr. Hank Hunt. Hank told us the story of how his daughter Kari was brutally murdered in a Texas motel bathroom in December 2013. As emotional as his story was, Hank continued with the gut wrenching details of how Kari's daughter frantically tried and failed to reach first responders.

The little girl had done as she was always taught, dial 911 for help. Tragically, as it turns out, that was her mistake. Due to the configuration of the phone installed in the motel room, she needed to dial 9 before dialing an outside number. Time after time she tried, but the call never went through. The first responders who could have attempted to save Kari's life were not reached in time.

Mr. Speaker, I rise today in support of this commonsense bill that has the ability to save lives. Unfortunately, it cost the life of Kari Hunt before the call for action was recognized.

Multiline telephone systems, like the one in that Texas motel room, are everywhere. Many businesses, including hotels, offices, and schools, use MLTS at their facilities across the country. They serve a very practical purpose and make connecting to other onsite users much easier. Unfortunately,

many of these phones do not preset with the ability directly to dial 911.

It may be routine for someone who works in an office to know to dial 9 before dialing out, but would the instinct seem so natural during an emergency? Incidentally, I have telephones in offices here and in several district locations in New Jersey, and in some of those offices you dial 9 and in some you don't.

Moreover, our children should not have to be taught that sometimes they need to dial an extra number. 911 should mean 911. Those three numbers are one of the earliest things many parents teach their children. Kari's Law would require multiline telephone systems to be configured with the ability directly to dial 911 without any additional prefix.

□ 1730

The law would also require that multiline phone systems be configured to notify a central location within the system's facility when someone initiates a call to 911. This provision will help ensure first responders have the information needed to better locate and assist the caller.

There are some businesses, including a number of hotel chains, who have shown initiative and applied these changes in their facilities already. I commend them, but there is more work to be done. These simple fixes should be adopted and implemented nationwide. When dialing to reach emergency responders, it needs to go through, period.

I thank Hank Hunt, Kari's father, who has been a tireless advocate for this legislation. He has brought this important issue to our attention. Kari's Law passed without objection twice last Congress, and I urge all of my colleagues to support Representative GOHMERT's bill once again. Representative GOHMERT has certainly taken the lead on this across the United States. He is an angel of mercy in this regard. I hope this legislation becomes law this year and will be signed into law by our new President because I think it is critical for the safety of the American people.

Mr. Speaker, I reserve the balance of my time.

H.R. 582 KARI'S LAW ACT OF 2017

BACKGROUND AND NEED FOR LEGISLATION

Multi-Line Telephone Systems (MLTS) serve multiple telephone users at a single site, often an office building, hotel, university campus, or similar location. One common feature of MLTS is the configuration that permits shorter dialing sequences within the system by requiring a user to dial a digit or prefix to reach a number outside of the system—that is, dial "9" before reaching an outside line. Thus, on some MLTS a user may have to dial the prefix when attempting to make an emergency call. In December 2013, Kari Hunt was killed by her estranged husband in a motel room in Texas. Her daughter repeatedly attempted to dial 9-1-1

from the motel room, but was unable to reach emergency responders because the motel's MLTS required users to dial "9" to reach an outside line.

Kari's Law seeks to ensure that this situation does not result in confusion in the heat of an emergency, preventing others from accessing essential emergency services from an MLTS phone. While many hotels and office buildings have begun to make this change to their systems, this bill would make it a universal requirement. H.R. 582 requires that all MLTS have a default configuration that allows users to directly dial 9-1-1, without the need for any additional digit or prefix, from any phone with dialing facilities. In addition, the system must also be configured to notify a designated central point of contact when someone initiates a call to 9-1-1 using the system. By notifying a central point of contact, emergency responders are better able to access, locate, and assist a caller who initiates a 9-1-1 call within the MLTS.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 provides that the Act may be cited as the "Kari's Law Act of 2017."

Section 2. Configuration of multi-line telephone systems for direct dialing of 9-1-1

Section 2(a) adds a new Section 721 to the Communications Act of 1934, as amended.

New Section 721(a) requires that any person manufacturing, selling, importing, or leasing multi-line telephone systems only do so if the system is pre-configured in a way that a user may directly initiate a call to 9-1-1 without dialing any additional digits or prefixes. This section applies to any system that is sold, leased, offered, or imported for use in the United States after the effective date. This includes systems that have call control located outside of the U.S., but have terminals or end points in the U.S. While systems are required to be pre-configured with the default dialing pattern described in this section, it does not preclude the inclusion of additional optional dialing patterns to reach 9-1-1 (e.g. (9)9-1-1). However, if the system is configured with these additional dialing patterns, they must be in addition to the default pattern.

New Section 721(b) requires that any person who installs, operates, or manages a MLTS only do so if the system is configured such that a user may directly initiate a call to 9-1-1 without any additional digit or prefix. This section also applies to systems installed, managed, or operated for use in the United States.

New Section 721(c) requires that systems be configured to provide a notification to either a central location at the facility where the system is located, or to a contact person or organization regardless of location. This section is intended to assist first responders in their emergency response by providing access and information needed to locate the caller. This can be particularly important in large buildings like hotels, hospitals, and schools, where on-site personnel are uniquely suited to provide information about the building and its occupants. This provision requires the system to designate a central point of contact, but allows the MLTS owner or operator some flexibility in determining the most appropriate contact, whether in the building or otherwise.

This subsection only applies to systems where the configuration is achievable without an improvement to the hardware or software of the system. The Committee intends this provision to include upgrades to the core systems of a MLTS, but not the addi-

tion of additional extensions or lines. The Committee also intends this provision to apply to substantial upgrades to the software, particularly those requiring a significant purchase. Minor software upgrades that are easily achieved or are made to improve the security of the system would not be considered an "improvement" for the purposes of this section. The legislation seeks to balance the need for an onsite notification with the goal of not placing an undue burden on MLTS owners or operators.

New Section 721(d) clarifies that this legislation does not alter the authority of state or local agencies with jurisdiction over emergency communications, as long as that authority isn't exercised in a manner inconsistent with this legislation.

New Section 721(e) allows for enforcement under Title V of the Communications Act, but only to the extent that the section allows for the imposition of a fine.

New Section 721(f) defines multi-line telephone system by crossreferencing the definition in Section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012.

Section 2(b) sets an effective date for the changes at two years after the date of enactment of the Act.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in general support of H.R. 582. The primary sponsor is Representative GOHMERT.

This is a bill that passed the House last Congress by voice vote.

I agree that we must do all we can to make sure that consumers using multiline telephone systems can directly dial 911 without having to dial additional digits first. These are in many large office buildings and hotels. Many of these systems require consumers to dial an extra 9 before they get a dial tone. You have to hit 9 before you get your dial tone to get an outside line. Most of us know that, but too many people do not realize that this applies to 911. If you don't dial 9 first, you can't reach the emergency services.

Such a requirement led to a tragedy in Texas several years ago. Kari Dunn was killed while her 9-year-old daughter tried to call for help. She did what she was taught to do in an emergency. She dialed 911. But because the system she was using required her to dial a 9 first, she only heard silence on the other end of the line.

Building on the Herculean effort of Kari Dunn's family, we are one step closer to fixing this problem once and for all. H.R. 582 is an important step to making our systems work better in an emergency. But for all the good this bill does, it still leaves work to be done.

Specifically, these multiline systems still often fail to deliver accurate location information to first responders. That means that if somebody called 911 from this very building, for instance, precious minutes would tick by as emergency personnel struggle to figure out where the call came from in this enormous complex. That delay could be the difference between life and death.

We have to correct this problem, too, because making sure the call goes through is only helpful if the public safety officials can find the caller. Democrats tried to include such a provision in the version of this bill from last Congress, and at that time we received a commitment from Chairman WALDEN to work together on a separate bill to address this concern.

We were not able to solve this problem in the last Congress, and we expect that commitment will carry over to this Congress. I urge Members to support H.R. 582.

Mr. Speaker, I have no other speakers on this side, so I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Texas (Mr. GOHMERT), the sponsor of this legislation.

Mr. GOHMERT. Mr. Speaker, I am very grateful to Mr. LANCE for his great leadership on this issue. And I appreciate the comments of my friend across the aisle, Mr. DOYLE.

This did pass by voice vote.

One can't help but wonder: How many times has this played out that we don't know about? How many times has there been a child that tried to dial 911? How many times has a panicked adult dialed 911 not knowing?

And I was in a hotel the other day where you had to dial 7 to get out.

How many times has somebody been killed trying to dial 911?

We don't know. There is no way to know. But we do know that this is the right thing to do. And the only reason this came forward is after the tragic loss of Kari. Her death occurred over several minutes. Normally in a town like Marshall, especially in a town like that, the police are going to be there within a minute or two when something goes on this long. It was a beating; it was a stabbing; her daughter was trying to dial.

After Kari had left this world, her daughter was sitting in Hank Hunt's lap. She was crying saying: I did all I could. I kept dialing 911 and it wouldn't go through.

Hank was torn up about it and got to investigating. That is when this was brought to light. When Hank brought it to my attention, we got to investigating. And we do have limits here in Congress. We are not supposed to go meddling, according to the 10th Amendment, in State and local affairs; but this is a matter of interstate communications. This is a matter for the Congress. This goes across State lines constantly. It is in the public domain across the country. If we don't do it when it involves interstate commerce, then nobody else has the authority to go across State lines.

I also thank the FCC Commissioner Pai, who I understand will soon be the chairman, for all his efforts because he truly participated.

We found out that there is really no cost. If we pass this law such as it is, then the companies that produce these phones would just set the default position so that when someone dials 911, it goes straight to an emergency operator without having to dial a prefix, whether it is 7, 9, 3, whatever. So there is no cost in that. It is just telling them how to do the default.

What about existing lines?

And then we found from people that have installed these multiphone lines that, actually, if somebody calls and says, "Hey, we need to get our phone system reset so you can dial 911 and it goes straight through," everyone that we have talked to that was in that business said, "Oh, we will come make that switch for free."

So we knew we had a bill here, we had a law—it goes across party lines, it goes across bicameral lines—we had an opportunity to pass a bill.

I am grateful to Senator KLOBUCHAR in the Senate and all the bipartisan support there. As my friend, Mr. DOYLE, pointed out, there is another push. Let's identify exactly where someone is within that multiline system. That will cost money.

There are some that have said: Look, if there is somebody that is making a secret call, they don't want the bad guys figuring out where the call is coming from.

So there are other issues involved here, but we have a bill that will save lives and it is agreeable across the aisle. It passed this manner in the past Congress. It will pass this way again today. So I urge not only our friends here in the House, but also my friends in the Senate, please pass this bill that we all agree on, save lives, and then let's have a full and thorough debate on the part that will cost money. We have some mom and pop hotels that say: If you make us buy a new phone system, the one we have won't be able to identify which room is making the call. You make us add to that, we are already in trouble. We are barely getting by. Please don't add more costs to what we are struggling to pay as it is.

Let's have that debate in a separate bill. Go in and pass this noncontroversial one for Kari's sake and for the sake of all of those that would come into the same situation. Let's just pass this bill. Kari, as her father and her daughters have said, will then not have died for nothing. Her loss of life will save lives in the future.

Again, I thank my friend, Mr. LANCE. What a great American, the way he pursues matters of conscience. I appreciate again my friend across the aisle, Mr. DOYLE.

I urge passage of this bill now, today.

Mr. LANCE. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 582, the Kari's Law Act of

2017, which amends the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call 9-1-1 without dialing any additional digit, code, prefix, or post-fix.

As a senior member of the House Committees on Homeland Security and Judiciary, I am well aware of the importance of 9-1-1 services and some of the challenges of E-9-1-1 to ensure that those seeking emergency assistance receive the help they need.

H.R. 582 would create parity for landline "9-1-1 services" and smartphone E-9-1-1 services" so that emergency assistance request from either is treated the same.

The bill requires that those engaged in the manufacturing, importation, sale, and lease of telecommunication service or devices pre-configured technology to dial 9-1-1.

The goal of H.R. 582 is to ensure that all emergency calls regardless of the source are routed properly to emergency services.

Kari's Law is not intended to alter the authority of State commissions or other State or local agencies with jurisdiction over emergency communications.

The establishment of the Kari's Law Act acknowledges the importance of the configuration of multi-line telephones systems for direct dialing for 9-1-1.

Over the past two decades, the personal communications of Americans have changed.

The Wireless Association reported that the penetration of cellular devices surpassed 100 percent in 2012, and as of the latest 2014 report, penetration is now at 110 percent.

According to the Pew Research Center, 68 percent of U.S. adults have a smartphone, up from 35 percent in 2011, and tablet computer ownership has edged up to 45 percent among adults, according to newly released survey data from the Pew Research Center.

Smartphone ownership is nearing the saturation point with some groups: 86 percent of those ages 18 through 29 have a smartphone, as do 83 percent of those ages 30 through 49 and 87 percent of those living in households earning \$75,000 and up annually.

With so many mobile devices deployed the majority of calls to 911 emergency public safety answering points (PSAP) originate from them.

U.S. emergency dispatch agencies report that wireless callers are responsible for at least 80 percent of their emergency call volume.

For these reasons, I urge my colleagues to Support H.R. 582, Kari's Law Act of 2017.

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 582, Kari's Law Act of 2017.

H.R. 582 addresses a very serious problem. The bill requires Multi-Line Telephone Systems to provide direct dialing to 9-1-1. The bill is named after Kari Hunt who was tragically murdered by her estranged husband in a hotel room while her daughter tried to dial 9-1-1 but could not get help because the Multi-Line Telephone System required a prefix to be dialed first.

When we dial 9-1-1 from a hotel or office—when seconds matter—we shouldn't have to dial "9" or some other prefix to get help. I strongly support the overall goals of this bill which is identical to legislation passed by the

full House in the 114th Congress by voice vote.

I also think location accuracy for Multi-Line Telephone Systems is just as important. First responders have to know exactly where an individual is calling from, especially if the caller is unable to communicate to the dispatcher, or the caller simply doesn't know where they are. If first responders have to spend time searching buildings or going door to door, the time it takes to do this can be the difference between life and death.

During the subcommittee and full committee markups of this legislation in the last Congress, I offered an amendment to require a location accuracy proceeding at the Federal Communications Commission (FCC) within 180 days of enactment of the bill. Unfortunately, my Republican colleagues did not agree to accept my amendment and instead proposed language requiring the FCC to conduct a Notice of Inquiry (NOI) to solicit public comment on requiring location accuracy for Multi-Line Telephone Systems. I did not accept this proposal because I thought and still do, that an NOI does not move the ball forward. That view is shared by the FCC and the public safety community.

The FCC has studied location accuracy technology for Multi-Line Telephone Systems since 1994, and as recently as 2012, Congress directed the FCC to issue a Public Notice Seeking Comment on the feasibility of Multi-Line Telephone Systems to provide the precise location of a 9–1–1 caller. This was included in Section 6504(b) of the Middle Class Tax Relief and Job Creation Act of 2012 and was modeled on legislation I introduced with my colleague and fellow bipartisan Co-Chair of the NextGen 9–1–1 Caucus, Representative SHIMKUS, known as the Next Generation 911 Advancement Act of 2012.

Despite the extensive history surrounding location accuracy, the FCC has failed to take action to require this essential technology in Multi-Line Telephone Systems. Not doing so places lives at stake in my view.

Last Congress, I introduced H.R. 5236, the Requesting Emergency Services and Providing Origination Notification Systems Everywhere (RESPONSE) Act, which would require the Federal Communications Commission to complete a proceeding requiring all Multi-Line Telephone Systems to provide first responders with the precise location of a 9–1–1 caller. I intend to reintroduce the RESPONSE Act in this new Congress and I'm hopeful my colleagues will work with me to pass this important bill and build on the work of H.R. 582.

Although H.R. 582 does not address the critical issue of location accuracy, it is nonetheless a step in the right direction that will save lives and make progress. For these reasons I urge my colleagues to join me in supporting H.R. 582.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 582.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LANCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 41 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 423, by the yeas and nays;

H.R. 582, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

ANTI-SPOOFING ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 423) to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of misleading or inaccurate caller identification information, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 398, nays 5, not voting 31, as follows:

[Roll No. 60]
YEAS—398

- Bucshon
- Budd
- Burgess
- Butterfield
- Calvert
- Capuano
- Carbajal
- Cárdenas
- Carson (IN)
- Carter (GA)
- Carter (TX)
- Cartwright
- Castor (FL)
- Castro (TX)
- Chabot
- Chaffetz
- Cheney
- Chu, Judy
- Ciциlline
- Clark (MA)
- Clay
- Cleaver
- Coffman
- Cohen
- Cole
- Collins (GA)
- Collins (NY)
- Comer
- Comstock
- Conaway
- Connolly
- Cook
- Cooper
- Correa
- Costa
- Costello (PA)
- Courtney
- Cramer
- Crawford
- Crist
- Crowley
- Cuellar
- Culberson
- Cummings
- Curbelo (FL)
- Davidson
- Davis (CA)
- Davis, Danny
- Davis, Rodney
- DeFazio
- DeGette
- Delaney
- DeLauro
- DelBene
- Demings
- Denham
- Dent
- DeSantis
- DeSaulnier
- DesJarlais
- Deutch
- Diaz-Balart
- Dingell
- Doggett
- Donovan
- Doyle, Michael F.
- Duffy
- Duncan (TN)
- Dunn
- Ellison
- Emmer
- Eshoo
- Espaillet
- Esty
- Evans
- Farenthold
- Faso
- Ferguson
- Fitzpatrick
- Fleischmann
- Flores
- Fortenberry
- Foster
- Foxx
- Frankel (FL)
- Franks (AZ)
- Frelinghuysen
- Fudge
- Gabbard
- Gaetz
- Gallagher
- Gallego
- Garamendi
- Garrett
- Gibbs
- Gonzalez (TX)
- Goodlatte
- Gosar
- Gottheimer
- Govdy
- Granger
- Graves (GA)
- Graves (LA)
- Graves (MO)
- Green, Al
- Green, Gene
- Griffith
- Grothman
- Guthrie
- Hanabusa
- Harper
- Harris
- Hartzler
- Hastings
- Heck
- Hensarling
- Herrera Beutler
- Hice, Jody B.
- Higgins (LA)
- Higgins (NY)
- Hill
- Himes
- Holding
- Hollingsworth
- Hoyer
- Hudson
- Huffman
- Huizenga
- Hultgren
- Hunter
- Hurd
- Issa
- Jackson Lee
- Jayapal
- Jeffries
- Jenkins (KS)
- Jenkins (WV)
- Johnson (GA)
- Johnson (LA)
- Johnson (OH)
- Johnson, E. B.
- Johnson, Sam
- Joyce (OH)
- Katko
- Keating
- Kelly (IL)
- Kelly (MS)
- Kelly (PA)
- Kennedy
- Khanna
- Kihuen
- Kildee
- Kilmer
- Kind
- King (IA)
- King (NY)
- Kinzinger
- Knight
- Krishnamoorthi
- Kuster (NH)
- Kustoff (TN)
- LaHood
- LaMalfa
- Lamborn
- Lance
- Langevin
- Larsen (WA)
- Latta
- Lawson (FL)
- Lee
- Levin
- Lewis (GA)
- Lewis (MN)
- Lieu, Ted
- Lipinski
- LoBiondo
- Loeb sack
- Lofgren
- Long
- Loudermilk
- Love
- Lowenthal
- Lowe y
- Lucas
- Luetkemeyer
- Lujan Grisham,
- M.
- Luján, Ben Ray
- Lynch
- MacArthur
- Maloney, Carolyn B.
- Maloney, Sean
- Marchant
- Marino
- Marshall
- Mast
- Matsui
- McCarthy
- McCaul
- McClintock
- McCollum
- McEachin
- McGovern
- McHenry
- McKinley
- McMorris
- Rodgers
- McNerney
- McSally
- Meadows
- Meehan
- Meeks
- Meng
- Messer
- Mitchell
- Moolenaar
- Mooney (WV)
- Moore
- Moulton
- Mullin
- Murphy (PA)
- Nadler
- Napolitano
- Neal
- Newhouse
- Noem
- Nolan
- Norcross
- Nunes
- O'Halleran
- O'Rourke
- Olson
- Palazzo
- Pallone
- Palmer
- Panetta
- Pascarell
- Paulsen
- Pearce
- Pelosi
- Perlmutter
- Perry
- Peters
- Peterson
- Pingree
- Pittenger
- Poe (TX)
- Poliquin
- Polis
- Posey
- Price (NC)
- Quigley
- Raskin
- Ratcliffe
- Reed
- Renacci
- Rice (NY)
- Rice (SC)
- Roby
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rohrabacher
- Rokita
- Rooney, Francis
- Rooney, Thomas J.
- Ros-Lehtinen
- Rosen
- Roskam
- Ross
- Rothfus
- Rouzer
- Royal-Allard
- Royce (CA)
- Ruppersberger
- Russell
- Rutherford
- Rower
- Ryan (OH)
- Sánchez
- Sanford
- Sarbanes
- Scalise
- Schakowsky
- Schiff

- Abraham
- Adams
- Aderholt
- Aguliar
- Allen
- Amodei
- Arrington
- Babin
- Bacon
- Banks (IN)
- Barletta
- Barr
- Barragán
- Bass
- Bera
- Bergman
- Beyer
- Biggs
- Bilirakis
- Bishop (GA)
- Bishop (UT)
- Black
- Blackburn
- Blum
- Blunt Rochester
- Bonamici
- Bost
- Boyle, Brendan F.
- Brady (PA)
- Brady (TX)
- Brat
- Bridenstine
- Brooks (AL)
- Brooks (IN)
- Brown (MD)
- Brownley (CA)
- Buchanan
- Buck

Schneider	Stivers	Walden
Schrader	Suozzi	Walker
Schweikert	Swalwell (CA)	Walorski
Scott (VA)	Takano	Walters, Mimi
Scott, Austin	Taylor	Walz
Scott, David	Tenney	Wasserman
Sensenbrenner	Thompson (CA)	Schultz
Serrano	Thompson (MS)	Waters, Maxine
Sessions	Thompson (PA)	Watson Coleman
Sewell (AL)	Thornberry	Weber (TX)
Shea-Porter	Tiberi	Weich
Sherman	Tipton	Wenstrup
Shimkus	Titus	Westerman
Shuster	Tonko	Williams
Simpson	Torres	Wilson (FL)
Sinema	Trott	Wilson (SC)
Sires	Tsongas	Wittman
Slaughter	Turner	Womack
Smith (MO)	Upton	Woodall
Smith (NE)	Valadao	Yarmuth
Smith (NJ)	Vargas	Yoder
Smith (TX)	Veasey	Yoho
Smith (WA)	Vela	Young (AK)
Smucker	Velázquez	Young (IA)
Soto	Visclosky	Zeldin
Stefanik	Wagner	
Stewart	Walberg	

NAYS—5

Amash	Jordan	Massie
Gohmert	Labrador	

NOT VOTING—31

Barton	Engel	Pompeo
Beatty	Grijalva	Price, Tom (GA)
Becerra	Gutiérrez	Reichert
Bishop (MI)	Jones	Richmond
Blumenauer	Kaptur	Ruiz
Bustos	Larson (CT)	Rush
Byrne	Lawrence	Speier
Clarke (NY)	Mulvaney	Webster (FL)
Clyburn	Murphy (FL)	Zinke
Conyers	Payne	
Duncan (SC)	Pocan	

□ 1851

Ms. ADAMS changed her vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BISHOP of Michigan. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 60.

MOMENT OF SILENCE FOR VICTIMS OF TORNADOES IN GEORGIA AND MISSISSIPPI

(Mr. AUSTIN SCOTT of Georgia asked and was given permission to address the House for 1 minute.)

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, you have, I am sure, seen the devastation from the tornadoes on the TV. My district, Cook County, is the heart of ground zero. We had seven deaths in Cook County; two in Brooks County; two in Berrien County; four in my colleague’s, Mr. BISHOP’s district in Dougherty County; and four in Mississippi.

I want to say thank you to the many volunteers and first responders who have been there to provide aid. I want to say thank you to the Americans who have provided prayers.

When I spoke earlier, we had five people unaccounted for. Four of the five

are accounted for and alive today. We are thankful for that. We are still trying to account for one additional person.

Recovery efforts are still going on. I ask that you continue to keep these families who have lost so much and the first responders in your prayers.

I would like to say thank you to Governor Deal for his speedy response and President Trump and his administration for their quick response to the tragedy.

Mr. Speaker, I yield to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Mr. Speaker, I come before this body tonight with my colleagues from Mississippi and Georgia to offer our prayers for those whose lives were lost, whose homes were destroyed, and whose neighborhoods were shattered during this weekend’s tornadoes across the Southeast.

We also extend our deepest gratitude to our first responders, local law enforcement, and emergency personnel for their quick, courageous, and compassionate response in the aftermath of the storm.

Finally, I also want to say thank you to the citizens of Mississippi who rushed toward the sites of devastation. Their generosity, bravery, and willingness to help their neighbors gives me hope that our community will rebuild again and be stronger than ever.

We will get through this difficult time together, confident in our ability to persevere through any trial, with neighbor helping neighbor, as we begin the difficult work of rebuilding our community following this terrible natural disaster.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I yield to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Speaker, in my hometown of Albany, Georgia, four of my neighbors lost their lives due to the tornadoes and storms that tore through our city. Many more in both Albany and the larger region had their homes destroyed and their lives upended.

For the second time this month, our region has confronted the worst that Mother Nature had to offer. However, I am confident that, with the grace of God, we will continue to see the best in human nature as we come together as a community to support each other during these very, very trying times.

I ask that the Members of this House, the Senate, and the administration join my colleagues from Mississippi and Georgia to ensure that all of those impacted by these disasters are provided the necessary resources to recover and to rebuild their lives as soon as possible.

In this moment, though it is but a small gesture, given the magnitude of the disaster, I ask that the House observe a moment of silence to recognize and remember the victims of the

storms and tornadoes that struck the Southeast region of our Nation.

KARI’S LAW ACT OF 2017

The SPEAKER pro tempore (Mr. CARTER of Georgia). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 582) to amend the Communications Act of 1934 to require multiline telephone systems to have a configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 26, as follows:

[Roll No. 61]

YEAS—408

Abraham	Carter (TX)	Deutch
Adams	Cartwright	Diaz-Balart
Aderholt	Castor (FL)	Dingell
Aguilar	Castro (TX)	Doggett
Allen	Chabot	Donovan
Amash	Chaffetz	Doyle, Michael
Amodei	Cheney	F.
Arrington	Chu, Judy	Duffy
Babin	Cicilline	Duncan (TN)
Bacon	Clark (MA)	Dunn
Banks (IN)	Clarke (NY)	Ellison
Barletta	Clay	Emmer
Barr	Cleaver	Engel
Barragán	Clyburn	Eshoo
Bass	Coffman	Espaillet
Beatty	Cohen	Esty
Bera	Cole	Evans
Bergman	Collins (GA)	Farenthold
Beyer	Collins (NY)	Faso
Biggs	Comer	Ferguson
Bilirakis	Comstock	Fitzpatrick
Bishop (GA)	Conaway	Fleischmann
Bishop (MI)	Connolly	Flores
Bishop (UT)	Cook	Fortenberry
Black	Cooper	Foster
Blackburn	Correa	Fox
Blum	Costa	Frankel (FL)
Blunt Rochester	Costello (PA)	Franks (AZ)
Bonamici	Courtney	Frelinghuysen
Bost	Cramer	Fudge
Boyle, Brendan	Crawford	Gabbard
F.	Crist	Gaetz
Brady (PA)	Crowley	Gallagher
Brady (TX)	Cuellar	Gallego
Brat	Culberson	Garamendi
Bridenstine	Cummings	Garrett
Brooks (AL)	Curbelo (FL)	Gibbs
Brooks (IN)	Davidson	Gohmert
Brown (MD)	Davis (CA)	Gonzalez (TX)
Brownley (CA)	Davis, Danny	Goodlatte
Buchanan	Davis, Rodney	Gosar
Buck	DeFazio	Gottheimer
Bucshon	DeGette	Gowdy
Budd	Delaney	Granger
Burgess	DeLauro	Graves (GA)
Butterfield	DelBene	Graves (LA)
Calvert	Demings	Graves (MO)
Capuano	Denham	Green, Al
Carbajal	Dent	Green, Gene
Cárdenas	DeSantis	Griffith
Carson (IN)	DeSaulnier	Grothman
Carter (GA)	DesJarlais	Guthrie

Hanabusa	Marchant	Sánchez
Harper	Marino	Sanford
Harris	Marshall	Sarbanes
Hartzler	Massie	Scalise
Hastings	Mast	Schakowsky
Heck	Matsui	Schiff
Hensarling	McCarthy	Schneider
Herrera Beutler	McCaul	Schrader
Hice, Jody B.	McClintock	Schweikert
Higgins (LA)	McCollum	Scott (VA)
Higgins (NY)	McEachin	Scott, Austin
Hill	McGovern	Scott, David
Himes	McHenry	Sensenbrenner
Holding	McKinley	Serrano
Hollingsworth	McMorris	Sessions
Hoyer	Rodgers	Sewell (AL)
Hudson	McNerney	Shea-Porter
Huffman	McSally	Sherman
Huizenga	Meadows	Shimkus
Hultgren	Meehan	Shuster
Hunter	Meeks	Simpson
Hurd	Meng	Sinema
Issa	Mitchell	Sires
Jackson Lee	Moolenaar	Slaughter
Jayapal	Mooney (WV)	Smith (MO)
Jeffries	Moore	Smith (NE)
Jenkins (KS)	Moulton	Smith (NJ)
Jenkins (WV)	Mullin	Smith (TX)
Johnson (GA)	Murphy (PA)	Smith (WA)
Johnson (LA)	Nadler	Smucker
Johnson (OH)	Napolitano	Soto
Johnson, E. B.	Neal	Stefanik
Johnson, Sam	Newhouse	Stewart
Jordan	Noem	Stivers
Joyce (OH)	Nolan	Suozi
Katko	Norcross	Swalwell (CA)
Keating	Nunes	Takano
Kelly (IL)	O'Halleran	Taylor
Kelly (MS)	O'Rourke	Tenney
Kelly (PA)	Olson	Thompson (CA)
Kennedy	Palazzo	Thompson (MS)
Khanna	Pallone	Thompson (PA)
Kihuen	Palmer	Thornberry
Kildee	Panetta	Tiberi
Kilmer	Pascrell	Tipton
Kind	Paulsen	Titus
King (IA)	Pearce	Tonko
King (NY)	Pelosi	Torres
Kinzinger	Perlmutter	Trott
Knight	Perry	Tsongas
Krishnamoorthi	Peters	Turner
Kuster (NH)	Peterson	Upton
Kustoff (TN)	Pingree	Valadao
Labrador	Pittenger	Vargas
LaHood	Poe (TX)	Veasey
LaMalfa	Poliquin	Vela
Lamborn	Polis	Velázquez
Lance	Posey	Visclosky
Langevin	Price (NC)	Wagner
Larsen (WA)	Quigley	Walberg
Larson (CT)	Raskin	Walden
Latta	Ratcliffe	Walker
Lawson (FL)	Reed	Walorski
Lee	Renacci	Walters, Mimi
Levin	Rice (NY)	Walz
Lewis (GA)	Rice (SC)	Wasserman
Lewis (MN)	Roby	Schultz
Lieu, Ted	Roe (TN)	Waters, Maxine
Lipinski	Rogers (AL)	Watson Coleman
LoBiondo	Rogers (KY)	Weber (TX)
Loeb sack	Rohrabacher	Welch
Lofgren	Rokita	Wenstrup
Long	Rooney, Francis	Westerman
Loudermilk	Rooney, Thomas	Williams
Love	J.	Wilson (FL)
Lowenthal	Ros-Lehtinen	Wilson (SC)
Lowe	Rosen	Wittman
Lucas	Roskam	Womack
Luetkemeyer	Ross	Woodall
Lujan Grisham,	Rothfus	Yarmuth
M.	Rouzer	Yoder
Luján, Ben Ray	Roybal-Allard	Yoho
Lynch	Royce (CA)	Young (AK)
MacArthur	Ruppersberger	Young (IA)
Maloney,	Russell	Zeldin
Carolyn B.	Rutherford	
Maloney, Sean	Ryan (OH)	

NOT VOTING—26

Barton	Duncan (SC)	Messer
Becerra	Grijalva	Mulvaney
Blumenauer	Gutiérrez	Murphy (FL)
Bustos	Jones	Payne
Byrne	Kaptur	Pocan
Conyers	Lawrence	Pompeo

Price, Tom (GA)	Ruiz	Webster (FL)
Reichert	Rush	Zinke
Richmond	Speier	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. LAWRENCE. Mr. Speaker, due to bad weather that did not allow for me to arrive in Washington, DC, in time, I was unavoidably detained. Had I been in attendance, I would have voted "yes" on:

H.R. 423—Anti-Spoofing Act of 2017.

H.R. 582—Kari's Law Act of 2017.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 7, NO TAXPAYER FUNDING FOR ABORTION AND ABORTION INSURANCE FULL DISCLOSURE ACT OF 2017

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115-5) on the resolution (H. Res. 55) providing for consideration of the bill (H.R. 7) to prohibit taxpayer funded abortions, which was referred to the House Calendar and ordered to be printed.

A POSITIVE MESSAGE FROM PRESIDENT DONALD TRUMP

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, Friday marked a positive new era for American families, as Donald J. Trump was sworn in as the 45th President of the United States, with MIKE PENCE serving as the 48th Vice President.

President Donald Trump and Vice President PENCE will work alongside Speaker PAUL RYAN to create jobs, replace ObamaCare with a patient-centered alternative, and promote a national defense so that American families can be protected, policies that were clearly outlined in his inaugural address.

In an op-ed published in Forbes, President Trump's speech was described as "revolutionary." The article went on to detail how "he has defined a new role for the government, for the public, for patriotism, for America first."

President Trump confirmed: "This is your day, your celebration . . . What matters is that your country is ruled by you, the people."

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. The hateful protesters who assaulted my inaugural guests from New Jersey with water balloons will fail again, as President Trump with Speaker RYAN prevail creating jobs.

THE WOMEN'S MARCH WAS DEMOCRACY IN ACTION

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, 7,000 in Rhode Island, over 500,000 in Washington, and millions across the country, the Women's March was democracy in action this past Saturday, and it filled me with hope, hope for a better future and hope that we can withstand whatever challenges lie ahead as a nation.

The scene in Rhode Island was incredible, replicated around the world. I joined millions who gathered and marched to remind us that women's rights are human rights and to support inclusion and equality for all—immigrants, the LGBT community, people of color, people with disabilities, and people of differing faiths and backgrounds. This is the diversity that makes us stronger as a nation, and this is the diversity that President Trump must now represent in a way that is befitting of the honor and dignity of his office.

Together, Mr. Speaker, we must hold him accountable to protect opportunity for all Americans, not just a select few, because it is by working together, treating people with dignity and respect that we move America forward. A rising tide lifts all boats, Mr. Speaker. I believe that the rising tide of engagement and passion that we saw on Saturday will lift all Americans.

ANOTHER BETRAYAL OF ISRAEL BY THE OBAMA ADMINISTRATION

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Friday morning, as the 45th President was about to be sworn in, Obama administration officials packed up their desks and prepared to ride off into the sunset, but not before quietly slipping in a last-minute surprise snub to Israel on their way out of town by shipping off \$221 million to the Palestinian Authority.

Mr. Speaker, this move is sadly not surprising, but wildly inappropriately insulting. The final days of the Obama White House were filled with unapologetic, downright hostility to our friend Israel. Just last month the United States betrayed our friends by allowing the U.N. Security Council to vote attacking Israel.

Now in the shadow of that vote, in a last act of defiance, the old group sent millions of dollars to fill the coffers of Israel's enemy. Thankfully, there is a new man in charge in Washington. President Trump has pledged to support Israel, not betray them. He says he will move the United States Embassy from Tel Aviv to Jerusalem, a move I support if the Israelis support that.

Israel is our greatest friend and should never question where we stand. The Trump White House seems to understand that. Good riddance to those who did not understand it.

And that is just the way it is.

**PEELING BACK THE MANY
LAYERS OF THE ACA**

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to recognize the Trump administration's recently announced action of peeling back the many layers of the Affordable Care Act. For millions of hard-working Americans who have carried the burden of this law, relief is finally on the way. President Trump's first order of business was to issue an executive order to begin reversing the damages of the Affordable Care Act and start to minimize costs for consumers.

Under the ACA, premiums have skyrocketed while access to health care has dwindled for many Americans, including many of whom reside in my own California's First District. The American people have spoken. They want this disastrous law repealed. Grand claims of 20 to 30 million newly covered are obscured by the fact that over 6 million would rather pay the penalty because they can't afford the Affordable Care Act.

The quick action taken by President Trump will aid our efforts in Congress to both repeal and replace the ACA with something better. The American people have suffered through the nightmare that is ACA. Luckily, they won't have to do so for much longer.

**IF PRESIDENT TRUMP WERE A
DEMOCRAT**

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, just think what the media would be saying about President Trump if he were a Democrat:

He has tremendous energy. He campaigned for 18 months, puts in 15-hour days, and has the stamina of a bull elephant like Teddy Roosevelt.

He is courageous, even fearless. Given the amount of hate directed his way, no doubt he constantly receives death threats. But that

doesn't curtail his public appearances or seem to worry him in the least.

He has conviction. He practices what he preaches. He doesn't waffle or waver. And he is obviously not deterred by media criticism.

He is a great father. Anytime his son or daughter calls, he picks up the phone. He includes them in his activities. Clearly, he has a strong relationship with his children.

He is off to a fast start. His Cabinet consists of smart, experienced, and successful individuals. He already has taken steps to keep jobs in America, put unnecessary regulations on hold, and improve health care. Consumer confidence is at a 16-year high.

No, the national liberal media won't print that or air it or post it. Better to get your news directly from the President. In fact, it might be the only way to get the unvarnished truth.

□ 1915

**NO AMERICAN TAXPAYER
DOLLARS TO FUND ABORTIONS**

(Mr. BERGMAN asked and was given permission to address the House for 1 minute.)

Mr. BERGMAN. Mr. Speaker, I rise today in support of H.R. 7, the No Taxpayer Funding for Abortion Act. The premise of this bill is clear: American taxpayer dollars will not be used to fund abortion in this country.

I stand here today as a husband, father, grandfather, and, most importantly, as someone who cherishes the God-given right to life. In a country founded on life and liberty, the act of abortion should not be condoned, and it certainly should not be subsidized.

It is fitting that the House consider this legislation this week as we prepare for millions of people to come to Washington, D.C., for the annual March for Life rally where they will give a voice to the unborn. We must work together to move the pro-life message and pro-life policies forward to protect those who cannot yet speak for themselves.

I urge my colleagues to support H.R. 7, the No Taxpayer Funding for Abortion Act, and stand up for the principles of life and liberty.

**AMERICA IS A COUNTRY FOR ALL
PEOPLE**

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, having worked for the Southern Christian Leadership Conference and been engaged with many of the foot soldiers that studied under Dr. Martin Luther King, I love and cherish nonviolent protests and the rights for people to petition.

I hold up a beautiful and powerful statement by way of a picture, powerful together, as thousands marched across the Nation, upwards of 1 million and maybe even more. I am particularly proud of those in Houston, Texas, and particularly "Across Texas, marchers 'just can't be silent anymore.'"

Congratulations to those who marched safely, securely, and non-violently. Congratulations to the Houston organizers. Yes, it is your right to fight against the repeal of the Affordable Care Act, the ignoring of the funding of access to women's health care. It is your right to fight for educational opportunity. It is your right to recognize that we have rights as women, but we have rights as Americans; and it is your right to seek a nation that will be representative of all of the people, no matter where they come from, what their religious background is, what regions they live for.

It is beyond the wonderful Midwest that the Nation needs to be represented. It is in the far corners of the east and the north, yes, down in Houston, Texas, far to the west. We cannot isolate and say we won with few votes from this region. America is a country for all people, and I look forward to this Congress and this White House representing all of us.

**APPOINTMENT OF INDIVIDUALS
TO GOVERNING BOARD OF THE
OFFICE OF CONGRESSIONAL
ETHICS**

The SPEAKER pro tempore (Mr. JOHNSON of Louisiana). The Chair announces the Speaker's appointment, pursuant to section 4(c) of House Resolution 5, 115th Congress, and the order of the House of January 3, 2017, of the following individuals to serve as the Governing Board of the Office of Congressional Ethics:

Nominated by the Speaker after consultation with the minority leader:

Mr. Richard Norman "Doc" Hastings, Washington, Chairman

Mr. James M. Eagen, III, Colorado

Ms. Allison R. Hayward, Virginia

Ms. Judy Biggert, Illinois, alternate

Nominated by the minority leader after consultation with the Speaker:

Mr. David Skaggs, Colorado, Co-Chairman

Brigadier General (retired) Belinda Pinckney, Virginia

Ms. Karan English, Arizona

Mr. Mike Barnes, Maryland, alternate

**FIXING OUR NATION'S HEALTH
CARE**

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. SESSIONS) is recognized for 60 minutes as the designee of the majority leader.

Mr. SESSIONS. Mr. Speaker, tonight, what I would like to do is engage the American people on several subjects. I will be speaking for quite a bit of time tonight on the health care issue facing America.

Mr. Speaker, before I get there, I yield to the gentleman from Nebraska

(Mr. FORTENBERRY), a very dear friend of mine.

WINDSWEEPED PLAINS OF NEBRASKA

Mr. FORTENBERRY. Mr. Speaker, first, let me thank the chairman for yielding, but, more importantly, for his extraordinarily hard work as chairman of the Rules Committee. I don't think a lot of people are aware just how critical his job is in shepherding and guiding order in our institution here. So I am grateful for his hard work, most grateful for his friendship, and very grateful for his leadership. I thank him so much for the time.

Mr. Speaker, when Presidents give their inaugural addresses, we are very accustomed to lofty narratives, to visionary ideals, and to sweeping language. But last Friday, President Trump spoke very differently. The only sweeping thing in the President's speech was his reference to the windswept plains of Nebraska. Of course, when I heard that, I perked up.

President Trump's speech was a striking and direct call for a new, healthy nationalism. He spoke to the people, about the people, and for the people. A certain awkwardness marked the beginning of his speech, not only because of the initial confrontational style from the outset, but it also began to rain as the President started, creating a bit of an uncomfortable moment. But then the rain suddenly stopped and his speech gained momentum. He discussed, in hard terms, some of the stark realities we are facing and how they might be resolved for our country.

Mr. Speaker, we all know this, that defining problems is an easy task, but finding solutions is much harder. While President Trump's speech lacked specifics in that regard, nonetheless, there was extraordinary power in the attempt to articulate an America that has been lost to globalized supply-side elitism, an America that has been lost to drugs and crime, and an America that has systems that no longer seem to serve all persons. It just seems that no matter how hard individuals work, they just can't get ahead.

Mr. Speaker, our President's speech was an authoritative call for a new national unity, particularly for those forgotten. The idea that America can do better, that we must do better, and that we will do better for everyone was clearly conveyed by President Trump.

I recognize the tone of this speech will not have universal appeal. It was to the point, direct, and firm. It was not a delicate, textured speech. But the President was clear when he declared: "The American carnage stops right here and stops right now."

Mr. Speaker, we are witnessing a renewed and important and essential focus on reviving America's economy. The multinational corporations of this world are on notice: they cannot play both sides of the balance sheet, being

for us and against us at the same time, and the benefits of exchange will have to be fair for all. Frankly, I believe this creates possibilities, possibilities for authentic relationships with peoples around the world rather than a transactional one. If this objective can be achieved, it will be constructive indeed. A healthy American nationalism will lead to properly ordered international engagement—for our benefit and the benefit of others.

Mr. Speaker, when the President spoke before the entirety of our government, he also spoke before the House of Representatives. The President's authoritative style, communicating the desire to devolve power from Washington as well as Wall Street, interestingly repositions Congress to its appropriate role in governing society through the power of the people.

Mr. Speaker, it is statistically shown that the majority of Americans believe that it is the job of Congress to do whatever the President says. This is not true. Congress is an independent, coequal branch of government that makes the law, which is interpreted by the judiciary and enforced by the President. But across Democratic and across Republican executive administrations more and more power has been taken by the executive and has been ceded by Congress. This balance of power, this necessary balance of power, this original idea of the balance of power, has been out of balance for 100 years, and perhaps now a realignment begins.

Mr. Speaker, whether you love President Trump or you loathe him, or whether you are someplace in between with certain apprehensions but hoping that President Trump succeeds, Friday, Inauguration Day, was an extraordinary American day. What we saw was the successful and peaceful transfer of power.

Mr. Speaker, with that, I want to thank, again, my good friend, the gentleman from Texas (Mr. SESSIONS), for yielding to me.

Mr. SESSIONS. I thank the gentleman from Nebraska (Mr. FORTENBERRY) not only for taking time today to discuss the important things that he has on his mind, but also for sharing with the American people his ideas about where our country is and where we are headed with the new Presidency, a new Senate, and a new House of Representatives.

Tonight, Mr. Speaker, I rise to talk about the current state of our Nation's healthcare system.

Mr. Speaker, tonight I am given this time as a result of the majority leader, Mr. MCCARTHY. He has given me time to talk about an important issue that faces not only our country, but also elected Members of the House of Representatives and the United States Senate and the President of the United

States, our new President, President Trump.

As each of us is aware, the issue of health care is one of the most important issues that has been faced in our Nation for many years. Back in 2009, President Obama began the search that he talked about for what was called an Affordable Care Act. The Affordable Care Act seemed to be a promise to make health care better. It seemed to be a word, in the words of the President, an Affordable Care Act that would help all Americans to receive health care on a fair basis and one that would be sustainable.

The President stood before this body several times and talked about his ideas about health care. It took about a year, maybe a little bit more, for the Democratic Congress to work through this issue. On or about March 21 or 22, 2010, a bill popped out of the United States Senate, came to the House of Representatives, and we handled the matter here up in the Rules Committee, brought it to the floor, passed it with debate, no opposition—no opposition, meaning Republicans were not allowed to present an alternative case, a bill. It was a closed rule. And the Democrats passed it and went to the White House the next day, March 23, 2010, and signed the bill.

□ 1930

The American people had grave reservations about that, but what happened is that it took several years in which they were working through this process. We did not know exactly what would happen; but, almost immediately, hundreds of billions of dollars' worth of spending would take place and taxes would take place. What the President did and what the Democrat Party did is they tied health care directly to employers and put mandates on top of employers and mandates on top of individuals with the belief that individuals would be forced into taking what was then ObamaCare—health care—under the Affordable Care Act.

What has happened over the years, including as we stand today, is that only some 12 to 20 million people are on ObamaCare at any one time. That is because the system that was devised and run by the Affordable Care Act is a system that does not work well. It is very expensive. It provides limited benefits. And perhaps worst of all, the promise that it would make health care available and better for poorer people never materialized as they sold it. In fact, healthcare providers are reimbursed 50 percent less than from normal insurance; meaning that, while you may have some bit of coverage, the people who would accept that health care are hard to find.

It is true that many times you could find someone who is a GP—someone who is a family physician, someone who is an internist who might take

what is known as ObamaCare—but if he found something that might be wrong or needed to refer that individual, it was very difficult to do. In my hometown of Dallas, Texas, major hospitals do not take what is known as ObamaCare under the Affordable Care Act, and it is because of this problem that it is a false promise for the people who are on it.

Members of Congress are legally required to be on ObamaCare if we accept the health care from our providers, but President Obama did not ask anyone else in government to fall under the same opportunities that we would have as Members of Congress. Over the years, it became a festering point—a sore—among not only those who were paying the costs, but also those who were on it saw it as a concrete life preserver, one that did not live up to its billing. Repeatedly, businesses would come to the House of Representatives—to Members of Congress—and say to us: This law is not only not working, it is causing us to make full-time employees become part-time employees because we cannot either pay or do not want to or do not have the ability to follow all of the requirements of the law.

We here in America saw not only dwindling opportunities for employment, but we also saw the skyrocketing cost—from taxes, from behavior that did not help health care. So Republicans, yes, and the American people began talking about some way that we could isolate health care to where we would have our friends who were Democrats want to accept one of these opportunities to fix this broken system. Over the years, Republicans offered some 60 different alternative votes—piece parts, rifle shots—that said we want to fix ObamaCare, the Affordable Care Act. We picked 60 different things about the bill that were either incomplete, that did not live up to the billing, that caused bad behavior, or that simply were tremendously anticompetitive in their nature.

It was a lonely few years.

As the chairman of the House Rules Committee, day after day, we would seek opportunities for our colleagues to come join us to present their ideas, and they not only disagreed with us, but they chastised us. We kept going. We kept offering alternatives to a healthcare system that was not working.

Mr. Speaker, what happened is the American people soon saw, as we came close to another election, that we were going to have to ask the American people to be a part of the solution. We had tried in Washington, D.C. We had over 60 votes and we had made it a regular part of our discussion. Republicans, each time, had better ideas, better alternatives—ways to take 60 different pieces and trade them out so that we could better this terrible law that was not working.

Then came the election. With the election, one of the most key and cleanest issues that was discussed was not only the repeal of ObamaCare, but the promise that Republicans would replace it also. For the past 4 or 5 years, Republicans have had a talking point that we want to repeal and to replace the healthcare system that was known as ObamaCare.

Mr. Speaker, that is why I am here tonight—to talk about Republican ideas that we think are better for health care and ideas that we think will work not only in a marketplace, but that will be able to be used by a vast number of people here in America. It will not be something that is use it or lose it, as health care many times is. It will be sustainable. Perhaps, more importantly, there will be the ability for families to get what they want and to not have to pay for what they do not need. It passed on March 21 by a vote of 219–212. No Republican supported the Affordable Care Act, but every Republican understands that health care is important to families. It is important that a family takes the responsibility and tries to cover its family.

Tonight, as I speak with you about where we are in health care, I want to include the words that come from Dallas, Texas—my home—of the families whom I have gotten to know and of the families who have communicated with me, because, as their Member of Congress, I am expected not only to listen, but to try and work for their betterment. I am probably no different than hundreds of other Members of Congress who come to Washington every week with a message.

This is from Julie Ross of Dallas, Texas, with her two beautiful children. This is a very high-level conversation in which she says:

Now that my daughter is at home and thriving—who was in the hospital—we depend upon these protections to provide health care for her complex healthcare needs.

ObamaCare did not meet those needs; but as a Member of Congress, if I am going to talk about repealing, I need to also, forthrightly, talk about replacing what is a bad healthcare law with a better healthcare alternative. Republicans have better ideas to fix health care, and I am going to speak about these.

The first thing I would like to speak about is the reality that about 150 million Americans have an opportunity to receive their health care on a pretax basis. That means that our employers and our employees who work for large companies have a chance to get their health care without paying for it on an after-tax basis. I pay about \$13,000 myself out of pocket for my health care. My employer pays essentially what is a 70–30 split, but that entire amount is on a pretax basis. The 1943 employer-sponsored insurance exemption and the

21st Century Cures, which we just passed this last December, allow businesses an opportunity to provide their employees with pretax health insurance. Pretax health insurance means that they are able to deduct the contributions that they make for their employees, and employees are allowed to receive this as a benefit.

However, this, I believe, is part of what we have known for a long time as being an unfair, rigged system. It is a system that says, if you work for one of these larger companies, you will get that tax advantage; but if you do not—if you are self-employed, if you are an entrepreneur, if you are a 941-type employee, meaning perhaps you are a real estate agent who is self-employed or perhaps you work for a small company—then you are not offered this pretax opportunity. It is probably true that you could deduct that amount next April. As you pay your taxes, you would file if you qualified based upon the amount of money that you spent.

Mr. Speaker, this right here is the disadvantage for about 100 million Americans. They do not receive what 150 million other Americans do, and that is to get their health care on a pretax basis. I have worked now for some 2 years with some 500 physicians who are across the country. We have worked on a system that would allow every single American not only to have better health care, but to have an opportunity to participate on a fair basis.

The gentleman from Lubbock, Texas (Mr. ARRINGTON) will participate with me tonight and will speak about how important this is for him.

Mr. ARRINGTON. I thank the gentleman from Texas (Mr. SESSIONS) for yielding.

Mr. Speaker, I want to talk about something that is near and dear to my heart and to the hearts of my constituents.

It has been 44 years since *Roe v. Wade*. Since then, 58 million precious American lives have been aborted. The Supreme Court got it wrong when it violated its authority by creating a constitutional right to abortion. To make matters worse, the Federal Government is now using our taxpayer dollars to subsidize these abortions. Tomorrow we will have the opportunity to put a stop to this. This is an area in which the Constitution, my constituents, and my conviction will not allow me to budge.

I believe that all life is ordained by God and begins at conception, as the psalmists so eloquently said: “for You created my inward parts. You knit me together in my mother’s womb.” Our Constitution clearly defines that all Americans—even those who cannot vote, who cannot speak or defend themselves—have the same right to life, liberty, and the pursuit of happiness.

Mr. Speaker, I urge my colleagues to stand with me in support of H.R. 7; but,

most importantly, I plead with them to stand up for generations of Americans yet unborn.

I thank the gentleman again.

□ 1945

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Texas (Mr. ARRINGTON), one of our brand new freshman from Lubbock, Texas. JODEY not only comes from the high plains of Lubbock, a young man who has given great service to the State of Texas, but he also comes as our newest member from the Texas delegation who stands not only with the principles of that district, but with the principle of caring about other people. I thank the gentleman for letting his voice be heard about what will be a bill that will be before the House of Representatives tomorrow.

Mr. Speaker, continuing our discussion about health care and Republican ideas. Back in 2013, some 4.7 million Americans that had their own health care were knocked off that health care because it didn't qualify in the way that President Obama and Democrats wanted to have a comprehensive healthcare plan. So it knocked off 4.7 million Americans, and what it did is it placed America into a circumstance where we began looking for options and alternatives about how we would insure the uninsured.

We were told: Just watch and wait. This Affordable Care Act is going to make sure that it takes every single American and gives them an affordable healthcare plan.

Here is what happened, Mr. Speaker. We found out that we still have some 30 million people in this country—now in the sixth year of ObamaCare—that do not have coverage. We have learned that about 49 percent of those who are insured work for employers, about 20 percent of the marketplace is Medicaid, about 14 percent is Medicare, but we still have some 9 percent who were uninsured.

We then find out that what happened is that the Federal Government decided that insurance was not working, so we had coops that were invented out of the Affordable Care Act. Seventeen out of the 23 coops have now gone into bankruptcy. They could not provide the services that the Affordable Care Act was just so sure, with government-run programs, would work; and they wiped out almost unilaterally every single insurance plan where they came in. I don't know if it was just because they undercut them, but what they did is provided a false indicator for people.

Well, the Federal Government is here. Barack Obama and Democrats now have a healthcare plan for every single American. Only a few short years later, they are gone. They are gone from the marketplace after wiping out the insurance that was there.

Perhaps worst of all, as they left, there was a requirement by the Obama

administration that somebody had to come and renew insurance, even late in the year, or they would receive a \$2,000 penalty because they did not have insurance at the end of the year.

Mr. Speaker, this is what the insured and the uninsured look like. A gentleman from Dallas, Texas, Kennis Ketchum told us: I am being penalized for being an entrepreneur. I am in here, and I want to be in here. I want to be able to go and to allow myself to be in insurance, but I cannot afford it because I do not have the tax advantage.

So Republicans finally have the chance for our ideas that we believe are bigger and better. We have a chance to do, I think, what we have wanted to do for a long time; and that is to repeal the Affordable Care Act, but with the promise that we need to make sure that we replace it with something better.

What does this mean?

Well, I will tell you what it means, Mr. Speaker. What it means is that Republicans are going to understand that a simple plan that can be paid for literally with the existing dollars that are in health care today and authorized by law—some \$1.2 trillion that exists in law and authorized today—can be utilized for a healthcare system to take care of each and every American. I would like to describe that.

First of all, it is important for us to understand that of the uninsured in this country, 74 percent work. That means that people that are no different than me and you, Mr. Speaker, get up and go to work to the best of their ability. It might be that they don't have all the advantages of education that I have. It could be that they have something in their life that might be an impediment. It could be some sort of perhaps what might be a difference or a disability. I understand this. I have a son that has Down syndrome. Alex is not really capable of taking care of himself, so he is not necessarily one of these that would qualify for what we know as the alternative to ObamaCare.

There are millions who do need the help, who do want and need insurance and not insurance that is like the Affordable Care Act because we know that reimburses at 50 percent less than insurance, some 25 percent less than Medicaid, a plan that limits the number of physicians and healthcare professionals that a person can see. No.

The American people need something that they can count on. They need something that is better, that provides better reimbursement to where virtually every hospital would take their plan instead of a few, where four times as many doctors would take their plan, their insurance as opposed to them being on ObamaCare. These people who want and seek health care need a plan that is worthy of the representation that would be given to them, and that is the Republican idea.

So Republicans have a chance, an opportunity. Just one of the ideas is to allow the healthcare tax benefits to be consistent with those of every American who works for a large company.

You see, there are two ways to look at this. One might be a high standard deduction that an employee or a person would be able to take and buy health insurance and, next April, be able to write that off, so to speak, as a pretax deduction. You know the problem with that and so do I. Seventy-four percent of the people who are uninsured do not have the money to buy health care. Seventy-four percent of the people who are uninsured might not have enough money to be able to go buy insurance and wait all year long to get back their money next April when they file their taxes.

So one of the ideas that I have—and I shared this plan with Senator BILL CASSIDY from Louisiana—is that what we would like to do is to provide a \$2,500 tax credit for adults and a \$1,500 tax credit for dependent children that would be advanceable, assignable, and refundable.

What would this mean?

This would mean that this year every single American that did not receive the tax advantage—the tax advantage like I receive and some 150 million Americans receive by getting their health care on a pretax basis—would have an opportunity to go online. They would be able to go online and look at the insurance in their area, and they would be able to receive this benefit, this tax advantage. It would not ever come to them. It would go directly to their insurance program.

They would be able to take, for a family of four, some \$8,000. They would be able to use this first \$8,000—the exact same tax advantage that PETE SESSIONS and 150 million other Americans get—January 1st of next year and to assign this \$8,000 to their healthcare plan.

They could decide they wanted more, and they would be able to do that on a pretax basis also up to \$5,000. They could decide that they would like perhaps to get a plan that would be at their local hospital. That is fine. They could decide that they would like to have what is called a health savings account, an HSA, which, more generally, is an opportunity for them to control their costs. This is very attractive for young people and advantageous for young people because they would be able to control their costs and roll these advantages or savings over year after year after year as opposed to losing what they had saved or, at the beginning of the year, starting back over.

Republicans have an opportunity to make things fair. I think this is what President Trump talked about when he was candidate Trump. I think he talked about a rigged system. When you have a system where 150 million

Americans get a tax advantage and you don't, you would describe that as a rigged system.

So Republicans, at least one of the proposals that is out there—because it is Senator CASSIDY's and mine, known as the World's Greatest Healthcare Plan—employs an opportunity where up front we allow every single American to have health care January 1 that is superior in nature to whatever they had with ObamaCare.

It allows the purchase of a non-government plan and it allows each individual, if they choose, to go to a health savings account.

What is a health savings account?

A health savings account is a well-known product whereby a family would be able to get what is called major medical coverage. They actually, as part of their plan, would make sure that, if they were in the hospital or a member of their family was in the hospital, they would have to cover the first \$5,000, but that the insurance plan then that they could find about affording out of this \$8,000 for a family of four would give them a chance then to have either a 90/10, 80/20, or 70/30 contribution. Meaning they could decide what they wanted to afford based upon their age, based upon their risk, based upon their own circumstances. But they, as a consumer, would be able to make sure that they are taken care of if they go in the hospital.

Then that contribution, to the level that they would choose—either they would pay 30 percent or 20 percent or 10 percent for expenses past \$10,000—gave them the coverage that they need in the marketplace. Maybe it is a baby. Maybe it is major surgery. Maybe it is cancer. But they would receive hospital coverage.

Then with the remaining amount of money, they could then put that into a health savings account and use cash for their doctor's visits. Cash is king. Cash is also the most economical way to get your health care because you go and actually, instead of negotiating with a doctor or looking at what your insurance company negotiated, you negotiate paying that person today instead of the doctor having to file insurance and go through the necessary elements to receive their money back.

You go to the doctor you choose. You pay for what you want. You pay for those things that you have made a decision, and you pay out of your cash account. It is the most leading edge, fastest way to get health care in America, and, generally speaking, it is 13 percent cheaper.

Mr. Speaker, these are but one of the ideas that Republicans bring to the table.

□ 2000

And it is why I can stand up, as chairman of the Rules Committee, when my colleagues say: oh, you are

going to take away something that people had with the Affordable Care Act. And I say: you know, I think we have got a better way to look at it.

Instead of only some 27 out of 100 doctors being available to you as a patient, I would like to double or quadruple that. I would like for you to be able to make your own decisions, and, in the long run, you will be better.

But there is more to the story. And the more to the story is, what this will do is allow a robust marketplace where, instead of forcing people to go into a system and then penalizing them, we encourage people to go into a system and encourage them to be not only consumers, and not only to take care of themselves, but to help everybody out because it helps the curve.

It helps people get in of all ages, of all needs, of all types back into the marketplace automatically January 1st. Didn't have to guess at how much money they were going to make; didn't have to worry about whether they got laid off; didn't have to go check with the IRS; didn't have to ask Uncle Sam.

We are automatically giving the tax advantage by virtue of them being American and us doing the right thing off the existing money that exists in ObamaCare and health care today.

Mr. Speaker, that is a better idea. That is a better opportunity for us, as Republicans, to go back home, and, no matter who we want to look at, we can say: we get it. We do get that you want and need health care, that we want and need America to have the greatest healthcare system in the world, but we need to make sure we can pay for it. And it should not restrict business. It should not come and tell a business or a group of people what they will—how they will tie themselves together with their health care and their job that makes absolutely no sense.

I know we were told that is the way it would happen, but it did not. It became a concrete life preserver for employees, employers, and for the marketplace.

So, Mr. Speaker, this health insurance tax advantage is but one of the ideas that is available to the American people and to the Republican Party as part of the world's greatest healthcare system.

I believe that we need a very disciplined approach. I believe that we need to be thoughtful. I believe that we need every single Member of Congress to understand what kind of healthcare system America deserves, not only for the physicians and the hospitals back home but for the real live people who are called constituents. And we as Members of Congress should know, the day we pass a bill, how we intend it to work.

My colleagues, the Democrats, for 6 years have bumbled around and, even today, don't even understand, nor will they admit, what a disaster ObamaCare

is. So, the American people did it for them.

The American people voted in Donald J. Trump. They voted in Republicans to the House in the majority. They voted in Republicans to the Senate. And now we are in Washington, and we are going to struggle. We are going to struggle mightily. We are going to throw ideas onto the wall. We are going to have committee hearings. We are going to have the best thought process.

We are going to be able to go back home and to sell to the American people not only some of the ideas that I have but some of the ideas that my colleagues have. And we are going to come up with a better healthcare system.

So what we are about is fix the system before we repeal it. I believe it is wise to say that Republicans owe it to the American people to say: before we go replacing something—before we repeal something, let's replace it. And more and more and more and more of my colleagues are saying this openly. It only makes sense.

We have nothing to fear with a Republican option and an alternative that will be superior for the American people, and every single person will be able to see that. We believe establishing a Republican alternative that can be implemented this year is the best answer.

Now, this is my idea. My idea is, let's go get it on. We know what we are doing. Let's go hold our hearings. Let's go to the American people. Let's sell the ideas that we have got. Let's go move forward and get this process on.

Secondly, we believe that what we have got to do is use reconciliation to repeal the most onerous mandates. What might those be? Well, the individual and the business mandate, the Cadillac tax.

We believe that we have got to go and use the processes, the leverage that we have got. And then we have got to count on what I hope will be the gentleman from Georgia, TOM PRICE, who is today the chairman of the Budget Committee, but tomorrow has been nominated to be the Secretary of Health and Human Services.

We will count on Dr. TOM PRICE actually sitting in the seat, looking at the exact same law that was overwhelmingly voted by Democrats and no Republicans, and using those levers that he has that were expressly given to the head of HHS to make wise decisions on how to implement the law as we move forward.

I will tell you, Chairman PRICE, as a physician with a long history of understanding health care, as a provider of health care for years, as an awesome physician, TOM PRICE knows the problems, and he will use those same opportunities that exist in the law today. Instead of it being something that would be more difficult for a consumer, more difficult for a person on ObamaCare, more difficult for what might be an

employer, more difficult and time consuming for a consumer, more costly to the consumers of this country, but, perhaps worst of all, making it harder to provide better health care for a patient, TOM PRICE will have that opportunity.

So this is a three-tier process for Republicans, for us to also bring the best ideas. The American people should be checking with their Member of Congress who will be able to understand the Republican alternative. This is great for the American people to know.

We are going to use the levers of laws to change them, to repeal and take back the most onerous parts of ObamaCare, and we are going to work within the law that Mr. PRICE, as head of HHS, would be able to use exactly the same levers that someone sat there, if they really wanted to fix health care instead of making it harder for someone.

We know that Republicans have better ideas, and that what we want to do is to establish a tax benefit system while allowing the employer-sponsored insurance tax system to remain. That means that every single American will have parity on the opportunity to buy health care on January 1 of every year; that no longer will we find that people lag behind because they can't afford, or it is a rigged system, or they have a disadvantage.

Republicans have an opportunity to level the playing field. This is why Republicans openly in any crowd can say: we have better ideas. We don't have to force anybody. We will invite them to come be a part of what we do. And I guarantee you, more people will flock to our system than fled and ran from ObamaCare, because it has to work for everybody, not just some of us.

The healthcare system that we have today, ObamaCare, literally, young people ran from the system. They could not afford it. But worst of all, they could not pay the high deductible. And if you have such a high deductible, it means, by and large, insurance is useless to you.

So, Mr. Speaker, what Republicans are doing is going to allow a tax benefit system. Republicans are going to make HSAs available as an option, an alternative, so that people have a choice and a chance to buy what they need but not pay for what they don't want. We want an opportunity for them to become consumers. We want them to be a part of a system where it is not use it or lose it, rather, they can only, through their own means and their hard work, roll over perhaps \$1,000 a year, \$1,000 at 21, \$1,000 at 22, \$1,000 at 23, and to allow private physicians to make sure they are in the system.

Lastly, as my time is moving forward, I want to say something to each and every American because it seemingly has been a part of the lexicon in my Democrat friends' viewpoint, and it

is this: The Republican plan has available to it and, I believe, will accept the rights that were known as under ObamaCare, which were very bipartisan, dependent coverage through age 26—Republican plan, you bet. No lifetime annual limits—Republican plan, absolutely. Modified guarantee availability renewability, just like what was in ObamaCare—you bet we will have that too.

Prohibition on preexisting conditions exclusions—literally, just the same. You have to buy in. And if you don't, then you have a problem. But if you buy in the first time you get a chance, it is an opportunity just like ObamaCare.

Prohibition on discrimination based on health status—absolutely. That is a Republican idea, too. It is not owned by just one party. It is a generally accepted idea and would be a part, should be a part, of a Republican plan, and nondiscrimination and healthcare coverage.

Mr. Speaker, what I have tried to do in this hour is to give the American people and my colleagues the confidence that what lies ahead will be an awesome debate, but it will be done in public. It will be done above board. It will be done where Members of Congress can go back home and explain to people not only what we want to do but be willing to take their own feedback also.

It will be a system that will fix the inequities, the things that were unfair about tax benefits. And it should be, and I hope will be, a system that will be available this next year so that, on January 1 of this next year, as we find the American people wanting eagerly to look at the health care that their families would want and need, that they will find a tax benefit that is consistent with what any other American gets.

Now, the last point I would like to say is a thank you. I would like to say a thank you to some 500 physicians of the National Physicians' Policy Council who have worked through, for 2 years, 9 very large meetings across this country, the last one, the first week of December here in Washington.

Dr. John T. Gill, national co-chairman, and Dr. Marcy Zwelling—Dr. Gill is from Dallas. Dr. Zwelling is from Los Angeles—and our 16 vice chairmen, who have devoted not only hard work but a belief that a healthcare change should be done with physicians, with the people who care about not only patients but care about the system that they would be engaged in, the system of health care in America, that is the greatest system that we know of.

□ 2015

They have sent me hundreds of ideas and hundreds of things which we have openly discussed where we rubbed elbows trying to decide how do we hone

this idea. It has come down to every single American should end up with a better healthcare system than one that was designed that they could not explain and still leaves some 30 million people uninsured in America, and that is called ObamaCare. We should not have a system that demands that a person be on that system or have to pay a huge fine. No. We would want a system where people gleefully came to it, liked their healthcare system, became a consumer, were proud of what they got, and perhaps more importantly, could go to the doctor of their choice instead of calling a number and being assigned or take the person that they were given.

Mr. Speaker, there are lots of ways to get things done in this country, but Republicans have, for years, had better ideas. The idea on health care is one that Republicans are eager—eager—not only to accept this challenge, but eager to say that we are going to work together. Speaker RYAN has pledged himself to our Conference. We have Members of the United States Senate, MITCH MCCONNELL—the other body—and there are a number of Members, including Dr. BILL CASSIDY and Dr. RAND PAUL who have come out with their own healthcare bills, ways to attract not just other cosponsors, but their colleagues who are Democrats also.

So I would say tonight to my colleagues: I would like for you to take just a minute to look at the world's greatest healthcare plan. I would like for you to be concerned, instead of the some 12 to 20 million people across the country—everybody has their own congressional district, and there might be a large number in some of their districts. But by and large, the vast number would not be on ObamaCare, and each of our Members owe them a better healthcare system also.

But if we all get together, every single person can have the opportunity to have a nondiscriminatory system where virtually every hospital would take your coverage instead of only a few. ObamaCare is only a few, only a few doctors. And if we work together and form larger team sizes, we can make health care even better for all Americans.

So, Mr. Speaker, I am grateful for the opportunity tonight to talk about not only better ideas to fix health care, but it would be done through a deliberate, disciplined approach, one in which every single Member of this body should be able to describe what they want. If they want to be for ObamaCare and say that only 24 percent of physicians and only a few hospitals will take their plan, then let them stand on that.

But I want to be for a system where virtually every hospital and virtually every doctor would take the healthcare plan that I would like my family to be on and them, also. That is why I stand up tonight and speak favorably about

the Republican advantages of where we will head, specifically about the world's greatest healthcare plan that Senator BILL CASSIDY and I have cosponsored and, more specifically, that the American people can be sold by every single one of us to make health care work and be better for each and every American.

Mr. Speaker, I yield back the balance of my time.

A RESPONSE TO PRESIDENT TRUMP'S INAUGURAL ADDRESS AND NEW DEAL FOR AFRICAN AMERICANS

The SPEAKER pro tempore (Mr. KUSTOFF of Tennessee). Under the Speaker's announced policy of January 3, 2017, the gentlewoman from the Virgin Islands (Ms. PLASKETT) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. PLASKETT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the subject of my Special Order hour.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Ms. PLASKETT. Mr. Speaker, I yield to the gentleman from the great State of Louisiana (Mr. RICHMOND), who is the chairman of the Congressional Black Caucus.

Mr. RICHMOND. Mr. Speaker, I thank Congresswoman PLASKETT.

Mr. Speaker, the CBC has led the charge in proposing solutions for the underserved and disadvantaged communities throughout this country.

In his first remarks as President, Donald Trump claimed to champion this cause in his remarks, which proved to be petty and beneath the Office of President of the United States. On day one, in his first official acts in the office, one of his first official acts was to remove from the whitehouse.gov Web site a page detailing a broad set of civil rights commitments and accomplishments under President Obama.

It is fitting that President Trump, as one of his very first actions in office, would take down the public pledge to defend the civil rights of all Americans. This is a continuation of the divisiveness that defined his campaign where he proposed a Muslim ban, mass deportation, and a nationwide stop-and-frisk program. This is consistent with a President who would nominate JEFF SESSIONS, a man unanimously opposed by the civil rights community, as Attorney General.

President Trump didn't stop with changing the Web site. It has been reported that the Department of Justice is seeking to delay a hearing meant to focus on the relief required for Texas' discriminatory voter identification

law. The U.S. Court of Appeals for the Fifth Circuit ruled last year that the law had a discriminatory effect and that provisions must be made to allow those who lack the specific ID that the law requires be able to cast a vote. Every judge who has considered the Texas law found it discriminatory, but it still has been used in elections there.

Unfortunately, President Trump has given no indication that he is willing to stand up to protect the voting rights of all Americans. Since being elected, he has ignored proven instances of intentional voter suppression and chosen instead to spread alternative facts about voter fraud.

As one of its first substantive acts, the Trump administration suspended a mortgage insurance rate cut put in place by the Obama administration to give relief to homeowners. According to the Federal Housing Administration, the cut would have saved the average homeowner \$500 this year. This reversal will make it more difficult for middle class Americans trying to purchase a home and eliminate relief for homeowners struggling to make their mortgage payments.

According to the National Association of Realtors, this will prevent 30,000 to 40,000 new home buyers from purchasing homes in 2017. This move will disproportionately affect African American homeowners who are more likely than White homeowners to rely on FHA mortgage insurance.

Mr. Speaker, we know exactly who Donald Trump is and have an inkling about what he intends to do, but what we plan on doing is educating the President about the needs of underserved communities. So I will just take a moment to address a few of his points in his new deal for the African American community, which is truly a bad deal in terms of economic equality. It is a raw deal in terms of public education, and it is a hollow deal in terms of voting and civil rights.

On behalf of the caucus, the CBC, the Congressional Black Caucus, I would like to inform him that 39 percent of African Americans actually live in suburbs compared to 36 percent who live in inner cities. The remaining 25 percent live in small metropolitan areas or rural communities.

For more than 45 years, the Congressional Black Caucus has worked to improve conditions for African Americans from all walks of life. Collectively, our members represent 78 million Americans, 17 million of whom are African American. Our districts are rural as well as urban. Some of our members represent majority minority districts, while others do not.

Mr. Speaker, tonight you will hear from several members of the Congressional Black Caucus who will point to specific pieces of legislation that we have championed and that we have authored that would address many of the

issues facing inner-city communities, facing poor communities, and facing communities all across this country no matter the race or makeup of those communities.

What I would like to reiterate and stress is the fact that we don't just talk about a problem, but we offer solutions. We have sent to you, Mr. President, a letter outlining all of the 10 points in your new deal with concrete solutions and legislation that we have authored that we think will go further and is a more comprehensive way of approaching the problems in those communities.

We also sent you another document that details more than your 10 issues, but highlights issues that are faced by American families all across this country and our policy proposals that will solve them. We would just encourage you to step out of the White House and to listen to people who have done this for a long time and who live in those communities and who have offered viable solutions.

So I would just say that we don't need more talk or more rhetoric. What we need is action, and we need action from 1600 Pennsylvania. We need action from the White House, and we would urge you to look at the proposals that we have that offer a better solution.

Ms. PLASKETT. Mr. Speaker, I thank the chair of the Congressional Black Caucus, my friend and colleague, the Honorable CEDRIC RICHMOND, for his leadership in our caucus as well as his continued fight on the issues impacting Black Americans and other minority communities in underserved American communities in this great Nation.

I would also like to thank my colleague, the Honorable MARC VEASEY of Texas, for joining me and sharing this evening's Special Order hour and my many colleagues of the Congressional Black Caucus who are here to speak on this most important issue. Mr. Speaker, we are here tonight as Representatives of America's minority communities to respond directly to President Trump's inaugural address, and specifically to his new deal for African Americans.

During President Trump's campaign, he promised to address issues confronting African Americans, and he gave a 10-point plan outlining that. We have studiously reviewed the issues outlined in the plan and have concrete suggestions for him in accomplishing those goals.

While I acknowledge President Trump's willingness to confront these issues, I find the points in his new deal do not go far enough in substance to adequately address the needs of African American communities and rely heavily on assumptions that African American communities are primarily in the inner cities. Just as the chairman spoke of earlier this evening, let's not

continue with this fallacy and stereotyping of the dynamic diversity of African Americans in this country. African Americans live in the Rust Belt. They live in rural areas across this country, in suburbs, and they live in territories.

My home district of the U.S. Virgin Islands has a population of 100,000 American citizens and permanent residents. It is a majority minority, and it, too, has experienced the same slow recovery as many of the economically dispossessed communities across America. The issues of African Americans cannot be solved in just 10 bullet points directed to a small portion of the African American community.

Mr. Speaker, we are here this evening, in large part, to send a message, suggestions, thoughts, ideas, and support to President Trump that, if he is serious about addressing the issues in disadvantaged communities, it would be wise to tap into the decades of experience held by the members of this caucus. The answers to those 10 points are very nuanced, and we have been working on them for decades, and we are happy to support positive improvements in our underserved communities.

For almost a half century, this caucus has advocated to improve the lives of millions of Americans in both rural and urban communities—African Americans and all Americans. The 49 members of this caucus who sit in both Houses of Congress and the members before us tonight have offered policy solutions for decades that would help not only those African American communities, but underserved areas nationwide.

□ 2030

We will continue to lead by offering solutions to improve the lives of all Americans in search of a better opportunity. We are hopeful to give you an idea of some of those this evening.

Mr. Speaker, I yield to the gentleman from Texas (Mr. VEASEY), my able colleague, for his remarks on this matter.

Mr. VEASEY. Mr. Speaker, I thank the gentlewoman from the Virgin Islands who is helping to lead tonight's Special Order hour.

I, again, want to highlight how President Trump's inaugural address served as a preview of what the African American community can expect over the next 4 years.

This past Friday, thousands of Americans from all over the country traveled to Washington, D.C., to witness the new President and what type of message he was going to deliver. Unfortunately, instead of starting his Presidency with a bold, new agenda that would benefit all Americans, what we heard was an inaugural address that reminded us that the America he wants to build will leave many of the constituents of those of us who serve as members of the Congressional Black Caucus behind.

In his speech, President Trump said that a nation exists to serve its citizens. But for far too many, a different reality exists. He also painted another grim picture of mothers and children trapped in poverty in inner cities and rusted out factories scattered like tombstones across the landscape of our Nation; an education system flush with cash, but which leaves our young and beautiful students deprived of knowledge; and crimes and gangs and drugs that have stolen the lives of too many and robbed the country of so much of its unrealized potential.

Those are problems that need to be addressed. I don't think that anybody will disagree with that. We need to make sure that our children have access to good public schools and good, quality education. We need to make sure that, as the nature of work changes in this country, people are ready to get those new jobs. We must make sure that we invest in our communities so that they prosper.

But yet, very little of what President Trump proposed would actually address the root cause of any of those problems. Not even his new deal for Black Americans provides real solutions for the problems that he outlined in his inaugural address. Instead, we see the same recycled, broken promises.

Since the creation of the Congressional Black Caucus, we have been fighting to uplift our communities. We have bold ideas to help transform the lives of those individuals that were mentioned and real ideas that can get going.

I thank the gentlewoman as we prepare to have other speakers from the Congressional Black Caucus share their remarks.

Ms. PLASKETT. I appreciate the remarks that the gentleman has given, particularly about the grim view that was given of African Americans during the inauguration that didn't really expound on the great diversity that is here.

We have someone from another part of our country who is now going to speak. I yield to the gentlewoman from California (Ms. LEE), one of our senior great leaders of the Congressional Black Caucus, former chairwoman of the Caucus from California, who is going to give us her remarks and her thoughts on this topic this evening.

Ms. LEE. Let me first thank Congresswoman PLASKETT for her tireless leadership to protect our progress, but also for her vigilance and hard work on behalf of her district and the territories. I thank her and Congressman MARC VEASEY for cosponsoring our Special Order, making sure that the drum is being beat very loudly throughout the country with regard to what is taking place here in Washington, D.C.

For more than 45 years, the Congressional Black Caucus has been the con-

science of the Congress. Since its founding, we have fought for robust legislative action to lift our constituents and the African American community, I guess, in a way, to ensure equal justice under the law so that everyone, including African Americans, will be able to live the American Dream.

Now, make no mistake about it: we will continue to fight for justice and equality under President Donald Trump.

The President's inaugural address, quite frankly, was appalling. In my nearly 20 years in the House, I cannot recall a darker, more pessimistic view of our Nation from an incoming President.

The President's inaugural address distorted the truth about our communities. He used dog whistles to paint a frightening picture of our neighborhoods and stoke fear.

Let me be clear: America is not the downtrodden, helpless Nation President Trump described. Yes, we have much more work to do to ensure equal justice under the law and to address the legacy of slavery, Jim Crow, and segregation. But this means public investments in housing, education, jobs, not budget cuts and corporate tax breaks that just do the opposite and also dismantle the safety net.

Within hours of taking office, the President already began to unravel the progress of the last 8 years. With the stroke of a pen, the President stuck a dagger in the heart of the Affordable Care Act that will take away health care for millions and pull the rug out from under low-income families seeking to buy homes.

These destructive policies are an attack on the most vulnerable in our society. It is clear that these executive orders will disproportionately harm communities of color, the African American community, and the poor.

Repealing the Affordable Care Act is just the tip of the iceberg. We have seen the Trump administration planning a full scale attack on the most marginalized community in our society.

Last year, after continually insulting the African American community, Trump's so-called new deal for Black America really did just add insult to injury. Rather than helping struggling families, this agenda would gut Social Security, repeal the Affordable Care Act, and abolish the safety net. We know that these cuts now will just lead to more poverty. This approach is dead wrong.

Instead of stepping on the most vulnerable to benefit special interests, President Trump should follow the CBC's lead by supporting a national strategy to eliminate poverty and extend economic opportunity to all Americans.

He can start by supporting our Half in Ten Act, which would reduce poverty in half over 10 years. And if the

Trump administration really wants a new deal to benefit African Americans, they should look to our assistant leader JIM CLYBURN's 10–20–30 antipoverty plan, which would direct at least 10 percent of funds in designated accounts to spent in communities experiencing persistent poverty—those with a poverty rate of at least 20 percent over the last 30 years.

These are just a few of the proposals that we have to address poverty and lift up our communities. What we won't do is allow President Trump to roll back progress or push more families over the edge into poverty.

We should be identifying the root causes of poverty and developing policies to lift Americans up. Instead, President Trump has shown he would rather line the pockets of billionaires and advance those failed trickle-down economics.

In President Trump's new deal for African Americans let me just read you very quickly what he said with regard to illegal immigration. He said: "We will restore the civil rights of African-Americans, Hispanic-Americans, and all Americans, by ending illegal immigration."

Our response is that the CBC will not buy into the divisive rhetoric that blames immigration for the social and economic problems in African American communities. Our members support comprehensive immigration reform. President Trump will not roll back the clock on our progress or doom another generation to the crippling effects of poverty.

Let me be clear: this 10-point plan really is a slap in the face to African Americans everywhere. As co-chair of the CBC's Working Group on Poverty and the Economy, along with Congressman CLEAVER and chair of the Democratic Whip Task Force on Poverty, Income Inequality and Opportunity, we will continue to work to make sure that the vital resources for low-income Americans, African Americans, and those struggling to make ends meet are there.

We will make sure that the country understands that the Congressional Black Caucus continues to fight for a real deal for the African American community, for our entire Nation, and that means lifting people out of poverty, creating good-paying jobs, and moving forward on the progress that has been made.

I thank the gentlewoman for her leadership.

Ms. PLASKETT. Mr. Speaker, I was really very interested in the discussion the gentlewoman had and about the work that you have done to alleviate poverty both in the Democratic Caucus as well as the Congressional Black Caucus, particularly her words about not allowing immigration to be divisive and used as a means to separate Americans and not being able to realize the

American Dream. America is big enough to have immigrants under a comprehensive immigration plan that will allow all of us to be able to lift it up.

I want to thank the gentlewoman for her leadership on that and particularly the fight that she has been fighting for so many years when it comes to alleviating poverty in the United States.

Mr. Speaker, I yield to the gentlewoman from Michigan (Mrs. LAWRENCE), but more specifically from the great city of Detroit, where she has been a strong voice for the people of Detroit, a strong voice for surrounding areas, and her work on Flint, Michigan, and its water crisis, and other areas of people who are in the inner city that need support in so many areas, to speak on the issues that are the topic for today.

Mrs. LAWRENCE. I thank the Congresswoman, my colleague, for her leadership.

Mr. Speaker, the Congressional Black Caucus, the conscience of the Congress, stands strong to promote unity and fight against divisive rhetoric.

Trump's inaugural speech included a lot of pledges and promises: pledges of "allegiance to all Americans," promises to the American people, saying, "I will never let you down."

He even quoted the Bible, saying: "... how good and pleasant it is when God's people live together in unity."

But pledges and promises fall flat when tweets, speeches, and now actions are followed by reckless executive orders, thoughtless nominations for our Nation's leaders, and attacks on the American healthcare system.

The American people were let down when President Trump nominated unqualified and out-of-touch candidates such as Senator JEFF SESSIONS, Betsy DeVos, and TOM PRICE.

How can you pledge allegiance to all Americans while threatening to leave so many without options and access to healthcare coverage? This is not unity. It is hypocrisy. We need to focus on facts and not "alternative facts."

I have a question: Do we have a replacement for the Affordable Care Act? Is it a fact that a repeal without a replacement will leave over 30 million people uninsured? Yes, that is a fact.

Is it a fact that Betsy DeVos, if confirmed, will be the first Secretary of Education without any prior experience in public schools, including early childhood education and higher education?

Is it a fact that JEFF SESSIONS has been nominated as the Attorney General but was denied Federal judgeship over accusations of racism?

I support efforts that will bring more jobs to the American people. I fully support efforts to improve our country's transportation and infrastructure. But only time will tell if President Trump will follow through with

the promises he has made to the American people on inauguration day. Only time will tell if he will continue to act, speak, and tweet in a manner that builds walls and not bridges.

Mr. Speaker, the Congressional Black Caucus intends to be a voice to create bridges and work toward real solutions to the real challenges that face African Americans, minorities, and the unheard and disenfranchised. We will be watching, and we will be listening. We will continue to fight for equality, liberty, and justice for all.

Ms. PLASKETT. I thank the gentlewoman for those words and thoughts on these issues.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), who has been a stalwart for social justice, a stalwart on the Judiciary Committee, and is going to speak on the issue that is here before us this evening, the CBC Special Order hour, "A Response to President Trump's Inaugural Address and New Deal for African Americans."

Ms. JACKSON LEE. I thank the gentlewoman from the Virgin Islands and the gentleman from Texas for their service to the Nation and for leading the Congressional Black Caucus Special Order. It is always important for the voices of the Congressional Black Caucus and the chairman of the Congressional Black Caucus, Mr. RICHMOND of Louisiana, to be heard. Both Ms. PLASKETT and Mr. VEASEY have accepted the challenge and the call. I want to express to them my greatest appreciation for the leadership that they are showing.

□ 2045

I want to start my remarks again by saying that it may be hometown pride, but I like the headline of the Houston Chronicle that says "Powerful Together." The numbers have not yet been fully calculated, but we know upwards of a million and maybe over a million persons around the Nation, and then they added individuals from foreign countries far and wide. I would take by this title that represents, Mr. Speaker, the peaceful protests—I want to say that again; in fact, I might want to say it two times: peaceful, peaceful protests, nonviolent protests—that occurred on Saturday, expressing the view of what America is really about.

I say that to my colleagues, they are about what the Congressional Black Caucus is about, and I believe our chairman made the point that we come from very diverse districts, representing people of many racial backgrounds, religious backgrounds, as well as economic backgrounds, that we are the voice of reason and the conscience of this Congress. We fight against poverty, but we have Ph.D.'s, lawyers, judges, and we have businesspersons. They, by and large, Mr. Speaker, are charitable individuals who believe in social justice.

That is why we come with a sense of privilege, if you will, to be able to speak about what America truly is. Yesterday at the Community of Faith, under the leadership of Bishop James Dixon, I gathered for a prayer for the Nation. Mr. Speaker, I did not dissect it. I did not eliminate the White House. I did not point out Members of Congress, call them by name. I said a prayer for the Nation, and that included the White House and individuals in the Congress and the Senate. We had international representation. We had the Consulate General of Pakistan. We had imams. We had individuals who worship on Saturday Sabbath. We had people who spoke Spanish, people who spoke, obviously, English. And we gathered to pray for the nation. That is what I think is represented in the message or the title of the "New Deal for Black America," it needs prayer because it is not reflective. Although well-intentioned, I am not sure who may have advised the administration, but it does not speak to the wideness of diversity of the African American population, African American communities in this Nation.

So I want to speak very briefly on questions of health care and justice. I would like to say that in the safe communities of which the administration or the President has offered his new deal, he says: "We will make our communities safe again. Every poor African-American child must be able to walk down the street in peace. Safety is a civil right. We will invest in training and funding both local and federal law enforcement operations to remove the gang members, drug dealers, and criminal cartels from our neighborhoods. The reduction of crime is not merely a goal—but a necessity."

In that there is no mention of ending gun violence or looking at sensible gun safety regulations or laws, of which we have asked. I introduced Gun Violence Reduction Resources Act, which really answered Republicans' cry for enforcing the law, to add to the ATF, to enforce the penalties against those who use guns wrong. In particular, the perpetrator in Mother Emanuel should not have been able to get the gun, but he was because the gun dealer was so easy and quick to sell it, even though he had not gotten an affirmation by ATF, that is the one. I would argue it was because they did not have enough personnel.

He also seems to categorize that every poor child has to walk down the streets. We want every child to walk down—as I said, our community is very diverse. He then says: "Equal Justice Under the Law. We will apply the law fairly, equally and without prejudice. There will be only one set of rules—not a two-tiered system of justice. Equal justice also means the same rules for Wall Street."

So I quickly want to offer these points before I yield the floor. Number

one, we are not all impoverished, but I join my colleagues in ending poverty. African Americans want the same thing as Barbara Jordan said when asked, "What do your people want?"

"It is the same thing that all America wants."

Yes, we do want opportunities, but we do have to be more forceful for issues that are relevant.

We have seen nothing in Mr. Trump's statement of a new deal for Black America to deal with sentencing reduction and ending mandatory minimums. We see nothing about working with police departments that have found themselves falling upon bad times and having a plague of bad actors, even though we respect and honor police. And so the Law Enforcement Trust and Integrity Act that JOHN CONYERS and myself introduced has to do with correcting the issue of training and the improper inaction of police and community.

I would offer to say that the nominee for the Attorney General is completely opposed to addressing any questions of bad behavior on behalf of bad actors and bad officers. In fact, he opposed consent decrees like the one in Ferguson and Baltimore that were only positive, welcomed by the police departments to help them do a better job at policing the community.

Prison reform to change the matrix of prison, gun violence prevention that I have already mentioned, and healthcare access that are truly crucial to all of us.

Let me also indicate a changing of the matrix of juvenile justice. We want to reauthorize the Juvenile Accountability Block Grant Program Reauthorization Act, but, more importantly, we want to change how we are dealing with juveniles. We want to change from the idea of them being, if you will, punished versus incentivized.

Finally, let me offer to say that two Senators in the other body have offered a new matrix on health care. I understand there are some proposals here. I would say that we see that we can't have unity. We don't have any replacement. What is being offered by the Senators is health savings accounts, which we know are not realistic. So I would offer to the President that there are many ways of looking at serving all of America, including African Americans. It is not listening to your own voice. It is helping us change the matrix for juveniles, changing the matrix for those who are incarcerated, mandatory minimums, the way police and community work, at the same time respecting them, but, more importantly, it is listening and working with Members who have real life experiences in some of the issues that will make this country continue to be the greatest country in the world.

I thank the gentlewoman for her courtesies.

Ms. PLASKETT. I thank the Congresswoman from Texas. I want to thank her for all the work she has been doing not just in terms of incarceration reform, but pointing out to us that the safety of children also includes gun violence in their communities. That is so very important. And, of course, the real tireless work that she has done in terms of juvenile justice.

Mr. Speaker, Congresswoman SHEILA JACKSON LEE has been at the forefront of changing the dynamic in how we see juveniles and the things that lead them into incarceration or lead them into problems with the law, and the solutions that are on the table. This is what we are speaking about this evening, giving real solutions and concrete legislation that has already been drafted and worked on by members of the Congressional Black Caucus that President Trump can use in carrying out the 10-point plan that he has.

I yield to the Congresswoman from Wisconsin (Ms. MOORE), who also would like to speak on this topic and who has been doing tireless work in her district of Wisconsin and throughout the United States for communities, for children, for working mothers, for women who are attempting to move ahead, to receive a part of the economic justice, who has really been concerned about so many of the things that we are talking about this evening.

I yield to her to speak to us this evening.

Ms. MOORE. I thank the Delegate and the Congresswoman from the Virgin Islands and her counterpart, the gentleman from Texas (Mr. VEASEY), for really supporting this Congressional Black Caucus hour so that we can discuss the pledges and proposals that President Trump has made as the new deal within the Black community.

Mr. Speaker and Madam Chairwoman of this Special Order, I would like to engage in a kind of colloquy with the gentleman from Pennsylvania (Mr. EVANS), who has been a State appropriator before he joined this body for some 25 years. I hate to date him. He has been a member of the prestigious appropriations committee. So, therefore, he was tasked with taking Federal funds and making those appropriations and those decisions at the State level. I wanted him to help evaluate some of the proposals that now President Trump has made regarding his new deal for Black America.

One of the proposals that President Trump has made is to allow the conversion of funds for poverty programs to be converted from those programs into microloans that he would then provide to the poor. I am feeling a little confused and perplexed as to how this would work. I fear that this is part of kind of the double speak or alternative facts about the roots of and the solutions to poverty.

As the gentleman now serves on the Committee on Small Business here in the House, and he has been an appropriator, I am wondering, number one, if converting funds from, say, the Temporary Assistance to Needy Families Act, which is comprised of mostly poor women and children or Social Security disability insurance, which is set aside for those folks with significant disabilities, or perhaps SNAP and food stamps, those people who are temporarily out of the workforce waiting to go back, find another job, but need to sort of eat that month—I am wondering how, in his experience, converting programs set aside for poor people would a poor person use a microloan.

I have two questions. I want the gentleman to sort of respond to what poor people would do. Presumably they would create their own jobs with these microloans. How big, perhaps, would these microloans have to be in order for them to establish their own businesses so that they would be off welfare?

In fact, on any given day, there are 3 million children who live in extreme poverty, off of less than \$3 a day. So I guess I would wonder how converting those funds—what those children who are not capable and eligible to work would do with such a proposal.

I yield to the gentleman from Pennsylvania.

Mr. EVANS. Mr. Speaker, I think that the points that the gentlewoman is raising are very legitimate in terms of the experience that I have had. And the experience that I have had, always the question is: Is there enough availability of capital in any startup of any particular business?

The experience has shown that this idea of microloans hasn't been sustainable or sufficient in terms of what it would mean. And as a result, Mr. Speaker, I think that this is like kind of a pig in a poke, giving people some sense, but really it doesn't give them a sustainable sense of whether you have the necessary long-term investment that is necessary. So I think that this is like smoke and mirrors. And the gentlewoman is correct in what she is saying in terms of this is not something that will give them a sustainable effort.

Ms. MOORE. I thank the gentleman for that because I thought maybe it was just me who thought that. Here we are, we live in a country with the largest economy, with arguably the strongest, greatest technological economy, and I wonder what these poor women who are on welfare would do?

He says he wants to get them off of welfare. Would they sell fruit on the street? How would that work in Detroit or Milwaukee?

We are not talking about women who live in countries where microloans may work very well in those limited economies.

□ 2100

I am also wondering how those people who are structurally unemployed would benefit from these microloans.

What this does, Madam Chairperson of this initiative, is that what this really is saying is that this is really perpetuating the persistent myth of people who are poor as the shiftless, lazy welfare queens of poverty pimps, and that the solution is to take away the safety net and force them to do some kind of work, whether that work is sustainable enough for them.

And so I would say, as a member of the Congressional Black Caucus, that we ought to have welfare reform that really honors our commitment as Americans to make sure that we provide some kind of safety net for the majority of the poor who are, in fact, children. There are, in fact, people who are not capable, or should not be responsible, for providing for themselves through our very sophisticated economy.

I would say, Mr. Speaker, that if we really want to help get people off welfare, we should not start the debate by taking away reproductive freedom from women. One of the major reasons that women fall into poverty is the lack of access to birth control, health care, that would enable them to plan their families, plan their pregnancies. And to say that you are going to help people get off welfare and to snatch away funds from Planned Parenthood or their ability to control their reproduction is a nonstarter in truly helping the truly poor.

I think that President Trump's quest to help those who are truly poor will only come if the President and his team will actually listen to the voices of the poor, actually listen to solutions that have been tried and tested, like providing educational opportunity and upward mobility to poor people; by respecting women's reproductive rights to choose; by really creating a sense of Congress that any goal of welfare reform ought to be to protect children; that any welfare reform ought to make sure that women are free from domestic violence, sex trafficking, and human trafficking, and that they be protected; and that during these periods they not be cut off from public support.

Mr. Speaker, I thank Ms. PLASKETT for this opportunity to speak to the American people.

Ms. PLASKETT. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. EVANS) and ask if he has additional thoughts on this after having that colloquy with Ms. MOORE.

Mr. EVANS. Yes. And, Mr. Speaker, I thank Ms. PLASKETT for the opportunity to offer some comments. The fact that the Congressional Black Caucus has taken this lead, I applaud our leadership, Chairman RICHMOND.

I join with my colleagues this evening to speak to the plan our new

President has penned as the "new deal for African Americans." This plan, unfortunately, does not meet the needs of our communities and focuses on the same assumptions that have not worked for our communities over the years.

In his inaugural address, President Trump stated: "The establishment protected itself, but not the citizens of our country. Their victories have not been your victories; their triumphs have not been your triumphs; and while they celebrated in our Nation's Capital, there was little to celebrate for struggling families all across our land." That was stated by President Trump.

Well, while individuals were celebrating last week, actions were taken for people all over our Nation to lose their healthcare coverage, and the Federal Housing Administration mortgage insurance rate was cut an hour after President Trump took office, which would have reduced insurance premiums for borrowers each year. This does not help the men, women, and children of our great Nation.

In the new deal for Black America, President Trump asserts that there will be tax reform to create jobs and lift up people and communities. Just in my community alone, Mr. Speaker, at Temple University Hospital, which has 8,000 jobs, there are jobs that will be lost due to the repeal of the Affordable Care Act, which President Trump signed an executive order to dismantle the day he was sworn in as our President. This is counter to any notion of job creation.

As our chairman so eloquently stated in the letter expressing the views of the caucus on January 19, the new administration should target investment to those communities that need it the most and support programs that support small- and medium-sized businesses and address the access to capital crisis in the African American entrepreneur community.

In President Trump's inaugural address, he stated "a new national pride will stir our souls, lift our sights, and heal our divisions." I assert that we already have a national pride. It is the pride that those in our communities feel when there is unity when they understand that individuals here in Congress are fighting for them. It is the pride that communities feel when they understand that groups such as the Congressional Black Caucus zealously represented and advocated to improve their lives over the course of the existence of the caucus, those in rural and urban communities.

An additional point in the new deal for Black America asserts financial reform to expand credit to support new job creation and specifically calls out the Dodd-Frank reforms set forth and protected through the leadership of

Ranking Member WATERS. These financial reforms and protections are absolutely essential to protect our communities.

With the racial wealth gap reaching an unfortunate and historical level, with White households maintaining 13 times the wealth of African American households, we must work to ensure the protections of Dodd-Frank remain in place. Additionally, as Representative RICHMOND shared, programs such as the Small Business Administration's Microloan Program, which provides capital and assistance to minority-owned business, must be bolstered.

I have spoken directly with my constituents about the need for access to capital; thus, my statement is not hypothetical or speculative in nature. There is an actual need in our communities so that our small businesses can grow and flourish.

Our new President asserts:

We are transferring power from Washington, D.C., and giving it back to you, the American people.

I assert that the American people have always had the power. I see this power as I walk through my district as through my community, as I walk through Ogontz Avenue in West Oak Lane, part of my district, down Girard Avenue in North Philadelphia, Lancaster Avenue on the Main Line, and Baltimore Avenue in West Philadelphia. The faces in my community let me know that the power has always belonged to the people. It is now up to all of us to do what is in the best interest of our communities, to work collectively and address the issues that plague our communities.

Ms. PLASKETT. Mr. Speaker, I thank my colleague from Pennsylvania, DWIGHT EVANS. I know that he is new to this Congress, but he has worked for so many years on the issues that we are talking about today. I look forward to our continued collaboration in supporting so many communities throughout our country.

Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. BEATTY), who has been a stalwart voice on so many of the issues that the Congressional Black Caucus has brought here this evening and is here, Mr. Speaker, to share some of her thoughts on the things that have been spoken about earlier today.

Mrs. BEATTY. Mr. Speaker, I thank my colleague, Congresswoman STACY PLASKETT, for leading tonight's Special Order hour, joined by her cochair, Congressman MARC VEASEY, and also my classmate.

Let me say to our chairman of the Congressional Black Caucus, Mr. Speaker, I want to thank Congressman CEDRIC RICHMOND for bringing this Special Order hour here tonight. So much has been said already. But let me say how honored I am to join my colleagues as we address and talk about

"A Response to President Trump's Inaugural Address and New Deal for African Americans."

Like so many of my colleagues tonight, Mr. Speaker, and the countless Americans who are watching at home, I remain deeply concerned and troubled about several of the statements that Mr. Trump made and also about the stances of Mr. Trump's Cabinet members, comments about minorities and women and immigrants, and, of course, comments about our own colleague Congressman JOHN LEWIS.

Unfortunately, Mr. Speaker, in Trump's inaugural address, he did nothing to ease those concerns or to unite us. On the contrary, all I heard on Friday was another campaign speech of more of the same divisive rhetoric and recycled ideas from his campaign trail, ideas like the new deal for Black America that he mentioned on the campaign trail, a proposal that you have heard a lot about tonight that embraces the same trickle-down economic assumptions that didn't work for African Americans in the past and certainly won't work today.

Mr. Speaker, during his campaign speech, Trump talked about gangs roaming the streets and how African American communities are being decimated by crime. He went so far as to say, overwhelmingly, the majority of Black people living in inner cities in the United States are "living in hell."

Well, Mr. Speaker, I want President Trump to know that I am Black. I grew up in the United States inner city, but I didn't live in hell. And here I stand now, educated in the public schools, attended a historically Black university and college, and I am a Member of the United States Congress.

Mr. Trump said: "We are one Nation—and their pain is our pain. Their dreams are our dreams, and their success will be our success."

He was referencing mothers and children strapped in poverty in our inner cities. He was referencing rusted out factories scattered like tombstones across the landscape of our Nation, and an education system flush with cash but leaving our young students deprived of knowledge.

Well, Mr. Speaker, I want to see his plans for public education. I want to see his plans for inner-city students. I want to see his plans flush with all that cash that he talked about going into our public schools. I want us to unite to help eradicate the cycle of poverty and eliminate the too-often traveled pipeline from underperforming schools to overcrowded prisons.

I want to see Mr. Trump's plan on criminal justice reform. I want a fair Attorney General vetted and confirmed because they will stand up every single day for equal rights of all Americans, for freedom of speech, for freedom to vote, and much more—not an Attorney General who lacks the ability to rep-

resent disenfranchised groups, not someone who fails to champion the least of us.

□ 2115

I have not seen those things in nominee SESSIONS.

Lastly, I want Cabinet members who will be champions for our seniors—people like my 92-year-old mother. I want Cabinet members who will stand up for minorities and minority businesses. See, we need greater assistance in minority businesses and funds for minority business. I want Cabinet members who will build on and strengthen our healthcare system—yes, to make it greater, not to take away health care from 30 million people. Let me just say that I want to plan for workforce development programs and reentry training programs for those laid-off factory workers. I want to see plans for mothers and families because we certainly know, when women succeed, America succeeds.

Yes, Mr. Speaker. I dare ask that women get equal pay for equal work. I don't want recycled, failed policies that will do nothing to heal our communities. I am proud to be a member of the Congressional Black Caucus. We are the conscience of the Congress.

Let me end by saying that there are so many programs. We have a task force on poverty, led by Congresswoman BARBARA LEE. I won't repeat the program that Assistant Democratic Leader CLYBURN has already introduced—the 10-20-30 plan.

Let me again thank my colleagues for bringing their powerful voices to this floor.

Mr. Speaker, it is incumbent upon all of us to join the members of the Congressional Black Caucus, the entire House Democratic Caucus, and all Americans of every color—in standing up to President Trump and continuing to let him know, as our preamble of the Constitution says—to form a more perfect Union for all Americans.

Ms. PLASKETT. I thank the gentlewoman.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentlewoman.

Mr. Speaker, I was struck by some information that I just received. This is a summary of the new deal for Black America. Nowhere in the new deal for Black America is a commitment to protecting voting rights. One of the Achilles heels of the nominee for the Attorney General is he does not have a history of protecting voting rights.

Particularly, I want to acknowledge President George W. Bush because the Congress—both the House and the Senate—worked extensively with him in the reauthorization of the Voting Rights Act of 1965, including section 5, which is preclearance. Lo and behold, the Shelby case imploded section 5. We

no longer have it in a potpourri—a flourishing, a garden of weeds—of voter ID laws, one by which my colleague Mr. VEASEY, who was a plaintiff, was promoted.

The last point that I want to make is, in addition to not having anything on voting rights, we just had breaking news that the White House has indicated that the President would have had the popular vote if he had not had happen to him 3 to 5 million illegal votes cast. This is being reported. Likewise, what is being reported is there is absolutely no evidence that there were 3 to 5 million illegal votes cast in the 2016 election. I think we need to have focus on voting rights and on the protection of those who vote.

Ms. PLASKETT. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. I thank the gentleman.

Mr. Speaker, I thank all of the Members who have participated tonight. We are about to run short on our time here, but there are just so many other areas that need to be addressed, and the Congressional Black Caucus is going to continue to address those when we talk about safe communities; when we start talking about great education and some of the issues that we see with the nominee for the Secretary of Education that threaten to really cripple and hurt our public schools; when we talk about equal justice for all. How are we going to work with the Justice Department to try to foster some of the good initiatives that President Obama put forward in dealing with community policing? It is all of those things, Mr. Speaker.

Ms. PLASKETT. And education and workforce development.

Mr. VEASEY. Absolutely. Education and workforce development with our changing workforce—STEAM jobs and STEM jobs.

Ms. PLASKETT. Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, within hours of taking the oath as President of the United States, Donald Trump signaled that his much touted “New Deal for Black America” is just the same “old deal” of discrimination, voter suppression and establishment entitlement. In politics, as in life, actions always speak louder than words. And the speed of his repudiation of the inclusive agenda of the Obama administration shouts his intention to turn back the clock on civil rights for a broad swath of our nation.

Since the Supreme Court suspended the application of Section 5 of the Voting Rights Act in the Shelby County Case, African American communities around the nation have fought the passage of discriminatory voter identification laws as part of a scheme to suppress the vote. The states of Texas and North Carolina have been particular battlegrounds, where important victories were achieved in the federal courts. The work of civil rights advo-

cacy groups received important support from the Voting Section of the DOJ Civil Rights Division in reversing some of the most aggressive state-passed voter suppression plans.

As many have feared, the election of Trump threatens to produce a radical change in support for voting rights from the White House. Unlike even President George W. Bush, who signed the reauthorization of Section 5 of the VRA, Trump has exhibited an hostility to voting rights not seen since the Civil Rights era.

By Friday afternoon, lawyers for the Department asked for a delay in the hearing scheduled for tomorrow on the Texas voter ID case, citing the change in presidential administrations. The motion noted that “Because of the change in administration, the Department of Justice also experienced a transition in leadership, . . . and requires additional time to brief the new leadership of the Department on this case and the issues to be addressed at the hearing before making any representations to the Court.” It is generally expected that DOJ will reverse course in the case.

This case is a bellwether of what can be expected from a Trump DOJ on civil rights. Given the size of Texas and the precedential impact of the case, the stakes in this litigation could not be higher for the minority community.

The voting law at issue in the case, known as SB 14, set strict requirements for permissible ID to vote. While it included such identification as a driver’s license, passport and a concealed handgun license, it excluded identification like federal government or student IDs.

In July, the Court of Appeals for the 5th Circuit in New Orleans ruled that the law violated Section 2 of the Voting Rights Act because it disproportionately affected minorities. The Department of Justice had previously argued that the law violated the Voting Rights Act and was intended to directly impact the abilities of minorities to vote, as more than 600,000 minorities lacked the ID necessary under state law to vote.

The belief that the Civil Rights Division will change position and will be under attack is well founded. Last Thursday, it was reported that the Office of Community Oriented Policing Services, Violence Against Women Grants and the Legal Services Corporation would be target for elimination and the Civil Rights Division would have its funding cut as part of Trump plan for reducing the size of the federal government.

Most troubling, it was also reported that John M. Gore, an attorney who led the legal teams on several key cases attacking civil rights, would be the head of DOJ’s Civil Rights Division as the Deputy Assistant Attorney General for Civil Rights.

Gore was one of the defense attorneys who argued in court on behalf of North Carolina’s legally dubious and discriminatory anti-transgender bill HB2. The bill blocks transgender people from using public bathrooms that align with their gender identity. The bottom line here is that Gore was on the side of discrimination in the country’s most high-profile LGBTQ rights case of the past year. (Many will recall that this legislation generated a huge economic backlash against the state, including the relocation of major sporting events).

His record of being a legal champion for discriminatory causes appears to be a highlight of Gore’s legal career. One of his main areas of expertise appears to be defending redistricting plans against claims of civil rights violations, with his online bio boasting of a number of successful such defenses.

One of the most high-profile civil rights cases Gore has litigated in recent years is the Florida Purge case. This case brought many of us to the floor to denounce yet another attempt at voter suppression that was designed to alter the balance of state politics. The state of Florida was found to have violated the National Voter Registration Act with a systemic purge of voters it suspected of being non-citizens. As the New York Times wrote of Florida’s voter restriction attempt:

The program to identify and remove non-citizens from the rolls prompted a national outcry and several lawsuits in 2012 because it was riddled with mistakes and was being pushed through months before the election. A number of people on the lists, which were sent by the state to county election supervisors, were, in fact, citizens (including the two lead plaintiffs in the lawsuit).

Just as we opposed the nomination of Sen. JEFF SESSIONS to serve as Attorney General, we must similarly build a record against John Gore to head the Civil Rights Division. We simply cannot entrust our legacy civil rights statutes to any person who has shown a lack of sensitivity and balance in protecting the interests of justice in our society.

Though Trump’s inaugural speech invoked an image of my home City of Detroit, I fear what his vision will mean for my community and vow to continue the struggle for jobs, justice and peace. He stated that “the time for empty talk is over. Now arrives the hour of action.” I take him at his word and his actions send an unmistakable message: His action is to appoint a defender of discrimination to head the Civil Rights Division. His action is to retreat from an agenda on Community Oriented Policing. His action is to undermine affordable healthcare. His action is to appoint cabinet officials who fail to represent the mosaic that is America.

The Congressional Black Caucus took to this floor tonight to outline our response to the President’s Inaugural Address & New Deal for African-Americans. While our views may not find much in common, I believe we can agree on this: the time for talk is indeed over and the hour for action has arrived. This caucus will not stand idly by while an administration attempts to turn back the clock. The greatness of America is found in its diversity, inclusiveness and empathy. That is why we are the beacon on the hill. Whether we fly, walk or crawl, we are committed to moving this nation forward and will not turn back.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on Friday, President Donald Trump addressed the nation during his inaugural address by laying out his priorities for the new administration and his future vision for our country. Among his priorities is to incentivize private investments in infrastructure through tax incentives and public-private partnerships.

Tax incentives and public-private partnerships are simply two elements that I believe should be part of a larger, more comprehensive infrastructure plan. A truly comprehensive

plan will include direct spending and invests real dollars in both rural and urban communities. So far, the only portions of President Trump's infrastructure plan that have been made public include \$100 billion in tax breaks to private investors. I believe that President Trump is deeply misguided in relying solely on tax breaks to miraculously spur investments in our decaying transportation network. We need to include a healthy mix of direct spending, tax incentives, public-private partnerships, and sensible public policies if we are to sufficiently address the infrastructure needs across the country.

Our highways, railways, and airways serve as the arteries that drive the U.S. economy. As our nation's population continues to grow and become more diverse, the growth of our transportation infrastructure needs to keep pace. Texas is projected to account for nearly fifteen percent of all the national population growth through 2030. Yet, it has become increasingly difficult to make the investments that we need to properly maintain and build up the state's infrastructure due to dwindling federal funding for transportation projects. President Trump's plan in its current form falls drastically short of the necessary steps that we must take in order to modernize our crumbling infrastructure.

Mr. Speaker, it has been and continues to be my intention to give President Trump a fair chance at proving to the American people that he is serious about bringing real solutions to our nation's problems to the table. I strongly encourage this administration to present a well-rounded infrastructure plan that goes beyond merely hand-outs to corporations, and also includes the direct spending that is so desperately needed.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 23, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This letter is to inform you that I have sent a letter to Kansas Governor Sam Brownback informing him that I am resigning my position as the United States Representative for the 4th Congressional District of Kansas effective upon my confirmation as Director of the Central Intelligence Agency.

In November, I was nominated by then President-elect Donald Trump to serve as Director of the Central Intelligence Agency and have now been confirmed to have the privilege to serve in that role. I am truly honored that President Trump has given me the opportunity to lead an amazing organization filled with men and women who put their lives on the line for the safety and security of every American.

I want to thank you for all you have done to make the House of Representatives live up to its constitutional duty to represent all Americans. Thank you too for your personal assistance in working with me on the issues that impact all Americans, but, especially,

those who I have had the privilege to represent from South Central Kansas. There is much work to do legislatively; I will miss working to be part of this historic opportunity now laid before us.

I look forward to continuing to work with all of you as we strive to keep America safe. My commitment to keeping you and the House Permanent Select Committee on Intelligence fully informed on important intelligence matters is sincere and continuing.

Sincerely,

MIKE POMPEO,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 23, 2017.

Hon. SAM BROWNBACK,
Governor, State of Kansas,
Topeka, Kansas.

DEAR GOVERNOR BROWNBACK: I have now been confirmed by the United States Senate to serve as the Director of the Central Intelligence Agency. I am hereby resigning my position as the United States Representative for the 4th Congressional District of Kansas effective upon my confirmation as Director of the Central Intelligence Agency.

I have genuinely been privileged to represent the people of South Central Kansas in Congress. Kansans are inspiring, compassionate, and hard-working. To serve them in this fashion has been a true honor I will always cherish.

The opportunity to lead the world's finest intelligence warriors was a call to service I could not ignore. I am truly honored that President Trump has given me this opportunity. The men and women of the CIA are the world's finest intelligence professionals the world has ever known. Their integrity, passion, and commitment to keeping our nation safe is unquestionable. I am excited to lead them during this dangerous time around the world.

Sincerely,

MIKE POMPEO,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Kansas (Mr. POMPEO), the whole number of the House is 434.

APPOINTMENT OF MEMBER TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2017, of the following Member of the House to the Permanent Select Committee on Intelligence:

Mr. HURD, Texas

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KAPTUR (at the request of Ms. PELOSI) for today on account of bad weather affecting travel.

Mrs. LAWRENCE (at the request of Ms. PELOSI) for today on account of bad weather affecting travel.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of medical appointments.

ADJOURNMENT

Ms. PLASKETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 24, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

303. A letter from the Secretary, Department of Homeland Security, transmitting a letter reporting a violation of the Antideficiency Act, in the Department of Homeland Security's Office of the Chief Information Officer during Fiscal Year 2013, pursuant to 33 U.S.C. 1254(n)(3); June 30, 1948, ch. 758, title I, Sec. 104(n)(3) (as amended by Public Law 95-217, Sec. 6); (91 Stat. 1567); to the Committee on Appropriations.

304. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Food and Drug Administration's Fiscal Year 2016 Performance Report to Congress for the Animal Drug User Fee Act; to the Committee on Energy and Commerce.

305. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Food and Drug Administration's Fiscal Year 2016 Performance Report to Congress for the Animal Generic Drug User Fee Act; to the Committee on Energy and Commerce.

306. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Possession, Use, and Transfer of Select Agents and Toxins; Biennial Review of the List of Select Agents and Toxins and Enhanced Biosafety Requirements [Docket No.: CDC-2015-0006] (RIN: 0920-AA59) received January 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

307. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table (RIN: 0906-AB01) received January 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

308. A letter from the Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule — Revision of Import and Export Requirements for Controlled Substances, Listed Chemicals, and Tableting and Encapsulating Machines, Including Changes To Implement the International Trade Data System (ITDS); Revision of Reporting Requirements for Domestic Transactions in Listed Chemicals and Tableting and Encapsulating Machines; and Technical

Amendments [Docket No.: DEA-403] (RIN: 1117-AB41) received January 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

309. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Clarification of When Products Made or Derived From Tobacco Are Regulated as Drugs, Devices, or Combination Products; Amendments to Regulations Regarding "Intended Uses" [Docket No.: FDA-2015-N-2002] (RIN: 0910-AH19) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

310. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Addition of Certain Entities to the Entity List [Docket No.: 161228999-6999-01] (RIN: 0694-AH27) received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

311. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations (EAR): Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control under the United States Munitions List (USML) [Docket No.: 150325297-6180-02] (RIN: 0694-AG59) received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

312. A letter from the Principal Deputy Assistant Secretary for Policy, Department of Labor, transmitting the Department's Major final rule — Department of Labor Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2017 (RIN: 1290-AA31) received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

313. A letter from the Division Chief, Regulatory Affairs, Department of the Interior, Bureau of Land Management, transmitting the Department's final rule — Onshore Oil and Gas Operations—Annual Civil Penalties Inflation Adjustments [17X.LLWO310000.L13100000.PP0000] (RIN: 1004-AE49) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

314. A letter from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule — Eliminating Exception to Expedited Removal Authority for Cuban Nationals Arriving by Air [EOIR Docket No.: 401] (RIN: 1125-AA80) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

315. A letter from the Attorney-Advisor, Office of the Secretary, Department of Homeland Security, transmitting the Department's final rule — Eliminating Exception to Expedited Removal Authority for Cuban Nationals Arriving by Air [DHS Docket No.: DHS-2017-0003] (RIN: 1601-AA81) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

316. A letter from the Chief, Regulatory Coordination Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, transmitting the Department's final rule — International Entrepreneur Rule [CIS No.: 2572-15; DHS Docket No.: USCIS-2015-0006] (RIN: 1615-AC04) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

317. A letter from the Chairman, Office of Proceedings, Surface Transportation Board, transmitting the Board's final rule — Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015 [Docket No.: EP 734] received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

318. A letter from the Chairman, Office of Proceedings, Surface Transportation Board, transmitting the Board's final rule — United States Rail Service Issues—Performance Data Reporting (Docket No.: EP 724 (Sub-No. 4)) received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

319. A letter from the Acting Director, Office of Regulation Policy and Management, Office of the Secretary, Department of Veterans Affairs, transmitting the Department's Major final rule — Economic Impact Analysis for RIN 2900-AP66, Diseases Associated with Exposure to Contaminants in the Water Supply at Camp Lejeune received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

320. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Regulation Regarding Non-discrimination on the Basis of Race, Color, or National Origin in Programs or Activities Receiving Federal Financial Assistance From the Department of the Treasury (RIN: 1505-AC45) received January 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

321. A letter from the Secretary, Department of Health and Human Services, and the Attorney General, Department of Justice, transmitting the Annual Report of the Departments of Health and Human Services and Justice titled "Health Care Fraud and Abuse Control Program FY 2016", pursuant to 42 U.S.C. 1395i(k)(5); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1817(k)(5) (as added by Public Law 104-191, Sec. 201(b)); (110 Stat. 1996); jointly to the Committees on Energy and Commerce and Ways and Means.

322. A letter from the Regulations Coordinator, Office of Inspector General, Department of Health and Human Services, transmitting the Department's final rule — Health Care Programs: Fraud and Abuse; Revisions to the Office of Inspector General's Exclusion Authorities received January 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. CHENEY: Committee on Rules. House Resolution 55. Resolution providing for consideration of the bill (H.R. 7) to prohibit taxpayer funded abortions (Rept. 115-5). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCALISE (for himself, Mrs. BLACKBURN, and Mr. WALDEN):

H.R. 599. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; to the Committee on Energy and Commerce, considered and passed.

By Mr. ROYCE of California (for himself, Mrs. MCMORRIS RODGERS, Mr. ENGEL, and Ms. MENG):

H.R. 600. A bill to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. LOWEY (for herself and Mr. REICHERT):

H.R. 601. A bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CALVERT:

H.R. 602. A bill to direct the United States Postal Service to designate a single, unique ZIP Code for Eastvale, California; to the Committee on Oversight and Government Reform.

By Mr. CALVERT (for himself, Mr. ROYCE of California, and Mr. EMMER):

H.R. 603. A bill to amend title 18, United States Code, to increase the maximum penalty for mail theft; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. BABIN, Mr. FARENTHOLD, Mr. SMITH of Texas, Mr. BYRNE, Mr. ALLEN, and Mr. OLSON):

H.R. 604. A bill to amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk, and for other purposes; to the Committee on the Judiciary.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 605. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself, Mr. AGUILAR, Ms. BASS, Mr. BECERRA, Mr. BERA, Ms. BROWNLEY of California, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. COOK, Mr. COSTA, Mrs. DAVIS of California, Mr. DENHAM, Ms. ESHOO, Mr. GARAMENDI, Mr.

HUFFMAN, Mr. KNIGHT, Mr. LAMALFA, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MATSUI, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. PETERS, Mr. ROHRBACHER, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. SCHIFF, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mrs. TORRES, Mr. VARGAS, and Mrs. MIMI WALTERS of California):

H.R. 606. A bill to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the "Harold D. McCraw, Sr., Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself and Mr. BLUMENAUER):

H.R. 607. A bill to prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Ms. GABBARD (for herself, Mr. WELCH, Mr. MASSIE, Ms. LEE, Mr. JONES, Mr. GARRETT, and Mr. YOHO):

H.R. 608. A bill to prohibit the use of United States Government funds to provide assistance to Al Qaeda, Jabhat Fateh al-Sham, and the Islamic State of Iraq and the Levant (ISIL) and to countries supporting those organizations, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself, Mr. BRADY of Pennsylvania, Mr. EVANS, Mr. PERRY, Mr. THOMPSON of Pennsylvania, Mr. COSTELLO of Pennsylvania, Mr. MEEHAN, Mr. FITZPATRICK, Mr. SHUSTER, Mr. MARINO, Mr. BARLETTA, Mr. ROTHFUS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. DENT, Mr. SMUCKER, Mr. CARTWRIGHT, and Mr. MURPHY of Pennsylvania):

H.R. 609. A bill to designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the "Abie Abraham VA Clinic"; to the Committee on Veterans' Affairs.

By Mr. KING of Iowa (for himself, Mr. HARRIS, and Mr. FRANKS of Arizona):

H.R. 610. A bill to distribute Federal funds for elementary and secondary education in the form of vouchers for eligible students and to repeal a certain rule relating to nutrition standards in schools; to the Committee on Education and the Workforce.

By Mr. LAMBORN:

H.R. 611. A bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself and Mr. RATCLIFFE):

H.R. 612. A bill to establish a grant program at the Department of Homeland Security

to promote cooperative research and development between the United States and Israel on cybersecurity; to the Committee on Homeland Security.

By Mr. MCKINLEY (for himself, Mr. MARINO, Mr. NOLAN, and Mr. EMMER):

H.R. 613. A bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEHAN (for himself, Mr. TIBERI, Mr. BARLETTA, and Mr. COSTELLO of Pennsylvania):

H.R. 614. A bill to require each owner of a dwelling unit assisted under the section 8 rental assistance voucher program to remain current with respect to local property and school taxes and to authorize a public housing agency to use such rental assistance amounts to pay such tax debt of such an owner, and for other purposes; to the Committee on Financial Services.

By Mr. ROSS:

H.R. 615. A bill to amend the Internal Revenue Code of 1986 to include student loan repayments as members of targeted groups for purposes of the work opportunity credit and to provide for a credit against tax for student loan program startup costs; to the Committee on Ways and Means.

By Mr. KING of Iowa:

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States to provide that Representatives shall be apportioned among the several States according to their respective numbers, counting the number of persons in each State who are citizens of the United States; to the Committee on the Judiciary.

By Mrs. BLACKBURN (for herself and Mr. SHERMAN):

H. Con. Res. 11. Concurrent resolution expressing the sense of Congress that Jerusalem is the capital of Israel and therefore, consistent with the location of other United States embassies, the United States embassy in Israel should be located in Jerusalem; to the Committee on Foreign Affairs.

By Mr. SIREs (for himself, Mr. DUNCAN of South Carolina, Mr. ENGEL, and Ms. ROS-LEHTINEN):

H. Res. 54. A resolution reaffirming the United States-Argentina partnership and recognizing Argentina's economic reforms; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SMITH of New Jersey introduced A bill (H.R. 616) for the relief of certain aliens who were aboard the Golden Venture; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SCALISE:

H.R. 599.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. ROYCE of California:

H.R. 600.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States of America

By Mrs. LOWEY:

H.R. 601.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Mr. CALVERT:

H.R. 602.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 and clause 18.

By Mr. CALVERT:

H.R. 603.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 and clause 18.

By Mr. POE of Texas:

H.R. 604.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. DANNY K. DAVIS of Illinois:

H.R. 605.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DESAULNIER:

H.R. 606.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, Clause 3 and Clause 18.

By Ms. GABBARD:

H.R. 608.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 18

By Mr. KELLY of Pennsylvania:

H.R. 609.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution, Article 1, Section 8

By Mr. KING of Iowa:

H.R. 610.

Congress has the power to enact this legislation pursuant to the following:

The "Power of the Purse" as defined in Article I, Section 9, Clause 7

By Mr. LAMBORN:

H.R. 611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. LANGEVIN:

H.R. 612.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the United States Constitution.

By Mr. MCKINLEY:

H.R. 613.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 18 of the Constitution, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. MEEHAN:

H.R. 614.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8.

By Mr. ROSS:

H.R. 615.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clause 1.

By Mr. SMITH of New Jersey:

H.R. 616.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution provides that Congress shall have power "To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;"

By Mr. KING of Iowa:

H.J. Res. 30.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 7: Mr. JORDAN, Mr. GROTHMAN, Mr. KELLY of Pennsylvania, Mr. WALBERG, Mr. BUCHANAN, Mr. SHUSTER, Mr. CARTER of Texas, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mrs. WALORSKI, Mr. GAETZ, Mr. BOST, Mr. MCKINLEY, Mrs. LOVE, Mr. DUNCAN of Tennessee, Mr. POE of Texas, Mr. SAM JOHNSON of Texas, Mr. MURPHY of Pennsylvania, Mr. GOHMERT, Mr. NEWHOUSE, Mr. ARRINGTON, Mr. RATCLIFFE, Mr. JOHNSON of Ohio, Mr. CHABOT, Mr. AUSTIN SCOTT of Georgia, Mr. COMER, Mr. THOMAS J. ROONEY of Florida, Mr. CRAWFORD, Mr. MESSER, Mr. GUTHRIE, Mr. ROE of Tennessee, Mr. BACON, Mr. HUNTER, Mr. DUNN, Mr. FRANCIS ROONEY of Florida, Mr. HARPER, Mr. RUSSELL, Mr. WOODALL, and Mr. BIGGS.

H.R. 38: Mr. SHUSTER, Mr. DESANTIS, Mr. LAHOOD, Mr. LUETKEMEYER, Mr. THORNBERRY, and Mr. MESSER.

H.R. 60: Mr. COLLINS of New York.

H.R. 80: Mr. LOUDERMILK.
 H.R. 83: Mr. GAETZ.
 H.R. 99: Mr. LOWENTHAL.
 H.R. 146: Mr. MEADOWS.
 H.R. 162: Ms. CLARKE of New York, Mr. DESAULNIER, and Mrs. LOWEY.
 H.R. 165: Ms. WILSON of Florida.
 H.R. 167: Ms. JUDY CHU of California and Mr. DESAULNIER.

H.R. 173: Mr. SMITH of Missouri, Ms. MCCOLLUM, Mr. NADLER, Ms. TITUS, Ms. SINEMA, Mr. KILDEE, Mr. LYNCH, Mr. RYAN of Ohio, Ms. JUDY CHU of California, Mr. VEASEY, Ms. BONAMICI, Mr. CICILLINE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRIJALVA, Mr. JONES, Mr. COOK, Ms. BROWNLEY of California, and Mr. FRELINGHUYSEN.

H.R. 174: Mr. BYRNE and Mr. FORTENBERRY.
 H.R. 184: Mr. DUNN and Ms. TENNEY.
 H.R. 193: Mr. LABRADOR.
 H.R. 198: Mr. FRELINGHUYSEN and Mr. GAETZ.

H.R. 244: Mr. ROKITA and Mr. VALADAO.
 H.R. 245: Mr. O'ROURKE.
 H.R. 275: Mr. BARLETTA and Mr. MEEHAN.

H.R. 277: Mr. BANKS of Indiana, Mr. SAM JOHNSON of Texas, Mr. PITTINGER, and Mr. SANFORD.

H.R. 332: Mr. MCGOVERN, Mr. ENGEL, Mr. SMITH of Washington, Mr. DOGGETT, and Ms. ROYBAL-ALLARD.

H.R. 334: Mr. VARGAS and Mr. LANGEVIN.
 H.R. 342: Mr. GOTTHEIMER.
 H.R. 346: Mr. COFFMAN.

H.R. 350: Mr. LAHOOD.
 H.R. 351: Mr. PAULSEN.
 H.R. 355: Mrs. BLACK.
 H.R. 361: Mr. BYRNE.

H.R. 367: Mr. MEADOWS, Mr. YOUNG of Iowa, Mr. GAETZ, Mr. KELLY of Mississippi, and Mr. BYRNE.

H.R. 371: Mr. TONKO.
 H.R. 381: Mrs. NAPOLITANO, Ms. JUDY CHU of California, Ms. ESHOO, Mr. PETERS, Ms. ROYBAL-ALLARD, Mr. AGUILAR, Ms. BROWNLEY of California, Ms. BASS, and Mrs. TORRES.

H.R. 389: Mr. CICILLINE.
 H.R. 390: Mr. SENSENBRENNER and Mr. BURGESS.

H.R. 395: Mr. GAETZ.
 H.R. 398: Mr. JONES.
 H.R. 406: Ms. ADAMS.

H.R. 423: Mr. KILMER and Ms. SINEMA.
 H.R. 432: Mr. KILMER and Mr. PERLMUTTER.
 H.R. 458: Mr. BERGMAN.

H.R. 465: Mrs. WALORSKI and Mr. RENACCI.
 H.R. 468: Ms. KAPTUR.
 H.R. 469: Mr. COFFMAN.

H.R. 485: Mr. MEEKS.
 H.R. 490: Mr. PERRY, Mr. PITTINGER, and Mr. RUSSELL.

H.R. 520: Mr. WESTERMAN, Mr. COOK, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mrs. MCMORRIS RODGERS, Mr. LAMBORN, Mr. TIPTON, Mr. FLORES, Mr. PEARCE, Mr. YOUNG of Alaska, Mr. LAMALFA, and Mr. CRAMER.

H.R. 523: Mr. KELLY of Pennsylvania and Mr. MEEHAN.

H.R. 530: Ms. JUDY CHU of California and Ms. LEE.

H.R. 531: Mr. MCHENRY.

H.R. 553: Mr. PITTINGER, Mr. TURNER, Mr. GALLAGHER, and Mr. GOHMERT.

H.R. 564: Mr. CLAY, Mr. ROSKAM, Mr. THOMAS J. ROONEY of Florida, Mr. BYRNE, Mr. DUNCAN of Tennessee, Mr. THOMPSON of Pennsylvania, and Mr. GOODLATTE.

H.R. 582: Mr. O'ROURKE, Mr. PITTINGER, Ms. SINEMA, Mr. MEEKS, Mrs. LAWRENCE, Mr. WILLIAMS, Mr. AL GREEN of Texas, Mr. YODER, Mr. OLSON, Mr. BROOKS of Alabama, Mr. MCEACHIN, Mr. BARTON, Mr. O'HALLERAN, and Mr. EMMER.

H.R. 586: Mr. BRAT, Mr. PITTINGER, and Mr. ROKITA.

H.R. 589: Mr. VEASEY, Mrs. COMSTOCK, Mr. BROOKS of Alabama, and Mr. SWALWELL of California.

H.J. Res. 27: Ms. FOXX, Mrs. BLACK, Mr. BABIN, Mr. MURPHY of Pennsylvania, Mr. ROSKAM, Mr. ABRAHAM, and Mr. HARRIS.

H. Con. Res. 10: Mr. NEAL and Mr. TIBERI.

H. Res. 28: Mr. PANETTA, Mr. LOEBSACK, Mr. BARLETTA, Mr. BEN RAY LUJAN of New Mexico, Mr. YOUNG of Iowa, Mrs. CAROLYN B. MALONEY of New York, Mr. BEYER, and Ms. GABBARD.

H. Res. 31: Mrs. TORRES, Mr. LOEBSACK, Mrs. CAROLYN B. MALONEY of New York, and Ms. VELÁZQUEZ.

H. Res. 46: Mr. BISHOP of Georgia.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BRADY OF TEXAS

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 7 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 7 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. WALDEN

The provisions that warranted a referral to the Committee on Energy and Commerce in H.R. 7 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Monday, January 23, 2017

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, we sing of Your steadfast love and proclaim Your faithfulness to all generations.

Today, strengthen our Senators to walk in the light of Your countenance. Abide with them so that Your wisdom will influence each decision they make. Lead them around the pitfalls that bring ruin, as You empower them to glorify You in all they think, say, and do. May the words of their mouths and the meditations of their hearts be acceptable to You. Lord, purge our lawmakers of self and fill them with Your peace and poise.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

MOVING FORWARD TOGETHER

Mr. McCONNELL. Mr. President, last week, President Trump gave his first major address to the Nation. The week before, President Obama gave his last. These are different men. They come from different parties, but their speeches were more similar than you might think, and there were some common themes: The world is dangerous, our economy isn't living up to its potential, Americans are divided, worried about their futures and don't feel like Washington is listening.

Here is one quote:

Too many families, in inner cities and in rural counties, have been left behind—the laid-off factory worker; the waitress or health care worker who's just barely getting by and struggling to pay the bills—convinced that the game is fixed against them, that their government only serves the interest of the powerful—that's a recipe for more cynicism and polarization in our politics.

That was former President Obama at the end of his term. It is obvious the

situation today for many families simply isn't sustainable. As my friend the Democratic leader said in his speech on inauguration day, "We live in a challenging and tumultuous time." Our economy, he cautioned, leaves "too many behind." Our politics, he warned, is "consumed by rancor," and we face threats "foreign and domestic."

Americans are reeling after 8 years of grand promises and diminished dreams, leftwing experiments and heavy-handed overreach. Small businesses are literally drowning in regulations, bigger employers, as well. College graduates are struggling to make it and too often simply move back in with their parents. The middle class feels under assault, as kitchen tables pile ever higher with health care bills, energy bills, and paychecks that fail to keep pace. Americans feel like they don't have a say in what is happening either.

So let us not underestimate the challenges President Trump is inheriting. They are indeed formidable. There is a lot to fix, but we can move forward if we work together. The first thing we have to do is move beyond this us-and-them mentality that has so often characterized the last 8 years. Our goal should be to give confidence to everyone, regardless of race, religion or income, regardless of where someone lives or whom they voted for. We are all in this together. We rise and fall as one.

When I applied for the job of majority leader, I vowed to open up the Senate for a reason. I thought it would give more Americans a voice again. I thought it would give both sides skin in the game again. I thought it would bring us closer to durable solutions, and it has—on education, on transportation, on the fight against cancer, on so many other issues we passed meaningful legislation that can positively impact millions. The way we did it was simple—really simple, actually. We set the slogans aside. We listened to each other. We listened in good faith. We kept our focus where it truly belonged, on areas where both sides can agree. Wouldn't you know it, it turns out we actually agreed on a lot. It turns out we all want to give our kids a better future, turns out we all want better roads and infrastructure, turns out we all want a country that is healthy. It seems obvious, but we can forget these things in the midst of a divisive campaign. We can get lost in the politics and lose sight of our common humanity.

The campaign is over. The time for governing is upon us, and we face huge challenges. Many of these issues Presi-

dent Obama sought to solve. Sometimes his policies moved us forward. More often, they moved us backward or created new problems altogether. This is not an attack on the sincerity of his aims. It is a critique of the efficacy of his means.

REPEALING AND REPLACING OBAMACARE

Mr. McCONNELL. Mr. President, we have seen quite clearly over the last 8 years which policies do not work. We now have the opportunity to try policies that can work. ObamaCare offers a great example. Democrats came into office in 2009 with a promise to unify the country and big majorities that allowed them to ignore half of it. They made their choice with partisan, highly ideological laws like ObamaCare that divided us further—and often made things worse. We have seen how ObamaCare, in particular, has hurt the middle class. Choices are dwindling, costs are skyrocketing, and too many middle-class families don't know how much more they can sustain.

This is why we promise to repeal and replace ObamaCare, and this is why we will meet our responsibility to do so. ObamaCare came into this world on a party-line vote and a flurry of Executive actions, and it can leave the same way. What repeal presents is a fresh canvas where we can start over with durable, lasting reforms that both parties—if they choose to engage—can take credit for.

I hope our Democratic friends choose to engage. I hope they join in the hard work of improving health care for the American people because, let us remember, this should not be about winning or losing. It isn't about scoring points. It is about replacing a law that doesn't work with reforms that can. It is as simple as that. You can hardly accuse President Trump of being a rigid ideologue. He is interested in health care that actually works. Americans are interested in health care that actually works. All of us are.

So we can work together to finally solve big problems like ObamaCare or we can continue to bludgeon each other election after election. Our Democratic friends can crank the faux outrage machine up to 10, claim Republicans are motivated by some desire to make America sick, and get right back to the Hatfield-and-McCoy routine, but that will not solve the problem or move us forward. The moment calls for something more.

The question now is whether we have the courage to begin binding our national wounds. We can fight about the

things that divide us forever or we can take a moment to finally move forward as one country.

NOMINATIONS

Mr. McCONNELL. One way to begin moving forward is by proceeding with confirmations without delay, especially when it comes to key national and economic security nominees.

Tonight we will vote on the nomination of MIKE POMPEO to be Director of the CIA. He enjoys overwhelming support to be confirmed, just as we know that many other Cabinet nominees command sufficient support as well. So let us confirm them now and never forget the way Republicans worked with the administration of former President Obama to confirm seven members of his Cabinet the day he took office and nearly his entire Cabinet within 2 weeks.

Both parties appear to agree that our economy, our health care, and our politics need fixing so let us get down to fixing them. Let us join hands and move forward. The American people are ready for solutions, and after 8 long years, they are ready for Democrats to work with Republicans to deliver them.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. YOUNG). The Democratic leader is recognized.

REMARKS OF THE PRESIDENT

Mr. SCHUMER. Mr. President, I would like to discuss five topics this afternoon: the President's remarks this weekend and the lack of Republican reaction to them, his Executive order on Friday about mortgage rates, the continuing nominations process here, the President's withdrawal from TPP, and the Republican alternative to the Affordable Care Act that was announced this morning.

First, the need for Republicans to speak out when President Trump engages in the kind of rhetoric he engaged in this weekend. The first few days of the new administration are traditionally a time for an incoming President to call for unity and to try and bring the country together. Instead, President Trump kicked off a bizarre first weekend in office that alternated between braggadocio and furor. The President quarreled over the size of inaugural crowds, bragged about his election victory in a speech at CIA headquarters, with a wall commemorating fallen American intelligence officers behind him, and then sent his Press Secretary out to hold an emergency briefing to present "alternative facts," as one of President Trump's advisers described them yesterday, about the size of the crowds again.

Whatever your politics, in order to debate, argue, compromise, and get things done for the American people, we have to be able to agree on a base line of facts. Facts aren't partisan. They don't have alternatives. The alternative to fact is fiction. If this Presidency is going to be based on ignoring the facts on the ground, we are going to have huge problems. It is not that important when you are talking about the number of people who attended an inauguration, but what about the facts if Russia is doing something that is very bad or something terrible is happening to our economy or something else? If the Presidency looks away from the real facts, we have trouble. You cannot govern a country like that.

So if the White House is ignoring the facts on the ground and is willing to make up "alternative facts" about crowd size, what else are they willing to stretch the truth about? National security? What Vladimir Putin is up to? The implications are terrifying.

A White House that presents alternative facts needs to be called out for doing so by both parties. The folks who can really help rein in the President are the members of his own party who have a special responsibility to do so, but they have been silent, totally silent when President Trump has been saying and doing things they know are wrong. They should be speaking out for the good of the country.

I urge my friends on the other side of the aisle to help us hold the President and his White House accountable for the truth; otherwise this country is going to have a lot of trouble. Whether you are a Democrat, Republican, liberal or conservative, you cannot ignore the facts and govern and move the country forward.

MORTGAGE RATES

Mr. SCHUMER. Second, I want to address again the President's Executive action on Friday that would make it harder for Americans to afford mortgages. President Trump said in his inaugural address that "for too long a small group in our Nation's Capital has reaped the rewards of government while the people have borne the cost." He promised to combat that trend, but only 1 hour later—1 hour after that speech—in one of his first acts as President, President Trump made it harder for average Americans to afford a mortgage by reversing a recent decision by the Department of Housing and Urban Development to reduce annual insurance premiums that many borrowers pay, saving homeowners about \$500 a year. These are young families just starting out. They want part of the American dream—a home. There is no need to raise their mortgage rates, which is what was done 1 hour after those populist words were delivered on the steps of the Capitol. Yes, it only

took 1 hour for those populist words delivered on the steps of the Capitol to ring hollow. Actions speak louder than words.

So I will just say this. If Dr. Carson wants to earn my support for his nomination to run HUD, he ought to reverse the President's decision and reinstate the policy that makes mortgages more affordable for working Americans.

NOMINATIONS

Mr. SCHUMER. Third, on nominations, the evidence continues to mount that our Republican friends are trying to ram through the President's Cabinet nominations without a fair and complete vetting process. Totally different, I would say to my good friend the majority leader, than what happened when President Obama took office. As I said, our constitutional duty to advise and consent does not mean ramming through nominees. Here are three instances, just new ones. They pile up. Secretary of State nominee Rex Tillerson did not adequately respond to our questions for the record, and a number of Democrats still await more complete responses. Secretary of Education nominee Betsy DeVos refused to return to the HELP Committee now that her ethics paperwork is in, even though her ethics agreement gains her the ability to retain interest in companies that will be directly affected by the policies of the Department of Education. Representative PRICE, the nominee for HHS, refused to meet with several members of the committee before his nomination is scheduled for a vote.

This is not how nominations should go. Now, I know—with a swamped Cabinet of bankers, billionaires, more wealth, more potential conflicts of interest, more positions way far over from what the American people want—why our Republican colleagues want to rush these nominees through. But let me reiterate that they will have tremendous power over the lives of average Americans. A few extra days to examine and explore what they believe to make sure that they don't have conflicts of interest—who wouldn't be for that, unless they don't want the facts to come out?

So we are not stalling nominations. This isn't sport. This is serious stuff. We have genuine concerns about the qualifications and ethical standards of these nominees, and we are going to continue to seek an open, transparent, and thorough vetting process for the President's Cabinet. These folks are going to be in power for 4 years, maybe. Then they deserve a few days of careful vetting. They should not be all rushed in a day, with hurried debate, hurrying them through in the dark of night—no way. We are going to use whatever abilities we have here to make sure that doesn't happen.

TRANS-PACIFIC PARTNERSHIP

Mr. SCHUMER. Fourth, on the Executive action that the President will be withdrawing the United States from the TPP, or the Trans-Pacific Partnership, as you know, my views on trade are probably closer to President Trump's than they were to President Obama and President Bush. I opposed NAFTA and TPP. But the fact that the President announced with fanfare that he will be withdrawing the United States from the Trans-Pacific Partnership is not news. The Trans-Pacific Partnership was dead long ago, before President Trump took office. That is why Leader MCCONNELL didn't bring it up on the floor in the lameduck session. It didn't have the votes and was even further away from getting votes in the Senate. It was over.

We await real action on trade, one of the President's signature campaign issues. Now, what President Trump said in his campaign over and over was that, on his first day as President, he would label China a currency manipulator. That hasn't happened. Even though China is letting their currency float at the moment, you can be sure they will return to manipulating their currency—hurting our exports, helping them unfairly compete with American jobs and businesses—as soon as it is in their best interest to do so.

I worked, frankly, with the nominee for Attorney General, JEFF SESSIONS, and with many others to try and get both President Bush and President Obama to label China a currency manipulator. It didn't happen, unfortunately. But President Trump promised that he was going to do it on his first day in office, and it has not happened. If President Trump wants to send a shot across the bow that he is getting serious on trade, addressing the currency issue would have been a lot more effective than a meaningless and redundant Executive order on the TPP.

While we are on the subject of trade, I remind the President of the two simple rules he laid out in his inaugural address: buy American and hire American—two rules that his current businesses don't follow. Trump shirts and ties are made in China; Trump furniture is made in Turkey. While he is importuning others to “make it in America”—I don't disagree with that—he should start by demanding it of his own businesses. How can he expect others to do something that he is not doing? He wants the automobile makers to make cars in America. So do I. Then he ought to stop making his ties in China and his furniture in Turkey. He ought to set a good example. Until he totally and completely divests himself from his businesses, which is the right thing to do, he ought to start following the rules himself that he has laid out for the country.

REPUBLICAN ALTERNATIVE TO THE AFFORDABLE CARE ACT

Mr. SCHUMER. Finally, this morning, two of my colleagues on the other side of the aisle, the Senator from Maine and the Senator from Louisiana, introduced a proposal purporting to be a Republican alternative to the Affordable Care Act. While I sympathize with my two colleagues, whom I respect a great deal and who understand that repeal without replace would be devastating for our country, their proposal would create chaos, not affordable care for millions of Americans. It is much like the vague Executive order issued by the President on Friday that my friend, the Senator from Maine, Ms. COLLINS, called “confusing.”

Their proposal today illustrates the dilemma that both the Republicans and the White House are in. It is nearly impossible to keep the benefits of the Affordable Care Act without keeping the whole thing. There is an easier way out of the pickle our Republican friends have created for themselves. Republicans can and should stop repeal plans, which are disruptive, and work with Democrats to improve, not gut, the Affordable Care Act and health care system for all Americans.

Thank you. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the nomination of MIKE POMPEO to be Director of the Central Intelligence Agency, which the clerk will report.

The bill clerk read the nomination of MIKE POMPEO, of Kansas, to be Director of the Central Intelligence Agency.

The PRESIDING OFFICER. Under the previous order, there will now be 6 hours of debate, equally divided in the usual form.

The majority whip is recognized.

WELCOMING A NEW DAY IN THE COUNTRY

Mr. CORNYN. Mr. President, I had a chance to listen to our friend, the Democratic leader, and it is becoming clearer exactly what his strategy is for dealing with the aftermath of the November 8 election, in which Republicans retained the majority in both Houses of Congress and picked up the White House to boot. I realize it was a shock to our Democratic friends—the election that occurred on November 8 and the verdict of the American people, given the choices they were presented.

What is becoming increasingly clear is that the Democratic leader, the Senator from New York, believes that Democrats and the country are better served by being an opposition party—in other words, opposed to everything that is proposed by either the President or anybody on this side of the aisle.

Rather than working together with us to try to build consensus, to try to address the challenges that face the country, what they are going to do is to sit back and enjoy the failure—which is what they are hoping and praying for—when we try to do this alone. We know our system is built on bipartisan cooperation and consensus building, and I have to tell my friend, the Senator from New York, Mr. SCHUMER, that I doubt his party's political prospects are going to improve as long as people see them as a restoration of the status quo at a time when they voted for change. Rather than working together to find solutions to the challenges that face our country, they have decided to sit back, drag their heels, oppose, and say no to each and every constructive solution offered by either the White House or this side of the aisle. I really do hope they decide that this is a recipe for political failure, continuing to wander in the political wilderness.

At a time when the voters voted for change, they are arguing for a restoration of the status quo—the direction that the country, the majority of voters, and certainly those whose votes are reflected in the Electoral College felt was a wrong direction for our country.

So I believe that most Americans greeted the peaceful transfer of power as reflected by the inaugural ceremonies of last Friday with relief and welcomed a new day in the country.

My wife and I had the chance to attend those inauguration ceremonies. Let me first say to President Trump, the First Lady, and his family, as they start this journey leading the Nation, that I wish you well and offer my help, because I believe if President Trump succeeds and if his administration succeeds, then there is a better chance that the country will succeed, and it is not going to happen by opposing each and every idea of the administration, which our Democratic colleagues seem bound and determined to do, being seen as merely obstructionist and being naysayers rather than constructive solution finders for the problems that confront the country. I am very hopeful about what the future holds, and I look forward to working with the new President in the years ahead to strengthen our country.

One obvious way all of us can support this peaceful transition of power, which is the hallmark of our democracy, is by making sure that President Trump has the counsel and advice of

the men and women he has chosen to serve with him in his Cabinet. Our Democratic colleagues at one point want to criticize the President for not making a smoother transition, while enjoying every difficulty encountered, at the same time by denying him the Cabinet that he has chosen to serve with him to lead the country.

We have said it before, but it bears repetition. On January 20, 2009, when President Obama was sworn into office, people on this side of the aisle weren't necessarily happy with the electoral outcome. Our preferred candidate did not win, but that didn't mean we obstructed President Obama's choice for his Cabinet. Indeed, we agreed to seven Cabinet members being approved on the first day that President Obama took office, on January 20, 2009.

Well, all of these positions are important and are necessary to make the transition of power in our democracy as smooth as possible. Posts such as Secretary of Defense and Homeland Security and the CIA Director, which we will be voting on later today, are particularly critical, given the national security responsibilities associated with them.

While I am glad we confirmed General Mattis and General Kelly on Friday, we should have voted on the nomination of Congressman MIKE POMPEO to head the Central Intelligence Agency.

MIKE POMPEO is well qualified for this position as CIA Director, but unfortunately some of our colleagues want to slow-walk his nomination. How is it that 89 Members could vote to proceed to confirm his nomination for today last Friday but still they denied us the opportunity for an up-or-down vote last Friday, which we should have had?

Our colleague from Oregon said that he wanted some debate during the light of day. Well, we were willing to stay as late, or into the weekend, as we needed to in order to get Congressman POMPEO confirmed, but, no, he wanted to delay it until today, so presumably there would be less competition for airtime on the evening news. I can't think of another reason he would have delayed that confirmation.

I just want to remind our colleagues that our country continues to face incredible threats, and they are not hitting the pause button. Instead, it is possible that some of our foes could try to test the resolve of President Trump and his new Cabinet during this period of transition, where everybody recognizes this is a period of vulnerability for the United States.

I am reminded of a sobering quote from the Director of National Intelligence during a hearing in 2016. Former Director Clapper, who served our intelligence community for more than half a century, testified: "In my 50-plus years in the intelligence business," he said, "I cannot recall a more

diverse array of challenges and crises than we confront today." That is the former Director of National Intelligence, James Clapper, who spent more than half a century in the intelligence community.

So with that in mind, you would think that we could all agree that the President needs his national security Cabinet at his side, particularly his CIA Director, a Cabinet position integral to keeping our country safe. That is why, in my view, we must confirm Congressman POMPEO as the next Director of the Central Intelligence Agency as soon as possible.

For those who don't know MIKE well, he served in Congress for several years, including as a member of the House Intelligence Committee. And I have no doubt, as Director, he will do all he can to make sure that those serving in the intelligence community have the tools and the respect they need and deserve to keep America safe.

So we need to get this done and to get this done without further delay. Let's not keep the President of the United States from his team, a team that could help him better serve and better protect the people of this country.

And, even more, we need to have our Democratic colleagues recognize that the election is over. The votes have been counted. President Trump has been sworn into office. So we need to end the electioneering that has succeeded all of their activities since November 8. They haven't stopped the campaign.

The campaign is over. The voters have spoken. And we need to get busy governing on behalf of all the American people.

Some of the comments that were made on the floor last week by Senator WYDEN from Oregon—when he objected to voting on the nomination of Congressman POMPEO, he raised the issue of surveillance programs and referred to the so-called 215 program that was designed to collect metadata, but not content, of foreign nationals. He referred to the USA FREEDOM Act, which Congress passed and which replaced the old 215 program with a new approach. But one thing he overlooked is that both the Senator from Oregon and I voted for final passage of the USA FREEDOM Act, as did Congressman POMPEO. They voted for the same piece of legislation, yet the Senator from Oregon wants to take the new CIA Director to task for apparently having some divergent views from his own, when they both voted for the same reforms in the USA FREEDOM Act. That is why it seems so disingenuous when he suggests on the floor, as he has done, that Congressman POMPEO does not believe that there are any legal boundaries for surveillance programs. Indeed, in the Intelligence Committee last week, Congressman

POMPEO, during his open hearing, said he would abide by the law of the land, as I am sure he will, and as we all must.

Surely the Senator from Oregon does not think that support for expanding access to certain metadata is grounds for opposing the nominee. In fact, 59 Members of the Senate and a majority of the Senate's Intelligence Committee last year voted to make clear that the government should be able to access Internet metadata with the use of national security letters.

Just to be clear, we are not talking about content. We are not talking about private information that is subject to a reasonable expectation of privacy under the Fourth Amendment of the U.S. Constitution. When the government wants access to private information, subject to a reasonable expectation of privacy, it requires a search warrant, along with establishing probable cause to believe that a crime or threat is present.

So it is a little disingenuous to be arguing about metadata, which is not content, which is not protected by the Fourth Amendment, which doesn't require a search warrant, as a reason to object to Congressman POMPEO's nomination as CIA Director. Indeed, as I pointed out, the Senator from Oregon and Congressman POMPEO and I all voted for legislation that he believes addressed the concerns he had with the previous metadata collection program.

Then there is the detention and interrogation policies of the U.S. Government post-9/11. It is time to turn the page on this chapter of the CIA's history. We need to focus now on how to defeat the threats of today and tomorrow, not relitigate the battles of yesterday.

But, to be clear, Senator JEFF SESSIONS, the President's choice for Attorney General, has made clear that the enhanced interrogation policies that were used with the approval of the Office of Legal Counsel and the authorities during the Bush administration no longer would be permissible because the Army Field Manual is now the law of the land. Congressman POMPEO voted for the legislation that made that change to Federal law, and he has pledged to follow it. So I am not sure what more we can ask of a nominee.

Finally, later today, the Senate Foreign Relations Committee will vote on the nomination of Rex Tillerson, President Trump's nominee to serve as the next Secretary of State. I have known Mr. Tillerson for a number of years now. Over time, I have come to admire and respect him for many reasons. He has proven over a decades-long career in the top echelons of a large, global company that he has what it takes to represent not the shareholders that he has been representing but the American people throughout the world in the most sensitive diplomatic and

international matters you can imagine. And, most of all, he has proved time and again that he is a man of strong conviction and character.

I have confidence that Mr. Tillerson will help the United States regain our leadership role in the world by unapologetically supporting our allies and our friends while keeping a check on our adversaries. He is, simply stated, the right man to lead our State Department, and I hope that the committee supports his nomination and that the full Senate votes to confirm him soon.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, before my friend, the Senator from Texas, leaves, I am sure he understands that I am rising now in support of the nomination of Congressman MIKE POMPEO to be Director of the Central Intelligence Agency. But before I speak on the nominee, I do want to take a moment to address the criticism that has been leveled against my colleagues who asked for time to debate the nomination.

As Members of the U.S. Senate, we are responsible to the American people to make measured, thoughtful decisions. I will support this nomination, but, again, I fully respect the right of my colleagues to ask for time to debate the nomination on its merits. I know Senator WYDEN and others will be coming to the floor later today to address their issues.

To be clear at the outset, I do not agree with some of the views that Congressman POMPEO has expressed, and our personal and political views are wildly divergent. While Congressman POMPEO and I disagree on many issues, I believe he can be an effective leader of the CIA.

In our private discussions, and in the open and closed hearings, he has convinced me that he will follow the law banning torture. And let me be clear. As the vice chairman of the Intelligence Committee, I will oppose any effort to change law or policy to once again torture detainees, and I will keep a careful watch to ensure that no one ever tries to do so again.

I have also received public and private assurances from Congressman POMPEO that he will accurately represent the unvarnished views of the analysts and folks who work for the CIA and that he will relay those views no matter what the President or others want to hear.

One of the most important jobs of the Intelligence Committee is speaking truth to power.

Congressman POMPEO has also given me assurances that he will support those who work for the CIA and not discriminate against anyone based on their personal views and, not in the least, that he will cooperate with Con-

gress, particularly as we look into Russia's efforts to interfere with our election system.

I heard my friend, the Senator from Texas, call out the former Director of National Intelligence, General Clapper, who has over 50 years in the intelligence business. And again, Mr. Clapper, along with all the other leaders of the intelligence community, basically has said that the Russian efforts to interfere in our elections in this past year were unprecedented.

We all know that President Trump has said some unacceptable things about the intelligence community, accusing them of leaks and of politicizing intelligence. Those of us who serve on the Select Committee on Intelligence—indeed, all of us in Congress, and I know I see my friend, the chairman of the committee, is sitting here on the floor—know that those attacks were unwarranted and should not be continued.

Congressman POMPEO did not participate in those attacks. Instead, throughout his tenure on the House Intelligence Committee, he showed respect for the intelligence community and worked to help make them even better.

His former colleagues and staff on the committee speak highly of him, even when they disagree.

Since he was nominated for the position of Director, Mr. POMPEO has spent a great deal of time at the CIA, working with the professionals there to understand his new role and the challenges he will face. We have had a number of conversations about that.

I have heard nothing that undermines my view that he will treat the employees of the Agency with the decency and fairness they deserve. And since most of those employees also happen to be my constituents, I will watch his actions very carefully.

Under Congressman POMPEO, the CIA will face many challenges. For example, the growth of open source information and big data will supplement and challenge traditional collection means. The Agency has the increasing need to operate in expeditionary and nontraditional environments, which will drive a need for changes in personnel, support, and training. The Agency will have and will need an increasingly diverse workforce which grew up online, which will create new opportunities but also new problems, for example, in establishing and maintaining cover. And if he is confirmed as Director, Mr. POMPEO will have to complete and sometimes tweak the reorganization begun by his predecessor, John Brennan.

While Congressman POMPEO and I disagree on many issues—and I suspect will disagree on many in the future—I support his nomination. I believe he can be a good leader for the CIA and will cooperate with the oversight of the SSCI and Congress.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I rise today to support MIKE POMPEO as the next Director of the CIA. And I thank my good friend, the vice chairman of the Intelligence Committee, Senator WARNER, for his comments.

I will vary slightly from Senator WARNER in that I think the committee process provided every member of the committee a sufficient amount of time and opportunity to ask and to have answered every question that one can query a four-term Member of the U.S. Congress, a member of the House Intelligence Committee. Representative POMPEO made himself available to every member on the committee for a private meeting in their office, to the best of my knowledge, with no time limit.

Representative POMPEO came to an open hearing—which is unusual for our committee, but we do that with nominees—with no time limit. He made himself available to a closed committee hearing with no time limits. He answered over 150 questions for the record. Every member of the committee was given a tremendous opportunity to ask everything and to have it sufficiently answered by the nominee.

Maybe we won't explain what went through the mind of my colleague from Oregon to claim that he hadn't had sufficient time, that there were more questions that needed to be asked, and he made the statement in the light of day. Trust me, most all of the hearings we had and the meetings the members had were in the light of day—it was before 5 p.m. and after 8 a.m. in the morning.

In fact, there is a little game going on with Representative POMPEO, and I think it is similar to what we are going to see with other nominees. But let me tell you why this ought to be different. This ought to be different because of what is at stake. The Director of the Central Intelligence Agency should be somebody who is above reproach, somebody who understands that integrity is everything—not just with the Congress of the United States but with the employees of the CIA.

This is an agency that operates in the shadows. The President gave a speech there on Saturday, and behind him as a backdrop were the stars of individuals who have no names, who have sacrificed their lives without recognition on behalf of the future of this country and the security of the United States. So it is absolutely crucial that we put somebody there who understands the value of the individuals but more importantly, the value of what they do for the security of America.

Representative POMPEO has been asked to lead what I believe is our Nation's most treasured asset. It is an agency that works in the shadows and

requires a leader to be unwavering in integrity, who will ensure that the organization operates lawfully, ethically, and morally.

Just look at MIKE POMPEO's background. He went to West Point. He graduated No. 1 in his class. He left West Point and went to Harvard, where he became a lawyer, God bless him. He headed the Law Review at Harvard. But he didn't pursue a legal career; he started an aerospace business and became the CEO of an aerospace business. He has had multiple successes in life, yet he ended up in public service. He ended up in the House of Representatives.

When asked by the President on behalf of the security of the American people to serve at the Central Intelligence Agency, MIKE POMPEO said: Yes, sir, I will do it—only to come up here with a biography like I have read, with the trust and the integrity needed to fill the slot.

For Members of Congress to question whether this is the right fit, not because of the content of what he has accomplished but because they wanted to claim they hadn't had enough time—if we don't change this—and I say this in a bipartisan way—if we don't change this, good people will not respond “yes” when asked. If we continue to berate people who come here, because of things in their background that have no real, rational reason for exploration as to whether they can sufficiently do the job, then America stands a chance to lose the best and the brightest, regardless of where they grew up, regardless of the color of their skin, and regardless of their or their family's success. I say that to my colleagues in the hope that we will back off before we have done everlasting damage to our possibilities to get the right people here.

Representative POMPEO has honorably and energetically represented the people of the Fourth District in Kansas for three terms. He is on the House Intelligence Committee. House or Senate, I can't think of a Member of Congress who has traveled more around the world and spent more time at the CIA understanding the ins and outs of what they do, how they do it, and why it is important to the American people and to the security of this country, than MIKE POMPEO. He is well versed on intelligence community operations, capabilities, and their authorities. He understands the nature of the threat we face here at home and abroad.

Some are going to question whether, in fact, his personal views that maybe there are events that will happen that will challenge Congress to change the laws are important. That is fine for him or me or for the President to question. The important thing is, How would he answer it if you applied it today? And his answer: I would follow the law. I wouldn't circumvent the law,

I would follow the law, and the law says this today. Short of Congress changing the law, I will follow the law as it is today.

I am not sure you can have more clarity in an answer than that.

MIKE POMPEO's intellectual rigor, honorable service, and outstanding judgment make him a natural fit for the CIA. As I said earlier, he is one of the most active, most engaged, and most charismatic individuals I have seen nominated in quite a while.

I ask my colleagues to support the nomination of MIKE POMPEO as next Director of the CIA. Do it expeditiously. Treat him fairly. Don't paint him as for something he is not. He is a colleague of ours who worked hard to be here. He has a background of proof as to why the Fourth District of Kansas made an incredibly wise decision, but more importantly, MIKE POMPEO is somebody who can contribute in a significant way to the security of the American people, the security of this country, and can, in fact, manage and lead at the CIA without concerns as to whether there is the integrity of the institution, without concerns as to whether he might step across the legal line of what is appropriate, that every day he is there following the rule of law in this country, someone whose primary focus is to make sure that we as policymakers and the President as Commander in Chief have the best intelligence possible to make decisions about America's future and about America's security.

I hope it won't take 6 hours today, but we are in the first hour of debate. I urge my colleagues to be brief but be thorough, but at the end of the day, make sure that tomorrow morning the CIA has permanent leadership and not acting leadership.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

(The remarks of Mr. CASSIDY and Ms. COLLINS pertaining to the introduction of S. 191 are printed in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Vermont.

Mr. LEAHY. Madam President, I understand the order was for the distinguished senior Senator from Oregon to be recognized next.

Madam President, I see the distinguished Senator from Oregon on the floor. I ask unanimous consent that I be recognized for 5 minutes and then yield to the Senator from Oregon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Tonight, the Senate will vote on the President's nominee to be the Director of the Central Intelligence Agency. As I said on Friday, I do not believe the Senate should rush to confirm such a critical position, without the opportunity for debate or discus-

sion. We are having that debate today, and that is why on Friday, I supported a motion to proceed to this nomination.

Our intelligence agencies have an enormous task ahead. The challenges they face range from state-sponsored information warfare to countering violent extremists around the world. Among those who will lead these efforts will be the next Director of the Central Intelligence Agency. The importance of the CIA cannot be overstated. Now, perhaps more than ever, we need a Director who will manage the Agency with the full confidence of the American people.

This confidence is based not only on a future Director's ability to comprehend security challenges, but on his or her ability to safeguard the privacy and civil liberties of all Americans and to uphold and advance United States leadership in protecting human rights.

I have serious concerns with President Trump's nominee to lead the CIA. Congressman POMPEO has called for the re-establishment of the bulk collection of Americans' phone records, and has even argued that the intelligence community should combine that metadata “with publicly available financial and lifestyle information into a comprehensive, searchable database.” He went on to say that “[l]egal and bureaucratic impediments to surveillance should be removed.”

But Congress outright rejected the bulk collection of Americans' records when it passed the USA FREEDOM Act of 2015 on an overwhelmingly bipartisan basis—the very program that Congressman POMPEO said that he wants to bring back.

During his testimony last week, Congressman POMPEO attempted to diffuse this and other questions about his more alarming positions by affirming his appreciation of the supremacy of law. It sounded to me, like the tried and true confirmation conversion. I appreciate that he testified that he understands the responsibility of a Director to uphold the Constitution and the laws passed by Congress.

But I remain deeply concerned that he advocated for such dangerous measures in the first place. And I am concerned that he will push to remove “legal and bureaucratic impediments to surveillance”—just as he said last year.

We face grave threats from around the world, whether from Russia, from ISIS, or other adversaries. The Director of the CIA must be trusted by all Americans to protect us from these threats, but also to protect our nation's core values.

I don't question Congressman POMPEO's loyalty to our nation. I do question his stated beliefs that immediate security concerns can be used as a justification for eroding the fundamental rights of all Americans. For

these reasons, I cannot support his nomination.

I thank the distinguished senior Senator from Oregon for letting me take this time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, before he leaves the floor, I want to thank Senator LEAHY, particularly because, once again, on this issue he showed there was a path forward that was bipartisan. The senior Senator from Vermont got together with our colleague from Utah, Senator LEE, and the two of them set out from the get-go to try to find common ground.

I think most people didn't give us great odds. Senator LEAHY and I used to talk about how when we began the effort, being on the Intelligence Committee and the Judiciary Committee, a group of us could probably have met in a phone booth, but then, under Senator LEAHY's leadership, we began to pick up colleagues from both sides of the aisle.

The Obama administration, which we both remember, had reservations at the beginning. We said: Look, we can find a way. The intelligence community said to go forward with this, but this didn't happen by osmosis. It happened under the leadership of Senator LEAHY and Senator LEE, our colleague on the other side of the aisle. One of the reasons we feel so strongly, as the Senator from Vermont has stated, is that if we are not careful, particularly with this nomination, we could undo, we could unravel a lot of that good bipartisan work.

I know my colleague has a tight schedule, and I so appreciate his coming over and very much recognize that one of the reasons we are here is to make sure we don't undo the good bipartisan work that he has authored.

Madam President, today the Senate is doing something that doesn't happen often around here—having an open debate about the future of the Central Intelligence Agency. The Central Intelligence Agency, in my view, is an enormously important and valuable part of our government. It is staffed by thousands and thousands of patriotic Americans who make extraordinary sacrifices on our behalf. They work so hard to protect our country in so many ways Americans will never find out about. They give up their time. They give up their weekends, family vacations, and all kinds of things that would be scheduled that they would enjoy personally, and they give it up on 1 or 2 hours' worth of notice because they want to protect the security and the well-being of our Nation. The fact is, many at the CIA have risked their lives defending us and some have made the ultimate sacrifice with their lives.

When you talk about the CIA on the Senate floor, it is especially important to protect the people I have just men-

tioned and to protect what are called their sources and methods. Sources and methods are the secret means by which the CIA gets the information that is needed for our national security, and it needs to stay classified. While sources and methods need to stay classified, the debate about our laws and those who execute them is a public matter. The policies that guide what the CIA does in its important work—the debate about policies always has to be public. The nomination of a CIA Director is a rare and important chance to talk about what the nominee thinks those policies ought to be.

In the beginning, I am going to offer my guiding principle. Smart national security policies protect both our security and our liberty, and they recognize that security and liberty are not mutually exclusive; that it is possible to have both; that it is essential to have both. Nothing illustrates the need for policies that promote security and liberty more clearly than the issue of encryption, which we will be talking about—in my view—at length in this Congress as part of the intelligence debate.

Strong encryption protects Americans from foreign hackers, criminals, identity thieves, stalkers, and other bad actors. It is the key to protecting our cyber security. Yet there are some in government and some in the Congress who think it would make sense to require American companies to build backdoors into their products so the government can get access to that information. My own view is this would be an enormous mistake, a mistake from a security standpoint, a mistake from a liberty standpoint, and also very damaging to our companies—companies that produce jobs with good wages. I have been fighting against ill-advised encryption proposals because they would be bad for security for the reason I mentioned. It would be a big gift to foreign hackers and bad for liberty. The reality is, if we require our companies to build backdoors into their products, the first thing that is going to happen is all the companies overseas, where they will not have such rules, will benefit enormously. A lot of good-paying jobs—high-skill, high-wage jobs—would be at risk. I bring this up only by way of stressing how important it is that we get this right; that we advance policies that promote security and liberty and we recognize right at the get-go that they are not mutually exclusive.

With that in mind, we turn to the nomination of Congressman MIKE POMPEO to be the Director of the Central Intelligence Agency. After consideration of his testimony and a review of his past statements—and response to written questions—I have concluded that he is the wrong man for the job. He has endorsed extreme policies that would fundamentally erode the lib-

erties and freedoms of our people without making us safer. He has been unwilling to provide meaningful responses to my questions with respect to these views. When he has provided responses, they have often either been so vague or so contradictory that it is impossible to determine what his core beliefs are or what he might actually do if he is confirmed.

On issue after issue, the Congressman has taken two, three, or four positions, depending on when he says it and whom he is talking to. He has done this with surveillance, with torture, with Russia, and a number of other subjects. So now we are at the end of the confirmation process. There has been a hearing. I met with the nominee in private. We submitted two sets of questions, both before and after the hearing. Despite it all, it has been impossible to walk away with consistent answers on the Congressman's beliefs on how he would lead the Central Intelligence Agency.

Let me begin with surveillance. Just over a year ago, after the USA FREEDOM Act had become law, Congressman POMPEO wrote in an op-ed that Congress should pass a law reestablishing collection of all metadata. This was a reference to the program in which the government collected and kept the records of tens of millions of innocent Americans. When the American people found out about this program, they were rightly horrified and they rejected it, which was why—as we touched on this afternoon on a bipartisan basis—Congress abolished the program through the USA FREEDOM Act. That law got the government out of the business of collecting these millions of phone records on law-abiding people, and it did nothing to harm our security. For example, I am very proud that I was able to work in a bipartisan way to author a provision that allowed the government, in emergency circumstances, to get phone records immediately and then go back later and seek court approval. I wrote that provision to make sure that when the security of our great Nation was on the line, it would be possible for our national security officials to move immediately, without delay, to get the information that was needed. Congressman POMPEO himself voted for the USA FREEDOM Act before he turned around 8 months later and wrote that he wanted to reestablish this sweeping and unnecessary program. So understand the timeline. The Congressman talks about voting for the USA FREEDOM Act, but after he cast that vote, he came out in a widely circulated article in the Wall Street Journal for a proposal that really makes all the earlier collection of phone records about law-abiding people look like small potatoes. I am going to discuss that this afternoon.

The question really is, What does the Congressman believe? Does he stand by

his vote to abolish the NSA phone records dragnet? Was that what he was suggesting when he brought up that vote during his hearing or does he stand by what he wrote in his major opinion article that came out well after the law he voted for? In response to questions, the Congressman wrote that he believes the collection of tens of millions of Americans' phone records provided a significant tool for the intelligence community and that "I have not changed my position." That sounds like an endorsement of the mass surveillance of phone records.

Again, in the hearing, the nominee said something else. Senator HEINRICH asked him whether he had been briefed on whether the current process—where the government collects phone records on an individual basis rather than in bulk from millions of Americans, even if they are not suspected of a crime—protects our Nation as well as the liberty of millions of innocent Americans. The Congressman is a member of the House Intelligence Committee so he has had the opportunity to be briefed on this topic, but here is his response to Senator HEINRICH: "Senator, I have not had a chance to have a complete briefing on that, but I can say I have not heard anything that suggests that there is a need for change today." In other words, in just a matter of days, Congressman POMPEO has taken the position, first, that the bulk collection of American phone records was a significant tool and that it should be reestablished, and, second, while testifying to the committee, that he has no basis on which to believe that is necessary. That is such a head scratcher, I just don't know how to go about squaring these truly conflicting statements.

What troubles me especially is if the Congressman were to be confirmed as CIA Director, the doors would close and he would operate in secret. Yet Americans do not know which position he would take in running the CIA. The American people have no idea how Congressman POMPEO would advise the President and his national security team on what is truly necessary to protect the Nation.

Phone records are not the only communication records we need to be concerned about. Until a few years ago, the NSA also ran a program in which millions of Americans' email records were collected. Since the Congressman wrote that he wanted to reestablish collecting all of the metadata, I asked him whether he would support the resumption of that program as well and whether he believed that millions of Americans' email records should be combined with millions of American phone records. He could have said no. He could have clarified that he was only talking about phone records. Instead, he ducked taking a position. In fact, he even indicated that he would be open to including email records in

his new database. His exact words were: "If I am confirmed and agency officials inform me that they believe the current programs and legal framework are insufficient to protect the country, I would make appropriate recommendations for any needed changes to laws and regulations."

What is especially troubling about this is that the bulk email program was discontinued because it wasn't effective. I spent a lot of time pressing intelligence officials to give us some evidence that you had to go out and collect all of these email records from law-abiding Americans. In the end, the Agency decided to look at it, and they came to the same conclusion I did; that it wasn't needed. That is not a judgment about whether the program violated Americans' privacy because it definitely did that. The NSA determined that—in its words, not mine—the program did not meet their "operational expectations." This is public information. All the details are available to the House Intelligence Committee on which the Congressman sits. This should have been an easy answer for the nominee, but he refused to rule out the inclusion of millions of Americans' email records—records the NSA has said it doesn't need—in what would be his idea of a massive new government database.

The collection of phone and email records of millions of innocent Americans is small potatoes compared to what the nominee wrote next. His proposal was to combine all of the communications metadata, and these are his words, with "publicly available financial and lifestyle information into a comprehensive searchable data base." This is far bigger and more encompassing than any such data collection program that the Bush-Cheney administration ever imagined.

I have been a member of the Senate Intelligence Committee since before 9/11. I have been in a lot of debates about the appropriate scope of government surveillance. I have never heard ever—not from anyone—an idea so extreme, so overarching, and so intrusive on Americans' privacy. I wanted to give the Congressman the opportunity to explain what he was actually proposing. So during the confirmation hearing—and later in what are questions that are submitted to him—I tried to find out what his database would include and what, if anything, it wouldn't include. I could not get substantive answers. What we basically got was a big word salad with a liberal helping of words that just kind of skirted the issue. My folks would call them weasel words.

The Congressman did mention social media in his answers. But it is one thing for the government to read the social media postings of Americans because there is a specific reason to do so; it is something else entirely to cre-

ate a giant government database of everyone's social media postings and to match that up with everyone's phone records. We asked where the nominee would draw the line. He wouldn't say.

Congressman POMPEO's vision of this vast government database doesn't stop, by the way, with social media. What he wrote in his responses to my questions was that he was "generally" referring to publicly available information on the Internet or other "public databases." I will repeat that. He was generally talking about information already in the public domain. That raised the question of what else the nominee wanted to enter into a giant government database of information on millions of innocent Americans. For example, did he have in mind information on Americans that the government could obtain or purchase from third parties, such as data brokers who collect information on the purchasing history of our people? Imagine putting every American's purchases into a government database, along with their social media postings and all of their phone records.

After two rounds of submitted questions and a hearing, it was not clear what the Congressman meant when he referred to "all metadata" or how he defined "publicly available financial and lifestyle information." What we do know for sure is that he wouldn't give us any real sense of what he wanted to do with this proposal. He was unwilling to talk about it.

The responses I got from the Congressman on this and other topics generally fell into three categories. The first was, I will do what is legal. The second one was, when it comes to Americans' privacy, that is the FBI's problem, not the CIA's. And third, as CIA Director, I won't do policy. I am going to briefly state why these are unacceptable answers.

First, I asked the Congressman if there were any boundaries to his proposed new, vast database on Americans. His response was, "Of course there are boundaries; any collection and retention must be conducted in accordance with the Constitution, statutes, and applicable presidential directives." That is not a response. Just because the government may be able to legally obtain information on Americans on an individualized or limited basis doesn't necessarily make it legal, much less appropriate, to create this vast database with all kinds of information on law-abiding Americans. If you take his response to mean that the only boundaries are those established by law, then it is worth considering how the intelligence community has frequently interpreted the legal limits in which it operates: flexibly and in secret.

Even if we imagine that there are established legal boundaries that would rein in the Congressman's CIA, consider what he himself has said about

those legal boundaries. He wrote in his op-ed—and these are his words, not mine—that “legal and bureaucratic impediments to surveillance should be removed.” It is also significant that throughout his response to questions, he refers to CIA policies, procedures, and regulations. As CIA Director, he would be in a position to change those.

It seems to me that the Congressman can't have it both ways—he can't say he is bound only by legal restrictions and avoid saying what he thinks those restrictions should be.

The nominee's second way to avoid answering these questions was by arguing that concerns about the privacy of Americans are the business of the FBI, not the CIA. That is just not the case. There is a long and unfortunate history related to the CIA and domestic intelligence, which the Church Committee documented in the 1970s. I will be clear—I don't believe the CIA is up to anything like this today, but the possibility of returning to those days is certainly a possibility if the Director of the CIA takes the flexible approach to the rules that are intended to keep the CIA out of the lives of American citizens. I will give just a few examples.

On January 3, the Director of National Intelligence put out new procedures about the distribution within the intelligence community of what is called raw signals intelligence. These are the actual content of communications, as opposed to an analyst's report about these communications. According to the new procedures, these communications can be provided to the CIA if the CIA Director asks for them and explains to the NSA why the CIA needs them.

Here is why this matters to the privacy of Americans: When raw communications are distributed to the CIA, they include the communications of Americans that have been sucked up in the overall collection. So at this point, the CIA would have these communications. According to the new procedures, in some instances the Director of the CIA can approve CIA searches of that data for the communications of Americans. The Director of the CIA can also approve the use of Americans' communications. The question is, How would the Congressman exercise these authorities? We just don't know.

Another example would be the CIA's own procedures for dealing with information on Americans. Last week, the CIA updated these procedures in a 41-page public document. They covered, for example, the CIA's collection of vast amounts of information that includes the communications of or information about Americans—what can be collected by the CIA, what can be kept by the CIA, what can be distributed by the CIA. The new procedures also cover when CIA officers are required and when they are not required to identify themselves when participating in organizations in our country.

Just reading these procedures makes it clear that the CIA's activities bump up against the liberties of Americans all the time. That is why the regulations exist. But if a CIA Director has extreme views with regard to the liberties and freedoms of our people, that could very well be reflected in how the Agency implements these procedures or whether they get rewritten. How would the Congressman apply these rules? Would he propose new ones to make it easier for the CIA to look at more information about Americans? Again, we just don't know.

One thing is clear: The views of the CIA Director about the liberties and freedoms of Americans are just as relevant as those of the FBI Director.

The nominee's third effort to avoid discussing his position was to say that as the CIA Director, he wouldn't be responsible for policy. As he asserted in his opening statement at the hearing, he would “change roles from policymaker to information provider.” But anyone who is familiar with the role of the CIA Director knows that is just not what happens at the Agency.

First, the CIA Director does far more than deliver analysis to government officials. Collection priorities, methods of collection, relationships with foreign services, covert action, and many other responsibilities of the office are policy matters.

In addition, the CIA Director and other leaders of the intelligence community are asked repeatedly what they think is necessary and appropriate to keep our Nation safe. At a moment of crisis, these questions are especially pressing. We now know what happens in those moments when leaders give wrong answers. After September 11, the Directors of the NSA and the CIA offered their views of what should be done. We all thought they had time stamps on them because we came back to look at them after the immediate crisis was over, but our country ended up for a fair amount of time with programs that ripped at the very fabric of our democracy. There were warrantless wiretappings and torture.

The Director of the CIA is a unique position. When someone is nominated to lead a department that operates more or less openly, at least the public can assess his or her performance, and at least a fully-informed Congress can respond when he or she implements wrongheaded policies. But the CIA Director operates in secret. What the public finds out is entirely up to the CIA and the administration.

When it comes to deciding whether this is the right person for the job, there is nothing for the public and most of the Congress to go on other than what the nominee has said and done before and during the confirmation process. Unless this is going to be a rare exception and the Congressman would be a historically transparent

CIA Director—and there aren't any indications of that—then what we are talking about in this confirmation debate today and why I thought it was important to have a real debate today is that what we are talking about in terms of much of the future of the CIA and the person who heads it—this is a one-time shot for that discussion. That is why I don't consider the vetting process to be finished.

(Mr. MORAN assumed the Chair.)

On the topic of the proposed massive new database and on a range of other topics both classified and unclassified, the Congressman did not provide substantive responses, so I have resubmitted my questions to him.

Now, some—I heard this mentioned today—have said the Congressman answered every question. They claim that somehow we are stalling, that stalling is taking place for political reasons, so I want to be very specific about what I mean when I say the Senate has not gotten responsive answers.

The facts show that the nominee has gone to great lengths to dodge, evade, and in effect tiptoe around a significant number of the questions that were put to him. We held our hearing on January 12. I asked the Congressman about what information that he would put in his comprehensive, searchable database. I didn't get a meaningful response, so I said at the hearing that I would like the nominee to furnish in writing what limits, what safeguards, what railings would exist with regard to this massive new database, far more encompassing than the one the Congress voted to sideline.

The next day, I sent over specific questions. I asked him in writing, as I had at the hearing: What are the boundaries for collection on Americans who aren't connected to a specific investigation? This is fundamental. What are the boundaries on collecting information on Americans who aren't connected to a specific investigation? It is particularly relevant since the nominee proposed this vast and sweeping new database.

I wanted to know, and I believe the American people would like to know because, as I said at the beginning, I think the public wants security and liberty. That is what I am committed to doing. That is what we did in the debate about the FREEDOM Act, where we stopped collecting all of these phone records of law-abiding people, but I wrote the provision that increased government's authority in emergency situations.

People want to know: Are there any kind of limits and safeguards, particularly if you are proposing something brandnew, a centralized database, after the Congress voted to curtail something much more limited?

The Congressman responded by saying that publicly available information

can be useful in stopping terrorist attacks and that publicly available information involves fewer privacy concerns compared to surveillance.

I agree on both counts. Nobody, no sensible person would dispute these matters.

The question which remains unanswered is whether publicly available information on every American should be gathered up into what the Congressman describes as a “comprehensive, searchable database.”

Since I had trouble getting an answer at that point, I also sent a written question about whether—if information on an American is legally available to the government on an individualized or limited basis, does that make it legal or appropriate to compile it into a bulk, giant database?

The Congressman testified that the boundaries of his database of “publicly available financial and lifestyle information” were legal. That raised the question: Is this whole database, this huge, new database legal or not?

He responded: “I have not consulted legal experts.”

That is it. That was his answer.

So, again, when you have this sweeping new proposal, far more encompassing than anything I have heard people talk about, the Congressman, when asked whether the database was even legal, said that he had not consulted legal experts.

Here is another question I submitted. I asked if his comprehensive database should include information from third parties, such as data brokers. And I think the distinguished Presiding Officer, who has a great interest in these issues in the private sector, knows about the possibilities of abuses with data brokers. I wanted to know whether this database was going to include this kind of information.

Here is the Congressman's response in full: “I have not studied what information is available from third parties and the applicable legal restrictions on obtaining such information.”

That is it. Nothing more. He could have said, for example, that he wasn't contemplating including information from data brokers in this database. He could have elaborated on what he actually meant. He didn't do either. It was just more stonewalling.

Now, I want to make it clear. The question that I have asked—and I heard a comment about why would we be taking this time. The questions were prompted because of the Congressman's own words. He is the one who proposed a vast database on innocent Americans. He is the one who will not articulate the boundaries of what is a very extreme proposal. These are basic questions that are directly relevant to this nomination. They are questions that Americans need answered, and they go right to the heart of how, in the future, we will have

smart national security policies that protect both our security and our liberty.

The American people thought after the USA FREEDOM Act was passed—this was before, as I mentioned, the Congressman's new idea, something vastly more involved. The public thought when the FREEDOM Act was passed that the government was out of the business of collecting millions and millions of phone records on law-abiding Americans. Now we are talking about a nominee to be CIA Director who not only wants to bring this back but proposes something that makes the collection of millions of phone records on law-abiding people look like nothing.

That is why I wanted this debate. That is why I wanted us to have a chance to talk about it in the light of day, rather than late Friday night in the middle of inauguration parties. I wanted the public to understand what the issues were and these questions I had about the Congressman's own words. That is what this debate is about: What is the Congressman really talking about with his own words?

When I receive meaningful answers to these and other questions, I will consider the confirmation process complete. Until then, I don't believe our work in reviewing the nominee and his views is done. That, in my view, is the only way to pin down a nominee who has taken multiple positions with regard to some of the most important issues.

By the way, I think it is worth noting, with respect to trying to get some guardrails and protections into the most sweeping new surveillance program I have ever heard of, that the Congressman said in his testimony to the committee: “I take a back seat to no one with respect to protecting Americans' privacy.”

Now I want to turn to several other issues. I tried to get answers from the Congressman about the outsourcing of surveillance against Americans. During the campaign, the President invited the Russian Government to continue hacking operations against his political opponent. The President also said, with regard to Russian hacking, that he would “love to have that power.” That is his quote, not mine.

So the question I wanted answered is: What would happen if the Russians, or some other foreign entity, collected the communications of Americans and, instead of giving them to WikiLeaks, provided them directly to our government? This could be information about our political leaders, journalists, religious leaders, business people, typical innocent Americans.

At the hearing, the Congressman testified that it is not lawful to outsource collection that the Agency isn't authorized to conduct itself. That sounds like a reassuring statement to me. The

problem is, we are in a world in which the President of the United States has already openly encouraged a foreign adversary to use its hacking capabilities to attack our democracy.

What if a foreign adversary does it again and provides the fruits of that hacking to the government without waiting for a specific invitation from the CIA? What happens then?

In response to questions, the nominee wrote that only in “very limited circumstances” would the collection of Americans' communications be so improper that it would be inappropriate for the CIA to receive, use, or disseminate them.

So I asked what those circumstances would be. The response was that it was “highly fact-specific.”

The vagueness here also is very troubling, so I tried to follow up. What if the information came from an adversary, rather than an ally? Did it matter what the intent of the foreign partner was—to support our national security or further disrupt our democracy? Did it matter if the information was about Americans engaged in First Amendment-protected activities, rather than about terror suspects? What if the information provided to the government involved thousands or millions of U.S. persons? I received no substantive answer other than all of these issues were “relevant.”

Other members of the committee and I asked other questions relating to the collection and use of information on law-abiding Americans. First, I asked the Congressman about section 702 of the Foreign Intelligence Surveillance Act, specifically about the government's backdoor searches of data for information on Americans.

He responded that the CIA can conduct these warrantless searches if they are “reasonably likely to return foreign intelligence information.” This is certainly potentially troublesome and is an issue that the Senate is going to need to take up when considering the reauthorization of that part of the Foreign Intelligence Surveillance Act.

Perhaps more concerning, however, was the Congressman's statement that when we are talking about collection outside of the Foreign Intelligence Surveillance Act, the rules of what the CIA can access, query, use, and retain should be even more broad and more flexible. And I will just say, I don't know how you get much broader and more flexible than the standard that currently applies to section 702.

Then I asked the Congressman about encryption, and, frankly, I did because I had gotten the sense that maybe he held moderate positions, and, as I said earlier, I am very troubled about the possibility that American companies would be required to build back doors into their products and that strong encryption would be weakened. I think this is a massive gift to foreign hackers. I think it is a huge gift, by the

way, to pedophiles because if you weaken strong encryption, you weaken that feature that parents use to make sure they are watching their child and their child is safe.

I think it is very important not to weaken strong encryption from a security standpoint, from a liberty standpoint. And I think it is just flatout nuts to do it to our companies because our companies wouldn't be able to compete with the companies overseas that would continue to rely on strong encryption to be able to assure that their customers' data was protected.

So I had kind of gotten the thought that the Congressman had moderate positions. I asked him about that. And all he would say was that it was a complicated issue, and he said that he might begin to form some judgments.

This is an issue that has been discussed extensively in the Congress. It has been discussed in this body. It has been discussed in the other body. There are Members of both the Senate and the House, high-ranking senior Members, who have a difference of opinion with me on encryption. They want to weaken strong encryption. They think this is what the government needs to get this data. I think that is a flawed view, but people can have differences of opinion. That is why we have our unique system of government; we have real debates, unlike what goes on in most of the world.

But here is a topic that has been discussed extensively in Congress. And it was my hope that the nominee would at least have some sort of judgment about this issue and could express that to the American people prior to a confirmation vote.

Instead, what I got was: It is complicated. I think everybody understands that.

Now I would like to turn to the question of torture. I simply have not been reassured by the shifting statements about torture that the nominee has given, so I would like to walk through this.

I happen to share the views of our very, very widely respected and acclaimed senior Senator from Arizona that it is just not effective, and he makes the case more eloquently than I. But that is not what is at issue here specifically. It is about trying to sort out the nominee's shifting statements about torture.

As late as 2014, he cited ending the CIA's torture program as purported evidence that President Obama had refused to take counterterrorism seriously. That is a pretty extreme view. By then, even Members of Congress who had previously supported the program believed it was best left in the past, but not our nominee to head the CIA.

Now we come to this hearing when he emphasizes commitment to the 2015 law that limits interrogation tech-

niques to those authorized by the Army Field Manual. That sounds pretty good, but a review of his responses to the committee's questions revealed more troubling views. For example, he was asked about his statements in 2014 and whether he believed the CIA's interrogation program should be resumed. He responded that he would have consultations about whether there should be "changes to current interrogation or detention programs involving CIA." Understand the implications of that. He was asked: Should this interrogation program be resumed? And he was going to have consultations about whether there ought to be changes in it.

With respect to the Army Field Manual, he wrote that these consultations, including "with experts at the Agency" on "whether the Army Field Manual uniform application is an impediment to gathering vital intelligence to protect the country or whether any rewrite of the Army Field Manual is needed," certainly suggest again that there are open questions with respect to the field manual and torture. The fact is that the Army Field Manual could be improved to further clarify, in my view, that the U.S. Government should rely on noncoercive techniques that are the most effective. The statute states clearly that revisions to the Army Field Manual cannot "involve the use of threat or force." But given the Congressman's statements in support of torture, it is not clear that is what he has on his mind. Consistently, on this issue, there is a difference between what he says and the fine print when he is required to state his views about interrogation in writing. Moreover, the nominee is not just talking about changes in the Army Field Manual, he is expressing openness to ditching the whole thing, at least as far as the CIA is concerned.

The fundamental premise of the McCain-Feinstein legislation in 2015 was that the Army Field Manual would apply uniformly across the U.S. Government, including the Department of Defense and the CIA. So while he may have testified that McCain-Feinstein is the law, he plans on questioning whether the whole thing ought to be tossed out.

Who are the experts at the Agency he wants to ask? There are certainly CIA officers who understand the importance of uniform standards and recognize the effectiveness of noncoercive interrogation techniques. But if he is talking about going back to individuals associated with the CIA's torture program, everybody ought to be very apprehensive about what he is going to hear.

In other words, reading the nominee's response to written questions is very different than listening to his testimony. His written responses indicate both an openness to resuming the CIA's

interrogation program and questions about whether the Army Field Manual should apply to the CIA.

I come back to that point. The nominee is a very skilled lawyer, and he has been involved in intelligence for quite some time, but I have been concerned that he has consistently said things that are different than his written responses with respect to this issue. Part of what concerns me about all this hedging is that the Congressman doesn't seem familiar with the broad consensus that torture, in addition to being contrary to our values, does not work. This is what was documented extensively in the Intelligence Committee's torture report—not just the 500-page summary but the 6,700-page full report. But there is a growing body of additional evidence.

For example, the role of interrogating high-level terrorist suspects in present years has been given to the High-value Detainee Interrogation Group, which does not torture. The Congressman was asked whether he believed this program was effective, a topic with which he should be familiar as a member of the committee. He said he hadn't studied the question. He was asked about their report last year that detailed how noncoercive interrogation techniques are more effective. He refused to give an opinion on this as well.

All of this is problematic because, as in the case of surveillance, the Congressman has not considered whether we can do without highly problematic programs at no cost to our security. Just as we have security and liberty, we can have smart security policies that maintain our national values.

His troubling views on torture were most apparent in the inflammatory statements made in December 2014, when the Intelligence Committee released the torture report. The nominee referred to criticism of the CIA torture program as a "liberal game," as if this view hadn't also been expressed by some of the most conservative Members of Congress and dozens of retired U.S. generals and admirals.

Many Senators from both parties supported the release of that report. In my view, his statement was a direct attack on the patriotism of people who had a different view. The nominee said that the release of the report "will ultimately cause Americans to be killed." The torture report was not some leak. The CIA engaged in what is called redaction, where they take out provisions that could put Americans at risk. They took out names, pseudonyms, and, in some cases, titles.

I asked the Congressman whether he thought the Agency had failed to protect Americans. He said he hadn't looked into it. In other words, he just asserted that the release of the report would cause Americans to be killed without having considered whether the CIA had adequately protected against

that. When an intelligence program such as the CIA's torture program raises so many questions about our laws, our policies, and our fundamental values, the American people deserve to know about it. When the President of the United States has repeatedly advocated for torture, it is especially critical that it be a public debate based on facts.

If that can be done while protecting sources and methods, openness is an imperative. That is why the Congressman's statements about the release of the torture report are still so relevant. In my view, they call into question his commitment to the principles of transparency and accountability when our country needs both.

Finally, his responses to a number of other questions I proposed raised additional concerns about the lack of transparency. I asked him if he would commit to correct inaccurate public statements. He said that wouldn't always be possible, and it would be his "bias" to correct his own inaccurate statements.

I don't think that is good enough. As we saw in the case of the public testimony by the Director of National Intelligence about surveillance, when the American people learn that intelligence officials have not been straight with them, it fundamentally erodes the trust between the public and the government, and that is not good for anyone.

I also asked the Congressman whether, if a U.S. Ambassador tells the CIA to cease activities in his or her country, the Agency is obligated to comply. Despite a clear statute that establishes this authority, the nominee refused to answer. In my view, this raises questions about whether the CIA is going to retain secret interpretations of the law. Without taking a lot of time, sources and methods have to be classified in secret, but the law ought to be public. Going back to secret laws, we saw that the phone records program would be a big mistake.

I will wrap up by mentioning the Congressman's shifting views on the intelligence community's assessment with regard to Russia and the U.S. election.

On January 3 he submitted responses to prehearing questions. At the time, then President-Elect Trump was still dismissing the intelligence community's assessment, including the October 7 statement from the Director of National Intelligence and Homeland Security that the Russian Government had interfered in our election. The nominee is a member of the House Intelligence Committee. So he had every opportunity to judge the assessment for himself. But when he was asked about the intelligence community's assessment by the committee, all he would say is that it was a "serious assessment of attribution and charge

against another country" and that it "should be taken seriously." That is it. He didn't say whether he agreed with the Director of National Intelligence or Homeland Security. In fact, he even defended the President-elect's dismissal of the intelligence community's assessment, saying that the "context" for the President-elect's statements was political criticism of him and the election. Whatever politics are going on have nothing to do with whether the intelligence community's assessments about Russia made by the Director of National Intelligence and made by the head of Homeland Security were or weren't accurate.

But then everything changed. On January 11, the President-elect said: "As far as [the] hacking, I think it was Russia." The next day at our hearing, the nominee changed. He said the analysis was sound, but that was a position he could have taken before, when the President-elect didn't yet want to hear it.

We are headed into dangerous times. We need a CIA Director who is direct about his beliefs and his assessments. The Congressman's evolution on whether he agreed with the intelligence community's assessment on Russia and our election is just one of the problematic aspects of this nomination. Time and again, the nominee has taken multiple positions on the same issue, which is why I have given him a number of opportunities to explain where he stands.

But as I have explained this evening, that has been impossible. I haven't gotten adequate responses. I resubmitted them. I also note that I sent him classified questions as well. They were also unresponsive.

Frankly, I don't consider this nomination to have been fully vetted, but we are going to vote. What I have heard leads me to conclude that the Congressman should not be confirmed. He has held extreme views on surveillance, torture, and other issues. His positions on surveillance have failed to recognize that it is possible to have security and liberty. I see virtually no commitment toward real transparency. His views on the most fundamental analysis issue of the day—the involvement of Russia in our election—seemed to shift with those of the President. His changing positions on all these matters suggest that, at this rare moment when the American people actually have an opportunity to know who it is we are entrusting with some of the most important, weighty, and secret positions in government, they are going to be denied that chance.

That is why I oppose this nomination. I urge my colleagues to do so as well.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, today I urge all Senators to confirm MIKE

POMPEO as Director of the Central Intelligence Agency. MIKE is a distinguished Congressman, a successful businessman, an Army veteran, and he is my friend.

I served with MIKE for 2 years in the House of Representatives. Over the last 2 years, we both served on our respective intelligence committees. I cannot count the hours we have spent together reviewing analytic products, assessing the needs of the intelligence community, conducting oversight of that community, and we have traveled the world together to do those things. From personal experience, I can tell you this is a man who understands exactly what it takes to keep America safe.

He understands it because he has dedicated his life to it. When he was 19, MIKE decided to join the Army, writing a blank check to his country for any amount, up to his life. He graduated first in his class at West Point and afterward joined the 1st Squadron, 2nd Cavalry, patrolling the Iron Curtain in Germany.

For some people—including not a few in this Chamber—the Cold War is little more than ancient history and mostly the unfortunate result of American provocation and misunderstanding, but for MIKE POMPEO, it was real life. He saw for himself the tank divisions, the gunships, and the eastern frontier of freedom. He knows, from personal experience, that conflict is rarely just a big misunderstanding, something you can clear up with reset buttons, open hands, and nice gestures. Our enemies have made a deliberate choice to oppose our way of life, and if we are to protect it, we must be equally deliberate, clear-eyed, and hard-nosed in our defense.

I have every confidence that MIKE POMPEO will do that. He has succeeded in everything he has ever done. After his military service, he excelled at Harvard Law School. Later, he started his own company and went on to serve as president of another. He is a community leader in his adopted home of Wichita, where Kansans have elected him in repeated landslides to serve them in the House of Representatives. In the House, MIKE is a sober, respected voice.

In short, MIKE has spent his entire life preparing for a moment like this. It is clear why President Trump didn't interview anyone else for the job after meeting MIKE.

It is a big job, and the CIA will benefit from new blood and fresh leadership. MIKE is ready for the job. As he said himself, he doesn't take a backseat to anyone when it comes to protecting our security and our privacy. Some politicians may say things like that, but it is all talk. It is nothing but talk. With MIKE, it is the real deal.

Don't take my word for it. Here is what prominent Democrats are saying

about MIKE POMPEO. Leon Panetta, a respected public servant and former CIA Director himself, says MIKE POMPEO “is somebody who understands the intelligence agencies, is smart, and somebody I think will be a good director.”

John Brennan, who just departed as CIA Director, says he “looks forward to being able to hand this baton over to somebody who is as dedicated an American as MIKE POMPEO.”

ADAM SCHIFF, the senior Democrat on the House Intelligence Committee, says MIKE POMPEO “is bright and hard-working” and “he is willing to listen and engage, both key qualities in a CIA director.”

I couldn’t agree more. It seems, among the people who actually know MIKE POMPEO—and who actually know the job—there are no last-minute political stunts or petty delaying tactics. They understand intelligence is deadly serious business and ought not be treated like a political football. In a world as dangerous as ours, with threats gathering every day, there is no more time for dithering. We need a CIA Director of the highest caliber, and MIKE POMPEO is the man for the job.

I commend President Trump for this inspired nomination, I thank MIKE for once again answering the call of duty, and I also thank his wife Susan for her love and steadfast support of MIKE in the trying times and sacrifices that inevitably will lie ahead.

The time has come to put aside partisan politics and do the right thing for our country and the brave men and women of the CIA. I call on every Senator to vote for confirmation and to send to the CIA a strong leader, a wise counselor, and a fierce patriot.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the distinguished Senator from Kansas for giving me the opportunity to make some remarks for the record.

I support MIKE POMPEO to be Director of the CIA. I want to make clear that Congressman POMPEO has committed to following the law with respect to torture. He committed, during his open hearing, to a question I asked, to refuse any orders to restart the CIA’s use of enhanced interrogation techniques that fall outside of the Army Field Manual.

However, what has happened is that his written answers to my questions for the record on torture appear to leave open the possibility that he would be open to the CIA carrying out these practices again in the future. I have had an opportunity to discuss this with Congressman POMPEO, and I asked him today to give me some statements from him that I could put directly into the record in that regard, and I wish to share these responses. I received them today, prepared by his staff.

Let me quote. “By law, any agency interrogations will be limited to techniques in the Army Field Manual.”

“The Army Field Manual explicitly prohibits waterboarding and other techniques.”

He further recommitted to the promise he made at his hearing that he “would ‘absolutely not’ comply with an order that violates the law, including an order to restart a program with techniques that violated the limitations in the Army Field Manual.”

Additionally, he clarified his comments regarding which experts he intends to consult at the CIA and other organizations in the government regarding the Army Field Manual. This is where there was particularly—I think in the Daily Beast, this question was raised, as well as in other places, so I want to clear it up. Here is his statement: He “would listen to any items raised by the High-Value detainee Interrogation Group”—which we call the HIG—“or other career intelligence professionals that any improvements were needed to the Army Field Manual based on their professional experience.”

Moreover, he promised to provide objective analysis of Iran’s compliance with the nuclear agreement and insisted that he would keep the Senate informed of all CIA activities in that regard.

Additionally, he has promised to put aside his previous political considerations, and he has committed to providing the President and the Congress with independent, objective intelligence analysis.

Certainly, I, and certainly others, intend to hold him to these commitments. For these reasons, I am clearly voting for his confirmation and look forward to working closely with him on the Senate Intelligence Committee to make sure strong congressional oversight of the CIA continues.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I believe that to continue to delay confirmation of Congressman MIKE POMPEO to serve as Director of the Central Intelligence Agency would be a real disservice to the Nation and to the security of the American people.

It was 2 weeks ago that I had the honor and privilege of introducing my colleague from Kansas during his confirmation hearing before the Senate Intelligence Committee—a committee I once had the privilege of chairing. More than enough time has passed for all Senators to really acquaint themselves with the pertinent qualifications of the President’s nominee.

As a long-serving Member of the House Intelligence Committee, MIKE has the merits for the job. He has the experience, he has the knowledge, the

judgment, and the skills necessary to lead the Central Intelligence Agency. MIKE is Army strong. He graduated at the top of his class at West Point and then served as a cavalry officer patrolling the Iron Curtain before the fall of the Berlin Wall.

After completing his military service, MIKE attended Harvard Law School, where he was an editor of the Harvard Law Review. Because he is an attorney, MIKE understands the law, as emphasized by my distinguished colleague from California, a long-serving member of the Intelligence Committee, Senator FEINSTEIN.

Aside from the many questions posed to Congressman POMPEO, this is the salient point. He will respect the limitations we have placed upon our intelligence services, and he will preserve our constitutional values.

After practicing law, MIKE returned to his mother’s roots in South Central Kansas, running several very successful businesses in Wichita before making the decision to run for Congress in 2010.

MIKE came to Washington with a strong desire to serve the people of the Fourth District. Ready for a challenge, he sought a seat on the House Intelligence Committee at a time when intelligence-gathering methods were under fire.

Again, a salient point, as an experienced legislator, MIKE POMPEO understands and respects the role of Congress and the need for vigorous oversight, again demonstrated by the remarks of the distinguished Senator from California, Mrs. FEINSTEIN.

I know he will provide the House and Senate Intelligence Committees with candid and honest assessments and provide the information the committee needs necessary to fulfill their oversight responsibilities. I know he will also demand that of everyone who serves at the CIA. In so doing, I know—and he knows—the difference between intelligence reporting and an intelligence product with salient input from all within the intelligence community, thus making sure our intel community does not become mired in assessment failure or any political controversy. We have certainly seen enough of that.

There are few positions in government of greater importance than that of the Director of the Central Intelligence Agency. At a time when democracy and freedom are under assault by radical elements fueled by hatred, our intelligence-gathering services must have a strong leader who will guide their mission and ensure the safety of the American people and not be swayed by any political interference.

We must demonstrate the respect we have—all of us in this Chamber have—for the men and women of the intelligence community by giving them a leader that will have their backs while, at the same time, will demand excellence of each and every one of them.

MIKE POMPEO will be that kind of leader. I strongly urge every one of my colleagues to support his nomination. We have had ample time for debate. Now it is time to confirm.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I rise to oppose the confirmation of Congressman MIKE POMPEO as Director of the Central Intelligence Agency. I respect Congressman POMPEO's background and service to our Nation. However, I strongly believe that his positions on at least three key issues undermine his qualifications to lead the Central Intelligence Agency.

First, he has supported broad surveillance programs that allow the government to spy on the American people—programs that were far-reaching, invasive, and violated law-abiding citizens' constitutional rights to privacy.

These programs were hastily passed as a part of the PATRIOT Act in the wake of the 9/11 terrorist attacks. I was one of only 66 Members in the House of Representatives to vote against the PATRIOT Act.

Since then, we have learned through reviews by the Privacy and Civil Liberties Oversight Board, as well as the unauthorized disclosure of programs by Edward Snowden, that these programs did go too far. There is no doubt about it. They did go too far.

The government collected massive amounts of personal cell phone information, with no probable or reasonable cause to justify the collection, and the PATRIOT Act was used to obtain hotel records, car rental records, apartment leasing records, credit card records, and other personal information. While the government collected personal information from innocent Americans, there is no credible evidence that it made us more secure.

The majority of the American people opposed the surveillance program. They understood it went too far and violated our basic American right to privacy. So Congress responded and passed the USA FREEDOM Act—bipartisan legislation to rein in the surveillance programs.

Congressman POMPEO was skeptical of the USA FREEDOM Act, and he introduced his own bill to resume and expand the spying programs.

I believe in strong national security, and I have consistently supported our military and our National Labs to ensure that we have the strongest and most effective defense in the world. However, in the United States of America, we protect national security and our constitutional rights. The United States is not a police State. The U.S. Constitution protects us from overreaching invasions of our privacy. Congress struck an appropriate balance in the USA FREEDOM Act between security and civil liberties. I hope the new

administration will not try to return to mass surveillance programs that don't work, aren't supported by the American people, and invade our civil liberties.

Second, Congressman POMPEO's views on torture are deeply concerning. He has stated that the so-called enhanced interrogation programs used by the CIA in the Bush administration "were within the law" and "within the Constitution." That is his quote, "were within the law" and "within the Constitution." They were not. They violated Federal law prohibiting torture, and they violated the U.N. Convention on Torture and the Geneva Conventions—treaties the United States signed and that became Federal law. Programs of torture were a stain on our Nation's history and contrary to our value as Americans.

Beyond the legality of these programs, any CIA Director must understand that the use of torture is ineffective. It yields bad intelligence, which makes it harder for our analysts to do their jobs. The Senate Intelligence Committee's 6,000-page classified report, issued in December 2014, concludes: "The CIA's use of its enhanced interrogation techniques was not an effective means of acquiring intelligence or gaining cooperation from detainees." This finding is from the publicly available executive summary from the report.

On key national security issues, like the use of torture, the new administration's top appointees must speak with one voice. Secretary of Defense Mattis has disavowed the use of torture. His many years of experience, training, and leading troops have taught him that torture does not work. Americans go to war—and risk and sacrifice their lives—to preserve our deeply held values. We cannot be engaged in conduct antithetical to those values at the same time. We must lead by example.

Finally, if America uses torture, we have no moral authority to stop foreign countries or terrorists from torturing Americans. We can never give implicit license to others to brutalize our soldiers. President Obama banned the use of torture in 2009. Again, I hope we will not be forced into debate about whether to return to the use of inhumane interrogation techniques that don't work and that undermine what we stand for as a nation.

Third, Congressman POMPEO has expressed that the Guantanamo Bay detention center should remain open, and he has said he believes detainees can be imprisoned indefinitely. The continued use of Guantanamo Bay prison and indefinite detention are at odds with our Nation's commitment to human rights and rule of law. There is no place in America's traditions under the Constitution and under international norms for indefinite detention without trial or adjudication. Guantanamo Bay

hurts America's standing around the world, it is a recruiting tool for terrorists, and it is a huge waste of taxpayer dollars. Again, we must strike an appropriate balance between national security and America's fundamental principles. We cannot take actions to preserve American values that at the same time are opposite those very same values.

Finally, Congressman POMPEO's views on Muslims are troubling. He has stated that Muslim leaders are "potentially complicit" in acts of terrorism if they don't condemn it. Muslim leaders around the world have condemned extremists' violence. Muslims around the world strongly condemn such acts. Accusing Muslim leaders of complicity and acts of terrorism that they have nothing to do with, that they oppose, is not acceptable speech from a Director of a national security agency.

In conclusion, I want to underscore that I have nothing but respect for the men and women who work in the Central Intelligence Agency. They are true patriots who work hard every day, at personal risk, to keep our Nation secure. These patriots deserve a leader who will keep our Nation secure and secure our Nation's basic values.

In defense of America, in the name of national security, we must protect Americans' constitutional rights, the rule of law, and human rights. I believe Congressman POMPEO's views do not hold with American values. His positions will not keep America safe. I think they could undermine our security. For these reasons, I must oppose Congressman POMPEO's nomination as Director of the Central Intelligence Agency.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, in less than 2 hours, the United States will have a new Director of the Central Intelligence Agency. Those watching may conclude that perhaps there is still debate going on about how we are going to vote. Everyone in the Senate knows how they are going to vote on this confirmation. Quite frankly, the President deserves the right to have someone at the CIA whom he trusts and is going to do a good job at a very critical agency. This is a critical component of our national security apparatus. It is unfortunate that the first weekend as President he had to have that position vacant. Nevertheless, that ill will be remedied here in about an hour and a half.

I am proud to stand in support of Congressman POMPEO, whom I got to know well. He was very supportive of my efforts earlier last year when I chose to pursue the Presidency. I got to know a lot about him in that endeavor. So I want to take a few moments to tell the people of Florida and those who may be watching this, now

or in the future, a little bit about their next Director of the CIA.

First of all, he is an incredibly respected leader. Anyone who has interacted with him, anyone who watched the hearing before the Intelligence Committee would conclude that he was a star in terms of the way he presented himself. That is in line with his honorable service during his time on the House Intelligence Committee, which he has been on for over 6 years.

He is a graduate of West Point. He is an Army veteran. He finished at the top of his class at Harvard Law. I don't think anyone here would say that someone who went to West Point, who served in the Armed Forces, and who finished at the top of his class at one of the most exclusive law schools in the world does not qualify for the job. He certainly has the intellect for it, but he also has a very keen understanding of our national security issues, both as a Congressman but also from a practical perspective, having operated in that space in the Army.

Senate Democrats, unfortunately, have delayed his confirmation for political reasons. As I said earlier, we could have voted on this last Friday, as the Senate Democratic leader had promised the chairman of the Intelligence Committee. That word was not kept. Nevertheless, we are here today, and we are going to move forward.

Our new Commander in Chief deserves and needs the Director of the CIA in this job as soon as possible because we face a complex number of dangerous threats, perhaps more than at any time in our recent memory. These include the threat of radical Islamic terrorism—in Iraq, Syria, Southeast Asia, North Africa, even here at home; Russian aggression toward our friends and allies in Eastern Europe and elsewhere. We face the savage Assad regime in Syria, which continues to slaughter innocent men, women, and children, targeting civilians in Aleppo and other places. We, of course, face an increasingly unstable dictator in North Korea who continues to develop long-range missiles, soon capable of reaching the west coast of the United States—at least according to his claims. We face an emboldened China which, in pursuing their illegitimate territorial claims in the South China Sea, threatens to destabilize the region. We face Iranian leaders—an Iranian leader who still leads the chant of “Death to America” every week as they cheat on the lax requirements of President Obama’s flawed nuclear deal. We face illicit trafficking in the Western Hemisphere, right here in our own backyard, that destabilizes governments in the region and floods the streets of our country with narcotics.

Quite frankly, Congressman POMPEO’s national security experience makes supporting his nomination one

of the easiest nomination decisions I have faced in the 6 years and 1 month that I have had the honor of serving the people of Florida in the U.S. Senate.

As a military veteran, as a West Point graduate, as I said earlier, he knows firsthand. We can read about this in a book. He knows firsthand the role intelligence plays in helping the President and other policymakers formulate both U.S. foreign policy and U.S. national security policy and in turn protecting the American people.

Quite frankly, I believe any delay in approving this nomination weakens America and strengthens our adversaries. It sends the wrong message to the men and women of the Central Intelligence Agency who are our first line of defense and among our finest public servants.

Congressman POMPEO served our country in the gulf war, and since 2011 he has served the country in Congress. I truly hope many of my colleagues are willing to cross the aisle and support his nomination. He is extraordinarily well qualified. It is a phenomenal thing for our country that he will, in a few hours, be the new Director of the Central Intelligence Agency.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to start my remarks by saying I have tremendous respect for anybody who will go through the process of confirmation. It is a tough, rigorous process, but it is a process that is very important to this country. The Senate needs to confirm the nominees, and we need to do our work as Senators to make sure the people in the positions in the Cabinet are well-suited to those positions.

In that regard, I am going to rise today in opposition to the nomination of MIKE POMPEO to lead the Central Intelligence Agency.

As our Nation’s top intelligence agency, the CIA plays a critical role in keeping our country safe from those who want to do us harm, but Mr. POMPEO envisions American intelligence-gathering that does much more than keep us safe from our adversaries. He wants to collect the private information of law-abiding citizens. Mr. POMPEO has advocated for reestablishing bulk metadata collection, combining it with publicly available financial and lifestyle information into a searchable, comprehensive database.

That might sound fine, but it isn’t. What this means is that a phone call with your friend or coworker could be a conversation tracked by the U.S. Government. That is not right. What this means is that a kid from Lewistown, MT, who is attending college in Bozeman and feels homesick and wants to call home on a Sunday afternoon, that could be tracked. Look,

he is not a threat to our country. A grandmother calling her grandkids on their birthday to wish them happy birthday, that could be tracked. It is not a threat to our country.

This type of bulk data collection Mr. POMPEO advocates for fails to protect our right to privacy and potentially treats innocent Americans like hostile actors. The threats we face in this world are real, but we cannot afford to revive and expand some of the worst elements of the PATRIOT Act. Every American has a fundamental right to privacy, and Mr. POMPEO has indicated he is willing to sacrifice that right. The President deserves to have the guy in office whom he wants, but we can’t allow a person to be in office that is going to take away our privacy, take away our civil liberties.

It has been pointed out on this floor before all the bad people out there—in North Korea, in China, in Iran, in Syria, in Russia. Let me be clear. We must strengthen our national security, but we do not have to sacrifice our civil liberties in that process.

We can have a safe nation that respects our fundamental freedoms. Both are possible. Because of these reasons—of bulk metadata collection and infringement on our civil liberties in this country—I cannot support Mr. POMPEO. I urge my colleagues to look at what he is requesting and oppose his nomination.

Mr. President, I yield the floor.

Mr. McCAIN. Mr. President, the new Director of the CIA must focus on uncovering facts about the many complex national security threats confronting our Nation. Now is the time to turn the page on our discussions of old programs and activities, which we have thoroughly reviewed and addressed.

The National Defense Authorization Act for Fiscal Year 2016 included a provision to apply the Army Field Manual’s interrogation requirements to all U.S. agencies, including the CIA. Congressman MIKE POMPEO voted for that law. During both our personal conversations and his confirmation hearing, Congressman POMPEO has repeatedly committed to me that he will comply with the law as Director of CIA. He also committed to me that if, after talking to professional officers of the CIA, he has any recommendations for changing the law or updating current guidelines, he will present those recommendations to the Congress.

I have no reason to doubt Congressman POMPEO’s word, and I fully support his confirmation. Going forward, I will continue to closely monitor this issue and use my oversight powers to ensure the law is obeyed.

Ms. HIRONO. Mr. President, I rise today in opposition to the nomination of MIKE POMPEO to serve as Director of the Central Intelligence Agency.

Representative POMPEO has been wrong on many critical intelligence issues during his 6 years in Congress.

He will not disavow his past support of torture.

He opposed the release of the Senate Select Committee on Intelligence's torture report.

He has advocated for reinstating mass surveillance of American citizens.

He recently left the door open to outsourcing surveillance of American citizens to foreign governments to circumvent existing laws.

He opposes the closure of Guantanamo.

He opposes the Iran nuclear agreement.

Congressman POMPEO is the wrong person to the lead the Central Intelligence Agency.

I urge my colleagues to vote no on his nomination.

Mr. VAN HOLLEN. Mr. President, President Trump has repeatedly called into question the integrity and professionalism of the brave men and women in our intelligence community. In addition, throughout the campaign, his statements revealed a dangerous propensity to ignore important principles of civil and religious liberty.

Under these circumstances, it is especially important that the Director of the Central Intelligence Agency be an individual who will implement the Agency's vital national security responsibilities in a manner consistent with our Constitution and the rule of law. The head of the CIA must ensure that the men and women of the Agency are not pressured by the President—or anyone else—to violate important American values and principles.

Congressman MIKE POMPEO has impressive credentials; and, should he be confirmed, I pledge to work with him to support the national security missions of the CIA. However, his positions on spying on Americans, the use of torture, and religious minorities cause me to question this nomination.

Modern nations must have intelligence agencies to help keep us safe. Thus, in the 1947 National Security Act, Congress created the Central Intelligence Agency. The CIA provides the President and senior policymakers with vital national security intelligence.

But the CIA and other U.S. intelligence agencies must work within our Constitution. By design, the CIA has no law enforcement role. And the law focuses the CIA on overseas intelligence gathering, limiting what it can do here in the United States.

Our Constitution limits how much intelligence agencies and government generally can intrude into the lives of Americans. The Fourth Amendment to the Constitution provides: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." To conduct searches, the Constitution requires the government to have prob-

able cause and get a warrant. Congress passed and the States ratified the Fourth Amendment as part of the Bill of Rights, in response to the abuse of general search warrants issued by the British in pre-Revolutionary America.

Thus, in 2015, a Federal judge ruled that the National Security Agency's program of systematically collecting Americans' domestic phone records likely violated the Constitution. And also in 2015, Congress enacted the USA FREEDOM Act in large part to limit that program. The USA FREEDOM Act represented real progress and a departure from the untenable situation before the law. It ensured that the intelligence community and law enforcement have the necessary tools that they need to protect our Nation, but it does so in a manner that is consistent with the fundamental principles in our Constitution.

Congressman POMPEO, however, has been an ardent proponent of the data collection that the Federal judge ruled likely unconstitutional. In a recent Wall Street Journal op-ed piece, Mr. POMPEO wrote that Congress should re-establish the collection of metadata and also combine it "with publicly available financial and lifestyle information into a comprehensive, searchable database." And in 2015, Congressman POMPEO introduced the so-called Liberty Through Strength Act II, which would have rolled back the reforms of the USA FREEDOM Act.

Indeed, Mr. POMPEO apparently has a troubling bias against privacy. Mr. POMPEO wrote in the Wall Street Journal op-ed piece that "the use of strong encryption in personal communications may itself be a red flag."

I am also deeply concerned about Congressman POMPEO's position on torture. After release of the 2014 Senate torture report, Mr. POMPEO said, "These men and women are not torturers, they are patriots. The programs being used were within the law, within the Constitution." If Mr. POMPEO's conception of the law and the Constitution would allow the use of the torture that the 2014 report documented, then I am concerned that he reads our Constitution's protections too narrowly. If confirmed, Mr. POMPEO's support for such torture techniques as described in the 2014 Senate torture report could once again harm America's reputation abroad and endanger American troops whom our enemies might capture.

I am also concerned that Mr. POMPEO has been an enthusiastic supporter of the Guantanamo Bay prison. When MSNBC's Craig Melvin asked Mr. POMPEO in 2013 about a hunger strike at the Guantanamo Bay prison, Mr. POMPEO said, "The last thing to say about these folks who are supposedly hunger strikers is that they look to me like a lot of them had put on weight." And last year, Mr. POMPEO said, "The detainees at GTMO are treated excep-

tionally well—so well that some have even declined to be resettled, instead choosing to stay at GTMO."

In fact, the Guantanamo Bay prison is a blot on America's reputation in the world. As President Obama has said, "Keeping this facility open is contrary to our values. It undermines our standing in the world. It is viewed as a stain on our broader record of upholding the highest standards of rule of law." If confirmed, Mr. POMPEO's support for the prison would harm American interests in the world.

Mr. POMPEO has also cast aspersions on Muslims generally. In a 2013 statement on the House floor, Congressman POMPEO said:

"When the most devastating terrorist attacks on America in the last 20 years come overwhelmingly from people of a single faith, and are performed in the name of that faith, a special obligation falls on those that are the leaders of that faith. Instead of responding, their silence has made most Islamic leaders across America complicit in these acts. . . . But the silence in the face of extremism coming from the best funded Islamic advocacy organizations and many mosques across America is absolutely deafening. It casts doubt upon the commitment to peace by adherents by the Muslim faith."

It is unacceptable to smear all Muslims based on the actions of radical extremists who seek to hijack the name of Islam for their evil purposes. That kind of demagoguery has no place in our country.

Placing someone who maligns all Muslims in charge of the CIA would be a propaganda boon to enemies who seek to portray America's foreign policy as a war against Islam. And the expression of such views by a senior government official could discourage Muslim Americans from working with law enforcement here at home.

Run properly, the Central Intelligence Agency makes an important contribution to keeping America safe. But run poorly, the CIA can embarrass the Nation in the world and ultimately endanger our troops, our diplomats, and Americans abroad.

It is thus important that the person who heads the CIA be a person who respects the Constitution and understands the limits that the Constitution and statutes place on the Agency's role. While I hope he will prove me wrong, Mr. POMPEO's statements lead me to conclude that he is not the right person for this job.

Mr. TESTER. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll. The senior assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I rise today to oppose the nomination of

MIKE POMPEO to be the Director of the Central Intelligence Agency. At a time when we are facing massive attacks against privacy rights thanks to the explosion of technology, we should be greatly troubled by giving power to a person who has stated flat-out that he wants to expand the surveillance state, not rein it in.

Here is the kind of world we are now living in, a world that should be of concern to every freedom-loving American, whether you are Democrat or Republican or Independent, conservative or progressive. We are living in a world where government and the private sector often know where you are at any time. They know where you are. They know where you are traveling. They know what books you are reading, what Web sites you are visiting, and maybe the emails you are sending out or reading.

I hear a whole lot of discussion on the floor of the Senate about freedom, about our desire to live and defend a free society. I would ask my colleagues and the American people—when we talk about freedom, one of the attributes of a free society is the right to live our lives the way we want to live our lives, without Big brother knowing everything there is to know about us. You want to do what you want to, it is your business; I want to do what I want to do, it is my business—if we are not harming other people. I believe that is a basic American right and a basic constitutional right, and I want to see people at the CIA, at the NSA, at other intelligence agencies who, yes, will be vigorous about defending us from terrorism but will do it in a way that is constitutional, that protects the civil liberties and the civil rights of the American people.

According to the Pew Internet Project, today 95 percent of American adults own a cell phone. More than three-quarters of American adults own a smartphone. Eighty-eight percent of American adults use the Internet. These advancements obviously have enormous advantages. Everybody knows all of the extraordinary things we can do on the Internet and all the information we can gain. It is almost unthinkable that we were living not so many years ago without the advantages of the Internet. All of these advantages, all of these conveniences come with a price.

If you have a Google account and the GPS enabled on your phone, Google creates a map for you of every single place you go in a given day. Facebook amasses a massive amount of data on you to better target commercials and advertisements to you. Credit card companies track your spending habits. Even innocuous things like a loyalty program in which you gain benefits by buying at a certain store give the private sector and the government eventually access to a massive amount of information about you.

When you go to the grocery store and scan your card, it is very convenient, moves things faster, and you can get a discount, but the store gets to track everything you purchase. Is that really what you want? Do you want the whole world to have knowledge of everything you purchase? For just one rather famous example, Target—a huge chain in America—could tell if a woman was pregnant based on what she was purchasing at the store. Do we really feel comfortable about that kind of information getting out into the private sector or the government sector?

If you are wearing a tracking device today to count your steps, to count your heart rate and your sleep patterns, you may see it as a way to become healthier. Your employer or health insurance company, however, may see it as a way to charge you more if you don't meet certain employee wellness targets. Are we really comfortable about corporations knowing all about our health? If you are dealing with a serious illness, maybe it is something you and your family want to keep within the bosom of your family and not spread to the whole world.

That companies are collecting this much information on their own is very troubling to me, but Mr. POMPEO apparently wants to go even further. Last January, he published an op-ed in the *Wall Street Journal* in which he wrote:

Congress should pass a law reestablishing collection of all metadata, and combining it with publicly available financial and lifestyle information into a comprehensive, searchable database. Legal and bureaucratic impediments to surveillance should be removed.

Wow. What we are talking about is the U.S. Government having, in many ways, more information about us than we may even understand about our own lives. In many ways, it sounds to me that we are moving toward an Orwellian society where, between the government and the private sector, there is very little about ourselves that is not known by somebody else. I am very, very uncomfortable about that.

I want at the head of the CIA somebody who understands thoroughly the Constitution of the United States and privacy rights and understands that we can fight terrorism effectively within the Constitution and the privacy rights guaranteed to the people of our country.

Since June of 2013, here is what we have already learned that the NSA collects: phone call metadata, including the numbers of both parties—my number and the number of the person I call—the location, time, and duration of that telephone call. NSA has access to text messages, email chat, and Internet browsing history, smartphone app data, including map data, which can pinpoint a person's location to within a few yards. They have maps of people's social networks and bank and

credit card transactions. That is a lot of information held by the government and/or the private sector on the personal lives of the American people.

As I have mentioned, there is nobody in this Congress who does not understand the threat of terrorism and does not want to see our government be as strong and vigorous as possible in fighting terrorism and getting all the information we need to effectively combat terrorism, to make sure that if somebody is a suspect in terrorist activities, that we go after that person as strongly and as effectively as we can. I believe from the bottom of my heart that we can do that without invading the privacy rights of the American people.

It is not acceptable for Senator after Senator to come here and say we are defending freedom, we live in a free society, and then vote to allow the government or the private sector to have an unbelievable amount of knowledge about each and every one of our personal lives.

Now more than ever, it is vital to have a head of the CIA who will stand up for our Constitution, stand up for privacy rights. Unfortunately, in my view, Mr. POMPEO is not that individual.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I rise today to support Congressman MIKE POMPEO for the CIA. He isn't somebody I just met in my office to be able to talk with; he isn't just somebody I served with in the House. I know him personally. For 6 years, he served on the House Intelligence Committee. He struggled through the legal issues of what it means to be in the CIA and also have good oversight, understanding those difficulties that keep America safe but also making sure we protect the privacy rights of Americans.

MIKE POMPEO was a Harvard law grad at the top of his class. He gets this information. He understands the constitutional implications. He is also a top graduate of West Point, serving in the Army as well. He knows what it means to be able to defend this country. He is one of the most qualified people out there to possibly serve in this role, understanding the legal implications, having 6 years of service on the House Intelligence Committee, understanding the background, what it means to seek real oversight and to be able to struggle through these issues.

He is a person of great integrity, and he is a person who will passionately help protect the Nation. He is a person who holds tremendous respect for the people serving in our intelligence community—people who most of us will never, ever meet but work every single day to be able to keep our Nation secure. These are individuals who are also passionate about not only keeping

our Nation secure but also maintaining the constitutional protections we have always had as a nation.

I heard a lot of the debate today, and I have been astounded at some of the conversations coming out. Let me just recap a couple of these things that I have heard because it was surprising to me. On the issue of advice and consent from the Senate, it seems that some people have not actually read the written testimony and the questions for the record that MIKE POMPEO has put out there or listened to his actual testimony or maybe seen his voting record when he was in the House of Representatives. For instance, there is this conversation sitting out there about torture—that he is going to somehow promote torture. He has stated over and over again that he would abide by the law and the Army Field Manual. That is what every candidate would say on that. That is the actual law. He has been very clear on that; he doesn't promote torture. I don't know what else he would have to say. Yet it continues to come up that somehow the head of the CIA is going to promote torture.

I have also heard that he wants to keep Gitmo open. Well, I would stand in line with him on that one. For those of us who have actually been to Guantanamo Bay and have seen it, it is a modern prison facility. It is not some dog cage out there that is holding people out in the weather. Neither is it a place that is doing torture. Guantanamo Bay is a place where the worst of the worst terrorists are being detained and held for trial. The issue of the past 8 years wasn't just that the Obama administration was working as hard as they could to release as many terrorists as they could from there; it is that they weren't taking them to trial. That is the right action—not to do indefinite detention but to actually work toward trial for these individuals. But in the meantime, they should be held at Guantanamo Bay, which is a modern prison facility, and it is the appropriate spot to be able to hold terrorists offshore.

Then there are all of these conversations about collecting data, as if MIKE POMPEO wants to scan through all of our Facebook pages. May I remind everyone that the Central Intelligence Agency is focused on foreign intelligence gathering—outward facing. The FBI is focused on the United States, on what is happening with U.S. persons. The CIA has strict prohibitions from gathering data on U.S. persons. The comments he made about gathering any kind of information on social networks and about gathering from what is publicly available is something all of us, I think, should support. If anyone outside the United States—whether they be in Pakistan, whether they be in Syria, or wherever they may be—is on social networks talking about the

destruction of the United States, I would assume someone is tracking that, and that someone would be the CIA. We would hold the head of the CIA to account, saying: Weren't you tracking this terrorist's Facebook page, at least? Weren't you tracking their Twitter account? So for him to make a public statement that we should gather information on social media, I think all of us would agree, hopefully, that, yes, on foreign terrorists we should gather as much as we can possibly gather from the publicly available information, whatever it may be. Comments about his wanting to expand data collection fly in the face of reality when he voted as a Member of the House of Representatives to limit data collection.

I have no issue supporting MIKE POMPEO. He is very experienced, he is very well educated, he is well prepared for the task, and he is passionate about keeping our Nation safe within the bounds of the law. That is what we want a CIA Director to do: to passionately go to work to honor our civil liberties. We want to make sure he is standing up for us every single day. In the moments when our Nation is asleep, we want to know the great folks of the CIA are awake and watching because the threats that we face internationally are very real.

I am glad MIKE POMPEO is going to be at the watch. I look forward to voting for him in a very few minutes.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEINRICH. Mr. President, I thank my colleague Senator WYDEN for leading this important discussion. I joined the Senate Intelligence Committee 4 years ago, just a few short months before the public release of thousands of classified documents forced our country to have a debate over the scope and reach of America's surveillance programs, especially as they relate to American citizens.

That debate has formed the backdrop for national security policy decisions ever since, and I am very proud of the positive steps we have made toward reclaiming our civil liberties while still giving our intelligence and law enforcement communities the tools they need and deserve to anticipate threats, track down terrorists, and keep this Nation safe. It is because of Congressman POMPEO's opposition to those important reforms that I rise today to oppose his nomination to be the Director of the Central Intelligence Agency. Congressman POMPEO has a long legislative and rhetorical history on sur-

veillance, on torture, and on other issues that I believe we simply cannot overlook in considering his nomination.

In our conversations, in answers to written questions, and during his confirmation hearing, Congressman POMPEO has often said the right thing or tried to give answers that on their face give the impression that he has changed his positions on these issues. But we need to carefully review the Congressman's votes and public statements to be sure that he understands the importance of protecting Americans' constitutionally guaranteed civil liberties and meeting the needs of our national security at the same time.

I was proud to help lead the effort to pass the USA FREEDOM Act in 2015 to finally end the government's overreach, their dragnet collection of law-abiding Americans' personal information, and provide the intelligence community with an updated legal framework that ensures they have the tools they need to focus on the records of actual terrorists, while at the same time protecting the privacy of innocent Americans.

Although the Congressman voted to support the USA FREEDOM Act in 2015, within a year, he had backtracked, writing a column for the National Review that stated:

Those who today suggest that the USA FREEDOM Act, which gutted the National Security Agency's (NSA) metadata program, enables the intelligence community to better prevent and investigate threats against the U.S. are lying. I use that word intentionally.

A few weeks later, Congressman POMPEO in the Wall Street Journal wrote: "Congress should pass a law reestablishing collection of all metadata, and combining it with publicly available financial and lifestyle information in a comprehensive, searchable database."

I think I should read that one more time: "Congress should pass a law reestablishing collection of all metadata, and combining it with publicly available financial and lifestyle information in a comprehensive, searchable data base."

Wow. I think we should unpack that sentence a little bit. First, when asked by Senator WYDEN and me to clarify what metadata he believes should be collected, Congressman POMPEO made clear that he was referring to a rollback of the USA FREEDOM Act and a return to the warrantless and unnecessary collection of billions of communication records for millions of innocent Americans not suspected of any crime.

Shortly after Congressman POMPEO's Wall Street Journal column was published, the NSA's general counsel wrote in a column in Lawfare: "Largely overlooked in the debate that has ensued

... is the fact that under the new arrangement"—meaning the USA FREEDOM Act—"our national security professionals will have access to a greater volume of call records subject to query in a way that is consistent with our regard for civil liberties."

But, really, it is the second part of Congressman POMPEO's position that gives me far more concern. What exactly does he mean by calling for the collection of "publicly available financial and lifestyle information" and placing it into a "comprehensive, searchable data base"? When asked to clarify his proposal, Congressman POMPEO declined. However, I think it is clear from the context of both his columns and his public statements that he believes the U.S. Government ought to be collecting dramatically more private information from innocent Americans who are not under investigation for a crime.

Let me be clear. The Federal Government has no business collecting "lifestyle information" on its own citizens, and innocent Americans should expect that their private financial data is just that—private. This flies in the face of the Fourth Amendment.

On torture, Congressman POMPEO's record is also clear: He has supported it. Congressman POMPEO thinks it was a mistake to stop the enhanced interrogation program. He issued a very personal attack against then-Committee Chairman FEINSTEIN when the committee released its report on the CIA detention and interrogation program. And while he acknowledges that CIA interrogation techniques are currently limited to those contained in the Army Field Manual, Congressman POMPEO said to our committee that he will "consult with experts at the Agency and at other organizations in the U.S. government on whether the Army Field Manual uniform application is an impediment to gathering vital intelligence to protect the country or whether any rewrite of the Army Field Manual is needed."

One could easily infer that the Congressman would ask the CIA officers who participated in the detention and interrogation program whether they believe the techniques contained in the Army Field Manual are sufficient. If he is told they are not, he has certainly left open the option of literally rewriting the Army Field Manual. This is problematic for a number of reasons and should be of deep concern to my colleagues.

Finally, the day before his nomination was announced, Congressman POMPEO tweeted that he was looking forward to "rolling back" the Iran nuclear agreement, which ended each and every pathway for Iran to develop a weaponized nuclear device, including a covert path. When I asked him about this in our hearing, Congressman POMPEO said: "That communication

was approved before I was aware that I was going to be the nominee to the Central Intelligence Agency." The Congressman went on to say that in his view, the Iran nuclear agreement was a "mistake for American national security," but as CIA Director, he would "work to make sure it is fully implemented and will endeavor to provide straight information" about the progress being made in reducing Iran's nuclear capability. However, given his deep antipathy toward the Iran agreement, I have serious concerns about his ability to be objective about this issue, which is critical to the stability of the entire Middle East and to our efforts to ensure that Iran never develops a nuclear weapon.

Having said all of this, if the Congressman is confirmed, I hope he will fulfill one of the commitments he made to me: to improve the communications and relationship between the oversight committees in Congress and the Agency itself. It is my hope that a CIA Director coming from outside the Agency will give greater weight to informing the Intelligence Committee of the CIA's activities than his immediate predecessor has. Congressman POMPEO, if confirmed, will have an opportunity to recalibrate this relationship, and, if given the chance, I hope he seizes that opportunity.

Thank you. I yield the floor.

Mr. WYDEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I want to be very brief. I know colleagues are facing tough weather and are trying to deal with the logistics of all that. I just want to close with a couple of points.

The first is that I have heard several of my colleagues say to me that a central reason for voting for Congressman POMPEO this afternoon is that they have said that he voted for the USA FREEDOM Act. That is correct. The problem is that just a few months after he cast that vote, the Congressman turned around and said he wanted to reestablish the bulk phone record program in a way that was vastly more encompassing and way more intrusive than the USA FREEDOM Act abolished. What he was proposing after he voted for the USA FREEDOM Act, which says that Congress says you ought to have limits, was a bulk metadata program that was way beyond anything that the Bush-Cheney administration ever imagined.

I have been on the Senate Intelligence Committee since before September 11. I have been in the middle of

countless debates about the appropriate scope of government surveillance, but I have never heard—not from anyone—an idea that was so extreme and so overreaching and so intrusive of Americans' privacy. I bring this up only by way of saying that, if confirmed, the nominee is going to be dealing with a whole host of issues that, if we really think it through carefully and thoughtfully, we can find a way to ensure that Americans have security and liberty and that the two are not mutually exclusive. If we do it wrong, which would certainly happen if one were to weaken strong encryption, we will end up with less of both—less security and less liberty.

With respect to the process, I would only say that this matter of the way the Congressman handled his views with respect to surveillance and torture and Russia really reflect how his views change on a major issue, whether it is surveillance or torture or Russia, depending on the time and who he is talking to. I just don't think that ought to be the standard for winning support to head an agency as important as the CIA.

I know my colleagues are on a very tight time schedule. I appreciate the fact that we have had a chance to have this debate. I urge my colleagues to oppose this nomination.

I yield back.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from North Carolina.

Mr. BURR. Mr. President, I am not sure if we need to yield back the time or not.

Let me state that the committee had an open hearing that was unlimited. We didn't cut off questions. We had a closed session that was unlimited. We didn't cut off questions. The nominee asked to see every Member and didn't cut off the length of time he was willing to answer any questions. He handled more than 150 questions for the record and answered them honestly. At the end of the day, when it came to those questions that were of most interest to most Members, he said: I am going to follow the law. That is exactly how we would expect or hope a nominee would, in fact, respond.

But I ask you to look at MIKE POMPEO, Representative POMPEO, Congressman POMPEO's record: West Point grad, first in his class, served his country with distinction, went to Harvard, opened up an aerospace business, became the CEO, ran a successful business, decided that his life needed to have community service in it, ran for Congress, served four terms representing Kansas's Fourth District.

This is an individual who, as a member of the House Intelligence Committee, committed to do the things that—as the Presiding Officer knows because he is on the Senate select committee—are tough to do. He traveled

around the world to see firsthand the men and women who operate in the shadows; the ones who we, on behalf of our other Members of the Senate, certify are living within the letter of the law, that they do things that only they can do because of the positions they hold, but they do it with the laws of the United States in place. And the 15 of—those of us who serve on the committee certified that for our colleagues because in many cases they can't see behind the curtain with the clarity we can.

MIKE POMPEO did that. He traveled around the world. He saw firsthand what these men and women do. They are invaluable to the security of this country, and, I might add, they are invaluable to the policies we as legislators put in place because they provide us with the intelligence we need to make the right decisions. That is MIKE POMPEO. That is the person whom the President has nominated to be CIA Director. I am not sure you can find a glove that fits any better for the Agency, for the Congress of the United States, and for the administration, but more importantly, for the American people. This glove fits perfectly to make sure they are performing to keep America safe.

I hope all of my colleagues will vote for MIKE POMPEO's confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all debate time on the nomination be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the Pompeo nomination?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Connecticut (Mr. MURPHY) are necessarily absent.

The PRESIDING OFFICER (Mr. MORAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 32, as follows:

[Rollcall Vote No. 32 Ex.]

YEAS—66

Alexander	Cochran	Daines
Barrasso	Collins	Donnelly
Blunt	Corker	Enzi
Boozman	Cornyn	Ernst
Burr	Cotton	Feinstein
Capito	Crapo	Fischer
Cassidy	Cruz	Flake

Gardner	Lankford	Sasse
Graham	Lee	Schatz
Grassley	Manchin	Schumer
Hassan	McCain	Scott
Hatch	McCaskill	Sessions
Heitkamp	McConnell	Shaheen
Heller	Moran	Shelby
Hoeven	Murkowski	Sullivan
Inhofe	Perdue	Thune
Isakson	Portman	Tillis
Johnson	Reed	Toomey
Kaine	Risch	Warner
Kennedy	Roberts	Whitehouse
King	Rounds	Wicker
Klobuchar	Rubio	Young

NAYS—32

Baldwin	Durbin	Nelson
Bennet	Franken	Paul
Booker	Gillibrand	Peters
Brown	Harris	Sanders
Cantwell	Heinrich	Stabenow
Cardin	Hirono	Tester
Carper	Leahy	Udall
Casey	Markey	Van Hollen
Coons	Menendez	Warren
Cortez Masto	Merkley	Wyden
Duckworth	Murray	

NOT VOTING—2

Blumenthal Murphy

The nomination was confirmed.

The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The Senator from Kansas.

TRIBUTE TO TODD NOVASCONE

Mr. MORAN. Mr. President, I would like to take just a few moments of the Senate's time this evening. We all work in an environment in which we are surrounded by dedicated people. One of those in my world, Todd Novascone, who has been my chief of staff for 12 years, has had his last day of work in our office today. I wanted to take just a few moments to pay tribute to him and others like him.

I think we are here because we want to make a difference. I have no doubt that is the case for my 99 colleagues here on the Senate floor, but it is also true for all the folks who work here in the Senate Chamber, who work in our individual offices, and who work in the committees. The goal is to be in the Nation's Capital in the hope that we can make better things happen for America. I have had the privilege of being surrounded by many dedicated individuals—most of them Kansans—over the period of time that I have served in the Congress of the United States of America. I know that my ability to work on behalf of Kansans and on behalf of the citizens of our Nation is greatly altered and improved by the fact that people who care about America, who care about our home State, are there by my side. One of those most important to me has been my chief of staff.

Todd was an elected official in his own right. He was elected to the Kansas House of Representatives and served there with distinction. Twelve

years ago, back in the days when I was a Member of the U.S. House of Representatives, I asked him to uproot his family and move to Washington, DC, and assume the task of managing our office and helping accomplish the things that we all wanted to accomplish. He has done it with great style and with grace and with friendship. He has been the person who has motivated us to do better and has always done it in a way in which we felt good about what we were doing, in a management style that made us feel good about ourselves, bringing us together, not taking us apart, making certain we knew that the outcome was important, but how we got there—matters that are important to us as individuals, as human beings with integrity, doing things right, telling the truth—those things were always honored and achieved because of his leadership.

People are hard to replace, and Todd is especially difficult to replace. I spend almost every week in the Nation's Capital, away from my own family. Like many people here in the Senate, those who work in our offices become part of our family. That is certainly true with the people who work in my office today. I feel that, although when I came to Congress I was more their age, now there is a significantly wider gap in the age of our staff and me. But my wife and I believe that I am surrounded by people who are part of our family, and Todd is certainly that. In fact, his family grew while he was my chief of staff. His two children, Grace and Will, were born during the days of his time as an employee in our office. Again, as a reminder about how to put things in perspective, he was always taking care of his kids. He was always there for their school activities, part of the school board, involved in their athletic and musical activities. That is a good thing for a chief of staff to know because if it is important to him, he will make certain that his commitment is permitted, honored, and encouraged by those who work in the office.

So tonight, I just want to say thank you to Todd Novascone from Hanover, KS, who decided to devote 12 years of his life here in the Nation's Capital, trying to make things better, trying to make our office work well, and trying to achieve the things all of us want to achieve for our Nation. So, Todd Novascone, thank you for a job well done, thank you for being my friend, and thank you for the way you have conducted yourself on my behalf.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MORAN. Mr. President, I have one more role to undertake this evening.

I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JAMES H. "JIM" SKAGGS

Mr. McCONNELL. Mr. President, today I wish to remember the life of James H. "Jim" Skaggs, a Louisville resident, who passed away in December at the age of 94. To his family, his church community, and to those who knew him, Jim was a man known for his kindness, patience, and compassion. As a member of this Nation's Greatest Generation, he was an example of commitment and devotion.

Like so many other brave men and women, Jim answered his country's call in the Second World War. Kentucky has a proud history of military service, and Jim is a fine model of that tradition. As a staff sergeant in the 755th Railway Battalion, U.S. Army Transportation Corps in England, France, and Belgium, Jim showed the deep passion he held for his country.

Jim leaves behind a legacy of love and family. His daughter Debbie is my personal friend and archivist. If it is possible to measure a father by his daughter, Jim will surpass all standards. She is impressive in her own right, and she is surely a reflection of him. He will be remembered fondly. Elaine and I send our deepest condolences to Jim's family and friends.

REMEMBERING ROBERT L. "BOB" WILLIAMS

Mr. McCONNELL. Mr. President, today I wish to pay tribute to a good friend and a true Kentucky hero, Robert L. "Bob" Williams. Bob, a northern Kentucky native, passed away in December at the age of 94. He left behind many loved ones, including his wife, Barbara, but he also left his mark on our Nation and the Commonwealth.

As a member of the Greatest Generation, Bob answered the call of duty and bravely served in World War II. On June 6, 1944, he was one of the first Allied paratroopers to land during the D-day invasion. With his fellow soldiers, Bob fought well behind enemy lines before the beach battle began. His mission to secure roads and bridges was vital to the success of the entire operation.

With uncommon courage, Bob and his comrades completed their dangerous

mission, overcoming enemy fire and capturing the crucial junctures. Once the invasion began, they continued their fight joining the largest amphibious assault in world history. Without faltering, Bob heroically battled for 10 more days, before suffering a serious injury on June 16, 1944.

It is without question that Bob's actions during the war displayed the highest possible valor. But his actions after the war proved his dedication to those who lost their lives on the battlefield. He spent his life after the War commemorating those who served in any way possible. If there was a parade to march in, you can be sure that Bob marched in it. To remember the 50th anniversary of the D-day invasion, Bob joined other veterans and parachuted into Normandy again. In an interview with the Lexington Herald-Leader, Bob remembered "[t]he government said, 'There's no way we're going to let you do that, you're all too old.' [. . .] We did it anyway."

The following week, TIME magazine published a double-page, full color picture of Bob. Triumphant walking away from his 1994 jump with dozens of parachutes still gliding behind him, Bob looked overjoyed. He was paying tribute to his comrades, those with him on that day and those who were not.

To further honor those with whom he served, Bob wrote a book to share veterans' stories of the war for future generations. He has impacted countless lives and is someone I very much respect and admire.

In 2013, it was my privilege to recommend Bob for admission to the Kentucky Veterans Hall of Fame. This honor was a recognition of something I already knew well: Bob exemplifies the highest American values of service, self-sacrifice, and heroism.

Bob's family represents the greatest of Kentucky values with kindness, compassion, and charity. It was easy to see the love between Bob and his wife, Barbara, and they raised wonderful children in Barbara, Diane, Jeffrey, Kim, and Kevin. Although they endure the pain of loss, I know they are comforted in the memory of Bob's deep love for all of them.

My wife, Elaine, and I were deeply saddened to hear the news of Bob's passing. He lived an admirable life with courage and devotion, and I am proud to say he was my friend.

REMEMBERING PARKER BEAM

Mr. McCONNELL. Mr. President, I join many Kentuckians who were deeply saddened to hear of the passing of Parker Beam, the master distiller emeritus of Heaven Hill Distillery in Bardstown, KY. Parker was a giant of the industry, and he helped promote "the new Golden Age" of bourbon in the United States.

The Beam family is no stranger to bourbon. Tracing its distilling roots in Kentucky back to 1795, Parker Beam continued the tradition of his lineage. When he succeeded his father as master distiller, Parker grew Heaven Hill Distillery with its first premium small batch and single barrel bourbons. During his long career, Parker won numerous awards and accolades for his craft and became a charter member in the Kentucky Bourbon Hall of Fame.

Parker was diagnosed with amyotrophic lateral sclerosis, ALS, or Lou Gehrig's Disease in 2010. Since then, he dedicated himself to finding a cure and established the Parker Beam Promise of Hope Fund. After 50 years of bourbon and a courageous battle with this disease, Parker passed away at the age of 75.

Kentucky's bourbon heritage has brought pride, culture, and economic development to the Commonwealth. Parker Beam helped cultivate that tradition and pass it on to the next generation. He was a man of skill, authenticity, and passion, and his legacy will surely live on. Elaine and I send our condolences to his friends and family.

Mr. President, The Herald-Leader in Lexington, Kentucky published an article on Parker Beam's career. I ask unanimous consent that a copy of the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Herald-Leader, Jan. 9, 2016]

PARKER BEAM, MASTER DISTILLER OF KENTUCKY BOURBON, DIES

(By Bruce Schreiner)

Parker Beam, who carried on his family's historic bourbon-making tradition as long-time master distiller for Kentucky-based Heaven Hill Distilleries, died Monday after battling amyotrophic lateral sclerosis, better known as Lou Gehrig's disease. He was 75.

Beam's career as a whiskey maker spanned more than a half century at Bardstown, Kentucky-based Heaven Hill, a family owned and operated distilled spirits company and maker of the popular Evan Williams brand. Beam was responsible for distilling and aging Evan Williams—the world's No. 2-selling bourbon—and other Heaven Hill whiskeys.

"He was a true industry giant long before the current bourbon renaissance," said Max L. Shapira, president of Heaven Hill Brands. "Without question, he was committed to our industry and possessed a real passion for the craft of distilling."

Beam's pedigree as a bourbon maker was impeccable. As a grandnephew of Jim Beam, Parker Beam was born into a family that traces its whiskey-making roots in Kentucky to 1795, when Jacob Beam set up his first still. Park Beam, Parker's grandfather and namesake, was Jim Beam's brother.

"If you were a Beam, you sort of were destined to follow in the footsteps of either your father, grandfathers, cousins or uncles," Parker Beam said in a 2007 interview with The Associated Press.

Another industry patriarch, Bill Samuels Jr., on Monday called his longtime friend "one of the good guys." For some people, living up to a legendary family name can be a burden, but not so for Parker, Samuels said.

"In his case, he lived up to and exceeded the burden of having the most famous name in bourbon," said Samuels, who retired after a long career as the top executive at Maker's Mark.

During his years-long battle with the disorder, Parker Beam raised funds in hopes of helping find a cure.

Parker Beam was among a small fraternity of master distillers who oversaw production at various Kentucky distilleries during bourbon's revival.

According to a 2014 report by the University of Louisville's Urban Studies Institute, distilling contributes \$3 billion in gross state product to Kentucky's economy every year, up from \$1.8 billion two years ago. Kentucky bourbon and Tennessee whiskey exports shot past \$1 billion for the first time in 2013, according to the Distilled Spirits Council. By 2015, combined U.S. revenues for bourbon, Tennessee whiskey and rye whiskey rose 7.8 percent to \$2.9 billion, while bourbon and Tennessee whiskey exports topped \$1 billion for the third straight year, the group said.

Parker Beam began his career at Heaven Hill in 1960 and learned the craft by working alongside his father, Earl. The job of master distiller shifted from father to son in 1975 when Parker Beam assumed the role. He developed the company's first premium small batch and single barrel bourbons.

That father-son partnership extended into another generation when Parker Beam's son, Craig, started working at Heaven Hill in the early 1980s. For years, the Beams shared duties as co-master distillers. Parker Beam had the title of master distiller emeritus at Heaven Hill at the time of this death.

"Parker Beam wasn't just a name on a bottle—he was the living embodiment of the whiskey inside—authentic, classic, well-seasoned and distilled from old-fashioned hard work and gentleman integrity," said Eric Gregory, president of the Kentucky Distillers' Association.

Craig Beam had his own humble start. On one summer break from school, he cleaned pigeon droppings in a vacant warehouse purchased by Heaven Hill. He later drove a truck for the distillery and worked in the bottling operation.

"I've got a whole lot to live up to with my father and grandfather," Craig Beam told the AP in 2007. "I've got a lot of weight on my shoulders."

CONFIRMATION OF MICHAEL POMPEO

Mr. DURBIN. Mr. President, today, I voted against Representative POMPEO's confirmation as Director of the CIA. His changing statements on the use of torture leave me no choice. His written answers to the Senate Intelligence Committee, saying that he will consult with CIA experts as to whether the methods in the U.S. Army Field Manual are sufficient and, if they aren't, work with legal experts and congressional overseers to make changes, are extremely alarming and contradict what he told me personally when we met in my office.

Federal law now clearly prohibits torture and "cruel, inhumane, and degrading" treatment of detainees and prohibits interrogation techniques not authorized by the Army Field Manual. We cannot go backwards on this seminal issue of human rights.

For years, I was highly critical of the CIA's detention and interrogation program and repeatedly questioned its legality. Over 13 years ago, I authored the first legislation to make clear that the cruel, inhuman, or degrading treatment of detainees is illegal under U.S. law in all circumstances. Today, I stood in opposition of Representative POMPEO's confirmation to be CIA Director because, in order to win the war on terrorism, we must remain true to the principles upon which our country was founded.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the Record the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-79, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kenya for defense articles and services estimated to cost \$418 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-79

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kenya.

(ii) Total Estimated Value:
Major Defense Equipment \$53.6 million.
Other \$364.4 million.
Total \$418.0 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Components for Paveway II (GBU-12/58) (includes spares):

Two hundred and twenty-two (222) MXU-1006/B Airfoil Groups for GBU-58.

One hundred and fourteen (114) MXU-650 Airfoil Groups for GBU-12.

Three hundred and twenty-four (324) MAU-169 L/B or MAU-209 CB CCGs for GBU-12/58.

Three hundred and twenty-four (324) FMU-152 Fuzes for GBU-12/58.

Two hundred and sixteen (216) MK-81 Bomb Bodies for GBU-58.

One hundred and eight (108) MK-82/BLU-111 Bomb Bodies for GBU-12.

Components for Advanced Precision Kill Weapon System (APKWS) (includes spares):

Seven hundred and fourteen (714) WGU-59/B APKWS Guidance Sections.

Non-MDE includes: Twelve (12) Air Tractor AT-802L aircraft; two (2) Air Tractor AT-504 trainer aircraft; twelve (12) FMU-152 A (D-2/D-5)/B Fuzes (for Training/Inert); six (6) Mk-81 Trainer/Inert Bomb Bodies; six (6) Mk-82 Trainer/Inert Bomb Bodies; Seven hundred and fourteen (714) MK-66 MOD 4 2.75" Rocket Motors; Seven hundred and fourteen (714) M152 HE Warheads (2.75" Airborne Rocket); 505,000 rounds .50 cal ammunition; FN HMP400 LLC Herstal 50 cal guns; MX-15Hdi electro-optical/infrared (EO/IR) full motion video cameras with laser designation; VHF/UHF radios; LAU-131 Launchers; AAR-47 Warning Systems; electro countermeasure display systems AN/ALE-47; HGU-55/P Helmet Mounted Cueing Systems; spare engines; initial spare parts; support equipment; studies; contract logistics support and technical services; publications; aircraft ferry and support; life support equipment; maintenance training; pilot training; follow-on training; alternate mission equipment; U.S. Government manpower services and travel; modifications and engineering change proposals; ground based training system; operational flight trainer and spares; and aircraft modification, integration, and support.

(iv) Military Department: Air Force (SAA).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: January 18, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Kenya—Air Tractor Aircraft with Weapons and Related Support

The Government of Kenya has requested a possible sale of up to twelve (12) Air Tractor AT-802L and two (2) AT-504 trainer aircraft, weapons package, technical support and program management. The total estimated program cost is \$418 million.

This proposed sale contributes to the foreign policy and national security of the United States by improving the security of a strong regional partner who is a regional security leader undertaking critical operations against al-Shabaab and troop contributor to the African Union Mission in Somalia (AMISOM).

The proposed sale provides a needed capability in the ongoing efforts to counter al-Shabaab. The platform maximizes the Kenyan Defense Force's Close Air Support (CAS) ability because it is a short-field aircraft capable of using precision munitions and cost effective logistics and maintenance.

The proposed sale supplements Kenya's aging F-5 aircraft as it will be more fiscally efficient and able to be pre-positioned much closer to the conflict area than the F-5 fleet. The Kenyan Defense force is committed to

modernizing its air fleet and is capable of absorbing these aircraft. The proposed sale of this equipment and support does not alter the basic military balance in the region.

The prime contractor will be L-3 Communications, Platform Integration Division, Waco, Texas. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale requires the assignment of at least five contractor representatives in Kenya.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-79

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. This sale involves the release of sensitive technology to Kenya. The AT-802L weapons system is classified up to Secret. The AT-802L aircraft uses the AT-802 airframe and features avionics and other technologically sensitive systems. The AT-802L contains an MX-15Hdi electro-optical/infrared (EO/IR) full motion video (FMV) cameras with laser designation; internal and external self-protection equipment; a modified HGU-55/P helmet that incorporates a reticle-projected Heads-Up Display to cue weapons and aircraft sensors to ground targets; and software computer programs.

2. Sensitive and classified (up to SECRET) elements of the proposed AT-802L include the hardware, accessories, components, and associated software associated with the: MX-15Hdi EO/IR FMV turret, Stores Management System (SMS), Missile Warning System (MWS), HGU-55/P Helmet Mounted Cueing System (HMCS), and air-to-ground weapons. Additional sensitive areas include operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operations and repair. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters, and other similar critical information.

3. The MX-15Hdi is an EO/IR FMV camera that includes a laser designator which creates the ability to designate ground targets for use with laser guided weapons. The commercially developed system software and hardware are UNCLASSIFIED.

4. The SMS provides basic flight path guidance to release zone, mission recording and diagnostics, and continuous stores status and inventory management. It is an internally mounted suite. The commercially developed system software and hardware are UNCLASSIFIED.

5. The AN/AAR-47 is an electronic warfare system used to protect against IR guided missile threats, laser-guided/laser-aided threats, and unguided munitions. The system, hardware components and software are SECRET.

6. The AN/ALE-47 system uses information from missile warning sensors to determine the correct response to defeat IR and other guided missiles. The AN/ALE-47 is SECRET.

7. HMCS is a modified HGU-55/P helmet that incorporates a reticle-projected Heads-Up Display to assist with cueing weapons to ground targets. This system projects visual targeting information, enabling the pilot to monitor this information without interrupting his field of view through the cockpit

canopy. This provides improvement for close combat targeting and engagement. Hardware is UNCLASSIFIED.

8. The following munitions are part of the AT-802L configuration:

a. The Advanced Precision Kill Weapon System (APKWS) is a low cost semi-active laser guidance kit developed by BAE Systems which is added to current unguided 70 mm rocket motors and warheads similar to and including the HYDRA 70 rocket. It is a low collateral damage weapon that can effectively strike both soft and lightly armored targets. APKWS turns a standard unguided 2.75 inch (70 mm) rocket into a precision laser-guided rocket, classification up to SECRET.

b. The LAU-131 launcher is tube shaped, 59.8 inches in length, and 10.125 inches in diameter. It weighs 65 pounds and is capable of carrying seven rockets (2.75 in or 70mm). Hardware is UNCLASSIFIED. Technical data and documentation provided are UNCLASSIFIED.

c. GBU-12/58 Paveway II (PW-II): 500-lb (GBU-12) and 250-lb (GBU-58) are laser-guided ballistic bombs (LGBs) developed by Raytheon and Lockheed Martin. The LGB is a maneuverable, free-fall weapon that guides to a spot of laser energy reflected off of the target. The LGB is delivered like a normal general purpose (GP) warhead and the semi-active guidance corrects for many of the normal errors inherent in any delivery system. Laser designation for the weapon can be provided by a variety of laser target markers or designators. The LGB consists of a computer control group (CCG) that is not warhead specific (MAU-169UB or MAU-209C/B) and a warhead specific Air Foil Group (AFG), that attach to the nose and tail of MK 81 and MK 82 or BLU-111 and BLU-110 General Purpose (GP) bomb bodies. The overall weapon is CONFIDENTIAL.

d. The FN HMP400 LCC is a self-contained airborne weapon system that includes a Herstal .50 cal M3P machine gun and 250-round ammunition box. This system is UNCLASSIFIED.

9. Kenya has expressed a willingness to protect United States classified military information equivalent to US Government standards. Kenya is firmly committed to its relationship with the United States and to its promise to protect classified information and prevent its transfer to a third party. This sale is needed in furtherance of USG foreign policy and national security interests by helping to improve the security of a vital partner in the AFRICOM AOR.

10. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software source code in this proposed sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of systems with similar or advance capabilities. The benefits to be derived from this sale in the furtherance of the US foreign policy and national security objectives, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

11. All defense articles and services listed in this transmittal have been authorized for release and export to Kenya.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of

the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-78, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance for the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$525 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia.

(ii) Total Estimated Value:

Major Defense Equipment* \$0 million.

Other \$525 million.

Total \$525 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE includes:

Ten (10) 74K Persistent Threat Detection System (PTDS) Aerostats.

Fourteen (14) Ground Moving Target Indicator (GMTI) Radars.

Twenty-six (26) MX-20 Electro-Optic Infrared (EO/IR) Cameras.

Ten (10) Communications Intelligence (COMINT) Sensors.

Also included are the Mooring systems with powered tether with embedded fiber optics; Ground Control Systems (GCS); associated installation hardware; special tools and test equipment; Basic Issue Items (BII); program management support; verification testing; systems technical support; transportation; spare and repair parts; communications equipment; operators and maintenance manuals; personnel training and training equipment; tool and test equipment; repair and return; publications and technical documentation; Quality Assurance Team (QAT); U.S. Government and contractor engineering, technical and logistics support services; in-country Field Service Representatives (FSR); and other related elements of logistics and program support.

(iv) Military Department: Army (ZAJ)

(v) Prior Related Cases, if any: None

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached

(viii) Date Report Delivered to Congress: January 23, 2017.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kingdom of Saudi Arabia—74K Persistent Threat Detection System (PTDS) Aerostats

The Government of the Kingdom of Saudi Arabia has requested a possible sale of ten (10) 74K Persistent Threat Detection System (PTDS) Aerostats; fourteen (14) Ground Moving Target Indicator (GMTI) Radars; twenty-six (26) MX-20 Electro-Optic Infrared (EO/IR) Cameras; and ten (10) Communications Intelligence (COMINT) Sensors. Also included are the Mooring systems with powered tether with embedded fiber optics; Ground Control Systems (GCS); associated installation hardware; special tools and test equipment; Basic Issue Items (BII); program management support; verification testing; systems technical

support; transportation; spare and repair parts; communications equipment; operators and maintenance manuals; personnel training and training equipment; tool and test equipment; repair and return; publications and technical documentation; Quality Assurance Team (QAT); U.S. Government and contractor engineering, technical and logistics support services; in-country Field Service Representatives (FSR); and other related elements of logistics and program support. Total estimated program cost is \$525 million.

This proposed sale will enhance the foreign policy and national security objectives of the United States by helping to improve the security of an important ally which has been and continues to be a leading contributor of political stability and economic progress in the Middle East. This sale will increase the Royal Saudi Land Force's interoperability with U.S. forces and conveys U.S. commitment to Saudi Arabia's security and armed forces.

The proposed sale will improve Saudi Arabia's capability to meet current and future threats and provide greater security for its critical infrastructure. Saudi Arabia will have no difficulty absorbing these systems into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor is unknown at this time. There are no known offset agreements in connect with this potential sale.

Implementation of this proposed sale will require the U.S. Government or contractor representative to travel to the Kingdom of Saudi Arabia for a period of six (6) years for de-processing/fielding, system checkout and new equipment training, as well as provide the support of in-country FSRs and operators.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. This sale will involve the release of sensitive technology to the Kingdom of Saudi Arabia. The Persistent Threat Detection System (PTDS) is a tethered aerostat system capable of supporting a variety of surveillance payloads. The PTDS is a 74K tethered aerostat with a relocatable mooring system capable of supporting payloads up to 500 kg at altitudes of 1,500m, providing surveillance systems with line of site up to 140km. In addition to the aerostat, each system includes a mobile mooring system, ground control and maintenance shelters, electrical generators and power distribution panel, forklift and man lift, supply of helium and spare parts. The program will also include system training, maintenance and in-country support services. Each of the ten (10) aerostats will carry a payload consisting of one (1) radar system and two (2) Electro-Optical/Infrared (EO/IR) systems or one (1) radar system, one (1) EO/IR system and one (1) communications intelligence (COMINT) system.

a. Radar System. The Telephonics APS-143G Intelligence, Surveillance, and Reconnaissance Radar is a multi-function radar capable of providing long-range detection of land based or maritime targets that are static or in motion. The system can operate in overland, maritime, and air-to-air modes. It displays Ground Moving Target Indicator

(GMTI) tracks overlaid on a Doppler Beam Sharpened (DBS) image. The system can switch between vertically and horizontally-orientated antennas and incorporates an optional Identify Friend or Foe (IFF) capability. The hardware and software are UNCLASSIFIED.

b. Communications Intelligence (COMINT) System. The Raytheon Applied Signal Technology, Inc. Model 1240 Titan Reconfigurable Multichannel Receiver is a modular, scalable software-defined radio (SDR) designed for airborne COMINT missions. The system can search, intercept, collect, geo-locate, analyze, store, and distribute wireless signals. The hardware and software are UNCLASSIFIED.

c. Electro-Optical/Infrared (EO/IR) System. The L3 WESCAM MX-20 is suite of up to seven (7) long-range camera and imaging sensors mounted within a gimbaled pod. Sensors include either a thermal image or high definition infrared imager; a daylight continuous zoom color TV camera, either a daylight spotter color TV camera or lowlight spotter TV camera; a laser rangefinder; and a laser illuminator. The hardware and software are UNCLASSIFIED.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the recipient country can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Kingdom of Saudi Arabia.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-63, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$400 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-63

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait

(ii) Total Estimated Value:
Major Defense Equipment * \$0 million.
Other \$400 million.
Total \$400 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-MDE: Non-MDE items include support equipment and services for AH-64D Apache helicopters, to include: Apache Maintainer unit support, Depot Level support, training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics support.

(iv) Military Department: U.S. Army (UMN and UMP)

(v) Prior Related Cases, if any:

KU-B-UKS (31 Aug 02, \$827,515,435).

KU-B-ULM (17 Dec 09, \$21,102,796).

KU-B-ULK (17 Dec 09, \$21,700,694).

KU-B-ULJ (2 Nov 09, \$183,209,259).

(vi) Sales Commission, Fee, etc.. Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress:

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Kuwait—Sustainment and Contractor Logistics Support for AH-64D Apache Helicopters

The Government of Kuwait has requested the sale of support equipment and services for its AH-64D Apache helicopters, to include: Apache Maintainer unit support, Depot Level support, training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, United States Government and contractor engineering, technical, and logistics support services, and other related elements of logistics support. The total overall estimated value is \$400 million.

The proposed sale will contribute to the foreign policy and national security of the U.S. by helping to improve the security of a Major Non-NATO Ally that has been and continues to be an important force for political stability and economic progress in the Middle East region. Kuwait plays a large role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit for U.S. forces in the region.

Kuwait requires continued support for equipment already procured to ensure national security interests and objectives are met. The defense articles maintained are used solely by the Ministry of Defense to protect the sovereign border and to conduct operations and training to include joint exercises with the U.S. military. Kuwait will be able to absorb this additional equipment and support into its armed forces.

The proposed sale of equipment and support will not alter the basic military balance in the region.

The U.S. companies potentially involved in the sale are Boeing, Mesa, AZ; Longbow Limited, Orlando, FL/Owego, NY (Joint Venture between Lockheed Martin and Northrop Grumman); Lockheed Martin, Orlando, FL; and DynCorp International, Fort Worth, TX. There are no known offset agreements for the sale.

Implementation of this proposed sale will require the assignment of four (4) U.S. Government representatives and sixty-five (65) contractor representatives in country for up to five year.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-56, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$110 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-56

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value:

Major Defense Equipment * \$105 million.

Other \$5 million.

Total \$110 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Sixty (60) AIM-120C-7 Advanced Medium Range Air-to-Air Missiles (AMRAAMs).

Non-MDE: This request also includes the containers and other related services.

(iv) Military Department: Air Force (X5-D-YAD).

(v) Prior Related Cases, if any: KU-D-YAB (M3).

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress:

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kuwait—AIM-120C-7 Advanced Medium Range Air-to-Air Missile (AMRAAM)

The Government of Kuwait has requested a possible sale of sixty (60) AIM-120C-7 AMRAAM Missiles including containers and other related services. The total overall estimated value is \$110 million.

This proposed sale contributes to the foreign policy and national security of the United States by improving the security of a Major Non-NATO Ally that continues to be an important force for political stability and economic progress in the Middle East. Kuwait is a strategic partner in maintaining stability in the region. This sale will increase Kuwait's interoperability with the United States. It also ensures a sustained air-to-air capability for Kuwait's F/A-18 aircraft.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

Implementation of the sale does not require the assignment of any additional U.S. Government or contractor representatives to Kuwait.

The principal contractor will be Raytheon Corporation, Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-56

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AIM-120C Advanced Medium Range Air-to-Air (AMRAAM) is a radar guided missile featuring digital technology and micro-miniature solid-state electronics. AMRAAM capabilities include look-down/shoot-down, multiple launches against multiple targets, resistance to electronic counter measures, and interception of high flying and low flying and maneuvering targets. The AMRAAM All Up Round is classified Confidential, major components and subsystems range from Unclassified to Confidential, and technology data and other documentation are classified up to Secret.

2. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Kuwait.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-82, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of the United Kingdom for defense articles and services estimated to cost \$400 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-82

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of the United Kingdom.

(ii) Total Estimated Value:

Major Defense Equipment \$0 million.

(MDE) * Other \$400 million.

Total \$400 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

MDE: None.

Non-MDE includes: Follow-on support for eight (8) C-17 aircraft, including contract labor for sustainment engineering, on-site COMSEC support, Quality Assurance, support equipment repair, supply chain management, spares replenishment, maintenance, back shop support, and centralized maintenance support/associated services. Required upgrades will include fixed installation satellite antenna, Mode 5+ installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, Communications Modernization (CNS/ATM) Phase II, Replacement Heads-Up Display and three special operations loading ramps.

(iv) Military Department: Air Force (X7-D-QDD).

(v) Prior Related Cases, if any: UK-D-QBK, UK-D-QBL, UK-D-QCX, UK-D-QCY.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress:

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

United Kingdom—Continuation of C-17 Logistics Support Services and Equipment

The Government of the United Kingdom has requested a possible sale of continued logistics support for eight (8) C-17 aircraft which will include: contract labor for sustainment engineering, on-site COMSEC support, Quality Assurance, support equipment repair, supply chain management, spares replenishment, maintenance, back shop support, centralized maintenance support/associated services, and additional spare and repair parts, publications and technical documentation. Required upgrades will include fixed installation satellite antenna, Mode 5+ installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, Communications Modernization (CNS/ATM) Phase II, Replacement Heads-Up Display and three special operations loading ramps. The estimated total cost is \$400 million.

The United Kingdom is a close ally and an important partner on critical foreign policy and defense issues. The proposed sale will enhance U.S. foreign policy and national security objectives by enhancing the United Kingdom's capabilities to provide national defense and contribute to NATO and coalition operations.

The proposed sale of defense articles and services are required to maintain the operational readiness of the Royal Air Force. The United Kingdom's current contract supporting its C-17 aircraft will expire in September 2017. The United Kingdom will have no difficulty absorbing this support into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be the Boeing Corporation of Chicago, Illinois. The U.S. Government is not aware of any known offsets associated with this sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this sale will require the assignment of approximately three additional U.S. Government and approximately 55 contractor representatives to the United Kingdom.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-82

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex A Item No. vii

(vii) Sensitivity of Technology:

1. This sale will involve the release of sensitive technology to the United Kingdom in the performance of services to sustain eight (8) United Kingdom C-17 aircraft. While much of the below equipment supporting the C-17 is not new to the country, there will be replenishment spares of the below sensitive technologies purchased to support the fleet.

2. The Force 524D is a 24-channel SAASM based Global Positioning System (GPS) receiver, with precise positioning service (PPS) capability built upon Trimble's next generation OPS technology. The Force 524D retains backward compatibility with the proven Force 5GS, while adding new functionality to interface with digital antenna electronics, to significantly improve anti-jam (AJ) performance. The host platform can select the radio frequency (RF) or digital antenna electronics (DAE) interface. In the digital mode, the Force 524D is capable of controlling up to 16 independent beams. The hardware and software associated with the 524D receiver card is UNCLASSIFIED.

3. The C-17 aircraft will be equipped with the GAS-1, which is comprised of the Controlled Reception Pattern Antennas (CRPA), with the associated wiring harness and the Antenna Electronics (AE)-1, to provide AJ capability. The hardware is UNCLASSIFIED.

4. The KIV-77 is the crypto applique for Mode V Identification Friend or Foe (IFF). The hardware is UNCLASSIFIED and COMSEC controlled.

5. Software, hardware, and other data/information, which is classified or sensitive, is reviewed prior to release to protect system vulnerabilities, design data, and performance parameters. Some end-item hardware, software, and other data identified above are classified at the CONFIDENTIAL and SECRET level. Potential compromise of these systems is controlled through management of the basic software programs, of highly sensitive systems and software-controlled weapon systems, on a case-by-case basis.

6. The United Kingdom is both willing and able to protect United States classified military information. The United Kingdom's physical and document security standards are equivalent to U.S. standards. The United Kingdom has demonstrated its willingness and capability to protect sensitive military technology and information released to its military in the past. The United Kingdom is firmly committed to its relationship with the United States and to its promise to protect classified information and prevent its transfer to a third party.

7. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software source code in this proposed sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of systems with similar or advanced capabilities. The benefits to be derived from this sale in the furtherance of the U.S. foreign policy and national security objectives, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology, were revealed to unauthorized persons.

8. All defense articles and services listed in this transmittal are authorized for release and export to the Government of the United Kingdom.

HONORING OUR ARMED FORCES

CHIEF PETTY OFFICER CHARLES KEATING IV

Mr. MCCAIN. Mr. President, today I wish to honor an American hero, Navy SEAL Charles Keating IV, who died in service to his country.

On January 13, 2017, the Navy awarded its highest honor, the Navy Cross, to CPO Charles Keating IV for heroism demonstrated in combat against the Islamic State in northern Iraq. Our Nation lost a great patriot and American hero in Charles, who was only 31 when he succumbed to injuries sustained during an attack on his team. Charles, a Navy SEAL special warfare operator chief petty officer, was part of a quick reaction force that was called upon to aid U.S. military forces and Kurdish Peshmerga allies when they came under heavy fire by a large force of Islamic State fighters north of Mosul. Tragically, we lost Charles on May 3, 2016.

Charles enlisted in the Navy in 2007, leaving Indiana University where he was a long-distance runner. He went on to graduate from the basic underwater demolition/SEAL training in 2008, joining an elite group. He served one tour in Afghanistan in support of Operation Enduring Freedom and two tours in support of Operation Iraqi Freedom.

Previously awarded the Silver Star for his actions in the line of duty, Chief Keating was awarded the Navy Cross posthumously for his demonstration of extraordinary heroism and valor when he was the decisive repellant of an overwhelming enemy force, assuring the lives of his team and coalition counterparts. According to his award citation:

Keating's courageous leadership, tactical acumen, and physical courage were the key factors in defeating an assault on friendly lines by more than 100 enemy fighters. He continually exposed himself to enemy automatic weapon, mortar, and rocket propelled grenade fire as he diligently maneuvered between fighting positions to stop enemy advances. The enemy then attempted to flank his position with a vehicle-borne improvised explosive device. At great personal risk, Chief Keating led a team into the open to intercept and neutralize the rapidly closing VBIED threat with precise sniper and rocket fire. His personal bravery throughout the engagement inspired his comrades to vigorously defend their position and repel the enemy's assault.

Nowadays, the words "hero" and "heroism" are used so often that they tend to lose some of their meaning. For this reason, it is so very important that we identify heroism and honor heroes when they truly present themselves. There can be no greater hero among us than those like Chief Keating, who gave their lives for their fellow man in support of ideals greater than their own self-interest. With this in mind, I ask my fellow Members of Congress to join me as we honor the life of Navy SEAL Special Warfare Operator Chief Petty Officer Charles

Keating IV and his legacy, who will stand forever in our memory as an illustrious example of each and every man and woman in our Armed Forces and those in harm's way supporting them, who give the ultimate selfless sacrifice in service to our great country.

BUILDING A BETTER MONTANA

Mr. TESTER. Mr. President, I ask unanimous consent to have the speech that I gave to the Montana House of Representatives on January 16, 2017, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Speaker Knudsen, Majority Leader Ehli, Minority Leader Eck, honored guests, members of the House: It is truly an honor to be here.

I would be remiss if I did not acknowledge that today is Martin Luther King Jr. Day—a day that celebrates a man who saw injustice in this country and worked to change it. It is a great reminder of the impact a citizen can have on our government if we work together.

This tradition of inviting the members of our Congressional Delegation to address this body reminds us: we are Montanans first. Twelve years ago, when I was Senate President, we made time for these addresses because they are a way to align Montana's priorities at a state and federal level. Montanans look to our elected officials for leadership and a spirit of cooperation. I will admit it is disappointing that the current Montana Senate President chose to abandon the smart tradition of joint addresses to the Legislature, especially early in the session when there is a little more time to do so. Speaker Knudsen, thank you for doing your part to honor this tradition.

But first, I would like to take a moment and thank the men and women who have made our country the leader of the free world for so many generations: our veterans. Would all of the fine folks who served our country please stand to be recognized. Thank you for your service to our country. As the incoming Ranking Member of the VA Committee, I promise we do not take our responsibility to you lightly. Whether it is getting the Southwest Vets Home in Butte built or holding the VA accountable for long wait times, we will work together to do right by our veterans.

As a citizen legislature, we have veterans, farmers, teachers, and small business men and women. And for 90 days or so, you come to Helena to represent your district, vote your conscience, and make Montana proud. Our state's founders knew that whether you are a rancher from Bloomfield or a teacher from Helena, for these 90 days, your priority would be to your constituents and our great state. Despite our differences, we have a common goal, to ensure Montana continues to be the Last Best Place for generations to come.

We know Montana is already a great place. With Glacier and Yellowstone National Parks, world-class hunting and fishing, and the best agriculture products in the world, folks from all over come to our state to experience a little slice of the paradise we get to call home. From Sidney to St. Regis and everywhere in between, Montana is full of the hardest working people in the nation.

I hope to work with you to create good paying jobs across Montana. Today I will present a thoughtful, common sense, Montana-focused plan to strengthen our economy and create high paying jobs. I am calling it Employ Montana. Employ Montana will rebuild our infrastructure, create a marketplace for our products, pave the way for innovation, invest in our workforce, and responsibly develop our resources. This will let folks know Montana is open for business.

But in order to compete in a global marketplace Montana needs more than scenery and a dedicated workforce. My first objective, as part of Employ Montana, is to invest in our infrastructure. Together, we can ensure that folks have an infrastructure that allows them to get to work during the week and to play on the weekend and that businesses big and small can get their products to market.

That's why I worked to pass a long-term highway bill that ensures Montanans gets more bang for their buck. Thanks to the highway bill, for every dollar that hard-working Montanans contribute to the federal Highway Trust Fund, our state gets about two-and-a-half bucks back. This year, that's about \$424 million for our roads, bridges, and highways.

But we only get that funding if the state agrees to put up a certain amount as well. The Governor provided a temporary fix that ensures we get that funding this year. But this is still a systemic issue that we must address in the future. Montanans need you to ensure the tens of millions of dollars that Montana families pay into the Highway Trust Fund are not sent to New York, California, or Alabama instead. Our construction workers, contractors, and middle class families cannot afford to see money left on the table because their politicians can't agree. I've seen this body rise to the challenge time and time again and I know you will not disappoint.

Montana's infrastructure needs go beyond our bridges, streets, and water systems. That's why Employ Montana will also prepare our state for the 21st Century economy by ensuring responsible investments in rural broadband. In 2015, the second phase of the Connect America Fund delivered nearly \$100 million to two broadband companies that serve Montana. I want to see that money resulting in fiber being laid down across this state as soon as possible. That's why I plan to hold CenturyLink and Frontier's feet to the fire and find out what progress they are making. We've invested in them, and it is time to find out what kind of return we are receiving.

Strong connectivity across Montana will attract businesses to our state and allow our Montana made companies to market their product worldwide—companies like Kracklin Kamut, a healthy wheat-based snack food. I am pleased to have Thomas joined by his wife Heather and daughter Grace who just moved to Big Sandy to work for Kracklin Kamut. An innovative start-up like Kracklin Kamut brought Thomas and his family to Big Sandy to work, and with stronger broadband, Kracklin Kamut can be sold even in the biggest markets, which could bring more jobs and more families to the community.

In Montana, we know that, whether it's snack food or textiles, we make a superior product and we are proud to see "Made in America" slapped on the label. It is time that we make sure our taxpayer dollars are being used to support American workers, not lining the pockets of foreign corporations.

Through my Employ Montana plan, I will introduce the Berry Amendment Extension Act, which would require the Department of Homeland Security to purchase their supplies from American companies. I think of Bozeman's own Mystery Ranch, which could provide the folks on the border with their quality multi-purpose backpacks. This is a common sense solution that will create jobs here in Montana and keep our taxpayer dollars within our own borders. Whether Montanans produce backpacks, airplane parts, beef, or wheat, we are competing in a global marketplace.

President-elect Trump and I agree: we need to ensure America has fair trade, not free trade. And as part of my Employ Montana plan, I look forward to working with the President-elect to develop trade policies that ensure Montana producers get a fair shake while protecting American workers.

My friends from the forested counties can agree: it's time to negotiate a new softwood lumber agreement. I will work with the new Administration to create a fair, effective, and sustainable softwood lumber agreement. This will help our timber industry get the certainty they need to responsibly cut trees and help get our mills back to work.

Our timber industry is not the only one suffering from unfair trade practices. Farmers across Montana continue to feel the consequence of unfair wheat grading by the Canadian government. There is many a company that gets stopped at the border because of unfair trade practices. Montana farmers produce the best product. To see it immediately downgraded to feed grade at the border is unacceptable. I'll do my part, and I want the Trump administration to do their part to ensure Montana farmers can be competitive in the global marketplace. This will create a strong market for Montana's farmers, putting more money into the hands of our farmers, more money that they can spend on Montana products.

I believe the best way to create jobs is to build an economy that empowers innovators. Often times, creative Montanans lack the access to capital in order to start their business. A large part of my Employ Montana plan is dedicated to ensuring Montana innovators have access to capital and the means to develop private partnerships. Programs like the Small Business Innovation Research Program provide grant money to companies to help them get off the ground.

I am pleased to have one of those innovators, Stan Abel, of SiteOne Therapeutics, in the gallery today joined by his wife Stacey. Stan saw the opioid crisis ravaging our country and worked with scientist to try and find a better, less addictive, way to manage pain. With the help of SBIR grants Stan was able to get his business started and went on to secure private investment from Montana's first successful Venture Capital firm Next Frontier. SiteOne will continue to grow and employ more and more people in Montana because of Stan's ability to see a problem and think of an innovative solution to solve that problem. A Montana business supported by Montana capital makes SiteOne a model for our state and we need to look to spread their success statewide. With increased SBIR grants, we will have more innovators like Stan leading the way.

Small business grants are only one piece of the puzzle. The next part of my Employ Montana plan is to cut red tape and increase access to capital for community banks. I am pleased to have Bob Nystuen and his wife Kim in the gallery today as well. Bob is President of Glacier Bank in Kalispell.

Bob has worked for community banks from Miles City to Kalispell, and he tells me that Montana is bursting with new ideas and ripe for a growing business climate. But our community banks are hampered by regulation that was meant to police the big guys, not the small credit unions and community banks that serve rural America and Main Street. All you have to do is spend five minutes with Bob to understand the differences between him and a Wall Street banker. As a member of the Banking Committee, I will work with Democrats and Republicans to provide responsible reforms to Dodd-Frank, to cut red tape for Bob and other Montana banks that are the cornerstone of our rural communities. With regulatory relief, our businesses will have better access to capital and be able to invest in their product, hire more workers, and expand their markets.

Luckily, for our businesses, Montana's workforce is second to none. My Employ Montana plan includes lean and mean investment in our workforce, an investment that is designed to meet the needs of the community.

In the gallery today, we have Mike Robbins, the Chairman of the Board of Montana Precision Products. Montana Precision Products builds components for GE Aviation. This company needs welders and has plans to hire 80 to 100 people by 2020.

And that's why they've partnered with the Anaconda Job Corps to build a skilled pipeline of employees. The Employ Montana plan proposes to boost our Job Corps programs in order to meet the needs of Montana businesses. So folks like Ray Ryan, the Site Manager for Anaconda Job Corps, can train up the next generation of skilled workers, workers like Megan Widmer and Katie Barker. These two young ladies are active in the Anaconda Job Corps and they are here today with Ray. I want to thank them for their dedication to Montana.

With additional resources, we can ensure the Anaconda Job Corps and programs like it expand, create good paying jobs, and meet the needs of local industry with well-trained local workers.

But these types of community partnerships should not just be limited to Job Corps—we need to look at our education system and ensure it is creating a workforce that meets Montana's needs. Our two-year colleges are the key. That's why as part of Employ Montana, we need to give our community colleges the resources they need to develop the talent our employers are asking for. Because of our investment in education, a kid from Columbia Falls can go down to Flathead Community College, join its culinary program, and start a restaurant in Whitefish. And a young woman from Terry can travel southwest to Miles City Community College, enroll in its Commercial Driver's License course, and learn to drive an 18-wheeler hauling grain up to the Port of Raymond. We can work together to build on the success of our community colleges and expand our job training programs so that our workforce is ready to answer the call. Investing in our education is an investment in Montana's future.

Developing our human resources is critically important to a strong economy. But in Montana we have an incredible supply of natural resources as well. Included in Employ Montana is a plan to responsibly develop an all-of-the-above energy strategy. I plan to introduce the Carbon Capture Utilization and Storage Act, which will incentivize investment in the use of carbon capture technology. This legislation will

provide tax credits to allow for Montana companies to burn coal cleaner and create good paying jobs.

But we can't ignore the fact that our climate is changing. This isn't a tree hugging issue; it's a jobs issue, and it's a food security issue. Montana's number one industry, agriculture, will lose profits and be more dependent on the federal government to pay the bills if we don't start taking proactive steps to protect our clean air and water. This is Montana's Constitutional right.

So I hope you will join me in supporting Employ Montana. From stronger infrastructure, to better broadband, increased start up grants and access to capital. From strengthening workforce programs and tapping our energy economy—Employ Montana will create high paying jobs and an economy we are proud of.

Now I would be remiss if I didn't take the last few minutes to talk about health care. It's a pressing issue and one that both Congress and the Montana Legislature will have to grapple with. Thanks to your good work last session Montana expanded Medicaid to over 60,000 hardworking people. For the first time in their lives these people were able to afford health coverage, you should be commended for that.

Repeal. Delay. Replace. Repeal and replace. Repeal and Delay. Obamacare. Trumpcare.

Here are the facts: The health care industry accounts for over 52,000 jobs in Montana. Health care in Montana is a \$4 billion industry. If Congress repeals the Affordable Care Act: Coverage would be ripped away from the 60,000 folks you gave hope to just two years ago. Montana's economy would lose \$3.1 Billion—with a capital "B"—between 2019 and 2023. It would add \$350 Billion to the deficit. We would lose 8,200 jobs in 2019 alone. And rural areas would feel it the most, hospitals in towns like Culbertson, Hamilton, and my home town of Big Sandy would potentially have to board up their doors. Working together to fix the Affordable Care Act is just good business.

I've been around the state and the message is clear: People don't want Congress taking away their health care. Right now we have an incredible opportunity to find bipartisan solutions that can make health care more affordable for middle class families. But instead of having that important conversation, Congress is on the cusp of repealing all the progress we've made.

I want to be clear. I know premiums are rising. We cannot settle for any situation where middle class families cannot afford health insurance. I know that. But let's work together to keep the accountability up, and the costs down. Repealing the ACA without a plan for what comes next will not lower costs. Our families' health care is too important to throw it into chaos. We need to look before we leap. And we can't throw the baby out with the bath water. We need to be working to provide affordability to families and certainty to the rural communities that rely on our hospitals. I know we can find common ground to deliver that to Montana.

In Montana, there is far more that unites us than divides us. We can all agree that Montana raises the best agriculture products in the world. We can all agree that on a summer afternoon we'd rather be on the river than cooped up in an office. And we can all agree that Montana is home to the hardest working men and women in the world. We owe it to these hardworking men and women to come together to build a stronger Montana.

Together, we can build stronger roads and bridges. We can build a 21st Century infrastructure. We can build the quality products to supply folks at home and abroad. We can build a business friendly environment that encourages innovation and investment. We can build a more efficient workforce to meet the needs of our changing economy. We can build an energy sector that doesn't mortgage our future for today's profits. We can build a health care system that works for everyone, not just big insurance or drug companies. And we can build a stronger, better Montana for our next generation.

Good luck in the coming weeks.

God bless you, God bless Montana, and God bless this great country.

REMEMBERING TIM MITCHELL

Mrs. FEINSTEIN. Mr. President, today I wish to express my deep sorrow on the passing of Tim Mitchell. Through his absolute dedication to this institution and the special kind of person he was, Tim made the Senate a better place.

Tim served as the assistant secretary for the minority. As Senator Reid shared during his September remarks in celebration of Tim's 25 years of exemplary service, Tim began his career in the Senate working for Senator Don Riegle, Jr., of Michigan.

He later worked for Senator Tom Daschle of South Dakota and the Democratic Policy & Communications Committee before joining the Democratic floor staff in 2001. Tim also took night classes at Catholic University of America Columbus School of Law—an impressive feat.

The Senate often calls for long days and longer nights. Debates on the floor may get heated, rollcall votes may drag on for hours, but Tim always kept a calm temperament and kind demeanor. He was soft spoken, but firm—not an easy feat while juggling the Members of this body's unique needs and passions.

He was simply the best at what he did, and he made a real difference in how the Senate worked. The value of his service is incalculable.

To Tim's family—his wife, Alicia, and his 11-year-old son, Ben—I am so sorry for your loss. I am forever grateful that you shared Tim with us for so many years.

I echo Senator Reid's previous remarks: Tim's time here changed the Senate and this country for the better.

ADDITIONAL STATEMENTS

STATE OF THE UNION ESSAY CONTEST FINALISTS

• Mr. SANDERS. Mr. President, I ask to have printed in the RECORD some of the finalist essays written by Vermont high school students as part of the seventh annual State of the Union essay contest conducted by my office.

The material follows:

FINN ABBEY, MOUNT MANSFIELD UNION HIGH SCHOOL FRESHMAN (FINALIST)

Our country has faced many issues in the past, but today we face one of our greatest challenges. Division. We have forgotten to care for each other; forgotten that we are only strong with each other. We are growing too uncompassionate, too distrustful of each other. We can and must remember that we are not enriched by the success of one person, but rather the success of many. We prosper not with the defeat of others, but with their success. And keeping with the philosophy that we must succeed together, we must work together on smaller challenges.

Our country needs a system that not only doesn't punish the poor for their very existence, but offers every person the chance to better themselves. The hope that your children will have a better life than you has long been a staple of the American dream. To accomplish this, we need to create a liveable wage of \$15, and create a progressive tax system that leaves the poor with more and takes fairly from those who can afford it. We cannot be satisfied in the splendor of ourselves and people like us when our fellow Americans are living in the streets.

We must also institute universal health care. This will involve higher taxes, of course, but, combined with strict laws about pharmaceutical pricing and a fair tax system, will ensure that our country is healthy and our middle class stays strong. No one should ever have to choose between food and medicine. We need change.

We also must guarantee everyone the right to vote, and that their votes count. Time and time again voter ID laws have suppressed the African-American vote. We cannot say we are equal when we pass laws with the purpose of lowering voter turnout.

We also have to remove another recent mistake in election law: Citizens United. We cannot accept catering to special interests as a side effect of democracy; we must recognize it as a barrier to a fairer system. We must put the redrawing of congressional districts in the hands of independent commissions to prevent gerrymandering. Anything less is a conflict of interest and a mockery of democracy. We need to replace first past the post with ranked choice voting, allowing for a greater variety of candidates. This will serve as another booth in the marketplace of ideas.

To many these goals are mountains too tall to climb. But in America, we don't know how to give up. It's what makes us great. The idea that if we want change, we'll fight until we reach it. It's what got African-Americans equality under the law. It's what got women the right to vote. It's what has brought equal love to our entire nation. And it's what led to independence for the plucky colonists who took on the world because they thought it could be better. Throughout our history, all we've needed is an idea, an ideal, and each other. After all, out of many, we are one.

EMILY BALLOU, SOUTH ROYALTON HIGH SCHOOL SENIOR (FINALIST)

It is both a privilege and an honor to live in a nation where I have the right to speak my mind without the fear of failure or retribution, where liberty of expression is celebrated, and diverging views, though challenged, are entitled to develop according to their merit.

The greatest problem we have is that the people of our country lack compassion. We lack empathy. We need to integrate our passions instead of separating them. Love should trump hate, but it seems as of late

that that is reversed. We must renew our nation, and to do so, we must stop the ignorance of the public. We must end the bigoted, chauvinistic, and discriminatory ideologies and mindsets of our people.

What we have in common is more important than the differences used to divide us. Groups of like-minded people acting in a similar fashion are not a new phenomenon, but the engagement of these groups has become dedicated to excluding the expression of other views.

What makes a country great is not how rich the monetary funds of the upper class is, but how well its most vulnerable citizens are treated. This is why we must start early and teach the next generation to kindness and to love.

When someone of power misuses his or her status to bully those more vulnerable, their actions are desensitized. This disrespect incites more discord which invites both fear and hatred into the minds of all ages. The very young feel no hatred. Currently, not all adolescents are being taught the importance of tolerance and empathy in their homes, schools, or in public. These lessons must begin in their earliest years of schooling before they acquire biases from around them and their beliefs are negatively impacted.

The vernacular must include words of kindness, not derogatory terms or racially-charged slurs. No matter what an individual's values are, they should not value the discrimination and hatred associated with these words. Silence is compliance. The cycle of history will continue to repeat itself unless people begin to empathize with all. If one wishes to "Make America Great Again," hate should not be the weapon of choice. We must be more inclusive and accepting of the diversity in which this nation has prided and built itself on, for change begins with ourselves.

Love does trump hate. Although we adhere to the flaws in society, we must not. We must instill hope into those of the coming generations. There is hope that our world will see peace. There is hope that our world will be preserved. There is hope for change. We are "a nation of the people, by the people, for the people that shall not perish from the Earth," where people, no matter their race, religion, sexual orientation, or gender, should take comfort in. We are the great United States of America, and the day we forget that, we will cease to exist, because despite current circumstances, the world is not entirely lost if everyone resists, together.

BILLY BENDER, HANOVER HIGH SCHOOL
SOPHOMORE (FINALIST)

Mr. Speaker, Mr. Vice President, Members of the 115th Congress and Distinguished Guests,

As Americans we face many difficulties, but two are of particular concern: one is a challenge to our world, the other to our republic. We can and must do more to stop global warming, and we can and must get big money out of politics.

Climate Change is real. The scientific debate is over. We have already begun to see its effects in the United States. Large sections of the country have experienced severe droughts and wildfires, hurricanes have been more violent, and our summers are becoming dangerously hot in the south. Internationally, long-term droughts are causing malnutrition, threatening coastal cities, and creating climate refugees. This is real, it is urgent, it is a direct result of the actions of humans, and its impact will be felt disproportionately by the most vulnerable peo-

ples on our planet. We caused it, and we can stop it. We have a responsibility toward our children, our grandchildren, and all of the future inhabitants of our planet.

Our government needs to invest heavily in large scale clean energy infrastructure projects. We need to renew and add to the existing subsidies on renewable energy to make solar or wind a viable financial option for homeowners and businesses. We need to invest heavily in clean energy research and stop subsidizing fossil fuels. When renewables like solar, wind and hydro power are cheaper than oil, then the massive oil companies will have no choice but to become energy companies instead of oil companies and build dams, wind farms and solar fields. We will no longer have to tolerate the risks of nuclear energy.

However, to achieve the goal of powering our nation with renewable energy, we need to take the influence of huge, anonymous donors out of American politics. Citizens United has allowed huge corporations to funnel millions of dollars into electing politicians who regard them favorably. The fossil fuel industry is hugely profitable, and the millionaires and billionaires who control them want to delay and diminish the impact of renewables on their bottom line. Their huge sums of money give them a massively disproportionate voice in elections, allowing them to create Super PACs which will ensure the continued existence of dangerous, damaging practices like fracking.

Climate change is a critical problem facing our nation and our world, but it will be difficult to take the bold steps necessary to mitigate its effects without first eliminating the advantage that billionaires have in our elections. It is time to take large scale legislative and judicial steps to eliminate the outsized voice of the extremely wealthy and save our planet for all who come after us.

SIMON BUYP-CHICKERING, BELLOWS FALLS
UNION HIGH SCHOOL SENIOR (FINALIST)

"Injustice anywhere is a threat to justice everywhere."—Martin Luther King Jr.

A nation that neglects to confront and eliminate injustice is no true defender of its people's rights. Due to the death penalty's inherent inability to be more than state sponsored revenge, its exorbitant cost, and the lack of statistical evidence showing it does anything to stop murder, the death penalty is an antiquated and medieval punishment that has no place in a modern democracy.

One of the most common arguments brought up by proponents of the death penalty is the idea that enforcing the death penalty acts as a deterrent for other criminals. However, this argument fails to account for the fact that the vast majority of murderers aren't executed, less than one percent. In addition, 88 percent of criminologists, experts who study crime for a living, refute the idea that the death penalty works as a deterrent. Furthermore, as the South accounts for 80 percent of all executions in the United States, if the death penalty did act as deterrence, then those states would have the lowest rates of murder. However, the South holds the country's highest murder rate, and the North, which accounts for less than 1 percent of the country's executions, has the lowest murder rate.

The death penalty as it is practiced today is simply a tool for revenge, misguidedly used in an attempt to help grieving families. The finality of the punishment destroys any hope of reflection, apology, or forgiveness, thus eliminating any chance of true healing. Additionally, revenge is an emotional re-

sponse to tragedy, and the judicial system in America should be about providing just and emotionally unbiased decisions. Instead of perpetuating a cycle of violence, the United States government should promote restorative justice, which promotes rehabilitation and the improvement and bettering society rather than resort to base human emotions in response to tragedy.

In order to prevent this outdated and pointless practice of state-funded murder from damaging our justice system any further, the death penalty must be abolished nationwide, and those on death row should have their sentences commuted to life in prison without parole. In a modern, civilized society, there is no place for such a horrific punishment. Most other enlightened nations around the world have removed the death penalty from their judicial systems. Instead of remaining among the questionable company of nations such as North Korea, America must prove that it understands the egregious error in killing as punishment for killing.

Ultimately, the fact that the United States still uses the death penalty reveals a fundamental lack of ethical maturity in our nation, and is a mark of shame to Americans who want to believe that the country they live in has evolved from the barbaric practices of antiquity along with the rest of the civilized world.●

TRIBUTE TO MILTON BRONSTEIN

● Mr. WHITEHOUSE. Mr. President, Mr. Milton Bronstein, a lifelong public servant, labor leader, and great friend to me, today celebrates his 100th birthday.

Milton served in many capacities during his more than three decades of service as an employee of the State of Rhode Island. In addition, he was an active workers' organizer, leading Rhode Island's AFSCME chapter, Council 94, as its first president and eventually becoming the retiree chapter's vice president until retiring just last year at age 99.

Those who have been fortunate enough to work alongside Milton during his State service or to benefit under his tenure at Council 94 describe him as a strong, dedicated leader and mentor. Current labor leaders say Milton's involvement helped strengthen the labor movement in Rhode Island. It is his selflessness and commitment to seeing working Rhode Islanders succeed that so many of us admire.

Milton has been a tireless leader in the community. He has served on the board of directors of the Rhode Island Credit Union and the Touro Fraternal Association, the largest independent Jewish fraternal order in New England, for more than 50 years. He also was very active in the Rhode Island Democratic Party for just as long, working as president of the Association of Democratic City and Town Chairs. One of his proudest moments in politics was being a member of the 1992 Electoral College where he proudly cast his vote for President Bill Clinton and Vice President Al Gore.

I know Milton's family means everything to him. His love for his late wife,

Claire, and his devotion to his children, Harvey, Andrew, and Cindy, are obvious. He has carried on his devotion to family with his seven grandchildren and his two great-grandchildren, with one more on the way.

Milton has been a close friend, supporter, and adviser to me throughout my political career. He is someone you can go to when you need help, and he is always there. He has helped so many people over the years, but you would be hard pressed to hear of him asking anything for himself.

Milton, I am lucky to celebrate you today. You are a great Rhode Islander. Thank you for everything you have done for me and for your dedicated service to the people of our great Ocean State. As your friend and Senator, please accept my birthday wishes for a wonderful 100th year. ●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-476. A communication from the Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-477. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2,4-D; Pesticide Tolerances" (FRL No. 9958-07) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-478. A communication from the Chairman of the Commodity Futures Trading Commission, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC-479. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Joseph P. Mulloy, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-480. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment" (RIN0790-ZA12) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Armed Services.

EC-481. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the detention facility at Guantanamo Bay; to the Committee on Armed Services.

EC-482. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Bank's 2016 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-483. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Total Loss-Absorbing Capacity, Long-Term Debt, and Clean Holding Company Requirements for Systematically Important U.S. Bank Holding Companies and Intermediate Holding Companies of Systematically Important Foreign Banking Organizations" (RIN7100-AE37) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-484. A communication from the President of the United States, transmitting, pursuant to law, the continuation of the national emergency originally declared in Executive Order 13692 on March 8, 2015, with respect to Venezuela; to the Committee on Banking, Housing, and Urban Affairs.

EC-485. A communication from the President of the United States of America, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC-486. A communication from the President of the United States, transmitting, pursuant to law, the continuation of the national emergency originally declared in executive order 13288 on March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions; to the Committee on Banking, Housing, and Urban Affairs.

EC-487. A communication from the President of the United States, transmitting, pursuant to law, the continuation of the national emergency originally declared in Executive Order 13660 on March 6, 2014, with respect to Ukraine; to the Committee on Banking, Housing, and Urban Affairs.

EC-488. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to Cuba and of the emergency authority relating to the regulation of the anchorage and movement of vessels, as amended; to the Committee on Banking, Housing, and Urban Affairs.

EC-489. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Libya declared in Executive Order 13566; to the Committee on Banking, Housing, and Urban Affairs.

EC-490. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to Iran that was declared in Executive Order 12957 on March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-491. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to operation of the Exchange Stabilization Fund (ESF) for fiscal year 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-492. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-493. A communication from the President of the United States, transmitting, pursuant to law, an Executive Order that revokes sections 1 and 2 of Executive Order 13067 of November 3, 1997, and revokes Executive Order 13412 of October 13, 2006, in its entirety; to the Committee on Banking, Housing, and Urban Affairs.

EC-494. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Civil Penalty Inflation Adjustments" (12 CFR Part 1083) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-495. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-496. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority for the Export Administration Regulations" (RIN0694-AH22) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-497. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Export Administration Regulations Implementing an Additional Phase of India-US Export Control Cooperation" (RIN0694-AH26) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-498. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska—2016-17 and 2017-18 Subsistence Taking of Wildlife Regulations" (RIN1018-BA39) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-499. A communication from the Deputy Designate Agency Ethics Official, Office of the Solicitor, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Supplemental Standards of Ethical Conduct for Employees of the Department of the Interior" (RIN1092-AA12) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Energy and Natural Resources.

EC-500. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustments" (RIN 1029-AC74) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Energy and Natural Resources.

EC-501. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Onshore Oil and Gas Operations—Annual Civil Penalties Inflation Adjustments" (RIN1004-AE49) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Energy and Natural Resources.

EC-502. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, a report relative to the Department's proposal to accept a 3590-acre donation from The Wilderness Land Trust; to the Committee on Energy and Natural Resources.

EC-503. A joint communication from the Special Representative, Office of Insular Affairs, Department of the Interior and the Commonwealth of the Northern Mariana Islands Special Representative, transmitting, pursuant to law, a report entitled "Report to the President on 902 Consultations"; to the Committee on Energy and Natural Resources.

EC-504. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting, pursuant to law, reports entitled "Report to the Congress: Compact Impact Analysis of the 2015 Reports on Guam and Hawaii" and "Impact of the Compacts of Free Association on Guam FY (Fiscal Year) 2004 through FY 2015"; to the Committee on Energy and Natural Resources.

EC-505. A communication from the Secretary of the Interior, transmitting, pursuant to law, an annual report related to the Colorado River System Reservoirs for 2017; to the Committee on Energy and Natural Resources.

EC-506. A communication from the Acting Deputy Director, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, a report entitled, "Report to Congress Eliminating Principal or Major Uses on Tracts of Land in California, Colorado, Nevada, Oregon, Utah, Idaho, Wyoming, and Montana (exceeding 100,000 acres)"; to the Committee on Energy and Natural Resources.

EC-507. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Correction to the National Ambient Air Quality Standards for Particulate Matter" ((RIN2060-AS89) (FRL No. 9958-29-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-508. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances; Withdrawal" ((RIN2070-AB27) (FRL No. 9958-20)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-509. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2008 Lead, 2008 Ozone, 2010 NO₂, 2010 SO₂, and 2012 PM_{2.5} National Ambient Air Quality Standards; Wyoming" (FRL No.

9958-35-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-510. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Participation by Disadvantaged Business Enterprises in Procurements Under EPA Financial Assistance Agreements" ((RIN2090-AA40) (FRL No. 9958-44-OA)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-511. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements" ((RIN2060-AS75) (FRL No. 9958-30-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-512. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Action on the November 28, 2016 Section 126 Petition From Delaware" (FRL No. 9958-26-OAR) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-513. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Effluent Limitations Guidelines and Standards for the Dental Category" ((RIN2040-AF26) (FRL No. 9957-10-OW)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-514. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment and Approval of Base Year Emissions Inventories for the Imperial County, California Fine Particulate Matter Nonattainment Area" (FRL No. 9958-21-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-515. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Aquatic Life Criteria for Cadmium in Oregon" ((RIN2040-AF60) (FRL No. 9958-40-OW)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-516. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; El Paso Carbon Monoxide Limited Maintenance Plan" (FRL No. 9957-56-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-517. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Inspection and Maintenance Program Error Correction" (FRL No. 9957-41-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-518. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revisions to Nonattainment Permitting Regulations" (FRL No. 9958-28-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-519. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amendment to Standards and Practices for All Appropriate Inquiries Under CERCLA" (FRL No. 9958-47-OLEM) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-520. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Disapproval; AL; Prong 4 Visibility for the 2008 8-hour Ozone Standard" (FRL No. 9958-42-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-521. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; NO_x as a Precursor to Ozone, PM_{2.5} Increment Rules and PSD Infrastructure DIP Requirements" (FRL No. 9957-58-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-522. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; District of Columbia; Update to Materials Incorporated by Reference" (FRL No. 9955-98-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Environment and Public Works.

EC-523. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Identification of 14 Distinct Population Segments of the Humpback Whale and Revision of Species-Wide Listing" (RIN1018-BB80) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Environment and Public Works.

EC-524. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the

Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure regarding the Section 403(b) Remedial Amendment Period" (Rev. Proc. 2017-18) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Finance.

EC-525. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Program; Conditions of Participation for Home Health Agencies" ((RIN0938-AG81) (CMS-3819-F)) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Finance.

EC-526. A communication from the President of the United States, transmitting, pursuant to law, a notification of the designation of Rhonda Schnare Schmittlein as Chair of the United States International Trade Commission for the term expiring June 16, 2018; to the Committee on Finance.

EC-527. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "The Center for Medicare and Medicaid Innovation: Report to Congress"; to the Committee on Finance.

EC-528. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Maximum Vehicle Values for 2017 for Use With Vehicle Cents-Per-Mile and Fleet-Average Valuation Rules" (Notice 2017-03) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Finance.

EC-529. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Availability and Use of an Account Transcript as a Substitute for and Estate Tax Closing Letter" (Notice 2017-12) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Finance.

EC-530. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; The Use of New or Increased Pass-Through Payments in Medicaid Managed Care Delivery Systems" ((RIN0938-AT10) (CMS-2402-F)) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Finance.

EC-531. A communication from the Regulations Coordinator, Office of the Assistant Secretary for Public Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program: Changes to the Medicare Claims and Entitlement, Medicare Advantage Organization Determination, and Medicare Prescription Drug Coverage Determination Appeals Procedures" (RIN0991-AC02) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Finance.

EC-532. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Finalizing Medicare Rules under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year (CY) 2016"; to the Committee on Finance.

EC-533. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Allocation Rules for Post-2000 State Housing Credit Ceiling" (Rev. Rul. 2016-29) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Finance.

EC-534. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulation Regarding Non-discrimination on the Basis of Race, Color, or National Origin in Programs or Activities Receiving Federal Financial Assistance From the Department of the Treasury" (RIN1505-AC45) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Finance.

EC-535. A communication from the Chair of the Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled "Recommendations for the Future of CHIP and Children's Coverage"; to the Committee on Finance.

EC-536. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Clarification of When Products Made or Derived From Tobacco Are Regulated as Drugs, Devices, or Combination Products; Amendments to Regulations Regarding 'Intended Uses'" ((RIN0910-AH19) (Docket No. FDA-2015-N-2002)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-537. A communication from the Regulations Coordinator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Confidentiality of Substance Use Disorder Patient Records" (RIN0930-AA21) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-538. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Pantex Plant site in Amarillo, Texas, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-539. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Student Assistance General Provisions" (RIN1840-AD22) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-540. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2014-2015 Scientific and Clinical Status of Organ Transplantation Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-541. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Health Service Corps Report to Congress for the Year 2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-542. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Ryan White HIV/AIDS Program Parts A and B Supplemental Awards Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-543. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2015 Progress Report on Understanding the Long-Term Health Effects of Living Organ Donation"; to the Committee on Health, Education, Labor, and Pensions.

EC-544. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Poison Help Campaign Report to Congress for Fiscal Year 2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-545. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2014-2015 Report to Congress on Organ Donation and the Recovery, Preservation, and Transportation of Organs"; to the Committee on Health, Education, Labor, and Pensions.

EC-546. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year (FY) 2016 Performance Report to Congress for the Medical Device User Fee Amendments"; to the Committee on Health, Education, Labor, and Pensions.

EC-547. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2015 Report to Congress: Older Americans Act"; to the Committee on Health, Education, Labor, and Pensions.

EC-548. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Annual Report on the Food and Drug Administration (FDA) Advisory Committee Vacancies and Public Disclosures"; to the Committee on Health, Education, Labor, and Pensions.

EC-549. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Performance Report to the President and Congress for the Biosimilar User Fee Act"; to the Committee on Health, Education, Labor, and Pensions.

EC-550. A communication from the Regulations Coordinator, Division of Global Migration and Quarantine, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Control of Communicable Diseases" (RIN0920-AA63) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-551. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at Area IV of the Santa Susana Field Laboratory site in Ventura County, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-552. A communication from the Principal Deputy Assistant Secretary for Policy,

Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Department of Labor Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2017" (RIN1290-AA31) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-553. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Possession, Use, and Transfer of Select Agents and Toxins; Biennial Review of the List of Select Agents and Toxins and Enhanced Biosafety Requirements" (RIN0920-AA59) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-554. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Update of FEMA's Public Assistance Grant Regulations to Reflect the Terminology of Uniform Administrative Requirements, Cost Principles, and Audit Requirements" ((RIN1660-AA89) (Docket No. FEMA-2016-0034) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-555. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties Inflation Adjustments for Ethics in Government Act Violations" (RIN3209-AA00 and RIN3209-AA38) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-556. A communication from the Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-557. A communication from the Chairwoman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-558. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Semi-annual Report of the Inspector General and the Management Response for the period from April 1, 2016 through September 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-559. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report relative to mileage reimbursement rates for Federal employees who use privately owned vehicles while on official travel; to the Committee on Homeland Security and Governmental Affairs.

EC-560. A communication from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the Corporation's annual financial audit and management report for the fiscal year ending September 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-561. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 21-621, "Constitution and Boundaries for the State of Washington, D.C. Approval Resolution of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-562. A communication from the Chairman and Members of the Federal Labor Relations Authority, transmitting, pursuant to law, the Office of Inspector General Semi-annual Report for the period of April 1, 2016 through September 30, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-563. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "The D.C. Government Must Improve Policies and Practices for the Protection of Personally Identifiable Information"; to the Committee on Homeland Security and Governmental Affairs.

EC-564. A communication from the Staff Attorney, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Privacy Act Procedures" (RIN3141-AA65) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Indian Affairs.

EC-565. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2015 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-566. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Community Relations Service for fiscal year 2015; to the Committee on the Judiciary.

EC-567. A communication from the Human Resources Specialist, Department of Justice, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Attorney General, National Security Division, Department of Justice, received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on the Judiciary.

EC-568. A communication from the Human Resources Specialist, Department of Justice, transmitting, pursuant to law, a report relative to a vacancy in the position of Solicitor General, Department of Justice, received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on the Judiciary.

EC-569. A communication from the Human Resources Specialist, Department of Justice, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Attorney General, Antitrust Division, Department of Justice, received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on the Judiciary.

EC-570. A communication from the Human Resources Specialist, Department of Justice, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Community Relations Service, Department of Justice, received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on the Judiciary.

EC-571. A communication from the Human Resources Specialist, Department of Justice, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Community Relations Service, Depart-

ment of Justice, received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on the Judiciary.

EC-572. A communication from the Attorney-Advisor, Regulatory Affairs Law Division, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Eliminating Exception to Expedited Removal Authority for Cuban Nationals Arriving by Air" (RIN1601-AA81) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on the Judiciary.

EC-573. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Eliminating Exception to Expedited Removal Authority for Cuban Nationals Arriving by Air" (RIN1125-AA80) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on the Judiciary.

EC-574. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "International Entrepreneur Rule" (RIN1615-AC04) received in the Office of the President of the Senate on January 17, 2017; to the Committee on the Judiciary.

EC-575. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-576. A communication from the Acting Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Diseases Associated with Exposure to Contaminants in the Water Supply at Camp Lejeune" (RIN2900-AP66) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Veterans' Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Rex W. Tillerson, of Texas, to be Secretary of State.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEE (for himself and Mr. CRUZ):
S. 185. A bill to amend the Head Start Act to authorize block grants to States for pre-kindergarten education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. WHITEHOUSE, and Mr. REED):

S. 186. A bill to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 187. A bill for the relief of Alemseghed Mussie Tesfamical; to the Committee on the Judiciary.

By Mr. CASSIDY (for himself, Mr. JOHNSON, Mrs. MCCASKILL, and Mrs. FISCHER):

S. 188. A bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN:

S. 189. A bill to modify the boundary of the Fort Scott National Historic Site in the State of Kansas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Ms. CANTWELL):

S. 190. A bill to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASSIDY (for himself, Ms. COLLINS, Mrs. CAPITO, and Mr. ISAKSON):

S. 191. A bill to improve patient choice by allowing States to adopt market-based alternatives to the Affordable Care Act that increase access to affordable health insurance and reduce costs while ensuring important consumer protections and improving patient care; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 192. A bill to withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself and Mr. COONS):

S. 193. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. BROWN, and Mr. FRANKEN):

S. 194. A bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself, Mr. RUBIO, Mr. KAINE, and Mr. LANKFORD):

S. Res. 18. A resolution reaffirming the United States-Argentina partnership and

recognizing Argentina's economic reforms; to the Committee on Foreign Relations.

By Mr. RUBIO (for himself, Mr. NELSON, and Mrs. ERNST):

S. Res. 19. A resolution denouncing the deadly attack at Fort Lauderdale-Hollywood International Airport, honoring the lives of the victims, offering condolences to their families, friends, and all those affected, and commending the efforts of law enforcement and emergency response personnel in responding to the incident; considered and agreed to.

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. HELLER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 11, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 16

At the request of Mr. PAUL, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 16, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 18

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 18, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 26

At the request of Mr. WYDEN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Massachusetts (Mr. MARKEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 27

At the request of Mr. CARDIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 33

At the request of Ms. MURKOWSKI, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor

of S. 33, a bill to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes.

S. 57

At the request of Mr. CASSIDY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 57, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 59

At the request of Mr. CRAPO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 78

At the request of Mr. LEE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 78, a bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes.

S. 92

At the request of Mr. MCCAIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 92, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 104

At the request of Mrs. GILLIBRAND, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Hawaii (Ms. HIRONO), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 104, a bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking.

S. 139

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 141

At the request of Mr. PETERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 141, a bill to improve understanding and forecasting of space weather events, and for other purposes.

S. 143

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 143, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 172

At the request of Ms. BALDWIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 172, a bill to require the President to withdraw from the Trans-Pacific Partnership Agreement and to make that Agreement ineligible for expedited consideration by Congress.

S. 175

At the request of Mr. MANCHIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 184

At the request of Mr. WICKER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 184, a bill to prohibit taxpayer funded abortions.

S.J. RES. 1

At the request of Mr. BOOZMAN, the names of the Senator from Arkansas (Mr. COTTON), the Senator from Iowa (Mrs. ERNST), the Senator from Maine (Mr. KING) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S.J. RES. 6

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S.J. Res. 6, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 5

At the request of Mr. DAINES, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. Con. Res. 5, a concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and protected for all people of the United States under the Constitution of the United States, and recognizing the 231st anniversary of the enactment of

the Virginia Statute for Religious Freedom.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Washington (Ms. CANTWELL), the Senator from Maine (Mr. KING) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

S. RES. 15

At the request of Mr. LEE, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. Res. 15, a resolution expressing the sense of the Senate that the Mexico City policy should be permanently established.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER:

S. 187. A bill for the relief of Alemseghed Mussie Tesfamical; to the Committee on the Judiciary.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR ALEMSEGHED MUSSIE TESFAMICAL.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) and section 240 of such Act (8 U.S.C. 1229a), Alemseghed Mussie Tesfamical shall be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Alemseghed Mussie Tesfamical enters the United States before the filing deadline specified in subsection (c), Alemseghed Mussie Tesfamical shall be considered to have entered into and remained lawfully in the United States and, if otherwise eligible, shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or for adjustment of status is filed by Alemseghed Mussie Tesfamical with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant

visa or permanent residence to Alemseghed Mussie Tesfamical, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of Alemseghed Mussie Tesfamical's birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of such country under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) BUDGETARY EFFECTS.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139), shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the Senate, provided that such statement has been submitted prior to the vote on passage.

By Mr. CASSIDY (for himself, Ms. COLLINS, Mrs. CAPITO, and Mr. ISAKSON):

S. 191. A bill to improve patient choice by allowing States to adopt market-based alternatives to the Affordable Care Act that increase access to affordable health insurance and reduce costs while ensuring important consumer protections and improving patient care; to the Committee on Finance.

Mr. CASSIDY. Mr. President, today I have the privilege, with Senator COLLINS, to introduce a replacement bill for ObamaCare, with her experience as an insurance commissioner and mine as a physician caring for the insured and the underinsured. Let me also give due credit to PETE SESSIONS in the House, who has introduced a very similar bill to come up with something that we think works not just for the people we represent but for the entire country. That is our goal.

I wish to speak on the Patient Freedom Act of 2017. Our goal, if you will—I tell my staff to imagine a woman who voted for Donald Trump and doesn't like ObamaCare, but she has breast cancer. Her coverage has a \$6,000 deductible, but she has coverage. On the other hand, she wants to see something different. If we just view our efforts through the prism of her care, I think we will do right by the American people.

Let me say something else. Again, our goal is not to come up with a Republican plan; it is not to come up with an anti-ObamaCare plan; our goal is to come up with an American patient plan where, whoever she or he is, they can feel comfortable that, as a Senate, we are trying to do right by the American people.

Let's go to first principles. First principles is, we in the Republican Party think that if you like your insurance, you should be able to keep it. I will come to that later. President Obama was rightly criticized because

he pledged that, and it turns out it wasn't true. That is one of our first principles, and we mean it.

Secondly, we think the States should have the power, not the Federal Government. When you speak to Americans, they want their State capital to be the kind of principal force behind how their insurance is administered, not our Nation's Capital, so we return power to both the States and to patients.

Lastly, I will say that we are truly reaching out to Democrats. One of the criticisms of ObamaCare is that it was rammed through on a partisan vote with hardly a consideration given of Republicans. Senator COLLINS and I are absolutely open to working with Democrats for this solution.

How do we begin?

We first begin by repealing the ObamaCare mandates and penalties. The American people do not like Washington telling them how to live their lives. We take those mandates and penalties from both the individual and the employer and we take them off.

Secondly, we work to make health care truly affordable. We do this by giving States a choice to put in what we call the State alternative. I think we are going to begin calling it the better choice. In the better choice, we would use tax credits which would go to those who are eligible and which would go into an account. If the patient did nothing, she would have a health savings account, which will be pre funded. The money would go in, actually put money into the account—catastrophic coverage and a pharmacy benefit.

It is important to note that she would have power over this account. If she wished, she could combine it with her family's, these different tax credits, and they could buy a richer family policy, or she could assign it to her employer as the employee's contribution for an employer-sponsored plan.

If each member of the family decided to keep their own HPSA account and one of them got a terrible illness and went into the cash portion and exhausted their health savings account, we would allow family members to donate their health savings account balance to each other to help cover that cash exposure.

We do different things, but the goal is to give the patient the power.

Since we are going to these health savings accounts under the better choice model, in the better choice model, we give these tax credits that go into a health savings account. The individual can donate their own money, or the employer can contribute theirs. These are some of the options they have, but whichever options they have, we institute price transparency. That is to say that when the patient goes to have her blood test, she will know the cost of the blood test before

she has it done as opposed to finding out later.

This came to mind this past Sunday. I had a friend in town for the inauguration. She is a physician, and she went for a vitamin D level. When she went for the vitamin D level and got the bill, it was \$290. She called the hospital and said: I order these all the time. Am I really getting a \$290 charge on each of these?

They said: Oh, yes, ma'am. That is what we bill patients.

So she went to different labs and found out the cash price for the panels of labs she typically orders.

She had a patient who was from out of town and was paying cash. She said: Pay me \$38; it will cover the labs. Here is the slip; go to the lab.

The patient paid \$38 but went to the wrong laboratory. She was from out of town and not quite sure where to go. She went to the wrong laboratory. The bill she got, which in one lab would be \$38, in the other lab was \$690.

My physician friend called the hospital and said: You have to be kidding—\$690?

They reduced it to \$380. There is a tenfold difference in the cash price for labs. If the patient had known that, she probably would have paid more attention to the directions. But certainly if the price of the labs were posted when she went, even if she went to the wrong place, she could have looked at the fee schedule and decided she needed to go someplace else.

One of the young men who work with me said: Yes, I get it, price transparency. Who would buy a car without knowing the price beforehand? It would be great for the car dealer but really lousy for you. That is how we purchase health care now. It is great for the folks selling the service; it is pretty lousy for the person paying the cash.

By this, we think we begin to use market forces to reduce costs. By the way, this is not only about saving the patient money, which is very important, but here is another example.

John Fleming is a physician who until recently was a Member of the House of Representatives. He tells the story of when their office went to a health savings account, a woman who worked with him came to him and said: Dr. Fleming, I don't like these health savings accounts. Previously I had a pharmacy benefit that paid for my inhaler, and now I don't have the same pharmacy benefit.

He said: Well, under their plan, at least, you can use the health savings account to pay for your inhaler, and, by the way, if you stopped smoking, you wouldn't need the inhaler.

Then he walks away.

Six months later she says to him: Dr. Fleming, you were right.

He didn't remember the conversation. He turns around and she says: Remember when you told me if I stopped

smoking, I wouldn't need an inhaler? I stopped smoking and I don't need an inhaler.

So what this does is it activates the patient. It gets her or him engaged in their health care, and between that—not only do we protect the patient's pocketbook, but we also do something positive for their health care.

Let me also point this out. We think most States would go for the better choice. It is possible, though, that a State will reject everything and say: We don't want Medicaid expansion dollars and we don't want any extra help for those who have lower incomes. We would give States that choice. This is not Washington, DC, forcing something on people.

Let me also point out something else. Republicans believe that if you like your health care, you can keep it; if you like your health insurance, you can keep it, and we mean it. If a State decided they wished to stay on ObamaCare—I think it is a terrible decision—but this legislation would allow a State to do so.

I was so disappointed. I saw that the minority leader, Mr. SCHUMER, criticized our bill and said things that weren't true—fake news, if you will. He said we didn't cover preexisting conditions. We do. He said the deductibles and copays would be too high, which is not true, but what was striking is that he hasn't read our legislation yet.

This is what is wrong with Washington, DC. Here we have something which in good faith would allow New York to stay in ObamaCare if the people of New York decided they wished to—but we can look at double- and even triple-digit premium increases in other States. Without reading our bill, other States are going to be condemned to these double- and triple-digit premium increases because folks don't want to consider something different. This is not a Republican plan. It is not a Democratic plan. We want it to be an American plan where States can decide the best system for their State, and if it is working for New York, it can stay in New York. It is not working for Louisiana so our State would go with the better choice, I am confident.

That said, please don't criticize the plan before you even look at it, and please allow those on the Democratic side who are down to one insurance company on their exchanges, with double-digit premium increases, to at least consider an option that would be good for their State.

Now, folks say: Well, you don't have a mandate. We don't think Washington, DC, should be telling people how to live their lives. So how do we, under our better choice, get the kind of big insurance pool without a mandate? We give States the option to do what we call automatic enrollment. If someone is eligible, they would be enrolled. The tax credit they receive would be

adequate for their premium. They would never have to pay anything out-of-pocket to have this health savings account—high-deductible health plan and pharmacy benefit. It would be covered with the tax credit they receive. By doing so, all these young males who haven't signed up for ObamaCare because they are paying too much would actually be enrolled in an insurance plan. For those who get ill or have chronic conditions, they are spreading the cost of their expensive illness over the many healthy and not just over the few sick. It restores the law of big numbers.

We had an insurance plan model this, and they said they think just by doing our method of enrollment, it would lower premiums by 20 percent. That is without an individual mandate.

By the way, think of the folks who will never sign up for an ObamaCare exchange policy. The mentally ill person living beneath a bridge is not going to go to a public library. If he has his W-2 form, he doesn't know where it is. He is not going to fill out a 16-page, long-line form and sign up for ObamaCare. Under our policy, he could be automatically enrolled. So if he goes to the urgent care center with cellulitis, he has coverage. If something terrible happens—if he is hit by a car, and goes to the emergency room and is admitted to the hospital, society is protected from major expenses. If he gets his life together enough, he has a pharmacy benefit providing those antipsychotics. So we actually think we would increase the number who truly need health care to the number of those who are covered.

Let me finish up by speaking about our timeline. We hope that over this next year, Republicans and Democrats can come together. I understand Democrats will not vote for a reconciliation bill that begins the repeal process of ObamaCare, but that almost certainly will pass. What we hope is that sometime within this year, Democrats who live in States with only one insurance company on their exchanges, in which premiums are increasing by double—and maybe even at that time in their States triple digits—will come together to vote with us to give their State an option for our better choice. So we would pass that legislation in 2017, giving their State legislatures and Governors the option to choose this pathway in 2018; and in 2019, the States would implement their option of choice; and by 2020, it has all been done.

That is our hope.

Folks say Senator COLLINS and I are naive; that the Senate cannot overcome its partisanship; that inevitably it will be so partisan, people, without reading the bill, will criticize our legislation, saying things about it that are not true.

I go back to where I started, to that woman who didn't go to college, work-

ing hard, voted for Trump, doesn't like ObamaCare but has breast cancer. She needs coverage, and she wants something done for her. We want to give her the power. We want to give her that coverage. My goal is that when this finishes, as she goes from cancer to health, the only thing she knows about her coverage is that the decisions about her health care are made in her State Capitol and around her kitchen table, and that as her breast cancer is treated, her health coverage improves. That is our goal. It is not a Democratic plan or a Republican plan. It is not a partisan plan. It is a plan for her. That is our goal.

Ms. COLLINS. Mr. President, first, let me commend the Senator from Louisiana for his extraordinary work on this bill. It has been a great pleasure to work so closely with him as we have made a genuine effort to put together a bill that would be a reasonable replacement for ObamaCare that would help to bring people together.

I wish to commend the Senator from Louisiana for his expertise. As a physician, Senator CASSIDY brings an important perspective to this debate, particularly since he has practiced for so many years in hospitals in Louisiana that serve the uninsured. So I wish to personally thank him for the privilege of working together to craft this bill.

There has been much debate recently on the best approach to replacing and reforming the Affordable Care Act. Considerable confusion and anxiety exists about the current status of the law and about the future of health care in our country. However, what is often overlooked in this discussion is that while the ACA provides valuable assistance for some people who were previously uninsured, the system created by the law is under tremendous financial strain.

ObamaCare exchanges are on the verge of collapse in many States. The reality is that significant changes must be made. Doing nothing is not an option.

I am, therefore, both surprised and disappointed by the remarks of the Democratic leader to the press and on the floor today about the genuine effort that Senator CASSIDY and I have put forward in introducing the Patient Freedom Act.

First of all, let me point out that the Democratic leader could not possibly have read our bill since we haven't introduced it yet, and it is evident that he has misunderstood many of its provisions.

For example, in a press statement, he said we gutted the preexisting condition protections that we strongly support and that are codified in our bill in section 101(b). Again, that is section 101(b). It ensures that insurers cannot discriminate against individuals with preexisting conditions who pay their premiums.

I guess what disappoints me most is that the Democratic leader's response really represents what is wrong with Washington, DC. The American people want us to come together. They want Democrats and Republicans to work as a team to solve the problems facing our Nation. If we are going to have a leader on the other side of the aisle denounce to the press and come to the Senate floor to criticize a bill that has not even been introduced yet, where are we? I really hope this is an aberration and that we can work together and that the compromises we put in the bill are recognized as a good-faith effort to bring both sides of the aisle together in the interests of the American people and in providing access to affordable health care. That is our goal.

We are not saying our bill is perfect. We are open to refinements. We have made a good-faith effort, and to hear it described inaccurately and as other than a genuine effort to solve a problem truly disappoints me.

The fact is, the ACA has been in effect for years. Yet nearly 30 million Americans still do not have health insurance coverage. Many of those who do have coverage through the ACA exchanges are experiencing large spikes in premiums, deductibles, and copays, increasing costs to consumers and taxpayers alike. Contrary to the predictions made by the early supporters of the ACA, premiums are increasing in nearly every State, with an average increase of 25 percent nationally.

In New York State, the average increase on the exchange is 16.6 percent. I don't know, but perhaps the Democratic leader thinks that is an acceptable rate of increase. It strikes me as pretty high, and even though it is below the national average, it is still in double digits. The situation is even more dire in some States like Arizona, where premiums have increased by 116 percent. In many counties throughout our country, there are only one or two health insurers offering plans on the exchanges, severely limiting consumer choice.

In my State of Maine, premiums for the individual market for 2017 have soared by 22 percent, on average, and plan options have become more limited. Now, while subsidies do cushion the blow for those consumers who are eligible for them, others have had to shoulder the full increase, and of course taxpayers have borne a greater burden. Moreover, individuals and families with incomes exceeding 250 percent of the poverty rate are not shielded from the dramatic increases in deductibles and copays. That is important to remember. The premium subsidy applies to incomes up to 400 percent of the poverty rate. It then drops off the cliff, and you are eligible for no subsidy whatsoever—there is no orderly phaseout. For help with copays and deductibles under the Affordable

Care Act, the threshold is 250 percent of the poverty rate. These huge premium spikes and increases in deductibles and larger copays are having an effect on families and individuals—who are by no means wealthy—all over this Nation.

Millions with coverage under the ACA are also facing increasingly narrow networks, which means they may find their preferred doctors are not in their networks. This can be particularly difficult for rural States that may have few specialists and whose citizens rely on major medical centers in nearby States. If patients want to continue to see these doctors, they can be faced with enormous costs that are not covered by their ACA insurance. As one Mainer put it, “[President] Obama said I could keep my doctor, and the insurance company says I can’t.”

The co-ops created under the ACA to help provide health insurance coverage have been failing at an alarming rate. In fact, only 5 of the 23 remain operational. It is also important to carefully consider the effects that ObamaCare’s Medicare cuts have had on providers like rural hospitals and home health agencies, many of whom are struggling.

In sum, prices are skyrocketing, coverage is narrowing, and the individual market is likely in a death spiral if Congress fails to act.

I know many Members of this Chamber share the goal of expanding access to affordable health care. Over the years, I have collaborated with colleagues on both sides of the aisle on a number of initiatives. Today I am pleased to join my colleague, Senator and Doctor BILL CASSIDY, in introducing the Patient Freedom Act of 2017 to help ensure that Americans have access to affordable health care that improves choices and helps to restrain costs.

Let me emphasize again that our bill is a work in progress. It is not perfect. However, what it does—and it is virtually unique in this regard, in this Chamber—is it puts specific proposals on the table as we seek to craft bills to repair and improve the Affordable Care Act. Other legislation being discussed, such as those designed to help small businesses pool risks so they can better afford to provide insurance to their employees, also deserves consideration. Let’s get a lot of ideas on the table.

We have to start, and we have been willing to step forward and propose a specific bill. To be criticized for that by the Democratic leader is just so disappointing, particularly since the leader is well aware that I work across the aisle all the time to try to find solutions for our country.

The Patient Freedom Act is built on the premise that giving people more choices is superior to the one-size-fits-all approach that defined the Affordable Care Act. We recognize that what

works best for people in Maine or New Hampshire may not be right for people in New York or California. Our bill respects those differences by giving States options to choose the path that works best for their citizens.

Now, option one would allow a State to choose to continue operating its insurance markets pursuant to all the rules of the Affordable Care Act. So if New York State wants to keep with the status quo, despite the 16.6-percent increase, on average, in the premiums for the individual market, New York State can make that choice. If a State chooses to remain covered by the ACA, exchange policies will continue to be eligible for cost-sharing subsidies and advanced premium tax credits, and the insurance markets will still be subject to ACA requirements. The individual mandate and the employer mandate will also remain in place for that State. Medicaid expansion States will continue to receive Federal funding. So if a State is happy with the status quo—with spiraling costs, with limited choices, with a market that is broken—fine, keep the ACA. In some States, maybe it is working well. States should have that option, and they would under the Cassidy-Collins bill.

More appealing to many States, however, would be what we call the better choice option in the Patient Freedom Act that would allow a State to waive many of the requirements of the ACA, except for vital consumer protections, and still receive Federal funding to help its residents purchase affordable health insurance. Senator CASSIDY has explained how it would work so I will not go through that all again.

Let me just say that eligible individuals in States selecting this option would receive Federal funding deposited into their Roth health savings accounts. The aggregate funding for these per-beneficiary deposits would be determined based on the total amount of funding that the Federal Government would have provided in the form of ACA subsidies in each State, plus any funding each State would have received had it chosen to expand its Medicaid Program—even if, like my State, it has chosen not to do so. These deposits in the Roth health savings accounts would be phased out for higher income beneficiaries.

States selecting this option for every resident who does not have health insurance coverage through his or her employer or through public programs like Medicare or the VA or the Federal Employees Health Benefits Program—in those States, the option would be a standard health insurance plan that would include first-dollar coverage through the Roth health savings account, basic prescription drug coverage, and a high-deductible health plan. States could automatically enroll their residents who are uninsured in this standard plan, unless an individual

opted to use his or her health savings account to purchase more comprehensive coverage or opted out of coverage altogether. I can’t imagine someone making the choice of opting out altogether when they would receive this generous subsidy.

In addition to Federal funds, individuals and employers could make contributions to these health savings accounts, and the balances would grow tax-free. The bill also provides for a partial tax credit for very low-income individuals who do receive employer-based coverage to help these workers pay for their deductibles and their copays.

Here is another important provision of our bill: Health care providers receiving payments from the Roth health savings accounts would be required to publish cash prices for their services. That would add transparency that is sorely lacking in our current system and that we need to move toward a more patient-directed health care future. For example, if your physician has suggested that you have a colonoscopy, you would know whether one hospital or one clinic would charge more than another so you can make the right decision for you.

Health care reform should be about expanding affordable choices, and that is what our legislation aims to do by allowing States to structure their individual health insurance markets and to do so without the burdensome individual mandate, the employer mandate, or many of the other restrictive requirements in the ACA that have substantially driven up costs and forced millions of Americans to buy coverage that is more than they want, need, or can afford. Americans should have the choice to purchase more affordable coverage, if that is what works best for them.

Let me again emphasize, since misinformation was given to the press about the consumer protections in our bill, the Patient Freedom Act would retain several important consumer protections, contrary to what was said earlier today by a colleague who hadn’t read our bill. Dependents will be able to remain on their parents’ health insurance policies until age 26. Insurance companies will still not be able to exclude coverage for preexisting conditions or discriminate based on health status. In fact, there is no medical underwriting for the standard plan offered under the better choice option. Insurance companies cannot cap benefits by including lifetime or annual limits in their policies, and they must offer to renew policies as long as enrollees continue to pay premiums. Insurance companies must also continue to cover mental health and substance use disorder benefits for individuals, a particularly important benefit given the nationwide scope of the opioid crisis that has seriously affected my

State of Maine and so many other States throughout our country, ruining the lives of individuals, their families, and their communities.

Provisions like these vital consumer protections should be retained. However, the Washington centric approach of the ACA must be changed if we are ever to truly reform our broken health care system.

I am pleased to see a growing consensus among Members of both the Senate and the House that we must fix the Affordable Care Act and provide reforms at nearly the same time as we repeal the law. This will help protect the families who rely on the program and give insurers time to transition to a new marketplace that is based on more choices for consumers. That is what we are trying to do here. Reforms in the way we provide health insurance must ensure that individuals relying on the current system do not experience a needless and avoidable gap in coverage.

If we are going to reform the system, we must begin to put specific proposals on the table for our colleagues to debate, refine, amend, and enact. That is why the criticism is so disappointing. This is an attempt to put forth a possible solution that would appeal to Members on both sides of the aisle.

As we continue our work to find a responsible path to repealing and repairing the ACA, we should give the States the freedom to choose what they believe works best for their citizens, whether that means staying with the Affordable Care Act or selecting a different path—in my view, a better path—that will lead to patient-directed reforms that contain costs and provide more choice. The Patient Freedom Act does exactly that, and I commend my colleague Senator CASSIDY for his leadership on this legislation. I also want to thank our cosponsors, including Senator ISAKSON and Senator CAPITO for their support as well.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 18—RE-AFFIRMING THE UNITED STATES-ARGENTINA PARTNERSHIP AND RECOGNIZING ARGENTINA'S ECONOMIC REFORMS

Mr. COONS (for himself, Mr. RUBIO, Mr. KAINE, and Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 18

Whereas, on November 22, 2015, the citizens of the Argentine Republic elected Mauricio Macri as their President;

Whereas President Macri has pledged to promote greater national unity, rebuild the economy, combat domestic corruption, strengthen freedom of the press, defend human rights abroad, attract foreign direct investment, return to international credit

markets, and reassert Argentina's leadership globally;

Whereas President Macri has emphasized his intention to seek closer ties with the United States and restore the bilateral partnership previously enjoyed by both countries;

Whereas the Argentine Republic is a major non-NATO ally of the United States;

Whereas United States-Argentina relations are historically characterized by comprehensive commercial ties and strong bilateral cooperation on human rights, peacekeeping, science and technology, non-proliferation, and education, as well as on regional and global issues;

Whereas President Obama traveled to Argentina in March 2016 to strengthen engagement on issues of bilateral interest, such as trade, investment, energy, security, and peacekeeping

Whereas, in an appearance with President Macri at the Casa Rosada in Buenos Aires, President Obama said that "our countries share profound values in common—respect for human rights, for individual freedoms, for democracy, for justice, and for peace";

Whereas the United States Department of the Treasury no longer opposes multilateral development banks lending to Argentina because of the Government of Argentina's "progress on key issues and positive economic policy trajectory";

Whereas President Macri prioritized Argentina resolving its 15-year standoff with private creditors stemming from the 2001–2002 economic crisis;

Whereas the Macri Administration lifted controls on trade, currency, and poultry, enhanced the quality and transparency of government data, and eliminated subsidies on electricity, water, and gas;

Whereas, in April 2016, the Government of Argentina issued \$16,500,000,000 in new government bonds and paid \$9,300,000,000 to hold-out creditors to resolve its default settlements, which facilitated Argentina's return to international financial markets;

Whereas Argentina is Latin America's third largest economy and the International Monetary Fund, in April 2016, claimed the Macri Administration "embarked on an ambitious, much needed transition to remove domestic imbalances and distortions and correct relative prices";

Whereas Secretary of State John Kerry visited Argentina in August 2016 to launch a High-Level Dialogue to develop and sustain cooperation on bilateral, regional, and global challenges, including democratic development and protection of human rights in Latin America; and

Whereas Secretary Kerry, during his visit, stated that "the United States strongly supports President Macri's effort to deepen Argentina's integration with the global economy" and that "our governments will be supporting policies that are aimed at strong, sustainable, and balanced economic growth":

Now, therefore, be it

Resolved, That the Senate—

(1) upholds its commitment to the partnership between the United States and Argentina and reaffirms that the Argentine Republic is a major non-NATO ally of the United States;

(2) encourages the Department of State to coordinate an interagency strategy to increase cooperation with the Government of Argentina on areas of bilateral, regional, and global concern;

(3) commends President Mauricio Macri and his Administration for making far-reaching economic reforms that will benefit

the people of Argentina, stimulate economic growth, and deepen Argentina's integration with the global economy;

(4) praises the Government of Argentina for resolving its dispute with international creditors;

(5) encourages the Government of Argentina to continue to investigate and prosecute those responsible for the 1994 bombing of the Argentine-Israeli Mutual Association (AMIA) in Buenos Aires, as well as the January 2015 death of AMIA special prosecutor Alberto Nisman; and

(6) expresses its desire that the growing partnership between the United States and Argentina will result in greater cooperation at multilateral institutions, such as the United Nations.

SENATE RESOLUTION 19—DENOUNCING THE DEADLY ATTACK AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, HONORING THE LIVES OF THE VICTIMS, OFFERING CONDOLENCES TO THEIR FAMILIES, FRIENDS, AND ALL THOSE AFFECTED, AND COMMENDING THE EFFORTS OF LAW ENFORCEMENT AND EMERGENCY RESPONSE PERSONNEL IN RESPONDING TO THE INCIDENT

Mr. RUBIO (for himself, Mr. NELSON, and Mrs. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 19

Whereas the Fort Lauderdale-Hollywood International Airport ranks 21st in the United States in total passenger traffic, with over 73,000 travelers passing through each day on 1 of the over 650 commercial flights that embark and arrive at the airport each day;

Whereas, on Friday, January 6, 2017, around 1:00 p.m., an individual in the baggage claim area of Terminal 2 at Fort Lauderdale-Hollywood International Airport shot more than 10 people, wounding several and killing 5;

Whereas the people of the United States grieve for the families of all those affected by this tragedy;

Whereas the people of the United States honor the memories of the 5 individuals who tragically lost their lives; and

Whereas constant efforts by law enforcement agencies, civilians, and communities are needed to help thwart future attacks:

Now, therefore, be it

Resolved, That the Senate—

(1) condemns the deadly attack at Fort Lauderdale-Hollywood International Airport on January 6, 2017, where 5 innocent people were killed and many others were injured;

(2) honors the lives and memories of the victims killed in the attack and offers sincere condolences to their families and friends;

(3) desires that those injured in the attack make a full recovery; and

(4) commends the efforts of law enforcement and emergency response personnel who selflessly acted to secure the scene and assist those in need.

AUTHORITY FOR COMMITTEES TO MEET

Mr. COTTON. Mr. President, I have one request for a committee to meet

during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on January 23, 2017, at 4:30 p.m.

PRIVILEGES OF THE FLOOR

Mr. CORNYN. Mr. President, I ask unanimous consent that my Army fellow, CPT David Judson, be granted floor privileges for the remainder of this legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that Eric Skidmore, Kailee Farrell, Benjamin Willis, Kelly Singleton, and Kathryn Haake, legislative fellows in my office, be given floor privileges for the rest of this Congress.

Without objection, it is so ordered.

DENOUNCING THE DEADLY ATTACK AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT

Mr. MORAN. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of S. Res. 19, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 19) denouncing the deadly attack at Fort Lauderdale-Hollywood International Airport, honoring the lives of the victims, offering condolences to their families, friends, and all those affected, and commending the efforts of law enforcement and emergency response personnel in responding to the incident.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MORAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 19) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, JANUARY 24, 2017

Mr. MORAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:45 a.m., Tuesday, Janu-

ary 24; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein, and with Senator ALEXANDER being recognized for up to 15 minutes, followed by 30 minutes for the Democrats; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10:45 a.m. TOMORROW

Mr. MORAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:20 p.m., adjourned until Tuesday, January 24, 2017, at 10:45 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate January 23, 2017:

CENTRAL INTELLIGENCE AGENCY

MIKE POMPEO, OF KANSAS, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

EXTENSIONS OF REMARKS

HONORING DAVID NELSON,
MENDOCINO COUNTY SUPERIOR
COURT JUDGE

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of the Honorable Judge David Nelson as he retires from Mendocino County Superior Court.

David Nelson was born in Rochester, Minnesota. He received his Bachelor of Arts from Stanford University in 1968 and received his Juris Doctorate in 1971 from Yale Law School. He began practicing law as the Deputy Public Defender for Contra Costa County for three years before eventually starting his private practice.

In 2003 he was appointed to a judgeship with Mendocino County Superior Court by Governor Gray Davis and was re-elected for two terms in 2004 and 2010. Over his thirteen years of service, Judge Nelson presided over criminal, felony criminal, and juvenile courts. Most notably, he has been an avid supporter for the Adult Drug Court serving as its judge throughout his career. This program, which provides treatment and rehabilitation for drug offenders, has helped many individuals across Mendocino County. In addition to his official duties, Judge Nelson has served as President of the Mendocino County Bar Association, President of the Mendocino County Criminal Defense Bar Association, and Board Member of the Law Library. He and his wife Judith are known for their active involvement with many groups throughout the community.

Judge Nelson's legacy is one of dedicated service to the County of Mendocino and worthy of distinction. Please join me in congratulating him on his retirement and expressing our deep appreciation for his long and exceptional career and outstanding contributions to our legal system.

CONGRATULATING THE REFUGIO BOBCATS

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. FARENTHOLD. Mr. Speaker, on a light note, I'd like to congratulate Coach Jason Herring and the Refugio Bobcats football team for winning their fourth state championship.

The Bobcats had a 15–1 record this school year and defeated Crawford in the championship game 23–20 in an impressive game-winning 18-yard field goal by kicker Diego Gonzales with only eight seconds remaining.

Quarterback Jacobe Avery was Champion Game offensive MVP and Linebacker

Kobie Herring was named defensive MVP. This was an impressive year for the whole team. Winning is a Refugio tradition. The Bobcats have won the state championship in 1970, 1982, 2011 and have been in the state championship three out of the past four years and now in 2016 the Bobcats are once again state champions. Way to go Refugio.

Members of the 2016 Refugio Bobcat Championship Team:

Donavon Bailey, Dhaireus Nobbie, Jaylon Mascorro, Jeffrey Owens, Robert Ortiz, Juan Martinez, Trent Ross, Devon Tilley, Chris Moya, Jackson Carroll, Ysidro Mascorro, Tayvin Castellano, D'Mond LaFond, Jeremy Borjas, Casey Henderson, Kobie Herring, Armonie Brown, Jacobe Avery, Trey Upton, Prentiss Jones, Trace Mascorro, Kevin Plascencia, Gayton Wills, Austin Moya, Daniel Valdez, Trevor Ross, Oswaldo Martinez, Jared Kelley, Ivan Tagle, Russell Jaso, Matthew Castillo, Diego Gonzales, Chris Vela, Kaleb Henning, Cipi Solis, Jamel LaFond, Oscar Lerma, Michael Moore, Joseph Montemayor, Johnathan Havens, Thomas Keyes, Alex Rodriguez, Arthur Morales, Anthony Delgado, Alfredo Villarreal, Jonathan Flores, Robert Montalvo, Ruben Gallegos, Jake Tinsman, Jacob Thompson, Thomas Marsh, Tyler Repka, Kaleb Wright, Dareon Wills, Jarren Gonzales, Corbin Brown, Colten Hesselstine, Devin Flores, Sylvester Henderson, Fernando Cordero, Mikey Firova, Jordy Martinez, Daniel Bailey, Jaden Hubbard, Dillon Bailey, Eric Garcia, Daniel Quesada, Daryon Ramirez.

Head Coach: Jason Herring.

Assistant Coaches: Drew Cox, Eli Boxell, Anthony Quintanilla, Darren Hunkapillar, Cameron Cox, Kent Hawthorne, Joe Bob Ratliff, Jarod Kay.

CONGRATULATING THE ROTARY CLUB OF HILTON HEAD ISLAND

HON. MARK SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. SANFORD. Mr. Speaker, I rise today to congratulate the Rotary Club of Hilton Head Island on its fiftieth anniversary. It is my honor to recognize the club and all of its members on this important milestone, which marks the lasting contributions its members have made, and continue to make, toward the lives of a whole host of people through their work, most of whom they will never personally know. They range from buying the first ambulance for Hilton Head Island, to members providing dental care on trips to Chile and Romania. They have raised money and helped with many other local groups, such as the Deep Well Project, Happy Feet, and Memory Matters, but my point here is this is a group that has consistently done great work for others in our community.

Rotary is a worldwide organization of business and professional leaders dedicated to high ethical standards and humanitarian service. Approximately 1.2 million Rotarians belong to more than 31,000 Rotary clubs located in 166 countries. Since receiving its charter on April 13, 1967, the Rotary Club of Hilton Head has embraced the high ideals of Rotary. The members of the club have developed opportunities for service and maintained high ethical standards in business and professional ventures, and done countless things to improve the quality of life on Hilton Head Island and beyond. With that, I would again ask that you please join me in congratulating the Rotary Club of Hilton Head Island on its fiftieth anniversary and in wishing its members the best of luck as they continue their work and service to others.

HONORING MR. EDWARD DIOKNO

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. THOMPSON of California. Mr. Speaker, I, along with my colleague Rep. MARK DESAULNIER, rise today to honor Edward Diokno upon his retirement after 12 years of service with Contra Costa County. Mr. Diokno currently serves as Deputy Chief of Staff to Supervisor Federal Glover and has been a thoughtful policymaker and committed voice for Filipino Americans in the County.

Mr. Diokno is a lifelong East County resident with a passion for serving our community. He served our country in the U.S. Army as a 2nd Lieutenant and later joined the Army Reserves. Mr. Diokno then worked as a journalist for 28 years with the Philippine News, Oakland Tribune, and Contra Costa Times where he reported on politics and policy-making.

Upon joining the County, Mr. Diokno served as a Senior Field Representative and then a Policy Analyst before stepping into his current position with Supervisor Glover. In his various roles, Mr. Diokno facilitated the County's first recognition of the contributions of Filipino Americans, developed small business initiatives, and worked with committees and advisory bodies developing health policy at the county level. He also served as the principal liaison to Bay Point, the County's largest unincorporated community.

Mr. Speaker, Mr. Diokno has served our country and our county and his legacy sets a high standard to which other public servants should aspire. Therefore, it is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ON THE RETIREMENT OF MS. CARMEN SOLOMON-FEARS AFTER A 39-YEAR CAREER OF SERVICE AT THE CONGRESSIONAL RESEARCH SERVICE (CRS)

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. BRADY of Texas. Mr. Speaker, I rise to offer my congratulations and best wishes to Ms. Carmen Solomon-Fears on the occasion of her retirement from a lifetime of dedicated service at the Congressional Research Service. Carmen's knowledge of American social policy, and especially in recent years involving the complex and important child support enforcement program, is nothing short of encyclopedic. Indeed, in stretching back to the late 1970s, Carmen's career at CRS spans most of the history of the child support enforcement program as well as other key social welfare programs of our time like SSI and TANF/AFDC. So if at times it seemed like Carmen was personally familiar with every word, comma, and footnote in the Social Security Act, it may be because she helped write so much of it during her outstanding career.

And what history she has seen and helped shape during that time. From the 1988 Family Support Act to the landmark 1996 Welfare Reform Law to the 2005 Deficit Reduction Act, Carmen has played a key role in all of the major social welfare reform legislation of the past generation. But she has done more than just assist Congress in crafting the law. She has worked diligently to help us explain what detailed provisions of law mean to real people, both through her interactions with our personal office staff as well as her summaries of child support and other program policies that appeared in CRS reports as well as literally dozens of issues of the Ways and Means Green Book. This all speaks to her outstanding skills in legislation and policymaking. But there is much more to Carmen than that. She is truly one of the nicest people you will meet on Capitol Hill, or any other place for that matter. Her ready smile, easy laugh, and thoughtful counsel are a key part of her success, putting people on both sides of the partisan aisle at ease in trusting her always sound guidance.

On behalf of especially the many Members of the Committee on Ways and Means who benefitted from her thoughtful work over her decades of service, I say thank you and congratulations to Carmen on an outstanding career. She truly has made a difference, which is a testament to her wisdom, hard work, and dedication in everything she does. I wish her nothing but the very best for all that awaits her in the future.

IN HONOR OF DAVID POYTHRESS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance

that I rise today to pay tribute to an outstanding civic leader, public servant of Georgia, and friend of longstanding, David Bryan Poythress. Sadly, David passed away on Sunday, January 15, 2017.

A Georgia man through and through, David Poythress was born in Bibb County on October 24, 1943 to John Maynor Poythress, head of Macon's water department, and Dorothy Bayne Poythress, a school teacher and the founder of Georgia's special education program. His parents' dedication to public service would inspire David from a young age to pursue public service himself.

David earned a political science degree, law degree, and commission as a U.S. Air Force officer at Emory University in the 1960s. In 1967, he entered active duty as an assistant staff judge advocate at Bergstrom Air Force Base in Texas. He served four years on active duty, volunteering for service in Vietnam and spending a year as defense counsel and chief of military justice at Da Nang Air Base. After active duty, he served in the Air Force Reserve, retiring in 1998 with the rank of Brigadier General.

Before seeking elected office, David made a name for himself serving as an assistant attorney general, Deputy State Revenue Commissioner, and chairman of a study committee formed by Governor George Busbee to study nursing home reimbursements from Medicaid. These roles, in addition to his tenure as the first Commissioner of the Georgia Department of Medical Assistance, led to him being nicknamed the "Mr. Fix It" of state government.

In 1979, Governor Busbee appointed David Secretary of State after the death of incumbent Ben Forston. In 1982, David ran for a full term as Secretary of State but was defeated in the Democratic Primary. He took a 10-year break from politics to practice law in Atlanta.

In 1992, he won a special statewide election for Labor Commissioner and two years later, he was elected to a full four-year term. In 1999, Governor Roy Barnes appointed David to lead the Georgia Army and Air National Guard. In 2002, Governor Sonny Perdue reappointed him and promoted him to Lieutenant General, making him Georgia's first three-star Adjutant General.

George Washington Carver once said, "No individual has any right to come into the world and go out of it without leaving behind distinct and legitimate reasons for having passed through it." We are all so blessed that David Poythress passed this way and during his life's journey did so much for so many for so long. He devoted many years of dedicated service to the people of Georgia through his meaningful contribution of energy, skill, and genuine passion, and for it, he will be remembered for years to come.

David Poythress accomplished much in his life but none of this would have been possible without the love and support of his wife, Elizabeth; son, Cullen Gray Poythress; stepdaughters, Candace Pinnisi and Kristin Placito; eight grandchildren; and one great-grandchild.

Mr. Speaker, my wife Vivian and I, along with the more than 730,000 residents of Georgia's Second Congressional District, salute David Bryan Poythress for his outstanding public service and his everlasting commitment

to improving the quality of life for our citizens. I ask my colleagues in the House of Representatives to join us in extending our deepest condolences to David's family and friends during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

HONORING THE 250TH ANNIVERSARY OF THE INCORPORATION OF THE TOWN OF EAST HAMPTON, CONNECTICUT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. COURTNEY. Mr. Speaker, today I rise to recognize the 250th Anniversary of the Incorporation of the Town of East Hampton, Connecticut. The citizens of this community will celebrate this anniversary with a series of festivities occurring over the course of the year.

East Hampton's resiliency has been demonstrated since their earliest days. In 1739, the original settlers, led by Isaac Smith, braved the wilderness of the Northeast to settle along the east bank of the Connecticut River. The town was originally named Chatham in 1767, commemorating its robust shipbuilding economy, but was later renamed to East Hampton in 1915.

The Town of East Hampton has retained much of its old-time charm and beauty for which many New England communities are so famous and it remains the embodiment of community and tradition. Since its resurrection in 1978, thousands of residents and visitors attend the town's Old Home Days glorious celebration. The celebration, which spans three days, fills the streets of East Hampton with live music, delicious food, carnival rides, and concludes with the highly anticipated Old Home Day parade.

East Hampton also has a rich history of honoring its military community. From hosting Yellow Ribbon Ceremonies for departing and returning veterans to erecting the Veterans Memorial Monument, which honors over 2,000 East Hampton veterans, East Hampton has always bestowed the greatest honor upon their veterans.

East Hampton was also the hometown of Connecticut's 84th governor William O'Neill who served in that position from 1980 to 1991. Governor O'Neill was a leader in strengthening Connecticut's public education system, healthcare for seniors, and fixing Connecticut's roads. He was a Korean War Veteran and longtime legislator before ascending to the governor's office. Despite his amazing service he never lost touch with regular people, and I believe it was due to the fact that he and his wife Nikki, always kept their home in East Hampton, where Nikki still resides today.

Mr. Speaker, for 250 years East Hampton and its residents have persevered and flourished through shifting economic, political, and social landscapes. The enthusiasm and amiability from East Hampton's citizens is truly telling of their pride and sense of community.

On this anniversary, I ask my colleagues to join me and my constituents with honoring and celebrating this 250th Anniversary.

HONORING ELK RIVER'S FIRST
NATIONAL BANK

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. EMMER. Mr. Speaker, I rise today to celebrate First National Bank in Elk River, for receiving a PACE Business Award from the Elk River Chamber of Commerce.

Each year the chamber awards businesses in the area who have excelled in the private sector, and this year First National Bank received the prestigious Business of the Year Award. This award could not have gone to a more deserving business.

As time passes, businesses come and go, but not the First National Bank. This family run business has been serving Minnesotans for an astonishing one hundred and fifteen years.

The key to their success has not only been their wonderful customer service, but their ability to adapt. They constantly offer the most up to date services so that their customers remain happy and loyal.

I want to congratulate First National Bank for this incredible honor, and I wish them nothing but success in 2017.

HONORING MAYOR OSBY DAVIS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Osby Davis, the Mayor of Vallejo, California, upon his retirement from an impressive career as a public servant.

Mr. Davis has been a resident of our Vallejo community for 58 years. He graduated from Vallejo High School in 1963, completed his A.A. at Vallejo Junior College and his B.S. in Mechanical Engineering at Fresno State College. He then earned his J.D. from the University of California at Berkeley Boalt Hall School of Law in 1973.

Mr. Davis served on the Solano County Board of Supervisors from 1979 to 1993, the first person of color to do so. As Supervisor, he established the "I CAN BE" program for elementary school students in 1988. With this program, Mr. Davis mentored 5th and 6th grade students to encourage them to work to their full potential and cultivate positive self-esteem. He has also served as a mentor and legal counsel for the Continental of Omega Boys and Girls Club for over 25 years. His service and leadership set an excellent example for young people in our community. As Supervisor, Mr. Davis initiated monthly breakfast meetings with the African-American business community and formed the Black Chamber of Commerce in Vallejo.

When Mr. Davis was first elected Mayor of Vallejo in 2007, and re-elected in 2011 by

three votes, he became the city's first African-American mayor. Mr. Davis was instrumental in leading the city through bankruptcy and developing a plan for economic recovery. He established the Mayor's Cup Golf Tournament, and served on numerous regional boards and commissions that addressed issues relevant to Vallejo and its citizens. He will also be remembered as the "best dressed" man in any meeting room.

Mr. Davis and his wife Terry practice law as Davis & Davis, and they are both engaged business leaders in our community. Mr. Davis has previously served as a director for the Vallejo Chamber of Commerce and chaired the Chamber's Educational Roundtable. He and his wife are also active at Lighthouse Covenant Church, where they perform premarital counseling and teach Sunday school.

Mr. Speaker, by attempting the impossible, Mayor Davis has made our Vallejo community stronger as both a public servant and business leader. He is a true friend of Vallejo and a good friend of mine. Therefore, it is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement.

RECOGNIZING NICHOLAS AND
ALISON ST. CLAIR

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the hard work and dedication put forth by Nicholas and Alison St. Clair, the owners of Antebellum, a restaurant located in Flowery Branch, Georgia. As a testament to their diligence and culinary talent, Antebellum was recently named one of the top 100 restaurants in America by Opentable.com—an honor that has been bestowed upon the restaurant for two out of the last three years.

Combining the savory tastes of traditional Southern cooking with classic American food, Antebellum has been a go-to for the residents of Hall County for the five years its doors have been open. Having had the opportunity to eat there myself, I can attest to their supreme service and re-imagined Southern fare—especially their take on country fried steak. Starting a business can be a daunting decision, but the St. Clairs' entrepreneurial spirit and passion for culinary excellence has given rise to a dining experience that all residents of the Ninth District of Georgia can enjoy.

Nicholas St. Clair has worked as a chef for almost 20 years and credits his education and creativity with the success of Antebellum. Northeast Georgia is lucky to have business owners like the St. Clairs, who invest in their products in order to serve their clients.

Mr. Speaker, I am honored to recognize the St. Clairs' commitment to their craft and to congratulate them on the outstanding success of Antebellum. I am looking forward to my next visit to their restaurant to see what's new on the menu, and wish the St. Clair family continued success in Flowery Branch and beyond.

RECOGNIZING STATE REPRESENTATIVE DON MOFFITT FOR HIS SERVICE TO ILLINOIS

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize State Representative Don Moffitt, who retired from the Illinois House of Representatives after finishing out his final term in office. Mr. Moffitt has led a life dedicated to public service, honorably serving in various levels of government for more than four decades.

Mr. Moffitt began his career in public service as an Alderman in the City of Oneida, Illinois, the city he soon became the Mayor of. Mr. Moffitt continued to serve his community through his time as the Knox County Board Chairman, and Knox County Treasurer from 1984 to 1993. Mr. Moffitt became a member of the Illinois State Legislature representing the 74th District in Illinois in 1993, where he has served more than 20 years as a State Representative.

Mr. Moffitt has dedicated his time in public office to strengthening our region by always placing the safety and well-being of our communities first, and serving as a strong advocate for rural communities in the State Legislature. I was pleased to learn he will continue being an advocate for our rural economy in a new position as the Assistant Director at the Illinois Department of Agriculture.

Mr. Speaker, I would like to thank Mr. Moffitt for his commitment to public service, and for all that he has done to strengthen our region. I congratulate him again on his retirement from the State Legislature and wish him well at the Illinois Department of Agriculture.

HONORING SERRANO BROTHERS
CATERING

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. EMMER. Mr. Speaker, I rise today to congratulate Serrano Brothers Catering in Elk River for receiving a PACE Business Award from the Elk River Chamber of Commerce.

Every year the Elk River Chamber awards businesses in the area for excellence in commerce, and this year, Serrano Brothers Catering received the New Business of the Year Award.

Serrano Brothers Catering has added a unique touch to the Elk River community. Their eclectic menu includes homemade Italian food, authentic Polish food, as well as American BBQ. This diversity in addition to their excellent service is undoubtedly why they have been so successful.

When opening a new business, the business owners do so at a personal risk, so that they may offer a new product and service to the community.

Serrano Brothers Catering took this risk and it has paid off, making them incredibly deserving of this award. I wish them nothing but luck in 2017.

HONORING AMBASSADOR KAIRAT UMAROV FOR HIS SERVICE AND FRIENDSHIP TO THE UNITED STATES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to extend my heartfelt thanks to Ambassador Kairat Umarov for his service and friendship to our country, while serving as Kazakhstan's Ambassador to the United States.

For the past 25 years, Kazakhstan and the United States have developed an enduring relationship built on nuclear nonproliferation and security. This association has evolved to include a strong relationship on trade, economic integration, and the support of democracy. Since its independence, Kazakhstan has been a strategic partner to the United States and the North Atlantic Treaty Organization (NATO). The diplomatic cooperation between our two countries has contributed to the reconstruction of Afghanistan and strengthened security in the Central Asia region—accomplishments that were greatly served by Ambassador Umarov's dedicated work.

Mr. Umarov has served as Ambassador of Kazakhstan to the United States since 2013, and his steady leadership over the past four years has enhanced ties between our two countries. Ambassador Umarov's focus on commercial and technological cooperation has solidified Kazakhstan's path as a future trade hub for the entire New Silk Road region. His significant contributions to the upcoming EXPO 2017 event will prove to be essential to its success. Ambassador Umarov's time in Washington has shown him to be a gracious and gifted diplomat, and although I am sad to see him leave, I am confident that he will remain a true champion for the people of Kazakhstan as he assumes his new duties on behalf of his country at the United Nations.

Mr. Speaker, I once again want to thank Ambassador Umarov for his hard work and friendship as Kazakhstan's Ambassador to the United States, and I wish him the best of luck on all his future endeavors.

IN HONOR OF THE REVEREND RICHARD GAMMAGE

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to an outstanding spiritual and community leader, the Reverend Richard Gammage, Pastor of New Pleasant Grove Missionary Baptist Church in Macon, Georgia. Sadly, Reverend Gammage passed away on Wednesday, January 11, 2017 at the age of 85. A memorial service was held in his honor on Thursday, January 19, 2017 at 5:30 p.m. at his church in Macon, Georgia.

Richard Gammage was born in Sylvester, Georgia in 1931. He accepted Jesus Christ as

his Savior at the young age of twelve. He was a member of Beulah Missionary Baptist Church and served in the various roles of deacon, Sunday school teacher, choir president and Chairman of the Sick Committee.

Always seeking to improve his craft of Christian ministry and discipleship, he furthered his education at Carver Bible College, the Morehouse School of Religion, and the Interdenominational Theological Center. He earned a Master's degree from Brown College of Transoral Science.

For the past 37 years, Reverend Gammage pastored the New Pleasant Grove Missionary Baptist Church in Macon. He loved each member of his congregation, and they loved him back. He believed that in addition to existing in a building, the church should exist in a community. The church took pride in serving breakfast on Sunday mornings to many homeless people and people in need who were able to eat a good meal immediately after the early service.

In Reverend Gammage's many years of service, he ordained more than one hundred deacons, including seven women to preach. He served as President of the Evangelical Ministers Alliance for several years and most recently held the title of President Emeritus. Reverend Gammage also stood firm as a strong believer in Christian education, providing Bibles and other instructional materials to every individual who attended his Bible studies.

Reverend Gammage made a difference both in and out of the pulpit. He was a renowned and passionate community leader in Macon, Georgia. For more than three decades, he led the annual Martin Luther King, Jr. Freedom March in Macon. He also hosted forums at New Pleasant Grove during nearly every political election for candidates to discuss issues and their campaigns.

Acts 20:35 says, "I have shown you in every way, by laboring like this, that you must support the weak. And remember the words of the Lord Jesus, that He said, 'It is more blessed to give than to receive.'" Truly, Reverend Gammage abided by this scripture, understanding his calling and purpose to serve God's people and his community.

Reverend Gammage achieved much in his life, but none of this would have been possible without the love and support of his wife, Myra Gammage, and their three children.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the more than 730,000 residents of the Second Congressional District of Georgia in extending our sincere condolences to Reverend Richard Gammage's family, friends, and followers during this difficult time. I pray that we may all be comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

TRIBUTE TO ELLYN MCKENZIE

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Ms. MOORE. Mr. Speaker, I rise today to recognize Elynn McKenzie, Vice President of

Government Affairs for Sixteenth Street Community Health Centers. She is retiring on January 31, 2017. She has served the organization beginning in 1997 and retires exactly upon her 20th anniversary date.

Elynn started with the agency as a grant writer and project director for the agency's first two grants to support Environmental Justice Activities. Sixteenth Street's Department of Environmental Health was formed based upon those two grant projects: 1) to support a community-based approach to lead poisoning prevention and 2) to collect information and catalog information about and features of the neighborhood that could pose a hazard to the health of children. In fact, the Department of Environmental Health continues its work to prevent lead poisoning, and has grown their environmental justice activities into successful sustainable re-development projects for Milwaukee's Menomonee Valley and Kinnickinnic River Corridor.

Elynn transitioned to the position of Communications and Development Director as the agency expanded and upon her retirement held the title of Vice President of Government Affairs. She produced five successful fundraising events for Sixteenth Street's signature Celebrity Roast—the agency's once a year fundraiser. Honorees for events on her watch were for Milwaukee Buck's Coach George Karl, Milwaukee Brewer's President and Chairman Wendy Selig-Prieb, former Wisconsin Governor Tommy Thompson, Milwaukee developer Gary Grunau and Wisconsin Governor Jim Doyle.

Elynn produced 15 Annual Reports, a publication for donors, community partners and staff compiling successes, new challenges and strategic growth of the agency. She was also responsible for government relations activities for the agency over the years.

Prior to joining Sixteenth Street Community Health Centers, Elynn held several positions in Wisconsin State government, serving as legislative assistant to the State Senate Organization Committee, as an aide to Wisconsin Governor Tony Earl and as coordinator for a statewide Energy Conservation Plan in the Department of Administration.

I am grateful to have had the opportunity to know and work with Elynn since her days in Wisconsin State Government. I join with friends and colleagues to congratulate her on her retirement. I wish her much success as she transitions into a different phase of her life. Mr. Speaker, I am proud to honor Elynn McKenzie and I am proud to call her a friend. The citizens of the Fourth Congressional District and the State of Wisconsin are privileged to have someone of her ability and dedicated service working on their behalf for so many years. I am honored for these reasons to pay tribute to Elynn McKenzie.

HONORING ELK RIVER'S SPORTECH

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. EMMER. Mr. Speaker, I rise today to celebrate Sportech in Elk River, for receiving

a PACE Business Award from the Elk River Chamber of Commerce.

Every year the Elk River Chamber awards successful businesses in the area, and this year Sportech received the Employer of the Year Award.

Sportech maintains high spirits among their two hundred and fifty employees by providing flexible hours so they can spend time with their loved ones, giving them quality equipment to work with, and by raising overall morale with fun team building activities.

The happiness of their employees is surely the reason that Sportech produces quality products every year, making over two hundred million dollars last year alone.

The employees are the backbone of each and every company. They are the ones who work tirelessly to ensure that the business that they work for remains successful and I commend Sportech for recognizing that important fact.

Sportech is more than deserving of this award, and I wish them continued success in 2017.

HONORING THE LIFE OF CAPTAIN
GENE CERNAN

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. BABIN. Mr. Speaker, it is with profound sadness that I join millions around our country and in NASA and the space industry who are mourning the loss of one of a dozen Apollo space legends, Capt. Eugene "Gene" Cernan.

As the Commander of the *Apollo 17* mission, and the most recent man on the moon—as he put it—he remained a tireless and outspoken advocate for NASA and America's manned space exploration program. Captain Cernan testified before Congress numerous times, and took a leading role in promoting human spaceflight.

Captain Cernan had an unshakable conviction that it was mankind's destiny to explore and that the U.S. must take the lead, for the benefit of all mankind. He conveyed these sentiments as he left the lunar surface, ". . . as I take man's last step from the surface, back home for some time to come—but we believe not too long into the future—I'd like to just (say) what I believe history will record: that America's challenge of today has forged man's destiny of tomorrow. And, as we leave the Moon at Taurus-Littrow, we leave as we came and, God willing, as we shall return, with peace and hope for mankind. . . ."

I first met Capt. Cernan here in Washington D.C. about one year ago, and I was inspired by his incredible passion for human space exploration and conviction that the United States must lead in this world-changing endeavor. God speed Capt. Cernan, I promise that I will continue your fight in the Congress to establish a bold and purposeful human space exploration program.

My thoughts and prayers are with the family and friends of Captain Cernan.

TRIBUTE TO JOANN AND ANDY
GOHLINGHORST

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate JoAnn and Andy Gohlinghorst of Council Bluffs, Iowa, for their many years of volunteer services at Christian Home Association—Children's Square USA in Council Bluffs. JoAnn and Andy started volunteering at Children's Square in 1985. JoAnn

and Andy have spent the past 31 years volunteering at Children's Square, where they have sorted, organized, and displayed donated clothing and toys. These items are available to children in need on the Children's Square campus as well as foster families served by Children's Square. The Christian Home Association—Children's Square USA is a private, not-for profit organization founded on December 23, 1882. Children's Square USA has a rich history of caring for children from birth to 21 years old and their families, meeting their individualized needs, instilling hope and helping restore lives.

Mr. Speaker, I commend JoAnn and Andy for the dedicated service they have provided to Children's Square and for their care and concern for children in need. I ask that my colleagues in the United States House of Representatives join me in congratulating JoAnn and Andy for their many years of volunteer service and in wishing them nothing but the very best.

RECOGNIZING THE CAREER OF
IVELISSE R. ESTRADA, MA, BA

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate Ivelisse R. Estrada on the end of her tenure as Senior Vice President of Corporate and Community Relations for Univision Communications Inc. (UCI).

In her role as Senior Vice President, Ms. Estrada was responsible for the overall development and coordination of community relations strategies for the company, including the Univision Network, UniMás Network, Univision Cable Networks, as well as Univision Local Media, including TV, radio, and digital. She coordinated all philanthropic contributions and served as a liaison between UCI and community organizations. She also planned, directed, and supervised the execution of the company's community empowerment platform Univision Contigo, promoting awareness and providing greater access to Education, Health, Prosperity, and Civic Participation resources.

Ms. Estrada developed and launched Univision Educación, a comprehensive, multi-year national education initiative, in partnership with the Bill & Melinda Gates Foundation, the U.S. Department of Education, educators, and civic and community leaders from around

the country. The initiative was aimed at improving academic achievement among K–12 Hispanic students with a specific focus on high school graduation and college readiness.

In 2007, she worked with the National Association of Latino Elected and Appointed Officials (NALEO) in an unprecedented national civic engagement campaign developed to inform, educate, and motivate Hispanics to participate in the American political dialogue. "Ya es Hora . . . ¡Ciudadanía!" ("It's Time . . . Citizenship!") was done in collaboration with hundreds of Hispanic-serving organizations across the U.S. and mobilized more than one million eligible immigrants to apply for citizenship. In 2008, the campaign was honored with a Peabody Award.

In 2003, she was responsible for the creation of a multi-year, cross-platform health initiative entitled "Salud es Vida . . . ¡Entérate!" ("Lead a Healthy Life: Get the Facts!") to promote healthy lifestyles and encourage the early detection and aggressive management of chronic health conditions affecting U.S. Hispanics. In 2004, "¡Entérate!" was honored with a Peabody Award, the first ever for a Spanish-language broadcast campaign.

Ms. Estrada started her career with Univision in 1991, where she initiated her career as Director of Communications at KMEX-TV, Channel 34, the flagship station of the Univision Television Group, Inc. in Los Angeles. During her tenure at KMEX, she launched numerous community projects that focused on health, education, and art initiatives. She also served as Director of Corporate and Community Relations for Univision Television Group, where she supervised the public affairs and community efforts of the company's owned and operated stations.

Outside of UCI, Ms. Estrada is a prominent advocate and supporter of the community. She serves on several boards, including the Board of Directors of the Washington Center, the Women's Leadership Board at Harvard's Kennedy School of Government, the Los Angeles Fund for Public Education, Friends of the National Museum of the American Latino, and the Smithsonian Latino Center. She also serves on the Excelencia in Education Honorary Board, the Corporate Board of Advisors of the Cuban American National Council, the Latino Communications Initiative Roundtable, College of Communications at Cal State Fullerton, the Institute for Latino Studies at the University of Notre Dame, and is a member of the International Women's Forum, where she serves in the Hall of Fame Task Force. In addition, she was a member of the National Task Force on Early Childhood Education for Hispanics.

Mr. Speaker, as Ivelisse Estrada leaves her position at Univision Communications Inc., I want to recognize her long and distinguished career of empowering Latinos across the United States. I ask my colleagues to join me in celebrating the outstanding work she has done to empower and advocate for our Latino community, not only in Los Angeles, but across the U.S. at large. We wish her the very best as she moves on to new and exciting endeavors.

THE 58TH INAUGURATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Ms. JACKSON LEE. Mr. Speaker, as a person of faith, I wish President-elect Donald Trump nothing but the best as he becomes the Commander-in-Chief of our nation.

On November 8th 2016, many of us were deeply wounded and it was a very difficult time. For me, the concern was for so many of my constituents who had worked so hard for a different result; and the many young people who were for the first time engaged in the democratic process that were seemingly so disappointed. They were looking for hope.

After the election, although still very concerned, I was willing to give the President-elect the appropriate time, as he moved through his transition, to address the American people with a message of unity. Unfortunately, the transition was not as smooth as I believe many of us, as Americans, would have wanted it to be. The call for unity and the embracing of all Americans simply did not come. The moments of attack continued. However, many of us still continued to listen.

As a senior Member of the Homeland Security Committee and Ranking Member on the Judiciary Subcommittee on Crime, Homeland Security, Terrorism, and Investigations, I take national security very seriously. I was appointed to the Homeland Security Committee in the aftermath of the heinous, murderous, and horrific terrorist attack on September 9, 2011. The intelligence community is part of my day to day work.

In the midst of moving toward the inauguration, stark, provocative, sobering, and difficult facts came to our attention. All of America's intelligence agencies confirmed the detrimental cyber-attack by high Russian officials, including President Vladimir Putin, to steer the election toward one candidate, Mr. Trump, and away from the other candidate. Rather than accept their report, President-elect Trump chose to make a full force attack on the brave men and women serving in our intelligence community and disparaged their commitment to serving our nation. There are moments in a public official's life that you always put country over self. That did not happen and the disappointment was piercing.

As a Member of the Judiciary committee, one of my proudest moments was the reauthorization of the Voting Rights Act of 1965. But an even prouder moment was the enormous number of votes the legislation received from both Republicans and Democrats in the House and Senate. And when all the Members went to the White House for the signing of the legislation by a sitting Republican President, we celebrated America's love affair with the precious right to vote. President George W. Bush signed that legislation into law only to now come to 2016 to face huge examples across the nation of voter suppression in this election with newly minted laws that suppressed the voting rights of so many Americans and particularly many in minority communities. The President-elect gave these voting abuses no credence.

Further, the President-elect has every right to select his or her cabinet. However, it is very difficult when his choice for the nation's highest law enforcement officer, who is supposed to be the arm of justice for the most vulnerable in our nation, and that person holds consistent positions against civil rights and against voting rights.

So, I deliberated on my decision over a period of time. I did not boycott this ceremonial inaugural event. I have decided in good conscience I could not go. JOHN LEWIS, a man who bled for freedom made his choice and made his decision without rancor or hysteria. But that was not the tone of the response he received; and JOHN did not call for any boycott. This is not a boycott. This is an act of conscience. The President-elect could not refrain from a full-fledged personal attack on Congressman JOHN LEWIS. He failed to offer even a small olive branch.

The State of the Union will be the President's first message directly to Congress and the American people on how he will lead—that I will attend—and I am committed to working for my constituents and all of the American people. I hope the new President will do the same.

So my principles revolving around justice and fairness, an unfettered election, the duty that I have to the national security community and the recognition of the provocative and criminal intrusion by the Russians into our election causes me to be reflective on January 20.

Finally, I did enjoy greeting my constituents as they came to the inauguration. But as so many Americans, I will be waiting on that olive branch to be extended to all of us by this President; thereby giving us an opportunity to heal, to mend, and for him to recognize that Americans have very similar aspirations and values, and to remember that those who did not vote for the ultimate victor still deserve dignity and respect in this country.

TRIBUTE TO PAT AND JOHN MONTGOMERY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 23, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Pat and John Montgomery of Council Bluffs, Iowa, for their many years of volunteer services at Christian Home Association-Children's Square in Council Bluffs. They began volunteering at Children's Square in 1989.

Pat and John have spent the past 28 years volunteering at Children's Square, where they have sorted, organized, and displayed donated clothing and toys. These items are available to children in need on the Children's Square campus, as well as foster families served by Children's Square. The Christian Home Association-Children's Square USA is a private, not-for profit organization founded on December 23, 1882. It has a rich history of caring for children from birth to 21 years old and their families, meeting their individualized

needs, instilling hope and helping restore lives.

Mr. Speaker, I commend Pat and John for the dedicated service they have provided to Children's Square and for their care and concern for children in need. I ask that my colleagues in the United States House of Representatives join me in congratulating Pat and John for their many years of volunteer service and in wishing them nothing but the very best.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 24, 2017 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

JANUARY 31

10 a.m.

Committee on Health, Education, Labor, and Pensions

Organizational business meeting to consider committee rules and subcommittee membership during the 115th Congress, and the nomination of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

SD-430

FEBRUARY 1

9:40 a.m.

Committee on Homeland Security and Governmental Affairs

Organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 115th Congress.

SD-342

2:30 p.m.

Special Committee on Aging

Organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 115th Congress; to be immediately followed by a hearing to examine stopping senior scams, focusing on developments in financial fraud affecting seniors.

SD-562

SENATE—Tuesday, January 24, 2017

The Senate met at 10:45 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Beautiful Savior, You have been our dwelling place in all generations, sustaining us with Your steadfast love.

Today, surround our Senators with the shield of Your divine favor, enabling them to obey Your command to be fruitful and productive. Teach them to obey Your precepts, doing Your good will, as they find joy in Your presence. Lord, keep them from doing those things that could bring them regret, remorse, and shame. Renew their strength as You give them the courage to carry on in these challenging days. Guard them from error, save them from false judgments, and deliver them from evil.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, January 24, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

DIALOGUE WITH THE PRESIDENT

Mr. MCCONNELL. Mr. President, yesterday, leaders from both parties had an opportunity to meet with President Trump and Vice President PENCE at the White House. We appreciate their time and look forward to more conversations with them in the days to come, including later today.

The President has invited the Democratic leader, the chairman and ranking member of the Judiciary Committee, and me to the White House this afternoon to meet with him regarding the Supreme Court vacancy as part of his ongoing consultations with Members of the Senate. I appreciate the President soliciting our advice on this important matter.

Later this week, Republicans in both the Senate and House will have another opportunity to engage with the President as we gather for our issues conference in Philadelphia. I know we are all eager to continue the dialogue about moving our legislative agenda, including priorities like bringing relief from the consequences of ObamaCare, confirming the President's nominees, enacting tax reform, easing the regulatory burden on our economy, and other key issues.

We are also looking forward to hearing from another special guest, British Prime Minister Theresa May. Her visit will provide Members the chance to hear from the leader of one of our closest allies and partners. We appreciate her willingness to join us, and we welcome the opportunity to discuss the ways in which we can continue to strengthen our Nations' close relationship and pursue shared interests in the years ahead.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

CAMPAIGN PROMISES OF PRESIDENT TRUMP

Mr. SCHUMER. Mr. President, according to President Trump's words,

yesterday—not Friday—was his first official day in office. It is an important distinction because throughout the campaign, President Trump made numerous promises about what he would do on his first day. So we went through them. Turns out he made upwards of 30 promises of Executive actions or plans that he would announce on day 1. This didn't require any congressional approval; he could just announce it. Even by a generous count, the President fulfilled only two or three of them. Let me mention just a few of the important omissions.

The President campaigned against both establishments, promising to oppose elites and the powerful in Washington, "to drain the swamp." He campaigned against the Democratic establishment, but he also campaigned against the Republican establishment. As a result, he explicitly promised to introduce an 18-point plan for ethics reform on day 1. How did he do on that? He promised to sign a 5-year ban on lobbying after officials worked in Congress or the White House, but he did not deliver. He promised to institute a lifetime ban on White House officials from lobbying on behalf of a foreign government, but he did not deliver. He promised to put in place a complete ban on foreign lobbyists raising money for American elections, but again he did not deliver.

On day 1, did President Trump fulfill his pledge to bring ethics reform to Washington? No. In fact, looking at his "swamp Cabinet"—stacked with billionaires and bankers with myriad conflicts of interests—he may have already lowered the ethical standards in our government.

On trade—this is an issue where I am probably closer to the views of the President's than I was to either President Obama's or President Bush's, but it seems President Trump is again failing to deliver on his day 1 promises. He promised over and over again—it was one of the few things he said in the campaign I really liked. He said he was going to label China a currency manipulator on his first day. But he did not deliver. Instead, he issued an Executive action withdrawing from the TPP.

Everyone knew the TPP was dead in the water a month or two ago. Leader MCCONNELL would not bring it up on the floor of the Senate because he did not have the votes. Furthermore, saying we won't do TPP, which is not in effect anyway, isn't creating a single new job.

So there is something else he could have done—his promise: On day 1, label China a currency manipulator. China is

propping up their currency at the moment. They do whatever is best for China even if it hurts American jobs and American workers over and over again. You can be sure they will continue manipulating their currency when it is in their best interest to do so. You can be sure, even when they move up the currency, they are manipulating it.

Guess who I worked with on the issue of currency manipulation. Attorney General nominee, then-Senator JEFF SESSIONS. He and I were partners in this, and many others. On our side, Senator BROWN and Senator STABENOW were allies. On their side, Senator GRAHAM and Senator COLLINS were allies. It was a broad bipartisan coalition. And we were opposed, frankly, by both President Bush and President Obama. But here we have President Trump. He promised to label China a currency manipulator on his first day in office. We are still waiting.

Last night at the White House, I mentioned this to the President. He didn't say no. I am not going to say what he said. He didn't say no. Maybe he will do it. I hope and pray he does. We await real action on trade, one of the President's signature issues. It is another promise not fulfilled.

There are many promises President Trump made during the campaign that we are glad he is not keeping, to be honest with you, but the bottom line is, there is a giant gulf between what the President says he is going to do and what he actually does. His rhetoric does not match reality. That is becoming clearer each day. Just look at what happened on Friday, inauguration day, which perfectly sums up my point. The President gave an inaugural address arguing that for too long Washington has reaped the rewards of government, while the people have suffered. Then, an hour later, the President took an Executive action that made it harder for Americans to afford a mortgage, even though Washington could certainly have afforded to give them a tax break. We are seeing a pattern emerge. President Trump is using populist rhetoric to cover up a hard-right agenda.

In short, actions speak louder than words. If day 1 is any indication, the grandiose promises this President made to the working men and women of America seem to be just a hall of mirrors.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with Senator ALEXANDER to be recognized for up to 15 minutes, followed by 30 minutes controlled by the Democrats.

The Senator from Tennessee.

NOMINATION OF BETSY DEVOS

Mr. ALEXANDER. Mr. President, Democratic Senators are searching for a valid reason to oppose the President's nomination of Betsy DeVos to be U.S. Education Secretary because they really don't want Americans to know what their real reason is. Here is the real reason: Betsy DeVos has spent the last 30 years—actually more than 30 years—being dedicated to helping low-income children in America have more of the same choices of schools that wealthy Americans already have.

Specifically, the Democrats object to the fact that Betsy DeVos supports the idea of tax dollars following low-income children to the school that their parents may choose—public, private, or religious. This is not a new or subversive idea. Let us go back to 1944, the GI bill for veterans. The Congress enacted probably the most successful piece of social legislation ever enacted when it passed the GI bill for veterans. As a result, veterans came home from World War II and Federal tax dollars followed them to the accredited college or university of their choice.

They could go to Notre Dame. They could go to the University of Arizona. They could go to Nashville Auto Diesel College, the University of Tennessee. It did not matter. It was their choice. That is when Americans experience with education vouchers began. I have always wondered, why would an idea that helped to create the "greatest generation"—which is what we call the World War II generation—that helped to create the best colleges and universities in the world, why would that be such a dangerous idea to use for our schools?

The idea of education vouchers following students to the college of their choice has been continued in higher education. Pell grants—we spend about \$30 billion in Pell grants every year, up to \$6,000, that follow lower income students to the community college or college of their choice. Those are education vouchers.

We have almost \$100 billion of new student loans every year. How do we spend that money? We allow that

money to follow the college students to the college of their choice. Those are education vouchers. Starting with the GI bill for veterans, all the way through Pell grants, all the way through student loans, we all endorse those ideas, saying it creates great opportunity for children. It has been so successful. I have not heard any Senator in this body stand up and say: Well, let's cancel the Pell grants because it is tax money following students to a college. Let's cancel \$100 billion in student loans this year because it means tax dollars following someone to Harvard or to Notre Dame or to Yeshiva.

No one is going to say that. Then why do they get so exercised about that when it has to do with our schools? In addition to that, Mrs. DeVos has testified before our committee that she does not favor—as much as she supports the idea of giving parents choices with schools—she does not favor Washington, DC, telling Arizona or Tennessee or any other State that they must do that, even though her critics, those who are opposing her now, delight in the idea of a national school board and in imposing their pet ideas on States, such as the common core academic standards.

Fortunately, we agreed in December of 2015 to prohibit that, but here we have a lady who has spent her time helping low-income children have more choices of schools. It was said, I respect your right to make that decision for yourself. I don't believe Washington should tell you to do that. Yes, they are really upset with her.

So I would ask: Who is in the mainstream—the GI bill for veterans; Pell grants, \$30 billion worth; \$100 billion of student loans this year; President George H.W. Bush; President George W. Bush; the 25 States that have State choice programs; Congress, with its passage of the Washington, DC, voucher program, which has 1,000 students standing in line hoping to get a chance to go to a better school; 45 Senators who voted on this floor in 2015 for the Scholarships for Kids legislation I proposed that would allow States to take \$24 billion in Federal dollars, turn them into \$2,100 scholarships and let them follow the children, the low-income children, to the school the State believes they should go to; or Betsy DeVos—that is all on one side—or her critics? I think Betsy DeVos is in the mainstream.

The second reason the Democrats on the committee are opposing Betsy DeVos is because she supports charter schools. Now, I know a little bit about charter schools. My last month as U.S. Education Secretary, in January 1993, I wrote a letter to every school superintendent in America and said: Why don't you try this new idea that the Minnesota Democratic Farmer-Labor Party has invented called charter schools.

There were only 12 charter schools then. The first President Bush, with my help, had been working for 2 years to create what we called New American Schools, start-from-scratch schools, the idea of giving teachers more freedom, parents more choices.

That seemed to us like a good idea in a country that values opportunity and competition. Well, not only did we think so, over the last 30 years or so, a lot of people have thought so. Today, there are 6,800 public charter schools in America. These are public schools. These are schools that have fewer union rules and fewer government rules so teachers have more freedom to teach and parents have more freedom to choose the school that is appropriate for their child.

Boy, that is really a subversive idea. Oh, no, it is not subversive because the last six Presidents of the United States have supported charter schools, not just the Presidents Bush but also the last four Presidents of the United States—Presidents Bush and President Obama and President Clinton and now President Trump. That is five.

The last six U.S. Secretaries of Education have supported charter schools, including both of President Obama's Education Secretaries, Arne Duncan and John King. John King was founder of a charter school system in Massachusetts. Forty-three States have authorized charter schools. That is where the 6,800 charter schools are; 2.9 million people go to those charter schools. That is more than 6 percent of all the children in public schools in America. I would ask the question again: Who is in the mainstream? the last five Presidents, the last six Education Secretaries, 43 States, the Senate, Betsy DeVos or her critics—or her critics?

Now, the third reason her critics don't like her is because she is wealthy. No question about that. All of her information is public for everybody to see. She has agreed to divest herself of 102 investments that the Office of Government Ethics has identified as possibly causing a conflict of interest. When those are gone, she has no conflicts of interest. Her investments are public.

They don't like the fact that she has money. Would they have been happier if she had spent the last 30 years trying to deny low-income children an opportunity to go to a better school? No. She has spent her money and her time trying to help children from low-income families go to a better school. Her opponents are really grasping for straws, and I am very disappointed in them.

"We did not have time to question her," they said at our committee hearings. Well, let's go over the facts. No. 1, she visited everyone in their offices individually, so they had a chance to ask her questions then. Then she appeared at a hearing for questions for about 3½ hours or nearly 90 minutes more than

either of President Obama's Education Secretaries.

Now we have followup questions coming from the Democratic Senators. Let me tell you what they are doing. They have asked her 1,397 followup questions after the hearing. Remember, this is a hearing where she spent more time than either of President Obama's Secretaries answering questions, after she had been to be their offices answering questions.

By comparison, Republicans asked President Obama's first Secretary 53 followup questions, his second Secretary 56 followup questions. The Democrats have asked 1,397 followup questions. I think what they are doing says more about them than it does about her. In other words, they have asked 25 times as many followup questions of Ms. DeVos as Republicans asked of either of President Obama's Education Secretaries.

Finally, they are throwing around conflict-of-interest accusations. As I just mentioned—let me mention it again. Last week, Mrs. DeVos signed an agreement with the Independent Office of Government Ethics. The job of that office is to review the financial holdings of any Cabinet nominee and identify any conflicts of interest. They identified 102 because the DeVos's have a lot of money. Mrs. DeVos agreed to sell all 102 of those assets. According to the letter of agreement between the Office of Government Ethics and the independent ethics officer in the Education Department, who is already in the Department, Mrs. DeVos is not, after she divests herself of those items, which she has 90 days to do—she has no conflicts of interest.

She has also filled out the same financial disclosure forms that are fundamentally like the ones we Senators fill out. People know where we get our money. They know what we own. They know what we owe. We know that about her.

We also know that the independent Office of Government Ethics has said she will have no conflicts and that she has agreed to that.

We also know that she supports giving low-income children more choice of schools, which more Americans support; 73 percent of the American people told a Luntz public opinion survey that they supported more choices of schools.

And then tax returns—some have mentioned tax returns. Well, Federal law doesn't require Cabinet nominees to produce tax returns. Our Education Committee does not require nominees to produce tax returns. U.S. Senators aren't required to produce tax returns, and why? Because we fill out extensive financial disclosure forms so that the public knows what we own, what we owe, and they can make an evaluation about that. They also know whether we have a conflict of interest, in the case of the Cabinet members, because the

independent Office of Government Ethics decides that, and they know that we have paid our taxes because we have to declare that under oath, and there is an FBI investigation on top of that, which Mrs. DeVos, like every other Cabinet nominee, has gone through.

One year ago, the Office of Education Secretary was vacant. I talked to President Obama about it, and I said: I don't think it is appropriate for that office to be vacant. We need the institutional responsibility of having a confirmed U.S. Education Secretary responsive to the Senate.

And I said: Mr. President, if you appoint someone—and I knew very well that he intended to appoint John King, with whom I greatly disagree on the scope of Federal education policy—I said: I will make sure that he has a prompt hearing in our committee, and I will make sure that he is confirmed on the floor of the Senate.

President Obama appointed John King. He had a prompt hearing, and he was confirmed within 3 weeks. As I said, Republicans asked him 56 questions, compared with the nearly 1,400 questions the Democrats are asking Mrs. DeVos.

So I ask the American people to compare this just for a minute. Look at the reasons they really don't want to confirm Betsy DeVos. No. 1, she spent 30 years trying to help low-income children attend a better school. No. 2, she supports public charter schools. No. 3, she spent her money helping low-income children have a better school, instead of denying them a better school. And No. 4, she has disclosed everything there is to disclose, and she has divested herself of every conflict that the independent Office of Government Ethics has said there is. In addition, I rescheduled a mark-up this week until next Tuesday so that members of the committee would have a chance to review all of this information.

Next Tuesday, we will vote on whether to approve Betsy DeVos's nomination to the Office of the Secretary of Education, and we will send that to the floor of the full Senate. I am confident we will do that, and I am confident the Senate will approve her.

Even though they may disagree with her, Democrats should give the new President a chance to have his own Education Secretary, just as we did—just as we Republicans did for President Obama.

Few Americans have done as much as Betsy DeVos has to help low-income children have a choice of a better school. The Democrats' opposition to her says more about them than it does about her.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I have written to my distinguished ranking member, Senator MURRAY, declining to have a second hearing on Mrs. DeVos.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 23, 2017.

Hon. PATTY MURRAY,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR MURRAY: Thank you for your letter today requesting a second hearing for Betsy DeVos.

I have carefully considered the request and decided not to schedule a second hearing, and here is why: Already Mrs. DeVos has spent considerably more time answering questions of committee members than either of President Obama's education secretaries, and I do not know why our committee should treat a Republican nominee so differently than the nominee of a Democratic president.

First, she has met with each committee member in his or her office for the purpose of answering questions.

Then, her confirmation hearing lasted nearly an hour and a half longer than those for either of President Obama's nominees for education secretary.

Now she is answering 837 written follow-up questions from Democratic committee members—1,397 if you include all the questions within a question. By comparison, Republicans asked President Obama's first education secretary 53 written follow-up questions and his second education secretary 56 written follow-up questions, including questions within a question. In other words, Democrats have asked Mrs. DeVos 25 times as many follow-up questions as Republicans asked of either of President Obama's education secretaries.

On January 4, two weeks before her nomination hearing on January 17, committee members received Mrs. DeVos's completed financial disclosure and committee questionnaire. Also on January 4, committee members received the same information that she submitted to the Office of Government Ethics on December 12, 2016, about all of her financial holdings.

Many of the 837 written follow-up questions have to do with this financial information that has been before the committee members since January 4, two weeks before her nomination hearing.

Last Thursday, January 19, Mrs. DeVos and the independent Office of Government Ethics agreed that within 90 days of her confirmation, she would divest herself of 102 holdings "to avoid conflicts of interest." When she completes this, according to the letter from the Office of Government Ethics—done in consultation with the department's own Ethics Division—she will be "in compliance with applicable laws and regulations governing conflicts of interest."

I delayed the committee vote which was scheduled for tomorrow, Tuesday, January 24, for one week to allow committee members to review all of this information before they cast a vote next Tuesday, January 31, at 10:00 a.m. on whether or not to recommend Mrs. DeVos to the full Senate.

One year ago, because I believed presidents should have their Cabinet members in place in order to govern, I worked to confirm promptly President Obama's nomination of John King to be education secretary, even though I disagreed with him. Even though you may disagree with Betsy DeVos, I would respectfully ask you to confirm her. Few Americans have done more to help children of low-income families have a choice of better schools.

Sincerely,

LAMAR ALEXANDER,

Chairman, Senate
Committee on
Health, Education,
Labor, and Pen-
sions.

Mr. ALEXANDER. I will point out again that I see no reason I should treat a Republican President's nominee so differently than a Democratic President's nominee would be treated.

Betsy DeVos has visited every office of the Democratic Senators. She has testified for up to 90 minutes longer than either of President Obama's Secretaries. She is answering nearly 1,400 follow-up questions when each of those Secretaries under President Obama answered 53 and 56.

The reasons for opposing her are reasons that are not valid. I mean, how can you turn down a woman for U.S. Secretary when she spent 30 years of her life trying to help low-income children find a better school?

We have had our hearing. She will answer the questions. Next Tuesday we will have a vote. She will be sent to the Senate, and hopefully the Senate will confirm her. I look forward to working with her as U.S. Secretary.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I came to the floor today to talk about women's health. But before I do, I want to address an issue that my colleague, the Senator from Tennessee, just talked about: President Trump's nominee for Secretary of Education, Betsy DeVos.

This is a nominee the Democrats have significant numbers of concerns about. In her hearing, where Republicans blocked us from asking questions in an unprecedented and disappointing way, Mrs. DeVos gave what has been widely seen as ill-informed, confused, and concerning responses to serious and reasonable questions. She refused to rule out slashing investments in or privatizing our public schools. She was confused that Federal law provides protections for students with disabilities. She actually argued that guns needed to be allowed in our schools across the country to "protect from grizzlies." And even though she was willing to say that President Trump's behavior toward women should be considered sexual assault, she would not commit to actually enforcing Federal laws protecting women and girls in our schools. So that nominee is absolutely not "in the mainstream." She is far from it.

When it comes to policy, many of us have serious concerns about whether

she would stand with students and parents who care about strong public education for all or with President Trump and other millionaires and billionaires like them. And that does not even touch on the serious questions that remain regarding her ethics paperwork, her tangled finances, and her potential conflicts of interest—questions that Democrats have continued to demand answers to.

After her first hearing, Mrs. DeVos announced that she would have to divest 102 separate assets, many of them investments in education companies that Democrats were unable to ask her about. So Democrats have requested another hearing to get information on those issues and to do our job scrutinizing this nominee. I am hopeful that my colleague, the Senator from Tennessee, does allow that to happen because here in the Senate, we owe it to our constituents to scrutinize these nominees. That is our job. It is not our job to protect them from tough questions; it is our job to ask them tough questions.

While I suspect that my colleague, the Senator from Tennessee, supports Mrs. DeVos and I respect that he is the chairman of the committee, I am hopeful that he does not simply jam this nominee through without allowing us to do our job.

WOMEN'S RIGHTS AND THEIR ACCESS TO HEALTH CARE

Mrs. MURRAY. Mr. President, having said that, I am on the floor today with a number of my colleagues who will be joining me throughout the time here today in the Senate to stand up and to be a voice for women.

I was so proud to march this weekend with millions of women and men in a clear rejection of the hate and division that President Trump campaigned on and in strong support of every woman's rights.

This past weekend, we also recognized the anniversary of the historic ruling in *Roe v. Wade*, a decision that has empowered women and expanded economic opportunity and security for families for more than four decades.

I have heard story after story from Washington State and across the country about what *Roe v. Wade* means for women. It means being able to plan your family, to be able to pursue your dreams and give back to your community. But perhaps most importantly, the decision in *Roe v. Wade* sent a clear message that access to abortion—a woman's right to make the most personal of all decisions herself—is fundamental to her freedom and her ability to chart her own path.

Now we have already seen extreme politicians in State after State do everything they can to undermine access to abortion. But, today, the constitutionally protected rights these women

have had now for 44 years are, unfortunately, more at risk than ever as a result of President Trump's extreme and deeply harmful agenda.

He has promised to pick Supreme Court nominees whose beliefs about women's reproductive rights simply could not be more backwards or damaging. Unfortunately, in what looks like a sign of things to come, the President yesterday signed an Executive order limiting access to safe abortion and other family planning services on women worldwide by reinstating the global gag rule.

I want to be very clear. If the President continues down this path, women will be hurt. Their lives will be put at risk, and the same goes for women around the world. So I am very concerned, and I am angry.

But if Saturday's march proved anything, it proved that women and men across this country are more motivated than ever, and, frankly, so am I.

Now, I can understand why President Trump may not have wanted to hear from the hundreds of thousands of marchers who completely filled the National Mall on Saturday or the millions more who marched nationwide in every State—coast to coast—and on every continent. But if he didn't get the message, this is just the beginning.

The millions of women and people who care about women's rights and their access to health care are going to keep standing up, and we in the Senate are going to continue to stand with them and fight back every step of the way and do everything in our power to make sure that our country does not go backwards. It will not be easy, but I know we can do it if we keep marching together.

Thank you. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

44TH ANNIVERSARY OF ROE V. WADE

Mr. BLUMENTHAL. Mr. President, this past Sunday we celebrated the 44th anniversary of the Supreme Court decision in *Roe v. Wade*, a ruling that assured every woman of her constitutional right to make her own decision about whether and when to have a child. That fundamental constitutional right is the right to privacy, which all women should cherish and protect.

This weekend, in fact, many of us in Washington, DC, and around the country marched in the streets of our home States—or here, as I did—in support of these ideals and values, including the

right to privacy, other civil rights and liberties, economic opportunity, and women's access to health care, which truly make America great.

Fundamental to the principle of women's access to health care is the *Roe v. Wade* decision that reaffirms the constitutional right to reproductive decisions made by women individually on their own in consultation with their health care providers, their families, their clergy. I was a clerk for Justice Blackmun in the term after *Roe v. Wade* was decided, and I can tell you that we all believed then very strongly that that Supreme Court decision would put to rest the question of legal access to abortion in this great country.

In fact, it did not. Despite 7 in 10 Americans opposing the potential overturning of *Roe v. Wade* according to a recent survey by Pew Research Center, the outliers and extremists still seek to eliminate the right to legal abortion. That broad public support was embodied in the spirit and dedication shown over this past weekend by protesters across the world, and I was reminded yet again that we must continue to fight for what we believe, particularly in light of the ongoing threats to and attacks on women's health care.

Efforts to undermine these rights have redoubled in recent years, and throughout the past decade we have seen unprecedented attacks through State efforts to chip away at that vitally protected constitutional right. From 2011 to 2016, there were 334 restrictions enacted by States that would cut back on *Roe v. Wade* rights, accounting for 30 percent of all abortion restrictions since the U.S. Supreme Court decided that case.

The force dedicated to enacting these restrictions, which are designed to undermine the right to reproductive health care, can be particularly disheartening as they disregard the health needs of the most vulnerable population of the women who are most often impacted, by also seeking, or at least claiming to seek, to advance women's health care. In fact, many of those restrictions are a ruse. They are enacted in the name of health care but are a disguise for restrictions on health care. They have left many women, particularly in rural and underserved locations, with little access to health care, including basic care such as cancer screening, STD testing, and preventive health care. Clearly, improving women's health care has failed to be the focus of State legislatures in these instances, as they have actively worked to restrict access to care and chip away at the constitutional protections provided in *Roe v. Wade*.

I joined with Senator MURRAY in leading a total of 163 Members of the House and Senate in filing an amicus brief in the case of *Whole Woman's*

Health v. Hellerstedt. Last summer, the Supreme Court overturned the restriction at issue in that case, reiterating and clarifying the "undue burden" standard in *Roe* and debunking the lie that anti-choice extremists have been pushing for years—that medically unnecessary, onerous restrictions on clinics and clinicians that provide women abortions do not make women safer. In fact, they simply constrain access.

I am hopeful that this decision will help stem and stop the assault on women's health care taking place in so many States and communities around the country. So I am joining with my colleague, Senator MURRAY, who was here just minutes ago—a wonderful champion of this cause—as well as Senator SHAHEEN, whom I believe will be speaking later today on *Roe v. Wade*'s anniversary, in pushing back on this policy by introducing legislation to permanently repeal the global gag rule that the Trump administration, as one of its first acts, has announced, which will reverse much of the progress that President Obama made in relation to international family planning. This legislation will seek to move that progress forward again and forestall the effort to roll back that process and turn back the clock. I will oppose any and all efforts by the Trump administration to move our country backwards, including yesterday's reversion to the global gag rule.

This 44th anniversary of *Roe v. Wade* should be a reminder about the importance of fighting for the right of privacy, the right to live life free of governmental interference, and, as one of our Supreme Court Justices said, the right to be let alone—in effect, let alone from government interference.

It is a right that I have fought for and that so many others have fought for throughout my career and throughout my time as a Senator and the attorney general of Connecticut. It is a right we should all continue to keep at the forefront of our work here in the Senate and for all of us in this country.

Thank you. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATIENT FREEDOM ACT

Mrs. CAPITO. Mr. President, I rise today to talk about an issue that is important to all of us.

We are, obviously, a nation in transition. Recently, the Senate took the first steps to repeal *ObamaCare* and begin a transition toward policies that

will ensure continued access to health care with more affordability and flexibility for all. We need a stable transition that will empower Americans to make the best health care decisions for their families.

In my home State of West Virginia, ObamaCare has been very difficult for many. It has meant skyrocketing premiums and skyrocketing copays and deductibles for families and small businesses. It has meant little, if any, choice of insurers. As a matter of fact, for the first several years, we had no choice. We now have two insurers in several counties, but in the beginning, the entire State had no choice.

It has meant fewer choices of doctors and hospitals, as networks shrink and plans become more restrictive. Now we must repair what can be fixed, scrap what is not working, and create a better health care reality for all Americans.

I have spoken with small business owners who have absorbed the cost of increased insurance, but their employees are getting less coverage. I have spoken to families who may have health insurance, but due to the high deductibles and copays, they don't use it. They can't afford to even go. I have also heard from those in my State who have real concerns about what this transition will mean to them. This is especially true for those who receive coverage through Medicaid.

My State is one of the States that did an expanded Medicaid. For all of these West Virginians—and there are somewhere around 177,000 new folks who are on Medicaid—whether they are the Medicaid recipients or the business owners and families who are currently struggling, we need to have health insurance that works for everybody.

So I want them to know—and many of them have called my office, and I have talked with them a lot in our State—that I am listening to their concerns. As we move forward, I am working to balance each of these needs and ensure access in West Virginia and across the Nation to affordable, quality health care.

To achieve this goal, I am joining Senators CASSIDY, COLLINS, and ISAKSON to introduce an alternative to ObamaCare which was introduced yesterday. It is called the Patient Freedom Act. It sounds good. We are really good at making names that sound good, but the Patient Freedom Act lives up to its name.

The Patient Freedom Act of 2017 removes ObamaCare's most burdensome regulations. It provides our States, which are closest to the people who are accessing health care, the opportunity and funding to ensure that those currently covered by Medicaid expansion are protected and retain their health coverage. It returns authority to the States and provides more health care choices and better insurance options to

individuals and families. It keeps important consumer protections, such as coverage for preexisting conditions, and extends coverage to children and dependents until the age of 26—both very popular parts of the ACA. It protects the Federal black lung benefits program, which is especially important in my State of West Virginia and the surrounding areas.

In addition to all of those important changes, it gives States a pathway forward for replacing ObamaCare. Specifically, following repeal, which we know we are going to do, States will have three options. First, a State, if it so chooses, could choose to reinstate ObamaCare, or a State could go without Federal assistance and opt to not receive any Federal funding for tax credits or Medicaid expansion. Finally, a State could choose an innovative replacement plan where the State determines its own insurance regulations. In this scenario, the State would be eligible for 95 percent of the funds it would receive under ObamaCare, and the Medicaid expansion would be fully funded. For a State like West Virginia that has already expanded Medicaid, the State could either keep its Medicaid expansion as is, or they could convert it to subsidies to help individuals purchase the private insurance.

Under this plan, individuals would use a Roth Health Savings Account to purchase health care. This would enable uninsured individuals to purchase health insurance that meets their specific needs. States would have the option to auto-enroll uninsured individuals into a standard health care plan, with individuals able to easily opt out if they didn't want it. Auto enrollment would ensure stability and soundness to our insurance markets.

The Patient Freedom Act is a smart, innovative way forward and meets the varied needs of people in my State of West Virginia and across the country. The legislation reflects Senator CASSIDY's experience as a physician, and I thank him for his innovation—he has worked with patients who are uninsured—and I appreciate his leadership so much, as I do Senator COLLINS in particular and Senator ISAKSON as another cosponsor. As other replacement plans are drafted and introduced in the Senate, I will evaluate those proposals to ensure they meet West Virginians' health care needs. I am committed to replacing ObamaCare with a system that offers us more choice. We can figure this out; we know what we need—lowers cost gives patients and families more control—because, together, we can achieve a health care system that works for everybody.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

REPEALING THE AFFORDABLE CARE ACT

Mr. DURBIN. Mr. President, I was listening carefully to the comments made by my colleague from West Virginia. I thank her for coming to the floor and expressing her feelings about the Affordable Care Act. It is truly an article of political faith on the Republican side that we must repeal ObamaCare. We have heard that for 6 years, maybe longer, and each and every time, Democrats have asked: And then what?

We have asked Republicans: What would you replace ObamaCare with? Until some of the most recent moments, there was never an answer. Now they are starting to put at least some ideas forward, but repealing ObamaCare and then talking about the possibility of replacement is a disaster. It is an invitation to uncertainty and chaos. We might expect that from a Democratic Senator who voted for the Affordable Care Act, but what I ask my colleagues in the Senate to do is, please go home. Please go back to your States. Do as I did yesterday. I called together the administrators of hospitals in Central Illinois, smalltown rural hospitals and larger hospitals such as Memorial Medical Center in my hometown of Springfield. I asked them, in a nonpressurized setting: What would you do? What is wrong with the Affordable Care Act? How would you change it? What would be the impact of repeal?

I knew, and they did as well, that there had been some reports from the Congressional Budget Office. Just last week, the nonpartisan Congressional Budget Office told us exactly what repeal without replacement would look like: 18 million Americans would lose health insurance in 12 months, 32 million within 10 years. According to the Congressional Budget Office, if they went through with the Republican repeal plan, premiums in the individual health insurance market would increase by 20 to 25 percent the first year and double within 10 years.

Despite this, on his first day in office, President Trump signed an Executive order that began to dismantle our health care system. We still haven't seen the President's secret replacement plan, even though he has repeatedly said he wants to replace the law at the same time he repeals it, and we are going to be so proud of what he does.

Let's talk about what repeal without replacement means in Illinois, now that I have taken it home and asked the people who are actually running the hospitals. With repeal, 90,000 young people in Illinois would be thrown off their parents' health care plans. More than 7 million Illinoisans with health insurance through their employer would once again be subject to discriminatory health insurance practices, like discrimination based on preexisting conditions, annual and lifetime caps on

coverage, and discrimination against women. In my State, the Republican repeal plan would have an impact statewide because insurance plans statewide could once again decide not to cover maternity or newborn care, mental health, or substance abuse. Those things are required under the Affordable Care Act. That would be removed with this repeal.

In my State, more than 1 million people would lose their health insurance—in fact, 1.2 million, to be exact. According to the Illinois Hospital Association, my State would lose \$11 billion to \$13 billion in annual economic activity with Republican repeal, translating to a loss of up to 95,000 jobs. Let me talk about those jobs in towns like Taylorville and Pana, IL, near my hometown of Springfield. Those are good-paying jobs. Sometimes they are the best paying jobs in the community. Those would be the jobs lost by the Republican repeal of ObamaCare.

For years, we have been hitting back against misguided and misleading claims about the Affordable Care Act. Who is hitting back now? Hospitals. And not just hospitals. Health care providers across the board are pleading with the Republicans: We know you have some campaign promise you want to keep, but keep first your promise to the people you represent to provide quality, affordable health care.

Senator TAMMY DUCKWORTH and I have sent letters to every single Illinois hospital—over 200 of them—asking about the impact of repealing the Affordable Care Act without enacting a replacement to prevent total chaos. Just yesterday morning, I met with these hospital administrators and heard firsthand. I met at Memorial Medical Center in Springfield, IL, representatives from Hopedale Medical Center, Pana Community Hospital, Carlinville Area Hospital, and Warner Hospital and Health Services.

Memorial Health System is a nonprofit, community-owned health care organization. When I asked about the impact of repealing the Affordable Care Act, here is what they told me: “Repeal without replacing the ACA would adversely impact patients’ access to care and our hospitals’ and health systems’ ability to provide services as well as potentially result in job losses.” They went on to say that Memorial Medical Center in Springfield, with Republican repeal of ObamaCare, could lose over \$140 million over the next 6 years, and their uncompensated care costs would “rise dramatically due to both a rise in charity care and decline in Medicaid coverage and reimbursement.”

They cautioned:

We would be forced to cut spending by reducing services, reducing staff, and delaying investment in new technology and facility improvements. . . . Losses of this magnitude with repeal of the [Affordable Care Act] cov-

erage simply cannot be sustained and would adversely impact patients’ access to care and our hospitals’ and health systems’ ability to continue to provide services.

This is not the only hospital telling me in our State. I am from downstate Illinois, proud to represent Chicago, but I have represented in the Congress and in the Senate smalltown rural America, communities where the hospital makes a difference. If you don’t have a hospital nearby, you could be an hour’s drive—if you are lucky—from quality medical care, not to mention the impact that hospital has on the local economy, keeping and attracting new businesses.

According to the Illinois Hospital Association, the 15th Congressional District of Illinois stands to lose \$470 million under Republican repeal of the Affordable Care Act. That means 3,400 jobs lost in that congressional district in Central Illinois with repeal of affordable care. We talk about good jobs and creating them in this State. The President goes and makes trips, as he should, to try to save American jobs. Yet the first congressional action by the Republican majority this year is to threaten 3,400 jobs in the 15th Congressional District.

Washington County Hospital in Nashville, IL, is a 22-bed critical access hospital 50 miles from St. Louis. They provide acute care, surgical service, and gynecological services. When I asked them what Republican repeal of the Affordable Care Act would mean to Washington County Hospital in my downstate area, they said the following:

To eliminate [the ACA] would be detrimental to the thousands of people in our county that were previously uninsured either because of part-time work or serious health problems.

I guarantee that [repealing the ACA] without a strategic healthcare replacement plan, will result in more downsizing and more staff reductions at Washington County Hospital. Our community cannot continue to lose these good paying jobs and I believe our county residents will continue to move to neighboring states with more favorable job markets, better job security and stable benefits.

They ended their response with this warning:

I truly fear that many Illinois communities will lose their Critical Access Hospitals—the only sources of healthcare in many of our rural counties and a vital part of infrastructure in our communities.

As you know, our rural areas have vulnerable populations of elderly folks that have many chronic healthcare needs and limited ability to travel long distances for emergency care. . . . I sincerely hope that you heed the warnings of our physicians and hospitals—do NOT repeal the ACA in a hurried political rush.

Washington County is not a blue county, it is not a Democratic county. It is a county that votes regularly for the other party. It is a conservative-voting populous, representing a lot of farmers and small businesses, and this

is their hospital administrator warning the Republicans here in the Senate and the House: Be careful what you do in eliminating the Affordable Care Act.

According to the Illinois Hospital Association, the 16th Congressional District in Illinois stands to lose \$453 million under Republican repeal of ObamaCare, and that means the loss of 3,300 jobs.

SwedishAmerican Hospital in Belvidere, IL, in the northern part of my State, provides health care to Belvidere, Boone, western McHenry, and northern DeKalb Counties. When asked how the hospital has fared since the passage of the Affordable Care Act, the administrator of SwedishAmerican said the following:

The passage of ACA has afforded our health system with significant benefit related to [compensation] of patients with uncompensated care. . . . SwedishAmerican experienced an average annual increase of \$43 million in Medicaid payments, and a \$10 million reduction in uncompensated care.

When asked about the impact of the Republican repeal of the Affordable Care Act, SwedishAmerican Hospital of Belvidere, IL, said the following:

The impact would be significant . . . it would create an unsustainable financial result and we would be forced to make significant reductions in staff and curtail future plans for capital expenditures.

Yesterday, at my roundtable in Springfield, I asked some of these hospital administrators: What is wrong with the Affordable Care Act? And they told me. Let me add quickly, I believe—as they do—there are things which need to be changed in that law. It is not perfect, by any means. They talked about the cost of care, and they should. In some areas, premiums have gone up too quickly, and the availability of insurance is not as it should be.

I have talked to the health insurance companies, including the big companies like Blue Cross Blue Shield. They have told me specifically that the method of enrollment now under the Affordable Care Act leaves loopholes for people to jump in and out of coverage as they need it. You cannot run a viable insurance risk pool if people are only forced to sign up when they are facing a health care crisis. You have to have healthy people paying premiums to cover those who get sick and need to be compensated.

So there are things certainly within the Affordable Care Act which need to be changed, and these administrators told us.

So I said: I hear commonly from my Republican friends, if we would just allow people to buy health insurance over State lines, there would be more competition.

They laughed. They said: You mean to say, if you heard that there was a health insurance plan in Alabama and you lived in Illinois, that you would buy health insurance there; is that the idea?

I said: I suppose. I hear it over and over again, if we could just buy policies across State lines.

They laughed. They said: Do you know what is going to happen? Do you know what happens when you buy insurance in Illinois and they tell you the hospitals and doctors who are eligible? You certainly want to have doctors in your home area eligible who may not be eligible under an Alabama plan. That makes sense.

Secondly, they said: If people outside the State who are truly sick start buying into Alabama to get lower premiums, the premiums are going to go up. They are going to engineer the risk pool to make sure that it is viable.

That is a notion that they rejected out of hand. I asked them about health savings accounts. That is another thing you hear over and over again. If people could just set aside nontaxable income and leave that in a pool of money to pay their copayments and other expenses, then there would be a disincentive to overutilize health care. These administrators said: But people who are living paycheck to paycheck don't have money to set aside—even non-taxable money to set aside at that point—and, ultimately, many of them would put off care they desperately need until they become even sicker.

Each one of these approaches has its critics. There are people who think we ought to look at it more carefully. I think that ought to be the bottom line. To my Republican majority, look at this carefully. It is not a matter of keeping a campaign promise; it is a matter of keeping a promise to the people you represent not to leave our health care system in chaos.

I hope President Trump and my congressional Republican colleagues are listening to what my constituents back home told me yesterday, things that they will hear themselves if they will go back home and listen to people who run the hospitals in the communities where the voters they represent live.

I wish to conclude with a quote on the subject from Dr. William Gorski, president and CEO of SwedishAmerican, who wrote to me. He said:

I must also speak forcefully as a former practicing physician. Irrespective of any financial impact of repeal, real lives are at stake here. President Obama's vision recognized a great understanding of the importance of health care access to the quality and outcomes of care. Any diminishment of this access threatens the health and well-being of millions of our fellow citizens. . . . My strong view is that rather than repealing the ACA, we should be looking for ways to refine and expand it.

That comes from a doctor. I solicited his view. I don't know him personally, but it represents the feelings of many.

Mr. President, I ask unanimous consent to have printed in the RECORD the State Journal-Register article from Springfield, IL, on my meeting yesterday.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the State Journal-Register, Jan. 23, 2017]

DURBIN HEARS HOSPITALS' CONCERNS ABOUT OBAMACARE REPEAL

(By Dean Olsen)

Executives from Springfield-area hospitals and health systems told U.S. Sen. Dick Durbin Monday morning that a threatened repeal of the Affordable Care Act by Congress would jeopardize local patients' access to medical services and harm their organizations' finances.

"We'd just hate to see this go away," Memorial Health System chief executive officer Edgar Curtis said of the law, also known as Obamacare, during a meeting at the Memorial Center for Learning and Innovation with Durbin and leaders from other hospitals.

Tina Casner, chief executive officer of Pana Community Hospital in Christian County, said Illinois' expansion of Medicaid eligibility—funded by the ACA—and reduced-price private insurance sold through the state's health insurance exchange have reduced the number of uninsured patients and improved the 25-bed hospital's bottom line.

"There are now folks in our community who are seeking that care," she said.

Durbin, D-Springfield, said he doubted that congressional Republicans pledging a comparable replacement of the ACA would be able to fulfill their promise without big gaps in coverage for many Americans.

Instead of "repeal and replace"—the plan for the ACA supported by local congressmen Rodney Davis, R-Taylorville, and Darin LaHood, R-Dunlap—Curtis said he is "very afraid" that Congress instead will "repeal and delay" a decision on a permanent replacement.

Action to repeal without a replacement is likely to cause disruptions in care because more insurance companies would pull out of the exchange and increase the prices of plans even more, health-care industry officials have said.

Durbin, the No. 2 Democrat in the U.S. Senate, was told by hospital administrators that the federal law isn't perfect and needs to be tweaked, especially when it comes to the high cost of private coverage and excessive paperwork.

"I'm for that," he said.

But he and the administrators expressed concerns about Republicans' plans to change Medicaid from a federal entitlement program to a block grant given to individual states as a way of getting control of Medicaid's rising cost to the federal government.

The Illinois Health and Hospital Association has said block grants for Medicaid could lead to reductions in funding in Illinois, a state that already spends less per Medicaid patient than almost all other states.

Dr. Jerry Kruse, dean and provost of Southern Illinois University School of Medicine, said the expansion of Medicaid eligibility "has been really great for us."

The expansion has decreased the uninsured rate by 80 percent for patients of SIU's federally subsidized outpatient primary care clinic, the SIU Center for Family Medicine, he said.

With insurance coverage, formerly uninsured patients are less likely to worry about incurring medical bills they can't afford to pay and more likely to seek care, Kruse said.

"It's that peace of mind," he said.

DACA

Mr. DURBIN. Mr. President, it was 16 years ago when I introduced the DREAM Act. The DREAM Act was a response to a call I received in my office. A young woman had been brought to the United States as an infant, at the age of 2, from Korea. She lived in the United States and grew up here. When she became an accomplished pianist and was accepted at some of the best musical schools in the Nation, she started to apply but didn't know what to put down in terms of her citizenship. She called and asked, and it turned out that her mom and dad had never filed the papers that would have allowed her to become a citizen of the United States. She was undocumented. Through no fault of her own—brought to the United States—her papers weren't filed.

She grew up in Chicago, went to school, and did well, despite having a family of modest means. As I said, she developed a skill as a pianist and now had an opportunity of a lifetime and wanted to know what her legal status was. We checked the law, and it was pretty clear. She was undocumented, and the laws of America said you have to leave for 10 years, go outside of the United States, and petition to come back.

It didn't seem fair or reasonable that a child, an infant of 2, would be held responsible for mistakes made by their parents, so I introduced the DREAM Act. The DREAM Act said that if you are one of those kids and you finish school and you don't have a serious criminal record, we will give you a chance—a chance to become legal in America, a chance to become a citizen.

Those kids grew up going to school in our classrooms, pledging allegiance to that same flag we pledge allegiance to. They believed they were Americans, but it was not so in the eyes of American law.

I introduced this bill 16 years ago. It passed the Senate in one form, the House in another. It has never become the law of the land. A few years ago I wrote to President Obama and said: As President, can you find a way to protect these young people until we do what we are supposed to do in Congress?

He did. He created something called DACA. By Executive order, these young people could apply, pay about \$500 in a filing fee, go through a criminal background check, and if they had no problems—no threat to this country—be allowed to stay here on a temporary 2-year basis. They could go to school but with no Federal help, no Federal assistance for their education. They could work and renew it every 2 years. That is DACA.

Over 750,000 kids signed up. These were kids just like the one I described earlier—now young people who are going to college and doing important

things with their lives. I have come to the floor over 100 times to tell their stories because political speeches, as inspiring as they are, usually don't move people. When you hear about these people and who they are, it can make a difference.

I want to introduce one today. It will just take a few minutes. I see a couple of my colleagues on the floor.

This is Belsy Garcia Manrique. When Belsy was 7 years old, she was brought by her family to the United States from Guatemala. She grew up in a small town in Georgia and became an extraordinary student. She graduated third in her high school class with a perfect 4.0 grade point average.

During high school, she was a member of the National Honor Society, was on the tennis team, and was a member of the mock trial team. She even earned a black belt in Tae Kwon Do. She went on to attend Mercer University in Macon, GA, where she was a Presidential scholar for 4 years. This award is given to students in the top 10 percent of their class.

Belsy was a member of a number of academic honor societies and the premed club. She worked as a researcher in their biology department. She was a leader of her college's Habitat for Humanity chapter and worked as a resident assistant in the student dorms and a tutor for high school students.

In 2013, Belsy graduated from Mercer University with a bachelor of science degree in biology, with minors in chemistry and math. She is now in her second year at the Loyola University Chicago School of Medicine. That is where I met her.

Like many States across the country, my home State of Illinois faces a shortage of physicians in the inner cities and in the downstate rural communities. As a DACA student at Loyola medical school, Belsy has promised that after she graduates and becomes a doctor, she will work for several years in underserved areas in my home State of Illinois.

Even with her busy medical school schedule, Belsy volunteers as a translator at Loyola medical clinic. She is a member of Viva la Familia, a group which educates families on healthy lifestyles, and she mentors undergraduate students who are interested in medical school.

She wrote me a letter and said:

DACA means the world to me. It has allowed me to continue the arduous journey of becoming a physician, and without it, I would not be where I am today. All I've ever wanted was the opportunity to prove myself and to further my education so that I can give back to those who need it the most. I am so close to achieving my dreams and finally making a difference in the community, but if DACA is repealed, those dreams might never become reality.

If DACA is eliminated, what happens to Belsy? If it is eliminated, she loses her right to legally work in the United

States and may have to drop out of medical school, and that alone—the clinical experience in medical school—requires actually working. If she can't work, she can't pay for her education.

Aside from State of Illinois financing opportunities, Belsy doesn't qualify for a penny in Federal assistance to go to medical school. It is an extraordinary hardship on these students, but they are so darned determined, they do it anyway.

I have been encouraged recently because statements made by President Trump, as well as yesterday his press secretary and earlier in the day his chief of staff, lead me to believe that he understands the seriousness of this problem.

Young people like Belsy, thousands of them across the United States, are simply asking for a chance to have a good life, to make this a better nation. We could use her. We could use her medical services and talents as a doctor in my State of Illinois, in the State of Texas, in the State of North Dakota, and virtually every State of the Union. Why would we want to lose a great potential doctor like her? We need her, and we need people like her.

I hope my colleagues and President Trump will join me to continue the DACA program. I hope this administration will work with Congress to pass the BRIDGE Act, a bipartisan bill I have introduced with Senator LINDSEY GRAHAM to create a transition for those like Belsy, protected by DACA, so that until this Congress—as it should—passes comprehensive immigration reform, we would protect these young people from deportation.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent that I be allowed 5 minutes to make comments but also that my colleague from North Dakota be allowed to make comments, as well, and that we be allowed to complete those comments prior to the afternoon recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING DEPUTY SHERIFF COLT EUGENE ALLERY

Mr. HOEVEN. Mr. President, I rise today to honor the service and sacrifice of Colt Eugene Allery, a sheriff's deputy in Rolette County, ND, who was killed in the line of duty on January 18. Deputy Allery was just 29 years old and leaves behind his fiancée, Alexandria, his four children and stepdaughter, along with many family and many friends.

Deputy Allery was dedicated to serving the public and spent the last 5 years working in law enforcement. He started his career as a corrections offi-

cer, serving as a police officer in Rolla, ND, and as a tribal police officer for the Turtle Mountain Band of Chippewa Indians, a tribe of which he was a member.

He became a deputy with the Rolette County Sheriff's Office just 3 months ago. His colleagues remember him for his friendly and positive disposition and his commitment to making his community and our State safer. He was also well known in St. John, the tight-knit community where he was raised by his grandparents. He was known for always serving his friends and his family. They say Colt was happiest when he was doing things for others, which is why he chose law enforcement as his career.

Deputy Allery's life is a reminder to each of us of the enormous debt we owe to all of the men and women in law enforcement who leave home every day and go to work to protect us and help make our communities and our States safer places—places that we are proud to call home.

My wife Mikey and I extend our deepest condolences to Deputy Allery's family and friends during this difficult time. Our thoughts and prayers are with his loved ones and his law enforcement colleagues, in the coming days and months and especially today, as Deputy Allery is laid to rest. May God bless him and his family.

Mr. President, I yield the floor and turn to my colleague from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I come here again today on what is a sad day and really a sad week for law enforcement in North Dakota, for the community of the Turtle Mountain Band of Chippewa, and certainly for the family of Colt Eugene Allery.

Colt was a deputy in the Rolette County Sheriff's Office who tragically lost his life in the line of duty last Wednesday night near Belcourt, ND. Colt joined in a high-speed chase with several fellow officers Wednesday evening after a report and identification of a stolen vehicle. As the stolen vehicle was coming to a forced stop, shots were fired, and the call came over the radio that shakes all of North Dakota law enforcement and our entire State to the core: "Officer down."

Colt never got back up that evening, succumbing to his injuries not very far from the small community where he grew up. He leaves behind five beautiful young children, including a stepdaughter; his fiancée, Alexandria; his grandparents, Gene and Rita Allery, who raised him; his family, his friends, and a community that will miss his constant smile and playful attitude.

He also leaves behind his fellow deputies and colleagues in the Rolette County Sheriff's Office. I know this is an incredibly tough time right now for

Rolette County Sheriff Medrud and his deputies as well. I know that the people across the State of North Dakota and I have your back during this difficult time.

This is now the second time in less than a year that I have come to the floor of the U.S. Senate to talk about the heroism and service of one of North Dakota's peace officers—one of those peace officers who made the ultimate sacrifice in the line of duty.

It is heartbreaking to have to stand here yet again to make one of these speeches in recognition of a North Dakota peace officer. In fact, during my 8 years as North Dakota's attorney general, I saw two deaths, two violent deaths of peace officers in my State. In less than a year, we have two.

Talking to many of my friends in law enforcement in my State, they will tell you that the business of law enforcement and the work of law enforcement in our State have become more and more dangerous and more and more challenging. As I have said many times—and I will say it again here today—North Dakota has the finest peace officers in the entire country. Colt Allery personified that dedication of our peace officers to protect and serve their communities.

Losing an officer in the line of duty is always devastating, but in States like North Dakota, where we often say we know everyone, Colt's loss is being felt in communities across the State. Colt and his family will know that the entire State mourns his loss and that we had his back in this life and we will have theirs as they struggle with this incredible and unimaginable loss.

Growing up in St. John, ND, and as an enrolled member of the Turtle Mountain Band of Chippewa Indians, Colt never strayed far from home. And he made a commitment to do more than just be part of his community, he made a commitment to protect his community as a peace officer.

Colt started out as a corrections officer for Rolette County. After graduating from law enforcement training academy, he started work in the Rolla Police Department. He then went to serve his fellow tribal members as a tribal police officer of Turtle Mountain before recently moving to the Rolette County Sheriff's Office.

In North Dakota, we have a proud history of peace officers like Colt serving their State and local communities with distinction. I have had the privilege over my years in public service to work with law enforcement officials, from highway patrol, to State and local officers, to various Federal officers and our tribal police, and I will tell you again that these are some of the finest men and women I have ever worked with. These are the men and women—just like Colt—who could have chosen a different path. Instead, they chose to take the oath to protect and

serve. They chose to selflessly put themselves in harm's way so they could make North Dakota a safer place for each and every person who lives there or who may by chance be passing through. They chose to put the needs of others before their own needs and, in fact, before their own families' needs. They chose a more difficult path to tread than most of us would be willing to follow.

Putting that uniform on each and every day places you in a unique and special group, a tight-knit community that very few people could understand what it takes to get the job done. All too often, it takes a tragedy like this one outside of Belcourt, ND, last week to recognize and appreciate our peace officers and the sacrifice they and their families make every day so that we can feel safe and secure in our daily lives.

I stand here this morning not only to celebrate the life of Colt Allery but to celebrate each and every peace officer working in the State of North Dakota and across the country. I know that although Senator HOEVEN and I cannot be at the ceremony and at the celebration of Colt's life today, we stand today with the community and with the State in appreciation, and we stand today in mourning for the loss of Colt Allery and for the terrible sacrifice his fiancée, his children, and his family have made in service to our country and our State and their community.

Deputy Allery, I thank you for your service and your sacrifice on behalf of the people of North Dakota. May God bless you and welcome you, and may He bless your family.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, for all the people of North Dakota, we thank Colt for his service, and we ask that God bless Colt Allery and his entire family.

With that, Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The Senator from Georgia.

GEORGIA SEVERE STORMS AND DEADLY TORNADOES

Mr. PERDUE. Mr. President, I rise today to express my sympathy and support for the people in my home State of Georgia. This past weekend, severe storms and deadly tornadoes tore through South Georgia destroying

homes and businesses and taking the lives, unfortunately, of at least 15 Georgians.

Among those areas hit the hardest were counties surrounding the cities of Adel and Albany. These counties and cities are very near where I grew up and where I now reside personally. When last weekend's storms hit, emergency management teams there were still leading recovery efforts in response to deadly storms that had just caused widespread destruction earlier this month.

I am very grateful for the tireless and ongoing efforts of our first responders in our State and stand with our Georgia families during this difficult time. Our hearts, of course, go out to the families affected by these severe storms.

I now yield for the senior Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I want to thank my partner, Senator PERDUE, for arranging this colloquy today. I want to join him in expressing sympathy to the families of those who were lost in Georgia and to the thousands and thousands of Georgians who have been injured or hurt and who lost valuable property.

My wife Dianne sends her wishes as well. This part of Georgia is very close to me. I grew up as a young boy working on a farm in Fitzgerald, GA, not far from Albany. I know what these people are like, and they are salt-of-the-earth folks. They don't deserve something like this happening, but they do deserve and they do merit everything we can do to get them aid.

I am so happy Secretary Kelly called yesterday to offer the services of the Federal Emergency Management Agency. Governor Deal has done a great job of arranging the disaster area, and the Georgia emergency management people are already in place.

So my heart goes out to the injured. My heart goes out to my State. My prayers go out to the families of those who were injured and are in the hospital and those who have passed away and perished from the terrible tornadoes.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I now ask unanimous consent that the Senate observe a moment of silence for those who have lost their lives in Georgia and across the southeast in these recent storms.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will now observe a moment of silence.

(Moment of silence.)

Mr. PERDUE. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 195 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

MARCH FOR LIFE

Mr. FLAKE. Mr. President, I would like to say a few words about this Friday's March for Life. This Friday, the National Mall and Capitol campus will again be filled with men and women from every corner of the country. Together, they will gather in celebration of the sanctity of life and in solidarity for its protection. For 43 straight years, the March for Life has given a powerful platform for average people to join in the political discourse to influence Federal policy in support of life.

That emphasis on the ability of a single person to bring about historic change is the theme of this year's march. Now, this year's march is called the Power of One. The March for Life uses the following quote from the author J.R.R. Tolkien to encapsulate this theme: "Even the smallest person can change the course of history."

This is a powerful message that we should all embrace. It reminds us that from the young people marching on a cold January morning to the unborn children whose futures are filled with unlimited potential, any one of them has the power to be a positive force for good.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEDICAID

Mr. CASEY. Mr. President, I rise today to speak about the Medicaid Program, a program that I am sure a lot of folks in Washington and around the country hear about a lot. We talk about it a lot, but I am not sure that people around here have a real sense of what it means to folks back at home.

Medicaid is a program that is more than 50 years old now. In some ways, the name doesn't convey the scope of it. In some ways, I wish it had a different name because it would remind people who benefits from it.

Instead of referring to it as the Medicaid Program, if you called it the "kids, seniors, and folks with disabilities program," or something like that, you would be accurately describing the

scope and the reach of the program because it has a profound impact on the lives of children, on the lives of older citizens trying to get long-term care in nursing homes, and, of course, it has a huge impact on individuals with disabilities.

We know that in the campaign, President Trump made a statement. I am not quoting him exactly, but it was a brief statement during his campaign, and it was in writing that he would not cut Social Security, Medicare, or Medicaid. I think a lot of people had forgotten about that third one.

One of the tasks that we have in the Senate is to make sure that, when a statement like that is made, any President is held accountable to that promise.

The examples I could cite are many about the impact of Medicaid. Just a couple are significant. Not by way of exclusion, but I will just mention a few.

I am holding here a March of Dimes document. It is an issue brief by the March of Dimes, and it is entitled "The Value of Medicaid." I won't read it all, but here is just one fact that I am not sure a lot of people know. "Medicaid covers 45% of all births"—and they have a footnote for that. I am not sure there are many in Washington who know that. But that is why I referred to it earlier in a more informal way as "the baby program," because all of those children come into the world paid for by Medicaid.

Medicaid has a substantial impact on rural families, rural America, and rural hospitals. By one estimate a couple of years ago, First Focus, one of the advocacy groups here in Washington that tracks issues that relate to children, estimated that as of 2012—and I doubt that it has changed much since then—more than 45 percent of rural children got their health care through Medicaid or the Children's Health Insurance Program. So almost half of rural children were benefitting from one program or the other.

Here are just a couple more. One in five seniors receives Medicare assistance through Medicaid, and that includes premium assistance, cost sharing, long-term care, dental care, and vision care.

Another important number is that two-thirds of nursing home residents are covered by Medicaid.

I mentioned children before and the profound impact it has on their lives. Medicaid covers 40 percent of all children in the country. I mentioned CHIP and Medicaid combined covering almost half of rural children. Just Medicaid alone covers 40 percent of all children—rural, urban, and everywhere in between. If you just consider low-income kids, or children who come from low-income families, Medicaid covers some 75 percent of those children.

So there is a lot to talk about. But one issue that we are in the process of

engaging on as an issue is: What will happen to Medicaid?

Despite what the President said when he was campaigning—and I am talking specifically about Medicaid—just this weekend, the administration announced—without much attention drawn to it at the time, but I hope increasingly more attention—that the administration would support block-granting Medicaid. That is at variance with what the President said. In my judgment, it is a total contradiction of what he said, and now, apparently, his administration has embraced the House Republican approach to Medicaid, which is block-granting.

There are a lot of ways to measure the impact of block-granting. One that I will just cite for the record is a report by the Center on Budget and Policy Priorities dated March 15, 2016, entitled "Medicaid Block Grant Would Add Millions to Uninsured and Underinsured," which I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Center on Budget and Policy Priorities, Mar. 15, 2016]

MEDICAID BLOCK GRANT WOULD ADD MILLIONS TO UNINSURED AND UNDERINSURED

(By Edwin Park)

House Budget Committee Chairman Tom Price's budget plan would radically restructure Medicaid by converting it to a block grant, cutting federal funding by about \$1 trillion over the next decade. It would also repeal health reform's Medicaid expansion. The combined result would be a total Medicaid cut of \$2.1 trillion over the next ten years, relative to current law, likely making tens of millions of Americans uninsured or underinsured.

Repealing the Medicaid expansion means that at least 14 million people would lose Medicaid or not get it in the future, based on Congressional Budget Office (CBO) estimates. In addition, the large and growing funding cut from the block grant would almost certainly force states to sharply scale back their Medicaid programs.

The Price plan would also repeal health reform's other coverage expansions, including the subsidies to help people afford marketplace coverage.

All told, not only would the estimated 20 million Americans who've already gained coverage through health reform lose it, but millions more who qualify for Medicaid apart from health reform would likely lose their Medicaid coverage as well. Tens of millions of Americans would likely become uninsured.

Under Price's "State Flexibilities Funds" block grant proposal, the federal government would no longer pay a fixed share of states' Medicaid costs, apparently starting in 2018. Instead, states would get a fixed dollar amount of federal funding, which would rise only modestly each year, as explained below.

Block-grant funding would fall further behind state needs each year. The annual increase in the block grant would average about 4.3 percentage points less than Medicaid's currently projected growth rate over the next ten years. In the plan's tenth year (2026), federal Medicaid and Children's Health Insurance Program (CHIP) funding

would be \$169 billion—or roughly 33 percent—less than under current law (see graph). And the cuts would likely keep growing after 2026.

The block grant would cut federal Medicaid funding by \$1 trillion from 2017–2026. A small share of these cuts could come from CHIP which the Price plan would presumably merge into the Medicaid block grant as in past House Republican budget plans. Over the next ten years (2017–2026), the budget plan would provide nearly 25 percent less in federal Medicaid and CHIP funding to states than under current law—not counting the lost federal funding for the Medicaid expansion.

The loss of federal funding would be greater in years when enrollment or per-beneficiary health care costs rose faster than expected—for example, due to a recession or new treatment that improved patients' health but raised costs. Currently, the federal government and the states share in those unanticipated costs; under the Price plan, states alone would bear them.

As CBO concluded in 2012 when analyzing a similar Medicaid block grant from then-House Budget Committee Chairman Paul Ryan:

“The magnitude of the reduction in spending . . . means that states would need to increase their spending on these programs, make considerable cutbacks in them, or both. Cutbacks might involve reduced eligibility, . . . coverage of fewer services, lower payments to providers, or increased cost-sharing by beneficiaries—all of which would reduce access to care.”

In making these cuts, states would likely use the large added flexibility that the Price plan would give them. For example, the plan would likely let states cap Medicaid enrollment and turn eligible people away from the program, or drop benefits that people with disabilities or other special health problems need.

The Urban Institute estimated that the 2012 Ryan proposal would lead states to drop between 14.3 million and 20.5 million people from Medicaid by the tenth year (outside of the effects of repealing health reform's Medicaid expansion). That's an enrollment decline of 25 to 35 percent. Urban also estimated that the Ryan plan would lead states to cut reimbursements to health care providers by more than 30 percent. The Price block-grant proposal likely would mean similarly draconian cuts.

Mr. CASEY. Here is one of the headlines of that article, one of the basic inclusions by a respected organization that tracks this information. I will just read that headline: “The block grant would cut federal Medicaid funding by \$1 trillion from 2017–2026.”

So if you are saying you are going to protect children and you are going to protect seniors and you are going to make sure that those with disabilities don't have any problems going forward, it is pretty difficult to do that if you take a trillion dollars out of the Medicaid Program over the course of a decade.

There was an op-ed in the New York Times on Christmas Day. It was interesting that it actually was printed on that holy day. There was an op-ed by Gene Sperling. Gene is someone who many people in Washington know. But for those who don't, Gene served two

Presidents; he served both President Clinton and President Obama as the Director of the National Economic Council.

Here is one of the conclusions that Gene reached, based upon his research and his vast experience. I will quote him directly from the December 25 op-ed in the New York Times entitled “The Quiet War on Medicaid”: “Together, full repeal”—and there he means full repeal of the Patient Protection and Affordable Care Act—“and block granting would cut Medicaid and the Children's Health Insurance Program funding by about \$2.1 trillion over the next 10 years—a 40 percent cut.”

So whether you look at it in terms of block granting's impact on Medicaid or the combination of that block-granting policy, which the administration has now embraced fully, and the repeal of the Affordable Care Act, the result of that is that you adversely impact two programs—the Children's Health Insurance Program and the Medicaid Program.

Let me bring this back to real people. I just want to highlight a couple of excerpts from a letter I received recently, and then I will conclude.

This is a letter from Coatesville, PA, the southeastern corner of our State, a letter sent to me by Pamela E. Simpson. I will just call her Pam, even though I don't know her personally.

She wrote me a letter about her son. Pam Simpson's son is Rowan. She said that Rowan, who I guess is now 5 years old, back in 2015 was diagnosed with autism spectrum disorder. She went on to say how much Rowan has benefitted from the Medicaid Program. We call it Medical Assistance in Pennsylvania.

She said that among the services he received was the behavioral specialist consultant helping him and a therapeutic staff support worker. They received direct help, direct intervention so that Rowan could grow and benefit from those direct services.

She said that the agency that administers these kinds of wraparound services for Rowan and children like him—in this case, the Child Guidance Resource Centers—started a particular program focused on social skills, especially for children with autism.

But here is how she concluded her letter, and this is why I want to cite it in the context of this critically important debate we are going to have about Medicaid and the question of block granting, which sounds kind of benign; doesn't it? When you say it, it doesn't sound that bad. But in my judgment, it would be devastating to these families.

She said to me in the letter: Please think of my dear Rowan and his happy face, his big blue eyes, and his lovely strawberry blonde hair.

You can see him in these pictures that I should have mentioned earlier. Rowan is in these two different pic-

tures, and there he is dressed as a firefighter.

She continued: Please think of me and my husband, working every day to support our family, and please think of my 9-month-old daughter Luna who smiles at her brother daily.

There is Luna in the picture, being held by Rowan.

She says that she is worried that that little girl, when she is much older, will have to take care of Rowan later in life when Pam and her husband are gone.

She ends the letter this way: Overall, we are desperately in need of Rowan's Medical Assistance and would be devastated if we lost these benefits. What she is referring to there, of course, is Medicaid.

I have real trouble believing that if the Trump administration's proposal on block granting Medicaid marches forward, now that they have embraced the proposal that Republicans in Washington have embraced for years—they had voted for block granting over and over and over again. Now it is a live issue. Now it is no longer just voting. Now it is an issue that could be enacted into law, and I think that would be a terrible step in the wrong direction.

So I think we have to remember that when we consider these budget debates, when we consider the debate about health care, and especially when we consider real families like Pam's and real children like Rowan.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to be recognized in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

WOMEN'S MARCH ON WASHINGTON

Mr. LEAHY. Mr. President, I understand the majority leader may be coming to the floor to make a request. If he does, I certainly would be willing to yield to him, and I hope I won't lose my right to the floor.

Mr. President, a lot has happened here in Washington in the last few days. Marcelle and I knew that a number of Vermonters were coming down for the Women's March on Washington. We said to them, “Look, if any Vermonters are coming down, why don't you join us for coffee?” We arranged it right here on Capitol Hill, so they could.

At first, we didn't know how many would show up until we started getting the responses. Marcelle and I were there, along with members of my staff, shortly after 6 in the morning, and people started pouring in. Eventually, we had 500 or 600 from the little State of Vermont who joined us. I had a chance to speak to them.

My wife, Marcelle, gave one of the most powerful speeches, totally ad-libbed, that I have heard, pointing out the stakes of what is happening in this country. Of course, she pointed to the Supreme Court just next door.

What got me is that these people came from all walks of life in Vermont. Some I knew, and a lot I didn't. Some are Republicans. Some are Democrats. Some are Independents. All were very concerned. Most came down in buses and drove all through the night, a little over 500 miles, to show that our brave little State says no to hate. We had thousands more who marched in my State capital, Montpelier. Let me put this in perspective. Our State capital—I was born there, and I know it very well—is home to only 8,500 people, but 15,000 Vermonters stood on our statehouse lawn to show the President that they are paying attention, they want their voices to be heard, and the American people will hold him accountable.

I got some of the most enthusiastic emails and tweets. My 14-year-old granddaughter, Francesca, told me how thrilled she was to be there. One Vermonter who took part in the enormous Women's March in Montpelier told a member of my staff, "This is the first time I have been able to smile since Election Day."

In Washington, Marcelle and I were proud to march with our daughter, Alicia, and 12-year-old granddaughter, Sophia. I was proud to see this 12-year-old holding her head high, knowing the respect that was being shown to her and her mother, as well as to Marcelle and me. She knew that respect went to her in a way that reflected everybody—Black, White, no matter what you might be. People cared.

We have heard disrespectful, offensive and dangerous comments seep into our national discourse. The millions of men and women who participated in marches across the country this weekend offered a powerful statement that they will not tolerate policies that restrict the rights of women or treat women like second-class citizens. They will not treat my wife as one, they will not treat my daughter as one, they will not treat my three wonderful granddaughters as one, and all five of our grandchildren will be treated the same.

Unfortunately, the Trump administration ignored the voices of millions of Americans and is already undermining the rights of women. Two of the President's first Executive Orders targeted women. His first Executive Order attempts to dismantle the Affordable Care Act, which throws into limbo the health insurance arrangements of millions of American women who have been guaranteed maternity coverage as part of their health care plans, who have been able to have affordable birth control for the first time, who have been able to tell insurance companies

that no, pregnancy is not a preexisting condition. In other words, women can be treated the same as men when they seek insurance.

President Trump also reinstated the so-called Mexico City policy, a policy that would be illegal and unconstitutional in this country—that will only result in more abortions and more pregnancy related deaths in developing countries. A former Republican Senator whom I respected highly, when he was chair of the Senate Appropriations Committee—he was strongly against abortion, but he said this kind of a policy is only going to result in more abortions and more pregnancy-related deaths in developing countries, and he is right. He is right. Affordable health care, affordable birth control, and the availability of these services would bring down abortion and pregnancy-related deaths, whether in the United States or the countries we help.

Mr. President, Americans are watching. From what I heard and saw from Vermonters on Saturday, I could tell you that they are fired up and ready to go. We need a President who is committed to equality and opportunity for all people, no matter their sex, gender, or race. We will not stand for policies that turn back the clock on so much progress we have made. To paraphrase Dr. Martin Luther King, we have to accept finite disappointment, but we must not give up infinite hope. Only light can crowd out the darkness.

I was proud to see so many Vermonters speaking up. They are not going away, and, as I pledged to them on Saturday, I am not going away. I am going to speak. I am going to speak the same way I did when Marcelle and I walked with our daughter and our granddaughter in the million women march. I will continue to speak up, as the people in my office in Vermont did, in Montpelier. I will speak up for all five of our grandchildren, for Francesca and Sophia and Fiona, but also for Patrick and Roan. I will speak up for all Americans. I will speak up for all Vermonters. They expect nothing less and they deserve nothing less.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

44TH ANNIVERSARY OF ROE V. WADE

Mrs. SHAHEEN. Mr. President, I am pleased to follow my neighbor from Vermont, Senator PATRICK LEAHY. We also had a very inspiring march in the capital of New Hampshire on Saturday that Senator HASSAN and I both attended. But I am not here to talk about that so much as about the 44th anniversary of the Roe v. Wade decision. That anniversary happened this past Sunday. That ruling affirmed the constitutional right of women to control our own reproductive choices. It made

birth control safer and more accessible for women across this country.

On Saturday, as Senator LEAHY said so eloquently, we saw millions of women and men come together in Washington and Concord, NH, and other cities across New Hampshire and across the United States and all across the globe. There were events in all 50 States and in 32 countries. We came together to defend this constitutional right, as well as other critical gains for women in recent years. Our message, expressed peacefully and powerfully, was that we will not allow these gains to be taken away. We will not be dragged backward.

Despite the progress since the 1973 Roe v. Wade decision, women's reproductive health care remains under constant assault. States have passed restrictions intended to shut down clinics and limit access. Sadly, Republican leadership here in Congress has repeatedly attempted to defund Planned Parenthood, which is one of this Nation's leading providers of high-quality, affordable health care for women, and over 95 percent of the work that is done by Planned Parenthood is done to provide preventive services and health care to women, such as mammograms, cervical cancer screenings, and other important preventive care.

Unfortunately, the Trump administration and Republican leaders here in Congress have exhibited a dangerous obsession with rolling back women's reproductive rights. President Trump has promised to nominate Supreme Court Justices who will overturn Roe v. Wade. It is interesting—he has talked about court decisions around LGBT rights as being settled law, and yet we have the Roe v. Wade decision, which is 44 years old, and for some reason he doesn't include that as settled law.

Just yesterday, in one of his first official acts, the President signed an Executive order reinstating the global gag rule, also known as the Mexico City policy that began with Ronald Reagan's Executive order. That Executive order prohibits U.S. financial aid to many international organizations that offer contraception and comprehensive family planning services to women. But what we have seen with this Executive order that President Trump signed is a broad expansion of that Mexico City policy.

The new Trump administration has joined with Republican leaders in Congress in pledging a much broader assault on women's rights and the gains women have made in recent years. In addition to terminating funding for Planned Parenthood, which more than 12,000 Granite Staters depend on for quality, affordable health care, they have promised to repeal the Affordable Care Act, which would have profoundly negative consequences for women's health. The repeal would end

ObamaCare's ban on discrimination against women in health insurance. Depending on how the law is crafted, it would allow insurers to once again classify pregnancy as a preexisting condition and to deny many women coverage; it would allow insurers to charge women more simply because we are women; it would reverse women's access to contraception without cost-sharing; and it would end access to preventive health services, such as mammograms and cervical cancer screenings, without cost-sharing—all very significant benefits of the Affordable Care Act.

Last week, we also saw reports that at the Justice Department, the Trump administration plans to eliminate the Office on Violence Against Women, including all 25 grant programs that have been working to prevent domestic violence, sexual assault, and other forms of violence against women for more than two decades—this at a time when one in five women in this country still reports being the victim of a completed or attempted rape.

Taken together, these actions amount to more than a dangerous obsession with throwing back women's reproductive rights, they amount to an assault on the safety and well-being of women and girls in the United States and across the globe. This is exactly what millions of women and men were protesting on Saturday.

Sadly, people are not just concerned, they are frightened, and unfortunately with very good reason.

As those of us who gathered and marched on Saturday made very clear, we are not going to stand still for this assault on our rights and gains. We are not going to be taken backward. This week, I am introducing bipartisan legislation to permanently repeal the global gag rule, with Senator COLLINS. This rule bans Federal funds for non-governmental organizations that provide abortion services or information about abortion as part of comprehensive family planning services.

As I said earlier, the Trump administration's reinstatement of the global gag rule is even more extreme and harmful than it has been in previous Republican administrations. Previously, under President Reagan and the Bush administration, this policy applied only to family planning funding, but under President Trump's order, it applies to every program that falls under global health assistance. This means that it puts at risk 15 times more funding and millions more women and families. This targets some of the most effective health organizations that work in the developing world—organizations that are doing great work to provide HIV services and maternal health care and to counsel women on the risks of the Zika infection—and it ignores decades of research. We know that when family

planning services and contraceptives are accessible, there are fewer unplanned pregnancies, fewer maternal deaths and child deaths, and fewer abortions. So if you want to prevent abortion—something I think we all agree on—then why not give women and their families access to family planning services? I don't think we can allow extreme ideology to triumph over the urgent practical needs of women and families across the world.

The facts make clear that when family planning services are accessible and contraceptives are affordable, rates of unplanned pregnancies and abortions go down. Here in the United States, the abortion rate has dropped to the lowest level since 1943—a success that is directly attributed to reduced cost-sharing for contraception under the Affordable Care Act. And what do we have? We have the leadership and Congress trying to reverse that assistance to women and families.

In recent days, we have been presented with a fateful choice. We can stand aside and allow the Trump administration to lead an across-the-board assault on women's rights—on women's access to health care, on programs that protect women from sexual assault and other forms of violence—or we can come together on a bipartisan basis to protect the important gains women have made in recent years and decades.

Back in the early 1980s, I chaired a committee in New Hampshire that was working on women's employment in the State. One of the conclusions we came to was when women are supported, their families are supported. So this is not just about women in this country; this is about families. It is about women and their children and their husbands and their brothers and their fathers and their mothers. This is about what is in the best interests of the American people.

Millions of Americans joined together on Saturday, peacefully and passionately, to urge Congress to make the right choice, to protect women's constitutional rights, to protect our access to health care. I urge my Senate colleagues on both sides of the aisle to listen to those voices, and I urge my colleagues to join with me in ending the global gag rule once and for all.

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, this past Sunday was the 44th anniversary of *Roe v. Wade*. I wish to take a moment to reflect on how far we have come since the Supreme Court decision.

Because of *Roe v. Wade*, American women for the last 44 years have had the right, the freedom, the privacy to make their own decisions about their own bodies with their doctors and with

their families, without the Federal Government barging its way into the conversation and telling them what they can or can't do with their own bodies.

Roe v. Wade was one of the most important Supreme Court decisions in the history of women's rights in this Nation, but it was only a start. In the 44 years since, we have made so much progress with women's health, and much of that progress has to do with what we accomplished in the Affordable Care Act.

Millions of American women now have access to health care coverage that used to be extremely difficult and expensive for a lot of women to get. Millions of American women now have access to affordable preventive health care services, including contraception, birth control, STD screenings, mammograms, breastfeeding support and supplies, and cervical cancer screenings, and since the Affordable Care Act was passed, the number of unwanted pregnancies has gone down, in part, because more women have access to affordable contraception.

There is no doubt that American women have better access to safe and affordable health care because of *Roe v. Wade* and the Affordable Care Act, but some of my colleagues are committed to turning back the clock on women's health and taking away women's access to this lifesaving care. They are doing everything in their power to get rid of the Affordable Care Act, and they are determined to see *Roe v. Wade* get overturned.

One of President Trump's first Executive orders was so extreme that it would take away funding for any international organizations that even talk about whether a woman might want to terminate a pregnancy. We should never let this happen. If we take away women's access to the health care they need, it would be devastating—even life-threatening—for millions of American women.

This weekend, a massive group of women and men and children joined together in women's marches across the globe. They were there to speak out, to be heard, to protest some of these issues that would deeply affect American families and women in particular. I was so proud to march with them. I was inspired by them—their passion, their determination, and their commitment to never give up.

The women's marches were truly the biggest outpouring of support and activism I have seen in my lifetime and certainly that we have seen in this generation. They were loud and clear statements that we will not let the government dictate to us how we should manage these most personal decisions—when you are going to have a family, how big your family is going to be. Those are decisions that are made by husbands and wives, by spouses all

across this country about what their family is going to look like.

I urge all of my colleagues in this Chamber to listen to the millions of Americans, the millions of women who would like to make those decisions themselves, who would like to choose their health care, who would not like to be charged more just because they are women, who would not like to see their health care coverage dropped the minute they become pregnant, who would not like to be told: You have a preexisting condition and we will not cover you. That is what we go back to.

We have to fight for the Affordable Care Act, and we have to make sure the Supreme Court does not overturn *Roe v. Wade*. Listen to your constituents. These marches weren't just in New York; they were in every State across the country. These marches were real, they were powerful, they were determined, and these men and women want to be heard.

Members of Congress, I hope you are listening to them. That is our job, to represent our country. Their voices must be heard. We shall not ignore them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that at 5 p.m., on Tuesday, January 24, the Senate proceed to executive session for the consideration of the following nominations en bloc: Executive Calendar Nos. 6 and 7; I further ask unanimous consent that there be 30 minutes of debate on the nominations en bloc, equally divided in the usual form; and that following the use or yielding back of time, the Senate vote on the nominations en bloc, with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table; the President be immediately notified of the Senate's action, and no further motions be in order; and that any statements related to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FUTURE OF THE EPA AND NOMINATION OF SCOTT PRUITT

Mr. BARRASSO. Mr. President, last week the Committee on Environment and Public Works held a hearing on the nomination of Oklahoma attorney general Scott Pruitt to lead the Environmental Protection Agency. The hearing was really about the future of this Agency and how we can get it back to doing the job it was meant to do from the very beginning.

We are blessed in this country with enormous natural resources. Our goal should be to use these resources responsibly in ways that protect our environment and help make our economy strong.

Over the past 8 years, the leaders of the Environmental Protection Agency created broad and legally questionable new regulations that undermined the American people's faith in the Agency. The political leaders of this Agency have been reckless, irresponsible, and arrogant.

A course of correction is long overdue, and it is exactly what we are going to get.

If my colleagues have any doubts that the EPA lost its way, they can just look at two of the biggest environmental scandals we have seen in a long time. In the summer of 2015, there was what became known as the Gold King Mine disaster. The Environmental Protection Agency spilled 3 million gallons of toxic wastewater into a river in Colorado. This was water filled with toxic substances like arsenic and lead. It flowed to New Mexico and Utah, through the land of the Navajo Nation and the Southern Ute Indian tribe. There are 200,000 people who drink water from the river system that the EPA poisoned. Farmers and ranchers couldn't use the water for their crops or their animals.

The other disaster the Environmental Protection Agency helped to cause was what happened in Flint, MI. The EPA failed to do the proper oversight. As a result, thousands of children were exposed to high levels of lead in their drinking water. The Agency knew about the dangers to the public health and for months did nothing to warn the people.

These are just two scandals where the Environmental Protection Agency actually harmed people's health because the EPA was negligent. There are also many ways the Agency has harmed families and the American economy, not by accident but intentionally. It has issued thousands of pages of regulations trying to shut down the entire coal industry in the United States. Since 2009, the Environmental Protection Agency has come out with nearly 200 new regulations.

According to the American Action Forum, the total cost of all of this new redtape is about \$340 billion. The Agency has piled enormous new restrictions and costs onto American families and businesses, all to produce miniscule benefits.

One of them was the so-called Clean Power Plan. States sued to block this destructive bureaucratic overreach. The courts had to step in and tell Washington not so fast.

We should be looking for ways to make American energy as clean as we can, as fast as we can, without raising costs for American families. That is

not what the Environmental Protection Agency did with its power regulations.

The EPA also put out a new rule that dramatically expanded its own control over what it calls waters of the United States. The Agency declared that it has control over things like irrigation ditches and backyard ponds all across America. Two different courts have blocked this rule from taking effect. Why? Because it goes far beyond the Agency's own authority.

For 8 years now, the leaders of the EPA have not had their priorities straight. They have been pursuing a political agenda instead of focusing on what should be the Agency's core mission. The Environmental Protection Agency was created for a reason. It was created because America needed someone to perform this mission. There is a right way to do the job. We can strike the right balance so we protect our environment while allowing our economy to grow.

My home State of Wyoming is one of the most pristine States in the country, one of the most beautiful places in the world, as well as one of the most energy-rich States in the country. Wyoming has struck the right balance. We have done it successfully and so have many other States. We can address threats to our environment best through the cooperation of States, towns, Indian tribes, and Washington—a cooperation.

The quality of America's air, water, and land are local concerns as much as they are national concerns. The Environmental Protection Agency should not try to dictate regulations from Washington without consulting its partners at all levels.

Much of the work of the EPA was intended to give States a chance to take action first. Federal regulators are meant to be a backstop, acting when States or communities fail to act. Restoring this proper order and restoring the partnership of States with the EPA is essential to making sure people see the Agency as legitimate once again. The Agency needs to learn to listen before it acts.

We can also restore the Environmental Protection Agency by restating its commitment to the rule of law. That is why the American people elect a Congress—because of the rule of law. The Agency must enforce the laws as they are written by Congress. The Agency cannot write the laws, cannot ignore the parts of the laws it doesn't like, although that is exactly what this EPA has been doing.

We all know the EPA used to do very good work. In the past, it protected America's environment while understanding that there need to be reasonable regulations that allow people to use our natural resources. Every American wants clean air, clean water, and commonsense protection for our species. That will not change. We need the

EPA to do its job, and we need it to do the job right.

Through 6 hours of questioning before our committee last week, Scott Pruitt showed that he understands the need to return the Environmental Protection Agency back to its proper course. He showed he is committed to working as a partner with Americans all across the country to find the best ways to address the threats to our environment. His record as the attorney general of Oklahoma showed that he is committed to restoring and maintaining the rule of law.

I am confident that Attorney General Pruitt will be able to right the ship at the EPA. I am confident that he can restore the balance between the benefits the Agency can deliver for Americans with the costs that it imposes.

As chairman of the Committee on Environment and Public Works, I am committed to making sure the Senate exercises appropriate oversight to make sure that this happens.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

REPEALING THE AFFORDABLE CARE ACT

Mr. WHITEHOUSE. Mr. President, Republicans in Congress have been on the warpath for a long time to repeal the Affordable Care Act. In fact, in this new Congress, their first order of business has been to pave the way for dismantling this law. Despite the fact that 20 million Americans have gained health insurance coverage thanks to this law, despite people no longer being denied coverage for preexisting conditions, despite big savings in health care costs, and despite everyone with insurance being able to access important preventive health services for free, my Republican colleagues have decided to repeal it. And, after 7 years to get ready, they have no replacement, not even a path to a replacement at this point.

Yes, they are set on repealing a law that has provided both health and financial security to millions of Americans, with no replacement in sight, just at this point some empty IOU for some future piece of legislation that may or may not be any good. It is a little like being asked to jump out of an airplane without a parachute and being told: Trust us. We will build the parachute for you before you hit the ground.

We don't know what this nonexistent Republican replacement would look

like, but we sure do know what a repeal would do; it would gut health insurance premium tax credits that help millions of Americans obtain health insurance they could not otherwise afford. It would unwind an expansion of the Medicaid Program that covers millions more Americans in some 30 States that have chosen to participate, casting tens of millions of Americans—men, women, and children—out of their health insurance.

At the same time, it would deliver an enormous tax boon to millionaires and billionaires, as usual for Republicans, by repealing the revenue we used to pay for ObamaCare. This tax boon is a 16-percent reduction in the taxes owed by millionaires and billionaires on their investment income.

Republicans want to take health insurance away from tens of millions of ordinary Americans and simultaneously reward those at the very top of the income pile with a big tax benefit. So much for all the talk we have heard from Republicans about the deficit.

At least in Rhode Island, the Affordable Care Act is working. The law launched accountable care organizations that are improving care while lowering costs. In Rhode Island, Coastal Medical and Integra Community Care Network—two primary care-focused ACOs—are not only driving down per person health expenditures but achieving high marks on quality and on patient experience. In total, Coastal has saved \$24 million over 3 years and Integra has saved \$4 million in its first year as an ACO.

The Affordable Care Act also has protected seniors from the dreaded drug price doughnut hole, and I can tell you I heard a lot about the doughnut hole from seniors in Rhode Island when I was running for the Senate. The Affordable Care Act has protected families where someone had a chronic condition and couldn't get insurance, and the Affordable Care Act has prevented insurers from throwing customers off coverage when they get sick.

It is true that some of the health insurance exchanges haven't attracted enough competition. We can fix that. Indeed, to help with that issue, Senators BROWN, FRANKEN, and I are today introducing the Consumer Health Options and Insurance Competition Enhancement Act, or the CHOICE Act, to add a public health insurance option to the health insurance exchanges. This public option would guarantee that consumers always have an affordable, high-quality option when shopping for health insurance and a strong health care fallback when markets fail.

ObamaCare may not be perfect, but it has done an awful lot of good. Millions of Americans who lacked insurance now have it, and the rate of uninsured Americans has fallen to 8.6 percent, about half of what it was in 2010. Projected Federal health care costs are down nearly \$3 trillion.

Instead of demolishing a system that works well for millions of Americans with no replacement on the horizon, let's use our proposal to make it better. Let's add a public option to our health insurance exchanges.

Mr. WHITEHOUSE. Mr. President, if I could address another topic now and ask unanimous consent to speak for up to 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF SCOTT PRUITT

Mr. WHITEHOUSE. Mr. President, the question I bring to the floor today is what is Scott Pruitt hiding? Last week, the Environment and Public Works Committee held a hearing on President Trump's nominee to the Environmental Protection Agency. Today, for my 155th "Time to Wake Up" speech, I have unanswered questions about Mr. Pruitt's fitness for that role. His evasiveness at his hearing signaled nothing good about his ties to the industry he would regulate if confirmed, and the lack of curiosity about these industry ties from my Republican colleagues speaks volumes about the political clout of that industry.

One question stood out. Our new chairman, Senator BARRASSO, posed the standard question of nominees to Mr. Pruitt in our hearing: "Do you know of any matters, which you may or may not have disclosed, that might place you in any conflict of interest if you are confirmed?"

Mr. Pruitt answered: "No."

Scott Pruitt crawls with conflict of interest. He has conflicts of interest with the fossil fuel industry from his political fundraising. We just don't know how bad. He likely has conflicts of interest from confidential private meetings with fossil fuel companies at Republican Attorneys General Association get-togethers, but we just don't know how bad. There is almost certainly evidence of conflict of interest in his undisclosed emails with fossil fuel companies, but again we don't know how bad. He came clean on none of this in his confirmation hearing.

This chart is a simple, and a likely incomplete, representation of the many financial links reported between Pruitt and the fossil fuel industry. At the top are the companies and the entities that have supported Mr. Pruitt with political funding. Down below are the political organizations for which he has raised money.

Pruitt for Attorney General was his reelection campaign. The polluters gave to Pruitt for Attorney General. Oklahoma's Strong PAC was his leadership PAC, a separate political fundraising vehicle. The polluters gave to Oklahoma Strong.

There was another one here called Liberty 2.0, Mr. Pruitt's super PAC, but he closed it down so we don't list it.

While it existed, his super PAC took nearly \$200,000 in fossil fuel industry contributions. Mr. Pruitt served as the chair of the Republican Attorneys General Association in 2012 and 2013 and was a member of RAGA's executive committee through 2015. Between 2014 and 2016, RAGA received \$530,000 from Koch Industries. It received \$350,000 from Murray Energy. It received \$160,000 from ExxonMobil, and it received \$125,000 from Devon Energy.

Devon Energy, by the way, is the company whose letter Mr. Pruitt transposed virtually verbatim onto his official letterhead to send to the EPA as the official position of the Oklahoma attorney general.

During his hearing, Mr. Pruitt refused to provide details about any solicitations he made from regulated industries for the Republican Attorneys General Association. We know they got special attention from RAGA. Here is a confidential 2015 meeting agenda from RAGA when Pruitt was on its executive committee. I ask unanimous consent to have printed in the RECORD the meeting agenda page.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RAGA SUMMER NATIONAL MEETING 2015, THE GREENBRIER, WEST VIRGINIA
MEETING AGENDA

The Greenbrier; 300 West Main Street, White Sulphur Springs, WV; (855) 616-2441.

SATURDAY, AUGUST 1, 2015

A Cyber Lounge and Hospitality Suite are provided all day for your convenience by Rent-A-Center in the Chesapeake Bay Room. 5:40 PM—Lead Shuttles for West Virginia Host Committee Dinner. Location: Front Main Entrance of the Hotel.

6:00 PM-8:00 PM—West Virginia Host Committee Reception & Dinner; Location: Kate's Mountain Lodge; Special Guest: Homer Hickam—American author; Vietnam veteran, and a former NASA engineer. His autobiographical novel *Rocket Boys: A Memoir*, was a No. 1 New York Times Best Seller, and was the basis for the 1999 film *October Sky*.

SUNDAY, AUGUST 2, 2015

A Cyber Lounge and Hospitality Suite are provided all day for your convenience by Rent-A-Center in the Chesapeake Bay Room

7:00 AM-10:30 AM—Breakfast (on your own); Location: Main Dining Room; *Breakfast is included, please provide your room key to the waiter. Please note: denim and exercise attire are not permitted.

11:00 AM-12:30 PM—AG Business Meeting; *Attorneys General and Staff Only; Location: Eisenhower A & B.

12:30 PM-2:00 PM—RAGA ERC & Capital Club Lunch: What Difference Does It Make? Measuring the Success of Republican AGs; Location: Chesapeake Room; Speaker: Attorney General Pam Bondi, Florida.

2:00 PM-5:30 PM—Private Meetings with Attorneys General and Staff; *Attorneys General and Staff Only; Location: Eisenhower A & B.

2:00 PM-2:40 PM—Private meeting with Murray Energy; *Attorneys General and Staff Only; Location: Eisenhower A & B.

2:50 PM-3:10 PM—Private meeting with Microsoft; *Attorneys General and Staff Only; Location: Eisenhower A & B.

3:15 PM-3:35 PM—Private meeting with Southern Company; *Attorneys General and Staff Only; Location: Eisenhower A & B.

3:40 PM-4:00 PM—Private meeting with American Fuel Petrochemical Manufacturers; *Attorneys General and Staff Only; Location: Eisenhower A & B.

Mr. WHITEHOUSE. This confidential agenda mentions a private meeting with Murray Energy. It mentions a private meeting with Southern Company, and it mentions a private meeting with American Fuel Petrochemical Manufacturers, which represents a lot of these characters. Murray Energy, of course, is right there. Southern Company is right there, and the American Fuel Petrochemical Manufacturers organization, I am sure, represents the others.

This confidential meeting agenda is all we have about what took place in those private meetings. I asked Mr. Pruitt in our hearings about the content of these private meetings, and he wouldn't answer any questions. He doesn't want us to know what was discussed there with the big fossil fuel polluters—companies whose pollution he will oversee as EPA Administrator.

Pruitt was also a chairman of the Rule of Law Defense Fund. The so-called Rule of Law Defense Fund is a dark money political operation that launders the identity of donors giving money to the Republican Attorneys General Association. As the New York Times said, the fund is a "legal entity that allows companies benefiting from the actions of Mr. Pruitt and other Republican attorneys general to make anonymous donations, in unlimited amounts." It is a complete black hole of political cash.

In the hearing, Pruitt refused to shine any light into the dark money he solicited or received from these fossil fuel polluters or others for the Rule of Law Defense Fund—not whom he asked for money, not who gave money, not what they gave, nothing. This is an organization that appears to have a million-dollar-a-year budget so someone was busy raising a lot of money. How much exactly, from whom, and what was the deal? Scott Pruitt doesn't want our committee or this Senate or the American people to know.

Colleagues and I sent letters to the Office of Government Ethics and to the Environmental Protection Agency's top ethics official. Their responses indicate that their ethics rules predate Citizens United and its torrent of dark political money. Their regulatory authority on government ethics has not caught up with the post-Citizens United dark money world. Since their ethics authorities have not been updated for these dark money conflicts, if Pruitt doesn't disclose any of this information before the Senate, no one will know, and even those government ethics watchdogs may end up blind to conflicts of interest.

That doesn't mean there isn't a conflict of interest here. What it means is

it is a hidden conflict of interest. That makes it our duty in the Senate to examine those relationships, except for the fact that the fossil fuel industry now, more or less, runs the Republican Party, so there is a scrupulous lack of interest in this fossil fuel industry dark money.

How badly does Mr. Pruitt want to hide his dealings with his fossil fuel patrons? An Open Records Act request was filed with the Oklahoma attorney general's office—Mr. Pruitt's office—for emails with energy firms, fossil fuel trade groups, and their political arms, with companies like Devon Energy, Murray Energy, and Koch Industries, and the American Petroleum Institute, which is the industry's trade association.

Let me share three facts about this Open Records Act inquiry: No. 1, the Open Records Act request was filed more than 745 days ago—over 2 years, 2 years. No. 2, Pruitt's office has admitted that there are at least 3,000 responsive documents to that Open Records Act request. Consider that fact alone for a moment. There were 3,000 emails and other documents between his office and these fossil fuel companies and front groups—3,000. No. 3, zero, exactly zero of those documents have been produced—745 days, 3,000 documents, zero produced.

Think how smelly those 3,000 emails must be when he would rather have this flagrant Open Records Act compliance failure than have any of those 3,000 emails see the light of day. Given the important financial interests of these groups before the EPA, do we really not think that 3,000 emails back and forth between him and his office and those groups might be relevant to his conflicts of interest as Administrator? Until very recently, Republicans had a keen interest in emails. Chairman BARRASSO asked that important question: "Do you know of any matters which you may or may not have disclosed that might place you in any conflict of interest if you are confirmed?" Scott Pruitt answered: "No."

On this record, there is every reason to believe that his statement is false. Might having raised significant dark money from the industry that he would regulate create a conflict of interest? Let's say that he made a call to Devon Energy and said: I slapped your letter on my letterhead and turned it in as if it were the official work of the Oklahoma attorney general's office. Now I need a million bucks. And you can give it to the Rule of Law Defense Fund as dark money, without anyone knowing that it was you.

Might such a quid pro quo create a conflict of interest in his ability to carry out the duties of EPA Administrator in matters affecting Devon Energy? It is impossible to say that it would not be a conflict of interest.

Let's say that at those confidential private meetings with Murray Energy

and Southern Company, something went on. Might something that takes place in private meetings with Big Energy interests that he is going to have to regulate create a possible conflict of interest? They paid to be there. They wanted something. Might that not give rise to a conflict of interest?

And who knows what conflicts of interest would be divulged if his office were not sitting on 3,000 undisclosed emails with fossil fuel industries that he will be regulating as EPA Administrator?

I challenge anyone to come to this Senate floor and tell me with a straight face that there is nothing that those emails could reveal that might create a conflict of interest for the man discharged with regulating the companies on the other end of those emails. "No" just doesn't cut it as an answer from Mr. Pruitt when there is still so much that he is hiding.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PETERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

NOMINATION OF BETSY DEVOS

Mr. PETERS. Madam President, I rise today to speak on the nomination of Betsy DeVos for Secretary of Education.

Public education is deeply personal for me. I am proud to have attended Michigan public schools, and I have three children who did so as well. I know firsthand the importance of a strong public education system. My father Herb was a proud teacher and taught English for 32 years in Rochester, MI, where I grew up.

My father was part of the "greatest generation." He fought for our country in World War II and returned home to help build America's middle class. Our Nation owes these men and women a debt of gratitude for building a country where anyone who is willing to work hard and play by the rules can find opportunity.

But too many families today feel that the American dream remains just out of reach. It seems that they can hardly get by, much less get ahead. At a time of growing income inequality, public schools can and do provide a ladder of opportunity in communities across the Nation—urban, rural, and suburban alike. Strong public schools are vital to our economy, our democracy, and to our Nation's global competitiveness.

I think we can all agree that a child's chance to succeed should not be dic-

tated by his or her ZIP Code. While many crucial education decisions are made at the State and at the local levels, the Federal Government also has a role to play in providing the necessary educational tools and proper protections for all of our children to flourish.

We need a Secretary of Education who is dedicated to improving access to quality public education based on sound evidence and ensuring the proper implementation of Federal laws designed to protect and to help all of our children. That is why I am deeply troubled by President Trump's nomination of Betsy DeVos to serve as the Secretary of Education.

Mrs. DeVos, like so many recent graduates, is effectively applying for a job. And like any employer, the American people should look at her resume, her interview, and her past performance.

Mrs. DeVos's resume contains no experience in public education at any level—not as a teacher, not as an administrator, not as a student or a parent, not as a school board member, and not even as a borrower of public loans for college.

Her only experience in education is her work lobbying for the transfer of taxpayer money to private schools and the rapid expansion of charter schools without sufficient accountability to parents and to students.

So let's look at her interview. Her appearance before the Senate HELP Committee last week raised many more questions and did not provide answers. During her confirmation hearing, Mrs. DeVos showed herself to be unfamiliar with some basic educational concepts, like the debate over whether we should measure students' success by growth or proficiency. If Mrs. DeVos doesn't know how to measure success, how can she ever be expected to achieve success in our schools?

Mrs. DeVos also appeared to have never heard of the Individuals with Disabilities Education Act, one of the most important pieces of education and civil rights legislation in our country's history. This law has provided access to education for children with unique needs and supports their parents, who depend on the law that Mrs. DeVos will be in charge of enforcing, if confirmed. And it appeared as if this was the first time that she had ever heard of this law, just last week.

So finally, let's take a look at her past performance. I am particularly troubled by Mrs. DeVos's long-time advocacy to funnel Michigan taxpayer dollars to private and charter school systems that are not held accountable for their performance.

Let me be clear. Our education system is far from perfect, and I support effective, innovative educational reforms that lift up our children. But these reforms need to be driven by facts and not ideology.

Unfortunately, in my home State of Michigan, the charter school experiment has not lived up to the promises made. In fact, 65 percent of charter schools in Michigan fail—yes, fail—to significantly outperform traditional public schools in reading outcomes. In Detroit, 70 percent of charter schools are in the bottom quartile of Michigan's schools. These are certainly not the results that we would want to replicate at the national level.

Despite these outcomes, Mrs. DeVos stated during her confirmation hearing that she did not think that public charter schools should be held to the same standards as traditional public schools.

Well, that simply doesn't make sense. It doesn't make sense that many charter schools accepting taxpayer money not only performed worse than traditional public schools in terms of academic success but also get to skirt laws that protect against discrimination and support disabled youth. We should hold all schools receiving Federal dollars to the same level of accountability.

I have reviewed her resume, her interview, and her track record, and I have no confidence that Mrs. DeVos will fully support our traditional public schools, our teachers, our parents, and, most importantly, our children, who only get one shot. They just get one shot to get an excellent K-12 education.

Her approach to education has failed the children of Michigan, and her confirmation process gives me no reason to think that she will bring a more successful approach to our Nation.

American children deserve the opportunity for a quality education no matter who they are and no matter where they live. I stand with the many educators and parents in Michigan and across the Nation when I say: Mrs. DeVos lacks the experience, qualifications, and the right vision to oversee our Nation's educational system. Simply put, our children deserve a whole lot better.

I cannot and will not support Betsy DeVos's nomination to serve as the Secretary of Education, and I hope my colleagues will join me in unity against her nomination.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

COMMERCE COMMITTEE AGENDA AND NEW INFORMATION TECHNOLOGIES

Mr. THUNE. Mr. President, it is hard to believe, but the Internet as we know

it is already in its third decade. While it is no longer novel, this essential technology continues to transform the world around us in often very unexpected ways. Just a few short years ago, the idea of the Internet being built into farm equipment would have been unthinkable. Yet, today, wireless Internet in tractors and combines is making agriculture more and more efficient. This is just one small example of how new information technologies have become a fundamental part of our economy. There isn't a job creator in America who doesn't have a story to tell about how or when he or she realized the Internet had become a critical part of his or her business.

But while the digital economy is creating massive opportunities, our Nation's laws are not keeping pace. Over the past several years, Netflix and Amazon have completely disrupted the video world. The iPhone, which redefined personal computing and connectivity, just celebrated its 10th anniversary. Yet most of the government policies dealing with video, wireless, and Internet platforms were written for a world where none of these things existed. It is a testament to the ingenuity of American businesses and entrepreneurs that they have been able to adapt and succeed with laws that are increasingly out of date. While I don't doubt that they will continue to work around these challenges, American companies and consumers deserve better.

It is past time to modernize our communication laws to facilitate the growth of the Internet, and it is high time to update government policies to better reflect the innovations made possible by digital technologies. As the chairman of the Senate Commerce Committee, I have committed to modernizing government policies for the digital age, and that will be one of our top priorities in the Commerce Committee this year.

One way the government can boost investment in our digital infrastructure is by finding ways to make it cheaper and easier to build broadband networks. At the Commerce Committee, I introduced legislation called the MOBILE NOW Act to ensure that huge swaths of wireless spectrum are made available for use by the year 2020. By then, we hope to see the next generation of ultra-high speed services known as 5G, which will need more spectrum than is available today. The MOBILE NOW Act will also cut through much of the bureaucratic red-tape that makes it difficult to build wireless infrastructure on Federal property.

I am happy to report that the Commerce Committee passed the MOBILE NOW Act earlier today, but this legislation is just the start. The Commerce Committee will continue to develop legislative proposals to spur broadband

deployment, make more spectrum available for the public, and improve connectivity throughout rural America.

Good Internet infrastructure policies and investments matter very little, however, if government bureaucrats can overregulate the digital world. The Federal Communications Commission has long been the main government regulator for telecommunications. As we have turned away from traditional telecom services and toward new technologies, the FCC has found its role gradually diminishing. This is inevitable and a good byproduct of technological innovation. But instead of accepting this, over the last several years the FCC has aggressively pushed for government interference in the Internet. Speaking about new economic opportunities on the Internet, the last FCC Chairman declared: "Government is where we will work this out." The government is where we will work this out? Well, I believe consumers and job creators should be the ones deciding about new technologies, not the government. I think most Americans would agree.

Right now, Internet providers are offering innovative service plans that allow you to stream video, music, or other content for free. These innovative offers are a sign of strong competition in the marketplace. Yet, 2 weeks ago, the outgoing FCC issued a report raising what it called "serious concerns" that such practices "likely . . . harm consumers." That is right, it seems the FCC thinks that being able to do more online for less money is somehow bad for consumers. Meanwhile, consumers themselves seem to strongly disagree because a lot of these free data offerings are turning out to be quite popular.

One of the most important takeaways from the last election is that people are tired of bureaucrats trying to micromanage their lives. One way we can address this concern is to see how the FCC operates and reform what it is allowed to do. The FCC should be focused on fixing fundamental problems in the marketplace, not dictating the direction of technological progress. The last time Congress passed meaningful laws affecting the FCC was when the Internet was in its infancy. It is clearly time for the FCC's reform once again.

At the Commerce Committee, we have had many conversations about improving this agency, and I believe this year presents a real opportunity to turn those conversations into solutions. I am confident that we can attract the bipartisan support that is needed to move legislation modernizing the FCC across the Senate floor.

Another area where I would like to achieve bipartisan agreement is on legislation to protect the open Internet. We need clear and reasonable rules for

the digital road that everyone can understand. Complex and ambiguous regulations that shift with the political winds aren't in anyone's best interests. For Americans to get the maximum benefit from the Internet, they need certainty about what the rules are and, most importantly, what the rules will be in the coming years. The only way to achieve that is for Congress to pass bipartisan legislation. I have been working with my colleagues to find a legislative solution. While we are not there yet, I am committed to getting there.

The Commerce Committee was incredibly productive last year, with 60 measures enacted into law. We made real progress on Internet-focused legislation, including committee approval of the MOBILE NOW Act that I mentioned earlier. We will build on that foundation in this Congress. I look forward to taking advantage of the good ideas of our committee members on both sides of the aisle.

At the end of the day, it is not, as I said, Congress that is going to come up with the best solutions. It will be American innovators and entrepreneurs who will determine what the digital future holds, not us here in Washington, DC. Government should focus on facilitating their success while making sure that we are not accidentally standing in their way.

I am excited to see how the Internet and other emerging technologies will continue to change our world in the coming years, and I am eager to do my small part to ensure that all Americans benefit from these amazing advances.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF SCOTT PRUITT

Mr. INHOFE. Mr. President, I was not preparing to come down to speak today, but I just want to make a few comments because I have been listening to what is going on in one of the other rooms out there. Everyone is zeroing in and targeting a guy named Scott Pruitt, who they don't think should be confirmed to be the Administrator of the EPA. I know Scott Pruitt very well, and he happens to be the attorney general for my State of Oklahoma. In fact, I recruited him to run for the State legislature many years ago, and he is someone I know very well. He resides in my city of Tulsa, OK, and he is eminently qualified for this position. I would just like to make a couple of comments in response.

I chaired the Environment and Public Works Committee for some number of years, and during that timeframe, we started considering his nomination. I heard all kinds of criticism. I say to the Chair that they talk about the fact that he has sued the EPA and how can a person who has sued the EPA be qualified to serve as the Administrator of the EPA? Well, I think that is a pretty good qualification, considering what the EPA was doing during the Obama administration. Look at some of the lawsuits he has been involved with.

“WOTUS” is the acronym for “waters of the United States.” Of the many regulations they have come up with, this is one of the most onerous. In fact, I would say that probably in all States—Louisiana, Oklahoma, and the rest of them—they gave the same response as the farm girl gave when we asked the question—I asked the question: What is the worst thing that could happen or has happened to the farmers and ranchers of America—not just in Oklahoma but throughout America? And they said it is not anything that is in the Agriculture bill, it is the overregulation of the EPA. When we ask the question “Which of all the overregulations of the EPA is the worst one?” according to farmers, it is the WOTUS regulation, the waters of the United States.

For as long as I can remember, liberals have tried to get the jurisdiction of water away from the States and give it to the Federal Government. I mean, that is the general philosophy of someone who is liberal—they want the power of the United States to be concentrated in Washington. So this is a part of that effort. As a matter of fact, it was 6 years ago that there was a House Member and a Senate Member who introduced a bill to take the word “navigable” out of our laws. State governments have control of all water rights except for navigable waters. If they had taken the word “navigable” out, the Federal Government could have taken over the entire jurisdiction. The two who were doing that were Senator Feingold from Wisconsin and Congressman Oberstar from Minnesota. Not only did we defeat both of those pieces of legislation 6 years ago, but they were both defeated at the polls afterward. So if this is an issue, it is an issue that has been around for a long time.

So yes, in fact, Scott Pruitt, as the attorney general of Oklahoma, from Tulsa, joined 15 other States, including the State of Louisiana, in suing to stop the rule that the Obama administration had put through in WOTUS, the water resources. To show how he was on sound ground, the Sixth Circuit Court of Appeals has since that time said that, yes, he was right. They put a stay on it.

The next bill, the next of the regulations—I just did a TV thing where they

were asking about the most onerous of regulations. It is kind of hard to answer that question because they are all so bad—they all inflict such a hardship on the business community throughout America—but the Clean Power Plan, let’s go back and look at the history of that.

The Clean Power Plan all started back in about 2002, when at that time they wanted to do it when they first started talking about global warming so they were going to somehow do away with the emissions of CO₂. So they tried to do it with legislation in 2002, and then again in 2004, again in 2005, and about every other year since then, and it has always been rejected by the Senate. It has been rejected by the Senate by an increased margin each time. Yet they keep saying, no, we are going to have some type of cap-and-trade legislation. We calculated what that would cost. It is between \$300 billion and \$400 billion a year, and frankly it wouldn’t accomplish anything.

The first administrator for the EPA under Obama was Lisa Jackson. I enjoyed her. I asked her the question: If we were to do away with CO₂ altogether in the United States, would this have the effect of reducing it worldwide, and she said: No, because this isn’t where the problem is. The problem is in China, India, and in Mexico. So the more we chase our ability to generate electricity to those areas, the more—and they don’t have any restrictions on CO₂ emissions—then that is going to increase, not decrease.

They were not able to pass it legislatively. So along comes President Obama, and he said: Well, we can’t do it through legislation, we will do it through regulation, so they had the Clean Power Plan. The Clean Power Plan was essentially the same thing as the legislation we defeated.

So Scott Pruitt, the attorney general from Oklahoma, came along, and he filed a lawsuit against the EPA, and this worked out really pretty well. It had a lot of support behind it. It wasn’t the Sixth Circuit, it was the U.S. Supreme Court that stayed this. So what I am saying is, sure, he has had the occasion, along with some 26 other States, in the case of the Clean Power Plan, of filing a lawsuit against the EPA, but he has been successful in doing that.

Let me clarify another thing that has been misrepresented on this floor several times. They referred to a characterization I gave about 4 or 5 years ago called the hoax. The hoax is not climate change. We all know the climate is constantly changing. All the evidence is there. There is scriptural evidence, historical evidence. It has always been there. The climate has always changed. The hoax is that the world is coming to an end because of manmade gases. That is the clarifica-

tion that needs to be made if we are going to be completely honest.

By the way, when they criticized Scott Pruitt for suing the EPA, I am reminding them that he also has sued several oil companies, including ConocoPhillips—he had a lawsuit against them for alleged double dipping—as well as BP and Chevron, so it is not just as if he is somehow owned by the oil companies. I always have to say, when people say the oil companies contribute to campaigns, not anything like the far left environmentalists do.

I remember Tom Steyer. Tom Steyer said before the 2014 elections: I am going to put \$100 million of my money to elect people who go along with all of these far-left programs. Of course, it didn’t work in 2014. He actually at that time spent \$75 million. This is one individual we are talking about. So those guys over there, they are the ones who are putting money into campaigns, and I understand that.

The last thing I want to correct—and I wish more people would talk about this. Frankly, I wish President Trump would say more about this because they always talk about how 97 percent of the scientists go along with the global warming thing. That isn’t true at all. In fact, if you go to my Web site, you will find a piece that was in the Wall Street Journal that makes it very clear that isn’t true and documents that case. The scientists who have been saying this are one group that is called the IPCC, Intergovernmental Panel on Climate Change. That is the United Nations, in case there is someone who doesn’t understand that. They are the ones who have provided all the credibility in terms of the science that backs up all the statements that are made about global warming.

I had the occasion—some people are not aware that once every December, now for 21 years, the United Nations has had the biggest party of the year. It is always in some exotic place. I remember in 2009 it was in Copenhagen. We had all the people—several friends I love dearly here in the U.S. Senate and in the House went over there to tell 192 countries that we were going to pass legislation that would have cap and trade. I went over as the truth squad of one person to tell them what had been represented to them was, in fact, not going to happen.

Well, right before going, Lisa Jackson was the first nominee, or the first confirmed Administrator of the EPA. I asked her the question on the record, live on TV, in the committee room, on the committee that I chaired, I said: I am going to be going over to Copenhagen to tell them the truth over there, and, in the meantime, you are going to take over jurisdiction so you can try to do this with a regulation. To do that, you have to have an endangerment finding. To have an endangerment finding, you have to

have science behind that. She was smiling. She is a very honest person.

I asked her: What science are you going to use for your endangerment finding that gives you the opportunity to do what you couldn't do with legislation that you think you can do with regulation? She said: The IPCC, the Intergovernmental Panel on Climate Change.

As luck would have it, it was a matter of days after that that climategate came about. How many people remember climategate? They never talk about it. Let me just tell you how it was characterized. Climategate was those individuals who were at the top of the IPCC had gotten together and tried to alter the science to support their point of view, and they got caught doing it. The world responded to it. Newsweek: "Once celebrated climate researchers feeling like the used car salesman."

"Some of the IPCC's most quoted data and recommendations were taken straight out of unchecked activist brochures. . . ."

The U.N. scientist Dr. Philip Lloyd said: "The result is not scientific."

They were all talking about climategate. They were talking about how the IPCC rigged the science.

A guy that was an IPCC physicist said that "Climategate was a fraud on a scale I've never seen."

Clive Crook of the Financial Times said that "the stink of intellectual corruption is overpowering."

Christopher Booker with the UK's Telegraph—that is one of the largest in London—said it is the "worst scientific scandal of our generation."

They are talking about the science that is behind the accusations they have made.

So if anyone hears these claims repeated, or even if it has been repeated, saying that at least 97 percent of the scientists agree, they are not right.

My time has expired, but I just wanted to clarify that so people know—because one thing I know that is going to happen is, Scott Pruitt, the attorney general of the State of Oklahoma, will be confirmed by a good margin—I think by a party margin—to be the Administrator of the EPA. It will be a great change.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to consider the following nominations en bloc, which the clerk will report.

The senior assistant legislative clerk read the nominations of Nikki R. Haley, of South Carolina, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations; and Nikki R. Haley, of South Carolina, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations.

The PRESIDING OFFICER. There will now be 30 minutes of debate, equally divided in the usual form.

The Senator from South Carolina.

Mr. SCOTT. Mr. President, today I stand in support of my good friend and Governor, Nikki Haley, who has been nominated for the position of Ambassador to the United Nations. Simply put, Governor Haley is the right choice, and I could not be prouder to support her nomination. She has shown amazing leadership during very trying times in South Carolina, and I know that she will bring the same strength and resolve in reinforcing and strengthening our relationships with our allies.

As she showed through her confirmation hearing, Nikki is a strong, principled leader. During a time with so much international instability, we need a decisive and compassionate leader like Governor Haley representing our Nation. She is the type of visionary leader who will help turn the diplomatic tide of the past few years and reassure our allies that the United States stands in strong support of them.

Nikki has served the people of South Carolina very well, and she will be missed. But now, I look forward to addressing her by her new title—Ambassador.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I know we are going to vote here fairly soon, but I just want to address the body before the vote.

Nikki Haley is soon to be the U.S. Ambassador to the United Nations, I believe with a very strong vote in the committee, 19 to 2. Senators CORKER and CARDIN did an excellent job of run-

ning the hearing. Governor Haley conducted herself very well. I know that, as Governor of South Carolina, she has brought us together at home.

She has dealt with some things that are incredibly difficult for any State. We had a thousand-year flood, and we had the tragedy in Charleston, with Dylann Roof shooting nine parishioners praying at Mother Emanuel Church in Charleston. She handled these historic crises with dignity and grace. She was able to rally the State and remove the Confederate battle flag from the capitol grounds.

All I can say is that the skill set she has of bringing people together I have seen. As she goes into this new job, she can learn the nuances of foreign policy, but diplomacy is something you either have or you don't. She is tough and determined, and I think she is very capable of being the United States' voice in the United Nations. As a matter of fact, I think she will represent us extremely well.

The bottom line is that her story is a uniquely American story—immigrant parents coming to a small town in South Carolina. She said very pointedly: I was too light to be African American or Black, and I was too dark to be White. She is Indian American. She and her family have contributed greatly to our State.

I think all of us can be proud that Nikki Haley will soon be our voice and America's face in the United Nations. I think President Trump chose wisely. I look forward to helping her in her new job. I urge this body to support her nomination because I have seen her in action. I think she will represent us all very well.

I yield the floor.

Mr. LEAHY. Mr. President, it has become fashionable, particularly among supporters of the Trump administration, to accuse the United Nations of just about everything. This is, however, nothing new. The U.N. has been an easy target, especially for some Republicans, for a long time, because like any unwieldy international organization comprised of member states with very different priorities and interests it will probably never be as efficient or effective as we would like.

But there is simply no question that the U.N. serves many vital functions that are fully consistent with key U.S. interests and values. For that reason, it is essential that the U.S. continues to play a leadership role in the U.N., which we were instrumental in creating seven decades ago, in a manner that strengthens the institution.

At times, I have expressed my own frustrations with the U.N. It wastes inordinate amounts of time debating and adopting redundant resolutions that accomplish next to nothing. It has suffered from personnel policies that make it difficult if not impossible to fire underperforming employees. It

pays its officials at rates that dwarf what many could earn in their own countries. It has been too slow to implement procedures to ensure transparency and accountability, including for whistleblowers who have suffered retaliation for exposing corruption and other misconduct.

So there is no dispute that the U.N. needs to do better. The new Secretary General, Antonio Guterres, knows this as well as anyone and he has made clear that he is going to do his best to put the institution on a road to real reform.

But, of course, he cannot do that by himself. He is empowered only to the extent that the U.N. member states, and particularly the permanent members of the Security Council, support him.

Attempts by past the Secretary Generals to implement reforms have been partly stymied by resistance from governments that prefer the status quo. While I believe the prospects for U.N. reform have never been better, that will not be possible without the active leadership and skillful diplomacy of the United States.

And that is where our U.N. Ambassador comes in.

I have known many of them, although I was only 7 years old in 1947 when Warren Austin of Vermont, nominated by President Truman, became our third U.N. Ambassador.

The position of U.S. Ambassador to the U.N. has also been held by such accomplished people as Henry Cabot Lodge, Adlai Stevenson, George H.W. Bush, Daniel Patrick Moynihan, Thomas Pickering, and Madeleine Albright. Each was recognized and widely admired across the political spectrum for his or her depth of foreign policy experience and wisdom.

Today we are considering the nomination of Nikki Haley to be the next U.S. Ambassador. Governor Haley's record as Governor of South Carolina was decidedly mixed, and I will not take time today to discuss that record. What is most relevant here, however, is her dearth of experience for the job she has been selected for. That is not so much a criticism of Governor Haley as it is of President Trump, as there are certainly well qualified, seasoned diplomats in the Republican Party who would be well received by members of both parties.

Instead, we are asked to support a nominee who will no doubt be confirmed but will be starting from square one. If there ever were a case of having to learn on the job, this will be it. That might not concern me if it were not for the indispensable role of the United Nations in an increasingly dangerous and polarized world, the importance of this position, and the complex challenges the next U.S. Ambassador will face on her first day on the job.

It was painfully apparent during her confirmation hearing that virtually ev-

erything Governor Haley said in her opening remarks and in her responses to questions of Senators, she had learned in the previous 2 months since she was chosen for the job. Her answers largely parroted popular Republican talking points with little substance to back up her response and revealed only an elementary understanding of how the U.N. functions. Her stated interest in U.N. reform is well placed, but it did not appear that she grasps what U.N. reform entails or what it takes to build the necessary support for reform.

Again, I do not blame her for that. Her career has focused entirely on issues relevant to the State of South Carolina. But that does not make her qualified to be our Ambassador to the U.N.

As Governor, she jumped on the politically expedient bandwagon and opposed the resettlement of any Syrian refugees in her State over "security concerns," although it being a Federal decision some Syrians have been resettled there. In other words, she supported a blanket prohibition against an entire nationality of people—men, women, and children—regardless of the merits of their individual status as refugees fleeing war.

She stated, in spite of the fact that all of our major European allies supported the nuclear agreement with Iran, that Russia's and China's support was a "red flag," without acknowledging the reality that without their support it would be impossible to achieve an agreement to halt Iran's nuclear weapons program or any of our other key objectives at the U.N.

She condemned the U.S. abstention on U.N. Security Council Resolution 2334 regarding Israeli settlements and incorrectly implied that it is inconsistent with longstanding U.S. policy and interests. In fact, she insisted that the resolution, not settlements themselves, makes peace negotiations more difficult—a view with which I disagree. She seemed to acknowledge that the U.S. does not support settlement construction, but stated that the U.S. should have vetoed the resolution anyway.

She mischaracterized U.S. law regarding our share of dues in support of U.N. peacekeeping missions that the U.S.—Republican and Democratic administrations—voted for, failing to acknowledge that we have a treaty obligation to pay 28.5 percent of U.N. peacekeeping costs. She made little mention of and gave little if any credit to the troop-contributing countries themselves, other than to highlight incidents of sexual exploitation and abuse. This is a critical issue that I and others here have been working with the U.S. Mission to the U.N. to address, and progress is being made in developing meaningful accountability procedures.

She stated that the cut-off of U.S. funding for UNESCO as a result of the

vote of a majority of its members to accept Palestine as a member state, which led to our loss of influence, is a "good thing" and that she would continue to support the cut-off of funding. She and I disagree about that and what it could mean for the future. I think even the Israeli Government has come to recognize that it is better for the U.S. to be at the table, using our influence to deflect attempts to unfairly target Israel, than on the sidelines.

Governor Haley suggested that the U.S. may want to reconsider participation in and funding for the U.N. Human Rights Council, despite overwhelming evidence that our role serves to protect our interests and has reduced substantially the council's disproportionate and wasteful focus on Israel. At no time did she acknowledge the many council resolutions that are fully consistent with U.S. interests or that the influence lost by the U.S. is simply ceded to the very governments she opposes having a say in the council.

On the other hand, Governor Haley did repeatedly reject what she described as "slash and burn" tactics when it comes to budget cutting, and on that, I fully agree with her.

She said she supports moving our embassy to Jerusalem, although there is no compelling need to do so, it is strongly opposed by our ally Jordan, would likely incite a violent reaction in Arab countries, and could do more to drive a nail in the coffin of what little remains of the Middle East peace process than anything else.

In responses to written questions she betrayed a serious lack of understanding about Cuba, its economy, and the failures of the 55-year-old U.S. embargo. Indeed, if she were to apply her answers regarding Cuba to other countries with repressive governments, we would have to close dozens of U.S. Embassies, end diplomatic relations, and impose ineffective, unilateral sanctions against each of them.

I urge Governor Haley, as our U.N. Ambassador, to listen to the overwhelming majority of Americans and Cubans, including many Republican Members of Congress, who support a policy of engagement. I urge her to travel to Cuba and see and hear for herself, unlike those who continue to favor a Cold War embargo that has been exploited by the Cuban Government to justify its repressive policies and that has hurt the Cuban people.

I have been a congressional delegate to the United Nations three times, after being nominated by Presidents of both Republican and Democratic parties. I appreciated that opportunity because I have long believed that it is in the strong interest of the United States to play an active, leadership role in the U.N.

That is only possible if we, by far the world's wealthiest country, meet our financial commitments. And it is only

possible if we build coalitions through skillful diplomacy and refrain from the tactics that some critics of the U.N. advocate, such as bullying and ultimatums, which are often self-defeating.

I recognize that Governor Haley will be confirmed, and I wish her the best. I hope she becomes a great U.S. Ambassador. I urge her to seek out and listens to a wide range of views, particularly on controversial issues like the Middle East, Iran, and how the U.S. can best help make the U.N. work better for everyone.

I will do everything I can to support Secretary General Guterres, the budget of the U.S. Mission to the U.N., and funding for U.N. agencies like the World Food Program, the U.N. Development Program, UNICEF, the U.N. Environment Program, the U.N. Population Fund, U.N. Women, the U.N. Voluntary Fund for Victims of Torture, and so many others that carry out lifesaving humanitarian and development programs around the world.

And if there are other ways that I can help soon-to-be Ambassador Haley to defend the values and effectively advance the interests of the United States at the U.N. and to bring about needed reforms I will gladly do so.

Mr. VAN HOLLEN. Mr. President, in 1945, at the close of World War II, the 50 Allied nations formed the United Nations to help prevent another world war. Since its founding, the U.N. has grown to 193 nations. While it has many serious flaws, it has been an important tool for promoting peace, protecting human rights, providing humanitarian assistance, and safeguarding the environment.

U.S. Ambassadors to the U.N. have included some of America's leading figures, including Henry Cabot Lodge, Jr., Adlai Stevenson, Arthur Goldberg, George H.W. Bush, Daniel Patrick Moynihan, Andrew Young, Madeleine Albright, Bill Richardson, and John Danforth. President Eisenhower raised the ambassadorship to cabinet rank. Although both Presidents Bush removed the position from Cabinet level, President Obama restored it to that level. I am pleased that President Trump has decided to keep it there.

The U.S. Ambassador to the U.N. must advance principles that the United States has promoted over the years—the rule of law, individual liberties, and human rights. Our ambassador must not only maintain, but strengthen our relationships with our allies.

Unlike many past ambassadors to the U.N., Governor Nikki Haley has little experience in foreign policy. But as Governor, she developed important experience building coalitions, and that skill should serve her well as ambassador to the U.N.

Some positions that Governor Haley took during her confirmation hearing

give me pause. For example, Governor Haley made some statements about the 2015 Iran nuclear agreement that indicated unfamiliarity with the joint comprehensive plan of action. I am pleased, however, that Governor Haley distanced herself from some of President Trump's most divisive positions, and I will support her nomination.

Mr. GRAHAM. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, shortly we will be voting on the U.S. Ambassador to the United Nations, Nikki Haley. She went through her confirmation hearings at the Senate Foreign Relations Committee, and I had a chance during those confirmation hearings to ask her a series of questions. I have also had an opportunity to meet with her and talk personally about her vision of the United Nations and the United States' role in how she would conduct her leadership at the United Nations.

I must say, originally there was some concern because of her lack of foreign policy experience, but I must tell you, I was extremely impressed about her competency as Governor of South Carolina—the work that she did, dealing with some very difficult issues, including a tragedy that occurred in her State, as well as dealing with the Confederate flag and removing it from the State Capitol.

She handled these issues with real professionalism and sensitivity to all communities, and during her confirmation hearing, she displayed a willingness to reach out, to understand more about world affairs, and to become fully knowledgeable in these areas. She exercised, I thought, a commitment and passion for the commitments that are important to this country—good governance, human rights, and democracy.

I was impressed during the confirmation hearing about her commitment to the importance of the United Nations and the important work that it does. The United Nations, as we all know, does do work as peacekeepers to try to avoid conflicts but also does an incredible job on humanitarian needs with refugee assistance, as well as the sustainable development goals that provide help to people around the world, increasing maternal health, reducing infant mortality, dealing with women's education needs. These original Sustainable Development Goals—originally the Millennium Development Goals, now the Sustainable Development Goals—have saved millions of lives.

I must tell you, Governor Haley was very mindful of this and very committed to the United Nations and the work that it does and the U.S. participation in the United Nations. She recognized that it is important that we engage the international community in the work that is done within the United Nations.

When she was questioned about whether she thought it was a good idea to slash funds to the United Nations in order to make a point about votes that we thought were unpopular, she said no. She opposed that slash-and-burn strategy; we need to engage and find ways to leverage our participation to get more favorable results.

I might tell you, she was very strong about her sensitivity that the United Nations has not been fair to one of our key allies, Israel, and she would be a strong voice to make sure those types of issues are dealt with and the United States uses all the tools at its disposal to fight against those types of bias and prejudice within the United Nations.

We have talked a great deal in our committee about moral clarity from our nominees, so there is no misunderstanding anywhere in the world that the United States stands for human rights, that the United States stands against abuses that take place around the world, and that it will fight for democracy in all parts of the world and support those causes through our diplomacy, through our development assistance, through our tools.

She was very clear about the moral certainty issue. Just to give a few examples, we talked a great deal about Russia and its conduct and what it is doing in the United States about the attack on our free election system. She was very clear about how outraged she was with that type of conduct—what Russia has done in Ukraine, its occupation of Crimea. She acknowledged that Crimea is not Russian, that it belongs to Ukraine, and she spoke very strongly about defending Ukraine's rights and sovereignty.

We talked specifically about what was happening in Syria and Russia's support for the Assad regime and the atrocities that have taken place in that country, most recently in Aleppo. When we asked if she would characterize that type of conduct as war crimes, without any equivocation she said: Absolutely—that this was a matter that required international accountability.

I also brought up with her what was happening in the Philippines, one of our allies, where the President of the Philippines, Mr. Duterte, has done extrajudicial killings and how she would characterize that as gross violations of human rights. She agreed that type of conduct cannot be tolerated, that we need to speak to whether they are friend or foe when they commit this type of conduct, that this is wrong

and the United States must stand up for our principles. I was impressed by the way that she spoke to those types of issues.

One of the more telling questions that we asked was whether she would support any registry for any subgroup of ethnic or religious Americans, and she said: Absolutely not.

We had, I thought, moral clarity in her response to some of the most important questions. I think all of us feel that she has the passion to represent the United States and our views well at the United Nations.

What was particularly important to us is how she would speak out to power within the United Nations; that she had no problem in dealing with Mr. Putin and calling his conduct exactly what it was and would not be intimidated by Mr. Putin saying “Well, you need me for some other issue”; that we have to be clear that we will not tolerate that type of conduct that violates basic human rights.

She gave us confidence that, on behalf of the American people, she would speak up in the Cabinet room with Mr. Trump and the Cabinet as to these values. For all those reasons, it was a comfortable vote for me to support her nomination and confirmation.

I do want to relay the fact that she does represent the American story. She is a daughter of immigrants who came to this country at great risk in order to seek a better life for their children. She experienced some of the discrimination against immigrant communities as she grew up in this country and tried to participate in the business and political sphere. She overcame all of those types of challenges and is extremely sensitive, I think, to all the needs of Americans.

For all those reasons, I am proud to recommend her to our colleagues on both sides of the aisle. I hope we will support her confirmation. I think she is the right person now to represent us at the United Nations. For all those reasons, I will support her nomination.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Mr. President, I am going to speak only for a few minutes so that we can have the vote occur at 5:30, on time. I wanted to say that I am pleased to be here to support Governor Nikki Haley as our Ambassador to the United Nations.

The United Nations is at a crossroads and really needs someone who is very reform-minded for the United States to lead our efforts in that regard. That

not only would benefit U.S. interests, but candidly it would benefit the world. She is someone who has shown that ability as Governor of South Carolina.

She also has a clarity about her as it relates to representing U.S. interests. People on both sides of the aisle in our committee were able to recognize that her instincts relative to where the United States needs to be on certain issues—I think most of us understand that the United States leading on issues of human rights, leading on issues of conscience, that the American values we all hold dear and want to promote around the world are things that she has the ability to communicate and cares deeply about, and I think people were very impressed.

The United Nations has multiple issues relative to peacekeeping that have not been addressed. Sexual exportation and abuse by peacekeepers have been rampant, and things have not been done in that regard to curtail that activity or at least not in the ways that they should, and I know she is very passionate about that issue.

There is no question that she is not the most adept person at foreign policy. She would be the first person to say that. She has spent most of her time out of the country solely on economic development trips. I think where the United Nations is today is at a place where we need a really driven person who cares about our own U.S. national interests but also has the ability to break through the clutter and reform.

She has worked with legislators to bring people together, to make that happen in her own State. She has had an exemplary record in that regard. My guess is that is really the first effort that needs to take place. Over time, through the relationships she develops there, the travel that will take place, I am absolutely certain—especially with the drive that she has—she will develop some of the other capacity that I know she will want to utilize there at the United Nations.

I am here to recommend her. I look forward to supporting her. Our committee did so in a voice vote with only two dissents.

In spite of the fact that I am disappointed that we are handling our Secretary of State in a manner that is not in keeping with bipartisan precedent, and in spite of the fact that we are not going to handle that in a way that we should and could today, through a vote on that, I am appreciative of the minority leader allowing this vote to take place today, and I am glad she is going to be confirmed overwhelmingly as our United Nations Ambassador.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). Under the previous order, the question is, Will the Senate advise and

consent to the Haley nominations en bloc?

Mr. CORKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 96, nays 4, as follows:

[Rollcall Vote No. 33 Ex.]

YEAS—96

Alexander	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gardner	Nelson
Bennet	Gillibrand	Paul
Blumenthal	Graham	Perdue
Blunt	Grassley	Peters
Booker	Harris	Portman
Boozman	Hassan	Reed
Brown	Hatch	Risch
Burr	Heitkamp	Roberts
Cantwell	Heller	Rounds
Capito	Hirono	Rubio
Cardin	Hoeven	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	Johnson	Scott
Cochran	Kaine	Sessions
Collins	Kennedy	Shaheen
Corker	King	Shelby
Cornyn	Klobuchar	Stabenow
Cortez Masto	Lankford	Sullivan
Cotton	Leahy	Tester
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	Markey	Toomey
Donnelly	McCain	Van Hollen
Duckworth	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Ernst	Merkley	Wicker
Feinstein	Moran	Wyden
Fischer	Murkowski	Young

NAYS—4

Coons	Sanders
Heinrich	Udall

The nominations were confirmed. The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The majority leader.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move that the Senate proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 2, Rex Tillerson to be Secretary of State.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

Mitch McConnell, John Cornyn, Richard Burr, Tom Cotton, Jerry Moran, Pat Roberts, James Lankford, Johnny Isakson, Bob Corker, Orrin G. Hatch, Thom Tillis, Dan Sullivan, David Perdue, James M. Inhofe, Deb Fischer, Cory Gardner, John Barrasso.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 12 noon on Tuesday, January 30, the Senate proceed to executive session for the consideration of Executive Calendar No. 4. I further ask that there be 20 minutes of debate on the nomination, equally divided in the usual form, and that following the use or yielding back of time, the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for consideration of the Chao nomination be modified to occur on Tuesday, January 31.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPLACING OBAMACARE

Mr. LANKFORD. Mr. President, in 2010, when I ran for Congress, all the questions circled around the Affordable Care Act. Every townhall meeting, every conversation, everyone who caught me in the grocery store, everywhere I went there was a conversation about the Affordable Care Act. What is going to happen? Where are things going to go? And there was a lot of concern about it.

The President promised at the time that if you liked your insurance, your doctor, and your hospital, you would keep it, and it would just get better. Prices would go down; options for insurance would go up. There would be marketplaces where more and more companies would rush in, and that would drive the prices down.

Now, 7 years later, the greatest fears of a lot of the Oklahomans I am around all the time have come true. Here is the crisis in Oklahoma dealing with health care: We have the highest rate increase in the entire Nation. Last year, our rates went up in Oklahoma 76 percent; the year before that, they went up 35 percent. That is an 111-percent rate increase in 2 years in my State. Over the course of the last 3 years, insurance companies have left my State. All 77 counties of Oklahoma now have one insurance carrier left. I met with that insurance carrier before, and they are seriously looking at how they stay functional in Oklahoma in the days ahead, which is a concern to me. There is a possibility that we may have zero on our marketplace in some counties and in some locations in Oklahoma.

With a 76-percent increase, I have had some folks who caught me and said: Well, your State didn't expand Medicaid. That is the problem. If you had expanded Medicaid, then it wouldn't have been an issue. Well, I will tell you that a study from HHS has now come back, and they have confirmed that it is true. If our State would have expanded Medicaid, it would have reduced our costs by 7 percent. That means instead of having a 76-percent increase, as we had, we would have had only a 69-percent increase of health care costs in our State. Zero competition, dramatically higher deductibles, dramatically higher premiums—every hospital in my State, rural and urban, has more charity care now and more bad debt now than they had 7 years ago.

Insure Oklahoma, a program we set up a decade ago to take care of people

who did not have access to insurance, continues to falter because my State is playing "Mother May I?" every year with the Federal Government on whether we can maintain a program that our State had and was growing. Small risk pools are not allowed. People still don't know the price of their health care. Electronic health records still can't talk to each other. There is still a rise in the cost of prescription drugs. We still have overlapping administrative costs on dual eligibles, Medicare and Medicaid, for senior adults. Compliance costs for our doctors, clinics, and hospitals have skyrocketed. Physician-owned hospitals, which we have quite a few of in Oklahoma, have been cut off and limited since 2010 and are slowly struggling just to be able to stay afloat. Fewer doctors are taking Medicare and Medicaid patients.

On the horizon, it gets even worse because most people don't realize that the Affordable Care Act was backloaded and that the worst of the worst of it wouldn't be for several years out. Well, guess what. It is now several years out.

Union households in my State are about to take a major hit with the Cadillac tax that is coming because union households in my State have insurance that is too good, and those individuals will face a tax increase.

The insurance company tax is coming, which is a massive tax increase on insurance companies. They will pass that cost directly down to consumers, so it will go up again. We continue to fight off the Independent Payment Advisory Board, a board specifically set up to be able to cut options for patients if they cost too much. That is still out there on the horizon, not to mention the tax penalties that go up even more next year.

People ask me: Why are you still focused on repealing ObamaCare? Why is this such a big deal? It is because the people in my State are struggling under the negative effects of this, and it has to be dealt with. Let me just give you a couple of real life stories.

An Oklahoman from Altus, OK, in the southwest part of my State wrote me and he said:

Senator Lankford, I came home tonight . . . having finished cotton harvest and looking forward to celebrating with my wife and kids. I was greeted at the supper table with somber news about our health care premiums from my distraught wife. Our premium is going from \$960 a month to \$1,755 per month! That's with a deductible of \$6,000. I can't even process how to handle this. I think I'm through. Done with any hope of a bright future for my family.

An Oklahoman from Poteau, OK, wrote me and said:

My husband and I have had Healthcare Marketplace health insurance for the past 3 years. The first year my monthly premium was over \$1,200.00, this year I pay \$1,923.84 monthly. Now I get a letter from [my health

insurance carrier] that my monthly premium will [go up next year to] \$3,540.07. That is an increase of approx. 84%. . . . How is this possible? Why can't anything be done about this?

When individuals ask me about ObamaCare, they say: You are just arguing about something because of disdain for the President. No, this is what we have disdain for; this is what people are frustrated about: People who work, people who pay for their health care insurance cannot pay their mortgage and their health insurance anymore because they are literally priced out of it. This is what Bill Clinton meant in October of last year when he made this statement:

So you've got this crazy system where all of a sudden 25 million more people have health care and then the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half. It's the craziest thing in the world.

I could not agree with Bill Clinton more on that because that is exactly what is happening in Oklahoma.

But now, here is what is happening because for years Americans and Oklahomans have said: We have to do something to stop this. It is choking out my family.

We are finally at a point we are going to do something about it, but I have colleagues who are now spreading fear all over the country that suddenly everyone is going to be thrown off their insurance and we are going to have people living out on the streets without coverage.

I have heard on the floor of this Senate that 30 million people could die if we repeal ObamaCare. I have heard 20 million people will lose their insurance. I have heard there is no replacement plan, and people will get sick because their coverage will be gone.

Well, let me just go through a couple of those because there are people calling my office and writing me who are very concerned. They are cancer patients, they are diabetics, they are people with long-term blood diseases, they are people who have difficulty getting insurance, and they are being told: All those mean Republicans up there don't like you and don't care about you, and all they want to do is throw you out on the street. When people say that, it couldn't be further from the truth. It may make for good politics, but it is using people who are in a very vulnerable spot in a negative way.

First, let me get a couple of facts straight. This "30 million" number that is being thrown around—even past President Obama doesn't agree with that. It is not 30 million; in fact, it is not 20 million. It is 14 million people who gained access to health care coverage, if you count the people who have actually gained coverage and paid for their premiums through the course of the year or have been a part of the expansion of Medicaid. Of those 14 mil-

lion people, 11.8 million gained additional coverage from Medicaid, not from the exchanges, and, of that, almost 12 million people got expanded coverage from Medicaid. Jonathan Gruber, as one of the architects of ObamaCare, made the statement that from their own studies, the vast majority of those people who were added to Medicaid weren't added to Medicaid because of expanded coverage; they were added to Medicaid because of promotions through advertising. They were already eligible for Medicaid.

So we are talking about 6 million people or so that have been added to it. I am not belittling those 6 million people; that is a lot of people. But it is not 20 million, and it is not 30 million.

So now what? As people address this to me, they ask about what just happened on January 6 when the Senate and later when the House voted to start the legislative process to repeal ObamaCare. What happened was we just actually started the process. It wasn't a total repeal. No one has been thrown out. It starts a legislative process.

As we start that legislative process of what is called reconciliation and as we work through that process, it is a very simple process. It starts the opening conversation to work through committees, to work through debate on the floor so that in the days ahead we will bring a full repeal of ObamaCare and a replacement. But that replacement is not going to be a 2,700-page bill to replace the previous 2,700-page bill. It will be a series of solutions, and it will deal with things on a long-term basis.

There was no vote to suddenly end people's health care in one day. This begins a transition point to make sure that we are watching out for those individuals, such as those cancer patients, diabetics, and individuals who are in very vulnerable situations and over the next couple of years will be able to transition to other care. We are watching to make sure this is not some sudden shift for those individuals. There are very vulnerable people who are in health care options right now and need to know that there is still that safety net there for them and that moving forward, we will continue to be able to watch for them.

We want to be able to move a lot of those decisions back to the States. Quite frankly, that is where those decisions were before. And we want to be able to allow those individuals who are in very vulnerable situations to seek out the doctor they want, to get the options for health care coverage they want, and to have greater access to health insurance, not less.

The people in my State who had been added and who received those subsidies are grateful to be able to have health care, but there are also individuals in my State who can now literally no longer afford to have health care be-

cause they have been priced out of the market, and they are stuck. ObamaCare moved the system from one uninsured group of people to now another uninsured group of people.

Let me read a statement coming from a person from Oklahoma who said:

My wife and I will be going without health insurance next year! I do not resent anyone who is able to afford healthcare, I just resent a government system that causes [us] to be priced out of the reach of working people.

Why is it we can argue about ObamaCare and people can say those individuals got coverage and people are not paying attention to a whole new group of Americans who no longer have coverage because they literally have been priced out of the market?

Why is it that for the sake of 6 million people, we have affected the cost of health care for millions and millions of other Americans?

We can do this transition. We will do this transition. It will take a couple of years. It is not going to be rapid, and there will be a large debate that will happen nationally in the process. That is appropriate, but allow us to be able to walk through this process together.

One quick illustration and then I will be done. I have a friend who discovered last year that she had mold in her house. Initially, there were some treatments that were done. She had been very sick for a while and didn't know why. They did treatments to the house and such and thought that would settle it. It didn't. Eventually, she had to move out of her own home.

Now they have had to actually strip out the walls and take out all the sheetrock. They are literally replacing studs and everything in the house. It will be a long-term issue to be able to get it all right.

I tell that simple story to say that anyone who says replacing health care is going to be some simple "spray everything down and that will fix it" strategy just doesn't understand the difficulties of the American health care system. This will be much like my friend who is having to do a pretty radical transition that is going to take a long time, but that will actually get her house whole and healthy again.

If we want to have a healthy nation again with people who have access to health care, regardless of what class they are in, it is going to take a while to make this transition, and it will be difficult in the process. But I can assure my colleagues that this Congress is watching out for all people, of all ethnicities, of all neighborhoods, of all diseases, to make sure that we are paying attention to this one simple thing: When ObamaCare was put into place, it punished people. We should encourage people to be able to get health care, and we should be able to walk through it with people in their most vulnerable moments and make sure they are able

to make personal decisions, have access to their own doctors, have access to hospitals that can afford to stay afloat, and to provide the ability for people to choose their own health care. Why is that so radical? It used to not be.

There are things that need to be fixed, but it begins with giving the power of the decision back to the patient and back to people, where it needs to be.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JOHN McCARTER, JR., AND SHIRLEY ANN JACKSON

Mr. LEAHY. Mr. President, I want to take a moment to recognize two exceptional members of the Smithsonian Institution's board of regents: John W. McCarter, who has served as chair of the board, and Shirley Ann Jackson, who has served as the vice chair. I have had the honor of serving with both of them and believe that their dedication and leadership have greatly benefitted the Smithsonian. Both are stepping down from their roles, and while John will continue to serve on the board, Shirley will be moving on to dedicate her considerable talents to other initiatives.

John W. McCarter, Jr., of Illinois has had a long and distinguished career. He was first appointed as a regent in 2009 and was elected chair in 2013. In addition, John has lent his expertise and wisdom to a number of the regents' other committees.

During his tenure, John has overseen a number of important strategic initiatives, including the search for the Smithsonian's 13th secretary; the development of the Institution's relationship with the Victoria & Albert Museum in London; the reopening of the Arts and Industries Building to the American public; and most recently, the opening of the National Museum of African American History and Culture. These opportunities will help to ensure the Smithsonian's continued success.

John also led the charge in reopening the historic Arts and Industries Building on the National Mall to the public. The building, shuttered since 2004, was reopened to the public for the secretary's installation ceremony in October 2015 and was the site of a very suc-

cessful pop-up cultural exhibition over Memorial Day weekend in May 2016. John's vision and leadership have made this national treasure available to the American people once more.

A tireless advocate for the Smithsonian in his home State of Illinois, John has raised the institution's profile across the Nation and around the world. Thanks to his recruitment efforts, the Smithsonian advisory boards are more diverse, more dynamic, and more engaged than ever before. Through all of these initiatives, John has pushed the Smithsonian to be more ambitious and to renew its commitment to "the increase and diffusion of knowledge."

I want to thank John for his exceptional leadership as chairman of the board of regents, and I look forward to working with him through the remainder of his term as a regent.

Dr. Shirley Ann Jackson of New York is the president of Rensselaer Polytechnic Institute. She was appointed as a regent in 2005 and has served as board and executive committee vice chair since 2013.

Shirley was the regents' representative for the successful events that opened the Smithsonian's 19th museum, the National Museum of African American History and Culture, in September 2016. Alongside other notable guests, Shirley helped inaugurate the newest Smithsonian museum by delivering remarks at the museum's dedication ceremony. As she noted during her speech, the museum furthers "the Smithsonian's founding mission, to promote 'the increase and diffusion of knowledge,' by opening a museum dedicated to the African-American experience in the United States, and its crucial place in the American experience."

Shirley has a remarkable life story: She was the first African-American woman to earn a doctorate from MIT, and since 1999, she has served as the president of Rensselaer Polytechnic Institute—marking the first time an African-American woman has led a top research university. She was also the first woman and the first African-American to serve as chair of the U.S. Nuclear Regulatory Commission. Shirley is emblematic of everything the Museum was founded to celebrate about the African-American experience, and we were proud to have her serve as the board's representative at all of the opening ceremonies.

The Smithsonian has also benefitted from Shirley's demonstrated commitment to the sciences. As a trained physicist, she is particularly passionate about inspiring the next generation of scientists and conservationists. As vice chair, she has been a staunch advocate for the Smithsonian's scientific researchers, trumpeting their successes and inviting them to speak at Rensselaer. She has made a point of going beyond the

brick and mortar of the Smithsonian museums to visit the Smithsonian's many research centers, including the Smithsonian Tropical Research Center in Panama.

This past year, Secretary David Skorton tapped into Shirley's extensive leadership and management experience, asking her to cochair the institution's initiative to create a new strategic plan for 2017–2022. Shirley has rolled up her sleeves, asking tough questions and meeting with a variety of stakeholders regarding the institution's priorities for the next 5 years. As a chief architect of this plan, Shirley will be instrumental in charting the future of the institution long after she has left the board of regents.

As a member of the board of regents, it has been my honor to serve alongside Shirley. I believe her contributions to the Smithsonian community will be witnessed and appreciated by generations to come.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

RULES OF PROCEDURE

Mr. CRAPO. Mr. President, the Committee on Banking, Housing, and Urban Affairs has adopted rules governing its procedures for the 115th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator BROWN, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

[Amended February 24, 2009]

RULE 1.—REGULAR MEETING DATE FOR COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month that the Senate is in Session; except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

RULE 2.—COMMITTEE

[a] Investigations.—No investigation shall be initiated by the Committee unless the Senate, or the full Committee, or the Chairman and Ranking Member have specifically authorized such investigation.

[b] Hearings.—No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[c] Confidential testimony.—No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[d] Interrogation of witnesses.—Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the Ranking Member of the Committee.

[e] Prior notice of markup sessions.—No session of the Committee or a Subcommittee for marking up any measure shall be held unless [1] each member of the Committee or the Subcommittee, as the case may be, has been notified in writing via electronic mail or paper mail of the date, time, and place of such session and has been furnished a copy of the measure to be considered, in a searchable electronic format, at least 3 business days prior to the commencement of such session, or [2] the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

[f] Prior notice of first degree amendments.—It shall not be in order for the Committee or a Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless fifty written copies of such amendment have been delivered to the office of the Committee at least 2 business days prior to the meeting. It shall be in order, without prior notice, for a Senator to offer a motion to strike a single section of any measure under consideration. Such a motion to strike a section of the measure under consideration by the Committee or Subcommittee shall not be amendable. This section may be waived by a majority of the members of the Committee or Subcommittee voting, or by agreement of the Chairman and Ranking Member. This subsection shall apply only when the conditions of subsection [e][1] have been met.

[g] Cordon rule.—Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee or Subcommittee, from initial consideration in hearings through final consideration, the Clerk shall place before each member of the Committee or Subcommittee a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added. In addition, whenever a member of the Committee or Subcommittee offers an amendment to a bill or joint resolution under consideration, those amendments shall be presented to the Committee or Subcommittee in a like form, showing by typographical devices the effect of the proposed amendment on existing law. The requirements of this subsection may be waived when, in the opinion of the Committee or Subcommittee Chairman, it is necessary to expedite the business of the Committee or Subcommittee.

RULE 3.—SUBCOMMITTEES

[a] Authorization for.—A Subcommittee of the Committee may be authorized only by the action of a majority of the Committee.

[b] Membership.—No member may be a member of more than three Subcommittees and no member may chair more than one Subcommittee. No member will receive assignment to a second Subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one Subcommittee, and no member shall receive assignment to a third Subcommittee until, in order of seniority, all members have chosen assignments to two Subcommittees.

[c] Investigations.—No investigation shall be initiated by a Subcommittee unless the Senate or the full Committee has specifically authorized such investigation.

[d] Hearings.—No hearing of a Subcommittee shall be scheduled outside the District of Columbia without prior consultation with the Chairman and then only by agreement between the Chairman of the Subcommittee and the Ranking Member of the Subcommittee or by a majority vote of the Subcommittee.

[e] Confidential testimony.—No confidential testimony taken or confidential material presented at an executive session of the Subcommittee or any report of the proceedings of such executive session shall be made public, either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Subcommittee and the Ranking Member of the Subcommittee, or by a majority vote of the Subcommittee.

[f] Interrogation of witnesses.—Subcommittee interrogation of a witness shall be conducted only by members of the Subcommittee or such professional staff as is authorized by the Chairman or the Ranking Member of the Subcommittee.

[g] Special meetings.—If at least three members of a Subcommittee desire that a special meeting of the Subcommittee be called by the Chairman of the Subcommittee, those members may file in the offices of the Committee their written request to the Chairman of the Subcommittee for that special meeting. Immediately upon the filing of the request, the Clerk of the Committee shall notify the Chairman of the Subcommittee of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman of the Subcommittee does not call the requested special meeting, to be held within 7 calendar days after the filing of the request, a majority of the members of the Subcommittee may file in the offices of the Committee their written notice that a special meeting of the Subcommittee will be held, specifying the date and hour of that special meeting. The Subcommittee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk of the Committee shall notify all members of the Subcommittee that such special meeting will be held and inform them of its date and hour. If the Chairman of the Subcommittee is not present at any regular or special meeting of the Subcommittee, the Ranking Member of the majority party on the Subcommittee who is present shall preside at that meeting.

[h] Voting.—No measure or matter shall be recommended from a Subcommittee to the Committee unless a majority of the Subcommittee are actually present. The vote of the Subcommittee to recommend a measure or matter to the Committee shall require the concurrence of a majority of the members of the Subcommittee voting. On Subcommittee matters other than a vote to recommend a measure or matter to the Committee no record vote shall be taken unless a majority of the Subcommittee is actually present. Any absent member of a Subcommittee may affirmatively request that his or her vote to recommend a measure or matter to the Committee or his vote on any such other matters on which a record vote is taken, be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter and to inform the Subcommittee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman of the Subcommittee any time before the record vote on the measure or matter concerned is taken, the member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee.

RULE 4.—WITNESSES

[a] Filing of statements.—Any witness appearing before the Committee or Subcommittee [including any witness representing a Government agency] must file with the Committee or Subcommittee [24 hours preceding his or her appearance] 75 copies of his or her statement to the Committee or Subcommittee, and the statement must include a brief summary of the testimony. In the event that the witness fails to file a written statement and brief summary in accordance with this rule, the Chairman of the Committee or Subcommittee has the discretion to deny the witness the privilege of testifying before the Committee or Subcommittee until the witness has properly complied with the rule.

[b] Length of statements.—Written statements properly filed with the Committee or Subcommittee may be as lengthy as the witness desires and may contain such documents or other addenda as the witness feels is necessary to present properly his or her views to the Committee or Subcommittee. The brief summary included in the statement must be no more than 3 pages long. It shall be left to the discretion of the Chairman of the Committee or Subcommittee as to what portion of the documents presented to the Committee or Subcommittee shall be published in the printed transcript of the hearings.

[c] Ten-minute duration.—Oral statements of witnesses shall be based upon their filed statements but shall be limited to 10 minutes duration. This period may be limited or extended at the discretion of the Chairman presiding at the hearings.

[d] Subpoena of witnesses.—Witnesses may be subpoenaed by the Chairman of the Committee or a Subcommittee with the agreement of the Ranking Member of the Committee or Subcommittee or by a majority vote of the Committee or Subcommittee.

[e] Counsel permitted.—Any witness subpoenaed by the Committee or Subcommittee to a public or executive hearing may be accompanied by counsel of his or her own choosing who shall be permitted, while the witness is testifying, to advise him or her of his or her legal rights.

[f] Expenses of witnesses.—No witness shall be reimbursed for his or her appearance at a public or executive hearing before the Committee or Subcommittee unless such reimbursement is agreed to by the Chairman and Ranking Member of the Committee.

[g] Limits of questions.—Questioning of a witness by members shall be limited to 5 minutes duration when 5 or more members are present and 10 minutes duration when less than 5 members are present, except that if a member is unable to finish his or her questioning in this period, he or she may be permitted further questions of the witness after all members have been given an opportunity to question the witness.

Additional opportunity to question a witness shall be limited to a duration of 5 minutes until all members have been given the opportunity of questioning the witness for a second time. This 5-minute period per member will be continued until all members have exhausted their questions of the witness.

RULE 5.—VOTING

[a] Vote to report a measure or matter.—No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present. The vote of the Committee to report a measure or matter shall require the concurrence of a majority of the members of the Committee who are present.

Any absent member may affirmatively request that his or her vote to report a matter be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the record vote on the measure or matter concerned is taken, any member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee, along with the record of the rollcall vote of the members present and voting, as an official record of the vote on the measure or matter.

[b] Vote on matters other than to report a measure or matter.—On Committee matters other than a vote to report a measure or matter, no record vote shall be taken unless a majority of the Committee are actually present. On any such other matter, a member of the Committee may request that his or her vote may be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman any time before the vote on such other matter is taken, the member may withdraw a proxy previously given. All proxies relating to such other matters shall be kept in the files of the Committee.

RULE 6.—QUORUM

No executive session of the Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, one member shall constitute a quorum for the receipt of evidence, the swearing in of witnesses, and the taking of testimony.

RULE 7.—STAFF PRESENT ON DAIS

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member may have one staff person accompany him or her during such public or executive hearing on the dais. If a member desires a second staff person to accompany him or her on the dais he or she must make a request to the Chairman for that purpose.

RULE 8.—COINAGE LEGISLATION

At least 67 Senators must cosponsor any gold medal or commemorative coin bill or resolution before consideration by the Committee.

EXTRACTS FROM THE STANDING RULES OF THE SENATE

RULE XXV, STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * *

[d][1] Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banks, banking, and financial institutions.
2. Control of prices of commodities, rents, and services.
3. Deposit insurance.
4. Economic stabilization and defense production.

5. Export and foreign trade promotion.
6. Export controls.
7. Federal monetary policy, including Federal Reserve System.
8. Financial aid to commerce and industry.
9. Issuance and redemption of notes.
10. Money and credit, including currency and coinage.
11. Nursing home construction.
12. Public and private housing [including veterans' housing].
13. Renegotiation of Government contracts.
14. Urban development and urban mass transit.

[2] Such committee shall also study and review, on a comprehensive basis, matters relating to international economic policy as it affects United States monetary affairs, credit, and financial institutions; economic growth, urban affairs, and credit, and report thereon from time to time.

COMMITTEE PROCEDURES FOR PRESIDENTIAL NOMINEES

Procedures formally adopted by the U.S. Senate Committee on Banking, Housing, and Urban Affairs, February 4, 1981, establish a uniform questionnaire for all Presidential nominees whose confirmation hearings come before this Committee.

In addition, the procedures establish that:

[1] A confirmation hearing shall normally be held at least 5 days after receipt of the completed questionnaire by the Committee unless waived by a majority vote of the Committee.

[2] The Committee shall vote on the confirmation not less than 24 hours after the Committee has received transcripts of the hearing unless waived by unanimous consent.

[3] All nominees routinely shall testify under oath at their confirmation hearings.

This questionnaire shall be made a part of the public record except for financial information, which shall be kept confidential.

Nominees are requested to answer all questions, and to add additional pages where necessary.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

SUBCOMMITTEE MEMBERSHIP AND SUBCOMMITTEE JURISDICTION

Mr. CRAPO. I ask unanimous consent that the subcommittee membership and subcommittee jurisdiction of the U.S. Senate Committee on Banking, Housing, and Urban Affairs, which was approved by the committee at today's executive session, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUBCOMMITTEE JURISDICTION OF THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

115TH CONGRESS

Any subcommittee issue is available at any time for full Committee consideration where appropriate, as determined by the Chairman in consultation with the other members of the Committee. All mark-ups of legislation and consideration of nominations would take place at the full Committee level.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Securities, annuities, and other financial investments; SEC: SIPC: CFTC (single stock

futures and other financial instruments within CFTC jurisdiction); Government securities; Fannie Mae, Freddie Mac; Financial exchanges and markets; Financial derivatives; Accounting standards; Insurance.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Banks, savings associations, credit unions, and other financial institutions; Deposit Insurance; Federal Home Loan Bank System; Regulatory activities of the Federal Reserve System; OCC, FDIC, NCUA; E-commerce; Consumer Financial Protection Bureau.

SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL TRADE AND FINANCE

Export and foreign trade promotion; Export controls; Export financing; International economic policy; International financial and development institutions; Export-Import Bank; International Trade Administration; Bureau of Export Administration; Defense Production Act.

SUBCOMMITTEE ON ECONOMIC POLICY

Economic growth, employment and price stability; Monetary policy, including monetary policy functions of the Federal Reserve System; Financial Stability Oversight Counsel; Office of Financial Research; Council of Economic Advisors; Money and credit, including currency, coinage and notes; Control of prices of commodities, rents and services; Economic stabilization; Financial aid to commerce and industry; Loan guarantees; Flood insurance; Disaster assistance; Small Business Lending.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Urban mass transit, urban affairs and development; Federal Transit Administration; HUD; Affordable Housing; Foreclosure Mitigation; Mortgage Servicing; HAMP; FHA; Senior Housing; Nursing home construction; Rural Housing Service; Indian Housing.

SUBCOMMITTEE MEMBERSHIP

Unless otherwise noted, Mike Crapo, Chairman, and Sherrod Brown, Ranking Democratic Member, serve on all subcommittees as ex-officio, non-voting members.

HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Tim Scott, SC, Chairman;
Robert Menendez, NJ, Ranking Democratic Member.

Richard C. Shelby, AL; Dean Heller, NV; Mike Rounds, SD; Thom Tillis, NC; Joe Kennedy, LA; Jack Reed, RI; Heidi Heitkamp, ND; Brian Schatz, HI; Chris Van Hollen, MD.

FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Patrick J. Toomey, PA, Chairman;
Elizabeth Warren, MA, Ranking Democratic Member.

Richard C. Shelby, AL; Bob Corker, TN; Dean Heller, NV; Tim Scott, SC; Ben Sasse, NE; Tom Cotton, AR; David Perdue, GA; John Kennedy, LA; Jack Reed, RI; Jon Tester, MT; Mark Warner, VA; Joe Donnelly, IN; Brian Schatz, HI; Chris Van Hollen; Catherine Cortez Masto, NV.

SECURITIES, INSURANCE, AND INVESTMENT

Dean Heller, NV, Chairman;
Mark Warner, VA, Ranking Democratic Member.

Richard C. Shelby, AL; Bob Corker, TN; Patrick J. Toomey, PA; Tim Scott, SC; Ben Sasse, NE; Mike Rounds, SD; Thom Tillis, NC; Jack Reed, RI; Robert Menendez, NJ; Jon Tester, MT; Elizabeth Warren, MA; Chris Van Hollen, MD; Catherine Cortez Masto, NV.

NATIONAL SECURITY AND INTERNATIONAL
TRADE AND FINANCE

Ben Sasse, NE, Chairman;
Joe Donnelly, IN, Ranking Democratic
Member.

Bob Corker, TN; Tom Cotton, AR; Mike
Rounds, SD; David Perdue, GA; Mark War-
ner, VA; Heidi Heitkamp, ND; Brian Schatz,
HI.

ECONOMIC POLICY

Tom Cotton, AR, Chairman;
Heidi Heitkamp, ND, Ranking Democratic
Member.

Patrick J. Toomey, PA; David Perdue, GA;
Thom Tillis, NC; John Kennedy, LA; Robert
Menendez, NJ; Elizabeth Warren, MA; Joe
Donnelly, IN.

COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION

RULES OF PROCEDURE

Mr. THUNE. Mr. President, the Com-
mittee on Commerce, Science, and
Transportation has adopted rules gov-
erning its procedures for the 115th Con-
gress. Pursuant to rule XXVI, para-
graph 2, of the Standing Rules of the
Senate, I ask unanimous consent that
the rules for the Senate Committee on
Commerce, Science, and Transpor-
tation be printed in the RECORD.

There being no objection, the mate-
rial was ordered to be printed in the
RECORD, as follows:

**RULES OF THE COMMITTEE ON COM-
MERCE, SCIENCE, AND TRANSPOR-
TATION**

115TH CONGRESS

RULE I—MEETINGS OF THE COMMITTEE

1. IN GENERAL.—The regular meeting dates
of the Committee shall be the first and third
Wednesdays of each month. Additional meet-
ings may be called by the Chairman as the
Chairman may deem necessary, or pursuant
to the provisions of paragraph 3 of rule XXVI
of the Standing Rules of the Senate.

2. OPEN MEETINGS.—Meetings of the Com-
mittee, or any subcommittee, including
meetings to conduct hearings, shall be open
to the public, except that a meeting or series
of meetings by the Committee, or any sub-
committee, on the same subject for a period
of no more than 14 calendar days may be
closed to the public on a motion made and
seconded to go into closed session to discuss
only whether the matters enumerated in
subparagraphs (A) through (F) would require
the meeting to be closed, followed imme-
diately by a record vote in open session by a
majority of the members of the Committee,
or any subcommittee, when it is determined
that the matter to be discussed or the testi-
mony to be taken at such meeting or meet-
ings—

(A) will disclose matters necessary to be
kept secret in the interests of national de-
fense or the confidential conduct of the for-
eign relations of the United States;

(B) will relate solely to matters of Com-
mittee staff personnel or internal staff man-
agement or procedure;

(C) will tend to charge an individual with
crime or misconduct, to disgrace or injure
the professional standing of an individual, or
otherwise to expose an individual to public
contempt or obloquy, or will represent a
clearly unwarranted invasion of the privacy
of an individual;

(D) will disclose the identity of any in-
former or law enforcement agent or will dis-
close any information relating to the inves-
tigation or prosecution of a criminal offense
that is required to be kept secret in the in-
terest of effective law enforcement;

(E) will disclose information relating to
the trade secrets of, or financial or commer-
cial information pertaining specifically to, a
given person if—

(1) an Act of Congress requires the infor-
mation to be kept confidential by Govern-
ment officers and employees; or

(2) the information has been obtained by
the Government on a confidential basis,
other than through an application by such
person for a specific Government financial or
other benefit, and is required to be kept se-
cret in order to prevent undue injury to the
competitive position of such person; or

(F) may divulge matters required to be
kept confidential under other provisions of
law or Government regulations.

3. STATEMENTS.—Each witness who is to
appear before the Committee or any sub-
committee shall file with the Committee, at
least 24 hours in advance of the hearing, a
written statement of the witness's testimony
in as many copies as the Chairman of the
Committee or subcommittee prescribes. In
the event a witness fails to file a timely
written statement in accordance with this
rule, the Chairman of the Committee or sub-
committee, as applicable, may permit the
witness to testify, or deny the witness the
privilege of testifying before the Committee,
or permit the witness to testify in response
to questions from members without the ben-
efit of giving an opening statement.

4. FIELD HEARINGS.—Field hearings of the
full Committee, and any subcommittee
thereof, shall be scheduled only when au-
thorized by the Chairman and ranking mi-
nority member of the full Committee.

RULE II—QUORUMS

1. BILLS, RESOLUTIONS, AND NOMINATIONS.—
A majority of the members, which includes
at least 1 minority member, shall constitute
a quorum for official action of the Com-
mittee when reporting a bill, resolution, or
nomination. Proxies may not be counted in
making a quorum for purposes of this para-
graph.

2. OTHER BUSINESS.—One-third of the en-
tire membership of the Committee shall con-
stitute a quorum for the transaction of all
business as may be considered by the Com-
mittee, except for the reporting of a bill, res-
olution, or nomination or authorizing a sub-
poena. Proxies may not be counted in mak-
ing a quorum for purposes of this paragraph.

3. TAKING TESTIMONY.—For the purpose of
taking sworn testimony a quorum of the
Committee and each subcommittee thereof,
now or hereafter appointed, shall consist of 1
member of the Committee.

RULE III—PROXIES

When a record vote is taken in the Com-
mittee on any bill, resolution, amendment,
or any other question, the required quorum
being present, a member who is unable to at-
tend the meeting may submit his or her vote
by proxy, in writing or through personal in-
structions.

**RULE IV—CONSIDERATION OF BILLS
AND RESOLUTIONS**

It shall not be in order during a meeting of
the Committee to move to proceed to the
consideration of any bill or resolution unless
the bill or resolution has been filed with the
Clerk of the Committee not less than 48
hours in advance of the Committee meeting,
in as many copies as the Chairman of the

Committee prescribes. This rule may be
waived with the concurrence of the Chair-
man and the ranking minority member of
the full Committee.

**RULE V—SUBPOENAS; COUNSEL;
RECORD**

1. SUBPOENAS.—The Chairman, with the ap-
proval of the ranking minority member of
the Committee, may subpoena the attend-
ance of witnesses for hearings and the pro-
duction of memoranda, documents, records,
or any other materials. The Chairman may
subpoena such attendance of witnesses or
production of materials without the approval
of the ranking minority member if the
Chairman or a member of the Committee
staff designated by the Chairman has not re-
ceived notification from the ranking mi-
nority member or a member of the Committee
staff designated by the ranking minority
member of disapproval of the subpoena with-
in 72 hours, excluding Saturdays and Sun-
days, of being notified of the subpoena. If a
subpoena is disapproved by the ranking mi-
nority member as provided in this para-
graph, the subpoena may be authorized by
vote of the Members of the Committee, the
quorum required by paragraph 1 of rule II
being present. When the Committee or Chair-
man authorizes a subpoena, it shall be issued
upon the signature of the Chairman or any
other Member of the Committee designated
by the Chairman. At the direction of the
Chairman, with notification to the ranking
minority member of not less than 72 hours,
the staff is authorized to take depositions
from witnesses. The ranking minority mem-
ber, or a member of the Committee staff de-
signated by the ranking minority member,
shall be given the opportunity to attend and
participate in the taking of any deposition.
Witnesses at depositions shall be examined
upon oath administered by an individual au-
thorized by law to administer oaths, or ad-
ministered by any member of the Committee
if one is present.

2. COUNSEL.—Witnesses may be accom-
panied at a public or executive hearing, or
the taking of a deposition, by counsel to ad-
vise them of their rights. Counsel retained
by any witness and accompanying such wit-
ness shall be permitted to be present during
the testimony of the witness at any public or
executive hearing, or the taking of a deposi-
tion, to advise the witness, while the witness
is testifying, of the witness's legal rights. In
the case of any witness who is an officer or
employee of the government, or of a corpora-
tion or association, the Chairman may rule
that representation by counsel from the gov-
ernment, corporation, or association or by
counsel representing other witnesses, creates
a conflict of interest, and that the witness
may only be represented during testimony
before the Committee by personal counsel
not from the government, corporation, or as-
sociation or by personal counsel not rep-
resenting other witnesses. This paragraph
shall not be construed to excuse a witness
from testifying in the event the witness's
counsel is ejected for conducting himself or
herself in such manner as to prevent, im-
pede, disrupt, obstruct, or interfere with the
orderly administration of a hearing or the
taking of a deposition. This paragraph may
not be construed as authorizing counsel to
coach the witness or to answer for the wit-
ness. The failure of any witness to secure
counsel shall not excuse the witness from
complying with a subpoena.

3. RECORD.—An accurate electronic or sten-
ographic record shall be kept of the testi-
mony of all witnesses in executive and public
hearings and depositions. If testimony given

by deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee. The record of a witness's testimony, whether in public or executive session or in a deposition, shall be made available for inspection by the witness or the witness's counsel under Committee supervision. A copy of any testimony given in public session, or that part of the testimony given by the witness in executive session or deposition and subsequently quoted or made part of the record in a public session, shall be provided to that witness at the witness's expense if so requested. Upon inspecting the transcript, within a time limit set by the Clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman or a member of the Committee staff designated by the Chairman shall rule on such requests.

RULE VI—BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

RULE VII—SUBCOMMITTEES

1. HEARINGS.—Any member of the Committee may sit with any subcommittee during its hearings.

2. CHANGE OF CHAIRMANSHIP.—Subcommittees shall be considered de novo whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.

COMMITTEE ON VETERANS' AFFAIRS

RULES OF PROCEDURE

Mr. ISAKSON. Mr. President, the Committee on Veterans' Affairs has adopted rules governing its procedures for the 115th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator TESTER, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON VETERANS' AFFAIRS RULES OF PROCEDURE 115TH CONGRESS

I. MEETINGS

(A) Unless otherwise ordered, the Committee shall meet on the first Wednesday of each month. The Chairman may, upon proper notice, call such additional meetings as deemed necessary.

(B) Except as provided in subparagraphs (b) and (d) of paragraph 5 of rule XXVI of the Standing Rules of the Senate, meetings of the Committee shall be open to the public. The Committee shall prepare and keep a

complete transcript or electronic recording adequate to fully record the proceedings of each meeting whether or not such meeting or any part thereof is closed to the public.

(C) The Chairman of the Committee, or the Ranking Majority Member present in the absence of the Chairman, or such other Member as the Chairman may designate, shall preside over all meetings.

(D) Except as provided in rule XXVI of the Standing Rules of the Senate, no meeting of the Committee shall be scheduled except by majority vote of the Committee or by authorization of the Chairman of the Committee.

(E) The Committee shall notify the office designated by the Committee on Rules and Administration of the time, place, and purpose of each meeting. In the event such meeting is canceled, the Committee shall immediately notify such designated office.

(F) Written or electronic notice of a Committee meeting, accompanied by an agenda enumerating the items of business to be considered, shall be sent to all Committee Members at least 72 hours (not counting Saturdays, Sundays, and federal holidays) in advance of each meeting. In the event that the giving of such 72-hour notice is prevented by unforeseen requirements or Committee business, the Committee staff shall communicate notice by the quickest appropriate means to Members or appropriate staff assistants of Members and an agenda shall be furnished prior to the meeting.

(G) Subject to the second sentence of this paragraph, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless a written or electronic copy of such amendment has been delivered to each Member of the Committee at least 24 hours (not counting Saturdays, Sundays, and federal holidays) before the meeting at which the amendment is to be proposed. This paragraph may be waived by a majority vote of the Members and shall apply only when 72-hour written notice has been provided in accordance with paragraph (F).

II. QUORUMS

(A) Subject to the provisions of paragraph (B), eight Members of the Committee shall constitute a quorum for the reporting or approving of any measure or matter or recommendation. Five Members of the Committee shall constitute a quorum for purposes of transacting any other business.

(B) In order to transact any business at a Committee meeting, at least one Member of the minority shall be present. If, at any meeting, business cannot be transacted because of the absence of such a Member, the matter shall lay over for a calendar day. If the presence of a minority Member is not then obtained, business may be transacted by the appropriate quorum.

(C) One Member shall constitute a quorum for the purpose of receiving testimony.

III. VOTING

(A) Votes may be cast by proxy. A proxy shall be written and may be conditioned by personal instructions. A proxy shall be valid only for the day given.

(B) There shall be a complete record kept of all Committee actions. Such record shall contain the vote cast by each Member of the Committee on any question on which a roll call vote is requested.

IV. HEARINGS AND HEARING PROCEDURES

(A) Except as specifically otherwise provided, the rules governing meetings shall govern hearings.

(B) At least one week in advance of the date of any hearing, the Committee shall undertake, consistent with the provisions of paragraph 4 of rule XXVI of the Standing Rules of the Senate, to make public announcements of the date, place, time, and subject matter of such hearing.

(C)(1) Each witness who is scheduled to testify at a hearing of the Committee shall submit 40 copies of such witness' testimony to the Committee not later than 48 hours (not counting Saturdays, Sundays, and federal holidays) before the witness' scheduled appearance at the hearing.

(2) Any witness who fails to meet the deadline specified in paragraph (1) shall not be permitted to present testimony but may be seated to take questions from Committee members, unless the Chairman and Ranking Minority Member determine there is good cause for the witness' failure to meet the deadline or it is in the Committee's interest to permit such witness to testify.

(D) The presiding Member at any hearing is authorized to limit the time allotted to each witness appearing before the Committee.

(E) The Chairman, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Ranking Minority Member or a Committee staff member designated by the Ranking Minority Member notice of the Ranking Minority Member's non-concurrence in the subpoena within 48 hours (not counting Saturdays, Sundays, and federal holidays) of being notified of the Chairman's intention to subpoena attendance or production, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Ranking Minority Member's concurrence. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes a subpoena, the subpoena may be issued upon the signature of the Chairman or of any other Member of the Committee designated by the Chairman.

(F) Except as specified in Committee Rule VII (requiring oaths, under certain circumstances, at hearings to confirm Presidential nominations), witnesses at hearings will be required to give testimony under oath whenever the presiding Member deems such to be advisable.

V. MEDIA COVERAGE

Any Committee meeting or hearing which is open to the public may be covered by television, radio, and print media. Photographers, reporters, and crew members using mechanical recording, filming, or broadcasting devices shall position and use their equipment so as not to interfere with the seating, vision, or hearing of the Committee Members or staff or with the orderly conduct of the meeting or hearing. The presiding Member of the meeting or hearing may for good cause terminate, in whole or in part, the use of such mechanical devices or take such other action as the circumstances and the orderly conduct of the meeting or hearing may warrant.

VI. GENERAL

All applicable requirements of the Standing Rules of the Senate shall govern the Committee.

VII. PRESIDENTIAL NOMINATIONS

(A) Each Presidential nominee whose nomination is subject to Senate confirmation and referred to this Committee shall submit a statement of his or her background and financial interests, including the financial interests of his or her spouse and of children living in the nominee's household, on a form approved by the Committee, which shall be sworn to as to its completeness and accuracy. The Committee form shall be in two parts:

(1) Information concerning employment, education, and background of the nominee, which generally relates to the position to which the individual is nominated and which is to be made public; and

(2) Information concerning the financial and other background of the nominee, to be made public when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

(B) At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath.

(C) Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not occur until at least five days (not counting Saturdays, Sundays, and federal holidays) after the nominee submits with respect to the currently pending nomination the form required by this rule unless the Chairman, with the concurrence of the Ranking Minority Member, waives this waiting period.

VIII. NAMING OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES

It is the policy of the Committee that a Department of Veterans Affairs facility may be named only after a deceased individual and only under the following circumstances:

(A) Such individual was:

(1) A veteran who (i) was instrumental in the construction or the operation of the facility to be named, or (ii) was a recipient of the Medal of Honor or, as determined by the Chairman and Ranking Minority Member, otherwise performed military service of an extraordinarily distinguished character;

(2) A Member of the United States House of Representatives or Senate who had a direct association with such facility;

(3) An Administrator of Veterans' Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military or other Federal civilian official of comparable or higher rank; or

(4) An individual who, as determined by the Chairman and Ranking Minority Member, performed outstanding service for veterans.

(B) Each Member of the Congressional delegation representing the State in which the designated facility is located must indicate in writing such Member's support of the proposal to name such facility after such individual. It is the policy of the Committee that sponsoring or cosponsoring legislation to name such facility after such individual will not alone satisfy this requirement.

(C) The pertinent State department or chapter of each Congressionally chartered veterans' organization having a national membership of at least 500,000 must indicate in writing its support of such proposal.

IX. AMENDMENTS TO THE RULES

The rules of the Committee may be changed, modified, amended, or suspended at any time provided, however, that no less than a majority of the entire membership so

determine at a regular meeting with due notice or at a meeting specifically called for that purpose. The rules governing quorums for reporting legislative matters shall govern rules changes, modification, amendments, or suspension.

NOMINATION OF REX W. TILLERSON

Mr. INHOFE. Mr. President, I ask unanimous consent that a letter from Lee Boothby be printed in the RECORD in support of the nomination of Rex Tillerson as Secretary of State of the United States.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NEWFIELD EXPLORATION COMPANY,
The Woodlands, Texas, January 11, 2017.

HON. JAMES M. INHOFE,
U.S. Senate,
Washington, DC.

HON. JAMES LANKFORD,
U.S. Senate,
Washington, DC.

DEAR SENATORS INHOFE AND LANKFORD: As leader of Oklahoma's third largest producer of crude oil and natural gas, I write to urge your vote to confirm Rex Tillerson as U.S. Secretary of State.

Mr. Tillerson has been rightly lauded for his effective stewardship of one of the world's largest and most successful companies, his deep exposure to and knowledge of both foreign and domestic public policies impacting our nation and his extensive global experience. He is intelligent, highly regarded and has accomplished many achievements in the private sector through vision, hard work and sound judgment. He is extremely qualified to lead U.S. foreign policy.

Over the past several years, I have had the privilege of working with Rex professionally and I've also had the opportunity to get to know him personally. His personal attributes are equally as impressive as his professional characteristics. He is a man of integrity and strong moral character.

We both share a fondness for the outdoors and regularly have found ourselves discussing not the day-to-day happenings in our industry, but rather his love for the United States of America—an affection deepened by his exposure to countries where democracy and human rights do not exist.

I am proud to call Rex Tillerson a friend, and I am confident our nation will benefit from his service and the many attributes he will contribute as U.S. Secretary of State.

Sincerely,

LEE K. BOOTHBY.

CONFIRMATION OF MICHAEL POMPEO

Mr. MURPHY. Mr. President, I oppose Mr. Pompeo's confirmation to be Director of the Central Intelligence Agency because I believe he will take the CIA in a dangerously wrong direction.

America needs a CIA Director who will uphold American values by resolutely condemning torture and mass surveillance. Mr. Pompeo's last-minute attempt to walk back his opposition to torture is very disturbing and suggests the Trump administration is readying

to abandon our commitment to international human rights.

Second, Mr. Pompeo's enthusiasm for bringing back programs that sweep up massive amounts of Americans' private information is deeply troubling. I have no confidence that Donald Trump would sufficiently protect the private emails of Americans if he had access to them, and Mr. Pompeo's support for large-scale data collection programs is inconsistent with the bipartisan reforms of the PATRIOT Act that passed in the last Congress.

Third, I am very worried that Mr. Pompeo, as CIA Director, will continue the trend of covert agencies usurping the power of the State Department and the Defense Department. Mr. Pompeo, under questioning, refused to acknowledge the longstanding precedent of diplomatic embassies having primary authority for final signoff on overseas operations. This suggests Mr. Pompeo could lead a rogue agency that will frustrate rather than aid our diplomatic objectives overseas.

TRIBUTE TO THOMAS D. HOMAN

Mr. GRASSLEY. Mr. Speaker, today I want to recognize Thomas D. Homan, who will step down this month as U.S. Immigration and Customs Enforcement Executive Associate Director for Enforcement and Removal Operations. Mr. Homan has served in law enforcement for 36 years, including 33 years enforcing our Nation's border and immigration laws. He began his career in 1981 as a police officer in New York. In 1984, he became a U.S. Border Patrol agent with his first assignment in the San Diego sector. In 1988, he became a special agent with the former U.S. Immigration and Naturalization Service in Phoenix, AZ. There, he climbed through the ranks, first to supervisory special agent, and later to deputy assistant director for investigations.

In 1999, Mr. Homan became the assistant district director for investigations in San Antonio, TX. Upon the creation of ICE in 2003, Mr. Homan was named as the assistant special agent in charge in Dallas, TX. He was later promoted to deputy special agent in charge. In March 2009, Mr. Homan accepted the position of Assistant Director for Enforcement at ICE headquarters in Washington, DC. He was subsequently promoted to Deputy Executive Associate Director in 2010 and was again promoted in May 2013 to lead ICE Enforcement and Removal Operations as its Executive Associate Director.

In December 2015, Mr. Homan was awarded the Presidential Rank Award for Distinguished Service. He has served this country for many years and has had a notable career in helping to protect the homeland.

I ask that my colleagues join me in offering our appreciation for his service and congratulations on his retirement.

ADDITIONAL STATEMENTS

REMEMBERING AARON E. BAER

• Mr. CARDIN. Mr. President, today I would like to pay tribute to a dear friend, the Honorable Aaron A. Baer, who died yesterday, just 2 days shy of what would have been his 103rd birthday. He was the oldest living judge in Maryland.

Judge Baer was known to his family as the “centennial cowboy” who had “a great ride,” as his family put it. He was a Baltimore native, the son of a Russian immigrant who worked in a clothing factory and became a tailor. Judge Baer graduated from the University of Baltimore Law School in 1937. He supported himself and paid for law school by repairing and replacing tar roofs.

Judge Baer practiced real estate law for several years before becoming an assistant Baltimore City solicitor, an assistant attorney general, and a State senator for the 5th District in 1959. He was appointed to the Municipal Court of Baltimore City in 1961 by then-Governor J. Millard Tawes. In 1971, he was appointed to the newly created District Court of Maryland by then, Governor Marvin Mandel. He retired as a district court judge in 1981 at the age of 67.

Judge Baer was married to Judy Weinberg for 66 years before her passing in 2007. He and his wife had two daughters. The older daughter is Susan Reichmister, who is married to Dr. Jerome Reichmister. They have two children: Beth, who is married to Bart Casper, and Jodi, who is married to Craig Kessler. The younger daughter is the Honorable Barbara Baer Waxman, who is administrative judge of the District Court of Maryland for Baltimore City. She is married to Dr. Carl Waxman. Judge Baer had four great-grandchildren: Nicole, Sloane, Mitchell, and Blair, and numerous nieces and nephews.

The Cardin family is friends with many members of the Baer family. Judge Baer and my parents were close friends. It has been a great privilege to know Judge Baer, to receive his counsel, and to count him not just as a close friend of my father's, but as my close friend, too.

Judge Baer lived an exemplary life devoted to public service, the community, and to his family. He started riding Indian motorcycles as a youth and then became an avid horseback rider until he turned 100, which is how he earned the nickname “centennial cowboy.” He did have “a great ride,” and I am grateful for having been along for some of it. My wife, Myrna, and I

send our deepest condolences and prayers to his family.●

TRIBUTE TO BELLE WENDELBURG

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Mrs. Belle Wendelburg for her continued work in serving her community all the way to the age of 95. Belle retired from Dahl Memorial Nursing Home in Ekalaka, MT, in July of 2016 after working there for more than 20 years. She loved the residents and enjoyed the opportunity to work and serve others.

Belle was born on May 3, 1921, on a family homestead near Westmore, MT. She was the youngest of three children. Growing up around Westmore, Belle attended Spring Hill Grade School where she had to ride a horse 7 miles to get to school.

Belle enrolled in the “Green Thumb” program, a government work program, and then began working in activities for Dahl Memorial Nursing Home. While her primary job was to work in activities, Belle wasn't afraid to work wherever she was needed. She helped make meals, set up for meals, wash dishes, read to residents, and work with Alzheimer's patients. She continued to work at the nursing home even after she was diagnosed with cancer. Her family reports that she is still as fit as ever and can probably outrun most people much younger than she.

Belle also worked every Christmas at the home, ensuring the residents got the presents they were supposed to get and helping them write thank you letters for the gifts. She was involved with the spiritual health of the residents by reading devotionals to them. Belle worked at the home every Sunday when extra staff were needed to help residents attend chapel services. Through her giving spirit, she provides residents encouragement and inspiration every day. To her coworkers, she is also an inspiration. The nursing home CEO, Nadene Elmore says, “Whenever I see Belle, I tell her I want to be just like her when I grow up.” Belle entertains staff at lunches with stories and endless knowledge of the community's history.

Throughout the past 20 years, Belle has remained faithful in her love for her home and the eastern Montana prairie. I want to express my deep gratitude to Mrs. Belle Wendelburg for her dedication and service to her community, Montana, and our country.●

130TH ANNIVERSARY OF THE LONGMONT CHAMBER OF COMMERCE

• Mr. GARDNER. Mr. President, I ask to have printed in the RECORD a copy of my remarks to the Longmont Chamber of Commerce on its 130th anniversary.

The material follows:

REMARKS TO THE LONGMONT CHAMBER OF COMMERCE

I rise today to honor the Longmont Chamber of Commerce on its 130th anniversary. For more than 100 years, this chamber of commerce has been an important resource for businesses of all sizes in the Longmont area.

Colorado's Northern front range has experienced significant growth within the past few years, with an influx of residents moving to this region. Longmont, which sits in Weld and Boulder counties, is now home to nearly 100,000 people. The community's strong manufacturing, agriculture, and innovative technology companies have all contributed to Longmont's development.

The Longmont Chamber of Commerce has been an active participant in helping all industries succeed and grow. Annual events, like the “Unity in the Community” event, draw more than 1,000 representatives from business, government, and nonprofit organizations. In addition, Longmont has received multiple recognitions for its ability to problem solve, and make their community a better place to live for all residents. In 2006, Longmont received the All-America City Award from the National Civic League, and in 2008, was named as one of the Top 100 Best Places to Live by Money Magazine.

The Chamber of Commerce will continue to play a critical role in the growth and development of Longmont, as the Front Range sees an increase in population and business endeavors. Longmont is fortunate to have a dedicated organization like the Chamber helping its residents grow their businesses. Congratulations to the Longmont Chamber of Commerce on reaching this significant milestone.●

STATE OF THE UNION ESSAY CONTEST FINALISTS

• Mr. SANDERS. Mr. President, I ask to have printed in the RECORD some of the finalist essays written by Vermont high school students as part of the seventh annual State of the Union essay contest conducted by my office.

The material follows:

EMMA CARLSON, ST JOHNSBURY ACADEMY JUNIOR (FINALIST)

America is one of the wealthiest countries in the world. Home to world-leading companies in technology, consumer goods, pharmaceutical, and financial industries, the U.S. has a gross domestic product of 18.56 trillion dollars. And yet, poverty impacts people in both rural and urban areas who are working for minimum wage, elderly people who must live on a fixed income, and those who have lost their jobs. For a country as rich and resourceful as ours, we have the ability to solve the complex situation of poverty if we work together as a nation to find a solution.

Despite all of our wealth, we still have nearly 15% of people living below the poverty line. In 2016, the poverty threshold for a family of four is \$24,036 per year. These individuals are forced to make difficult choices between paying for food, medicine, heat, gas, or rent. Today we are seeing increase in the loss of manufacturing jobs, causing many additional people to become unemployed and drop below the poverty line. We are losing these jobs due to technological advances that have replaced a lot of workers, while other jobs have been moved to lower-cost countries because the labor to perform those jobs is much cheaper. Another cause of long

term poverty is the lack of access to high-quality early education. In addition, children of families in poverty do not consistently receive a college education, and therefore, lack the skills and opportunities to acquire a well-paying job in today's economy.

Poverty in America needs to be solved for every individual to receive opportunities to live a quality life. There are several political debates as to how we can most effectively reduce poverty, and as a result, very little gets accomplished toward achieving this goal and poverty continues to be on the rise. The first step toward helping to lower poverty rates is to create more jobs in America. The majority of companies in the U.S. are small businesses. If the government can help small businesses thrive, it can create more jobs for those in poverty. By pulling families out of poverty, it gives their children better opportunities to receive a quality education, making it easier for them to get jobs to support their future families. This can help to break the vicious cycle of children being born into poverty without any control over it. In addition, we need to make a basic college education available and affordable to any citizen who is willing to obtain one. Without addressing the fundamental needs of education and jobs, the cycle of poverty in America will not be resolved.

Our politicians need to recognize that poverty is a serious problem, and must work together on common goals towards defeating it. There are many solutions and sometimes there will need to be compromises as to what the best solution may be. If we do not solve this poverty problem, our nation will continue to decline and overall living conditions will become worse for a lot more people.

MASON CHARLEBOIS, VERGENNES UNION HIGH SCHOOL JUNIOR (FINALIST)

We do not live in a democracy anymore. We live in an oligarchy obscured by the word democracy. For too long our country, a nation established upon ideals of impeccable freedoms and liberties, has discarded the will and determination of the American people. The rich get richer while the poor grow poorer and there seems to exist no hope, no persistence, and no optimism in the people, but instead there resides feelings of despair and anguish. Why would I blame them? Today in our nation's capital, almost every bill that is made, every law that is passed, every donation given proclaims in a final respect, a refusal to aid the poor and middle class of the United States. The loyalties, affairs, and interests of our government no longer lie with the American populace, but with immense multinational corporations and the wealthy who value profit over people.

If you don't believe me, allow me to introduce some daunting numbers. According to Inequality.org, "Income disparities have become so pronounced that America's top 10 percent now average nearly nine times as much income as the bottom 90 percent." But wait, there's more. They also mention "Americans in the top 1 percent tower stunningly higher. They average over 38 times more income than the bottom 90 percent." Citizens of the United States, this is the most critical issue of the century and possibly the history of America. This is not something that can be disregarded as irrelevant because this not only hurts you, it hurts every aspect that makes this country for the people.

So, what can we, the American people, do to vanquish this unjust society that we find ourselves living in? First, we start by establishing a tax on institutions that make more than \$1,000,000 a year. For years, these mon-

archs of trade and commerce have sneaked through loopholes in legislation and haven't been paying their taxes. This is unacceptable in the country this great nation of America. Secondly, we dissolve major institutions or establishments that are taking advantage of Americans every single day. Wells Fargo, Capital One and Citigroup are just some of the financial institutions paying their fair share. Finally, it is vital for Americans to be educated on these issues in the first place. That is why I support a universal childcare schooling program where no one will be denied access to education based on their annual income. When we have an informed public, we will be one step closer to "the people's" victory: your victory.

To close, I would like to introduce a quote from the late Thomas Jefferson who said "Experience demands that man is the only animal which devours his own kind, for I can apply no milder term to the general prey of the rich on the poor." Change never takes place from the top down. It takes place when people, just like you and me, rise up in peaceful protest and say we want a different America. We want change.

RAINBOW CHEN, WINOOSKI HIGH SCHOOL SENIOR (FINALIST)

The "American Dream" states that every American has the opportunity to become successful if they work hard. In reality, the American Dream is a blatant lie that falsely guides citizens on an idealistic path. If our country truly wants to make the American Dream a reality, we must provide citizens with the opportunity to best change their lives: a new education system. Education will help us give the poor what they need, help vulnerable children from birth to five, and create a meaningful life for our citizens.

Right now, a poor citizen has a slim chance of rising to middle or upper-middle class. A study from the Pew Charitable Trust says that 70% of lower income households stay in the lower income bracket; only 30% rise to middle class or high-income status. In 2015, nearly 48% of Americans live in low-income and impoverished situations, including my own family. Vermont may only have a 12% poverty rate, but disadvantages in resources, opportunities, and financial support have prevented me from reaching the same level of achievement and opportunity as my middle class peers. We need to readjust food stamp and welfare programs to support low-income families. Educational opportunities for the poor must become equitable so that low-income students can perform as well as their middle-class peers. If education becomes equitable, we may see more people working and fewer children suffering.

A study from Concordia University showed that "... high-quality education early in a child's life leads to continued success later in school, at work ... spending resources toward education earlier in life is much more fiscally responsible than paying later to help a struggling child catch up." Our country tends to take early childhood for granted, ignoring the benefits of early education. If we increased paid maternity/paternity leave, children could engage with their families for a longer part of their childhood, helping them become the strong leaders of the future throughout early education and their futures.

A flaw in the education system consistently prevents all students from achieving their potential. Schools need to push away from what a Purdue University study calls the "superchicken" model, which studies the "best chickens of the coop". This study showed that after separating the super-

chickens from the normal chickens, the superchickens pecked each other to death while the regular chickens proved successful regardless of productivity rates. In our educational system, we cannot place the "smartest kids" in one system, as it will damage all children's education.

Overall, education must be changed. Everyone needs access to learning opportunities, an equitable education for the poor and the average, and revitalize public school funding to ensure that all schools receive a fair share of distributed money. Fixing education will allow America to fix poverty, improve early childhood development, and allow more citizens to reach the American Dream. As the best country in the world, we need to create a possible dream, which means fixing the broken rungs in society's "ladder of success".

JESSICA DAIGLE, OXBOW HIGH SCHOOL JUNIOR (FINALIST)

My fellow Americans, I have one question for you. How do we, the United States of America, have the best economy in the world, yet can't afford to give our people basic necessities? We're one of the richest countries in the world, but we can't feed our population, or give them healthcare? Why are so many people living without a roof over their head? We can't run from these problems; we must face them and find a solution.

First and foremost, we must address our food problem. In 2015 alone, 42.2 million Americans lived in food insecure households; 13.1 million were children. How are we supposed to build a strong future if we can't feed our children? In fact, one in five children are at risk of hunger. In Latino and African American societies, it's one in three. This is an urgent problem we must fix. We must stop throwing away edible food and find a way to give it to those without. Every year in the US, 40% of food is thrown away. This equates to \$165 billion's worth. All of this uneaten food could feed 25 million Americans. In order to feed those in need, we must stop wasting resources. We cannot keep throwing away perfectly edible food.

Healthcare is another demanding issue. In 2014, 29 million Americans didn't have health insurance; that's ten percent of our population. And, in that 29 million, 4.5 million were children. Those statistics are unacceptable. We must find a solution. In 2010, President Obama tried with the Affordable Care Act—commonly known as Obamacare. This worked well, as 20 million people were able to get insurance. Yet, Presidential Elect Donald Trump wants to repeal it. If he does, he must instate a new and more affordable healthcare system. We cannot go without it. What would those 29 million people do? They're relying on Obamacare, and can't afford to be without it.

Homelessness is defined as a social crisis in the United States today, as it should be, considering this fact: on any given night, about half a million Americans experience homelessness. Out of those people, 15% have been homeless for over a year, 50% are over the age of fifty, and 8% are veterans. Not to mention the 1.14 million veterans who are at risk of homelessness. Again, we're one of the richest countries in the world, yet we can't afford to house our population? We can't house those who fought for our country, for our freedom? We must do something. We must create more safe havens or emergency shelters. We can't allow so many Americans to be living in such horrible conditions.

Clearly, these tasks will be difficult to take on. If we want to boast about our prestigious economy and wealth, we must first

fix our problems with poverty in the lower class. We cannot be considered an esteemed country until every last one of us has food, healthcare, and a roof over our heads.●

MESSAGE FROM THE HOUSE

At 11:41 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 290. An act to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes.

H.R. 423. An act to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of misleading or inaccurate caller identification information, and for other purposes.

H.R. 460. An act to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

H.R. 511. An act to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes.

H.R. 518. An act to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes.

H.R. 555. An act to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes.

H.R. 582. An act to amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes.

H.R. 587. An act to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

H.R. 588. An act to direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes.

H.R. 590. An act to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies.

H.R. 599. An act to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

The message also announced that pursuant to section 603 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), and the order of the House of January 3, 2017,

the Minority Leader appoints the following Member of the House of Representatives to the Western Hemisphere Drug Policy Commission: Mr. Sam Farr of Carmel, California.

The message further announced that pursuant to section 553 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), and the order of the House of January 3, 2017, the Minority Leader appoints the following individual to the National Commission on Military, National and Public Service: Mr. Edward T. Allard III of Los Angeles, California.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 290. An act to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 423. An act to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of misleading or inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 460. An act to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications; to the Committee on Commerce, Science, and Transportation.

H.R. 511. An act to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 518. An act to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 555. An act to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 582. An act to amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 587. An act to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review; to the Committee on Energy and Natural Resources.

H.R. 588. An act to direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 590. An act to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies; to the Committee on Commerce, Science, and Transportation.

H.R. 599. An act to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-577. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that occurred in the Department of Homeland Security's Office of the Chief Information Officer, Treasury Symbol 7012/140113; to the Committee on Appropriations.

EC-578. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of the February 2016 Australia Group (AG) Intercessional Decisions and the June 2016 AG Plenary Understandings" (RIN0694-AH14) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-579. A communication from the Program Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN1557-AE11) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-580. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Entities to the Entity List" (RIN0694-AH27) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-581. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations (EAR): Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)" (RIN0694-AG59) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-582. A communication from the Regulatory Affairs Specialist, Bureau of Ocean Energy Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Civil Penalties Inflation Adjustments" (RIN1010-AD95) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Energy and Natural Resources.

EC-583. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Revisions to Rules Regarding the Evaluation of Medical Evidence" (RIN0960-AH51) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Finance.

EC-584. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Care Programs: Fraud and Abuse: Revisions to the Office of Inspector General's Exclusion Authorities" (42 CFR Parts 1000, 1001, 1002, and 1006) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Finance.

EC-585. A joint communication from the Secretary of Health and Human Services and the Attorney General, transmitting, pursuant to law, an annual report relative to the Health Care Fraud and Abuse Control Program for fiscal year 2016; to the Committee on Finance.

EC-586. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2016 Actuarial Report on the Financial Outlook for Medicaid"; to the Committee on Finance.

EC-587. A communication from the Attorney-Advisor, Bureau of the Fiscal Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Retirement Savings Bonds" ((RIN1530-AA13) (31 CFR Part 347)) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Finance.

EC-588. A communication from the Acting Director, Employee Services/Recruitment and Hiring, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Veterans' Preference" (RIN3206-AN47) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-589. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report entitled "Financial Report of the United States Government for Fiscal Year 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-590. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2016 through September 30, 2016 and the Semi-Annual Report of the Treasury Inspector General for Tax Administration (TIGTA); to the Committee on Homeland Security and Governmental Affairs.

EC-591. A communication from the Deputy Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled

"Nondiscrimination on the Basis of Disability by Public Accommodations—Movie Theaters; Movie Captioning and Audio Description" (RIN1190-AA63) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-592. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table" (RIN0906-AB01) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-593. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Animal Drug User Fee Act for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-594. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Animal Generic Drug User Fee Act for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-595. A communication from the Regulations Coordinator, Office of the Assistant Secretary for Health, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Federal Policy for the Protection of Human Subjects" (RIN0937-AA02) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-596. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Assistance to States for the Education of Children with Disabilities and the Preschool Grants for Children with Disabilities Program; Early Intervention Program for Infants and Toddlers with Disabilities" (RIN1820-AB74) received in the Office of the President of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-597. A communication from the Secretary of Labor, transmitting, pursuant to law, a report on the Self-Employment Assistance (SEA) program; to the Committee on Health, Education, Labor, and Pensions.

EC-598. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress: Indian Health Prescription Drug Monitoring"; to the Committee on Indian Affairs.

EC-599. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2015 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-600. A communication from the Director, Office of Information Policy, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Revision of Department of Justice Freedom of Information Act Regulations" (RIN1105-AB51) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on the Judiciary.

EC-601. A communication from the Man-

agement and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0143)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-602. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3631)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-603. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-7425)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-604. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6894)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-605. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9057)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-606. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-7424)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-607. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-3929)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-608. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-5807)) received during adjournment of the Senate in the Office of the President of the Senate

EC-630. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Cedar City, UT" (RIN2120-AA66) (Docket No. FAA-2016-9119) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-631. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Blue Mesa, CO" (RIN2120-AA66) (Docket No. FAA-2016-7043) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-632. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Kahului, HI" (RIN2120-AA66) (Docket No. FAA-2014-1068) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-633. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Healy, AK" (RIN2120-AA66) (Docket No. FAA-2016-9159) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-634. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Extension of the Prohibition Against Certain Flights Within the Damascus (OSTT) Flight Information Region (FIR)" (RIN2120-AK93) (Docket No. FAA-2014-0708) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-635. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of an Air Traffic Service (ATS) Route; Western United States" (RIN2120-AA66) (Docket No. FAA-2015-1345) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-636. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Offshore Airspace Areas; Control 1154H, Control 1173H, Control 1154L, and Control 1173L, California" (RIN2120-AA66) (Docket No. FAA-2016-9263) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-637. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (62); Amdt. No. 3725" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-638. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (80); Amdt. No. 3723" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-639. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Management Measures" (RIN0648-BG12) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-640. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Multi-Year Specifications for Monitored and Prohibited Harvest Species Stock Categories" (RIN0648-XC808) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-641. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Modifications to Recordkeeping and Reporting Requirements" (RIN0648-BF83) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-642. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Chinook Salmon Bycatch Management in the Gulf of Alaska Trawl Fisheries; Amendment 103" (RIN0648-BF84) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-643. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XF012) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-644. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Groundfish Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XE990) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-645. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE950) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-646. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Airworthiness Standards for Normal, Utility, Acrobatic, and Commuter Category Airplanes" (RIN2120-AK65) (Docket No. FAA-2015-1621) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-647. A communication from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Safety of Underground Natural Gas Storage Facilities" (RIN2137-AF22) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-648. A communication from the Chairman of the Office of Proceedings and the Office of Economics, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment Rule" (Docket No. EP 716 (Sub-No. 1)) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-649. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "United States Rail Service Issues—Performance Data Reporting" (Docket No. EP 724 (Sub-No. 4)) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-650. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Monetary Threshold for Reporting Rail Equipment Accidents/Incidents for Calendar Year 2017" (RIN2130-ZA14) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-651. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-5816)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-652. A communication from the Deputy Chief of the Disability Rights Office, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Transition from TTY to Real-Time Text Technology; Petition for Rulemaking to Update the Commission's Rules for Access to Support the Transition from TTY to Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support of TTY Technology" ((FCC 16-169) (CG Docket No. 16-145 and GN Docket No. 15-178)) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. Res. 20. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. Res. 21. An original resolution authorizing expenditures by the Committee on the Judiciary.

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 22. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

By Mr. ISAKSON, from the Committee on Veterans' Affairs, without amendment:

S. Res. 24. An original resolution authorizing expenditures by the Committee on Veterans' Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs.

*Benjamin S. Carson, Sr., of Florida, to be Secretary of Housing and Urban Development.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Wilbur L. Ross, Jr., of Florida, to be Secretary of Commerce.

*Elaine L. Chao, of Kentucky, to be Secretary of Transportation.

By Mr. CORKER for the Committee on Foreign Relations.

*Nikki R. Haley, of South Carolina, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

*Nikki R. Haley, of South Carolina, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FLAKE:

S. 195. A bill to expedite the deployment of highway construction projects; to the Committee on Environment and Public Works.

By Mr. CASSIDY (for himself, Mr. SCHATZ, Mr. RUBIO, Mr. DURBIN, Mr. NELSON, and Mr. COONS):

S. 196. A bill to provide for a Public Health Emergency Fund, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself, Mr. UDALL, Mr. RISCH, Mr. HEINRICH, and Mr. BENNET):

S. 197. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. KAINE, Mr. GARDNER, Mr. MENENDEZ, Mr. PERDUE, Mr. NELSON, Mr. BOOZMAN, Mr. BLUMENTHAL, Mr. LANKFORD, Mr. BROWN, Mr. SCHATZ, and Mr. HATCH):

S. 198. A bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes; to the Committee on Foreign Relations.

By Mr. BARRASSO (for himself and Mr. ENZI):

S. 199. A bill to authorize the use of the active capacity of the Fontenelle Reservoir; to the Committee on Energy and Natural Resources.

By Mr. MARKEY:

S. 200. A bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress; to the Committee on Foreign Relations.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 201. A bill to amend the Internal Revenue Code of 1986 to ensure that new wind turbines located near certain military installations are ineligible for the renewable electricity production credit and the energy credit; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. PAUL, Mr. MORAN, Mr. HELLER, Mr. HATCH, Mr. INHOFE, Mr. DAINES, and Mr. ROBERTS):

S. 202. A bill to amend the Social Security Act relating to the use of determinations made by the Commissioner; to the Committee on the Judiciary.

By Mr. BURR (for himself, Mr. ROUNDS, Mr. RUBIO, Mr. TILLIS, Mr. CRAPO, Mr. HELLER, Mr. GRAHAM, Mr. BOOZMAN, Mr. MORAN, Mrs. ERNST, Mr. MANCHIN, Mr. INHOFE, Mrs. FISCHER, Mr. TESTER, and Mr. DONNELLY):

S. 203. A bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes; to the Committee on Environment and Public Works.

By Mr. JOHNSON (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. COCHRAN, Mr. CORKER, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. KENNEDY, Mr. KING, Mr. LANKFORD, Mr. LEE, Mr. MANCHIN, Mr. MCCAIN, Mr. MCCONNELL, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROUNDS, Mr. RUBIO, Mr. SASSE, Mr. SHELBY, Mr. SULLIVAN, Mr. TILLIS, Mr. TOOMEY, Mr. WICKER, and Mr. YOUNG):

S. 204. A bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Mr. ALEXANDER, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. COCHRAN, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. GARDNER, Mr. GRASSLEY, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. LEE, Mr. MCCONNELL, Mr. MORAN, Mr. ROBERTS, Mr. ROUNDS, Mr. SCOTT, Mr. SHELBY, Mr. TILLIS, and Mr. FLAKE):

S. 205. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes; to the Committee on Finance.

By Mr. KAINE (for himself and Mr. PORTMAN):

S. 206. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. CORNYN, Mr. BLUMENTHAL, Mr. TILLIS, and Mr. WARNER):

S. 207. A bill to amend the Controlled Substances Act relating to controlled substance analogues; to the Committee on the Judiciary.

By Mr. KING (for himself and Mr. BURR):

S. 208. A bill to amend the Internal Revenue Code of 1986 to make the Child and Dependent Care Tax Credit fully refundable, and for other purposes; to the Committee on Finance.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 209. A bill to authorize an additional district judgeship for the district of Idaho; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Ms. BALDWIN, Ms. MURKOWSKI, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN,

Mr. CARPER, Mr. COONS, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Mr. VAN HOLLEN, Ms. WARREN, Mr. WARNER, Mr. WHITEHOUSE, Mr. WYDEN, Ms. CORTEZ MASTO, Mr. NELSON, Mr. CASEY, and Mrs. MCCASKILL):

S. 210. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on Foreign Relations. By Mr. CRUZ (for himself and Mr. SHELBY):

S. 211. A bill to amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN:

S. 212. A bill to provide for the development of a United States strategy for greater human space exploration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 213. A bill to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 214. A bill to authorize the expansion of an existing hydroelectric project; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 215. A bill to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself and Mr. SCHATZ):

S. 216. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 217. A bill to amend the Denali National Park Improvement Act to clarify certain provisions relating to the natural gas pipeline authorized in the Denali National Park and Preserve; to the Committee on Energy and Natural Resources.

By Mr. GARDNER:

S. 218. A bill to restrict the inclusion of social security account numbers on documents sent by mail by the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COTTON (for himself, Mr. BOOZMAN, Mr. WICKER, Mr. COCHRAN, Mr. SHELBY, and Mr. TILLIS):

S. 219. A bill to provide the force and effect of law for certain regulations relating to the taking of double-crested cormorants to reduce depredation at aquaculture facilities and protect public resources; to the Committee on Environment and Public Works.

By Mr. SASSE (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. CASSIDY, Mr. COTTON, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. INHOFE, Mr. JOHNSON, Mr. LANKFORD, Mr. MCCAIN, Mr. MCCONNELL, Mr. MORAN, Mr. PERDUE, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SCOTT, Mr. TILLIS, Mr. WICKER, and Mr. ISAKSON):

S. 220. A bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion; to the Committee on the Judiciary.

By Mr. DAINES (for himself, Mr. PERDUE, Mr. CRUZ, Mr. LEE, Mr. JOHNSON, and Mr. RUBIO):

S. 221. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 222. A bill to repeal provisions of the Patient Protection and Affordable Care Act and provide private health insurance reform, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, Mr. ISAKSON, Mr. CASEY, Mr. TILLIS, Ms. KLOBUCHAR, Mr. WICKER, Mrs. SHAHEEN, Mrs. CAPITO, Mr. TESTER, Mr. BARRASSO, Mr. DONNELLY, Mr. HELLER, Mr. KING, and Mr. KAINE):

S. 223. A bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself, Mr. HATCH, Mr. CRUZ, Mr. BLUNT, and Mr. DAINES):

S. 224. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 225. A bill to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself, Mrs. SHAHEEN, and Ms. CANTWELL):

S. 226. A bill to exclude power supply circuits, drivers, and devices to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination or ceiling fans using direct current motors from energy conservation standards for external power supplies; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. YOUNG, and Mr. CORNYN):

S. 227. A bill to impose nonnuclear sanctions with respect to Iran, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DAINES (for himself and Mr. MANCHIN):

S. 228. A bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HEINRICH (for himself, Ms. CORTEZ MASTO, Mr. UDALL, Mr. VAN HOLLEN, Mr. BOOKER, Ms. HARRIS, Mr. WYDEN, and Mr. REED):

S. 229. A bill to provide for the confidentiality of information submitted in requests for the Deferred Action for Childhood Arrivals Program, and for other purposes; to the Committee on the Judiciary.

By Mr. CASSIDY:

S. 230. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for facilities using a qualified methane conversion technology to provide transportation fuels and chemicals; to the Committee on Finance.

By Mr. PAUL (for himself, Mr. RISCH, Mr. ROUNDS, Mr. CRAPO, Mr. SCOTT, Mr. THUNE, Mr. PERDUE, Mr. INHOFE, and Mr. BOOZMAN):

S. 231. A bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and unborn human person; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. GRASSLEY):

S. 232. A bill to terminate the EB-5 Visa Program and to reallocate the employment creation visas to the other employment-based visa classifications; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Ms. COLLINS, Ms. WARREN, Mr. BURR, Mr. RUBIO, Mr. TESTER, Mrs. GILLIBRAND, Mr. MARKEY, Mr. TILLIS, Mr. NELSON, Mr. GARDNER, Ms. STABENOW, Mr. KING, Mr. KAINE, Mr. BENNETT, Mr. DAINES, and Mr. PETERS):

S. 233. A bill to authorize the Secretary of Veterans Affairs to carry out certain major medical facility leases of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. DONNELLY (for himself, Mrs. GILLIBRAND, and Mr. BROWN):

S. 234. A bill to provide incentives for businesses to keep jobs in America; to the Committee on Finance.

By Mr. SCOTT (for himself, Mr. MCCONNELL, Mr. ALEXANDER, Mr. CORNYN, Mr. CRUZ, Mr. HATCH, Mr. WICKER, and Mr. BOOZMAN):

S. 235. A bill to expand opportunity through greater choice in education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself and Mr. GRASSLEY):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced; to the Committee on the Judiciary.

By Mr. UDALL (for himself, Mr. BENNETT, Mr. DURBIN, Mr. SANDERS, Mr. TESTER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MURPHY,

Mrs. MURRAY, Mr. NELSON, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. CARDIN):

S.J. Res. 8. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. THUNE:

S. Res. 20. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation; from the Committee on Commerce, Science, and Transportation; to the Committee on Rules and Administration.

By Mr. GRASSLEY:

S. Res. 21. An original resolution authorizing expenditures by the Committee on the Judiciary; from the Committee on the Judiciary; to the Committee on Rules and Administration.

By Mr. CRAPO:

S. Res. 22. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs; from the Committee on Banking, Housing, and Urban Affairs; to the Committee on Rules and Administration.

By Mr. GARDNER (for himself and Mr. COONS):

S. Res. 23. A resolution establishing the Select Committee on Cybersecurity; to the Committee on Rules and Administration.

By Mr. ISAKSON:

S. Res. 24. An original resolution authorizing expenditures by the Committee on Veterans' Affairs; from the Committee on Veterans' Affairs; to the Committee on Rules and Administration.

By Mr. CRAPO (for himself, Mr. UDALL, Mr. RISCH, Mr. HEINRICH, and Mr. BENNET):

S. Res. 25. A resolution designating January 27, 2017, as a national day of remembrance for people of the United States who, during the Cold War, worked and lived downwind from nuclear testing sites and were adversely affected by the radiation exposure generated by the above ground nuclear weapons testing; to the Committee on the Judiciary.

By Mr. SCOTT (for himself, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. CASSIDY, Mr. MCCAIN, Mr. TILLIS, Mr. HATCH, Mr. PERDUE, Mr. WICKER, Mr. RUBIO, Mr. DAINES, Mr. BOOZMAN, Mr. JOHNSON, Mr. CORNYN, Mr. CRUZ, Mr. YOUNG, Mr. MCCONNELL, Mr. ENZI, Mr. GARDNER, Mr. LANKFORD, and Mr. TOOMEY):

S. Res. 26. A resolution designating the week of January 22 through January 28, 2017, as "National School Choice Week"; considered and agreed to.

By Mr. CRUZ (for himself, Mr. NELSON, Mr. PETERS, Mr. DURBIN, Mr. VAN HOLLEN, Mr. RUBIO, Mr. INHOFE, Ms. HASSAN, Mr. CORNYN, Mr. THUNE, Mr. WICKER, and Mr. GARDNER):

S. Res. 27. A resolution honoring the life and achievements of Eugene A. "Gene" Cernan; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself and Ms. HEITKAMP):

S. Con. Res. 6. A concurrent resolution supporting the Local Radio Freedom Act; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. PAUL, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Ohio (Mr. PORTMAN) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 21, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 26

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 27

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 47

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 47, a bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect.

S. 54

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 54, a bill to prohibit the creation of an immigration-related registry program that classifies people on the basis of religion, race, age, gender, ethnicity, national origin, nationality, or citizenship.

S. 56

At the request of Mr. SULLIVAN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 56, a bill to require each agency to repeal or amend 2 or more rules before issuing or amending a rule.

S. 80

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 80, a bill to protect the right of individuals to bear arms at water-resources development projects.

S. 81

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr.

KING) was added as a cosponsor of S. 81, a bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

S. 86

At the request of Mr. MCCAIN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 86, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program.

S. 104

At the request of Mrs. GILLIBRAND, the names of the Senator from Delaware (Mr. COONS), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 104, a bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking.

S. 139

At the request of Mr. HATCH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 143

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 143, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 145

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 145, a bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the economic and national security and manufacturing competitiveness of the United States, and for other purposes.

S. 166

At the request of Mr. HATCH, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 166, a bill to require the Secretary of the Treasury to mint coins in commemoration of Muhammad Ali.

S. 168

At the request of Mr. WICKER, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from Alaska (Mr.

SULLIVAN) and the Senator from Missouri (Mrs. McCASKILL) were added as cosponsors of S. 168, a bill to amend and enhance certain maritime programs of the Department of Transportation.

S. 169

At the request of Mr. RUBIO, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 169, a bill to counter anti-Semitism at the United Nations, and for other purposes.

S. 170

At the request of Mr. RUBIO, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Indiana (Mr. YOUNG), the Senator from West Virginia (Mrs. CAPITO), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. PERDUE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 179

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 179, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S. 184

At the request of Mr. WICKER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 184, a bill to prohibit taxpayer funded abortions.

S.J. RES. 5

At the request of Mr. CARDIN, the names of the Senator from California (Ms. HARRIS), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Illinois (Mr. DURBIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S.J. Res. 5, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 6

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S.J. Res. 6, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 4

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mrs. McCASKILL) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution clarifying any potential misunderstanding as to whether actions taken by President-elect Donald Trump constitute a violation of the

Emoluments Clause, and calling on President-elect Trump to divest his interest in, and sever his relationship to, the Trump Organization.

S. RES. 6

At the request of Mr. RUBIO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

S. RES. 9

At the request of Mr. HATCH, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Res. 9, a resolution honoring in praise and remembrance the extraordinary life, steady leadership, and remarkable, 70-year reign of King Bhumibol Adulyadej of Thailand.

S. RES. 15

At the request of Mr. LEE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 15, a resolution expressing the sense of the Senate that the Mexico City policy should be permanently established.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FLAKE:

S. 195. A bill to expedite the deployment of highway construction projects; to the Committee on Environment and Public Works.

Mr. FLAKE. Mr. President, I rise to speak of legislation I am introducing today—the Transportation Investment Recalibration to Equality Act, or the TIRE Act. The TIRE Act would suspend the Davis-Bacon prevailing wage requirement on all transportation-related infrastructure contracts. This would free up billions more in taxpayer dollars to be spent on jobs and on projects.

For those who are not familiar, Davis-Bacon is a Depression-era law that requires contractors on Federal construction projects to pay workers no less than the so-called local prevailing wage. Now, since its enactment over 80 years ago, the Department of Labor has been unable to devise an effective system for determining prevailing wages.

In fact, a 2004 Department of Labor inspector general report revealed that Federal wage reporting surveys, which are a key metric used to determine prevailing wages, are fundamentally flawed. Of all the wage report surveys reviewed by the IG, 100 percent contained flaws. Let me say that again: 100 percent of all the surveys were flawed.

In addition, some of the wage surveys have not been updated since the 1980s. The bottom line is that every time

Davis-Bacon applies to a Federal project, less money is going to construction and more money is going to meet onerous wage requirements. According to the Beacon Hill Institute, Davis-Bacon forces taxpayers to pay 22 percent above the market rate for labor on Federal infrastructure projects.

This is largely the result of disproportionate union participation in flawed wage surveys that skew Federal decisionmaking. Now, despite representing only 4 percent of the construction industry, unions are able to leverage their clout with Federal bureaucrats to inflate more than 60 percent of prevailing wages—talk about benefitting a few at the expense of the many.

Here is some perspective on what it means in real dollars. In 2016, the Federal Government spent \$23 billion on Federal construction projects, and 2.1 billion of these dollars was spent on above-rate labor costs.

Again, \$2.1 billion of the \$23 billion spent was on above-market-rate labor costs. This means that nearly 10 percent of all Federal construction spending last year went to inflated contracts. Not only does this translate into less construction funding going to actual construction, but according to George Mason University, it results in roughly 30,000 lost construction jobs.

So we lose both on the projects and the jobs that are created. More broadly, it discriminates against small businesses that don't have the resources to meet onerous Federal reporting and compliance requirements. Now, while it may be well-intentioned, Davis-Bacon ends up eliminating decent-paying construction jobs and hampering infrastructure spending.

I have often talked to State and local officials who will say that if you have two bridges across the same river, even if they are just 100 yards or 200 yards or a mile apart with the same underlying costs—or what should be the same underlying costs—if there are Federal moneys involved in one and no Federal moneys involved in the other, the one with Federal moneys will cost significantly more, and a big portion of that is because of Davis-Bacon requirements.

Now, in this body, we have to look for issues to bridge the partisan divide. It turns out that one of these issues is bridges, roads, dams, and other infrastructure projects. Fixing our Nation's crumbling infrastructure is a top priority for many in Congress, and the new administration has touted a large infrastructure package as one of its agenda items.

However, despite the bipartisan consensus on both ends of Pennsylvania Avenue for infrastructure investment, visions for the road ahead actually diverge. With a projected pricetag north of \$800 billion for highways and bridges

alone, every Federal dollar needs to be spent as efficiently as possible.

The TIRE Act will return wage determinations for Federal transportation projects where they belong, and that is the market.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 201. A bill to amend the Internal Revenue Code of 1986 to ensure that new wind turbines located near certain military installations are ineligible for the renewable electricity production credit and the energy credit; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 201

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protection of Military Airfields from Wind Turbine Encroachment Act".

SEC. 2. NEW WIND TURBINES LOCATED NEAR CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking "Such term" and all that follows through the period and inserting the following: "Such term shall not include—

"(A) any facility with respect to which any qualified small wind energy property expenditure (as defined in subsection (d)(4) of section 25D) is taken into account in determining the credit under such section, or

"(B) any facility which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of—

"(i) an airfield or airbase under the jurisdiction of a military department which is in active use, or

"(ii) an air traffic control radar site, weather radar site, or aircraft navigation aid which is—

"(I) owned or operated by the Department of Defense, and

"(II) a permanent land-based structure at a fixed location.".

(b) QUALIFIED SMALL WIND ENERGY PROPERTY.—Paragraph (4) of section 48(c) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraph (C) as subparagraph (D), and

(2) by inserting after subparagraph (B) the following:

"(C) EXCEPTION.—The term 'qualifying small wind energy property' shall not include any property which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of any property described in clause (i) or (ii) of section 45(d)(1)(B)."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

By Mr. KAINE (for himself and Mr. PORTMAN):

S. 206. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, by 2020, it is estimated that 65 percent of all jobs will require at least some form of postsecondary education and training. The National Skills Coalition estimates that nearly half of all job openings between now and 2022 will be middle skill jobs that require education beyond high school, but not a four-year degree. While the number of students pursuing postsecondary education is growing, the supply of skilled workers still falls short of industry demand. According to the Bureau of Labor and Statistics, 5.5 million U.S. jobs are currently vacant, in part, because of a shortage of qualified workers.

Our current Federal higher education policy must be improved to help solve this problem. Pell Grants, needs-based grants for low-income and working students, can only be awarded towards programs that are over 600 clock hours or at least 15 weeks in length. These grants cannot be used to support many of the short-term occupational training programs at community and technical colleges and other institutions that provide skills and credentials employers need and recognize. When it comes to higher education, Federal policies need to support the demands of the changing labor market and support career pathways that align with industry demand. According to the Georgetown University Center on Education and the Workforce, shorter-term educational investments pay off—the average postsecondary certificate holder has 20 percent higher lifetime earnings than individuals with only a high school diploma.

Today, I am pleased to introduce with my colleague, Senator PORTMAN, the Jumpstart Our Businesses by Supporting Students or JOBS Act. The JOBS Act would close the "skills gap" by expanding Pell Grant eligibility to cover high-quality and rigorous short-term job training programs so workers can afford the skills training and credentials that are in high-demand in today's job market. Since job training programs are shorter and less costly, Pell Grant awards would be half of the current discretionary Pell amount. The legislation defines eligible job training programs as those providing career and technical education instruction at an institution that provides at least 150 clock hours of instruction time over a period of at least 8 weeks and that provides training that meets the needs of the local or regional workforce. These programs must also provide students with licenses, certifications, or credentials that meet the hiring requirements of multiple employers in the field for which the job training is offered.

The JOBS Act also ensures that students who receive Pell Grants are earning high-quality postsecondary credentials by requiring that the credentials meet the standards under the Workforce Innovation and Opportunity Act, are recognized by employers, industry, or sector partnerships, and align with the skill needs of industries in the States or local economies. In Virginia, the Virginia Community College System has identified approximately 50 programs that would benefit from the JOBS Act including in the fields of manufacturing, architecture/construction, energy, health care, information technology, transportation, and business management and administration.

The JOBS Act is a commonsense, bipartisan bill that would help workers and employers succeed in today's economy. As Congress works to reauthorize the Higher Education Act, I hope that my colleagues ensure that Pell Grants are accessible for individuals participating in high-quality, short-term occupational training programs that are leading to industry-recognized credentials and certificates.

By Mr. CORNYN:

S. 212. A bill to provide for the development of a United States strategy for greater human space exploration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mapping a New and Innovative Focus on Our Exploration Strategy for Human Spaceflight Act of 2017" or the "MANIFEST for Human Spaceflight Act of 2017".

SEC. 2. REAFFIRMATION OF POLICY AND FINDINGS.

(a) REAFFIRMATION OF POLICY.—Congress reaffirms that the long-term goal of the human space flight and exploration efforts of the National Aeronautics and Space Administration shall be to expand permanent human presence beyond low-Earth orbit and to do so, where practical, in a manner involving international partners, as stated in section 202(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(a)).

(b) FINDINGS.—Congress makes the following findings:

(1) In accordance with section 204 of the National Aeronautics and Space Administration Authorization Act of 2010 (Public Law 111-267; 124 Stat. 2813), the National Academy of Sciences, through its Committee on Human Spaceflight, conducted a review of the goals, core capabilities, and direction of human space flight, and published the findings and recommendations in a 2014 report entitled "Pathways to Exploration: Rationales and Approaches for a U.S. Program of Human Space Exploration".

(2) The Committee on Human Spaceflight included leaders from the aerospace, scientific, security, and policy communities. With input from the public, the Committee on Human Spaceflight concluded that many practical and aspirational rationales together constitute a compelling case for human space exploration. These rationales include economic benefits, national security, national prestige, inspiring students and other citizens, scientific discovery, human survival, and a sense of shared destiny.

(3) The Committee on Human Spaceflight affirmed that Mars is the appropriate long-term goal for the human space flight program.

(4) The Committee on Human Spaceflight recommended that the National Aeronautics and Space Administration define a series of sustainable steps and conduct mission planning and technology development as needed to achieve the long-term goal of placing humans on the surface of Mars.

SEC. 3. HUMAN EXPLORATION STRATEGY.

(a) HUMAN EXPLORATION OF MARS.—Section 202(b) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(b)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following: “(5) to achieve human exploration of Mars, including the establishment of a capability to extend human presence to the surface of Mars.”.

(b) EXPLORATION STRATEGY.—

(1) IN GENERAL.—In accordance with this subsection, the Administrator of the National Aeronautics and Space Administration shall submit an interim report and final report setting forth a strategy to achieve the objective in paragraph (5) of section 202(b) of the National Aeronautics and Space Administration Authorization Act of 2010, as amended by subsection (a) of this section, through a series of successive, sustainable, free-standing, but complementary missions making robust utilization of cis-lunar space and employing the Space Launch System, Orion crew capsule, and other capabilities provided under titles III, IV, V, and IX of that Act (42 U.S.C. 18301 et seq.).

(2) STRATEGY REQUIREMENTS.—In developing the strategy under paragraph (1), the Administrator shall include—

(A) the utility of an expanded human presence in cis-lunar space toward enabling missions to various lunar orbits, the lunar surface, asteroids, Mars, the moons of Mars, and other destinations of interest for future human exploration and development;

(B) the utility of an expanded human presence in cis-lunar space for economic, scientific, and technological advances;

(C) the opportunities for collaboration with—

- (i) international partners;
- (ii) private industry; and
- (iii) other Federal agencies, including missions relevant to national security or scientific needs;

(D) the opportunities specifically afforded by the International Space Station (ISS) to support high priority scientific research and technological developments useful in expanding and sustaining a human presence in cis-lunar space and beyond;

(E) a range of exploration mission architectures and approaches for the missions identified under paragraph (1), including capabilities for the Orion crew capsule and the Space Launch System;

(F) a comparison of architectures and approaches based on—

(i) assessed value of factors including cost effectiveness, schedule resiliency, safety, sustainability, and opportunities for international collaboration;

(ii) the extent to which certain architectures and approaches may enable new markets and opportunities for United States private industry, provide compelling opportunities for scientific discovery and technological excellence, sustain United States competitiveness and leadership, and address critical national security considerations and requirements; and

(iii) the flexibility of such architectures and approaches to adjust to evolving technologies, partners, priorities, and budget projections and constraints;

(G) measures for setting standards for ensuring crew health and safety, including limits regarding radiation exposure and countermeasures necessary to meet those limits, means and methods for addressing urgent medical conditions or injuries, and other such safety, health, and medical issues that can be anticipated in the conduct of the missions identified under paragraph (1);

(H) a description of crew training needs and capabilities (including space suits and life support systems) necessary to support the conduct of missions identified under paragraph (1);

(I) a detailed plan for prioritizing and phasing near-term intermediate destinations and missions identified under paragraph (1);

(J) an assessment of the recommendations of the report prepared in compliance with section 204 of the National Aeronautics and Space Administration Authorization Act of 2010 (Public Law 111-267; 124 Stat. 2813), including a detailed explanation of how the Administrator has ensured such recommendations have been, to the extent practicable, incorporated into the strategy under paragraph (1); and

(K) technical information as needed to identify interest from potential stakeholder or partner communities.

(3) INDEPENDENT REVIEW.—

(A) IN GENERAL.—The Administrator shall enter into an arrangement with the National Academy of Sciences to review and comment on each interim report pursuant to paragraph (1). Under the arrangement, the National Academy of Sciences shall review each interim report on the strategy described in paragraph (1) and identify the following:

(i) Matters in such interim report agreed upon by the National Academy of Sciences.

(ii) Matters in such interim report raising concerns for the National Academy of Sciences.

(iii) Such further recommendations with respect to matters covered by such interim report as the National Academy of Sciences considers appropriate.

(B) TIMING OF REVIEW AND COMMENT.—The Administrator shall ensure that the review and comment on an interim report provided for pursuant to subparagraph (A) is conducted in a timely manner to comply with the requirements of this subsection and, to the maximum extent practicable, to facilitate the incorporation of the comments of the National Academy of Sciences pursuant to subparagraph (A) into the applicable final report required by this subsection.

(4) DEADLINES.—

(A) INTERIM REPORTS.—Not later than 90 days after the date of the enactment of this Act, and not less than every five years thereafter, the Administrator shall submit to the

National Academy of Sciences an interim report on the strategy required by paragraph (1) in order to facilitate the independent review and comment on the strategy as provided for by paragraph (3).

(B) FINAL REPORTS.—Not later than one year after the date of the enactment of this Act, and not less than every five years thereafter, the Administrator shall submit to Congress a final report on the strategy required by paragraph (1), which shall include and incorporate the response of the National Academy of Sciences to the most recent interim report pursuant to paragraph (3).

By Mr. DAINES (for himself, Mr. PERDUE, Mr. CRUZ, Mr. LEE, Mr. JOHNSON, and Mr. RUBIO):

S. 221. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Health, Education, Labor, and Pensions.

Mr. DAINES. Mr. President, as a fifth-generation Montanan and product of Montana public schools from kindergarten through college, husband to an elementary school teacher, and father of four children, I understand how important a first rate education is to our kids' future. That is why I am reintroducing the Academic Partnerships Lead Us to Success, or A-PLUS, Act this Congress. This measure will help expand local control of our schools and return Federal education dollars where they belong: closer to the classrooms. By shifting control back to the States, individual and effective solutions can be created to address the multitude of unique challenges facing schools across the country. Through these “laboratories of democracy,” Americans can watch and learn how students can benefit when innovative reforms are implemented on the local level. This bill would give states greater flexibility in allocating federal education funding and ensuring academic achievement in their schools. With A-PLUS, States would be freed from Washington-knows-best performance metrics and failed testing requirements. Should this legislation be adopted, states would need to adhere to all civil rights laws and work towards advancing educational opportunities for disadvantaged children as well. States would be held accountable by parents and teachers because a bright light would shine directly on the decisions made by State capitals and local school districts. With freedom from Federal mandates comes more responsibility, transparency, and accountability on States. It would also reduce the administrative and compliance burdens on state and local education agencies, and ensure greater public transparency in student academic achievement and the use of federal education funds. Increasing educational opportunity in Montana and across the country isn't going happen through federal mandates or one-size-fits-none regulations. We need to

empower our States, our local school boards, our teachers, and parents to work together to develop solutions that best fit our kids' unique needs. That is precisely what my A-PLUS Act does. Washington is the problem—and we have the solutions in Montana and in states across the country. The A-PLUS Act goes a long ways towards returning the responsibility for our kids' education closer to home and reduces the influence of the Federal Government over our classrooms. I want to thank Senators CRUZ, PERDUE, JOHNSON, LEE, and RUBIO for helping reintroduce the A-PLUS Act this Congress. I ask my other Senate colleagues to join us in empowering our schools to serve their students, not DC bureaucrats, and support this important piece of legislation.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, Mr. ISAKSON, Mr. CASEY, Mr. TILLIS, Ms. KLOBUCHAR, Mr. WICKER, Mrs. SHAHEEN, Mrs. CAPITO, Mr. TESTER, Mr. BARRASSO, Mr. DONNELLY, Mr. HELLER, Mr. KING, and Mr. KAINE):

S. 223. A bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. COLLINS. Mr. President, as Chairman of the Senate Aging Committee, I am delighted to introduce, with my good friend and former ranking member, Senator CLAIRE MCCASKILL, the SeniorSafe Act of 2017, a bill that would help protect American seniors from financial fraud. I'm pleased that Senators ISAKSON, CASEY, TILLIS, KLOBUCHAR, WICKER, SHAHEEN, CAPITO, TESTER, BARRASSO, DONNELLY, HELLER, and KING have joined us in sponsoring this bill.

According to the GAO, financial fraud targeting older Americans is a growing epidemic that costs seniors an estimated \$2.9 billion annually. Stopping this tsunami of fraud is one of the top priorities of the Aging Committee. Last Congress, we held several hearings examining an endless variety of financial abuses targeting our nation's seniors. These range from the notorious IRS phone scam that burst onto the scene in 2015, to the incredible "drug mule" scam, where trusting seniors have been tricked by international narcotics traffickers into unwittingly serving as drug couriers, and then find themselves arrested and locked-up in foreign jails. The common denominator in these schemes involves innocent seniors falling prey and being tricked out of their hard-earned savings.

Sadly, not all scammers are strangers to their victims, in too many cases, seniors are exploited by someone they know well. Sometimes, that abuse is perpetrated by "friends" or family

members who are handling the victim's affairs informally. Other times, the abuse is committed under color of a fiduciary relationship, such as a Power of Attorney or guardianship.

No matter the scheme, one factor is common to all—the fraudsters need to gain the trust and active cooperation of their victims. Without this, their schemes would fail. That is why it is so important that seniors recognize as quickly as possible the red flags that signal potential fraud.

Unfortunately, many seniors do not see these red flags. Sometimes they are too trusting or are suffering from diminished capacity, but, just as often, they miss the signs because the swindlers who prey on them are extremely crafty and know how to sound convincing. Whatever the reason, a warning sign that can slip by a victim might trigger a second look by financial service representatives trained to spot common scams, who know enough about a senior's habits to question a transaction that doesn't look right. In our work on the Aging Committee, we have heard of many instances where quick action by bank and credit union employees has stopped a fraud in progress, saving seniors untold thousands of dollars.

Let me give you an example. Last year, an attorney in the small coastal city of Belfast, ME, was sentenced to 30 months in prison for bilking two elderly female clients out of nearly a half a million dollars over the course of several years.

The lawyer's brazen theft was uncovered when a teller at a local bank noticed that he was writing large checks to himself on his clients' accounts. When confronted by authorities, he offered excuses that the prosecutor later described as "breathhtaking." For example, according to press reports, he put one of his clients into a nursing home to recover from a temporary medical condition, and then kept her there for four years until the theft of her funds came to light. Meanwhile, he submitted bills for "services," sometimes totaling \$20,000 a month, including charging her \$250 per hour for 6 to 7 hours to check on her house, even though his office was just a one-minute drive down the road.

In another example, in 2015, a senior citizen in Vassalboro, Maine, was looking to wire funds from his account at Maine Savings Federal Credit Union to an out-of-state location, supposedly to bail out a relative who was in jail. Something about this transaction did not sound right to the credit union employee. She asked the customer, and he said he had received a call from an "official" at the jail—but that "official" had instructed him not to speak to anyone about this. The "official," of course, turned out to be a con artist.

Fortunately, the credit union worker recognized this as a scam, and her

quick thinking saved her customer from falling victim and losing his savings.

These stories demonstrate the critical nexus that financial institutions occupy between fraudsters and their victims. Their employees, if properly trained, can be the first line of defense protecting our seniors from these criminals. Regrettably, various state and federal laws can inadvertently impede efforts to protect seniors, because financial institutions that report suspected fraud can be exposed to litigation. The SeniorSafe Act encourages financial institutions to train their employees, and shields them from lawsuits when they make good faith, reasonable reports of potential fraud to the proper authorities.

There is no doubt that financial fraud and scams targeting seniors is a growing problem that we must act on. Last November, the Aging Committee heard testimony from Jaye Martin, the Executive Director of Maine Legal Services for the Elderly, who told the Committee that her organization has seen a 24 percent increase in reports of elder abuse in just one year. Many of these cases involve financial fraud.

In a letter describing her support for the SeniorSafe Act, Ms. Martin says that:

In a landscape that includes family members who often wish to keep exploitation from coming to light because they are perpetrating the exploitation, the risk of facing potential nuisance or false complaints over privacy violations is all too real. This is a barrier that must be removed so that financial institutions will act immediately to report to the proper authorities upon forming a reasonable belief that exploitation is occurring. These professionals are on the front lines in the fight against elder financial exploitation and are often the only ones in a position to stop exploitation before it is too late.

Our bill is based on Maine's innovative SeniorSafe program, a collaborative effort by Maine's regulators, financial institutions, and legal organizations to educate bank and credit union employees on how to identify and help stop financial exploitation of older Mainers. This program, pioneered by Maine Securities Administrator Judith Shaw, also serves as the template for model legislation developed for adoption at the state level by the North American Securities Administrators Association, or NASAA. The SeniorSafe Act and NASAA's model state legislation are complementary efforts, and I am pleased that NASAA has endorsed our bill.

I am pleased that our bill has received bipartisan support in both houses of Congress. Last year, the House Financial Services Committee approved a version of the SeniorSafe Act by a vote of 59 to zero, and it passed the full House by voice vote in July. In the Senate, the SeniorSafe Act was cosponsored by a quarter of the

Members of this body, balanced nearly evenly on both sides of the aisle, and was discharged out of the Banking Committee. Unfortunately, just one member of this body blocked it and prevented it from becoming law.

Besides receiving broad support in Congress, our bill has the support of a wide range of stakeholders, ranging from the State securities administrators and insurance commissioners to advocates for seniors.

Combating financial abuse of seniors requires regulators, law enforcement and social service agencies at all levels of government to work collaboratively with the private sector. The SeniorSafe Act encourages financial institutions to train their employees, and shields them from lawsuits when they make good faith, reasonable reports of potential fraud to the proper authorities.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEGAL SERVICES
FOR THE ELDERLY,

Augusta, ME, December 5, 2016.

Re SeniorSafe (S. 2216).

Hon. SUSAN COLLINS,
Chair, Senate Special Committee on Aging,
Washington, DC.

DEAR SENATOR COLLINS: I want to thank you for inviting me to speak with the Senate Special Committee on Aging about the serious problem of financial exploitation of seniors by guardians and others in a position of power. I also want to thank you for your leadership in working to ensure there is training of financial institution employees in reporting elder abuse and an improvement in the timely reporting of financial exploitation when it is suspected through passage of the SeniorSafe Act. I strongly support this legislation that is based upon work done here in Maine.

I served for over two years on the working group that developed Maine's SeniorSafe training program for financial institution managers and employees. It is a voluntary training program. Through that work I came to fully appreciate the very real concerns of the financial industry regarding the consequences of violating, or being perceived as violating, the broad range of state and federal privacy laws that apply to their industry. I also came to appreciate that absent broad immunity for reporting of suspected financial exploitation, privacy regulations would continue to be a barrier to good faith reporting of suspected financial exploitation. In a landscape that includes family members who often wish to keep exploitation from coming to light because they are perpetrating the exploitation, the risk of facing potential nuisance or false complaints over privacy violations is all too real.

This is a barrier that must be removed so that financial institution employees will act immediately to make a report to the proper authorities upon forming a reasonable belief that exploitation is occurring. These professionals are on the front lines in the fight against elder financial exploitation and are often the only ones in a position to stop exploitation before it is too late.

I want to add that tying the grant of immunity to required training for not just su-

pervisors, compliance officers, and legal advisors, but to all who come in contact with seniors as a part of their regular duties, will have the direct result of bringing more cases of exploitation to the timely attention of the proper authorities because it will significantly increase the knowledge and awareness in the industry of the red flags for elder abuse. In Maine, where our training program is entirely voluntary and carries no legal status or benefit, we have already seen what a difference training can make.

SeniorSafe is a much needed step in the fight against financial exploitation of seniors and there is no doubt it will make our nation's seniors safer. I thank you again for your leadership in this important area.

Sincerely,

JAYE L. MARTIN,
Executive Director.

NORTH AMERICAN SECURITIES
ADMINISTRATION ASSOCIATION, INC.,
Washington, DC, January 24, 2017.
Re The SeniorSafe Act of 2017.

Hon. SUSAN COLLINS,
Chair, U.S. Senate Special Committee on Aging,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the North American Securities Administrators Association ("NASAA"), I am writing to express strong support for your work to better protect vulnerable adults from financial exploitation through the introduction of the SeniorSafe Act of 2017. Your legislation will better protect persons aged 65 and older from financial exploitation by increasing the likelihood it will be identified by financial services professionals, and by removing barriers to reporting it, so that together we as state securities regulators and other appropriate governmental authorities can help stop it.

Senior financial exploitation is a growing problem across the country. Many in our elderly population are vulnerable due to social isolation and distance from family, caregiver, and other support networks. Indeed, evidence suggests that as many as one out of every five citizens over the age of 65 has been victimized by a financial fraud. To be successful in combating senior financial exploitation, state and federal policymakers must come together to weave a new safety net for our elderly, breaking down barriers for those who are best positioned to identify red flags early on and to encourage reporting and referrals to appropriate local, county, state, and federal agencies, including law enforcement.

The SeniorSafe Act consists of several essential features. First, to promote and encourage reporting of suspected elderly financial exploitation by financial services professionals, who are positioned to identify and report "red flags" of potential exploitation, the bill would incentivize financial services employees to report any suspected exploitation by making them immune from any civil or administrative liability arising from such a report, provided that they exercised due care, and that they make these reports in good faith. Second, in order to better assure that financial services employees have the knowledge and training they require to identify "red flags" associated with financial exploitation, the bill would require that, as a condition of receiving immunity, financial institutions undertake to train certain personnel regarding the identification and reporting of senior financial exploitation.

The SeniorSafe Act's objectives and benefits are far-reaching. Older Americans stand to benefit directly from such reporting, because early detection and reporting will min-

imize their financial losses from exploitation, and because improved protection of their finances ultimately helps preserve their financial independence and their personal autonomy. Financial institutions stand to benefit, as well, through preservation of their reputation, increased community recognition, increased employee satisfaction, and decreased uninsured losses.

In conclusion, state securities regulators strongly support passage of the SeniorSafe Act of 2017. Please do not hesitate to contact me, or Michael Canning, NASAA Director of Policy, if we may be of any additional assistance.

Sincerely,

MIKE ROTHMAN,
NASAA President and Minnesota,
Commissioner of Commerce.

By Mr. DAINES (for himself and Mr. MANCHIN):

S. 228. A bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DAINES. Mr. President, small businesses are the backbone of America. They generate more than half of the country's private GDP and support millions of families. In Montana, small businesses are innovating, offering new products and services, and creating jobs.

The business community relies on the Internet to access the global marketplace. In rural states like Montana where it is costly to provide internet access, consumers and businesses depend on small businesses to provide connectivity. Without small broadband providers, many Montanans would not have the internet access that most of us take for granted.

Burdensome regulations like the FCC's net neutrality rules are strangling our small businesses and preventing growth and investment. The enhanced transparency requirements in particular require small businesses to disclose an excess amount of information including network packet loss, network performance by geographic area, network performance during peak usage, network practices concerning a particular group of users, triggers that activate network practices, and the list goes on. Small companies operate with a small team of employees and do not have a team of attorneys dedicated to regulatory compliance. Small businesses simply do not have the bandwidth to take on additional regulatory burdens.

That is why I am proud to introduce the Small Business Broadband Deployment Act of 2017 with my colleague Senator MANCHIN. The bill provides a temporary small business exception to the net neutrality enhanced transparency requirements. There is broad support in the record for this exception, including support from the American Cable Association, Rural Wireless

Association, Competitive Carriers Association, Wireless Internet Service Providers Association, CTIA—The Wireless Association, Rural Broadband Provider Coalition, WTA—Advocates for Rural Broadband.

Providing relief from burdensome disclosure rules will allow small businesses to focus on deploying infrastructure and serving their customers rather than spending time on regulatory compliance. I ask my colleagues to join me in cosponsoring this much needed legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. RES. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Broadband Deployment Act of 2017”.

SEC. 2. SMALL BUSINESS EXEMPTION.

(a) DEFINITIONS.—In this section—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives;

(2) the term “broadband Internet access service” has the meaning given the term in section 8.2 of title 47, Code of Federal Regulations;

(3) the term “Commission” means the Federal Communications Commission; and

(4) the term “small business” means any provider of broadband Internet access service that has not more than 250,000 subscribers.

(b) EXCEPTION FOR SMALL BUSINESSES.—The enhancements to the transparency rule of the Commission under section 8.3 of title 47, Code of Federal Regulations, as described in paragraphs 162 through 184 of the Report and Order on Remand, Declaratory Ruling, and Order of the Commission with regard to protecting and promoting the open Internet (adopted by the Commission on February 26, 2015) (FCC 15-24), shall not apply to any small business.

(c) SUNSET.—Subsection (b) shall not have any force or effect after the date that is 5 years after the date of enactment of this Act.

(d) REPORT BY FCC.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report that contains the recommendations of the Commission, and data supporting those recommendations, regarding whether—

(1) the exception provided under subsection (b) should be made permanent; and

(2) the definition of the term “small business” for the purposes of the exception provided under subsection (b) should be modified from the definition in subsection (a)(4).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 20—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THUNE submitted the following resolution; from the Committee on Commerce, Science, and Transportation; which was referred to the Committee on Rules and Administration:

S. RES. 20

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under Rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2017, through September 30, 2017, October 1, 2017, through September 30, 2018, and October 1, 2018, through February 28, 2019, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period from March 1, 2017, through September 30, 2017, under this resolution shall not exceed \$3,879,581, of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed \$50,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2017, through September 30, 2018, expenses of the committee under this resolution shall not exceed \$6,650,710, of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultations, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed \$50,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2018, through February 28, 2019, expenses of the committee under this resolution shall not exceed \$2,771,129, of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed \$50,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required—

(1) for the disbursement of salaries of employees paid at an annual rate;

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(3) for the payment of stationary supplies purchased through the Keeper of the Stationary, United States Senate;

(4) for payments to the Postmaster, United States Senate;

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(6) for the payment of Senate Recording and Photographic Services; or

(7) for the payment of franked and mass mail costs by the Office of the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2017, through September 30, 2017, October 1, 2017, through September 30, 2018, and October 1, 2018, through February 28, 2019.

SENATE RESOLUTION 21—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY

Mr. GRASSLEY submitted the following resolution; from the Committee on the Judiciary; which was referred to the Committee on Rules and Administration:

S. RES. 21

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary (in this resolution referred to as the “committee”) is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed \$5,461,388, of which amount—

(1) not to exceed \$116,667 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$11,667 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed \$9,362,379, of which amount—

(1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed \$3,900,991, of which amount—

(1) not to exceed \$83,333 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$8,333 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 22—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CRAPO submitted the following resolution; which was referred from the Committee on Banking, Housing, and Urban Affairs; to the Committee on Rules and Administration:

S. RES. 22

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2017 through September 30, 2017; October 1, 2017, through September 30, 2018, and October 1, 2018, through February 28, 2019, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2017, through September 30, 2017, under this resolution shall not exceed \$3,119,153 of which amount (1) not to exceed \$8,370 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$503 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2017, through September 30, 2018, expenses of the committee under this resolution shall not exceed \$5,347,119 of which amount (1) not to exceed \$14,348 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$861 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period of October 1, 2018, through February 28, 2019, expenses of the committee under this resolution shall not exceed \$2,227,966 of which amount (1) not to exceed \$5,978 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$358 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee,

except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2017, through September 30, 2017; October 1, 2017, through September 30, 2018; and October 1, 2018, through February 28, 2019, to be paid from the Appropriations account for “Expenses of Inquiries and Investigations.”

SENATE RESOLUTION 23—ESTABLISHING THE SELECT COMMITTEE ON CYBERSECURITY

Mr. GARDNER (for himself and Mr. COONS) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 23

Resolved,

SECTION 1. SELECT COMMITTEE ON CYBERSECURITY.

(a) DEFINITIONS.—In this section—

(1) the term “cybersecurity” means the protection or defense of cyberspace from cyberattacks;

(2) the term “cybersecurity breach” means an attack via cyberspace, targeting an enterprise’s use of cyberspace for the purpose of—

(A) disrupting, disabling, destroying, or maliciously controlling a computing environment or infrastructure; or

(B) destroying the integrity of data or stealing controlled information; and

(3) the term “cyberspace” means the global domain within the information environment consisting of the interdependent network of information systems infrastructures (including the Internet, telecommunications networks, computer systems, and embedded processors and controllers).

(b) ESTABLISHMENT.—There is established a select committee of the Senate to be known as the Select Committee on Cybersecurity (in this resolution referred to as the “select committee”)—

(1) to oversee and make continuing studies of and recommendations regarding cybersecurity threats to the United States; and

(2) which may report by bill or otherwise on matters within its jurisdiction.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The select committee shall be composed of 21 members as follows:

(A) The Chairman and Ranking Member of the Committee on Appropriations.

(B) The Chairman and Ranking Member of the Committee on Armed Services.

(C) The Chairman and Ranking Member of the Committee on Banking, Housing, and Urban Affairs.

(D) The Chairman and Ranking Member of the Committee on Commerce, Science, and Transportation.

(E) The Chairman and Ranking Member of the Committee on Foreign Relations.

(F) The Chairman and Ranking Member of the Committee on Homeland Security and Governmental Affairs.

(G) The Chairman and Vice Chairman of the Select Committee on Intelligence.

(H) The Chairman and Ranking Member of the Committee on the Judiciary.

(I) Five members who shall be appointed from the Senate at large.

(2) MEMBERS FROM OTHER COMMITTEES.—If the Chairman or Ranking Member of a committee named in subparagraphs (A) through (H) of paragraph (1) chooses not to serve on the select committee, the Chairman or Ranking Member of such committee, respectively, shall appoint 1 member of such committee to the select committee.

(3) APPOINTMENT OF OTHER MEMBERS.—The Majority Leader shall appoint 3 of the members under paragraph (1)(I) and the Minority Leader shall appoint 2 of the members under paragraph (1)(I).

(4) EX OFFICIO MEMBERS.—The Majority Leader and Minority Leader shall serve as ex officio, nonvoting members of the select committee.

(5) CHAIRPERSON AND VICE CHAIRPERSON.—At the beginning of each Congress, the Majority Leader shall select a chairperson of the select committee and the Minority Leader shall select a vice chairperson for the select committee.

(d) SUBCOMMITTEES AUTHORIZED.—The select committee may be organized into subcommittees. Each subcommittee shall have a chairperson and a vice chairperson who are selected by the chairperson and vice chairperson of the select committee, respectively.

(e) JURISDICTION.—There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) Domestic and foreign cybersecurity risks (including state-sponsored threats) to the United States, including to—

(A) the computer systems of the United States;

(B) the infrastructure of the United States;

(C) citizens of the United States;

(D) corporations and other businesses in the United States; and

(E) the commerce of the United States.

(2) The activities of any department or agency relating to preventing, protecting against, or responding to cybersecurity threats to the United States, and relevant incidents or actions.

(3) The organization or reorganization of any department or agency to the extent that the organization or reorganization relates to a function or activity involving preventing, protecting against, or responding to cybersecurity threats to the United States, and relevant incidents or actions.

(4) Authorizations for appropriations, both direct and indirect, for preventing, protecting against, or responding to cybersecurity threats to the United States, and relevant incidents or actions.

(f) AUTHORITIES.—

(1) IN GENERAL.—For the purposes of this resolution, the select committee is authorized in its discretion—

(A) to make investigations into any matter within its jurisdiction;

(B) to make expenditures from the contingent fund of the Senate;

(C) to employ personnel;

(D) to hold hearings;

(E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(G) to take depositions and other testimony and authorize employees of the select committee to take depositions and other testimony;

(H) to procure the services of individual consultants, or organizations thereof, in accordance with section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i));

(I) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency;

(J) to make recommendations and report legislation on matters within its jurisdiction; and

(K) permit any personal representative of the President, designated by the President to serve as a liaison to the select committee, to attend any closed meeting of the select committee.

(2) OATHS.—The chairperson of the select committee or any member thereof may administer oaths to witnesses.

(3) SUBPOENAS.—

(A) AUTHORIZATION OF SUBPOENAS.—The issuance of a subpoena may only be authorized by the select committee upon an affirmative vote of a majority of the members of the select committee, which vote may not be held before the time that is 48 hours after notice of the request to authorize the issuance of the subpoena is provided to each member of the select committee, absent unanimous consent.

(B) ISSUANCE.—A subpoena authorized by the select committee—

(i) may be issued under the signature of the chairperson, the vice chairperson, or any member of the select committee designated by the chairperson; and

(ii) may be served by any person designated by the chairperson, the vice chairperson, or other member signing the subpoena.

(g) OBTAINING INFORMATION.—

(1) IN GENERAL.—The select committee shall obtain from the President and the heads of departments and agencies the information relevant to cybersecurity risks and threats required to ensure that the members of the select committee have complete and current information relating to cybersecurity activities and threats, which may include obtaining written reports reviewing—

(A) the activities carried out by the department or agency concerned to prevent, protect against, or respond to cybersecurity threats;

(B) the cybersecurity threats from within the United States and from foreign countries that are directed at the United States or its interests;

(C) previously conducted or anticipated covert actions relating to cybersecurity; and

(D) any significant cybersecurity breaches that could—

(i) affect the diplomatic, political, economic, or military relations of the United States with other countries or groups; or

(ii) impose a major financial cost on the Federal Government, citizens of the United States, corporations or other businesses in the United States, or the commerce of the United States.

(2) ACCESS OF MEMBERS TO INFORMATION.—Each member of the select committee shall have equal and unimpeded access to information collected or otherwise obtained by the select committee.

(3) CLASSIFIED INFORMATION.—

(A) IN GENERAL.—No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of the select committee shall be given access to any classified information by the select committee unless the employee or person has—

(i) agreed in writing and under oath to be bound by the rules of the Senate (including the jurisdiction of the Select Committee on Ethics) and of the select committee as to the security of such information during and after the period of the employment or contractual agreement with the select committee; and

(ii) received an appropriate security clearance, as determined by the select committee, in consultation with the Director of National Intelligence.

(B) TYPE OF CLEARANCE.—The type of security clearance to be required in the case of any employee or person described in subparagraph (A) shall, within the determination of the select committee, in consultation with the Director of National Intelligence, be commensurate with the sensitivity of the classified information to which the employee or person will be given access by the select committee.

(4) PROVISION OF INFORMATION BY DEPARTMENTS AND AGENCIES.—

(A) IN GENERAL.—The head of each department and agency shall keep the select committee fully and currently informed with respect to cybersecurity activities and threats, including activities to prevent, protect against, or respond to cybersecurity threats and any significant anticipated activities relating to cybersecurity which are the responsibility of or engaged in by the department or agency.

(B) INFORMATION AND DOCUMENTS.—The head of any department or agency involved in any cybersecurity activities shall furnish any information or document in the possession, custody, or control of the department or agency, or person paid by the department or agency, whenever requested by the select committee with respect to any matter within the jurisdiction of the select committee.

(C) ANNUAL REPORTS TO SELECT COMMITTEE.—The Director of National Intelligence, the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, the Director of the Federal Bureau of Investigation, and the Secretary of Commerce shall each submit to the select committee an annual report on cyber threats.

(h) PERSONNEL PROVISIONS.—

(1) IN GENERAL.—In addition to other committee staff selected by the select committee, the select committee shall hire or appoint 1 employee for each member of the select committee to serve as the designated representative of the member on the select Committee. The select Committee shall only hire or appoint an employee chosen by a member of the select committee for whom the employee will serve as the designated representative on the select committee.

(2) SUPPLEMENT TO BUDGET.—The select committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select committee. The designated representative shall have office space and appropriate office equipment in the select committee spaces. Designated personal representatives shall have the same access to committee staff, information, records, and

databases as select committee staff, as determined by the chairperson and vice chairperson.

(3) **REQUIREMENTS FOR DESIGNATED EMPLOYEES.**—Each designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select committee.

(4) **DIVISION OF FUNDS.**—Of the amounts made available to the select committee for personnel—

(A) not more than 60 percent shall be under the control of the chairperson; and

(B) not less than 40 percent shall be under the control of the vice chairperson.

(1) **COMMITTEE RULES.**—

(1) **IN GENERAL.**—The select committee shall adopt rules (not inconsistent with the rules of the Senate and in accordance with rule XXVI of the Standing Rules of the Senate) governing the procedure of the select committee, which shall include addressing how often the select committee shall meet, meeting times and location, type of notifications, notices of hearings, duration of the select committee, and records of the select committee after committee activities are complete.

(2) **UNANIMOUS VOTE REQUIRED.**—The select committee may only adopt rules under paragraph (1) by a unanimous vote of the voting members of the select committee.

SENATE RESOLUTION 24—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON VETERANS' AFFAIRS

Mr. ISAKSON submitted the following resolution; from the Committee on Veterans' Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 24

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs (in this resolution referred to as the "committee") is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.**—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed \$1,283,522, of which amount—

(1) not to exceed \$2,900 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$1,750 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) **EXPENSES FOR FISCAL YEAR 2018 PERIOD.**—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed \$2,200,323, of which amount—

(1) not to exceed \$5,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$3,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) **EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.**—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed \$916,801, of which amount—

(1) not to exceed \$2,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$1,250 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) **EXPENSES OF THE COMMITTEE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) **VOUCHERS NOT REQUIRED.**—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) **AGENCY CONTRIBUTIONS.**—There are authorized to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 25—DESIGNATING JANUARY 27, 2017, AS A NATIONAL DAY OF REMEMBRANCE FOR PEOPLE OF THE UNITED STATES WHO, DURING THE COLD WAR, WORKED AND LIVED DOWNWIND FROM NUCLEAR TESTING SITES AND WERE ADVERSELY AFFECTED BY THE RADIATION EXPOSURE GENERATED BY THE ABOVE GROUND NUCLEAR WEAPONS TESTING

Mr. CRAPO (for himself, Mr. UDALL, Mr. RISCH, Mr. HEINRICH, and Mr. BENNET) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 25

Whereas, on January 27, 1951, the first of years of nuclear weapons tests was conducted at a site known as the Nevada Proving Ground, located approximately 65 miles northwest of Las Vegas, Nevada;

Whereas the extensive testing at the Nevada Proving Ground occurred just years after the first nuclear weapon test, which was conducted on July 16, 1945, at what is known as the Trinity Atomic Test Site, located approximately 35 miles south of Socorro, New Mexico;

Whereas many people of the United States who, during the Cold War, worked and lived downwind from nuclear testing sites (referred to in this preamble as the "downwinders") were adversely affected by the radiation exposure generated by the above ground nuclear weapons testing, and some of the downwinders sickened as a result of the radiation exposure;

Whereas the downwinders paid a high price for the development of a nuclear weapons program for the benefit of the United States; and

Whereas the downwinders deserve to be recognized for the sacrifice they have made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 27, 2017, as a national day of remembrance for people of the United States who, during the Cold War, worked and lived downwind from nuclear testing sites and were adversely affected by the radiation exposure generated by the above ground nuclear weapons testing; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate that national day of remembrance.

SENATE RESOLUTION 26—DESIGNATING THE WEEK OF JANUARY 22 THROUGH JANUARY 28, 2017, AS "NATIONAL SCHOOL CHOICE WEEK"

Mr. SCOTT (for himself, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. CASSIDY, Mr. MCCAIN, Mr. TILLIS, Mr. HATCH, Mr. PERDUE, Mr. WICKER, Mr. RUBIO, Mr. DAINES, Mr. BOOZMAN, Mr. JOHNSON, Mr. CORNYN, Mr. CRUZ, Mr. YOUNG, Mr. MCCONNELL, Mr. ENZI, Mr. GARDNER, Mr. LANKFORD, and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 26

Whereas providing a diversity of choices in K–12 education empowers parents to select education environments that meet the individual needs and strengths of their children;

Whereas high-quality K–12 education environments of all varieties are available in the United States, including traditional public schools, public charter schools, public magnet schools, private schools, online academies, and home schooling;

Whereas talented teachers and school leaders in each of the education environments prepare children to achieve their dreams;

Whereas more families than ever before in the United States actively choose the best education for their children;

Whereas more public awareness of the issue of parental choice in education can inform additional families of the benefits of proactively choosing challenging, motivating, and effective education environments for their children;

Whereas the process by which parents choose schools for their children is non-political, nonpartisan, and deserves the utmost respect; and

Whereas hundreds of organizations, more than 9,000 schools, and millions of individuals in the United States celebrate the benefits of educational choice during the 7th annual National School Choice Week, held the week of January 22 through January 28, 2017: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of January 22 through January 28, 2017, as “National School Choice Week”;

(2) congratulates students, parents, teachers, and school leaders from K–12 education environments of all varieties for their persistence, achievements, dedication, and contributions to society in the United States;

(3) encourages all parents, during National School Choice Week, to learn more about the education options available to them; and

(4) encourages the people of the United States to hold appropriate programs, events, and activities during National School Choice Week to raise public awareness of the benefits of opportunity in education.

SENATE RESOLUTION 27—HONORING THE LIFE AND ACHIEVEMENTS OF EUGENE A. “GENE” CERNAN

Mr. CRUZ (for himself, Mr. NELSON, Mr. PETERS, Mr. DURBIN, Mr. VAN HOLLEN, Mr. RUBIO, Mr. INHOFE, Ms. HASSAN, Mr. CORNYN, Mr. THUNE, Mr. WICKER, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 27

Whereas Gene Cernan was born on March 14, 1934, in Chicago, Illinois, was raised in the suburban towns of Bellwood and Maywood, and graduated from Proviso Township High School;

Whereas Gene Cernan began his career as a basic flight trainee in the United States Navy;

Whereas Gene Cernan was one of fourteen astronauts selected by NASA in October 1963 to participate in the Gemini and Apollo programs;

Whereas Gene Cernan was the second American to have walked in space having spanned the circumference of the world twice

in a little more than 2 and a half hours in 1966 during the Gemini 9 mission;

Whereas Gene Cernan served as the lunar module pilot for Apollo 10 in 1969, which was referred to as the “dress rehearsal” for Apollo 11’s historic landing on the Moon;

Whereas Gene Cernan was commander of Apollo 17 in 1972, during the last human mission to the Moon;

Whereas Gene Cernan maintains the distinction of being the last man to have left his footprints on the surface of the Moon;

Whereas Gene Cernan was one of the three men to have flown to the Moon on two occasions;

Whereas Gene Cernan logged 566 hours and 15 minutes in space, of which more than 73 hours were spent on the surface of the Moon;

Whereas Gene Cernan and the crew of Apollo 17 set records that still stand today, for longest manned lunar landing flight, longest lunar surface extra vehicular activities, largest lunar sample return, and longest time in lunar orbit;

Whereas Gene Cernan retired from the Navy after 20 years and ended his NASA career in July 1976; and

Whereas on January 16, 2016, Gene Cernan passed away in Houston, Texas, leaving behind a vibrant history of space exploration and advocacy for NASA, a legacy of inspiring young people to “dream the impossible”, and a documentary that encourages continual human space exploration:

Now, therefore, be it

Resolved, That the Senate honors the life of Gene Cernan, a Naval aviator, fighter pilot, electrical engineer, and the last astronaut to walk on the Moon.

SENATE CONCURRENT RESOLUTION 6—SUPPORTING THE LOCAL RADIO FREEDOM ACT

Mr. BARRASSO (for himself and Ms. HEITKAMP) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 6

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world due to the symbiotic relationship that has existed among those industries for many decades;

Whereas for nearly a century, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such a fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio air play, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;

Whereas committees in the Senate and the House of Representatives have previously reported that “the sale of many sound recordings and the careers of many performers have benefitted considerably from airplay and other promotional activities provided by both noncommercial and advertiser-supported, free over-the-air broadcasting”;

Whereas local radio broadcasters provide tens of thousands of hours of essential local news and weather information during times of national emergencies and natural disas-

ters, such as on September 11, 2001, and during Hurricanes Katrina and Rita, as well as public affairs programming, sports, and hundreds of millions of dollars worth of time for public service announcements and local fund raising efforts for worthy charitable causes, all of which are jeopardized if local radio stations are forced to divert revenues to pay for a new performance fee;

Whereas there are many thousands of local radio stations that will suffer severe economic hardship if any new performance fee is imposed, as will many other small businesses that play music, including bars, restaurants, retail establishments, sports and other entertainment venues, shopping centers, and transportation facilities; and

Whereas the hardship that would result from a new performance fee would hurt businesses in the United States and ultimately the consumers in the United States who rely on local radio for news, weather, and entertainment, and such a performance fee is not justified when the current system has produced the most prolific and innovative broadcasting, music, and sound recording industries in the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress should not impose any new performance fee, tax, royalty, or other charge—

(1) relating to the public performance of sound recordings on a local radio station for broadcasting sound recordings over the air; or

(2) on any business for the public performance of sound recordings on a local radio station broadcast over the air.

AUTHORITY FOR COMMITTEES TO MEET

Mr. HOEVEN. Mr. President, I have ten requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on January 24, 2017, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on January 24, 2017, at 10 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on January 24, 2017, at 10:15 a.m., in room SR-253 of the Russell Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on January 24, 2017, in room SD-215 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The committee on Foreign Relations is authorized to meet during the session of the Senate on January 24, 2017, at 12 p.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on January 24, 2017, at 2:30 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on January 24, 2017, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on January 24, 2017, at 10:30 a.m. in room 428A of the Russell Senate Office Building to conduct a hearing entitled "Nomination of Linda E. McMahon to be Administrator of the Small Business Administration."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on January 24, 2017, at 3 p.m. in room SR-418 of the Russell Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on January 24, 2017, at 2:30 p.m. in room SH-219 of the Senate Hart Office Building.

PRIVILEGES OF THE FLOOR

Mr. CASEY. Mr. President, I ask unanimous consent that Christopher Friese, from my staff, be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Patrick Reilly, a fellow in my office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SCHOOL CHOICE WEEK

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 26, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 26) designating the week of January 22 through January 28, 2017, as "National School Choice Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 26) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENTS AUTHORITY

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate, and that they be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, JANUARY 27, 2017, AND MONDAY, JANUARY 30, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Friday, January 27, for a pro forma session only, with no business being conducted; further, that when the Senate adjourns on Friday, January 27, it next convene on Monday, January 30, at 3 p.m.; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that at 5 p.m. on Monday, January 30, the Senate proceed to executive session to resume consideration of Calendar No. 2, Rex W. Tillerson to be Secretary of State, and that there be 30 minutes of debate equally divided in the usual form; finally, that notwithstanding the provisions of rule XXII, the cloture vote on the Tillerson nomination occur at 5:30 p.m. on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come be-

fore the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators SCHATZ and SULLIVAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii.

MEDICAID

Mr. SCHATZ. Mr. President, more than 50 years ago, when Medicaid was created, Congress made a smart decision. Lawmakers designed a program so that if health care costs rise, if the economy starts to struggle, Medicaid would be there for the American people, no matter what.

A couple of days ago, the counselor to the President said that, as part of the replacement plan for the Affordable Care Act, Medicaid will be converted to block grants. Let's be clear about what this means.

People like grants, and they like Medicaid. Maybe they are not sure about whether they like block grants. Whether intentional or not, this kind of technocratic, bureaucratic language can trick people. It sounds fine. Maybe it is even the smart thing to do.

Let me be totally explicit about what block granting Medicaid actually means. It means cutting Medicaid. It means less money for Medicaid. It means less health care for people. It is a euphemism. It is not quite a lie, but it is a way of describing something so that you don't know exactly what it is. They are calling it a block grant because they don't want to say that they are cutting Medicaid.

These cuts are going to hurt millions of people. They will hurt working families who rely on Medicaid to pay for nursing home care for their families. We have to be pretty out of touch to not know anyone who at some point in their life will rely on nursing home subsidies from Medicaid. It is happening in my extended family right now.

It is important to remember that Medicaid certainly helps children. Medicaid certainly helps people who are economically disadvantaged. It helps poor people. But it also helps middle-class families, because at the end of a family member's life, who can pay for nursing home care out-of-pocket? You may have saved all of your life, but, for instance, in Hawaii a nursing home costs around \$10,000 a month. So it is a rare family who can pay \$10,000 a month for a grandmother or a great-grandmother or a father or a mother. Nobody can do that. This is going to harm middle-class families.

It is also going to hurt women in particular. Women need Medicaid for maternal health services and for family planning. These cuts are going to hurt seniors and people with disabilities. These people have nowhere else to turn. That is the point of Medicaid. Medicaid is their only option.

Now, I have heard some people say: Well, this is going to expand local control. That is preposterous. The truth is that block granting Medicaid, which is the same thing as cutting Medicaid and giving a fixed amount to the States, gives States less control, not more control. They force States to choose between seniors and kids, between people with disabilities and women, or between health care and education.

Look, it does not matter whom you voted for. American voters—left, right, and center—have this sense that what we do in Washington is that we run for office saying one thing and then we get in office and we do exactly the opposite. Frankly, the Congress has earned that reputation. This is another instance where a party has promised to not cut Medicaid, but here we are—week 1, day 5—debating cuts on this important program.

This is a deal breaker for me and many of my colleagues, and it will be a disaster for millions of Americans.

I call on everyone on both sides of the aisle to stand up for seniors, to stand up for women, to stand up for children, and to fight any cuts to Medicaid.

I yield the floor.

APPOINTMENTS

The PRESIDING OFFICER (Mr. RUBIO) The Chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, reappoints the Senator from Arkansas, Mr. BOOZMAN as a member of the Board of Regents of the Smithsonian Institution.

The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, appoints the Senator from Nebraska, Mr. SASSE, to read Washington's Farewell Address on Monday, February 27, 2017.

The Senator from Alaska.

TRIBUTE TO EILEEN DUBOWSKI

Mr. SULLIVAN. Mr. President, Alaska is a beautiful State—the mountains, the seas, the glaciers, the wildlife. Most in this room and many watching on TV have seen my State on TV shows, on reality shows. Almost everybody talks about at least someday coming to visit. We love tourists, like the Presiding Officer does. So please come. You will have a great experience, guaranteed.

But what makes my State particularly special is the people—kind people, tough people, generous of heart, and, yes, people with a lot of opinions. My State is filled with people who are strong-willed and strong-hearted, cre-

ating caring communities in some of the harshest environments in the world.

As part of an initiative that I am doing to highlight some of these great Alaskan citizens, I would like to recognize this afternoon Eileen Dubowski as the Alaskan of the Week. She is someone of a strong mind and a strong heart, and she has helped to make her community and our State a better place.

Eileen lives with her husband in a cabin in Salcha, AK, near the Fairbanks area. This year, this area of my State has experienced some brutally dangerously cold temperatures. Recently, it was 59 degrees below zero near Salcha. That is cold, 59 below zero. Yet, in my State, people work in such weather, they give to their communities, they reach out and watch over their neighbors.

Eileen has been both a special education and regular education teacher for almost 40 years. She is currently at University Park Elementary School. To better communicate with her students, she went to night school to learn American Sign Language. She is active in her church and particularly active in Interior Alaska high school wrestling helping dozens and dozens of students. She has been so involved over the past 40 years in this important activity that she was recently elected into the State of Alaska Wrestlers Hall of Fame. An article in the Fairbanks Daily News-Miner quotes her as saying: "Wrestling can take any sized kid and they can be successful."

Congratulations, Eileen, for helping dozens and dozens of kids of all sizes in Alaska and making them successful.

She stated: "When you help each other it makes living up here easier," in the colds of Alaska. The same could be said about anyplace in America.

So thanks, Eileen, for helping make life easier, for your service, and for being this week's Alaskan of the Week.

CABINET NOMINATIONS

Mr. SULLIVAN. Mr. President, I wish to talk a little bit this afternoon about the way my colleagues on the other side of the aisle are, unfortunately—and with no reason—delaying and delaying the confirmation of heads of critically important agencies, Cabinet Secretaries, for our country.

Now, we have differences of opinion in this body. That is often a good thing. We debate, we share ideas, we agree, we disagree, we give the voters the very best we have, and then we let them make their own decisions, which they do at the ballot box.

On election day, the American people chose President Trump and Vice Presi-

dent PENCE. The American people did so knowing they would appoint a new Cabinet and be focused on the issues they ran on, but the American people did not vote for delay and they did not vote for obstruction. They voted for action and they voted for a smooth transition, which is what this body has traditionally done.

It has been a longstanding tradition of the U.S. Senate, working hard, to confirm Cabinet nominees of a newly elected President in a timely fashion, particularly when it comes to the President's national security team.

For example, in 2009, upon the election of President Obama, 7 of his Cabinet members were sworn into office on the first day, 5 more were confirmed by the end of the first week—14 Cabinet officials inside of a week.

Where are we right now? Two Cabinet officials and one CIA Director. That is not what the American people expect. That is not the tradition in the Senate. My colleagues on the other side of the aisle have a responsibility to the American people to put a government in place and to treat the confirmation process with the same courtesy and seriousness the Senate gave to President Obama's Cabinet-level nominees, and that is not happening right now. This is serious business, particularly on national security issues.

I am hopeful my colleagues on the other side of the aisle can start getting serious and show this administration the same courtesy that Republicans showed President Obama's administration when he came into office.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL FRIDAY, JANUARY 27, 2017, AT 10 A.M.

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. on Friday, January 27.

Thereupon, the Senate, at 6:44 p.m., adjourned until Friday, January 27, 2017, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 24, 2017:

DEPARTMENT OF STATE

NIKKI R. HALEY, OF SOUTH CAROLINA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

UNITED NATIONS

NIKKI R. HALEY, OF SOUTH CAROLINA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

HOUSE OF REPRESENTATIVES—Tuesday, January 24, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BOST).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 24, 2017.

I hereby appoint the Honorable MIKE BOST to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

BENEFITS OF THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, I rise to speak on the Affordable Care Act and the Trump administration's efforts to repeal the health care of millions of Americans.

Every person in this body has constituents who have health insurance because of the Affordable Care Act. Whether you represent the rural community in Kentucky where the uninsured rate declined 60 percent under the ACA or you represent the most liberal district in the country, you should be committed to working across the aisle to fix what is wrong with the ACA and build upon what is working.

While the law and President Obama may not be popular in many districts, political expediency has no place in this hallowed body, especially when the economy and American lives are at stake. It is not just Democratic districts that benefit from the ACA. Everyone—everyone—has Americans in their districts that benefit from the ACA.

While I am the only Democrat in Alabama, my district has only the fifth

highest population of enrollees in Alabama, behind four Republican districts. Alabama's First Congressional District has over 29,000 enrollees, and the Fifth District has over 25,000 enrollees. The Sixth and Fourth Districts of Alabama both have over 23,000 enrollees. My district has 22,000 people who are enrolled in the ACA.

In total, there are 165,000 Alabamians who have coverage through the healthcare marketplace, and over 20 million nationwide. There are many who benefit in Alabama and across this Nation from the ACA. And while we all benefit from not having to have pre-existing conditions be a deterrent to getting health care, all of us will not benefit from the repeal. In fact, it should not surprise many of us that the repeal of the ACA will benefit the wealthiest Americans.

According to the Center on Budget and Policy Priorities, ACA repeal will lavish Medicare tax cuts on our Nation's 400 highest income households, while 7 million low- and moderate-income households will lose premium tax credits. The average annual income of those top 400 families is \$300 million apiece, and they will benefit from an average annual tax cut of approximately \$7 million apiece. What my Republican colleagues do not want Americans to know is that the repeal of the ACA will not benefit the majority of Americans but, rather, only the rich.

An average income of \$300 million is more than 6,000 times the average household income in Alabama and nearly 9,000 times the average household in my district. Mr. Speaker, 99.9 percent of my constituents make incomes below \$200,000. I know that they will never see the tax breaks that the repeal of the Affordable Care Act will give to the wealthy.

While healthcare costs have been growing nationwide at the slowest rate in over 50 years under the ACA, we cannot ignore the hardworking Americans who are facing outrageous premium hikes in States that have not expanded Medicaid like Alabama. On average, States that have been hostile to the law are facing the largest premium increases for 2017. One study showed that States that fully embraced the ACA will see increases of 18.2 percent, as opposed to States that have fully resisted the law—like Alabama—which saw increases of 29.8 percent.

Mr. Speaker, it is unacceptable to Americans that we have this rise in premiums at any level, but my point is simply this: We should not be looking

to repeal the Affordable Care Act without replacing it with something; because the fact of the matter is, in this great country that we live in, no one—no one—should not have access to affordable, quality health care.

Alabamians enrolled in employer-based healthcare insurance are paying more in their employee contributions than those in California, even though Californians have a significantly higher cost of living. This is one of the reasons why I have worked across the aisle to try to make meaningful changes to the ACA that don't compromise the law's benefit.

The American people deserve Representatives that will work together to fix what is wrong with the ACA and build upon what is working. We need to work together to increase access, market stabilization, and minimize premium cost rises. We need to work with States that haven't expanded Medicaid to bring down premium costs for the self-insured.

I stand ready to work with my colleagues to achieve these goals and protect the millions of Americans and thousands of Alabamians who are more financially secure today because of the protections of the ACA.

HONORING THE LIFE OF TOM MURRAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, it is with a heavy heart that I rise today on behalf of myself and all readers of the Daily Local News, a newspaper in my congressional district, Pennsylvania's Sixth Congressional District, to honor the life of Tom Murray, the editor of the Daily Local News, who just passed.

Mike Rellahan, in writing an obituary on Mr. Murray, accurately had this to say:

Tom Murray's personality shone through in the way he dealt with reporters, photographers, other editors, and colleagues on the multiple newspapers and media outlets he worked at over the years. It showed in his passion for helping people get better at their craft, in his own strong work ethic and in his sense of humor and humanity.

He was a hard-core newspaperman who loved a good lead paragraph, a clever headline, and an action-packed photo. He believed the society page was as important in the Main Line papers he worked for as the sports page was to the Gloucester, New Jersey, Daily Times, where he held the post of sports editor for 9 years, because he believed a newspaper at its best reflects its readers.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

More than that, however, Murray stayed true to the ideals of old-school print journalism, loving the traditions and storytelling while at the same time embracing and chasing the future with enthusiasm. He began reporting when electronic journalism was in its infancy, but became so involved in the new digital age that one of his happiest moments came when a video screen showing the realtime activity of the Daily Local News' Web site was installed in the newsroom.

Tom Murray, you will be missed. Thank you for your service and your contribution to journalism, to our democracy, and to sharing news with those throughout the tri-county area for so long.

REALIZING FULL POTENTIAL OF ADVANCED
NUCLEAR ENERGY

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to support H.R. 590, the Advanced Nuclear Technology Development Act, legislation that takes an important step towards developing safer, more reliable clean energy. Nuclear energy accounts for approximately 20 percent of all U.S. electricity and, very importantly, 60 percent of all carbon-free electricity in the U.S.

As our existing nuclear infrastructure moves closer to retirement, advanced nuclear technology offers a modern solution to ensure that American families have a safe, affordable, and reliable source of clean energy for generations to come. However, in order to fully realize the potential of advanced nuclear, we must remove the costly red tape that prevents innovation and streamline existing practices to allow for the safe and effective development of this technology.

I thank Congressman LATTA for his leadership on this bipartisan issue, and I am pleased to support it and see it pass the House.

KEEPING PERSONAL DATA SECURE FROM
SPOOFING

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 423, the Anti-Spoofing Act, a bill I also supported last Congress.

Mr. Speaker, call spoofing is a telephone scam used to change the information on a caller ID and pose as a trusted source, such as an official government agency, a medical center, or a bank.

The intention behind call spoofing is to collect valuable personal information, such as banking information, to defraud or cause other harm to an individual or family. Seniors and veterans are frequently targeted in these scams.

In an effort to protect your personal information, this bill would close existing loopholes and direct the Federal Communications Commission to ensure those who engage in spoofing face criminal fines and penalties.

Call spoofing is not just limited to voice messages. Those using this tactic also utilize text messages, and H.R. 423 would include text messages in these fines and penalties. This bill would

keep personal data secure and protect consumers, and I am pleased to see that it has passed the House.

FEDERAL EMPLOYEE HIRING
FREEZE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, yesterday President Trump issued an executive order. He imposed a hiring freeze on the Federal workforce. It was not only a freeze, but an attack on those serving our country and a misguided action that will achieve the opposite of what is intended.

For those who are listening in the Chamber, Mr. Speaker, let me say that I am proud to represent 62,000 Federal employees. Hopefully, all of us refer to them as working people. We all say we want to be supportive of working people. Some people, however, in this body and down the avenue exempt Federal employees as working people.

They are not only working people, but they are working for the American people. Let's not forget that two-thirds of Federal employees live and work outside the Greater Washington area. It is very nice to say "all of those bureaucrats in Washington," but two-thirds of our Federal employees serve in every community around our country, serve in protecting them: FBI agents; agents around the world who work for the Central Intelligence Agency—117 of whom died in service, and the President spoke in front of their memorial the other day—employees of the Centers for Disease Control keeping us healthy as communities and as a country, protecting our children and our families from diseases that would attack us; Federal employees at the National Institutes of Health studying how we prevent and cure cancer, heart disease, lung disease, diabetes, autism, other afflictions that confront our country, both health care from a physical and mental standpoint; and, yes, nurses at our veterans hospitals. A freeze so that if a nurse leaves, you can't replace her or him; a doctor at a veterans hospital leaves, you can't replace that doctor, apparently; even at the IRS where we talk about making sure our tax system is fair and making sure that everybody pays their fair share, we undermine the ability to make that a reality; our Border Patrol to keep our borders safe; homeland security to keep our homeland safe—they serve the public in every State and every congressional district in the country.

This hiring freeze will not save us money or do anything to make the government more efficient. Should we do both? Yes. Will this policy do it? No. Its effect will be a reduction in the level of service benefiting the American people, greater difficulty in re-

cruiting and retaining the most talented Americans to public service, and increased costs as a result of having to hire more expensive private contractors to do the work that still needs to be done.

That is something that the public doesn't understand, that, frankly, we exploded, in the early part of this century, the contracting out, which gave us less control and more cost. It is more expensive to contract out.

□ 1015

Already, our Federal employees have made significant sacrifices toward achieving a greater fiscal sustainability in this country. Now, let me give you the magnitude of that. Federal employees, over the last 10 years, have given up \$159 billion in pay and benefits to which they would otherwise have been entitled, but we withdrew those resources from them.

Instead of continuing to vilify Federal civilian employees, as they have done for years—and when I say they, the politicians have done it, mostly on the Republican side of the aisle, but perhaps not exclusively—vilified our Federal employees. Republicans in Congress and in the White House ought to be thanking them for their hard work. I can't imagine any of us would treat our own employees, Mr. Speaker, in a fashion that said we are going to lay you off, we are going to undercut your pay, we are not going to give you the benefits which we promised you, and think that they were going to keep personnel on board with high morale and highly motivated to do the job, not only for us Members but for the American people. No employer would think that they can mistreat their employees and expect the highest performance out of them. And certainly no employer would think that if I treat my employees the way we have been treating Federal employees that we could recruit and retain the best and the brightest to serve our country.

Mr. Speaker, I urge the President to rescind his order. That is not to say that executives in all of these agencies should not look at making sure that we have the proper number of employees on board and are acting efficiently and effectively and working hard to accomplish the objectives that we as a Congress, on behalf of the American people, have given them. That is the issue.

I urge my Republican friends, in this House and in the Senate, to speak out against it. And I urge all Federal employees and their families to speak up in their communities across our country to remind their fellow Americans of the important work they do and why this hiring freeze would be so harmful to our country.

Giving one another respect in America is not political correctness. It is the way we ought to treat one another. And we ought to treat our public employees who work for us and our country with the same kind of respect that

we would want for ourselves. Frankly, respect of one another was a victim in this last campaign, but it should not be and must not be the norm.

PROTECTING THE UNBORN AND DEFENDING LIFE

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to speak on an issue that I care deeply about: protecting the unborn and defending life. This week, I reintroduced the Life at Conception Act.

I am honored to be the lead sponsor of the Life at Conception Act, which simply defines human life as beginning at the moment of conception. It is something I have always been passionate about. I was president of my college's pro-life group, the Dartmouth Coalition for Life. I can still remember the conversations I had with my fellow students as I discussed the value of human life with them. It was a great feeling to know that I was opening eyes to the value of all human life one student at a time.

I believe that we have a moral obligation to protect the unborn at every stage of development. It is something I have always been passionate about. I was president of my college's pro-life group, the Dartmouth Coalition for Life. I can still remember the conversations I had with my fellow students as I discussed the value of human life with them. It was a great feeling to know that I was opening eyes to the value of all human life one student at a time.

Protecting life is one of the issues that compelled me to run for office. When I first asked for the opportunity to serve you as your representative in Congress, I promised I would be a strong defender of the unborn. I am proud to say I have delivered on that promise.

The Life at Conception Act is a crucial part of the long-term battle to protect the unborn. It started 44 years ago to the week, in 1973 in the Roe v. Wade decision when the Supreme Court asserted that, because the beginning of life is not legally defined by Congress, it is up for interpretation by the court. The Life at Conception Act simply fills that gap and defines that human life begins at the moment of conception.

Even Vice President Joe Biden, a Democrat, recently restated publicly his belief that human life begins at conception. There is bipartisan agreement on this issue. It is important for Congress to define human life because the unborn are the most helpless among us. They need us to have enough courage to step up and protect them.

My bill also sets a standard for promoting and encouraging a culture of life. If enacted, it would simply affirm what we all know in our hearts and minds to be true: that unborn babies deserve our protection.

Last year, the Life at Conception Act had 146 sponsors in the U.S. House of

Representatives, including my two colleagues in West Virginia, DAVID MCKINLEY and EVAN JENKINS. I hope that more Representatives will join me in promoting respect and protection for all human life.

I continue to be guided by my faith and values. I look forward to working with my colleagues to defend the innocent and give voice to the voiceless. I welcome the marchers this week coming for the annual March for Life. I thank them for their participation in defending the unborn.

CONGRATULATING THE NEW ENGLAND PATRIOTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Hampshire (Ms. KUSTER) for 5 minutes.

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise to congratulate the New England Patriots on reaching their NFL record ninth Super Bowl. The very questionable suspension of Tom Brady early in the season could not stop New England or the determination and dedication to excellence that defines the New England Patriots.

Fans throughout New Hampshire and beyond are incredibly proud of their team and the unparalleled success of Tom Brady and Bill Belichick. But they would be the first to tell you that the success of the Patriots lies with not one individual but instead is built upon the core value of team before self. This year, the motto made famous by New England, "Do Your Job," is as true as ever.

When the Patriots face the Atlanta Falcons in Super Bowl LI, I will be joined by everyone across New Hampshire and throughout New England in offering them good luck. Go Pats.

NO ONE IN AMERICA SHOULD GO HUNGRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to speak about the importance of nutrition as it relates to agriculture policy in America. Proudly, I am the vice chairman of the House Agriculture Committee for the 115th Congress and chairman of the Nutrition Subcommittee.

Agriculture policy is near and dear to my heart, as it is the number one industry in Pennsylvania. It brings nearly \$6.9 billion annually in cash receipts to the Commonwealth. Almost half a million jobs are tied to the industry, which positively impacts all Pennsylvanians.

Our farmers feed America. Farmers play a pivotal role in the nutrition of families in this country. According to the U.S. Department of Agriculture,

food insecurity has decreased across the Nation in recent years. However, USDA found that 12.7 percent of all households in the United States faced hunger in 2015. Mr. Speaker, no one in America should go hungry.

The Nutrition Subcommittee oversees the Supplemental Nutrition Assistance Program, or SNAP, which used to be referred to as food stamps. Over the past 2 years, under the leadership of Agriculture Committee Chairman MIKE CONAWAY, this subcommittee examined what is working with SNAP and what could be improved. More than 43 million Americans rely on SNAP to put food on the table for themselves and their families.

SNAP has grown from a pilot program that served just 500,000 people in 1964 to a program that served more than 47 million Americans at the height of the recession. SNAP is now the largest program under the Agriculture Committee's jurisdiction, accounting for almost 80 percent of farm bill spending, and is the largest Federal food program serving low-income families in the United States. SNAP is literally a lifeline for many of the least fortunate among us.

During the subcommittee's examination of SNAP, it hosted more than 16 hearings and had 60 witnesses testify. The goals of these hearings were to better understand SNAP and the population it serves, to review how SNAP utilizes cash and noncash benefits to serve that population, and to examine ways the program could be improved.

Four themes emerged from the hearings:

First, serving SNAP recipients through innovation and flexibility in program delivery. The need for nutrition assistance cannot be addressed by just one program or just one group. It requires more collaboration between governments, charities, businesses, health systems, communities, individuals, and many others.

Second, climbing the economic ladder through work. Mr. Speaker, the number one leading causes of poverty are unemployment and underemployment. We must promote pathways to employment as the best way to help individuals climb the economic ladder out of poverty and into self-sufficiency.

Third, maintaining program integrity. SNAP needs clear program goals and must be evaluated according to metrics aligned with those goals to generate program improvement. While we want to give States flexibility in administering SNAP, it should not jeopardize the overall integrity of the program.

Fourth, improving food access and promoting healthy food. This theme really gets at the heart of the issue: Americans in both urban and rural communities cannot improve their diets without adequate access to

healthy food. Offering nutrition education is essential to help SNAP recipients develop healthy lifestyles and healthy eating habits. There is so much at stake when it comes to SNAP. Most SNAP recipients face more challenges than food insecurity. They also face housing, utility, transportation, and child care costs, among others.

Through the subcommittee's thorough investigation, we were able to fully review how to deliver SNAP to those who need it most. We also examined ways to keep the program viable for years to come. The nonpartisan Congressional Budget Office currently projects that SNAP will cost an average of \$69.75 billion per year over the next 10 years, making it the largest Federal food program serving low-income families in the United States.

Mr. Speaker, I recently volunteered at the Central Pennsylvania Food Bank to help area veterans and their families to ensure they do not go hungry. When we help meet the nutritional needs of military families, it allows them to focus on other pressing issues. The same goes for all families in America.

I am committed to ensuring that SNAP continues to work for those who need it most, and to make certain that the program remains viable for decades to come. I look forward to getting to work on this in the 115th Congress.

HONORING JOHN ALBERT
MCNEILL, SR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to honor and recognize the life of John Albert McNeill, Sr.—a fine American.

John McNeill was born in Whiteville, North Carolina, in 1918. From the time he was born until he graduated from college, John helped his folks run their family pharmacy in Whiteville, which first opened in 1875, and is, to this day, Mr. Speaker, North Carolina's oldest family-owned pharmacy.

When McNeill graduated from the University of North Carolina at Chapel Hill in 1940 as a pharmacist, he had intentions to return home to Whiteville and work in the drugstore, but that didn't happen. The United States had joined the Allies in World War II, and McNeill found himself at the recruiting station trying to enlist. Much to his dismay, he quickly discovered that he wasn't tall enough to qualify for the Navy.

John McNeill was undeterred. Determined to serve his country, McNeill spent the next 2 months of his life stretching, and he added 2 inches to his height—just enough to qualify for the Navy. Having been accepted to the Navy, John completed his mid-

shipman's training at Columbia University and gained his commission in early 1942.

During the war, McNeill commanded landing craft in the Pacific theater and served with distinction as he participated in hundreds of landings in the Solomon Islands while reinforcing Guadalcanal.

□ 1030

After finishing his time in the Navy, John returned to Whiteville to help run the drugstore. The day after returning home, he opened the family store, walked across the street, and introduced himself to his future wife, Margaret Powell. They were married a year later and raised six children together. Around this time, McNeill got involved in Scouting—first in a Sea Scouting troop at Lake Waccamaw, and then later with the Boy Scouts of America as his children were growing up.

Mr. Speaker, John McNeill's devotion to the Boy Scouts was well known across North Carolina as he took his troops to places as far away as the Arctic Circle and the Yucatan Peninsula. A famous story he told involved his troops hiking across the State of North Carolina and stopping to have breakfast with the Governor one morning along the way. Mr. Speaker, under John's leadership, some 55 Boy Scouts in Whiteville, North Carolina, achieved the rank of Eagle Scout—Scouting's highest rank.

While John's legacy as a Scoutmaster is near legend, thousands in Columbus County will remember his hospitality, too. Every Fourth of July, at his pier—his dock—on Lake Waccamaw, John and his family gathered to celebrate the signing of the Declaration of Independence, an event thousands have attended. All the while, John continued running his family's drugstore; and, for many years, he held the distinction of being North Carolina's oldest licensed pharmacist. Sadly, John passed away in September, at the age of 98.

Mr. Speaker, John Albert McNeill, Sr., lived an extraordinary life, and the difference he made in the lives of countless others in his community will be remembered for years and generations to come.

STAFF SERGEANT JAMES
"JIMMY" MORIARTY—TEXAS
GREEN BERET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, on Friday, November 4, 2016, a military base in Jafr, Jordan, was attacked. A hail of violent gunfire suddenly rang out while three Americans were returning to base. They were ambushed. After the smoke cleared, three Green Berets from the 5th Special Forces Group were

killed in support of Operation Inherent Resolve. One of those heroic men was 27-year-old Staff Sergeant James "Jimmy" Moriarty.

To be clear, neither the family nor I is satisfied that we have received all of the facts about the deaths of those three Green Berets, but we do know the facts about Staff Sergeant Moriarty of the United States Army.

Staff Sergeant Moriarty was a Texas native—one of Houston's own. He was a proud Green Beret. He was scheduled to come home in 2 weeks to spend the holidays with his family. Jimmy was, unquestionably, one of the best. Growing up in Houston, he earned a bachelor's degree in economics from the University of Texas. He spoke fluent Arabic—maybe with a Texas accent, Mr. Speaker. As part of the 5th Special Forces Group, he was 3 months into his third tour of duty in Jordan. Upon graduation from the University of Texas, Jimmy made the choice to serve his Nation in the United States Army. He was a volunteer. He was a proud member of the United States Army Special Forces. During his service to America, he earned the Good Conduct Medal, the National Defense Service Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the NCO Professional Development ribbon, and an Army Service Ribbon.

The brave men of the Green Berets are our Nation's warriors. They are sent to take on the toughest missions that our Nation faces. From the jungles of Vietnam to the desert sands of the Middle East, they are, as John Wayne once said, America's best. These men are the warriors our enemies fear. They respond to terrorists and other outlaws to keep America safe throughout the globe. Proudly wearing silver wings on their chests, they are, without question, America's finest warriors.

Mr. Speaker, in the words of Navy SEAL Marcus Luttrell, another Texan:

In times of uncertainty, there is a special breed of warrior ready to answer our Nation's call—a common man with an uncommon desire to succeed. Forged by adversity, the Green Beret stands alongside America's finest special operations forces to serve our country and the American people and to protect their way of life.

Jimmy Moriarty was one of those men.

Moriarty was loved by his two sisters, who incessantly saw to it that their younger brother would be a well-rounded man. It is without a doubt that this distinguished soldier will be missed by his family, his friends, and his community.

We grieve the loss of this American warrior, but we celebrate and honor his life and his service. We are fortunate to have Green Berets like Moriarty standing in support of our country. We are fortunate that a man like Jimmy served this Nation as a volunteer. He

stood for the best of those American ideals and values that the Special Forces represent. He was a son of freedom and a son of liberty and a son of Texas. He epitomized everything that is good and right about America.

Our thoughts and prayers go out to him and his family and friends and to the other two Green Berets who were killed in Jordan.

On December 5, 2016, taps was played for the last time as Staff Sergeant James Moriarty was buried in the deafening silence of Arlington National Cemetery—next to thousands of other Americans who gave their lives for this great Nation. Jimmy Moriarty was a rare breed. He was the American breed.

During World War II, General George Patton said:

While we mourn the loss of such men, we should thank God that such men ever lived.

And that is just the way it is.

NEW LIFE REFUGE MINISTRIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD) for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, January is Human Trafficking Awareness Month, and I would like to highlight a great organization that is fighting to end this modern day slavery.

The New Life Refuge Ministries is working to bring an end to the domestic sex trafficking of children. In 2015, in my hometown of Corpus Christi, Texas, we had 29 cases of child sex trafficking. The youngest victim was only 8 years old.

Founder and executive director Minta Moore has been working since 2010 to build a home for survivors so that they will have a safe place to heal and a safe place from which to transition back to a healthy lifestyle. This all-volunteer organization has cleared land, has laid a road, has poured a foundation, and is now in the construction phase of opening its first cottage. It is its hope to open its doors this May.

I applaud this organization and others like it that fight to eradicate human trafficking and that work to protect innocent children who have been victimized.

SCHOOL CHOICE

Mr. FARENTHOLD. Mr. Speaker, as the father of two daughters, I understand the importance of giving a high-quality education to our children. That is why I am here today to bring awareness to National School Choice Week.

School choice is a straightforward concept in that parents should have the choice about where to send their children to school and about picking the best educational environment for their children. This includes many options: traditional public schools, charter schools, magnet schools, private schools, homeschooling, and more. By

choosing the appropriate educational options for their children, parents enable them to succeed.

Nationwide, approximately 2.6 million students are currently enrolled in more than 3,200 public magnet schools; more than 3 million are enrolled in charter schools; and 2.3 million are homeschooled. According to the National School Choice Week's organizers, 70 percent of Americans support school choice, and those numbers are even higher among growing demographic groups.

Some would say that school choice hurts public schools. I beg to differ. Studies have shown that student outcome in public schools actually improves with the more choices there are. I believe in competition in education and in giving control back to parents, teachers, and locally elected officials so that these groups can pursue initiatives that best help our children.

CONGRATULATING PRESIDENT TRUMP

Mr. FARENTHOLD. Mr. Speaker, I congratulate President Donald Trump on his inauguration last week. I look forward to working with him to accomplish many of our shared goals.

One of the first goals we must accomplish is the repeal and replacement of ObamaCare, which has been hurting people nationwide with its increasingly high premiums and deductibles. I am confident we will have a better system in place that will provide great health care to all Americans.

I also look forward to working with the President to improve our Nation's infrastructure, including ports like the Port of Corpus Christi and the Port of Victoria. By widening and deepening our Nation's ports and waterways, we will allow the United States not only to remain competitive, but to increase our exports to other nations, which will create jobs and make America great again.

Another goal President Trump and I share is increasing border security and stemming the surge of illegal immigrants through our Southern border. As a Texan, every day I see the disastrous impact that illegal drugs, human trafficking, and other illicit activities have on our children, border communities, and the Nation as a whole. Together, we can work to secure our borders and make America safer.

Finally, regulatory review and tax reform will put people in good-paying jobs.

The next few weeks are going to be busy for those of us here in Washington, D.C., but that is why people like me decided to come here—to make a difference, to help people, and to restore American exceptionalism.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 40 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Thank You, God, for giving us another day.

As the difficult work of governing now resumes, bless the Members of this assembly with wisdom, patience, and goodwill as they tackle the ongoing issues challenging our Nation.

We thank You again for the inspiration of our Nation's Founders and the legacy they left us with. May the Members of this assembly, and all Americans, be worthy of that legacy.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. LAWSON) come forward and lead the House in the Pledge of Allegiance.

Mr. LAWSON of Florida led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 24, 2017.

Re Resignation from the United States Congress.

House Speaker PAUL RYAN,
U.S. Capitol,
Washington DC.

DEAR SPEAKER RYAN: I write to inform you officially that, effective January 24, 2017, ahead of being sworn in as California's Attorney General, I will resign from my office as the Representative of the 34th Congressional District of California in the U.S. House of Representatives.

It has been a distinct honor to serve the people of Los Angeles and my country in

Congress for more than 24 years. I am eternally grateful to my constituents for their tremendous counsel and support over those two decades.

I leave my work in Congress with mixed emotions. The People's House has been home to some of America's greatest patriots and talent. I have learned from them and been fortunate to have had a chance to add my grains of sand—as we say in Spanish—to build a better America.

In service to my country I will always look for the best way to make the biggest difference for our people. Working as Attorney General on behalf of the more than 39 million Americans in California—the sixth most vibrant economy in the world—will give me that chance to fight for all Americans to share in the forward-leaning values and opportunities that have made California so great.

I hereby submit my resignation from the House of Representatives. I look forward to working with all of my colleagues in Congress in the future for the betterment of our great nation.

Sincerely,

XAVIER BECERRA,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, January 24, 2017.

Re Resignation from the United States Congress.

Governor JERRY BROWN,
State Capitol,
Sacramento, CA.

DEAR GOVERNOR BROWN: I write to inform you officially that, effective January 24, 2017, ahead of being sworn in as California's Attorney General, I will resign from my office as the Representative of the 34th Congressional District of California in the U.S. House of Representatives.

It has been a distinct honor to serve the people of Los Angeles and my country in Congress for more than 24 years. I am eternally grateful to my constituents for their tremendous counsel and support over those two decades.

I will do my utmost to uphold your faith in me to serve as our great state's next chief law enforcement officer and legal advocate. And while I leave Congress with mixed emotions, I am ready to begin my work as Attorney General. California's hard-working families are counting on us, and we won't let them down.

Sincerely,

XAVIER BECERRA.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from California (Mr. BECERRA), the whole number of the House is 433.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

MOVE PAST POLITICAL DIVISION

(Mr. BOST asked and was given permission to address the House for 1 minute.)

Mr. BOST. Mr. Speaker, our Nation is clearly divided. The division was displayed when a group of students from Marion High School in my district came to Washington for the inauguration weekend.

On the way back to their hotel on Saturday night, a group of protesters surrounded their bus, threw projectiles through the windows, and painted the bus. Imagine that. A group of history students coming 13 hours across this great Nation and wanting to participate in the peaceful transfer of power only to be intimidated.

Free speech is essential to our democracy. However, acts of violence and intimidation have no place. Now is the time for both parties to move to get past this political division that is going through this country.

TAKE AWAY ANTITRUST EXEMPTION FROM HEALTH INSURERS

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, I remember the bad old days of health insurance before the Affordable Care Act. They could refuse to sell you a policy if you had ever been sick. They could refuse to renew your policy if you got sick. Oh, and they had another thing called rescission, where they could put a group of examiners on you and try and take away your policy if you got sick, and this happened numerous times due to technicalities.

They can't do those things anymore. They had a cap on your benefits. If you had a really expensive disease: Oh, sorry, your benefits are exhausted. You just go die now.

So those things are gone; but if they totally repeal the Affordable Care Act, they are likely to come roaring back.

The Republicans say competition will take care of that. The problem is there is no competition in the insurance industry. They are exempt from antitrust law. They can and they do collude to set rates, to redline people, to decide what States they will sell policies in.

Therefore, today, I am introducing the Health Insurance Fair Competition Act. It would subject the health insurance industry to the same laws that apply to every other industry in America—except for professional sports are exempt from antitrust law. This is a commonsense solution.

If they can rely on competition, we need competition. There wouldn't be any unless we take away their antitrust exemption.

REPEAL MANDATES AND TAXES OF OBAMACARE AND REFORM TAX CODE

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Madam Speaker, this Congress must keep our promises to the American people. Our first responsibility is to institute policies that will grow our economy and create jobs.

For 8 years, Americans looking for work have suffered while the regulatory state sucked nearly \$2 trillion out of our economy. We must rescind these burdensome regulations and enact a commonsense approach to regulations.

ObamaCare has failed, and it is time to repeal or replace it with a patient-driven plan that incorporates free market-based principles. We have to repeal the mandates and taxes of ObamaCare and make sure no one falls through the cracks.

Finally, we have to reform our Tax Code. It is far too long and complicated. We have to cut the tax rate from a maximum of 15 to 20 percent.

These policies will jump-start the American economy from a stagnant growth rate to more than 4 percent GNP growth rate. Only a vibrant economy can provide for a strong national security and robust infrastructure capable of supporting jobs.

OPPOSE REPEAL OF THE AFFORDABLE CARE ACT

(Mr. LAWSON of Florida asked and was given permission to address the House for 1 minute.)

Mr. LAWSON of Florida. Madam Speaker, I rise to voice my strong opposition to the current efforts to repeal the Affordable Care Act.

Nearly 20 million Americans have gained access to health care because of the Affordable Care Act, including nearly 1.5 million Floridians. Because of the ACA, over 278,000 children in Florida have gained healthcare coverage, and 132,000 young adults in Florida have been able to remain on their parents' health insurance plan until they reach age 26. Women in Florida and across this Nation can now purchase health insurance for the same price as men because of the ACA's ban on gender rating.

Repealing the law could endanger the health and welfare of hundreds of thousands of Floridians and their families. Repealing the ACA would not only make America sick again, but it would threaten the economic security of every American. I will not stand by and allow my colleagues on the other side of the aisle to dismantle the ACA and threaten the health and economic security of millions of hardworking Americans.

REMEMBERING A PILLAR OF ST. CLOUD, DICK BERNICK

(Mr. EMMER asked and was given permission to address the House for 1 minute.)

Mr. EMMER. Madam Speaker, this past week our community lost a dedicated leader and a friend. Dick

Bernick, the patriarch of the third generation to run family-owned Bernick's Companies, passed away after an incredible life.

Bernick's Companies is a Minnesota success story. This past year, Bernick's and the Bernick family reached an amazing milestone with the 100th anniversary celebration of the business. Dick played a huge role in that success by guiding and growing the family business through good and financially difficult times.

Dick Bernick's life was an American success not just because of his business, but because his life was filled with family, friends, and service to the community he so loved. Dick gave so much to the St. Cloud community. In fact, his company continues to donate a percentage of its profits back to different charities and organizations in the communities that Bernick serves.

We send our sincere condolences to Dick's wife, Lila; his children; and the rest of his family. We hope that you will find comfort in the fact that Dick's life and his legacy of generosity have left an indelible mark on the community that he loved, and that he will always be remembered.

PRESIDENT TRUMP'S FAILURE TO DIVEST OWNERSHIP INTERESTS

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Madam Speaker, it doesn't take a law degree. It doesn't take imagination. All it takes is common sense to see that President Trump's ownership and his family's operation of hotels and golf courses and rental properties is ripe for corruption.

President Trump's failure to completely divest his ownership interest not only violates tradition followed by every other modern President, it is unconstitutional. The Constitution prohibits any U.S. official—including President Trump—from taking payments from foreign governments.

His ongoing involvement in The Trump Organization will let foreign governments funnel payments to his businesses. Foreign operatives will try to curry favor with the administration with no accountability to the American people.

When he took the oath of office last week, President Trump swore to preserve, protect, and defend the Constitution of the United States. Sadly, his refusal to cut his business ties has broken that vow in these very first days of his administration.

HONORING RUTH SAMUELSON

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Madam Speaker, I rise today in memory of Ruth Samuelson, a long-time leader in the North Carolina House of Representatives and a former member of the Mecklenburg County Commission. Ruth is now in Heaven following a courageous battle with ovarian cancer.

Ruth infused her faith in God in all aspects of her family, political, personal, and civic life. Because of her vibrant faith and commitment to focusing on what truly matters, Ruth was known as a thoughtful mediator throughout her tenure in the North Carolina House, someone who approached tense, partisan issues with grace, yet never backed away from her convictions.

In 2013, Ruth was in line for a top leadership role, but instead, she walked away, choosing instead to focus on her passions for family, faith, and philanthropy. Ruth's last public statement was: "I want people to know that God is my good friend."

May the Lord bring comfort to her husband, Ken; to her children, Bobby, David, Joy, and Alex; her four grandchildren; and the countless lives that she touched.

WOMEN'S RIGHT TO MAKE INFORMED DECISIONS ABOUT HEALTH

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Madam Speaker, I rise today in support of every woman's right to make her own informed decisions about her health, including access to family planning and reproductive health care.

While the rest of the world moves forward, we are turning the tide clock back to the era of "Mad Men." However, unlike President Trump and my Republican colleagues, I have heard the voices of hundreds of thousands of people I marched with last Saturday.

I accept the overwhelming research opposing the outrageous policies that President Trump and the Republicans in Congress have placed at the center of their agenda, policies like the global gag rule and H.R. 7, the No Taxpayer Funding for Abortion Act. These dangerous and irresponsible policies are a disgraceful attack on women's rights domestically and throughout the world.

Let's get this straight, Madam Speaker. What this is about is keeping low-income women from accessing the health care they so rightfully deserve.

□ 1215

SUPPORT FOR H.R. 7

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Madam Speaker, I rise in support of H.R. 7, the No Taxpayer Funding for Abortion Act.

Madam Speaker, barring the use of certain Federal funding for abortion is not a new concept. The Hyde amendment has, more or less, called for this ban for 40 years, but the Hyde amendment is not permanent and must be re-introduced every year for it to go into effect. As such, it has been reformed from time to time, and, sooner or later, I believe it will cease to be implemented; so it is time to make the Hyde amendment permanent law. It is long overdue.

Madam Speaker, this bill we are debating is not about man versus woman; it is not about liberal versus conservative; H.R. 7 is not about taking away the rights of a woman. It is about protecting the rights of the unborn because, at the end of the day, this is what this comes down to. Who knew something so obviously and so morally right would be so controversial?

I ask my colleagues to support this bill as we protect the lives of those who cannot speak for themselves.

In God we trust.

H.R. 7 AND GAG RULE

(Mr. LARSEN of Washington asked and was given permission to address the House for 1 minute.)

Mr. LARSEN of Washington. Madam Speaker, I rise in opposition to H.R. 7, the latest attack on women's reproductive rights.

Today's bill comes on the coattails of the new administration's yesterday reinstating the global gag rule, which limits women's reproductive health care outside the U.S.—and all of this after 3.2 million women and men across the country participated in the women's march last Saturday. The march sent a clear message that this administration should not undermine women's rights and women's health care.

And this is the response—to undermine women's reproductive health care?

Madam Speaker, the people of our country are watching; they are showing up; they are paying attention; and they will not back down in the face of attempts to move this country backwards.

I urge my colleagues to oppose H.R. 7.

SITES RESERVOIR IS OVERDUE

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, while it might be raining lately in California, we still need additional water supply infrastructure to meet the needs of agriculture and a growing population. The Sites Reservoir is the

only project in California that will improve the water supply for cities, farms, as well as for the environment.

If the Sites Reservoir were in place today, California would have an estimated additional 600,000 acre-feet of water stored so far this winter in addition to similar amounts from last year and even water that could have been impounded during the high flows during the drought years. Had we had this infrastructure in place, we would have had enough water to supply 4.8 million Californians for an entire year just on this winter's flows, and the winter is not even over yet. The Sites Reservoir will not only capture enough high winter flow, but it will also allow for the reuse of water released from Lake Shasta so that human and environmental water use are no longer mutually exclusive.

Madam Speaker, let's not lose this opportunity to conserve water and to not be delayed again and again.

IN OPPOSITION TO H.R. 7

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE of New York. Madam Speaker, I rise in opposition to H.R. 7, the No Taxpayer Funding for Abortion Act.

I speak for my constituents of the Ninth Congressional District of New York and for women across the Nation when I say that H.R. 7 is not only dangerous, but it is misleading and would be detrimental to women's health everywhere.

This bill not only creates barriers for women who want to access abortion care, but it unfairly targets low-income women with there being a particularly disproportionate effect on women of color, who are more likely to live below the poverty level and become eligible for Medicaid. Additionally, it penalizes small businesses that want to provide comprehensive healthcare coverage to their employees, including reproductive health care.

Let's not punish the single mother who recently left her abusive husband and who has no money, no job, and no health insurance—except for Medicaid—in making her unable to receive the abortion care and services she desperately needs. Let's not punish the young woman who is suffering from cancer, whose life will be in danger if she cannot access an abortion.

This past weekend, millions of women and men across the country, including me, marched with one goal in mind: to let the world know that our rights must be respected and protected. A woman's right to an abortion should be a personal choice that she makes, not a decision that government makes for her.

SUPPORT FOR H.R. 7

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Madam Speaker, I ask my colleagues to support H.R. 7, the No Taxpayer Funding for Abortion Act.

H.R. 7 codifies policies that have been enacted for more than 30 years, on a case-by-case basis, that prohibit the Federal funding of abortion, including the Hyde amendment, which prohibits funding for elective abortion coverage through any program funded through the annual Labor, Health, and Human Services Appropriations Act; the Smith FEHBP amendment, which prohibits funding for health plans that include elective abortion coverage for Federal employees; the Dornan amendment, which prohibits the use of congressionally appropriated funds for abortion in the District of Columbia; and the restrictions on elective abortion funding through the Peace Corps and Federal prisons.

GLOBAL GAG RULE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, look at this picture. Where are the women?

Yesterday, the President signed an executive order affecting and restricting health care for millions of women across the world while no woman was present. Clearly, he did not hear the voices of the millions of women who marched for their rights and for their health care this past weekend. Reinstating the global gag rule will cut off funding for global healthcare organizations that offer reproductive health care for women from some of the poorest and neediest countries in the world.

I urge my colleagues to join me in opposing the global gag rule and any other assault on women's rights in America or around the world.

LA ROSA BLANCA'S 58TH ANNIVERSARY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, January 28 marks the 58th anniversary of the founding of La Rosa Blanca, or as it is known in English, The White Rose.

Founded by Rafael Diaz-Balart, The White Rose is an important organization that is dedicated to opposing Castro's Communist tyranny and to offering a blueprint for Cuba's future reconstruction. It promotes democracy and freedom and prepares for the day that

Cuba will finally be returned to the people of Cuba.

These ideas are embodied in The White Rose Institute, which is a non-profit that was started by Rafael's son, my dear friend and legislative brother, Lincoln Diaz-Balart. The White Rose Institute will honor two Cuban leaders who have come to embody Rafael's ideas: Jorge Luis Garcia Perez "Antunez" and Felicia Guillen Amador.

Bravely fighting the Castro dictatorship for even the most basic of human rights, Antunez, Felicia, and those like them are the real future of Cuba, which is a future without the Castros' dictatorship, without the brutal repression. It is a future as Rafael and The White Rose envisioned—of freedom, sacred freedom.

HOMEOWNERSHIP FOR THE WORKING AND MIDDLE CLASS

(Mr. KRISHNAMOORTHI asked and was given permission to address the House for 1 minute.)

Mr. KRISHNAMOORTHI. Mr. Speaker, for millions of Americans, homeownership stands as a source of personal and economic security and is a defining part of the middle class life.

Earlier this month, under President Obama, the Federal Housing Administration announced a plan to make mortgages more affordable for nearly 1 million working and middle class families who are buying their first homes. In his first hours in office, President Trump reversed President Obama's plan with an executive action that will cost Americans an average of \$500 more per year to get a mortgage. Experts project that 40,000 families who would have bought homes will no longer be able to do so.

The Trump administration's order to make mortgages more expensive will not strengthen our economy; it will not create jobs; it will not make America great again—but it will make life harder for working families.

NATIONAL SCHOOL CHOICE WEEK

(Mr. BIGGS asked and was given permission to address the House for 1 minute.)

Mr. BIGGS. Madam Speaker, I rise to celebrate National School Choice Week. Allowing parents to choose the best educational outcomes for their children gives every child a better chance to succeed and prepares students for their futures.

School choice has greatly benefited Arizona—from charter schools to vocational schools, to private school scholarships, to education savings accounts. I am grateful that my State is a national leader in diverse school choice programs.

Arizona's scholarship tax credit program gives taxpayers a dollar-for-dollar tax credit to enable low-income and

disabled children to attend private schools. In Arizona, more children per capita attend exemplary charter schools, and, indeed, they are some of the best charter schools in the country. We have significantly expanded the education savings account model so students can receive the best education possible that meets their unique needs, including those of tribal families who live in reservation communities.

Arizona recognizes that all children are unique, that they learn differently, and that each child should have the opportunity to attend the school that will help him learn to love learning and succeed. I hope other States will look at Arizona's example as they expand school choice. I am pleased President Trump has made school choice a priority by nominating Betsy DeVos to lead the Department of Education.

IN SUPPORT OF THE AFFORDABLE CARE ACT

(Mr. KEATING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KEATING. Madam Speaker, let me share with you and the Members an Affordable Care Act story from Gwyneth Packard, from my hometown of Bourne, Massachusetts. Gwyneth contacted me to tell me about her uncle, Wayne Dickason.

It was Thanksgiving 2015, and Wayne went to see his doctor because he was not feeling well. His doctor ran some tests. The next day, Wayne received an unnerving call asking him to come back in. Before he could make the next appointment, Wayne's insurance provider called his employer to inform the company that its rates would be going up because one of its employees had cancer. Wayne had been a computer technician at his company for 18 years. His boss knew he had not been feeling well, so it was not hard for him to figure out which employee was the cause since Wayne was the only one who was sick. At work the next day, Wayne's boss called him into the office and said he was laying him off because his company couldn't afford the new premium.

Thankfully, Wayne was able to purchase coverage through the insurance exchange. Wayne saw his doctor, got his official diagnosis, and began formulating a plan. Because he was able to purchase health care, even with his having preexisting conditions, Wayne got the lifesaving surgery he needed.

IN SUPPORT OF THE SECOND AMENDMENT

(Mr. DUNN asked and was given permission to address the House for 1 minute.)

Mr. DUNN. Madam Speaker, when I ran for Congress, I made a promise to hang my family's Revolutionary War

musket in my office as a steadfast reminder of the reason I am here in Washington: to support and defend the Constitution and to honor those who have fought for the Constitution and those who continue to fight for our freedom. We must never forget how precious our constitutional rights are, and the right to bear arms is one of the most important because that right ensures our ability to defend all of our rights.

As a veteran of the United States Army and as a life member of the NRA, I will fight in Congress to defend our right to bear arms. It is a special honor to represent the great people of the Second District of Florida and to fight for their conservative values in Congress.

□ 1230

STOP THE CRADLE-TO-GRAVE NEGLECT

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Madam Speaker, as the House begins consideration of H.R. 7, I rise in solidarity with the women of the world. I rise in outrage at yet another attempt to control our bodies and our access to quality care.

Madam Speaker, it is my body. It doesn't belong to this House. I alone bear the burden, pain, and joy that it brings. Please stop trying to regulate my reproductive organs. They belong to me.

Have you ever had a menstrual period? Have you ever felt the unbearable pain in every bone of your body during childbirth?

Madam Speaker, there are millions of mothers living in inadequate public housing and trailer parks, raising their children alone. And we are here to consider anti-choice bills that restrict access to women's care?

If the Republican House passes H.R. 7, will it support universal pre-K and Head Start? Will this House reform foster care and stop greasing the prison pipeline with unwanted children?

It seems to me that this Republican House cares about babies right up until the minute they are born into the world, and then they disappear and desert the children forever. It is time to stop the cradle-to-grave neglect.

How many more anti-choice bills do we need to put on the floor before we do what is important to build a society?

Madam Speaker, we need to give women and their families and their doctors the ability to make decisions for their bodies. Leave my body alone.

HONORING RUTH SAMUELSON

(Mr. BUDD asked and was given permission to address the House for 1 minute.)

Mr. BUDD. Madam Speaker, it is with a heavy heart that I stand here to share with you a few words about North Carolina's dear friend, Ruth Samuelson.

Ruth was only 57 when she went to glory yesterday morning. Her grace in the fight against cancer was a trait that was seen in her life as a wife of 35 years to Ken, as a mom, and as a public servant.

It was this strength rooted in her Christian faith that provided her with the grace to lead and to champion causes that she held dear. Although Ruth worked in the often divided world of politics, she garnered respect from all sides.

This week we will discuss an issue that was very dear to Ruth: the right to life. She fought hard for the lives of the unborn with heart and compassion that earned admiration from all.

Her grace and leadership will forever continue to inspire all she encountered.

I would like to end with a passage of significance to Ruth and her husband, Ken. It is from Matthew 6:33:

"But seek first the Kingdom of God and His righteousness, and all these things shall be added unto you."

We will miss you, Ruth, but we know that you have been added to the Kingdom of God.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. ROSLEHTINEN). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

A WOMAN'S RIGHT AND LIBERTY TO MAKE OWN HEALTH DECISIONS

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Madam Speaker, I rise today to speak against H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

We are here to represent all of our constituents, even the ones we don't agree with. It should be the woman alone who makes the decision, not Republicans, not Democrats, not the Trump administration, no one but the woman and her doctor.

I support choice so every woman in America could make the decision that is right for her, her family, her God, her health, and her reproduction.

Creating access issues and removing coverage does not stop abortions; it drives them underground. H.R. 7 essentially creates a disparity between poor women and rich women.

For women, children, foster youth, for the LGBT community, for the middle class, working class, poor people,

people of color, undocumented residents, and people who see health care as a right and not as a privilege for those who can afford it, they should have the right and liberty to make their own health decisions.

THE IMPORTANCE OF SCHOOL CHOICE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, this week marks National School Choice Week, an opportunity to recognize the importance of providing families choice in education.

As the husband of a retired schoolteacher and the grateful father of four sons and eight grandchildren, I know firsthand the benefit of school choice. We should strive for education that recognizes the individual needs of our students.

Last week, I was appreciative to visit schools to experience school choice at work. I visited a charter school, a public school, and a homeschool group. Thank you to Mark Brown, principal of Horse Creek Academy in Aiken; to Dr. Bill Coon, principal of Meadow Glen Middle School in Lexington; and Wendy Hoyle, the president of the Aiken Area Home Educators. You make a remarkable difference for students.

I believe that Education Secretary Betsy DeVos will make a very positive difference in the tradition of Education Superintendent Molly Spearman of South Carolina.

In conclusion, God bless our troops and we will never forget September the 11th in the global war on terrorism.

INFRINGING UPON WOMEN'S RIGHTS

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Madam Speaker, I rise today to express my opposition to H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

A woman's right to choose shouldn't depend on her location, income, or insurance. It is just 2 days since the 44th anniversary of *Roe v. Wade*, and Republicans are, once again, attacking women's health care.

This legislation would prevent Federal funds from being spent on health benefits that include abortion coverage, causing women and families who depend on ACA to lose their coverage.

A woman who can't afford an abortion and needs one should not be stripped of her constitutionally protected right to one because of her insurance.

We have to stand up and fight for our sister's right to choose and her right to

control her own body. It is not the Federal Government's business. It is personal. It is my business.

I will continue to challenge any attempt to infringe upon women's rights and strongly encourage my colleagues to join me in protecting that right.

PROVIDING FOR CONSIDERATION OF H.R. 7, NO TAXPAYER FUNDING FOR ABORTION AND ABORTION INSURANCE FULL DISCLOSURE ACT OF 2017

Ms. CHENEY. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 55 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 55

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7) to prohibit taxpayer funded abortions. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Wyoming is recognized for 1 hour.

Ms. CHENEY. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. CHENEY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Ms. CHENEY. Madam Speaker, I rise today in support of House Resolution 55, which provides a closed rule for consideration of H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act. This bipartisan bill will codify and make permanent what is commonly referred to as the Hyde amendment and expand Hyde amendment restrictions to all Federal agencies.

First offered in 1976, the Hyde amendment prevents taxpayer dollars from being used to fund abortions through government programs like Medicaid. These restrictions have been maintained for more than 40 years through the annual appropriations process, including the most recent continuing res-

olution passed last December. It is time that these important protections against the use of taxpayer funding to pay for abortion be made permanent.

A GAO report in 2014 found that, under ObamaCare, over 1,000 insurance plans covered elective abortion. Those plans are purchased with taxpayer subsidies. H.R. 7 would stop this and make ObamaCare conform to the Hyde amendment. If the Hyde amendment had been applied to ObamaCare, as President Obama promised it would be, the number of federally subsidized plans with elective abortion coverage would have been zero.

As we work to repeal and replace the deeply flawed ObamaCare, we need to ensure taxpayer subsidies are not used to pay for abortion coverage.

According to a Marist Poll conducted last July, 62 percent of respondents—a majority of the women asked—and including 45 percent of those who identify as pro-choice do not support taxpayer funding for abortions. H.R. 7 simply codifies and makes permanent a protection against the use of taxpayer funding for abortion that the majority of Americans and certainly a majority of my constituents in Wyoming support.

Therefore, I urge support for the rule to allow consideration of H.R. 7.

I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume. I thank the gentlewoman from Wyoming (Ms. CHENEY) for the customary 30 minutes.

Madam Speaker, I rise in opposition to yet another closed rule. Last night in the Rules Committee, there were three thoughtful amendments that were brought forward. They were all germane and all complied with the rules of the House. Yet, once again, the Republicans in the Rules Committee denied each and every one of them.

There is no opportunity for any amendments to be heard here today and no opportunity for there to be a real debate, and I regret that very much. Again, that is the trend that we see in this Congress.

Madam Speaker, I also oppose the underlying bill. I have a fundamental belief that politicians in Washington should not have the right to interfere in the health decisions of a woman; and this deceptively titled bill will do just that. It continues this Republican majority's never-ending crusade against women, and it is an attempt to take away the constitutionally protected right to abortion services for millions of women, especially middle class and low-income women. That is wrong.

Madam Speaker, these healthcare decisions should be made between women and their doctors, not politicians in Washington.

Who the hell are we in this Chamber to make these private and oftentimes painful decisions for women?

Republicans claim that this bill is about codifying the Hyde amendment, which has been around for four decades. That is 40 years too long, in my opinion. But this bill isn't really about the Hyde amendment. Despite what Republicans claim, this extreme and sweeping bill would go even further by placing unprecedented limits on women's access to reproductive health services even if they want to pay for abortion coverage out of their own pockets.

Placing restrictions on how women with private insurance can spend private dollars when purchasing health insurance would radically change our Nation's longstanding policy. It is deeply troubling and must not become law.

Madam Speaker, just days ago during the nationwide Women's March, millions of people gathered all across the country and around the globe to defend women's rights. These marches were likely the single largest day of protest in American history. More than half a million people took to the streets right here in our Nation's Capital; and I was proud to march with these dedicated men and women, along with my wife and my daughter. My son, I am also proud to say, joined the march in Boston.

The marches were peaceful. Not a single arrest was reported in Washington, D.C. And they were also clear, sending a message to each of us that women's rights are human rights.

But far from respecting those rights, the majority is here today attacking a woman's constitutional right to make her own decisions about her health, her family, and her future.

Despite this dangerous bill passing the Republican-controlled House in previous Congresses, it has traditionally died in the Senate; and I hope the Senate keeps with that tradition.

The ultimate goal of congressional Republicans and of Donald Trump is to overturn *Roe v. Wade*. Make no mistake about it. They want to take us back to the days of back-alley abortions where women lost their lives. That would be an awful thing to do.

I hope people who believe in upholding a woman's right to choose are watching this debate, and I hope that they are just as outraged as I am by this attempt to roll back women's healthcare rights. I hope they call their Representatives in Congress today to speak out. This is a time for action, and we need all of you to make your voices heard.

I reserve the balance of my time.

Ms. CHENEY. Madam Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Madam Speaker, our colleague on the other side of the aisle asked: Who the hell are we to be here speaking on this legislation and passing this legislation?

Well, Madam Speaker, we are the Representatives of the people of this country.

Madam Speaker, the most conservative estimates show that we have lost 54 million children to abortion since 1973. In a nation founded upon principles that recognize the dignity of every human life, we should not tolerate this extermination of innocent lives.

□ 1245

The majority of Americans recognize this tragedy for what it is, and there is consensus among them that they do not want their tax dollars paying for a practice they sincerely oppose, and we are their representatives.

Since 1976, the Hyde amendment has been included in relevant appropriations bills to prohibit Federal funding of abortions. Each year it has been consistently renewed and supported by congressional majorities and Presidents of both parties.

Estimates from the Congressional Budget Office indicate that the Hyde amendment has prevented hundreds of thousands of abortions each year. That means millions of Americans are alive today because of the Hyde amendment. After 40 years, it is time for this life-saving amendment to become permanent law.

H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act, makes the Hyde amendment and other current abortion funding prohibitions permanent and government-wide. This commonsense measure restores a longstanding agreement that protects the unborn and prevents taxpayers from being forced to finance thousands of elective abortions.

For these reasons, I urge my colleagues to vote to respect our Nation's consensus on abortion funding and affirm life by voting in favor of this rule and H.R. 7.

Mr. MCGOVERN. Madam Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Madam Speaker, a few days ago, I stood immersed in a sea of women, of men, and of children of all colors, creeds, and backgrounds; citizens who fiercely believe that the diversity of their opinions anchor, that they do not undermine, the values that we share, and that their personal activism and unique advocacy could be traced back to one collective, guiding principle—equality.

As hundreds of thousands of people swarmed this Capital, Boston Common, town greens from Wilton, New Hampshire, to Newport, Oregon, they sent a clear message to their government that when you treat any of us as less, you threaten all of us.

And that is what this bill does. It tells women across this country that their health can be compromised; that constitutionally guaranteed means something different to them than it does to men.

If this was a simple attempt to limit a woman's legal right to abortion or re-

productive health care, that would be bad enough. But it is more than that.

Combined with yesterday's reinstatement of the global gag rule, this bill crystallizes the fact that our new GOP-led government sees women's health care as expendable, both within and far beyond our borders.

Make no mistake, if my colleagues continue down this path, I know that there will be a few million men, women, and children willing to keep marching.

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

I would just note that our colleagues on the other side of the aisle have referred several times now to the massive turnout for the women's march here, and we, ourselves, will be having, I am sure, a very large turnout this week; as well as I would like to point out that that women's march excluded groups that were pro-life women's groups. And so the notion that somehow it was reflective of all women in this Nation is fundamentally misleading.

Madam Speaker, I yield 5 minutes of my time to the gentleman from New Jersey (Mr. SMITH), the cosponsor of this bill who has done tremendous work.

Mr. SMITH of New Jersey. Madam Speaker, I thank the distinguished gentlewoman for yielding, and I want to thank her for her leadership, for being one of the prime cosponsors of the bill, H.R. 7, along with Mrs. BLACK, Ms. FOXX, Mrs. WAGNER, Mrs. BLACKBURN, Mrs. NOEM, Mrs. HARTZLER, and all the others who have joined in as sponsors of this lifesaving legislation.

I would also like to thank Speaker RYAN, Majority Leader MCCARTHY, Whip SCALISE, and Conference Chair CATHY MCMORRIS RODGERS for their extraordinary leadership in defending the most innocent and the most vulnerable among us, unborn children, as well as providing protections for their mothers, and for bringing this legislation, H.R. 7, to the floor.

Forty years ago, Madam Speaker, Congress enacted the Hyde amendment, a law that continues to this day to proscribe Federal Medicaid funds from being used to subsidize abortion in most circumstances.

More than 20 peer-reviewed studies show that more than 2 million people are alive today, 2 million, because of the Hyde amendment. Two million people who would have been aborted, instead, survived because public funds were unavailable to effectuate their violent demise, while their mothers benefited from prenatal health care and support; 2 million survivors who have had the opportunity to live and to enjoy the most basic and the most elemental of all human rights, the right to life.

Madam Speaker, we are experiencing a megatrend in America, consistently

reflected in polling data, including the most recent polling data from the Marist Poll yesterday, that showed that 61 percent of Americans are against public funding for abortion, and most want, even those who identify as pro-choice, more restrictions to protect the innocent unborn.

People are seeing the truth of who abortion actually destroys, as today's proudly shared, first baby pictures are most often of ultrasound imaging photos depicting the amazing miracle of the developing child in the womb.

Growing numbers of Americans are often shocked to learn that the methods of abortion include dismemberment of a child's fragile body, including decapitation, and the severing of arms and legs, or the use of drugs like RU-486 that literally starve the child to death before forcibly expelling her or him from the safety of the womb.

Yet, the billion-dollar abortion industry continues to cleverly market the chief sophistry of choice, while going to extraordinary lengths to cover up, ignore, and trivialize the battered victim child in the womb.

Madam Speaker, pro-life Americans struggle for the day when abortion violence will be replaced by compassion and empathy for women and respect for the weak and most vulnerable among us, the child in the womb. They believe, as do my pro-life colleagues, that we ought to love them both, mother and child, and not fund the destruction of children through abortion.

Lawmakers also need to hear the courageous voices of women who are silent no more, a rapidly expanding number of women who share the agony and heartbreak that they have endured after procuring an abortion.

As I mentioned, yesterday there was a poll that came out, and, again, it found that 61 percent of Americans oppose taxpayer funding for abortion, and only 35 percent support it, which is precisely what we seek to accomplish with enactment of H.R. 7. It would make the Hyde amendment and other current abortion funding restrictions permanent and government-wide.

I would note, parenthetically, that soon after the Hyde amendment was enacted in 1976, other abortion funding riders were enacted into law, and Hyde itself was upheld by the Supreme Court in 1980.

In 1983, I authored the ban on funding abortion in the Federal Employees Health Benefits program. Most must be renewed legislatively each and every year. This legislation would make it permanent.

The legislation ensures that the Affordable Care Act, until repeal, conforms with the Hyde amendment.

I would remind my colleagues that just a few feet from where I stand, on September 9, 2009—and I have his speech right in front of me—the President of the United States said: "And

one more misunderstanding I want to clear up—under our plan, no Federal dollars will be used to fund abortions, and Federal conscience laws will remain in place."

Well, on the latter, the conscience laws remained in place, but they were just simply not enforced.

And of course we know now, as my good friend, Ms. CHENEY, mentioned, we know that, according to the GAO—because people kept saying in the early years, oh, there is no funding, public funding for abortion, so we asked GAO to look into it. They came back and said there is much—over 1,000 plans pay for abortion on demand.

Mr. MCGOVERN. Madam Speaker, I include in the RECORD an article that appeared in *The Washington Post*: "Does Obamacare provide federal subsidies for elective abortions?" It talks about the GAO report, and it basically says that those who claim that it does, they earn three Pinocchios.

[Jan. 26, 2017]

DOES OBAMACARE PROVIDE FEDERAL SUBSIDIES FOR ELECTIVE ABORTIONS?

(By Michelle Ye Hee Lee)

"The president's health-care law authorized massive subsidies to assist millions of Americans to purchase private health plans that will cover abortion on demand. In other words, hard-earned taxpayer dollars are now being used to pay for elective abortions. This is simply unacceptable."—Rep. Virginia Foxx (R-N.C.), House debate, Jan. 22, 2015

The argument that the Affordable Care Act, a.k.a. Obamacare, provides federal subsidies for abortions came up several times during the House debate on an antiabortion bill.

The bill would prohibit using federal funds for any abortions or for any health plans that cover abortions. Under Obamacare, federal funds can be used to cover abortions for pregnancies caused by rape or incest, or that endanger the mother's life. But no federal subsidies for premiums can be used for elective abortions. The House debate centered on whether this restriction is being enforced, and whether additional protection for taxpayers are needed.

There often is overheated rhetoric in the abortion debate that cannot be fact-checked. (The Fact Checker previously examined Democrats' claims following the Hobby Lobby ruling.)

The bill's opponents, who support abortion rights, say the system works and that the measure would unnecessarily restrict women's private insurance choices. Lawmakers who oppose abortion rights don't buy it; they say the system is just an accounting gimmick. The goal of this fact check is not to relitigate the debate but to examine evidence to support the above statement, which was repeated throughout the debate.

Foxx, one of the lawmakers arguing for the bill, was among several Republicans who claimed federal subsidies are paying for elective abortions. Does this accurately portray how abortions are covered under Obamacare?

THE FACTS

The House passed H.R. 7, No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2015, on the anniversary of the Supreme Court's 1973 *Roe v. Wade* decision. The bill was a watered-down measure that the House took up at the last

minute after GOP leaders pulled an initial, more restrictive bill.

Public funding for abortions is intricately structured. Under the Hyde Amendment, federal funds can't be used for elective abortions under Medicaid-funded plans. Some states do pay 100 percent of the cost of elective abortions without passing on any cost to the federal government.

Under Obamacare, health insurance plans could cover some or all elective abortions, but they can't use federal tax credits and subsidies to offset the cost. Insurance providers that cover elective abortions must charge consumers separately and deposit the money into a separate account that contains no federal money. Providers need to bill enrollees separately for elective abortions by itemizing them separately in monthly bills or sending separate bills.

States can pass laws to ban or restrict health plans from providing coverage for elective abortions. In 2014, 23 states restricted coverage for these procedures. There were 1,036 plans in 28 states that provided some or all coverage for elective abortions.

In a speech to Congress and a subsequent executive order, President Obama gave assurances that federal subsidies would not be used to cover elective abortion services. He ordered Health and Human Services and the Office of Management and Budget to issue a guideline for states so they can comply with billing and funding segregation requirements.

Obama's not keeping his promise, say supporters of H.R. 7. Staffers for Foxx and two of the other lawmakers who made similar claims—H.R. 7 sponsor Rep. Chris Smith (R-N.J.) and Rep. Ana Wagner (R-MO.)—pointed to a September 2014 Government Accountability Office report. At the request of GOP leaders, the GAO examined whether health plans were following the elective abortion billing requirements.

GAO picked 18 plans in 10 states with no laws restricting abortion coverage as a non-probability sample representing a quarter of all health plans that cover elective abortions. GAO found 17 of 18 issuers were not separately billing consumers. The one remaining issuer said its bills show there is a charge "for coverage of services for which member subsidies may not be used."

These issuers did not give blanket coverage for all abortions. One covered abortions that a health-care provider determines necessary, and two limited coverage to no more than one elective abortion a year. All 18 issuers had payment requirements such as co-pays, deductions and out-of-pocket costs.

The report did not examine whether the providers were illegally using federal subsidies to pay for elective abortion services. In response to the report, HHS released a new set of regulations to clarify billing and funding segregation requirements.

Experts say the GAO's findings do not necessarily mean insurance providers are inappropriately using federal subsidies to cover abortion services. There is no government or industry agency tracking insurers' compliance, making it impossible to know whether providers are following the law, they said.

"It's really not clear how these different plans are being operationalized," said Alina Salganicoff, Kaiser Family Foundation's director of women's health policy.

The GAO report found premium amounts collected from elective abortion services ranged from 51 cents to \$1.46 per enrollee per month. To put this in context, the national average premium for a 40-year-old person purchasing coverage through the marketplace was between \$224 to \$270 per month, according to the Kaiser Family Foundation.

(An earlier, non-age-specific average monthly estimate was \$241.) Even if the maximum charge (\$1.46) was added to the cheapest health plan (\$224), the elective abortion surcharge is less than 1 percent of the monthly bill.

The key point made by lawmakers and advocacy groups who oppose abortion rights is that money is fungible, and that it doesn't matter exactly how the money is being collected. A dollar is a dollar, they say, and every dollar paid to an insurance provider in the marketplace ultimately goes into collective risk pools that are used to rim government-subsidized health insurance, so taxpayers are effectively paying for elective abortions.

"The point is the federal subsidies provided for those 1,036 plans are funding abortion just as much as the private funds contributed by the individual. That is consistent with the commonly held understanding that money is fungible and the funds received by the insurance company are used to pay all benefits," Sheridan Watson, Foxx's communications director, wrote to The Fact Checker.

THE PINOCCHIO TEST

The GAO's report found that the insurers it studied were not following billing requirements. But experts say that does not necessarily mean the providers were illegally using federal subsidies for abortions. Even if they were, Foxx's statement that Obamacare authorized "massive" subsidies is an exaggeration. Based on the estimates above, abortion charges would range from 0.2 percent to 0.65 percent of an enrollee's monthly bill.

The claim that "hard-earned taxpayer dollars" are paying for abortions "on demand" implies that taxpayers foot the abortion bill for any woman who requests one. But in reality, some providers still imposed their own restrictions on which abortions to cover, and all 18 issuers had payment requirements, such as out-of-pocket costs and co-pays.

Lawmakers like Foxx who oppose abortion rights discredit the billing and funding separation requirement for elective abortion services. Billing doesn't matter, they say, because federal tax dollars used for subsidies pay for everything in a health plan. This is an opinion, and something that can't be fact-checked. But to say that massive federal subsidies are paying for abortions on demand is not an accurate portrayal of this complex issue, and the facts in the GAO report do not support this argument.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Madam Speaker, I rise today in strong opposition to H.R. 7.

On Saturday, I joined millions of women, men, and children who took to the streets and raised their voices in defense of equality. We marched because women's rights are truly human rights. We marched because women should be able to make their own choices about their own bodies. We marched because everyone deserves health care, not just the privileged few.

And yet, here we find ourselves voting on another Republican attempt to cut off reproductive health care from the people who need it the most. H.R. 7 would be devastating for all women, but would disproportionately impact low-income families, women of color, immigrants, and young people.

But we were reminded this weekend that, as women, our destinies are tied together, and we will not be silent as Republicans attempt to interfere with a woman's constitutional right to choose. Women are watching.

Ms. CHENEY. Madam Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Madam Speaker, I rise today in strong support of the rule to provide consideration of H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act. This bill is, quite literally, the least we can do for American taxpayers and our voiceless unborn.

Frankly, the fact that we are even here discussing this, and that there is opposition to this bill at all, really does break my heart, and it speaks to the depths of the entanglement with the big abortion industry that exist in some corners of this Chamber. Because, at the end of the day, you know what this bill really is about? The right to choose.

We hear our friends across the aisle use the phrase a lot. But what about the other right to choose, the right of the taxpayer to choose not to pay for the practice that violates everything that they believe? That is what we are here to protect.

The American people support this policy, with 6 in 10 surveyed saying that taxpayer dollars should not be used to fund abortions. And these are both pro-life and pro-choice.

So today, Madam Speaker, I am asking my colleagues across the aisle to honor the will of their constituents. I am asking them to remember the good old Democratic rallying cry of safe, legal, and rare abortion. Obviously, abortion is not rare today when over 330,000 abortions are performed in 1 year.

If my colleagues still believe these words, they will join us in supporting this modest solution to keep unsuspecting taxpayers off of the hook for this practice. And if they can't vote for this bill then there is truly not a single limit on abortion that they will accept, and that is a sad commentary on the state of politics.

I urge a "yes" vote on the rule.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Let me just clarify for the RECORD that there is no Federal funding for abortion. All you have to do is read the Hyde amendment, which has been in effect for 40 years. I don't support it, but that is the law of the land.

The majority of Americans believe abortion should be legal. So if you want to talk about polls, the overwhelming number of Americans believe that abortions should be safe and legal.

I also would like to say that while my colleagues are working overtime to try to defund organizations like

Planned Parenthood, it is because of Planned Parenthood, the counseling that is provided, and the reproductive services that are provided at their clinics, and contraception, that the number of abortions have decreased in this country.

Madam Speaker, I am going to ask my colleagues to defeat the previous question. And if we do, I am going to offer an amendment to the rule to bring up legislation, which I am happy to be a cosponsor of, along with Ms. ESHOO, that would require sitting Presidents and Presidential nominees to disclose their last 3 years of tax returns.

□ 1300

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

The gentleman may continue.

Mr. MCGOVERN. Despite the long tradition of Presidents and Presidential nominees of disclosing their tax returns, Donald Trump has refused to release his, and his spokesperson recently said that he has no intention of doing so. The American people expect and deserve transparency, which this legislation would ensure.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Madam Speaker, between his refusal to release his tax returns and all these business conflicts of interest, this Presidency is on a collision course with corruption.

Madam Speaker, I urge all my colleagues to support our effort here.

To discuss our proposal, I yield 2 minutes to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Madam Speaker, I thank our wonderful colleague from Massachusetts (Mr. MCGOVERN) for yielding to me.

Madam Speaker, I rise in opposition to the rule and the underlying legislation, and I urge my colleagues to defeat the previous question so that this bill that I have authored, the Presidential Tax Transparency Act, can be made in order for immediate floor debate and a vote.

Now, the Presidential Tax Transparency Act would require the President and future Presidential nominees of both parties to disclose their tax returns. Many Americans took for granted that this was covered by law, but

what we have had is a decades-long tradition of voluntary disclosure by both Republican and Democratic nominees for the Presidency.

For the first time since the immediate post-Watergate era, candidate Trump and now President Trump has refused to release his tax returns to the public. Those who seek or hold the most powerful office in the world should be held to the highest standard of transparency to ensure the best interests of the American people are met.

Tax returns provide an important baseline disclosure because they contain highly instructive information, including whether the candidate paid any taxes, what they own, what they have borrowed and from whom, whether they have made charitable donations, and whether they have taken advantage of tax loopholes or offshore tax shelters.

The President and his spokesperson have both recently said that he will not release his tax returns because the American people “don’t care.” I beg to differ. The top petition on the Web site of the White House calls for the release of the President’s tax returns with over 300,000 signatures already on it. A Washington Post-ABC News poll released last week found that 74 percent of the American people, including 53 percent of whom are Republicans, believe the President should release his tax returns. We want a President free of conflicts of interest.

For all of these reasons, I urge my colleagues to reject the previous question and to vote for the Presidential Tax Transparency Act.

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is no surprise that our colleagues on the other side of the aisle would rather talk about just about anything besides the text and the substance of the rule and the bill that we are about to consider.

The transparency that is important to this debate and that is relevant for this discussion today is transparency that is in the rule and in this bill that would require that insurance companies make sure that people understand what they are purchasing and whether or not they are purchasing a plan that will, in fact, provide abortion coverage.

I also just want to note that although there may be some in this Chamber who view The Washington Post Fact Checker as the oracle and font of all wisdom, he got this one wrong, as he has in many cases, and, in fact, failed to understand that there are, as we meet here today, monthly advanced payments of U.S. taxpayer funding going to insurance companies or to exchanges to pay for health insurance plans that subsidize abortion on demand.

Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Madam Speaker, I thank my friend from Wyoming.

Madam Speaker, regardless of attempts from the other side to distract and derail what we are discussing, the vote today is on the permanent application of the Hyde amendment, which would ban taxpayer dollars from being used for abortion.

The truth is that taxpayers get up and go to work every day. They work by the sweat of their brow. The majority of them find the practice of abortion to be a serious violation of their personal beliefs. Under that situation and scenario, it is unconscionable that this body would even consider taking the money of those hardworking taxpayers and using their money to fund abortion.

The Hyde amendment has traditionally maintained bipartisan support. It has been signed into law by both Democratic and Republican Presidents since 1976. In addition to that, the Supreme Court has upheld the law, doing so in 1980, ruling that, regardless of the freedom recognized in *Roe v. Wade* to terminate a pregnancy, there is not a constitutional entitlement to use taxpayer money to finance such an act.

The Hyde amendment has saved the lives of roughly 300,000 unborn children annually. It is bipartisan, it has been upheld by the Supreme Court, and it protects taxpayers who have a conscientious objection. So I strongly encourage my colleagues on both sides of the aisle to support H.R. 7 when it comes before the full House for a vote today.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I just would like to assure my colleague from Wyoming that we are not trying to distract when we bring up the issue of the President’s tax returns, but we have no opportunity here to be heard. The bill before us, as I mentioned in my opening statement, is a closed rule. It is a Putin rule, if you will, where it is their way or the highway and where no debate is allowed on alternative ideas. We had three thoughtful amendments brought before the Rules Committee last night, all germane, all in compliance with the House rules. They rejected all three of them.

On the issue of the Presidential tax returns, yes, we are bringing it up because the American people want to know whether there are conflicts of interest. They don’t want the White House to be known for being a place of corruption. They want our Presidents to follow the rules and the laws of the land. So people want to know, but we have been given no opportunity to do that.

So forgive me if we take procedural motions to try to make our point, but my colleagues on the Republican side

lock us out of any opportunity to be heard. The Rules Committee has become a place where democracy goes to die, I am sad to say, and I hope that changes.

Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Madam Speaker, I thank my friend for yielding.

Madam Speaker, like many of us this past Saturday, I marched in Washington with millions of women across the country claiming their human rights and claiming their basic individuals rights. Madam Speaker, the previous speaker on the other side made mention of the fact that the Hyde amendment is the law of the land and that it has been upheld by the United States Supreme Court. We know. We get it. That is not what this is about.

This is about going well beyond that and actually limiting what women can do and what individuals can do with their own money when acquiring health care that includes the reproductive health services that are the subject of this debate.

How many times do we have to come to the floor to make the point that choices about women’s health care should be made between a woman and her doctor, not somebody in Washington dictating to women what they can do with their own money and with their own bodies?

Do you know what else is the law of the land? Do you know what else has been upheld by the Supreme Court almost a half a century ago?

That fundamental right that women have over the determinations they make for themselves about their own bodies. That has been upheld by the United States Supreme Court as well.

Ms. CHENEY. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Madam Speaker, I thank the gentlewoman from Wyoming.

Madam Speaker, for the past 30 years, through the Hyde amendment, the U.S. Congress has acted to prevent taxpayer money from being used to pay for abortions. The bipartisan Hyde amendment has been an annual rider on appropriations bills, but ObamaCare bypassed this abortion funding prohibition leading to the largest expansion of taxpayer funding of abortion in American history since *Roe v. Wade*.

That is why we desperately need to pass H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act to permanently codify the Hyde amendment and apply it across the entire Federal Government. This bill will also ensure that the prohibition is not subject to annual threats and it will close the massive loophole that was created by ObamaCare.

Since 1976, the Hyde amendment has saved the lives of over 2 million babies—roughly the same number of people who live in the city of Houston,

Texas, where I serve as a U.S. Representative. For the sake of these 2 million people and the millions more that will be saved, we must permanently codify the Hyde amendment's pro-life protections.

Furthermore, as ObamaCare presented the largest expansion of abortions since the Roe v. Wade Supreme Court case, we must ensure that the Hyde amendment covers all areas of the Federal Government. This will ensure that taxpayer dollars are no longer used to subsidize abortions.

H.R. 7 is a critical piece of legislation that is supported by nearly two-thirds of the American people who do not want the government to be in the business of killing unborn babies. Congress must act to preserve the Hyde amendment for posterity and to put an immediate end to the ongoing harm being done with taxpayers' money.

I strongly encourage my colleagues to vote for the passage of this much-needed bill to end taxpayer funding of abortion once and for all.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. SÁNCHEZ), who is the vice chairwoman of the Democratic Caucus.

Ms. SÁNCHEZ. Madam Speaker, I rise today in opposition to H.R. 7, the misnamed No Taxpayer Funding for Abortion Act.

Just 2 days ago, our Nation celebrated the 44th anniversary of Roe v. Wade, affirming that a woman has a constitutional right to make the decision of what is best for herself and her family. However, Republicans have been relentless in their pursuit to deny women this constitutional right, and H.R. 7 is just another reckless example.

H.R. 7 will have devastating consequences on every single woman in America. The bill would deny women, families, and small businesses tax credits if they elect an insurance plan that covers abortions. The IRS would be inserted into one of the most important and private decisions a woman can make and one that should be solely between her and her doctor. That is the most egregious and offensive example of government overreach that I can think of.

Madam Speaker, women are responsible. Women are smart. Women know what is best for them, and women can make their own choices. Allow them to do that and vote against H.R. 7.

Ms. CHENEY. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Madam Speaker, I thank the gentlewoman from Wyoming. I am so grateful to be here to talk on this important subject.

Madam Speaker, Thomas Jefferson once said: "The care of human life and happiness, and not their destruction, is the first and only object of good government."

It is with Jefferson's words in mind that I rise today as an original cosponsor in support of the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

This legislation sustains Mr. Jefferson's vision of good government. It makes permanent the Hyde amendment restricting Federal funding for abortions and thereby ensuring the care of human life and not its destruction. Most Americans oppose the use of their tax dollars to pay for abortions.

Since 1976, the Hyde amendment has saved nearly 2 million unborn children and continues to save more than 60,000 lives in the United States every year. Americans also deserve to know—before they purchase it—if their healthcare plans cover elective abortion.

H.R. 7 addresses the abortion secrecy clause in the Affordable Care Act. It requires qualified plans to disclose to enrollees at the time of enrollment whether a plan covers abortion. Americans should never be forced to pay for someone's abortion. This legislation will restore the status quo on government funding for elective abortions and make this policy permanent and consistent across the Federal Government.

I commend Congressman SMITH and Congressman LIPINSKI for their bipartisan cooperation in introducing this bill, and I am pleased to support it.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Madam Speaker, let me tell you about Chelsea, a mother of two young children, who was on Medicaid when she was diagnosed with cervical cancer. She never missed her birth control pills, but when she went to the clinic for treatment, she was told that she was pregnant and could not get the surgery she needed because of the pregnancy.

□ 1315

Why is that? Because of the Hyde rule, Medicaid would not cover the abortion care that she needed, and her cancer treatment was delayed, obviously compromising her health.

Instead of discussing ways to make Chelsea's situation better, we are considering a bill that would make the ban on abortion care services under Medicaid permanent.

This is not about women asking for free, federally funded abortions. This is about women like Chelsea being able to receive the medical care they desperately need.

We saw this weekend millions of women took to the streets throughout our country in a historic movement. So let's show them that we are listening by rejecting this bill that makes bad policy permanent.

Madam Speaker, let's leave a woman's medical decision between her and her doctor and reject this far-reaching bill.

Ms. CHENEY. Madam Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Madam Speaker, I am just heart sick today to hear some of my colleagues talking about how they were celebrating the 44th anniversary of Roe v. Wade. That is 60 million babies—little girls, little boys—who have been aborted and no longer have a chance to live. We could have had perhaps a cure for cancer or Alzheimer's. Who knows what the potential of those 60 million lives could have been.

So it is hard to hear my colleagues talk about a celebration of that and using the terminology that this bill deals with abortion care. Abortion isn't care and abortion isn't services. It is taking a life.

This bill does nothing to change Roe v. Wade, although I wish it could, but it simply says that taxpayers do not have to participate in it. The taxpayers all across this country who believe that every life is precious work hard and send in their money every April 15. They entrust it to us, their elected officials. We have national security issues, we have roads, we have education. They don't want to see it go to something like taking a life through abortion.

So this is what we are doing today, simply making permanent a policy that we have had to put in as an amendment to appropriations every year and fight for. This is just making sure that, here in Washington, in America, the taxpayers invest in women's health care and are not investing in abortion.

We should be about saving lives, not taking them. That is what this bill does. I urge my colleagues to support it.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Madam Speaker, I rise in opposition to the rule and the underlying bill, H.R. 7, a dangerous attack on the right of women to make their own decisions about their health and their bodies.

On Saturday, I, too, joined the peaceful march in our Nation's Capital with hundreds of thousands of women and men. Millions more marched in Oregon, across the country, and around the world to demand that our voices be heard.

This legislation, one of the majority's first priorities under the Trump administration, won't create jobs. It will create barriers to reproductive health care for countless women. It will disproportionately affect low-income women, young women, women of color, women in rural communities, and immigrant women. This bill turns back the clock. It puts women's lives at risk.

Restricting abortion does not make it go away. It makes it unsafe. This bill will drive women back to back alleys.

I urge a “no” vote on the rule and on H.R. 7.

Ms. CHENEY. Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Madam Speaker, 44 years ago, the Supreme Court made an important decision. It said that women have a constitutional right to make decisions about their own health care and their own bodies, not the government.

It was just a few days ago that millions of American women marched all across the United States, reaffirming their opposition to efforts to take away their rights. That is what this bill would do.

There has been a lot of discussion about taxpayers funding abortion. That is not currently the law, not only in the Hyde amendment, but the Affordable Care Act requires women who wish to have this coverage to pay for it themselves.

We have heard a lot about alternative facts recently, but the fact is there is no taxpayer money for abortion in the United States—there hasn’t ever been for many years—and that was also the accommodation that the Supreme Court made.

Let’s make sure that the constitutional rights of women to control their own bodies is not attacked.

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I just want to make a point in terms of my colleagues on the other side of the aisle and the constant reference to women, women, women, as though all women believe what they believe.

They have very strongly held views on the other side of the aisle, but the notion that somehow all women can be categorized as being pro-abortion is just simply wrong and, frankly, offensive to those of us who have different views.

Madam Speaker, I would like to say, at this point in time, that we are not making any kind of a dangerous attack on women’s rights.

My colleagues have accused us of being relentless. We are relentless. We are relentless, Madam Speaker. We are relentless in defense of the unborn, the most vulnerable among us.

Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Madam Speaker, I rise to support this rule and the underlying bill, H.R. 7.

For decades, Congress has annually passed the Hyde amendment, which has prevented any government program from funding or subsidizing elective abortion. The Hyde amendment has saved over 2 million unborn children since 1976, including 100,000 lives in Pennsylvania.

For decades, this annual restriction on taxpayer funding of abortion has been referred to as the Hyde amendment because it was the late Congressman Henry Hyde from Illinois who sought to protect as many unborn children as he could during his service in Congress. Recollecting his own work, Congressman Hyde offered this poignant reflection:

“When the time comes as it surely will, when we face that awesome moment, the final judgment, I’ve often thought, as Fulton Sheen wrote, that it is a terrible moment of loneliness. You have no advocates, you are there alone standing before God—and a terror will rip through your soul like nothing you can imagine. But I really think that those in the pro-life movement will not be alone. I think there will be a chorus of voices that have never been heard in this world but are heard beautifully and clearly in the next world—and they will plead for everyone who has been in this movement. They will say to God, ‘Spare him because he loved us’”

Henry Hyde is not forgotten, and this work goes on.

Despite former-President Obama’s promise that no abortion would be covered by his healthcare law, the Affordable Care Act authorized and appropriated funds for healthcare plans with abortion coverage. This must stop.

We must remember, abortion is not health care, and in no way should the government fund or subsidize the violent destruction of unborn children.

It is the overwhelming opinion of Americans, including those who identify as pro-choice, that taxpayer dollars should not be used for abortion. This legislation is absolutely essential to apply the principles of the Hyde amendment consistently across the Federal Government.

As hundreds of thousands march this Friday on the 44th anniversary of *Roe v. Wade*, a decision Justice White referred to as an exercise in raw judicial power, I urge my colleagues to support this rule and the underlying bill.

Mr. MCGOVERN. Madam Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I thank my good friend from the great State of Massachusetts for his extraordinary leadership on this issue and so many others and for standing up for women. The right to speak is a very special one.

Madam Speaker, the right to choose is meaningless without the access to choose. That is what this bill is about. It is cutting off access to choice. That is why the anti-choice movement is so strongly behind this bill.

H.R. 7 is a cynical attempt to use the Federal Government’s power of the purse to restrict a woman’s access to her constitutionally protected right to an abortion.

I oppose the Hyde amendment and believe that we should be increasing access to comprehensive health care, not reducing it. But this bill makes the Hyde amendment permanent. It goes further. It prohibits the Affordable Care Act tax credits for individuals and employers who choose plans that cover abortion.

H.R. 7 would restrict abortion coverage or make such coverage too burdensome or expensive for many Americans to afford. It is a step back towards a dark and ugly time when anti-abortion laws took a substantial toll on women’s health and, in many cases, cost them their very lives.

I urge my colleagues to join me in voting “no” on this rule and the underlying bill.

Ms. CHENEY. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Speaker, I will just remind Members that, in order to gain votes of several pro-life Democrats needed for passage of the Affordable Care Act, President Obama issued an executive order on March 24, 2010, and it said:

The Affordable Care Act maintains current Hyde restrictions governing abortion policy and extends those restrictions to newly created health insurance exchanges.

The problem is, it never happened. There were people who are saying even today that there is no taxpayer funding for abortion. Yes, there is. We finally went to the GAO. We asked them to do a study, an audit. They spent a full year on it and confirmed that the plans that we were subsidizing with taxpayer dollars covered abortion.

I remind my colleagues that, under the Hyde amendment, plans that pay for abortion are precluded from receiving government funding. 1,036 Affordable Care Act exchange plans were found to have abortion on demand being paid for by the taxpayers.

So if the Hyde amendment had been applied as former President Obama had said it would, there would have been zero coverage for abortion, except in cases of rape, incest, and life of the mother.

Mr. MCGOVERN. Madam Speaker I yield 1½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I thank my good friend for yielding.

I stand here in a unique position; first, to oppose this sweeping attack on women’s reproductive health in its entirety, but I also am compelled to discuss the unique provision that singles out the District of Columbia, permanently barring the District of Columbia from spending its own local funds—not a cent of it raised in this Congress—on abortion services for low-income women, thus uniquely denying the District of Columbia government the right that local and State governments exercise throughout the United States using their own local funds.

Madam Speaker, H.R. 7 goes further. It insults the District of Columbia.

Just to make sure everybody understands that the bill means to include the District of Columbia, it tortuously defines or redefines the term "Federal Government" to include a local jurisdiction, the "District of Columbia government."

The District of Columbia government is thrown in with the Federal Government. We are talking about U.S. citizens, the people I represent, who are number one per capita in taxes raised to support the government of the United States of America.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. Madam Speaker, I yield the gentlewoman an additional 1 minute.

Ms. NORTON. This bill, of course, is annual, and it is less inclined to become law than to be part of the annual upcoming march.

We do not intend, Madam Speaker, to let our colleagues get away with not supporting democracy, including the right of local governments to spend their own local funds on choice. Everywhere on Earth you can support such a right, except for the 700,000 people who live in your own Nation's Capital.

□ 1330

Ms. CHENEY. Madam Speaker, under the Constitution, all funds for the District of Columbia are appropriated by the United States Congress, so we in the Congress bear a particular and additional responsibility for funds in the District of Columbia.

I would also note, Madam Speaker, that there are no limitations in the District of Columbia on when an abortion can be performed; and therefore, if we were to lift this amendment, if we were not to have this rule in place, you could potentially have the U.S. taxpayers in a situation where they were being forced to fund even late-term abortions in the District of Columbia, which is fundamentally against the Hyde amendment, fundamentally against everything that we have supported and against the majority of the people in this Nation.

Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SESSIONS), the chairman of the Committee on Rules.

Mr. SESSIONS. Madam Speaker, I want to thank the gentlewoman from Wyoming not only for being on the Committee on Rules, but also today for handling her first rule. Welcome to Congress and welcome to the Committee on Rules.

Madam Speaker, the bill that we have before us today is an extension of, really, a bipartisan agreement that we have had for 30-plus years: that we should not have abortions that are paid for by the taxpayer. The bottom line is that this is a very difficult issue, no

matter which side you might be on; but I believe that the right thing to do is to say that, based upon the morality and, really, the right thing, that the Federal Government, the taxpayers, should not be engaged in paying for abortions, killing of babies in this country.

We believe it is morally wrong, and all we are simply doing today is standing up and saying we are going to extend the same privileges that we have had on a bipartisan basis for 30-plus years not only with the Hyde amendment, but placing that across all pieces, parts of appropriations and bills and things that we do here in Congress. This has absolutely nothing to do with taking away a woman's right to choose. It has nothing to do with dealing with the Supreme Court. It has everything to do with using taxpayer dollars.

Yesterday we had a very appropriate and a very timely conversation at the Committee on Rules, and I think both sides handled their arguments and their agreements and disagreements well. It is my hope that we do this here today.

But let me say this, that the gentleman from New Jersey (Mr. SMITH) came up as an advocate for women, as an advocate for women who are engaged in the scurrilous trading of women and misconduct with women. I think he was seen for what he is. He is a strong advocate for life and for women who need to feel safe in this country. He stood up yesterday as an advocate for saying we should not use taxpayer money to pay for abortions, and that is really what this bill is.

I thank the gentlewoman from Wyoming for allowing me to be here.

Mr. MCGOVERN. Madam Speaker, the distinguished gentleman from Texas, the chairman of the Committee on Rules, says this bill has nothing to do with taking away a woman's right to choose. I would beg to differ. I think it has everything to do with taking away a woman's right to choose.

But this is the rule. I was hoping that maybe he would address the fact that, again, three thoughtful amendments were brought before the Committee on Rules yesterday by Democrats. They were all germane. They all comply with the House rules. I was hoping he would explain why they were all denied, especially since the bill before us didn't go through regular order; it didn't go through a committee process to be brought to the floor. This was just kind of plopped into the Committee on Rules, and no amendments were made in order. That is not the way a deliberative body should be run. There are disagreements on this issue, but don't be afraid of allowing opposing viewpoints to be heard on this House floor. But apparently he didn't want to talk about that.

Madam Speaker, I yield 1½ minutes to the gentleman from California (Mr. PANETTA).

Mr. PANETTA. Madam Speaker, I rise today in opposition to H.R. 7, a bill which brings permanency to the Hyde amendment, a bill which attempts to take away low-income women's reproductive rights. Therefore, I submit to you that it is a bill more about divisive politics than decent policy.

This past Saturday, I joined hundreds of my constituents on The National Mall. We demonstrated our support for reproductive rights and for women's health care across our Nation.

In my district, on the central coast of California, we have an organization that administers those types of essential services. Mar Monte Planned Parenthood provides over 60,000 preventive, reproductive, and wellness healthcare visits each year, and for some that is the only health care they can get or they can afford.

Madam Speaker, the Hyde amendment isn't going anywhere, whether we like it or not. So I submit to you that it is these types of bills that do nothing to bring Congress together and everything to drive us apart because it is bills like H.R. 7 that can harm the most vulnerable in my community and across our Nation. That is why I respectfully ask my colleagues to oppose H.R. 7.

Ms. CHENEY. Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. GOTTHEIMER).

Mr. GOTTHEIMER. Madam Speaker, I rise today in opposition to the rule and the underlying bill, H.R. 7. Forty-four years ago this week, before I was even born, the Supreme Court recognized that the government has no business coming between a woman and her doctor when it comes to making personal medical decisions. Yet now, decades later, many in Washington seem determined to turn back the clock on progress on women's health and women's rights.

The new administration recently instituted a rule that would limit the ability of women around the world to access accurate information about their bodies and make their own medical decisions. And now the House is considering a radical bill that would not only undermine a woman's right to make her own healthcare decisions, but also her ability to even choose her own health insurance plan. On top of that, the bill would actually raise taxes on small businesses who provide their employees with access to comprehensive health coverage and impose unfair burdens on the women of the United States military. These are the facts.

I will always fight back against efforts to limit choice in women's health, and that is why I strongly oppose this bill. This past weekend we saw millions

of women around the country and around the world, including hundreds in my own hometown of Wyckoff, New Jersey, where I was, rally against these backward and dangerous policies.

I urge my colleagues to turn their focus from rolling back women's rights to actually focusing on getting things done for the people of this country—creating jobs and lowering taxes.

Ms. CHENEY. Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, may I ask the gentlewoman from Wyoming if she has additional speakers.

Ms. CHENEY. Madam Speaker, I am prepared to close.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I include in the RECORD a letter from 23 faith-based organizations and communities urging Members to reject H.R. 7; a letter from the American Civil Liberties Union urging Members to vote “no” on H.R. 7; a letter from 44 women's health, religious, and other advocacy organizations strongly opposed to H.R. 7; and a letter from the American Association of University Women urging Members to oppose H.R. 7.

HOUSE OF REPRESENTATIVES,
Washington, DC, January 28, 2014.

DEAR REPRESENTATIVE: As leaders of faith-based organizations and communities, we urge you to reject H.R. 7, a bill introduced as the so-called “No Taxpayer Funding for Abortion Act,” which would harm a woman's health, economic security, and religious liberty by making coverage of abortion inaccessible in both public and private health plans. Enclosed is a statement of shared principles that compel us, together with 20 of our partner organizations from the faith community, to speak out against legislation like H.R. 7, which seeks to impose a narrowly-defined view of one religious viewpoint on every citizen, threatening the freedom of religion afforded to every individual by the U.S. Constitution.

H.R. 7 is sponsored in the House by Rep. Chris Smith (NJ-4). This bill would raise taxes on women and families, as well as small businesses, who access or offer abortion coverage as part of a comprehensive insurance plan. It would do so by denying women and families a premium assistance tax credit if they choose a plan in the health insurance marketplace that includes abortion, a proposal soundly rejected by Congress in the 2010 health reform debate. This bill would also deny small employers a Small Business Tax Credit for offering their workers comprehensive coverage that includes abortion. Further, as amended in committee, this bill would withhold abortion coverage from women enrolled in a multistate, private insurance plan. Taken together, these provisions would jeopardize coverage of abortion in the full private insurance market, risking coverage that many women and families have today; more than 80 percent of private health plans currently cover abortion care.

Also among its provisions, H.R. 7 would make permanent dangerous restrictions that withhold abortion coverage from women who access coverage or care through federal programs, such as women enrolled in Medicaid, federal employees, Native American women,

and others. It would also permanently withhold abortion coverage from low-income women living in the District of Columbia, a federal ban that goes against the wishes of DC elected officials and voters. These provisions would disproportionately harm women struggling to make ends meet, risking their economic security, health and well-being, and ability to make personal decisions in accordance with their own conscience and religious or moral beliefs.

Please see the enclosed statement outlining shared principles of faith that compel us and our partners to speak out against this harmful proposal. As communities and organizations that represent diverse constituencies of faith, we stand united in opposition to H.R. 7 given the danger it poses to women and their families by jeopardizing affordable and accessible insurance coverage of abortion.

We urge you to reject H.R. 7 when it reaches the House floor for a vote.

Sincerely,

NANCY KAUFMAN,
CEO, National Council
of Jewish Women.

REV. HARRY KNOX,
President and CEO,
Religious Coalition
for Reproductive
Choice.

JON O'BRIEN,
President, Catholics
for Choice.

INTERFAITH STATEMENT OPPOSING RESTRICTIONS ON WOMEN'S HEALTH CARE OPTIONS

The undersigned religious, religiously affiliated, and faith-centered organizations and communities represent millions of people of faith committed to women's health and reproductive choices. We are deeply troubled by legislative efforts designed to restrict women's access to comprehensive reproductive health care options, including abortion, contraception, HIV/STD testing, cancer screenings, and other essential health services.

We recognize that issues surrounding women's reproductive choices—and those regarding abortion in particular—are complex. Although we come from diverse faith traditions, we all agree that proposals aimed at restricting access to reproductive healthcare would have devastating consequences for women and their families, particularly low-income women. We call on Congress and the President to reject these intolerable measures.

As people of faith, the following common principles compel us to speak out together against these proposals:

Striving for social justice and equal rights to health care: All too often, legislation is proposed that would create significant barriers to women's access to reproductive health options and make it harder for women to make their own reproductive choices based on their individual beliefs and consciences. We are especially concerned about efforts to de-fund the Title X Family Planning program and those organizations, such as Planned Parenthood, that serve as a key part of our social safety net. Title X health centers and clinics are on the public health front lines, serving low-income individuals and other vulnerable populations. These centers help men and women of limited means prevent unintended pregnancies; they promote prevention of, and treatment for HIV and other STDs; they offer life-saving cancer screenings; and they provide crucial medically-accurate information about sexual health. Title X providers ensure that women

who want to have children get the information and care they need to promote a healthy pregnancy. As faith-centered organizations, we are committed to the most marginalized and the most vulnerable of our society, especially those with limited financial means or those who live in areas with limited access to services. Reducing health care options for some, based on their economic strata or geographic location, is profoundly unjust.

Respecting women's moral agency: We affirm women as moral agents who have the capacity, right, and responsibility to make their own decisions about sexuality, reproduction, and their families. Legislation that eliminates health coverage for and limits the availability of reproductive health care services through funding restrictions would severely limit a woman's ability to make decisions about her own health care and about how best to care for her family, guided by her own conscience, her personal circumstances, and her own moral or faith tradition.

Valuing compassion and the obligation to protect every woman's health and life: Restrictions on women's health care options endanger women's lives. In particular, we oppose proposals that would allow hospitals and individual health workers to refuse to provide abortion services to a woman, even when such care is necessary to save her life. As people of faith, we strongly believe that a health worker's right to refuse to provide certain services must not infringe on a woman's right to access the health care she needs. Above all, that refusal must not endanger her life. Health professionals and the organizations that support them have an obligation to ensure access to necessary services, whether directly or by referral to an accessible alternative health care provider.

Safeguarding religious liberty: We believe that one person's religious viewpoint must not be imposed on others. Different faiths, and even groups within a single faith community, hold varying views and opinions. Time and again, our nation has answered this diversity of opinions by upholding the founding principle of religious freedom. Reproductive freedoms are integrally bound with religious freedoms—a connection recognized by the Supreme Court's 1973 decision in *Roe v. Wade*. Women have a right to make reproductive health choices based on their own faith tradition, free from constraints imposed by those seeking to legislate one religious viewpoint or another. We oppose legislation that would erode Americans' constitutionally protected right to religious freedom.

As people of faith, we believe in compassion, justice, and the dignity of all women. We understand that those who would restrict women's access to comprehensive reproductive health care are often motivated by their religious beliefs and seek to impose their views on others. However, freedom of choice means that every person is valued as a moral decision-maker, free to make personal decisions about their reproductive lives based on their own religious beliefs and consciences. We cannot presume to tell others how best to inform and listen to their own consciences as they make decisions about whether and when to have children or how best to care for their families. Today, and every day, we stand up as people of faith for women's health and reproductive choices—and we urge our government to do the same.

Signed:

Anti-Defamation League; B'nai B'rith International; Catholics for Choice; Disciples Justice Action Network; Episcopal Women's

Caucus; Global Faith and Justice Project, Horizons Foundation; Hadassah, The Women's Zionist Organization of America, Inc.; Jewish Council for Public Affairs; Jewish Council on Urban Affairs; Jewish Women International; Metropolitan Community Churches; Muslims for Progressive Values.

National Council of Jewish Women; Reconstructionist Rabbinical College and Jewish Reconstructionist Communities; Religious Coalition for Reproductive Choice; Religious Institute; Soulforce; The Fellowship of Affirming Ministries; Unitarian Universalist Association of Congregations; Unitarian Universalist Ministers Association; Unitarian Universalist Women's Federation; United Church of Christ, Justice and Witness Ministries; Women's Alliance for Theology, Ethics and Ritual.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, January 23, 2017.

VOTE "NO" ON H.R. 7, THE "NO TAXPAYER FUNDING FOR ABORTION AND ABORTION INSURANCE FULL DISCLOSURE ACT OF 2017"

DEAR REPRESENTATIVE: On behalf of the American Civil Liberties Union (ACLU) and our nearly two million members and supporters, we urge Members of the House of Representatives to vote no on H.R. 7, the so-called "No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017." The ACLU opposes this legislation, which would make harmful, discriminatory abortion coverage restrictions permanent and interfere with private health insurance coverage for abortion.

H.R. 7 would make permanent the Hyde Amendment and its progeny, discriminatory abortion coverage restrictions that single out and exclude abortion from a host of programs that fulfill the government's obligation to provide health care. These restrictions disproportionately impact those who already face significant barriers to care—low-income families, women of color, immigrants, young people, LGBTQ people, and those in rural areas. They discriminate against these women, who rely on the government for health care, by severely restricting their access to a health care service that is readily available to women of means and women with private insurance.

A woman in need of abortion care who does not have independent financial resources must scramble to raise the necessary funds, delay receiving care, and is often left with no choice but to carry to term in circumstances where she is physically, emotionally, or financially unprepared to care for a child. In fact, restricting Medicaid coverage of abortion forces one in four poor women seeking abortion to carry an unwanted pregnancy to term. When a woman seeking an abortion is denied one, she is three times more likely to fall into poverty than a woman who can obtain the care she needs. If a woman chooses to carry to term, Medicaid (and other federal insurance programs) offers her assistance for the necessary medical care. But if she needs to end her pregnancy, the same programs will deny her coverage for her abortion. The government should not interfere with a woman's personal medical decisions by selectively withholding benefits in this way.

H.R. 7 also takes particular aim at low-income women in the District of Columbia. Although the use of federal funds is currently restricted from covering most abortions, states are free to use their own funds to include abortion coverage in their medical assistance programs. The only exception is the District of Columbia. H.R. 7 would make permanent a provision that forbids the District

from using its own locally raised non-federal dollars to provide coverage for abortion for its low-income residents. The D.C. abortion ban disenfranchises the District's residents, and allows non-resident Members of Congress who are not accountable to the people of the District to impose their own ideology upon the District's residents with impunity.

H.R. 7 would also impact women's ability to purchase private insurance that includes abortion coverage. It would revive the so-called Stupak Amendment, rejected by the 111th Congress, which would bar anyone receiving a federal premium assistance credit from buying a private insurance policy that includes abortion coverage on the Affordable Care Act's (ACA) insurance exchanges. This is not only an attempt to effectively ban abortion coverage in the exchanges by encouraging insurers to exclude it, but it would have a ripple effect on plans outside the exchanges that jeopardizes abortion coverage for millions of women. Further, the inaccurate disclosure requirements in H.R. 7 would push insurance companies to drop abortion coverage and deter women from purchasing plans that include such coverage by misleading them about the cost of purchasing these plans. These provisions are direct attacks on a woman's ability to make personal medical decisions with complete and accurate information.

Additionally, H.R. 7 rewrites tax law to penalize a single, legal, medical procedure: abortion. It would deny small businesses tax credits if the insurance they provide to their employees includes abortion coverage, effectively coercing employers to offer plans that exclude abortion. The bill would also deny millions of women and families premium tax credits if they purchase a health insurance plan that covers abortion, forcing them to forgo comprehensive health insurance plans in order to get the premium assistance they need. This manipulation of the tax code is simply government interference in taxpayers' private medical decisions and should be rejected.

Abortion is basic, constitutionally-protected health care for women. Yet H.R. 7 attacks women's fundamental right and access to abortion. It first targets women—particularly poor women and women of color who rely on the government for their health care—and seeks to permanently deny them coverage for a benefit to which they are entitled. Then, under the guise of "safeguarding" taxpayer dollars, H.R. 7 advances an aggressive campaign to destabilize the insurance market for abortion coverage. Congress should be eliminating barriers to women's ability to exercise their constitutionally protected right to safe, legal abortion. Instead, H.R. 7 would interfere with women's personal medical decisions by putting even more bathers in the way.

For these reasons, the ACLU opposes H.R. 7 and urges members of the House of Representatives to vote no.

Sincerely,

FAIZ SHAKIR,
Director, Washington
Legislative Office.
GEORGEANNE M. USOVA,
Legislative Counsel.

DEAR REPRESENTATIVE: The undersigned organizations strongly urge you to oppose the deceptive "No Taxpayer Funding for Abortion Act" (H.R. 7), a bill designed to fundamentally alter the health insurance market—from a market where abortion coverage is the industry standard to one where abortion coverage is eliminated. H.R. 7 does

this by changing the laws that govern both private and public insurance and by twisting the tax code into a tool to take away abortion coverage from women who have it. Ultimately, this bill is designed to deny women the decision whether or not to have an abortion by taking away their insurance coverage.

H.R. 7 twists the tax code into a tool to take away health insurance coverage that women have today. For example, the bill would deny millions of women and families premium tax credits if they purchase a health insurance plan that covers abortion. The bill would force these women—particularly low and moderate income women—to forego a health insurance plan that includes abortion in order to get the premium assistance they need. H.R. 7 would also raise taxes on small businesses by denying the Small Business Health Tax Credit to businesses that offer health insurance that covers abortion. This credit was created to encourage small businesses to offer health insurance to their employees by making it more affordable. This bill would penalize employers for choosing comprehensive coverage for their employees and their families.

H.R. 7 could cause the entire insurance market to drop abortion coverage. The impact of H.R. 7's changes could be that women across the country lose comprehensive health insurance that includes abortion coverage. The elimination of abortion coverage in the Marketplaces is expected to set the industry standard, meaning that all plans, inside and outside the Marketplace, could drop such coverage.

H.R. 7 introduces a new ban on private insurance by forcing all multi-state insurance plans to drop abortion coverage. Currently, the law requires that at least one multi-state health insurance plan in a Marketplace must not provide abortion coverage (except for narrow exceptions). H.R. 7 would replace this requirement with a dramatic restriction banning abortion coverage in all multi-state health insurance plans.

The Rules Committee Print of H.R. 7 includes new provisions that would impose inaccurate and misleading disclosure requirements regarding abortion coverage in plans offered in the Marketplace. This bill overrides existing provisions of the Affordable Care Act that provide consumers with information about their health plans, and instead adds new requirements intended to push insurance companies to drop abortion coverage and deter women from purchasing plans that include such coverage. Moreover, H.R. 7 wrongly asserts that there is a "surcharge" in plans that cover abortion, and would require women to be misled with this falsehood. These new provisions are not about disclosure, but about eliminating abortion coverage, in line with the rest of the bill's dangerous provisions.

H.R. 7 would permanently ban federal health insurance programs such as Medicaid from including abortion coverage. H.R. 7 would codify harmful legislative riders that deny abortion coverage to women who receive health insurance through the federal government. Moreover, H.R. 7 makes permanent a rider that denies the District of Columbia the ability to decide whether to use its own local funds to provide abortion coverage. These bans disproportionately affect women of color and low-income women, denying these women the ability to make their own important health care decisions.

H.R. 7 would endanger women's health by eliminating coverage of abortion even in circumstances where a woman needs an abortion to prevent severe, permanent damage to

her health. Because H.R. 7 only makes exceptions in the cases where the woman's life is endangered, or where she is the survivor of rape or incest, it would leave women whose health is seriously threatened by their pregnancies without access to the care their doctors recommend to protect their health. The impact can be especially harmful to women underserved by the health care system and women with serious health problems.

In summary, H.R. 7 would deny millions of women the ability to make their own decision about whether to have an abortion. H.R. 7 is a dangerous bill that jeopardizes women's health by directly banning abortion coverage, by raising taxes on families and small businesses that purchase comprehensive insurance coverage, and by imposing "disclosure" requirements that encourage the elimination of abortion coverage. The intent and impact of H.R. 7 is to forever eliminate coverage of abortion in all insurance markets. We strongly urge you to reject this bill.

Sincerely,

Advocates for Youth; American Association of University Women (AAUW); American Civil Liberties Union, American Nurses Association, American Public Health Association; American Society for Reproductive Medicine; Association of Reproductive Health Professionals (ARHP); Asian & Pacific Islander American Health Forum; Black Women's Health Imperative; Catholics for Choice.

Center for Reproductive Rights; Choice USA; Feminist Majority; Hadassah, The Women's Zionist Organization of America, Inc.; Jewish Women International; Joint Action Committee for Political Affairs; Medical Students for Choice; Methodist Federation for Social Action; NARAL Pro-Choice America; National Abortion Federation.

National Asian Pacific American Women's Forum; National Center for Lesbian Rights; National Council of Jewish Women; National Family Planning & Reproductive Health Association; National Health Law Program; National Latina Institute for Reproductive Health; National Organization for Women; National Partnership for Women & Families; National Women's Health Network; National Women's Law Center; People For the American Way.

Physicians for Reproductive Health; Planned Parenthood Federation of America; Population Connection Action Fund; Population Institute; Raising Women's Voices for the Health Care We Need; Religious Coalition for Reproductive Choice; Religious Institute; Reproductive Health Technologies Project; Sexuality Information and Education Council of the United States (SIECUS); Unitarian Universalist Association; Unitarian Universalist Women's Federation; United Church of Christ, Justice and Witness Ministries; WV Citizen Action Group.

AAUW EMPOWERING WOMEN SINCE 1881,

Washington, DC, January 24, 2017.

DEAR REPRESENTATIVE: On behalf of the more than 170,000 bipartisan members and supporters of the American Association of University Women (AAUW), I urge you to oppose H.R. 7, a dangerous limitation on abortion that puts women's health and rights at risk. H.R. 7 would withhold abortion coverage from virtually all women in the U.S. and potentially push insurers into ceasing coverage of abortion care. This bill is a part of a political strategy that seeks to interfere with women's personal decision-making around their reproductive health care.

AAUW supports the right of every woman to access safe, accessible, affordable, and

comprehensive family planning and reproductive health services. We believe that all women should be able to make their own decisions with advice and support from those they trust the most. We know that women look to doctors, family members, and other trusted individuals, not politicians, to make important medical decisions about their health.

H.R. 7 would make abortion restrictions that are often built into annual appropriations bills permanent. Such an action would withhold abortion coverage from almost all women—those who rely on Medicaid, federal insurance plans and health programs, as well as those who are Peace Corps Volunteers, Native American women, Washington, D.C. residents, and many others. In addition, by creating burdensome regulations for insurers to cover abortion services, many more women would lose access to the care they need. When policymakers deny women insurance coverage for abortion, women are forced to either carry the pregnancy to term or pay for care out of their own pockets. Consequently, cutting off access to or placing strict limitations on abortion can have profoundly harmful effects on public health, particularly for those who already face significant barriers to receiving care, such as low-income women, immigrant women, LGBTQ people, and women of color.

Again, I urge you to oppose H.R. 7, a dangerous limitation on abortion that puts women's health and rights at risk. Votes associated with this legislation may be scored in the AAUW Action Fund Congressional Voting Record for the 115th Congress. Please do not hesitate to contact me at 202/785-7720, or Anne Hedgepeth, Senior Government Relations Manager, if you have any questions.

Sincerely,

LISA M. MAATZ,

Vice President of Government
Relations and Advocacy.

Mr. MCGOVERN. Madam Speaker, let me begin my closing by reminding people that we are about to vote on the rule. The rule defines how we are going to consider this legislation. This is a closed rule. This is a Putin rule. This is a rule that allows no opposing viewpoints to be brought before this Chamber to be debated and voted on. It is completely closed. On top of that, it didn't go through regular order.

Now, I know my colleagues will say, well, it went through regular order in the previous Congress. But there are 55 new Members of the House in this Congress, and I think they have a right to expect regular order from the leadership of this House when legislation is brought to the floor. The rule should be rejected because it is closed.

I would urge my colleagues, even those who may be sympathetic to the underlying legislation to, at some point, stand up to your leadership and say, "Enough of this closed process." Open this place up a little bit. This is supposed to be the greatest deliberative body in the world, and yet we do everything but deliberate. At some point, I hope some of my Republican colleagues will be brave enough to stand with us who are calling for a more open process.

I also urge my colleagues to vote "no" on the underlying bill.

I also include in the RECORD an article from Politico entitled, "Study: Abortion Rate Falls to Record Low."

[From Politico, Jan. 17, 2017]

STUDY: ABORTION RATE FALLS TO RECORD
LOW

(By Brianna Ehley)

The U.S. abortion rate dipped to its lowest level on record in 2014, according to a new study by the Guttmacher Institute.

The abortion rate dropped 14 percent between 2011 and 2014 to 14.6 abortions per 1,000 women, researchers said. During the same time period, the number of abortions dropped 12 percent to 926,200 in 2014.

Researchers suggested two main reasons for the decline: a combination of greater access to contraception and less access to abortion services in states that have enacted new restrictions.

The number of clinics providing abortions dipped 6 percent between 2011 and 2014, with the largest declines in access in the Midwest and the South.

"Abortion restrictions and clinic closures mean that patients may need to travel greater distances to access services," Rachel Jones, the study's lead author, said in a statement. "Some of the abortion rate decline is likely attributable to women who were prevented from accessing needed services."

Mr. MCGOVERN. Madam Speaker, part of the reason for that is because women are having more access to good health care. Part of the reason why that number is getting lower is because of organizations like Planned Parenthood, which provide clinics and counseling and contraception to young women so that we can actually avoid more people being in the situation where they have to confront the issue of abortion. And yet my colleagues' next salvo is going to be going after Planned Parenthood. The abortion rate in this country is going down.

The underlying bill is not about making sure that taxpayer money doesn't go to fund abortion. That is what the Hyde amendment does.

The Affordable Care Act, by the way, makes it clear that no portion of the premium tax credits may be used to pay for the portion of comprehensive health coverage that is purchased in the marketplace that relates to abortion services. That is not what this is about.

This is basically the first attempt to really go after the basic constitutional right for a woman to be able to choose when it comes to abortion services. That is what this is about. The leadership of this House—indeed, the President of the United States—has made it clear they want to repeal Roe v. Wade. They want to put Justices on the Supreme Court who will repeal that decision. They want to pass legislation that will do everything to be able to deny women that basic right. That is what is going on here.

Finally, Madam Speaker, I am asking people to vote "no" on the previous question so that we can actually debate and vote on this issue of requiring

Presidential candidates and Presidents to release their tax returns. I say to my colleagues in all sincerity, this President's refusal to release his tax returns, all these conflicts of interest that he has, this is a White House on a collision course with corruption. Donald Trump said he wanted to come to Washington to drain the swamp, but by not releasing his tax returns, by allowing all these conflicts of interest to remain, he is bringing the swamp to the White House. Enough.

Let us vote for transparency here. Let us vote in a way that the majority of Americans think we ought to do, and that is to require this President to come clean, to show us what his tax returns are, to show us what he is hiding, to show us where his investments are, to show us if there are any dealings with Russia or Putin or whatever.

I urge my colleagues to vote "no" on the previous question so we can have that opportunity to be able to debate that issue, because if you don't vote "no," I can guarantee you that the Committee on Rules will never make it in order. The Committee on Rules never makes anything in order that the leadership of this House doesn't put its rubber stamp on. I think that that is unfortunate. As I said before, the Committee on Rules is becoming a place where democracy goes to die. It is about time that my colleagues on both sides of the aisle stand up and say, "Enough. Let's open this place up."

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

I am really heartened today, Madam Speaker, to hear so much concern from my colleagues on the other side of the aisle about making sure that patients and individuals have the right to make decisions about their own health care. I would expect, then, to see support from the other side of the aisle when we are in a position where we are putting in place our replacement for ObamaCare. That is one of the main reasons we are repealing ObamaCare, getting the government out of the business of telling people what they can and can't have with respect to their own health care. That is not the issue that we are debating here today, however, Madam Speaker.

I want to thank the gentleman from New Jersey for his tireless work on this issue and for introducing this bipartisan bill. A majority of Americans across the country share the view that we must continue to work to protect the lives of mothers and their unborn children. As you have already heard, Madam Speaker, the Hyde amendment is responsible for saving the lives of at

least 2 million babies, the most vulnerable among us.

Codifying a permanent restriction on the use of taxpayer funding for abortions is long overdue. I urge adoption of both the rule and H.R. 7 so we can continue to protect and save lives.

Ms. JACKSON LEE. Madam Speaker, I rise again in strong opposition to the rule for H.R. 7, the so-called "No Taxpayer Funding for Abortion Act," and the underlying bill.

I oppose this bill because it is unnecessary, puts the lives of women at risk, interferes with women's constitutionally guaranteed right of privacy, and diverts our attention from the real problems facing the American people.

A more accurate short title for this bill would be the "Violating the Rights of Women Act of 2017"!

Instead of resuming their annual War on Women, our colleagues across the aisle should be working with Democrats to build upon the "Middle-Class Economics" championed by the Obama Administration that have succeeded in ending the economic meltdown it inherited in 2009 and revived the economy to the point where today we have the highest rate of growth and lowest rate of unemployment since the boom years of the Clinton Administration.

We could and should instead be voting to raise the minimum wage to \$15.00 per hour so that people who work hard and play by the rules do not have raise their families in poverty.

A far better use of our time would be to provide help to unemployed job-hunters by making access to community college affordable to every person looking to make a new start in life.

Instead of voting to abridge the constitutional rights of women for the umpteenth time, we should bring to the floor for a first vote comprehensive immigration reform legislation or legislations repairing the harm to the Voting Rights Act of 1965 by the Supreme Court's decision in *Shelby County v. Holder*.

Madam Speaker, the one thing we should not be doing is debating irresponsible "messaging bills" that abridge the rights of women and have absolutely no chance of overriding a presidential veto.

The version of H.R. 7 before us now is as bad today as it was when the House Republican leadership insisted on bringing it to a vote a year ago. The other draconian provisions of that terrible bill are retained in H.R. 7, which would:

1. Prohibit federal funds from being used for any health benefits coverage that includes coverage of abortion. (Thus making permanent existing federal policies.)
2. Prohibit the inclusion of abortion in any health care service furnished by a federal or District of Columbia health care facility or by any physician or other individual employed by the federal government or the District.
3. Apply such prohibitions to District of Columbia funds.
4. Prohibit individuals from receiving a refundable federal tax credit, or any cost-sharing reductions, for purchasing a qualified health plan that includes coverage for abortions.
5. Prohibit small employers from receiving the small-employer health insurance credit

provided by the health care law if the health plans or benefits that are purchased provide abortion coverage.

If H.R. 7 were enacted, millions of families and small businesses with private health insurance plans that offer abortion coverage would be faced with tax increases, making the cost of health care insurance even more expensive.

Under the Affordable Care Act, insurers are able to offer abortion coverage and receive federal offsets for premiums as long as enrollees pay for the abortion coverage from separate, private funds.

If enacted, H.R. 7 would deny federal subsidies or credits to private health insurance plans that offer abortion coverage even if that coverage is paid for from private funds.

This would inevitably lead to private health insurance companies dropping abortion coverage leaving millions of women without access to affordable, comprehensive health care.

Currently, 87% of private insurance health care plans offered through employers cover abortion.

If H.R. 7 were to become law, consumer Options for private health insurance plans would be unnecessarily restricted and the tax burden on these policy holders would increase significantly.

H.R. 7 would also deny tax credits to small businesses that offer their employees insurance plans that cover abortion, which would have a significant impact on millions of families across the nation who would no longer be able to take advantage of existing tax credits and deductions for the cost of their health care.

For example, small businesses that offer health plans that cover abortions would no longer be eligible for the Small Business Health Tax Credit—potentially worth 35%-50% of the cost of their premiums—threatening 4 million small businesses.

Self-employed Americans who are able to deduct the cost of their comprehensive health insurance from their taxable income will also be denied similar tax credits and face higher taxes.

H.R. 7 would also undermine the District of Columbia's home rule by restricting its use of funds for abortion care to low-income women.

The Hyde Amendment stipulates that no taxpayer dollars are to be used for abortion care, and has narrow exceptions for rape, incest, and health complications that arise from pregnancy which put the mother's life in danger.

H.R. 7 would restrict women's access to reproductive health care even further by narrowing the already stringent requirements set forth in the Hyde Amendment.

When the Affordable Care Act was signed into law, the President issued an Executive Order to "ensure that Federal funds are not used for abortion services."

This version of H.R. 7 goes far beyond the safeguards established under the Affordable Care Act, and sets a dangerous precedent for the future of women's reproductive health in this country because it includes two new provisions that were added at the nth hour but have never received a hearing or a mark-up.

These new provisions would (1) ban abortion coverage in multi-state health plans available under the ACA; and (2) mandate that

health plans mislead consumers about abortion coverage by requiring all plans in the health-insurance exchanges that include abortion coverage to display that fact prominently in all advertising, marketing materials, or information from the insurer but interestingly, does not require the same disclosure from plans that do not cover abortion.

Madam Speaker, H.R. 7 would also force health plans to mislead consumers about the law's treatment of abortion.

As a concession to anti-choice lawmakers, the ACA requires insurance plans participating in the new health system to segregate monies used for abortion services from all other funds.

In order to aid in identifying these funds and simplify the process of segregating general premium dollars from those used to cover abortion services, the ACA requires that health plans estimate the cost of abortion coverage at no less than \$1 per enrollee per month.

H.R. 7 would require plans covering abortion to misrepresent this practice as an "abortion surcharge," which is to be disclosed and identified as a portion of the consumer's premium.

By describing abortion coverage in this way, H.R. 7 makes it look as though it is an added, extra cost, available only at an additional fee, when in fact it is not.

Taken together, the provisions in H.R. 7 have the effect, and possibly the intent, of arbitrarily infringing women's reproductive freedoms and pose a nationwide threat to the health and wellbeing of American women and a direct challenge to the Supreme Court's ruling in *Roe v. Wade*.

Madam Speaker, one of the most detestable aspects of this bill is that it would curb access to care for women in the most desperate of circumstances.

Women like Danielle Deaver, who was 22 weeks pregnant when her water broke. Tests showed that Danielle had suffered anhydramnios, a premature rupture of the membranes before the fetus has achieved viability.

This condition meant that the fetus likely would be born with a shortening of muscle tissue that results in the inability to move limbs. In addition, Danielle's fetus likely would suffer deformities to the face and head, and the lungs were unlikely to develop beyond the 22-week point.

There was less than a 10% chance that, if born, Danielle's baby would be able to breathe on its own and only a 2% chance the baby would be able to eat on its own.

H.R. 7 hurts women like Vikki Stella, a diabetic, who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival. Because of Vikki's diabetes, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion.

Every pregnancy is different. No politician knows, or has the right to assume he knows, what is best for a woman and her family.

These are decisions that properly must be left to women to make, in consultation with their partners, doctors, and their God.

H.R. 7 lacks the necessary exceptions to protect the health and life of the mother.

H.R. 7 is an unconstitutional infringement on the right to privacy, as interpreted by the Su-

preme Court in a long line of cases going back to *Griswold v. Connecticut* in 1965 and *Roe v. Wade* decided in 1973.

In *Roe v. Wade*, the Court held that a state could not prohibit a woman from exercising her right to terminate a pregnancy in order to protect her health prior to viability.

While many factors go into determining fetal viability, the consensus of the medical community is that viability is acknowledged as not occurring prior to 24 weeks gestation.

Supreme Court precedents make it clear that neither Congress nor a state legislature can declare any one element—"be it weeks of gestation or fetal weight or any other single factor—as the determinant" of viability. *Coloyal v. Franklin*, 439 U.S. 379,388–89 (1979).

The constitutionally protected right to privacy encompasses the right of women to choose to terminate a pregnancy before viability, and even later where continuing to term poses a threat to her health and safety.

This right of privacy was hard won and must be preserved inviolate.

The bill before us threatens this hard won right for women and must be defeated.

I urge all members to join me in opposing the rule and the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 55 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 305) to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Ways and Means and Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. CHENEY. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 233, nays 187, not voting 12, as follows:

[Roll No. 62]

YEAS—233

Abraham Gallagher Mitchell
Aderholt Garrett Moolenaar
Allen Gibbs Mooney (WV)
Amash Gohmert Mullin
Amodel Goodlatte Murphy (PA)
Arrington Gosar Newhouse
Babin Gowdy Noem
Bacon Granger Nunes
Banks (IN) Graves (GA) Olson
Barletta Graves (LA) Palazzo
Barr Graves (MO) Palmer
Barton Griffith Paulsen
Bergman Grothman Pearce
Biggs Guthrie Perry
Bilirakis Harper Pittenger
Bishop (MI) Harris Poe (TX)
Bishop (UT) Hartzler Poliquin
Black Hensarling Posey
Blackburn Herrera Beutler Ratcliffe
Blum Hice, Jody B. Reed
Bost Higgins (LA) Reichert
Brady (TX) Hill Renacci
Brat Holding Rice (SC)
Bridenstine Hollingsworth Roby
Brooks (AL) Hudson Roe (TN)
Brooks (IN) Huizenga Rogers (AL)
Buchanan Hultgren Rogers (KY)
Buck Hunter Rohrabacher
Bucshon Hurd Rokita
Budd Issa Rooney, Francis
Burgess Jenkins (KS) Rooney, Thomas
Byrne Jenkins (WV) J.
Calvert Johnson (LA) Ros-Lehtinen
Carter (GA) Johnson (OH) Roskam
Carter (TX) Johnson, Sam Ross
Chabot Jordan Rothfus
Chaffetz Katko Rouzer
Cheney Kelly (MS) Royce (CA)
Cole Kelly (PA) Russell
Collins (GA) King (IA) Rutherford
Collins (NY) King (NY) Sanford
Comer Kinzinger Scalise
Comstock Knight Schweikert
Conaway Kustoff (TN) Scott, Austin
Cook Labrador Sensenbrenner
Costello (PA) LaHood Sessions
Cramer LaMalfa Shimkus
Crawford Lamborn Shuster
Culberson Lance Simpson
Curbelo (FL) Latta Smith (MO)
Davidson Lewis (MN) Smith (NE)
Davis, Rodney LoBiondo Smith (NJ)
Denham Long Smith (TX)
Dent Loudermilk Smucker
DeSantis Love Stefanik
DesJarlais Lucas Stewart
Diaz-Balart Luetkemeyer Stivers
Donovan MacArthur Taylor
Duffy Marchant Tenney
Duncan (SC) Marino Thompson (PA)
Duncan (TN) Marshall Thornberry
Dunn Tiberi
Emmer Mast Tipton
Farenthold McCarthy Trott
Faso McCaul Turner
Ferguson McClintock Upton
Fitzpatrick McHenry Valadao
Fleischmann McKinley Wagner
Flores McMorris Walberg
Fortenberry Rodgers Walden
Fox McSally Walker
Franks (AZ) Meadows Walorski
Frelinghuysen Meehan Walters, Mimi
Gaetz Messer Weber (TX)

Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)

Wittman
Womack
Woodall
Yoder
Yoho

Young (AK)
Young (IA)
Zeldin

RECORDED VOTE

Mr. MCGOVERN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 183, not voting 13, as follows:

[Roll No. 63]

AYES—236

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blunt Rochester
Bonamici
Boyle, Brendan
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cardenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Lujan, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeke
Meng
Moore
Moulton
Murphy (FL)
Nadler

Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Abraham
Aderholt
Allen
Amash
Amodel
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poliquin
Poe (TX)
Posey
Ratcliffe
Reichert
Renacci
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
Ros-Lehtinen
Roskam
Ross
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)

NOT VOTING—12

Blumenauer
Coffman
Johnson, E. B.
Jones
Joyce (OH)
Mulvaney
Payne
Price, Tom (GA)

Rush
Slaughter
Velázquez
Zinke
Rush
Slaughter
Velázquez
Zinke

□ 1404

Mr. VEASEY changed his vote from "yea" to "nay."

Mr. COSTELLO of Pennsylvania changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Ms. FOXX). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

NOES—183

Adams	Frankel (FL)	Napolitano
Aguilar	Fudge	Neal
Barragán	Gabbard	Nolan
Bass	Gallego	Norcross
Beatty	Garamendi	O'Halleran
Bera	Gonzalez (TX)	O'Rourke
Beyer	Gottheimer	Pallone
Bishop (GA)	Green, Al	Panetta
Blunt Rochester	Green, Gene	Pascrell
Bonamici	Grijalva	Pelosi
Boyle, Brendan F.	Gutiérrez	Perlmutter
Brady (PA)	Hanabusa	Peters
Brown (MD)	Hastings	Pingree
Brownley (CA)	Heck	Pocan
Bustos	Higgins (NY)	Polis
Butterfield	Himes	Price (NC)
Capuano	Hoyer	Quigley
Carbajal	Jackson Lee	Raskin
Cárdenas	Jayapal	Rice (NY)
Carson (IN)	Jeffries	Richmond
Cartwright	Johnson (GA)	Rosen
Castor (FL)	Kaptur	Roybal-Allard
Castro (TX)	Keating	Ruiz
Chu, Judy	Kelly (IL)	Ruppersberger
Ciulline	Kennedy	Ryan (OH)
Clark (MA)	Khanna	Sánchez
Clarke (NY)	Kihuen	Sarbanes
Clay	Kildee	Schakowsky
Cleaver	Kilmer	Schiff
Clyburn	Kind	Schneider
Cohen	Krishnamoorthi	Scott (VA)
Connolly	Kuster (NH)	Scott, David
Conyers	Langevin	Serrano
Cooper	Larsen (WA)	Sewell (AL)
Correa	Larson (CT)	Shea-Porter
Costa	Lawrence	Sherman
Courtney	Lawson (FL)	Sinema
Crist	Lee	Sires
Crowley	Levin	Smith (WA)
Cuellar	Lewis (GA)	Soto
Cummings	Lieu, Ted	Speier
Davis (CA)	Loeb sack	Suo zzi
Davis, Danny	Lofgren	Swalwell (CA)
DeFazio	Lowenthal	Takano
DeGette	Lowe y	Thompson (CA)
Delaney	Lujan Grisham,	Thompson (MS)
DeLauro	M.	Titus
DelBene	Luján, Ben Ray	Tonko
Demings	Lynch	Torres
DeSaulnier	Maloney,	Tsongas
Deutch	Carolyn B.	Vargas
Dingell	Maloney, Sean	Vela
Doggett	Matsui	Velázquez
Doyle, Michael F.	McCollum	Vislosky
Ellison	McEachin	Walz
Engel	McGovern	Wasserman
Eshoo	McNerney	Schultz
Españallat	Meeks	Waters, Maxine
Esty	Meng	Watson Coleman
Evans	Moore	Welch
Foster	Moulton	Wilson (FL)
	Murphy (FL)	Yarmuth
	Nadler	

NOT VOTING—13

Blumenauer	Mulvaney	Slaughter
Coffman	Payne	Veasey
Huffman	Price, Tom (GA)	Zinke
Johnson, E. B.	Rush	
Jones	Schrader	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1411

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. COFFMAN. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted "Yea" on roll call No. 62, and "Yea" on roll call No. 63.

RESIGNATION AS MEMBER OF COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Ethics:

CONGRESS OF THE UNITED STATES,
Washington, DC, January 24, 2017.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: This letter is to inform you that effective today I am resigning as the Ranking Member of the Committee on Ethics, as I have reached the applicable term limit under rules of the Democratic Caucus. It has been a privilege and a high honor to serve on the committee, which serves an essential function for the House and the public.

Sincerely,

LINDA T. SÁNCHEZ.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 56

Resolved, That the following named Members be and are hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON ETHICS.—Mr. Deutch, Ms. Clarke of New York, Mr. Polis, and Mr. Brown of Maryland.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1415

NO TAXPAYER FUNDING FOR ABORTION AND ABORTION INSURANCE FULL DISCLOSURE ACT OF 2017

Mrs. BLACK. Madam Speaker, pursuant to House Resolution 55, I call up the bill (H.R. 7) to prohibit taxpayer funded abortions, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:
Sec. 1. Short title; table of contents.

TITLE I—PROHIBITING FEDERALLY FUNDED ABORTIONS

Sec. 101. Prohibiting taxpayer funded abortions.

Sec. 102. Amendment to table of chapters.

TITLE II—APPLICATION UNDER THE AFFORDABLE CARE ACT

Sec. 201. Clarifying application of prohibition to premium credits and cost-sharing reductions under ACA.

Sec. 202. Revision of notice requirements regarding disclosure of extent of health plan coverage of abortion and abortion premium surcharges.

TITLE I—PROHIBITING FEDERALLY FUNDED ABORTIONS

SEC. 101. PROHIBITING TAXPAYER FUNDED ABORTIONS.

Title 1, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 4—PROHIBITING TAXPAYER FUNDED ABORTIONS

“301. Prohibition on funding for abortions.

“302. Prohibition on funding for health benefits plans that cover abortion.

“303. Limitation on Federal facilities and employees.

“304. Construction relating to separate coverage.

“305. Construction relating to the use of non-Federal funds for health coverage.

“306. Non-preemption of other Federal laws.

“307. Construction relating to complications arising from abortion.

“308. Treatment of abortions related to rape, incest, or preserving the life of the mother.

“309. Application to District of Columbia.

“§ 301. Prohibition on funding for abortions

“No funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which funds are authorized or appropriated by Federal law, shall be expended for any abortion.

“§ 302. Prohibition on funding for health benefits plans that cover abortion

“None of the funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which funds are authorized or appropriated by Federal law, shall be expended for health benefits coverage that includes coverage of abortion.

“§ 303. Limitation on Federal facilities and employees

“No health care service furnished—
“(1) by or in a health care facility owned or operated by the Federal Government; or

“(2) by any physician or other individual employed by the Federal Government to provide health care services within the scope of the physician's or individual's employment, may include abortion.

“§ 304. Construction relating to separate coverage

“Nothing in this chapter shall be construed as prohibiting any individual, entity, or State or locality from purchasing separate abortion coverage or health benefits coverage that includes abortion so long as such coverage is paid for entirely using only funds not authorized or appropriated by Federal law and such coverage shall not be purchased using matching funds required for a federally subsidized program, including a State's or locality's contribution of Medicaid matching funds.

“§ 305. Construction relating to the use of non-Federal funds for health coverage

“Nothing in this chapter shall be construed as restricting the ability of any non-

Federal health benefits coverage provider from offering abortion coverage, or the ability of a State or locality to contract separately with such a provider for such coverage, so long as only funds not authorized or appropriated by Federal law are used and such coverage shall not be purchased using matching funds required for a federally subsidized program, including a State's or locality's contribution of Medicaid matching funds.

“§ 306. Non-preemption of other Federal laws

“Nothing in this chapter shall repeal, amend, or have any effect on any other Federal law to the extent such law imposes any limitation on the use of funds for abortion or for health benefits coverage that includes coverage of abortion, beyond the limitations set forth in this chapter.

“§ 307. Construction relating to complications arising from abortion

“Nothing in this chapter shall be construed to apply to the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion. This rule of construction shall be applicable without regard to whether the abortion was performed in accord with Federal or State law, and without regard to whether funding for the abortion is permissible under section 308.

“§ 308. Treatment of abortions related to rape, incest, or preserving the life of the mother

“The limitations established in sections 301, 302, and 303 shall not apply to an abortion—

“(1) if the pregnancy is the result of an act of rape or incest; or

“(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

“§ 309. Application to District of Columbia

“In this chapter:

“(1) Any reference to funds appropriated by Federal law shall be treated as including any amounts within the budget of the District of Columbia that have been approved by an Act of Congress pursuant to section 446 of the District of Columbia Home Rule Act (or any applicable successor Federal law).

“(2) The term ‘Federal Government’ includes the government of the District of Columbia.”.

SEC. 102. AMENDMENT TO TABLE OF CHAPTERS.

The table of chapters for title 1, United States Code, is amended by adding at the end the following new item:

“4. Prohibiting taxpayer funded abortions 301”.

TITLE II—APPLICATION UNDER THE AFFORDABLE CARE ACT

SEC. 201. CLARIFYING APPLICATION OF PROHIBITION TO PREMIUM CREDITS AND COST-SHARING REDUCTIONS UNDER ACA.

(a) IN GENERAL.—

(1) DISALLOWANCE OF REFUNDABLE CREDIT AND COST-SHARING REDUCTIONS FOR COVERAGE UNDER QUALIFIED HEALTH PLAN WHICH PROVIDES COVERAGE FOR ABORTION.—

(A) IN GENERAL.—Subparagraph (A) of section 36B(c)(3) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “or any health plan that includes coverage for abortions (other than any abortion or treatment de-

scribed in section 307 or 308 of title 1, United States Code)”.

(B) OPTION TO PURCHASE OR OFFER SEPARATE COVERAGE OR PLAN.—Paragraph (3) of section 36B(c) of such Code is amended by adding at the end the following new subparagraph:

“(C) SEPARATE ABORTION COVERAGE OR PLAN ALLOWED.—

“(i) OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.—Nothing in subparagraph (A) shall be construed as prohibiting any individual from purchasing separate coverage for abortions described in such subparagraph, or a health plan that includes such abortions, so long as no credit is allowed under this section with respect to the premiums for such coverage or plan.

“(ii) OPTION TO OFFER COVERAGE OR PLAN.—Nothing in subparagraph (A) shall restrict any non-Federal health insurance issuer offering a health plan from offering separate coverage for abortions described in such subparagraph, or a plan that includes such abortions, so long as premiums for such separate coverage or plan are not paid for with any amount attributable to the credit allowed under this section (or the amount of any advance payment of the credit under section 1412 of the Patient Protection and Affordable Care Act).”.

(2) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking “Any term” and inserting the following:

“(1) IN GENERAL.—Any term”; and

(B) by adding at the end the following new paragraph:

“(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—

“(A) IN GENERAL.—The term ‘qualified health plan’ does not include any health plan that includes coverage for abortions (other than any abortion or treatment described in section 307 or 308 of title 1, United States Code).

“(B) SEPARATE ABORTION COVERAGE OR PLAN ALLOWED.—

“(i) OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.—Nothing in subparagraph (A) shall be construed as prohibiting any employer from purchasing for its employees separate coverage for abortions described in such subparagraph, or a health plan that includes such abortions, so long as no credit is allowed under this section with respect to the employer contributions for such coverage or plan.

“(ii) OPTION TO OFFER COVERAGE OR PLAN.—Nothing in subparagraph (A) shall restrict any non-Federal health insurance issuer offering a health plan from offering separate coverage for abortions described in such subparagraph, or a plan that includes such abortions, so long as such separate coverage or plan is not paid for with any employer contribution eligible for the credit allowed under this section.”.

(3) CONFORMING ACA AMENDMENTS.—Section 1303(b) of Public Law 111-148 (42 U.S.C. 18023(b)) is amended—

(A) by striking paragraph (2);

(B) by striking paragraph (3), as amended by section 202(a); and

(C) by redesignating paragraph (4) as paragraph (2).

(b) APPLICATION TO MULTI-STATE PLANS.—Paragraph (6) of section 1334(a) of Public Law 111-148 (42 U.S.C. 18054(a)) is amended to read as follows:

“(6) COVERAGE CONSISTENT WITH FEDERAL ABORTION POLICY.—In entering into contracts

under this subsection, the Director shall ensure that no multi-State qualified health plan offered in an Exchange provides health benefits coverage for which the expenditure of Federal funds is prohibited under chapter 4 of title 1, United States Code.”.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years ending after December 31, 2017, but only with respect to plan years beginning after such date, and the amendment made by subsection (b) shall apply to plan years beginning after such date.

SEC. 202. REVISION OF NOTICE REQUIREMENTS REGARDING DISCLOSURE OF EXTENT OF HEALTH PLAN COVERAGE OF ABORTION AND ABORTION PREMIUM SURCHARGES.

(a) IN GENERAL.—Paragraph (3) of section 1303(b) of Public Law 111-148 (42 U.S.C. 18023(b)) is amended to read as follows:

“(3) RULES RELATING TO NOTICE.—

“(A) IN GENERAL.—The extent of coverage (if any) of services described in paragraph (1)(B)(i) or (1)(B)(ii) by a qualified health plan shall be disclosed to enrollees at the time of enrollment in the plan and shall be prominently displayed in any marketing or advertising materials, comparison tools, or summary of benefits and coverage explanation made available with respect to such plan by the issuer of the plan, by an Exchange, or by the Secretary, including information made available through an Internet portal or Exchange under sections 1311(c)(5) and 1311(d)(4)(C).

“(B) SEPARATE DISCLOSURE OF ABORTION SURCHARGES.—In the case of a qualified health plan that includes the services described in paragraph (1)(B)(i) and where the premium for the plan is disclosed, including in any marketing or advertising materials or any other information referred to in subparagraph (A), the surcharge described in paragraph (2)(B)(i)(II) that is attributable to such services shall also be disclosed and identified separately.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to materials, tools, or other information made available more than 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 55, the gentlewoman from Tennessee (Mrs. BLACK) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 30 minutes.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACK. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on H.R. 7, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

Mrs. BLACK. Madam Speaker, I yield myself such time as I may consume.

I rise today in strong support of the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act, and I thank the gentleman from New Jersey (Mr. SMITH) for his unflinching leadership on this issue.

It was just a week ago that groups of women marched in the streets of D.C.

and other cities across the country apparently ready to write off this Presidency as it just began.

There were millions of pro-life women who were explicitly told that they were unwelcome at this event. So today, the people's House is giving them and the more than 60 percent of Americans from all political persuasions who oppose taxpayer funding of abortions a voice.

The legislation before us will protect Americans' conscience rights by ensuring that their hard-earned tax dollars are not used to fund the destruction of innocent life. That is a principle that Members of both parties have supported in this Chamber before.

Every year, Democrats and Republicans alike have come together to support funding bills that maintain the law called the Hyde amendment, which prohibits the direct Federal funding of abortion, with limited exceptions. This 40-year-old law has saved an estimated 2 million lives, but it is not permanent, meaning that this time-honored protection could be taken away on a whim. What is more, the law, in its current form, has clear loopholes.

A 2014 GAO study found that taxpayer-funded insurance subsidies could be used to pay for abortions on over 1,000 ObamaCare plans nationwide. That is why today we have the opportunity to make this life-affirming law permanent and governmentwide.

As a mother, a grandmother, and a nurse for more than 40 years, this measure is especially meaningful to me. During my years in the healthcare industry, I saw the joy in young parents' eyes when they met their newborn for the very first time. I held the hands of grieving spouses and children as they said good-bye to their loved ones. And, sadly, I witnessed a young woman lose her life due to the effects of a botched abortion.

These experiences informed my view that all life is a precious gift from God. I pray that in time this truth will be reflected in our Nation's laws. Until then, can't we at least do this much.

I urge a "yes" vote on the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

I reserve the balance of my time.

Ms. DEGETTE. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, our constituents are looking to this Congress to address the economy, jobs, our crumbling infrastructure, and so many other issues. But despite these pressing needs, the only substantive bill this House is considering this week is a bill restricting a woman's ability to get a full range of healthcare services and a bill, which passed before in this House and that we know is going nowhere in the other body.

Its title alone must be part of the majority's new plan to redefine facts. As we heard the other day, we now ap-

parently have in our discourse "alter-native facts."

This bill takes that to a whole new level, and let me tell you why. The bill is called the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act. But under current law, under the Hyde amendment—which I hate, which I will do everything to repeal—we have no taxpayer funding for abortion. Taxpayer funds are currently prohibited from use for abortions. Instead, what this bill does is it takes that concept and it uses it to far expand a restriction on a woman's ability to get the full health care that she needs.

Let me talk about what this bill does exactly. First of all, it codifies the Hyde amendment into statute, which has never been done in this Nation's history.

Secondly, it codifies a ban on abortions in D.C., even when they are done with D.C.'s taxpayer money and not with Federal money.

Number three, it codifies the Helms amendment, which denies women abroad access to safe abortion care by severely restricting the use of U.S. funds to pay for healthcare services in developing countries.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. DEGETTE. Madam Speaker, I yield myself an additional 1 minute.

It severely restricts abortion coverage in the ACA's exchanges by forbidding people who have plans where they get subsidies from paying for plans with their own money. This is a far expansion of a restriction on a woman's right to get her own health insurance with her own money.

It denies insurance-related tax credits to small businesses that choose plans that offer abortion services. It permanently bans abortion services for Federal employees and it codifies a ban on abortion coverage for women in military services overseas.

The fact that we are debating this today, just 1 day after President Trump issued an executive order reinstating the global gag rule, is a slap in the face to the over 3 million women who marched last weekend.

Let's vote "no" on this bill and let's go to the business that the American public really cares about.

I reserve the balance of my time.

Mrs. BLACK. Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), who is the chair of the Judiciary Committee and a longstanding supporter of pro-life.

Mr. GOODLATTE. Madam Speaker, I thank the gentlewoman for her ardent work on this important cause.

However stark Americans' differences of opinion can be on the matter of abortion generally, there has been long, bipartisan agreement that Federal taxpayer funds should not be used to destroy innocent life.

The Hyde amendment, named for its chief sponsor, former House Judiciary Committee Chairman Henry Hyde, has prohibited the Federal funding of abortions since 1976 when it passed the House and Senate that was composed overwhelmingly of Democratic members. It has been renewed each appropriations cycle with few changes for over 40 years, supported by Congresses controlled by both parties and Presidents from both parties. It is probably the most bipartisan, pro-life proposal sustained over a longer period of time than any other. It is time the Hyde amendment was codified in the U.S. Code.

H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act, sponsored by Representative CHRIS SMITH of New Jersey, would do just that. It would codify the two core principles of the Hyde amendment throughout the operations of the Federal Government; namely, a ban on Federal funding for abortions and a ban on the use of Federal funds for health benefits coverage that includes coverage of abortion.

As hundreds of thousands of people from across the country come to Washington to express their love of unborn children at the annual March for Life and as we now have a President who supports this legislation, let's reflect on what could be accomplished if the bill we consider today were signed into law.

During the time the Hyde amendment has been in place, the most reliable estimates—and those of the Congressional Budget Office—are that millions of innocent children and their mothers have been spared the horrors of abortion. Millions of lives have been saved. And of those millions of lives saved, many more have grown up to bear their own children and to raise them in happy, loving families.

This bill is more than a proposed law. It is a celebration of the lives of those millions of Americans—boys and girls, men and women of all races—who give joy and feel love and create and contribute all because of the policies this bill contains. And even more than that, this bill is a welcome sign for millions and millions more Americans to come.

I congratulate the President for already reinstating the Mexico City policy, which prohibits the Federal funding of abortions overseas. And I look forward to his signing this bill into law to codify the same policy here in America.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I rise in strong opposition to H.R. 7.

We are only 10 days into this 115th Congress, and already Republicans are bringing legislation to the floor to harm women's health. It is clear that House Republicans do not respect

women and our ability to make our own decisions.

Millions of women peacefully marched in cities around the country and around the world, yet here we are, once again, voting legislation to give politicians more control over women's bodies than they have of their own.

Let's be clear: the ultimate goal of this bill is to effectively eliminate access to abortions, even when women pay for it themselves. Seven in ten Americans believe that abortions should be safe and legal. And just as we have seen in Texas, when women lose access to abortion, they will take drastic action to seek back-alley abortions or to self-abort.

Let's remember that *Roe v. Wade* was not the beginning of women having abortions. It was the end of women dying from abortions.

Mrs. BLACK. Madam Speaker, I yield 2 minutes to the gentlewoman from South Dakota (Mrs. NOEM), a member of the Ways and Means Committee.

Mrs. NOEM. Madam Speaker, I rise today in support of H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

Specifically, this bill says directly that Federal taxpayer dollars could not be used to provide abortions. It does not do more than that. What it does is it puts into statute a permanency to legislation that has annually been renewed.

Becoming a parent was something that my husband and I always dreamed about. And when we did realize that we were having our first child, we prayed for her and we prayed for our future children, recognizing that they were a gift from God and that that life was to be protected even from the moment of conception.

That is the belief that I have, and my hope and my dream for everyone here in America is that we would recognize that those children are a gift from God to us to protect, to keep, and to make sure that they are brought into this world safely and helped from thereon. My perspective and my profound commitment to protecting unborn children is why I am standing here today.

Time and again, Congress has risen with bipartisan support to oppose taxpayer-funded abortions. Annual provisions, including the Hyde amendment, have been passed repeatedly; and they have been estimated to save over 2 million innocent lives. Our goal here is to save even more. We need to make these provisions permanent.

ObamaCare has allowed the tax dollars of hardworking Americans to flow to over 1,000 abortion-covering health plans. This has made today's bipartisan legislation more important than ever.

H.R. 7 would create a permanent governmentwide prohibition against Federal dollars to fund abortive procedures. It would also ensure the Affordable Care Act complies with the Hyde

amendment until it is repealed and replaced. That is the right thing to do.

□ 1430

Today we stand to make sure that every single life is valued, not just the ones that we pick and choose for political reasons; that every single one that God has created has an opportunity to live out their dreams here in the United States of America.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Madam Speaker, I want to thank the gentlewoman for yielding and for her tireless work and leadership on behalf of women's health.

Madam Speaker, I rise in strong opposition to H.R. 7. This discriminatory bill would undermine a woman's access to abortion care, which is a constitutional right as affirmed by *Roe v. Wade*, 44 years ago, by making the Hyde amendment permanent. This bill would restrict access to reproductive health care for millions of women and disproportionately harm low-income women and women of color.

As if this isn't enough, H.R. 7 comes on the heels of a dramatic expansion of the global gag rule which denies life-saving health care to women around the world; not to mention continuous Republican attacks on contraceptive access, comprehensive sex education, and Planned Parenthood.

Madam Speaker, when I was a staffer on Capitol Hill when the Hyde amendment was passed, I remember the days very clearly of back-alley abortions.

Clearly, Republicans are trying to take us back to the days when women died from unsafe abortions in this country.

That is why I offered an amendment that would have recognized that women—not employers or politicians—have the right to make their own reproductive health choices.

Shamefully, the Rules Committee refused to make it in order and allow for a debate.

Madam Speaker, women should be able to make their own decisions about reproductive health care, including abortions, without Members of Congress or employers interfering.

Mrs. BLACK. Madam Speaker, I referenced in my opening remarks that there has been bipartisan support for this measure, the Hyde amendment, on a yearly basis. I just want to make mention that the former gentlewoman from California who just spoke did vote for this measure in the fiscal year 2016 omnibus bill.

Madam Speaker, it is my honor to yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), who is the sponsor of the bill and is a champion for the unborn. It is really an honor for me to have served with him on this particular issue.

Mr. SMITH of New Jersey. Madam Speaker, I want to first thank the dis-

tinguished gentlewoman, my good friend DIANE BLACK, for her extraordinary leadership. I also want to say to my colleagues—and I hope this really is accepted for the profound change that it underscores—the Hyde amendment has saved 2 million lives; 2 million survivors who would have died had Medicaid funding for abortion not been available.

This is over the course of 40 years, but 2 million lives, some of whom are 39, 38. It is about 60,000 children every year. And if you look at where this comes from, much of the mega-analysis comes from a peer review done by the Guttmacher Institute in 2009. They have found that there is a 25 percent reduction in Medicaid abortions when Medicaid money is not available to effectuate the dismemberment and the chemical poisoning of an unborn child.

Defense of the unborn child is a human rights issue of our time, Madam Speaker. We talk about the unborn child, we degrade them, we treat them as if they are tumors or warts to be excised rather than children growing, developing, and maturing.

Ultrasound imaging, as we all know, has shattered the myth that somehow an unborn child is anything but human and alive. And I hope that the science, which is very readily available, catches up with the policy.

This makes Hyde and all of the other amendments permanent. We know that every year we have an annual battle over several of those amendments. It also, finally, title II, takes out of ObamaCare the facilitation and the funding of abortion.

When President Obama did his executive order in December of 2010, he said that the Hyde amendment would be applied to the ObamaCare exchanges. For months and years after that in-House debate, people have said that has happened. It did not. We know beyond any reasonable doubt—and we enlisted GAO to look at that—well over 1,000 plans pay for abortion on demand in the ObamaCare exchanges.

So that got the votes the pro-life Democrats needed to effectuate the passage of the Affordable Care Act. But, frankly, it hasn't happened. Title II of this bill says the Hyde amendment will be applied to the ObamaCare exchanges. Had that been done faithfully by the President, there would be no need for title II of this bill.

I remember when the President stood right there in September of 2009 and said: Under our plan, no taxpayer funding will be used to pay for abortion. Absolutely untrue. This language in H.R. 7 makes that true. We don't want to be complicit in the killing and the maiming of unborn children. As we know now, beyond any reasonable doubt, post-abortive women increasingly are coming forward and speaking out, those especially who found peace and reconciliation to say abortion also hurts women.

There are two victims in every abortion: mother and baby. Two million lives saved. That is what we should be all about, life affirming and the saving of human rights.

Ms. DEGETTE. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from Washington (Ms. JAYAPAL), one of our new Members.

Ms. JAYAPAL. Madam Speaker, I rise in strong opposition to this bill. This weekend, millions of women made it clear that they demand respect.

Instead, for their efforts, they have received a trip to 1984 where, once again, a paternalistic White House signed executive orders infringing on a woman's right to choose.

H.R. 7, the bill we are considering here today, is the next notch in the Republican belt that will take away our control over our own bodies.

I have years of experience working in family planning, and I can tell you that this bill takes away our ability to plan our families properly and to make decisions about our own bodies, a decision that should be left to a woman and her physician.

Make no mistake, this isn't a healthcare issue. It is part of an extreme rightwing political agenda that puts women's rights on the chopping block.

H.R. 7 tells millions of women that their voices don't matter and their rights don't count. Passing this bill will create even more barriers for women, including women of color, trying to access quality health care.

I urge my colleagues to oppose this misguided and heavy-handed bill.

Mrs. BLACK. Madam Chair, it is my honor to yield 1 minute to the gentleman from Illinois (Mr. ROSKAM), one of my Ways and Means colleagues and a long-time supporter of pro-life.

Mr. ROSKAM. Madam Speaker, I have got a prediction to make, and here is my prediction: In the course of this debate, the opponents of H.R. 7 will not acknowledge nor give voice to Congressman SMITH's claim of saving 2 million lives. Why? Because to acknowledge 2 million lives that are saved is to acknowledge the weakness of an argument; that is, those people are to be dismissed.

Madam Speaker, how do you dismiss 2 million people? How do you dismiss 2 million people, over 60,000 people every year?

If you can imagine what it would be like if someone came in here and with certainty, absolute confidence, said unambiguously, if you pass this law you are going to save 2 million lives, we would line up. We would be voting on that over and over and over again.

And yet, my prediction is, during the remainder of this debate—because we have not heard about it so far—the opponents will be silent about those 2 million lives.

We need to vote for this and save lives in the future.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Madam Speaker, I want to answer his question with a question.

Do you care about the 4 million children today that live off of less than \$2 a day and live in extreme poverty and they are alive? No, you don't.

Let me quote our Founding Father Samuel Adams. "... freedom of thought and the right of private judgment in matters of conscience direct their course to this happy country. . . ."

The First Amendment, the Fourth Amendment, the 14th Amendment, all sort of convene to this notion of rights of privacy in this country, except when it comes to women and their bodies.

Republicans continue to wreak havoc for women's health, operating as if they have some sort of moral imperative to tell us. Get your laws off our bodies.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mrs. BLACK. Madam Speaker, it is my pleasure to yield 1 minute to the gentleman from Arizona (Mr. FRANKS), who has been a longstanding supporter of life.

Mr. FRANKS of Arizona. Madam Speaker, I want to thank Congresswoman BLACK for this bill. It seems like whenever we talk about this issue, we always talk past each other. But the real question before us is: Does abortion kill a little baby?

If it doesn't, I am ready to quit talking about it. But if it does, then those of us sitting in the seat of freedom are also standing in the midst of the greatest human genocide in the history of humanity. And although we may not agree on all of the vicissitudes of abortion, one thing is certain: Some day, we, as a society, will look back, we will recognize the humanity of these little children of God and the inhumanity of what was being done to them, and we will regret these days.

Until then, at least can't we get together and say that we shouldn't force taxpayers to pay for the killing of innocent little human beings?

I pray that we can open our eyes to that truth.

Ms. DEGETTE. Madam Speaker, I am pleased to yield 1 minute to the distinguished gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Madam Speaker, on Saturday, millions of people took a stand against the assault on women's rights. Today, I stand with them once again to say we have had enough.

Only 2 days after these historic marches, Republicans in Congress have introduced H.R. 7 to silence women by limiting their constitutional right to make personal choices about their re-

productive health, without undue government interference.

H.R. 7 is a woman's health catastrophe. Not only would it codify the discriminatory Hyde amendment, it would penalize employers who offer healthcare plans with comprehensive coverage and prevent the 80 percent of ACA enrollees who receive subsidies from purchasing plans that cover abortion services. In effect, it makes abortion an option only for the wealthy.

The law of the land does not say that only some women have the right to choose; it says that all women have the right to choose.

I urge my colleagues to oppose this reckless legislation.

Mrs. BLACK. Madam Speaker, I want to once again mention that there has been longstanding bipartisan support for the support of the Hyde amendment.

As a matter of fact, the gentlewoman from California who just spoke voted for this on three different occasions; most recently in the MACRA that was passed in 2015; the omnibus, which was passed in December of 2015 and also in December of 2016; and in the fiscal year 2017 CR.

It is now my honor to yield 2 minutes to the gentlewoman from Alabama (Mrs. ROBY), a member of the Appropriations Committee and a strong supporter of pro-life.

Mrs. ROBY. Madam Speaker, I thank the gentlewoman from Tennessee for yielding me this time. Opponents of this bill are suggesting that we are against women's health care. What we are vehemently opposed to is the killing of innocent lives, innocent babies.

□ 1445

So let's call abortion abortion and be reminded that the one voice, Madam Speaker, not heard today is that of the baby. So it is my privilege, alongside my colleagues, to speak on behalf of those who are not here today to speak for themselves. No taxpayer dollars should ever go to fund abortions. This is a commonsense truth that even the most ardent pro-abortion activists have a hard time arguing.

I am unapologetically pro-life, and it is no secret that I believe in stronger protections for unborn children under the law, but I also believe that we must assign greater respect for life within our society. That is why it is so important for Congress to make a statement, once and for all, that there is no place in the Federal budget for abortion funding.

As an appropriator, I can tell you that the Hyde amendment has been indispensable to stopping funding for abortion throughout our government healthcare agencies. Now it is time to apply the same longstanding provision across the entire Federal Government.

Madam Speaker, for my pro-life colleagues and me, fighting on behalf of

the unborn has been an uphill battle these last several years. The abortion industry's fierce allies in the Senate and the Obama administration have made sure that many worthy pro-life measures were defeated. However, with a unified Republican government, our hope is that our prospects have changed for the better. On just the second day of his Presidency, President Trump issued an executive order blocking Federal funding for international groups to provide or promote abortions. For the pro-life community, this long-overdue action was a welcome sign that the Trump administration will be a powerful ally in the fight for life.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. BLACK. Madam Speaker, I yield the gentlewoman an additional 30 seconds.

Mrs. ROBY. Madam Speaker, there are many policy improvements to pursue: reasonable limits on abortions after 5 months of pregnancy, stopping the shell game of title X funding at Planned Parenthood, improving access to adoption services, and more. But a great place to start is passing H.R. 7. It is our enduring responsibility to defend the unborn, and it is imperative we get this right.

Ms. DEGETTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the gentlewoman from Tennessee has attempted to imply that several of our speakers today support the Hyde amendment because they voted for very large omnibus spending bills that included the Hyde amendment. I would like to be really clear that none of the speakers on this side today do support the Hyde amendment, and, in fact, in the last Congress we had a bill, the EACH Woman Act, sponsored by a number of us, 129 cosponsors, which would repeal the Hyde amendment. Sometimes people vote for large pieces of legislation because they do things like keep our government open and build highways and roads. But we will do everything in our power to repeal this poorly thought-out and regressive amendment, and we will do everything we can to defeat this bill today.

Madam Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Madam Speaker, I thank the gentlewoman for her leadership.

Madam Speaker, President Trump once said his favorite book is the Bible. I think he is writing a new book for the Bible called the "Apocalypse of Women." It is a reverse Genesis.

In the beginning, he divided the country in half with rightwing dog whistles in his inaugural address. On the second day, he ignored millions of people who marched across America

and the world. On the third day, he pondered changes to NAFTA and which women's rights to trade away. On the fourth day, he reinstated and expanded the global gag rule, risking women's lives worldwide. Today he and his House mouthpieces are blocking access to domestic reproductive health coverage trumpeting alternative facts about legal abortions that have been somehow prevented, some 2 million of them.

Well, prove it.

I shudder to think what will happen tomorrow, and I doubt on the seventh day it will be devoted to rest.

Madam Speaker, we must fight this madness and oppose H.R. 7.

Mrs. BLACK. Madam Speaker, I yield 15 seconds to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my friend for yielding.

Madam Speaker, my distinguished colleague said "prove it" about the 2 million. Well, there is a very extensive study done by Michael J. New. The Review of Literature done in June of 2009 by the Guttmacher Institute found: "Approximately one-fourth of women who would have had Medicaid-funded abortions instead gave birth when this funding was unavailable."

Mrs. BLACK. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BRADY), who is the chairman of the Ways and Means Committee.

Mr. BRADY of Texas. Madam Speaker, I rise today in strong support of H.R. 7, the No Taxpayer Funding for Abortion Act. This bill is pro-life, it is pro-family, and it is pro-taxpayer. I want to thank Representatives CHRIS SMITH and DIANE BLACK for their unwavering leadership in bringing this bill forward.

Among other important actions, what I am excited about is this bill finally makes the Hyde amendment permanent. This important and long-standing policy prohibits taxpayer dollars from being used to fund abortions through Federal programs. For many years, it was the policy of America that, whether you were pro-choice or, as I am, strongly pro-life, your taxpayer dollars would not be used for the controversial act of abortion.

Taking this action now is especially important given that, under the Affordable Care Act, taxpayer-funded health insurance subsidies have been funneled toward health plans that do cover abortion services. The bill before us today will ensure that taxpayer dollars aren't used in any form to cover elective abortions. This policy will be permanent, and it will apply governmentwide, including to the Affordable Care Act.

Right now, House Republicans are working to repeal this failed law and put in place a 21st century healthcare system Americans deserve. By passing this bill, we can also take immediate

action to protect life and taxpayer dollars from the law's harmful impacts.

For me, this is a family issue. My wife and I are proud parents of two adopted children. We have a family only because two women in two very difficult situations chose life. It is important that our government and the laws that represent us encourage those choices and encourage and protect innocent lives. This bill today takes such an important step forward.

Madam Speaker, I want to thank, again, Congressman SMITH and Representative DIANE BLACK for their leadership. I urge all my colleagues to join me in supporting its passage.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Madam Speaker, I thank the gentlewoman from Colorado.

Madam Speaker, for women to thrive in the economic and social opportunities of our Nation, we must have the ability to control our own reproductive lives with full access to real healthcare choices.

Republican unrelenting efforts to force unwanted pregnancies and eradicate affordable, safe abortion will not save lives. Repealing the Affordable Care Act, defunding Planned Parenthood, and now driving insurance coverage for abortion into extinction will return women to the days of coat hanger medicine. Allowing women to be killed and maimed in back alleys is not pro-life. It will not make America great again.

Women of America are on the march, and, Madam Speaker, we will not retreat.

Mrs. BLACK. Madam Speaker, once again, I want to talk about the long-standing bipartisan support for the Hyde amendment. The gentlewoman from Florida has supported this measure in the omnibus bill and also the CR of 2017.

Madam Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER), who is a member of the Financial Services Committee. She and her family have been fighting for pro-life issues for many, many, many years.

Mrs. WAGNER. Madam Speaker, I thank my friend and colleague, the gentlewoman from Tennessee, DIANE BLACK, for her wonderful leadership on this issue along with Congressman SMITH, also, for his wonderful leadership.

Madam Speaker, I rise today to express my support for the No Taxpayer Funding for Abortion Act. The Hyde amendment has received bipartisan support for 40 years because it is a testimony to the freedom of conscience for all Americans and the dignity of the unborn.

I am heartbroken that opposition to the amendment has become a political

gimmick. All human beings—the born, the unborn, the young, the old, the sick, and the healthy—are entitled to a government that promotes their dignity, their conscience, and their gift of life.

This bill spells out Congress' commitment to all people—including children—across our Nation that the profits of Big Abortion should not be pilfered off the hard work of the American citizen. No tax dollar should be spent on the destruction of human life.

In passing this bill and making the Hyde language permanent, we affirm that protecting children and mothers is our most precious duty as Members of Congress. Madam Speaker, I urge my colleagues to vote for life.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Madam Speaker, I thank Congresswoman DEGETTE for yielding the time.

Madam Speaker, I rise in strong opposition to H.R. 7 and urge the Republican-led Congress to hear the voices of the millions who marched on Saturday who proclaimed that women's rights must be respected, including a woman's right to choose her own health care.

I was part of that march, with many of my neighbors from Florida, to send a message to this Congress that our rights—our constitutional rights—must be preserved. Americans have a right to privacy, as we are reminded on this anniversary week of *Roe v. Wade*, but this Republican bill tramples on that right to privacy.

Women, their families, and their doctors have the right to make their personal healthcare decisions, not the mostly male politicians in Washington. It is especially appalling that the Republicans have targeted female veterans and those that serve in the military for reduction in care.

So, Madam Speaker, I urge a “no” vote on this unconstitutional bill and encourage Americans to continue to lift their voices.

Mrs. BLACK. Madam Speaker, once again, I want to say that there has been longstanding bipartisan support for the Hyde amendment, and the gentlewoman from Florida supported this measure back in 2015 on the H.R. 2 MACRA bill and the 2015 omnibus bill, H.R. 2029.

Madam Speaker, I yield 2 minutes to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Madam Speaker, let's talk about what this is really about. This is about the loss of human lives.

Each child potentially brings with him or her unique gifts and talents that can be used for the betterment of our society. An unborn child may be the doctor that cures cancer or Alzheimer's, may be the astronaut that lands us on Mars or the future leader

that solves the problems of today. The list of our children's potential is infinite in value.

Any time a child's life is lost, there is something more that is lost. It is a loss for us, it is a loss for our society, and it is a loss for our Nation. If you want to invest in our future, in the words of Henry Hyde: “We cannot in logic or in conscience help fund the execution of these innocent, defenseless human lives.”

A strong majority of Americans and a bipartisan majority in Congress opposes taxpayer-funded abortions. Because of this, there exists, currently, over 40 years of laws that prevent this practice. These laws have been deemed constitutional by the United States Supreme Court.

So this is not about women's health. I want you to know very clearly that I support women's health. I support a healthy, organic, and open healthcare system that gives women more care than they currently receive today. What this bill does is codifies something that we already have. It ends the patchwork and establishes permanent protections for our children and the future of our society.

I want you to know, Madam Speaker, that when I stand up and I meet with my Maker, I want you to know that I am not going to be ashamed. I am going to know that I stood up for the lives of these innocent children.

Madam Speaker, I urge my colleagues to vote in favor of our future, in favor of our unborn potential, and in favor of H.R. 7.

□ 1500

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. Madam Speaker, this weekend we saw millions of Americans march in cities and towns across the country and around the world—far more than attended the inauguration the day before.

I joined the march in Chicago, where one of the most visible concerns was women's reproductive freedom. Today, House Republicans, roughly 90 percent of them White males, responded by showing the women of America exactly how little they respect those rights.

Madam Speaker, a party that lost the popular vote by almost 3 million votes does not have a mandate to deny women the right to make their own healthcare decisions.

Perhaps I should remind my Republican colleagues that unless you are their doctor, they don't need your opinion. Women in the Federal workforce, low-income women, women in the military, women employed by small businesses are all perfectly capable of having a conversation with their doctor about their health.

So I urge my colleagues to vote “no” on the bill and “no” to disrespecting the women of America.

Mrs. BLACK. Madam Speaker I yield 1 minute to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Madam Speaker, life begins at conception. I believe it is our responsibility to protect the millions of unborn children whose voices go unheard.

As a Christian and a father of three, I believe the lives of all children, including the unborn, are just as important as yours or mine. That is why I stand here today in support of H.R. 7. This bill safeguards the lives of unborn children who are robbed of their opportunity to experience the marvels of life.

H.R. 7 closes loopholes that have permitted the subsidization of abortions by taxpayers who are morally opposed to the practice. Additionally, this bill also requires insurance providers who receive Federal subsidies through participation in the healthcare exchanges to report to consumers whether or not they will be subject to a surcharge that covers abortion services at the time of purchase.

It boggles the mind that our Federal Government had the arrogance to skirt longstanding laws in order to trick the American taxpayer into unknowingly contributing to abortions in the first place.

This bill has passed the House numerous times. The merits of the bill are clear. I urge my colleagues to support swift passage of H.R. 7.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

Mrs. VELÁZQUEZ. Madam Speaker, I thank the gentlewoman for yielding.

Madam Speaker, on Saturday, millions of Americans around the Nation spoke with a collective voice, opposing President Trump's plans to trample women's rights. Yet here we are, the first week of the new administration, voting on a bill to scale back women's health benefits.

Let's be clear: this bill is not about preventing Federal funds from going to abortions. Sadly, current law already prevents that. In reality, this bill would affect millions of women who purchase coverage with their own money. It will make it nearly impossible for insurance providers to offer plans fully covering women's reproductive health. It would harm low-income women who need access to an abortion, turning back the clock on women's reproductive rights.

It is day five of the Trump Presidency and women are already being attacked at every corner. I promise my colleagues this: the American people are watching. They will remember this vote.

Vote “no” on this bill.

Mrs. BLACK. Madam Speaker, I want to remind everyone of the longstanding bipartisan support for the Hyde amendment. The gentlewoman from New

York voted for this measure in the omnibus bill, H.R. 2029, in 2015, and then on the MACRA bill, also in 2015.

Madam Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. RUSSELL).

Mr. RUSSELL. Madam Speaker, the carving up and commercial sale of dismembered unborn children ranks as one of the most horrific and barbaric acts in American and human history.

As an adoptive father, I speak today on behalf of the 55 million Americans that have had their lives brutally ended with the scalpel, the suction hose, and the callousness of the murderous culture that allows it to perpetuate.

These Americans had a right to choose life that they did not want to lose. We have the ability to restore to future Americans that choice. Until that day, no American should be forced to end the life of an innocent human being with their tax dollars.

We can carve up a child and call it a choice. We can destroy human life and call it health care. We can make the killing of children legal and pretend it is beneficial. We can cover acts of barbarity with the veneer of civility. But we cannot escape our accountability before the Creator of life.

Ms. DEGETTE. Madam Speaker, I yield myself such time as I may consume.

The gentlewoman from Tennessee keeps saying over and over that different people voted for H.R. 2029 and, therefore, they must be for the Hyde amendment. I would like to point out that she herself voted against H.R. 2029. I guess maybe that means she is against the Hyde amendment since she voted against that bill.

The point I am making is that all of us oppose the Hyde amendment. We are all cosponsoring the EACH Woman Act. Simply because you vote for or against a large omnibus bill does not mean you are necessarily in favor of or against the Hyde amendment.

Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Madam Speaker, I thank the gentlewoman for yielding.

H.R. 7 will make permanent the harmful and discriminatory Hyde amendment, penalizing small businesses who want to provide comprehensive health coverage to their employees and, once again, trampling on the District of Columbia by prohibiting the District from spending its own local funds for abortion coverage.

Yet again, the GOP has put our bodies and the choices we should get to make about them in the middle of a political firestorm. With every exhaustingly repetitive argument about when, how, and where a woman should be able to make those decisions, our country suffers.

If my Republican colleagues are so concerned about the life of a child, why isn't there priority to put forth a plan for public education? Why haven't we seen a comprehensive plan to continue the job growth that President Barack Obama started?

Their motives are transparent and I refuse to let this White House or any elected official play politics with women's bodies. As we continue down this dangerous road, today, tomorrow, and every day thereafter will be a day of resistance.

Madam Speaker, I urge my colleagues to oppose this bill.

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. MITCHELL) one of our newest Members.

Mr. MITCHELL. Madam Speaker, I rise in support of the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act, which I proudly cosponsored.

Four years ago, my wife and I adopted a young child from an orphanage. People say it changed his life. It changed ours.

This year, the theme of the March for Life is "The Power of One," meaning that every single person can change the course of history if given the chance to live. Every year, 1 million unborn babies are stripped of the right to life, which our Declaration of Independence calls unalienable.

Moreover, those opposed to abortion have been forced to violate their consciences through taxpayer-funded abortions. This legislation will reinforce a culture of life by making current prohibitions against taxpayer-funded abortions permanent.

Madam Speaker, I stand in the spirit of "The Power of One" to give voice to the voiceless, rights back to the unborn, and I urge passage of this legislation.

Ms. DEGETTE. Madam Speaker, may I inquire as to the time remaining on each side?

The SPEAKER pro tempore. The gentlewoman from Colorado has 14½ minutes remaining. The gentlewoman from Tennessee has 3½ minutes remaining.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Madam Speaker, with H.R. 7, Republicans are again targeting American women's health care.

This bill limits financial assistance in order to restrict women's choices in the health insurance marketplaces, forcing women and their families to select only certain plans. The goal is to restrict the ability of a woman to make her own choices.

This bill comes up 1 day after President Trump reinstated the Mexico rule. It prohibits U.S. foreign assistance to any organization which uses not those funds, but those from any other source for any activity related to abortion services.

When I was Assistant Administrator of the AID in the late seventies, I led the highly organized effort that established a strict process for cordoning off any U.S. funds from any activity related to abortions, in violation of the Hyde amendment.

What the Mexico rule means is that if any organization uses funds from any source related to abortion, it cannot receive any U.S. assistance, even if 99 percent of its activities related to women's health are totally unrelated to abortions and even programs in a nation where abortion is illegal.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. DEGETTE. Madam Speaker, I yield the gentleman an additional 30 seconds.

Mr. LEVIN. The result will be the absence of health care for millions of women in our Nation, as H.R. 7 will result for millions of women in our Nation. We are seeing 48 hours of reckless disregard for women's health.

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Madam Speaker, I rise today in support of H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

Unfortunately, in our Nation, the most vulnerable and the most helpless lives amongst us have had their lives ended unceremoniously and tragically through abortion. Since 1973, 57 million lives have been lost to abortion. Even more disheartening, taxpayer dollars have been funding these abortions, despite the fact that polls show that 60 percent of Americans believe that abortions should not be directly paid for with tax dollars.

Since 1976, the Hyde amendment has saved 2 million lives by prohibiting tax dollars from funding abortions. It is time to make this lifesaving amendment permanent and governmentwide. If signed by our new President, this measure would do just that. Supporting comprehensive, life-affirming care is a better and more effective way to invest in women's health.

I am thankful to all those who will come to Washington, D.C., this week to March for Life on behalf of the unborn. As a practicing Catholic and the father of three, I am proud to be the voice for the unborn here in Congress.

I urge my colleagues to support H.R. 7 and stand up for life.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. DELBENE).

Ms. DELBENE. Madam Speaker, this weekend, millions of women marched across the country to send a clear signal to Congress and President Trump: Hear our voices and protect our rights.

Yet here we are, just 2 days later, voting on the same extremist policies that House leaders have been pushing for years.

Women will not be fooled. We know H.R. 7 is another direct attack on our health and our families. It creates sweeping new restrictions on abortion care for women who purchase coverage under the Affordable Care Act, with no meaningful exceptions to protect a woman's health.

That means women like Stephanie, from my district, who faced heart-breaking complications during her wanted pregnancy, would be left without coverage for the doctor-recommended care she needed.

We should not be injecting ideology into a woman's personal medical decisions. This bill is an insult to the millions of women who marched this weekend, and I urge my colleagues to vote "no."

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PITTINGER).

Mr. PITTINGER. Madam Speaker, just a few weeks ago, my family was blessed with the arrival of a beautiful baby girl, our 10th grandchild. If you have ever held a newborn, so defenseless and completely dependent on you, you will understand why the idea that some people advocate for the murder of little babies is unconscionable.

Since 1975, the Hyde amendment has saved an estimated 2 million innocent babies by prohibiting taxpayer dollars from being used for abortions. Unfortunately, ObamaCare ignores the Hyde amendment and uses your tax dollars as subsidies for insurance policies which offer abortion services.

Therefore, I urge my colleagues to join me in support of the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act, which will make the Hyde amendment governmentwide policy and ensure future government programs don't support abortion with your tax dollars.

God tells us that He knew us in our mother's womb. His gift of life is precious, unalienable, and must be protected.

□ 1515

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN), another one of our excellent new Members.

Mr. RASKIN. Madam Speaker, I rise in opposition to H.R. 7.

A few days ago, millions of Americans made history by marching for freedom and equality against an administration that keeps threatening to grab women by their privacy rights. H.R. 7 now tries to make it impossible for millions of women, like my constituents in Maryland, to have an abortion, even when their health is at stake and even to the point of manipulating the tax laws to force private insurers in the ACA not to offer complete coverage.

Here in Washington, D.C., the only capital of a democracy on Earth where

residents are denied voting representation in their national legislature, this extreme legislation constitutes a special assault on liberty. The hundreds of thousands of taxpaying citizens living in D.C. have decided, like the people of Maryland, to offer Medicaid funding for poor women to have complete coverage. This legislation strips this modicum of democracy away in the District of Columbia, combining a cavalier attack on democracy with a vicious attack on health care.

If a foreign repressive power like Russia tried to deny women in our Capital City complete medical coverage, we would consider it an act of aggression against the United States. As a Representative from Maryland, the Free State, I reject this outrageous attempt to deprive women of their constitutionally protected choices, and as the next-door neighbor of the good people of Washington, D.C., I reject this brutal attack on democracy and health care.

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. FORTENBERRY), a gentleman who has been a champion of life.

Mr. FORTENBERRY. I thank my dear colleague and friend, DIANE BLACK, for her leadership on this most essential issue.

Madam Speaker, if you look behind us on this dais right here, it says, "Peace, Liberty, Justice." We inscribe these words all around our Nation's Capitol and on our monuments, but in truth, we cannot find peace in a society that does not protect its most vulnerable members. We cannot find liberty when we are indifferent to one another, and we cannot claim justice when we throw away innocent life.

Madam Speaker, I find it very interesting that the early feminist movement was pro-life. They saw abortion for what it is: the abandonment of women. Once an abortion occurs, as Maddie Brinckerhoff, an early feminist lecturer, once said:

It is evidence by either a lack of education or resources, she has been greatly wronged.

At the very least, I think, Madam Speaker, we can stand with the vast majority of Americans and not use our taxpayer dollars to subsidize the abortion industry and the violence against women.

Ms. DEGETTE. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Colorado has 11 minutes remaining. The gentleman from Tennessee has 30 seconds remaining.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Speaker, what this bill is about is taking women who can't afford to get an abortion and not allowing them to use taxpayer-funded money to get it. The assumption on the

other side is they won't have money, because people who are in dire straits won't have money to get it, and therefore they will have these 2 million children they are talking about.

What we are talking about—let's make it clear—is they are talking about poor women who they think can't afford to get to a doctor or to an abortion provider and force them to have children that they can't have because of economics.

So women, poor women, do not forgive them for they know what they do. They are trying to put you at their mercy and make you have children because you are poor. If they get their ultimate desire—and that is the repeal of Roe v. Wade—then poor women will not be able to get an abortion, but wealthy women will.

Trump said, yes, if they outlaw abortion, go to another State. Easy to say when you are a billionaire, but not a thing to say to the middle class and poor women of this country whom they want to force, through their economic disparities, to bear children.

Mrs. BLACK. Madam Speaker, I yield 30 seconds to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Madam Speaker, I know our time is short. I just want to say that this bill signifies our staunch support for life, and in spite of what has all been said, it just simply prevents taxpayer funds from being used to pay for abortions.

For years our government has had a patchwork approach to this issue. However, this bill, H.R. 7, would create a clear and unified policy across all Federal agencies.

Our Founding Fathers set forth in the Declaration of Independence "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights." One of those unalienable rights is life. Therefore, it follows that the right to life of each human being should be preserved and protected.

Madam Speaker, I urge my colleagues to support this bill.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER), an activist on this issue.

Mr. NADLER. Madam Speaker, there is obviously a difference of opinion in this country on the morality of abortion. I am appalled by the moral arrogance of the Republicans who would use political power to impose their views on the millions of women who disagree with them and want to make their own decisions.

Though the Supreme Court has determined that neither Congress nor a State may place an undue burden on a woman's right to terminate a pregnancy, the Hyde amendment makes

abortion access virtually impossible for low-income women.

As unjust and despicable as the Hyde amendment is, this bill goes beyond it. For the first time, Republicans are attempting to restrict the right of women to use their own money to pay for abortions by denying normal tax deductions for medical expenses if those medical expenses include an abortion, by denying normal tax credits for health insurance if that insurance covers abortion, and by denying use of tax-free money from an FSA or an HSA for an abortion.

The intent of this bill is obvious: to end insurance coverage for all abortions, thereby making it nearly impossible for women to exercise their constitutional rights.

Republicans should pay heed to the millions of women who marched to protect their rights this weekend and are watching how we vote today.

Madam Speaker, there is obviously a difference of opinion in this country on the morality of abortion. I am appalled at the moral arrogance of the Republicans who would use political power to impose their views on the millions of women who disagree with them and want to make their own decisions.

If Saturday's protests are any indication, the women of America and the world are watching us. They are not going to stand silently by while Republicans in Congress and the White House take away their rights, their health care, their families, and their livelihoods. They sent this message loud and clear, but it seems my Republican colleagues have not heard it. Yesterday morning, President Trump signed an executive order reinstating the Global Gag Rule, which will deny thousands of women around the world access to reproductive health care, which will lead to a dramatic decline in maternal and infant health around the world.

Today, Republicans are bringing up a bill that will deny women the right to access comprehensive reproductive health care, a right protected by the Constitution.

The right of a woman to decide whether to become pregnant, to decide to continue her pregnancy, or to make the decision to terminate her pregnancy is protected by the Constitution. The Supreme Court has determined that neither Congress nor a state may place an "undue burden" on that right. Denial of Medicaid or other government funding that would be available for other medical procedures should be considered an "undue burden." For decades, Congress has imposed the Hyde Amendment on every appropriations bill. This language disproportionately impacts poor women and women of color, effectively denying them their constitutional right to access abortion. Yet today, Republicans want to make that language permanent.

As unjust and despicable as the Hyde Amendment is, this bill goes beyond it. For the first time, Republicans are restricting the right of women to use their own money to pay for abortions. This bill will deny normal tax deductions for medical expenses if those expenses include abortion, normal tax credits for health insurance if that insurance includes abortion,

and denying the ability to use tax-free money from an FSA or HSA for an abortion.

The bill does include an exception in cases of rape, incest, or the life of the mother. You may ask, how the IRS will know a woman's reason for getting an abortion. Well, under this bill, women will have to prove they are a victim of rape or incest or will have to provide detailed medical records to determine just how at risk their life was. Women will not only have to suffer the trauma of a sexual assault or the loss of a pregnancy because of life-threatening complications, they will now also have to face an IRS inquisition to get their own money back. So much for Republicans' pledge to get "big government" out of people's lives.

The intent of this bill is obvious: to end insurance coverage for all abortions thereby making it nearly impossible for women to exercise their constitutional rights. Republicans are clearly out of step with the millions of women who marched to protect their rights this weekend. Those women, and the millions more who stand with them, are watching and ready to fight back. I am proud to vote against this bill and to join their fight.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, these are the faces of innocent and wonderful women like Dakota and Chenoa, who indicate that, if they did not have Planned Parenthood, they would not be able to be where they are today, or Chenoa, who indicated, without Planned Parenthood and the Affordable Care Act, they wouldn't have access to health care.

That is what H.R. 7 intends to do, to deny these young, beautiful women an opportunity. But more importantly, my colleagues on the other side want to suggest they only—they only—have religion and faith. But as a mother, let me say that every child I have loved and every woman who has had a decision to make I have loved and respected for her choice of a faith, her God, and her doctor.

Rather than having this war on women by Republicans, we need to be dealing with the voting rights law. Rather than prohibiting individuals from receiving a refundable tax credit on cost-sharing reductions for purchasing a qualified health plan that encourages coverage for abortions or denying the District of Columbia their rights, we should be standing for rights. This is a constitutional right. It is also a choice by a woman of her God, her doctor, and her family.

Vote against H.R. 7. It is violence against women. It is not helping women or the unborn child.

Madam Speaker, I rise again in strong opposition to H.R. 7, the so-called "No Taxpayer Funding for Abortion Act."

I oppose this bill because it is unnecessary, puts the lives of women at risk, interferes with women's constitutionally guaranteed right of privacy, and diverts our attention from the real problems facing the American people.

A more accurate short title for this bill would be the "Violating the Rights of Women Act of 2017."

Instead of resuming their annual War on Women, our colleagues across the aisle should be working with Democrats to build upon the "Middle-Class Economics" championed by the Obama Administration that have succeeded in ending the economic meltdown it inherited in 2009 and revived the economy to the point where today we have the highest rate of growth and lowest rate of unemployment since the boom years of the Clinton Administration.

We could and should instead be voting to raise the minimum wage to \$15.00 per hour so that people who work hard and play by the rules do not have to raise their families in poverty.

A far better use of our time would be to provide help to unemployed job-hunters by making access to community college affordable to every person looking to make a new start in life.

Instead of voting to abridge the constitutional rights of women for the umpteenth time, we should bring to the floor for a first vote comprehensive immigration reform legislation or legislations repairing the harm to the Voting Rights Act of 1965 by the Supreme Court's decision in *Shelby County v. Holder*.

Madam Speaker, the one thing we should not be doing is debating irresponsible "messaging bills" that abridge the rights of women and have absolutely no chance of overriding a presidential veto.

The version of H.R. 7 before us now is as bad today as it was when the House Republican leadership insisted on bringing it to a vote a year ago.

The other draconian provisions of that terrible bill are retained in H.R. 7, which would:

1. Prohibit federal funds from being used for any health benefits coverage that includes coverage of abortion. (Thus making permanent existing federal policies.)
2. Prohibit the inclusion of abortion in any health care service furnished by a federal or District of Columbia health care facility or by any physician or other individual employed by the federal government or the District.
3. Apply such prohibitions to District of Columbia funds.
4. Prohibit individuals from receiving a refundable federal tax credit, or any cost-sharing reductions, for purchasing a qualified health plan that includes coverage for abortions.
5. Prohibit small employers from receiving the small-employer health insurance credit provided by the health care law if the health plans or benefits that are purchased provide abortion coverage.

If H.R. 7 were enacted, millions of families and small businesses with private health insurance plans that offer abortion coverage would be faced with tax increases, making the cost of health care insurance even more expensive.

Under the Affordable Care Act, insurers are able to offer abortion coverage and receive federal offsets for premiums as long as enrollees pay for the abortion coverage from separate, private funds.

If enacted, H.R. 7 would deny federal subsidies or credits to private health insurance

plans that offer abortion coverage even if that coverage is paid for from private funds.

This would inevitably lead to private health insurance companies dropping abortion coverage leaving millions of women without access to affordable, comprehensive health care.

Currently, 87% of private insurance health care plans offered through employers cover abortion.

If H.R. 7 were to become law, consumer options for private health insurance plans would be unnecessarily restricted and the tax burden on these policy holders would increase significantly.

H.R. 7 would also deny tax credits to small businesses that offer their employees insurance plans that cover abortion, which would have a significant impact on millions of families across the nation who would no longer be able to take advantage of existing tax credits and deductions for the cost of their health care.

For example, small businesses that offer health plans that cover abortions would no longer be eligible for the Small Business Health Tax Credit—potentially worth 35%–50% of the cost of their premiums—threatening 4 million small businesses.

Self-employed Americans who are able to deduct the cost of their comprehensive health insurance from their taxable income will also be denied similar tax credits and face higher taxes.

H.R. 7 would also undermine the District of Columbia's home rule by restricting its use of funds for abortion care to low-income women.

The Hyde Amendment stipulates that no taxpayer dollars are to be used for abortion care, and has narrow exceptions for rape, incest, and health complications that arise from pregnancy which put the mother's life in danger.

H.R. 7 would restrict women's access to reproductive health care even further by narrowing the already stringent requirements set forth in the Hyde Amendment.

When the Affordable Care Act was signed into law, the President issued an Executive Order to "ensure that Federal funds are not used for abortion services."

This version of H.R. 7 goes far beyond the safeguards established under the Affordable Care Act, and sets a dangerous precedent for the future of women's reproductive health in this country because it includes two new provisions that were added at the 11th hour but have never received a hearing or a mark-up.

These new provisions would (1) ban abortion coverage in multi-state health plans available under the ACA; and (2) mandate that health plans mislead consumers about abortion coverage by requiring all plans in the health-insurance exchanges that include abortion coverage to display that fact prominently in all advertising, marketing materials, or information from the insurer but interestingly, does not require the same disclosure from plans that do not cover abortion.

Madam Speaker, H.R. 7 would also force health plans to mislead consumers about the law's treatment of abortion.

As a concession to anti-choice lawmakers, the ACA requires insurance plans participating in the new health system to segregate monies used for abortion services from all other funds.

In order to aid in identifying these funds and simplify the process of segregating general premium dollars from those used to cover abortion services, the ACA requires that health plans estimate the cost of abortion coverage at no less than \$1 per enrollee per month.

H.R. 7 would require plans covering abortion to misrepresent this practice as an "abortion surcharge," which is to be disclosed and identified as a portion of the consumer's premium.

By describing abortion coverage in this way, H.R. 7 makes it look as though it is an added, extra cost, available only at an additional fee, when in fact it is not.

Taken together, the provisions in H.R. 7 have the effect, and possibly the intent, of arbitrarily infringing women's reproductive freedoms and pose a nationwide threat to the health and wellbeing of American women and a direct challenge to the Supreme Court's ruling in *Roe v. Wade*.

Madam Speaker, one of the most detestable aspects of this bill is that it would curb access to care for women in the most desperate of circumstances.

Women like Danielle Deaver, who was 22 weeks pregnant when her water broke. Tests showed that Danielle had suffered anhydramnios, a premature rupture of the membranes before the fetus has achieved viability.

This condition meant that the fetus likely would be born with a shortening of muscle tissue that results in the inability to move limbs. In addition, Danielle's fetus likely would suffer deformities to the face and head, and the lungs were unlikely to develop beyond the 22-week point.

There was less than a 10% chance that, if born, Danielle's baby would be able to breathe on its own and only a 2% chance the baby would be able to eat on its own.

H.R. 7 hurts women like Vikki Stella, a diabetic, who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival. Because of Vikki's diabetes, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion.

Every pregnancy is different. No politician knows, or has the right to assume he knows, what is best for a woman and her family.

These are decisions that properly must be left to women to make, in consultation with their partners, doctors, and their God.

H.R. 7 lacks the necessary exceptions to protect the health and life of the mother.

H.R. 7 is an unconstitutional infringement on the right to privacy, as interpreted by the Supreme Court in a long line of cases going back to *Griswold v. Connecticut* in 1965 and *Roe v. Wade* decided in 1973.

In *Roe v. Wade*, the Court held that a state could not prohibit a woman from exercising her right to terminate a pregnancy in order to protect her health prior to viability.

While many factors go into determining fetal viability, the consensus of the medical community is that viability is acknowledged as not occurring prior to 24 weeks gestation.

Supreme Court precedents make it clear that neither Congress nor a state legislature can declare any one element—"be it weeks of

gestation or fetal weight or any other single factor—as the determinant" of viability. *Colautti v. Franklin*, 439 U.S. 379, 388–89 (1979).

The constitutionally protected right to privacy encompasses the right of women to choose to terminate a pregnancy before viability, and even later where continuing to term poses a threat to her health and safety.

This right of privacy was hard won and must be preserved inviolate.

The bill before us threatens this hard won right for women and must be defeated.

I urge all members to join me in opposing the bill.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Madam Speaker, I stand with women and men across our country in opposition to H.R. 7, the latest effort from Republican leaders to take the opportunity for women to make choices about their own healthcare decisions.

This weekend, my colleagues and I marched arm in arm with our constituents in women's marches across the country. I heard these Americans, and if you were listening, you would have heard them say, "my body, my choice"; "her body, her choice." This bill ignores the voices of women and male feminists in the United States.

Particularly disturbing, H.R. 7 prevents small businesses that use ACA tax credits from using them to pay for comprehensive health coverage for their employees that includes abortion services. Passage of this bill means the government, whom my colleagues claim is too big, will dramatically expand its role in a woman's healthcare decision.

As we have seen time and time again, restrictions like these disproportionately affect low-income women, younger women, and women of color. All women deserve the ability to make their own healthcare decisions without government interference. It is her body. It is her choice.

I urge my colleagues to recognize the intrusive, unfair, and unequal consequences of H.R. 7.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. BARRAGÁN), another one of our new, wonderful Members.

Ms. BARRAGÁN. Madam Speaker, women's reproductive rights are under attack. We have heard today H.R. 7 disproportionately affects women of color and low-income women, like my family.

Growing up in Carson, California, my two older sisters got pregnant as teenagers—one at 15 and one at 16—so I know from my own family experience and personal experience the importance of being able to make your own choices for your own body and your own beliefs. As a teenager without

health insurance, I, like many women in my community, relied on services like Planned Parenthood to access contraception, which I would not have been able to afford otherwise.

Despite what the other side claims, taxpayer dollars do not fund abortion except in cases of rape, incest, or to preserve the life of a mother. Like millions of other women, I am grateful for these services and the opportunity to make decisions that are right for me. I oppose the attack on women's reproductive rights.

Ms. DEGETTE. Madam Speaker, I yield 1 minute to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Madam Speaker, on Saturday, I proudly stood shoulder to shoulder with thousands of strong women and their allies in south Florida. It was one of hundreds of demonstrations across the country and the globe, millions of people in the streets sending a loud message that rang out all across the world.

But the GOP majority has chosen to ignore the calls for women to be able to control their own bodies and their own health care. This bill says to American women: your bodies, Washington's rules.

The majority uses talking points about getting Washington out of health care when they are fighting to kick 32 million people off their insurance, but when it comes to women's bodies, House Republicans are happy to step between a woman and her doctor.

As a man, I have never had to drive across State lines to find a doctor. I have never had my doctor silenced about a medical procedure. As a man, I have never had to endure an invasive and unnecessary procedure to satisfy someone else's twisted political desires. These experiences are all too common for women in America today.

While I and my male colleagues in Congress get to have an open and honest relationship with our doctors, this bill will deepen the ugly fight against women's control of their own bodies. Reproductive rights are women's rights and must be respected. Show that respect by voting "no" on H.R. 7.

Ms. DEGETTE. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, as I mentioned in my opening remarks, the fad, apparently, this week, is the idea of alternative facts. In other words, if politicians don't like the facts that they have been given or the reality of the situation, then what we should do is we should just come up with new facts; and apparently, the facts in this bill are that, apparently, the other side is worried about taxpayer funding for abortions.

As we have said repeatedly, we don't like this on this side of the aisle, but right now, because of the annual Hyde amendment, there is no taxpayer fund-

ing for abortion. We aim to change that because it is probably the most regressive legislation that we have for women's health.

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It says that rich women can get the full range of healthcare services they need, including abortion; but poor women, the women least equipped to be able to raise unwanted children, and certainly not with help from this Congress, are the ones who cannot get those services that they needed.

So I just want to say one more time because I keep hearing the alternative facts over and over, there are right now no taxpayer funding for abortions, something that we need to fix. But this bill takes us the opposite direction. What this bill does is it codifies the Hyde amendment in statute once and for all, and that would bar low-income women from receiving these much-needed services. It codifies the D.C. abortion ban, which would rob the D.C. City Council of giving the healthcare services D.C. women need, even with D.C. tax revenues. It codifies the Helms amendment, which is the same thing as the Hyde amendment for international programs. And perhaps the biggest ban here is it restricts people's ability to buy insurance policies on the healthcare exchanges with their own money that will cover abortion.

I heard from my colleagues on the other side of the aisle over and over again that there are a thousand policies. The lady from South Dakota said that government dollars were supporting abortive procedures. That is just simply not the case. There is no Federal money in the exchanges paying for abortive procedures.

What this bill does is it greatly expands restrictions on women's ability with their own money to buy insurance policies with legal healthcare coverage that they feel that they need. And it says that if you get a subsidy, then you can't get a policy with your own money. That is a vast expansion, and it is well beyond the pale.

It is also, by the way, beyond what the American public says. Because the American public, by 86 percent, says that if you are poor, then politicians should not put their personal views on you and you should be able to get the healthcare coverage that you need. We saw this with the millions of American women and men in Washington and around the country who marched this last weekend. But we see it in the polling. People say, if you are poor, you should be able to get the healthcare coverage you need, not what some politician in Washington tells you.

I have an idea. Every year, around the anniversary of Roe v. Wade and the time that the protestors come to Washington, I don't think that we should debate this futile exercise year after year. I think we should come together

across the aisle, Democrats and Republicans, to figure out how we can prevent unwanted pregnancies.

I am getting ready to introduce a bill. I would urge my colleagues on both sides of the aisle, including the Republican side, to cosponsor this bill. This bill will expand contraception and family planning services and long-range contraception for all American women so that we can prevent unwanted pregnancies.

In Colorado, we have a program that is called LARC. And what it is is a program where the State helps teen and young women get long-acting contraception so they can prevent unwanted pregnancies. And here is what happened in Colorado when we enacted this very robust and helpful program. According to the data from the Colorado Department of Public Health and Environment, both the birth rate and abortion rate for women ages 15 to 19 fell 48 percent from 2009 to 2014 because of long-acting contraception, and the same was true for women of the next age group up.

We can do this. We can do this together. Let's start talking about a way to improve women's health instead of to restrict their choices. Vote "no" on this ill-conceived bill.

Madam Speaker, I yield back the balance of my time.

Mr. TED LIEU of California. Madam Speaker, I will vote No on Roll Call No. 65, on H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017.

Today, just two days after the 44th anniversary of the Roe v. Wade Supreme Court ruling that protects the rights of women to control their own bodies, House Republicans have once again taken up a vote attacking the constitutionally-protected reproductive rights of women all across the nation.

As if this past weekend's Women's March on Washington (which was far more attended than President Trump's own inauguration) didn't signal anything to our elected leaders, President Trump took the GOP's war on women's rights and health a step further by signing an executive order reinstating the 'global gag rule' and blocking foreign aid for international non-governmental organizations that provide basic reproductive health services globally. This decision not only increases abortion rates, it will cause more maternal complications, injuries, and unintended pregnancies and provide less information on HIV/AIDS prevention and treatment programs worldwide.

Republicans continue their shameful, radical assault on women's reproductive health with today's vote on H.R. 7, a discriminatory bill that among other things would prohibit the use of federal funds to pay for any abortion services. Despite the fact that current law already requires that federal funds not be spent on abortions, this bill would prohibit individuals and small businesses from claiming tax credits for any private insurance plans obtained through the ACA Marketplace that include abortion coverage. Families buying their insurance in the Marketplace would also be ineligible to receive a premium tax credits if they

enrolled in a health plan that covers abortion, likely resulting in no abortion coverage policies being offered in the Marketplaces. Furthermore, it undermines the District of Columbia's home rule, which allows D.C. to use its own Medicaid funds to offer abortion services. This is despite the fact that 17 states, including California, are currently allowed to do so.

Women should be able to make their own decisions about reproductive health care with dignity and respect, without the interference of politicians or their employers. We should not be in the business of telling women what they can and cannot do with their own bodies. Today's vote is just another step forward in the Republican party's plan to Make America Sick Again and take away the comprehensive care women deserve.

Ms. DELAURO. Madam Speaker, I rise today in strong opposition to this rule. This is about a woman's fundamental right to make her own family planning decisions. The courts have spoken: *Roe v. Wade* is settled law, and a majority of Americans support it. But the Majority would rather roll back the clock by decades, forcing women back into a reality when women could not make their own health care decisions, by restricting insurance coverage. Enough is enough.

We must promote and protect the rights of every woman, every family, every American to make their own family planning decisions, and to have access to a full range of healthcare services.

What we are facing now is not just an attack on the right to abortion. It is not just an attack on women's health. It is an assault on the health and wellbeing of millions of Americans. On Saturday, millions of people across the country marched in support of an agenda that puts women's health decisions in the hands of women and their families—and that ensures safe and affordable access to women's healthcare. This bill flies in the face of the mandate demonstrated this weekend, and I oppose it.

Mr. CONYERS. Madam Speaker, I rise in strong opposition to H.R. 7, the so-called "No Taxpayer Funding for Abortion Act and Abortion Insurance Full Disclosure Act of 2017."

The Majority marks the 44th anniversary of *Roe v. Wade* this week with its latest attempt to undo that decision's unequivocal recognition of a woman's constitutionally protected right to choose to terminate a pregnancy.

We must recognize this bill for what it really is. H.R. 7 is yet another attack by the Majority on women's health, a goal it accomplishes in several respects.

To begin with, H.R. 7 would make it virtually impossible for a woman to obtain abortion services even when paid for with purely private, non-Federal funds.

It achieves this end by denying Affordable Care Act tax credits to income-eligible women and small business employers who choose insurance coverage that includes abortion.

Through its novel tax penalty provisions, H.R. 7 departs radically from existing law, taking away women's existing health care and placing their health and lives at risk.

Despite the claims of its sponsors, H.R. 7 does not merely codify current law, but, rather, goes well beyond it to deny women basic health care services.

Moreover, to the extent it bans federal funding of abortion services, H.R. 7 is unnecessary, because such funding is already banned by the Hyde Amendment, and the Affordable Care Act maintains that ban.

For more than 30 years, Congress has prohibited federal funding of abortion, except in cases of rape, incest, or to save the life of the mother, through the Hyde Amendment and similar measures in annual appropriations bills.

Nothing in the Affordable Care Act changes this. That Act does not permit federal funding of abortion, and ensures that only private funds can be used to purchase abortion insurance coverage.

There is absolutely no risk that public money will be used to pay for abortion services.

So what is H.R. 7 really about? Plain and simple, it is part of the Majority's relentless war against women's health and constitutional freedoms.

Members should understand that a vote for H.R. 7 is not a vote to codify existing law. It is, instead, a vote to attack women's health and equality.

Finally, we should reject H.R. 7's permanent restriction on the District of Columbia's use of local funds that Congress has approved.

H.R. 7 not only infringes women's constitutional rights, but also intrudes deeply into local government decision-making by the District.

Women and families who live in the District should not be singled out for additional harm simply because of where they live.

Last Congress, the Obama Administration "strongly oppose[d]" a substantially similar bill, saying the legislation "would intrude on women's reproductive freedom and access to health care; increase the financial burden on many Americans; [and] unnecessarily restrict the private insurance choices that consumers have today."

I agree wholeheartedly with that analysis and, accordingly, I strongly urge my colleagues to oppose this dangerous bill.

Mr. PALLONE. Madam Speaker, I rise today in strong opposition to H.R. 7—another radical attempt by House Republicans to attack women's health and limit women's access to comprehensive care.

The real purpose of this bill is to effectively eliminate insurance coverage for abortion services, not only for federally funded coverage, but also for private health insurance by raising taxes on women, their families, and small businesses.

My colleagues on the other side of the aisle claim that this bill just codifies the Hyde Amendment, which already prohibits federal funding for abortion except in limited cases of rape, incest, or to save the life of the mother, and it is already enacted each year in appropriations.

But in reality, this bill goes much further than that. Instead of just limiting the Hyde Amendment's reach to federal funds, this bill would place sweeping restrictions on how women with private insurance can spend their own private dollars when obtaining insurance coverage.

Women and their families who have insurance through the health insurance marketplaces would no longer be entitled to premium

tax credits if the plan in which they are enrolled includes abortion coverage. Small business employers would be prohibited from receiving small business tax credits if the insurance provided to employees includes abortion services.

This would mean that women would likely forgo comprehensive coverage in order to retain the premium tax credits they need, and small businesses may limit coverage to ensure they receive small business tax credits. But this is the true goal for proponents of this bill: to effectively eliminate insurance coverage for abortion.

As we speak, Republicans are actively working to dismantle the Affordable Care Act, to restrict access to contraception, and to defund the life-saving health care services provided by Planned Parenthood. It seems that this bill is another page in their playbook to attack women's health. Let me be clear: this bill isn't about ensuring federal funds are not used for abortion—this bill is about denying women access to coverage Republicans disagree with.

Bringing this bill to the floor only days after millions of women throughout the country marched on behalf of issues like reproductive rights just shows how tone-deaf House Republicans continue to be.

We should be working to protect and expand women's access to comprehensive health care, not considering ways to deny it.

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to express my opposition to H.R. 7, the No Taxpayer Funding for Abortion Act.

Longstanding federal policy explicitly prohibits the use of federal funds for abortions, except for certain narrow circumstances of rape, incest, or severe health complications that threaten the life of the mother.

The Affordable Care Act (ACA) maintains this ban and a federal appeals court confirmed that no federal dollars may be used to pay for abortion services under the law.

Far more sweeping in scope than the title implies, the No Taxpayer Funding for Abortion Act goes well beyond codifying the Hyde Amendment and protecting public funds.

This bill intrudes on women's reproductive autonomy and access to health care, manipulates the tax code to put additional financial burdens on many women and small businesses, and unnecessarily restricts the private insurance choices available to consumers today.

The House of Representatives should be spending our time working to improve access to health care for all Americans, instead of deceptive legislation that interferes with a woman's ability to make personal, private medical decisions.

I urge my colleagues to stop the relentless attacks on women's health and vote against this damaging, unnecessary legislation.

Mr. CICILLINE. Madam Speaker, I was proud to join thousands of women in the Women's March, both here in DC and in my home state of Rhode Island.

We marched to demand that women's rights be respected and that women should be trusted to make their own decisions.

However, a mere three days later, the GOP seeks to trample on women's rights by considering H.R. 7, a bill that will deny access to basic healthcare to millions of women.

This bill is also just another pathetic attempt by some politicians in this town to get between a woman and her doctor.

Under current law, no federal money can be used to fund abortion. And it's been that way since 1976.

This bill is a Trojan horse that effectively bans abortion coverage even for women who use their own money to pay for health insurance.

It penalizes small business owners who offer their employees health care coverage for abortion.

And it tells doctors who are employed by the federal government that they can't provide the care that is in the best interests of their patients.

Madam Speaker, the women of this country do not need Congress telling them how to make their health care decisions.

Having an abortion is a decision that should be left between a woman and her doctor.

None of us has a license to legislate our own personal morality in this chamber.

I urge my colleagues to vote no on H.R. 7.

Ms. ESHOO. Madam Speaker, I rise today in strong opposition to H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

This bill is an unprecedented attack on a woman's right to make her own healthcare decisions and another attempt by Republicans to undermine the Affordable Care Act (ACA).

This legislation goes far beyond the long-standing Hyde Amendment which Congress passes every year during the Appropriations process preventing taxpayer dollars from being used for abortions. The Hyde Amendment is included in each Appropriations bill every year. This bill stretches increase taxes on millions of individuals and small businesses that purchase private healthcare plans that include abortion coverage. It takes away protections for rape survivors and pregnant women whose lives are in danger, and bans women in the military from abortion care in a military hospital overseas, even if they use their own money to pay for that care. This will deny millions of American women access to truly comprehensive health care.

A woman's right to choose whether to end a pregnancy is protected constitutionally. The decision is private. It is a matter of faith and it is a matter of conscience. I believe women already have the right to make decisions about reproductive health care, that it is protected constitutionally. This legislation should be rejected for its overly broad reach, its false advertising and its attack on the constitutionally protected right to privacy.

Ms. MCCOLLUM. Madam Speaker, I rise in strong opposition to H.R. 7, a bill that makes it harder for women to access comprehensive reproductive health care, including safe and legal abortion. It is outrageous that, in 2017, women still have to fight for our right to make basic health care decisions.

Under the Hyde and Helms Amendments, no federal dollars fund abortion. H.R. 7 would codify these unjust limitations and in fact goes much further by restricting women's access to comprehensive health care even when no federal funding is involved.

Most egregiously, H.R. 7 provides no exception for abortion in cases where a woman's

health is at risk. By providing no "health of the mother" exception, this legislation callously disregards the well-being of American women.

H.R. 7 makes it impossible for women, especially low and moderate-income women, to access comprehensive health care on Healthcare.gov or state insurance exchanges. This would deny access to safe and legal abortion to American women.

This legislation prevents women serving our country in the military from receiving comprehensive health care through their military or veterans' health care.

H.R. 7 punishes small business owners who offer comprehensive health care to their female employees, even when it comes entirely from private funds.

Finally, this legislation directly attacks the rights of women in the District of Columbia by making it harder for them to access safe and legal abortion.

Every woman should be able to make her own decision about her health care without interference from either the government or her employer. Regardless of her income or her insurance policy, each woman should be able to access quality health care services that are right for her and her family.

Instead of restricting access to critical health services and threatening the health and economic security of women and families, President Trump and Congressional Republicans should be supporting affordable, quality health care as a basic right for all Americans.

This past weekend, I stood with millions of women across the United States, including 100,000 in Minnesota, marching to demand our voices be heard and our health care be protected. My constituents can count on me to keep standing up and speaking out against President Trump and Republicans' attacks on women's rights and women's health.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 55, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. SCHAKOWSKY. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SCHAKOWSKY. Yes, I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Schakowsky moves to recommit the bill H.R. 7 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of title I the following new section (and amend the table of contents accordingly):

SEC. 103. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to permit any health plan to charge women higher premiums than men for coverage under such health plan.

Mrs. BLACK (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois is recognized for 5 minutes in support of her motion.

Ms. SCHAKOWSKY. Madam Speaker, I rise to offer the motion to recommit on H.R. 7, the so-called No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.

The motion to recommit is very simple. It would amend H.R. 7 to say that nothing in this legislation would allow an insurance company to charge women higher premiums than men just because they are women.

In the first few days of the Trump Presidency, we have seen one action after another to discriminate against women, restrict access to health services, and make their care more expensive. We also know that Republicans are determined to repeal the Affordable Care Act, which would, once again, allow insurance companies to discriminate against women.

Repealing the ACA would be a triple whammy for women. Not only would they have to pay more for their insurance, but their insurance would be less likely to cover the services they need. And these higher costs will take a bigger chunk out of their budget.

Before the ACA, insurers were able to exclude services critical to women's health. And we are not just talking about preexisting conditions, which, by the way, often included having a baby or being the victim of domestic violence.

The benefit package itself left out medical care critical to women. Only 12 percent of plans in the individual market offered maternity coverage. And some insurance plans that offered that coverage imposed waiting periods of a year or charges of up to \$10,000 just for maternity care. And even when maternity care was excluded from any insurance plan, insurers still used gender rating to discriminate against women, charging women more just because they were women, regardless of their benefits. Being a woman was a pre-existing condition.

Thankfully, the ACA prohibits gender rating. Before the ACA, women were forced to pay between 10 to 57 percent more than men for essentially the same insurance. In my home State of Illinois, women were charged 55 percent more than men for the same coverage. In fact, a 2012 National Women's Law Center study found that 92 percent of best-selling insurance plans were gender rated.

A 25-year-old woman in Arkansas was charged 81 percent more than a man for similar coverage. A 40-year-old woman

in South Dakota was charged over \$1,200 more a year than a 40-year-old man for the same coverage. In Kentucky, women were charged 57 percent more than men for the same coverage. In Texas, they were charged 56 percent more. In Indiana, they were charged 54 percent more. And the list goes on.

This study even found that over half of all insurance plans charged women who didn't smoke significantly higher premiums than men of the same age who did smoke. Overall, gender rating cost American women about \$1 billion a year. It also harmed businesses with predominantly female employees who were routinely charged more for their insurance coverage.

Finally, charging women more for health care is even more devastating when you take into account that women still make only 77 cents to the dollar compared to men. We cannot go back to the days when insurance companies were free to discriminate against women. But that is exactly what Republicans want to do. They want women to pay more for insurance coverage that doesn't include the services they need.

So I am asking my colleagues to support the motion to recommit and protect women from discrimination by insurance companies.

I yield back the balance of my time.

Mrs. BLACK. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACK. Madam Speaker, today I am simply asking my colleagues across the aisle not to flip-flop on this issue. This legislation isn't just the right thing to do; it also has broad support.

Polling shows that 6 in 10 Americans agree that taxpayer dollars should not fund abortions. Despite this fact, a nonpartisan government study found that abortions could be funded with taxpayer dollars through ObamaCare, and this demands a response.

Today we have an opportunity to invest in women's health over abortion by passing H.R. 7 and making the Hyde amendment permanent and governmentwide.

I urge my colleagues to reject this motion to recommit and to vote "yes" on H.R. 7.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. SCHAKOWSKY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DEPARTMENT OF ENERGY RESEARCH AND INNOVATION ACT

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 589) to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 589

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Department of Energy Research and Innovation Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—LABORATORY MODERNIZATION AND TECHNOLOGY TRANSFER

Sec. 101. Short title.

Sec. 102. Inclusion of early stage technology demonstration in authorized technology transfer activities.

Sec. 103. Sense of Congress on accelerating energy innovation.

Sec. 104. Restoration of laboratory directed research and development program.

Sec. 105. Research grants database.

Sec. 106. Technology transfer and transitions assessment.

Sec. 107. Agreements for commercializing technology pilot program.

Sec. 108. Short-term cost-share pilot program.

TITLE II—DEPARTMENT OF ENERGY RESEARCH COORDINATION

Sec. 201. Short title.

Sec. 202. Protection of information.

Sec. 203. Crosscutting research and development.

Sec. 204. Strategic research portfolio analysis and coordination plan.

Sec. 205. Strategy for facilities and infrastructure.

Sec. 206. Energy Innovation Hubs.

TITLE III—DEPARTMENT OF ENERGY OFFICE OF SCIENCE POLICY

Sec. 301. Short title.

Sec. 302. Mission.

Sec. 303. Basic energy sciences.

Sec. 304. Advanced scientific computing research.

Sec. 305. High-energy physics.

Sec. 306. Biological and environmental research.

Sec. 307. Fusion energy.

Sec. 308. Nuclear physics.

Sec. 309. Science laboratories infrastructure program.

TITLE IV—NUCLEAR ENERGY INNOVATION CAPABILITIES

Sec. 401. Short title.

Sec. 402. Nuclear energy innovation capabilities.

SEC. 2. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term "Department" means the Department of Energy.

(2) DIRECTOR.—The term "Director" means the Director of the Office of Science of the Department, except as otherwise indicated.

(3) NATIONAL LABORATORY.—The term "National Laboratory" has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) SECRETARY.—The term "Secretary" means the Secretary of Energy.

TITLE I—LABORATORY MODERNIZATION AND TECHNOLOGY TRANSFER

SEC. 101. SHORT TITLE.

This title may be cited as the "Laboratory Modernization and Technology Transfer Act".

SEC. 102. INCLUSION OF EARLY STAGE TECHNOLOGY DEMONSTRATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) EARLY STAGE TECHNOLOGY DEMONSTRATION.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer within the Department to carry out early stage and precommercial technology demonstration activities to remove technology barriers that limit private sector interest and demonstrate potential commercial applications of any research and technologies arising from National Laboratory activities.”.

SEC. 103. SENSE OF CONGRESS ON ACCELERATING ENERGY INNOVATION.

It is the sense of Congress that—

(1) although important progress has been made in cost reduction and deployment of clean energy technologies, accelerating clean energy innovation will help meet critical competitiveness, energy security, and environmental goals;

(2) accelerating the pace of clean energy innovation in the United States calls for—

(A) supporting existing research and development programs at the Department and the world-class National Laboratories;

(B) exploring and developing new pathways for innovators, investors, and decision-makers to leverage the resources of the Department for addressing the challenges and comparative strengths of geographic regions; and

(C) recognizing the financial constraints of the Department, regularly reviewing clean energy programs to ensure that taxpayer investments are maximized;

(3) the energy supply, demand, policies, markets, and resource options of the United States vary by geographic region;

(4) a regional approach to innovation can bridge the gaps between local talent, institutions, and industries to identify opportunities and convert United States investment into domestic companies; and

(5) Congress, the Secretary, and energy industry participants should advance efforts

that promote international, domestic, and regional cooperation on the research and development of energy innovations that—

- (A) provide clean, affordable, and reliable energy for everyone;
- (B) promote economic growth;
- (C) are critical for energy security; and
- (D) are sustainable without government support.

SEC. 104. RESTORATION OF LABORATORY DIRECTED RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall ensure that laboratory operating contractors do not allocate costs of general and administrative overhead to laboratory directed research and development.

(b) EXCEPTION FOR NATIONAL SECURITY LABORATORIES.—This section shall not apply to the national security laboratories with respect to which section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) applies.

SEC. 105. RESEARCH GRANTS DATABASE.

(a) IN GENERAL.—The Secretary shall establish and maintain a public database, accessible on the website of the Department, that contains a searchable listing of each unclassified research and development project contract, grant, cooperative agreement, task order for a federally funded research and development center, or other transaction administered by the Department.

(b) REQUIREMENTS.—Each listing described in subsection (a) shall include, at a minimum, for each listed project, the Department office carrying out the project, the project name, an abstract or summary of the project, funding levels, project duration, contractor or grantee name (including the names of any subcontractors), and expected objectives and milestones.

(c) RELEVANT LITERATURE AND PATENTS.—The Secretary shall provide information through the public database established under subsection (a) on relevant literature and patents that are associated with each research and development project contract, grant, or cooperative agreement, or other transaction, of the Department.

SEC. 106. TECHNOLOGY TRANSFER AND TRANSITIONS ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and as often as the Secretary determines to be necessary thereafter, the Secretary shall transmit to the appropriate committees of Congress a report that includes recommended changes to the policy of the Department and legislative changes to section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) to improve the ability of the Department to successfully transfer new energy technologies to the private sector.

SEC. 107. AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this section.

(b) TERMS.—Each agreement entered into pursuant to the pilot program referred to in subsection (a) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, payment structures, performance guarantees, and multiparty collaborations.

(c) ELIGIBILITY.—

(1) IN GENERAL.—Any director of a National Laboratory may enter into an agreement

pursuant to the pilot program referred to in subsection (a).

(2) AGREEMENTS WITH NON-FEDERAL ENTITIES.—To carry out paragraph (1) and subject to paragraph (3), the Secretary shall permit the directors of the National Laboratories to execute agreements with a non-Federal entity, including a non-Federal entity already receiving Federal funding that will be used to support activities under agreements executed pursuant to paragraph (1), provided that such funding is solely used to carry out the purposes of the Federal award.

(3) RESTRICTION.—The requirements of chapter 18 of title 35, United States Code (commonly known as the “Bayh-Dole Act”) shall apply if—

(A) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

(B) at least one of the parties to the funding agreement is eligible to receive rights under that chapter.

(4) SUBMISSION TO SECRETARY.—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this section—

- (1) a summary of information relating to the relevant project;
- (2) the total estimated costs of the project;
- (3) estimated commencement and completion dates of the project; and
- (4) other documentation determined to be appropriate by the Secretary.

(e) CERTIFICATION.—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this section—

- (1) is not in direct competition with the private sector; and
- (2) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(f) EXTENSION.—The pilot program referred to in subsection (a) shall be extended until September 30, 2019.

(g) REPORTS.—

(1) OVERALL ASSESSMENT.—Not later than 60 days after the date described in subsection (f), the Secretary, in coordination with directors of the National Laboratories, shall submit to the appropriate committees of Congress a report that—

- (A) assesses the overall effectiveness of the pilot program referred to in subsection (a);
- (B) identifies opportunities to improve the effectiveness of the pilot program;
- (C) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and
- (D) provides a recommendation regarding the future of the pilot program.

(2) TRANSPARENCY.—The Secretary, in coordination with directors of the National Laboratories, shall submit to the appropriate committees of Congress an annual report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements pursuant to this section.

SEC. 108. SHORT-TERM COST-SHARE PILOT PROGRAM.

(a) IN GENERAL.—Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

- (1) in paragraph (1), by striking “Except as provided in paragraphs (2) and (3)” and inserting “Except as provided in paragraphs (2), (3), and (4)”; and

(2) by adding at the end the following:

“(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)).

“(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 2-year period beginning on the date of enactment of this paragraph.”.

(b) REPORTS.—

(1) INITIAL REPORT.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of cost-sharing waivers by the Department under section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) during the 2-year period ending on the date of enactment of this Act.

(2) ANNUAL REPORTS.—Annually during the 2-year period beginning on the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of cost-sharing waivers by the Department under section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) during the period covered by the report.

TITLE II—DEPARTMENT OF ENERGY RESEARCH COORDINATION

SEC. 201. SHORT TITLE.

This title may be cited as the “Department of Energy Research Coordination Act”.

SEC. 202. PROTECTION OF INFORMATION.

Section 5012 of the America Competes Act (42 U.S.C. 16538) is amended—

- (1) in subsection (a)(3), by striking “subsection (n)(1)” and inserting “subsection (o)(1)”; and
- (2) by redesignating subsection (n) as subsection (o); and
- (3) by inserting after subsection (m) the following:

“(n) PROTECTION OF INFORMATION.—The following types of information collected by ARPA-E from recipients of financial assistance awards shall be considered commercial and financial information obtained from a person and privileged or confidential and not subject to disclosure under section 552(b)(4) of title 5, United States Code:

“(1) Plans for commercialization of technologies developed under the award, including business plans, technology-to-market plans, market studies, and cost and performance models.

“(2) Investments provided to an awardee from third parties (such as venture capital firms, hedge funds, and private equity firms), including amounts and the percentage of ownership of the awardee provided in return for the investments.

“(3) Additional financial support that the awardee—

“(A) plans to or has invested into the technology developed under the award; or

“(B) is seeking from third parties.

“(4) Revenue from the licensing or sale of new products or services resulting from research conducted under the award.”.

SEC. 203. CROSSCUTTING RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary shall use the capabilities of the Department to identify strategic opportunities for collaborative research, development, demonstration, and commercial application of innovative science and technologies.

(b) EXISTING PROGRAMS; COORDINATION OF ACTIVITIES.—To the maximum extent practicable, the Secretary shall seek—

(1) to leverage existing programs of the Department; and

(2) to consolidate and coordinate activities throughout the Department to promote collaboration and crosscutting approaches within programs of the Department.

(c) ADDITIONAL ACTIONS.—The Secretary shall—

(1) prioritize activities that use all affordable domestic resources;

(2) develop a planning, evaluation, and technical assessment framework for setting objective long-term strategic goals and evaluating progress that—

(A) ensures integrity and independence; and

(B) provides the flexibility to adapt to market dynamics;

(3) ensure that activities shall be undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.

SEC. 204. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

The Energy Policy Act of 2005 is amended by striking section 994 (42 U.S.C. 16358) and inserting the following:

“SEC. 994. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

“(a) IN GENERAL.—The Secretary shall periodically review all of the science and technology activities of the Department in a strategic framework that takes into account—

“(1) the frontiers of science to which the Department can contribute;

“(2) the national needs relevant to the statutory missions of the Department; and

“(3) global energy dynamics.

“(b) COORDINATION ANALYSIS AND PLAN.—

“(1) IN GENERAL.—As part of the review under subsection (a), the Secretary shall develop a plan to improve coordination and collaboration in research, development, demonstration, and commercial application activities across organizational boundaries of the Department.

“(2) PLAN CONTENTS.—The plan developed under paragraph (1) shall describe—

“(A) crosscutting scientific and technical issues and research questions that span more than 1 program or major office of the Department;

“(B) ways in which the applied technology programs of the Department are coordinating activities and addressing the questions referred to in subparagraph (A);

“(C) ways in which the technical interchange within the Department, particularly between the Office of Science and the applied technology programs, could be enhanced, including ways in which the research agendas of the Office of Science and the applied programs could better interact and assist each other;

“(D) ways in which the Secretary would ensure that the overall research agenda of the Department includes, in addition to fundamental, curiosity-driven research, fundamental research related to topics of concern to the applied programs, and applications in Departmental technology programs of research results generated by fundamental, curiosity-driven research;

“(E) critical assessments of any ongoing programs that have experienced subpar per-

formance or cost overruns of 10 percent or more over 1 or more years;

“(F) any activities that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders; and

“(G) detailed evaluations and proposals for innovation hubs, institutes, and research centers of the Department, including—

“(i) an affirmation that the hubs, institutes, and research centers will—

“(I) advance the mission of the Department; and

“(II) prioritize research, development, and demonstration; and

“(ii) an affirmation that any hubs, institutes, or research centers that are established or renewed within the Office of Science are consistent with the mission of the Office of Science described in subsection (c) of section 209 of the Department of Energy Organization Act (42 U.S.C. 7139).

“(c) SUBMISSION TO CONGRESS.—Every 4 years, the Secretary shall submit to Congress—

“(1) the results of the review under subsection (a); and

“(2) the coordination plan under subsection (b).”

SEC. 205. STRATEGY FOR FACILITIES AND INFRASTRUCTURE.

(a) AMENDMENTS.—Section 993 of the Energy Policy Act of 2005 (42 U.S.C. 16357) is amended—

(1) by striking the section heading and inserting the following: “strategy for facilities and infrastructure”; and

(2) in subsection (b)(1), by striking “2008” and inserting “2018”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Energy Policy Act of 2005 is amended by striking the item relating to section 993 and inserting the following:

“Sec. 993. Strategy for facilities and infrastructure.”

SEC. 206. ENERGY INNOVATION HUBS.

(a) DEFINITIONS.—In this section:

(1) ADVANCED ENERGY TECHNOLOGY.—The term “advanced energy technology” means—

(A) an innovative technology—

(i) that produces energy from solar, wind, geothermal, biomass, tidal, wave, ocean, or other renewable energy resources;

(ii) that produces nuclear energy;

(iii) for carbon capture and sequestration;

(iv) that enables advanced vehicles, vehicle components, and related technologies that result in significant energy savings;

(v) that generates, transmits, distributes, uses, or stores energy more efficiently than conventional technologies, including through Smart Grid technologies; or

(vi) that enhances the energy independence and security of the United States by enabling improved or expanded supply and production of domestic energy resources, including coal, oil, and natural gas;

(B) a research, development, demonstration, or commercial application activity necessary to ensure the long-term, secure, and sustainable supply of an energy-critical element; or

(C) any other innovative energy technology area identified by the Secretary.

(2) HUB.—

(A) IN GENERAL.—The term “Hub” means an Energy Innovation Hub established under this section.

(B) INCLUSION.—The term “Hub” includes any Energy Innovation Hub in existence on the date of enactment of this Act.

(3) QUALIFYING ENTITY.—The term “qualifying entity” means—

(A) an institution of higher education;

(B) an appropriate State or Federal entity, including a federally funded research and development center of the Department;

(C) a nongovernmental organization with expertise in advanced energy technology research, development, demonstration, or commercial application; or

(D) any other relevant entity the Secretary determines appropriate.

(b) AUTHORIZATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out a program to enhance the economic, environmental, and energy security of the United States by making awards to consortia for establishing and operating hubs, to be known as “Energy Innovation Hubs”, to conduct and support, at, if practicable, 1 centralized location, multidisciplinary, collaborative research, development, demonstration, and commercial application of advanced energy technologies.

(2) TECHNOLOGY DEVELOPMENT FOCUS.—The Secretary shall designate for each Hub a unique advanced energy technology or basic research focus.

(3) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of each Hub with the activities of—

(A) other research entities of the Department, including the National Laboratories, the Advanced Research Projects Agency—Energy, and Energy Frontier Research Centers; and

(B) industry.

(c) APPLICATION PROCESS.—

(1) ELIGIBILITY.—To be eligible to receive an award for the establishment and operation of a Hub under subsection (b)(1), a consortium shall—

(A) be composed of not fewer than 2 qualifying entities;

(B) operate subject to a binding agreement, entered into by each member of the consortium, that documents—

(i) the proposed partnership agreement, including the governance and management structure of the Hub;

(ii) measures the consortium will undertake to enable cost-effective implementation of activities under the program described in subsection (b)(1); and

(iii) a proposed budget, including financial contributions from non-Federal sources; and

(C) operate as a nonprofit organization.

(2) APPLICATION.—

(A) IN GENERAL.—A consortium seeking to establish and operate a Hub under subsection (b)(1) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a detailed description of each element of the consortium agreement required under paragraph (1)(B).

(B) REQUIREMENT.—If the consortium members will not be located at 1 centralized location, the application under subparagraph (A) shall include a communications plan that ensures close coordination and integration of Hub activities.

(3) SELECTION.—

(A) IN GENERAL.—The Secretary shall select consortia for awards for the establishment and operation of Hubs through a competitive selection process.

(B) CONSIDERATIONS.—In selecting consortia under subparagraph (A), the Secretary shall consider—

(i) the information disclosed by the consortium under this subsection; and

(ii) any existing facilities a consortium will provide for Hub activities.

(d) TERM.—

(1) IN GENERAL.—An award made to a Hub under this section shall be for a period of not more than 5 years, subject to the availability of appropriations, after which the award may be renewed, subject to a rigorous merit review.

(2) EXISTING HUBS.—A Hub already in existence on, or undergoing a renewal process on, the date of enactment of this Act—

(A) may continue to receive support during the 5-year period beginning on the date of establishment of that Hub; and

(B) shall be eligible for renewal of that support at the end of that 5-year period.

(e) HUB OPERATIONS.—

(1) IN GENERAL.—Each Hub shall conduct or provide for multidisciplinary, collaborative research, development, demonstration, and commercial application of advanced energy technologies within the technology development focus designated under subsection (b)(2).

(2) ACTIVITIES.—Each Hub shall—

(A) encourage collaboration and communication among the member qualifying entities of the consortium and awardees;

(B) develop and publish proposed plans and programs on a publicly accessible website;

(C) submit an annual report to the Department summarizing the activities of the Hub, including—

(i) detailing organizational expenditures; and

(ii) describing each project undertaken by the Hub; and

(D) monitor project implementation and coordination.

(3) CONFLICTS OF INTEREST.—Each Hub shall maintain conflict of interest procedures, consistent with the conflict of interest procedures of the Department.

(4) PROHIBITION ON CONSTRUCTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B)—

(i) no funds provided under this section may be used for construction of new buildings or facilities for Hubs; and

(ii) construction of new buildings or facilities shall not be considered as part of the non-Federal share of a Hub cost-sharing agreement.

(B) TEST BED AND RENOVATION EXCEPTION.—Nothing in this paragraph prohibits the use of funds provided under this section or non-Federal cost share funds for the construction of a test bed or renovations to existing buildings or facilities for the purposes of research if the Secretary determines that the test bed or renovations are limited to a scope and scale necessary for the research to be conducted.

TITLE III—DEPARTMENT OF ENERGY OFFICE OF SCIENCE POLICY

SEC. 301. SHORT TITLE.

This title may be cited as the “Department of Energy Office of Science Policy Act”.

SEC. 302. MISSION.

Section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) is amended by adding at the end the following:

“(c) MISSION.—The mission of the Office of Science shall be the delivery of scientific discoveries, capabilities, and major scientific tools to transform the understanding of nature and to advance the energy, economic, and national security of the United States.”.

SEC. 303. BASIC ENERGY SCIENCES.

(a) ENERGY FRONTIER RESEARCH CENTERS.—

(1) IN GENERAL.—The Director shall carry out a program to provide awards, on a competitive, merit-reviewed basis, to multi-institutional collaborations or other appropriate entities to conduct fundamental and

use-inspired energy research to accelerate scientific breakthroughs.

(2) COLLABORATIONS.—A collaboration receiving an award under this subsection may include multiple types of institutions and private sector entities.

(3) SELECTION AND DURATION.—

(A) IN GENERAL.—A collaboration under this subsection shall be selected for a period of 4 years.

(B) EXISTING CENTERS.—An Energy Frontier Research Center in existence and supported by the Director on the date of enactment of this Act may continue to receive support for a period of 4 years beginning on the date of establishment of that center.

(C) REAPPLICATION.—After the end of the period described in subparagraph (A) or (B), as applicable, a recipient of an award may reapply for selection on a competitive, merit-reviewed basis.

(D) TERMINATION.—Consistent with the existing authorities of the Department, the Director may terminate an underperforming center for cause during the performance period.

(4) NO FUNDING FOR CONSTRUCTION.—No funding provided pursuant to this subsection may be used for the construction of new buildings or facilities.

(b) BASIC ENERGY SCIENCES USER FACILITIES.—

(1) IN GENERAL.—The Director shall carry out a program for the development, construction, operation, and maintenance of national user facilities.

(2) REQUIREMENTS.—To the maximum extent practicable, the national user facilities developed, constructed, operated, or maintained under paragraph (1) shall serve the needs of the Department, industry, the academic community, and other relevant entities to create and examine materials and chemical processes for the purpose of improving the competitiveness of the United States.

(3) INCLUDED FACILITIES.—The national user facilities developed, constructed, operated, or maintained under paragraph (1) shall include—

(A) x-ray light sources;

(B) neutron sources;

(C) nanoscale science research centers; and

(D) such other facilities as the Director considers appropriate, consistent with section 209 of the Department of Energy Organization Act (42 U.S.C. 7139).

(c) ACCELERATOR RESEARCH AND DEVELOPMENT.—The Director shall carry out research and development on advanced accelerator and storage ring technologies relevant to the development of basic energy sciences user facilities, in consultation with the High Energy Physics and Nuclear Physics programs of the Office of Science.

(d) SOLAR FUELS RESEARCH INITIATIVE.—

(1) IN GENERAL.—Section 973 of the Energy Policy Act of 2005 (42 U.S.C. 16313) is amended to read as follows:

“SEC. 973. SOLAR FUELS RESEARCH INITIATIVE.

“(a) INITIATIVE.—

“(1) IN GENERAL.—The Secretary shall carry out a research initiative, to be known as the ‘Solar Fuels Research Initiative’ (referred to in this section as the ‘Initiative’) to expand theoretical and fundamental knowledge of photochemistry, electrochemistry, biochemistry, and materials science useful for the practical development of experimental systems to convert solar energy to chemical energy.

“(2) LEVERAGING.—In carrying out programs and activities under the Initiative, the Secretary shall leverage expertise and resources from—

“(A) the Basic Energy Sciences Program and the Biological and Environmental Research Program of the Office of Science; and

“(B) the Office of Energy Efficiency and Renewable Energy.

“(3) TEAMS.—

“(A) IN GENERAL.—In carrying out the Initiative, the Secretary shall organize activities among multidisciplinary teams to leverage, to the maximum extent practicable, expertise from the National Laboratories, institutions of higher education, and the private sector.

“(B) GOALS.—The multidisciplinary teams described in subparagraph (A) shall pursue aggressive, milestone-driven, basic research goals.

“(C) RESOURCES.—The Secretary shall provide sufficient resources to the multidisciplinary teams described in subparagraph (A) to achieve the goals described in subparagraph (B) over a period of time to be determined by the Secretary.

“(4) ADDITIONAL ACTIVITIES.—The Secretary may organize additional activities under this subsection through Energy Frontier Research Centers, Energy Innovation Hubs, or other organizational structures.

“(b) ARTIFICIAL PHOTOSYNTHESIS.—

“(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research needed to bridge scientific barriers to, and discover knowledge relevant to, artificial photosynthetic systems.

“(2) ACTIVITIES.—As part of the program described in paragraph (1)—

“(A) the Director of the Office of Basic Energy Sciences shall support basic research to pursue distinct lines of scientific inquiry, including—

“(i) photoinduced production of hydrogen and oxygen from water; and

“(ii) the sustainable photoinduced reduction of carbon dioxide to fuel products including hydrocarbons, alcohols, carbon monoxide, and natural gas; and

“(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

“(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

“(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.

“(c) BIOCHEMISTRY, REPLICATION OF NATURAL PHOTOSYNTHESIS, AND RELATED PROCESSES.—

“(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research needed to replicate natural photosynthetic processes by use of artificial photosynthetic components and materials.

“(2) ACTIVITIES.—As part of the program described in paragraph (1)—

“(A) the Director of the Office of Basic Energy Sciences shall support basic research to expand fundamental knowledge to replicate natural synthesis processes, including—

“(i) the photoinduced reduction of dinitrogen to ammonia;

“(ii) the absorption of carbon dioxide from ambient air;

“(iii) molecular-based charge separation and storage;

“(iv) photoinitiated electron transfer; and

“(v) catalysis in biological or biomimetic systems;

“(B) the Associate Director of Biological and Environmental Research shall support

systems biology and genomics approaches to understand genetic and physiological pathways connected to photosynthetic mechanisms; and

“(C) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

“(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

“(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.”

(2) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 973 and inserting the following:

“Sec. 973. Solar fuels research initiative.”

(e) ELECTRICITY STORAGE RESEARCH INITIATIVE.—

(1) IN GENERAL.—Section 975 of the Energy Policy Act of 2005 (42 U.S.C. 16315) is amended to read as follows:

“SEC. 975. ELECTRICITY STORAGE RESEARCH INITIATIVE.

“(a) INITIATIVE.—

“(1) IN GENERAL.—The Secretary shall carry out a research initiative, to be known as the ‘Electricity Storage Research Initiative’ (referred to in this section as the ‘Initiative’)—

“(A) to expand theoretical and fundamental knowledge to control, store, and convert—

“(i) electrical energy to chemical energy; and

“(ii) chemical energy to electrical energy; and

“(B) to support scientific inquiry into the practical understanding of chemical and physical processes that occur within systems involving crystalline and amorphous solids, polymers, and organic and aqueous liquids.

“(2) LEVERAGING.—In carrying out programs and activities under the Initiative, the Secretary shall leverage expertise and resources from—

“(A) the Basic Energy Sciences Program, the Advanced Scientific Computing Research Program, and the Biological and Environmental Research Program of the Office of Science; and

“(B) the Office of Energy Efficiency and Renewable Energy.

“(3) TEAMS.—

“(A) IN GENERAL.—In carrying out the Initiative, the Secretary shall organize activities among multidisciplinary teams to leverage, to the maximum extent practicable, expertise from the National Laboratories, institutions of higher education, and the private sector.

“(B) GOALS.—The multidisciplinary teams described in subparagraph (A) shall pursue aggressive, milestone-driven, basic research goals.

“(C) RESOURCES.—The Secretary shall provide sufficient resources to the multidisciplinary teams described in subparagraph (A) to achieve the goals described in subparagraph (B) over a period of time to be determined by the Secretary.

“(4) ADDITIONAL ACTIVITIES.—The Secretary may organize additional activities under this subsection through Energy Frontier Research Centers, Energy Innovation Hubs, or other organizational structures.

“(b) MULTIVALENT SYSTEMS.—

“(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to

support research needed to bridge scientific barriers to, and discover knowledge relevant to, multivalent ion materials in electric energy storage systems.

“(2) ACTIVITIES.—As part of the program described in paragraph (1)—

“(A) the Director of the Office of Basic Energy Sciences shall investigate electrochemical properties and the dynamics of materials, including charge transfer phenomena and mass transport in materials; and

“(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

“(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

“(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.

“(c) ELECTROCHEMISTRY MODELING AND SIMULATION.—

“(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research to model and simulate organic electrolytes, including the static and dynamic electrochemical behavior and phenomena of organic electrolytes at the molecular and atomic level in monovalent and multivalent systems.

“(2) ACTIVITIES.—As part of the program described in paragraph (1)—

“(A) the Director of the Office of Basic Energy Sciences, in coordination with the Associate Director of Advanced Scientific Computing Research, shall support the development of high performance computational tools through a joint development process to maximize the effectiveness of current and projected high performance computing systems; and

“(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

“(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

“(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.

“(d) MESOSCALE ELECTROCHEMISTRY.—

“(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research needed to reveal electrochemistry in confined mesoscale spaces, including scientific discoveries relevant to—

“(A) bio-electrochemistry and electrochemical energy conversion and storage in confined spaces; and

“(B) the dynamics of the phenomena described in subparagraph (A).

“(2) ACTIVITIES.—As part of the program described in paragraph (1)—

“(A) the Director of the Office of Basic Energy Sciences and the Associate Director of Biological and Environmental Research shall investigate phenomena of mesoscale electrochemical confinement for the purpose of replicating and controlling new electrochemical behavior; and

“(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

“(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

“(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.”

(2) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 975 and inserting the following:

“Sec. 975. Electricity storage research initiative.”

SEC. 304. ADVANCED SCIENTIFIC COMPUTING RESEARCH.

(a) AMERICAN SUPER COMPUTING LEADERSHIP.—

(1) RENAMING OF ACT.—

(A) IN GENERAL.—Section 1 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5501 note; Public Law 108-423) is amended by striking “Department of Energy High-End Computing Revitalization Act of 2004” and inserting “American Super Computing Leadership Act of 2017”.

(B) CONFORMING AMENDMENT.—Section 976(a)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16316(1)) is amended by striking “Department of Energy High-End Computing Revitalization Act of 2004” and inserting “American Super Computing Leadership Act of 2017”.

(2) DEFINITIONS.—Section 2 of the American Super Computing Leadership Act of 2017 (15 U.S.C. 5541) is amended—

(A) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(B) by striking paragraph (1) and inserting the following:

“(1) DEPARTMENT.—The term ‘Department’ means the Department of Energy.

“(2) EXASCALE COMPUTING.—The term ‘exascale computing’ means computing through the use of a computing machine that performs near or above 10 to the 18th power operations per second.”; and

(C) in paragraph (6) (as redesignated by subparagraph (A)), by striking “, acting through the Director of the Office of Science of the Department of Energy”.

(3) DEPARTMENT OF ENERGY HIGH-END COMPUTING RESEARCH AND DEVELOPMENT PROGRAM.—Section 3 of the American Super Computing Leadership Act of 2017 (15 U.S.C. 5542) is amended—

(A) in subsection (a)(1), by striking “program” and inserting “coordinated program across the Department”;

(B) in subsection (b)(2), by striking “, which may” and all that follows through “architectures”; and

(C) by striking subsection (d) and inserting the following:

“(d) EXASCALE COMPUTING PROGRAM.—

“(1) IN GENERAL.—The Secretary shall conduct a research program (referred to in this subsection as the ‘Program’) for exascale computing, including the development of 2 or more exascale computing machine architectures, to promote the missions of the Department.

“(2) EXECUTION.—

“(A) IN GENERAL.—In carrying out the Program, the Secretary shall—

“(i) establish 2 or more National Laboratory partnerships with industry partners and institutions of higher education for the research and development of 2 or more exascale computing architectures across all applicable organizations of the Department;

“(ii) conduct mission-related codesign activities in developing the exascale computing architectures under clause (i);

“(iii) develop such advancements in hardware and software technology as are required to fully realize the potential of an exascale production system in addressing Department target applications and solving scientific problems involving predictive modeling and simulation and large scale data analytics and management;

“(iv) explore the use of exascale computing technologies to advance a broad range of science and engineering; and

“(v) provide, as appropriate, on a competitive, merit-reviewed basis, access for researchers in industries in the United States, institutions of higher education, National Laboratories, and other Federal agencies to the exascale computing systems developed pursuant to clause (i).

“(B) SELECTION OF PARTNERS.—The Secretary shall select the partnerships with the computing facilities of the Department under subparagraph (A) through a competitive, peer-review process.

“(3) CODESIGN AND APPLICATION DEVELOPMENT.—

“(A) IN GENERAL.—The Secretary shall—

“(i) carry out the Program through an integration of applications, computer science, applied mathematics, and computer hardware architecture using the partnerships established pursuant to paragraph (2) to ensure that, to the maximum extent practicable, 2 or more exascale computing machine architectures are capable of solving Department target applications and broader scientific problems, including predictive modeling and simulation and large scale data analytics and management; and

“(ii) conduct outreach programs to increase the readiness for the use of such platforms by domestic industries, including manufacturers.

“(B) REPORT.—The Secretary shall submit to Congress a report describing—

“(i) how the integration under subparagraph (A) is furthering application science data and computational workloads across application interests, including national security, material science, physical science, cybersecurity, biological science, the Materials Genome and BRAIN Initiatives of the President, advanced manufacturing, and the national electric grid; and

“(ii) the roles and responsibilities of National Laboratories and industry, including the definition of the roles and responsibilities within the Department to ensure an integrated program across the Department.

“(4) PROJECT REVIEW.—

“(A) IN GENERAL.—The exascale architectures developed pursuant to partnerships established pursuant to paragraph (2) shall be reviewed through a project review process.

“(B) REPORT.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall submit to Congress a report on—

“(i) the results of the review conducted under subparagraph (A); and

“(ii) the coordination and management of the Program to ensure an integrated research program across the Department.

“(5) ANNUAL REPORTS.—At the time of the budget submission of the Department for each fiscal year, the Secretary, in consultation with the members of the partnerships established pursuant to paragraph (2), shall submit to Congress a report that describes funding for the Program as a whole by functional element of the Department and critical milestones.”

(b) HIGH-PERFORMANCE COMPUTING AND NETWORKING RESEARCH.—The Director shall support research in high-performance computing and networking relevant to energy applications, including modeling, simulation, and advanced data analytics for basic and applied energy research programs carried out by the Secretary.

(c) APPLIED MATHEMATICS AND SOFTWARE DEVELOPMENT FOR HIGH-END COMPUTING SYSTEMS.—The Director shall carry out activities to develop, test, and support—

(1) mathematics, models, and algorithms for complex systems and programming environments; and

(2) tools, languages, and operating systems for high-end computing systems (as defined in section 2 of the American Super Computing Leadership Act of 2017 (15 U.S.C. 5541)).

SEC. 305. HIGH-ENERGY PHYSICS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Director should incorporate the findings and recommendations of the report of the Particle Physics Project Prioritization Panel entitled “Building for Discovery: Strategic Plan for U.S. Particle Physics in the Global Context” into the planning process of the Department; and

(2) the nations that lead in particle physics by hosting international teams dedicated to a common scientific goal attract the world’s best talent and inspire future generations of physicists and technologists.

(b) INTERNATIONAL COLLABORATION.—The Director, as practicable and in coordination with other appropriate Federal agencies as necessary, shall ensure the access of United States researchers to the most advanced accelerator facilities and research capabilities in the world, including the Large Hadron Collider.

(c) NEUTRINO RESEARCH.—The Director shall carry out research activities on rare decay processes and the nature of the neutrino, which may include collaborations with the National Science Foundation or international collaborations.

(d) DARK ENERGY AND DARK MATTER RESEARCH.—The Director shall carry out research activities on the nature of dark energy and dark matter, which may include collaborations with the National Aeronautics and Space Administration or the National Science Foundation; or international collaborations.

SEC. 306. BIOLOGICAL AND ENVIRONMENTAL RESEARCH.

(a) BIOLOGICAL SYSTEMS.—The Director shall carry out research and development activities in fundamental, structural, computational, and systems biology to increase systems-level understanding of the complex biological systems, which may include activities—

(1) to accelerate breakthroughs and new knowledge that would enable the cost-effective, sustainable production of—

(A) biomass-based liquid transportation fuels;

(B) bioenergy; and

(C) biobased materials;

(2) to improve understanding of the global carbon cycle, including processes for removing carbon dioxide from the atmosphere, through photosynthesis and other biological processes, for sequestration and storage; and

(3) to understand the biological mechanisms used to transform, immobilize, or remove contaminants from subsurface environments.

(b) LIMITATION FOR RESEARCH FUNDS.—The Director shall not approve new climate

science-related initiatives without making a determination that such work is well-coordinated with any relevant work carried out by other Federal agencies.

(c) LOW-DOSE RADIATION RESEARCH PROGRAM.—

(1) IN GENERAL.—The Director shall carry out a research program on low-dose radiation.

(2) PURPOSE.—The purpose of the program is to enhance the scientific understanding of, and reduce uncertainties associated with, the effects of exposure to low-dose radiation to inform improved risk-management methods.

SEC. 307. FUSION ENERGY.

(a) FUSION MATERIALS RESEARCH AND DEVELOPMENT.—As part of the activities authorized in section 978 of the Energy Policy Act of 2005 (42 U.S.C. 16318)—

(1) the Director, in coordination with the Assistant Secretary for Nuclear Energy of the Department, shall carry out research and development activities to identify, characterize, and demonstrate materials that can endure the neutron, plasma, and heat fluxes expected in a fusion power system; and

(2) the Director shall provide an assessment of—

(A) the need for 1 or more facilities that can examine and test potential fusion and next generation fission materials and other enabling technologies relevant to the development of fusion power; and

(B) whether a single new facility that substantially addresses magnetic fusion and next generation fission materials research needs is feasible, in conjunction with the expected capabilities of facilities operational as of the date of enactment of this Act.

(b) TOKAMAK RESEARCH AND DEVELOPMENT.—The Director shall support research and development activities and facility operations to optimize the tokamak approach to fusion energy.

(c) INERTIAL FUSION ENERGY RESEARCH AND DEVELOPMENT.—The Director shall support research and development activities for inertial fusion for energy applications.

(d) ALTERNATIVE AND ENABLING CONCEPTS.—The Director shall support research and development activities and facility operations at institutions of higher education, National Laboratories, and private facilities in the United States for a portfolio of alternative and enabling fusion energy concepts that may provide solutions to significant challenges to the establishment of a commercial magnetic fusion power plant, prioritized based on the ability of the United States to play a leadership role in the international fusion research community.

(e) COORDINATION WITH ARPA-E.—The Director shall coordinate with the Director of the Advanced Research Projects Agency-Energy (referred to in this subsection as “ARPA-E”) to—

(1) assess the potential for any fusion energy project supported by ARPA-E to represent a promising approach to a commercially viable fusion power plant;

(2) determine whether the results of any fusion energy project supported by ARPA-E merit the support of follow-on research activities carried out by the Office of Science; and

(3) avoid the unintentional duplication of activities.

(f) FAIRNESS IN COMPETITION FOR SOLICITATIONS FOR INTERNATIONAL PROJECT ACTIVITIES.—Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) is amended by inserting before the first sentence the following: “In this section, with respect to international research projects, the term ‘private

facilities or laboratories' means facilities or laboratories located in the United States."

(g) IDENTIFICATION OF PRIORITIES.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the fusion energy research and development activities that the Department proposes to carry out over the 10-year period following the date of the report under not fewer than 3 realistic budget scenarios, including a scenario based on 3-percent annual growth in the non-ITER portion of the budget for fusion energy research and development activities.

(B) INCLUSIONS.—The report required under subparagraph (A) shall—

(i) identify specific areas of fusion energy research and enabling technology development in which the United States can and should establish or solidify a lead in the global fusion energy development effort;

(ii) identify priorities for initiation of facility construction and facility decommissioning under each of the 3 budget scenarios described in subparagraph (A); and

(iii) assess the ability of the fusion workforce of the United States to carry out the activities identified under clauses (i) and (ii), including the adequacy of programs at institutions of higher education in the United States to train the leaders and workers of the next generation of fusion energy researchers.

(2) PROCESS.—In order to develop the report required under paragraph (1)(A), the Secretary shall leverage best practices and lessons learned from the process used to develop the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel.

(3) REQUIREMENT.—No member of the Fusion Energy Sciences Advisory Committee shall be excluded from participating in developing or voting on final approval of the report required under paragraph (1)(A).

SEC. 308. NUCLEAR PHYSICS.

(a) ISOTOPE DEVELOPMENT AND PRODUCTION FOR RESEARCH APPLICATIONS.—The Director—

(1) may carry out a program for the production of isotopes, including the development of techniques to produce isotopes, that the Secretary determines are needed for research, medical, industrial, or related purposes; and

(2) shall ensure that isotope production activities carried out under the program under this paragraph do not compete with private industry unless the Director determines that critical national interests require the involvement of the Federal Government.

(b) RENAMING OF THE RARE ISOTOPE ACCELERATOR.—Section 981 of the Energy Policy Act of 2005 (42 U.S.C. 16321) is amended—

(1) in the section heading, by striking "RARE ISOTOPE ACCELERATOR" and inserting "FACILITY FOR RARE ISOTOPE BEAMS"; and

(2) by striking "Rare Isotope Accelerator" each place it appears and inserting "Facility for Rare Isotope Beams".

SEC. 309. SCIENCE LABORATORIES INFRASTRUCTURE PROGRAM.

(a) IN GENERAL.—The Director shall carry out a program to improve the safety, efficiency, and mission readiness of infrastructure at laboratories of the Office of Science.

(b) INCLUSIONS.—The program under subsection (a) shall include projects—

(1) to renovate or replace space that does not meet research needs;

(2) to replace facilities that are no longer cost effective to renovate or operate;

(3) to modernize utility systems to prevent failures and ensure efficiency;

(4) to remove excess facilities to allow safe and efficient operations; and

(5) to construct modern facilities to conduct advanced research in controlled environmental conditions.

TITLE IV—NUCLEAR ENERGY INNOVATION CAPABILITIES

SEC. 401. SHORT TITLE.

This title may be cited as the "Nuclear Energy Innovation Capabilities Act".

SEC. 402. NUCLEAR ENERGY INNOVATION CAPABILITIES.

(a) NUCLEAR ENERGY.—Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended to read as follows:

"SEC. 951. NUCLEAR ENERGY.

"(a) MISSION.—

"(1) IN GENERAL.—The Secretary shall carry out programs of civilian nuclear research, development, demonstration, and commercial application, including activities under this subtitle.

"(2) CONSIDERATIONS.—The programs carried out under paragraph (1) shall take into consideration the following objectives:

"(A) Providing research infrastructure to promote scientific progress and enable users from academia, the National Laboratories, and the private sector to make scientific discoveries relevant for nuclear, chemical, and materials science engineering.

"(B) Maintaining nuclear energy research and development programs at the National Laboratories and institutions of higher education, including infrastructure at the National Laboratories and institutions of higher education.

"(C) Providing the technical means to reduce the likelihood of nuclear proliferation.

"(D) Increasing confidence margins for public safety of nuclear energy systems.

"(E) Reducing the environmental impact of activities relating to nuclear energy.

"(F) Supporting technology transfer from the National Laboratories to the private sector.

"(G) Enabling the private sector to partner with the National Laboratories to demonstrate novel reactor concepts for the purpose of resolving technical uncertainty associated with the objectives described in subparagraphs (A) through (F).

"(b) DEFINITIONS.—In this subtitle:

"(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

"(A) a nuclear fission reactor with significant improvements over the most recent generation of nuclear fission reactors, which may include—

"(i) inherent safety features;

"(ii) lower waste yields;

"(iii) greater fuel utilization;

"(iv) superior reliability;

"(v) resistance to proliferation;

"(vi) increased thermal efficiency; and

"(vii) the ability to integrate into electric and nonelectric applications; or

"(B) a nuclear fusion reactor.

"(2) COMMISSION.—The term 'Commission' means the Nuclear Regulatory Commission.

"(3) FAST NEUTRON.—The term 'fast neutron' means a neutron with kinetic energy above 100 kiloelectron volts.

"(4) NATIONAL LABORATORY.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'National Laboratory' has the meaning given the term in section 2.

"(B) LIMITATION.—With respect to the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the

Sandia National Laboratories, the term 'National Laboratory' means only the civilian activities of the laboratory.

"(5) NEUTRON FLUX.—The term 'neutron flux' means the intensity of neutron radiation measured as a rate of flow of neutrons applied over an area.

"(6) NEUTRON SOURCE.—The term 'neutron source' means a research machine that provides neutron irradiation services for—

"(A) research on materials sciences and nuclear physics; and

"(B) testing of advanced materials, nuclear fuels, and other related components for reactor systems."

(b) NUCLEAR ENERGY RESEARCH PROGRAMS.—

(1) IN GENERAL.—Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) CONFORMING AMENDMENT.—Section 641(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16021(b)(1)) is amended by striking "section 942(d)" and inserting "section 952(c)".

(c) ADVANCED FUEL CYCLE INITIATIVE.—Section 953(a) of the Energy Policy Act of 2005 (42 U.S.C. 16273(a)) is amended by striking "acting through the Director of the Office of Nuclear Energy, Science and Technology."

(d) UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.—Section 954(d)(4) of the Energy Policy Act of 2005 (42 U.S.C. 16274(d)(4)) is amended by striking "as part of a taking into consideration effort that emphasizes" and inserting "that emphasize".

(e) DEPARTMENT OF ENERGY CIVILIAN NUCLEAR INFRASTRUCTURE AND FACILITIES.—Section 955 of the Energy Policy Act of 2005 (42 U.S.C. 16275) is amended—

(1) by striking subsections (c) and (d); and

(2) by adding at the end the following:

"(c) VERSATILE NEUTRON SOURCE.—

"(1) MISSION NEED.—

"(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall determine the mission need for a versatile reactor-based fast neutron source, which shall operate as a national user facility.

"(B) CONSULTATIONS REQUIRED.—In carrying out subparagraph (A), the Secretary shall consult with the private sector, institutions of higher education, the National Laboratories, and relevant Federal agencies to ensure that the user facility described in subparagraph (A) will meet the research needs of the largest practicable majority of prospective users.

"(2) ESTABLISHMENT.—As soon as practicable after determining the mission need under paragraph (1)(A), the Secretary shall submit to the appropriate committees of Congress a detailed plan for the establishment of the user facility.

"(3) FACILITY REQUIREMENTS.—

"(A) CAPABILITIES.—The Secretary shall ensure that the user facility will provide, at a minimum, the following capabilities:

"(i) Fast neutron spectrum irradiation capability.

"(ii) Capacity for upgrades to accommodate new or expanded research needs.

"(B) CONSIDERATIONS.—In carrying out the plan submitted under paragraph (2), the Secretary shall consider the following:

"(i) Capabilities that support experimental high-temperature testing.

"(ii) Providing a source of fast neutrons at a neutron flux, higher than that at which current research facilities operate, sufficient to enable research for an optimal base of prospective users.

“(iii) Maximizing irradiation flexibility and irradiation volume to accommodate as many concurrent users as possible.

“(iv) Capabilities for irradiation with neutrons of a lower energy spectrum.

“(v) Multiple loops for fuels and materials testing in different coolants.

“(vi) Additional pre-irradiation and post-irradiation examination capabilities.

“(vii) Lifetime operating costs and lifecycle costs.

“(4) DEADLINE FOR ESTABLISHMENT.—The Secretary shall, to the maximum extent practicable, complete construction of, and approve the start of operations for, the user facility by not later than December 31, 2025.

“(5) REPORTING.—The Secretary shall include in the annual budget request of the Department an explanation for any delay in the progress of the Department in completing the user facility by the deadline described in paragraph (4).

“(6) COORDINATION.—The Secretary shall leverage the best practices for management, construction, and operation of national user facilities from the Office of Science.”

(f) SECURITY OF NUCLEAR FACILITIES.—Section 956 of the Energy Policy Act of 2005 (42 U.S.C. 16276) is amended by striking “, acting through the Director of the Office of Nuclear Energy, Science and Technology.”

(g) HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.—Section 957 of the Energy Policy Act of 2005 (42 U.S.C. 16277) is amended to read as follows:

“SEC. 957. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

“(a) MODELING AND SIMULATION.—The Secretary shall carry out a program to enhance the capabilities of the United States to develop new reactor technologies through high-performance computation modeling and simulation techniques.

“(b) COORDINATION.—In carrying out the program under subsection (a), the Secretary shall coordinate with relevant Federal agencies as described by the National Strategic Computing Initiative established by Executive Order 13702 (80 Fed. Reg. 46177 (July 29, 2015)), while taking into account the following objectives:

“(1) Using expertise from the private sector, institutions of higher education, and the National Laboratories to develop computational software and capabilities that prospective users may access to accelerate research and development of advanced nuclear reactor systems and reactor systems for space exploration.

“(2) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

“(3) Increasing the utility of the research infrastructure of the Department by coordinating with the Advanced Scientific Computing Research program within the Office of Science.

“(4) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

“(5) Ensuring that new experimental and computational tools are accessible to relevant research communities, including private sector entities engaged in nuclear energy technology development.

“(c) SUPPORTIVE RESEARCH ACTIVITIES.—The Secretary shall consider support for additional research activities to maximize the utility of the research facilities of the Department, including physical processes—

“(1) to simulate degradation of materials and behavior of fuel forms; and

“(2) for validation of computational tools.”

(h) ENABLING NUCLEAR ENERGY INNOVATION.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following: **“SEC. 958. ENABLING NUCLEAR ENERGY INNOVATION.**

“(a) NATIONAL REACTOR INNOVATION CENTER.—

“(1) IN GENERAL.—There is authorized a program to enable the testing and demonstration of reactor concepts to be proposed and funded by the private sector.

“(2) PARTICIPATION.—Nothing in this section shall prevent a private sector entity that has received Federal grants from participating in this program.

“(b) TECHNICAL EXPERTISE.—In carrying out the program under subsection (a), the Secretary shall leverage the technical expertise of relevant Federal agencies and the National Laboratories in order to minimize the time required to enable construction and operation of privately funded experimental reactors at National Laboratories or other Department-owned sites.

“(c) OBJECTIVES.—The reactors described in subsection (b) shall operate to meet the following objectives:

“(1) Enabling physical validation of advanced nuclear reactor concepts.

“(2) Resolving technical uncertainty and increasing practical knowledge relevant to safety, resilience, security, and functionality of advanced nuclear reactor concepts.

“(3) General research and development to improve nascent technologies.

“(d) SHARING TECHNICAL EXPERTISE.—In carrying out the program under subsection (a), the Secretary may enter into a memorandum of understanding with the Chairman of the Commission in order to share technical expertise and knowledge through—

“(1) enabling the testing and demonstration of advanced nuclear reactor concepts to be proposed and funded by the private sector;

“(2) operating a database to store and share data and knowledge relevant to nuclear science and engineering between Federal agencies and the private sector;

“(3) developing and testing electric and nonelectric integration and energy conversion systems relevant to advanced nuclear reactors;

“(4) leveraging expertise from the Commission with respect to safety analysis; and

“(5) enabling technical staff of the Commission to actively observe and learn about technologies developed under the program.

“(e) AGENCY COORDINATION.—The Chairman of the Commission and the Secretary shall enter into a memorandum of understanding regarding the following:

“(1) Ensuring that—

“(A) the Department has sufficient technical expertise to support the timely research, development, demonstration, and commercial application by the civilian nuclear industry of safe and innovative advanced nuclear reactor technology; and

“(B) the Commission has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications and other requests for regulatory approval for advanced nuclear reactors.

“(2) The use of computers and software codes to calculate the behavior and performance of advanced nuclear reactors based on mathematical models of the physical behavior of advanced nuclear reactors.

“(3) Ensuring that—

“(A) the Department maintains and develops the facilities necessary to enable the timely research, development, demonstra-

tion, and commercial application by the civilian nuclear industry of safe and innovative reactor technology; and

“(B) the Commission has access to the facilities described in subparagraph (A), as needed.

“(f) REPORTING REQUIREMENTS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Nuclear Energy Innovation Capabilities Act of 2017, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall submit to the appropriate committees of Congress a report assessing the capabilities of the Department to authorize, host, and oversee privately funded experimental advanced nuclear reactors as described in subsection (b).

“(2) CONTENTS.—The report submitted under paragraph (1) shall address—

“(A) the safety review and oversight capabilities of the Department, including options to leverage expertise from the Commission and the National Laboratories;

“(B) options to regulate privately proposed and funded experimental reactors hosted by the Department;

“(C) potential sites capable of hosting privately funded experimental advanced nuclear reactors;

“(D) the efficacy of the available contractual mechanisms of the Department to partner with the private sector and Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology;

“(E) the liability of the Federal Government with respect to the disposal of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste (as those terms are defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101));

“(F) the impact on the aggregate inventory in the United States of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste (as those terms are defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101));

“(G) potential cost structures relating to physical security, decommissioning, liability, and other long-term project costs; and

“(H) other challenges or considerations identified by the Secretary.

“(3) UPDATES.—Once every 2 years, the Secretary shall update relevant provisions of the report submitted under paragraph (1) and submit to the appropriate committees of Congress the update.

“(g) SAVINGS CLAUSES.—

“(1) LICENSING REQUIREMENT.—Nothing in this section authorizes the Secretary or any person to construct or operate a nuclear reactor for the purpose of demonstrating the suitability for commercial application of the nuclear reactor unless licensed by the Commission in accordance with section 202 of the Energy Reorganization Act of 1974 (42 U.S.C. 5842).

“(2) FINANCIAL PROTECTION.—Any activity carried out under this section that involves the risk of public liability shall be subject to the financial protection or indemnification requirements of section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ‘Price-Anderson Act’).”

(i) BUDGET PLAN.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by subsection (h)) is amended by adding at the end the following: **“SEC. 959. BUDGET PLAN.**

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Nuclear Energy Innovation Capabilities Act of 2017,

the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives 2 alternative 10-year budget plans for civilian nuclear energy research and development by the Secretary, as described in subsections (b) through (d).

“(b) BUDGET PLAN ALTERNATIVE 1.—One of the budget plans submitted under subsection (a) shall assume constant annual funding for 10 years at the appropriated level for the civilian nuclear energy research and development of the Department for fiscal year 2016.

“(c) BUDGET PLAN ALTERNATIVE 2.—One of the budget plans submitted under subsection (a) shall be an unconstrained budget.

“(d) INCLUSIONS.—Each alternative budget plan submitted under subsection (a) shall include—

“(1) a prioritized list of the programs, projects, and activities of the Department to best support the development of advanced nuclear reactor technologies;

“(2) realistic budget requirements for the Department to implement sections 955(c), 957, and 958; and

“(3) the justification of the Department for continuing or terminating existing civilian nuclear energy research and development programs.”

(j) CONFORMING AMENDMENTS.—The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 957 and inserting the following:

“957. High-performance computation and supportive research.

“958. Enabling nuclear energy innovation.

“959. Budget plan.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Colorado (Mr. PERLMUTTER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 589, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 589, Department of Energy Research and Innovation Act, is the product of over 3 years of work by the Science, Space, and Technology Committee to advance basic research and set clear science priorities for the Department of Energy.

I thank my colleagues on the Science, Space, and Technology Committee who cosponsored this legislation, particularly Ranking Member EDDIE BERNICE JOHNSON.

The Department of Energy Research and Innovation Act prioritizes basic research and science at the DOE national labs. This legislation also requires DOE to coordinate research across the Department and provides private industry with more access to the national labs

so they can develop next generation technology.

Title I of H.R. 589 enables DOE to partner with the private sector and cuts red tape and bureaucracy in the DOE technology transfer process. The innovative early stage research performed at the labs can have great value to the private sector.

Because of a communication gap between the labs and the private sector, ideas and technology created in the national labs are often slow to reach the market. And Federal Government bureaucracy further discourages the private sector from using the unique state-of-the-art facilities at the national labs.

I thank the gentleman from Illinois, Representative RANDY HULTGREN, and the gentleman from Colorado, Representative ED PERLMUTTER, for their initiative on this issue and for sponsoring similar legislation in the last Congress to advance these important reforms for our national labs.

□ 1545

Title II of the legislation requires the DOE to better manage and coordinate research efforts at the Department of Energy. This title also requires the DOE to provide a regular strategic analysis of science and technology activities within the Department. This will help identify key areas for collaboration across science and applied research programs. This review allows the Secretary to pinpoint programs that cost too much and that could be better accomplished by the private sector.

Title III of the bill provides statutory direction and priorities for the basic research programs within the DOE's Office of Science. This includes research and basic energy sciences, biological and environmental research, high performance computing, nuclear physics, high energy physics, and fusion energy. These basic research programs are the core mission of the Department and lead to scientific discovery that can provide benefits across the economy. This title specifically authorizes basic research programs in solar fuels, electricity storage, exascale computing, and low-dose radiation.

In the last Congress, the House separately passed Science, Space, and Technology Committee legislation to authorize these four key basic research programs. I again thank Representative HULTGREN, as well as the gentlemen from California—Representative STEVE KNIGHT and Representative ERIC SWALWELL—and the gentleman from Illinois, Representative DAN LIPINSKI, for sponsoring legislation authorizing these programs in the last Congress.

Finally, title IV of the legislation is the Nuclear Energy Innovation Capabilities Act. I thank my Texas colleagues, Representative RANDY WEBER

and committee Ranking Member JOHN-SON, for advancing this bipartisan, bicameral legislation both in this Congress and in the last.

This title authorizes nuclear R&D activities at the DOE and harnesses and combines the strengths of the national labs, universities, and the private sector in a joint innovation initiative. Advanced nuclear reactor technology provides a great opportunity to make reliable, emission-free electricity available throughout the industrialized and developing world. The nuclear energy innovation language also provides a clear timeline for the DOE to complete a research reactor user facility within 10 years. This research reactor will enable proprietary and academic research to develop supercomputing models and also design next generation nuclear energy technology.

In summary, H.R. 589 represents a bipartisan, bicameral agreement to modernize and increase the productivity of the DOE national lab system, streamline DOE research programs, prioritize basic scientific research, and enable the development of next generation nuclear technology.

I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I yield myself such time as I may consume.

I thank the chairman and the ranking member, EDDIE BERNICE JOHNSON, for bringing this bill to the floor today. It has been a long time in coming.

I rise in support of H.R. 589, the Department of Energy Research and Innovation Act. This bill would authorize important research and development at the Department of Energy to push the frontiers of science and find new ways to innovate and power our economy.

This bill would authorize comprehensive policy guidance for the DOE's Office of Science for the first time in its history. The Office of Science manages a portfolio, including research in supercomputing, materials science, nuclear physics, advanced biofuels, fusion energy, climate modeling, high energy physics, and a number of other areas across the spectrum of fundamental and applied research.

Additionally, the Office of Science is home to world-class user facilities used by private industry to collaborate with our national laboratories and provide our scientists with access to tools and resources to test the most pressing research questions in a variety of fields. The neutron sources, particle accelerators, and light sources, among many other Office of Science user facilities, are home to some of the most important scientific work conducted in America and represent some of the best partnerships our labs have with private industry. These activities and capabilities have never been given the proper

statutory authority by this Congress, so this bill represents a landmark bipartisan effort.

H.R. 589 also includes the Nuclear Energy Innovation Capabilities Act, which I cosponsored again this year. By providing the tools and resources to nuclear scientists and engineers, this bill lays the groundwork for a future where reliable, clean nuclear energy is a major source of our electricity generation. This research could lead to advanced and safer nuclear reactors with the potential to use less nuclear fuel and produce far less waste.

H.R. 589 is not only bipartisan, but, as the chairman said, it represents a bicameral agreement that was reached last year during conference negotiations with the Senate on the comprehensive energy package. Given the urgent challenge of climate change and the growing competition around the world in many of these key research areas, we must keep working together with the Senate to get this bill signed into law this year.

I thank Chairman SMITH and Ranking Member JOHNSON for working together to get this bipartisan legislation before us today, and I urge all of my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I thank Mr. PERLMUTTER for his comments and again thank him for his work on this legislation.

I yield 3 minutes to the gentleman from California (Mr. KNIGHT), who is the vice chairman of the Energy Subcommittee of the Science, Space, and Technology Committee.

Mr. KNIGHT. I thank the chairman and the ranking member for their leadership on this.

Madam Speaker, H.R. 589, the Department of Energy Research and Innovation Act, sets congressional priorities for basic science research and nuclear energy R&D.

This legislation also includes text from my bill from the last Congress, H.R. 5638, the Solar Fuels Innovation Act. This language directs the Department of Energy to establish a basic research initiative in solar fuels. The solar fuel process, also known as artificial photosynthesis, harnesses energy from sunlight to create a range of storable chemical fuels, overcoming the biggest obstacle to maximizing the benefits of renewable technologies.

Researchers up and down the coast of California are undertaking this research from universities in southern California to the Berkeley lab in the Bay area. The research authorized in this legislation could solve this key scientific challenge and open the door for American entrepreneurs to develop the next generation of solar technology and train the next generation of researchers in chemistry, physics, and materials science.

H.R. 589 reaffirms the Federal Government's key role in research and development. My home State of California has long been a world leader in advanced science and high tech and is home to millions of entrepreneurs who are eager to engage and take advantage of the latest breakthroughs. Today we hear a lot of enthusiasm for clean energy, but the focus is on today's technology, not on fundamentally new approaches to energy technology that we make possible through early-stage research. In Congress, it is our responsibility to take the long-term view and be patient and make smart investments in basic research that can lead to the next big discovery. H.R. 589 establishes those long-term priorities.

This bill makes other important adjustments to the flexibility and utilization of DOE assets to give the U.S. private sector a stronger edge, from the national laboratory partnerships with research groups to allowing the nuclear energy businesses to do their early-stage work on DOE sites, giving a huge boost to an industry that is about to take off.

I encourage my colleagues to support this very bipartisan, very supported piece of legislation.

Mr. PERLMUTTER. Madam Speaker, I yield myself such time as I may consume.

I thank Mr. KNIGHT and especially my cosponsor, Mr. HULTGREN, for the work that they have done on this bill generally, but particularly on title I of the bill, the Laboratory Modernization and Technology Transfer Act.

As Mr. KNIGHT said, on this committee, we find places where there is common ground and where there is an ability to advance the interests of the United States of America. Sometimes we argue, sometimes we debate, sometimes we don't agree, but often we do. I appreciate their work as well as the chairman's work on a number of subjects that face us. I was proud to work with my friend Mr. HULTGREN of Illinois to introduce this bill, the Modernization and Technology Transfer Act, in the last Congress.

Title I provides important tools to accelerate the commercialization of new technologies that are developed at our national labs. It extends the Agreement for Commercializing Technology pilot program while expanding the range of companies that are eligible to participate. We also allow labs to use their technology transfer funds as an incubator investment for projects that are developed in-house which demonstrate potential commercial opportunities.

Additionally, the bill encourages the further collaboration between university researchers and our national labs by creating a pilot program to reduce the financial burdens on our universities. I hope this pilot program unleashes the talent at our univer-

sities, like the Colorado School of Mines, the University of Colorado, and Colorado State University, to discover the next successful technology.

Madam Speaker, one may remember I represent Golden, Colorado, and the National Renewable Energy Laboratory. NREL is the premier energy efficiency and renewable energy lab in the world, and title I of this bill provides labs like NREL more tools to bring life-changing innovations to consumers by partnering with private industry.

When revolutionary research is harnessed by our entrepreneurs and business leaders, startups with one or two employees can grow into companies that can create hundreds of quality jobs. I am proud to support this legislation, and I am proud to have worked with Mr. HULTGREN in giving scientists and researchers in both the public and private sectors the tools and the freedom they need to unlock a new wave of innovation.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. HULTGREN), an active member of the Science, Space, and Technology Committee.

Mr. HULTGREN. Madam Speaker, I want to give a sincere thank-you to our distinguished chairman, Mr. SMITH—the chairman of the Committee on Science, Space, and Technology—for his work in this Congress and in past Congresses in bringing this bipartisan package of legislation to the floor.

I also thank my good friend and colleague Congressman PERLMUTTER from Colorado, who has been just an active joint member in moving this forward. I am so grateful for his efforts and his work.

Madam Speaker, the DOE Research and Innovation Act contains a number of bipartisan provisions that put in place clear research and development priorities so that Americans can maintain their leadership position on the world stage and continue attracting the best and the brightest to the only place they can do their work.

While I have the pleasure of representing Fermilab, our Nation's only dedicated high energy physics laboratory, I have also had the opportunity to visit with and to meet researchers from across the Nation who rely on our national laboratory system to do their work. More than 30,000 researchers a year visit the DOE user facilities, such as the Advanced Photon Source at Argonne National Laboratory, just outside my district. These facilities are normally operating 24/7, with researchers blocking off time—sometimes just minutes—to use equipment that no one university or business could build and maintain on its own. This is why our national labs are truly the crown jewel in our research ecosystem.

The DOE Research and Innovation Act includes key provisions from my

prior legislation of improving technology transfer and helping get research from the “valley of death” to a point at which the private sector can pick it up and run with it. This legislation also frees up the labs to be more nimble and work more easily with outside entities, such as with nonprofits and universities.

Another provision in this legislation should, hopefully, be a key priority for the incoming administration. Right now, China not only has the fastest computer in the world, but the two fastest computers in the world. Legislation which this body previously passed and is included in this bill would call on the DOE to carry out a program to build an exascale computer, which is close to the speed of the human brain. The United States’ computing capabilities have a wide-ranging use and applications, and the DOE has led the way in developing this technology.

One of the primary missions at the DOE is the maintenance of our current nuclear stockpile. This is largely carried out through complex simulations which require these increasingly powerful machines, but the crosscutting benefits of this research may have the greatest impact.

When the NIH began its work on sequencing the human genome, it was only a moonshot mission that many thought was not yet feasible. Computing facilities at the DOE basically proved the concept and allowed this work to be completed. In the era of precision medicine and with the recent passage of the 21st Century Cures, our computing facilities must be tapped to realize the benefits of targeted treatments and cures.

Among other research priorities, this legislation also calls on the DOE to resume its low dose radiation research program. This is something I supported in the last Congress, working off recommendations from the scientific community to fill the gaps in our knowledge of the human health impacts from low dose radiation.

I urge all of my colleagues to support this important bill. I thank the chairman and the ranking member for their bipartisan work to begin this Congress by passing pro-growth, pro-science legislation.

□ 1600

Mr. PERLMUTTER. Mr. Speaker, I have no other speakers, so I am going to reserve the balance of my time.

Mr. SMITH OF Texas. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. WEBER), who is the chairman of the Energy Subcommittee of the Science, Space, and Technology Committee.

Mr. WEBER of Texas. Mr. Speaker, I rise in support of H.R. 589, the Department of Energy Research and Innovation Act.

H.R. 589 provides policy direction to the Department of Energy on basic science research, nuclear energy R&D, research coordination and priorities, as well as important additional reforms to streamline national labs management.

I want to particularly highlight title IV, which is the Nuclear Energy Innovation Capabilities Act. I introduced the same legislation in the 114th and 115th Congress, and it does a lot of good things. It lays out a clear timeline and parameters for DOE to complete a research reactor, which is a crucial part for us.

Right now, we are behind, Mr. Speaker. The Russians are outpacing us on the next design of nuclear reactors. That is simply unacceptable.

We need a versatile neutron source, and title IV of this will produce a situation where we will have the ability for the national labs to partner with private industry and be able to do that so that they don’t get built overseas, which is totally unacceptable.

Mr. Speaker, the Science, Space, and Technology Committee has spent a long time developing this. There is lots of bipartisan buy-in, I might add, and I appreciate that.

So it is time, Mr. Speaker, in my opinion, for us to get this bill passed and make sure that we remain on the cutting edge. It helps us with economics, and it helps us actually with nuclear proliferation as far as that goes.

So I encourage all of my colleagues to join in supporting H.R. 589.

Mr. PERLMUTTER. Mr. Speaker, I urge my colleagues to support this bill. It is the product of a lot of hard work over the last 3 years. It helps our laboratories and our private industry stay at the forefront of science. I thank Chairman SMITH of Texas for bringing this bill to the floor.

I urge passage of this bill.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, H.R. 589 provides basic research direction and good government reforms to ongoing DOE programs. This legislation establishes congressional priorities for the Department, and I look forward to working with my colleagues in the Senate to quickly send this bill to the President’s desk.

I thank the members of the Science, Space, and Technology Committee who provided valuable input into this legislation. This includes the cosponsors of the bill, Ranking Member JOHNSON, and Representatives RANDY WEBER, STEVE KNIGHT, RANDY HULTGREN, FRANK LUCAS, DAN LIPINSKI, DANA ROHRBACHER, ELIZABETH ESTY, BRIAN BABIN, MARC VEASEY, BARBARA COMSTOCK, ED PERLMUTTER, MO BROOKS, PAUL TONKO, JIM BANKS, ERIC SWALWELL, ANDY BIGGS, ZOE LOFGREN, NEAL DUNN, and CLAY HIGGINS, Republicans and Democrats alike.

Mr. Speaker, I urge adoption of H.R. 589.

I yield back the balance of my time. Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to support H.R. 589, the Department of Energy Research and Innovation Act, which I am very pleased to co-sponsor.

This bill comprises a significant set of provisions that resulted from constructive negotiations with our Majority and with the Senate as part of the energy conference last year. I am also proud to note that many of these provisions were actually first proposed in the version of the American Competes Reauthorization Act that was sponsored by every Democratic Member of the Committee in the last Congress.

The bill includes what would be the first comprehensive authorization of the DOE Office of Science, which is the largest supporter of physical sciences research in the country. This is a nearly \$6 billion office that manages 10 of our national laboratories, often called the crown jewels of our national research infrastructure. Yet thus far, unlike NSF, NASA, and nearly every other major scientific research agency stewarded by the federal government, the Office of Science has not received the statutory guidance and support that its capabilities and mission warrant. So passing this portion of the bill into law alone would be a big step in the right direction.

The bill also includes a number of important technology transfer provisions that previously passed the House as part of a bipartisan bill that I and many of my colleagues on the Committee co-sponsored. In addition, it would provide the first authorization of the promising Innovation Hub model for energy research, and it would enable greater private sector engagement with ARPA-E. Finally, this bill includes an updated and improved version of the Nuclear Energy Innovation Capabilities Act, which I was happy to co-sponsor with my friend Mr. WEBER in the last Congress.

I would like to thank Chairman SMITH and his staff for working closely with us and our Senate counterparts to move beyond what began as, frankly, a rather contentious process to find common ground on a wide range of areas that will be critical to ensuring our nation’s competitiveness and our clean energy future.

I urge my colleagues to support this bill.

The SPEAKER pro tempore (Mr. WOMACK). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 589, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DIGITAL GLOBAL ACCESS POLICY ACT OF 2017

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 600) to promote Internet access in developing countries

and update foreign policy toward the Internet, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 600

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Digital Global Access Policy Act of 2017” or the “Digital GAP Act”.

SEC. 2. PURPOSE.

The purpose of this Act is to—

(1) encourage the efforts of developing countries to improve mobile and fixed access to the Internet in order to catalyze innovation, spur economic growth and job creation, improve health, education, and financial services, reduce poverty and gender inequality, mitigate disasters, promote democracy and good governance, and strengthen cybersecurity;

(2) promote build once policies and approaches and the multi-stakeholder approach to Internet governance; and

(3) ensure the effective use of United States foreign assistance resources toward this end.

SEC. 3. FINDINGS.

Congress finds the following:

(1) The number of Internet users worldwide has more than tripled from 1 billion to 3.2 billion since 2005, yet the growth rate of Internet access is slowing: An estimated 4.2 billion people, or 60 percent of the world’s population, remain offline, an estimated 75 percent of the offline population lives in just 20 countries, and rural, female, elderly, illiterate, and low-income populations are being left behind.

(2) Studies suggest that women across the developing world are disproportionately affected by a digital gap, and that bringing an additional 600 million women online would contribute \$13 billion to \$18 billion to annual GDP across 144 developing countries.

(3) Internet access in developing countries is most often hampered by a lack of infrastructure and a poor regulatory environment for investment.

(4) Build once policies and approaches, which seek to coordinate public and private sector investments in roads and other critical infrastructure, can minimize the number and scale of excavation and construction activities when installing telecommunications infrastructure in rights-of-way, thereby reducing installation costs for high-speed Internet networks and serving as a development best practice.

SEC. 4. STATEMENT OF POLICY.

Congress declares that it is the policy of the United States to consult, partner, and coordinate with the governments of foreign countries, international organizations, regional economic communities, businesses, civil society, and other stakeholders in a concerted effort to close the digital gap by promoting—

(1) first-time Internet access to mobile or broadband Internet for at least 1.5 billion people in developing countries by 2020 in both urban and rural areas;

(2) Internet deployment and related coordination, capacity building, and build once policies and approaches in developing countries, including actions to encourage—

(A) standardization of build once policies and approaches for the inclusion of broadband conduit in rights-of-way projects that are funded, co-funded, or partially fi-

nanced by the United States or any international organization that includes the United States as a member, in consultation with telecommunications providers, unless a cost-benefit analysis determines that the cost of such approach outweighs the benefits;

(B) adoption and integration of build once policies and approaches into the development and investment strategies of national and local government agencies of developing countries and donor governments and organizations that will enhance coordination with the private sector for road building, pipe laying, and other major infrastructure projects; and

(C) provision of increased financial support by international organizations, including through grants, loans, and technical assistance, to expand information and communications access and Internet connectivity;

(3) policy changes that encourage first-time affordable access to the Internet in developing countries, including actions to encourage—

(A) integration of universal and gender-equitable Internet access goals, to be informed by the collection of related gender disaggregated data, and Internet tools into national development plans and United States Government country-level development strategies;

(B) reforms of competition laws and spectrum allocation processes that may impede the ability of companies to provide Internet services; and

(C) efforts to improve procurement processes to help attract and incentivize investment in Internet infrastructure;

(4) the removal of tax and regulatory barriers to Internet access;

(5) the use of the Internet to increase economic growth and trade, including—

(A) policies and strategies to remove restrictions to e-commerce, cross-border information flows, and competitive marketplaces; and

(B) entrepreneurship and distance learning enabled by access to technology;

(6) use of the Internet to bolster democracy, government accountability, transparency, and human rights, including through the establishments of policies, initiatives, and investments that—

(A) support the development of national Internet plans that are consistent with United States human rights goals, including freedom of expression, religion, assembly, and association;

(B) expand online access to government information and services to enhance government accountability and service delivery, including for areas in which government may have limited presence;

(C) advance the principles of responsible Internet governance, including commitments to maintain open and equitable access; and

(D) support programs, research, and technologies that safeguard human rights and fundamental freedoms online, and enable political organizing and activism, free speech, and religious expression that are in compliance with international human rights standards;

(7) Internet access and inclusion into Internet policymaking for women, people with disabilities, minorities, low-income and marginalized groups, and underserved populations;

(8) cybersecurity and data protection, including international use of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity, that are industry-

led and globally recognized cybersecurity standards and best practices; and

(9) inter-agency coordination and cooperation across all executive branch agencies regarding the construction and promotion of Internet initiatives as a greater part of United States foreign policy.

SEC. 5. LEVERAGING INTERNATIONAL SUPPORT.

In pursuing the policy described in section 4, the President should direct United States representatives to appropriate international bodies to use the influence of the United States, consistent with the broad development goals of the United States, to advocate that each such body—

(1) commit to increase efforts and coordination to promote affordable and gender-equitable Internet access, in partnership with stakeholders and consistent with host countries’ absorptive capacity;

(2) integrate affordable and gender-equitable Internet access data into existing economic and business assessments, evaluations, and indexes such as the Millennium Challenge Corporation constraints analysis, the Doing Business Report, International Monetary Fund Article IV assessments and country reports, the Open Data Barometer, and the Affordability Drivers Index;

(3) standardize inclusion of broadband conduit as part of highway or comparable construction projects in developing countries, in consultation with telecommunications providers, unless such inclusion would create an undue burden, is not necessary based on the availability of existing broadband infrastructure, or a cost-benefit analysis determines that the cost outweighs the benefits;

(4) provide technical assistance to the regulatory authorities in developing countries to remove unnecessary barriers to investment in otherwise commercially viable projects and strengthen weak regulations or develop new regulations to support market growth and development;

(5) utilize clear, accountable, and metric-based targets, including targets with gender-disaggregated data, to measure the effectiveness of efforts to promote Internet access; and

(6) promote and protect human rights online, such as the freedoms of expression, religion, assembly, and association, through resolutions, public statements, projects, and initiatives, and advocate that other member states of such bodies are held accountable when major violations are uncovered.

SEC. 6. DEPARTMENT OF STATE ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should seek to enhance the efficiency and effectiveness of United States foreign assistance efforts to carry out the policies and objectives established by this Act, including by redesignating an existing Assistant Secretary position in the Department of State to be the Assistant Secretary for Cyberspace to lead the Department’s diplomatic cyberspace policy generally, including for cybersecurity, Internet access, Internet freedom, and to promote an open, secure, and reliable information and communications technology infrastructure.

(b) ACTIVITIES.—In recognition of the added value of technical knowledge and expertise in the policymaking and diplomatic channels, the Secretary of State shall—

(1) update existing training programs relevant to policy discussions;

(2) promote the recruitment of candidates with technical expertise into the Civil Service and the Foreign Service; and

(3) work to improve inter-agency coordination and cooperation on cybersecurity and Internet initiatives.

(c) **OFFSET.**—To offset any costs incurred by the Department of State to carry out the designation of an Assistant Secretary for Cyberspace in accordance with subsection (a), the Secretary of State shall eliminate such positions within the Department of State, unless otherwise authorized or required by law, as the Secretary determines to be necessary to fully offset such costs.

(d) **RULE OF CONSTRUCTION.**—The redesignation of the Assistant Secretary position in the Department of State described in subsection (a) may not be construed as increasing the number of Assistant Secretary positions at the Department above the current level of 24 as authorized in section 1(c)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)).

SEC. 7. USAID.

It is the sense of Congress that the Administrator of the United States Agency for International Development should—

(1) integrate efforts to expand Internet access, develop appropriate technologies, and enhance digital literacy into the education, development, and economic growth programs of the agency, where appropriate;

(2) expand the utilization of information and communications technologies in humanitarian aid and disaster relief responses and United States operations involving stabilization and security to improve donor coordination, reduce duplication and waste, capture and share lessons learned, and augment disaster preparedness and risk mitigation strategies; and

(3) establish and promote guidelines for the protection of personal information of individuals served by humanitarian, disaster, and development programs implemented directly through the United States Government, through contracts funded by the United States Government, and by international organizations.

SEC. 8. PEACE CORPS.

Section 3 of the Peace Corps Act (22 U.S.C. 2502) is amended by—

(1) redesignating subsection (h) as subsection (e); and

(2) adding at the end the following new subsections:

“(f) It is the sense of Congress that access to technology can transform agriculture, community economic development, education, environment, health, and youth development which are the sectors in which Peace Corps currently develops positions for Volunteers.

“(g) In giving attention to the programs, projects, training, and other activities referred to in subsection (f), the Peace Corps should develop positions for Volunteers that are focused on leveraging technology for development, education, and social and economic mobility.”

SEC. 9. PARTNERSHIP FRAMEWORK.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate plans to promote partnerships by United States development agencies, including the United States Agency for International Development and the Millennium Challenge Corporation, and international agencies funded by the United States Government with the private sector and other stakeholders to expand affordable and gender equitable access to the Internet in developing countries, including the following elements:

(1) Methods for stakeholders to partner with such agencies in order to provide Inter-

net access or Internet infrastructure in developing countries.

(2) Methods of outreach to stakeholders to explore partnership opportunities for expanding Internet access or Internet infrastructure, including coordination with the private sector, when financing roads and telecommunications infrastructure.

(3) Methods for early consultation with stakeholders concerning projects in telecommunications and road construction to provide Internet access or Internet infrastructure.

SEC. 10. REPORTING REQUIREMENT ON IMPLEMENTATION EFFORTS.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on efforts to implement the policies specified in this Act and a discussion of the plans and existing efforts by the United States Government in developing countries to accomplish the following:

(1) Developing a technical and regulatory road map for promoting Internet access in developing countries and a path to implementing such road map.

(2) Identifying the regulatory barriers that may unduly impede Internet access, including regulation of wireline broadband deployment or the infrastructure to augment wireless broadband deployment.

(3) Strengthening and supporting development of regulations that incentivize market growth and sector development.

(4) Encouraging further public and private investment in Internet infrastructure, including broadband networks and services.

(5) Increasing gender-equitable Internet access and otherwise encourage or support Internet deployment, competition, and adoption.

(6) Improving the affordability of Internet access.

(7) Promoting technology and cybersecurity capacity building efforts and consult technical experts for advice regarding options to accelerate the advancement of Internet deployment, adoption, and usage.

(8) Promoting Internet freedom globally and include civil society and the private sector in the formulation of policies, projects, and advocacy efforts to protect human rights online.

(9) Promoting and strengthening the multi-stakeholder model of Internet governance and actively participate in multi-stakeholder international fora, such as the Internet Governance Forum.

(10) Advancing a strategy to promote—

(A) global cybersecurity policy consistent with the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity;

(B) global Internet freedom principles, such as the freedoms of expression, religion, assembly, and association, while combating efforts to impose restrictions on such freedoms; and

(C) improved inter-agency coordination and cooperation on cybersecurity and Internet initiatives.

SEC. 11. DEFINITIONS.

In this Act:

(1) **BROADBAND.**—The term “broadband” means an Internet Protocol-based transmission service that enables users to send and receive voice, video, data, graphics, or a combination thereof.

(2) **BROADBAND CONDUIT.**—The term “broadband conduit” means a conduit for fiber optic cables that support broadband or wireless facilities for broadband service.

(3) **BUILD ONCE POLICIES AND APPROACHES.**—The term “build once policies and approaches” means policies or practices that minimize the number and scale of excavation and construction activities when installing telecommunications infrastructure in rights-of-way.

(4) **CYBERSPACE.**—The term “cyberspace” means the interdependent network of information technology infrastructures, and includes the Internet, telecommunications networks, computer systems, and embedded processors and controllers in critical industries, and includes the virtual environment of information and interactions between people.

(5) **STAKEHOLDERS.**—The term “stakeholders” means the private sector, the public sector, cooperatives, civil society, the technical community that develops Internet technologies, standards, implementation, operations, and applications, and other groups that are working to increase Internet access or are impacted by the lack of Internet access in their communities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous materials in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Today, more than 60 percent of the world's population lacks access to broadband, lacks access to the Internet. That means 3 billion people have been left out of the biggest technological revolution of our time. Three billion people are being denied the benefits of the free flow of information and game-changing innovations in health, education, and commerce; and 3 billion consumers remain out of the reach of American goods and services.

Women and girls are disproportionately affected by this digital gap, despite serving as the principal consumers, caregivers, educators, peace-makers, and income earners across the developing world. Bringing women online is going to deepen the benefit of existing investments in governance and global health, and it is going to accelerate economic growth.

So this bill closes that digital gap. It promotes efforts by developing countries to accelerate Internet deployment through the standardization of cost-effective, build-once policies. It partners with the private sector, and it creates a favorable investment climate.

At the same time, it reduces duplication of effort among U.S. Government agencies by demanding improved inter-agency coordination and collaboration

with the private sector. And it calls on the State Department to consolidate the responsibilities held by three separate coordinators for cyber policy, technology, and information under a single Assistant Secretary for Cyberspace.

So let me explain something here, Mr. Speaker, if the U.S. Agency for International Development is helping to finance the construction of a rural road in Ghana, the private sector should be invited to lay down broadband conduit before the concrete is poured, obviously. Why dig the same road twice? The bottom line is that, as this infrastructure expansion is going on right now, we have the ability to get the private sector in to lay that broadband, and that is what this bill does. It is smart economics, smart development. It advances key U.S. values. And, frankly, it is good for American industry as well.

So I thank my cosponsors—Representatives CATHY McMORRIS RODGERS, ELIOT ENGEL, and GRACE MENG—for their efforts on this bill, which, by the way, the predecessor bill passed unanimously last September here.

I strongly urge Members to support the Digital GAP Act here again this year so we can get it to the President's desk without delay.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume. I rise in support of this bill.

I want to thank Chairman ED ROYCE, and I am pleased to cosponsor this bill that he has introduced to make it easier for people around the world to harness the power of the Internet. This bill passed in the last Congress but didn't make it through the Senate, so I am glad we are taking it up again.

Mr. Speaker, we know the way this incredible tool has shaped the world in the last generation. The Internet can instantaneously connect people across the world from each other who a few years ago would never cross paths in a lifetime. It allows citizens and journalists living under oppressive regimes or in war zones to get information out to the world. It allows entrepreneurs in emerging markets to sell their products in global markets.

To be sure, the power of the Internet can cut both way. ISIS has proved all too adept at using social media to recruit fighters and spread its hateful message. But put to its highest purpose, the Internet can help drive economic growth and spread stability and prosperity.

Unfortunately, too few people around the world have access to this tool. Roughly 60 percent of the world's population is not online, and the growth rate of Internet access is slowing. If you live in a poor community or a rural area, sometimes just because you are a woman, it is harder to take advantage of the Internet.

We know where that lack of access is holding populations back. Three-quarters of those who are offline live in just 20 countries. If we could close that gap, think of what it might mean for all of those people struggling to make ends meet, and that is exactly what this bill aims to do.

Chairman ROYCE's legislation calls on the administration to ramp up efforts around the world to expand access to the Internet. It encourages the State Department, USAID, and the Peace Corps to focus on Internet access as a diplomatic and development priority. And it states clearly that expanding Internet access, especially in the developing world, is an American foreign policy priority.

So I am glad to support this measure. I thank the chairman for all his hard work.

I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. BASS).

Ms. BASS. Mr. Speaker, I rise in support of H.R. 5537, the Digital Global Access Policy Act or the Digital GAP Act. I commend Chairman ROYCE's timely piece of legislation, which aims to facilitate greater coordination between the U.S. and foreign governments, international organizations, regional economic communities, businesses, and civil society regarding the promotion of information technology and cybersecurity in developing economies.

The focus of the critical IT sector, particularly in developing countries, is the goal of not only Chairman ROYCE's Digital GAP bill but also of a possible companion bill in the Senate sponsored last year by Senator MARKEY.

I understand that Senator MARKEY plans to reintroduce his bill in the Senate, and it is my hope that we can work with the Senate in support of this legislation. Both bills address the critical issue of the U.S. working with developing economies on the core issue of information technology and cybersecurity.

In many countries in Sub-Saharan Africa, the information technology sector has literally taken off and enabled young, innovative, and talented entrepreneurs to develop IT-related solutions to everyday problems.

Last summer, I traveled with Senator MARKEY and Representative MALONEY to Nigeria and Senegal where we met with a number of local IT experts. What was clear from our in-depth discussions is that Internet access has quickly become a critical component of economies and economic growth throughout the developing world.

Many developing economies, which have traditionally had to navigate institutional or infrastructural impediments,

are able to utilize information technology to resolve everyday problems. Case in point, telephone land lines in some developing economies are often in need of constant repair and maintenance. As a result, over the years, land lines became the preserve of the middle class and affluent sectors of capital cities.

This is no longer the case because astute entrepreneurs have found a way to circumvent this impediment by buying and/or renting out cell phones for public use. Today, in just about any country you visit in Sub-Saharan Africa, you will see countless men, women, and children using cell phones.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

Ms. BASS. On our codel, our visit to Senegal included a meeting with the CEO of Wari, an 8-year-old company providing an innovative platform offering convenient service and an aggregation of products and services of various partners. Wari has over 220 million users of the platform throughout 40 countries.

We also met with the director of Millennium Connect Africa. Formerly with Hughes Satellite Systems, Mr. Diop was educated at Wharton and UCLA and worked in the U.S. for 20 years. His company is a subsidiary of Wari.

In Kenya, IT entrepreneurs have excelled in the development of a host of innovative apps. For example, a young Kenyan innovator developed an app called iCow to better enable dairy farmers to keep current with market prices.

Throughout Sub-Saharan Africa, there are many examples of IT expertise. The importance of an IT-literate population complements the ongoing push for capability training.

To the degree the U.S. Government can actively participate in this important process is to the mutual benefit of this country and a spectrum of developing countries worldwide.

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent to reclaim the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California has 17 minutes remaining.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

In closing, when we talk about the world becoming more interconnected, one of the main drivers of that trend is the Internet. Our enemies have taken advantage of this tool for destructive purposes. As we push back against that threat, our foreign policy should also help as many people as possible to use this tool in a positive way.

So this bill, again, helps move us in the right direction. I want to, again, say I am grateful to Chairman ROYCE for bringing it forward.

I am glad to support this bill, and I urge my colleagues to do the same.

I yield back the balance of my time.

□ 1615

Mr. ROYCE of California. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to say, as the author of this bill, it does take a lot of work, a lot of research, to put together legislation like this. And I did want to thank Joan Condon of the staff, and I wanted to thank Jessica Kelch, certainly Margot Sullivan, and Taylor Clausen for their efforts here.

I think that as you get involved in this legislation and you see some of the lost opportunities in the past—I would just give one example. NetHope, an NGO, made a compelling case for this build-once policy that this puts in place.

It was several years ago, as they explained, and ELIOT ENGEL and I have been out to Liberia. There was a \$100 million project for a road where there is no Internet use, and there is very little across Liberia. Had the donors had the foresight to just invite the private sector to lay the fiber-optic cable under that road while it was being constructed—and, as you know, you do that at a fraction of the cost. That is when they want to lay the cable—the cost would have been 1 percent of the total investment. It would have been \$1 million.

But what is the consequence of that lack of foresight?

You fast forward to 2014. I will tell you the consequences. Ebola ravaged Liberia, 10,000 people over the course of a single year; it crossed international borders, finally included the United States. There was a reason why the information did not get out, and that reason was because there was not Internet access in this region across Liberia, which was the same region where they would have put the Internet access. That is what physicians tell us.

It is not a surprise that experts agree that the lack of Internet infrastructure hampered Ebola response efforts, according to the physicians, as donors and community health centers struggled to track the disease. They could not even coordinate their efforts, for those of you who remember that struggle.

Now, all of a sudden there is renewed interest in improving the Internet architecture in Liberia, and now we find that the cost is so many, many, many multiples of what it had been had this bill been law, and that we had simply let those know in industry that that opportunity was there to lay that cable back when the road was originally being built.

So we need this build-once strategy. We have got to have smart development. We can do better. We will. And I urge the Members to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, as the House considers this legislation, I stand in support of expanding Internet access around the globe. In this fast growing and ever changing world, the gap between those who have and have not will be made even more dramatic for those without internet access. Internet access is a valuable commodity that helps millions of lives, and everyone should have access to it.

In the 21st century, one thing is crystal clear: Access to the internet is critical. 4.2 billion people worldwide don't have access to the internet. This includes children starting school, young women starting businesses, and communities looking for ways to compete in the global market.

Women are particularly impacted and left behind, something that shouldn't go unnoticed by this body. UNICEF reports that nearly 90% of the income women bring in is reinvested into their family, more than double what men reinvest. Women build up their communities, and we must do whatever we can to ensure they have the resources necessary to succeed.

Not only will this bill reach those women who live in the dark without web services, it will promote the rights and values that make America exceptional. The freedoms of expression and assembly are fundamental rights, and the Internet can be a critical medium for promoting democracy. A report by the McKinsey Global Institute put it best when it said "The Internet has fundamentally empowered the consumer [. . .] It saves the consumer time and gives customers access to products." In this great body, I hope we continue to stand for democracy, its values, and support those who wish to stand up for their rights.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 600.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motion to recommit on H.R. 7, by the yeas and nays, and passage of H.R. 7, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

NO TAXPAYER FUNDING FOR ABORTION AND ABORTION INSURANCE FULL DISCLOSURE ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 7) to prohibit taxpayer funded abortions, offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 187, nays 235, not voting 10, as follows:

[Roll No. 64]

YEAS—187

Adams	Gallego	Nolan
Aguilar	Garamendi	Norcross
Barragán	Gonzalez (TX)	O'Halleran
Bass	Gottheimer	O'Rourke
Beatty	Green, Al	Pallone
Bera	Green, Gene	Panetta
Beyer	Grijalva	Pascarell
Bishop (GA)	Gutiérrez	Payne
Blunt Rochester	Hanabusa	Pelosi
Bonamici	Hastings	Perlmutter
Boyle, Brendan	Heck	Peters
F.	Higgins (NY)	Peterson
Brady (PA)	Himes	Pingree
Brown (MD)	Hoyer	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Jackson Lee	Price (NC)
Butterfield	Jayapal	Quigley
Capuano	Jeffries	Raskin
Carbajal	Johnson (GA)	Rice (NY)
Cárdenas	Kaptur	Richmond
Carson (IN)	Keating	Rosen
Cartwright	Kelly (IL)	Royal-Allard
Castor (FL)	Kennedy	Ruiz
Castro (TX)	Khanna	Ruppersberger
Chu, Judy	Kihuen	Ryan (OH)
Ciçilline	Kildee	Sánchez
Clark (MA)	Kilmer	Sarbanes
Clarke (NY)	Kind	Schakowsky
Clay	Krishnamoorthi	Schiff
Cleaver	Kuster (NH)	Schneider
Clyburn	Langevin	Schrader
Cohen	Larsen (WA)	Scott (VA)
Connolly	Larson (CT)	Scott, David
Conyers	Lawrence	Serrano
Cooper	Lawson (FL)	Sewell (AL)
Correa	Lee	Shea-Porter
Courtney	Levin	Sherman
Crist	Lewis (GA)	Sinema
Crowley	Lieu, Ted	Sires
Cuellar	Lipinski	Smith (WA)
Cummings	Loeb sack	Soto
Davis (CA)	Lofgren	Speier
Davis, Danny	Lowenthal	Suo zzi
DeFazio	Lowey	Swalwell (CA)
DeGette	Lujan Grisham,	Takano
Delaney	M.	Thompson (CA)
DeLauro	Luján, Ben Ray	Thompson (MS)
DelBene	Lynch	Titus
Demings	Maloney,	Tonko
DeSaulnier	Carolyn B.	Torres
Deutch	Maloney, Sean	Tsongas
Dingell	Matsui	Vargas
Doggett	McCollum	Veasey
Doyle, Michael	McEachin	Vela
F.	McGovern	Velázquez
Ellison	McNerney	Visclosky
Engel	Meeks	Walz
Eshoo	Meng	Wasserman
Españillat	Moore	Schultz
Esty	Moulton	Waters, Maxine
Evans	Murphy (FL)	Watson Coleman
Foster	Nadler	Welch
Frankel (FL)	Napolitano	Wilson (FL)
Fudge	Neal	Yarmuth

NAYS—235

Abraham Goodlatte
 Aderholt Gosar
 Allen Gowdy
 Amash Granger
 Amodei Graves (GA)
 Arrington Graves (LA)
 Babin Graves (MO)
 Bacon Griffith
 Banks (IN) Grothman
 Barletta Guthrie
 Barr Harper
 Barton Harris
 Bergman Hartzler
 Biggs Hensarling
 Bilirakis Herrera Beutler
 Bishop (MI) Hice, Jody B.
 Bishop (UT) Higgins (LA)
 Black Hill
 Blackburn Holding
 Blum Hollingsworth
 Bost Hudson
 Brady (TX) Huizenga
 Brat Hultgren
 Bridenstine Hunter
 Brooks (AL) Hurd
 Brooks (IN) Issa
 Buchanan Jenkins (KS)
 Buck Jenkins (WV)
 Bucshon Johnson (LA)
 Budd Johnson (OH)
 Burgess Johnson, Sam
 Byrne Jordan
 Calvert Joyce (OH)
 Carter (GA) Katko
 Carter (TX) Kelly (MS)
 Chabot Kelly (PA)
 Chaffetz King (IA)
 Cheney King (NY)
 Coffman Kinzinger
 Cole Knight
 Collins (GA) Kustoff (TN)
 Collins (NY) Labrador
 Comer LaHood
 Comstock LaMalfa
 Conaway Lamborn
 Cook Lance
 Costello (PA) Latta
 Cramer Lewis (MN)
 Crawford LoBiondo
 Culberson Long
 Curbelo (FL) Loudermilk
 Davidson Love
 Davis, Rodney Lucas
 Denham Luetkemeyer
 Dent MacArthur
 DeSantis Marchant
 DesJarlais Marino
 Diaz-Balart Marshall
 Donovan Massie
 Duffy Wagner
 Duncan (SC) McCarthy
 Duncan (TN) McCaul
 Dunn McClintock
 Emmer McHenry
 Farenthold McKinley
 Faso McMorris
 Ferguson Rodgers
 Fitzpatrick McSally
 Fleischmann Meadows
 Flores Meehan
 Fortenberry Messer
 Foxx Mitchell
 Franks (AZ) Moolenaar
 Frelinghuysen Mooney (WV)
 Gaetz Mullin
 Gallagher Murphy (PA)
 Garrett Newhouse
 Gibbs Noem
 Gohmert Nunes

Mr. SUOZZI, Ms. JAYAPAL, and Mr. CONNOLLY changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. WAGNER). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. DEGETTE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 183, not voting 11, as follows:

[Roll No. 65]

AYES—238

Abraham Emmer
 Aderholt Farenthold
 Allen Faso
 Amash Ferguson
 Amodei Fitzpatrick
 Arrington Fleischmann
 Babin Flores
 Bacon Fortenberry
 Banks (IN) Foxx
 Barr Franks (AZ)
 Barton Frelinghuysen
 Bergman Gaetz
 Bilirakis Gallagher
 Bishop (MI) Garrett
 Bishop (UT) Gibbs
 Black Gohmert
 Blackburn Goodlatte
 Blum Gosar
 Bost Gowdy
 Brady (TX) Graves (GA)
 Brat Graves (LA)
 Bridenstine Graves (MO)
 Brooks (AL) Griffith
 Brooks (IN) Guthrie
 Buchanan Harper
 Buck Harris
 Bucshon Hartzler
 Budd Hensarling
 Burgess Herrera Beutler
 Byrne Hice, Jody B.
 Calvert Higgins (LA)
 Carter (GA) Hill
 Carter (TX) Holding
 Chabot Hollingsworth
 Chaffetz Hudson
 Cheney Huizenga
 Coffman Hultgren
 Cole Hunter
 Collins (GA) Hurd
 Collins (NY) Issa
 Comer Jenkins (KS)
 Comstock Jenkins (WV)
 Conaway Johnson (LA)
 Cook Johnson (OH)
 Costello (PA) Johnson, Sam
 Cramer Jordan
 Crawford Joyce (OH)
 Cuellar Katko
 Culberson Kelly (MS)
 Curbelo (FL) Kelly (PA)
 Davidson King (IA)
 Davis, Rodney King (NY)
 Denham Kinzinger
 Dent Knight
 DeSantis Kustoff (TN)
 DesJarlais Labrador
 Diaz-Balart LaHood
 Donovan LaMalfa
 Duffy Lamborn
 Duncan (SC) Lance
 Duncan (TN) Latta
 Dunn Lewis (MN)

Rutherford
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smucker
 Stefanik

Stewart
 Stivers
 Taylor
 Tenney
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker

NOES—183

Adams
 Aguilar
 Barragan
 Bass
 Beatty
 Bera
 Beyer
 Bishop (GA)
 Blunt Rochester
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brown (MD)
 Brownley (CA)
 Bustos
 Butterfield
 Capuano
 Carbajal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Courtney
 Crist
 Crowley
 Cummings
 Davis (CA)
 Davis, Denny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DeBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty
 Evans
 Foster
 Frankel (FL)
 Fudge

Walorski
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Zeldin

Norcross
 O'Halleran
 O'Rourke
 Pallone
 Panetta
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Ruppersberger
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Kind
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Smith (WA)
 Soto
 Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Vislosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

NOT VOTING—11

Blumenauer
 Costa
 Gabbard
 Johnson, E. B.

Jones
 Mulvaney
 Price, Tom (GA)
 Rush

Slaughter
 Zinke

Blumenauer
 Costa
 Gabbard
 Johnson, E. B.

Jones
 Lieu, Ted
 Mulvaney
 Price, Tom (GA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1648

So the bill was passed.

□ 1640

Messrs. TURNER, MOONEY of West Virginia, SANFORD, BRADY of Texas, YOUNG of Alaska, BILIRAKIS, SHIMKUS, CHABOT, and WALDEN changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained and missed rollcall vote numbers 62, 63, 64, and 65. Had I been present, I would have voted “no” on vote numbers 62, 63, and 65. I would have voted “aye” on vote number 64.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I was unable to vote during the following rollcall votes. Had I been present, I would have voted: “No” on rollcall 62, Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 7. “No” on rollcall 63, Rule providing for consideration of H.R. 7—No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017. “Yea” on rollcall 64, on Democratic Motion to Recommit H.R. 7. “No” on rollcall 65, Passage of H.R. 7—No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 59

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Ms. Shea-Porter and Mr. Espallat.

(2) COMMITTEE ON SMALL BUSINESS.—Mr. Lawson of Florida.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT FROM TUESDAY, JANUARY 24, 2017, TO FRIDAY, JANUARY 27, 2017; AND ADJOURNMENT FROM FRIDAY, JANUARY 27, 2017, TO MONDAY, JANUARY 30, 2017

Mr. ROYCE of California. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, January 27, 2017; and further, when the House adjourns on that day, it adjourn to meet on Monday, January 30, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on the additional motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 601) to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 601

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Reinforcing Education Accountability in Development Act” or the “READ Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Assistance to promote sustainable, quality basic education.

Sec. 4. Comprehensive integrated United States strategy to promote basic education.

Sec. 5. Improving coordination and oversight.

Sec. 6. Monitoring and evaluation of programs.

Sec. 7. Transparency and reporting to Congress.

SEC. 2. DEFINITIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this Act, the term “appropriate congressional committees” means—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on Foreign Relations of the Senate;

(3) the Committee on Appropriations of the House of Representatives; and

(4) the Committee on Foreign Affairs of the House of Representatives.

(b) OTHER DEFINITIONS.—In this Act, the terms “basic education”, “marginalized children and vulnerable groups”, “national education plan”, “partner country”, and “relevant Executive branch agencies and officials” have the meanings given such terms in section 105(c) of the Foreign Assistance Act of 1961, as added by section 3.

SEC. 3. ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.

Section 105 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151c) is amended by adding at the end the following:

“(c) ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.—

“(1) DEFINITIONS.—In this subsection:

“(A) BASIC EDUCATION.—The term ‘basic education’ includes—

“(i) measurable improvements in literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce;

“(ii) workforce development, vocational training, and digital literacy informed by real market needs and opportunities and that results in measurable improvements in employment;

“(iii) programs and activities designed to demonstrably improve—

“(I) early childhood, preprimary education, primary education, and secondary education, which can be delivered in formal or non-formal education settings; and

“(II) learning for out-of-school youth and adults; and

“(iv) capacity building for teachers, administrators, counselors, and youth workers that results in measurable improvements in student literacy, numeracy, or employment.

“(B) COMMUNITIES OF LEARNING.—The term ‘communities of learning’ means a holistic approach to education and community engagement in which schools act as the primary resource center for delivery of a service to the community at large, leveraging and maximizing the impact of other development efforts and reducing duplication and waste.

“(C) GENDER PARITY IN BASIC EDUCATION.—The term ‘gender parity in basic education’ means that girls and boys have equal access to quality basic education.

“(D) MARGINALIZED CHILDREN AND VULNERABLE GROUPS.—The term ‘marginalized children and vulnerable groups’ includes girls, children affected by or emerging from armed conflict or humanitarian crises, children with disabilities, children in remote or rural areas (including those who lack access to safe water and sanitation), religious or ethnic minorities, indigenous peoples, orphans and children affected by HIV/AIDS, child laborers, married adolescents, and victims of trafficking.

“(E) NATIONAL EDUCATION PLAN.—The term ‘national education plan’ means a comprehensive national education plan developed by partner country governments in consultation with other stakeholders as a means for wide-scale improvement of the country’s education system, including explicit, credible strategies informed by effective practices and standards to achieve quality universal basic education.

“(F) NONFORMAL EDUCATION.—The term ‘nonformal education’ means organized educational activities outside the established formal system, whether operating separately or as an important feature of a broader activity, that are intended to provide students with measurable improvements in literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce.

“(G) PARTNER COUNTRY.—The term ‘partner country’ means a developing country that participates in or benefits from basic education programs under this subsection pursuant to the prioritization criteria described in paragraph (4), including level of need, opportunity for impact, and the availability of resources.

“(H) RELEVANT EXECUTIVE BRANCH AGENCIES AND OFFICIALS.—The term ‘relevant Executive branch agencies and officials’ means the Department of State, the United States Agency for International Development, the Department of the Treasury, the Department

of Labor, the Department of Education, the Department of Agriculture, and the Department of Defense, the Chief Executive Officer of the Millennium Challenge Corporation, the National Security Advisor, and the Director of the Peace Corps.

“(I) SUSTAINABILITY.—The term ‘sustainability’ means, with respect to any basic education program that receives funding pursuant to this section, the ability of a service delivery system, community, partner, or beneficiary to maintain, over time, such basic education program without the use of foreign assistance.

“(2) POLICY.—In carrying out this section, it shall be the policy of the United States to work with partner countries, as appropriate, other donors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents, to promote sustainable, quality basic education through programs and activities that—

“(A) take into consideration and help respond to the needs, capacities, and commitment of developing countries to achieve measurable improvements in literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce;

“(B) strengthen educational systems, promote communities of learning, as appropriate, expand access to safe learning environments, including by breaking down specific barriers to basic education for women and girls, ensure continuity of education, including in conflict settings, measurably improve teacher skills and learning outcomes, and support the engagement of parents in the education of their children to help partner countries ensure that all children, including marginalized children and other vulnerable groups, have access to and benefit from quality basic education;

“(C) promote education as a foundation for sustained economic growth and development within a comprehensive assistance strategy that places partner countries on a trajectory toward graduation from assistance provided under this section with clearly defined benchmarks of success that are used as requirements for related procurement vehicles, such as grants, contracts, and cooperative agreements; and

“(D) monitor and evaluate the effectiveness and quality of basic education programs in partner countries.

“(3) PRINCIPLES.—In carrying out the policy referred to in paragraph (2), the United States shall be guided by the following principles of aid effectiveness:

“(A) ALIGNMENT.—Assistance provided under this section to support programs and activities under this subsection shall be aligned with and advance United States foreign policy and economic interests.

“(B) COUNTRY OWNERSHIP.—To the greatest extent practicable, assistance provided under this section to support programs and activities under this subsection should be aligned with and support the national education plans and country development strategies of partner countries, including activities that are appropriate for and meet the needs of local and indigenous cultures.

“(C) COORDINATION.—

“(i) IN GENERAL.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and leverage the unique capabilities and resources of local and national governments in partner countries, other do-

nors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents.

“(ii) MULTILATERAL PROGRAMS AND INITIATIVES.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and support proven multilateral education programs and financing mechanisms, which may include the Global Partnership for Education, that demonstrate commitment to efficiency, effectiveness, transparency, and accountability.

“(D) EFFICIENCY.—The President shall seek to improve the efficiency and effectiveness of assistance provided under this section to support programs and activities under this subsection by coordinating the related efforts of relevant Executive branch agencies and officials.

“(E) EFFECTIVENESS.—Programs and activities supported under this subsection—

“(i) shall be consistent with the policies and principles set forth in this subsection;

“(ii) shall be designed to achieve specific, measurable goals and objectives that are directly related to the provision of basic education (as defined in this section); and

“(iii) shall include appropriate targets, metrics, and indicators that—

“(I) move a country along the path to graduation from assistance provided under this subsection; and

“(II) can be applied with reasonable consistency across such programs and activities to measure progress and outcomes.

“(F) TRANSPARENCY AND ACCOUNTABILITY.—Programs and activities supported under this subsection shall be subject to rigorous monitoring and evaluation, which may include impact evaluations, the results of which shall be made publically available in a fully searchable, electronic format.

“(4) PRIORITY AND OTHER REQUIREMENTS.—The President shall ensure that assistance provided under this section to support programs and activities under this subsection is aligned with the foreign policy and economic interests of the United States and, subject to such alignment, priority is given to developing countries in which—

“(A) there is the greatest need and opportunity to expand access to basic education and to improve learning outcomes, including for marginalized and vulnerable groups, particularly women and girls to ensure gender parity in basic education, or populations affected by conflict or crisis; and

“(B) such assistance can produce a substantial, measurable impact on children and educational systems.”

SEC. 4. COMPREHENSIVE INTEGRATED UNITED STATES STRATEGY TO PROMOTE BASIC EDUCATION.

(a) STRATEGY REQUIRED.—Not later than October 1, 2017, the President shall submit to the appropriate congressional committees a comprehensive United States strategy to be carried out during fiscal years 2018 through 2022 to promote quality basic education in partner countries by—

(1) seeking to equitably expand access to basic education for all children, particularly marginalized children and vulnerable groups; and

(2) measurably improving the quality of basic education and learning outcomes.

(b) REQUIREMENT TO CONSULT.—In developing the strategy required under subsection (a), the President shall consult with—

(1) the appropriate congressional committees;

(2) relevant Executive branch agencies and officials;

(3) partner country governments; and

(4) local and international nongovernmental organizations, including faith-based organizations and organizations representing students, teachers, and parents, and other development partners engaged in basic education assistance programs in developing countries.

(c) PUBLIC COMMENT.—The President shall provide an opportunity for public comment on the strategy required under subsection (a).

(d) ELEMENTS.—The strategy required under subsection (a)—

(1) shall be developed and implemented consistent with the principles set forth in section 105(c) of the Foreign Assistance Act of 1961, as added by section 3; and

(2) shall seek—

(A) to prioritize assistance provided under this subsection to countries that are partners of the United States and whose populations are most in need of improved basic education, as determined by indicators such as literacy and numeracy rates;

(B) to build the capacity of relevant actors in partner countries, including in government and in civil society, to develop and implement national education plans that measurably improve basic education;

(C) to identify and replicate successful interventions that improve access to and quality of basic education in conflict settings and in partner countries;

(D) to project general levels of resources needed to achieve stated program objectives;

(E) to develop means to track implementation in partner countries and ensure that such countries are expending appropriate domestic resources and instituting any relevant legal, regulatory, or institutional reforms needed to achieve stated program objectives;

(F) to leverage United States capabilities, including through technical assistance, training, and research; and

(G) to improve coordination and reduce duplication among relevant Executive branch agencies and officials, other donors, multilateral institutions, nongovernmental organizations, and governments in partner countries.

SEC. 5. IMPROVING COORDINATION AND OVERSIGHT.

(a) SENIOR COORDINATOR OF UNITED STATES INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There is established within the United States Agency for International Development a Senior Coordinator of United States International Basic Education Assistance (referred to in this section as the “Senior Coordinator”). The Senior Coordinator shall be appointed by the President, shall be a current USAID employee serving in a career or noncareer position in the Senior Executive Service or at the level of a Deputy Assistant Administrator or higher, and shall serve concurrently as the Senior Coordinator.

(b) DUTIES.—

(1) IN GENERAL.—The Senior Coordinator shall have primary responsibility for the oversight and coordination of all resources and activities of the United States Government relating to the promotion of international basic education programs and activities.

(2) SPECIFIC DUTIES.—The Senior Coordinator shall—

(A) facilitate program and policy coordination of international basic education programs and activities among relevant Executive branch agencies and officials, partner

governments, multilateral institutions, the private sector, and nongovernmental and civil society organizations;

(B) develop and revise the strategy required under section 4;

(C) monitor, evaluate, and report on activities undertaken pursuant to the strategy required under section 4; and

(D) establish due diligence criteria for all recipients of funds provided by the United States to carry out activities under this Act and the amendments made by this Act.

(c) **OFFSET.**—In order to eliminate duplication of effort and activities and to offset any costs incurred by the United States Agency for International Development in appointing the Senior Coordinator under subsection (a), the President shall, after consulting with appropriate congressional committees, eliminate a position within the United States Agency for International Development (unless otherwise authorized or required by law) that the President determines to be necessary to fully offset such costs and eliminate duplication.

SEC. 6. MONITORING AND EVALUATION OF PROGRAMS.

The President shall seek to ensure that programs carried out under the strategy required under section 4 shall—

(1) apply rigorous monitoring and evaluation methodologies to determine if programs and activities provided under this subsection accomplish measurable improvements in literacy, numeracy, or other basic skills development that prepare an individual to be an active, productive member of society and the workforce;

(2) include methodological guidance in the implementation plan and support systemic data collection using internationally comparable indicators, norms, and methodologies, to the extent practicable and appropriate;

(3) disaggregate all data collected and reported by age, gender, marital status, disability, and location, to the extent practicable and appropriate;

(4) include funding for both short- and long-term monitoring and evaluation to enable assessment of the sustainability and scalability of assistance programs; and

(5) support the increased use and public availability of education data for improved decision making, program effectiveness, and monitoring of global progress.

SEC. 7. TRANSPARENCY AND REPORTING TO CONGRESS.

(a) **ANNUAL REPORT ON THE IMPLEMENTATION OF STRATEGY.**—Not later than each March 31 immediately following a fiscal year during which the strategy developed pursuant to section 4(a) was carried out, the President shall—

(1) submit a report to the appropriate congressional committees that describes the implementation of such strategy; and

(2) make the report described in paragraph (1) available to the public.

(b) **MATTERS TO BE INCLUDED.**—The report required under subsection (a) shall include—

(1) a description of the efforts made by relevant Executive branch agencies and officials to implement the strategy developed pursuant to section 4, with a particular focus on the activities carried out under the strategy;

(2) a description of the extent to which each partner country selected to receive assistance for basic education meets the priority criteria specified in section 105(c) of the Foreign Assistance Act, as added by section 3; and

(3) a description of the progress achieved over the reporting period toward meeting the

goals, objectives, benchmarks, and timeframes specified in the strategy developed pursuant to section 4 at the program level, as developed pursuant to monitoring and evaluation specified in section 6, with particular emphasis on whether there are demonstrable student improvements in literacy, numeracy, or other basic skills development that prepare an individual to be an active, productive member of society and the workforce.

The **SPEAKER** pro tempore (Mr. **YODER**). Pursuant to the rule, the gentleman from California (Mr. **ROYCE**) and the gentleman from New York (Mr. **ENGEL**) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. **ROYCE** of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the **RECORD**.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **ROYCE** of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 601, the Reinforcing Education Accountability and Development Act, or the **READ** Act. This bill passed the House at the end of the last Congress in essentially the same form as H.R. 4481. I am pleased the House has moved to take it up again today.

We all recognize the importance of education as a driver of economic growth, social mobility, and overall stability. Education is what increases the productivity of the workforce. This is what empowers men and women to better care for themselves and their families. It increases civic participation.

Even 1 extra year of schooling significantly increases a worker's earnings over her or his lifespan. For women in particular, a primary school education is directly correlated very strongly with improved maternal-child health and improved survival rates.

Yet, around the world, as we know here, there are 120 million children that are not in school. More than one-third of these children, as **NITA LOWEY** can testify, come from countries that are embroiled in war, embroiled in conflict, and many of these recent conflicts have lasted for over a decade.

We are now seeing entire generations of these young children who are failing to receive even the most basic education.

You want to talk about a humanitarian crisis?

This is it. There are clear implications for global stability and for our security.

When children remain out of school, what do they face?

Well, certainly great increased risk of abuse at the hands of traffickers,

forced marriage or marriage as a child bride, and recruitment by criminal or terrorist organizations.

Nowhere is this harsh reality more clear than in Syria, where 4 million Syrian children are currently out of school. We have had the opportunity to talk to many of these children on the border and see what their circumstances are like.

Inside Syria, these children are being shaped by violence and by a lack of alternatives that place them at high risk of exploitation and radicalization. As refugees—if you talk to our friends and allies in the region—they are placing tremendous strain on the education system in Lebanon, Jordan, and Turkey.

Despite these growing challenges, it has been decades since Congress reviewed and updated the authorities on which U.S. international basic education efforts are based.

This bill, the **READ** Act, introduces the new guidelines and the increased accountability for existing U.S. efforts to improve access to basic education in developing and conflict-torn countries. It requires strategic planning. It requires the prioritization of resources relative to needs on the ground in these countries and relative to the potential for impact. It requires alignment with U.S. diplomatic development and security interests.

Particular emphasis is given to those areas in crisis and those countries that are partners of the United States that face this critical challenge, whose populations are most in need, who have committed their own resources to ensure the success and sustainability of these efforts, but need our assistance.

It also requires increased attention to what is most important here, and that is to the specific barriers to education that are faced by women and girls.

The bill formalizes a senior coordinator position within **USAID** to oversee the development and implementation of a strategic plan across Federal agencies to ensure coordination and eliminate duplication and waste.

I thank Representative **LOWEY** for her continued bipartisan leadership on this issue, as well as my committee's ranking member, Mr. **ENGEL**, and the chair of our Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Mr. **SMITH**, for their work on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. **ENGEL**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation.

Again, I thank our chairman, **ED ROYCE**, for his leadership and working together.

I want to acknowledge my good friend from New York (Mrs. **LOWEY**),

who authored this bill. For years and years, she has been a champion for access to education here in the United States and around the world.

Like the other bills before us today, we passed this legislation in the last Congress. I am glad we are taking it up so early this year so that, hopefully, the Senate can act.

Mr. Speaker, research tells us that more than a quarter billion young people around the world are not in school. For millions more, the educational opportunities are substandard. This lack of access puts so many young people at a tremendous disadvantage. Children should be in classrooms. They should be aspiring to their highest potential, thinking about what they want to be when they grow up.

□ 1700

The payoff of a few years of quality education is huge. Every year of primary school increases an individual's earning potential by 5 to 15 percent. It is not just those students who reap the benefits, it is really all of us.

Consider public health and economics. More educated populations are healthier and more productive. Consider threats to our security. In places like Afghanistan and South Sudan, where roughly half of children are not in school, we know that violent extremists and others are ready to fill the vacuum, leading these vulnerable young people down a dark, dark path. Research has also told us that in high-risk places like Somalia, where young people can learn about certain issues like nonviolent civic engagement, participation in violence drops by 14 percent and support for violence drops by 20 percent.

That is why education needs to be a foreign policy priority and why we need to be very careful as a new administration urges to make major changes in America's foreign assistance. This legislation calls for a 5-year strategy for expanding opportunities for kids to go to school all over the world, especially where children are most vulnerable. It would put a new point person in charge of making sure that our efforts across government are coordinated and effective, and it would place a special emphasis on monitoring and evaluation so that we know we are getting the best bang for the buck when it comes to our investments in basic education.

This bill would help to put children in classrooms around the world. It would give more young people a better shot at a full and successful life. I am proud to support it. I commend Mrs. LOWEY.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentlewoman from New

York (Mrs. LOWEY), the author of this bill.

Mrs. LOWEY. Mr. Speaker, I rise in full support of bipartisan legislation that would increase transparency and congressional oversight of U.S. basic education programs around the world.

H.R. 601, the Reinforcing Education Accountability in Development—READ—Act, which I introduced with my colleague, Representative David Reichert, would elevate the importance of education while improving USAID's efforts and ensuring that taxpayer dollars are well spent.

The challenge is clear. Nearly 60 million primary school-age children and 65 million adolescents are out of school around the world. Millions more are expected to never enroll. Women and girls are disproportionately out of school. The United States has a clear moral, economic, and security interest in promoting universal basic education as a fundamental human right.

The bill before us today enhances Congress' oversight of USAID's work with foreign governments, NGOs, and multilateral organizations to help nations develop and implement quality programs, address key barriers to school attendance, and increase completion rates for the poorest and most vulnerable children worldwide. It calls on USAID to develop a comprehensive strategy and appoint a senior coordinator tasked with ensuring that our programs expand access to millions of children who are not in school and improve the quality of education for millions who are.

These efforts will not only help students read and write, they will ultimately help protect vulnerable children from poverty, disease, hunger, and even extremism.

There is no greater force multiplier than education. An education is the fundamental tool with which girls and boys are empowered to increase their economic potential, improve their health outcomes, provide for their families, address cultural biases, participate in their communities, and contribute to democratic societies.

First introduced in 2004 and passed by the House last year, the bill before us today represents many years of hard work to elevate the importance of global education, bipartisan compromise, and the support of over 30 nonprofit and advocacy organizations, including RESULTS, the ONE Campaign, the Basic Education Coalition, the Global Campaign for Education, Global Citizen, the Malala Fund, and many other vital partners.

In closing, I thank Chairman ROYCE, Ranking Member ENGEL, their hard-working staff—Joan, Jessica, Janice, and Mark, and, of course, Marin Stein, who has been working around the clock on this bill.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Mrs. LOWEY. Mr. Speaker, I thank them all. We have been working on this bill a very long time. I, again, thank Chairman ROYCE for his leadership and Ranking Member ENGEL. Their diligent efforts to bring the READ Act before the House today is so vital, and I urge immediate passage. In closing, thanks again to Marin Stein.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

In closing, I read a few weeks ago that the new administration was planning to retool the State Department to focus more on terrorism. The article suggested that the State Department might do away with some of our smart power efforts. That would be a mistake. I look at an effort like this one, expanding access to education, and I know that it isn't taking away from our ability to combat terrorism. In fact, it is critical to that fight.

When we help more young people get access to a good education, we are giving them the tools to think critically and resist those who mean us harm. We are helping give people an alternative, a path forward for their lives.

When kids don't have these skills, who do you think shows up? When children are told from a young age, with no competing message, that America is their enemy, how does that shape their lives?

So I hope that this bill gets to the new President's desk and that he sees the value not just in expanding access to education, but in the wide range of foreign policy priorities that help to project stability and make communities stronger, that show the world that the United States is a friend and a partner, and not an enemy.

Again, I thank Congresswoman LOWEY for her hard work. I thank Chairman ROYCE for his hard work and collegiality, as always. I support this bill. I urge all Members to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

I concur with those arguments that Mr. ENGEL just made. Congresswoman NITA LOWEY and I have talked about this, and if my colleagues will think on this for a minute, the reality today is that we face a situation where there are 65 million men, women, and children around the globe who have been displaced by conflict. I would just like the Members to think about the fact that this is more people than were displaced during World War II. This is the highest level, highest on record of human beings who have been displaced by conflict. Think about what that means to the children who are those most victimized.

The United States is doing important work around the world, trying to help

our allies, trying to help organizations—and there are many good NGOs working on this—to address this massive education deficit that so many of these children face. But Congress, I think, has to demand a greater degree, yes, of transparency and accountability for these activities to ensure our investments are as effective as possible in line with our strategic interests.

There is one more thing that we have to ask of our partners in this, and that is equal access to every young girl for education. That has got to be up there at the top of that priority list.

This Reinforcing Education Accountability in Development Act outlines clear priorities for this work with that emphasis that I talked about and asking those partners to carry out their end of this bargain. This bill also requires aggressive monitoring and evaluation and an annual report that justifies the investment on a country-by-country basis, but holds with it the accountability for the education of girls and for the rest of this work.

I urge Members to support this measure. Again, I thank Representative LOWEY. I thank the rest of the Members who worked on this for working on such a bipartisan basis on its provisions.

Mr. Speaker, I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I rise today in support of H.R. 601. As a parent who was very involved in my children's education and served as President of the Southfield Public Schools Board of Education, I firmly believe the importance of promoting education to all regions of the world. Education is a universal human right that should be obtained by every young mind of the world.

Access to basic education is a human right that must be guaranteed to all children. In my role as the Vice Chair of the Bipartisan Congressional Women's Caucus during the 115th Congress, I will work with my colleagues in a bipartisan manner to highlight barriers to basic education, specifically focusing on girls' education in the developing world. Providing girls with an education helps break the cycle of poverty. Educated women are less likely to get married, more likely to have healthy babies, and are more likely to understand the value of education.

Mr. Speaker, this legislation would ensure that aid is prioritized for the most vulnerable populations, particularly those living in conflict zones. We must take the necessary steps to see that these children are provided with the rights to develop their full potential in order to be contributing members of their societies.

The enforcement of this bill will help bridge the gap with some global issues that we still see today with marginalized groups seeking education. Young children, regardless of gender have the right to gain a quality education. Children with disabilities or illnesses should not be shunned away from trying to learn because they are considered different.

I am grateful that our Chamber has taken this important step to ensure that the United

States dedicates our time and resources to helping the future of the world gain an education. I want to thank my colleagues on both sides of the aisle for their continued support of universal education for all.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 601.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BENEFITS OF RENEWABLE FUELS

(Mr. YOUNG of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Iowa. Mr. Speaker, I rise to speak about an issue of great importance to my district and the State of Iowa, renewable fuels.

On January 31, a renewable fuels summit will allow Iowans to gather together and highlight the essential role Iowa plays when it comes to our energy needs.

The renewable fuels industry boasts good-paying jobs for our economy, not only in my State of Iowa, but across the country. Renewable fuels increase choice for consumers and lower prices at the pump. A U.S. Department of Agriculture report also showed how the renewable fuels contribute to reducing emissions and our Nation's reliance on foreign fuels.

This new Congress provides a lot of opportunity to both renewable fuels advocates and opponents. I look forward to engaging in meaningful discussions with my colleagues to inform them of the benefits of renewable fuels: energy independence, good-paying jobs, enhancing national security, environmental benefits, consumer choice with lower prices, and ensuring the strength and history of the family farm.

I will also work with the Trump administration and anyone else to help protect the Renewable Fuels Standard and consumer access to conventional and advanced biofuels. The renewable fuels industry plays such a key role in so many of our Nation's needs.

PRESIDENT TRUMP'S CONFLICTS OF INTEREST

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to urge our new President to drain the swamp, to address his own myriad conflicts of interest. President Trump's financial disclosure stated he had a holding of at least \$15,000 in Energy Transfer Partners, the lead developer on the Dakota Access Pipeline. We

also know he has at least \$100,000 invested in Phillips 66, which has a 25 percent stake in the same project. His spokesperson claims he has sold his stake, but how do we know? We still don't have his tax returns.

Additionally, news stories indicate he has a holding in TransCanada, the developer of the Keystone XL pipeline. With the White House's action to push these pipelines forward, I fear that today we have the first of many indications of impropriety and conflict of interest. Without disclosure of his tax returns, Mr. Trump's personal financial interests are a riddle wrapped in a mystery inside an enigma. They appear to compromise honorable governance with insider deals.

The President should know the American people are watching, and they do care. The peaceful protests he saw on Saturday are only the beginning if he cannot live up to the ethical requirements of his new office and the legitimate expectations of the American people.

The SPEAKER pro tempore (Mr. LEWIS of Minnesota). Members are reminded to refrain from engaging in personalities toward the President.

□ 1715

CONGRATULATING CLEMSON UNIVERSITY FOOTBALL TEAM

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICE of South Carolina. Mr. Speaker, I rise today to congratulate the Clemson University football team on their 2017 national championship.

In a nail-biting rematch of the 2016 national championship game between the Clemson Tigers and the Alabama Crimson Tide, the Tigers came back with something to prove—and boy did they, with their 35-31 win.

While every member of the team played their hearts out, I would like to recognize a very special player who hails from the Seventh District of South Carolina, wide receiver Hunter Renfrow. A native of Horry County and graduate of Socastee High School, Mr. Renfrow has had an outstanding season, catching 44 passes, including 6 touchdowns, for a total of 495 yards this season. He joined the Tigers as a walk-on, earned a scholarship, and last week, with 1 second left, caught the game-winning touchdown in the championship game.

I would also like to extend special congratulations to two of Clemson's finest alumni: my wife, Wrenzie, and my friend, Congressman JEFF DUNCAN. I know few people who take more pride in their alma mater and enjoyed this win as much as they did.

This national title is a win for all of the great State of South Carolina. In

fact, two national titles currently reside in South Carolina: the NCAA football championship in Clemson and the NCAA College World Series at Coastal Carolina University.

Congratulations Clemson, and go Tigers.

LET'S WORK TOGETHER TO IMPROVE THE AFFORDABLE CARE ACT, NOT END IT

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, today, in the House Budget Committee, we heard testimony that, if the repeal mission that our Republican colleagues have been on now for the past 7 years is successful, 29.8 million Americans would lose their health insurance.

Now, Mr. Speaker, keep in mind that, for all of the rhetoric, here are the facts:

Thanks to the Affordable Care Act, we have more people with health insurance today in our country than at any time in our Nation's history. What was once a 16 percent uninsured rate has been cut in half. It is now 8 percent.

Why in the world would we want to throw away that progress?

Now, we hear from the other side repeal and replace, repeal and replace. Well, we have now had 65 votes to repeal the Affordable Care Act, and how many votes have we had on their replace plan? Zero. Not one.

It would be criminal to throw away the progress that has been made through the Affordable Care Act. It is not perfect. No law is. No piece of legislation is. Let's work together to improve it, not end it.

AMERICANS' TAX DOLLARS SHOULD NEVER BE USED TO END THE LIFE OF A CHILD

(Mr. MOOLENAAR asked and was given permission to address the House for 1 minute.)

Mr. MOOLENAAR. Mr. Speaker, today, the House voted to end taxpayer support for abortion.

A majority of Americans believe abortion is wrong, and they do not wish to see their tax dollars pay for this gruesome procedure that ends the life of another human being. This legislation permanently puts into law a long-standing policy that has been renewed by Congress every year. It will reassure Americans that the hard-earned money they pay to the government will never be used to fund abortions.

This is necessary because the Affordable Care Act, a law that has been unaffordable for so many Americans, actually paid subsidies for healthcare plans that include abortion. This is unacceptable. A child in a mother's womb is a blessing. Americans expect their

tax dollars will never be used to pay to end the life of an innocent child.

Today's legislation will protect taxpayers and, most importantly, our society's most vulnerable—the unborn.

SUPPORT FOR IMMIGRANTS ACROSS OUR COUNTRY

(Ms. JAYAPAL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JAYAPAL. Mr. Speaker, I rise today in strong support of immigrants across our country.

As an immigrant myself, I understand the sacrifices and hardships that immigrants experience. My parents sacrificed their very small life savings to send me to the United States at the age of 16 by myself to pursue college. That is why I stayed in my district last Friday to host an immigration roundtable with directly impacted constituents.

Like many of us, Mr. Speaker, they have heard reports that this new administration intends to deport millions of people across our country rather than working towards a comprehensive reform of our immigration system, similar to the one that was passed in the other Chamber with 68 bipartisan votes, unfortunately, never brought to the floor of this Chamber.

I heard from children, Mr. Speaker, afraid to go to school out of fear that their parents will be taken away while they are at school. I heard from people whose lives are still in limbo because they have no idea what is going to happen next.

But despite their fear, they still are ready to stand together and fight for their futures, and their courage and resilience is truly inspiring. We owe it to them to fight alongside them.

TAKE YOUR CRIMINAL ALIENS BACK OR LOSE VISAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, illegal Haitian immigrant Jean Jacques spent 17 years in a U.S. prison for attempted murder. After his release, ICE officials tried to deport him, but Haiti would not take him back, so he was let go. Five months later, he murdered Casey Chadwick of Connecticut, brutally stabbing her in the face and neck 15 times.

U.S. law says that illegals who have committed serious crimes will be deported. But if the country of origin won't take their citizen back, they are released back on the streets of America. There are thousands of criminal aliens who have been turned loose on our streets because their home country won't take them back.

I have introduced legislation to fix this. My bill codifies number seven of

President Trump's immigration plan, which states that we should "ensure that other countries take their people back when we order them deported."

My legislation would prohibit visas for these countries that refuse to take their crooks back. No more American lives like Casey's should be lost because foreign criminals just won't go home.

And that is just the way it is.

DEFENDING CHOICE

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, 44 years ago this week, the Supreme Court ruled in *Roe v. Wade* in favor of a woman's right to make her own decisions about her own body. It is outrageous that today, more than four decades later, President Trump and my Republican colleagues have made restricting choice their first order of business.

Yesterday, President Trump signed an executive order banning health organizations that receive U.S. funding from even mentioning abortion as a medical option for their patients. And today, this House is launching a radical assault on women's health care that penalizes women and small businesses that choose private health insurance plans that cover abortion services.

The effect of these unprecedented restrictions is clear: restricting the comprehensive health coverage available for women.

Terminating a pregnancy is a personal choice that should be a woman's alone, made in consultation with her family and her physician. Politicians have no role in this process.

I urge my colleagues to end this backward attack on women's rights and start tackling the real challenges voters sent us here to address.

44TH ANNIVERSARY OF ROE V. WADE

(Mr. LAMBORN asked and was given permission to address the House for 1 minute.)

Mr. LAMBORN. Mr. Speaker, I rise today to give voice to the millions of lives that have been lost in the aftermath of *Roe v. Wade*.

In the 44 years since that disgraceful decision, an unconscionable 58 million abortions have been performed. That represents 58 million children who will never grow up, never make their own decisions, and never influence the world around them, but whose lives are cut short.

The House took a vital step today with the passage of H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act. I

am proud to be a cosponsor of this bill that permanently prohibits taxpayers from funding abortion through the Hyde amendment.

Since its original passage, this amendment has saved over 2 million babies. Congress must make permanent these protections to honor the conscience rights of a strong majority of Americans who do not want their taxpayer dollars paying for abortions.

This week, we gather to mourn the tragic loss of life and to seek God's forgiveness for the stain of abortion on our Nation's conscience.

May God have mercy on our country.

HONORING ROLETTE COUNTY SHERIFF'S DEPUTY, COLT ALLERY

(Mr. CRAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, today I rise with a heavy heart to honor the life of Rolette County Sheriff's Deputy Colt Allery. On January 18, Deputy Allery made the ultimate sacrifice when he was shot and killed in the line of duty following a high-speed pursuit of a stolen vehicle near Belcourt, North Dakota. He was only 29 years old.

Mr. Speaker, people from across North Dakota and the country gathered today in Belcourt to pay tribute to Deputy Allery, who has been described by his friends and his colleagues as someone "full of spunk, cheerful, and always smiling."

He grew up and lived in St. John, North Dakota, where he dedicated his adult life to selflessly serving and defending his community through a career in law enforcement. In 2011, he became a correctional officer for Rolette County, and later served with the Rolla Police Department and Turtle Mountain Tribal Police Department before joining the Rolette County Sheriff's Office as a deputy, just 3 months ago.

Our State is heartbroken over the loss of another hero taken from us way too soon, and we will never forget Deputy Allery's service and sacrifice in defense of the citizens of North Dakota. My wife, Kris, and I offer our prayers on behalf of Deputy Allery's family, and express our condolences and our profound gratefulness to all police officers who put their lives on the line every day to protect our communities and country.

God bless them, and God bless the memory of Deputy Colt Allery.

SUPPORTING HEAD START

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today in support of Head Start, a program which serves many Kansas fami-

lies and children to be prepared for modern education.

Many supporters of Head Start came to Capitol Hill today to spread a message, which I believe wholeheartedly: everyone should have the opportunity to pursue the American Dream. For so many, that starts with quality education and Head Start.

We know the importance of getting kids exposed to learning at young ages, but many disadvantaged families lack the resources to do this for their own children. Without Head Start, these children are at risk of falling behind and never catching up.

Mr. Speaker, I believe this issue should unite this Congress. It goes without saying that this is a time of deep divisions in our country. My district encompasses all aspects of American society, from urban to suburban to rural. My constituents have a wide range of beliefs and ideals. Head Start is something that can bridge these divides, and it can help children and communities no matter where they live.

Mr. Speaker, let's build that bridge and let's bring lawmakers from all across the country together in support of these children, in support of Head Start.

MAKE A CHOICE FOR LIFE

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, 44 years ago, because of *Roe v. Wade*, over 58 million children were taken from the chance to utter the words of the psalmist in Psalm 139 when he said:

For you formed my inward parts; you wove me in my mother's womb. I will give thanks to you, for I am fearfully and wonderfully made; wonderful are your works, and my soul knows it very well. My frame was not hidden from you, when I was made in secret, and skillfully, wrought in the depths of the Earth; your eyes have seen my unformed substance; and in your book were all written the days that were ordained for me, when as yet there was not one of them.

Mr. Speaker, those lives were lives of children that were created, uniquely formed with a purpose that God only intended. Our Nation did wrong. We can turn from that. We can ask Him to heal our land. And even as the psalmist said:

Behold, children are a gift of the Lord, the fruit of the womb is a reward.

We can again affirm that and say that they should be given a choice—that little girl, that little boy—making a choice for life, and who knows what that would do to impact our world for the good.

□ 1730

WOMEN'S MARCH MESSAGE OF RESPECT AND RESISTANCE

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 3, 2017, the gentleman from Florida (Mr. SOTO) is recognized for 60 minutes as the designee of the minority leader.

Mr. SOTO. Mr. Speaker, I rise today wearing this pink scarf in solidarity with so many millions of Americans who rose up this past Saturday, whether it be in D.C., on the West Coast, East Coast, so many cities in the Midwest, as well as those around the world.

It is interesting. My wife and I awoke to chanting of thousands of people. It almost felt like the protest was in our living room. And when we got out on the balcony, we saw thousands of people who were wearing pink hats and carrying signs and so boisterous with hope.

Amanda and I decided we would go down to join them. When we got to the street, it was an amazing scene, with the Capitol ahead of us, and so many folks just gathered together—like-minded—with a message of respect and of resistance. As we tried to get towards the stage as we got to The Mall and about a mile away, we couldn't even get past a wall of bodies of so many people who were there to cheer on the message of so many great speakers.

But we found our way through, eventually, and made it onto the stage. And what I can tell you was just sheerly unimaginable: 17 blocks of Americans, of all States, of all creeds, of all colors, of all backgrounds, who were there with a message.

We had some wonderful speakers that day. We had folks from labor. We had folks from criminal justice reform groups. We had folks who were fighting for reproductive rights. We had many celebrities there, of course, and we also had folks who cared about everything from our economy to agriculture, to equality, to anything you could imagine, so many values that we fought for over the last 8 years.

There is a sense that there is going to be common ground among many of these issues as we go forward.

American jobs, obviously, everybody in this Chamber wants to make sure that we protect Americans and make sure that we have employment for everyone.

We are also going to fight for common infrastructure among all of the 50 States, and that is something that we saw in the Senate the other day that was presented.

We may also have some common ground on tax reform, particularly if it means bringing back from overseas a lot of corporate money that certainly would be important to go through the same process as profits derived here.

But there is certainly, as we saw at the speech of so many people, there will be areas of resistance.

We care about workers' rights. We care about making sure that we have a Department of Labor that will stand on the side of working American families.

We care about having an inclusive economy, one that will respect a higher minimum wage; one that will fight for more high-tech, higher paying jobs; one that will fight for our manufacturing base; one that will be based upon tax cuts for the middle class, tax cuts for folks who are working, everyday Americans, as opposed to trickle-down economics and tax cuts for the wealthy.

It was also about health care and about saving ACA or, at the very least, replacing it with something that is still going to make sure that we don't have 18 million Americans, according to the CBO, losing their health insurance.

It is about making sure that we have a Medicare system that is not going to be block-vented out to the States as a creative way to cut Medicaid for our seniors and for our poor.

It is also about protecting Medicare for our seniors who paid into it through their whole lives and making sure it is not privatized, as well as Social Security, making sure that not only those who are receiving it today, but up to those who are millennials and beyond, will be able to receive that benefit. We all paid into it, and we all expect it to be there.

But it was also about equality. Many of our LGBT community are worried: Are these executive orders in place that are protecting equality in our Federal workforce going to be continued? Is this advance, this progression, this success in the Supreme Court and in so many other areas of society to have equality for the LGBT community going to be continued onward? There is a big doubt about that.

It is also about women's reproductive rights. We saw so many, including Planned Parenthood and so many other groups, who fought not only to protect health care, but to protect women's choice, stand up and say that they don't want to revert back, that they don't want our society to revert back on equal rights for women.

And we saw that today with the reinstatement of the gag rule across the Nation and the world, to encourage nations to prohibit reproductive rights, prohibit the ability to have birth control, prohibit the right to be able to exercise the right to choose.

So many of my fellow Hispanics are worried about immigration. A simple executive order can assure that our DREAMers go from law-abiding students and members of our military and those who are applying in part of this program to being undocumented and being potentially even hunted down by their government. It is about long-term comprehensive immigration policy and reform.

So many from my district, whether it be those who are also Hispanic or those who are from the Caribbean in my district, they care deeply about this. So does our agriculture community, so

does our tourism community, so does business in general. These are going to be things that people are going to stand up for, and they certainly stood up for them during the march, along with women's rights, along with equality in general.

Then there is the concern about climate change and how there was a push forward over the last 8 years and there will be an attempt to backtrack.

I don't have to tell everybody, from the way the weather has been working over the last 10 to 15 to 20 years, that this is going to be one of the greatest challenges of our time—and for our kids and for our grandchildren. We do have to do it the right way, but we stood up to make sure that everybody knows we cannot go back.

In addition, Dodd-Frank and financial reform, so critical to preventing another Great Recession. Many of us remember in 2008, in October, when President George W. Bush got on TV and told everyone that we were in for a Great Recession and one that President Obama described as the greatest recession since the Great Depression. There will be an attempt to chip back on those reforms and an attempt to try to get away from the lessons we learned to try to prevent another global meltdown.

And of course criminal justice was critical. So many of our youth, so many Hispanics, so many African Americans, so many people who find themselves in greater proportion than other Americans in jail from a system that sometimes discriminates against them.

All of these folks stood up, millions of Americans stood up, and, yes, we had hats and, yes, we had pink scarfs and, yes, we spoke about the progress that we made in the fight. But in one word, this was about respect. It was about respect for all women across the Nation, all minorities across the Nation, regardless of ethnicity and religion, all Americans, all of our Americans with disabilities, all of our working class folks who are fighting every day to try to make a good living.

The message is clear. The message is clear from the millions of Americans who marched on Saturday that we will be watching, that we will speak up when we see things we disagree with, and when we have to, we will resist.

Those who marched on Saturday, we welcome you to the resistance, and we thank you for your support. It is going to be a long 2 years.

Mr. Speaker, I yield back the balance of my time.

ROE V. WADE ANNIVERSARY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Indiana, JIM BANKS, as our first speaker tonight, a former State senator in Indiana. He served since 2010, a new Member of the House. He served as chairman of the senate Veterans Affairs and The Military Committee with great distinction, and now he has actually joined the Veterans' Affairs Committee as well as other committees here in the House.

Mr. BANKS of Indiana. Mr. Speaker, I rise on behalf of the innocent lives lost as a result of Roe v. Wade.

It has now been 44 years since the Supreme Court made this unconstitutional ruling, and over that period of time, more than 58 million—I repeat, over 58 million—children have had their God-given right to life denied. Every single one of these lives was important and unique, and we grieve this loss.

At the same time, we celebrate the fact that, increasingly, our culture recognizes the value of human life. A poll released last year found that a majority of young Americans support increasing restrictions that protect the unborn. Another recent poll found that 61 percent of Americans oppose using tax dollars to fund abortions in the United States.

I agree with them, and that is why I support the No Taxpayer Funding for Abortion Act that we voted on earlier today. I am pleased that it passed the House, and I urge my colleagues in the Senate to quickly consider this important bill.

But we must not stop there. We must work to ensure that taxpayer dollars do not continue to support the abortion industry, including Planned Parenthood, our Nation's largest abortion provider.

Additionally, we must encourage the new administration to nominate a Justice to the Supreme Court who follows the Constitution and respects the most basic and fundamental right of every human being born and unborn: the right to life.

As a father of three young daughters, these issues are personal for me. During my time in Congress, I will stand up for those who cannot stand up for themselves. I will protect and defend human life and advance these deep- and long-held values upon which our Nation was founded.

Mr. SMITH of New Jersey. I thank my good friend for his remarks.

I now yield to the distinguished gentlewoman from North Carolina (Ms. FOXX), the chairwoman of the Education and the Workforce Committee, who has been outspoken for years on behalf of the innocent and inconvenient unborn children.

Ms. FOXX. I thank my colleague from New Jersey for his unflagging leadership on the issue of pro-life as well as on other issues related to human rights.

Mr. Speaker, since 1973, as my colleague before me said, at least 58 million children's lives have been tragically taken by abortion in the United States. Over these last 44 years, science has made the facts increasingly clear: the unborn child in his or her mother's womb is a member of the human family, fully alive and simply awaiting the right conditions before joining the rest of us in the world.

Our laws should recognize and uphold the dignity of these unborn children. And thankfully, we have made significant progress in this endeavor since the decision of *Roe v. Wade*. The Hyde amendment has saved over 2 million lives since 1976, and just earlier today, we passed H.R. 7, the No Taxpayer Funding for Abortion Act. This bipartisan legislation makes the Hyde amendment permanent, ensuring that unborn children are better protected and that taxpayers are not forced to fund thousands of abortions each year.

The American people overwhelmingly agree that we should protect innocent lives and that taxpayer dollars should not be used to finance abortions. This Friday, hundreds of thousands of Americans will pour into D.C. from across the country to voice their vision of a world where every human life is valued and protected. As we mourn the lives already lost to abortion, we should continue to strive for better legal protections for the unborn so that one day every unborn child will be able to join us in exercising their rights to life, liberty, and the pursuit of happiness.

Once again, thanks to Congressman SMITH for this Special Order.

Mr. SMITH of New Jersey. I want to thank the distinguished chairwoman of the Education and the Workforce Committee for her kind remarks and again thank her for her leadership for so many years.

I now yield to the gentleman from Arizona, Congressman ANDY BIGGS. While a new Member of the House, he is a very experienced lawmaker, having served 14 years in the Arizona Legislature.

□ 1745

Mr. BIGGS. Mr. Speaker, I have a deep sense of gratitude that I expressed to the gentleman from New Jersey (Mr. SMITH) for his effort in promulgating the bill that we passed today, H.R. 7, and allowing me to speak tonight.

On Sunday, we recognized the 44th anniversary of *Roe v. Wade*. Sadly, almost 60 million American babies have lost their lives because of this ignominious Supreme Court decision. The tide is turning, though.

On Friday, I will have the pleasure of participating in the March for Life rally to stand with the millions of people who are defending life across this country.

I am immensely proud to live in Arizona, a State that prioritizes the pro-

tection of the unborn. Since 2009, Arizona has passed 34 provisions to restrict or regulate abortions, and Arizona's abortion rate has concomitantly decreased 12 percent in those same 4 years. I appreciate the efforts of pro-life advocates across my district who have worked tirelessly to help countless women choose life for their unborn babies.

I look forward to working with President Trump and his administration on advancing pro-life legislation like H.R. 7, which we passed out of the House today, and ensuring pro-life candidates for all Supreme Court vacancies and ultimately reversing that ignominious ruling, *Roe v. Wade*.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Arizona for his leadership in the legislature before. As the gentleman so aptly pointed out, the numbers of abortion come down when even modest restrictions are passed. The law is a great teacher. We are so happy to have the gentleman from Arizona here in the House, and I know I speak for many of us on the Pro-Life Caucus.

I yield to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA. Mr. Speaker, I rise today and thank the gentleman from New Jersey because nobody has fought longer or harder for the cause of life than this man. I am pleased to be up here because I know we both believe that we represent and rise on behalf of the hundreds of thousands of Americans who are going to come to Washington, D.C., and march here this coming Friday because we believe that giving even one more life, one more person, the right to change the world is worth it.

For the last 6 years, I have come to the well of the House with the gentleman from New Jersey and my colleagues on the bipartisan Pro-Life Caucus to celebrate life and fight for the unborn. On this seventh occasion, I rise with a renewed sense of hope and optimism for our children's future.

I commend President Trump for making one of his very first actions protecting unborn children around the world by preventing U.S. taxpayer dollars being used for foreign aid from being used to fund groups that promote abortion under the guise of family planning.

We can't stop here, however. That is just one step. Now is the time for action. When President Bush restored these protections in 2001, he wrote:

"It is my conviction that taxpayer funds should not be used to pay for abortions or advocate or actively promote abortion, either here or abroad."

We took step two earlier today when a bipartisan majority of us here in the House voted to extend the Hyde amendment across all government programs and to ensure that no tax dollars from hardworking Americans are used to

fund abortions here in the United States.

Let's take additional steps to fight for the ones who don't have a voice. This Congress should protect unborn children from the violence of late-term abortion, protect medical professionals from being coerced to participate in abortions, and protect women from an industry that has put its financial interests first above women's health.

Mr. Speaker, the government does not give us our rights. No. In fact, the government exists to protect our God-given rights that were given to us by our Creator and to protect the next generation. All you have to do is look at those original founding documents and it is easy to see.

Well, we are here tonight for the same reason: that hundreds of thousands will march on Washington this Friday and fight for the rights of that next generation. I am pleased and proud to be able to be a part of that.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Michigan for his eloquence, for his commitment, his passion, and for that steadfastness that will one day yield the result when the unborn are protected in our laws against the violence of abortion. I thank the gentleman from Michigan for participating, but most importantly for his years of service on behalf of his constituents and the unborn.

I now yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you and the privilege to address the House here, and I thank the gentleman from New Jersey for recognizing me to say a few words here.

This week, when we go down to the Mall to March for Life, we will see the tens of thousands of faces, many of them young people, especially young ladies that are there to stand up and defend life.

I hear the debate here on the floor of the House of Representatives, and I have listened to the gentleman who spoke on the Democrat side of this aisle who lamented that there would be 18 million people pushed off of their healthcare if we repeal the Affordable Care Act. If you want to use the technical term, it is named the Patient Protection and Affordable Care Act, and it is not the right name for it.

It won't be 18 million. It won't be half of that. But to listen to the lament that some people might go without—not health care, that is another misnomer—health insurance for a little while, that is their concern?

Well, we are here talking about more than 58 million little babies—little babies that are created in God's image and formed in the womb, as we heard TIM WALBERG speak a little earlier. They are the love of our lives. I have never known anyone who had a baby in

their arms and felt that little baby—that little baby is forming, that little baby cooing, that special little baby smell, to witness the miracle of that little baby, I have never known a mother or a father that said: I wish this child had never been born. But that is what has happened to more than 58 million little miracles.

We are here; we are a moral standard. People say you can't legislate morality. Well, a reflection of morality is in the Federal code, and it is in the State laws all across this land.

The question that doesn't seem to be answered generally by people on the other side of the aisle—and I am grateful for the pro-life Democrats that we have who have joined us year after year.

I would pose the question to those who oppose the pro-life movement: Do you believe that human life is sacred in all of its forms? Is there anybody over there that would deny that, that human life is sacred in all of its forms? Not one of you. Not one of you will stand up and wave your arm and say: let me yield to you and say why that is not true.

It is true. We know. Human life is sacred in all of its forms. Once we understand that—now, you can stipulate that. You have by your silence—that human life is sacred in all of its forms, there is only one other question: Since we have to protect human life in all of its forms then at what moment does life begin? At what moment, ladies and gentlemen?

Well, we know that we can only identify a single moment. As much as we know about biology—and we know plenty—one single moment is the moment of conception. From that moment, it is a unique life with the chromosomes matched up and the DNA that will never change for a lifetime, that unique individual.

Did you ever think that God's creation of us—there are over 7 billion human beings on the planet. Each one of us is created in his image, each one of us is unique. Think of 7 billion faces and no two of them are alike. Every face on the planet is distinct and unique, and it matches up with none of the faces that are in the grave today. And nobody's face matches up with any of the faces that will be born in future years or millennia.

Each face of God's creation is unique. What is the best way we can tell each other apart? Look at the visage of our faces. It is a uniqueness that God created within us that is part of how we interact with each other. It is how we should love each other and appreciate each other and draw those distinctions so that we can respect everyone as having their own unique life.

So you have stipulated that human life is sacred in all of its forms. So the next question I have to ask you is: Well, at what moment does life begin?

What moment, what instant does life begin?

If you can pose another instant, another moment, other than conception, I would listen to that. But I am not seeing anybody who wants to step down and say that there is a distinct moment that life begins, other than conception.

So I will make this case again: human life is sacred in all of its forms; you stipulated that. The second is that it begins at the moment of conception. Your silence has stipulated that.

So we have the whole argument wrapped up here, packaged in this today. We need to defend human life in all of its forms. It is God's gift to his creation. It is our obligation to defend it, and we can defend it. We can defend it through legislation as we did today.

We should honor and respect the life of Henry Hyde, who contributed a great deal to this Congress in his lifetime. We are working on the foundation that he has laid down for us, and Representative CHRIS SMITH has assumed much of the role that Henry Hyde played here in this Congress. We each had the privilege to serve with Henry Hyde. His legacy remains, and we have the unique privilege and opportunity to build on it. I suggest we continue to do so in every piece of legislation that we can pass.

We anticipate appointments to the Supreme Court that will honor life and recognize, also, as our Founding Fathers did when they drafted the Declaration of Independence, that we have a right to life, to liberty, and the pursuit of happiness. Don't try to package that up as three equal values. They are not. They are prioritized rights. The right to life supercedes the right to liberty, and the right to liberty supercedes the right to the pursuit of happiness. No one in the pursuit of their happiness can trample on someone's liberties. And no one can claim they have the liberty to take the life of a baby because life is paramount. That is the package. That is the argument that is here. We need young people to grow up with that understanding and those values.

As we stand here tonight, Mr. Speaker, and as we work together in the coming days and months—and I pray it is not years—one day we will see this Nation that respects life from the moment of conception until natural death.

Mr. SMITH of New Jersey. Mr. Speaker, I appreciate the gentleman from Iowa's leadership, which has been over many decades. I want to thank him for his eloquence and his steadfastness. The day will come when the unborn are protected, and he will be a major part of that.

I would also concur with the gentleman from Iowa fully in how much we miss the great Henry Hyde. He was extraordinary. He was irreplaceable.

And the fact that his amendment has saved 2 million lives, at least—some estimates put it even higher—is a testimony to his vision, which we now carry on with.

I yield to the gentleman from Texas (Mr. GOHMERT). I again thank him for his outspokenness on behalf of the weakest and most vulnerable.

Mr. GOHMERT. Mr. Speaker, I am so grateful that Representative CHRIS SMITH is a Member of the United States Congress because of his leadership, because of his enormous heart, and his enormous caring.

It is amazing—those of us who believe in God—the way our lives develop. I was a guy that grew up; I never liked to hug anybody. But when we had three beautiful incredible girls added to my wife's and my life, I became a hugger. Fox has a show named "Outnumbered," but that has been my life for years now.

I know there are so many people that say you are a man and you have no right to speak about this. I guess, when I was a judge, there were those who thought, since I was not a person that had been on both sides of a civil lawsuit or had been a defendant in a case, maybe I should not be able to say anything about or pass sentence. But we have laws, and laws are there to protect people.

I do believe, as our Founders did, in nature's God, that we have a Creator who provided us inalienable rights. But in this world, you have to fight for any inheritance, including your inalienable rights.

It does appear that nature gave a greater percentage of women a nurturing greater sense of loving and caring than most men. That gets changed for some of us when you have a house full of girls.

□ 1800

But I could identify with the doctor who had performed, I think he said, over 1,000 abortions, who came before our Judiciary Committee and testified about how it was just a procedure, how it was nothing to him, and how he would go into the uterus.

Of course, the pregnant mom was not dilated and not going to be able to deliver a baby that had begun forming, had a heartbeat. But that is why he would go in with his instrument, feel around with his clamps for something that felt long, and when he found it, he knew that it was either a leg or an arm, and he would grab it and pull it out from the baby's body, and continue till he did that four times, and then reach in and find something that felt bulbous, and he would—he knew the head could not come out in a bulbous form, and so he would crush it and pull out the baby's head. And that was the way he went about beginning the abortion of a child that had begun developing like that.

He never thought a thing about it until his daughter died, and then he became nauseated, and he was never able to do another abortion like that, and it became such a burden that he had done what he had done.

I know from my years on the bench as a judge, I know from my years as an attorney helping people, if something is built on a lie, the chances are that the outcome will not be good for a majority of people. I also know that if someone encourages and perpetuates a lie within some other person's life, they are not that person's friend.

So I would like to quickly reference an article published by WND called "The Real 'Jane Roe'" and just hit some of the highlights about the real Jane Roe, the woman.

I was talking with my friend, CHRIS SMITH, about Norma McCorvey. He is quite familiar with her, and I believe he said he had talked to her and had come to know her. Being the Christian that CHRIS SMITH is, he cares deeply about people, and that included Norma McCorvey.

But this article says: "At the age of 21, McCorvey was pregnant with her third child. She had given her other two children up for adoption and McCorvey did not want to say good-bye to her offspring a third time. So she decided to have an illegal abortion, but the Dallas clinic she went to had been recently raided and shut down. So McCorvey made up a story—she had been raped, she told her doctor and two lawyers. She signed an affidavit on condition of anonymity, and the lawsuit began."

And she told WorldNetDaily: "I considered abortion and, because of this, I was put in touch with two attorneys, Sarah Weddington and Linda Coffee. They had just recently graduated from law school and were interested in challenging the Texas abortion statute."

She says: "Plain and simple, I was used." This is Norma McCorvey. "I was a nobody to them. They only needed a pregnant woman to use for their case, and that's it. They cared, not about me, but only about legalizing abortion. Even after the case, I was never respected—probably because I was not an ivy-league educated, liberal feminist like they were."

But she goes on and says—well, this was from a New York Times interview: "McCorvey describes her meeting with the two young attorneys. . . .

"Sarah Weddington sat right across the table from me at Columbo's pizza parlor, and I didn't know then that she had had an abortion herself. When I told her then how desperately I needed one, she could have told me where to go for it. But she wouldn't because she needed me to be pregnant for her case. I set Sarah Weddington up on a pedestal like a rose petal. But when it came to my turn, well, Sarah saw these cuts on my wrists, my swollen eyes

from crying, the miserable person sitting across from her, and she knew she had a patsy. She knew I wouldn't go outside of the realm of her and Linda. I was too scared. It was one of the most hideous times of my life."

She says: "My experience with pro-abortion leaders is that they are snobs. They claim they care about women and their rights but, in my experience, they care for nothing, not even themselves in a way," McCorvey said.

"McCorvey said in a 1990 New York Times interview that the rape lie caused her to be 'terribly depressed.'"

"I was brought up not to lie and, because of this story, I had to lie all the time. And the depression periods got deeper and longer until the night I cut my wrists."

Well, it is one of the difficulties that attorneys have: when you represent someone and you are sworn to do the best job you can, it should be more than simply about getting the legal result that a lawyer wants. It ought to be about helping the client. You can't always do that.

But it is rather tragic that Jane Roe, Norma McCorvey, now looks back on that as the most hideous time of her life, and that she was taken advantage of by people that didn't care about her. They had an agenda.

I heard someone here on the floor talking about the Women's March and how that was for all women, except the hypocrisy of that march was it was not about all women because there were pro-life women that tried to march. It was about women that think exactly like they do, and nobody else gets to participate.

It is the same kind of mentality that would—when in the majority here in this body say: We want everybody to participate in debate, except we are going to have a record-setting number of closed rules so nobody can debate. We don't want your input on ObamaCare. We don't care that you support what we do on preexisting conditions and on kids living with their parents.

Heck, some of us said 30 would be a better number than 26. They didn't care. They could pass it without our votes. They didn't want our input.

So then to hear people who treated us like that say we care about open debate, knowing that some of those same people came down here and grabbed microphones and, for the first time we can find in congressional hearing, prevented the majority from starting into session; and then they want to lecture us on openness and kindness and open debate? Really?

Let's go back to the Norma McCorveys of the world. Let's minister to them individually, as my church, as a number of ministries with which I am greatly familiar do. Let's help the real person. Let's help that child so that that little boy or that little girl

doesn't have its arms and legs jerked out of the uterus. Let's help that child have a life that will be so full they will never think about slitting their wrists, as Norma McCorvey did. Let's vote for life.

Mr. SMITH of New Jersey. I thank the gentleman for his very passionate and incisive remarks.

Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA), a member of the Transportation and Infrastructure, the Agriculture, and the Natural Resources Committees. I thank the gentleman for his leadership.

Mr. LAMALFA. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH), my colleague, for his continued leadership on this very important topic, a moral one, I think, that reflects truly an important part of the fiber of our country.

Which way are we going to go on this? What are our values going to be?

The gentleman has been a consistent leader way before my time during Congress as well.

As we reflect on this week, landmark legislation again passed tonight, H.R. 7, that would prohibit funding for abortion in this country, on the heels of the Mexico City solution that President Trump just signed today as well.

We are seeing that hearts are turning in this country on this issue. And when you look at it in the categories of people across the country, about half and half, rough numbers. Half the country might label itself pro-life, and the other half that favors Roe v. Wade being the law of the land, that might label themselves as pro-choice or pro-abortion.

When we get down to H.R. 7, we find that the half that is pro-life can be joined by many additional people on the other side of that argument that don't think it is appropriate to have government funding, their taxpayer dollars, used for abortion as a birth control tool in a lot of cases.

So this shows that we do have the tide going in this direction on that, as people become more and more informed on this and understand and don't listen to the rhetoric and don't listen to misinformation on what this really is. This is a baby you are talking about. It doesn't form into something else. Each pregnancy will result in a human baby.

So when we fight this battle, we find it is those that would speak on this side of the issue come under a lot of persecution. Many, many people will be joining together in this town later this week in the March for Life. You will be persecuted to some extent or another. You will be called things. But, you know, we know from the Bible that those that speak the truth are often persecuted as well, and we all need to be strong and firm in that.

God is watching what we do here. God will be watching later this week and at all times on those that are marching for life. So be strong.

Also, put your arms around those folks that might be strongly opposed, because there are a lot of people hurting on that. We understand. People that have had to make a difficult abortion choice and chosen to do so, they need healing as well. They need understanding and compassion on that. If we can show them that, and if we can show that those that are contemplating abortion, there are alternatives out there. There are many alternatives. If we can just come alongside them and show them that there is more than one way to do this, and there are people willing to help and willing to counsel you in that, because that is really what it comes down to.

When you talk about a choice, show that woman in crisis, in that situation that she has many choices, informed choices to make; and, by and large, maybe she will make the right one. In a lot of cases I believe she will.

So God bless those that are going to come for this march later this week and stand for this, put up with the level of persecution that comes with any of these types of issues, including the one on being pro-life.

Again, God bless you, Mr. SMITH of New Jersey, for being a consistent leader on this.

Mr. SMITH of New Jersey. I thank the gentleman so very much for his kind remarks, but also his very eloquent concern for post-abortive women and those who may be contemplating abortion. You know, the Pregnancy Care Network, 4,000 strong throughout the United States, is there as a front line to say: We love you both, mother and baby.

So I thank the gentleman for bringing attention to that as well.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. JODY B. HICE), a member of the Oversight and Government Reform, and the Natural Resources Committees.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman, my good friend, CHRIS SMITH, for his leadership for so many years on this issue of life. He is deeply loved and appreciated, and I am grateful to be able to share this time with him as well.

Mr. Speaker, I am sure it has been said this evening already many times over that since the Roe v. Wade decision of 1973, we have lost over 50 million lives. That is such a staggering number, but within that number, of course, are mothers, daughters, fathers, sons, all of them lost to abortion.

This decision of Roe v. Wade, at the crux of the matter, is one that has the question: When does life begin?

And with that question, I was reminded of the opinion of the Supreme Court Justice Blackmun. During that period of time when Roe v. Wade came into law, Blackmun made the decision and wrote in his opinion. He said: "We,

the Court, need not resolve the difficult question of when life begins. When those trained in the respective disciplines of medicine, philosophy, and theology are unable to arrive at any consensus, the judiciary," he said, "at this point in the development of man's knowledge, is not in a position to speculate as to the answer."

What a startling statement that was made. But here we are at this time, this body, at this point of our Nation's history, we have no need as to speculate on this question any longer. There is clear science that, without question, tells us when life begins. And life begins at conception. There is no question about this.

We know inside the womb is a human life. And we know with that life, based on what we know of God and what we in our own country know from our own Declaration of Independence, the very first inalienable right protected is that of life.

□ 1815

So I just believe it is time that we correct this wrongheaded decision that was made by the Court some 44 years ago. Even just recently, a couple of days ago, I introduced H.R. 586, the Sanctity of Human Life Act, which makes clear that life begins at conception. I certainly would ask my colleagues to join me in cosponsoring this bill.

I just dream of the time, 44 years from now, that we could be celebrating the right to life rather than 44 years from now looking back and mourning over yet another 50 million American babies who have been lost to the horrible stain of abortion. So, again, I thank you for your leadership, and I deeply appreciate the opportunity to join you in this Special Order.

Mr. SMITH of New Jersey. Thank you very much for your eloquence and reminding us all that the Supreme Court itself said that we need not resolve the difficult question of when human life begins; then they went on to say that any child, at any point until birth, could be killed by way of an abortion. They resolved it, but they resolved it in the negative without science, without the information. Ultrasound certainly has shattered that myth, and I thank you for reminding all of us about that.

I also would remind my colleagues that Jean Garton—a great leader—ran Lutherans for Life for years. She was preparing a presentation on abortion that included some actual pictures of aborted babies. It was late at night, but her young child walked in while she was doing this and said: Mommy, who broke the baby?

So even a small child could recognize—and did recognize—that abortion destroys the life of a baby. Sadly, the Court has not been able to. With all of their much-vaunted intelligence capac-

ity, they missed it by a mile. So thank you for reminding us of that.

Mr. Speaker, how much time remains.

The SPEAKER pro tempore (Mr. MARSHALL). The gentleman has 21 minutes remaining.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, ex-President Barack Obama, the abortion President, has done serious harm. No human rights abuse, however, need be forever. Today, we have an extraordinary opportunity. We have, I would submit, a duty to protect the weakest and most vulnerable and to reassert protections that have been sadly lacking for the last 44 years. Protecting unborn children and their mothers is the most important human rights cause on Earth. And this week, on Friday, thousands are expected to march for life, to march for this fundamental human right—the right to live.

Now, as never before, we must work, pray, and fast for that day when every life is cherished as a gift; every life loved, despite one's disability, race, sex, color, religion, or condition of dependency; and every life welcomed, no matter the inconvenience. Earlier in this Special Order, STEVE KING talked about caring for people at every stage of development—every stage—including the unborn. Birth is an event that happens to each and every one of us. It is not the beginning of life.

Again, ultrasound imaging of the unborn child has just opened up everyone's eyes to the little child—twins if there are two—that resides within.

He also talked about, and I would agree with him, children with disabilities need to be welcomed. A prenatal diagnosis of disability should mean empathy and concern for the child, not exclusion or a death sentence, because every life is a gift.

Mr. Speaker, it is very encouraging as to how many young people are stepping up to protect and lead in this human rights cause. Increasingly, the young people on college campuses, Students for Life, and so many young people in their 20s, the millennials—and the polling shows the millennials are pro-life—are stepping up.

Tom Brokaw often talked about the Greatest Generation. They are stepping up as the next Greatest Generation who by their compassion, faith, and determination will transform America into a culture of life.

All of us in the pro-life movement are especially thankful for the growing number of courageous women who are silent no more. Some of the groups are called the Silent No More Awareness campaign. For example, women, all of whom have had abortions, have suffered psychological and emotional harm, and yet they, thank God, have found reconciliation and peace, often through faith. But now they blaze a

hope-filled path for other post-abortion women to find healing, reconciliation, and inner peace. They admonish society not to offer the false solution of killing an unborn child.

There are two victims in every abortion: the baby, the most obvious, but equally the mother. Women deserve better than the false solution of dismembering or chemically poisoning unborn children. The other side of the issue seldom talks about the child, if ever, don't even use the word abortion much anymore, just choice or reproductive rights, and just refuses to accept or to acknowledge or to debate what the deed actually does.

Children have their arms and legs torn off their bodies by the abortionist as well as decapitation. Chemicals literally starve the child to death. RU-486 is euphemistically called medical abortion like the other pills that are provided. First, the child starves in the womb, and then another chemical brings on labor.

For the pro-life movement, we all acknowledge that the way forward is fraught with obstacles that must be overcome. The promotion of human rights is never easy. The promotion of human rights is never obstacle free. If past is prologue, the history of the pro-life movement, however, shows that we will never quit.

Earlier today, the House voted on the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act, H.R. 7, to end taxpayer complicity and funding of abortion. I especially want to thank our very principled leadership, great people like the Speaker, PAUL RYAN; KEVIN MCCARTHY, our majority leader; STEVE SCALISE, our whip; and CATHY MCMORRIS RODGERS; and so many others who take a principled stand for the unborn and equally for their mothers.

No matter what The Washington Post or The New York Times might say, they are willing to stand into the wind rather than to go along with it because the sanctity of life—the preciousness of those children and equally of their mothers—demands it. I want to thank them for their extraordinary leadership. As we all know, the bill passed 238-183.

The extraordinary news is about the Hyde amendment and its consequences. It has saved the lives of over 2 million children, and that is a conservative estimate. There may be many more. Other funding bans at State levels, as well as our funding bans in our Federal policies, including the Federal Employees Health Benefits Program, have also saved lives because the money was not there to facilitate the demise—the violent demise—of those children.

Even the Guttmacher Institute, the former research arm of Planned Parenthood, acknowledges that about 25 percent of the Medicaid abortions that otherwise would have occurred do not

occur. Those children go on to be born, and that is where the 2 million figure, about 60,000 per year—children who evade the scalpel or the chemical poisoning of abortion.

Forty years ago, Congress enacted the Hyde amendment. It has been continued every year, and now it will be made permanent if this bill were to become law. We know, as was said during the debate by my friends on the other side of this issue, that they are determined to eviscerate the Hyde amendment, and those 2 million children, had they had their way over the last 40 years, would have been killed.

We also want to take abortion out of ObamaCare. The President stood right at that podium, Mr. Speaker, in September of 2009, and said: "Under our plan, no federal dollars will be used to fund abortions. . . ."

We know that is absolutely untrue. He also signed an executive order where he said that the Hyde amendment would be applied to the plans in the exchanges. So we went to the Government Accountability Office and asked for a study. It took about a year, and they came back and said that 1,036 insurance plans across the country paid for abortion on demand with taxpayer funding. H.R. 7, title II, would end that complicity of the taxpayer with the procurement of abortion.

Let me also say that we hope to bring up in this House a bill that was sponsored last Congress and is again today by TRENT FRANKS of Arizona, a great champion of life. It is called the Pain-Capable Unborn Child Protection Act to legally protect most babies at 20 weeks postfertilization. Of course, many of those kids die of dismemberment. Again, we need a national debate on abortion because the methods have been hidden by the facade of the abortion industry. They have been very good at cloaking, concealing, and diminishing any focus on what happens to the baby. Even when abortion is through ultrasound-guided abortions and the mother is there, semi-sedated, they turn the screen away from her so she doesn't see the dismemberment of the child, because, obviously, as Dr. Nathanson, the founder of NARAL and an abortionist, once said—he came to the conclusion after having killed 60,000 children and then became a pro-lifer—he said that if wombs had windows, if everyone, including the woman, could see the child, she would run out of that abortion mill.

So, again, I want to say thank you to TRENT FRANKS. I know he is here, and I hope that he will join us tonight. He has led on born-alive legislation, which is also transformative.

Imagine that the former President of the United States, Barack Obama, said that he would veto a bill that would provide a standard of care, including a right to private action, when the child is born alive from a later term abor-

tion. We can't even help that child? Yet Obama, the abortion President, said: No, we can't. TRENT FRANKS, again, has been the leader on that as well.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. ROTHFUS) who is a good friend and colleague, and then to close, Congressman TRENT FRANKS.

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the gentleman from New Jersey, for more than three decades, has raised these issues in this very Chamber, speaking for those who are defenseless and voiceless. He speaks because he speaks truth and is motivated by his conscience to discuss these truths.

Every year since 1973, we have had a March for Life here in Washington. This year, we have the 44th anniversary of Roe v. Wade. It is one of the gravest examples of judicial activism in our Nation's history. Seven black-robed Justices decided that the lives of unborn children are not protected under the Constitution in what Justice White referred to as an exercise in raw judicial power. In the last 44 years, 60 million children have died in abortion.

The March for Life draws thousands of people, young and old, Democrat and Republican, from across the Nation year after year from near and far, on buses, on planes, in cars, on trains, in snow, in rain, in sunshine, and overcast skies. Why? Why do they continue to come?

They come because they are motivated by the transcendent truth that was captured in our Declaration of Independence that everyone is endowed by a Creator with an inalienable right to life—a right that no one can take away.

□ 1830

Everyone in this Chamber has that right. Everybody listening to this Special Order debate has that right. You have it today, you had it yesterday, you had it before you were born. No one has the right to take that right away.

The right does not depend on your ability to see, your ability to hear, your ability to walk, your ability to talk. That right exists because you are human. It is as simple as that. No one can take away that right.

Those coming to the March for Life this year are coming to share that witness, but they have also been witnessing back home the countless acts of service they do for women in crisis pregnancies and to continue with the help that they provide.

It is a good thing for them to come to Washington. I look forward to welcoming my constituents from western Pennsylvania, and I encourage them to come and stand and continue to witness until one day we recognize the right to life for everyone in our country.

Mr. SMITH of New Jersey. I thank the gentleman so much for his leadership.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I came to this building some 30 years ago. Christopher Smith was here fighting the battle for these little babies, as he is tonight. I hold him to be a grand hero of humanity. Words fail me to express to him the honor, the respect, and the affection that is due him for his relentless, faithful commitment to these little babies that could never vote for him.

All I can say to Mr. SMITH is that one day he will step over the threshold of eternity and God will say: Welcome home, Chris. You did a good job. You protected those who couldn't protect themselves.

I can't think of anything that I think points to a greater manhood, a greater honor, a greater stewardship of life than protecting those who cannot protect themselves. I just want to express that in the deepest way possible.

Certainly, KEITH ROTHFUS, I love him. He is a wonderful man. We have so many here. But Chris has been here forever and he has stayed with it. He is getting to be an old guy, but he is not quitting. I am so honored just to be in the same room with him.

Mr. Speaker, as I often do around the 22nd of January to commemorate and to remember the tragic Roe v. Wade decision, I come with a sunset memorial because another legislative day has come and gone in Washington, D.C., and sunset approaches fast. So I stand here in this House with what I call a sunset memorial.

You see, Mr. Speaker, before the sun sets today in America, over 3,000 more unborn children will be killed by abortion on demand in the land of the free and the home of the brave. That is more than the number of innocent lives lost on September 11th in this country. It happens every day.

As much hope as there is in the day in which we stand in this place, in this new moment in American history, for these 3,000, hope will never come in time. I mourn that, Mr. Speaker, because it wasn't necessary.

It has now been 44 years since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 60 million of our own unborn children. So many of them, Mr. Speaker, cried and screamed as they died, but because it was amniotic fluid going over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common, Mr. Speaker. First, they were just little babies who had done nothing wrong to anyone. Each one of them died a nameless and lonely death and each one of their mothers was

wounded. Whether she realizes it or not, she will never quite be the same.

All the gifts that these children might have brought to humanity are now lost forever, Mr. Speaker, and that is worth mourning. Yet, even the glare of such tragedy brings a ray of hope because this generation, even though it still clings sometimes to a blind, invincible ignorance while history repeats itself over and over again, there is, again, a new beacon of hope breaking over the horizon.

Mr. Speaker, not so long ago I heard Barack Obama speak some very noble but poignant words that, whether he realizes it or not, applies so profoundly to this subject. So I am going to quote some excerpted portions of his comments.

Let me just say at the outset that I agreed with the words that he spoke. I am going to say that upfront. No one was a greater critic of the policies of Barack Obama than myself because I thought he missed the moment. I thought he missed his moment in history. He could have been a great and powerful friend to the helpless, yet he chose to be the one to oppose their chance to walk in the light of life.

He said: "This is our first task—caring for our children. It's our first job. If we don't get that right, we don't get anything right. That's how, as a society, we will be judged."

I agree, Mr. Speaker.

Mr. Obama asked: "Are we really prepared to say that we're powerless in the face of such carnage, that the politics are too hard? Are we prepared to say that such violence that is visited on our children year after year after year is somehow the price of freedom?"

The President also said: "Our journey is not complete until all our children . . ." are "cared for and cherished and always safe from harm."

"That is our generation's task," he said, "to make these words, these rights, these values of life and liberty and the pursuit of happiness real for every American."

Mr. Speaker, never have I so deeply agreed with any words ever spoken by President Barack Obama as those I have just quoted. Yet, when he was President, in the most merciless distortion of logic and reason and humanity itself, he refused to apply his incontrovertible words to the helpless unborn babies in this Nation.

How I wish, Mr. Speaker, that Mr. Obama could have somehow opened his heart and his ears to his own words and asked himself in the core of his own soul why his words that should apply to all children could not have included the most helpless and vulnerable of all children. Nine million American unborn children died under the policies that Mr. Obama relentlessly supported.

Now, Mr. Speaker, that moment when President Barack Obama could have heard and responded to the silent

cries of these little forgotten souls has passed forever. Mr. Obama takes his place as the undisputed abortion President.

While I mourn that reality, Mr. Speaker, I take great hope in a new reality that Donald Trump is now President of the United States and that the winds of change are beginning to blow. I believe Mr. Trump will be a protector of these little babies that have waited so very long for someone to come along and help them.

So now I pray that the Members of this body and those in the United States Senate will remember the words of Thomas Jefferson when he said: "The care of human life and its happiness, and not its destruction, is the chief and only object of good government."

That phrase in the 14th Amendment that capsulizes our entire Constitution says: "No State shall deprive any person of life, liberty, or property without due process of law."

Mr. Speaker, protecting the lives of all Americans and their constitutional rights is why we are all here.

Mr. Speaker, there is hope now. We wait for that new day that has come to manifest and the sun to break through the clouds and shine once again on the faces of these little babies.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of my time.

PROTECTING THE UNBORN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Arizona (Mr. FRANKS) for 30 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, it is a new day in America. I am very gratified that we now have a President that looks differently upon the innocent unborn than did the last one.

Mr. Speaker, protecting the lives of all Americans and their constitutional rights is why we are all here in this place. The bedrock foundation of this Republic is that clarion declaration of the self-evident truth that all human beings are created equal and endowed by their Creator with certain inalienable rights: the rights of life, liberty, and the pursuit of happiness.

Every conflict and every battle our Nation has ever faced can be traced to this core commitment to this self-evident truth. It has made us the beacon of hope for the entire world, Mr. Speaker. It is who we are. Yet, today, another day has passed and we in this body have still failed to honor that foundational commitment.

While we move in the right direction, we have still failed our sworn oath and our God-given responsibility, as more than 3,000 additional American babies died today without the protection we should have already given them.

So, Mr. Speaker, let me just say, in the hopes that we will finally embrace the truth that abortion really does kill little babies, that it is time we looked up together again and looked to the Declaration of Independence and that we remember that we are the same America that rejected human slavery and that marched into Europe to arrest the Nazi Holocaust and that we are the courageous and compassionate nation that can find a better way for mothers and their unborn children than abortion on demand.

It is a new day in America, Mr. Speaker, and we all have a glorious new opportunity to make a better world and for America to be the one that leads the rest of the planet, just as we did in the days of slavery, from this tragic genocide of murdering more than 3,000 of our own children every day.

So now, Mr. Speaker, as we consider the plight of the unborn after 44 years under *Roe v. Wade*, may we each remind ourselves that our own days in this sunshine of life are all numbered and that all too soon each one of us will also walk from this Chamber for the very last time.

But if it should be that we are allowed to convene again on yet another day, may that be the day, Mr. Speaker, when we finally hear the cries of these little babies. May that be the day when we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny little brothers and sisters, from this murderous scourge called abortion on demand.

It has been 44 years, Mr. Speaker, since *Roe v. Wade* first stained the foundation of this Nation with the blood of its own children. But, thankfully, it is a new day in the land of the free and home of the brave. By the grace of God, help is finally on the way.

Mr. Speaker, I yield back the balance of my time.

□ 1845

FIXING OUR HEALTHCARE SYSTEM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. SESSIONS) for 30 minutes.

Mr. SESSIONS. Mr. Speaker, tonight I rise in support of describing to each of my colleagues some important attributes of a big issue that we are all working on, and that is about health care. I rise today to talk about not just the current state of health care, but also a direction about where this body has an opportunity and a chance to go to make America's healthcare system even better so that it is the greatest healthcare system in the world.

President Obama signed what is known as *ObamaCare*, the Affordable Care Act, into law on March 23, 2010. This was an attempt then by the President and his party, receiving no votes from the Republicans in the House or the Senate, to offer a brand-new vision to the American people of their idea of health care.

It took several years for the American people really to comprehend and understand this undertaking, but we are now in the sixth year of *ObamaCare*, and it has turned out that it not only is not sustainable, but it has provided millions of people who have lost coverage, higher premiums. It is not uncommon to see where some healthcare providers are raising their rates by 60 percent, and in 2013 alone, 4.7 million Americans had their preferred healthcare system canceled.

So the plan began with the high accolades of President Obama and Democrats, only to see, in its sixth year, it has become a concrete life preserver to many who are not only on the plan, but those who would wish to have their own healthcare coverage and cannot because of this law.

Tonight what I would like to describe to my colleagues is a chance for them to begin understanding that the American people have elected Donald J. Trump, Republicans, back into the majority, and Republicans back again into the majority in the United States Senate. This was done because there were a number of ideas that were made well aware to the voting public that Republicans would have an answer not only to repeal, but to replace the Affordable Care Act.

Republicans, in fact, now that we are in our second or third week of being in the majority, with President Trump taking office last Friday, Republicans have begun working not only with themselves, but with this administration on ideas that will make the replacement of *ObamaCare* even better for each and every person in this country.

The ability to make this transition, I believe, will require a deliberate and disciplined approach by Members of Congress and the American people for us to listen to each other, for, you see, Republicans do have better ideas to fix health care for all Americans. The basis of the understanding about where Republicans will come from, I believe, is embodied in the law as it exists today.

In 1943, employer-sponsored insurance exemption was given. It was during World War II. It was at a time when there were wages that were frozen but opportunities for benefits to be given to employees that would not be taxed. And so back in 1942, this benefits system arose. Sure, it became an opportunity as a result of being employed. It became an employer benefit. And that is what has taken place today with

about 150 million Americans who receive the benefits of pretax contributions not only by their employer, but also by the employee to their healthcare system.

Well, just last December, under the 21st Century Cures Act, Congress made a new change, updating, allowing more people in the system, this time small business, allowing small business the opportunity to deduct up to \$4,500 per employee, a chance for them to receive their health care on a pretax basis.

What this has established now is a different, unfair system that Mr. Trump was speaking about when he was on the campaign trail. He referred to it as a rigged system. Now, he was not just speaking about the healthcare system. He actually was speaking about much of the way America operates, systems that are not fair for the average American not only to have a shot at making their life better, but in this case, a healthcare system where about 150 million Americans get their health care on a pretax basis and others do not. This is the basis of where I believe Republicans have an opportunity to help make the tax advantage for all Americans available.

So the question is: Who is insured and who is uninsured? Well, we can go to the chart that we see here. About 49 percent of all the people in this country who are insured, health care would be provided by an employer, meaning that an employer most likely is able to offer, as a benefit, a healthcare package on a pretax basis, and the employee is able to receive that, allowing them to make their own contributions on a pretax basis.

As an example, as a Member of Congress, I have this opportunity. My employer, being in the House of Representatives, provides about 70 percent, which is standard for the operations of almost any business in this country, 70 percent, and the employee would provide 30 percent. In this case, I provide the premiums of about \$13,000 for my health care.

Then I have a \$3,600 deduction under my *ObamaCare* health insurance that I receive. I am required by law, as a result of being a Member of Congress, to receive, to buy into health care that would be *ObamaCare*, and then I have a \$3,600 deductible that is a pretax contribution. So I make about a \$17,000 contribution to my health care every year. Not unusual for employer-provided contributions on a pretax basis.

Medicaid is about 20 percent of all the people who are insured, and then, as you see here, Medicare is about 14 percent.

As you look at Medicaid, Medicaid is what is commonly known as insurance for those people who are at or below the poverty level to gain coverage. But it comes with strict requirements. Many of those requirements work against the opportunity to go and get a

job for fear that they will lose their contribution that comes from the government because they might not have an opportunity to receive other help.

Then, as you see, we have got exchanges, and those that just buy their own insurance. And then about 9 percent, or about 30 million Americans, are uninsured.

This is the current status of where we are in America today.

When I say these things to people back in Dallas, Texas, I receive a lot of feedback, and one of them that I have selected comes from a man who is self-employed. He falls under the what might be off exchange, meaning he pays for his own health care without it being on a pretax basis. He said: I am being penalized for being an entrepreneur—penalized.

This is true of the 20 percent who are on Medicaid. They are in a system that essentially keeps them there and keeps them from going to gain the opportunity to receive full-time employment because it might not be an employment that provides health care.

So Republicans have a daunting challenge. We have a challenge to understand that there are about 12 to 20 million people who presently are on ObamaCare, including Members of Congress, and it is a very expensive—not only to the country, but also to individuals—insurance plan.

The biggest problem with ObamaCare is not its expense. The problem is that people are not on the system, as we were told would happen. We were told there would be upwards of 40 million people, providing an opportunity for more people to pay into the system, to sustain the system, and for it to be, what I would say, structured in such a way to where it had young people, middle-aged people, and perhaps older people up to Medicare age who would be paying in or be a part of a system—and it didn't work that way.

Younger people are not in ObamaCare because it is tremendously expensive, and they have found that to meet their deductible, it takes thousands and thousands of dollars. It does not meet their needs. It does not meet my needs with my family. It would not be a preferred healthcare choice that I or my family would make.

So we now have a choice, a chance as a result of the American people saying: Okay, Republicans, let's see what you can do. Bring us your ideas to make health care better.

Here is one of the facts that we know. We know that of the family working status of uninsured, 74 percent of people who are uninsured go to work. Now, this is a staggering fact because we were told by President Obama and Democrats that they were going to make sure that people got health care, the working poor, as we were told, people who needed coverage. But, in fact, 74 percent of 30 million people get up and go to work.

What we find is that they have lost, many times, their full-time status because of ObamaCare rules and regulations, mandates on employers to where employers cut their full-time status to part-time workers. Because we have so many part-time workers, they cannot afford to get the payments that are necessary, even though they were above the Medicaid line.

So Republicans now have a choice to be able to say, if we are going to out-think ObamaCare, if we are going to make sure that we believe—as President Trump has said just in the last few weeks and on the trail as he was running, he believes we should have a system that is not rigged. We should have a system that helps cover every single American and creates an opportunity that is sustainable and does not mean that we have 60 percent or even double-digit increases every year in health care because of the inequities that exist in the system.

□ 1900

This is the system that exists today.

So what might be one of those options or alternatives?

One of those options or alternatives might be a bill that I have worked on for 2 years, with over 500 physicians from across this country, known as the National Physicians' Council for Healthcare Policy. The National Physicians' Council for Healthcare Policy has formally met with hundreds of doctors nine times. They are co-chaired by Dr. Marcy S. Zwelling from Los Angeles, California, and Dr. John T. Gill from Dallas, Texas.

We have worked diligently with economists also to put together a plan that matches what President Trump is speaking about, but probably has not had time to fill in all of the rest of the activities.

This is what I would like to tell you. We believe that we should first allow every single American to be a part of a pre-tax credit, an advanceable credit that can be given to every single American to allow them to buy into a non-government healthcare system. That means, yes, people who are on Medicaid today can receive their health care and go out and get a job without fear of losing their healthcare coverage. It means that you no longer would have to go to the Federal Government and the IRS and to tell them how much work or how much money you think you will do this next year, and if you guess wrong, to pay differently. It creates a well-understood system, and can be done for the same amount of money that is presently in the system today.

It means that a person, a family, would be able to, effective this next November, go online and go to a database and fill it in. I am from Dallas, Texas. I would put my name in, I would put my wife's name, our social security numbers, and our children, and it

would allow this pre-tax credit that is advanceable, assignable, and refundable, not coming to me, but going to a healthcare plan that I could then purchase. I could co-purchase, I could put my own money in on a pre-tax basis.

But what it would mean to me, PETE SESSIONS, is that I would be out of ObamaCare. I would choose to be in what is called a health savings account, an HSA. A health savings account requires that you have a major medical component with any coverage that you get.

What is major medical?

Major medical is hospitalization, the chance, the risk that you would have of needing hospitalization. It could be a car wreck, it could be cancer, it could be something really unexpected. But I would then purchase this major medical policy that is well known in the marketplace today, and then have a choice of deciding the type of coverage where I would pay the first \$5,000 that is required. And then after that, based upon the risk that I would choose.

If I were younger, I would choose probably a plan that would be 90/10. That means that I would pay 10 percent beyond what happened after I paid my \$5,000. Perhaps I couldn't afford that and would want to move to a 70/30 where I accept more of the risk.

The other component that I would then choose is a health savings account. That is I would take the \$17,000 that I contribute to my health care every year, cash, and I would take that to a pre-tax cash account that would be available for me to go to the doctor. Instead of showing up with a card, I would shop the doctor that I choose, only buying the things that I and my family needed, choosing my doctor, and asking my doctor and the marketplace what services would be available for a cash price.

Generally speaking, cash prices are about 18 percent less. Because a doctor would receive that money directly in, rather than having to file a claim, or wait time to get back their money. It would allow my family a chance to receive virtually an 18 percent opportunity upfront savings. It would allow me to manage the things which I needed to and not worry about paying for the things I didn't use. It would save my local doctor, who would then look at me as a preferred customer as opposed to me shopping around, perhaps with others in the marketplace, based upon a model of ObamaCare, which today you can't always count on who your doctor would be. A far better idea. Every single American that would qualify would receive this opportunity, but not required.

Now, how do we make it better, because there is more?

We would, under every single one of these circumstances, take away the mandate on an individual and the mandate on the business. We would do

away with the Cadillac tax, because I don't think health care should be taxed. I think everybody should have an opportunity, and the world's greatest healthcare plan would allow that. Every single person would have a chance to have their health care provided, just as I have mine, too.

So what I want to say to the Members today is Republicans are going to be sharing ideas. We are going to be presenting our ideas at the Energy and Commerce Committee, at the Ways and Means Committee, and we believe we have an opportunity under three scenarios to make sure that health care is available and ready for every single American.

First, we need to establish a Republican alternative that can be implemented this year. Not waiting. Our better idea is ready in a bill ready to go.

Would we do hearings? Yes.

Would we want to scrub that and maybe add some things? Yes.

We should be ready to do it and make the transition this year. We should use reconciliation to repeal the most onerous parts of mandates. Yes, we should. And I believe we are doing that.

Should we make sure that we replace before we repeal? Absolutely.

And we should allow HHS, under what is today becoming Dr. TOM PRICE, a proud Member of this body, a chairman of the Budget Committee, who is in hearings over in the Senate to be the secretary of Health and Human Services, he should use everything that is available in law today to manage a system and to make it better. But my bet is that he will count on real people, not government, to make these decisions. And in doing so, he will empower a better opportunity.

So what Republicans want to do is to establish a tax benefit system while allowing a continuation of an employer-sponsored system. Those people that are on a system today that is provided by your employer, that would continue. But we would do away with the mandates on the individual and the business and the Cadillac tax. And we would encourage each of these companies to continue that system and work with their employees on a benefit system to make it better.

We would make HSAs available to every single person, not just Members of Congress, to where they would have an opportunity to have a system that would help their health care and their families and not be use it or lose it. It would make no sense that I would have to spend \$43,000 a year simply to start over next year when I could actually benefit from saving and being efficient with my money. Maybe I am 30 years old and want to save for the future. Maybe I am 50 and cannot save, but I would roll over the system and make it work for me.

It will allow private physicians to endure. And what this does is empowers the private physician.

But there is more. And that is we will also keep—I believe we should, and the world's greatest healthcare system would, keep what are known as consumer protections that today exist in law: dependent coverage through age 26, no lifetime or annual limits, modified guaranteed availability and renewability, prohibition on preexisting condition exclusions, prohibition on discrimination based on your health status, and nondiscrimination in healthcare coverage.

I would like to tell the Members that back in Dallas, Texas, I am proud to also represent the disability community. I believe I can look at every single person back in Dallas, Texas, in the 32nd Congressional District of Texas, and say this: If you like your health care, you can keep it. If you like your own doctor, you can keep your own doctor.

But, more importantly, I believe that we will give equal to or better than opportunities for every single American. We will end the discriminatory services that ObamaCare is today. Because virtually every single doctor and virtually every single hospital will begin taking coverage, where today only about 24 percent of doctors take ObamaCare because it does not reimburse properly. And hospitals all over Dallas that do not take ObamaCare, leading edge hospitals in Dallas, Texas, and across this country, will begin taking this new health care because it reimburses based upon actual cost and marketplace availability.

So to my colleagues who want to go back home and talk to their constituents about Republican ideas, I don't know which one we will end up with. What I do know is that Senator BILL CASSIDY and I have worked with hundreds of physicians for 2 years, and we have a bill, the world's greatest healthcare plan. The world's greatest healthcare plan is a bill that you can understand that is guaranteed to provide people a better opportunity without guessing about their healthcare coverage, and it is not use it or lose it.

So it is my hope that my colleagues that saw this this evening and took part in this will understand that there is an opportunity to go back home and sell the world's greatest healthcare plan for their people back home, too.

I thank my colleagues for being here tonight.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for today.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON RULES FOR THE 115TH CONGRESS

Mr. SESSIONS. Mr. Speaker, pursuant to clause 2(a)(2) of rule XI, the Committee on Rules' rules of procedure for the 115th Congress are transmitted herewith. They were adopted on January 4, 2017 by a nonrecord vote.

RULE 1.—GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

(d) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE 2.—REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

Regular Meetings

(a)(1) The Committee shall regularly meet at 5:00 p.m. on the first day on which votes are scheduled of each week when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chair, there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair.

Notice for Regular Meetings

(b) The Chair shall notify in electronic form each member of the Committee of the agenda of each regular meeting of the Committee at least 48 hours before the time of the meeting and shall provide to each member of the Committee, at least 24 hours before the time of each regular meeting:

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of—

(A) the bill or resolution;

(B) any committee reports thereon; and

(C) any available letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda a copy of—

(A) the bill, resolution, report, or materials relating to the other matter in question; and

(B) any report on the bill, resolution, report, or any other matter made by any subcommittee of the Committee.

Emergency Meetings

(c)(1) The Chair may call an emergency meeting of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the ranking minority member, or, in such member's absence, the next ranking minority party member of the Committee.

(2) As soon as possible after calling an emergency meeting of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting was a regular meeting.

Special Meetings

(d) Special meetings shall be called and convened as provided in clause 2(c)(2) of rule XI of the Rules of the House.

RULE 3.—MEETING AND HEARING PROCEDURES IN GENERAL

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television, radio, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules).

(4) Before a motion to report a rule is offered, a copy of the language recommended shall be furnished to each member of the Committee.

Quorum

(b)(1) For the purpose of hearing testimony on requests for rules, five members of the Committee shall constitute a quorum.

(2) For the purpose of taking testimony and receiving evidence on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) A majority of the members of the Committee shall constitute a quorum for the purposes of: reporting any measure or matter; authorizing a subpoena; closing a meeting or hearing pursuant to clause 21(g) of rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)); or taking any other action.

Voting

(c)(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of any member.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) A record of the vote of each member of the Committee on each record vote on any measure or matter before the Committee shall be made publicly available in electronic form within 48 hours, and with respect to any record vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

Hearing Procedures

(d)(1) With regard to hearings on matters of original jurisdiction, to the greatest extent practicable:

(A) each witness who is to appear before the Committee shall file with the Committee at least 24 hours in advance of the appearance a statement of proposed testimony in written and electronic form and shall limit the oral presentation to the Committee to a brief summary thereof; and

(B) In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of any Federal grants or contracts, or contracts or payments originating with a foreign government, received during the current calendar year or either of the two previous calendar years by the witness or by an entity represented by the witness and related to the subject matter of the hearing.

(C) The disclosure referred to in subdivision (B) shall include—

(i) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(D) Such statements, with appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(2) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each member of the Committee has had an opportunity to question the witness.

(3) The provisions of clause 2(k) of rule XI of the Rules of the House shall apply to any hearing conducted by the Committee.

Subpoenas and Oaths

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

RULE 4.—GENERAL OVERSIGHT RESPONSIBILITIES

The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

RULE 5.—SUBCOMMITTEES

Establishment and Responsibilities of Subcommittees

(a)(1) There shall be two subcommittees of the Committee as follows:

(A) Subcommittee on Legislative and Budget Process, which shall have general responsibility for measures or matters related to relations between the Congress and the Executive Branch.

(B) Subcommittee on Rules and Organization of the House, which shall have general responsibility for measures or matters re-

lated to process and procedures of the House, relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

Referral of Measures and Matters to Subcommittees

(b)(1) No special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee.

(2) The Chair shall refer to a subcommittee such measures or matters of original jurisdiction as the Chair deems appropriate given its jurisdiction and responsibilities.

(3) All other measures or matters of original jurisdiction shall be subject to consideration by the full Committee.

(4) In referring any measure or matter of original jurisdiction to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(5) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

Composition of Subcommittees

(c) The size and ratio of each subcommittee shall be determined by the Committee and members shall be elected to each subcommittee, and to the positions of chair and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the full committee may designate a member of the majority party on each subcommittee as its vice chair.

Subcommittee Meetings and Hearings

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chair of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

Quorum

(e)(1) For the purpose of taking testimony, two members of the subcommittee shall constitute a quorum.

(2) For all other purposes, a quorum shall consist of a majority of the members of a subcommittee.

Effect of a Vacancy

(f) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee.

Records

(g) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee necessary for the Committee to comply with all rules and regulations of the House.

RULE 6—STAFF
In General

(a)(1) Except as provided in paragraphs (2) and (3), the professional and other staff of the Committee shall be appointed, by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional, and other staff provided to the minority party members of the Committee shall be appointed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of rule X of the Rules of the House.

Associate Staff

(b) Associate staff for members of the Committee may be appointed only at the discretion of the Chair (in consultation with the ranking minority member regarding any minority party associate staff), after taking into account any staff ceilings and budgetary constraints in effect at the time, and any terms, limits, or conditions established by the Committee on House Administration under clause 9 of rule X of the Rules of the House.

Subcommittee Staff

(c) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee, and, after consultation with the ranking minority member of the Committee, that the minority party of the Committee is treated fairly in the appointment of such staff.

Compensation of Staff

(d) The Chair shall fix the compensation of all professional and other staff of the Committee, after consultation with the ranking minority member regarding any minority party staff.

Certification of Staff

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the direct supervision and direction of the Chair, the member of the Committee who supervises and directs the staff member's work shall file with the Chief of Staff of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the member of the Committee with respect to the month in question met the requirements of clause 9 of rule X of the rules of the House.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made—

(A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and

(B) on his own responsibility to the extent the staff is under the Chair's direct supervision and direction.

RULE 7.—BUDGET, TRAVEL, PAY OF WITNESSES
Budget

(a) The Chair, in consultation with other members of the Committee, shall prepare for

each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

Travel

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

Pay of Witnesses

(c) Witnesses may be paid from funds made available to the Committee in its expense resolution subject to the provisions of clause 5 of rule XI of the Rules of the House.

RULE 8.—COMMITTEE ADMINISTRATION
REPORTING

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) The Chair or acting Chair shall report it to the House or designate a member of the Committee to do so.

(2) In the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution. Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

(3) In the case of a resolution providing for consideration of a measure, the Committee report accompanying such resolution shall include an accurate explanation of any waivers of points of order, including a detailed explanation of all points of order.

Records

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its sub-

committees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

Audio and Video Coverage

(c) The Chair shall provide, to the maximum extent practicable—

(1) complete and unedited audio and video broadcasts of all committee hearings and meetings; and

(2) for distribution of such broadcasts and unedited recordings thereof to the public and for the storage of audio and video recordings of the proceedings. Proceedings shall be broadcast live on the Majority Committee website and recordings shall be made available on such website within one calendar day of the proceeding.

Committee Publications on the Internet

(d) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

Journal

(e)(1) The Committee shall maintain a Committee Journal, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other committee on which a rule has been granted or formally requested, and such other matters as the Chair shall direct. The Journal shall be published periodically, but in no case less often than once in each session of Congress.

(2) A rule is considered as formally requested when the Chairman of a committee of primary jurisdiction which has reported a bill or resolution (or a member of such committee authorized to act on the Chairman's behalf):

(A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution; and

(B) has supplied the Committee with the bill or resolution, as reported, together with the final committee report thereon.

Other Procedures

(f) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees in a manner consistent with these rules.

RULE 9.—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended or repealed, in the same manner and method as prescribed for the adoption of committee rules in clause 2 of rule XI of the Rules of the House, but only if written notice of the proposed change has been provided to each Member at least 48 hours before the time of the meeting at which the

vote on the change occurs. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after their approval.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on January 20, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 39. To amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on January 23, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 72. To ensure the Government Accountability Office has adequate access to information.

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until Friday, January 27, 2017, at 2 p.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2016, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input type="checkbox"/>											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, Jan. 5, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Mark Sanford, Jr.	10/1	10/2	Italy		475.00						475.00
	10/3	10/4	Zambia		425.00						425.00
	10/4	10/6	Mozambique		660.00						660.00
	10/6	10/7	South Africa		273.00		6,810.76				7,083.76
Committee total					1,833.00		6,810.76				8,643.76

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BILL SHUSTER, Chairman, Jan. 9, 2017.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

323. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Walnuts Grown in California; Increased Assessment Rate [Doc. No.: AMS-SC-16-0062; SC16-984-2 FR] received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

324. A letter from the Program Specialist (Paperwork Reduction Act), LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Joint final rule — Community Reinvestment Act Regulations [Docket ID: OCC-2016-0031] (RIN: 1557-AE11) received January 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

325. A letter from the Secretary, Department of Education, transmitting the Depart-

ment's final regulations — Assistance to States for the Education of Children with Disabilities and the Preschool Grants for Children with Disabilities Program; Early Intervention Program for Infants and Toddlers with Disabilities (RIN: 1820-AB74) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

326. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Annual Report for Fiscal Year 2015, as required by the Older Americans Act of 1965, pursuant to 42 U.S.C. 3018(a); Public Law 89-73, Sec. 207(a) (as amended by Public Law 106-501, Sec. 205); to the Committee on Education and the Workforce.

327. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report to Congress titled "2016 Actuarial Report on the Financial Outlook for Medicaid", pursuant to 42 U.S.C. 1396 note; Public Law 111-3, Sec. 506(c); (123 Stat. 95); to the Committee on Energy and Commerce.

328. A letter from the General Counsel, Architectural and Transportation Barriers

Compliance Board, transmitting the Board's final rule — Standards for Accessible Medical Diagnostic Equipment (RIN: 3014-AA40) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

329. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the report to Congress entitled "Fiscal Year 2016 Annual Report on the Food and Drug Administration Advisory Committee Vacancies and Public Disclosures", pursuant to Sec. 712(e) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

330. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Administration's Fiscal Year 2016 Performance Report to Congress for the Biosimilar User Fee Act; to the Committee on Energy and Commerce.

331. A letter from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting the Commission's recommendations concerning the future of the State Children's Health Insurance Program; to the Committee on Energy and Commerce.

332. A letter from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — Direct Investment Surveys: BE-13, Survey of New Foreign Direct Investment in the United States, and Changes to Private Fund Reporting on Direct Investment Surveys [Docket No.: 160531475-6465-01] (RIN: 0691-AA85) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

333. A letter from the Director, Office of Information Policy, Department of Justice, transmitting the Department's interim final rule — Revision of Department of Justice Freedom of Information Act Regulations [Docket No.: OAG 155] (RIN: 1105-AB51; A.G. Order No.: 3803-2016) received January 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

334. A letter from the Staff Attorney, National Indian Gaming Commission, Department of the Interior, transmitting the Commission's final rule — Privacy Act Procedures (RIN: 3141-AA65) received January 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

335. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting notification of Amended Offer to donate Lands Acquired Adjacent to the Sabinoso Wilderness for Inclusion in the Wilderness through Section Six of The Wilderness Act of 1964 and to create public access to the Sabinoso Wilderness, pursuant to 16 U.S.C. 1135(a); Public Law 88-577, Sec. 6(a); (78 Stat. 896); to the Committee on Natural Resources.

336. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report titled "Indian Health Prescription Drug Monitoring", pursuant to Sec. 827, 25 U.S.C. 1680q; to the Committee on Natural Resources.

337. A letter from the U.S. Special Representative and CNMI Special Representative, transmitting a report on the 902 Consultations from the Special Representatives of the United States and the Commonwealth of the Northern Mariana Islands (CNMI) focusing on Immigration and Labor Issues and Proposed Military Activities in the CNMI, pursuant to 48 U.S.C. 1801; to the Committee on Natural Resources.

338. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers from the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort, pursuant to 42 U.S.C. 7384q(c)(2); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(1)); (118 Stat. 2188); to the Committee on the Judiciary.

339. A letter from the Assistant Attorney General, Department of Justice, transmitting the Ninth Annual Government-to-Government Violence Against Women Tribal Consultation, pursuant to 42 U.S.C. 14045d(c); Public Law 109-162, Sec. 903(c) (as added by Public Law 113-4, Sec. 903(3)); (127 Stat. 120); to the Committee on the Judiciary.

340. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2015 Annual Report of the National Institute of Justice, pursuant to Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 and the Homeland Security Act of 2002; to the Committee on the Judiciary.

341. A letter from the General Counsel, Architectural and Transportation Barriers Compliance Board, transmitting the Board's final rule — American With Disabilities Act (ADA) Accessibility Guidelines for Transportation Vehicles [Docket No.: ATBCB 2010-0004] (RIN: 3014-AA38) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

342. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rules — Revisions to Rules Regarding the Evaluation of Medical Evidence [Docket No.: SSA-2012-0035] (RIN: 0960-AH51) received January 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SARBANES (for himself, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. CROWLEY, Ms. SANCHEZ, Mr. AGUILAR, Mrs. BEATTY, Mr. BERA, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COOPER, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGRETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Mr. ESPAILLAT, Ms. ESTY, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. GALLEGO, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HECK, Mr. HIMES, Ms. NORTON, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mr. KRISHNAMOORTHY, Mr. CLAY, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Mr. LOEBACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. KUSTER of New Hampshire, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mrs. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Mr. NORCROSS, Mr. O'HALLERAN, Mr. O'ROURKE, Mr. PALLONE, Mr. PAS-

CRELL, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SIREN, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. TONKO, Ms. TSONGAS, Mr. VARGAS, Mr. VEASEY, Ms. VELAZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. YARMUTH, Mr. CARSON of Indiana, Ms. FUDGE, Mr. JONES, Mr. SHERMAN, Mr. MCNERNEY, and Ms. BASS);

H.R. 20. A bill to reform the financing of congressional elections by broadening participation by small dollar donors, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Ms. SLAUGHTER, Mr. GARAMENDI, Mr. MEEKS, Mr. CONYERS, Mr. GRIJALVA, and Ms. SHEA-PORTER):

H.R. 617. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Mr. LAMBORN (for himself, Mr. POLIS, and Mr. TIPTON):

H.R. 618. A bill to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. CHABOT (for himself, Mr. CLAY, Mr. BLUM, Mr. SMITH of Missouri, Mr. WENSTRUP, Mr. SANFORD, Mr. RENACCI, Mr. COHEN, and Mr. JOHNSON of Ohio):

H.R. 619. A bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas (for himself, Mr. PETERS, Mr. CALVERT, Mr. BERA, Ms. SPEIER, and Mr. CONAWAY):

H.R. 620. A bill to amend the Americans with Disabilities Act of 1990 to promote compliance through education, to clarify the requirements for demand letters, to provide for a notice and cure period before the commencement of a private civil action, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAFFETZ:

H.R. 621. A bill to direct the Secretary of the Interior to sell certain Federal lands in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, and Wyoming, previously identified as suitable for disposal, and for other purposes; to the Committee on Natural Resources.

By Mr. CHAFFETZ (for himself, Mr. STEWART, Mrs. LOVE, Mr. LAMALFA, Mr. AMODEI, Mr. MCCLINTOCK, and Mr. GOSAR):

H.R. 622. A bill to terminate the law enforcement functions of the Forest Service and the Bureau of Land Management and to provide block grants to States for the enforcement of Federal law on Federal land under the jurisdiction of these agencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mr. CLEAVER, Mr. JONES, and Mr. CARTWRIGHT):

H.R. 623. A bill to promote competition and help consumers save money by giving them the freedom to choose where they buy prescription pet medications, and for other purposes; to the Committee on Energy and Commerce.

By Mr. VALADAO (for himself, Mrs. COMSTOCK, Mr. SWALWELL of California, Mr. RODNEY DAVIS of Illinois, Mr. JOYCE of Ohio, Ms. SINEMA, Mr. ALLEN, Mr. CALVERT, Mr. HASTINGS, Mr. ROYCE of California, Mr. LAMALFA, Mr. RENACCI, Ms. JACKSON LEE, Mr. COHEN, Mr. DENHAM, Mr. MCCLINTOCK, Mrs. ROBY, Mr. BUCSHON, Mr. NUNES, Miss RICE of New York, Mr. MOULTON, Mrs. MURPHY of Florida, Mrs. DEMINGS, Mr. KILMER, Mr. WEBSTER of Florida, Mr. CARBAJAL, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 624. A bill to restrict the inclusion of social security account numbers on documents sent by mail by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. AGUILAR (for himself and Mr. CALVERT):

H.R. 625. A bill to provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. BUTTERFIELD):

H.R. 626. A bill to amend title XVIII of the Social Security Act to include recreational therapy among the therapy modalities that constitute an intensive rehabilitation therapy program in an inpatient rehabilitation hospital or unit; to the Committee on Ways and Means.

By Mr. CARTWRIGHT (for himself, Mr. BEYER, Mr. BLUMENAUER, Mr. CARTER of Georgia, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mr. DESAULNIER, Ms. ESHOO, Mr. GRIJALVA, Ms. HANABUSA, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Mr. KNIGHT, Mr. LANCE, Ms. LEE, Mr. TED LIEU of California, Mr. LOEBSACK, Mr. LOWENTHAL, Ms. MATSUI, Mr. MULLIN, Mr. OLSON, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Mrs. RADEWAGEN, Miss RICE of New York, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Ms. SPEIER, Mr. STEWART, Mr. TONKO, Ms. TSONGAS, Mr. WELCH, Ms. NORTON, Ms. SCHAKOWSKY, Mr. SCHIFF, and Ms. SLAUGHTER):

H.R. 627. A bill to amend the Energy Policy and Conservation Act to provide for the dissemination of information regarding avail-

able Federal programs relating to energy efficiency projects for schools, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. COFFMAN):

H.R. 628. A bill to amend the Public Health Service Act to prohibit application of pre-existing condition exclusions and to guarantee availability of health insurance coverage in the individual and group market, contingent on the enactment of legislation repealing the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONAWAY (for himself and Mr. WENSTRUP):

H.R. 629. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes; to the Committee on Veterans' Affairs.

By Mr. COHEN (for himself, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. CUMMINGS, Mr. O'ROURKE, Mr. TAKANO, Ms. NORTON, Ms. LEE, Mr. VARGAS, Mr. MEEKS, Mr. CLAY, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 630. A bill to require the Attorney General to issue rules pertaining to the collection and compilation of data on the use of deadly force by law enforcement officers; to the Committee on the Judiciary.

By Mrs. NOEM (for herself, Mr. BISHOP of Georgia, Mr. NUNES, Mr. SMITH of Missouri, Ms. JENKINS of Kansas, Mr. DAVIDSON, and Mr. SMITH of Nebraska):

H.R. 631. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes; to the Committee on Ways and Means.

By Ms. MENG (for herself, Mr. YOUNG of Alaska, Mr. LANGEVIN, Mr. WILSON of South Carolina, Ms. SPEIER, Mr. POLIQUIN, Mr. HECK, Mrs. DINGELL, Ms. MCCOLLUM, Ms. BORDALLO, Ms. GABBARD, Mr. LOBIONDO, and Mr. PERLMUTTER):

H.R. 632. A bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HARPER:

H.R. 633. A bill to authorize health insurance issuers to continue to offer for sale health insurance coverage offered in the individual market before the enactment of the Patient Protection and Affordable Care Act in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARPER:

H.R. 634. A bill to terminate the Election Assistance Commission; to the Committee on House Administration.

By Ms. SCHAKOWSKY (for herself, Mr. DEUTCH, Ms. NORTON, Ms. MATSUI, Mr. ENGEL, Ms. PINGREE, Mr. POLIS, Mr. ELLISON, Mr. TAKANO, Mr. SCOTT of Virginia, Mr. POCAN, Mr. SARBANES, Ms. MCCOLLUM, Mr. LEWIS of Georgia, and Ms. MOORE):

H.R. 635. A bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Mr. NADLER, Mr. GRIJALVA, Ms. NORTON, Ms. DELAURO, Ms. LEE, Mr. CUMMINGS, Mr. ELLISON, Mr. SERRANO, Mr. POCAN, Mr. COHEN, and Mr. CONYERS):

H.R. 636. A bill to amend the Internal Revenue Code of 1986 to impose increased rates of tax with respect to taxpayers with more than \$1,000,000 taxable income, and for other purposes; to the Committee on Ways and Means.

By Mr. PALMER (for himself, Mr. MOONEY of West Virginia, Mr. BIGGS, Mr. HARRIS, Mrs. WAGNER, Mr. FARENTHOLD, Mr. GIBBS, Mr. GOODLATTE, Mr. LATTA, Mr. WENSTRUP, Mr. BYRNE, Mr. GUTHRIE, Mr. BABIN, Mr. WESTERMAN, Mr. FLEISCHMANN, Mr. WEBSTER of Florida, Mr. BRAT, Mr. MCKINLEY, Mr. ROUZER, Mr. SCHWEIKERT, Mr. VALADAO, Mr. NUNES, Mrs. BLACK, Mr. LAMALFA, Mr. LAMBORN, Mr. CARTER of Georgia, Mr. JENKINS of West Virginia, Mr. LUCAS, Mr. GROTHMAN, Mr. THOMPSON of Pennsylvania, Mr. BERGMAN, Mr. CHAFFETZ, Mr. SMITH of Missouri, Mr. HENSARLING, Mr. DUNCAN of South Carolina, Mr. BANKS of Indiana, Mr. JORDAN, Mr. JODY B. HICE of Georgia, Mr. BARTON, Mr. WILSON of South Carolina, Mr. CARTER of Texas, Mr. CULBERSON, Mr. RATCLIFFE, Mr. AMASH, Mr. ROTHFUS, Mr. BUCK, Mr. MARCHANT, Mr. BRADY of Texas, Mr. CRAMER, Mrs. NOEM, Mr. SMITH of Texas, Ms. CHENEY, Mr. BARLETTA, Mr. GOHMERT, Mr. MESSER, Mr. MEADOWS, Mr. SANFORD, Mr. WALKER, Mr. MULLIN, Mrs. ROBY, Mr. BISHOP of Michigan, Mr. KELLY of Pennsylvania, Mr. ROGERS of Alabama, Mrs. MIMI WALTERS of California, Mr. BROOKS of Alabama, Mr. GOSAR, Mr. OLSON, Mr. SESSIONS, Mr. ABRAHAM, Mr. HULTGREN, Mr. WEBER of Texas, Mr. LABRADOR, Mr. ALLEN, Mr. CRAWFORD, Mr. ADERHOLT, Mr. PITTENGER, Mr. MARSHALL, Mr. WILLIAMS, Mr. SAM JOHNSON of Texas, Mr. PERRY, Mr. TIPTON, Mr. CHABOT, Mr. KING of Iowa, Mr. PEARCE, Mr. SCALISE, Mr. POE of Texas, Mr. YOHO, Mr. MASSIE, Mr. ROKITA, Mr. COLE, Mr. GARRETT, Mr. MARINO, Mr. THOMAS J. ROONEY of Florida, Mr. FRANKS of Arizona, Mrs. HARTZLER, Mr. JONES, and Mr. DAVIDSON):

H.R. 637. A bill to prevent the Environmental Protection Agency from exceeding its statutory authority in ways that were not contemplated by the Congress; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. SWALWELL of California, Mr. COSTA, Mrs. MIMI WALTERS of California, Mr. ROHRBACHER, Mr. COOK, Ms. BROWNLEY of California, Mr. ISSA, Ms. JUDY CHU of California, Mr. LOWENTHAL, Mr. LAMALFA, Ms. SPEIER, Mr. TED LIEU of California, Mr. SCHIFF, Mr. KNIGHT, Mrs. NAPOLITANO, and Mr. VALADAO):

H.R. 638. A bill to designate the facility of the United States Postal Service located at 24930 Washington Avenue in Murrieta, California, as the "Riverside County Iraq and Afghanistan Veterans Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mr. ABRAHAM:

H.R. 639. A bill to amend the Immigration and Nationality Act to provide for electronic notification of H-2A and H-2B visa petitioners upon receipt of the petitions, and for other purposes; to the Committee on the Judiciary.

By Mr. ALLEN (for himself, Mr. ROKITA, Mr. FARENTHOLD, Mr. PITTENGER, and Mr. ROE of Tennessee):

H.R. 640. A bill to amend title I of the Patient Protection and Affordable Care Act to require that a State awarded a Federal grant to establish an Exchange and that terminates the State operation of such an Exchange provide for an audit of the use of grant funds and return funds to the Federal Government, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ALLEN (for himself, Mr. BOST, Mr. CARTER of Georgia, Mr. CRAMER, Mr. MESSER, and Mr. RICE of South Carolina):

H.R. 641. A bill to reform the H-2A program for nonimmigrant agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mr. BARLETTA (for himself, Mr. KING of New York, and Mr. MCCAUL):

H.R. 642. A bill to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes; to the Committee on Homeland Security.

By Mr. BARLETTA:

H.R. 643. A bill to amend the Immigration and Nationality Act to penalize aliens who overstay their visas, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACK (for herself, Mr. FORTENBERRY, Mr. FARENTHOLD, Mr. HUIZENGA, Mr. ROSKAM, Mr. PITTENGER, Mr. DUNCAN of South Carolina, Mr. KELLY of Mississippi, Mrs. WAGNER, Mr. GIBBS, Mr. BANKS of Indiana, Mrs. BLACKBURN, Mr. MOOLENAAR, Mr. MOONEY of West Virginia, Mr. LATTA, Mr. JODY B. HICE of Georgia, Mr. CRAMER, Mr. ROTHFUS, Mr. RODNEY DAVIS of Illinois, Mr. WENSTRUP, Mr. STEWART, Ms. FOX, Mr. JONES, Mr. HULTGREN, Mrs. NOEM, Mr. SMITH of New Jersey, Mr. CARTER of Georgia, Mr. JOHNSON of Louisiana, Mr. DUNCAN of Tennessee, Mr. YODER, Mr. ROE of Tennessee, Mr. WALBERG, Mr. BABIN, Mr. WILSON of South Carolina, Mr. SCALISE, Mr. LAMBORN, Mr. PALAZZO, Mr. MITCHELL, Mr. BRIDENSTINE, Mr. LUETKEMEYER, Mr. GOHMERT, Mr. THOMAS J. ROONEY of Florida, Mr. BRADY of Texas, Mr. ALLEN, Mr. FRANKS of Arizona, Mr. GUTHRIE, Mrs. WALORSKI, Mr. MARCHANT, Mr. KELLY of Pennsylvania, Mr. ROKITA, Mr. HENSARLING, Mr. OLSON, Mr. MEADOWS, Mr. CHABOT, Mr. ADERHOLT, Mr. GRAVES of Missouri, Mr. JOHNSON of Ohio, Mr. YOHO, Mr. FLEISCHMANN, Mr. BRAT, Mr. BILIRAKIS, Mrs. ROBY, Mr. LOUDERMILK, Mr. BIGGS, Mr. POE of Texas, Mr. LAMALFA, Mr. PEARCE, Mr. WEBSTER of Florida, Mr. HUDSON, Mr. PERRY, Mr. HILL, Mr. RUTHERFORD, and Mr. HARRIS):

H.R. 644. A bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion; to the Committee on Energy and Commerce.

By Mr. BOST (for himself, Mr. O'ROURKE, Mrs. RADEWAGEN, and Ms. GABBARD):

H.R. 645. A bill to require the Secretary of Veterans Affairs to provide for the inspection of kitchens and food service areas at medical facilities of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department; to the Committee on Veterans' Affairs.

By Mr. BUCHANAN:

H.R. 646. A bill to provide that rates of pay for Members of Congress shall not be adjusted under section 601(a)(2) of the Legislative Reorganization Act of 1946 in the year following any fiscal year in which outlays of the United States exceeded receipts of the United States; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana (for himself, Mr. COHEN, Mr. ELLISON, Mr. LANGEVIN, Ms. LEE, Mr. LOEBSACK, Ms. MOORE, Ms. NORTON, Mr. PAYNE, and Mr. RYAN of Ohio):

H.R. 647. A bill to amend the Elementary and Secondary Education Act of 1965 to award grants to eligible entities to establish, expand, or support school-based mentoring programs to assist at-risk middle school students with the transition from middle school to high school; to the Committee on Education and the Workforce.

By Ms. CHENEY:

H.R. 648. A bill to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir; to the Committee on Natural Resources.

By Mr. COLLINS of New York (for himself, Mr. FARENTHOLD, and Mr. JONES):

H.R. 649. A bill to amend the Internal Revenue Code of 1986 to ensure that new wind turbines located near certain military installations are ineligible for the renewable electricity production credit and the energy credit; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 650. A bill to provide for the development of a United States strategy for greater human space exploration, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. CUMMINGS (for himself, Ms. MENG, Mr. SCOTT of Virginia, and Ms. NORTON):

H.R. 651. A bill to protect unpaid interns from workplace harassment and discrimination; to the Committee on Education and the Workforce.

By Mr. CUMMINGS (for himself, Ms. MENG, Mr. SCOTT of Virginia, and Ms. NORTON):

H.R. 652. A bill to amend the Congressional Accountability Act of 1995 to protect unpaid interns in the legislative branch from workplace harassment and discrimination, and for other purposes; to the Committee on House Administration.

By Mr. CUMMINGS (for himself, Ms. MENG, Mr. SCOTT of Virginia, and Ms. NORTON):

H.R. 653. A bill to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DEFAZIO:

H.R. 654. A bill to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DONOVAN (for himself, Mr. MCCAUL, and Mr. KING of New York):

H.R. 655. A bill to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes; to the Committee on Homeland Security.

By Mr. DUFFY (for himself, Mrs. WAGNER, Mr. MULLIN, Mr. MEADOWS, Mr. STEWART, Mr. PITTENGER, Mr. GROTHMAN, Mr. WEBER of Texas, and Mr. LATTA):

H.R. 656. A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions; to the Committee on Energy and Commerce.

By Mr. DUFFY (for himself, Mr. CONNOLLY, Mr. GOHMERT, Ms. NORTON, Mr. MEADOWS, Ms. SINEMA, Mr. COLE, Mr. COSTA, and Mr. GROTHMAN):

H.R. 657. A bill to amend title 5, United States Code, to extend certain protections against prohibited personnel practices, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself and Mr. SWALWELL of California):

H.R. 658. A bill to amend the Federal Election Campaign Act of 1971 to prohibit criminal corporations from making disbursements of funds in connection with a campaign for election for Federal, State, or local office; to the Committee on House Administration.

By Mr. FARENTHOLD (for himself, Mr. GOODLATTE, Mr. MARINO, Mr. BUCSHON, Mr. COLLINS of Georgia, and Mr. MESSER):

H.R. 659. A bill to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority; to the Committee on the Judiciary.

By Mr. GOSAR (for himself, Mr. AMODEI, Mr. BIGGS, Mr. CARTWRIGHT, Mr. COSTA, Mr. DENHAM, Mr. FARENTHOLD, Mr. FRANKS of Arizona, Mr. GARAMENDI, Mr. GOHMERT, Mr. HUFFMAN, Ms. MCSALLY, Mr. NEWHOUSE, Mr. PEARCE, Ms. SINEMA, Mr. TIPTON, Mr. LAMALFA, and Mrs. BLACK):

H.R. 660. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; to the Committee on Natural Resources.

By Mr. GUTHRIE:

H.R. 661. A bill to authorize health insurance issuers to offer for sale previously

available health insurance coverage in the small group market in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself, Mr. KIND, Mr. TURNER, Mr. TONKO, and Mr. KINZINGER):

H.R. 662. A bill to enable hospital-based nursing programs that are affiliated with a hospital to maintain payments under the Medicare program to hospitals for the costs of such programs; to the Committee on Ways and Means.

By Mr. JENKINS of West Virginia (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. WELCH, and Mr. RYAN of Ohio):

H.R. 663. A bill to establish a grant program to assist dislocated miners in receiving additional training and education to enable them to find and secure new jobs; to the Committee on Education and the Workforce.

By Mr. JOYCE of Ohio (for himself, Mr. RYAN of Ohio, Mr. THOMAS J. ROONEY of Florida, Ms. STEFANK, and Ms. KAPTUR):

H.R. 664. A bill to prevent the abuse of opiates, to improve response and treatment for the abuse of opiates and related overdoses, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KEATING (for himself, Mr. KATKO, Miss RICE of New York, Mr. SWALWELL of California, Mr. RICHMOND, and Mr. THOMPSON of Mississippi):

H.R. 665. A bill to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies, and for other purposes; to the Committee on Homeland Security.

By Mr. KING of New York (for himself, Mr. BARLETTA, Mr. MCCAUL, and Mr. DONOVAN):

H.R. 666. A bill to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes; to the Committee on Homeland Security.

By Mr. KING of New York (for himself, Mr. BISHOP of Georgia, Mr. ZELDIN, Miss RICE of New York, Mr. RYAN of Ohio, and Ms. GABBARD):

H.R. 667. A bill to award a Congressional gold medal to the 5307th Composite Unit (Provisional), commonly known as "Merrill's Marauders", in recognition of their bravery and outstanding service in the jungles of Burma during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA (for himself, Mr. WITTMAN, Mr. GOODLATTE, Mrs. BLACK, and Mr. OLSON):

H.R. 668. A bill to eliminate automatic pay adjustments for Members of Congress, and for other purposes; to the Committee on

House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California (for himself, Mr. MCGOVERN, Mr. GARAMENDI, Ms. CLARKE of New York, Mr. BLUMENAUER, Mr. GRIJALVA, Mr. POCAN, Ms. LEE, and Mr. WELCH):

H.R. 669. A bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress; to the Committee on Foreign Affairs.

By Ms. LOFGREN:

H.R. 670. A bill to amend the Immigration and Nationality Act to reform the H-1B visa program, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Ms. LEE, Mr. CONNOLLY, Miss RICE of New York, Mr. ENGEL, Mr. GRIJALVA, Ms. SLAUGHTER, Mr. HASTINGS, Ms. NORTON, Mrs. NAPOLITANO, Ms. JACKSON LEE, Ms. WASSERMAN SCHULTZ, Ms. DELBENE, Ms. MOORE, Mr. CUMMINGS, Mr. COHEN, Mr. LOWENTHAL, Mr. ELLISON, Mr. SMITH of Washington, Mr. TED LIEU of California, Ms. TITUS, Mr. WELCH, Mr. HECK, Ms. BONAMICI, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Ms. MCCOLLUM, Mr. GARAMENDI, Mr. BERA, Mr. KILDEE, Mr. MCGOVERN, Ms. SPEIER, Mr. KHANNA, Ms. ESHOO, Ms. TSONGAS, Ms. DELAURO, Ms. PINGREE, Mr. CROWLEY, Mr. LOEBACK, Mr. DEUTCH, Mr. KEATING, Mr. RYAN of Ohio, Mr. CICILLINE, Ms. SINEMA, Ms. CLARK of Massachusetts, Mrs. CAROLYN B. MALONEY of New York, Mr. GUTIERREZ, Mr. AGUILAR, Mr. RICHMOND, Mr. POCAN, Mrs. LAWRENCE, Mr. AL GREEN of Texas, Mr. FOSTER, Ms. BROWNLEY of California, Ms. MATSUI, Ms. KAPTUR, Mr. BEYER, Mr. MOULTON, Mr. NADLER, Mrs. WATSON COLEMAN, Ms. DEGETTE, Mr. NORCROSS, Mr. DEFAZIO, Mr. PRICE of North Carolina, Mr. CONYERS, Ms. WILSON of Florida, Mr. SCHIFF, Ms. VELÁZQUEZ, Mr. LEVIN, Ms. BARRAGAN, Mr. BRADY of Pennsylvania, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CARSON of Indiana, Mr. JOHNSON of Georgia, Ms. FRANKEL of Florida, Mr. QUIGLEY, Mr. POLIS, Mr. CÁRDENAS, Mr. THOMPSON of California, Mr. TAKANO, Mr. SARBANES, Mr. TONKO, Mr. PANETTA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SERRANO, Mr. KENNEDY, Mr. SEAN PATRICK MALONEY of New York, Mr. RUSH, Mr. YARMUTH, Ms. MENG, Ms. SHEA-PORTER, Mr. PETERS, Mr. HUFFMAN, Mr. HIGGINS of New York, Ms. ESTY, Mrs. TORRES, Mr. RUIZ, Ms. JAYAPAL, Mr. DESAULNIER, Ms. HANABUSA, Mr. WALZ, Mr. SCOTT of Virginia, Mrs. DINGELL, Mr. DANNY K. DAVIS of Illinois, Mr. CLEAVER, Mr. SCHNEIDER, Mr. DAVID SCOTT of Georgia, Ms. JUDY CHU of California, Ms. KUSTER of New Hampshire, Ms. SÁNCHEZ, Mr. SOTO, Mr. VEASEY, Mr. EVANS, Ms. CLARKE of New York, Ms. LOFGREN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. KIHUEN, Mr. RASKIN, Mr. SCHRADER, Ms. BASS, Mr. SHERMAN, Mr. COURTNEY, Ms. FUDGE, Mrs.

DEMINGS, Ms. KELLY of Illinois, Mr. HIMES, and Mrs. BEATTY):

H.R. 671. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

By Mrs. LOWEY (for herself, Ms. ROSLEHTINEN, Mr. DEUTCH, Mr. ROSKAM, Mr. SMITH of New Jersey, Mr. ENGEL, and Ms. GRANGER):

H.R. 672. A bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LUETKEMEYER (for himself, Mr. GRAVES of Missouri, Mr. DUNCAN of South Carolina, and Mr. GOSAR):

H.R. 673. A bill to prohibit United States contributions to the Intergovernmental Panel on Climate Change, the United Nations Framework Convention on Climate Change, and the Green Climate Fund; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself, Mr. ALLEN, Mr. ROE of Tennessee, Mr. BRAT, and Mr. GOHMERT):

H.R. 674. A bill to require each agency to repeal or revise 1 or more existing regulations before issuing a new regulation, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY:

H.R. 675. A bill to amend the Internal Revenue Code of 1986 to expand the coverage of qualified tuition programs and increase the limitation on contributions to Coverdell education savings accounts; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. HUFFMAN, Ms. LEE, Ms. CLARK of Massachusetts, Mr. CLAY, Mr. CLYBURN, Mr. COHEN, Mr. CUMMINGS, Mr. ELLISON, Mr. ENGEL, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. TED LIEU of California, Ms. NORTON, Mr. POCAN, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. TAKANO, Ms. KAPTUR, Mr. JEFFRIES, Mr. LEWIS of Georgia, Mr. TONKO, Mr. THOMPSON of Mississippi, Ms. SCHAKOWSKY, Mrs. WATSON COLEMAN, Mr. WELCH, Mrs. NAPOLITANO, Mr. BRADY of Pennsylvania, Mr. CARTWRIGHT, Ms. PINGREE, Mrs. LAWRENCE, Mr. GARAMENDI, Ms. LOFGREN, Mr. BLUMENAUER, Ms. KELLY of Illinois, Ms. CLARKE of New York, Mr. NOLAN, Mr. CLEAVER, Mr. HASTINGS, Ms. JUDY CHU of California, Mr. MCGOVERN, Mr. JOHNSON of Georgia, Mr. NADLER, Ms. JAYAPAL, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ADAMS, Mrs. BEATTY, Mr. AL GREEN of Texas, Mr. DESAULNIER, and Ms. MOORE):

H.R. 676. A bill to provide for comprehensive health insurance coverage for all United States residents, improved health care delivery, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and

Means, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCSALLY (for herself, Mr. KING of New York, Mr. DONOVAN, and Mr. MCCAUL):

H.R. 677. A bill to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; to the Committee on Homeland Security.

By Ms. MCSALLY (for herself, Mr. BARLETTA, Mr. MCCAUL, and Mr. KING of New York):

H.R. 678. A bill to require an assessment of fusion center personnel needs, and for other purposes; to the Committee on Homeland Security.

By Mr. MEADOWS (for himself, Mr. GRAVES of Missouri, and Mr. RUSSELL):

H.R. 679. A bill to amend title 41, United States Code, to improve the manner in which Federal contracts for design and construction services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MEADOWS (for himself and Mr. JONES):

H.R. 680. A bill to prohibit accessing pornographic web sites from Federal computers, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MOONEY of West Virginia (for himself, Mr. JORDAN, Mr. OLSON, Mr. SESSIONS, Mr. HARPER, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. CHABOT, Mrs. NOEM, Mr. DAVIDSON, Mr. ABRAHAM, Mr. PALMER, Mr. YOUNG of Alaska, Mr. GROTHMAN, Mr. CARTER of Texas, Mr. SCHWEIKERT, Mrs. WAGNER, Mr. FRANKS of Arizona, Mr. MASSIE, Mr. MEADOWS, Mr. JOHNSON of Ohio, Mr. WEBER of Texas, Mr. PITTENGER, Mrs. BLACK, Mr. GOHMERT, Mr. LONG, Mr. MURPHY of Pennsylvania, Mr. MULLIN, Mr. YOHO, Mr. JENKINS of West Virginia, Mr. THOMAS J. ROONEY of Florida, Mr. MARINO, Mr. SAM JOHNSON of Texas, Mr. ADERHOLT, Mr. BUCSHON, Mr. POE of Texas, Mr. LAHOOD, Mr. KING of Iowa, Mr. MITCHELL, Mr. DUNCAN of Tennessee, Mr. FORTENBERRY, Mr. LUTKEMEYER, Mr. LATTA, Mr. LAMBORN, Mr. BARLETTA, Mr. PALAZZO, Mr. JONES, Mr. ALLEN, Mr. LABRADOR, Mr. CRAMER, Mr. ROTHFUS, Mr. FLEISCHMANN, Mr. HULTGREN, Mr. BRADY of Texas, Mr. GOSAR, Mr. ROE of Tennessee, Mr. BARTON, and Mr. PETERSON):

H.R. 681. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person; to the Committee on the Judiciary.

By Mr. MULLIN (for himself, Mr. RUSSELL, and Mr. GROTHMAN):

H.R. 682. A bill to amend titles XIX and XXI of the Social Security Act to eliminate the CHIP maintenance of effort requirement and to eliminate DSH cuts for States not implementing the ACA Medicaid expansion; to the Committee on Energy and Commerce.

By Mr. NOLAN:

H.R. 683. A bill to require pipelines regulated by the Secretary of Transportation to be made of steel that is produced in the United States and originates from iron ore and taconite mined and processed in the United States, for safety, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALAZZO (for himself, Mr. PALMER, Mr. WEBER of Texas, and Mr. HARPER):

H.R. 684. A bill to prohibit recovery of damages in certain wrongful birth and wrongful life civil actions, and for other purposes; to the Committee on the Judiciary.

By Mr. PASCRELL (for himself, Mr. SWALWELL of California, Ms. NORTON, Ms. BROWNLEY of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PALLONE, Mr. KIND, and Mr. LARSON of Connecticut):

H.R. 685. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself and Mr. WELCH):

H.R. 686. A bill to ensure appropriate spectrum planning and interagency coordination to support the Internet of Things; to the Committee on Energy and Commerce.

By Mr. PAYNE (for himself, Mr. THOMPSON of Mississippi, and Mr. DONOVAN):

H.R. 687. A bill to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes; to the Committee on Homeland Security.

By Mr. POLIS (for himself, Mr. TIPTON, and Mr. LAMBORN):

H.R. 688. A bill to adjust the boundary of the Arapaho National Forest, Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. POLIS (for himself, Mr. TIPTON, and Mr. LAMBORN):

H.R. 689. A bill to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. RICHMOND:

H.R. 690. A bill to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes; to the Committee on Homeland Security.

By Mr. ROKITA (for himself, Mr. MESSER, and Mr. GOWDY):

H.R. 691. A bill to expand opportunity through greater choice in education, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. JONES, Mrs. WAGNER, Mr. HULTGREN, Mr. FRANKS of Arizona, Mr. DIAZ-BALART, Mr. ROE of Ten-

nessee, Mr. DUNCAN of South Carolina, Mr. WALBERG, Mr. RATCLIFFE, Mr. SHIMKUS, Mr. KELLY of Pennsylvania, Mr. BRADY of Texas, Mr. BARLETTA, Mr. KELLY of Mississippi, Ms. FOXX, Mr. LAMBORN, Mr. CURBELO of Florida, Mr. JORDAN, Mr. YOHO, Mr. PEARCE, Mr. ADERHOLT, Mr. HENSARLING, Mr. COLLINS of Georgia, Mr. DUNCAN of Tennessee, Mr. JOHNSON of Ohio, Mr. HUDSON, Mr. MOONEY of West Virginia, Mr. LATTA, Mr. ROTHFUS, Mr. HUIZENGA, Mr. OLSON, Mrs. BLACKBURN, Mr. FARENTHOLD, Mr. GROTHMAN, Mr. POE of Texas, Mr. LAMALFA, Mr. MESSER, Mr. CHABOT, and Mr. AMASH):

H.R. 692. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. ROSS:

H.R. 693. A bill to amend the Employee Polygraph Protection Act of 1988 to provide an exemption from the protections of that Act with regard to certain prospective employees whose job would include caring for or interacting with children; to the Committee on Education and the Workforce.

By Mr. ROUZER (for himself, Mr. JONES, Mr. CRAWFORD, Mr. GROTHMAN, Mr. KELLY of Pennsylvania, Mr. DUFFY, Mr. DUNCAN of Tennessee, Mr. ALLEN, Mr. HUIZENGA, Mr. O'HALLERAN, Mr. MOONEY of West Virginia, and Mr. LATTA):

H.R. 694. A bill to repeal the Environmental Protection Agency's most recent rule for new residential wood heaters; to the Committee on Energy and Commerce.

By Mr. SCHIFF (for himself, Mr. BISHOP of Michigan, Ms. JACKSON LEE, Mr. WALBERG, Mrs. WALORSKI, Mr. LANGEVIN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. WELCH, Mr. TROTT, Mr. CONYERS, Mr. CONNOLLY, Mr. CICILLINE, Mr. TED LIEU of California, Mr. TIPTON, Ms. PINGREE, Mr. DESAULNIER, Mr. VELA, Mr. SWALWELL of California, Mr. SENSENBRENNER, Mr. MOOLENAAR, Mr. PAYNE, Mr. TAKANO, Mr. CARTWRIGHT, Mr. SOTO, Mr. YOUNG of Iowa, Mrs. WAGNER, Mr. COSTELLO of Pennsylvania, and Mrs. DINGELL):

H.R. 695. A bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHRADER (for himself and Mr. MOULTON):

H.R. 696. A bill to prohibit any hiring freeze from affecting the Department of Veterans Affairs; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of Mississippi:

H.R. 697. A bill to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. TIPTON (for himself, Mr. POLIS, and Mr. LAMBORN):

H.R. 698. A bill to require a land conveyance involving the Elkhorn Ranch and the

White River National Forest in the State of Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. WALDEN (for himself and Mr. BLUMENAUER):

H.R. 699. A bill to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon; to the Committee on Natural Resources.

By Mrs. WALORSKI:

H.R. 700. A bill to amend section 552 of title 5, United States Code, to apply the requirements of the Freedom of Information Act to the National Security Council, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. WILSON of South Carolina (for himself and Mr. TED LIEU of California):

H.R. 701. A bill to direct the Administrator of the National Highway Traffic Safety Administration to conduct a study to determine appropriate cybersecurity standards for motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEUTCH (for himself, Mrs. BEATTY, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. BUSTOS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DEFAZIO, Ms. DELAURO, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ENGEL, Ms. ESHOO, Mr. ESPAILLAT, Ms. ESTY, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Mr. HIMES, Ms. KAPTUR, Mr. KEATING, Mr. KIHUEN, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LOEBSACK, Ms. LOFGREN, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Mr. MOULTON, Mr. NADLER, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PASCRELL, Ms. PELOSI, Ms. PINGREE, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Ms. ROYBAL-ALLARD, Mr. SARBANES, Mr. SCHRADER, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SIREN, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SUOZZI, Mr. SWALWELL of California, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Ms. WILSON of Florida, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Mr. SCHIFF, Mr. PERLMUTTER, Mr. WALZ, Mr. KENNEDY, Mr. SCHNEIDER, Mr. SOTO, and Mr. HUFFMAN):

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself and Mrs. McMORRIS RODGERS):

H.J. Res. 32. A joint resolution proposing an amendment to the Constitution of the United States to give States the authority to repeal Federal rules and regulations when the repeal is agreed to by the legislatures of two-thirds of the several States; to the Committee on the Judiciary.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JACK-

SON LEE, Mr. SARBANES, Mr. CONYERS, Ms. CASTOR of Florida, Mr. FRELINGHUYSEN, Mr. DANNY K. DAVIS of Illinois, Mr. COURTNEY, Mr. TAKANO, Mr. HIGGINS of New York, Mr. GALLEGO, Mr. CROWLEY, Mr. NADLER, Mr. CRIST, Mr. CONNOLLY, Mr. CLAY, Mr. CUMMINGS, Mrs. WATSON COLEMAN, Mr. DENT, Ms. LOFGREN, Mr. GOTTHEIMER, Mr. HUFFMAN, Mr. THOMPSON of Mississippi, Mr. MCEACHIN, Mr. KIND, Ms. BLUNT ROCHESTER, Mr. JOHNSON of Georgia, Ms. SHEA-PORTER, Mr. WALZ, Ms. FUDGE, Mr. DESAULNIER, Mr. GRIJALVA, Mr. HASTINGS, Mr. RASKIN, Mr. JEFFRIES, Ms. KUSTER of New Hampshire, Ms. KELLY of Illinois, Mr. SCHIFF, Mr. BISHOP of Georgia, Mr. REED, Mr. LANCE, Mr. HOYER, Mr. DELANEY, Mr. LARSON of Connecticut, Mr. PALLONE, Mrs. DINGELL, Mrs. LOWEY, Mr. NORCROSS, Ms. MENG, Mr. LAWSON of Florida, Mr. DEUTCH, Mr. ESPAILLAT, Ms. CLARKE of New York, Mr. LARSEN of Washington, Mr. KEATING, Ms. ADAMS, Mrs. LAWRENCE, Ms. WILSON of Florida, Ms. MATSUI, Mrs. DAVIS of California, Ms. SÁNCHEZ, Mr. CICILLINE, Ms. BONAMICI, Ms. LEE, Mr. KILDEE, Ms. ESHOO, Mr. KENNEDY, Mr. MCGOVERN, Ms. NORTON, Miss RICE of New York, Mr. SWALWELL of California, Mr. ENGEL, Mr. SIREN, Mr. TED LIEU of California, Mr. POCAN, Ms. DEGETTE, Ms. TSONGAS, Mr. LYNCH, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. AGUILAR, Mr. CÁRDENAS, Ms. SCHAKOWSKY, Mr. BEYER, Mr. COOPER, and Mr. COHEN):

H.J. Res. 33. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BISHOP of Michigan (for himself, Mr. HUIZENGA, Mr. MOOLENAAR, Mr. WALBERG, Mr. TROTT, and Mr. MITCHELL):

H. Con. Res. 12. Concurrent resolution supporting the designation of the week of September 11 to September 17 as "Patriot Week"; to the Committee on Oversight and Government Reform.

By Mr. CONAWAY (for himself, Mr. GENE GREEN of Texas, Mr. ROGERS of Alabama, Mr. GROTHMAN, Mr. DAVID SCOTT of Georgia, Mrs. RADEVAGEN, Mr. COOK, Mr. RYAN of Ohio, Mr. BUCSHON, Mr. YODER, Mr. MASSIE, Mr. MOONEY of West Virginia, Mr. LONG, Mr. PALAZZO, Mr. DUNCAN of Tennessee, Mr. MESSER, Mr. SMITH of New Jersey, Mr. CRAMER, Ms. JENKINS of Kansas, Mr. PALLONE, Ms. HERRERA BEUTLER, Mr. MULLIN, Mr. HILL, Mr. JOYCE of Ohio, Mrs. WALORSKI, Mr. CRAWFORD, Mr. SCHRADER, Mr. JENKINS of West Virginia, Mr. DEFAZIO, Mr. KINZINGER, Mrs. WAGNER, Mr. FARENTHOLD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CALVERT, Mr. BLIRAKIS, Mr. ROGERS of Kentucky, Mr. POE of Texas, Mr. WOMACK, Mr. RUSSELL, Mr. PITTENGER, Mr. WEBER of Texas, Mr. LOEBSACK, Mr. SHIMKUS, Ms. STEFANIK, Mr. BUTTERFIELD, Mr. PEARCE, Mr. COMER, Ms. CASTOR of Florida, Mr. TURNER, Mr. VEASEY, Mr. WESTERMAN, Mr. HUDSON, Mr. DELANEY, Mr. FLORES, Mr. BARR, Mr. THOMPSON of Pennsylvania, Mr.

UPTON, Mr. SCHWEIKERT, Mr. LYNCH, Mr. COLLINS of New York, Mr. LOBRONDO, Mrs. NOEM, Mr. STIVERS, Mr. ALLEN, Mr. LATTA, Mr. BLUM, Mr. ABRAHAM, Mr. LUCAS, Mr. JORDAN, Mr. CHABOT, Mr. JOHNSON of Ohio, Mr. WILSON of South Carolina, Mr. BABIN, Mr. CARSON of Indiana, Mr. VALADAO, Mr. YOUNG of Alaska, Mr. TIBERI, Mr. LUETKEMEYER, Mr. BANKS of Indiana, Mr. GIBBS, Mr. LAMALFA, Mr. GUTHRIE, Mr. FRELINGHUYSEN, Ms. KAPTUR, Mr. BOST, Ms. WILSON of Florida, Mr. ELLISON, Mrs. HARTZLER, Mr. WALDEN, Mr. WALZ, Mr. LANCE, Mr. RODNEY DAVIS of Illinois, Ms. FOXX, Mr. HULTGREN, Ms. SEWELL of Alabama, Mr. AL GREEN of Texas, Mr. PASCRELL, Ms. BORDALLO, Mr. KILMER, Mr. ROKITA, Mr. GALLAGHER, Mr. EMMER, Mr. MCKINLEY, Mr. O'ROURKE, Mr. AMODEI, Mrs. DINGELL, Mr. KEATING, Mr. BISHOP of Georgia, Mr. STEWART, Mr. LAHOOD, Ms. KUSTER of New Hampshire, Mr. COLE, Mr. ROUZER, Mr. BRIDENSTINE, and Mr. SMITH of Nebraska):

H. Con. Res. 13. Concurrent resolution supporting the Local Radio Freedom Act; to the Committee on the Judiciary.

By Mr. GRIFFITH:

H. Con. Res. 14. Concurrent resolution establishing the Joint Ad Hoc Committee on Trade Responsibilities to develop a plan under which the functions and responsibilities of the Office of the United States Trade Representative shall be moved to the legislative branch in accordance with article I, section 8 of the Constitution of the United States, and for other purposes; to the Committee on Rules, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY:

H. Res. 56. A resolution electing Members to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. LIPINSKI (for himself, Mr. SMITH of New Jersey, Mr. BARLETTA, Mr. BISHOP of Michigan, Ms. BORDALLO, Mr. COURTNEY, Mr. DIAZ-BALART, Mr. EMMER, Mr. FASO, Mr. FITZPATRICK, Mr. FRELINGHUYSEN, Mr. GALLAGHER, Mr. GROTHMAN, Mr. JONES, Mr. JOYCE of Ohio, Ms. KAPTUR, Mr. KELLY of Pennsylvania, Mr. KING of New York, Mr. KING of Iowa, Mr. LAHOOD, Mr. LANGEVIN, Mr. LATTA, Mr. LUETKEMEYER, Mr. LYNCH, Mr. YARMUTH, Mr. MOONEY of West Virginia, Mr. PASCRELL, Ms. ROS-LEHTINEN, Mr. RYAN of Ohio, Mr. SABLON, Mr. SERRANO, Mr. SENSENBRENNER, Mrs. WAGNER, Mrs. DINGELL, Mr. TIBERI, Mr. CARTWRIGHT, and Mr. SOTO):

H. Res. 57. A resolution supporting the contributions of Catholic schools; to the Committee on Education and the Workforce.

By Mrs. ROS-LEHTINEN (for herself, Mrs. LOWEY, Mr. ROSKAM, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. DEUTCH, and Ms. GRANGER):

H. Res. 58. A resolution expressing the sense of the House of Representatives regarding unanswered questions into the fate of Raoul Wallenberg; to the Committee on Foreign Affairs.

By Mr. CROWLEY:

H. Res. 59. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. DENT (for himself, Mr. WALKER, Mr. HUIZENGA, Mr. THORNBERRY, Mr. RUSSELL, Mr. HUDSON, Ms. STEFANIK, Mr. LAMBORN, Mr. YOUNG of Iowa, Mr. FRANKS of Arizona, Mrs. WAGNER, Mr. FLORES, Mr. BLUM, Mr. GRIFFITH, Mr. TAYLOR, Mr. COLE, Mr. LAMALFA, Mr. CONAWAY, Mr. GIBBS, Mr. EMMER, and Mr. KING of New York):

H. Res. 60. A resolution expressing continued support for the special relationship between the United States and the United Kingdom and urging commencement of negotiations for the development of a North Atlantic Trade and Investment Partnership (NATIP) between the United States and the United Kingdom; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ESPAILLAT:

H. Res. 61. A resolution supporting the goals and ideals of a Juan Pablo Duarte Day; to the Committee on Oversight and Government Reform.

By Mr. FITZPATRICK:

H. Res. 62. A resolution prohibiting the placement of "Members Only" signs in the House of Representatives wing of the United States Capitol or in office buildings of the House of Representatives; to the Committee on House Administration.

By Ms. MENG (for herself, Mr. ROYCE of California, Ms. JUDY CHU of California, Mr. TAKANO, Mr. AL GREEN of Texas, Ms. LEE, Mr. TED LIEU of California, Mr. GRIJALVA, Mrs. CAROLYN B. MALONEY of New York, Mr. MCNERNEY, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Ms. SPEIER, Mr. VARGAS, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. CONYERS, Mr. PETERS, Ms. HANABUSA, Ms. GABBARD, Mr. CROWLEY, Mrs. DAVIS of California, Ms. TITUS, Ms. LOFGREN, and Mr. SCOTT of Virginia):

H. Res. 63. A resolution recognizing the cultural and historical significance of Lunar New Year in 2017; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SARBANES:

H.R. 20.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. DEFAZIO:

H.R. 617.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. LAMBORN:

H.R. 618.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CHABOT:

H.R. 619.
Congress has the power to enact this legislation pursuant to the following:

This legislation is enacted by Congressional Authority expressed in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POE of Texas:

H.R. 620.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. CHAFFETZ:

H.R. 621.
Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. CHAFFETZ:

H.R. 622.
Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. CHAFFETZ:

H.R. 623.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes

By Mr. VALADAO:

H.R. 624.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. AGULLAR:

H.R. 625.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18 of the United States Constitution.

By Mr. THOMPSON of Pennsylvania:

H.R. 626.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; and including but not solely limited to Article I, Section 8, Clause 14.

By Mr. CARTWRIGHT:

H.R. 627.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. RODNEY DAVIS of Illinois:

H.R. 628.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CONAWAY:

H.R. 629.
Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8 of the Constitution of the United States.

By Mr. COHEN:

H.R. 630.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. NOEM:

H.R. 631.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises . . .

By Ms. MENG:

H.R. 632.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. HARPER:

H.R. 633.
Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HARPER:

H.R. 634.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the U.S. Constitution granting Congress the authority to make laws governing the time, place, and manner of holding federal elections.

By Ms. SCHAKOWSKY:

H.R. 635.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United State

By Ms. SCHAKOWSKY:

H.R. 636.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7 of the Constitution

By Mr. PALMER:

H.R. 637.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CALVERT:

H.R. 638.
Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 and clause 18.

By Mr. ABRAHAM:

H.R. 639.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: to regulate commerce with foreign nations, and among the several states, and with Indian tribes.

By Mr. ALLEN:

H.R. 640.
Congress has the power to enact this legislation pursuant to the following:

Congressman Rick W. Allen (GA-12) states that Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Clause 3 of Section 8, Article 1 of the U.S. Constitution.

By Mr. ALLEN:
H.R. 641.
Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Article 1, Section 8, Clause 3 of the U.S. Constitution.

By Mr. BARLETTA:
H.R. 642.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. BARLETTA:
H.R. 643.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4
By Mrs. BLACK:

H.R. 644.
Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that provides conscience protections in accord with the 1st Amendment of the United States Constitution. Further, this bill creates a private right of action in federal court in accord with Clause 9 of Section 8 of Article I, of the United States Constitution. Similarly, this bill provides for preventing disbursement of all or a portion of certain Federal financial assistance in accord with Clause 1, Section 8 Article 1.

By Mr. BOST:
H.R. 645.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1.

By Mr. BUCHANAN:
H.R. 646.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 of the U.S. Constitution.

By Mr. CARSON of Indiana:
H.R. 647.
Congress has the power to enact this legislation pursuant to the following:

Clause 7 of section 9 of article I of the Constitution, Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Ms. CHENEY:
H.R. 648.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.

By Mr. COLLINS of New York:
H.R. 649.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CULBERSON:
H.R. 650.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 granting Congress the power to "promote the Progress of Science."

By Mr. CUMMINGS:
H.R. 651.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 [Page H5590]

By Mr. CUMMINGS:
H.R. 652.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 [Page H5590]
By Mr. CUMMINGS:

H.R. 653.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 [Page H5590]

By Mr. DEFAZIO:
H.R. 654.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. DONOVAN:
H.R. 655.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. DUFFY:
H.R. 656.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8
By Mr. DUFFY:

H.R. 657.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18
By Mr. ELLISON:

H.R. 658.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, Clause 3 and Clause 18.

By Mr. FARENTHOLD:
H.R. 659.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 3 and 18 of the United States Constitution

By Mr. GOSAR:
H.R. 660.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (the Spending Clause). The Supreme Court, in *South Dakota v. Dole* (1987), reasoned that conditions and limitations on funds were constitutional and within the power of Congress under the Spending Clause.

Article 1 Section 8 Clause 3 (Commerce Clause) If the matter in question is not a purely local matter (intra-state) or if it has an impact on inter-state commerce, it falls within Congress' power to "regulate commerce among the several states."

Article 1 Section 8 Clause 18 (the Necessary and Proper Clause) which grants Congress the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution of the United States, or in any Department or Officer thereof.

By Mr. GUTHRIE:
H.R. 661.
Congress has the power to enact this legislation pursuant to the following:

Article I Section 8:
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Ms. JENKINS of Kansas:
H.R. 662.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:
No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. JENKINS of West Virginia:
H.R. 663.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—Commerce Clause
By Mr. JOYCE of Ohio:

H.R. 664.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.

Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

By Mr. KEATING:
H.R. 665.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. KING of New York:
H.R. 666.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. KING of New York:
H.R. 667.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 of the Constitution

By Mr. LATTA:
H.R. 668.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 6
The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.

By Mr. TED LIEU of California:
H.R. 669.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, which grants Congress the power to declare war.

By Ms. LOFGREN:
H.R. 670.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Mrs. LOWEY:
H.R. 671.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Mrs. LOWEY:

H.R. 672.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. LUETKEMEYER:

H.R. 673.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8 of the Constitution.

By Mr. MCCAUL:

H.R. 674.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MCHENRY:

H.R. 675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. CONYERS:

H.R. 676.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. MCSALLY:

H.R. 677.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article 1, section 8, clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MCSALLY:

H.R. 678.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. MEADOWS:

H.R. 679.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1

By Mr. MEADOWS:

H.R. 680.

Congress has the power to enact this legislation pursuant to the following:

“The Congress shall have the Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or Department or Officer thereof”—Article 1, Section 8

By Mr. MOONEY of West Virginia:

H.R. 681.

Congress has the power to enact this legislation pursuant to the following:

This legislation makes clear that human life begins at the moment of conception and, therefore, the unborn are entitled to the same rights and protections afforded to all

American citizens under the U.S. Constitution. In affirming human life begins at conception, the unborn are granted the right to due process under Section 1 of the 14th Amendment which explicitly states, “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

The Life at Conception Act allows for constitutional protection for the unborn that they not “be deprived of life, liberty, or property, without due process of law” afforded under the 5th Amendment.

By Mr. MULLIN:

H.R. 682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NOLAN:

H.R. 683.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3

By Mr. PALAZZO:

H.R. 684.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PASCRELL:

H.R. 685.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PAULSEN:

H.R. 686.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PAYNE:

H.R. 687.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. POLIS:

H.R. 688.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States).

By Mr. POLIS:

H.R. 689.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States).

By Mr. RICHMOND:

H.R. 690.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. ROKITA:

H.R. 691.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I “Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States

By Ms. ROS-LEHTINEN:

H.R. 692.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ROSS:

H.R. 693.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5

By Mr. ROUZER:

H.R. 694.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the understating and interpretation of Commerce Clause, Congress has the authority to enact this legislation in accordance with Clause 3 of Section 8, Article 1 of the U.S. Constitution.

By Mr. SCHIFF:

H.R. 695.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Child Protection Improvements Act of 2017 pursuant to Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. SCHRADER:

H.R. 696.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII of the Constitution

By Mr. THOMPSON of Mississippi:

H.R. 697.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. TIPTON:

H.R. 698.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. WALDEN:

H.R. 699.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mrs. WALORSKI:

H.R. 700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution. "To provide for the common defense," "to raise and support Armies," "to provide and maintain a Navy," and "to make rules for the government and regulation of the land and naval forces."

By Mr. WILSON of South Carolina:

H.R. 701.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution, which gives Congress the power to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof " This legislation requires a study to determine regulations appropriate for the safety and security of automobiles in the United States. Nothing in this legislation shall be construed to restrict due process of the law as defined in Section 1, Amendment XIV of the U.S. Constitution.

By Mr. DEUTCH:

H.J. Res. 31.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and no state, without its consent, shall be deprived of its equal suffrage in the Senate.

By Mr. BISHOP of Utah:

H.J. Res. 32.

Congress has the power to enact this legislation pursuant to the following:

Article V

By Mrs. CAROLYN B. MALONEY of New York:

H.J. Res. 33.

Congress has the power to enact this legislation pursuant to the following:

Article V—Amendment. The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Appli-

cation of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 7: Mr. JOHNSON of Louisiana, Mr. HIGGINS of Louisiana, Mrs. ROBY, Mr. GRAVES of Georgia, and Mr. FRANKS of Arizona.

H.R. 24: Mr. SOTO, Mr. CARTER of Texas, Mr. FRELINGHUYSEN, Mr. JOYCE of Ohio, Mr. BIGGS, and Mr. ROUZER.

H.R. 36: Mr. TURNER, Mr. YOHO, Mr. JORDAN, Mr. RATCLIFFE, Mr. BRADY of Texas, Mr. HUNTER, and Mr. MARSHALL.

H.R. 37: Mr. YOHO, Mr. JORDAN, Mr. RATCLIFFE, Mr. BRADY of Texas, Mr. MARSHALL, and Mr. THOMAS J. ROONEY of Florida.

H.R. 38: Mr. FASO, Mr. SMUCKER, Mr. KUSTOFF of Tennessee, and Ms. TENNEY.

H.R. 44: Mr. DENHAM and Mr. CÁRDENAS.

H.R. 80: Mr. MULLIN, Mr. ZELDIN, Mr. NEWHOUSE, Mr. GROTHMAN, and Mr. DUNN.

H.R. 82: Mr. MULLIN.

H.R. 147: Mr. YOHO, Mr. JORDAN, and Mr. BRADY of Texas.

H.R. 161: Mr. NOLAN.

H.R. 184: Mr. SMUCKER, Mr. MARSHALL, and Mr. KRISHNAMOORTHY.

H.R. 217: Mr. HUNTER and Mr. WENSTRUP.

H.R. 233: Mr. NOLAN, Mr. GOHMERT, Mr. SOTO, and Ms. CLARK of Massachusetts.

H.R. 246: Mr. RICE of South Carolina, Mr. MCHENRY, Mr. GROTHMAN, Mr. COMER, Mr. REICHERT, Mrs. WAGNER, Mr. RODNEY DAVIS of Illinois, Mr. MITCHELL, Mr. SENSENBRENNER, Mrs. LOVE, Mrs. RADEWAGEN, Mr. SANFORD, and Ms. TENNEY.

H.R. 256: Mr. GOHMERT.

H.R. 257: Mr. COFFMAN, Mr. BACON, and Mr. WENSTRUP.

H.R. 275: Mrs. WAGNER and Mr. COSTELLO of Pennsylvania.

H.R. 299: Ms. MOORE, Mr. LOEBSACK, Mr. GRAVES of Missouri, Mr. KEATING, Ms. JENKINS of Kansas, Mr. CICILLINE, Mr. VARGAS, Ms. NORTON, Mr. LAHOOD, Mr. BABIN, Mr. SHERMAN, Mr. FASO, Mr. HUIZENGA, Mr. LUCAS, Mr. GUTIÉRREZ, Mr. UPTON, Mr. ROUZER, Mr. QUIGLEY, Mr. FORTENBERRY, Mrs. LOWEY, Mr. SMITH of Washington, and Mr. BISHOP of Michigan.

H.R. 301: Ms. PINGREE, and Ms. MCCOLLUM.

H.R. 305: Mrs. BUSTOS, Mr. PAYNE, and Ms. BARRAGÁN.

H.R. 308: Mr. PITTENGER.

H.R. 351: Mr. BUDD.

H.R. 354: Mr. MITCHELL.

H.R. 360: Ms. SCHAKOWSKY, Mr. HUFFMAN, and Mr. POLIS.

H.R. 367: Mr. DUNN, Mr. VALADAO, Mr. LUETKEMEYER, and Mr. LATTA.

H.R. 371: Ms. BARRAGÁN, Mr. BISHOP of Georgia, and Mr. KHANNA.

H.R. 372: Mr. BIGGS, Mr. LAMBORN, Mr. SANFORD, and Mr. GARRETT.

H.R. 373: Mr. FARENTHOLD, Mr. MARCHANT, Mr. WEBER of Texas, Mr. POE of Texas, Mr. OLSON, and Mr. SESSIONS.

H.R. 377: Mr. MARCHANT, Mr. ROKITA, Mr. GARRETT, Mr. LAMBORN, and Mr. LOUDERMILK.

H.R. 379: Mr. SOTO.

H.R. 380: Mr. OLSON.

H.R. 387: Mr. ALLEN, Mr. AMASH, Mr. BISHOP of Michigan, Mr. BLUMENAUER, Mr. BURGESS, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CLARK of Massachusetts, Mr. COHEN, Mrs. WATSON COLEMAN, Mrs. COMSTOCK, Mr. RODNEY DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. EMMER, Ms. GABBARD, Mr. GARAMENDI, Mr. GIBBS, Mr. GROTHMAN, Mr. HIMES, Mr. JONES, Mr. KILMER, Ms. KUSTER of New Hampshire, Mr. LAMBORN, Mr. LEVIN, Mr. LUETKEMEYER, Ms. NORTON, Mr. OLSON, Mr. POSEY, Mrs. RADEWAGEN, Miss RICE of New York, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. SANFORD, Ms. SCHAKOWSKY, Mr. SCHWEIKERT, Mr. SENSENBRENNER, Mr. SERRANO, Mr. SHIMKUS, Mr. TAKANO, Mr. TONKO, Mrs. WAGNER, Mr. WALKER, Mr. WENSTRUP, Mr. YOHO, Mr. YOUNG of Alaska, Mr. NOLAN, Mr. CURBELO of Florida, Mr. LOUDERMILK, Mr. SOTO, Mrs. DINGELL, Mr. POLIQUIN, Mr. BARTON, Mr. KATKO, Mr. GALLEGO, Ms. ESHOO, Mr. HASTINGS, Ms. TSONGAS, and Mr. MARSHALL.

H.R. 390: Mr. SCHWEIKERT and Mr. GROTHMAN.

H.R. 392: Ms. MATSUI, Mr. ELLISON, Mr. PASCHELL, Ms. MCCOLLUM, Mr. COFFMAN, Mr. POSTER, Mr. REICHERT, Ms. JENKINS of Kansas, Mr. KRISHNAMOORTHY, and Mr. LARSEN of Washington.

H.R. 399: Ms. LOFGREN.

H.R. 400: Mr. ROTHFUS, Mr. FARENTHOLD, and Mr. ABRAHAM.

H.R. 406: Mr. BISHOP of Michigan.

H.R. 409: Mr. BIGGS.

H.R. 411: Mr. ENGEL, Ms. KAPTUR, Ms. JENKINS of Kansas, Mr. KNIGHT, Mr. BYRNE, Mr. KILMER, Mr. LANGEVIN, and Mr. COLLINS of New York.

H.R. 463: Ms. KAPTUR, Mr. CICILLINE, Mr. SIREY, Mr. KEATING, Mr. WEBER of Texas, Mr. BILIRAKIS, Mr. PASCHELL, and Mr. SENSENBRENNER.

H.R. 464: Mr. ELLISON.

H.R. 475: Mr. ROUZER and Mr. JODY B. HICE of Georgia.

H.R. 476: Mr. BANKS of Indiana, Mr. BYRNE, Mr. GOODLATTE, and Mr. ROUZER.

H.R. 482: Mr. BIGGS.

H.R. 483: Mr. GARRETT.

H.R. 490: Mr. GOHMERT, Mr. BACON, and Mr. GARRETT.

H.R. 502: Mr. FASO, Mr. KING of New York, Mr. KATKO, Mr. POLIS, Mr. HECK, Mr. TAKANO, Ms. NORTON, Ms. MOORE, Mr. GARAMENDI, Mr. TONKO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KHANNA, Mr. CICILLINE, Mr. CONNOLLY, Mr. POCAN, Ms. JUDY CHU of California, Ms. DELBENE, Mr. BEYER, Ms. LEE, Mr. KEATING, Ms. KAPTUR, Mr. PERLMUTTER, Mr. LANGEVIN, Mr. PAL-LONE, Mr. WELCH, Mr. PETERS, Mr. BLUMENAUER, Mrs. NAPOLITANO, Mr. COHEN, Mr. TED LIEU of California, Mr. SOTO, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Ms. BROWNLEY of California, Ms. SHEA-PORTER, Mr. LOEBSACK, Ms. ESTY, Mr. SWALWELL of California, Ms. LOFGREN, Mr. MCGOVERN, and Mr. FORTENBERRY.

H.R. 505: Mr. BYRNE and Mr. EMMER.

H.R. 508: Mr. LANGEVIN and Mr. WALZ.

H.R. 512: Mr. LAUDERMILK, Mr. KNIGHT, and Mr. LANGEVIN.

H.R. 520: Mr. LABRADOR.

H.R. 523: Mr. TIBERI and Mr. SCHWEIKERT.

H.R. 534: Mr. POE of Texas.
H.R. 539: Mr. ROE of Tennessee and Mr. EMMER.
H.R. 547: Mr. JOHNSON of Georgia and Mr. WALZ.
H.R. 548: Mr. MARSHALL and Mr. BARR.
H.R. 559: Mr. BURGESS.
H.R. 564: Mr. BARR, Mr. BUDD, Mr. THOMPSON of Mississippi, Mr. TURNER, Mr. MOONEY of West Virginia, and Mr. KATKO.
H.R. 580: Mr. KILMER.
H.R. 585: Mr. DEFazio.
H.R. 589: Ms. LOFGREN.
H.R. 592: Mr. BARR, Mr. O'ROURKE, Mr. DESANTIS, Mr. ROUZER, Mr. ROE of Tennessee, and Ms. LOFGREN.

H.R. 598: Mr. POLIS.
H.R. 601: Mr. DONOVAN, Mr. ROYCE of California, Mr. ENGEL, Mr. SMITH of Washington, Mr. DENT, Ms. GRANGER, Ms. ROS-LEHTINEN, and Mr. MCCAUL.
H.R. 606: Mr. MCCLINTOCK.
H. Con. Res. 8: Mr. SEAN PATRICK MALONEY of New York and Mr. CUELLAR.
H. Res. 15: Ms. HERRERA BEUTLER, Mr. PANNETTA, Ms. BROWNLEY of California, Mrs. CAROLYN B. MALONEY of New York, Mr. YOUNG of Iowa, Mr. KING of New York, Mr. BLUMENAUER, Mrs. TORRES, Mr. LOEBSACK, Ms. VELÁZQUEZ, Mr. PERLMUTTER, Mr.

VALADAO, Mr. BARLETTA, Mr. LUETKEMEYER, Mr. TONKO, and Mrs. LOWEY.
H. Res. 28: Mr. LATTA, Ms. LOFGREN, Mr. KATKO, Mr. ENGEL, Ms. SLAUGHTER, Mr. TONKO, Ms. CLARKE of New York, Mrs. LOWEY, Mr. BILIRAKIS and Ms. KELLY of Illinois.
H. Res. 30: Mr. FOSTER, Mr. QUIGLEY, Ms. Bordello, Ms. GABBARD, Mr. SOTO, Mr. RODNEY DAVIS of Illinois, and Mr. FRELINGHUYSEN, Ms. NORTON, and Mr. TIPTON.
H. Res. 31: Mr. KING of New York, Mrs. LOWEY, Ms. SLAUGHTER, Mr. LANGEVIN, Ms. CLARKE of New York, Mr. ENGEL, Mr. KATKO, and Mr. LATTA.

EXTENSIONS OF REMARKS

HONORING BLAKE VANDEVER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Blake Vandever. Blake is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Blake has been very active with his troop, participating in many scout activities. Over the many years Blake has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Blake has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Blake Vandever for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMENDING UZBEKISTAN ON 25 YEARS OF INDEPENDENCE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to include in the RECORD an opinion piece written by our former colleague, the gentleman from American Samoa, Mr. Eni F.H. Faleomavaega, who was the first Asian-Pacific American in U.S. history to serve as Chairman of the U.S. House of Representatives' Foreign Affairs' Subcommittee on Asia, the Pacific, and the Global Environment, which had broad jurisdiction for U.S. policy affecting the region, including Central Asia. Mr. Faleomavaega also founded the Congressional Caucus on Central Asia, and his work continues to influence the region today.

2016 marked the 25th anniversary of Uzbekistan's independence from the Soviet Union. For some 15 years, it has been my privilege to work closely with the government of Uzbekistan in various capacities—as a Member of the U.S. House of Representatives' Committee on Foreign Affairs; as Chairman of the Foreign Affairs' Subcommittee on Asia, the Pacific, and the Global Environment; as Ranking Member; and as founder of the Congressional Caucus on Central Asia.

I am proud of Uzbekistan for the great progress it has made on its march to democracy, and I especially commend Uzbekistan on its recent presidential election as well as Mr. Shavkat Mirziyoyev on his victory. In an

act that demonstrated Uzbekistan's commitment to a transparent process, Uzbekistan invited about 300 international observers, including a full-scale election observation team from the Organization for Security and Cooperation in Europe (OSCE), to monitor the election, which was held on December 4, 2016 upon the passing of the late President Islam Karimov who served as Uzbekistan's president since independence. While every government, including the United States, has room for improvement, I am pleased that Uzbekistan's first election upon the passing of President Karimov was carried out peacefully and in accordance with Uzbekistan's constitution.

Following the September 11, 2001 terrorist attacks on the United States until now, Uzbekistan and the United States have built a broad-based relationship. During U.S.-led operations in Afghanistan, Uzbekistan provided the use of a military base to serve as a hub for combat and humanitarian missions and, later, permitted the U.S. to move equipment and supplies through Uzbekistan to Afghanistan in support of U.S. troops. In the past 25 years, our relationship has also grown in other ways, including economically, politically, and strategically.

In fact, Uzbekistan and the United States belong to a number of the same international organizations including the United Nations and the OSCE, as well as the International Monetary Fund and the World Bank. Uzbekistan is an observer to the World Trade Organization (WTO) and has attracted investment from Caterpillar, Coca-Cola, Lockheed Martin, Boeing, and so on.

From firsthand experience, I know Uzbekistan's accomplishments have been fast-paced, and I have recognized those accomplishments in the Congressional Record for historical purposes. As Uzbekistan continues to excel, I am reminded of these words from the late President Karimov who said that the people of Uzbekistan are "a creative people who deeply realize their identity, take pride of the fact that they live on sacred land and are the descendants of great ancestors, capable to subdue any peaks."

Uzbekistan is a land more than 2,500 years old. Its history is rich and deep, spanning far beyond its brief encounter with the Soviet Union. Its leaders—then and now—have sought for security and stability at home and abroad. And so, I wish President Mirziyoyev well as he assumes his duties. I have every reason to believe he will succeed for and on behalf of the people of Uzbekistan who have put their hope in him, especially the youth and women, who showed up at the polls to support his candidacy.

I thank my dear friends including Foreign Minister Abdulaziz Kamilov who previously served as Uzbekistan's Ambassador to the United States, and Senator Sadiq Safoyev who once served as Foreign Minister as well as former Ambassador to the United States and currently as Chairman of the Foreign Political Affairs Committee of the Senate of the Oliy Majlis of the Republic of Uzbekistan. I commend them for their hard work in developing stronger U.S.-Uzbekistan relations, and for dedicating their lives in service to their country.

I also commend Uzbekistan's Ambassador to the United States, H.E. Bakhtiyar Gulyamov, and Uzbekistan's former Ambassador to the United States, H.E. Ilhom Nematov, as well as the many other leaders in Uzbekistan who have contributed to building an independent nation.

I join with the people of Uzbekistan in celebrating 25 years of independence, and it is my sincere hope that Uzbekistan, like all freedom-loving nations, will hold these truths to be self-evident—"that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

RECOGNIZING THE 10TH ANNUAL 'HEALTH FOR HUMANITY YOGATHON'

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. FOSTER. Mr. Speaker, I rise today to recognize Hindu Swayamsevak Sangh's tenth annual "Health for Humanity Yogathon" or "Surya Namaskar Yajna." Surya Namaskar integrates simple yoga postures in 10-steps that, along with teaching easy breathing techniques, can provide immense health benefits to both the body and the mind.

Each year, Hindus worldwide celebrate January 14th as Makar Sankranti—a day that marks the change of season as the sun enters the sign of Capricorn or Makar. To mark this occasion, Hindu Swayamsevak Sangh has organized the "Yoga for Health, Health for Humanity" Yogathon from January 14, 2017–January 29, 2017. The 16-day event will raise awareness about yoga and its advantages in achieving a healthy body, mind, and spirit.

Hindu Swayamsevak Sangh is a voluntary, non-profit, social and cultural organization, which aims at preserving and passing on the Hindu heritage and cultural values to the next generation of Hindus and raise awareness around the world.

Mr. Speaker, I ask my colleagues to join me in celebrating the 10th annual Health for Humanity Yogathon.

HONORING CHIEF WILLIAM G. FRAHER

HON. BILL PASCHELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. PASCHELL. Mr. Speaker, I would like to call to your attention the outstanding achievements of Chief William G. Fraher as he prepares for his retirement today as Chief of Police from the Paterson Police Department.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Chief William Fraher is an Alumnus of Rutgers University, where he received his Bachelor's Degree in Political Science and Government. Chief Fraher then went on to receive his Master's Degree from Rutgers University in Public Policy Analysis. He is also a member of Pi Sigma Alpha, the National Police Honor Society.

Chief Fraher was appointed to the Paterson Police Department in January of 1975. He has served my hometown of Paterson for over 42 years.

It came with no surprise that on February 1, 2012 William G. Fraher was appointed Acting Chief of Police for the City of Paterson, where he has lead the men and women of the Paterson Police Department in the third largest city in the State of New Jersey. Chief Fraher makes it a point to work with the Police Director, Administration and community activists to make the City of Paterson more safe and secure.

Under Chief Fraher, the Paterson Police Department became the largest accredited municipal agency. His dedication to the job and the city has resulted in numerous accomplishments, including being a founding partner in the development of CORESTAT, a law enforcement partnership within the Passaic River corridor, which includes police departments from Bergen County, Hudson County, Passaic County, Essex County, and the NJ State Police. His presentations at the International Association of Chiefs of Police (IACP) have encompassed numerous affiliations with the Academy of Criminal Justice Sciences (ACJS), American Society of Criminology (ACS), and the Integrated Justice Information Systems Institute (IJIS). Currently, Chief Fraher is an adjunct professor at John Jay College of Criminal Justice in New York City.

Today, I take pride in recognizing and commemorating the achievements of an extraordinary individual. Chief William G. Fraher is a man of exceptional character and is truly deserving of this esteemed acknowledgement. Chief Fraher is very well respected by all law enforcement officials throughout the tri-state area and beyond. I am forever grateful for the service, dedication, and the security Chief Fraher has provided to my hometown of Paterson.

Mr. Speaker, I ask that you join our colleagues, family and friends, all those whose lives he has touched, and me, in recognizing the work of Chief William G. Fraher's years of service, dedication, and excellence to the City of Paterson.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 60 and 61 on Monday, January 23, 2017. Had I been present, I would have voted "Yea" on roll call votes 60 and 61.

HONORING GARETT OLSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Garrett Olson. Garrett is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Garrett has been very active with his troop, participating in many scout activities. Over the many years Garrett has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Garrett contributed to his community through his Eagle Scout project. Garrett sorted the clothing inventory and the restored the drop-off shed at the Better Living Center in Macon, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Garrett Olson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MITCH MORRISSEY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and congratulate Mitch Morrissey as he completes his tenure as the Denver District Attorney. I would also like to thank Mitch's wife, Maggie, for lending her husband to the Denver community for so many years. During his time in office, Mitch made it his mission to protect the public, advocate for victims of crime, and respect the rights of the accused. He worked tirelessly to promote stronger relations between law enforcement and the Denver community.

For 11 years, Mitch has been the chief prosecutor for the Second Judicial District. Prior to his election, he worked in the Denver District Attorney's office for 20 years, 10 of which he served as the Chief Deputy D.A. In his role as D.A., Mitch was responsible for thousands of felony and misdemeanor prosecutions each year, supervising over 70 attorneys and 120 staff members, all while prioritizing victims' needs. Mitch led an invaluable team of Victim Advocates with a particular focus on those in under-served areas and communities. He is nationally known for his expertise in DNA technology, applying it in criminal prosecutions and working to ensure DNA science is admissible in our courtrooms. In addition, Mitch's relationship with and support for Colorado's law enforcement community has been exceptional. Thanks to his hard work, Mitch is also the recipient of numerous awards, including "Prosecutor of the Year," by the Colorado District Attorneys Council and the "Patriot Award," by the Employer Support of the Guard and Reserve.

Mitch is also a true son of Colorado. He is a Denver native, a graduate of the University of Denver College of Law, the University of Colorado at Boulder, and Mullen High School.

I congratulate Mitch for his achievements. I applaud his dedication, leadership, and commitment to justice for Colorado's citizens. I am proud of the work he has accomplished and wish him all the success and happiness in the years to come.

PERSONAL EXPLANATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. REICHERT. Mr. Speaker, due to an illness I was unable to vote on the following: Roll call No. 60 Roll call No. 61

Had I been present, I would have voted yes.

CONGRATULATIONS TO GOVERNOR
SONNY PERDUE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. WILSON of South Carolina. Mr. Speaker, recently, President Donald Trump selected former Georgia Governor Sonny Perdue to be Secretary of Agriculture.

President Trump correctly announced that, "From growing up on a farm to being governor of a big agriculture state, he has spent his whole life understanding and solving the challenges our farmers face, and he is going to deliver big results for all Americans who earn their living off the land."

I am confident that Governor Perdue will be a positive advocate for the agricultural community. The dynamic agriculture industry of the district I represent is appreciated for its vital significance and extraordinary employment opportunities, and creating jobs.

Congratulations to Governor Perdue, his wife Mary Ruff, and their entire family on this tremendous honor. I look forward to working with his successor in this new position in the tradition of Governor Perdue's success as Governor of South Carolina's sister state.

In conclusion, God Bless Our Troops and may we never forget September 11th in the Global War on Terrorism.

ACKNOWLEDGING THE 75TH
BIRTHDAY OF CHARLES A. WEISS

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. KING of New York. Mr. Speaker, I am proud to rise today to acknowledge the 75th birthday of Charles A. Weiss, my friend and roommate from the University of Notre Dame Law School. Charlie Weiss is a true legal giant who continues to be an extremely active litigator with the renowned Brian Cave law firm.

A proud lifelong resident of Missouri, Charlie graduated Phi Beta Kappa from the University of Missouri before attending Notre Dame Law School where he was an editor of the Law Review and received his Juris Doctor degree in 1968.

During his distinguished legal career, Charlie has practiced in state and federal courts throughout the country, including 39 different federal district courts, 8 federal courts of appeals and the United States Supreme Court dealing with significant cases which include class actions, intellectual property, securities, antitrust and constitutional law. Charlie has also been active in local, state and federal bar associations serving in such key positions as President of the Bar Association of Metropolitan St. Louis, President of the Missouri Bar Association and a member of the House of Delegates and the Board of Governors of the American Bar Association, plus being on numerous ABA standing committees. Charlie has done much for the Notre Dame Law School, serving as President of the Notre Dame Club of St. Louis and President of the Notre Dame Law Association. In 2013, Charlie was the recipient of the Law School's Rev. Michael D. McCafferty C.S.C. Award.

Charlie's commitment to justice is demonstrated by his extensive pro bono work on behalf of indigent clients, most notably leading a team of lawyers to win the release in 2009 of an innocent man who had spent 17 years in prison for a murder he did not commit.

Charlie and his wife Susan are outstanding people who are proud parents and grandparents. As a friend and fellow Notre Dame graduate, I know that I speak for the countless people whose lives have been enriched by our association with Charlie Weiss in wishing him a very Healthy and Happy 75th Birthday and many more after that. Go Irish.

IN HONOR OF THE 80TH BIRTHDAY
OF JACK MCCONNELL

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the birthday of Jack McConnell. He will turn 80 on February 7th.

Jack was born on February 7, 1937, to John Richard and Mary Heath McConnell in Lee County, Alabama.

Jack graduated from Beauregard High School in 1956. He later attended Columbus Technical College in Columbus, Georgia.

He used his technical skills as a mechanic and machinist at Perfect Plastics, Ampex Corporation and Uniroyal-Goodrich. He retired from Uniroyal-Goodrich in 1992 after twenty one years of service. After retirement he pursued his life-long dream of becoming a cattle farmer.

He is a lifelong member of Hopewell United Methodist Church and currently serves as chairman of the Board of Trustees, a position he has held for many years.

He was elected and served on the Lee County School Board for 6 years. He is cur-

rently serving on the Board of Directors of the Lee County Cattlemen's Association and the ALFA Farmer's Federation Board of Directors.

Jack and his wife Carolyn reside in the Beauregard Community. They have six children, Jason McConnell, Judi McConnell, Jennifer Sanavitis, Norman Rudd, Rob Rudd and Angie Rudd and they have eleven grandchildren.

Mr. Speaker, please join me in recognizing the life and achievements of Jack McConnell and wishing him a happy 80th birthday.

HONORING CLARKE BLODGETT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Clarke Blodgett. Clarke is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Clarke has been very active with his troop, participating in many scout activities. Over the many years Clarke has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Clarke has mastered the bugle, led his troop as the Senior Patrol Leader, and earned the rank of Warrior in the Tribe of Mic-O-Say. Clarke also contributed to his community through his Eagle Scout project. Clarke built, installed and organized shelves inside a shed at Sacred Heart Church in Bevier, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Clarke Blodgett for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE SS "EXODUS 1947"

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. SARBANES. Mr. Speaker, I rise today to recognize the extraordinary events surrounding the SS *Exodus 1947*, to which a historic memorial will be dedicated in the Port of Haifa in Israel this coming July.

The SS *Exodus 1947*, originally known as the *President Warfield*, was a passenger ship operating on the "Old Bay Line" between Baltimore, MD and Norfolk, VA. The ship served in that role for nearly 15 years before being repurposed during World War II, when it served both the Royal Navy and the United States Navy. Following the war, the ship returned to the U.S. and was placed in the Naval Reserve Fleet in Virginia, where it was to be sold for scrap.

Before the ship could be scrapped it was sold to the Haganah, the precursor to the Israel Defense Forces. The Haganah intended to use it, amongst 9 other ships, to evacuate displaced Jews from Europe to what was then

Palestine, at the time under British Control. Before undertaking this mission the ship was towed to Baltimore, where it was refitted and crewed, primarily by volunteer Jewish-American ex-soldiers.

Once in Europe, the ship originally designed for 400 passengers was loaded with 4,454 Holocaust survivors and departed from the French Port of Sète. The ship was intercepted in international waters by a task force of eight British Naval vessels and was boarded by Royal Marines. While the unarmed crew and passengers fought back with whatever could be turned into weapons, they were eventually overwhelmed and taken back to France and then to displaced persons camps in Germany on British prison ships.

The events on the *Exodus* garnered international media attention and are considered by historians to have played a role in the passage of United Nations Resolution 181, which established the State of Israel. The mayor of Haifa in 1950 dubbed the *Exodus* the "Ship that Launched a Nation."

Memorials and historical markers for the *Exodus* have been placed in the Baltimore Harbor, as well as France and Germany. I am proud of the small role that Baltimore played in these historic events and also commend the work of my constituent, Dr. Barry S. Lever, with the Jewish American Society for Historic Preservation to dedicate a memorial to the *Exodus* in Israel, and I congratulate them on their successful efforts.

SAN BERNARDINO SHERIFF'S CAPTAIN SAM LUCIA RECEIVES PROMOTION

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding public service of outgoing Victorville Sheriff's Station Captain Sam Lucia, who has spent 13 of his 27 years in law enforcement servicing the people of Victorville, California. His departure from the Victorville station is due to his promotion to lead the San Bernardino County Sheriff's Department Employee Resources Division.

On behalf of the U.S. House of Representatives, I would like to thank Captain Sam Lucia for his tireless work and dedication to the residents of the high desert. It has been a pleasure to work with him over the years, but I know he will continue to excel in his new role with the San Bernardino County Sheriff's Department.

PERSONAL EXPLANATION

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mrs. BUSTOS. Mr. Speaker, on January 23, 2017, a series of votes were held. I was not present because bad weather caused my flight to be cancelled, and I arrived too late to vote.

Had I been present for these roll call votes, I would have voted Yes on Roll Call 60, and Yes on Roll Call 61.

PERSONAL EXPLANATION

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. RUIZ. Mr. Speaker, due to weather conditions my flight was cancelled and I was unable to be present for votes on the House Floor on January 23, 2017.

Had I been present, I would have voted Yes on H.R. 423, the Anti-Spoofing Act of 2017, which will make it illegal to send false caller ID information to any individual in the United States via Voice-over-Internet (VoIP) calls or text messages. This prevents criminals from defrauding individuals via text or VoIP call services; and Yes on H.R. 582, the Kari's Law Act, which will require all multiline telephone systems to be able to dial 911 without having to dial any additional digits or area codes. This can save lives by ensuring that every phone can access an emergency dispatcher by simply dialing 911, regardless if another digit is typically required for outside calls.

PEACEFUL REGIME CHANGE IN
IRAN IS A MUST FOR PEACE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. POE of Texas. Mr. Speaker, in a little over two weeks, we will mark the 38th anniversary of the Iranian revolution. The 1979 revolution in Iran was supposed to herald a better future for the Iranian people. Instead, the revolution ushered in an age of repression, tyranny, and persecution.

For 38 years, the Iranian people have been living under one of the most brutal regimes in the world. This regime is a maniacal theocracy that wields an iron grip over its people.

The regime has been described by Human Rights Watch consistently as a "regional leader in executions." In 2015 alone, Iran executed approximately one thousand people with virtually no due process.

Iranian authorities announced in August 2016 that they had executed 20 prisoners found guilty of "enmity against God" which carries the death penalty.

Other crimes that can get you killed in Iran are "attempts against the security of the state," "outrage against high ranking officials," and insulting the Supreme Leader.

The Iranian regime routinely jails journalists, human rights defenders, and anyone who speaks out against the deplorable practices of the regime.

Once in jail, prisoners can expect to be tortured and abused. The State Department's Human Rights report claims that Iranian prisoners are commonly subjected to threats of rape, sexual humiliation, threats of execution, electroshocks, and severe beatings.

This is a sick tyrannical government that imposes its will on its people through brute force. The Iranian people have suffered immensely since 1979.

Unfortunately, since its founding the regime has also sought to "export the revolution," code for wreaking havoc abroad.

Iran's awful human rights record rivals only its long record of sponsoring terrorism throughout the world.

Iran remains the world's number one state sponsor of terrorism. In fact, Iran has only increased its support to terrorist groups in the past two years.

The regime uses its Islamic Revolutionary Guards Corps to implement its foreign policy goals and create instability throughout the Middle East. The IRGC cultivates and supports terrorists abroad in service of Tehran.

It provides financial assistance, weapons, and training to groups like Hezbollah in Lebanon, Palestinian terrorists Hamas and Islamic Jihad, Shia militants in Bahrain, and terrorist militias in Iraq.

Its support for these groups has helped Tehran's ally in Syria Bashar al Assad butcher over half a million of his own citizens.

But it doesn't just end there. Iran has a tacit agreement with al-Qaeda, allowing the terrorist group to move money, arms, and fighters through Iran since at least 2009.

On February 11 the clerics in Tehran will celebrate 38 years of oppressing the people of Iran.

On that day we should remember the many victims of this evil regime, both in Iran and across the world.

The Iranian people deserve better.

They deserve a democratic government whose priority is not to keep themselves in power no matter the cost but to improve the lives of the Iranian people.

And that's just the way it is.

HONORING DAVID BUTLER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize David Butler. David is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

David has been very active with his troop, participating in many scout activities. Over the many years David has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, David has led his troop as the Assistant Senior Patrol Leader, became a Brotherhood member of the Order of the Arrow, and earned the rank of Tom-Tom Beater in the tribe of Mic-O-Say. David has also contributed to his community through his Eagle Scout project. David built five wooden storage boxes to hold the seat cushions for the swings at Immacolata Manor, a home for adults with developmental disabilities in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending David Butler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF DEADLY FORCE
TRANSPARENCY ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. COHEN. Mr. Speaker, the fact that after the Michael Brown shooting in Ferguson, the Eric Garner killing in Staten Island, and so many other, similar tragic events around the country, we still don't have reliable statistics about when, where and against whom law enforcement uses deadly force is shameful.

Even FBI Director James Comey has said it is, "ridiculous that [he] can't tell you how many people were shot by the police last week, last month, last year."

If we are serious about addressing excessive force, we need to know the full scope of the problem. For example, how often is deadly force used? Are minorities disproportionately the victims? Could other, non-lethal measures have been taken?

That is why today I am introducing the National Statistics on Deadly Force Transparency Act. It would require collection of this type of information. Although a provision of the 1994 Crime Bill requires the Attorney General to collect statistics on the use of excessive force, there is no enforcement mechanism and the federal government has been unable to gather data from many local police departments. Since excessive force can be difficult to define, this bill would be limited to just instances where deadly force is used.

Specifically, this legislation would require any law enforcement agency receiving federal funds to provide data to the Department of Justice on when each instance of deadly force occurred, including the race and gender of both the victim and the officer involved. It would also require an explanation as to why law enforcement felt deadly force was justified and any non-lethal efforts that were taken before deadly force was used.

The Department of Justice would make this data publicly available but would not disclose any personally identifying information.

This is information the public should already have. The fact that we don't is absurd. I urge my colleagues to fix this problem and pass the Deadly Force Transparency Act without delay.

IN APPRECIATION OF JOHN
TENSEN'S SERVICE TO IDAHO
AND CITY OF BOISE

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. SIMPSON. Mr. Speaker, I rise today to thank John Tensen for his service to the State of Idaho and specifically the City of Boise. The

opportunity to work with John has been an absolute pleasure for me personally, and for my staff.

John started working for the City of Boise in 1986 and has served in several capacities ranging from Civil Engineer to Interim Public Works Director. For the last 14 years, John served as City Engineer which allowed him to directly oversee projects that we benefit from every day.

One initiative I was fortunate enough to work with John on, was the geothermal heat project which expanded to Boise State University in 2012. With John's expertise and the collaboration between Boise State, the Department of Energy, and the Department of Housing and Urban Development, 600,000 square feet of building space on campus is now heated with clean and affordable geothermal energy. It was an honor to work alongside John to make this possible.

Another project where John played a central role, was the recently completed Dixie Drain Project. In Idaho, water is life and even the smallest water issue can be fraught with complexities. That is why the Dixie Drain Project is considered a success, not only here in Idaho, but as an example the entire nation can look to when addressing water quality issues. Thanks to John's innovative engineering, the city was able to come up with a sound solution to divert the water from the drains into settling ponds to remove phosphorus which would enter back into the river system. While the project was far more intricate than this simple explanation, the underlying point is the same—John saved the city and ratepayers countless dollars with exceptional results. This is the ultimate example of federal, state, and local partnership and would not be possible without John.

There are many more projects that highlight John's incredible work. We all know these sites including the Boise Whitewater Park where technicians shape the perfect wave during the summer and the brand new Esther Simplot Park that is truly a gem for the city. However, what is equally impressive to his legacy here in Boise is what he plans to do after.

This fall, John will follow his family to Belize where his son-in-law's foundation, Restoration Smile, will provide dental and oral surgeries to patients that need it most. However, John will make the journey so the local communities can draw on his expertise in the areas of water quality and sewer systems. John certainly has earned a quiet retirement, yet his ambition compels his desire to continue serving and for that, we are all grateful.

My staff and I consider it an honor to have worked with John Tensen. His institutional knowledge and creative engineering are a legacy to the City of Boise and we are touched by his work. I wish him and his family the best in retirement and I hope he finds time to watch his beloved Oregon State Beavers alongside his family of Julie, Kristyn, Cole, Brad, Oliver and Max.

I am proud to honor John's service and look forward to staying in touch with him and his family.

TRIBUTE TO THE DIRECTOR OF THE ALDEN B. DOWN MUSEUM OF SCIENCE AND ART BRUCE WINSLOW

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. MOOLENAAR. Mr. Speaker, I rise today to pay tribute to Bruce Winslow, the Director of the Alden B. Dow Museum of Science and Art, upon his retirement.

Bruce was born and raised in Midland and has kept his heart in his hometown. After graduating from CMU he went on to attend the Pratt Institute in Brooklyn, New York, where he honed his skills as an artist. After graduating in 1988, he found employment at the Midland Art Council, which later became the Alden B. Dow Museum of Science and Art.

When starting his career he was the Coordinator of Public Relations for nine years, became the Curatorial Director and quickly after that the Director of the Museum. Since he took the helm in 1997, Bruce has taken the museum in many rewarding directions that have brought interest back into museum from unconventional museum goers. He has helped many see how science and art play a vital role in everyone lives. Now, during his final days as director, the museum is holding a new exhibit just for him, "35 Years: The Bruce Winslow Retrospective." It is to celebrate his life in the arts, his family and his career.

Bruce has been especially helpful to Michigan's Fourth District, ensuring its participation in the Annual Congressional Art Competition for many years. During that time, not only has Bruce built an exhibit to showcase the artists' work from throughout the district, but he has also served as an integral member of the Art Competition Committee as a judge, helping select the piece to be displayed in the United States Capitol building. He also has given of his time and talents to help coordinate a special ceremony to honor all of the participants.

On behalf of the Fourth Congressional District of Michigan, I am honored today to recognize Bruce Winslow for his lifetime of work in the arts and for his commitment to the people of Midland.

JACK STANTON

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. MESSER. Mr. Speaker, I rise today to honor a dear friend, Jack Stanton, who passed away last Friday in Anderson, Indiana.

Jack was born in Mishawaka, Indiana on November 3, 1935. He served in the U.S. Army, the U.S. Navy, and dedicated fifty-five years of his life to the Indianapolis Life Insurance Company. He was known by his colleagues as a hard worker, dependable teammate, and humble leader.

On a personal note, Jack Stanton was my friend. He was always quick with a smile and an encouraging word. And he was one of my

most trusted advisors on issues impacting the insurance industry. I will miss him.

He will be mourned most by those who knew him best, and he will be missed by all. Jack is survived by his wife of fifty-five years, Hattie Mae Stanton, his daughters Deborah Kay Coats and Wendy Lou Haines, his three grandsons Joseph David Haines, Daniel Jackson Haines, and Jessie Coats, his twin sister Janet Byer, his son-in-law R. Dean Coates, and many nieces and nephews to whom I give my deepest sympathies. Mrs. Stanton, your husband was a great man who had a profound impact on countless Hoosiers, and his life should be an inspiration to us all.

HONORING WILLIAM TRUITT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize William Truitt. William is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

William has been very active with his troop, participating in many scout activities. Over the many years William has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, William has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending William Truitt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING MS. SUE BRACK AS THE 2016-2017 WALTON COUNTY EDUCATIONAL SUPPORT PROFESSIONAL OF THE YEAR

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GAETZ. Mr. Speaker, I rise to recognize Ms. Sue Brack as the 2016-2017 Walton County Educational Support Professional of the Year. For almost three decades, Ms. Brack has served the Walton County School District with exceptional enthusiasm and an unwavering commitment to excellence.

In Northwest Florida, we are blessed with exceptional educational professionals and schools, as evidenced by the fact that Walton County School District is among the top performing school districts in the state.

Ms. Brack's contribution has been integral to the success of this district, working diligently to meet the requirement of high expectations, paramount to the mission of the District. As an incredibly knowledgeable Bookkeeper, Ms. Brack has admirably managed a multitude of budgets and projects for the District. Her colleagues have expressed their extreme gratitude for her many years of service. Ms.

Brack's innumerable skills and historical knowledge make her an invaluable and greatly appreciated resource.

Ms. Brack has also generously shared her expertise by serving as a mentor to new school bookkeepers. The guidance that she has provided throughout so many schools has been a significant contribution to the success of countless staff members and students. For all of these reasons and more, I am truly proud to have Ms. Brack as a constituent in Florida's First Congressional District.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Ms. Sue Brack for her accomplishments and her continued commitment to excellence at the Walton County School District. I thank her for her service and wish her all the best for continued success.

HONORING BISHOP FRANK OTHA
WHITE

HON. KATHLEEN M. RICE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Miss RICE of New York. Mr. Speaker, I rise today to speak in honor of Bishop Frank Otha White, who passed away on Friday after serving for many years as the Senior Pastor of Zion Cathedral Church of God in Christ in Freeport, NY.

Born in 1940 in Oakley, South Carolina, Bishop White moved with his family to Long Island as a child, and went on to become a pillar of the Freeport community. In 1971, while serving as Assistant Pastor, Bishop White was the driving force behind the construction of the Zion Cathedral Church, a beautiful place of worship that still graces the Freeport skyline and will long stand as a visible testament to Bishop White's leadership, faith, and commitment to the Church.

I knew and worked with Bishop White both in my current position, and when I served as the Nassau County District Attorney. He was, first and foremost, a man of God, a man who dedicated his life to bringing people together and helping them to find in themselves the same enduring faith that motivated his work. And he was a leader not only in the Church, but in the community. He was deeply committed to the pursuit of justice, and to helping those who are most in need and so often overlooked by our society—the homeless, the poor, the sick, the elderly. He was a powerful advocate for children and for education. He saw tremendous value in every human life, he recognized that every human being had something unique to contribute to the community, and he worked to make others see the same.

I feel blessed to have had the opportunity to know Bishop White and tremendously grateful for all that he did to strengthen the community in Freeport and beyond. I offer my prayers and deepest condolences to Bishop White's family and loved ones and to the entire Zion Cathedral congregation as they mourn his loss and celebrate his life. I pray that he will rest in peace, and that his memory will continue to inspire us all to act with love and commit ourselves to the pursuit of justice in our communities every single day of our lives.

PERSONAL EXPLANATION

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. RYAN of Ohio. Mr. Speaker, due to a medical emergency involving a member of my family, on January 9th, 10th, 11th, and 12th, 2017, I was unable to return to Washington, DC in time to cast my vote for roll call votes 24 through 54. Had I been present, my votes would have been the following:

Aye on roll call votes: 24, 25, 28 through 30, 34, 37 through 44, 46 through 50, 53.

Nay on roll call votes: 26, 27, 31 through 33, 35, 36, 45, 51, 52, 54.

HONORING JIM MUNSON

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. DONOVAN. Mr. Speaker, I rise today to honor Jim Munson, the former head coach of Tottenville High School's football team.

Throughout his 24 seasons as head coach, Coach Munson demonstrated nothing but unconditional dedication to his team and his players. His devotion to the game is just one of the many reasons that the Tottenville Pirates were so successful. Under his leadership, the Pirates won the Public Schools Athletic League City Championship in 1997 and 2003. Moreover, Jim retired with a stellar 178–88–3 overall record.

Among his many achievements, Coach Munson coached two future NFL players: three-time Super Bowl champion Joe Andruzzi, an offensive lineman for the New England Patriots, and Adewale Ogunleye, an All-Pro defensive end who played in Super Bowl XLI for the Chicago Bears. But one of Coach Munson's proudest moments was coaching his son James, who now plays for Navy as a safety, from 2011 through 2014. I am sure that Jim will spend a lot of time in retirement cheering on James from the sidelines. Luckily, the Pirates won't lose Jim entirely, as he will remain at the school as assistant principal and athletic director.

Mr. Speaker, Jim Munson has served his team, school and community for dozens of years. I thank him for everything he has done for Tottenville High School and wish him nothing but the best in his retirement.

HONORING JAMESON KING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jameson King. Jameson is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and

earning the most prestigious award of Eagle Scout.

Jameson has been very active with his troop, participating in many scout activities. Over the many years Jameson has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jameson contributed to his community through his Eagle Scout project. Jameson led a team of scouts in building a new sign for the historic Macon Presbyterian Church in Macon, Missouri, refurbishing the old sign and landscaping the north side of the building.

Mr. Speaker, I proudly ask you to join me in commending Jameson King for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR OF LAMP MAGNET HIGH
SCHOOL: A NATIONAL BLUE RIBBON
SCHOOL

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mrs. ROBY. Mr. Speaker, I rise today to honor Loveless Academic Magnet Program (LAMP) High School in Montgomery, Alabama upon its being named a National Blue Ribbon School in November of the year 2016.

LAMP Magnet High School is more than deserving of this recognition. The school is currently ranked as the best high school in the State of Alabama and the 34th best high school in the country according to U.S. News and World Report.

The school consistently maintains a 95 percent graduation rate though it is currently ranked by The Washington Post as one of the most challenging high schools in America.

LAMP is also to be commended for the strong emphasis it places on extracurricular activities, community involvement and service, and parent engagement.

The City of Montgomery is fortunate to have the exceptional educational opportunities that LAMP Magnet High School offers. The school truly makes Montgomery and the State of Alabama proud.

Mr. Speaker, it is my privilege to congratulate Loveless Academic Magnet High School on being named a National Blue Ribbon School and celebrate this outstanding accomplishment with its students, faculty, staff, alumni, and all who cherish this remarkable school.

IN HONOR OF NAVY FEDERAL
CREDIT UNION'S GROUND-
BREAKING CEREMONY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to share some very good news. Navy Federal Credit Union, the largest credit union in the world, has decided to significantly expand its

activities in the 10th Congressional District. After a groundbreaking ceremony on Tuesday, January 24th, the corporation will begin erecting a new office building and parking garage that will allow for the addition of 1,400 new employees, nearly doubling the size of its operations center in Frederick County which is in the western part of my District.

On behalf of my constituents in the Shenandoah Valley, I wish to express gratitude to the leadership of the corporation for the confidence it has placed in the hard-working people of the Shenandoah Valley and the county government whose policies have created an environment that is conducive to business growth.

Navy Federal Credit Union, whose corporate headquarters is in Vienna, Virginia, has been recognized as one of Fortune Magazine's 100 Best Companies to Work for in 2016. The company was founded in 1933 based on a "culture of service" and the 15,000 current employees take great pride in serving our nation's heroes, the current and retired men and women of our military and their families. In visiting the Winchester/Frederick County Operations Center, I was pleased to see the beautiful photos of our men and women in uniform and their families that adorn its hallways. I was also impressed by the many ways that the company provides for its employees, including a recreation center and shower facilities, a medical clinic staffed by a full-time Physician's Assistant and Nurse, and visiting professors from Lord Fairfax Community College who help further the employees' educational goals.

In conclusion, Mr. Speaker, I ask you and my colleagues to join me in congratulating and thanking Navy Federal Credit Union for excellent service to our national heroes and for hiring an increasing number of fellow Americans to provide this important service.

RECOGNIZING MS. KATHLEEN REDFERN AS THE 2016-2017 WALTON COUNTY TEACHER OF THE YEAR

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GAETZ. Mr. Speaker, I rise to recognize Ms. Kathleen Redfern as the 2016-2017 Walton County Teacher of the Year. For several years, Ms. Redfern has served the Walton County School District with exceptional passion and an unwavering commitment to serving others.

In Northwest Florida, we are fortunate to have some of the best teachers in the Nation. It is recognized that the teaching profession is one of the most difficult yet rewarding professions in existence. Ms. Redfern has exceptionally performed her teaching duties, while also striving to be an active and supportive member of her community.

Ms. Redfern is revered by her Principal and colleagues for her incredible kindness and positive attitude. She thoughtfully engages her students by employing interesting and exciting methods of focusing on their interests.

Her support and outreach extends far beyond the walls of her Kindergarten class through her sponsorship and involvement with the K-Kids Club, a Kiwanis Club program. Ms. Redfern has displayed remarkable leadership and dedicated teamwork through her outreach projects in her community. I commend her for her steadfast willingness to serve those that matter most, the students and youth of our Nation.

For all of her admirable contributions, I am truly proud to have Ms. Redfern as a constituent in Florida's First Congressional District.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Ms. Kathleen Redfern for her accomplishments and her commitment to excellence in the Walton County School District. I thank her for her service and wish her all the best for continued success.

MAKING OUR INFRASTRUCTURE SECOND TO NONE

HON. SUZAN K. DeLBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Ms. DELBENE. Mr. Speaker, I am honored to represent some of our nation's leading innovators in Congress, who are pioneering unprecedented improvements in manufacturing and infrastructure from Washington's First Congressional District. The exciting work being conducted by forward-thinking companies like Modumetal, a woman-owned business in Washington state, has the potential to lower the long-term costs of rehabilitating our roads and bridges while also making them safer and longer-lasting.

Christina Lomasney, co-founder of Modumetal, published an open letter to President Trump on January 6, 2017, highlighting the importance of performance-based standards as he begins to work with Congress on investments in our infrastructure. I am pleased to share her letter with my colleagues, as we look to develop infrastructure solutions that will allow us to get the best return on our investments.

President-elect Trump, on election night, you promised cheering supporters, "We're going to rebuild our infrastructure, which will become, by the way, second to none."

As we move from the script of campaigning to the act of execution, you may find a more challenging landscape than your statement belies. That's not because you won't endeavor to achieve nor that Congress won't collaborate with you to fund. But the challenge of bringing the United States back to a "top 10" infrastructure position in the world, much less number one, is one that many have tried and failed and that could, in present reality, undermine the solvency of our Nation.

In the span of the decade that precedes your Administration, we have fallen from 1st place in Global Competitiveness, according to the World Economic Forum, to between 3rd and 7th place. This has been attributed in great part to the decades-long decline in the viability and competitiveness of our national infrastructure. (We've not even been in the top 10 of transportation infrastructures for several years).

More to the point, to keep up with expected infrastructure decline, the American Society of Civil Engineers estimates we'll need to spend \$3.6 trillion just in the next five years. This estimate doesn't get us to 1st place, this just keeps us from failing further!

Why has this issue of infrastructure become such a burden to competitiveness and our deficit? For one thing, if we continue rehabilitating our infrastructure as we have, our Nation will be stuck installing and repairing infrastructure using outdated technology from the 1930s.

Today, through the Departments of Transportation at state and federal levels, the regulatory frameworks for materials of construction define requirements that, in most cases, were set several decades to almost a century ago. For a case in point, hot-dipped galvanizing, one of the most commonly used corrosion resistant coatings technologies in the world, was specified in 1928. This specification (ASTM A123) is still actively required by most state and federal DOTs around the country. Epoxy-coated rebar, considered a "new" and now widely specified technology, was finally specified for use in the 1970s, and that only after over 20 years of field trials and testing.

As these regulations are defined as a snapshot in time—focusing on how the materials are manufactured instead of how they should perform—new technologies that offer better performance and cost advantages can't currently qualify for major infrastructure programs. And, since it takes about 17 years to take a new technology through the regulatory specification cycle, most innovative technologies fail to ever reach beyond the test phase, much less to ever achieve full scale deployment.

Using these last-century manufacturing techniques means we have to use more metal and spend more, when more durable and safer innovation would work. It means that now and for the foreseeable future, infrastructure requires more frequent replacement or the possibility of major failure when degradation and corrosion set in.

Why is it so important we employ the best-available metals technology? Because corrosion is a quiet infrastructure killer. Corrosion degrades—sometimes catastrophically. When you read about bridge collapses and unsafe structures, think corrosion. Corrosion is a budget-buster—using lower quality metals which corrode quickly creates a ruinous cycle of more maintenance and faster required replacement of our infrastructure. The National Association of Corrosion Engineers pegs the direct cost of corrosion in the U.S. at over 4 percent of the Gross Domestic Product of our Nation.

Innovative companies across our Nation have answered the call to improve America's infrastructure by reinventing the metals industry. As an example, our nanolaminated metals—using a different manufacturing technique than traditional metals—corrode significantly less, are stronger and lighter, and can require less energy and materials to produce. At Modumetal, we have demonstrated structures that resist corrosion thirty times longer for the same basic cost as the currently-specified materials. This means our bridges could last hundreds of years instead of decades. The net result: safer, longer-lasting infrastructure for less money.

Mr. President-Elect, you have the opportunity now to work with Congress to approve legislation that incentives industries to use innovative materials of construction, based

on safer performance-based specifications. Such legislation could provide an incentive tax credit for technologies that extend the life and performance of our infrastructure, thus encouraging competition and adoption of best-performing, lowest-cost, state-of-the-art corrosion mitigation technologies for our Nation's infrastructure and industrial applications.

You don't have to accept the status quo, and I hope that our Government will work together to seek and take on the challenge of innovating, to achieve a national infrastructure that is second to none, at a price that will be sustainable for generations.

HOLOCAUST REMEMBRANCE DAY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. HIGGINS of New York. Mr. Speaker, Friday we commemorate Holocaust Remembrance Day. A day that was established by the Israeli Parliament in 1951, to coincide with the anniversary of the Warsaw Ghetto Uprising.

This is a time to mourn the millions of victims of the Holocaust. And it serves as an annual reminder to Americans, and indeed to all humanity, that we must never forget the evil that mankind has visited upon itself.

History must serve as a template to right the wrongs that humankind has committed. Famously said, those who do not learn from history are doomed to repeat it.

This week we must reflect on grave consequences of which vilifying individuals based on race, religion, ideology or sexual orientation could yield.

I encourage all those in Western New York and across the country to join in memorializing the victims of the Holocaust, in hope that a tragedy of this scale is never committed again.

HONORING REECE DWIGGINS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Reece Dwiggins. Reece is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Reece has been very active with his troop, participating in many scout activities. Over the many years Reece has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Reece earned the rank of Firebuilder in the Tribe of Mic-O-Say. Reece also contributed to his community through his Eagle Scout project. Reece sorted, filed and cataloged all of the choir, organ and piano music for his home church, Macon First Christian Church in Macon, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Reece Dwiggins for his accom-

plishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE TRANSITION-TO-SUCCESS MENTORING ACT

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. CARSON of Indiana. Mr. Speaker, I am introducing the Transition-To-Success Mentoring Act to help local education agencies prepare at-risk students for the transition from middle school to high school.

During middle school, studies show that many students struggle to balance priorities between school, peer groups and their lives at home. Research also indicates that school-based mentoring is an innovative supplement to the traditional learning that takes place in the classroom. Mentoring provides underserved and at-risk students with much needed attention and support to help keep them engaged in school. For these reasons, I am proposing the creation of the Transition-To-Success Mentoring Program. With this bill, students participating in the program will develop and execute a plan for academic progress with the assistance of a school faculty member or volunteer from the community.

RECOGNIZING ROSE BLACKWELL

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. REED. Mr. Speaker, I rise today to congratulate Rose Blackwell on her retirement and to recognize her outstanding career as City Clerk of Corning, New York.

Mrs. Blackwell was appointed City Clerk by Corning Mayor Daniel Killigrew in 1984 and worked in that capacity for over 30 years. She served through numerous changes in city government and clerked under eight city mayors. It was during my own time as Mayor of Corning that I came to recognize Mrs. Blackwell for her dedication and caring service to the people of our community.

Mrs. Blackwell completed training at Syracuse University, Maxwell School in 1993 and received the designation of Certified Municipal Clerk from the International Institute of Municipal Clerks in 1994. In 1996, she was appointed Registrar of Vital Statistics for Corning, New York, a responsibility she maintained alongside her duties as City Clerk to the end of her career.

I ask my colleagues to join me in commending Rose Blackwell for the dedication with which she served the citizens of her community and wishing her all the best in her well-earned retirement.

PERSONAL EXPLANATION

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. PAYNE. Mr. Speaker, I was not present for the following Roll Call votes. Had I been present, I would have voted "YEA" on Roll Call No. 60 (H.R. 423 Anti-Spoofing Act) and "YEA" on Roll Call No. 61 (H.R. 582—Karis Law Act).

TRIBUTE TO DR. RAYMOND GORDON KLOCKOW

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. ROKITA. Mr. Speaker, I rise today to honor a great Hoosier and my dear friend, Dr. Raymond Gordon Klockow who passed away January 13, 2017. Not only was he a constituent in my district, but he was also a good friend to our family and to our office. Most recently, he served as our county coordinator in Jasper County.

Gordon was born in South Bend, Indiana and graduated from South Bend Central High School in 1965. He then attended Purdue University and received a Bachelor of Science in 1970, graduated from the Loyola University School of Dentistry in 1974 with a Doctor of Dental Surgery, and completed his General Practice Residency at Berkshire Medical Center in 1975. That same year he moved to Rensselaer, Indiana and began practicing dentistry at the Clinic of Family Medicine.

Gordon took a lot of pride in his work. He practiced general dentistry in Rensselaer at the Clinic of Family Medicine from 1975–1983, Hillcrest Family Dental Center, P.C. from 1983–2011, and Sheets Medical Practice from 2014–2015. It was at his dental office where I first met Gordon. It seemed we talked for hours about my family's profession, dentistry. And of course we talked politics in that first meeting, and every conversation since. But talk from him of politics and American Exceptionalism in every conversation is not surprising to all who knew Gordon. He put a lot of care and dedication to the smiles of so many Hoosiers during the course of his career. Gordon himself was rarely ever seen without a smile on his face and it was infectious to those around him.

One of the many things I admired about Gordon was his servant's heart. He served as the Jasper County Coroner, a Jasper County Deputy Coroner, and a Newton County Deputy Coroner. He was board certified in Pain Management, Forensic Medicine, Forensic Dentistry, and as a Forensic Examiner. Gordon was also currently a managing partner of Ritz Cinema in Rensselaer where he took great pride in the service he provided for the community.

Some of my most vivid memories of Gordon were at the town hall meetings we have in our district. I frequently asked him to help us with the meetings, sometimes as a host and other

times as a participant in the reading of the Constitution. He was the perfect leader, in body and temperament, to do so. Gordon was the type of individual who always asked what he could do to help and would go above and beyond for anyone who needed him.

Gordon leaves Nancy, his beloved wife for over 27 years, three children, and seven grandchildren to carry on his legacy of service to fellow Hoosiers. Anyone who knew him well knows what a great loss his passing is for the community. Mr. Speaker, we lost a good one last week. He will be missed. Rest in peace Gordon, you will not be forgotten.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. BLUMENAUER. Mr. Speaker, had I been present for the vote on the passage of H.R. 423, the Anti-Spoofing Act (Roll Call No. 60), I would have voted "aye." This bill would expand prohibitions on "spoofing," the changing of a cell phone's identification in order to mislead the recipient of a call or a text message. Fraudulent calls and texts are on the rise, and Congress should update the tools that law enforcement can use to address and prevent lawbreakers.

Had I been present for the vote on the passage of H.R. 582, the Kari's Law Act (Roll Call No. 61), I would have voted "aye." This bill would require multiline telephone systems to allow direct emergency 911 calls without first dialing out of the system.

HONORING HODGSON RUSS, LLP
AS IT CELEBRATES ITS 200TH
ANNIVERSARY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I stand before you to recognize and honor Hodgson Russ, LLP as the firm celebrates its 200th Anniversary.

Hodgson Russ is not only Buffalo's oldest law firm, but the city's oldest continuously operating business, with roots dating back to 1817. The firm has played a pivotal role in the City of Buffalo's history and has been instrumental in the growth and expansion of the region.

One of the first independent law firms in the nation, it was founded in 1817 by Mr. Hodgson Russ. Today, the firm employs 208 attorneys and more than 275 staff members who continue to follow the same philosophies upon which Mr. Russ originally founded the firm.

The firm extends into industries such as health care, construction, life sciences, railroads, steel, banking, milling and manufacturing. It practices in areas that extend from business transactions and compliance to environment and energy, immigration, tax and real estate to name but a few. Since the firm's in-

ception, Hodgson Russ provides representation to its clients with the utmost respect and integrity.

Notably, Hodgson Russ has a long and substantial record shaping early Buffalo, producing notable attorneys that played key roles both locally as well as on a national stage.

The founder of Hodgson Russ's earliest predecessor firm, Mr. Asa Rice, played a key role in the completion of the western terminus of the historic Erie Canal project in 1825.

In 1832, partners Joseph Clary and Millard Fillmore drafted the first Buffalo city charter, playing a pivotal role in the city's municipal incorporation. A few years later, it was partner Nathan Hall who led the effort to create the Buffalo public school system, the first tuition-free, tax-supported public school system in the State of New York.

The Hodgson Russ legal family more than made its contribution in and around elective public office as well. In 1849, Millard Fillmore was sworn in as the 12th Vice President of the United States, and sixteen months later, upon the death of President Zachary Taylor, was inaugurated the 13th President of the United States. A few years later, Grover Cleveland joined the firm as a clerk and in 1859 was admitted to practice, after which he would, during the period 1870–1892, be successively elected Sheriff of Erie County, Mayor of Buffalo, Governor of New York and twice as President of the United States. The firm's role in the history books continues in 1901 when Hodgson Russ partner John Milburn played an instrumental role in bringing the Pan-American Exposition to Buffalo. A sad postscript: President William McKinley—wounded by an assassin's bullet at the Exposition—succumbs to his injuries at Mr. Milburn's home on Delaware Avenue, on the site where Canisius High School now stands.

While the firm honors its illustrious past, it remains focused on the future, providing emerging businesses and new industries with business-focused legal advice that contributes to the growth of our overall economy. The firm is also known for providing charitable contributions through their financial support of more than 250 organizations, as well as its work providing pro-bono legal services throughout local communities.

Mr. Speaker, thank you for allowing me a few moments to recognize and honor the Hodgson Russ Law Firm. I would also ask that my colleagues join me in congratulating Hodgson Russ, as they celebrate their Bicentennial with an event planned for Thursday, January 25, 2017 at their offices at the historic Guaranty Building, a National Historic Landmark designed by renowned architect Louis Sullivan. Hodgson Russ has produced leaders in Congress and the Court System, in the NYS Senate and Supreme Court. This local Buffalo firm produced a president of the World Bank and not one, but two Presidents of the United States. It is my distinct honor to join current president Rick Kennedy and the many partners, associates, clerks, and other members of the Hodgson Russ legal family as they celebrate this momentous occasion.

SOLIDARITY WITH AMERICANS
PARTICIPATING IN WOMEN'S
MARCHES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today in solidarity with the millions of Americans who participated in Women's Marches around the country on Saturday.

I attended the march in DC, and it was heartening to see such incredible enthusiasm.

According to Metro, the system has not seen crowds that large since Barack Obama's first inauguration.

But not even 72 hours after more than 500,000 mothers, daughters, husbands, and fathers descended onto our nation's capital in collective opposition to President Trump's appalling misogyny, the House majority has decided to double down on its anti-woman, anti-health care assault.

The only bill to be considered under a rule on the floor this short work week, H.R. 7, is yet another attempt by the majority to restrict a woman's right to choose and put Congress between a woman and her doctor.

As it cloaks itself in a complete state of denial about the message America sent them on Saturday, the House majority is taking its cue from President Trump.

The House majority and the White House seem bound and determined to ignore the powerful message sent by a protest march that no doubt shook the Eisenhower china.

COMMENDING KAZAKHSTAN ON 25
YEARS OF INDEPENDENCE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to include in the RECORD an opinion piece written by our former colleague, the gentleman from American Samoa, Mr. Eni F.H. Faleomavaega, who was the first Asian-Pacific American in U.S. history to serve as Chairman of the U.S. House of Representatives' Foreign Affairs' Subcommittee on Asia, the Pacific, and the Global Environment, which had broad jurisdiction for U.S. policy affecting the region, including Central Asia. Mr. Faleomavaega also founded the Congressional Caucus on Central Asia, and his work continues to influence the region today.

In 1991, Kazakhstan gained its independence from the Soviet Union. For some 15 years, I have been honored to work closely with the government of Kazakhstan in various capacities—as a Member of the U.S. House of Representatives' Committee on Foreign Affairs; as Chairman of the Foreign Affairs' Subcommittee on Asia, the Pacific, and the Global Environment; as Ranking Member; and as founder of the Congressional Caucus on Central Asia.

I am proud of Kazakshtan for the great progress it has made since independence, and I especially commend President Nursultan

Nazarbayev for his leadership on nuclear non-proliferation. Upon inheriting the world's fourth largest nuclear arsenal and the world's second largest test site from the Soviet Union after its collapse, President Nazarbayev voluntarily chose to dismantle and disarm with the help of U.S. assistance.

His act was both heroic and principled. For this, I have repeatedly called upon the Nobel Peace Prize Committee to recognize the deeds of President Nazarbayev as well as former Senators Sam Nunn and Richard Lugar, who co-authored the Cooperative Threat Reduction (CTR) program, which has contributed to world peace, in untold ways.

While I have no illusions about whether or not we can bring about a nuclear-weapons free world, I do have some thoughts because, like Kazakhs, Pacific Islanders share a similar history. From 1946 to 1958, the United States used the Republic of the Marshall Islands—a Micronesian nation of atolls and islands in the middle of the Pacific Ocean—as its Cold War nuclear testing ground, detonating 66 nuclear weapons including the first hydrogen bomb, or Bravo shot, which was 1,000 times more powerful than the bomb dropped on Hiroshima. Acknowledged as the greatest nuclear explosion ever detonated, the Bravo test vaporized 6 islands and created a mushroom cloud 25 miles in diameter.

The U.S. nuclear testing program in the Marshall Islands also set a precedent for France to use the islands of the Pacific for its own testing program after getting kicked out of Algeria where it conducted 17 nuclear tests from 1960–1966. To this day, radioactive material is still seeping out of the Sahara desert as a result of French nuclear testing.

Having been defeated in Algeria and emboldened by U.S. nuclear testing in the Pacific, France detonated approximately 218 nuclear devices in Moruroa and Fangataufa atolls in French Polynesia. Consequently, these islands also seep radioactive materials and are no longer inhabitable.

This is why I share President Nazarbayev's vision, especially as Kazakhstan has just celebrated its 25 years of independence. My position regarding this matter is no different than the position the United States took during a joint meeting between President Obama and President Nazarbayev on April 11, 2010 when President Obama noted that "the U.S. appreciates the leadership of President Nazarbayev and the contribution of Kazakhstan to nuclear disarmament and nonproliferation."

My position is also no different than the stance taken by former President George H.W. Bush, who welcomed President Nazarbayev to the White House and his son, President George W. Bush, who also welcomed President Nazarbayev to the White House and declared our commitment "to strengthen the long-term, strategic partnership and cooperation between our nations."

I thank Kazakhstan for all it has done to re-shape the world, post Cold-War, and I stand with President Nazarbayev as he champions nuclear disarmament among possessor states and prevents proliferation to new states.

In broader terms, I also commend Kazakhstan's Ambassador to the United States, H.E. Kairat Umarov for all he has done to strengthen the U.S.-Kazakhstan relationship. I have known him for nearly 15 years and I know firsthand of his tireless efforts to promote goodwill between Kazakhstan and the United States. His great work for and on behalf of our nations is deserving of inclusion in the Congressional Record for historical purposes, as his contributions are unparalleled.

I also commend Mr. Roman Vassilenko who now serves as Deputy Foreign Minister and previously served as Chairman for the Committee for International Information of the Ministry of Foreign Affairs of Kazakhstan, and also as Counselor for the Embassy of Kazakhstan to the United States. Like Ambassador Umarov, I have known Deputy Foreign Minister Vassilenko for nearly 15 years. I have watched his career soar as he has put his talents to use for the Republic of Kazakhstan. His impact in communicating Kazakhstan's policies to its citizens and communicating its foreign policy to international audiences and governments through digital diplomacy has been nothing short of revolutionary.

I also note the work of Mr. Aibek Nurbalin who I also met some 15 years ago when he worked as the Congressional Liaison for the Embassy of Kazakhstan to the United States, and later as Deputy Chief of Staff to the Secretary of State for the Republic of Kazakhstan. Mr. Nurbalin left no stone unturned in promoting the cause of Kazakhstan and in making certain that President Nazarbayev's policies and agenda were known and supported, especially in the U.S. Congress.

I have known many diplomats during the course of my service as a Member of Congress. Never have I known diplomats who worked harder on behalf of the Republic of Kazakhstan than Ambassador Umarov, Deputy Foreign Minister Vassilenko, former Deputy Chief of Staff Aibek Nurbalin, Secretary of State Kanat Saudabayev, and current Foreign Minister Erlan Idrissov. It was often said that Roman and Aibek were the left leg and the right leg of my dear friend, Kanat Saudabayev, when he served as Kazakhstan's Ambassador to the United States. If they were the legs, Ambassador Umarov was his heart. And, current Foreign Minister Idrissov is to be fully commended for taking the U.S.-Kazakh relationship to the next level, and beyond. His service, like the service of Ambassador Umarov and Secretary Saudabayev, is also unmatched.

On the occasion of the 25th anniversary of Kazakhstan's independence, I would be remiss if I did not publicly honor these outstanding diplomats for all they have done to help build an independent nation worthy of its place in the world community. I also cannot let this historic occasion pass by without once more commending President Nazarbayev for leading the way for a nuclear free world. As a Pacific Islander, it is my sincere hope that the world will follow his lead as we work together for this cause, which is good.

HONORING QUINN HALL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Quinn Hall. Quinn is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Quinn has been very active with his troop, participating in many scout activities. Over the many years Quinn has been involved with scouting, he has not only earned numerous

merit badges, but also the respect of his family, peers, and community. Most notably, Quinn has led his troop as the Patrol Leader, became a Brotherhood member of the Order of the Arrow, and earned the rank of Warrior in the tribe of Mic-O-Say. Quinn has also contributed to his community through his Eagle Scout project. Quinn constructed an octoball arena for his youth group at Liberty United Methodist Church in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Quinn Hall for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. BLUMENAUER. Mr. Speaker, days after hundreds of thousands of women marched in my hometown of Portland, Oregon and cities across the world, Congressional Republicans once again are seeking to limit women's access to safe reproductive health care. H.R. 7 is a sweeping ban on abortion coverage and another callous attempt to insert Congress into the most personal of conversations between a woman and her physician, and had I been present, I would have voted "no" on final passage of H.R. 7 (Roll Call No. 65).

This legislation comes on the same week we mark the 44th anniversary of the landmark Supreme Court decision, *Roe v. Wade* and the same week Donald Trump reinstated the global gag rule, or 'Mexico City policy,' which bans all foreign non-profits that receive U.S. aid from offering abortion-related services. H.R. 7 and the Mexico City policy are flawed and ineffective policies that will harm health and economic security of women around the world.

I have repeatedly voted against attempts to limit a woman's right to a safe and legal abortion. Once again, these actions by Congressional Republicans and the Trump-Pence Administration make it clear that the GOP does not care about the rights and autonomy of women anywhere, not just in the United States.

As we clearly saw this past weekend, Republicans have no mandate to take away women's basic rights. Women everywhere will continue to fight these harmful policies, and I will continue to be one of their strongest allies in this fight.

Had I been present for the Motion on Ordering the Previous Question, Roll Call Vote No. 62 I would have voted "no."

Had I been present, I would have voted "no" on H. Res. 55 (Roll Call Vote No. 63).

Had I been present, I would have voted "aye" on the Democratic Motion to Recommit (Roll Call Vote No. 64).

THE PACIFIC NORTHWEST
EARTHQUAKE PREPAREDNESS ACT

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2017

Mr. DEFAZIO. Mr. Speaker, today I am introducing the Pacific Northwest Earthquake Preparedness Act, a comprehensive bill to address the earthquake risk facing the Pacific Northwest.

The Pacific Northwest is at extraordinary risk of a magnitude 9.0 earthquake on the Cascadia Subduction Zone (CSZ) followed by a tsunami. The question is no longer if, but when, this event will occur.

The CSZ stretches from northern California up into British Columbia. Historically, the Cascadia Subduction Zone slips every 300 years or so causing major earthquakes. The last quake was in 1700 and evidence suggests it was a magnitude 8.7 to a 9.2. Thursday is the 317th anniversary of the last major Cascadia earthquake.

Experts agree that Oregon is due for another major earthquake. Some forecasts suggest there is a ten percent chance of a magnitude 8 to 9 quake on the CSZ in the next thirty years, while others predict a thirty-five to forty percent chance of a major quake on the south end of the CSZ in the next fifty years.

The Cascadia Subduction Zone is a minor image of the subduction zone off the coast of Japan that caused the magnitude 9.0 earthquake and triggered the devastating tsunami in 2011. That event caused an estimated \$300 billion in damages and killed over 15,000 people.

We can expect similar, if not more, damage in the Pacific Northwest and beyond. The United States Geological Service estimates

that over 22,000 people live in Oregon's tsunami inundation zone and even more enter the zone daily for employment purposes. The State of Oregon predicts thousands of deaths and injuries plus approximately \$32 billion in infrastructure and economic damages in Oregon alone. Hundreds of thousands of survivors will be displaced, some possibly for years.

The next big Cascadia quake will likely cause massive damage. Critical lifelines, such as power, natural gas, and petroleum lines, roads and bridges, water and sewer systems, buildings, and communication systems over large parts of California, Oregon and Washington will likely be damaged, complicating response and recovery efforts. It may take years to fully restore utility services. State and local economies will be decimated.

It is important to note that this is not just a Pacific Northwest issue, this is a National issue. Yes the impact of an earthquake and tsunami in the CSZ will be felt the most in Oregon and Washington, but there will be Nation-wide effects. Seismic shaking is expected to be felt as far as Sacramento, California. Most infrastructure in the United States as a whole has not been constructed to withstand seismic shaking of the magnitude that scientists predict has a high likelihood of occurring.

The national economy will be impacted by this event. Fortune 500 companies, such as Microsoft, Amazon, and Nike, are headquartered in Oregon and Washington. International ports used to export U.S. goods and to import foreign goods could be closed for months or longer. In fact, the ports of Portland, Oregon, and Seattle and Tacoma, Washington accounted for a combined 75 million tons of goods in 2012. Major highways and other thoroughfares used for interstate com-

merce will be damaged and rendered unusable.

This is not a question of if an earthquake will happen, only a matter of when. We need to start taking this threat seriously and begin to prepare for the event. There is a saying that "earthquakes don't kill people, buildings do." This means we need to start investing in the Nation's infrastructure to ensure it can withstand seismic activity and minimize potential damage and economic disruption.

My bill proposes to address the earthquake risk in several ways. First, the bill proposes to save lives, reduce injuries, and minimize infrastructure damage by requiring FEMA to prepare a plan to fund the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone. It also clarifies that FEMA may use hazard mitigation funds to improve the earthquake early warning system.

An early warning system can send alerts to trigger automatic shutdowns of trains, manufacturing lines, and close bridges. An earthquake early warning system worked during the 2011 Japan earthquake and it can work here.

An earthquake early warning system is only the first step though. The bill also directs the President to establish an Earthquake and Tsunami Task Force to develop a comprehensive strategy and recommendations on how the Nation should prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to an earthquake and tsunami in the CSZ. This will ensure that Federal, State, local, and tribal governments as well as individuals begin preparing now for a smarter response and recovery.

If we want to save lives and mitigate the damage, we cannot afford to wait. I urge my colleagues to join me in supporting this bill and taking the threat of a catastrophic earthquake seriously.

SENATE—*Friday, January 27, 2017*

The Senate met at 10 and 3 seconds a.m. and was called to order by the President pro tempore (Mr. HATCH).

ADJOURNMENT UNTIL MONDAY,
JANUARY 30, 2017, AT 3 P.M.

The PRESIDENT pro tempore. Under the previous order, the Senate stands

adjourned until Monday, January 30, 2017, at 3 p.m.

Thereupon, the Senate, at 10 and 14 seconds a.m., adjourned until Monday, January 30, 2017, at 3 p.m.

HOUSE OF REPRESENTATIVES—Friday, January 27, 2017

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. MESSER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 27, 2017.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Dr. Scott Wilson, Capitol Hill Presbyterian Church, Washington, D.C., offered the following prayer:

Our gracious God, we come today with thanks and gratitude for Your presence, with thanks for this beautiful land we call home, and with thanks for Your guidance as we seek to serve our fellow citizens.

We ask Your blessings for all of those who choose to take up the difficult task of governing, not only those who are elected, but also those who serve as staffers, interns, and volunteers. Strengthen all of us and help us to show forth the fruits of Your spirit of love, joy, peace, and generosity as we go about our work. Grant us a spirit of compassion and cooperation.

May the peace that passes all understanding guide our hearts and minds in the days to come.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF MEMBERS TO THE BRITISH-AMERICAN INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2017, of the following Members on the part of the House to the British-American Interparliamentary Group:

- Mr. HOLDING, North Carolina, Chairman
- Mr. HILL, Arkansas
- Mr. LATTA, Ohio
- Mr. ADERHOLT, Alabama
- Mr. ROE, Tennessee

APPOINTMENT OF MEMBERS TO THE UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2017, of the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly:

- Mr. TURNER, Ohio, Chairman
- Mr. JOHNSON, Ohio
- Mr. MARINO, Pennsylvania
- Mr. GUTHRIE, Kentucky
- Mr. COOK, California
- Mr. KINZINGER, Illinois
- Mr. SHIMKUS, Illinois

APPOINTMENT OF MEMBERS TO THE HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 2 U.S.C. 501(b), and the order of the House of January 3, 2017, of the following Members to the House Commission on Congressional Mailing Standards:

- Mr. RODNEY DAVIS, Illinois, Chairman
- Mr. LATTA, Ohio
- Mrs. COMSTOCK, Virginia

APPOINTMENT OF MEMBERS TO THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 3, 2017, of the fol-

lowing Members on the part of the House to the Board of Regents of the Smithsonian Institution:

- Mr. SAM JOHNSON, Texas
- Mr. COLE, Oklahoma

APPOINTMENT OF MEMBERS TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2017, of the following Members on the part of the House to the Commission on Security and Cooperation in Europe:

- Mr. SMITH, New Jersey, Co-Chairman
- Mr. ADERHOLT, Alabama
- Mr. BURGESS, Texas
- Mr. HULTGREN, Illinois
- Mr. HUDSON, North Carolina

APPOINTMENT OF MEMBER TO SERVE AS CO-CHAIR OF TOM LANTOS HUMAN RIGHTS COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(b) of House Resolution 5, 115th Congress, and the order of the House of January 3, 2017, of the following Member to serve as Co-Chair of the Tom Lantos Human Rights Commission:

- Mr. HULTGREN, Illinois

APPOINTMENT OF MEMBER TO THE HOUSE DEMOCRACY PARTNERSHIP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(a) of House Resolution 5, 115th Congress, and the order of the House of January 3, 2017, of the following Member to the House Democracy Partnership:

- Mr. ROSKAM, Illinois, Chairman

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON FOREIGN AFFAIRS FOR THE 115TH CONGRESS

Mr. ROYCE of California. Mr. Speaker, as required by clause 2(a) of House rule XI, I respectfully submit for the CONGRESSIONAL RECORD the rules of the Committee on Foreign Affairs, which were adopted at a public meeting of the Committee on January 24, 2017.

1. GENERAL PROVISIONS

(a) The Rules of the House of Representatives, and in particular, the committee rules

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

enumerated in clause 2 of rule XI, are the rules of the Committee on Foreign Affairs (hereafter referred to as the "Committee"), to the extent applicable.

(b) A motion to recess and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged non-debatable motions in Committee.

(c) The Chairman of the Committee on Foreign Affairs shall consult the Ranking Minority Member to the extent possible with respect to the business of the Committee. Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules, to the extent applicable.

2. DATE OF MEETING

The regular meeting date of the Committee shall be the first Tuesday of every month when the House of Representatives is in session pursuant to clause 2(b) of rule XI of the House of Representatives. Additional meetings may be called by the Chairman as the Chairman may deem necessary or at the request of a majority of the Members of the Committee in accordance with clause 2(c) of rule XI of the House of Representatives. The determination of the business to be considered at each meeting shall be made by the Chairman subject to clause 2(c) of rule XI of the House of Representatives. A regularly scheduled meeting need not be held if, in the judgment of the Chairman, there is no business to be considered.

3. QUORUM

For purposes of taking testimony and receiving evidence, two Members shall constitute a quorum, and the Chairman of the full Committee or a subcommittee shall make every effort to ensure that the relevant Ranking Minority Member or another Minority Member is present at the time a hearing is convened. One-third of the Members of the Committee or subcommittee shall constitute a quorum for taking any action, except: (1) reporting a measure or recommendation; (2) closing Committee meetings and hearings to the public; (3) authorizing the issuance of subpoenas; and (4) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law. No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present. No measure or recommendation shall be reported to the full Committee by a subcommittee unless half of the subcommittee is actually present. A record vote may be demanded by one-fifth of the Members present or, in the apparent absence of a quorum, by any one Member.

4. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) Meetings

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public, because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise violate any labor rule of the House of Representatives. No person other than Members of the Committee and such congressional staff and departmental represent-

atives as the Committee or subcommittee may authorize shall be present at any business or markup session which has been closed to the public. This subsection does not apply to open Committee hearings which are provided for by subsection (b) of this rule.

(2) The Chairman of the full Committee or a subcommittee may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter, or adopting an amendment. The relevant Chairman may resume proceedings on a postponed request at any time. When exercising postponement authority, the relevant Chairman shall take all reasonable steps necessary to notify Members on the resumption of proceedings on any postponed record vote. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(b) Hearings

(1) Each hearing conducted by the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day should be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or otherwise would violate any law or rule of the House of Representatives. Notwithstanding the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony—

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate paragraph (2) of this subsection; or

(B) may vote to close the hearing, as provided in paragraph (2) of this subsection.

(2) Whenever it is asserted by a Member of the Committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness—

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (1) of this subsection, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(3) No Member of the House of Representatives may be excluded from non-participatory attendance at any hearing of the Committee or a subcommittee unless the House of Representatives has by majority vote authorized the Committee or subcommittee, for purposes of a particular series of hearings, on a particular article of

legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public.

(4) A Member of the House of Representatives who is not a Member of the Committee may not be recognized to participate in a Committee or Subcommittee hearing except by the unanimous consent of Committee Members present at such hearing. Participatory recognition of a non-Committee Member shall occur only after all Committee Members seeking recognition, both majority and minority, have had their opportunity to participate and question any witnesses.

(5) The Committee or a subcommittee may by the procedure designated in this subsection vote to close one (1) subsequent day of hearing.

(6) No congressional staff shall be present at any meeting or hearing of the Committee or a subcommittee that has been closed to the public, and at which classified information will be involved, unless such person is authorized access to such classified information in accordance with rule XX of the House of Representatives.

5. CONVENING HEARINGS AND MARKUPS

(a) Hearings. Public announcement shall be made of the date, place, and subject matter of any hearing to be conducted by the Committee or a subcommittee at the earliest possible date, and in any event at least one (1) week before the commencement of that hearing. If the Chairman of the full Committee or a subcommittee, with the concurrence of the relevant Ranking Minority Member, determines that there is good cause to begin a hearing sooner, or if the Committee or subcommittee so determines by majority vote in the presence of the number of members required under the rules of the Committee for the taking of action, the Chairman of the full Committee, if concurring, shall make the announcement at the earliest possible date. No change shall be made to a publicly announced hearing title until after consultation with the relevant Ranking Minority Member and notice to previously announced witnesses.

(b) Markups and Other Meetings to Transact Business

(1) Convening. The Chairman of the full Committee or a subcommittee may call or convene, as the relevant Chairman considers necessary, meetings of the Committee or subcommittee for the consideration of a bill or resolution pending before the Committee or subcommittee, as the case may be, or for the conduct of other Committee or subcommittee business.

(2) Notice. Public announcement shall be made by the Chairman of the full Committee of the date, place, and subject matter of any markup or other meeting to conduct business at the earliest possible date, and in any event at least one (1) week before the commencement of such markup or meeting, unless the relevant Chairman determines, in consultation with the relevant Ranking Minority Member, that there is good cause to begin such a markup or meeting on an earlier date. If such determination is made, the Chairman of the full Committee, if concurring in that determination, shall make the announcement at the earliest possible date.

(3) Agenda and Texts. The relevant Chairman shall provide to all Committee or subcommittee Members an agenda for each Committee and subcommittee markup or other meeting to transact business, setting out all items of business to be considered, including whenever possible a copy of any

measure scheduled for markup, at least 48 hours (excluding Saturdays, Sundays, and legal holidays) before the meeting.

Bills on subjects not listed on such agenda shall be subject to a point of order unless their consideration is agreed to by a two-thirds vote of the Committee or subcommittee, or by the Chairman of the full Committee with the concurrence of the Ranking Minority Member. The text of any measure to be marked up shall be made publicly available in electronic form at least 24 hours prior to the commencement of the markup meeting, or at the time of an announcement under subparagraph (b)(2) made within 24 hours before such meeting.

(c) Publication. Public announcement of all hearings and markups shall be published in the Daily Digest portion of the Congressional Record and made publicly available in electronic form. Members shall be notified by the Staff Director of all meetings (including markups and hearings) and briefings of subcommittees and of the full Committee.

(d) Member Seating. During Committee and subcommittee hearings and markups, chairs on the dais are for Members. No staff member other than a Committee or subcommittee staff director, counsel, or professional staff member may occupy a chair on the dais, unless authorized by the Chairman of the full Committee, after consultation with the Ranking Member of the Full Committee. Only one staff member each from the majority and the minority may occupy chairs on the dais at any time during a hearing or markup.

6. WITNESSES

(a) Interrogation of Witnesses

(1) In so far as practicable, witnesses shall be permitted to present their oral statements without interruption subject to reasonable time constraints imposed by the Chairman of the full Committee or a subcommittee, with questioning by the Committee Members taking place afterward. Members should refrain from questions until such statements are completed.

(2) In recognizing Members, the relevant Chairman shall, to the extent practicable, give preference to the Members on the basis of their arrival at the hearing, taking into consideration the majority and minority ratio of the Members actually present. A Member desiring to speak or ask a question shall address the relevant Chairman and not the witness.

(3) Subject to paragraph (4), each Member may interrogate the witness for 5 minutes, the reply of the witness being included in the 5-minute period. After all Members have had an opportunity to ask questions, the round shall begin again under the 5-minute rule.

(4) Notwithstanding paragraph (3), the relevant Chairman, with the concurrence of the Ranking Minority Member, may permit one (1) or more majority Members of the Committee designated by the relevant Chairman to question a witness for a specified period of not longer than 30 minutes. On such occasions, an equal number of minority Members of the Committee designated by the Ranking Minority Member shall be permitted to question the same witness for the same period of time. Committee staff may be permitted to question a witness for equal specified periods either with the concurrence of the Chairman and Ranking Minority Member of the full Committee or by motion. However, in no case may questioning by Committee staff proceed before each Member of the Committee who wishes to speak under the 5-minute rule has had one opportunity to do so.

(b) Testimony of Witnesses

(1) Advance Filing Requirement. Each witness who is to appear before the Committee or a subcommittee is required to file testimony with the Committee or subcommittee at least two (2) business days in advance of that appearance. For purposes of this subsection, testimony includes the written statement of a witness, as well as any video, photographs, audio-visual matter, posters, or other supporting materials that the witness intends to present or display before the Committee. Such testimony should be provided in electronic form to the extent practicable. The Committee or subcommittee shall notify Members at least two business days in advance of a hearing of the availability of testimony submitted by witnesses. In addition, each witness shall provide sufficient copies, as determined by the Chairman of the full Committee or a subcommittee, of his or her proposed written statement to be provided to Members and staff of the Committee or subcommittee, the news media, and the general public. The text of the written statement provided pursuant to this paragraph shall be considered final, and may not be revised by the witness after the Committee meeting at which the witness appears.

(2) Witness Preclusion and Waiver. The requirements of paragraph (1) or any part thereof may be waived by the Chairman of the full Committee or a subcommittee, or the presiding Member, or the Ranking Member of the Committee or subcommittee as it relates to witnesses who are called by the minority to testify, provided that the witness or the relevant Chairman or Ranking Minority Member has submitted, prior to the witness's appearance, a written explanation to the reasons testimony has not been made available to the Committee or subcommittee. If a witness who is not an official of the U.S. Government has not submitted testimony as required by paragraph (1) and no such written explanation has been submitted, the witness shall be released from testifying unless a majority of the Committee or subcommittee votes to accept his or her testimony.

(3) Remote Witness Participation. The Chairman of the full Committee or a subcommittee shall promptly, and not later than 48 hours beforehand if possible, notify the relevant Ranking Member of any witness who is likely to present testimony other than in person, such as by videoconference. A witness may not testify via telephone or other audio-only medium without the concurrence of the Chairman and Ranking Member of the Committee or subcommittee. The relevant Chairman shall make reasonable efforts to verify the identity of any witness participating remotely.

(4) 'Truth In Testimony' Disclosure. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall, to the extent practicable, include: a curriculum vitae; a disclosure of the amount and source of any Federal grant (or subgrant thereof) or contract (or subcontract thereof), or of any contract or payment originating with a foreign government, received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness, to the extent that such information is relevant to the subject matter of, and the witness' representational capacity at, the hearing; and a disclosure of whether the witness is an active registrant under the Foreign Agents Registration Act (FARA). Such statements, with appropriate redactions to protect the privacy, safety, or

security of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(5) Witness Presentation. A witness shall limit his or her oral presentation to a brief summary of his or her written statement.

(6) Translation. A witness requiring an interpreter or translator should include in the testimony provided pursuant to paragraph (1) the identity of the interpreter or translator that the witness intends to use. Unless properly noticed as a separate witness, an interpreter or translator appearing before the Committee should not present views or statements other than those expressed by the witness.

(c) Oaths. The Chairman of the full Committee or a subcommittee, or any Member of the Committee designated by the relevant Chairman, may administer oaths to any witness appearing before the Committee.

7. PREPARATION AND MAINTENANCE OF COMMITTEE RECORDS

An accurate stenographic record shall be made of all hearings and markup sessions. Members of the Committee and any witness may examine the transcript of his or her own remarks and may make any grammatical or technical changes that do not substantively alter the record. Any such Member or witness shall return the transcript to the Committee offices within seven (7) calendar days (not including Saturdays, Sundays, and legal holidays) after receipt of the transcript, or as soon thereafter as is practicable.

Any information supplied for the record at the request of a Member of the Committee shall be provided to the Member when received by the Committee.

Transcripts of hearings and markup sessions (except for the record of a meeting or hearing which is closed to the public) shall be printed as soon as is practicable after receipt of the corrected versions, except that the Chairman may order the transcript of a hearing to be printed without the corrections of a Member or witness if the Chairman determines that such Member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

8. EXTRANEOUS MATERIALS IN COMMITTEE HEARINGS PRINTS

No extraneous material shall be printed in either the body or appendices of any Committee or subcommittee hearing, except matter which has been accepted for inclusion in the record during the hearing or by agreement of the Chairman of the full Committee or a subcommittee and Ranking Minority Member of the Committee or subcommittee within five (5) calendar days of the hearing. Copies of bills and other legislation under consideration and responses to written questions submitted by Members shall not be considered extraneous material.

Extraneous material in either the body or appendices of any hearing to be printed

which would be in excess of eight (8) printed pages (for any one submission) shall be accompanied by a written request to the relevant Chairman. Such written request shall contain an estimate in writing from the Public Printer of the probable cost of publishing such material.

9. INFORMATION ON COMMITTEE ACTION

(a) Record Votes. The result of each record vote in any meeting of the Committee outside of executive session shall be made publicly available in electronic form within 48 hours of such record vote. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each Member voting for and against, and the Members present but not voting.

(b) Adopted Amendments. Not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee, the text of each such amendment shall be made publicly available in electronic form.

(c) Hearing and Markup Attendance. Member attendance at each Committee hearing and markup shall be recorded and included in the Committee print of the transcript of that hearing or markup.

10. PROXIES

Proxy Voting is not Permitted in the Committee or in Subcommittees.

11. REPORTS

(a) Reports on Bills and Resolutions. To the extent practicable, not later than 24 hours before a report is to be filed with the Clerk of the House on a measure that has been ordered reported by the Committee, the Chairman shall make available for inspection by all Members of the Committee a copy of the draft Committee report in order to afford Members adequate information and the opportunity to draft and file any supplemental, minority or additional views which they may deem appropriate.

With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in any Committee report on the measure or matter.

(b) Prior Approval of Certain Reports. No Committee, subcommittee, or staff report, study, or other document which purports to express publicly the views, findings, conclusions, or recommendations of the Committee or a subcommittee may be released to the public or filed with the Clerk of the House unless approved by a majority of the Committee or subcommittee, as appropriate. A proposed investigative or oversight report shall be considered as read if it has been available to Members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day). In any case in which clause 2(1) of rule XI and clause 3(a)(1) of rule XIII of the House of Representatives does not apply, each Member of the Committee or subcommittee shall be given an opportunity to have views or a disclaimer included as part of the material filed or released, as the case may be.

(c) Foreign Travel Reports. At the same time that the report required by clause 8(b)(3) of rule X of the House of Representatives, regarding foreign travel reports, is submitted to the Chairman, Members and employees of the Committee shall provide a report to the Chairman listing all official meetings, interviews, inspection tours and other official functions in which the indi-

vidual participated, by country and date. Under extraordinary circumstances, the Chairman may waive the listing in such report of an official meeting, interview, inspection tour, or other official function. The report shall be maintained in the Committee offices and shall be available for public inspection during normal business hours. Except in extraordinary circumstances, no Member or employee of the Committee will be authorized for additional Committee travel until the reports described in this subsection have been submitted to the Chairman for that person's prior Committee travel.

12. REPORTING BILLS AND RESOLUTIONS

Except in extraordinary circumstances, bills and resolutions will not be considered by the Committee unless and until the appropriate subcommittee has recommended the bill or resolution for Committee action, and will not be taken to the House of Representatives for action unless and until the Committee or a relevant subcommittee has ordered reported such bill or resolution, a quorum being present.

Except in extraordinary circumstances, a bill or resolution originating in the House of Representatives that contains exclusively findings and policy declarations or expressions of the sense of the House of Representatives or the sense of the Congress shall not be considered by the Committee or a subcommittee unless such bill or resolution has at least 25 House co-sponsors, at least 10 of whom are Members of the Committee.

For purposes of this rule, extraordinary circumstances will be determined by the Chairman, after consultation with the Ranking Minority Member and such other Members of the Committee as the Chairman deems appropriate.

The Committee or a subcommittee shall not consider a bill or resolution originating in the House of Representatives that expresses appreciation, commends, congratulates, celebrates, recognizes the accomplishments of, or celebrates the anniversary of, an entity, event, group, individual, institution, team, or government program, or that acknowledges or recognizes a period of time for such purposes, except in circumstances determined by the Chairman with the concurrence of the Ranking Minority Member.

The Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

13. STAFF SERVICES

The Committee staff shall be selected and organized so that it can provide a comprehensive range of professional services in the field of foreign affairs to the Committee, the subcommittees, and all its Members. The staff shall include persons with training and experience in foreign affairs, making available to the Committee individuals with knowledge of major countries, areas, and U.S. overseas programs and operations.

Subject to clause 9 of rule X of the House of Representatives, the staff of the Committee, except as provided in paragraph (c), shall be appointed, and may be removed, by the Chairman with the approval of the majority of the Members in the majority party of the Committee. Their remuneration shall be fixed by the Chairman, and they shall work under the general supervision and direction of the Chairman. Staff assignments are to be authorized by the Chairman or by the Staff Director under the direction of the Chairman.

Subject to clause 9 of rule X of the House of Representatives, the staff of the Com-

mittee assigned to the minority shall be appointed, their remuneration determined, and may be removed, by the Ranking Minority Member with the approval of the majority of the minority party Members of the Committee. Such staff shall work under the general supervision and direction of the Ranking Minority Member with the approval or consultation of the minority Members of the Committee.

The Chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee. The Chairman shall ensure that the minority party is fairly treated in the appointment of such staff.

14. NUMBER AND JURISDICTION OF SUBCOMMITTEES

(a) Full Committee. The full Committee will be responsible for oversight and legislation relating to: foreign assistance (including development assistance, Millennium Challenge Corporation, the Millennium Challenge Account, HIV/AIDS in foreign countries, security assistance, and Public Law 480 programs abroad); national security developments affecting foreign policy; strategic planning and agreements; war powers, treaties, executive agreements, and the deployment and use of United States Armed Forces; peacekeeping, peace enforcement, and enforcement of United Nations or other international sanctions; arms control and disarmament issues; the United States Agency for International Development; activities and policies of the State, Commerce, and Defense Departments and other agencies related to the Arms Export Control Act and the Foreign Assistance Act, including export and licensing policy for munitions items and technology and dual-use equipment and technology; international law; promotion of democracy; international law enforcement issues, including narcotics control programs and activities; Broadcasting Board of Governors; embassy security; international broadcasting; public diplomacy, including international communication and information policy, and international education and exchange programs; and all other matters not specifically assigned to a subcommittee. The full Committee will have jurisdiction over legislation with respect to the administration of the Export Administration Act, including the export and licensing of dual-use equipment and technology and other matters related to international economic policy and trade not otherwise assigned to a subcommittee, and with respect to the United Nations, its affiliated agencies, and other international organizations, including assessed and voluntary contributions to such organizations. The full Committee may conduct oversight and investigations with respect to any matter within the jurisdiction of the Committee as defined in the Rules of the House of Representatives.

(b) Subcommittees. There shall be six (6) standing subcommittees. The names and jurisdiction of those subcommittees shall be as follows:

(1) Functional Subcommittee. There shall be one subcommittee with functional jurisdiction:

Subcommittee on Terrorism, Nonproliferation, and Trade: Oversight and legislative responsibilities over the United States' efforts to manage and coordinate international programs to combat terrorism as coordinated by the Department of State and other agencies, and efforts to bring international terrorists to justice. With the concurrence of the Chairman of the full Committee, oversight of, and legislation pertaining to, non-proliferation matters involving nuclear,

chemical, biological and other weapons of mass destruction, except for legislation involving the Foreign Assistance Act, the Arms Export Control Act, the Export Administration Act, and sanctions laws pertaining to individual countries and the provision of foreign assistance (which is reserved to the full Committee). Oversight of matters relating to international economic and trade policy; commerce with foreign countries; international investment policy; the Overseas Private Investment Corporation and the Trade and Development Agency; commodity agreements; and special oversight of international financial and monetary institutions; the Export-Import Bank, and customs. With the concurrence of the Chairman of the full Committee, legislative jurisdiction over measures related to export promotion and measures related to the Overseas Private Investment Corporation and the Trade and Development Agency.

(2) Regional Subcommittees. There shall be five subcommittees with regional jurisdiction: the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations; the Subcommittee on Asia and the Pacific; the Subcommittee on Europe, Eurasia, and Emerging Threats; the Subcommittee on the Middle East and North Africa; and the Subcommittee on the Western Hemisphere. As detailed below, two of the regional subcommittees also shall have functional jurisdiction.

The regional subcommittees shall have jurisdiction over the following within their respective regions:

(1) Matters affecting the political relations between the United States and other countries and regions, including resolutions or other legislative measures directed to such relations.

(2) Legislation with respect to disaster assistance outside the Foreign Assistance Act, boundary issues, and international claims.

(3) Legislation with respect to region- or country-specific loans or other financial relations outside the Foreign Assistance Act.

(4) Legislation and oversight regarding human rights practices in particular countries.

(5) Oversight of regional lending institutions.

(6) Oversight of matters related to the regional activities of the United Nations, of its affiliated agencies, and of other multilateral institutions.

(7) Identification and development of options for meeting future problems and issues relating to U.S. interests in the region.

(8) Oversight of base rights and other facilities access agreements and regional security pacts.

(9) Concurrent oversight jurisdiction with respect to matters assigned to the functional subcommittees insofar as they may affect the region.

(10) Oversight of foreign assistance activities affecting the region, with the concurrence of the Chairman of the full Committee.

(11) Such other matters as the Chairman of the full Committee may determine.

The Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations: In addition to its regional jurisdiction, oversight of: international health issues, including transboundary infectious diseases, maternal health and child survival, and programs related to the global ability to address health issues; population issues; the United Nations and its affiliated agencies (excluding peacekeeping and enforcement of United Nations or other international sanctions); the American Red

Cross; and the Peace Corps. In addition, legislation and oversight pertaining to: implementation of the Universal Declaration of Human Rights; other matters relating to internationally-recognized human rights, including legislation aimed at the promotion of human rights and democracy generally; and the Hague Convention on the Civil Aspects of International Child Abduction, and related issues.

The Subcommittee on Europe, Eurasia, and Emerging Threats: In addition to its regional jurisdiction, with the concurrence of the Chairman of the full Committee, oversight related to emerging foreign threats to the national security and interests of the United States.

15. POWERS AND DUTIES OF SUBCOMMITTEES

(a) In General. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it.

(b) Scheduling. Subcommittee chairmen shall set meeting dates after consultation with the Chairman, other subcommittee chairmen, the relevant Ranking Minority Member and other appropriate Members, with a view toward minimizing scheduling conflicts. Subcommittee meetings shall not be scheduled to occur simultaneously with meetings of the full Committee. Hearings shall not be scheduled to occur prior to the first vote or subsequent to the last vote of a legislative week, or outside of Washington, D.C., without prior consultation with the relevant Ranking Minority Member. In order to ensure orderly administration and fair assignment of hearing and meeting rooms, the subject, time, and location of hearings and meetings shall be arranged in advance with the Chairman through the Staff Director of the Committee.

(c) Vice Chairmen. The Chairman of the Full Committee shall designate a Member of the majority party on each subcommittee as its vice chairman.

(d) Participation. The Chairman of the full Committee and the Ranking Minority Member may attend the meetings and participate in the activities of all subcommittees of which they are not Members, except that they may not vote or be counted for a quorum in such subcommittees.

(e) Required Oversight Hearings. During each 180-day period following organization of the Committee, each subcommittee shall hold at least one hearing on oversight of U.S. Government activities.

16. REFERRAL OF BILLS BY CHAIRMAN

In accordance with rule 14 of the Committee and to the extent practicable, all legislation and other matters referred to the Committee shall be referred by the Chairman to a subcommittee of primary jurisdiction within two (2) weeks. In accordance with rule 14 of the Committee, legislation may also be referred to additional subcommittees for consideration. Unless otherwise directed by the Chairman, such subcommittees shall act on or be discharged from consideration of legislation that has been approved by the subcommittee of primary jurisdiction within two (2) weeks of such action. In referring any legislation to a subcommittee, the Chairman may specify a date by which the subcommittee shall report thereon to the full Committee.

Subcommittees with regional jurisdiction shall have joint jurisdiction with the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations over legislation regarding human rights practices in particular countries within their regions.

The Chairman may designate a subcommittee Chairman or other Member to take responsibility as manager of a bill or resolution during its consideration in the House of Representatives.

17. PARTY RATIOS ON SUBCOMMITTEES AND CONFERENCE COMMITTEES

The majority party caucus of the Committee shall determine an appropriate ratio of majority to minority party Members for each subcommittee. Party representation on each subcommittee or conference committee shall be no less favorable to the majority party than the ratio for the full Committee. The Chairman and the Ranking Minority Member are authorized to negotiate matters affecting such ratios including the size of subcommittees and conference committees.

18. SUBCOMMITTEE FUNDING AND RECORDS

Each subcommittee shall have adequate funds to discharge its responsibility for legislation and oversight.

In order to facilitate Committee compliance with clause 2(e)(1) of rule XI of the House of Representatives, each subcommittee shall keep a complete record of all subcommittee actions which shall include a record of the votes on any question on which a record vote is demanded. The result of each record vote shall be promptly made available to the full Committee for inspection by the public in accordance with rule 9 of the Committee.

All subcommittee hearings, records, data, charts, and files shall be kept distinct from the congressional office records of the Member serving as Chairman of the subcommittee. Subcommittee records shall be coordinated with the records of the full Committee, shall be the property of the House, and all Members of the House shall have access thereto.

19. MEETINGS OF SUBCOMMITTEE CHAIRMEN

The Chairman shall call a meeting of the subcommittee chairmen on a regular basis not less frequently than once a month. Such a meeting need not be held if there is no business to conduct. It shall be the practice at such meetings to review the current agenda and activities of each of the subcommittees.

20. ACCESS TO CLASSIFIED INFORMATION

(a) Authorized Persons. In accordance with the stipulations of the Rules of the House of Representatives, all Members of the House who have executed the oath required by clause 13 of rule XXIII of the House of Representatives shall be authorized to have access to classified information within the possession of the Committee.

Members of the Committee staff shall be considered authorized to have access to classified information within the possession of the Committee when they have the proper security clearances, when they have executed the oath required by clause 13 of rule XXIII of the House of Representatives, and when they have a demonstrable need to know. The decision on whether a given staff member has a need to know will be made on the following basis:

(1) In the case of the full Committee majority staff, by the Chairman, acting through the Staff Director;

(2) In the case of the full Committee minority staff, by the Ranking Minority Member of the Committee, acting through the Minority Staff Director;

(3) In the case of subcommittee majority staff, by the chairman of the subcommittee;

(4) In the case of the subcommittee minority staff, by the Ranking Minority Member of the subcommittee.

No other individuals shall be considered authorized persons, unless so designated by the Chairman of the full Committee.

(b) Designated Persons. Each Committee Member is permitted to designate one member of his or her staff as having the right of access to information classified Confidential. Such designated persons must have the proper security clearance, have executed the oath required by clause 13 of rule XXIII of the House of Representatives, and have a need to know as determined by his or her principal. Upon request of a Committee Member in specific instances, a designated person also shall be permitted access to information classified Secret which has been furnished to the Committee pursuant to section 36 of the Arms Export Control Act, as amended. Upon the written request of a Committee Member and with the approval of the Chairman in specific instances, a designated person may be permitted access to other classified materials. Designation of a staff person shall be by letter from the Committee Member to the Chairman.

(c) Location. Classified information will be stored in secure safes in the Office of the Security Officer and in the Office of the Minority Staff Director. All materials classified Top Secret or higher must be stored in a Secure Compartmentalized Information Facility (SCIF).

(d) Handling. Materials classified Confidential or Secret may be taken from Committee offices to other Committee offices and hearing rooms by Members of the Committee and authorized Committee staff in connection with hearings and briefings of the Committee or its subcommittees for which such information is deemed to be essential. Removal of such information from the Committee offices shall be only with the permission of the Chairman under procedures designed to ensure the safe handling and storage of such information at all times. Except as provided in this paragraph, Top Secret materials may not be taken from approved storage areas for any purpose, except that such materials may be taken to hearings and other meetings that are being conducted at the Top Secret level when necessary. Materials classified Top Secret may otherwise be used under conditions approved by the Chairman after consultation with the Ranking Minority Member.

(e) Notice. Appropriate notice of the receipt of classified documents received by the Committee from the Executive Branch will be sent promptly to Committee Members through the Survey of Activities or by other means.

(f) Access. Except as provided for above, access to materials classified Top Secret or otherwise restricted held by the Committee will be in approved Committee spaces. The following procedures will be observed:

(1) Authorized persons will be permitted access to classified documents after inquiring of the Staff Director or an assigned staff member. Access to the SCIF will be afforded during regular Committee hours.

(2) Authorized persons will be required to identify themselves, to identify the documents or information they wish to view, and to sign the Classified Materials Log, which is kept with the classified information.

(3) The assigned staff member will be responsible for maintaining a log which identifies: (1) authorized persons seeking access, (2) the classified information requested, and (3) the time of arrival and departure of such persons. The assigned staff member will also assure that the classified materials are returned to the proper location.

(g) Divulgence. Classified information provided to the Committee by the Executive Branch shall be handled in accordance with the procedures that apply within the Executive Branch for the protection of such information. Any classified information to which access has been gained through the Committee may not be divulged to any unauthorized person. Classified material shall not be photocopied or otherwise reproduced. In no event shall classified information be discussed in a non-secure environment. Apparent violations of this rule should be reported as promptly as possible to the Chairman for appropriate action.

(h) Other Regulations. The Chairman, after consultation with the Ranking Minority Member, may establish such additional regulations and procedures as in his judgment may be necessary to safeguard classified information under the control of the Committee. Members of the Committee will be given notice of any such regulations and procedures promptly. They may be modified or waived in any or all particulars by a majority vote of the full Committee.

21. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

All Committee and subcommittee meetings or hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage in accordance with the provisions of clause 3 of House rule XI.

The Chairman of the full Committee or a subcommittee shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room, but shall not limit the number of television or still cameras to fewer than two (2) representatives from each medium.

Such coverage shall be in accordance with the following requirements contained in section 116(b) of the Legislative Reorganization Act of 1970, and clause 4 of XI of the Rules of the House of Representatives:

(a) If the television, Internet or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(b) No witness served with a subpoena by the Committee shall be required against his will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, Internet or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) The allocation among cameras permitted by the Chairman of the full Committee or a subcommittee in a hearing room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and Member of the Committee or its subcommittees or the visibility of that witness and that Member to each other.

(e) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(f) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the Committee or subcommittee is in session.

(g) Floodlights, spotlights, strobe lights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing room, without cost to the Government, in order to raise the ambient lighting level in the hearing room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the current state-of-the-art level of television coverage.

(h) In the allocation of the number of still photographers permitted by the Chairman of the full Committee or a subcommittee in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos, United Press International News pictures, and Reuters. If requests are made by more of the media than will be permitted by the Chairman of the full Committee or a subcommittee for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(i) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the Committee or its subcommittees.

(j) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(k) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(l) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(m) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

22. SUBPOENA POWERS

A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member.

In addition, a subpoena may be authorized and issued by the Committee or its subcommittees in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the Committee or subcommittee being present.

Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

23. RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever the Speaker is to appoint a conference committee, the Chairman shall recommend to the Speaker as conferees those Members of the Committee who are primarily responsible for the legislation (including to the full extent practicable the

principal proponents of the major provisions of the bill as it passed the House), who have actively participated in the Committee or subcommittee consideration of the legislation, and who agree to attend the meetings of the conference. With regard to the appointment of minority Members, the Chairman shall consult with the Ranking Minority Member.

24. GENERAL OVERSIGHT

Not later than February 15th of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of rule X of the House of Representatives.

In accordance with the provisions of clause 2(n) of rule XI of the House of Representatives, the Committee or a subcommittee thereof shall hold at least one hearing during each 120-day period following its establishment on the topic of waste, fraud, abuse, or mismanagement in programs within its jurisdiction, as documented in reports received from a Federal Office of the Inspector General or the Comptroller General of the United States that have been provided to the Ranking Minority Member prior to the notice of the hearing pursuant to Committee rule 5.

25. OTHER PROCEDURES AND REGULATIONS

The Chairman, in consultation with the Ranking Minority Member, may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Any additional procedures or regulations may be modified or rescinded in any or all particulars by a majority vote of the full Committee.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Monday next for morning-hour debate.

There was no objection.

Thereupon (at 2 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, January 30, 2017, at noon for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

I, AB, do solemnly swear (or Affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will

well and faithfully discharge the duties of the office on which I am about to enter. So help me God.'

Has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 115th Congress, pursuant to the provisions of 2 U.S.C. 25:

ALABAMA

- 1 Bradley Byrne
- 2 Martha Roby
- 3 Mike Rogers
- 4 Robert B. Aderholt
- 5 Mo Brooks
- 6 Gary J. Palmer
- 7 Terri A. Sewell

ALASKA

At Large, Don Young

ARIZONA

- 1 Tom O'Halleran
- 2 Martha McSally
- 3 Raúl M. Grijalva
- 4 Paul A. Gosar
- 5 Andy Biggs
- 6 David Schweikert
- 7 Ruben Gallego
- 8 Trent Franks
- 9 Kyrsten Sinema

ARKANSAS

- 1 Eric A. "Rick" Crawford
- 2 J. French Hill
- 3 Steve Womack
- 4 Bruce Westerman

CALIFORNIA

- 1 Doug LaMalfa
- 2 Jared Huffman
- 3 John Garamendi
- 4 Tom McClintock
- 5 Mike Thompson
- 6 Doris O. Matsui
- 7 Ami Bera
- 8 Paul Cook
- 9 Jerry McNerney
- 10 Jeff Denham
- 11 Mark DeSaulnier
- 12 Nancy Pelosi
- 13 Barbara Lee
- 14 Jackie Speier
- 15 Eric Swalwell
- 16 Jim Costa
- 17 Ro Khanna
- 18 Anna G. Eshoo
- 19 Zoe Lofgren
- 20 Jimmy Panetta
- 21 David G. Valadao
- 22 Devin Nunes
- 23 Kevin McCarthy
- 24 Salud O. Carbajal
- 25 Stephen Knight
- 26 Julia Brownley
- 27 Judy Chu
- 28 Adam B. Schiff
- 29 Tony Cárdenas
- 30 Brad Sherman
- 31 Pete Aguilar
- 32 Grace F. Napolitano
- 33 Ted Lieu
- 34 Xavier Becerra
- 35 Norma J. Torres
- 36 Raul Ruiz
- 37 Karen Bass
- 38 Linda T. Sánchez
- 39 Edward R. Royce
- 40 Lucille Roybal-Allard
- 41 Mark Takano
- 42 Ken Calvert
- 43 Maxine Waters
- 44 Nanette Diaz Barragán
- 45 Mimi Walters
- 46 J. Luis Correa

- 47 Alan S. Lowenthal
- 48 Dana Rohrabacher
- 49 Darrell E. Issa
- 50 Duncan Hunter
- 51 Juan Vargas
- 52 Scott H. Peters
- 53 Susan A. Davis

COLORADO

- 1 Diana DeGette
- 2 Jared Polis
- 3 Scott R. Tipton
- 4 Ken Buck
- 5 Doug Lamborn
- 6 Mike Coffman
- 7 Ed Perlmutter

CONNECTICUT

- 1 John B. Larson
- 2 Joe Courtney
- 3 Rosa L. DeLauro
- 4 James A. Himes
- 5 Elizabeth H. Esty

DELAWARE

At Large, Lisa Blunt Rochester

FLORIDA

- 1 Matt Gaetz
- 2 Neal P. Dunn
- 3 Ted S. Yoho
- 4 John H. Rutherford
- 5 Al Lawson, Jr.
- 6 Ron DeSantis
- 7 Stephanie N. Murphy
- 8 Bill Posey
- 9 Darren Soto
- 10 Val Butler Demings
- 11 Daniel Webster
- 12 Gus M. Bilirakis
- 13 Charlie Crist
- 14 Kathy Castor
- 15 Dennis A. Ross
- 16 Vern Buchanan
- 17 Thomas J. Rooney
- 18 Brian J. Mast
- 19 Francis Rooney
- 20 Alcee L. Hastings
- 21 Lois Frankel
- 22 Theodore E. Deutch
- 23 Debbie Wasserman Schultz
- 24 Frederica S. Wilson
- 25 Mario Diaz-Balart
- 26 Carlos Curbelo
- 27 Ileana Ros-Lehtinen

GEORGIA

- 1 Earl L. "Buddy" Carter
- 2 Sanford D. Bishop, Jr.
- 3 A. Drew Ferguson IV
- 4 Henry C. "Hank" Johnson, Jr.
- 5 John Lewis
- 6 Tom Price
- 7 Rob Woodall
- 8 Austin Scott
- 9 Doug Collins
- 10 Jody B. Hice
- 11 Barry Loudermilk
- 12 Rick W. Allen
- 13 David Scott
- 14 Tom Graves

HAWAII

- 1 Colleen Hanabusa
- 2 Tulsi Gabbard

IDAHO

- 1 Raúl R. Labrador
- 2 Michael K. Simpson

ILLINOIS

- 1 Bobby L. Rush
- 2 Robin L. Kelly
- 3 Daniel Lipinski
- 4 Luis V. Gutiérrez
- 5 Mike Quigley
- 6 Peter J. Roskam
- 7 Danny K. Davis

8	Raja Krishnamoorthi	13	John Conyers, Jr.	23	Tom Reed
9	Janice D. Schakowsky	14	Brenda L. Lawrence	24	John Katko
10	Bradley Scott Schneider		MINNESOTA	25	Louise McIntosh Slaughter
11	Bill Foster	1	Timothy J. Walz	26	Brian Higgins
12	Mike Bost	2	Jason Lewis	27	Chris Collins
13	Rodney Davis	3	Erik Paulsen		NORTH CAROLINA
14	Randy Hultgren	4	Betty McCollum	1	G. K. Butterfield
15	John Shimkus	5	Keith Ellison	2	George Holding
16	Adam Kinzinger	6	Tom Emmer	3	Walter B. Jones
17	Cheri Bustos	7	Collin C. Peterson	4	David E. Price
18	Darin LaHood	8	Richard M. Nolan	5	Virginia Foxx
	INDIANA		MISSISSIPPI	6	Mark Walker
1	Peter J. Visclosky	1	Trent Kelly	7	David Rouzer
2	Jackie Walorski	2	Bennie G. Thompson	8	Richard Hudson
3	Jim Banks	3	Gregg Harper	9	Robert Pittenger
4	Todd Rokita	4	Steven M. Palazzo	10	Patrick T. McHenry
5	Susan W. Brooks		MISSOURI	11	Mark Meadows
6	Luke Messer	1	Wm. Lacy Clay	12	Alma S. Adams
7	André Carson	2	Ann Wagner	13	Ted Budd
8	Larry Bucshon	3	Blaine Luetkemeyer		NORTH DAKOTA
9	Trey Hollingsworth	4	Vicky Hartzler		At Large, Kevin Cramer
	IOWA	5	Emanuel Cleaver		OHIO
1	Rod Blum	6	Sam Graves	1	Steve Chabot
2	David Loebsack	7	Billy Long	2	Brad R. Wenstrup
3	David Young	8	Jason Smith	3	Joyce Beatty
4	Steve King		MONTANA	4	Jim Jordan
	KANSAS		At Large, Ryan K. Zinke	5	Robert E. Latta
1	Roger W. Marshall		NEBRASKA	6	Bill Johnson
2	Lynn Jenkins	1	Jeff Fortenberry	7	Bob Gibbs
3	Kevin Yoder	2	Don Bacon	8	Warren Davidson
4	Mike Pompeo	3	Adrian Smith	9	Marcy Kaptur
	KENTUCKY		NEVADA	10	Michael R. Turner
1	James Comer	1	Dina Titus	11	Marcia L. Fudge
2	Brett Guthrie	2	Mark E. Amodei	12	Patrick J. Tiberi
3	John A. Yarmuth	3	Jacky Rosen	13	Tim Ryan
4	Thomas Massie	4	Ruben Kihuen	14	David P. Joyce
5	Harold Rogers		NEW HAMPSHIRE	15	Steve Stivers
6	Andy Barr	1	Carol Shea-Porter	16	James B. Renacci
	LOUISIANA	2	Ann M. Kuster		OKLAHOMA
1	Steve Scalise		NEW JERSEY	1	Jim Bridenstine
2	Cedric L. Richmond	1	Donald Norcross	2	Markwayne Mullin
3	Clay Higgins	2	Frank A. LoBiondo	3	Frank D. Lucas
4	Mike Johnson	3	Thomas MacArthur	4	Tom Cole
5	Ralph Lee Abraham	4	Christopher H. Smith	5	Steve Russell
6	Garret Graves	5	Josh Gottheimer		OREGON
	MAINE	6	Frank Pallone, Jr.	1	Suzanne Bonamici
1	Chellie Pingree	7	Leonard Lance	2	Greg Walden
2	Bruce Poliquin	8	Albio Sires	3	Earl Blumenauer
	MARYLAND	9	Bill Pascrell, Jr.	4	Peter A. DeFazio
1	Andy Harris	10	Donald M. Payne, Jr.	5	Kurt Schrader
2	C. A. Dutch Ruppersberger	11	Rodney P. Frelinghuysen		PENNSYLVANIA
3	John P. Sarbanes	12	Bonnie Watson Coleman	1	Robert A. Brady
4	Anthony G. Brown		NEW MEXICO	2	Dwight Evans
5	Steny H. Hoyer	1	Michelle Lujan Grisham	3	Mike Kelly
6	John K. Delaney	2	Stevan Pearce	4	Scott Perry
7	Elijah E. Cummings	3	Ben Ray Lujan	5	Glenn Thompson
8	Jamie Raskin		NEW YORK	6	Ryan A. Costello
	MASSACHUSETTS	1	Lee M. Zeldin	7	Patrick Meehan
1	Richard E. Neal	2	Peter T. King	8	Brian K. Fitzpatrick
2	James P. McGovern	3	Thomas R. Suozzi	9	Bill Shuster
3	Niki Tsongas	4	Kathleen M. Rice	10	Tom Marino
4	Joseph P. Kennedy III	5	Gregory W. Meeks	11	Lou Barletta
5	Katherine M. Clark	6	Grace Meng	12	Keith J. Rothfus
6	Seth Moulton	7	Nydia M. Velázquez	13	Brendan F. Boyle
7	Michael E. Capuano	8	Hakeem S. Jeffries	14	Michael F. Doyle
8	Stephen F. Lynch	9	Yvette D. Clarke	15	Charles W. Dent
9	William R. Keating	10	Jerrold Nadler	16	Lloyd Smucker
	MICHIGAN	11	Daniel M. Donovan, Jr.	17	Matt Cartwright
1	Jack Bergman	12	Carolyn B. Maloney	18	Tim Murphy
2	Bill Huizenga	13	Adriano Espaillat		RHODE ISLAND
3	Justin Amash	14	Joseph Crowley	1	David N. Cicilline
4	John R. Moolenaar	15	José E. Serrano	2	James R. Langevin
5	Daniel T. Kildee	16	Eliot L. Engel		SOUTH CAROLINA
6	Fred Upton	17	Nita M. Lowey	1	Mark Sanford
7	Tim Walberg	18	Sean Patrick Maloney	2	Joe Wilson
8	Mike Bishop	19	John J. Faso	3	Jeff Duncan
9	Sander M. Levin	20	Paul Tonko	4	Trey Gowdy
10	Paul Mitchell	21	Elise M. Stefanik	5	Mick Mulvaney
11	David A. Trott	22	Claudia Tenney	6	James E. Clyburn
12	Debbie Dingell			7	Tom Rice

SOUTH DAKOTA

At Large, Kristi L. Noem

TENNESSEE

- 1 David P. Roe
- 2 John J. Duncan, Jr.
- 3 Charles J. "Chuck" Fleischmann
- 4 Scott DesJarlais
- 5 Jim Cooper
- 6 Diane Black
- 7 Marsha Blackburn
- 8 David Kustoff
- 9 Steve Cohen

TEXAS

- 1 Louie Gohmert
- 2 Ted Poe
- 3 Sam Johnson
- 4 John Ratcliffe
- 5 Jeb Hensarling
- 6 Joe Barton
- 7 John Abney Culberson
- 8 Kevin Brady
- 9 Al Green
- 10 Michael T. McCaul
- 11 K. Michael Conaway
- 12 Kay Granger
- 13 Mac Thornberry
- 14 Randy K. Weber, Sr.
- 15 Vicente Gonzalez
- 16 Beto O'Rourke
- 17 Bill Flores
- 18 Sheila Jackson Lee
- 19 Jodey C. Arrington
- 20 Joaquin Castro
- 21 Lamar Smith
- 22 Pete Olson
- 23 Will Hurd
- 24 Kenny Marchant
- 25 Roger Williams
- 26 Michael C. Burgess
- 27 Blake Farenthold
- 28 Henry Cuellar
- 29 Gene Green
- 30 Eddie Bernice Johnson
- 31 John R. Carter
- 32 Pete Sessions
- 33 Marc A. Veasey
- 34 Filemon Vela
- 35 Lloyd Doggett
- 36 Brian Babin

UTAH

- 1 Rob Bishop
- 2 Chris Stewart
- 3 Jason Chaffetz
- 4 Mia B. Love

VERMONT

At Large, Peter Welch

VIRGINIA

- 1 Robert J. Wittman
- 2 Scott Taylor
- 3 Robert C. "Bobby" Scott
- 4 A. Donald McEachin
- 5 Thomas A. Garrett, Jr.
- 6 Bob Goodlatte
- 7 Dave Brat
- 8 Donald S. Beyer, Jr.
- 9 H. Morgan Griffith
- 10 Barbara Comstock
- 11 Gerald E. Connolly

WASHINGTON

- 1 Suzan K. DelBene
- 2 Rick Larsen
- 3 Jaime Herrera Beutler
- 4 Dan Newhouse
- 5 Cathy McMorris Rodgers
- 6 Derek Kilmer
- 7 Pramila Jayapal
- 8 David G. Reichert
- 9 Adam Smith
- 10 Denny Heck

WEST VIRGINIA

- 1 David B. McKinley

2 Alexander X. Mooney

3 Evan H. Jenkins

WISCONSIN

- 1 Paul D. Ryan
- 2 Mark Pocan
- 3 Ron Kind
- 4 Gwen Moore
- 5 F. James Sensenbrenner, Jr.
- 6 Glenn Grothman
- 7 Sean P. Duffy
- 8 Mike Gallagher

WYOMING

At Large, Liz Cheney

PUERTO RICO

Resident Commissioner, Jenniffer González-Colón

AMERICAN SAMOA

Delegate, Aumua Amata Coleman Radewagen

DISTRICT OF COLUMBIA

Delegate, Eleanor Holmes Norton

GUAM

Delegate, Madeleine Z. Bordallo

NORTHERN MARIANA ISLANDS

Delegate, Gregorio Killili Camacho Sablan

VIRGIN ISLANDS

Delegate, Stacey E. Plaskett

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Ralph Lee Abraham, Alma S. Adams, Robert B. Aderholt, Pete Aguilar, Rick W. Allen, Justin Amash, Mark E. Amodei, Jodey C. Arrington, Brian Babin, Don Bacon, Jim Banks, Lou Barletta, Andy Barr, Nanette Diaz Barragan, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Ami Bera, Jack Bergman, Jaime Herrera Beutler, Donald S. Beyer, Jr., Andy Biggs, Gus M. Bilirakis, Mike Bishop, Rob Bishop, Sanford D. Bishop, Jr., Diane Black, Marsha Blackburn, Rod Blum, Earl Blumenauer, Lisa Blunt Rochester, Suzanne Bonamici, Madeleine Z. Bordallo, Mike Bost, Brendan F. Boyle, Kevin Brady, Robert A. Brady, Dave Brat, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Anthony G. Brown, Julia Brownley, Vern Buchanan, Ken Buck, Larry Bucshon, Ted Budd, Michael C. Burgess, Cheri Bustos, G. K. Butterfield, Bradley Byrne, Ken Calvert, Michael E. Capuano, Salud O. Carbajal, Tony Cardenas, André Carson, Earl L. "Buddy" Carter, John R. Carter, Matt Cartwright, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Liz Cheney, Judy Chu, David N. Cicilline, Katherine M. Clark, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins, Doug Collins, James Comer, Barbara Comstock, K. Michael Conaway, Gerald E. Connolly, John Conyers, Jr., Paul Cook, Jim Cooper, J. Luis Correa, Jim Costa, Ryan A. Costello, Joe Courtney, Kevin Cramer, Eric A. "Rick" Crawford, Charlie Crist, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Carlos Curbelo, Warren Davidson, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney, Rosa L. DeLauro, Suzan K. DelBene, Val Butler Demings, Jeff Denham, Charles W. Dent, Ron DeSantis, Mark DeSaulnier, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, Debbie Dingell, Lloyd Doggett, Daniel M. Donovan, Jr., Mi-

chael F. Doyle, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Neal P. Dunn, Keith Ellison, Tom Emmer, Eliot L. Engel, Anna G. Eshoo, Adriano Espaillat, Elizabeth H. Esty, Dwight Evans, Blake Farenthold, John J. Faso, A. Drew Ferguson, IV, Brian K. Fitzpatrick, Charles J. "Chuck" Fleischmann, Bill Flores, Jeff Fortenberry, Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Tulsi Gabbard, Matt Gaetz, Mike Gallagher, Ruben Gallego, John Garamendi, Thomas A. Garrett, Jr., Bob Gibbs, Louie Gohmert, Vicente Gonzalez, Jenniffer González-Colón, Bob Goodlatte, Paul A. Gosar, Josh Gotthamer, Trey Gowdy, Kay Granger, Garret Graves, Sam Graves, Tom Graves, Al Green, Gene Green, H. Morgan Griffith, Raúl M. Grijalva, Glenn Grothman, Brett Guthrie, Luis V. Gutiérrez, Colleen Hanabusa, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Denny Heck, Jeb Hensarling, Jody B. Hice, Brian Higgins, Clay Higgins, J. French Hill, James A. Himes, George Holding, Trey Hollingsworth, Steny H. Hoyer, Richard Hudson, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Will Hurd, Darrell E. Issa, Sheila Jackson Lee, Pramila Jayapal, Hakeem S. Jeffries, Evan H. Jenkins, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Mike Johnson, Sam Johnson, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, John Katko, William R. Keating, Mike Kelly, Robin L. Kelly, Trent Kelly, Joseph P. Kennedy, III, Ro Khanna, Ruben Kihuen, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Adam Kinzinger, Stephen Knight, Raja Krishnamoorthi, Ann M. Kuster, David Kustoff, Raúl R. Labrador, Darin LaHood, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, Rick Larsen, John B. Larson, Robert E. Latta, Brenda L. Lawrence, Al Lawson, Jr., Barbara Lee, Sander M. Levin, James Lewis, John Lewis, Ted Lieu, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Barry Loudermilk, Mia B. Love, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Michelle Lujan Grisham, Stephen F. Lynch, Thomas MacArthur, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Roger W. Marshall, Thomas Massie, Brian J. Mast, Doris O. Matsui, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, A. Donald McEachin, James P. McGovern, Patrick T. McHenry, David B. McKinley, Cathy McMorris Rodgers, Jerry McNERney, Martha McSally, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, Paul Mitchell, John R. Molesnaar, Alexander X. Mooney, Gwen Moore, Seth Moulton, Markwayne Mullin, Mick Mulvaney, Stephanie N. Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Dan Newhouse, Kristi L. Noem, Richard M. Nolan, Donald Norcross, Eleanor Holmes Norton, Devin Nunes, Tom O'Halleran, Pete Olson, Beto O'Rourke, Steven M. Palazzo, Frank Pallone, Jr., Gary J. Palmer, Jimmy Panetta, Bill Pascrell, Jr., Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry, Scott H. Peters, Collin C. Peterson, Chellie Pingree, Robert Pittenger, Stacey E. Plaskett, Mark Pocan, Ted Poe, Bruce Poliquin, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Aumua Amata Coleman Radewagen, Jamie Raskin, John Ratcliffe, Tom Reed,

David G. Reichert, James B. Renacci, Kathleen M. Rice, Tom Rice, Cedric L. Richmond, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Francis Rooney, Thomas J. Rooney, Jacky Rosen, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, David Rouzer, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, C. A. Dutch Ruppersberger, Bobby L. Rush, Steve Russell, John H. Rutherford, Paul D. Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Linda T. Sánchez, Mark Sanford, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Bradley Scott Schneider, Kurt Schrader, David Schweikert, Austin Scott, David Scott, Robert C. “Bobby” Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Carol Shear-Porter, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Jason Smith, Lamar Smith, Lloyd Smucker, Darren Soto, Jackie Speier, Elise M. Stefanik, Chris Stewart, Steve Stivers, Thomas R. Suozzi, Eric Swalwell, Mark Takano, Scott Taylor, Claudia Tenney, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, Scott R. Tipton, Dina Titus, Paul Tonko, Norma J. Torres, David A. Trotter, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Mark Walker, Jackie Walorski, Mimi Walters, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Bonnie Watson Coleman, Randy K. Weber, Sr., Daniel Webster, Peter Welch, Brad R. Wenstrup, Bruce Westerman, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Steve Womack, Rob Woodall, John A. Yarmuth, Kevin Yoder, Ted S. Yoho, David Young, Don Young, Lee M. Zeldin, Ryan K. Zinke

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

343. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Republication of the Select Agent and Toxin List; Amendments to the Select Agent and Toxin Regulations [Docket No.: APHIS-2014-0095] (RIN: 0579-AE08) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

344. A letter from the Secretary, Department of the Treasury, transmitting the annual report on the operation of the Exchange Stabilization Fund (ESF) for Fiscal Year 2016, pursuant to 31 U.S.C. 5302(c)(2); Jan. 30, 1934, ch. 6, Sec. 10 (as amended by Public Law 97-258, Sec. 5302(c)(2)); (96 Stat. 994) (110 Stat. 868); to the Committee on Financial Services.

345. A letter from the Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's Major final regulations — Open Licensing Requirement for Competitive Grant Programs

[Docket ID: ED-2015-OS-0105] (RIN: 1894-AA07) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

346. A letter from the Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting the Department's final rule — Examinations of Working Places in Metal and Nonmetal Mines [Docket No.: MSHA-2014-0030] (RIN: 1219-AB87) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

347. A letter from the Assistant General Counsel for Regulatory Services, Office of the General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's final regulations — Student Assistance General Provisions [Docket ID: ED-2015-OPE-0103] (RIN: 1840-AD22) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

348. A letter from the General Counsel, U.S. Access Board, transmitting the Board's Major final rule — Information and Communication Technology (ICT) Standards and Guidelines (RIN: 3014-AA37) received January 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

349. A letter from the Secretary and Acting Director of OPM, Department of Energy, transmitting the Department's One-Time Hiring Authority Congressional Report, pursuant to 42 U.S.C. 7231 note; Public Law 113-76, div. D, title III, Sec. 313(c)(2); (128 Stat. 177); to the Committee on Energy and Commerce.

350. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major final rule — Energy Conservation Program: Energy Conservation Standards for Ceiling Fans [Docket No.: EERE-2012-BT-STD-0045] (RIN: 1904-AD28) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

351. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Food and Drug Administration's FY 2016 Performance Report to Congress for the Medical Device User Fee Amendments; to the Committee on Energy and Commerce.

352. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for General Service Lamps [Docket No.: EERE-2013-BT-STD-0051] (RIN: 1904-AD09) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

353. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Pub-

lic Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

354. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations [Docket No.: 170103002-7002-01] (RIN: 0694-AH22) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

355. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Amendments to the Export Administration Regulations Implementing an Additional Phase of India-US Export Control Cooperation [Docket No.: 170104015-7015-01] (RIN: 0694-AH26) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

356. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Support Document Requirements with Respect to Hong Kong [Docket No.: 161230999-7013-01] (RIN: 0694-AH11) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

357. A letter from the Director, Defense Security Cooperation Agency, transmitting a proposed Letter of Offer and Acceptance to the Government of Kenya, Transmittal No. 16-79, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

358. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of the Army's proposed lease to the Government of Singapore, Transmittal No. 01-17, pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

359. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Air Force's proposed Letter of Offer and Acceptance to the Government of the United Kingdom, Transmittal No. 16-82, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

360. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-606, “Green Yards Recognition Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

361. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-605, “West End Parcels Development Omnibus Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

362. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-604, “Nonwoven Disposable Products Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

363. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-607, “Historic Preservation of Derelict District Properties Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

364. A letter from the Chairman, Council of the District of Columbia, transmitting D.C.

Act 21-608, “H Street, N.E., Retail Priority Area Clarification Temporary Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

365. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-603, “Omnibus Public Safety and Justice Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

366. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department’s Major direct final rule — Energy Conservation Program: Energy Conservation Standards for Dedicated-Purpose Pool Pumps [Docket No.: EERE-2015-BT-STD-0008] (RIN: 1904-AD52) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

367. A letter from the Assistant Attorney General, Department of Justice, transmitting five notifications of federal vacancy, designation of acting officer, change in previously submitted reported information, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

368. A letter from the Secretary, Department of the Treasury, transmitting the Department’s semiannual reports to Congress from the Treasury Inspector General and the Treasury Inspector General for Tax Administration for the period of April 1, 2016, through September 30, 2016; to the Committee on Oversight and Government Reform.

369. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission’s Inventories of Commercial and Inherently Governmental Activities for fiscal years 2014 and 2015, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

370. A letter from the Chairwoman, Federal Trade Commission, transmitting the Commission’s Fiscal Year 2016 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

371. A letter from the Secretary, Federal Trade Commission, transmitting the Commission’s final rule — Freedom of Information Act; Miscellaneous Rules received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

372. A letter from the Director, Office of Management and Budget, transmitting the Statistical Programs of the United States Government: Fiscal Year 2017 report, as required by the Paperwork Reduction Act of 1995; to the Committee on Oversight and Government Reform.

373. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, “The D.C. Government Must Improve Policies and Practices for the Protection of Personally Identifiable Information”; to the Committee on Oversight and Government Reform.

374. A letter from the Staff Director, U.S. Commission on Civil Rights, transmitting

the Commission’s Annual Performance and Accountability Report for FY 2016, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

375. A letter from the Acting Deputy Director, Bureau of Land Management, Department of the Interior, transmitting the Department’s report, “Eliminating Principal or Major Users on Tracts of Land in California, Colorado, Nevada, Oregon, Utah, Idaho, Wyoming, and Montana (exceeding 100,000 acres)”, pursuant to 43 U.S.C. 1712(e)(2); Public Law 94-579, Sec. 202(e)(2); (90 Stat. 2749); to the Committee on Natural Resources.

376. A letter from the Secretary, Department of Health and Human Services, transmitting the Department’s determination on a petition filed on behalf of workers who were employed at Area IV of the Santa Susana Field Laboratory in Ventura County, California, to be added to the Special Exposure Cohort, pursuant to 42 U.S.C. 7384q(c)(2); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(1)); (118 Stat. 2188) and 42 U.S.C. 7384l(14)(C)(ii); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(2)); (118 Stat. 2189); to the Committee on the Judiciary.

377. A letter from the Assistant Attorney General, Department of Justice, transmitting the annual report required by provisions of the NICS Improvement Amendments Act of 2007, pursuant to 18 U.S.C. 922 note; Public Law 103-159, Sec. 103(e)(1)(E) (as added by Public Law 110-180, Sec. 101(a)); (121 Stat. 2561); to the Committee on the Judiciary.

378. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Fifth Circuit, *USA v. Cesar Bernel-Aveja*, No. 15-20308, USDC No. 4:15-CR-37-1; to the Committee on the Judiciary.

379. A letter from the Deputy General Counsel, Office of General Counsel, Small Business Administration, transmitting the Administration’s final rule — Credit for Lower Tier Small Business Subcontracting (RIN: 3245-AG71) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Small Business.

380. A letter from the Deputy General Counsel, Office of General Counsel, Small Business Administration, transmitting the Administration’s final rule — Small Business Investment Companies: Passive Business Expansion and Technical Clarifications (RIN: 3245-AG67) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Small Business.

381. A letter from the Director, National Legislative Division, American Legion, transmitting a financial statement and independent audit of The American Legion, and proceedings of the 98th Annual National Convention of the American Legion, held in Cincinnati, Ohio from August 30 — September 1, 2016, and a report on the organization’s activities for the year preceding the convention (H. Doc. No. 115—16); to the Committee on Veterans’ Affairs and ordered to be printed.

382. A letter from the Secretary, Department of Labor, transmitting a report titled “A Study of the Self-Employment Assistance Program: Helping Unemployed Workers Pursue Self-Employment”, pursuant to 26 U.S.C. 3304 note; Public Law 112-96, Sec. 2183(b)(2); (126 Stat. 184); to the Committee on Ways and Means.

383. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department’s temporary rule — Changes to Certain Alcohol-Related Regulations Governing Bond Requirements and Tax Return Filing Periods [Docket No.: TTB-2016-0013; T.D. TTB-146; Re: Notice No.: 167] (RIN: 1513-AC30) received January 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

384. A letter from the Assistant Secretary for Insular Areas, Department of the Interior, transmitting the Department’s “Report to the Congress: Compact Impact Analysis of 2015 Reports from Guam and Hawaii”, along with the related report “Impact of the Compacts of Free Association on Guam FY (Fiscal Year) 2004 through FY 2015”, pursuant to 48 U.S.C. 1921c(e)(8); Public Law 108-188, Sec. 104(e)(8); (117 Stat. 2741); jointly to the Committees on Natural Resources and Foreign Affairs.

385. A letter from the Assistant Attorney General, Department of Justice, transmitting the Attorney General’s First Quarterly Report of FY 2017 on the Uniformed Services Employment and Reemployment Rights Act of 1994, pursuant to 38 U.S.C. 4332(b)(1); Public Law 103-353, Sec. 2(a) (as added by Public Law 110-389, Sec. 312(c)); (122 Stat. 4165); jointly to the Committees on the Judiciary and Veterans’ Affairs.

386. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled “Finalizing Medicare Rules under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 for Calendar Year (CY) 2016”, pursuant to 42 U.S.C. 1395hh(a)(3)(D); Public Law 108-173, Sec. 902(a)(1); (117 Stat. 2375); jointly to the Committees on Ways and Means and Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CUMMINGS (for himself, Mr. CHAFFETZ, Ms. NORTON, Mr. SENSENBRENNER, and Ms. JACKSON LEE):

H.R. 702. A bill to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HUIZENGA, Mr. SMITH of Washington, Mr. POSEY, Mr. WALZ, Mr. BRIDENSTINE, Mr. FOSTER, Mr. TAKANO, Mr. TONKO, Mr. JOHNSON of Georgia, Mr. BEYER, Mr. LANGEVIN, Ms. CLARK of Massachusetts, Ms. BONAMICI, Ms. BORDALLO, Mr. KILMER, Ms. LOFGREN, Mr. BILIRAKIS, Mr. HOLLINGSWORTH, Mr. COOPER, and Mr. PERLMUTTER):

H.R. 703. A bill to establish the 50th Anniversary Apollo I Memorial; to the Committee on Armed Services, and in addition to the Committees on Veterans’ Affairs, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself, Mr. STIVERS, Mrs. CAROLYN B. MALONEY of New York, Mr. PITTENGER, Mr. DELANEY, Mr. PAULSEN, and Ms. SINEMA):

H.R. 704. A bill to amend the Federal Home Loan Bank Act to expand the purposes of advances and collateral available to community development financial institutions; to the Committee on Financial Services.

By Mr. FLORES (for himself, Mr. MULLIN, Mr. GUTHRIE, and Mr. COLLINS of New York):

H.R. 705. A bill to amend titles XI and XIX of the Social Security Act to promote program integrity with respect to the enrollment of certain immigrants in State plans under Medicaid, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN:

H.R. 706. A bill to amend title I of the Patient Protection and Affordable Care Act to require verification for eligibility for enrollment during special enrollment periods in PPACA insurance plans, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN:

H.R. 707. A bill to amend the Social Security Act to improve choices available to Medicare eligible seniors by permitting them to elect (instead of regular Medicare benefits) to receive a voucher for a health savings account, for premiums for a high deductible health insurance plan, or both and by suspending Medicare late enrollment penalties between ages 65 and 70; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON:

H.R. 708. A bill to amend title XXVII of the Public Health Service Act to change the permissible age variation in health insurance premium rates; to the Committee on Energy and Commerce.

By Mr. CAPUANO:

H.R. 709. A bill to provide for notification to consumers before a video service collects visual or auditory information from the viewing area and to provide consumers with choices that do not involve the collection of such information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FLORES:

H.R. 710. A bill to amend the Patient Protection and Affordable Care Act to better align the grace period required for non-payment of premiums before discontinuing coverage under qualified health plans with such grace periods provided for under State law; to the Committee on Ways and Means.

By Mr. COHEN (for himself, Mr. TED LIEU of California, and Ms. JACKSON LEE):

H.R. 711. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such redistricting through independent commissions, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. PETERSON, Ms. SINEMA, Mr. COSTA, Mr. SCHRADER, Mrs. MURPHY of Florida, Mr. QUIGLEY, and Mr. O'HALLERAN):

H.R. 712. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such

redistricting through independent commissions, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. PETERSON, Ms. SINEMA, Mr. COSTA, Mr. SCHRADER, Mrs. MURPHY of Florida, and Mr. O'HALLERAN):

H.R. 713. A bill to require States to carry out Congressional redistricting in accordance with a process under which members of the public are informed of redistricting proposals and have the opportunity to participate in the development of such proposals prior to their adoption, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIFFITH:

H.R. 714. A bill to provide for the legitimate use of medicinal marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. GRIFFITH (for himself and Mr. BLUMENAUER):

H.R. 715. A bill to provide for the rescheduling of marijuana, the medical use of marijuana in accordance with State law, and the exclusion of cannabidiol from the definition of marijuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MESSER:

H.R. 716. A bill to amend the Internal Revenue Code of 1986 to encourage the use of 529 plans and Coverdell education savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself, Mr. BURGESS, Mr. GOHMERT, and Mr. BABIN):

H.R. 717. A bill to amend the Endangered Species Act of 1973 to require review of the economic cost of adding a species to the list of endangered species or threatened species, and for other purposes; to the Committee on Natural Resources.

By Mr. TIBERI (for himself, Mr. WENSTRUP, Mr. ROE of Tennessee, Mr. JOYCE of Ohio, Mr. GIBBS, Mr. LATTA, Mr. RENACCI, Mr. TURNER, Mr. JOHNSON of Ohio, Mr. STIVERS, and Mr. CHABOT):

H.R. 718. A bill to amend title 18, United States Code, to prohibit the unlawful disposal of fetal remains, and for other purposes; to the Committee on the Judiciary.

By Mr. WALKER (for himself, Mr. DUNCAN of South Carolina, Mr. BRAT, Mr. DESANTIS, Mr. BUDD, Mr. HUDSON, Mr. GOHMERT, Mr. BUCK, Mr. GROTHMAN, Mr. PALMER, and Mr. SENSENBRENNER):

H.R. 719. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska (for himself and Mr. PEARCE):

H.J. Res. 34. A joint resolution disapproving the rule submitted by the Department of the Interior regarding requirements for exploratory drilling on the Arctic Outer Continental Shelf; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.J. Res. 35. A joint resolution providing for congressional disapproval under chapter 8

of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska"; to the Committee on Natural Resources.

By Ms. SCHAKOWSKY (for herself, Mr. GRAVES of Missouri, and Ms. ROYBAL-ALLARD):

H. Res. 64. A resolution recognizing the roles and contributions of America's Certified Registered Nurse Anesthetists (CRNAs) and their role in providing quality healthcare for the public; to the Committee on Energy and Commerce.

By Mr. CAPUANO:

H. Res. 65. A resolution urging the President to seek an independent investigation into the death of Tibetan Buddhist leader and social activist Tenzin Delek Rinpoche and to publicly call for an end to the repressive policies used by the People's Republic of China in Tibet; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California (for herself, Mr. RENACCI, Mr. RYAN of Ohio, Mrs. WATSON COLEMAN, Ms. BASS, Mr. SCHIFF, Ms. MCCOLLUM, Ms. SEWELL of Alabama, Ms. ADAMS, Mr. VARGAS, Mr. KILMER, and Mr. GRIJALVA):

H. Res. 66. A resolution recognizing January 2017 as "National Mentoring Month", and for other purposes; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Ms. MENG, Mrs. LAWRENCE, and Mr. LANGEVIN):

H. Res. 67. A resolution expressing support for designation of November 2017, as "National Bladder Health Month"; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS (for himself and Mr. WOODALL):

H. Res. 68. A resolution condemning Palestinian incitement and reaffirming the special bond between Israel and the United States; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CUMMINGS:

H.R. 702.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have Power to . . . provide for the common Defence and general Welfare of the United States

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 703.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. ELLISON:

H.R. 704.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, Clause 3 and Clause 18.

By Mr. FLORES:

H.R. 705.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18
By Mrs. BLACKBURN:
H.R. 706.

Congress has the power to enact this legis-
lation pursuant to the following:

Article 1, Section 8, Clause 3 “to regulate
commerce with foreign nations, and among
the several states, and with the Indian
tribes.”

By Mrs. BLACKBURN:

H.R. 707.

Congress has the power to enact this legis-
lation pursuant to the following:

Article 1, Section 8, Clause 3 “to regulate
commerce with foreign nations, and among
the several states, and with the Indian
tribes.”

By Mr. BUCSHON:

H.R. 708.

Congress has the power to enact this legis-
lation pursuant to the following:

Article 1, Section 8, Clause 3 of the United
States Constitution

By Mr. CAPUANO:

H.R. 709.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, section 8, clause 1 (relating to
the general welfare of the United States);
and Article I, section 8, clause 3 (relating to
the power to regulate interstate commerce).

By Mr. FLORES:

H.R. 710.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To
Regulate Commerce with foreign Nations,
and among the several States, and with the
Indian Tribes.

By Mr. COHEN:

H.R. 711.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 4

By Mr. COOPER:

H.R. 712.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 4 of the Constitution of
the United States

By Mr. COOPER:

H.R. 713.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 4 of the Constitution of
the United States

By Mr. GRIFFITH:

H.R. 714.

Congress has the power to enact this legis-
lation pursuant to the following:

This bill is enacted pursuant to the power
granted to Congress under Article I, Section
8 of the United States Constitution.

By Mr. GRIFFITH:

H.R. 715.

Congress has the power to enact this legis-
lation pursuant to the following:

This bill is enacted pursuant to the power
granted to Congress under Article I, Section
8 of the United States Constitution.

By Mr. MESSER:

H.R. 716.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8, Clause 1, which states
“The Congress shall have Power To lay and
collect Taxes, Duties, Imposts and Excises,
to pay the Debts and provide for the common
Defence and general Welfare of the United

States; but all Duties, Imposts and Excises
shall be uniform throughout the United
States” and Article I, Section 8, Clause 18,
which empowers Congress to “To make all
Laws which shall be necessary and proper for
carrying into Execution the foregoing Pow-
ers, and all other Powers vested by this Con-
stitution in the Government of the United
States, or in any Department or Officer
thereof”

By Mr. OLSON:

H.R. 717.

Congress has the power to enact this legis-
lation pursuant to the following:

Article 1, Section 8, Clause 18 of the Con-
stitution of the United States.

By Mr. TIBERI:

H.R. 718.

Congress has the power to enact this legis-
lation pursuant to the following:

The Supreme Court's Commerce Clause
precedents and under the Constitution's
grants of powers to Congress under the Equal
Protection, Due Process, and Enforcement
Clauses of the Fourteenth Amendment.

By Mr. WALKER:

H.R. 719.

Congress has the power to enact this legis-
lation pursuant to the following:

Article 1 Section 8 of the Constitution of
the United States

By Mr. YOUNG of Alaska:

H.J. Res. 34.

Congress has the power to enact this legis-
lation pursuant to the following:

Article 1, Section 8, Clause 18

“To make all Laws which shall be nec-
essary and proper for carrying into Execu-
tion the foregoing Powers, and all other
Powers vested by this Constitution in the
Government of the United States, or in any
Department or Officer thereof”

By Mr. YOUNG of Alaska:

H.J. Res. 35.

Congress has the power to enact this legis-
lation pursuant to the following:

Article 1, Section 8, Clause 18

“To make all Laws which shall be nec-
essary and proper for carrying into Execu-
tion the foregoing Powers, and all other
Powers vested by this Constitution in the
Government of the United States, or in any
Department or Officer thereof”

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors
were added to public bills and resolu-
tions, as follows:

H.R. 80: Mr. KNIGHT and Mr. FRANCIS ROO-
NEY of Florida.

H.R. 82: Mr. YOUNG of Alaska, Mr. ROUZER,
Mr. FRANCIS ROONEY of Florida, Mr. JONES,
Mr. KNIGHT, Mr. WEBER of Texas, Mr. BOST,
Mr. ADERHOLT, and Mr. HIGGINS of Louisiana.

H.R. 184: Ms. CHENEY, Mr. SCHNEIDER, and
Mr. GOTTHEIMER.

H.R. 267: Mr. JODY B. HICE of Georgia, Mr.
BISHOP of Georgia, Mr. SCHIFF, Mr. GALLEGRO,
Mr. RICHMOND, Ms. PLASKETT, Mr. THOMPSON
of Mississippi, Mr. BUTTERFIELD, Mr.
HUFFMAN, Ms. NORTON, Mr. COHEN, Ms. JACK-
SON LEE, Mr. LEVIN, Mr. HASTINGS, Ms. LEE,
Mr. BRADY of Pennsylvania, Mr. SCOTT of
Virginia, Mr. MCGOVERN, Ms. TITUS, Mr.
YARMUTH, Mr. VEASEY, Mr. CUMMINGS, Mr.
CONNOLLY, Mr. SERRANO, Ms. ADAMS, Mr.
CARSON of Indiana, Mr. CARTER of Georgia,
and Mr. POLIS.

H.R. 332: Mr. HASTINGS, Mr. GARAMENDI,
Mr. SOTO, and Mrs. DINGELL.

H.R. 334: Mr. SOTO and Mrs. DINGELL.

H.R. 352: Mr. GAETZ.

H.R. 358: Mr. COLLINS of New York and Mr.
BANKS of Indiana.

H.R. 367: Mr. THOMPSON of Pennsylvania,
Mr. GARRETT, and Mr. COLLINS of New York.

H.R. 380: Mr. BILIRAKIS.

H.R. 407: Mr. BROOKS of Alabama.

H.R. 439: Mr. SEAN PATRICK MALONEY of
New York.

H.R. 459: Mrs. WALORSKI.

H.R. 489: Mr. MCGOVERN, Mr. CAPUANO, Mr.
GUTIÉRREZ, Mr. HECK, Mrs. BEATTY, Mr. NAD-
LER, Mrs. DINGELL, Mr. KEATING, Mr. KIND,
Mr. KILMER, Ms. JACKSON LEE, Mr. WELCH,
Mr. GARAMENDI, Ms. BONAMICI, Mr.
LOWENTHAL, Mr. TAKANO, Mr. SWALWELL of
California, Mr. RYAN of Ohio, Ms. CLARK of
Massachusetts, Mr. ENGEL, and Mr.
CICILLINE.

H.R. 490: Mr. LOUDERMILK.

H.R. 525: Mr. LAHOOD.

H.R. 550: Mr. COOK, Mr. SIRES, and Mr.
JEFFRIES.

H.R. 598: Mr. MEEKS.

H.R. 630: Mr. JOHNSON of Georgia and Mrs.
LAWRENCE.

H.R. 682: Mr. BRIDENSTINE.

H.R. 696: Mr. WALZ, Mr. PERLMUTTER, Mr.
O'HALLERAN, Mr. DEFAZIO, Ms. ROYBAL-
ALLARD, Mr. TAKANO, Mr. VARGAS, Mr.
COURTNEY, Mr. CICILLINE, Mr. VELA, Ms.
MICHELLE LUJAN GRISHAM of New Mexico,
Mr. LYNCH, Mr. DELANEY, Mr. KILMER, Ms.
PINGREE, Ms. SINEMA, Ms. BORDALLO, Mrs.
MURPHY of Florida, Mr. DAVID SCOTT of Geor-
gia, Mr. KIND, Mrs. CAROLYN B. MALONEY of
New York, Mr. PETERS, Mr. BEN RAY LUJÁN
of New Mexico, Ms. TITUS, Ms. BONAMICI, Mr.
SCHNEIDER, Mr. PETERSON, Ms. SHEA-PORTER,
Mr. BLUMENAUER, Ms. DELBENE, Mr. SAR-
BANES, Mr. JONES, Mr. THOMPSON of Cali-
fornia, and Ms. SÁNCHEZ.

H.J. Res. 31: Ms. BONAMICI.

H. Res. 44: Mr. HUFFMAN, Mr. SMITH of
Washington, and Mr. CARTWRIGHT.

H. Res. 60: Mr. BARR, Mrs. HARTZLER, Mr.
MACARTHUR, Mr. FORTENBERRY, Ms.
MCSALLY, Mr. GOHMERT, and Mr. LANCE.

H. Res. 61: Mr. CROWLEY, Mr. SERRANO, Mr.
TONKO, Mr. CORREA, and Mr. JEFFRIES.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions
and papers were laid on the clerk's
desk and referred as follows:

4. The SPEAKER presented a petition of
the Council of the City of Roanoke, VA, rel-
ative to Resolution No. 40737-010317, urging
Senate Majority Leader Mitch McConnell,
Senator Mark Warner, Senator Tim Kaine,
and all United States Senators to reintro-
duce the Marketplace Fairness Act into the
United States Senate during its 2017 session;
to the Committee on the Judiciary.

5. Also, a petition of the Legislature of Or-
leans County, New York, relative to Resolu-
tion No. 475-1216, urging Congress to pass
Legislation, H.R. 6397, “Protection of Mil-
itary Airfields from Wind Turbine Encroach-
ment Act” and President-Elect Donald J.
Trump to enact the same; to the Committee
on Ways and Means.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mr. HUFFMAN. Mr. Speaker, on Tuesday, January 24, 2017, I was absent for Roll Call vote 63.

Had I been present for Roll Call vote 63, H. Res. 55—Providing for consideration of the bill (H.R. 7) to prohibit taxpayer funded abortions, I would have voted “no”.

THE NATIONAL INSTITUTES OF HEALTH FUNDING DEFICIT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Ms. DeLAURO. Mr. Speaker, I rise to clarify a statistic I inadvertently misstated on the House Floor on January 3rd.

I intended to highlight how medical research at the National Institutes of Health has been cut by \$7.5 billion since 2003, when adjusted for inflation.

The cost of conducting medical research increases each year, yet the NIH’s budget has not kept up with this pace. As a result, the NIH has been able to support less research each year.

Thankfully we started to reverse this trend in 2016, when we provided a \$2 billion increase however that is not nearly enough to close the gap.

Even with the money provided by 21st Century Cures for the next decade, Congress has barely put a dent in the NIH’s funding deficit. For example, in 2017, with the increase provided in the House Mark and the Cures bill, the NIH would still be over \$7 billion short of the 2003 level.

I would also note that the Cures funding is a gimmick—there is no guarantee that Congress will provide that funding each year.

I regret my error in omitting the term “when adjusted for inflation.” But it is clear that when you look at the cost of research and the money we appropriate for the NIH, we have a long way to go.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mr. WEBSTER of Florida. Mr. Speaker, due to numerous flight delays caused by weather along the southeast, I was not present during

the vote series held on Monday, January 23, 2017.

Had I been present I would have voted YEA on Roll Call No. H.R. 423 and YEA on Roll Call No. H.R. 582.

PROMOTING THE 2017 MARCH FOR LIFE

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mr. SENSENBRENNER. Mr. Speaker, I proudly rise to recognize the March for Life on Friday January 27th, 2017 here in Washington D.C. This is a gathering of thousands of Americans from across our great country, all who are standing up for the protection of unborn children.

Ever since the abysmal ruling by the Supreme Court in Roe vs. Wade, the barbaric practice of abortion on demand has been rampant in our country. All too often we fall into the trap of conflating women’s health with abortion, assuming that if one supports protecting life, then we’re failing to care for women’s health. Nothing could be further from the truth.

I stand here today with the millions of Americans across our country who believe that the lives of innocent children must be protected. I have long been a staunch advocate for pro-life issues despite vocal opposition. As Chairman of the House Judiciary Committee, I shepherded the partial-birth abortion ban through Congress. It was one of my greatest honors to watch President George W. Bush sign it into law, and I was relieved that the Supreme Court upheld it. I have fully supported every effort in Congress to stop federally funded abortions, both in the United States and abroad, and will continue to fight efforts to federally fund these horrific practices.

PERSONAL EXPLANATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mrs. BEATTY. Mr. Speaker, on January 23, 2017, I missed roll call vote 60 due to unavoidable delay. Had I been present, I would have voted “yes” on final passage of H.R. 423, the Anti-Spoofing Act.

TRIBUTE TO THE ASSYRIAN AMERICAN CIVIC CLUB OF TURLOCK

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mr. DENHAM. Mr. Speaker, I rise today to recognize the Assyrian American Civic Club of Turlock as we celebrate its seventieth-year anniversary. Since the club’s founding in 1946, it has provided service to Assyrian Americans in the City of Turlock through the promotion and protection of the Assyrian culture, education, religion and humanitarian rights.

The club was established in the fall of 1946 to help families preserve their deep rooted culture that can be passed on to future generations. It is progressive in nature not only to the benefit of Assyrian Americans, but also to all in California’s 10th Congressional District.

The members of the Assyrian American Civic Club of Turlock recognize civic responsibility to their people and allegiance to the United States of America. It is in their core interests to uphold the principles of freedom and democracy, support the Constitution, instill a sense of individual obligation and responsibility for Assyrian unity, and support programs that perpetuate Assyrian cultural heritage. The club is dedicated to promoting goodwill and understanding among Assyrians and non-Assyrians alike.

The club also recognizes and values the importance of education. On March 13, 2002, it created the Assyrian Civic Club Education Foundation. This 501(c)3 non-profit continues to provide hundreds of scholarships to high school and university students, as it has done so for the past 15 years. The foundation educates, informs, and enhances cultural values for Assyrians in the community through their own local radio and television programs. Additionally, the civic club has its own facility that the community at large utilizes, while also serving as a place for Assyrian Americans to come together for social, recreation and educational activities.

Mr. Speaker, please join me in honoring and recognizing the seventieth anniversary of the Assyrian American Civic Club of Turlock for its service and outstanding contributions to the Assyrian community as we celebrate this important milestone.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CELEBRATING 75 YEARS OF THE UNITED WAY OF GREATER AUGUSTA

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mr. GOODLATTE. Mr. Speaker, it's the people who make a community a great place to live, work, and in my case, represent. The generosity of the community and their care for their neighbors defines this part of Virginia. Over the past 75 years, the United Way has harnessed these values and used them as a catalyst to improve the lives of people in the community.

Around 1942, United Way organizations were founded in Staunton and Waynesboro. As these organizations continued to grow, in 2004 they merged to become the United Way of Greater Augusta, Inc. in order to offer more effective services to the community. This organization has long worked toward positive change in their community, and I am honored to pay tribute to the United Way of Greater Augusta, Inc. as they celebrate 75 years of service to the people of Staunton, Waynesboro, and Augusta County.

Through grants, workplace campaigns, corporate partnerships, and individual donations, the United Way has raised funds to help make a positive impact in the community. They have helped families and individuals in the Greater Augusta region by providing support to local agencies like the Valley Children's Advocacy Center, the Daily Living Center, Valley Hope Counseling Center, and Renewing Homes. The United Way has also made targeted investments in programs such as Stuff the Bus, the Financial Stability Center, and Imagination Library. The work of the United Way has evolved throughout its 75 year history, and I am confident that it will continue to do so to meet both the short-term and long-term needs of those it serves in the Greater Augusta region.

There are many people responsible for the continued growth and success of the United Way of Greater Augusta. Countless volunteers have donated their time to serve the community. Board Members have served as active voices in the community for the United Way's work. Staff members have worked hard to promote the work of the United Way and make sure the wheels run smoothly on a day-to-day basis. While I extend my gratitude to all of these individuals, I also want to specifically recognize Cynthia Pritchard for her service as President and CEO of the United Way of Greater Augusta. As she prepares to leave this position, it is clear that much of the good work of this organization would not have been possible without her guidance and leadership over the past seven and a half years.

Congratulations to the United Way of Greater Augusta on this momentous occasion. I wish them all the best, and look forward to the positive impact they will continue to make.

IN RECOGNITION OF THE ACCOMPLISHMENTS OF THE SOUTHERN WAYNE COUNTY REGIONAL CHAMBER DURING ITS 50TH ANNIVERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Southern Wayne County Regional Chamber's 50 Year Anniversary on the date of its Business to Business Exposition Best of Downriver Black Tie Event. The SWCRC has played a critical role in promoting business and economic development by providing training and leadership opportunities to the Downriver community.

Since its founding in 1967, the SWCRC has helped the Downriver business community grow and prosper. The SWCRC today has over 650 members and provides them with a variety of networking, business development and education programs. The SWCRC gives emerging leaders in Southern Wayne County education and training through its Leadership 21 initiative, a six month program that gives individuals multidisciplinary training in the fields of economic development, government and healthcare. Additionally, the Chamber offers opportunities to network and meet other members of the business community, as well as promotional events and roundtables with leaders in a variety of fields. These services have allowed businesses to better serve the individuals in the Downriver area, have helped to improve the business climate in Southern Wayne County and have contributed to the economic revival of southeast Michigan.

The SWCRC's efforts have been instrumental in creating a strong business community that effectively serves the Downriver area. Its efforts have inspired a new generation of business leaders who are uniquely equipped to address the issues facing the community. It has also allowed organizations in the area to share best practices and better serve Downriver. I am proud to recognize the outstanding efforts of the SWCRC and its members, and it is my hope that they continue to make Southern Wayne County a great place to live and work in the coming years.

Mr. Speaker, I ask my colleagues to join me in recognizing the Southern Wayne Regional Chamber and its 50 years of success. Its work on behalf of the Downriver community has played a key role in helping the area grow and develop while providing jobs and other opportunities.

RECOGNIZING THE 8TH ANNIVERSARY OF THE LILLY LEDBETTER FAIR PAY ACT

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mrs. BEATTY. Mr. Speaker, Sunday, our country recognizes the eighth anniversary of the landmark Lilly Ledbetter Fair Pay Act,

which former President Obama signed into law on January 29, 2009.

Congress passed and President Obama signed this legislation into law, the first of his Administration, in response to the U.S. Supreme Court decision, *Ledbetter v. Goodyear Tire & Rubber Co.*, 550 U.S. 618 (2007), that severely restricted the time period for filing pay discrimination complaints against one's employer.

In the underlying case, Lilly Ledbetter, a production supervisor at the Goodyear Tire and Rubber plant in Gadsden, Alabama, discovered that she was being paid less than her male counterparts for nearly two decades.

Then and there, she made the decision to fight back for paycheck equality.

Unfortunately, the U.S. Supreme Court undercut her fight in ruling that Ledbetter could not bring a wage discrimination suit under Title VII of the Civil Rights Act of 1964 simply because she did not file her claim within 180 days of a discriminatory salary decision.

Despite the U.S. Supreme Court's ruling, Ledbetter's fight was not in vain because Congress, in 2009, passed the Lilly Ledbetter Fair Pay Act, which helps ensure fair pay for all Americans by expanding the time period in which employees may challenge an employer's compensation decision.

Because of this law, women today have the right to pursue legal action for pay discrimination—whenever it occurs.

Unfortunately, equal pay for equal work has not become a reality.

In 2015, the pay gap between men and women still remains, as women made only 83 cents for every dollar earned by their male counterparts.

And for women of color, that gap is even wider.

During the same time, African-American women made 65 cents to every dollar earned by men.

Hispanic women, faring even worse than black women, made only 58 cents to every dollar earned by their White male counterparts.

Pay disparities not only affect women during their careers, but follows them into retirement, reducing pensions and Social Security benefits because of a lifetime of lower wages and less money to invest. This negative impact is lasting because it affects generations yet unborn.

As we mark this anniversary, let us recommit ourselves to ending discrimination against women in all forms.

In the 115th Congress, I will proudly join the Democratic Caucus in continuing the fight for equal pay for equal work, investment in employment opportunities for women, and raising the minimum wage. Because as we know, when "Women Succeed, America Succeeds."

TRIBUTE TO MR. LEON A. THOMPSON'S 100TH BIRTHDAY

HON. ADRIANO ESPAILLAT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize the celebration of Mr. Leon A.

Thompson's 100th birthday. With nearly a century passing, Mr. Thompson has dedicated his life to his family, St. Mark's the Evangelist Catholic Church, the City of New York, and giving back to his Harlem community.

Mr. Thompson was born on January 28, 1917 in Washington, D.C. At 18 years old, Mr. Thompson and his three sisters moved to New York City where he has lived since. For 32 years, Mr. Thompson operated the Number 3 and other train lines comprising the original A Division of the Interborough Rapid Transit Company (IRT). These lines later became incorporated into the modern day New York City Transportation Authority. As a subway motorman for over three decades, he contributed to an era of growth and modernization of a thriving, welcoming and inclusive New York City.

Throughout his life, Mr. Thompson has dedicated all the time and effort he could exert for St. Mark's the Evangelist Catholic Church in Harlem over the last 82 years. This makes him one of the longest practicing parishioners to the church and an indelible figure serving on many boards and ministries. Mr. Thompson has known and worked with every pastor in St. Mark's the Evangelist Catholic Church during its 109-year history. For a time, Mr. Thompson worked as an electrician at the Brooklyn Navy Yard. When his work day ended he spent his remaining time working to improve St. Mark's the Evangelist Catholic Church installing a public announcement system, lighting system, and refurbishing the pews for the benefit of parishioners and students of St. Mark's the Evangelist School whose space was shared.

In his spare time, Mr. Thompson taught many young men in his church and community commercial, labor and vocational skills that they employed building and improving New York City. Mr. Thompson has dedicated his life to his fellow parishioners at St. Mark's the Evangelist Catholic Church, his neighbors and residents of Harlem, and New York City for 82 years. His contributions to the Harlem community and New York City has made him a role model for all persons, regardless of creed or affiliation, as a public servant and exemplary citizen.

Mr. Speaker, I am honored to have had the time to recognize and celebrate the tremendous life of Mr. Leon A. Thompson and his 100th birthday celebration.

THE APOLLO 1 MEMORIAL ACT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to introduce the "Apollo 1 Memorial Act". Today is the 50th Anniversary of the tragedy which claimed the

lives of three brave American heroes. This piece of legislation is meant to honor their legacy and ensure we never forgot by creating a memorial for them in our national shrine for heroes, Arlington National Cemetery.

On January 27, 1967, Astronauts Command Pilot Virgil I. "Gus" Grissom, Senior Pilot Edward H. White II, and Pilot Roger B. Chaffee were killed in an electrical fire that broke out inside their *Apollo 1* Command Module on Launch Pad 34 at the Kennedy Space Center in Cape Canaveral, Florida. The accident led to a detailed internal investigation and congressional hearings. As a result of their sacrifice NASA made improvements and changes to the Apollo program which ultimately resulted in *Apollo 11* landing on the moon two years later.

Although all three astronauts were posthumously awarded the Congressional Space Medal of Honor, these three fearless astronauts who were set to be the first Americans into space under the Apollo program have not received a memorial at Arlington as was done for the Space Shuttle *Challenger* and *Columbia* crews.

This bill would redress that unfortunate omission which continues to be a burden on the hearts of those who loved them. Arlington National Cemetery is where we recognize heroes who have passed in the service of the Nation. It is fitting that on the 50th anniversary of the *Apollo 1* accident we acknowledge these astronauts by building a memorial in their honor. This bill would direct the Secretary of the Army, in consultation with the Administrator of the National Aeronautics and Space Administration (NASA), to construct at an appropriate place in Arlington National Cemetery, a memorial marker honoring these three heroic men.

In addition to \$500,000 from the Army's fiscal year 2017 operations and maintenance appropriated funds, the bill provides the NASA Administrator with the authority to accept donations of services, money, and property to help allay the cost of the memorial marker.

In closing, Mr. Speaker, on the 50th anniversary of the *Apollo 1* accident, we have the opportunity to honor these three brave men and their contribution to America's pre-eminence in human spaceflight. It is time to build a memorial so that current and future Americans never forget their sacrifice. I hope my colleagues on both sides of the aisle can come together to support this legislation honoring these heroes.

INTRODUCTION OF JOHN TANNER FAIRNESS AND INDEPENDENCE IN REDISTRICTING ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 2017

Mr. COHEN. Mr. Speaker, I rise in support of the John Tanner Fairness and Independence in Redistricting Act, a bill I introduced earlier today.

The President of the United States has said our elections are "rigged." When it comes to the drawing of Congressional districts, he may well be right.

In most states, districts are drawn by the state legislature, and as a result, whichever party controls the state legislature ends up drawing Congressional districts specifically designed to maximize the number of Congressional seats that party can win.

In other words, the elected officials choose the voters, instead of the voters choosing the elected officials.

If enacted, the John Tanner Fairness and Independence in Redistricting Act would fix this by requiring states to use bipartisan redistricting commissions to draw maps. No single party would get to control the process.

Historically, both parties have engaged in gerrymandering to some extent or another. But that does not make it right.

In a representative democracy, the people need to be able to freely and fairly choose their elected representatives.

Unfortunately, that is not always happening.

In 2012, Democrats received more than 1.1 million more votes across the country than Republicans for the House of Representatives, but because of the way the maps were drawn, Republicans won almost 54 percent of the House seats.

In 2016, it has been estimated that Republicans won approximately 51 percent of the votes cast across the country for the House of Representatives, but won more than 55 percent of the House seats.

This is not what the Founders envisioned. They designed the House of Representatives to be the Congressional chamber that most accurately reflects the views of the people.

The failure of the House to more accurately reflect the will of the electorate is a formula for the electorate to lose faith in the institution. It makes people cynical and discourages them from participating.

We can do better.

A democracy is supposed to be a marketplace of ideas. The playing field is supposed to be fair and competitive, not gerrymandered and monopolized.

I urge my colleagues to pass this bill, and help restore some much needed faith in Congress.

SENATE—Monday, January 30, 2017

The Senate met at 3 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who inhabits eternity, whose throne is Heaven and whose footstool is the Earth, You have given us the gift of this day, and we will rejoice and be glad in it.

May our lawmakers never forget that they borrow their heartbeat from You. Continue to sustain them and give them all that they need to glorify Your Name. May Your Spirit move them that they will make concessions without coercion and be conciliatory without compromising. Compel them to be just and honest in all their dealings. May they remember that our country is no better than its citizens and no stronger than its commitment to righteousness. Lord, bless our Senators in their going out and coming in, their rising up and lying down, their labor and their leisure.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The **PRESIDING OFFICER**. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 30, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The **ACTING PRESIDENT** pro tempore. The majority leader is recognized.

STREAM BUFFER RULE

Mr. McCONNELL. Mr. President, for too long, coal communities in States like Kentucky were unfairly targeted by the Obama administration as part of its War on Coal. We now have the opportunity to start providing relief to coal families, whose only crime was working to support their loved ones. Easing the pain of these regulations is a priority. I laid it out in a letter to President Trump earlier this year. That letter was a continuation of efforts I began several years ago to push back against the previous administration's assault on coal families. I am pleased the President has already begun taking steps to provide relief from several different regulations imposed by the former administration, regulations that for too long have stifled growth and held our country back.

Together, we can do more, including right here in Congress through the Congressional Review Act or CRA process. One of the first regulations we are working to address is the so-called stream buffer rule, a harmful regulation put into place by the Obama administration at the eleventh hour. One analysis estimates that it could threaten one-third of the Nation's coal-mining jobs—one-third. That is why so many across coal country have called for relief from this harmful attack.

We have heard individual voices against this regulation. We have heard union voices in opposition, like the United Mine Workers of America, and we have heard from groups like the Kentucky Coal Association, who recently wrote to me about its negative impact. Here is what they said:

The undeniable truth is that this rule will have a real impact on the real world. It will cause real harm to real people who support real families in real communities.

This regulation is an attack on coal families. It jeopardizes jobs and transfers power away from States and local governments. Today, I am introducing a bipartisan resolution to overturn it.

Congress will also continue acting to provide relief from other regulations that attack our economy and our constituents. In fact, the House will act on its own version of this Congressional Review Act resolution and several others this week. I urge our friends to do so quickly so we can pass them here in the Senate and start providing relief to our coal communities, to our national economy, and to our constituents.

NOMINATIONS

Mr. McCONNELL. Mr. President, the Senate will continue working to put

into place President Trump's Cabinet, and tonight we will have a cloture vote on the nominee for Secretary of State. This nominee is well qualified. He has been a leader at one of America's largest employers, and he has the type of international work experience that will serve him well as our next Secretary of State. We are looking forward to advancing his nomination tonight.

Remember, it is in everybody's best interest to confirm each of the President's well-qualified nominees in a timely manner so they can begin the very important work before them on matters of national security, the economy, health care, and so many others.

It is also in our Nation's best interests to confirm the next Supreme Court nominee, which the President has said he intends to announce tomorrow. Justice Antonin Scalia was a towering figure on the Supreme Court. His unfortunate passing was not only a great loss to our country, but it came, as we all know, as our country was already in the midst of a contentious Presidential election process. So in keeping with the Biden rule, which states that action on a Supreme Court nomination must be put off until the election campaign is over, I have stood firm on the principle that the American people should have a voice in the selection of the next Supreme Court Justice. I consistently maintained that the next President would fill this vacancy. I held to that view even when nearly everyone thought the President would be Hillary Clinton. Our friends on the left may lack the same consistency on this topic. The principle we have followed, after all, is not only known as the Biden rule but also the Schumer standard.

But there is one thing from which we can expect the left not to waiver: trying to paint whoever is actually nominated in apocalyptic terms. It does not matter whom this Republican President nominates. It does not matter whom any Republican President nominates really. The left has been rolling out the same tired playbook for decades.

When the Republican President was George Herbert Walker Bush, groups on the left said the record of his first Supreme Court nominee was "disturbing" and "very troubling" and that his opinions "threaten to undo the advances made by women, minorities, dissenters and other disadvantaged groups." That is what the left said about President Bush 41's first nominee. Who was it? David Souter.

When the Republican President was Ronald Reagan, groups on the left also

said that the record of one of his nominees was “troubling.” They even called him a “sexist” and said he “would be a disaster for women” if confirmed. The nominee in question? Anthony Kennedy.

When the Republican President was Gerald Ford, the left said that they had “grave concern with his Supreme Court nominee” and that the record of this nominee “revealed an extraordinary lack of sensitivity to the problems women face.” In fact, they said he was disqualified from being a member of the Supreme Court of the United States because of his consistent opposition to women’s rights. Who was the nominee they were referring to? John Paul Stevens.

I am serious. That is what they said about John Paul Stevens, David Souter, and Anthony Kennedy.

So we can expect to hear a lot of end-times rhetoric from the left again today. In fact, we already have. The same groups on the left that always seem to say the sky is falling when a Republican President puts forward a Supreme Court nominee are saying it is falling again. Only this time, they are saying it before we even have a nominee. We don’t even have a nominee yet.

President Trump has a list of about 20 Americans he is considering nominating to the Supreme Court. These men and women have different professional backgrounds, different life experiences. Some have distinguished themselves in State courts; others have distinguished themselves in Federal Court. Some are appellate court judges; others are trial court judges. Some passed the Senate without a single negative vote against their nomination; others passed the Senate without requiring a rollcall vote at all on their nomination.

The bipartisan support, the years of judicial experience, the impressive credentials—none of these appear to matter to some on the left. They say things like “We are prepared to oppose every name on the list.” That is right. Every single name on the list they have already announced opposition to. Even more troubling, some Senate Democrats are saying the same thing. My friend from New York said it was hard for him to imagine a nominee from President Trump whom Senate Democrats could support. We don’t even have one yet.

I hope we can all skip past that and get down to our serious work. The election is now behind us. The President has been working to make his decision on a nominee. We expect him to announce that decision tomorrow. The Senate should respect the results of the election and treat this newly elected President’s nominee in the same way the nominees of other newly elected Presidents have been treated; that is, with careful consideration followed by an up-or-down vote.

We had two nominations in the first term of President Clinton: Ginsburg and Breyer. Both got up-or-down votes. There was no filibuster. We had two nominations in the first term of President Obama: Sotomayor and Kagan. No filibuster. Up-or-down votes. First-term Presidents. We have every right to expect the same courtesy from today’s minority when we receive this nomination tomorrow.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

TRAVEL BAN

Mr. SCHUMER. Mr. President, I rise this afternoon, like much of America, angry and perturbed but in resolute opposition to the President’s Executive order issued on Friday. This Executive order was mean-spirited and un-American. It made us less secure. It put our troops in the field at increased risk. It was implemented in a way that caused chaos and confusion across the country. It must be reversed immediately. Let me give three reasons why.

First, it ought to be reversed because it will not make us safer, as the President argues. It will make us less safe.

The President’s Executive order targeted seven Muslim-majority countries. Not one terrorist attack has been perpetrated on U.S. soil by a refugee from one of these countries—not one. Moreover, it could alienate and inflame the communities we need most in the fight against terrorism.

As my friend Republican Senator JOHN MCCAIN noted, it could increase the small number of lone wolves, which pose the greatest threat of terrorism. Both the San Bernardino and Orlando attacks were done by lone wolves, American citizens importuned by the evil ISIS. This rule would have nothing to do with that.

As my friend JOHN MCCAIN has noted, it could increase the small number of lone wolves, which pose the greatest threat of terrorism. As both Senators MCCAIN and GRAHAM expressed yesterday, this order is a valuable propaganda tool for ISIS. We saw that happen today. They predicted it yesterday, MCCAIN and GRAHAM. It happened today. They want nothing more than to paint the United States as a country at war with all of Islam. This order feeds right into the perception ISIS and other extremists want to create. The bottom line is, the policy will make us less safe, not more safe.

Second, while there is no way to defend the order, it was poorly constructed and even more poorly executed. The order was signed into effect without the consultation of the Federal agencies that are responsible for

enforcing it: the Department of Justice, the Department of Homeland Security, or the Department of State, and possibly others.

People across America saw utter chaos and confusion that resulted in our airports over the weekend. The people in charge of implementing it weren’t even told about it. Folks were caught in detention at airports around the country, young children separated from their mothers, husbands from their wives, green card holders and legal residents being denied the right to see an attorney. Some folks were pressured into signing away their permanent legal status. We are looking into that right now.

It raises serious doubts about the competence—the basic competence—of the new administration when such an important order is so poorly vetted and executed, just like some of their Cabinet nominations. Such a far-reaching and impactful Executive order should have gotten extreme vetting. Instead, it was rushed through without much thought or deliberation. I could not disagree more with the intention behind the order, but the haphazard and completely incompetent way in which it was implemented made matters even worse.

Third, and most important of all, the order should be reversed because it is un-American. We are a nation founded by the descendants of asylum seekers, a nation that has been constantly invigorated, replenished, and driven forward by immigrants, many millions of whom came under duress, seeking a new birth of freedom in America. The ability to find refuge from persecution, whether based on one’s religion or race or political views, goes to the very foundation of the country, starting with the Pilgrims and Plymouth Rock. The Executive order is antithetical to everything we are about.

President Trump seems to want people to believe that all immigrants are terrorists or criminals, but when you meet immigrants, you see they are not the face of terrorism; they are families just like ours. Yesterday I met two. They were at my office. Mr. Hameed, an Iraqi refugee, worked at a local university department in English literature and, because he loved our country and what we were trying to do, he chose to use his language skills to be a translator for American soldiers in Iraq. He worked as a translator for the U.S. Army in Iraq for 10 years. He endured death threats and harassment to himself and to his family because he was helping us and our soldiers. So he began the refugee process about 2 years ago.

He arrived on January 5. If Donald Trump had been inaugurated on January 1 and enacted his order 6 weeks sooner, Mr. Hameed would have had to stay in Iraq. His life would have been threatened for cooperating with our military.

What kind of message does this send to the untold millions of people just like Mr. Hameed throughout the Muslim world who today will be less likely to work for and with our great country?

Then I met the Elias family. They were a different type. They have four children. They arrived here a month ago. Their journey to the United States began 5 years ago from war-torn Syria. After surviving the brutal civil war, where suicide bombs had been blowing up in front of their house, they were finally reunited with their family in the Bronx. You see, the driving force that brought them here were two American citizens, their grandparents. Mr. and Mrs. Elias came in around 1970.

They are model Americans, the Eliases. I met them. I talked to them. I enjoyed talking to them. Mr. Elias started out as a tailor, a skill that is disappearing. We don't have too many tailors left in America. He is an entrepreneur, like so many immigrants, and he started a small business. He now refurbishes the interior of boats mainly on City Island over there in the Bronx. I have been there. It is a beautiful place.

Well, he wanted to bring his people, his kids and grandchildren, here because their lives were threatened. They came again a month ago. I met the little boy, a beautiful little boy, a red-headed Syrian refugee.

I said: What do you want to be when you grow up?

A policeman.

I asked the daughter: What do you want to be?

A doctor.

The Elias family and their young children are not a threat to America; they are the promise of America, the same types of people, Mr. President, as your ancestors and mine who came here seeking a better life and working so hard for it.

It is my guess, if President Trump met these refugees, Mr. Hameed and the Elias family, he wouldn't be so hard-hearted.

Our country has a grand and proud tradition of welcoming families like these with open arms. America is at her best when she is a safe harbor in a world of stormy seas.

I urge my Republican colleagues to help us overturn this wrongheaded, counterproductive, dangerous, and un-American Executive order. So many of you know it is wrong. I understand party loyalty. I do. But what this order does is go against the grain that there are higher values at stake.

Eleven of my colleagues on the other side of the aisle have expressed reservations already. I urge them and others to back up their words with action. Let's repeal the order, then sit down and thoughtfully and carefully construct a better way to keep our country safe from terrorism.

President Obama toughened up vetting. If there is more vetting that has to be done, we will be happy to look at it and work with you on it but not something like this.

At 5:15 today, I will be asking unanimous consent to call for a vote on a bill offered by my friend from California Senator FEINSTEIN, the ranking Democrat on the Judiciary Committee, to overturn the order, and I hope our Republican colleagues will join us.

As proponents of this legislation, we believe it shows strength.

Proponents of the order say it shows strength, but it is not true; it is not true. Let me explain why. My middle name is Ellis; Charles Ellis Schumer. I was named after my uncle Ellis, who was named for Ellis Island. My daughter's middle name is Emma. We named her for the poet Emma Lazarus, whose timeless words adorn the base of the Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free."

The Statue of Liberty is a symbol of our Nation. Around the world, people recognize it, that mighty beacon that I can see from my home in Brooklyn, and they know we are a nation whose might comes not only from our great military but from our morality, whose leadership—our country's leadership is demonstrated not by projecting a fear of outsiders but by inspiring them in a hope for a better life here in America. Our country is a country whose strength comes from its values, and among them is a commitment to be that golden door that Emma Lazarus spoke about, a shelter, a commitment to shelter the oppressed and the persecuted.

Just as we faced down and defeated the threat of communism with our values—a respect for the rule of law, for equality under the law, for free markets and free societies—we must face down the twin threats of terrorism and jihadism, not only with military strength, as important as that is, but also with our values: religious freedom, tolerance, decency.

Our greatest weapon will always be our values. That is what makes us strong. They are "a new colossus," as Emma Lazarus called it over 100 years ago.

The only way we will lose the war against terrorism is if we lose ourselves and retreat from our values. Not only will this Executive order embolden and inspire those around the globe who wish to do us harm, it strikes against the very core of America, our values, our greatest strength. We are better than this. So I will fight with every fiber of my being until this Executive order is gone.

NATIONAL SECURITY COUNCIL

Mr. SCHUMER. Mr. President, on Friday, the President reshuffled the National Security Council to remove permanent postings for the Chairman

of the Joint Chiefs of Staff and the Director of National Intelligence and installed a permanent seat for White House Political Adviser Steve Bannon. It is a disturbing and profound departure from past administrations.

On the most sensitive matters of national security, the President should be relying on the informed counsel of members of the military and intelligence agencies, not political advisers who made their careers promoting a White nationalist Web site.

The Chairman of the Joint Chiefs of Staff is the President's primary military adviser, and his voice, along with that of the Director of National Intelligence, are the only independent, apolitical voices. President Trump's move to strip them of their seats is baffling. It endangers our national security and is contrary to the spirit and intent of the National Security Act.

This morning, Gen. Michael Hayden—I can't think of a more respected general and intelligence leader. He has served bipartisanly, the Clinton, Bush, Obama administrations. He said that the move—and these are his words, not mine, General Hayden's—"puts ideology at the center over the professional kind of information that the DNI and the Chairman of the Joint Chiefs bring to the party."

That is a deeply disturbing thought. It reinforces this administration's preference to propagate its own reality, rather than grapple with the facts on the ground, and if that continues, America is going to have real trouble.

It is one thing when it comes to a dustup about the size of the inauguration crowd; it is an entirely different story when it is the most sensitive activities undertaken by our Nation's government.

Much like the Muslim ban, this decision was poorly thought out and ill-conceived. It has put a filter on the information going to the President and, like the Executive order, makes us less safe.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that my 10 minutes be extended to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. INHOFE pertaining to the introduction of S.J. Res. 9 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. INHOFE. I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRAVEL BAN

Mr. SCHATZ. Mr. President, in just a few weeks, our great country will mark the 75th anniversary of President Roosevelt's Executive order authorizing the internment of hundreds of thousands of Japanese, German, and Italian Americans during World War II. They were rounded up with their families and held behind barbed wire like war criminals. But they had done nothing wrong; their crime was being Japanese, German, or Italian. They were labeled "enemy aliens."

Mark Twain reportedly said that history doesn't repeat itself, but it does rhyme, and this seems to be the path the President has pursued with his Muslim ban. This ban has already harmed green card holders, students, business people, and those fleeing violence and persecution. Remember, these are the people fleeing the violence, not the perpetrators of the violence. They are the victims, not the criminals. They have been pulled from their flights, left stranded in the airports. They have been detained without the ability to talk with a lawyer. And they are wondering if the United States of America is still the beacon of hope, the lamp by the golden door, the shining city on the hill.

Iraqis who risked their lives to serve our country as translators saw their visas revoked. An 11-month-old baby was detained. That is disgusting. It is un-American. It is contrary to everything we stand for.

We stand for providing refuge for those who want to escape their own awful circumstances and live in freedom and opportunity. It is my grandparents escaping Ukraine. It is my wife's grandparents leaving China. It is the Schatzes. It is the Binders. It is the Kwoks. It is Albert Einstein. It is Madeleine Albright. This is who we are. We are people from all over the world. We are united not by our ethnic extraction or religious affiliation but tied together by our love for America.

Here is the thing: It is not even as though we are trading liberty for security. We are getting no additional security. This is all about being cruel to

Muslims because it is good politics for some people.

This isn't just morally wrong, it is also guaranteed not to work. This ban is ridiculous as a homeland security measure.

First, zero people from the countries on the ban list have been involved in terrorist attacks in America. Zero people from the countries on the ban list have been involved in terrorist attacks on America. It is almost as though the criteria for picking the countries is something other than the threat of terrorism.

Second, this ban has the potential to strengthen violent extremist groups by playing right into their hands. It encourages everyone to be afraid of people we don't know from other places. That is not America, and it will not work.

When President Gerald Ford repealed the Executive order interning Japanese Americans, he asked citizens across the country to make a pledge. He said: "I call upon the American people to affirm with me this American promise—that we have learned from the tragedy of that long-ago experience forever to treasure liberty and justice for each individual American, and resolve that this kind of action shall never again be repeated."

That promise is being broken. It is broken for the American who came to this country as a lost boy from Sudan and who now cannot see his family. It is broken for the American married to an Iranian, whom the government is splitting from her husband. It is broken for the millions of Americans, the majority of us, who want us always to have the moral high ground.

The world is watching. History is watching. We have to ask ourselves: What do they see? Do they see Lady Liberty or do they see something darker? The choice is ours. We can fix this.

We start by following the wise words of Fred Korematsu, an outspoken voice against Japanese internment and an American hero who was born 98 years ago today.

He said: "Protest, but not with violence, and don't be afraid to speak up."

Today I call on every Member of the Senate to follow Mr. Korematsu's advice. Speak up, stand against this ban, and fight chaos and paranoia as official government policy.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. CAPITO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

(The remarks of Mrs. CAPITO pertaining to the introduction of S.J. Res.

10 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

NOMINATION OF SCOTT PRUITT

Mrs. CAPITO. Madam President, the Environmental Protection Agency, which bears most of the blame for regulations targeting energy jobs, is in dire need of a change of direction. The EPA under the Obama administration was unwilling to engage the people of West Virginia in public listening sessions or hearings about decisions that directly impacted our State's economy, and I have described what the result of that has been.

This failure to effectively engage resulted in a number of job-killing regulations, like the utility MATS rule for powerplants, the so-called Clean Power Plan, and the waters of the U.S. rule.

As the Presiding Officer knows, the waters of the U.S. rule is something that impacts not just mining but also agriculture, construction, and it really has far-reaching implications.

Scott Pruitt, who is President Trump's nominee to become the EPA Administrator, has gone through a thorough review process by the Environment and Public Works Committee. At Attorney General Pruitt's confirmation hearing, Senators from both parties were permitted to engage in as many as four rounds of questioning, and some of them were pretty tough. After the hearing, Attorney General Pruitt answered 1,078 questions for the record. Combining both the hearing and the followup questions, Attorney General Pruitt answered more than 1,200 questions from our committees.

Through the process, Attorney General Pruitt has shown himself to be a person who cares about applying our environmental laws as they were written and intended by Congress. He has a strong record of enforcing environmental statutes in a balanced way and ensuring clean air and clean water without unnecessarily sacrificing jobs or economic growth.

Attorney General Pruitt has been clear that he will work with State regulators and listen to the views of individuals who will be most heavily impacted by EPA's regulatory decisions.

I believe Attorney General Pruitt will keep his word and provide a refreshing change and direction for West Virginia coal miners, natural gas workers, manufacturers, farmers, and, indeed, for all of our communities struggling from the effects of overregulation.

I look forward to supporting Attorney General Pruitt's nomination in the EPW Committee, which will come before the committee on Wednesday morning, and I look forward to seeing him confirmed on the Senate floor soon.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S.J. Res. 14 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF REX TILLERSON

Mr. CARDIN. Madam President, shortly we are going to be taking up the cloture motion in regard to the confirmation process of Mr. Tillerson to be the Secretary of State for our country. I had the opportunity, as the ranking Democrat on the Senate Foreign Relations Committee, to meet with Mr. Tillerson. I had a chance to talk with him concerning his vision for America. I participated in a lengthy committee hearing, where not only I had a chance to ask him questions but every member of the committee had a chance to ask questions and then had the opportunity to present questions for the record and look at his responses to questions for the record.

I wish to say, at the outset of this debate before the U.S. Senate, Mr. Tillerson is a successful businessperson. I am certain he has great negotiating skills, as he has shown as the CEO of ExxonMobil, and I think that is an important ability to have if he were confirmed as Secretary of State.

I do think he wants to serve our Nation, and he has put forward his ability to serve as Secretary of State for the right reasons. However, I have serious reservations, as a result of this process, this confirmation process, that leads me to the conclusion that I cannot support his nomination, and I will be voting against his nomination. I wanted to at least start this debate by giving some of the reasons I will not be supporting Mr. Tillerson to be the Secretary of State.

Mr. Tillerson's business orientation and his lack of moral clarity to questions that were asked during the con-

firmation hearing, to me, compromises his ability to forcefully promote the values and ideals that defined America's leading role in the world for more than 200 years. When I am referring to the values, they are the values of good governance, the values of standing up for human rights, the values of speaking up for a free press, the values of recognizing the importance of civil societies, which is lacking in so many places around the world.

When Mr. Tillerson was asked the question as to how he would characterize what Russia is doing in Syria in supporting a regime that has attacked humanitarian convoys, whether that should be considered as war crimes, Mr. Tillerson was less than clear as to how he would characterize Russia's conduct in Syria.

When I asked Mr. Tillerson how he would characterize Philippine President Duterte's extrajudicial killings—this is a President who has authorized individuals to be killed on site without judicial process, which has been well-documented—whether that was a gross violation of human rights, Mr. Tillerson was less than clear as to whether that in fact would elevate to a serious human rights violation.

When I asked the question, whether under any circumstances we could have a national registry for any group of religious or ethnic minorities in America, his answer was not as clear as I would have hoped it to be. The answer should have been a simple "no," but he did not give that answer in that moral clarity.

For all those reasons, I have serious concern as to whether he will speak with a strong voice on American values or whether that will be compromised for narrow business interests or for other considerations that should not take priority to the values that have made America the great Nation it is.

I was concerned about this before what has happened in recent days, but when I take a look at President Trump's first 10 days in office and I look at the Executive orders he has issued as President of the United States, it is even more critical that the next Secretary of State speak with moral clarity as to the values of America.

The gag order that was reimposed by President Trump wasn't the same gag order that other administrations have imposed. It is far broader and could prevent U.S. participation with health workers around the world to stop the spread of HIV-AIDS or to deal with the Zika virus or to deal with issues concerning global health issues, maternal health. I want someone, as Secretary of State, to say that America stands for providing the leadership we need on global health issues.

More recently, when President Trump announced his Mexican policy; that it would build a wall, he not only

asked the taxpayers to pay for it once but to pay for it twice, to build the wall, which almost anyone will tell you will not work. We do have tunnels that we already know could go under walls. It will be expensive, but he is also asking Americans to pay for it twice because he is going to impose a tariff, at least that is under consideration, that middle-income families will end up paying—starting a trade war with Mexico. And why? Why would you start this? Mexico is working with us to stop illegal immigration. They are working with us to stop the illegal trafficking of drugs. They are working with us to build a regional, natural economy that benefits both countries. Why would we pick a fight with our neighbor? It makes no sense whatsoever.

The last thing that was done over this weekend points out even more clearly why we need a Secretary of State who will speak with moral clarity, and that was this outrageous, reckless, and dangerous Executive order that would ban certain individuals from coming to America. It would put a hold on our refugee program and would establish a religious test for people coming to America—a Muslim ban. That is not what America stands for.

I believe that Executive order is illegal. I know that Executive order will put Americans at risk. I would like to know from our Secretary of State how he, if he is confirmed, would respond when other countries ask: Why should we help you when you will not allow people from Muslim countries the right to visit your country? Why should we give you that information? How will Americans, who are traveling abroad, be treated? It puts all at risk. Our next Secretary of State has to have that credibility to deal with other countries with moral clarity. Time and time again, when confronted with questions, Mr. Tillerson was not clear.

Let me give you one example that may sum up my concern on his moral clarity issues, and that is with Russia. We had asked several times whether he would support the existing sanctions, would he support stronger sanctions. After all, the sanctions were put on because Russia invaded Ukraine. They are still there. They are still in Crimea. They are still interfering with eastern Ukraine. Unless they comply with the Minsk agreement, our European allies are looking for America to say no way would we ever weaken our sanctions as long as Russia is violating its commitment in Ukraine.

Since that, they have been doing other things. I already mentioned the war crimes they are committing in Syria, but they also attacked America. They attacked us through cyber, trying to bring down our democratic system of government, free elections. I would certainly have hoped Mr. Tillerson would have shown some compassion for increasing sanctions

against Russia. Instead, we asked him a question about Cuba, and Mr. Tillerson was very clear when he talked about Cuba. He said: Look, if we do business with Cuba, we are allowing a repressive regime to have greater resources. Why would we want to support a repressive regime?

Mr. Tillerson didn't show the same concern about Russia. He has no compulsion at all about doing business with Russia, even though that business is allowing the Putin repressive regime to carry out their activities of attacks against our allies, attacks against us, interfere with what is going on in Syria, and to do all the activities they are doing. I would have hoped that we were seeing a greater sense of moral clarity from our Secretary of State nominee.

There are other issues I am concerned about. I know we will have a chance to talk about it if this issue is still on the floor tomorrow, as I expect it will be. We will have a chance to talk about issues regarding his quick use of military power versus diplomacy. We asked him several times about external events and how he will respond to them. His answer was too quick about using our military and not quick enough about using our diplomacy. The use of military must be a matter of last resort. I want to make sure our next Secretary of State is very sensitive to that particular issue.

Then we get to the concern about the ethical issues. I need to mention this because when we asked him questions about his knowledge of ExxonMobil, he was less than forthcoming to the committee, not aware of ExxonMobil's lobbying on certain issues, and very unclear about how its activities were in Sudan, Syria, Iran, and other countries that have horrible human rights records. And his willingness to recuse himself from anything affecting Exxon for 1 year, not for the entire length of term that he would be Secretary of State if confirmed by the Senate—he should not deal with ExxonMobil for the entire length of his time as Secretary of State. He is a person who has substantial wealth as a result of his working at ExxonMobil. None of us criticize him for that, but it disqualifies him from dealing with ExxonMobil.

We are going to be involved in a lengthy debate on the next Secretary of State, as we should, but I just wanted to share with my colleagues my concern about Mr. Tillerson and why I am opposing his nomination. And I would just indicate that I think the events particularly over the weekend with this immigration policy really point out the need for the next Secretary of State to be willing to stand strong for American values, and I have serious questions in that regard on Mr. Tillerson.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I am pleased to rise in support of the nomination of Rex Tillerson to serve as our next Secretary of State. The proceedings in the Foreign Relations Committee for his nomination were fair, exhaustive, and in the best traditions of our committee and the Senate. Mr. Tillerson completed all of his required paperwork expeditiously, having met or exceeded the pace set by former Secretary Hillary Clinton after she was nominated in 2008. He testified in a public hearing for more than 8 hours and afterward responded to over 1,000 additional questions for the record from committee members.

Opinions and votes today on Mr. Tillerson may differ, but there is no question that the committee and the Senate have fulfilled their constitutional responsibility in carefully reviewing his nomination.

As we proceed in ensuring that the new administration has the leaders it needs to implement our Nation's foreign policy going forward, I have great confidence that Rex Tillerson will serve the United States well.

In both my private meetings with him and in the hours of public testimony he offered before the Foreign Relations Committee, it has become clear that he will be an effective leader at the State Department. Mr. Tillerson has led an exemplary and honorable life. He has been at the same company for over 40 years. As an Eagle Scout, he served as the national president of the Boy Scouts of America.

Furthermore, the nonpartisan Director of the Office of Government Ethics recently stated that Mr. Tillerson is making a clean break from Exxon and has even gone so far as to say that Tillerson's ethics agreement serves as a sterling model for what we would like to see with other nominees.

Having managed one of the world's largest companies by revenue, with over 75,000 employees, there is no doubt in my mind that Rex Tillerson is well qualified to lead the State Department. I encourage all of my colleagues to support his confirmation and look forward to his service as our next Secretary of State.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

TRUMP ADMINISTRATION, THE PRESS, AND RUSSIA

Mr. LEAHY. Madam President, Trump's Executive order banning Muslims from seven countries, none of which was a source of terrorists who have carried out attacks in this country, was un-American, arbitrary, inhumane, and it will likely spur an increase in violence targeting Americans. I will have plenty more to say

about it and other reckless actions by this White House in the days and weeks ahead.

In the meantime, I want to say a few words about the bizarre back and forth between the Trump administration and the news media regarding attendance at the inauguration and who is telling the truth and who is not.

One might think that with all that is happening in the country and the world and the rush by the President to sign Executive orders that would dramatically affect the rights, and the priorities, of millions of Americans, the question of how many people were at the inauguration would not generate such controversy. But it turns out that this is about much more than that, as it goes to the heart of the role of a free press in this country and whether the American people can have confidence that the President is telling the truth.

We already knew that candidate and now President Trump is prone to bragging and making wildly unrealistic promises and inaccurate claims, many of which he later disavows. He frequently ignores or misstates basic facts and refuses to correct those falsehoods. So it was no surprise when he predicted that the crowd at his inauguration would be "an unbelievable, perhaps record-setting turnout."

It was also no surprise, as usually happens at inaugurations and large public demonstrations, that high-elevation photographs were used to estimate the number of participants. To anyone who attended both the Obama and Trump inaugurations, it was obvious that the number of people at President Obama's inauguration was far larger than at President Trump's inauguration, as photographs clearly showed.

President Trump, however, insisted the photographs were fabricated. The morning after the inauguration, he said he could see from the stage on the West Front of the Capitol that there were "a million" or "a million and a half" people on the Mall.

When reports clearly showed only a fraction of that, he accused news organizations of lying, calling them "among the most dishonest human beings on Earth," and warned that they would regret it.

Later that day, the President's spokesman, Sean Spicer, also accused the press of lying. He said the photographs were deceptive, and he insisted that President Trump's inauguration was "the most watched ever." That, of course, was a clever distortion of what the President actually said.

President Trump was unmistakably talking about the number of people who were actually present on the Mall when he was sworn in, which seems to matter more to him than it does to anyone else.

Mr. Spicer expanded that number by an indeterminable amount to include

anyone who had watched anywhere in the world on a cell phone, television, or other electronic device.

A day later, Mr. Spicer berated the press for being unfair by reporting on this. Perhaps he had forgotten that it was President Trump who initiated the whole thing by publicly promising something that did not happen and then falsely accusing the press of lying, as did Mr. Spicer, after being proven wrong.

Mr. Spicer also may have forgotten that, shortly after President Obama was inaugurated, the Senate majority leader announced that the Republicans' No. 1 priority was to prevent him from being elected to a second term. Failing that, they spent 8 years trying to obstruct, sabotage, and discredit everything President Obama tried to do.

During much of that time, Donald Trump carried on an utterly false campaign accusing President Obama of lying about his birthplace.

Two days later and without citing any evidence—because no evidence exists—President Trump resurrected his false claim that that he lost the popular vote because 3 to 5 million “illegal immigrants” voted. Mr. Spicer echoed this same claim, citing unnamed “studies.”

This, of course, is patently false and absurd, but one can assume that it will be repeated by Republicans to justify more onerous, discriminatory voter suppression voting requirements which have been a crusade of theirs, particularly in areas with large minority populations that traditionally vote Democratic.

To add insult to injury, Kellyanne Conway, the President's counselor, announced that President Trump will not be releasing his tax returns. This after candidate Trump repeatedly promised to do so once a routine audit is completed, and he even said he looked forward to doing that. Ms. Conway—who also came up with the phrase “alternative facts”—claimed that the fact that Mr. Trump won the election is proof that no one cared about his tax returns.

There are at least two problems with that. First, it is the only way the American people can know what President Trump's assets are, what conflicts of interest may exist, whether he has been telling the truth about what he owns, and whether he is working for the American people or to enrich himself and his family. The polls indicate that today between 60 and 74 percent of the American people want President Trump to release his tax returns, including 49 percent of his own supporters.

A few days later, Stephen Bannon, the White House strategist, said the media should “keep its mouth shut and just listen for a while.” Ignoring that democracy is impossible without a free press, Bannon called the media the

“opposition party . . . that [does not] understand this country.”

There is an even more disturbing aspect to this. Besides denigrating the press, candidate and now President Trump has attacked Muslims, the CIA, Mexico, Meryl Streep, the cast of “Hamilton,” Congressman JOHN LEWIS, politicians, undocumented migrants, or whoever else he thinks of at any particular moment, for meddling in the election or for any other reason, with one glaring exception: Vladimir Putin, one of the world's worst gangsters.

Despite credible evidence that the Russian Government, at Putin's direction, actively sought to sway the outcome of the U.S. election in favor of Donald Trump, candidate and now President Trump has repeatedly expressed admiration for Mr. Putin.

Think about what this means. The unanimous conclusion of U.S. intelligence agencies is that Vladimir Putin, a former KGB agent, ordered a cyber attack on our electoral system in favor of one candidate over another. Russia's goals “were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency.”

Can you imagine what the response would be from the Republican leadership if the tables were turned? They would have threatened to shut down the government until a new election was held. And if that failed they would have demanded that an independent commission be established to investigate Russia's cyber attacks. Such a commission is, in fact, what Senator DURBIN, I and others have called for and what the Republican leaders, who should care no less about the integrity of our democracy, have summarily rejected.

What was candidate and President Trump's response to Russia's acts to undermine our democracy? He continued to praise Vladimir Putin.

This should concern every American because, for years, Vladimir Putin has engaged in a systematic campaign to weaken the alliances and norms that the United States and our democratic allies have painstakingly built over the course of more than seven decades, for our national security and for global stability.

Putin would like nothing more than to discredit our democracy, weaken NATO, fracture the European Union, and in doing so deflect criticism at home and abroad of the repression and rampant corruption that have become the hallmarks of his iron-fisted rule.

While Mr. Spicer blithely spoke of the United States and Russia teaming up against ISIS, Russia has used its military power in Syria for one overriding purpose: to ensure the survival of Bashar al Assad's government, one of Russia's staunchest and most brutal allies.

We have learned that President Trump is also an admirer of Egyptian President al-Sisi and Philippine President Duterte, two populist leaders who have abused their authority to silence their critics and trample on the rights of their citizens.

If allying ourselves with the likes of Presidents Putin, al Sisi, and Duterte, bringing back black CIA detention sites and so-called “enhanced interrogation”—commonly known as torture—and declaring entire nationalities of men, women, and children fleeing war and devastation as ineligible for resettlement in this country is what the future looks like, we should think long and hard about what it will mean for our reputation as the oldest democracy and leader of the free world.

I have made a career of working across the aisle and with Republican and Democratic Presidents on legislation to help solve the country's problems. I hope to be able to continue doing so, as I learned early on that bipartisanship is the only way the Congress can succeed. I have voted to confirm several of President Trump's Cabinet nominees. I expect to vote for others, and there are several I expect to vote against.

I have never believed that we should keep doing things a certain way just because it is the way we have always done them or that the government cannot be made more efficient and more accountable to the people. Of course it can be.

But in times like this, each of us should rededicate ourselves to defending the things that made this country great in the first place because ours is a great country and a good country. I believe that above all it was, and must continue to be, the integrity of our democratic system, our free, fair, and transparent elections and the checks and balances of our three equal branches of government bolstered by a free press, and our commitment to uphold the fundamental rights of all Americans.

Donald Trump was not elected President to weaken any of that, and we in Congress have a responsibility to do our best to prevent it from happening.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. MORAN). Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Tillerson nomination, which the clerk will report.

The bill clerk read the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate, equally divided in the usual form.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, how much time do I have?

The PRESIDING OFFICER. The time has not been specifically apportioned to the Senator from California.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 240 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. FEINSTEIN. I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent to be yielded 5 minutes for myself and then 5 minutes for the Senator from Arkansas to answer and perhaps object after I make motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUESTS—S. 240 AND EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I will speak and then make my two motions, and then the Senator from Arkansas can speak and either object or not, whatever he decides.

Mr. President, earlier I spoke at length on the President's Executive order. I just want to repeat that this Executive order has made us less safe, less secure, put our troops in the field at increased risk, and was implemented in a way that has caused chaos and confusion across the country. Most fundamentally of all, it is un-American. It flies in the face of a grand American tradition of granting refuge to those fleeing persecution, regardless of their race, religion, or political views. It is dangerous. It is shameful. It is wrong. It must be reversed immediately. And I know that many of my colleagues agree with me. They know this is wrong. A dozen Republican Senators and counting, including my good friend, the senior Senator from Arizona, have expressed serious concern. One former Republican CIA Director said that it "makes us less safe than we were on Friday."

So let's repeal the order and then sit down to discuss a smart, thoughtful, effective way to counter terrorism. President Obama wanted tougher vetting. Democrats are happy to look at proposals to that effect but not this ineffective, un-American policy that will do more to empower our enemies and inspire those around the globe who would do us harm.

Now I am going to make a second unanimous consent request, and I will do them seriatim, as the UC allowed.

The second request is, I ask unanimous consent that we delay the confirmation vote on Secretary of State nominee Rex Tillerson until these Executive orders are overturned and he commits to opposing them.

So far, this is the most important foreign policy order of the new administration, and in the committee hearing for his nomination, Mr. Tillerson appeared—he wasn't 100 percent certain—to roundly reject the idea of a blanket travel ban just like the one President Trump signed. He said: "I don't support a blanket type of travel ban on people coming to this country." He stressed in his opening statement that moderate Muslims are going to be our greatest allies in the fight against Islamic extremists. The implication was that he wouldn't support a proposal that would in any way alienate and inflame them. He said he didn't think it was helpful to suggest that Americans should be afraid of Muslims. That would suggest he might be wary about a policy that explicitly singles out seven majority-Muslim countries for different treatment under U.S. policy.

Now, many of the comments Mr. Tillerson made to the committee are at odds with the President's policy. So Democrats and Republicans alike and the American people, most of all, deserve to know whether Mr. Tillerson would implement this Executive order or not because it seems to directly contradict comments he made under oath to a Senate committee. Key allies around the world are wondering whether the potential future Secretary of State supports this policy, and so are the American people.

Here are some important questions: Did he have any involvement or consultation in the construction or drafting of the Executive order? How would he answer the outcries from countries around the world that are asking that President Trump rethink this policy? Does he think it would make us less safe? Does he think it would alienate moderate Muslim communities in the United States and around the world? And does he believe current green card holders should be subjected to another round of scrutiny if they come back to the United States, even though they have been vetted before?

We need these answers from President Trump's nominees, and Mr. Tillerson's nomination is before the Senate right now, so it is imperative that we know what he thinks before moving forward.

So, Mr. President, I am making two unanimous consent requests.

First, I ask unanimous consent that the Senate proceed to the immediate consideration of Senator FEINSTEIN's bill, S. 240, introduced earlier today; that there be 2 hours of debate equally divided; and that upon the use or yielding back of time, the bill be considered read a third time and the Senate proceed to vote on passage of the bill; finally, that there be no amendments, motions, or points of order in order to the bill.

The PRESIDING OFFICER. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Mr. President, I reserve the right to object.

If the Democratic leader wants to proceed.

Mr. SCHUMER. Thank you.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. I have a second unanimous consent request.

Mr. President, I ask unanimous consent that the cloture vote on Calendar No. 2, the nomination of Rex W. Tillerson for Secretary of State, be postponed until Executive Order 13769 is rescinded and Mr. Tillerson has provided in writing to the Senate Foreign Relations Committee information pertaining to his involvement in the development of the Executive order, as well as a statement declaring whether or not he agrees with the order.

The PRESIDING OFFICER. Is there objection to the first request of the Senator from New York?

Mr. COTTON. Mr. President, I object to the first request.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the second request of the Democratic leader?

Mr. COTTON. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. COTTON. Mr. President, so once again we are hearing the Democrats and the media traffic in fake news. We heard a lot on this floor and over the weekend about a Muslim ban. This is a so-called Muslim ban that applies only to seven countries, and it does not apply to Indonesia, India, Pakistan, Bangladesh, or Nigeria—the five largest Muslim populations in the world. I have heard lots of claims on TV about 134 million Muslims who could be affected. Of course that leaves 1.6 billion Muslims who are not affected.

This is not a Muslim ban; this is a temporary pause of movement from seven countries, which President Trump did not pick from thin air. He picked from acts of this Congress and the Obama Department of Homeland Security—five countries in a state of near anarchy; a sixth country, Iraq, which has had a large part of its territory overrun by the Islamic State; and a seventh, Iran, which is the world's worst state sponsor of terrorism. Moreover, it is not a ban; it is simply a temporary pause for 3 to 4 months to evaluate whether Obama administration policies are strong enough to keep this country safe.

We also heard claims that this is somehow unconstitutional. However, there is no free-floating global right of people around the world to come to this country. President Trump's order is nothing more than a temporary pause on migration from countries with very weak state institutions or which sponsor terrorism, while the

President and the administration take a more thorough review of our vetting procedures and the refugee program as a whole.

Secretary Kelly has stated that it does not apply to green card holders. Secretary Mattis is reportedly advising that the long-term policy accommodate Iraqis with a documented history of serving with our troops, which I obviously support.

In fact, a temporary pause for security evaluations is so sensible that in November 2015, after the Paris terrorist attacks, even the minority leader suggested that “a pause may be necessary.” It wasn’t beyond the pale then, and it is not now. Moreover, the people who are enforcing our laws on the frontlines agree with President Trump. The union for Border Patrol and Customs Enforcement agents has stated that they support this order and two other related immigration orders.

Yet here is the minority shedding crocodile tears over President Trump’s immigration refugee policy, but where were those tears for the last 8 years when President Obama’s foreign policy created all of these refugees? Where were the tears when President Obama overthrew the Government of Libya with nothing to follow? Where were the tears when President Obama withdrew from Iraq, leaving that country to fend off Iran and the Islamic State? Where were the tears when President Obama gave Iran \$100 billion to continue its imperial campaign throughout the Middle East, to include overthrowing the Government of Yemen through its proxies? And most notoriously, where were the tears when President Obama stood idly by and watched Syria go up in flames? Spare me the tears now.

If the minority is worried about the President’s counsel and wants to make a difference in the real world, I suggest we get to work and we confirm Rex Tillerson to be the Secretary of State and JEFF SESSIONS to be the Attorney General. In the meantime, I object.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

Is there further debate?

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

Mitch McConnell, John Cornyn, Richard Burr, Tom Cotton, Jerry Moran, Pat Roberts, James Lankford, Johnny Isakson, Bob Corker, Orrin G. Hatch, Thom Tillis, Dan Sullivan, David Perdue, James M. Inhofe, Deb Fischer, Cory Gardner, John Barrasso.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the nomination of Rex W. Tillerson, of Texas, to be Secretary of State shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH) is necessarily absent.

(Disturbance in the Visitors’ Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Senate.

The Galleries will remain quiet.

The Sergeant at Arms will restore order.

Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 43, as follows:

(Rollcall Vote No. 34 Ex.)

YEAS—56

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Kennedy	Shelby
Cotton	King	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Enzi	McCain	Warner
Ernst	McConnell	Wicker
Fischer	Moran	Young
Flake	Murkowski	

NAYS—43

Baldwin	Franken	Peters
Bennet	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Coons	McCaskill	Van Hollen
Cortez Masto	Menendez	Warren
Donnelly	Merkley	Whitehouse
Duckworth	Murphy	Wyden
Durbin	Murray	
Feinstein	Nelson	

NOT VOTING—1

Heinrich

The PRESIDING OFFICER (Mr. LANKFORD). On this vote, the yeas are 56, the nays are 43.

The motion is agreed to.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

TRAVEL BAN

Mr. DURBIN. Mr. President, this is the 11th day of the Trump Presidency. To say that these have been tumultuous days is certainly an understatement. What happened over this past weekend really was unsettling to many people all across the United States.

Candidate Trump made it clear that he had strong feelings about refugees and strong feelings about immigration, but I don’t think anyone anticipated the Executive orders that were issued by the Trump administration, by the President, on Friday. The net result of that we saw across the United States at O’Hare International Airport, JFK, Dulles, many other airports. International travelers, en route, learned that the laws of the United States were being changed because of President Trump’s Executive order. As a result, there was a lot of confusion and uncertainty, and hardships were created. Individuals who were coming to the United States as refugees were being turned away.

For the record, this decision to indefinitely suspend the admission of Syrian refugees into the United States is not a decision based on fact. Since 9/11, since the war in Syria began, we have not had a single—not one—instance of terrorism by a Syrian refugee—not one. The United States has not stepped up as other countries like Canada have in admitting Syrian refugees. We have gone to great lengths, extraordinary lengths, to give background checks that are as consuming as one can imagine, to verify their identity and their safety to the United States.

Overwhelmingly, these Syrian refugees are the victims of a deadly war which has gone on for years, and overwhelmingly they are children with their mothers. I have met them. I sat down with them in Chicago. It is heartbreaking to think that they have lived through war, may have been lucky enough to make it to a refugee camp, and then waited for years—for years—to be cleared by the United States and be given a chance to come to this country.

It has to be a heartbreaking process. Through it all, many of them have endured losses in their families that they will never be able to forget—injuries and deaths of people whom they love. These are men and women in Syria escaping a deadly war and the terrorists who have ravaged that country. They have tried to come to the United States for safety and security.

The history of refugees in America is one that in modern version is very admirable, but unfortunately before—during World War II—it was a sad chapter in our history. Not only did we inter about 120,000 Japanese Americans in camps during the war for fear that they would betray the United States, but during that war, time and again,

the administration of President Roosevelt as well as Congress refused to allow those who were escaping the Holocaust in Nazi Germany to come to the United States.

Here on this Senate floor where I stand, an effort was made by Senator Robert Wagner of New York to admit 10,000 Jewish children out of Nazi Germany into the United States so that their parents would have the peace of mind that they would not be killed by the war or the Holocaust. That measure was defeated on the floor of this Senate. Prior to our entry into the war, those who tried to escape Nazi Germany and come to the United States were turned away by the United States.

The most notorious example was the SS *St. Louis*, which sailed from Germany, came to, first, Havana, Cuba, then to Miami, FL, and was turned away in both places with about 900 passengers who feared for their lives because of the anti-Semitism and the killing that was taking place in Nazi Germany.

They tracked that passenger list. Several hundred of them were rejected by the United States. They were not given refugee status. They were forced to return to Germany. Several hundred of them perished in the Holocaust.

It was after that bitter experience that the United States decided to try to set an example for the world when it came to compassion and humanity for refugees. We stepped up time and again to be that place of security and safety. We can point proudly to the fact that when the Cubans were fearful of a Communist takeover in their country, fearful for their lives and their rights and their liberties, they came to the United States in tens of thousands.

Now Cuban Americans, a proud part of our country not only in Florida but around our Nation, can point to the U.S. refugee policy as the means by which they finally made it to the safety of the United States. Here we were in a Cold War with the Soviet Union; Cuba, 90 miles off our shore was being taken over by a dictator, Fidel Castro, who was declaring his loyalty to the Soviet Union. Yet we were readily receiving tens of thousands of refugees from Cuba in the midst of that Cold War. Talk about a chance—and taking a chance. Those men and women who came to the United States were not vetted for months, years, and in many cases not at all. They were allowed into our country. Thank goodness we did it. It was the right thing to do.

Time and again, whether it was refugees coming in from Vietnam after the end of that deadly war or whether it was Soviet Jews, persecuted by the Soviet Union, trying to escape, coming to the United States, we opened our doors and said: The United States of America will set an example for the world when it comes to refugees. That defined who we were and who we still should be.

Now this new President is ready to walk away from that. If we had one instance of a Syrian refugee coming into the United States after that vetting process who caused harm to our citizens or engaged in an act of terrorism—if we had one—then perhaps this President could start to make his case.

All he has is fear, unreasoned fear, unproven fear. We recall what Franklin Roosevelt said to this Nation, standing right out here on the steps when he was inaugurated in March of 1933: We have nothing to fear but fear itself. It is fear itself that is motivating this President to make decisions inconsistent with more than 50 years of American history and inconsistent with American values.

When you meet these refugees and you hear their heartbreaking stories, how can you say that there is no room for you in this country? Yet that is exactly what he said.

Sadly, he not only came up with this Executive order, he did it in a fashion where the agencies that were supposed to implement the order really were caught by surprise. Now they are priding themselves on the fact that they can turn on a dime when given instructions that are important for national security. But in this case, where national security was not the motive—political security was the motive; I am talking in the crassest terms. In those cases, these agencies were forced to make split-second decisions, and some of them were horrible.

A man who came to the United States from Iraq, from one of the seven countries designated by President Trump, came from Iraq after having risked his life for American soldiers. He was rewarded with an opportunity to come to the United States, was detained at the airport, questioned at length, threatened to be returned to Iraq, and finally—after 19 hours—allowed to stay.

There is story after story of families coming to see someone who was on the deathbed, their last chance to be together, and families who had gone overseas for what they thought were just casual or really easy trips who were subject to detention and some turned away. Why? It certainly was not in the interest of the security of the United States, and it was not handled in a professional manner. It was impulsive and not decisive. It was ill conceived instead of wise.

Here we are today. As I stand here at this chair and this desk in the Senate, across the street thousands have gathered in front of the Supreme Court to express their outrage over the Executive orders issued by President Trump. I am happy to report that almost one dozen Republican Senators have joined us in expressing reservations about this policy.

It gives me hope that maybe on a bipartisan basis we can rein in some of

the excesses of this administration. God forbid we ignore the basic constitutional issue that has been raised by these Executive orders. It is no coincidence that these seven countries are predominately Muslim countries. It is no coincidence that President Trump went on a Christian broadcasting station and said preference would be given to Christians.

The Constitution which we are sworn to uphold and defend, the Constitution which guides this Nation is one that was written at a time when religion was a divisive issue that led to people coming to the United States.

I think in this section, our Founding Fathers probably showed more wisdom and more understanding of our future than any other on the issue of religion. They only said three things in the entire Constitution, three things over 200 years ago. They said that this Congress, this government, will not establish an official religion. They did that, of course, many of them having come from England, where they had a national church. They didn't want that in the United States. Most importantly, they said each person in America had freedom of religious belief, to believe what they wished or to believe nothing if they wished, and that would be an honored freedom under our Bill of Rights. The third element: Religion could not be used as a litmus test for public office. That is it.

When you think of all the wars and all the deaths and all the persecution based on religion, the fact that we have largely escaped it is because of the wisdom of that document.

Now comes this 45th President of the United States who decides to rewrite the book, to ignore this basic constitutional direction and mandate, and to say on the Christian Broadcasting Network: We are going to favor Christian refugees coming to the United States. That, to me, is unacceptable and unconstitutional, and inconsistent with who we are, what we are, and the values we treasure in this country.

My mother was an immigrant to this country. I never knew my grandmother, who brought her over on the ship from Lithuania. I do have one thing now in my office upstairs that my grandmother carried with her to this country. It is a prayer book. We are a Roman Catholic family. She was a Roman Catholic in Lithuania. The Russian Orthodox religion was being pushed by the czar, who was dominant when they left Lithuania, and they banned Catholic prayer books written in Lithuania.

I never knew my grandmother. I wish I had. She risked everything to bring that Catholic prayer book, that contraband from czarist-controlled Lithuania into the United States. I have it upstairs. It means the world to me that this woman with limited formal education but unlimited courage was willing to risk a lot, bringing three small

children into this country, carrying with her that prayer book which might have gotten her imprisoned in Lithuania back in her day. So religion means a lot to our family, not just on a personal basis but what America means when it comes to religion.

When this President is so casual with the constitutional guarantees of religion, I don't believe he is serving the United States or honoring the history that came before him.

There have been so many issues that have come up during the 11 days of his Presidency, but President Trump's decision to turn away innocent people fleeing persecution, genocide, and terror and to ban immigrants on the basis of religion is the worst, in my view. This attack is not only un-American, it risks alienating 1 billion Muslims around the world. Some of the most conservative people in this country—I am certain Republicans—have said over and over again: Don't do this. There are Muslim countries that are allies in fighting terrorism, and if you alienate them, it is going to lessen our ability to stop the spread of Al Qaeda and ISIS.

Furthermore, this is a recruiting tool. You know what is going to happen. Those who hate the United States are going to use this action by President Trump to verify their belief and their credo that the United States is anti-Muslim.

There was a Republican President, George W. Bush, whom I disagreed with many times, but thank goodness, after 9/11, he had the wisdom and showed the leadership to come before the American people to say: We are not going to condemn the Muslim religion. We are going to go after those who corrupted it, but we are going to honor it as a religion of peace.

How different President George W. Bush, that Republican President, was to President Donald Trump, this Republican President.

Senator DIANNE FEINSTEIN is the ranking Democrat on the Senate Judiciary Committee. She has introduced a resolution, on which I am proud to be one of the original cosponsors, to repeal and rescind these reprehensible President Donald Trump Executive orders on refugees and immigration.

We are in the midst of the worst refugee crisis in the history of the world. More than 65 million people have been forcibly displaced from their homes. The brutal Syrian conflict, which is the epicenter of this humanitarian crisis, has killed hundreds of thousands, injured more than a million, and displaced half of the population of that country. In some areas, children literally starve to death in Syria. This conflict has forced more than 4.7 million refugees to flee. Around 70 percent of them are women and children who are looking for a safe place in this world. Half of Syrian children today

are not in school because of this conflict and because of the forces that have dispersed them around the world. Millions in and outside of Syria need humanitarian assistance.

Last week—the same week President Trump signed this awful Executive order on refugees—the United Nations issued an appeal for \$4.6 billion to meet the basic needs of Syrian refugees and struggling communities hosting them in neighboring countries.

Lebanon is a country where I believe half of the children in school today are Syrian. Jordan, one of our best friends and allies in the Middle East, has made more sacrifices on behalf of refugees per capita than any nation on Earth. What message does it send to our friends in Jordan that while they risk the security and safety and stability of their nation to absorb these refugees from Syria and around the world, that as an official policy of President Donald Trump, the United States no longer will even consider allowing a Syrian refugee to come to the United States? How can we in good conscience ask the King of Jordan to risk his monarchy and his country for refugees when President Trump says they are not allowed in the United States?

Earlier this month, I am happy to report, more than 1,700 Jewish rabbis called on our government to maintain and strengthen the refugee program for refugees of all ethnic and religious backgrounds—not to halt it, pause it, or restrict it. This weekend, I was so proud of the Catholic cardinal in Chicago, Blase Cupich, who came out and said the Executive orders of Donald Trump are not consistent with American values and certainly are not consistent with the beliefs of the Catholic Church. Religious leaders all across the country are speaking out. They understand that this is more than a political test; this is a moral test of who we are as Americans.

Many of the refugees who came to this country were fleeing regimes that were hostile to the United States. We gave them safety.

Refugees are the most carefully vetted and investigated of all travelers. Before refugees are admitted into the United States, they go through security screening that is almost unheard of. All of that screening takes place before they can even consider being allowed to set foot in America, and Syrian refugees go through an even stricter review. Extreme vetting? I have news for this President: Syrian refugees and refugees all over the world are already going through extreme vetting.

Shutting down the Refugee Resettlement Program won't protect our security. It plays into ISIS's argument that the United States is waging a war against Islam.

Listen to what Michael Hayden, former Director of the CIA and National Security Agency under Presi-

dents Bush and Obama, said about President Trump's Executive order:

It's a horrible move. It is a political, ideological move driven by the language of the campaign and, frankly, campaign promises—promises in the campaign that were hyped by an exaggeration of the threat. And in fact, what we're doing now has probably made us less safe today than we were Friday morning before this happened because we are now living the worst jihadist narrative possible, that there is undying enmity between Islam and the West. Muslims out there who were not part of the jihadist movement are now being shown that the story they were being told by the jihadists—they hate us; they're our enemy—that's being acted out by the American government. And frankly, at a humanitarian level, it's an abomination.

That statement was not made by the Democratic National Committee; it was made by Gen. Michael Hayden, former Director of the Central Intelligence Agency and the National Security Agency under Presidents Bush and Obama.

If we are serious about protecting America, we should be serious about closing the real loopholes that might threaten us. Think of the hundreds of thousands of foreign visitors to the United States under the Visa Waiver Program who go through no vetting, not even fingerprinting, before they get on a plane to come to the United States. Want to close a loophole in security? Let's look at that one seriously.

Instead of real security threats, President Trump is focusing on innocent people—children, women, families who are fleeing terrorism.

Today's refugees, like millions before them from all over the world, will become proud Americans who contribute greatly to our society and economy.

Albert Einstein was a refugee. Thank goodness he came to the United States. Today, so many of the leaders of our major corporations and high-tech companies are immigrants to this country and, in some cases, refugees.

Building walls on our borders and fear in our hearts will not move America forward. Let's not continue the cruelty or deception of blaming immigrants and refugees for our security and economic challenges. Let's work together to build a better America for all Americans, including new Americans, no matter the color of their skin, where their parents were born, or how they pray.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, citizens across the country are very concerned. In fact, they are more than concerned; they are terrified that our President is degrading the fundamental values on which our Nation was founded: religious tolerance, freedom of religion, the ability to worship as you please, and a fundamental principle that we would be welcoming to refugees, that we would be a nation that embraces immigrants.

Tonight Lady Liberty is crying. She said, "Give me your tired, your poor, your huddled masses yearning to breathe free," but our President has slammed the door on the tired and the poor and the huddled masses. It is an action the citizens in my home State have come out to protest. They have gone to the airport in Portland en masse 2 days in a row to say that we are welcoming to the world, that we are not going to slam the door shut on refugees, that we are not going to single out Muslim nations and say: We do not want you here.

Indeed, I held two townhalls over the weekend. The first was in a gymnasium about this size. There were 600 people jammed into it. They are very upset and angry that our fundamental values are being disregarded by the President of the United States. Then I went to my second townhall. I thought 600 was a lot; there were 3,700 Oregonians who came out to my second townhall. Every one of them is wanting to send a message to President Trump: You are taking us on the wrong road—a road that hurts people around the world, a road that hurts our fundamental values, and a road that decreases our security.

This Executive order, this Executive action from the President has had an immediate and painful impact—hundreds of people en route to our country detained at airports although they were legally traveling here. Many of them have been vetted on extended periods, some of them going through several years of vetting, and finally they have in their hand that visa that says, yes, I am going to have a country, and it is going to be the United States of America. And the President crushed that hope.

Chaos and confusion abounded. Lawyers and protesters and advocates descended on airports everywhere across this country to tell the administration that there is no mandate, no public will for this path that is so destructive to our values. They came out to say: Mr. President, when you tear down women in America, we stand with the women of America. Mr. President, when you tear down the disabled, we stand with the disabled of America. Mr. President, when you tear down African Americans and Hispanics, we stand with African Americans and Hispanics. And, Mr. President, when you tear down Muslims, we stand with our Muslim brothers and sisters because this is the United States of America, where we value religious freedom, where we value religious tolerance. This is a nation of immigrants. If you are not 100 percent Native American, then you are either an immigrant yourself or you are the child or the grandchild or the great-grandchild of an immigrant. Most of us can track members of our family who came from the ravages of war or the ravages of drought or the ravages of oppression to come here to

this soil, this land of freedom. James Madison remarked: "America was indebted to immigration for her settlement and for her prosperity." This remains just as true today as it was in Madison's day.

Here we stand, but the President of the United States has denied access to our Nation to a group of people based on nothing more than religious beliefs, betraying our values of religious tolerance and shutting the doors on refugees. The President has said this is not a ban on those of the Muslim faith, but of course it is a ban on those of Muslim faith because it is a ban on seven nations that are Muslim nations, with an exception made for individuals who are Christians so it is nothing more than a ban on Muslims.

The President says this is about protecting our citizens, but let us be very clear about that. Numerous refugees have come to our land, numerous immigrants, and there have been zero fatal terror attacks carried out by the immigrants from the seven countries listed in the order. Zero. We have been attacked by individuals from other countries which are not listed in the order, from Saudi Arabia, United Arab Emirates, Egypt, and Lebanon. Those nations aren't listed on this order. What we do know is that this ban does not make our Nation safer. National security experts recognize that it does exactly the opposite. By signing this Executive order, the President has betrayed our most fundamental values and principles, antagonizing 1.6 billion citizens of the world, and given our enemies ammunition for their false narrative that America is at war with Islam because that is exactly what they have used to recruit. That is exactly what they have used to increase and pour fuel on the fire to persuade people to attack Americans. The President has basically handed them this argument—this false narrative—and put our Nation at risk.

Former CIA Director Gen. Michael Hayden said to National Public Radio this morning, "In fact, what we're doing now has probably made us less safe today than we were Friday morning before this happened, because we are now living the worst jihadist narrative possible, that there is undying enmity between Islam and the West."

I share the value of Daniel Benjamin, the former Coordinator for Counterterrorism at the State Department, who said this: "It sends an unmistakable message to the American Muslim community that they are facing discrimination and isolation," and that message, he said, will "feed the jihadist narrative that the United States is at war with Islam, potentially encouraging a few more Muslims to plot violence."

This is the wrong move in every possible way. It is ill-considered, it is hasty, it is dangerous, it is wrong-

headed, it puts American citizens at risk, and it helps our enemies. Benjamin Franklin once said: "Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety." In this case, President Trump's Executive order has degraded both our liberty and our security—both our liberty and our safety.

We have turned our backs on friends and allies who are helping us in the war against ISIS. The President has made it clear that he wants to take on ISIS as we had been, but he wants to amplify it, and he has sabotaged that effort with this Executive order.

There are individuals like Hameed Khalid Darweesh, who worked for more than a decade for the United States as an interpreter in Iraq. Our interpreters place their lives at risk to assist our soldiers. They place the lives of their families at risk to assist the United States of America. This man risked his life for more than 10 years for us, and how is he greeted when he arrives here in our country? He is greeted with handcuffs. Muslim Iraqi interpreters like Mr. Darweesh have earned the right to come to America. They risked their lives and their family's lives. They assisted us in multitudinous ways.

What about this ban on refugees? Refugees are the most thoroughly vetted of all those who come to the United States. If a terrorist wants to come to the United States, a terrorist wouldn't attempt to come as a refugee. It would be 1 to 2 years of waiting in miserable conditions in a refugee camp, with all kinds of vetting, and they might never get permission to come. If you want intense vetting, then look to how we vet refugees. Blocking women and children and interpreters from coming to our country who have been the most thoroughly vetted of all potential immigrants is simply wrong. In fact, the model for vetting refugees is intense. Women and orphans are just searching for a safe haven, but we have turned our back and we have slammed the door.

America is better than this. For centuries we have been a beacon of hope to the world. We have been a beacon of justice, a beacon of compassion, and we must restore our Nation as a beacon of hope, justice, liberty, and compassion.

Millions of Americans are coming out in the snow and the rain and in some places in good weather. They are coming out in any possible conditions to speak out and say: This is not America. This is not us. Change paths. Tear down this ban. Tear down this ban that has slammed the door on refugees. Tear down this ban which has placed our Nation at risk.

Let us together put our Nation back on track. Let us together fight for the values that made America great for the last two centuries. Let us together

fight for the richness of our culture and our community, the strength of our society that comes from being a nation of immigrants. We need to act and act urgently.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, Mr. Trump's poorly drawn and implemented Executive order blocking refugees from the United States sacrifices fundamental American values and does not make us safer.

For the first time in memory, the order imposes a ban on all refugees entering our country, many of whom are fleeing war or who risk persecution for their religious or political beliefs. The order affects many thousands of children, women, and men whom our government has vetted for years and cleared for rescue.

President Trump's action—taken in the first days of his new administration, for political reasons, without regard for real world consequences and without the expertise of our national security professionals or even some of those appointed by the President himself—represents a rare, but shameful, departure from a constitutional heritage that has made America strong and a beacon to oppressed people throughout the world.

For generations, immigrants and refugees have come to our country to flee religious persecution and to seek a better life. Indeed, these are the very people who founded our original colonies. Although, as now, we have occasionally failed to live up to our ideals, over generations the United States has accepted millions of refugees from around the world.

My own family is part of this story, as so many people's families in this Chamber are. My mom was born in Poland in 1938 while Nazi tanks massed at the border. She and her parents miraculously survived the Holocaust—one of the worst human events in history.

After the war, after arriving in Sweden and then Mexico City, they were able to come to New York City in 1950. They wanted to come to the United States because it was the only country in the world where they believed they could rebuild their shattered lives. And they did.

This weekend, my mom joined hundreds of thousands of Americans to call on the President to change course, knowing that our family's struggles in Europe require us to recognize the danger and persecution facing families throughout the Middle East today.

Out of a population of 22 million, almost 5 million Syrians have fled to neighboring countries—some to Europe—and have registered as refugees. More than half of those displaced are children.

According to the United Nations, more than half of the remaining Syrian population—6 million of them children—require assistance such as food, water, and health care. Nearly one in four people in Lebanon today—to-night—is a Syrian refugee, and the fourth largest city in Jordan is now a refugee camp.

In the wake of President Trump's refugee ban, it seems useful to ask—and I am sure the American people are asking—why are so many millions of people fleeing their homes, their countries, and their history?

They are doing it to save their lives—and, in many cases, their children's lives—from ISIS's medieval barbarism and Assad's unrelenting brutality. They seek to escape the murder, rape, detention, and torture they suffer because of their religion or their ethnicity or both.

Assad is their enemy. ISIS is their enemy. Today's refugees are fleeing the violence and extremism that threatens our own national security. Their enemies are our enemies. The same is true of the refugees from Afghanistan, Libya, Somalia, and Sudan.

Does this mean we have an obligation simply to open our borders to them? Of course not. We have a national security imperative to ensure that no terrorist tries to sneak into the United States as part of the refugee program.

I have long said that the burden of proof is not on the United States to accept a refugee. Rather, the refugee has the burden to demonstrate that they are not a threat to the United States. We have no obligation, nor should we, to take anything on faith. It is for this reason that refugees are more thoroughly vetted than anyone else entering the United States. They must pass stringent screening standards to ensure that they pose no threat, a process that can take up to 2 years.

First, the United Nations screens them and collects biometric data. Only those who pass that test are then referred to the United States. And, by the way, no refugee knows at that stage of the process to which country they will be referred—to the United States or to any other country that is accepting refugees. After that, multiple agencies—including the Department of Homeland Security, the FBI, the State Department, and our intelligence agencies—conduct rigorous screenings. This process includes repeated biometric checks, several layers of biographical and background screening, health checks, and interviews. Syrian refugees, in particular, receive enhanced scrutiny through an additional security risk review by specially trained officers.

Out of the nearly 60,000 people referred to the United States, only about 12,000 have been accepted. Of those Syrian refugees accepted by the United States, three-quarters are women and children and half were under 13 in 2016.

We are the leader of the free world, a republic founded on the premise of religious freedom and a society that for generations has called out to the tired, the poor, and the huddled masses yearning to be free. That is who we are. Yet, in the name of fighting terrorism in his first week as President, Mr. Trump has sacrificed what has made us exceptional and has banned these children and their mothers from our shores.

These children are no different than Omran Daqneesh, whose distant stare from the back of an ambulance in Aleppo bore witness to the senseless violence he suffered; or Alan Kurdi, whose lifeless body on a Turkish beach condemned the worst savagery of humankind.

Once he learns the details—if he chooses to study them—if President Trump wishes to make our vetting even more extreme than it already is, I guess he may do so. But banning refugees and prioritizing immigration by religion or ethnicity simultaneously abandons our principles and weakens our counterterrorism efforts. It sends the wrong message to our Muslim partners who fight with us in places like Iraq and Afghanistan, including civilians in those countries who have risked their lives alongside our troops. It also hands ISIS a recruiting tool by fueling their narrative that the Western and Muslim worlds cannot coexist in peace.

If the President really wants to secure our borders and ensure extremists stay out of the country, there are far better alternatives, and they are alternatives that are not at war with who we are as Americans. We should work together to close security gaps in our Visa Waiver Program and partner with European countries to better track the flow of foreign fighters throughout Europe and the Middle East. We should also do more to counter the ability of terrorists to radicalize and recruit, both here at home and abroad. We should do more to equip our agencies with tools and capabilities to degrade the ability of terrorist organizations—in particular, ISIS—to persuade and inspire using social media. Congress should enact ideas passed by the Senate in 2013 to strengthen border security, double the number of border agents, and address visa overstays.

By tackling real vulnerabilities and investing in smart security solutions, we can secure not only our borders but also our values, and we will not repeat the darkest moments of our history when America turned away from those fleeing persecution around the world.

A year ago, I came to the Senate floor to share a note sent to me by my

grandparents on my first birthday. It is a message that bears repeating tonight. The year was 1965—15 years after my mother and grandparents came to this country after surviving the horrors of the Holocaust in Poland. This is what they wrote:

The ancient Greeks gave the world the high ideals of democracy, in search of which your dear mother and we came to the hospitable shores of beautiful America in 1950. We have been happy here ever since, beyond our greatest dreams and expectations, with democracy, freedom, and love, and humanity's greatest treasure. We hope that when you grow up, you will help develop in other parts of the world a greater understanding of these American values.

Like so many immigrants, my grandparents knew how special these American values are and how rare they are. We cannot take them for granted or subvert them for a political moment. These values make us who we are.

Edmund Burke once wrote: "In history a great volume is unrolled for our instruction, drawing the materials of future wisdom from the past errors and infirmities of mankind."

This is a time when we can learn from the past errors and infirmities of humankind. We cannot turn our backs on women, children, and families who risk persecution, starvation, or death.

The President should rescind this Executive order. If not, the Senate should end the ban immediately and start a serious conversation on how to make our country safe again in a manner that is consistent with our fundamental values.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow that very eloquent speech by my colleague from Colorado and to be followed on the floor by our colleague from Massachusetts.

We are here today with stories. Every one of us has a story going back one generation, maybe two or three, maybe five or ten, but we all have an immigrant story. Most of those immigrant stories are about people coming here to seek hope, opportunity, and, yes, safety; to escape violence and persecution; to come here for refuge.

I met one of those refugees over this weekend in West Hartford at a Holocaust remembrance ceremony. Abby Weiner is a Romanian Jew who survived Auschwitz and Buchenwald but lost his parents there. He was honored by Voices of Hope at this Holocaust remembrance ceremony at a synagogue in West Hartford, attended by 500, 700 people. There was a massive outpouring of support for him and for the values that are represented by people who come here as immigrants fleeing persecution and violence, as he did in Nazi Germany. He said: The words came before the bullets and gas chambers. The words of Nazi Germany came

before the bullets and gas chambers. Words have consequences. Edicts and orders have consequences.

When I spoke, I told my own story—a proud story of my father, who also came here from Nazi Germany in 1935. He was 17 years old. He spoke virtually no English, he had not much more than the shirt on his back, and he knew almost no one. This great country, the greatest in the history of the world, gave him a chance to succeed. He was a proud American. How sad and ashamed he would be today to see actions by the President of the United States that ban a group coming to this country based on their religion—a ban that is antithetical to our history, our values, our Constitution, and the rule of law.

I salute Sally Yates, who has taken a stand based on moral and legal principle in the highest tradition of the Department of Justice, saying that these orders cannot be defended and that the rule of law and morality is more important than the politics of the moment and the impulsive edicts of a ruler who apparently fails to understand that law—or, at least his administration does.

It raises the question of whether the next Attorney General—she is only acting—will have the strength and courage to uphold the rule of law. Tomorrow, I will vote against our respected and admired colleague, JEFF SESSIONS, because I believe that the next Attorney General must be a champion—a steadfast advocate and protector of the rule of law and rights and liberties that are overridden and abridged by this order banning people from Muslim-majority nations, in effect a ban on a religious group.

We are better than this kind of discriminatory edict. We know it harms mainly children and families fleeing violence and oppression. Refugees like those children have helped to shape and build this Nation. We are stronger because of our diversity. We are a nation of immigrants. Our strength comes from the talents, energies, strengths, and vibrancy they bring to this country.

Often, when I am feeling down about our public life, I go to immigration and naturalization ceremonies. They occur every Friday in courts around the State of Connecticut. I welcome people who are becoming citizens, and I say to them: Thank you for becoming a citizen of the greatest country in the world. You are a source of strength for us, and you have taken a test that most Americans could not pass.

They laugh because they know it is true. They will never take for granted what it means to be a citizen of this country. I look at them in their diversity, and I know that is America. That is our future.

We will be less safe because of this order, which will alienate allies and

deny us sources of intelligence to troops on the ground that we need to win the war against ISIS, and we must win that war. It will provide a recruiting tool to ISIS, convincing young people who may be tempted to join their ranks that, in fact, this country is engaged in a war against Islam, which is utterly and totally untrue. It will discourage people from within the United States who are part of the Muslim community from coming forth when they see threats and could provide information that would forestall an attack by violent extremists within our country.

This order makes us less safe, but it weakens us mainly in a deeper moral sense: It is wrong. It is wrong for this great country, devoted and founded on the ideals of welcoming people seeking that beacon of hope and protection and opportunity.

The Statue of Liberty is a symbol, but the ideals and the values are living. The damage that has been done to them can be repaired. We must repair it and reverse this order. That is why I have sponsored legislation that will rescind it, and why I am proud to join my colleagues today on the floor of the Senate to say: Rip up this order, Mr. President. With all respect, do the right thing. Be on the right side of history and the right side of our Constitution. Rip up this illegal order.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, on Friday night, President Donald Trump issued an Executive order that strikes at the very heart of our democracy.

I wish I were exaggerating. I wish this were some sort of game. But the ban that imposes religious tests and keeps refugees and immigrants from entering our country is illegal, it is unconstitutional, it is immoral, and it must be overturned.

The effects of this order were immediate and terrifying for people in Massachusetts and all across this country. My office got a call from an Iranian citizen who was traveling to Massachusetts to see his daughter who is currently receiving treatment for cancer. He was denied boarding in Germany and sent back to Iran. We heard from a woman who already has an approved immigrant visa but still hasn't found an airline that will allow her to board a flight to the United States. A Massachusetts resident called because her cousin who holds a student visa was not allowed to board a flight either. Another Massachusetts resident called because her Iranian sisters were denied boarding at London Heathrow. Both have their valid J-1 visas. One is a visiting professor at Harvard, and the other is a postdoc fellow at Harvard Medical. We heard from an Iranian student studying at MIT. She was denied entry on Saturday, and when she tried

to return on Sunday, after the temporary stay had been issued, she was denied boarding by Lufthansa. A Massachusetts student on a student visa called because his wife was denied boarding in Switzerland.

None of these people are criminals. None of these people are threats. They are students at some of the world's top universities; they are doctors and scientists at some of the country's best hospitals. Most of them have already been vetted and granted the right to come to America. One is a father who wants to see his cancer-stricken daughter. They are husbands and wives, mothers and fathers, sisters and brothers, friends and neighbors. They are people. They are real people. They are part of what makes Massachusetts great, and they are part of what makes America great.

Donald Trump's radical ban on Muslims isn't in line with American values or with our Constitution. It is also not in line with what the Republican Party stands for.

In the months following the attacks of September 11, President George W. Bush made a point to remind the United States that we were not at war against Islam. In a speech in April of 2002, he said:

America rejects bigotry. We reject every act of hatred against people of Arab background or Muslim faith. America values and welcomes peaceful people of all faiths—Christian, Jewish, Muslim, Sikh, Hindu and many others. Every faith is practiced and protected here, because we are one country. Every immigrant can be fully and equally American because we're one country. Race and color should not divide us, because America is one country.

Do Senate Republicans agree? If so, then come down here and say so. Where are you? Where are Senate Republicans when their Republican President issues an order targeting one religious group?

Let's be clear about what happened here. Keeping the details secret, working with a small group of operatives inside the White House, consulting no experts in diplomacy or homeland security, and getting advice from outsiders with no actual legal authority, President Trump acted unilaterally to issue this order.

Make no mistake, while it may not affect every Muslim in the world, Donald Trump's Executive order is a Muslim ban, and it is unconstitutional. This is a crisis. The Senate should take up and pass Senator FEINSTEIN's bill to overturn this illegal order right now. What is happening is shocking. It is shocking, but it is not surprising.

Donald Trump is doing exactly what he said he was going to do. During his Presidential campaign, he promised "a total and complete shutdown of Muslims entering the United States." That is what he said. Last year, it seemed like pretty much everyone agreed that this was not acceptable in the United States of America.

Speaker PAUL RYAN declared:

A religious test for entering our country is not reflective of America's fundamental values. I reject it.

Where are you now, PAUL RYAN? Have you rejected President Trump's order to impose a religious test for entering our country? Have you introduced a bill to overturn it? You have the power. Where are you?

As Governor of Indiana, Vice President MIKE PENCE said: "Calls to ban Muslims from entering the U.S. are offensive and unconstitutional." Where are you right now, Vice President PENCE? Have you called to overturn President Trump's offensive and unconstitutional order? Have you asked Republicans to introduce a bill to overturn it? You have a platform. Where are you?

Senate Majority Leader MITCH MCCONNELL called a Muslim ban "completely and totally inconsistent with American values." Where are you right now, MITCH MCCONNELL? Have you rejected President Trump's Muslim ban that is completely and totally inconsistent with American values? Have you introduced a bill to overturn it? You have the power. Where are you?

President Trump ignored these Republican leaders. Today these Republican leaders will not stand up for what is right. President Trump may be willing to ignore the Constitution and the laws of the United States of America, and the Republican leadership in Congress may be willing to ignore the Constitution and the laws of the United States of America, but the American people are not.

This weekend, Americans across this country came together to reject this sort of fear and hate. The American people showed courage, even as the Republican leadership hid out. Crowds of people raced to airports across this country to welcome immigrants and refugees and to demand compliance with court rulings that gave individuals and families temporary relief and to demand that this reckless order be rescinded.

I was proud to stand with hundreds of people at Logan Airport in Boston on Saturday night and then with more than 20,000 people in Copley Square on Sunday. We had one of the biggest demonstrations in the country. I also want to say I am in awe of the hundreds of lawyers and translators who dropped everything and spent sleepless nights in airport terminals and courts fighting for justice. Because of their tireless work, we have already been able to undo some of the damage caused by President Trump.

While I am encouraged by our victories in the courts this weekend, the Trump administration has derided these judges and, in some instances, refused to follow these orders. This is shocking and unconstitutional. Congress must act. We must act now. Con-

gress must stand up and say to President Trump that this is not who we are. Congress must say to Donald Trump and to the world: We will not turn our backs on lawful immigrants and refugees fleeing murderers. We will not turn our backs on people who risk their own lives to protect our soldiers in Iraq and in the fight against ISIS. We will not give ISIS more recruiting material. We will not promote an imagined religious war between America and Islam. We will stand for our values, for American values, for human values. We will not be divided by hate and fear.

Fifteen months ago, I traveled to the Greek island of Lesbos. This is the first stop for many Syrian refugees as they flee from the terrorists of ISIS. That was where I saw the shoddy, paper-thin river rafts that people cram onto, with nothing more than a hope and a prayer that they will make it across a choppy sea. I saw the little plastic pool floaties that people put on small children, hoping it would be enough to save them if the raft went down.

I met a 7-year-old girl who had been sent out on that perilous journey alone. I thought about what horrors her parents must have faced to hand a wad of cash to human smugglers with only the most desperate dream that their little girl would find something better on the other side.

President Trump is trying to shut the door on that little girl and on countless others who are fleeing for their lives. He is trying to shut the door on children, on doctors, on students, on engineers, on husbands and wives, on grandmas and grandpas. That is not all. President Trump is trying to shut the door on people who risked their lives helping American soldiers, people who face execution in the hands of terrorists if they are sent back.

President Trump is even trying to shut the door on legal immigrants, on students and faculty, on people who work in Massachusetts and across this country, on people who have already been thoroughly screened for entry into the United States and have been granted permanent status to live and work in our country. This has nothing to do with security—nothing.

Little girls fleeing from murderers are not a threat. Elderly grandparents detained at airports are not a threat. Students and teachers and people who work in Massachusetts and across the country are not a threat. Iraqi translators who put their own lives at risk to protect American soldiers are not a threat. We should welcome them. We should welcome them with open arms. That is who we are.

Voices from across the political spectrum, including many of my friends from across the aisle, have already stepped forward to criticize this order, but criticism is not enough. President Trump's Executive order must be overturned. We must overturn it.

For those who remain unconvinced, I would like to take some time this evening to talk about some of the people who are hurt by the President's reckless, heartless, illegal, and unconstitutional actions. As stories have poured into my office, on the evening news, on social media, we have heard time and again about the consequences of President Trump's reckless and illegal order, and I would like to share some of those stories in my time tonight. I want to read one.

My staff and I have spent the week-end listening to and meeting with people who have been affected. I have seen firsthand the devastating effects of President Trump's actions. I want to start with a story of someone I met at Logan Airport on Saturday night. The story I want to read is from CBS Boston, "Detainee Released After Federal Judge Grants Stay On Trump's Immigration Freeze."

Hamed Hosseini Bay was questioned at Logan Airport Saturday while trying to get back into America after caring for his sick father in his native Iran. Hosseini Bay has lived in the Boston area for approximately nine years. After a judge granted a case brought by lawyers from the American Civil Liberties Union Saturday night, Hosseini Bay was reunited with his wife and daughter, who had traveled with him to Iran but returned two weeks earlier.

He was not angry about his questioning.

"Everybody was friendly," Hosseini Bay told WBZ-TV's Jim Smith. "They had to do what they had to do. I'm grateful for all the people back there, but it was chaotic."

Hosseini Bay's wife is now questioning what the future will be like for her family in America. "It's just terrifying how my life has changed in two days, in three days," she said. "I don't know (about the future). Last week everything was normal. I would pick up my daughter from preschool, she was like everyone else. I was like everyone else. But now we're different."

I met with this family. This is what President Trump's order means. It means stopping people like this and telling them that their future is different now in America.

I am going to read another story. This one is from NBC Boston. "Protesters Rally as Doctors, Students Blocked From Entering Country After Trump's Orders."

At Boston's Logan International Airport, at least six people from Iran were detained Saturday after their flights landed in the U.S. A Federal judge in New York issued a temporary stay late Saturday for all detainees affected by Trump's executive orders, which barred all refugees from entering the United States for four months, and indefinitely halted any from Syria. Trump argued the ban is needed to keep out "radical Islamic terrorists."

A tweet by Samira Asgari, an Iranian doctor, stated that she was denied boarding when she arrived for her flight to the U.S. from Germany. In a Skype interview from Switzerland, Asgari told us she had planned to come to the U.S. to start a study at Harvard Medical School analyzing tuberculosis.

"My view of America of course, doesn't change because of a decision a politician

makes. My view of America changes because the land that used to be the land of those who want to be there, who want to do something good to the community and take something good from the community—that picture of America has changed for me," she said.

Several students at Massachusetts colleges also tweeted that they were being blocked from entering the country.

In a statement, MIT officials said they're "very troubled" that Trump's executive order is affecting the university's community and are exploring options for helping impacted students.

Northeastern University in a statement to their community offered support to their students, faculty and staff reminding them of "their commitment to each other."

We believe in the commitment to inform each other, but that is what it is that Donald Trump is trying to destroy.

Another story, from WBUR, a "Somali Family Resettling In Lowell Worries For Other Refugees As Trump Promises Restrictions."

The order will have global implications, including for one newly arrived Somali family now living in Lowell.

The three Ahmed sisters from Somalia huddled on a couch with their mother in a lobby of a busy office. Each woman wore a brightly colored head scarf and winter jacket, and each clutched a plastic bag carrying their personal documents.

They are the most recent refugees to be welcomed at the International Institute of New England's Lowell resettlement office. And, with Trump's refugee restrictions hanging in the balance, they are likely the last Somali family to enter the state for some time.

"My mom and dad fled from the conflict in Mogadishu," explained Hawo Ahmed, 24. She and her twin sister were only 4 months old when their parents fled for Kenya.

Hawo retold the story of her mother, Fatuma, and why she and Hawo's father left in 1993 amid the Somali Civil War.

"She said that it was, like, conflict all over the country," Hawo said. "People were killing each other, like tribes, different tribes were killing each other. Whenever they see you, they kill you, and they even used to come in the houses to rape the girls and kill them. So they had to move."

The youngest daughter, Asha, was born in Kenya, where the girls grew up, and went to school and learned English. Still, they all very much consider themselves Somali.

When asked about their father, one of the young women said she watched him die in 2006 from an asthma attack. She said the family didn't have enough money for a new inhaler.

After beginning the refugee application process in Kenya 6 years ago, the family arrived in Manchester, NH, only a few days ago.

Hawo and Muna said their arrival barely felt real, like a dream come true. And then, Hawo said, as soon as they got off the plane, they saw the news about Trump's executive orders on the airport television.

"Even tears were filled up in my eyes, because I felt very bad for others," she said. "They have more expectations, some were even told where they are going, which city they are going, and if they stop all the things, it's going to be very painful. I just have a very sincere request to the President, that he should drop out that idea. That is all."

Hawo said that they know many fellow refugees in Kenya who are in the final phases of their application process.

She said her aunt and cousin, who live in a refugee camp in Kampala, Uganda, had only one more interview to complete before they were hoping to meet them in Massachusetts. Now they're not sure what will happen.

"I couldn't sleep last night just thinking about them, and she has been in the process for so long, and we want, if you can help her," Hawo said.

That is what Donald Trump is doing to people around the world.

Another story—WCVB TV.

Trump's executive order worries Massachusetts family awaiting loved one.

With the stroke of a pen, President Donald Trump fulfilled a campaign promise that temporarily bans more than 130 million people from entering the United States.

Several people were prevented from entering Boston due to Trump's executive order.

"We are very worried. We are very concerned," Omar Salem, of Canton, said. "I'm hoping for the best. I'm hoping that I could get a text from him saying, 'I'm here.'"

Salem is anxiously awaiting his brother's arrival back in Massachusetts. The Syrian-born, Boston-based orthodontist was on vacation when the President signed the executive order suspending visa entry from seven countries.

"We didn't know it was going to be that bad and that shameful," Salem said.

Salem's brother thought his green card would be enough to secure his return, but the business owner is now facing uncertainty.

"It always starts somewhere and we see it evolving to become much bigger and much more sophisticated," Salem said.

While Salem is hoping to see his brother soon, his heart is heavy for the millions of refugees and visa holders, who see the U.S. as a sanctuary of freedom and acceptance.

"I really call it un-American to do this with the stroke of a pen," Salem said.

The seven countries included in the executive order may be just a starting point as the order left room for a broader ban.

That is what Donald Trump is doing around the world.

Another story—this is a Facebook post from Niki Rhamati, a student at MIT.

I just got back home (Tehran) and I figured I should break the silence. I want to start by saying how grateful I am to all the friends, faculty, alumni, sorority sisters, staff and admin at MIT and other parts of the US who have contacted me in the past couple of hours. My inbox is flooded with messages and emails of love and support. I am truly speechless, grateful and proud to be part of the MIT community. I have never been subjected to any form of religious or racial discrimination at MIT. Our community is extremely diverse, inclusive, supportive and accepting of individuals and their backgrounds. But I cannot believe all this love is coming from the same country that banned me from entering its borders just a couple of hours ago.

I don't want to get to the political mess that has created this situation for me and many others. I just want to share what millions of other people and I are going through, and simply what it feels like to be an Iranian and targeted to such racism and discrimination—things I have been very familiar with most of my life.

I currently have a valid multiple entry student visa that I've used for the past year and

a half and have traveled very smoothly (thank you Obama!). I came home (Tehran) to visit my parents and family. I suspected I would not be able to travel as easily as before with the new President, so I extended my stay.

Here's the story of what happened this past week. On Wednesday, I woke up to the announcement of the new Executive Order by President Trump that would restrict entry for Syrian refugees and citizens of seven majority-Muslim countries (Iran, Iraq, Libya, Sudan, Somalia, Syria, Yemen) for 30 days. As BBC Persian, one of the reliable sources here, contacted immigration attorneys and Politicians, this order was read and interpreted as, "issuance of any types of immigrant and non-immigrant visas would be banned for citizens of those countries for 30 days."

The President had not yet signed this order so the ban was not yet effective. I changed my flight to another one that would get me to Boston on Saturday night with a transfer in Qatar. It was rumored that the President signed the Order once I was on my way to the airport, and it was executed while I was in my first flight to Doha. But I looked on the White House website, BBC and Washington Post and nothing had been published yet. When I got to Doha, I was stopped at the gate for my U.S. flight.

We found out that the ban (which is effective for 90 days now instead of 30), included everyone currently holding an immigrant, student or tourist visa as well as Green Card holders. We heard a lot of people were deported at the American border in different cities.

About 30 other Iranians and I were stuck in Doha, waiting for flights back to Tehran. Among them were old couples trying to go and see their children in the US, 2 old women trying to be with and help their pregnant daughters there for their third trimesters, students who had just gotten their visas and families who had sold their belongings back home so they could build a better life in the US. All these people had gotten visas legally and had gone through background checks. The President had said that the goal of this Order was dealing with illegal immigration. Do any of the people sound like illegal immigrants?

This will not secure the borders from the terrorism and illegal immigrants. It will only increase racism in the American society. The President is trying to make Islamophobia a norm and policy by which he wants to lead the country. There has not been a single terrorist activity from those 7 countries listed above, in the US.

If you feel like helping millions of people facing this, please contact your representatives or senators in your areas and ask them to fight against this absurd ban. Reach out to friends and ask them to do the same. Please also let me and everyone else know how we can contribute to this.

As I was stuck in Doha, with other Iranians, I was telling stories of interactions with many of the Americans I know. Please know that I love and respect all of you because you have always treated me with love and respect.

This is who Donald Trump is trying to keep out of the country.

Another story—this time from CNN.

A Syrian teen was headed to MIT and then came the ban.

Mahmoud Hassan was ecstatic when he got the acceptance letter.

All through high school, the 18-year-old had one goal in mind: get an engineering de-

gree from the prestigious Massachusetts Institute of Technology.

But Hassan is from Damascus, Syria. And Friday, he had his hopes crushed through no fault of his own.

When President Trump signed the executive order on immigration, temporarily banning citizens from certain Muslim-majority countries, Syria was one of the seven.

"Now Trump's orders will prevent me from going there," he told CNN. "My dreams are basically ruined."

Hassan had been looking forward to his journey to the Cambridge campus in the fall. He says he had been offered a scholarship.

He's read and reread that letter from MIT dozens of times.

"Dear Mahmoud, On behalf of the Admissions Committee, it is my pleasure to offer you admission to the MIT Class of 2021! You stood out as one of the most talented and promising students in one of the most competitive applicant pools in the history of the Institute."

Hassan doesn't know what he'll do next.

This is who Donald Trump is determined to keep out of America.

Another story. This one is from our office.

A constituent from Concord, MA, came into my office in Boston just this morning—Monday, January 30, 2017. She came looking for more information on the current status of the Muslim ban, on behalf of her husband, who was originally born in Iran.

She explained that when he was young, he received refugee status in Australia for religious persecution, as he was raised in the Baha'i faith. He now has dual citizenship in Iran and Australia and is a green card holder of 10 years here in the United States. He is the vice president of a startup company that requires him to travel outside the country often but has decided that, because of the latest Executive orders, to stay grounded in the United States until further notice. He is currently safe in the United States.

Emam has also decided to begin his U.S. citizenship application, and the couple have two young children whom they are raising in the United States, afraid to travel outside the United States on business because of President Trump's ban.

Another story. This is a story via the Wall Street Journal.

Iraqi interpreter Laith al-Haydar received multiple death threats for working with the American military at the height of the war in his country. In return for helping the U.S., he and tens of thousands of other Iraqis were promised U.S. immigration visas.

Nearly four years after he applied, the 41-year-old father of two is still waiting for a visa—and now he faces a new setback: President Donald Trump signed an order suspending immigration from several countries with a Muslim majority, including Iraq, and a temporary ban on all refugees.

Mr. Haydar is among roughly 58,000 Iraqi applicants for U.S. immigrant visas and refugee resettlement under the federal programs that promised to fast-track entry for Iraqis who worked with the U.S. government and other institutions deemed critical to the U.S.-led effort in Iraq, according to the State Department. A similar program for Afghans

who've worked with the U.S. government may also be at risk.

At least one Iraqi and two Afghans who worked with the U.S. government and also qualify for expedited immigration visas were turned away from American ports of entry on Friday and Saturday, a State Department official said, adding that several more were prevented from boarding planes to the U.S.

A substantial backlog of applications remains in part because Congress limits the number of visas that can be granted each year. Frustration with visa delays has now been aggravated by Mr. Trump's executive orders.

Critics of the visa ban say it abandons thousands of valuable allies abroad and risks deterring such people from working with the United States in the future at a time when Mr. Trump is promising a more aggressive military posture abroad.

"These guys laid their lives on the line alongside American soldiers and got paid a fraction of what I made," said Jake Thomas, a U.S. Army veteran who worked with Mr. Haydar in Iraq and who now lives in Georgia. If they want out, we need to honor our promises and get them out. Mr. Thomas is one of several U.S. military officers who have written letters to the State Department appealing for Mr. Haydar to get a visa. He said he sympathizes with some of the views regarding immigration that Mr. Trump campaigned on, but he added that Iraqis like Mr. Haydar "were singled out and shot at for serving the United States and we made a promise." Mr. Thomas said he knew of five Iraqi interpreters who were killed in the 15 months of his last tour in Iraq, including 3 who were gunned down in their homes for working with the U.S. military.

President Trump continues to ignore the damage he is doing to the safety of our country and our servicemen and servicewomen overseas. Brave men and women who risked their lives to help U.S. soldiers in Iraq have already been caught up in the President's unconstitutional order.

I just want to associate myself with the man who said—who had been there, the soldier who had been there—that America made a promise. I believe in an America that keeps its promises. Donald Trump's order breaks our promises.

Another story, this one from Marcolla via PRI:

The Iraqi linguist who worked side by side with US troops in Baghdad put her life on the line for America's war effort.

Now her family is in danger back in Iraq and she fears her efforts to get them to safety in America are all but doomed.

"I'm scared. The chance to see my family reunited again is very slim now," she says. "People like me and my family who helped and supported America, I believe we should be reunited. The history of the United States is to support people and help them, not to separate the families."

Marcolla was just 18 and living in Baghdad shortly after American tanks rolled into the Iraqi capital in 2003. She was recruited to work for the US military. Her role caught the attention of Iraqi militants. They sought revenge. They burned down Marcolla's house, kidnapped her father and murdered her husband.

Fearing for her life, she applied for a US visa. And in 2013, after seven years of waiting, she received the permission she had been

waiting for. But Marcolla had to leave her parents and siblings behind, even though she says they too were in danger because of her service with US troops. She says she tries to talk with her family in Baghdad daily. "Every day their lives are in danger," she says. "They have to change their address, move from place to place. They live in the unknown."

Marcolla is worried that the refugee ban proposed Wednesday means her parents and siblings will never reach American soil.

"We already been in extreme vetting," she says. "I understand and I respect the US rules and the safety and national security. . . . I understand that and I respect that. However, there are people in Iraq who have a long history of supporting America in Iraq and Afghanistan—the linguists, the translators—they deserve and they need their papers to be expedited."

These are the people Donald Trump is keeping out of America.

Another story from Mother Jones:

"Immoral," "Stupid," and "Counterproductive": National Security Experts Slam Trump's "Muslim Ban."

"At the moment we need them most, we're telling these people, 'Get screwed.'"

While Trump's executive order claims to be in the interest of "protecting the nation," experts in national security and counterterrorism who spoke with Mother Jones argue that it poses potentially disastrous immediate and long-term security threats to the nation and US personnel overseas.

"Not only is it immoral and stupid, it's also counterproductive," says Patrick Skinner, a former CIA terrorism case officer who now works at Soufan Group, a security consulting firm. "We've got military intelligence and diplomatic personnel on the ground right now in Syria, Libya, and Iraq who are working side by side with the people imbedded in combat and training and advising. At no time in the US's history have we depended more on local—and I mean local—partnerships for counterterrorism. We need people in Al Bab, Syria; we depend on people in certain parts of eastern Mosul, Iraq; in Cert, Libya. At the exact moment we need them most, we're telling those people, 'Get screwed.'"

Kirk W. Johnson, who spent a year on reconstruction in Fallujah in Iraq with the US Agency for International Development (USAID) echoes Skinner's fears: "This will have immediate national security implications, in that we are not going to be able to recruit people to help us right now, and people are not going to step forward to help us in any future wars if this is our stance."

The US-led war on ISIS is but one front of a constellation of fights against extremist groups that could be hampered by Trump's decision. "The US is officially banning people in these countries at the same time we are trying to build up local support to fight ISIS," Skinner said. "It takes a long time to build trust with these people. You have to start over, say, 'Okay, starting now, trust me.' How many times can you get away with that?" It also sends a message that groups like the so-called Islamic State can exploit. Elizabeth Goitein, the codirector of the Brennan Center's Liberty & National Security Program, says, "The message this projects is that America sees Muslims as a threat—not specific actors who are intent on committing terrorist acts. The message that America really is at war with Islam will be ISIS's best friend."

BuzzFeed reporters Mike Giglio and Munzer Al-Awad spoke with five current or

former ISIS fighters who cited Trump's divisiveness as a factor that will weaken America. They added that his rhetoric against Muslims will help them reinforce their narrative that America and the West are fighting not just terrorism, but Islam itself. "Trump will shorten the time it takes for us to achieve our goals," said one.

Meanwhile, the very allies who have operated alongside US personnel in war zones for years—contractors and translators like Darweesh—are once again being abandoned. For the past decade, Johnson has been leading an effort to resettle Iraqi allies, many of whom, he says, face torture, kidnapping, and death after collaborating with American soldiers. It all started in 2006 when he heard from an Iraqi USAID colleague who had been identified by a militia. The militia left a severed pig's head on his door step, along with a message saying that it would be his head next. Despite his years of helping the United States, the US government offered no help, and he had to flee the country with his wife.

"We are not going to be able to recruit people to help us right now, and people are not going to step forward to help us in any future wars if this is our stance."

This is what Donald Trump's Executive order is doing. It is putting Americans at risk around the world.

Another story from Newsweek: "Spy Veterans Say Trump's Muslim-Country Visa Ban Will Hurt Recruitment."

President Donald Trump's temporary ban on immigrants from seven Muslim-majority nations takes a major recruiting tool out of the hands of US spy handlers, say a growing number of intelligence veterans.

For decades, CIA and US military spy recruiters have held out the promise of eventual resettlement in America to induce foreigners to turn coat and work secretly for the United States against terrorist groups or repressive governments. In reality, many were caught before they ever made it, but during the Cold War countless Eastern Europeans living under communist rule, and more recently, Muslims across the Middle East, North Africa and Central Asia, have worked secretly for US spy agencies on the promise that they or their children would eventually be extracted. Another effective recruiting tool for US operatives has been to offer their agents' families medical care or education in the United States.

Those inducements, a primary recruiting tool in Muslim land, were effectively suspended with Trump's executive order Friday to temporarily ban immigration from seven critical targets of the U.S. spy agencies—Iraq, Iran, Syria, Yemen, Sudan, Libya and Somalia. The departments of State and Homeland Security, the order stipulates, may allow entry from those countries on "a case-by-case basis," but it's a balky arrangement not likely to appeal to the managers of the CIA's highly secretive operations directorate, its espionage and covert action arm. Intelligence veterans with vast counterterrorism experience are expressing dismay about how the order will affect their spy operations.

"These individuals often put themselves at the risk of death for working with the U.S., and without the ability to offer them safety, we will be reducing the likelihood that those in countries targeted by the ban will work with us in the future," Phillip Lohaus, a decorated veteran of the U.S. Special Operations Command and CIA, tells Newsweek.

"We relied heavily on local translators, many of whom have gone on to forge produc-

tive lives for themselves here in the States," Lohaus added. "Why would they take such a risk if they knew that they would face retribution or death by staying in their home countries?"

"Absolutely," agreed Cindy Storer, a former member of the CIA intelligence team that tracked al-Qaeda leader Osama bin Laden. "It hurts," she said in a brief interview. "Capital h-u-r-t-s." Imagine, she said, if the ban had been in place when Jamal al Fadl, a Sudanese Muslim and key al-Qaeda operative, showed up at the American embassy in the mid-1990s and volunteered to defect to the United States. FBI counterterror agents brought him into the U.S., where he provided "a major breakthrough of intelligence on the creation, character, direction, and intentions of al-Qaeda," according to the official 9/11 Commission report.

And that is what Donald Trump is putting an end to.

Another story from the Washington Post: "Dissent memo circulating in the State Department over Trump's policy on refugees and immigrants."

For this one, Foreign Service officers have written a memo—and they shared it with the Washington Post—in opposition to President Trump's Executive order. Here are excerpts from a leaked dissent memo by U.S. Foreign Service officers regarding the Executive orders:

It will immediately sour relations with these seven countries, as well as much of the Muslim world, which sees the ban as religiously motivated. These governments of these countries are important allies and partners in the fight against terrorism, regionally and globally. By alienating them, we lose access to the intelligence and resources we need to fight the root causes of terror abroad before the attack occurs within our borders. It will increase anti-American sentiment. It will have an immediate and clear humanitarian impact. It will have a negative impact on the U.S. economy.

Looking beyond its effectiveness, this ban stands in opposition to the core American and constitutional values. This ban stands in opposition to the core American and constitutional values that we, as Federal employees, took an oath to uphold.

The United States is a nation of immigrants, starting from its very origins. The concept that immigrants and foreigners are welcome is an essential element of our society, our government, and our foreign policy. So, too, is the concept that we are all equal under the law and that we, as a nation, abhor discrimination, whether it is based on race, religion, sex, or national origin. Combined together, that means we have a special obligation to maintain an immigration system that is as free as possible from discrimination, that does not have implied or actual religious tests, and that views individuals as individuals, not as part of stereotyped groups.

Banning travelers from these seven countries calls back to some of the worst times in our history. Laws enacted in the 1920s and which lasted

through the 1960s severely restricted immigration based on national origin and, in some cases, race. The decision to restrict the freedom of Japanese Americans in the United States and foreign citizens who wanted to travel to settle in the United States during the 1940s has been a source of lasting shame for many in our country. Decades from now, we will look back and realize we made the same mistakes as our predecessors: shutting borders in a knee-jerk reaction instead of setting up systems of checks that protect our interests and our values.

We do not need to place a blanket ban that keeps 220 million people—men, women, and children—from entering the United States to protect our homeland. We do not need to alienate entire societies to stay safe. And we do not need to sacrifice our reputation as a nation which is open and welcoming to protect our families. It is well within our reach to create a visa process which is more secure, which reflects American values, and which would make the Department proud.

Again, this is a dissent memo circulating in the State Department over President Trump's policy on refugees and immigrants.

And this is what Donald Trump's Executive order does; it makes us less safe. It is wrong.

Another story, from a Boston Globe op-ed, Matt Gallagher, who is a veteran. The headline: "Trump rejects the Muslims who helped us."

The bravest person I've ever known went by the nickname Suge Knight. He was as physically imposing as the infamous music producer, but he was calm and bighearted, with a smile as wide as a canyon. A Sudanese Muslim, Suge served as my scout platoon's interpreter during our deployment to Iraq in 2007 and 2008, and he went on every patrol and mission with us, no matter the circumstances. He'd survived multiple roadside bomb attacks, had lost three young children to the bombings of the first Gulf war, and yet still believed in America and what America represented to him and his family.

Though he doubted he'd ever get to our country, he aspired for his children to do so. "Perhaps my grandchildren will go to school with your kids," he once told me with typical paternal charm. "I'd like that very much." I felt the same. We all did. He was one of us.

President Trump's recent executive order on Muslim refugees and immigrants works to ensure that such a dream never comes true. Muslim allies, including interpreters like Suge in Iraq and Afghanistan, have done more for the United States during the past 16 years of war than most Americans will even think of doing their entire lives. Yet we're abandoning them in their hour of need, wrapping ourselves up in a big, billowing flag of fear and pretending it's for safety. We're also abandoning Middle Eastern refugees fleeing the very terrorists we've professed to combat, who have seen their homes and lives destroyed and now seek shelter on our shores the same way immigrants have for generations.

This is a national disgrace. The president's executive order betrays American values and

weakens our national security all at once. Our country was founded as a haven. Trump and his administration seem intent on turning it into a medieval fortress.

In November, shortly after the election, I joined a nonpartisan group in Washington, D.C., to advocate for Muslim refugees and immigrants—Veterans For American Ideals, a project of Human Rights First. There was a gray pall over the city, and a deep sense of uncertainty for what awaited, even in Republican offices. No one knew then what we all know now: Trump really did mean to do what he'd said on the campaign trail.

Time and time again, Democrats and Republicans alike told us the United States already has in place the best and most thorough refugee and immigrant screening process on the planet. A prominent Republican adviser assured us that Trump's "extreme vetting" idea was just a ploy to rustle up votes. A national security official suggested that we should be more thankful Congress had saved the Special Immigrant Visa program for interpreters and translators who served with the US military, and maintained that the amount of issued visas was sufficient, despite the overflowing backlog of requests.

A shouting match ensued. Enraged veterans can have our own sort of diplomatic style.

I look back at that week with both pride and despondency. On one hand, to see so many young American veterans standing up for the principles of our nation—often the very same principles that led them to enlist in the military to begin with—was stirring. We tried, sometimes successfully and sometimes not, to convey to politicians the importance of remaining true to our Muslim brothers- and sisters-in-arms. We also tried to remind them of the secondary and tertiary effects of not honoring the bonds forged in combat. On the other hand, bearing witness to how easily dismissed entire lives and formative experiences can be by fellow citizens (let alone elected representatives) was rather dismaying.

Even in our era of yellow-ribbon patriotism and star-spangled grandiosity, veterans' stories of heroic Muslim translators and brave, dedicated local Iraqis and Afghans were, sometimes, met with hollow stares and empty platitudes in Washington. What we were telling these officials defied their preconceived notions about vets, and Muslims, and how vets of the terror wars were supposed to feel about Muslims. What we were telling them was that American security was dependent on opening our doors to as many vetted refugees and immigrants as possible, not barricading ourselves and saying, "We're not that America anymore." What we were telling them was that we knew, more than any other group of Americans, what the hearts and souls of the Middle Eastern people were, and that those hearts and souls were so very much like our own.

These are just some of the stories of what Donald Trump is doing to people here in America, to Americans abroad, and people around the world.

This Executive order is illegal. It is unconstitutional. It is immoral, and it must be overturned by Congress.

I understand that under the rules, a majority can stop any Senator after speaking for an hour postcloture, but there is a bit more I would like to say.

Therefore, I ask unanimous consent to speak for up to 10 additional minutes.

The PRESIDING OFFICER (Mr. TULLIS). Without objection, it is so ordered.

Ms. WARREN. Thank you, Mr. President.

I will continue with the story that was published this morning in the Boston Globe. This is from a veteran who was writing of his own experiences.

He says:

Trump's executive order, which seeks to "keep radical Islamic terrorists out of the United States," will only embolden those very same people, who already had a near-zero chance of gaining entry to our country to begin with. This order proves too many ISIS and al-Qaeda talking points true about what the United States really is, and will serve as an excellent recruiting tool for those organizations and others.

This executive order isn't about national security. It's about fear-mongering for ends we can only guess at.

This shouldn't be a partisan issue. As my friend Phil Klay, winner of the National Book Award and a Marine veteran, pointed out last year, Ronald Reagan's "city on a hill" speech outlined an America "For all the pilgrims from all the lost places who are hurtling through the darkness toward home."

"I get that people are scared," Klay continued. "But it's only during frightening times when you get to find out if your country really deserves to call itself the 'home of the brave.'"

Donald Trump's zero-sum worldview and flimsy understanding of the intricacies of modern war and terrorism threaten to undermine our republic. His policy on Middle Eastern refugees and immigrants must be checked and resisted by citizens of all political stripes, legislators of both major parties and the judicial courts.

After 16 years of war, much of my generation of military veterans stands with the Middle Eastern people we sweated, labored and bled with, and sometimes died for. It's going to be a fight, but it's one we're not going to lose. The legacy of America's past is at stake, as well as the soul of its future.

Matt Gallagher is the author of the novel "Youngblood" and the memoir "Kaboom: Embracing the Suck in a Savage Little War." He is an Iraq war veteran and a former US Army captain.

And he wrote this morning in the Boston Globe.

We are here tonight because this country is in crisis. We are here tonight because it is a constitutional crisis, because it is a moral crisis. We are here tonight to stand up and ask the rest of the U.S. Senate to overturn Donald Trump's Executive order. We have that power. All we need is the courage, the courage to stand up and do what is right. This is why we came to the U.S. Senate, to stand up and do what is right.

I call on the rest of the Senate to overturn Donald Trump's illegal, unconstitutional, and immoral Executive order.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise in gratitude for the opportunity to speak on the Senate floor. I want to express a

lot of gratitude toward the Senator from Massachusetts. She has been an advocate for the truth of our country. She has spoken here on this hallowed floor. I have now watched her speak in the streets, at airports, at rallies. She is one of those people—like so many Americans, literally millions of Americans over the course of these last few weeks—who is saying with the force of conviction that they will not be silent when the cause of our country is at stake.

I join with her tonight, along with some of my other colleagues, to stand up and really speak from the heart. I think this floor has seen many partisan speeches, but this is not going to be about Republican or Democrat. This is not a speech I ever imagined I would be giving in the U.S. Senate. I never thought I would be here today talking about something that quite honestly was unimaginable to me just months ago.

This is a time I could not have foreseen, and I fear my generation of Americans maybe, perhaps, should have known that moments like this are possible; that we who believe in the values of our Nation, we who believe in the ideals enshrined in our Constitution, such as religious liberty, we should know that every generation of Americans has to prove worthy of these ideals and stay forever vigilant in their protection and never get so complacent as to think that this could never happen. The ideals we enjoy were fought for and struggled for and often bled for and died for. We of our generation who have the privileges we enjoy, the blessings of liberty that we luxuriate in, we have the obligation to stay the course to ensure that these moments never come, and when they do, that we stand with conviction to speak out against them, work against them to resist any retrenchment of American values.

What Donald Trump did in this Executive action issued this past Friday is, in no uncertain terms, a break with American policy. I believe it is a violation of our very Constitution, that it is illegal, unconstitutional, as well as immoral. More than this, it very specifically makes this Nation less safe and not more so. I want to repeat that. It makes this Nation less safe and not more so.

The ban was put forth in a climate of fear, intending to try to appeal to people's fears, trying to tell people that doing this Executive order was going to make us safer, but in its essence it is illogical when you look at the facts. Not only should it be known that it blocks immigration from seven majority Muslim countries—seven countries. Not a single perpetrator of terrorist attacks on American soil has come from these countries, dating back to well before 9/11. In fact, well before 2000, well before the nineties, well before the

eighties and, in fact, not since the seventies, in over 40 years, no American has been killed on American soil by any of these countries in terrorist attacks.

In addition to that, what this ban is doing is it is shutting down the Refugee Resettlement Program for about 4 months and suspends the Syrian refugee program indefinitely, despite the fact that individuals entering the United States as refugees undergo the most heavily vetted resettlement process of anybody traveling into the United States.

So understand this. If you are trying to come into this country through student visas, Visa Waiver Programs, there are so many ways to come into this country without going through the refugee process, which takes between 1 year and 3 years, and you are not just going through the vetting of the Department of State but also the Department of Defense, the Department of Homeland Security, the FBI, the National Counterterrorism Center, numerous agencies for over up to 3 years are vetting you. Let me tell you right now, again, people who go through this program, history is showing, you have not seen in any recent years that folks going through these programs pose a terrorist threat or are taking American lives. So the very argument being used to push this ban is illogical and has no basis for any of the experiences we have had in this country.

A former chief counsel for U.S. Citizenship and Immigration services remarked that no competent terrorist would choose the U.S. refugee process as a preferred strategy for gaining entry into this country. Subjecting yourself to the 1 to 3 years of vetting from multiple agencies, more than any other way to enter, is not a way for terrorists to try to gain access to this country at all.

What we see is that this terrorist ban is putting focus—excuse me, this Executive order is putting focus in areas that do not produce safety but do have the collateral consequence of making us less safe.

The order indefinitely suspends the resettlement of Syrian refugees in the United States. The majority of these folks are women and children who are fleeing barrel bombs, chemical attacks, military attacks on homes and schools. They are fleeing famine, they are fleeing starvation, they are fleeing the same violent extremism that we ourselves are trying to fight against. While the Syrian people face violence, terror, and oppression, the President has chosen to equate helpless refugees with those who are actually perpetrating the terror. Despite the fact that we have this stringent years-long vetting program for Iraqis and Afghans who risked their lives to help Americans by acting as interpreters, the ban ends—astonishingly, it ends a Special

Immigrant Visa Program and substitutes it with nothing.

What is this Special Immigrant Visa Program that many of my colleagues have spoken about? It is a program that is specifically there for Iraqis and Afghans who helped America and put their families in danger, who put their necks out for us. They put themselves out there to assist our servicemen and servicewomen. It actually is there to help people who, because of their service to us and our country, now have their lives endangered where they are.

I want to read a series of tweets just yesterday from Kirk Johnson, a former USAID Administrator in Iraq who wrote about these folks who put themselves on the line for Americans who are our allies and our friends. This is what Kirk Johnson wrote:

I served in Iraq as USAID's man in Fallujah. Lived alongside Marines and interpreters as they fought terrorists.

Over 100,000 of these Iraqis risked their lives for us during the war. They bled for our country.

You said, before signing—

He is talking about President Trump—

“We only want to admit those into our country who will support our country, and love deeply our people.”

And what Kirk Johnson wrote follows:

I'd like you to know [Donald Trump] about some of these people.

“Homeboy” lost his leg dragging a wounded U.S. SSgt from MN out of the field of fire. He spent 4 years being vetted before coming here.

Hossam helped us build schools. When insurgents found out, in Oct '06, they left a severed dog head on his front step that said “run.”

Faisal, an interpreter for the troops you command [Donald Trump], died of a suicide bomb on 3/14/2008.

Mohammed was assassinated when terrorists, who wanted to kill the “traitor” booby-trapped his house in Jan 2008.

Ali had both his legs amputated by an IED blast while working as an interpreter in Nov 2007.

Hameed died of a gunshot wound to the head while helping our troops in July 2007.

I could do this all day, sadly.

He wrote in his remarks. He goes on to say:

Those that helped us were Christians, Muslims, Yazidis, atheists, you name it.

These people in Fallujah and the surrounding areas were our allies.

When they ran through gunfire to save our troops, they didn't think about such labels.

These Iraqis believed in America. They loved our country. They lost their country as a result of the choice they made to help us.

Your signature [Donald Trump] just banned them.

He continues:

I have heard from many, many soldiers and Marines (some of extremely high rank) who believe this is a huge mistake.

One senior military officer with extensive experience in Iraq and Afghanistan told me it was “heinous and counterproductive.”

Now why is it counterproductive? Well, for one, when we are conducting

dangerous missions, when we are relying on people in country to assist us with our counterterrorism efforts, if they are going to take that risk, put their lives on the line, be subjected to terrorism themselves, there should be a process that allows them, after proper vetting, to get into this country. That has been American policy. Even people who have been threatened, victimized, and persecuted can't just walk into our country because some of our high-ranking Marines say so. They still go through vetting that often takes years. That is the process. It is a process that Donald Trump has now stopped.

Yesterday a report noted that radical jihadists—the people we are fighting against, the terrorists intending to kill us—were already using this Executive order as a victory, proof that the United States is at war with Islam. Now some people say that claim is hard to make. This is just banning people from seven countries. Well, look a little closer at the Executive order. There are exceptions made for non-Muslims in those countries.

Imagine this. We are the United States of America. Enshrined in our Constitution is this idea of freedom of religion; that there is no religious test to vote, there is no religious test to have citizenship, there is no religious test to enjoy the richness of a nation that believes in religious liberty. But in one action by the President of the United States, who claims to be concerned about terrorism from these countries, he says: I am going to stop people from entering. Oh, wait a minute, only Muslims. Christians are welcome. If that is not a violation of core principles of freedom of religion that there should be religious tests to enter from these countries—that is an assault on all we proclaim in our country to be our core values.

This is not missed by our enemies. They are now trying to say this isn't a war between America and ISIS. This isn't a war between America and radical jihadists. They want, as a propaganda tool, for people to believe that this is a war between the United States and Islam, between America and a religion. That is a lie. But when Donald Trump takes actions like this that specifically target people because of their faith, he is playing into the hands of the propagandists who seek to hurt us.

National security experts from across the political spectrum, from Republicans and Democrats, have spoken out against this order on this basis and on how it will affect our security as a country.

The former Director of the CIA, Gen. Michael Hayden, said of this order that it "inarguably has made us less safe."

Those people who want to help us, who want to serve with our marines, who want to be interpreters, who want to stand up for America, what are they to think now when America has shut

its doors, when they have watched others do this, and now they can't gain access to this country? What about those allies of ours who say that the great United States of America is standing up against terrorism and Muslim leaders in other countries? But it is not about Islam; it is about the people who are conducting vicious terrorism, which is a sin on a peaceful religion. What can our allies say now, when we have specifically targeted an Executive order from our President not at a country but at a people who pray a certain way in that country?

What are we to think in the United States? This great Nation born from the ideas of liberty and freedom—freedom to pray as we want—what are we to think?

Despite all of the evidence to the contrary, just 2 days after President Trump instituted this ban, he remarked: Hey, this ban is going "nicely." Earlier today, President Trump's spokesman referred to those being unlawfully detained as just being "temporarily inconvenienced."

We know that the reality of the situation is much different for the families and individuals across the globe who are affected. Many of them are permanent residents and green card holders for whom this Executive order has amounted to a door slammed in their face by the country that is supposed to represent the shining beacon on the planet Earth of liberty and hope.

Hundreds of people of seven different nationalities have been trapped at American airports. Many of them were detained for hours on end without access to lawyers; they were handcuffed and interrogated; some were immediately deported, while many more have been turned away at the doors to their flights bound for the United States. These are people who followed all of the rules, who went through extensive vetting, who upended their lives—doors slammed in their faces.

I am sorry, but this is not an inconvenience. This is a denial of process, a denial of procedure; it is a denial of basic liberty and a violation of our principles.

It is no wonder, though, that judges across the country began issuing stays within hours of this order becoming effective. As we saw in New York, how people like Hamidiyah Al Saeedi, the 65-year-old mother of a sergeant—65-year-old mother of a sergeant in the 82nd Airborne Division of the U.S. Army, who traveled from Iraq to see her son for the first time in 5 years. A mother of a sergeant in the 82nd Airborne—someone who should be honored—lawfully entered the United States, and because of this order, she was detained for 30 hours, denied a wheelchair, and handcuffed, before her release.

On Saturday night and early into the morning, I saw Customs and Border Pa-

trol officials at Dulles. I left Washington, DC, and drove to Virginia to go to Dulles Airport. I saw Customs and Border Patrol officials seemingly defy the orders coming from a Federal judge to at least permit all legal permanent residents in detention access to legal counsel. I held the judge's order in my hands. Because of the kindness of a local law enforcement officer who was stationed in Dulles, I was able to shuttle to Customs and Border Patrol, and I was then able to submit handwritten notes and questions to the officials who refused to meet with me. I did not get much of an explanation as to why they were defying a clear order from a Federal judge. Whether or not this was a case of bureaucratic confusion or a message from the courts getting lost, Federal law enforcement officers, under the supervision of the Department of Homeland Security, ignored and defied the orders of a Federal judge.

To me, this is more reason for outrage. In a Nation with three branches of government, the judiciary with a clear role giving an order to the executive branch, I believe the defiance of that order also was unconstitutional.

Access to counsel is a principle in our democracy. It is about fairness and due process. Failing to allow access to counsel, to me, seems a clear violation of constitutional norms and ideals. The judge obviously believes so, and that is why he ordered counsel to be provided.

Still, right now, we don't know how many people are being detained across the country in the wake of this Executive order or how many were immediately and quietly deported once they came here again, thoroughly vetted, in accordance with the law, but they were still deported upon their arrival in this country. I think Congress deserves answers. I wrote to Homeland Security Secretary John Kelly earlier this evening to seek them.

This mistreatment of any legal permanent resident or visitors to this country is wrong. It is un-American. It undermines the truth of who we are. It is patently unacceptable.

This Executive order has treated green card holders and immigrants in this Nation as if they were criminals. It has torn families apart across the world and pulled the rug out from families who were preparing to begin a new life in the United States of America. And this order has betrayed some of our closest allies—men and women who risked their lives to help American servicemembers deployed often on hostile soil. Ending the special immigrant visa programs established to help Iraqis and Afghans who risked their lives to help American forces is unacceptable. The United States cannot turn its back on those who stepped up and stepped in when we needed them most.

Just this morning, I read about an Iraqi man, Sami, who had risked his

life to work with the American Government in Iraq. After waiting 7 years to gain entry, going through a laborious process of vetting under the special immigrant visa program, he and his family finally got the OK, and they were ready to start their new lives in America. On Saturday, he and his wife and two daughters had flown from Iraq to Istanbul, and they were sitting in their seats ready to take off when they were removed from the plane by security officials. Foreign Policy magazine reported that, through tears, Sami's 7-year-old daughter asked, "Why don't they want us in America?"

American servicemembers and veterans are joining a growing core, speaking out against this misguided decision which threatens the common-sense program that helps our military do their jobs.

Take Zachary Iscol, a former Marine infantry officer who wrote about some of the Iraqis he worked with who had risked everything to help the United States. He told the story of one man, Frank, who had served as an interpreter for his Marine Corps unit and, in doing so, had taken a bullet in his leg. Frank had remained in Iraq since then. Zachary wrote:

He was still living in Baghdad with daily fears for his and his family's safety. After six years of vetting, including what seemed like countless interviews and background checks by various government agencies, he had finally been cleared to come to the United States with his pregnant wife and 18-month-old son.

Zachary went on to write:

My wife and I began to prepare our guest room for their arrival. But now, because of a new executive order by President Trump, Frank is no longer welcome.

This is an American military man, preparing to have these folks who put their lives on the line for him, stay in his home.

This special visa program is why people like Mohammed and Saif Alnasseri, whom I am proud to call Jersey residents—two of my constituents—were able to come to this country. I would like to share a little bit about this family.

Mohammed Alnasseri was finishing high school in Iraq in 2003 when the Americans arrived. As an English speaker, Mohammed began helping the Americans stationed near his neighborhood, working for free as their neighborhood translator. When the unit he had become friends with left, he decided to apply for work as an official interpreter with the U.S. Army. By 2004, he had been sent to Fallujah to work with and help protect American military fighting there. Because of his work with the American military, he recounts receiving hundreds of death notes, threatening not just his life but the life of his mother and his family.

He returned to Baghdad where he worked, despite these threats, as a contractor with an American company

until one day he was targeted and almost assassinated in his car. He knew at that point, with the death threats and the assassination attempt, that he had to get out of the country.

After moving to Australia, his sister informed him about America's special visa program, so he applied, and 2½ years later he was able to join his family in the United States.

In a call with my office just earlier today, he wanted to make it clear that he arrived in the United States on July 3, and by August 10, he had started his job. He remarked to my team that he couldn't understand why anyone would think he was coming to America because it was easy or because he wanted something. He spent most of his savings trying to get to America, and he had never taken any benefit since arriving here.

Mohammed met his wife in New Jersey and now lives in our State, works at Costco, and is working to obtain his citizenship. He shared that this Executive order made him more sad than scared and that it simply didn't make sense to ban regular, hard-working people who are also afraid of terrorists, persecuted by terrorists, almost killed by terrorists, and who had done so much to help our country. It made no sense to them.

This is what he said: "We ran away from these people. I paid all the money I had to leave." He did that for the safety of his family.

Mohammed's brother is now a proud American citizen, father of two, and resident of Scotch Plains, NJ. Saif and his wife had worked as pharmacists in Iraq, but when the war began, he knew he needed to get involved. So Saif worked as a translator and reporter for the Los Angeles Times during the war in Iraq, providing support and key insights to the American media and the American public. They were able to come to the United States in 2008 through that special visa program—the SIV program—and slowly worked their way through school. Now, as pharmacy technicians, they have their pharmacy licenses.

Saif is a pharmacy manager in Cranford, NJ, a homeowner in Scotch Plains, and a proud father of two girls. He savors this country, this precious Nation. He celebrates our values. He is a glowing testimony to the truth of who we are. His success is our success. His family's security and safety and thriving lives in New Jersey give luster to the greatness of America.

In a phone call yesterday, Saif remarked that this Executive order was embarrassing and hurtful, that it was clear Muslims were being targeted, and that he couldn't understand why those who were so heavily vetted like his family posed such a threat.

Saif and his family are heavily involved in their community in Scotch Plains, and they make sure to offer

support to families similar to theirs who come from Iraq seeking refuge. They are not just basking and luxuriating in their good fortune to become American citizens; they are honoring one of the great hallowed traditions of our country, which is service.

At the end of the call, Saif remarked that "[he] didn't think this would happen in any other country." It seemed like he was about to say this kind of religiously targeted ban wouldn't happen anywhere else, and he might have been right. But instead, he said that "if this kind of executive order from a leader in any other country happened against any group of people, you would never see the kind of resistance and action of so many standing up for them."

Even in one of the darkest moments in recent history, this man, this patriot, this person who served our Nation's interests and continues to volunteer in service to this day, could have every reason to be angry, upset, and cynical. But what is beautiful from our conversations with this man is that he hasn't given up faith. He still believes in the American people.

The beautiful thing about the conversations my staff has had with those New Jersey residents who once were serving our Nation in theaters of violence and terrorism, standing up for our military, for our press, victimized by terroristic threats, shot at, assassination attempts—these families now here in America witnessing this Executive order are saddened and embarrassed by it, but they are not giving up in their faith in America. That is our story.

I stand here today—dare I say, all of the Members of the Senate stand here today because of this tradition of our country, that even when we had dark chapters from our past where others in positions of power violated our values, the faith and activism and engagement of American people remained.

I dare say we are the oldest constitutional democracy on the planet Earth. God, the genius of our Founders who put on paper ideals that have been heralded for centuries on planet Earth. Newer constitutional democracies literally would study our Constitution and model their nations after elements of our Constitution. I am sad to tell you that some of those countries' democracies have failed. They had the vaunted words, they put forth the same principles and ideals, but their countries' democracies have been overthrown, have seen despots who destroyed the very spirit of those ideals.

Why has America persisted? It is not just because of the documents that are sacred and so special in the course of human events. But what makes those documents true and real—because those sentiments are not just written on parchment; every generation has had them written on their hearts and have said: No matter what I may be experiencing in this country, I am going

to dedicate myself to the principles and ideals, because as great as our Founders were when they founded this country in liberty and in justice and equality under the law, it didn't apply to everyone. It didn't apply to women. Native Americans were referred to as savages. African Americans were fractions of human beings. Yet the faith of a people in every generation worked to expand the concepts of liberty and freedom. They made the Constitution more real. They made our Union more perfect. They made our country's truth more true for more people.

It is why great poets like Langston Hughes wrote:

America never was America to me,
And yet I swear this oath—
America will be!

That is the call to the citizenry of this country.

There have been dark days in our past, but every generation of Americans, despite the dark actions of people in power, understands the truth that the power of the people is greater than the people in power. If we never lose faith in the ideals of this Nation, if we keep standing and working and sacrificing and struggling, every generation could advance the ideals of our country and make us more free and more true and more real for more people.

Last week, we saw yet another American leader shrink the ideals of this country, try to pull us backward to times past when we turned our backs on people fleeing persecution. What Donald Trump did is try to pull back on the ideals inscribed on that great statue that sits right next to New Jersey, the mother of exiles, who says in poetry, among other things, "give us"—not "Hey, you can come in" but a demand:

Give me your tired, your poor, your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.

It is a demand to the world that we will take those who are oppressed, we will take those who are being violated, we will take those who are being victimized. A President turns his back on those ideals. We have seen it before.

Dr. Lauren Feldman wrote to me about chapters of dark pasts. She wrote:

Today is Holocaust Remembrance Day. I am a Jew. My relatives were unable to find refuge in our country and were murdered by the Nazis. My grandmother lost her beloved aunt, Rokhl Rosnick Gertman, and an uncle and 4 young cousins that she never met. Had we as a country done the right thing and welcomed the refugees fleeing the Nazis, Tante Rokhl and millions of others could have joined their family members in safety and we could have been proud of our country, instead of ashamed of the racist paper walls built by the FDR administration to keep my family and others out.

Please tell Mr. Trump that we cannot go back. We must be a beacon of safety and refuge for the persecuted. Please do all that you can to prevent this ban from being enacted. Please think of my relatives and the rel-

atives of your other constituents and fellow citizens who were needlessly and shamefully murdered because of our fear and racism. We are better than that. You are better than that.

She concludes, "Thank you for your time and service. Dr. Lauren Feldman, Princeton."

We are the United States of America. We haven't been perfect, but there has been a striving and a yearning in every generation to be more so.

I am a product of people Black and White, Christian and Jewish and Muslim, who, even though issues didn't affect them directly, knew that injustice anywhere is a threat to justice everywhere. They marched and they fought. They sat in. They got on buses for freedom rides knowing they would be bombed. They tried to cross bridges, standing up against law enforcement, State troopers, Governors who dared them to try to pass them. There were implacable walls of hatred and racism, but they stood anyway, and they bled the southern soil red—for my freedom, for our freedom, for this Nation's freedom.

I have worked all my career for the safety of communities. Yes, we must make sure our Nation is safe. But don't let fear and concern for safety ever make us ever turn our backs on our values as a nation. When we are threatened by our enemies, it is not a time to surrender our values, it is time to double down on them. The terrorists win if they change our free hearts and our souls set on liberty.

We as a nation are called to be great, to be a beacon of liberty and justice. There are people now pulled off of airplanes, forced to return to communities where their lives are being threatened. We made a bargain with them: Stand for America. Stand with our military. Stand against terrorism.

There are people who went through years and years of vetting by agency after agency, and when they were on the brink of freedom, like people of old who were on ships that came into our harbor, they were turned away, back to face persecution and injustice. That is not the America I believe in. It is not who we are.

So I say to our President in prayer, in deep abiding faith: Repeal your Executive order. Stand up for our principles. Defend them. Be the champion millions of Americans want you to be.

I say to Americans, to all of us as a country: This is not a time to despair. It is not a time to give up. It is not a time to grow cynical or lose faith in our country or our values. No, remember our history. When dark times come, when it seems that people in the highest points of power are turning their backs on their ideals, it is not a time to retreat or equivocate, it is a time to fight, to stand up, to resist.

We are a great nation not just because of the words printed on a Con-

stitution; we are a great nation because people with great sacrifice and struggle fought to live those words and to make them real in the lives of every single person.

America, we must now stand up. The opposite of justice is not just injustice; it is silence and indifference. This may not affect you or your family directly, but it is a threat to all of our collective values.

Go to the Jefferson Memorial and read those final words. Thomas Jefferson knew that for this Nation to be great, we had to pledge to each other an unusual level of commitment. He said that we must mutually pledge to each other our lives, our fortunes, and our sacred honor.

There is no honor in this Executive order. We as Americans now must pledge our sacred honor to do all we can to tear this order down so that the truth of America can rise again.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Connecticut.

Mr. MURPHY. Mr. President, there is a French farmer by the name of Hector St. John de Crevecoeur. He immigrated to the United States from Normandy, France, in 1759, and he settled in the Hudson Valley. He married an American woman. The astounding diversity of those who settled around him, his fellow farmers, was shocking to him. He said: It is "a mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes."

There was one family he knew who had an English grandfather, a Dutch grandmother, an Anglo-Saxon son who had a French wife, whose four sons all married women who were from different places of different nationalities. Hector said: "From this promiscuous breed, that race now called Americans has arisen."

He asked: "What then is the American, this new man?"

This farmer who came to America from Normandy in 1759 wrote this:

He is an American, who leaving behind him all his ancient prejudices and manners, receives new ones from the new mode of life he has embraced, the new government he obeys, and the new rank he holds. The American is the new man who acts upon new principles. . . . Here individuals of all nations are melted into a new race of men.

George Washington told us that the bosom of America is open to the oppressed and the persecuted of all nations and religions.

That great American philosopher, Alexis de Tocqueville, that observer of American life, said in a letter:

Imagine, my dear friend, if you can, a society formed of all the nations of the world . . . people having different languages, beliefs, opinions: in a word, a society without roots, without memories, without prejudices, without routines, without common ideas, without a national character, yet a hundred times happier than our own.

I am not sure if any of those are completely accurate descriptions of what an American was or is or whether those are commensurate with our understanding as to the foundations of this country, but they speak to this founding ideal of America, this place where you could come from any part of the world with any set of beliefs, with any religion, with any skin color, and become something that is uniquely new.

There were people here before those who traveled from far-off lands, but to be an American is in many ways an invention—an invention of the amalgamation of faiths of peoples from all over the world.

Both Hector and de Tocqueville talk about the leaving behind of prejudices when you come to this new country. Inherent in that idea is this belief of new Americans that the discrimination they faced in other places could be washed away upon coming to a country, a land at that time in which everyone was equal, everyone started from the same place. Of course, that has to be true because this country was founded by individuals who were fleeing religious persecution, who thought that America was a place in which they could practice their religion freely. They could be who they knew themselves to be.

The reason why you hear such anxiety and anger and sadness from many in this Chamber and from many people we represent is because what happened on Friday is an abandonment of American originalism. It is a walking back of the faith that we have held since the days in which Scotch and Irish and French and Dutch and German and Swede came to this country believing that they could leave behind prejudices. It feels as if we are shrinking as a country before our eyes.

A young woman from Stamford, CT, wrote me this beautiful letter, and I want to read some of it to you. She encapsulates in modern language what Crevecoeur, Washington, and de Tocqueville were saying centuries ago. She said:

I am the proud descendant of Syrian immigrants. My great-grandparent's sacrifices to resettle in Rhode Island have shaped my entire life. I've grown up very close to my grandfather, the first generation of his family born in America, and I know what my ancestors did to be here and how far we've come from them being persecuted and subjected to religious violence in Damascus. I was able to grow up around Syrian culture and appreciate how great-grandparents made it possible for my entire family to be where they are now.

To give you an idea, my grandfather went on to receive a master's degree and was a high school teacher and guidance counselor. He is also heavily involved in the Roman Catholic church and quietly serves communion in hospitals each Sunday. My father, second generation, also received a master's, serves on hospital boards, and has had a successful career in human resources. With their encouragement, I have begun a career

as a journalist, one I have dreamed of since I was in high school.

In 2012, on the 100-year anniversary of my family's arrival in the United States, I was the third generation in my family to graduate from high school and enroll in college. . . . I tell you this because this moves me every day when I go to work. How amazing it is that my family has gone from being persecuted for their religion to being able to hold jobs protected by the First Amendment? Surely, this is something my great-grandparents never could've dreamed of when they came here, and I embrace my career with the intention to honor their sacrifices. . . . Recently, my heart broke at the executive order to suspend the entry of refugees, specifically from Syria. I have looked into this extensively and recently worked on a story about the vetting process. . . . Trump's order is nothing but xenophobic and racist. I was preparing to report on a family that was supposed to be coming to a community near me, but it seems that family won't be coming now. How truly American it would've been for the descendant of Syrian immigrants to welcome a new generation of Syrians into this country.

This is for many cataclysmic because everything they thought about this country seems to be disappearing in front of us. I understand that President Trump tries to sell this as something less than it is; that it isn't a ban on all Muslims entering the United States, it is just a ban on Muslims from a select set of countries. But these are countries that encapsulate over 230 million Muslims. That is almost two-thirds of the population of the United States of America, including some of the most populous Muslim nations in the world, and it is directly targeted at people of Muslim faith.

It is simply not credible to say that this isn't a ban on members of one religion from entering the United States because it selects countries that are majority Muslim and then includes a caveat that if you are not of the majority religion, if you are of any religion that is not the majority religion, you can get around the ban and will be given priority to come to the United States.

This is a Muslim ban—a Muslim ban that applies to over 200 million Muslims around the world. It makes us smaller and weaker and less great as a nation. It also makes us weaker from a national security standpoint as well.

Let's step back for a second and understand the context here. This country does face a threat, a serious threat. There are religious extremists around the world who have perverted the religion of Islam and tried to turn it into a doctrine of violence. They are attempting today to do great violence in the Middle East and in other parts of the world, and they are trying to recruit attackers here on U.S. soil. But you are not likely to be killed in an act of terrorism in this country. In fact, on average, there have been about three Americans killed every year by terrorism.

I am not trying to underplay the threat. People feel fearful. As a body,

we need to respond to that fear. They see these awful things happening on TV, and they want us to make sure it will not happen to them. You are more likely to be killed in this country by lightning or by an elevator malfunction than you are by terrorism.

If you really want to talk about securing this Nation, about protecting Americans, then the conversation has to be bigger than just banning individuals from one country but recognizing the real threats that are posed.

Let me guarantee you this: If this ban goes into effect, if President Trump is successful, with the support from the Republican Congress, in sending a message to the world that America is at war with Islam, then that number of three Americans killed by terrorism every year will jump, it will skyrocket. More Americans will be killed by terrorism. Why? Because today ISIS is on its heels. It is in retreat. It has substantially less territory than it ever has before, and that has robbed from it one of its primary rationales for existence, one of its primary arguments to those it is trying to recruit into its fold—the idea that ISIS is forming a caliphate, an area of geographic control in the Middle East.

That argument doesn't work any longer because the supposed caliphate is shrinking. The amount of territory they control is getting smaller and smaller. Most folks can see the writing on the wall, that it is just a matter of time before the Islamic State as a state is gone. But they have this second rationale for existence, this second argument that they proffer to would-be recruits, and that is that there is a war between East and West, that this is really about a long-term struggle between Islam and Christianity. You need to sign up with us because they—the West, America, the Christian world—are coming for us.

We know that is not true, and we have watched Presidents of both parties make it very clear to the world that this is not the fight that we seek to engage in. Famously, immediately following the 9/11 attacks, President Bush said:

The face of terror is not the true faith of Islam.

He said:

That's not what Islam is all about. Islam is peace.

Yet the message that is being sent with this ban on Muslims from these seven countries entering the United States is clear. The message is that the United States is at war with this religion, that we are at war with people of the Muslim faith.

As we speak, these recruitment bulletin boards are lighting up with arguments being made as to the true nature of America's intent against the Islamic people. One posting on one of these message boards said that Trump's actions "clearly revealed the truth and

harsh reality behind the American government and their hatred toward Muslims.” Another posting on one of these extremist Web sites hailed Trump as the “best caller to Islam.” Another message said that the leader of ISIS, “Al Baghdadi[,] has the right to come out and inform Trump that banning Muslims from entering America is a blessed ban.” That is a phrase with very meaningful connotations. To the extent that these messaging boards are calling this ban on Muslims entering from seven countries a “blessed ban,” it is rooted in a different phrase, something called the “blessed invasion.”

The U.S. invasion of Iraq in 2003 became the starting point for the very insurgency that we are fighting today. It was that invasion that was called by Al Qaeda, Al Qaeda in Iraq, and the affiliated extremist groups that were drawn into the fight the “blessed invasion.” Today on extremist Web sites, the ban on Muslims entering the United States is being called the “blessed ban.”

This order is making this country less safe hour by hour. It is giving a pathway to rebirth for the very terrorist organizations that we had made such progress in pushing back and fighting back. In Iran specifically, it will lead to this country and our allies in the Middle East losing the fight against hardliners who pose a threat to the United States, to stability in the Middle East, and to our sacred ally of Israel. In Iran, there is a contest between moderates—and that is a relative term within the Iranian political space—and hardliners who chant “Death to Israel” who don’t fear a world war or a conflict with the United States.

With the signing of the Iran nuclear agreement and the lifting of a handful of sanctions on Iran, the moderates won a victory. The population of that country—which is surprisingly pro-American and supported that nuclear agreement—was ascended, potentially foreshadowing a day in which that country would no longer be a provocateur in the region and instead could join in conversations about how to bring stability to the Middle East. Now the hardliners have been handed a gift, a gift which proves that America is an enemy, not just of the Iranian state but of the Iranian people.

Remember, when we think of actions that we take against governments that we don’t like, we first try to start with actions that specifically identify individuals in the government, so that we make it clear that it is not about the people of that country but about their leaders. If that isn’t strong enough, then we go to sanctions against commercial interests, against the economy writ large. Yes, those sanctions do filter down and hurt real people, but the sanctions are levied at the economy or against commercial actors.

When you enact a specific ban on the people of a country being able to travel

to the United States, you are levying that punishment directly on those individuals, who, by and large, bear no ill will toward the United States. You are telling them that it is their fault, and the Iranian people will turn against the United States, will turn toward the hardliners based upon this action.

This ban makes us less safe. It will allow for terrorist groups to rebound. That is not just me saying it. Senators McCAIN and GRAHAM have said the same thing. National security experts of both stripes have testified as such. Tonight I think back to the moment in which I first heard that Candidate Donald Trump was proposing a ban on all Muslims entering the United States. I remember the universal bipartisan derision that met that announcement. It was almost laughable at that point in time during the campaign. If you remember, Candidate Trump was flailing. He was weak. He needed to reassert himself. He needed to make news, and so he grabbed for the most controversial, most outlandish proposal he could make. Republicans and Democrats here in Congress condemned it.

Speaker RYAN tweeted this:

A religious test for entering our country is not reflective of America’s fundamental values. I reject it.

Governor MIKE PENCE said:

Calls to ban Muslims from entering the United States are offensive and unconstitutional.

A religious test for entering this country is not reflective of America’s fundamental values. I reject it.

Calls to ban Muslims from entering the United States are offensive and unconstitutional.

I give credit to a small handful of Republicans here in the Senate and a small handful of Republicans in the House who have raised serious concerns about this ban with respect to what it says about American values or what it says about American national security. But there is utter silence from Republican leadership. Republican leadership—who only months ago claimed that if there were a religious test for entering our country, they would reject it—today are quiet. The idea that individuals could come to this country without regard to their religion or their national origin or their set of beliefs has never been a partisan issue. Of all the things that divide us, that idea has been one that unifies us.

My hope is that there is still a chance that both parties can come together and recapture the essence of American originalism, can put this country on firmer national security footing, and can continue the relentless drive against extremist groups like ISIS that now find themselves at a point of potential rebirth.

You have heard a lot of stories on the floor of the Senate today. It is interesting. We have these incredibly compelling stories from real people who are caught today in the middle of this

reckless ill-thought-out ban. There are 67,000 refugees who are currently in the pipeline to come to this country right now. This isn’t about 100, 200, 300, or 400. This is about tens of thousands of refugees who are fleeing persecution, terror, and torture. This is about the 230 million Muslims who live in those seven countries, who have been told that they are lesser. Frankly, every other Muslim in the world believes the message is being sent to them as well.

These stories that we tell you are—the tip of the iceberg isn’t even accurate. This is a pinprick. Fadi Kassir and his family—here are his two girls. They left Syria in 2011 due to the epic levels of violence that Fadi was sure would kill his two little girls if he didn’t leave. His family went to the UAE, or the United Arab Emirates. But the way in which the UAE works is that if you have a job, you can stay, but if you don’t have a job, you leave. When he lost his job, they were kicked out and that began an epic journey for Fadi and his family.

These girls actually were born in the UAE, as I understand. He was fleeing Syria to protect his family and his future children, yet they were kicked out of the country they went to. Fadi then began a journey to try to find a home for him and his family. He tried to get to Europe via Tunisia, but he was detained and sent back to Turkey. He eventually flew to Brazil. He made his way to the United States by crossing the border with Mexico. Upon entry, he was detained. He was transferred to Miami. He was released and eventually found his way to Connecticut. He applied for asylum that was granted in December of 2015.

Fadi’s relatives in Syria were tortured and had been detained by the regime. His neighborhood was dangerous and deadly. Fadi and his family were exactly the kind of people whom this country historically has been able to rescue from war-torn countries, from terror, and from torture. His family had experienced torture. His children were later returned to Syria and would face potential death.

He went through all of the processes that we asked him to go through. He didn’t go into the shadows. He didn’t hide. He applied for asylum status. It was granted in 2015. He filed forms that would allow for his wife and two daughters to follow. Those visas were issued last Tuesday, on January 24.

Originally, they had a flight that was scheduled to bring his wife and these two little girls to the United States today, but last week, when Fadi learned of the potential for this Executive order, he paid \$1,000 to move their flight up to Friday. His two little girls and his wife got on a flight from Jordan to Kiev, Ukraine, and eventually to the United States. But once in Kiev, their passports and their visas were taken from them. They were sent to

CBP. Their visas were rejected, and they were returned to Jordan.

These two little girls are back in their old apartment, but they got rid of all their furniture. They got rid of all their clothes. Their neighbors have temporarily given them mattresses to sleep on. They don't even know where their suitcases are. Their father, who is ready to greet them at the airport here in the United States, may never see them.

They are scared to death. I have two little boys who are the exact same age. I have an 8-year-old. I have a 5-year-old. I think about what these two little girls went through, getting ready to finally go see their dad who had gone through an epic struggle to try to find someplace in this world where his two little girls could be safe. He found it. He found it in America. He found it in my State of Connecticut.

He found it, just like hundreds of thousands of other people who fled war-ravaged Europe, who fled the bombing in Vietnam, who left Albania and Kosovo to come live a better life just like they found. He was ready to go to the airport to welcome his two little girls, and they were told that they are not leaving. You are not going to see your dad. You are going to go back to Jordan and, potentially, eventually back to Syria.

Imagine what those little girls went through. Imagine millions of other little boys and girls like them who had in their mind this place called America, a place that would welcome them, who would rescue them from the disaster that had become their lives.

Imagine that dream that was literally hours away for these two little girls extinguishing, and extinguishing for millions of others like them all around this planet. It is up to us whether that light which flickered off on Friday relights. It is up to us as to whether we rekindle the American dream, that idea of America from our founding. This is not irreversible. These two little girls, you could bring them here. We could choose to bring them here. It is up to us.

There is legislation on the floor of the Senate right now as we speak that would rescind this order. It is our decision, right? There are 100 of us. There are only 435 down the hall. There are only 535 of us. It is our decision whether these two little girls come to the United States or they go back to their war-ravaged home that their father left. It is up to us. It is not up to the President of the United States alone. He does not get to make these decisions by himself.

Democracy allows for us to make a different decision. It is up to us. I believe we can do it. I believe we can bring these girls here. I believe we can undo the damage that has been done to this country's security. I believe we can get back on a path such that ISIS

remains on its heels. I believe we can recapture that idea of that farmer who came to this country from a far-off land who looked in amazement at the amalgam of cultures and peoples and religions that was America.

I know this sounds like hyperbole. I know there are a lot of people out there who say: Wait a second. This is only temporary. It is only for a few months. It is only for a few countries. But people are listening and watching. Which direction are we heading? Do we really care about the things we have always cared about? Millions upon millions of people, all across this country and all across this world are watching. What do we do?

Is this a partisan issue or can we commit ourselves together to stand up for those basic ideas of America's founding? There are two little girls who are watching most closely, who are watching to see if we can rise above partisanship and deliver to them the promise that has been made real for millions and millions of Americans who call this place home.

I yield the floor.
The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, so we have had a number, a large number of eloquent speeches about the President's Executive order. While they were going on, of course, we had a Monday night massacre. Sally Yates, a person of great integrity, who follows the law, was fired by the President. She was fired because she would not enact, pursue, the Executive order on the belief that it was illegal, perhaps unconstitutional.

It was a profile in courage. It was a brave act and the right act. I hope the President and his people who are in the White House learned something from this; first, that we are a nation under the rule of law. You cannot just sit down, Twitter something out, and then think: OK. Let's enact it. It is a complicated country. When you do something as major as what the President proposed in his Executive order, you have to think it through. You have to talk to people.

Sally Yates was the Acting Attorney General. Why wasn't she consulted? Maybe they would have known what she felt and maybe they would not have done what they did. Clearly, that lack of consultation went up and down the line. Sally Yates is from a different administration. General Kelly was President Trump's selection.

He learned of this Executive order when he got a phone call from the White House while he saw it being announced on television. How can you run a country like that? I am hearing from my constituents in New York. There are hard-core Trump supporters. They are for him. But they are a small minority of New Yorkers.

There are many progressive, liberal, and pro-immigrant people. Obviously,

they are horrified, but I would say this to the President and his minions. There are a lot of people who voted for President Trump—not the hard core—and they are appalled by the simple ineptitude of this administration. Substantively, even more important, how can you run a country like this? How can you make a major order, major doing, and not check it out with your Homeland Security Secretary, with the Justice Department and the Attorney General?

I will say, if this continues, this country has big trouble. We cannot have a Twitter Presidency. We cannot have a Presidency that thinks: Oh, this sounds good. Let's just go do it and not think the consequences through. Most of all, we cannot have a Presidency that does not understand the beauty and depth of America, in this case when it comes to immigrants.

We have been an amazing country. In the city in which I live there is a big lady in the harbor with a torch. It is a beautiful symbol. Americans revere it and admire it. The world reveres it and admires it. Why? Because it says: America will be a place where people can take refuge if they are persecuted religiously, politically, and then they can build a great life for themselves.

That is a beautiful thing. That moral force of America helps us win wars, helps us win support, helps us be the greatest country in the world that everyone admires.

Of course, we need a strong military. Of course, we need a strong economy. Praise God, America has had both through the decades, but we also have been a moral beacon, "God's noble experiment," as the Founding Fathers called it. In those days, as now, we have welcomed people from distant shores and said: Come be Americans.

Our President is trampling on that, to be honest with you. The idea that immigrants are preponderantly criminals and preponderantly terrorists is absurd. They are the future of America. In my State of New York, 25 percent of the people are foreign born, probably as high as 40 percent if you are either foreign born or had a parent foreign born.

They are great New Yorkers. I was with a Syrian refugee this week. He and his wife and his children had just come. His parents were American citizens. They had come to America in 1970. The parents and Mr. Elias, who lived in the Bronx, came here. He was a tailor. We don't have that many fine tailors in America these days. It is a lost art. So people who do it tend to be immigrants; mainly from Italy is my experience.

But he was a tailor from Syria. He then did what immigrants do in America. He founded a little business. He reupholsters boats, a lot of them in a place in the Bronx called City Island. He built a company. He made America better. He is a Syrian immigrant.

His children and grandchildren were in danger. A suicide bomber had even blown up himself in front of their home nearly killing them. They just got in this month. Had Donald Trump's Executive order been in effect several weeks earlier, they would not have been able to get here. They might have perished. They might have been hurt.

Similarly, another guy I met is Mohammed. Mohammed knows English. He was so impressed by America, by the lady with the torch, by our values, by what we stand for, that he volunteered to be a translator for our soldiers. He put his life in danger for doing that.

Then he began to get threats from the terrorists in Iraq. He is an Iraqi. His wife was in danger. His children were in danger. He came January 5. Again, had President Trump and his evil order—and that is what it is, it is evil—gone into effect January 1, for all we know Mohammed would have died for helping our soldiers.

Do we have to prevent terrorists from coming into America? Absolutely.

The greatest source of terror are lone wolves. Americans, citizens—ISIS gets its evil ideas in their heads, and they do terrorist things.

JOHN MCCAIN, my colleague, the senior Senator from Arizona who is an expert on this stuff, said: This Executive order will encourage and increase the number of lone wolves.

Here is another group that needs tightening, I would suggest to the President and his minions: those available in the Visa Waiver Program. If you are a country that has generally been friendly to us, there is something called the Visa Waiver Program, which means you can come into this country with very few questions asked, very little vetting.

Refugees are vetted for 2 years. That is why not a single refugee from any of the countries that were proscribed by the President has committed an act of terror here—not a single one.

I heard someone defending the President saying: Well, all these people would have come in; the terrorists would have come in had they done it slowly and announced a date.

Well, we have done it like this for 15, 20 years, and we haven't had a single terrorist come in. What kind of absurdity is that?

Anyway, the Visa Waiver Program allows people from, say, France and Belgium to come into this country with few questions asked. We have seen French citizens, Belgian citizens do terrorism. They would be allowed to come into this country to do it here. Why aren't we tightening that up? That is what should be done.

So I am going to conclude. The evening is late.

Sally Yates was a profile in courage, a profile in courage. Maybe some of her courage, her insight, and her wisdom

would rub off on the people in the White House. Maybe they will back off and repeal this Executive order, and then we can work together and truly try to tighten up the laws, the actions of the administration to prevent terrorists from coming in.

This Executive order makes us less safe. It was poorly done in a slipshod, quick way that foretells real trouble in the White House, and, most of all, it has done more to tarnish the great American dream, the great moral force of America that has, in part, made us the greatest country in the world—in 1, 2 days, undoing the work of generations.

Please, Mr. President, reconsider. Really think about this. Don't just tweet. Don't just get mad. Don't just call names. Think about it. Change it. Repeal it.

It is too far gone to change; we have to repeal it. And then maybe we can work together on tightening up some of the areas that I have talked about.

I see my friend from Arizona has come to the floor, and I will not hold him up, so I yield the floor.

MORNING BUSINESS

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. HEINRICH. Mr. President, I was unable to cast my vote on the motion to invoke cloture on the nomination of Rex W. Tillerson to be Secretary of State because I was addressing a joint session of the State legislature in New Mexico. If I had been present, I would have voted no.●

BUDGET RECONCILIATION REPORTING DEADLINE

Mr. ENZI. Mr. President, section 2001 of S. Con. Res. 3, the concurrent resolution on the budget Fiscal Year 2017, directs the Committees on Finance and Health, Education, Labor, and Pensions to report changes in laws within their respective jurisdictions to reduce the on-budget deficit by not less than \$1 billion each for the total of fiscal years 2017 through 2026. Those committees were instructed to submit their recommendations to the Committee on the Budget no later than January 27, 2017.

For the information of colleagues, the reporting deadline has passed, and the Budget Committee has not received reconciliation recommendations from either committee. While committees have not complied with the deadline, the Senate retains the ability to utilize the instructions contained in section 2001 of S. Con. Res. 3.

TRIBUTE TO GARY SCHNIEDERS

Mr. GRASSLEY. Mr. President, I would like to take a moment to honor an Iowa teacher who has clearly had a major impact on his students and his community because I was contacted by a number of Iowans regarding their desire to find some way to recognize him. The following is what they told me.

A teacher of 39 years at Columbus High School in Waterloo, IA, Gary Schnieders has been awarded the McElroy Trust Gold Star Teacher of the Year in the Cedar Valley and Teacher of the Year at Columbus High School.

During his time at Columbus, Gary Schnieders has taught world history, applied economics, current world history and advanced placement European history. Through his world history and European history classes, Mr. Schnieders has taken it upon himself to educate his students about the many sacrifices our military men and women have endured throughout history.

This February, Gary Schnieders will be leading his 12th group of students to France and Belgium for a 12-day trip "To Experience, To Learn, To Honor, To Remember." This is the theme each year for his AP Euro trip. Mr. Schnieders leads the students along World War I's Western Front starting in Verdun, France. His students experience the battlefields and trenches of the First World War. They visit some of the great museums and monuments honoring the soldiers who fought in the war. Most importantly, they go to many of the cemeteries and memorials to the many soldiers who fought for the various countries in that Great War. At the American memorials and cemeteries like Flanders Field and the Meuse Argonne, the largest American cemetery in Europe, the students lay flags and roses at each Iowa soldier's headstone. They also lay a wreath at the memorial itself, where Taps and the National Anthem are played. Because World War I is little remembered these days, the American cemeteries see very few visitors from the United States. The administrators of these memorials and cemeteries are excited to see Mr. Schnieders each year with his fresh class of students.

During the latter part of the AP Euro trip, Mr. Schnieders takes his students to the beaches of Normandy. He shows the students firsthand what difficulties our soldiers had in taking the beaches. On their last day in Europe, Mr. Schnieders takes his students to Omaha Beach and the Normandy American Cemetery. Mr. Schnieders takes his students down to Omaha Beach so they can see the distance our soldiers had to cover while carrying heavy packs and under constant fire. The students then go up to the top of the beach where the Normandy American Cemetery and Memorial is located. The students again put American flags and

roses at each soldier from Iowa. They also take the sand they brought from Omaha Beach and wipe it over the name on each headstone so the name of the soldier and the State of Iowa becomes easily visible. The students again lay a wreath and Taps and National Anthem are played throughout the cemetery.

Two weeks after returning home, Gary Schnieders and his students put on a presentation for the local veterans and community. The students set up various multimedia exhibits to share the experiences from their trip. This has become a great event each year for local veterans and the community.

To conclude, I was told that Gary Schnieders' dedication to his school, veterans, and his students has been invaluable to his community. If Gary Schnieders has anything to do with it, his students will continue "To Experience, To Learn, To Honor, To Remember" our veterans. So I congratulate Gary Schnieders on his dedication to his school, students, veterans, and community.

ADDITIONAL STATEMENTS

STATE OF THE UNION ESSAY CONTEST FINALISTS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD some of the finalist essays written by Vermont high school students as part of the seventh annual State of the Union essay contest conducted by my office.

The material follows:

KEELAN DURHAM, OXBOW HIGH SCHOOL
FRESHMAN (FINALIST)

Climate change is the most important issue facing our nation and the biggest challenge our world has ever faced. It threatens us at the most immediate level—the very land, water and air that we have called home for thousands of years. Addressing climate change will require tremendous policy shifts and changing massive amounts of infrastructure that we have spent many years and billions of dollars making. And it will require people and governments to collaborate at a worldwide level. The United States is the richest most powerful country in the world. We have achieved this position in world politics by being a leading force in creating prosperity and democracy around the world. However, by achieving this, we have wreaked havoc on the environment at the expense of the greater world. Now, we have a moral obligation to lead the world in implementing strong policies toward a renewable future. If we fail to address climate change, both our nation and nations around the globe will suffer tremendous consequences. According to the environmental protection agency's (EPA) "Climate Impacts on Coastal Areas", Rising seas alone will cause the United States to lose a projected 28,800 square miles of land. This would submerge large parts of fourteen US cities, displace 25 million people, and destroy billions of dollars worth of real estate. Rising seas would claim beautiful areas all along the coast such as the beaches of Culebra the multi-million dollar condos of Malibu or of the

beautiful coast of California. Outside the United States, small island countries that have done very little to cause global warming could be wiped of the face of the planet.

As the richest most powerful country with the oldest, and arguably the strongest, democracy ever we need to take bold action and implement strong policies to stop global warming. There are many things the United States can do to address climate change. We could put a price on carbon pollution; this would create a disincentive to use oil and possibly hurt oil companies profits. We could create strong incentives and grants for renewable energy; this would make it easier and cheaper for individuals and businesses to install renewable energy like solar or wind. A huge step forward would be to ban coal mining and oil extractions from public lands—just this would keep millions of tons of CO₂ out of the atmosphere and greatly help the environment. Merely stopping all new gas and oil infrastructure in its tracks would be a huge step in the fight against climate change. There is more we can do but this would be a start.

Currently the United States has been doing very little to combat global warming. The Paris Agreements were a step in the right direction but oil companies still have many members of congress working for them and with Donald Trump as president progress will likely will be lost and not made. This is why we must fight for this issue, and all issues that we know are important. If we do this, we show the oil companies and corrupt politicians that this government is for "we the people of the United States" and not "we the super huge and super rich corporations of the United States". Together we can make huge progress towards a renewable energy future and towards protecting our environment for future generations.

MORGEN EDWARDS, MILTON HIGH SCHOOL SENIOR
(FINALIST)

My fellow Americans, our country spends more on training men and women to go to war than what it does on training our family members and our neighbors to come home. We spend more money on the military as whole, than what we do our veterans. Our veterans deserve more benefits through an increased budget of ten percent, we must reform the VA, and help to put an end to the 22 veterans who commit suicide a day. To help put an end to veteran suicide rates, there should be funding to create a separate organization to solely focus on the mental health of our veterans, readjusting them to civilian life, and acting as a twenty-four hour hotline to help prevent veteran suicide. This should be comprised of experts, and people who can adequately represent them when it comes to congress and budgeting.

In order to save our veterans, we first must provide the VA with a better budget, in order for the VA to provide veterans with access to benefits. The projected budget for the president to spend on the VA as of 2017 is 182.3 billion dollars, and according to the VA this is a "4.9% increase over the 2016 enacted level." If we increase the budget by ten percent to start out, than the VA could have more money to provide our veterans with better benefits, thus helping to cut down on wait times by employing more qualified individuals, while helping to provide more options for care and help to the men and women who need it. According to Military times "The average wait time across the system as of May 15 was 6.89 days for primary care, 10.15 days for specialty care and 4.4 days for mental health appointments, according to the report." Wait times should be no more than

three to four days, and if at all possible we should try cutting that down even more, to ensure the safety of our veterans.

We must train our veterans on how to readjust to civilian life, help them to find and maintain jobs, help them find housing and teach them about PTSD and mental health awareness. We must train them to not be afraid to speak out about their mental health. Most importantly, we must not send them away when they seek help, telling them to "just forget about it." If we have the means to train them to go to war, than we must take those same means but apply it to training them to come home. No longer should we send of veterans home to fend for themselves. If we have the resources to send them to boot camp to go to war than we have the resources to send them to boot camp to come home. We should try and expand the Wounded Warriors Project, Iraq and Afghanistan Veterans of America, and American Veterans and their efforts to provide transition programs.

REBECCA GREEN, ST. JOHNSBURY ACADEMY
SOPHOMORE (FINALIST)

I believe that one of the most pressing issues that is facing our nation today is the conservative movement to remove federal funding from Planned Parenthood. I think that this is very important, because Planned Parenthood clinics are key providers not only of family planning services, but also preventative care, and other important health care services for low income women and families, and therefore, defunding this organization would negatively impact access to healthcare in these vulnerable socioeconomic groups.

The movement to defund Planned Parenthood is centered primarily on ideological and political reasons surrounding the pro-life movement and their argument that tax dollars should not be allowed to support organizations that provide abortions. Yet, Planned Parenthood data demonstrated that only 3% of their budget goes to fund abortion, with the rest of their funds going to contraceptive services (31%), testing and treatment of STD's (45%), other women's health care services (14%), and screening and prevention of cancer (7%). According to a report from the Guttmacher Institute, in 2014, Planned Parenthood prevented 2.2 million unintended pregnancies and averted many cases of sexual transmitted diseases, and cervical and breast cancer through screening PAP smears and mammograms and HPV tests and vaccinations, resulting in a net public savings of \$13.6 billion, or \$7.09 for every public dollar spent. Defunding Planned Parenthood clinics could therefore have a significant negative impact on both these health benefits and the health care savings that come from their services.

An example of the effects of this movement to defund Planned Parenthood can be seen in the case of Texas, where cutting federal funding to this organization led to closure of more than 80 clinics and deprived thousands of low-income women of highly effective contraceptive methods, resulting in a drastic increase in the rate of births covered by Medicaid.

In conclusion, Planned Parenthood has created a nationwide network of clinics that provide a wide breadth of services to low income women and families who often fall in the gap between Medicaid and insurance coverage. Efforts to defund this organization would deprive this vulnerable socio-economic group from important health care services, and cause profound negative impact, not just on preventative care and overall women's health, but on state and national health care spending.

ABIGAIL HALNON, MILTON HIGH SCHOOL SENIOR
(FINALIST)

My fellow Americans, I am humbled and thrilled to be your president. I believe that the American people are generous, insightful, and accepting. Our nation gains its power, strength, and beauty from its diversity. We strive, as a nation, to be an international leader in perpetuating ideals of freedom and equality. It is my concern that there are many acts in this country that violate these fundamental beliefs.

It is important that the United States is a country recognized as a pioneer of social justice on a worldwide stage. It is our moral duty to uphold the highest standards of equality and acceptance. We have made great steps towards this in recent years. The landmark Supreme Court decision in 2015 of *Obergefell v. Hodges* upheld the fundamental right to marry, regardless of sex. We must further prove our nation's belief in freedom and opportunity by the legislation that we pass. There is progress yet to be made.

Currently, practicing conversion therapy on gay and bisexual Americans is widely permitted across the U.S. This is a process under which non-heterosexual people are subjected to various means to reverse their sexual orientation. Conversion therapy, based on a scientifically discredited premise, must see an immediate ban. It permits the means to punish and abuse innocent Americans. The vast majority of these victims are minors. This practice perpetuates a false and violent belief system that homosexuality is a mental disease and that a cure must be sought. It is an obscene violation of the basic human rights of gay, lesbian, and bisexual Americans. It should not be permitted by law.

Although it receives little public support, only 5 states have banned conversion therapy on minors. These acts of hate and misinformation must be outlawed nationwide. It is an injustice and a crime to subject torture on Americans, most often minors, who have committed no offense. An immediate country-wide ban must take place.

We must work to defy all accounts of prejudice based on sexual orientation and gender identity. The freedom and mobility of transgender and nonbinary Americans is severely limited. Their rights and protection are being eroded by current legislation. A recent law in North Carolina known as the "bathroom bill" allows regulation of bathroom access for transgender individuals. Legislation that regulates bathroom use by transgender Americans is an act of hate and tragic misinformation. Rates of violence or misconduct by transgender individuals in bathrooms are so unprecedented that there are virtually no statistics on it. There is no need for regulation. These laws must immediately be struck down. These are basic and necessary rights and they must not be infringed upon. Discriminatory acts based on sexuality and gender identity have implications outside of their specific goals. The use of U.S. law to marginalize any group perpetuates dangerous and violent beliefs. Our misunderstanding cannot become rejection. Our fear cannot manifest into anger.

Americans will not stand for the perpetuation of hate, fear, and misinformation. We will not reject our neighbors and our friends. Our country must make these necessary steps towards true equality.

KARLEY ZIER, MISSISSQUOI VALLEY UNION HIGH
SCHOOL JUNIOR (FINALIST)

Raising the price of minimum wage would benefit everyone differently, but all in a commendable way. This would give people on

government assistance more of an incentive to secure a job. It would keep the average family of four from drowning in debt just to buy groceries for the week. According to Sherrod Brown, Senator of Ohio, "Anyone who's tried to pay a heating bill, fill a prescription, or simply buy groceries knows all too well that the current minimum wage does not cut the mustard." Sherrod explains exactly how tough it is to try and survive off from the ongoing minimum wage price.

Minimum wage in Vermont should be raised for a multitude of reasons. One way the state could benefit from this would be the amount of people withdrawing from welfare and other government funded programs. The state could benefit from this act because unemployed rates would go down with more people applying for jobs. Families living off of minimum wage have barely enough money to meet their basic needs per week or per month. Someone making minimum wage at \$9.60 an hour for eight hours a day and five days a week will earn \$384. Therefore, one will make \$1,536 per month without any taxes being taken out. According to USA Today, the average cost of groceries per week for a family of four is \$150-\$200. The average cost of rent in Vermont is \$900 per month. Being left with \$436, which would be non-existent due to taxes, leaves no room to pay for other needs or necessities. People wouldn't have money to pay for phone bills, transportation expenses, or daycare because one would be working. Someone would not be able to pay for any of these necessities because of the fact they wouldn't be able to afford them living off of minimum wage.

People who are using government assistance programs could benefit from this because there would be a reason for them to want to work. If people make the same amount off of welfare as they are making while working a forty hour job each week, of course they are going to choose welfare, or other government assistance programs. There is no incentive for the people on welfare to want to get a job with the minimum wage being so low and having to pay for expenses they wouldn't need to pay for while being unemployed. The other people in the state could benefit from this by the amount of people withdrawing from the welfare program. The more people who withdraw from the system, the less tax money that one say to pay to fund these types of programs. Overall, those are the reasons why the minimum wage in Vermont should be raised.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the appropriate committees.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 7. An act to prohibit taxpayer funded abortions.

H.R. 589. An act to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

H.R. 600. An act to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes.

H.R. 601. An act to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

The message further announced that pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Board of Regents of the Smithsonian Institution: Mr. SAM JOHNSON of Texas and Mr. COLE of Oklahoma.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Co-Chairman, Mr. ADERHOLT of Alabama, Mr. BURGESS of Texas, Mr. HULTGREN of Illinois, and Mr. HUDSON of North Carolina.

The message further announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the British-American Interparliamentary Group: Mr. HOLDING of North Carolina, Chairman, Mr. HILL of Arkansas, Mr. LATTA of Ohio, Mr. ADERHOLT of Alabama, and Mr. ROE of Tennessee.

The message also announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. TURNER of Ohio, Chairman, Mr. JOHNSON of Ohio, Mr. MARINO of Pennsylvania, Mr. GUTHRIE of Kentucky, Mr. COOK of California, Mr. KINZINGER of Illinois, and Mr. SHIMKUS of Illinois.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 7. An act to prohibit taxpayer funded abortions; to the Committee on Finance.

H.R. 589. An act to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 600. An act to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes; to the Committee on Foreign Relations.

H.R. 601. An act to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself, Mr. BLUNT, Mr. CARPER, Mr. ROBERTS, Ms. STABENOW, Mr. MORAN, Mr. CASEY, Mr. PORTMAN, Mr. BENNET, Mrs. CAPITO, Ms. BALDWIN, and Mr. GARDNER):

S. 236. A bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. RUBIO):

S. 237. A bill to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN):

S. 238. A bill to authorize the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28th, 1945, during the Battle of the Bulge in World War II; to the Committee on Armed Services.

By Mr. GARDNER (for himself, Mr. COONS, Mr. PORTMAN, and Mrs. SHAHEEN):

S. 239. A bill to amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. WYDEN, Ms. CANTWELL, Mr. UDALL, Mr. VAN HOLLEN, Mr. MURPHY, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. CARPER, Mr. SANDERS, Mr. MARKEY, Ms. BALDWIN, Mr. CARDIN, Mr. HEINRICH, Ms. HASSAN, Mr. BROWN, Ms. STABENOW, Ms. CORTEZ MASTO, Mr. KAIN, Ms. HARRIS, Mr. LEAHY, Mr. PETERS, Mr. COONS, Mr. MENENDEZ, Mrs. MURRAY, Mr. BOOKER, Mr. WHITEHOUSE, Mr. FRANKEN, Ms. HIRONO, Ms. WARREN, Mr. KING, Mr. CASEY, Mr. WARNER, and Mr. REED):

S. 240. A bill to nullify the effect of the recent Executive order that temporarily restricted individuals from certain countries

from entering the United States; to the Committee on the Judiciary.

By Mrs. ERNST (for herself, Mr. CORNYN, Mr. CRUZ, Mr. BLUNT, Mr. ROBERTS, Mr. SCOTT, Mr. PAUL, Mr. LANKFORD, Mr. MORAN, Mr. RUBIO, Mr. DAINES, Mr. HOEVEN, Mr. SULLIVAN, Mr. SASSE, Mrs. FISCHER, Mr. CRAPO, Mr. KENNEDY, Mr. LEE, Mr. RISCH, Mr. WICKER, Mr. INHOFE, Mr. CORKER, Mr. GRASSLEY, and Mr. GRAHAM):

S. 241. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Mr. JOHNSON, Ms. KLOBUCHAR, Mr. COTTON, Mr. ROUNDS, Mr. SULLIVAN, and Mr. BOOZMAN):

S. 242. A bill to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself and Ms. HEITKAMP):

S. 243. A bill to provide for a permanent extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals; to the Committee on Finance.

By Mr. LEE (for himself, Mr. CRUZ, Mr. MCCAIN, Mr. CORNYN, Mr. SCOTT, Mr. FLAKE, Mr. PERDUE, Mr. JOHNSON, Mr. ALEXANDER, and Mr. RUBIO):

S. 244. A bill to repeal the wage requirement of the Davis-Bacon Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. BARRASSO, Mr. MCCAIN, Mr. LANKFORD, Mr. MORAN, and Ms. HEITKAMP):

S. 245. A bill to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ:

S. 246. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. WHITEHOUSE, Ms. BALDWIN, Mrs. SHAHEEN, Mr. REED, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. BROWN, Mr. DURBIN, Mrs. MCCASKILL, Mrs. GILLIBRAND, Mr. PETERS, and Mr. MENENDEZ):

S. 247. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. MURPHY (for himself, Ms. CANTWELL, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. COONS, Mr. SCHATZ, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. BOOKER, and Mrs. MURRAY):

S. 248. A bill to block implementation of the Executive order that restricts individuals from certain countries from entering the United States; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. MCCONNELL, Mr. ROUNDS, Mr. CASSIDY, and Mr. LEE):

S.J. Res. 9. A joint resolution providing for congressional disapproval under chapter 8, of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to the disclosure of pay-

ments by resource extraction issuers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCONNELL (for himself, Mrs. CAPITO, Mr. MANCHIN, Ms. HEITKAMP, Mr. HOEVEN, Mr. PAUL, Mr. BARRASSO, Mr. INHOFE, Ms. MURKOWSKI, Mr. BLUNT, Mr. SULLIVAN, Mr. SHELBY, Mr. TILLIS, Mr. JOHNSON, Mr. TOOMEY, Mr. WICKER, Mr. RISCH, Mr. FLAKE, Mr. BOOZMAN, Mr. DAINES, Mr. CRAPO, Mr. MORAN, Mr. LANKFORD, Mr. YOUNG, Mr. COTTON, Mr. ROBERTS, Mr. ENZI, Mrs. ERNST, and Mr. CORNYN):

S.J. Res. 10. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Secretary of the Interior relating to stream protection; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself, Mr. DAINES, Mr. INHOFE, Mr. HOEVEN, Mr. ENZI, Mrs. CAPITO, Mr. MCCONNELL, Mr. LEE, Mr. SULLIVAN, Mr. CRUZ, Ms. MURKOWSKI, Mr. CORNYN, and Mr. HATCH):

S.J. Res. 11. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation"; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Mr. ALEXANDER, Mr. LANKFORD, Mr. MCCAIN, Mr. MCCONNELL, Mr. ENZI, Mr. HATCH, Mr. ISAKSON, Mr. ROBERTS, Mr. INHOFE, and Mr. CORNYN):

S.J. Res. 12. A joint resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. ERNST (for herself, Mr. CORNYN, Mr. CRUZ, Mr. BLUNT, Mr. ROBERTS, Mr. LANKFORD, Mr. DAINES, Mr. CRAPO, Mr. SASSE, Mr. MORAN, Mr. KENNEDY, Mr. LEE, Mr. RISCH, Mr. INHOFE, Mr. MCCONNELL, Mr. GRASSLEY, and Mr. GRAHAM):

S.J. Res. 13. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. MCCONNELL, Mr. CRAPO, Mr. LEE, Mr. CORNYN, Mr. PAUL, Mr. BARRASSO, Mr. SHELBY, Mr. GRAHAM, Mr. LANKFORD, Mrs. ERNST, Mr. BLUNT, Mr. ROBERTS, Mr. BOOZMAN, Mr. ENZI, Mr. GARDNER, Mr. ISAKSON, Mr. CASSIDY, and Mr. SASSE):

S.J. Res. 14. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. MCCONNELL, Mr. BARRASSO, Mr. CRAPO, Mr. DAINES, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER,

Mr. HELLER, Mr. INHOFE, Mr. LEE, Mr. MCCAIN, Mr. RISCH, Mr. SULLIVAN, Mr. HATCH, and Mr. SASSE):

S.J. Res. 15. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Director of the Bureau of Land Management relating to resource management planning; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. BALDWIN (for herself, Mr. BROWN, Mr. COONS, Mr. REED, Mrs. SHAHEEN, Mr. DURBIN, Ms. WARREN, and Mr. BOOKER):

S. Res. 28. A resolution designating January 27, 2017, as "Earned Income Tax Credit Awareness Day"; to the Committee on the Judiciary.

By Mr. DAINES:

S. Res. 29. A resolution recognizing January 28, 2017, as "National Data Privacy Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 32

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 32, a bill to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, and for other purposes.

S. 33

At the request of Ms. MURKOWSKI, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 33, a bill to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes.

S. 87

At the request of Mr. TOOMEY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 87, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 105

At the request of Mrs. FISCHER, the name of the Senator from Arizona (Mr.

FLAKE) was added as a cosponsor of S. 105, a bill to amend the Consumer Financial Protection Act of 2010 to transition the Bureau of Consumer Financial Protection to a 5-member board of directors.

S. 107

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 107, a bill to prohibit voluntary or assessed contributions to the United Nations until the President certifies to Congress that United Nations Security Council Resolution 2334 has been repealed.

S. 143

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 143, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 152

At the request of Mr. RUBIO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 152, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 166

At the request of Mr. BOOKER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 166, a bill to require the Secretary of the Treasury to mint coins in commemoration of Muhammad Ali.

S. 176

At the request of Mr. MCCONNELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 176, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan, and for other purposes.

S. 178

At the request of Mr. GRASSLEY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 178, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 179

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 179, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S. 181

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 181, a bill to ensure that certain Federal public works and infrastructure projects use materials produced in the United States, and for other purposes.

S. 191

At the request of Mr. CASSIDY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 191, a bill to improve patient choice by allowing States to adopt market-based alternatives to the Affordable Care Act that increase access to affordable health insurance and reduce costs while ensuring important consumer protections and improving patient care.

S. 198

At the request of Mr. RUBIO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 202

At the request of Mr. CRAPO, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 202, a bill to amend the Social Security Act relating to the use of determinations made by the Commissioner.

S. 205

At the request of Mr. THUNE, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. WICKER) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 205, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 207

At the request of Ms. KLOBUCHAR, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 207, a bill to amend the Controlled Substances Act relating to controlled substance analogues.

S. 220

At the request of Mr. SASSE, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 220, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 223

At the request of Ms. COLLINS, the names of the Senator from Arkansas

(Mr. BOOZMAN) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 224

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Kansas (Mr. ROBERTS) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 224, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 230

At the request of Mr. CASSIDY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 230, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for facilities using a qualified methane conversion technology to provide transportation fuels and chemicals.

S. 231

At the request of Mr. PAUL, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 231, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 235

At the request of Mr. SCOTT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 235, a bill to expand opportunity through greater choice in education, and for other purposes.

S.J. RES. 1

At the request of Mr. BOOZMAN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from South Dakota (Mr. THUNE) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S.J. RES. 2

At the request of Mr. CRUZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S.J. RES. 6

At the request of Mr. MENENDEZ, the name of the Senator from Maryland

(Mr. VAN HOLLEN) was added as a cosponsor of S.J. Res. 6, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 8

At the request of Mr. UDALL, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S.J. Res. 8, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Arkansas (Mr. COTTON) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 15

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 15, a resolution expressing the sense of the Senate that the Mexico City policy should be permanently established.

S. RES. 18

At the request of Mr. COONS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 18, a resolution reaffirming the United States-Argentina partnership and recognizing Argentina's economic reforms.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. WYDEN, Ms. CANTWELL, Mr. UDALL, Mr. VAN HOLLEN, Mr. MURPHY, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. CARPER, Mr. SANDERS, Mr. MARKEY, Ms. BALDWIN, Mr. CARDIN, Mr. HEINRICH, Ms. HASSAN, Mr. BROWN, Ms. STABENOW, Ms. CORTEZ MASTO, Mr. KAINÉ, Ms. HARRIS, Mr. LEAHY, Mr. PETERS, Mr. COONS, Mr. MENENDEZ, Mrs. MURRAY, Mr. BOOKER, Mr. WHITEHOUSE, Mr. FRANKEN, Ms. HIRONO, Ms. WARREN, Mr. KING, Mr. CASEY, Mr. WARNER, and Mr. REED):

S. 240. A bill to nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I have come to the floor as we have just filed a resolution—a bill actually—with 26 cosponsors that would repeal the immigration ban placed by President

Trump. President Trump's Muslim ban is unnecessary, it is unconstitutional, and it is un-American. It should be repealed immediately.

The Executive order prohibits individuals from Iran, Syria, Iraq, Sudan, Somalia, Libya, and Yemen from entering the country. It even bars relatives of Americans from visiting. The order suspends the entire U.S. refugee program, and most egregiously, Syrian refugees are banned indefinitely unless they are Christian. These provisions are not what America is all about.

First, the order is unnecessary. Individuals from the 7 targeted countries and 150 other nations are already thoroughly screened. Visitors fill out visa applications. They submit photographs that run through biometric databases. Their personal information is reviewed, including names, addresses, and dates of birth. They are interviewed at a U.S. consulate. The process could take months to complete and eliminates the need for the travel ban.

In addition, the move to ban refugees has no legitimate national security reason because these refugees undergo an even more thorough screening process that can take up to 2 years to complete. The vast majority of refugees are women and children who have experienced the absolute worst of humanity.

Let's not forget the heart-wrenching image of the small body of Aylan Kurdi, a 3-year-old Syrian boy, washed up on a beach, dead. I will never forget this small boy in his short pants, his shoes, and his socks, lying on that beach. To turn away women and children and men in their time of dire need is not what this Nation is all about.

Let me make this point: The poor execution of this Executive order has resulted in chaos and confusion. It is unclear whether the Justice Department or Homeland Security had any input. There seems to have been a disagreement about whether it would apply to green card holders. There was confusion about whether it applies to individuals already in transit or approved for travel. Even airport directors—I have spoken directly with the directors of Los Angeles International and San Francisco International, and there was confusion about how it applies. Even airport directors were left in the dark about how many people were detained and who they were.

Sara Yarjani was one Californian caught up in this mess. She is an Iranian national studying at the California Institute for Human Science in San Diego under a valid student visa. After being detained at LAX for 23 hours, she was sent back to Europe, a clear violation of the nationwide stay against the order. What I am saying is that the court stay was actually violated. This is just one of more than 100 stories from the weekend.

I believe this order is also unconstitutional. The First Amendment prohibits government from establishing a

religion or prohibiting the free exercise thereof. The order violates this First Amendment by targeting Muslims and favoring Christians. The order may also violate the Religious Freedom Restoration Act, which forbids the government from burdening the person's exercise of religion. The law bars any discrimination based on national origin in the issuance of a visa.

Finally, detaining people at airports may violate their Fourth Amendment rights.

This was an ill-considered overreach, as the courts showed over the weekend, and it should be repealed.

So the bill that 27 of us are introducing rescinds the President's Executive order. The text is simple because the message is simple: We won't stand for these types of actions.

In conclusion, I would like to say that I am so proud of the peaceful demonstrations we saw, and I join those who are so passionate about the free exercise of religion and free speech. These are our values, Mr. President, as a nation, and I will be right there with you if anyone tries to violate them.

By Mr. HOEVEN (for himself, Mr. BARRASSO, Mr. MCCAIN, Mr. LANKFORD, Mr. MORAN, and Ms. HEITKAMP):

S. 245. A bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes; to the Committee on Indian Affairs.

Mr. HOEVEN. Mr. President, I rise today to introduce S. 245, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017.

Over 10 years ago, Congress passed the Indian Tribal Energy Development and Self-Determination Act. This act was a step in the right direction to economic self-sufficiency for Indian tribes and energy independence for our Nation.

It created a process for Indian tribes to govern the development of their energy resources while reducing costly bureaucratic burdens of Secretarial review, approval, and oversight. But after more than 10 years, the act has not been implemented in a manner beneficial to the tribes or efficient resource development.

Bills have been introduced for the past four Congresses to improve and clarify the process but none of them have been signed into law. It is past time Congress acts and gets this bill across the finish line to be signed into law.

The bill that I am introducing today would improve, clarify, and make predictable the process for tribes to enter energy resource agreements and development. I would like to highlight some of the key provisions in this bill.

The bill provides clarity regarding the specific information and time

frames for Secretarial decisions required for tribal energy resource agreements. This bill recognizes the need to engage tribes by requiring more robust technical assistance and consultation with Indian tribes in the planning and development stages for energy resource development.

It would further facilitate the Secretarial approval process for mineral development by allowing Indian tribes and third parties to perform appraisals. This bill also includes renewable energy resource development by authorizing tribal biomass demonstration projects to assist Indian tribes in securing reliable, long-term supplies of woody biomass materials.

I would like to thank Senators BARRASSO, MCCAIN, LANKFORD, MORAN, and HEITKAMP for joining me in cosponsoring this bipartisan bill. I urge my colleagues to join me in advancing this bill and getting it signed into law expeditiously.

By Mr. INHOFE (for himself, Mr. MCCONNELL, Mr. ROUNDS, Mr. CASSIDY, and Mr. LEE):

S.J. Res. 9. A joint resolution providing for congressional disapproval under chapter 8, of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to the disclosure of payments by resource extraction issuers; to the Committee on Banking, Housing, and Urban Affairs.

Mr. INHOFE. Mr. President, we are introducing today a CRA that is kind of interesting. This is something that has only been successful one time.

I think everyone knows that during the past 8 years, under the Obama administration, we have seen thousands, literally thousands of regulations that have come through that have been anti-business, many of them anti-certain businesses, such as the oil and gas industries. It is no secret, the fact that we have had a President, in President Obama, who has had a war on fossil fuels.

It is interesting to me that when I go back to my State of Oklahoma—one reason I go back all the time is because I want to be around real, rational people. Sometimes I get the feeling there really aren't any around here. They ask questions. They will say: Tell me. Explain this to me. In the United States of America, in order to generate power, 89 percent of the power we are generating is either fossil fuels, coal, oil, gas, or nuclear. If we do away with 89 percent of our generation capability, then how do we run the machine called America?

The answer is that we can't. But we don't get those types of questions here. I am sure most of us who go back find that kind of concern, and it is not confined to Oklahoma.

I chaired the Environment and Public Works Committee during the 8

years—during the time President Obama was in office, and most of the regulations were actually associated with that committee. Many committees have regulations associated with their committees but not nearly as many as Environment and Public Works. An example is the WOTUS regulation. Ask anyone with the American Farm Bureau or anyone who deals with farmers and ranchers, and the No. 1 problem they have, they will tell you, is nothing that is found on the AgNu Committee; it is the overregulation of the EPA. That is one example. The Environment and Public Works Committee is the committee that has the jurisdiction over the EPA—at least we are supposed to.

During the time when WOTUS came through—the water regulation—it has historically always been the States' jurisdiction to handle water issues, not the Federal Government, with the exception of navigable water. I think we all understand that. In fact, there were several liberal Members in the House and Senate who tried to take the word "navigable" out of the regulations, and we defeated them every time. The last two who tried to do that were, in fact, defeated in the polls.

We know that in the State of Oklahoma—I should say our farmers know that if you put the Federal Government in charge of water regulations in the western part of Oklahoma, which is an arid part of the State, it would end up being designated as a wetland. Anyway, that is a major concern they had.

Another example of regulation is President Obama's Clean Power Plan. We all know how that came about. Way back in 1972, I was one of the bad guys who told the truth about what they were referring to as global warming, saying the world was coming to an end. Even though a lot of the Members of this body didn't join in and agree with me, every time, without exception, they came up with a bill that would do something—such as a cap-and-trade bill, for example—we defeated the bill, and it was continually defeated by an even larger margin as time went by.

President Obama came in, and when he couldn't get the legislation he wanted passed, he tried to do it through regulation. That is what he did with the Clean Power Plan—another rule that was rejected.

I only bring up those examples because they are typical regulations that actually came through my committee.

I am here to introduce S.J. Res. 9. This did not come through my committee; it came through a provision that is in the Dodd-Frank bill. Anyone going back to their States and talking to bankers or anyone in the financial industry, when talking about the Dodd-Frank bill, it is an example of the same type of overregulation that takes place on many of the issues that come before my committee.

Section 1504 of the Dodd-Frank bill requires the Securities and Exchange Commission to develop a rule that requires companies to report payments made to a foreign government or the U.S. Federal Government relating to the commercial development of oil, natural gas, and minerals. That is a requirement which is not found in our committee, but it is found in the committee that handled the Dodd-Frank bill.

While that may not sound all that significant, it strikes at the heart of American competitiveness. It makes public the information of our very best companies on how to win oil and gas deals. It requires companies to disclose and make public highly confidential and commercially sensitive information, and this is information that foreign competitors don't have to provide. Under this regulation, we would be required to provide it. That means that American companies would have to disclose all of the background and sensitive information that companies develop in competing for contracts of some kind having to do with oil and gasoline. It could be with another country, like Iran. It could be with individuals over there who are not friendly to the United States. Countries that don't wish to disclose the details of their commercial deals would now have a strong incentive to go with companies in countries that don't have that burdensome requirement. That is only natural.

To make matters worse, the SEC's rule lacks an exemption for circumstances in which disclosure under 1504 would violate the laws of a country where a U.S. company is operating. So it leaves U.S. companies with a choice of complying with U.S. laws or the laws of foreign countries. That is an impossible position to be in and could put U.S. employees at risk of criminal prosecution abroad for facilitating the release of this information.

If that weren't enough, the cost of complying with this regulation is enormous. American companies would have to comply, and it could cost millions of dollars. The SEC's estimate of the total compliance cost initially would be up to \$700 million. The ongoing compliance costs would be as much as \$581 million annually. Those costs would be borne by U.S. companies, and our competition would not have to do that.

The courts already struck down this rule when it was first developed in August 2012. The D.C. Federal district court struck down the rule in 2013 because of two substantial errors. Specifically, the Commission had "misread section 1504 to mandate public disclosure of the reports" and had arbitrarily declined to provide an exemption for countries that prohibit disclosure.

The new rule, finalized in June of 2016, doesn't look any different. It is the same rule. Even though the SEC

was told by the courts that the rule did not reflect congressional intent, they continued to put out a new rule that had the exact same problems as the one the court had vacated. It is the same rule. It is as if the Obama administration was rushing this rule out in hopes that there wouldn't be time or an opportunity for a court or Congress to overturn it. But here we are in the process of overturning it.

Last week President Trump issued an Executive order to reduce the regulatory impact on American businesses. With this CRA, we have an opportunity to effectively participate in that. Our focus should always be America first. As the Congress looks at the competitiveness of American companies, we should not be subjecting our own citizens to lawsuits, and that is exactly what this regulation would do.

By the way, I think we are going to get a lot of CRAs going forward, and I think it is important for people to understand what the CRA is. The CRA is the Congressional Review Act.

There are a lot of liberal people who like to have power concentrated in Washington—like with the WOTUS rule. They would rather have the jurisdiction of the waters of the United States with the Federal Government instead of with State governments. That is human nature. That is not something up for debate. Everybody knows that.

When individuals who are trying to centralize power in Washington go home and hear complaints from people in their States about regulations and overregulation in our society, their response is, well, that is not us, that is some unelected bureaucrat. A CRA forces Members of the Senate and House of Representatives to be held accountable to the people by having to take a position so that they can't go home and say: No, the regulators are doing this. It is interesting because it puts them in a position where, if we pass a CRA—and we are going to pass S.J. Res. 9—this will come before this body and we will have to say yes or no. Should we do away with this rule that everyone back home is opposed to? It forces them to be honest.

I think this is one CRA that many Democrats should be sponsoring and voting for, and I wouldn't be surprised if we are able to get some cosponsors.

Let me add one last point to outline what this is about. Within the Dodd-Frank bill, section 1504 is a requirement on U.S. companies competing for oil and gas deals throughout the world to disclose to their competition what goes into their bid and how they are putting it together, even when the other side doesn't have to do that.

I look forward to having the opportunity to bring this to the floor as soon as we get our initial 30 signatures on here. Senators will see and have an opportunity to support this first CRA that I am very excited about.

By Mr. MCCONNELL (for himself, Mrs. CAPITO, Mr. MANCHIN, Ms. HEITKAMP, Mr. HOEVEN, Mr. PAUL, Mr. BARRASSO, Mr. INHOFE, Ms. MURKOWSKI, Mr. BLUNT, Mr. SULLIVAN, Mr. SHELBY, Mr. TILLIS, Mr. JOHNSON, Mr. TOOMEY, Mr. WICKER, Mr. RISCH, Mr. FLAKE, Mr. BOOZMAN, Mr. DAINES, Mr. CRAPO, Mr. MORAN, Mr. LANKFORD, Mr. YOUNG, Mr. COTTON, Mr. ROBERTS, Mr. ENZI, Mrs. ERNST, and Mr. CORNYN):

S.J. Res. 10. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Secretary of the Interior relating to stream protection; to the Committee on Energy and Natural Resources.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 10

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the final rule submitted by the Secretary of the Interior relating to stream protection (81 Fed. Reg. 93066 (December 20, 2016)), and such rule shall have no force or effect.

Mrs. CAPITO. Mr. President, the last 6 years have been devastating to local economies across coal country. The Mine Safety and Health Administration has estimated that at least 60,000 coal jobs have been lost since 2011, and thousands of these jobs have been in my home State of West Virginia.

Excessive government regulation and other factors have done more than cost jobs. These policies have imperiled our coal miner retirement benefits, and they have left local governments struggling to keep up to pay for education, to pay for public works, and to pay for law enforcement. I can tell my colleagues story after story I have seen in our newspapers about this very thing.

In October, the Senate Environment and Public Works Committee heard testimony from Wayne County, West Virginia commissioner Robert Pasley. He said that the coal severance tax revenues in Wayne County in West Virginia—his county—dropped by 88 percent in 2013 and 2016. This drop left the county without a vital funding source that traditionally helped to pay for local volunteer fire departments, senior citizens programs, and education.

West Virginia University economist John Deskins told the Senate Energy and Natural Resources Committee in August that six West Virginia counties were suffering a depression—a depression—because of the coal downturn. And just last week, the State of West

Virginia projected that its annual State budget faces a \$500 million shortfall.

So what was the response of President Obama's administration in its last days in power? Yet another job-killing and anti-coal regulation that would make a bad situation in my State worse.

The Department of the Interior published its stream protection rule on December 20, 2016, and it made the rule effective on January 19, 2017—just 1 day before President Obama left office. There is a lot of irony here, and I don't think it is by chance. According to a National Mining Association Study, one-third of remaining coal jobs could be placed at risk by the rule.

Today I am proud to join Leader MCCONNELL as he introduces the Stream Protection Congressional Review Act. We are also joined by my colleagues in the West Virginia congressional delegation, including Congressman DAVID MCKINLEY and Congressman EVAN JENKINS, and others. We are going to be introducing a resolution of disapproval under the Congressional Review Act, blocking the Obama administration's stream protection rule.

Once this resolution of disapproval is passed by Congress—and I believe that it will be, and signed by President Trump, which I believe that it will be—I am confident that both things will happen: The stream protection rule will be nullified, and the Department of the Interior will be prohibited from imposing a similar rule without permission from Congress.

The stream protection rule deserves to be eliminated through the Congressional Review Act process. Despite its title—because why would we get rid of something called the stream protection rule—this rule will do little to actually protect our streams, but if left in place, this rule would cost even more coal jobs in my State and across the country that have already been devastated.

West Virginia's former Department of Environmental Protection secretary Randy Huffman told the Senate Energy and Natural Resources Committee, on which I served last Congress, that the proposed version of the stream protection rule was "an unnecessary, uncalled for political gesture."

I would like to say that Secretary Huffman was serving under a Democratic Governor in my State.

The stream protection rule is the result of an incredibly flawed regulatory process that excluded State officials. Of the 10 States that began the regulatory process—people were asked to join together to begin this process—working with the Department of the Interior's Office of Surface Mining, eight of those States eventually removed themselves from the process because of the Department's unwillingness to actually seriously consider

their input. In other words, they were just there for window dressing.

Ohio's chief of Mineral Resources Management Larry Erdos told the Environment and Public Works Committee last February that "OSM has not provided for meaningful participation with the cooperating or commenting agency states."

Congress took action to instruct the Department of the Interior to reengage with the States, realizing what was happening here, before moving forward with this rulemaking process. However, despite this direction from lawmakers in the Congress, the Department failed to address the State concerns.

Wyoming director of Environmental Quality, Todd Parfitt, told the Energy and Natural Resources Committee that "the failure to engage cooperating agencies throughout this process is reflected in the poor quality of the proposed rule." He called on the Office of Surface Mining to withdraw the rule and reengage with States and other stakeholders.

Last week, West Virginia's newly appointed secretary of Environmental Protection—again under a new Democratic Governor—Austin Caperton wrote to congressional leaders detailing our State's concerns with the stream protection rule. Secretary Caperton gave three main reasons for West Virginia's opposition to this rule.

First, he said that the rule upsets the statutory balance between environmental protection and allowing coal mining to take place in the first place. Second, the rule conflicts with the congressionally directed role of the States to be the exclusive regulators of mining activities. And third, the rule conflicts with the Federal Clean Water Act and State water quality standards—pretty broad-ranging concerns.

The concerns from environmental regulators in mining States across the country explain why 14 States, including the State of West Virginia, have already filed lawsuits to stop this stream protection rule. Fifteen State attorneys general, led by West Virginia's attorney general Patrick Morrisey, have written to Congress asking that this rule be blocked using the Congressional Review Act.

State environmental regulators are not alone in their opposition to this rule. Cecil Roberts, who is the president of the United Mine Workers of America, wrote just last week in support of this resolution of disapproval. He said that "the last thing America's coal-producing regions need at this time is another regulation that will have the effect of reducing employment even more and further stifling economic development."

West Virginia cannot afford another job-killing regulation that once again inserts Washington and their one-size-fits-all standard into a regulatory process that is supposed to be effectively

managed—and is effectively managed—by our State agencies.

The stream protection rule is a flawed policy that was born out of a flawed process.

The rule deserves to be eliminated promptly, and I encourage my colleagues to cosponsor the McConnell-Capito resolution of disapproval and to vote to block the rule in the coming days.

By Mr. GRASSLEY (for himself, Mr. MCCONNELL, Mr. CRAFO, Mr. LEE, Mr. CORNYN, Mr. PAUL, Mr. BARRASSO, Mr. SHELBY, Mr. GRAHAM, Mr. LANKFORD, Mrs. ERNST, Mr. BLUNT, Mr. ROBERTS, Mr. BOOZMAN, Mr. ENZI, Mr. GARDNER, Mr. ISAKSON, Mr. CASSIDY, and Mr. SASSE):

S.J. Res. 14. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, the resolution of disapproval I am introducing today via the Congressional Review Act repeals a Social Security regulation that unfairly stigmatizes people with disabilities. It also violates the fundamental nature of the Second Amendment.

The Second Amendment recognizes the God-given right to self-defense. In order to take away that right, the government must have a compelling interest. Furthermore, the law of regulation to achieve that compelling interest must be narrowly tailored. In other words, the government better have one heck of a good reason for going against the Second Amendment.

The Justice Department, the Department of Veterans Affairs, and the Social Security Administration have not protected Second Amendment rights adequately under the previous administration. Our fundamental Second Amendment rights were constantly under attack.

For example, hundreds of thousands of veterans have been reported to the National Instant Criminal Background Check System without due process. Of course, that system amounts to a national gun ban list for those reported erroneously. Veterans were reported without first having a neutral authority find them to be a danger to self or others and thus have a legitimate right to deny them their Second Amendment rights. According to the government, the veterans needed a fiduciary to manage benefit payments. That is not a sufficient reason under the law. Needing help with your finances—simply needing that help—should not mean you have surrendered your fundamental right of self-defense, and it doesn't mean that you are a danger to the public.

On May 17, 2016, Senator DURBIN and I debated my amendment that would require the Department of Veterans Affairs to first find veterans to be a danger before reporting their name to the gun ban list. During the course of that debate, Senator DURBIN admitted that the list was broader than it should have been. Senator DURBIN said: "Let me just concede at the outset, reporting 174,000 names goes too far, but eliminating 174,000 names goes too far."

For the record, there were 260,381 names from the Veterans' Administration sent to the gun ban list for allegedly being in the "mental defective" category. Now, it just happens that this was 98.8 percent of all the names in that category. So the Veterans' Administration reported more names by far than any other agency.

Senator DURBIN's staff and mine have met over these issues since that debate. I appreciate and thank Senator DURBIN for that outreach, and I want to work together with him to solve these problems for the VA. But now, the Social Security Administration is about to make the same mistake as the Veterans' Administration; that is, unless we stop them right here and right now with this resolution of disapproval. If we don't stop this, it could lead to hundreds of thousands of Social Security recipients being improperly reported to the gun ban list.

At its core, Social Security's new regulation allows the agency to report people to the gun ban list under two circumstances. First, the beneficiary needs to have someone designated to help manage benefit payments. That sounds like the VA; right?

Two, the beneficiary has an affliction based on a broad "disorders list." But the process for designating someone to help a recipient manage Social Security benefits is not a process that is very objective. But the process for designating someone to help a recipient manage their Social Security benefit should be objective.

The former Social Security Administration inspector general said the following last year in testimony about this process that offends us here in the Senate and is the reason of this resolution: "It's not a scientific decision, it's more of a personal opinion."

This "personal opinion" of a bureaucrat cannot be the basis for taking away a person's fundamental Second Amendment right to bear arms.

Further, the second element—the so-called "disorders list"—is a convoluted mess of afflictions that may or may not cause someone to be considered dangerous. Many of the listed disorders also do not impact gun safety at all. For example, some afflictions deal with anxiety disorders, fear of large crowds, or a lack of self-esteem. The list is complex, the list is long, and the list is not designed to regulate firearms.

Rather, the list is designed to regulate whether a person can manage his or her beneficiary payments—in other words, can they handle money.

But here is the essential question that the Federal Government is incapable of answering. If they aren't dangerous, why does the Social Security Administration, like the VA, want to take away their guns?

The National Council on Disability, a nonpartisan and independent Federal agency, has come out against the Social Security Administration's rule and in favor of the repeal that this resolution of disapproval will accomplish. The Council has repeatedly stated its concerns about the agency failing to determine that people are dangerous before reporting their names to the gun ban list.

It has been the National Council on Disability's "long-held position that restrictions on gun possession and ownership based on psychiatric or intellectual disability must be based on a verifiable concern as to whether the individual poses a heightened risk of danger to themselves or others."

The Council has also stated that the rule "unnecessarily and unreasonably deprives individuals with disabilities of a constitutional right, it increases the stigma for those who, due to their disabilities, may need a representative payee."

Another organization, the Consortium for Citizens with Disabilities, a coalition of 100 national disability groups, shares the same concerns about the regulation about which we are having this resolution of disapproval: "The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions."

With that being said, even the ACLU wrote a letter in opposition to the agency regulation. I ask unanimous consent that these letters, as well as others, be printed in the RECORD at the conclusion of my remarks.

Simply stated, the agency rule uses a massive regulatory net that captures innocent individuals who should be left alone. Just because a person is assigned a fiduciary does not make that person or those persons dangerous. Whenever the government tries to eliminate fundamental constitutional rights, it is required to narrowly tailor its regulatory action so that innocent people are not impacted. The Social Security regulation fails in that regard.

That is why both the National Council on Disability and the Consortium for Citizens with Disabilities have called specifically for using the Congressional Review Act to repeal the final rule. That is what our introduction of resolution will accomplish.

Constitutional due process is wholly lacking. For example, the agency does not afford a beneficiary a formal hearing before his or her name is reported to the gun ban list.

Now, think about that. The Second Amendment, which recognizes a fundamental constitutional right, is being simply ripped away without a formal dispute process to initially challenge the action. Instead, the beneficiary must wait until their name is already on the gun ban list, and only then can the beneficiary appeal the decision by the grace of the government. This process effectively reverses what should be a burden on the government. The government should not be able to strip a fundamental constitutional right without due process and then place the burden on the citizen to try to restore it.

A hearing should be afforded before the infringement of a fundamental right, not afterward. The burden must be on the government to prove its case. That simply is the American way—our Constitution's way.

The Social Security Administration regulation falsely claims that it requires an adjudication before reporting names to the gun ban list, but there is no hearing afforded to the Social Security recipient before placing a name on the gun ban list. Of course, without a hearing, that process cannot honestly be called an adjudication. In other words, the Social Security Administration is blowing blue smoke when they say that. Without an adjudication, the process violates Federal law.

Here is the kicker. In order for beneficiaries to remove their names from the gun ban list, they have to prove they are not dangerous. Guilty until proven innocent, and the burden is on you to prove your innocence. Any way you look at it, that is totally unfair, a violation of the Constitution, but common sense ought to tell everybody it is just plain wrong.

The Federal Government, under the Obama administration, treated Social Security recipients with contempt and disregard when this rule was put out. With our resolution of disapproval, we can effectively terminate this unconstitutional government regulation, which the new Trump Administration supports. I encourage all of my colleagues to support our efforts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL COUNCIL ON DISABILITY,
Washington, DC, January 24, 2017.
Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate, Washington, DC.
Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND SPEAKER RYAN: I write on behalf of the National Council on Disability (NCD) regarding the final rule the Social Security Administration (SSA) released on December 19th, 2016, implementing provisions of the National Instant Criminal Background Check

System (NICS) Improvement Amendments Act of 2007, 81 FR 91702. In accordance with our mandate to advise the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities, NCD submitted comments to SSA on the proposed rule on June 30th, 2016. In our comments, we cautioned against implementation of the proposed rule because:

[t]here is, simply put, no nexus between the inability to manage money and the ability to safely and responsibly own, possess or use a firearm. This arbitrary linkage not only unnecessarily and unreasonably deprives individuals with disabilities of a constitutional right, it increases the stigma for those who, due to their disabilities, may need a representative payee.]

Despite our objections and that of many other individuals and organizations received by SSA regarding the proposed rule, the final rule released in late December was largely unchanged. Because of the importance of the constitutional right at stake and the very real stigma that this rule legitimizes, NCD recommends that Congress consider utilizing the Congressional Review Act (CRA) to repeal this rule.

NCD is a nonpartisan, independent federal agency with no stated position with respect to gun-ownership or gun-control other than our long-held position that restrictions on gun possession or ownership based on psychiatric or intellectual disability must be based on a verifiable concern as to whether the individual poses a heightened risk of danger to themselves or others if they are in possession of a weapon. Additionally, it is critically important that any restriction on gun possession or ownership on this basis is imposed only after the individual has been afforded due process and given an opportunity to respond to allegations that they are not able to safely possess or own a firearm due to his or her disability. NCD believes that SSA's final rule falls far short of meeting these criteria.

Additionally, as NCD also cautioned SSA in our comments on the proposed rule, we have concerns regarding the ability of SSA to fairly and effectively implement this rule—assuming it would be possible to do so—given the long-standing issues SSA already has regarding long delays in adjudication and difficulty in providing consistent, prompt service to beneficiaries with respect to its core mission. This rule creates an entirely new function for an agency that has long noted that it has not been given sufficient resources to do the important work it is already charged with doing. With all due respect to SSA, our federal partner, this rule is simply a bridge too far. In fact, it is conceivable that attempts to implement this rule may strain the already scarce administrative resources available to the agency, further impairing its ability to carry out its core mission.

The CRA is a powerful mechanism for controlling regulatory overreach, and NCD urges its use advisedly and cautiously. In this particular case, the potential for real harm to the constitutional rights of people with psychiatric and intellectual disabilities is grave as is the potential to undermine the essential mission of an agency that millions of people with and without disabilities rely upon to meet their basic needs. Therefore, in this instance, NCD feels that utilizing the CRA to repeal the final rule is not only warranted, but necessary.

Regards,

CLYDE E. TERRY,
Chair.

CONSORTIUM FOR CITIZENS
WITH DISABILITIES,
January 26, 2017.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.

Hon. CHUCK SCHUMER,
Senate Minority Leader,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: The Co-Chairs of the Rights Task Force of the Consortium of Citizens with Disabilities (CCD) urge you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration (SSA) on December 19, 2016, "Implementation of the NICS Improvement Amendments Act of 2007." This rule would require the Social Security Administration to forward the names of all Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

Prior to the issuance of the Final Rule, the CCD Rights Task Force conveyed its opposition to the rule through a letter to the Obama Administration and through the public comment process. We—and many other members of CCD—opposed the rule for a number of reasons, including:

The damaging message that may be sent by a SSA policy change, which focused on reporting individuals who receive assistance from representative payees in managing their benefits to the NICS gun database. The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.

The absence of any data suggesting that there is any connection between the need for a representative payee to manage one's Social Security disability benefits and a propensity toward gun violence.

The absence of any meaningful due process protections prior to the SSA's transmittal of names to the NICS database. Although the NICS Improvements Act of 2007 allows agencies to transmit the names of individuals who have been "adjudicated" to lack the capacity to manage their own affairs, SSA's process does not constitute an adjudication and does not include a finding that individuals are broadly unable to manage their own affairs.

Based on similar concerns, the National Council on Disability an independent federal agency charged with advising the President, Congress, and other federal agencies regarding disability policy, has urged Congress to use the Congressional Review Act to repeal this rule.

We urge Congress to act, through the CRA process, to disapprove this new rule and prevent the damage that it inflicts on the disability community.

On behalf of the CCD Rights Task Force, the undersigned Co-Chairs,

DARA BALDWIN,
National Disability
Rights Network.

SAMANTHA CRANE,
Autistic Self-Advocacy
Network.

SANDY FINUCANE,
Epilepsy Foundation
Law.

JENNIFER MATHIS,
Bazelon Center for
Mental Health.

MARK RICHERT,
American Foundation
for the Blind.

THE JUDGE DAVID L. BAZELON CENTER FOR MENTAL HEALTH LAW,
January 30, 2017.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.

Hon. CHUCK SCHUMER,
Senate Minority Leader,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: The Bazelon Center for Mental Health Law urges you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration (SSA) on December 19, 2016, "Implementation of the NICS Improvement Amendments Act of 2007." The Center is a national legal advocacy organization that protects and advances the rights of adults and children with mental disabilities.

This rule would require the Social Security Administration to forward the names of Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

The rule is inconsistent with the statute it implements, has no evidentiary justification, would wrongly perpetuate inaccurate stereotypes of individuals with mental disabilities as dangerous, and would divert already too-scarce SSA resources away from efforts to address the agency's longstanding backlog of unprocessed benefits applications toward a mission in which the agency has little expertise.

First, there is no statutory basis for the rule. The National Instant Criminal Background Check System (NICS) statute authorizes the reporting of an individual to the NICS database on the basis of a determination that the person "lacks the capacity to contract or manage his own affairs" as a result of "marked subnormal intelligence, or mental illness, incompetency, condition or disease." The appointment of a representative payee simply does not meet this standard. It indicates only that the individual needs help managing benefits received from SSA.

Second, the rule puts in place an ineffective strategy to address gun violence, devoid of any evidentiary basis, targeting individuals with representative payees and mental impairments as potential perpetrators of gun violence. In doing so, it also creates a false sense that meaningful action has been taken to address gun violence and detracts from potential prevention efforts targeting actual risks for gun violence.

Third, the rule perpetuates the prevalent false association of mental disabilities with violence and undermines important efforts to promote community integration and employment of people with disabilities. The rule may also dissuade people with mental impairments from seeking appropriate treatment or services, or from applying for financial and medical assistance programs.

Finally, the rule creates enormous new burdens on SSA without providing any additional resources. Implementation of the rule will divert scarce resources away from the core work of the SSA at a time when the agency is struggling to overcome record backlogs and prospective beneficiaries are waiting for months and years for determinations of their benefits eligibility. Moreover, SSA lacks the expertise to make the determinations about safety that it would be called upon to make as part of the relief process established by the rule.

Based on similar concerns, the National Council on Disability, an independent federal agency charged with advising the President, Congress, and other federal agencies regarding disability policy, has urged Congress to use the Congressional Review Act to repeal this rule. We urge Congress to act, through the CRA process, to disapprove this new rule and prevent the damage that it inflicts on the disability community.

Sincerely,

JENNIFER MATHIS,
Director of Policy and Legal Advocacy.

AAPD,
January 26, 2017.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

Hon. NANCY PELOSI,
Office of the Democratic Leader,
Washington, DC.

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: The American Association of People with Disabilities (AAPD) urges you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration (SSA) on December 19, 2016, "Implementation of the NICS Improvement Amendments Act of 2007." This rule would require the Social Security Administration to forward the names of all Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

AAPD is a national disability rights organization that works to improve the lives of people with disabilities by acting as a convener, connector, and catalyst for change, increasing the economic and political power of people with disabilities.

Prior to the issuance of the Final Rule, AAPD conveyed its opposition to the rule to the Obama Administration. We, and many other disability rights organizations, opposed the rule for a number of reasons, including:

The damaging message that may be sent by a SSA policy change, which focused on reporting individuals who receive assistance from representative payees in managing their benefits to the NICS gun database. The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.

The absence of any data suggesting that there is any connection between the need for a representative payee to manage one's Social Security disability benefits and a propensity toward gun violence.

The absence of any meaningful due process protections prior to the SSA's transmittal of names to the NICS database. Although the NICS Improvements Act of 2007 allows agen-

cies to transmit the names of individuals who have been "adjudicated" to lack the capacity to manage their own affairs, SSA's process does not constitute an adjudication and does not include a finding that individuals are broadly unable to manage their own affairs.

AAPD urges Congress to act, through the CRA process, to disapprove this new rule to prevent the damage that it inflicts on the disability community and the extraordinarily damaging message it sends to society that people with mental impairments could should be feared and shunned.

Thank you for taking our position into consideration. If you have any questions or concerns, please do not hesitate to contact me at (202) 521-4315 or at hberger@aapd.com.

Yours truly,

HELENA R. BERGER,
President & CEO.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 28—DESIGNATING JANUARY 27, 2017, AS "EARNED INCOME TAX CREDIT AWARENESS DAY"

Ms. BALDWIN (for herself, Mr. BROWN, Mr. COONS, Mr. REED, Mrs. SHAHEEN, Mr. DURBIN, Ms. WARREN, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 28

Whereas the earned income tax credit is a refundable Federal tax credit available to low- and moderate-income working families and individuals;

Whereas the earned income tax credit encourages and rewards work;

Whereas, in 2015, the earned income tax credit lifted approximately 6,500,000 people out of poverty, including approximately 3,300,000 children;

Whereas the earned income tax credit provides substantial economic benefit to local economies; and

Whereas an estimated 20 percent of eligible workers do not claim the earned income tax credit: Now, therefore, be it

Resolved, That the Senate—

(1) designates Friday, January 27, 2017, as "Earned Income Tax Credit Awareness Day"; and

(2) calls on Federal, State, and local agencies, community organizations, nonprofit organizations, employers, and other partners to help increase awareness about the earned income tax credit and other refundable tax credits to ensure that all eligible workers have access to the full benefits of the credits.

SENATE RESOLUTION 29—RECOGNIZING JANUARY 28, 2017, AS "NATIONAL DATA PRIVACY DAY"

Mr. DAINES submitted the following resolution; which was referred to the Committee on the Judiciary:

Mr. DAINES. Mr. President, as an engineer who worked at a cloud computing company for 13 years, I have seen firsthand how technology has become an integral part of our everyday lives. Innovative products and services have made it easier than ever to learn,

communicate, and to share our data with others.

Personal data has become a form of currency, and the sharing of personal information may compromise privacy if appropriate protective action is not taken. That is why I am proud to recognize January 28, 2017; as National Data Privacy Day. Each year, our Nation recognizes this day as an opportunity for private organizations, governments, and individuals to work together to raise awareness and promote privacy and data protection best practices.

I am pleased to recognize this day and am committed to working with my colleagues to ensure the privacy of individuals is protected.

S. RES. 29

Whereas, on January 28, 2017, National Data Privacy Day is recognized;

Whereas technology has enhanced our ability to communicate, learn, and work and is now a part of our everyday lives;

Whereas personal information has become a form of currency;

Whereas it is easier now than ever before to share personal information with friends, colleagues, and companies;

Whereas the sharing of personal information may compromise the privacy of individuals if appropriate protective action is not taken;

Whereas governments, corporations, and individuals have a role in protecting the privacy of individuals; and

Whereas National Data Privacy Day constitutes a nationwide effort to educate and raise awareness about respecting privacy and safeguarding data: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes January 28, 2017, as "National Data Privacy Day"; and

(2) encourages governments, individuals, privacy professionals, educators, corporations, and other relevant organizations to take steps to protect the privacy of individuals.

The PRESIDING OFFICER. The Senator from Arizona.

PROGRAM

Mr. FLAKE. Mr. President, the Senate is about to adjourn.

Under the standing order, we will convene at 12 noon tomorrow. Following the prayer and pledge, we will proceed to the consideration of the Chao nomination under the previous order. Following disposition of the Chao nomination, we will continue consideration of the Tillerson nomination postcloture.

VOTE ON MOTION TO ADJOURN

Mr. FLAKE. I move to adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion to adjourn.

The motion was agreed to.

ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 10:48 p.m.,
adjourned until Tuesday, January 31,
2017, at 12 noon.

NOMINATIONS

Executive nomination received by
the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

MICK MULVANEY, OF SOUTH CAROLINA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE SHAUN L. S. DONOVAN.

HOUSE OF REPRESENTATIVES—Monday, January 30, 2017

The House met at noon and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 30, 2017.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

RESTORE VISA IMMIGRATION PROGRAMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Madam Speaker, as we stand in the House Chamber today, over 4,000 U.S. military personnel are bringing the fight to ISIL terrorists in Iraq. Navy and Air Force pilots, Special Forces, and advisers are working hand in hand with Iraqis and Kurds to eject ISIL from Mosul, the city they declared 3 years ago as the capital of their caliphate.

Great progress has been made. Supported by thousands of U.S. air strikes, the eastern half of the city has been reclaimed by the forces of the civilized world and efforts are underway to finish the job in western Mosul.

Madam Speaker, none of this could have been done without the help of brave Iraqi interpreters who are essential to communicating all of the pieces of these operations.

As a member of the House Armed Services Committee, I am proud that from 2008 to 2016, we passed and re-passed a special immigration visa pro-

gram to open the door of immigration to the U.S. for these interpreters as a safe haven, and also as a reward for putting their lives at risk and making sure that our troops can communicate safely and effectively in their operations.

Incredibly, on Friday, with one stroke of the pen, President Trump slammed the door shut on that program because he canceled all visa programs from Iraq.

If anyone could imagine a more demoralizing way to undercut the anti-ISIL alliance at such a critical time, Friday's order won the prize; and we are hearing from military commanders who are over there in Iraq talking about the blowback that is coming from our allies that were literally underway in real operations in real time.

We, in Congress, need to stop this order for the sake of our standing in the world as a beacon of hope and freedom and, if for nothing else, to support our troops and their allies in harm's way.

SUPPORT OF SHORT-TERM PROGRAM BANNING IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. HIGGINS) for 5 minutes.

Mr. HIGGINS of Louisiana. Madam Speaker, the rhetoric coming from my colleagues across the aisle and the liberal media regarding President Trump's executive order to strengthen American's immigration policy is harmful to our country and is placing law enforcement professionals at risk due to incited protests.

The fact is that President Trump is protecting America by strengthening our vetting procedures. The details of his order clearly state that the allowed level of immigrants from the affected foreign nations is essentially the average rate of the 15 years before President Obama's dangerous expansion of the program in 2016.

President Trump's executive order has simply restored sanity to America's immigration policy. It was President Obama who, against all reasonable consideration, put the American citizenry at risk in 2016 by his massive expansion of immigration from nations that are known to produce radical Islamic terrorists. Thank God that President Trump has upheld his oath to protect American lives.

This order puts a temporary pause on immigration from seven countries: Iran, Iraq, Syria, Sudan, Libya, Yemen,

and Somalia. The governments in these countries are either hostile to the United States, or presently in great turmoil.

As a professional law enforcement officer for the last 13 years, I paid very close attention to the insane policies that put American citizens and American police at risk. I have watched carefully and prayerfully as terror attack after terror attack has shed American blood on American soil, and I have been privy to many jihadist plots that were stopped because of the dedicated courage and skilled law enforcement investigators; the same cops that have been for years maligned, attacked, and murdered across our Nation by Americans incited to violence by dangerously irresponsible rhetoric from the left.

It is clear to me that the status quo immigration policy will not control the threat, and I am thankful that President Trump is using his office to reverse the madness that preceded him.

America's war against terror should never invoke partisan revolt. We, as members of the people's House, must recognize that the American people are not willing to accept radical Islamic terror within our borders—from immigrants or anyone else—as a fact of American life.

President Trump's executive order for a short-term ban on entry from countries that are known to foster jihadists, combined with a systematic review of our immigration and vetting procedures is both necessary and reasonable.

Madam Speaker, the time for weakness has passed. Now is the time for strength and courage. Now is the time to reform our border control and immigration policies.

President Trump's order is not a betrayal of American values. His actions inspire hope to the millions of Americans who have watched our Nation decline over the past decade, watched helplessly, as radical Islamic horror has gripped the world and, unbelievably, been allowed into our own Nation with wanton disregard.

Now is the time for America to embrace its rightful place as leader of the free world. The President's executive order to strengthen our immigration policies are reflective of the timeless wisdom of peace through strength. It protects the American citizenry, preserves American values, reassures America's allies, and ensures America's future.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

STAND UP AGAINST EXECUTIVE
ORDER ON IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. HIMES) for 5 minutes.

Mr. HIMES. Madam Speaker, this Sunday I was out on the road amongst my constituents when at about midday, I started to get panicked emails from the doctors of Yale New Haven Hospital because one of their own, Tarek Alasil, an ophthalmologist of Syrian dissent, an ophthalmologist who has made his home here in the United States, who has U.S. citizen children, who has his family in New Haven, had been detained in the Caribbean in the Bahamas.

He had been in the Caribbean doing cataract surgery for people who might otherwise not have access to the surgery that might allow them to see again; stepping forward, as all that we think is best about a country that was founded and strengthened by immigrants abroad, doing God's work as an ambassador—informal, though, he may have been—that America is a good and decent place.

But he was detained and sat there in the Bahamas detained by the customs and border patrol, wondering if he would ever see his family again, wondering if he might ever become the United States citizen that he hoped to be, wondering if he was going to get sent back to his native city of Aleppo, which now is a smoking ruin.

Of course, we hear story after story like that. The worst I heard was an elderly lady in her eighties, Hamidyah Al Saeedi. Hamidyah Al Saeedi has a son who is a sergeant in the 82nd Airborne. She hadn't seen Sergeant Al Saeedi for 5 years, and she was on her way to the United States to see her son, a sergeant in the United States Army, for the first time in 5 years.

She spent 33 hours in detention; some of those hours handcuffed—this mother of an 82nd Airborne soldier—because of the actions of Donald Trump.

She thought she was going to be deported. She was told she would be deported. Thank God she wasn't, this mother of an 82nd Airborne soldier.

Madam Speaker, I serve on the Intelligence Committee and have for some 4 years. I know a little something about national security, and the executive order signed by President Trump on Saturday is not only about national security, it is profoundly dangerous to the security of this country because it gives our enemies a logic to say the United States is bigoted; it is anti-Muslim; and it does not stand for its principles.

What is this executive order?

It is a travesty. It is dangerous security theater. It is a knife in the heart of the values that founded this country. What it is most assuredly not is a mechanism to keep us safer.

It opens with a preamble on 9/11—a devastating day for all of us. Yet, not

one of the countries that produced the 9/11 hijackers is on the list of countries affected by this order.

How do you explain that?

All over the world right now radical Muslims are saying: We told you so.

And we are hearing this from our generals. We are hearing this from our national security experts; not one of whom has stood up and said that this is a good idea which will keep us safer.

It comes at a huge cost to our country. The costs to our values that we are a decent country are incalculable and we will be bearing them for a long time.

We are the Congress of the United States. We are the House of Representatives. We are the people's House. Article I of the Constitution—now is the time to stand up against this madness. I plead with my Republican colleagues: Now is the time to stand up for national security, for safety, and for the values enshrined by the Constitution to which we all pledged an oath.

I understand I am a Democrat, so maybe I don't have that much credibility with my Republican colleagues. Let me quote to you what Eliot Cohen, noted conservative, national security strategist, former State Department official said: "Either you stand up for your principles and for what you know is decent behavior, or you go down, if not now, then years from now, as a coward or opportunist. Your reputation will never recover, nor should it."

History is staring us in the face right now. It doesn't happen very often, but it is staring us in the face right now. And when history stares you in the face, that is not a gaze that wavers. It stays for generations. And how you respond to that gaze and how you behave will be the stuff of the stories of your children and your grandchildren.

So now is the time for the Congress of the United States to stand up to the bigotry, to the national security theater, to the destruction of our values, with legislation that reverses this travesty of a decision that we saw this weekend.

**SURVIVOR TINA FRUNDT—FIGHTS
THE HUMAN TRAFFICKERS AND
RESCUES VICTIMS**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Madam Speaker, she was a 14-year-old girl when she was forced into sex trafficking. Her name is Tina Frundt.

Like so many other trafficking victims, she was lured away from the safety of her home—a home nearby to this United States Capitol—and she was lured away by a man she thought she knew, and she trusted him.

He sweet-talked her and promised her a perfect life somewhere far away. He was a smooth-talking, slick con artist,

tempting her with gifts and affection just to get her into the slave trade.

Her blissful, happy, and trusting world view all came crashing down when she found herself in a dark motel room surrounded by unfamiliar men in an unfamiliar city.

The trafficker forced her to have sex with the men for money. When she refused to have sex, the men just raped her. They stole her dignity, her self-respect, and her happy spirit.

□ 1215

Tina had become a slave on the marketplace of sex trafficking. These disgusting predators used the innocence of children to force them into the horrific life of sex trafficking. Most cannot imagine the depths of the suffering and abuse Tina suffered during the next year. She was forced to have sex with over 18 men a day. When she fell short of the mandatory \$500 daily quota, she was beaten and beaten and humiliated. Her life consisted of cigarette burns, broken arms, broken fingers, and intimidation. Tina was arrested, treated as a delinquent, and was shuttled from one jailhouse to another.

Tina and other victims of human trafficking are victims of crime—they are not criminals; they are not juvenile prostitutes. Under the law, juveniles cannot commit the crime of prostitution. These victims do not belong in the criminal justice system. It is the vile traffickers and buyers who belong behind bars. In fact, we built jails and prisons for these deviants.

Stories like Tina's are common in our Nation. Sex trafficking just does not happen in foreign countries. As co-chair of the Congressional Victims' Rights Caucus, along with my friend JIM COSTA and coauthor of the Justice for Victims of Trafficking Act, along with CAROLYN MALONEY, it seems to me that, in America, human trafficking victims need to be identified, rescued, and not abandoned.

The Justice for Victims of Trafficking Act does three things: it prosecutes the traffickers—the slave traders—and it locks them up. It prosecutes the buyers in that it punishes them like the traffickers; it rescues the victims and treats them as victims, not as criminals; finally, it establishes a fund that is paid by the traffickers and the buyers to help treat and restore victims with long-term care.

Let those crooks pay for the system they have created, and let them pay the rent on the courthouse. America cannot let young girls be bought and sold on the streets of our Nation. These predators are everywhere. They are not old men in trench coats but are young, good-looking guys who are well versed in their vile trade. Their next victim could be anybody's daughter or wife.

No human being should ever have to endure what Tina and other trafficking victims like her have gone through.

Tina was able to escape her slave trader, and she has become a survivor. Tina, along with many other survivors, has found a way to turn her darkness of hell into a light for good.

Recently, I was honored to tour Courtney's House, which is a shelter right here in Washington, D.C., that Tina founded to rescue and support trafficking victims. She actively uses her personal experience to connect with those girls and give them support, nourishment, hope—things that they need. Since 2008, Courtney's House has helped over 500 victims escape the bonds of sex slavery and become survivors.

In this Human Trafficking Awareness Month, I wish to commend Tina's leadership and zeal in helping other victims become survivors. Tina is inspiringly courageous. Victims and survivors should know that we as a society stand with them and by them; and let the law put the traffickers and buyers in jail.

Madam Speaker, justice demands such.

And that is just the way it is.

THIS IS NOT WHO WE ARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Madam Speaker, this is not who we are. The executive order that the President is executing does not reflect our American values. It is not consistent with a clear statement in our Constitution that we do not discriminate on the basis of national origin, that we do not discriminate on the basis of religion. Read the executive order. It does those precise things.

But there are other foundational documents that contradict what the President is executing. Matthew 25: "I was a stranger, and you invited me in. . . ." This policy is morally bankrupt. It is an attempt to pander to narrow voices to which this President promised a Muslim ban. He went to Rudy Giuliani and asked how to do a Muslim ban, and this is what they came up with.

Make no mistake. This is not who we are. Not only is it morally wrong—against everything we have been taught about who we are as a country—but this administration has been dangerously incompetent in how it is even implementing this misguided policy—secretive. I saw a White House spokesman this morning admit that they kept this secret from the very people who are going to be asked to implement this wrong-headed policy. It is morally wrong, and it is being administered in a dangerously incompetent way.

Most importantly, this policy will not make us safe. This unconstitutional executive order will make us less safe. What is the message we are trying to send—that we are an intolerant Nation? that, if you happen to have

different beliefs, you are not welcome here? People who are literally being handcuffed are people who have a legal right to be in the United States of America.

We cannot normalize this. We cannot accept this as simply a difference of opinion over how to secure our borders. It makes us less secure to send a message to the world that we are this narrow and—yes—bigoted Nation. We are not that. Even for many of those people who supported this President, this is not what they voted for. I ask my colleagues to, for God's sake, speak up.

Join the faith leaders who are speaking up against this terrible, unconstitutional policy. Join the business leaders who are saying this is wrong. Join your own Republican colleagues—many in an increasing number—who are having the courage to stand up against the President of their own party and say "no." This is not who we are. This does not reflect who we are. This is morally wrong. This is constitutionally wrong, and this is dangerous.

History will judge where people who sit in this House stood on this day on this question.

Stand with your fellow Americans. Stand with the Constitution. Stand with those who are willing to speak up and speak truth to power and say this is wrong, that this is not America. This must end now. Add your voice to that chorus. Be on the right side of history.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 23 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

Bless the Members of this assembly as they set upon the important work that faces them. Help them to make wise decisions in a good manner and to carry their responsibilities steadily with high hopes for a better future for our great Nation.

May the desire to act speedily to implement promises made while campaigning not prevent the careful consideration of all possible outcomes in the governing process. Send Your spirit of wisdom and discernment upon them in their work.

May Your blessing, O God, be with all of our leaders this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. BARRAGÁN) come forward and lead the House in the Pledge of Allegiance.

Ms. BARRAGÁN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE SHAME ACT SHAMES TRAFFICKERS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, those dastardly deviants that are in the slave trade of human sex trafficking try to dehumanize their victim. Victims sometimes lose their self-worth and dignity of existence.

Last Congress, the Justice for Victims of Trafficking Act, led by CAROLYN MALONEY and me, was enacted to go after traffickers and buyers to rescue victims. Now it is time to expose the identity of convicted traffickers and sellers of human beings. That is why Mrs. MALONEY and I have introduced the Shame Act.

The Shame Act allows Federal judges to publicly publish the names and photographs of convicted traffickers and buyers. Shaming works. I successfully used it as a judge in Texas. Dubbed "poetic justice" by the media, I learned the last thing criminals want are their faces and crimes exposed to the public.

It is time to let traffickers and buyers know they cannot hide their evil and the darkness. Put their photographs on billboards. Shame them. Shame them for their slave trade.

And that is just the way it is.

Mr. Speaker, I include in the RECORD the names of the organizations that support the Shame Act.

1. Polaris.
2. The International Organization for Victim Assistance.
3. Shared Hope.
4. The National Organization for Victim Assistance.
5. The Texas Centers for Child Advocacy.

6. The Texas Court Appointed Special Advocates.

7. Stop Child Predators.

8. The Family Focused Treatment Association.

BAN ON REFUGEES

(Ms. BARRAGÁN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BARRAGÁN. Mr. Speaker, I rise today because of what we saw happening this weekend.

President Trump's executive order is unconstitutional, un-American, and unlawful. I myself went to Los Angeles International Airport on Saturday night, and what I saw was shocking to me. I saw Fatema coming in from an airline—a legal, permanent resident in this country, who came with her 1-year-old son who is an American citizen—being detained with the threat of being deported and pressured to sign to give up her right to be a legal permanent resident.

I was fighting to get to her, to make sure she had legal counsel, to make sure that she had that opportunity, and I was unsuccessful. Despite me and another Member being there, the Customs and Border Protection wouldn't even talk to us. They wouldn't give us a briefing. They merely hung up on us.

Mr. Speaker, this is wrong. This provision is discriminatory based on religion and nationality. This did not only affect a small number of travelers; this affected families; this affected lawyers and volunteers who came out in the masses. I hope the President will see.

I will work to ensure the Federal Government obeys the Constitution, respects our history as a nation of immigrants, and does not unlawfully target anyone because of their national origin or faith.

RECOGNIZING THE DISTINGUISHED SERVICE WORK OF SCOTT CHES-TER GRAVES

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I rise today to recognize and thank a long-time member of my staff, Scott Graves, for his 12 years of service on Capitol Hill. Scott has worked in numerous capacities, starting as an agriculture legislative assistant and then as a legislative director, then as my chief of staff, and, most recently, as staff director at the House Committee on Agriculture. He is a well-respected and accomplished leader; and though he is moving on, I know he will continue to accomplish great things for American agriculture.

Scott has been my right-hand man for many years, helping me navigate

the complexities of the 2008 and 2014 farm bills, serving as an adviser when I chaired the House Committee on Ethics, and keeping the wheels running in both my personal office and the Agriculture Committee. Although much of his work was done behind the scenes, my colleagues and I knew we could always count on Scott to get results.

Beyond his many professional attributes, I will certainly miss his wit and humor. I am very proud of him, and I wish Scott, Haley, Bronte, and a unit to be named this summer the very best. I want to thank him for his loyalty and dedication to public service, and I wish him Godspeed in the next chapter of his life.

OPEN YOUR HEARTS TO THE REST OF THE WORLD

(Mr. CAPUANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAPUANO. Mr. Speaker, this is my first 1-minute in 20 years—first one—and I am here today to basically call out my colleagues who remained silent this weekend as Lady Liberty shed tears.

It is not about extreme vetting. No one has concerns about punching it up a little bit. This weekend we took people from around this world who are legally, legally, legally coming to our country, many of whom have been through every single vetting we can give them. We embarrassed ourselves and them in what we did this weekend.

Where is the terror threat from a 5-year-old child?

Where is the terror threat from a professor coming to MIT or a research scientist coming in?

There is none. Not one of the seven countries mentioned provided one single terrorist.

And for those people who say, I am here just to protect our country, I have been in Boston all of my life. The largest numbers of people came out from New York City and Boston. It was our people who lost their lives, yet we remain humanistic and openhearted.

Open your hearts to the rest of the world.

NEW ADMINISTRATION IS COMMITTED TO MILITARY READINESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, President Donald Trump took lifesaving action to begin the much-needed process of rebuilding our military.

For the past 5 years, the failed policy of defense sequestration has forced our military to endure extreme reductions,

dangerously affecting equipment, personnel, and training readiness. Under the order, Secretary of Defense Jim Mattis will review all aspects of military readiness.

As chairman of the House Armed Services Subcommittee on Readiness, with four sons who have served overseas, I especially appreciate President Trump's commitment to rebuilding the military. It is critical for American families to ensure that our troops have the resources and training to accomplish their missions.

This order is a positive first step, and I look forward to working alongside President Donald Trump, Vice President MIKE PENCE, Speaker PAUL RYAN, and Chairman MAC THORBERRY as we ensure our troops have the resources they need to promote peace through strength.

God bless our troops.

We will never forget September the 11th in the global war on terrorism.

Thank you, President Donald Trump, for vetting refugees to protect American families.

HONORING FRED KOREMATSU DAY

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise to honor Fred Korematsu Day. I could hardly imagine a more relevant time to celebrate his fight for freedom and equality.

When the United States incarcerated 115,000 Japanese Americans during World War II, including my parents and grandparents, Fred Korematsu resisted Executive Order 9066 and courageously stood up for the oppressed when few others would.

History often forces us to ask ourselves: How would we have acted if we lived in that moment? Through the President's recent executive order, we no longer have to wonder.

How you react to the Muslim ban today is how you would have reacted to the imprisonment of my grandparents and parents 75 years ago. If you are silent today, you would have been silent then. If you are complicit today, you would have been complicit then.

This great institution is facing an enormous test of our commitment to liberty and justice for all. Let our children and grandchildren look back and see that we passed that test.

LIMIT NASA'S CLIMATE AGENDA

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, NASA has given us a good reason to limit the amount of funds the agency gets for climate change.

They recently claimed that a landslide in Alaska, fires in Yellowstone National Park in 1988, and a drought in California were all due to climate change. But extreme weather events actually had been declining over the last few decades at the same time that carbon emissions have been increasing.

That NASA has played so fast and loose with the facts with the clear intent to mislead the American people shows why they can't be trusted with hard-earned taxpayers' dollars.

Cervantes wrote in Don Quixote that "one swallow doesn't make a summer." Well, one weather event doesn't presage climate change disaster. Ignore the media's exaggerations, the alarmists' predictions, and scientists trying to scare men, women, and small children.

As for NASA, let's get them out of hyping climate change and back to exploring space.

RECOGNIZING KARLA-SUE MARRIOTT

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to honor Dr. Karla-Sue Marriott, associate professor of chemistry and forensic science at Savannah State University.

Dr. Marriott has made groundbreaking chemical discoveries to help millions of people with Alzheimer's, Parkinson's, and ALS. Dr. Marriott began her work at Savannah State in 2006, after completing a postdoctoral fellowship at Clemson University.

In 2010, while at Savannah State, she applied for a grant with the National Institutes of Health, which allowed her to research dopamine and sigma receptors in the brain. It was through this research that Dr. Marriott discovered the chemical compound called benzofuran.

Benzofuran has the ability to target and activate signal receptors in the brain, while leaving other central nervous system receptors alone. This has the potential to reduce the impact of various neurological diseases.

However, Dr. Marriott's work is not done. She will continue her research to discover the full potential of her compound and the benefits it can provide.

I am proud to recognize Dr. Marriott today, and I am thankful for the work she is doing at Savannah State University.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DESIGNATING A MOUNTAIN IN THE JOHN MUIR WILDERNESS AS SKY POINT

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 381) to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 381

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Staff Sergeant Sky Mote, USMC, grew up in El Dorado, California.

(2) Staff Sergeant Mote graduated from Union Mine High School.

(3) Upon graduation, Staff Sergeant Mote promptly enlisted in the Marine Corps.

(4) Staff Sergeant Mote spent 9 years serving his country in the United States Marine Corps, including a deployment to Iraq and two deployments to Afghanistan.

(5) By his decisive actions, heroic initiative, and resolute dedication to duty, Staff Sergeant Mote gave his life to protect fellow Marines on August 10, 2012, by gallantly rushing into action during an attack by a rogue Afghan policeman inside the base perimeter in Helmand province.

(6) Staff Sergeant Mote was awarded the Navy Cross, a Purple Heart, the Navy-Marine Corps Commendation Medal, a Navy-Marine Corps Achievement Medal, 2 Combat Action Ribbons and 3 Good Conduct Medals.

(7) The Congress of the United States, in acknowledgment of this debt that cannot be repaid, honors Staff Sergeant Mote for his ultimate sacrifice and recognizes his service to his country, faithfully executed to his last, full measure of devotion.

(8) A presently unnamed peak in the center of Humphrey Basin holds special meaning to the friends and family of Sky Mote, as their annual hunting trips set up camp beneath this point; under the stars, the memories made beneath this rounded peak will be cherished forever.

SEC. 2. SKY POINT.

(a) DESIGNATION.—The mountain in the John Muir Wilderness of the Sierra National Forest in California, located at 37°15'16.10091"N 118°43'39.54102"W, shall be known and designated as "Sky Point".

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the mountain described in subsection (a) shall be considered to be a reference to "Sky Point".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill would name a peak in the Sierra Nevada Mountains after Marine Staff Sergeant Sky Mote as a small token of the gratitude of our Nation, and as a permanent reminder that, as Shakespeare put it: "This story should the good man teach his son."

On August 12, 2012, Sergeant Mote was at his post in the tactical operations center of the 1st Marine Special Operations Battalion in Helmand province. On that day, a so-called Afghan police officer opened fire on the Marines who had come there to help that country.

When the attack broke out, Sergeant Mote was in an adjoining room. He could have easily escaped to safety. According to the Navy citation: "He instead grabbed his M4 rifle and entered the operations room, courageously exposing himself to a hail of gunfire in order to protect his fellow Marines. In his final act of bravery, he boldly engaged the gunman, now less than 5 meters in front of him, until falling mortally wounded."

According to the citation, it was Mote's actions that stopped the attack, and it was his heroism for which he received the Navy's second highest decoration: the Navy Cross.

The irony is that Sky Mote was indifferent to the medals he was awarded during his life: the Navy and Marine Corps Commendation Medal, the Navy and Marine Corps Achievement Medal, two Combat Action Ribbons, and three Good Conduct Medals that he earned during his 9 years of exemplary service to his Nation.

His father, Russell, recalled that "He never cared about medals. He never showed them to us." He said: "Once, I found one in his laundry." But his father also said that although his son was indifferent to medals, he was intentionally and intensely proud of his

EOD badge, designating his service as an explosive ordnance disposal technician.

To the EOD technicians, bombs are not something to be avoided but something to be sought out and disarmed. On one such day, Mote diffused two IEDs, crawled through a heavily seeded minefield to save the life of his team member who had been severely wounded by a third, and then directed the evacuation of his unit. On that day, Sergeant Mote had earned a Navy and Marine Corps Commendation Medal with a V for valor.

We come today to the Hall of the House of Representatives to try to honor a hero who didn't care much about medals.

We do so not for him. Lincoln was right long ago that it is far beyond our poor powers to add or detract from the honor of his deeds and the example of his life.

I think we do so in part to acknowledge an irredeemable debt that our country owes to an eternally grieving family. We need to remember there are Gold Star families among us who spend their Memorial Days not at barbecues and beach parties but in solemn ceremonies and quiet vigils around honored graves. We honor their loved ones in hopes that in some small way we can fortify them against the loss that they bear every day of their lives.

But, mainly, I think we do it for ourselves, that we might draw inspiration from his courage and instruction from his willingness to sacrifice all to protect the vision of liberty enshrined in the founding of our Nation.

In consultation with his family, we have identified a mountain in the John Muir Wilderness of the Sierra National Forest overlooking where Sky Mote and his family often camped and hiked. This bill proposes that it forever more be known as Sky Point as a token of our Nation's respect of his heroism, its appreciation of his sacrifice, its sympathy for his family, and of its solemn pledge that succeeding generations of his countrymen will never forget him.

This legislation first passed the House by voice vote in the 114th Congress, and I urge the passage of this bill.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, wow, just listening to my good friend from California explain and give us a description of what happened in the life of this American hero, Sergeant Sky Mote, I am truly touched by the many other stories that I have heard from families of our men and women in uniform, our veterans in service of our country.

And as we have just heard, this bill designates a mountain peak in the John Muir Wilderness of the Sierra National Forest in California as "Sky Point" in recognition of a fallen Marine Corps Staff Sergeant Sky Mote.

Sky served our country honorably as a U.S. marine for 9 years. He had a tour of duty in Iraq and two in Afghanistan.

By designating that mountain as "Sky Point," it will honor his memory and ensure his selfless sacrifice for his country and fellow marines is not forgotten.

We passed this legislation last Congress by voice vote, and I urge that we do the same again today.

I thank my good friend, the distinguished gentleman from California, for introducing this bill today.

As I have no further speakers, Mr. Speaker, I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I thank the gentleman for his kind and good words and urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 381.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NORTHERN MARIANA ISLANDS ECONOMIC EXPANSION ACT

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 339) to amend Public Law 94-241 with respect to the Northern Mariana Islands.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 339

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Northern Mariana Islands Economic Expansion Act".

SEC. 2. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS: TRANSITIONAL WORKERS.

Section 6 of Public Law 94-241 (48 U.S.C. 1806) is amended—

(1) in subsection (a)(6), by striking "\$150" and inserting "\$200"; and

(2) in subsection (d)(2)—

(A) by striking the period at the end of the first sentence and inserting " , except a permit for construction occupations (as that term is defined by the Department of Labor as Standard Occupational Classification Group 47-0000 or any successor provision) shall only be issued to extend a permit first issued before October 1, 2015. "; and

(B) by striking the period at the end of the third sentence and inserting " , except that for fiscal year 2017 the number of permits issued shall not exceed 15,000. ".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House has before it H.R. 339, sponsored by Congressman SABLAN of the Commonwealth of the Northern Mariana Islands.

The House passed an identical bill this past December just before the conclusion of the 114th Congress. However, that bill was unable to pass the Senate and make it to the President's desk for signature before the end of that Congress, and so I am here today to once again urge the bill's passage through the House and on to the Senate.

The Northern Mariana Islands are benefiting by new investment and growth of consumer spending, particularly in tourism. Their economic growth rate is almost twice that of the rest of our country.

To meet this growth, the Commonwealth has to maintain a workforce to match it. Currently, the Northern Marianas is phasing out the use of foreign workers by slowly reducing the total number of CW-1 permits issued by the Department of Homeland Security. Economic growth is dynamic, but bureaucracy is not. If the CW-1 permits are phased out too quickly, the islands may suffer a growth-stopping shortage of labor. This bill would provide flexibility to the Commonwealth in order to protect its newfound economic prosperity in three critical ways:

First, it would fund ongoing vocational education curricula and program development to assure a skilled domestic workforce funded from an increase in CW-1 fees from \$150 to \$200.

Second, it would limit the CW-1 permits for construction occupation to those issued prior to October 1 of 2015.

And third, it would temporarily increase the number of CW-1 permits during this transition period.

Mr. Speaker, these changes will continue to accommodate the economic growth in the Northern Marianas, while assuring a trained domestic workforce for the future.

I would urge adoption of the bill.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank Chairman ROB BISHOP for allowing my bill to come to the floor again.

We passed the same bill in the House on December 6, but the Senate adjourned 3 days later without acting, and the problem has not gone away.

The economy of the Northern Mariana Islands grew 3.5 percent last year, the fourth straight year of growth for my district.

This strong economic expansion is good news for the people I represent. We desperately want this growth to continue because our economy is still smaller than it was in 2000.

The Northern Mariana Islands Economic Expansion Act addresses that problem and is broadly supported back home.

Mr. Speaker, I include in the RECORD letters of support from Governor Ralph Deleon Guerrero Torres of the Commonwealth of the Northern Mariana Islands; from the Commonwealth's Strategic Economic Development Council; the Commonwealth Healthcare Corporation; the Hotel Association of the Northern Mariana Islands; and from the Saipan Chamber of Commerce.

CNMI STRATEGIC ECONOMIC
DEVELOPMENT COUNCIL,
December 1, 2016.

Hon. GREGORIO KILILI CAMACHO SABLAN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SABLAN: The CNMI Strategic Economic Development Committee is in strong support of H.R. 6401, critical legislation that will provide short-term relief from the labor shortage threatening the growth of the Northern Marianas economy.

The U.S. Bureau of Economic Analysis indicates the Commonwealth economy grew for the fourth consecutive year, a recent high of 3.5 percent. This is attributable to increased private investment and tourism now threatened by the lack of available qualified workers on the island.

The modest one-year increase in Commonwealth-Only Transitional Workers (CW) proposed under H.R. 6401, will provide the business community with the necessary human resources to continue to operate and propel an expanding economy.

It is imperative that we do not stymie our plan for fixture economic growth, now beginning to come to fruition, with a labor shortage in critical areas.

The bill also provides additional funds for the job training/education programs proven effective at expanding the pool of qualified and skilled U.S. workers in the CNMI.

The CNMI Strategic Economic Development Council fully supports H.R. 6401 and appreciates all of your efforts in addressing the labor crisis in the Northern Marianas.

Very truly yours,

ALEXANDER A. SABLAN,
Sub Committee Chair-
man, Labor & CW
Task Force, CNMI
Strategic Economic
Development Com-
mittee.

SAIPAN CHAMBER OF COMMERCE,
December 2, 2016.

Hon. GREGORIO KILILI CAMACHO SABLAN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SABLAN: The Saipan Chamber of Commerce is in strong support of H.R. 6401, critical legislation that will provide short-term relief from the labor shortage threatening the growth of the Northern Marianas economy.

The U.S. Bureau of Economic Analysis indicates the Commonwealth economy grew

for the fourth consecutive year, a recent high of 3.5 percent. This is attributable to increased private investment and tourism now threatened by the lack of available qualified workers on the island.

The modest one-year increase in Commonwealth-Only Transitional Workers (CW) proposed under H.R. 6401, will provide the business community with the necessary human resources to continue to operate and propel an expanding economy. It will also provide additional critical funds for job training and education programs that are steadily expanding the pool of qualified and skilled U.S. workers on Saipan.

The Saipan Chamber of Commerce fully supports H.R. 6401 and appreciates all of your efforts in addressing the labor crisis in the Northern Marianas.

Very truly yours,

VELMA M. PALACIOS,
President of the
Board, Saipan
Chamber of Com-
merce.

HOTEL ASSOCIATION OF THE
NORTHERN MARIANA ISLANDS,
December 2, 2016.

Hon. GREGORIO KILILI CAMACHO SABLAN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SABLAN: The Hotel Association of the Northern Mariana Islands is in strong support of H.R. 6401, critical legislation that will provide short-term relief from the labor shortage threatening the growing hospitality industry in the Northern Marianas.

Due in large part to increased private investment and tourism the U.S. Bureau of Economic Analysis recently announced that the Commonwealth economy grew for the fourth consecutive year.

However, our hotel and resort properties are in critical need of labor, particularly those with skills and experience in the hospitality industry, culinary arts and property maintenance. The inability of employers to renew or hire new Commonwealth-Only Transitional Workers (CW) threatens their continued operations and chills future investment in our islands.

The modest one-year increase in CWs, proposed under H.R. 6401, will allow the hospitality industry to continue to provide first-class service to our tourists.

The Hotel Association of the Northern Mariana Islands fully supports H.R. 6401 and appreciates all of your efforts in addressing the labor crisis in the Northern Marianas.

Very truly yours,

GLORIA CAVANAGH,
Chairman, Hotel Association of the
Northern Mariana Islands.

COMMONWEALTH HEALTHCARE COR-
PORATION, COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS,
December 2, 2016.

Hon. GREGORIO "KILILI" CAMACHO SABLAN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SABLAN: Commonwealth Healthcare Corporation (CHCC) is in strong support of H.R. 6401.

This critical legislation would provide an increase in the FY 2017 limit on Commonwealth-only Transitional Workers (CW) and allow the CHCC to petition for renewal of 39 essential healthcare workers impacted when the CW cap was reached just two weeks into the Fiscal Year.

Our Commonwealth Health Center (CHC) is the only hospital in the Commonwealth of

the Northern Marianas, providing inpatient and outpatient acute, chronic, and emergency health care services to the people of the CNMI. We also maintain community health centers on the populated islands of Saipan, Tinian, and Rota.

Our ability to continue to provide these essential on-island health care services, and maintain quality patient care and safety as well as maintain overall public health, depends on being able to maintain current staffing levels and specialized expertise.

Without an increase to the CW cap this year, CHC stands to lose the services and experience of 34 staff nurses, two infection control nurses, a clinical laboratory scientist and specialists in mammography and ultrasonography.

For the foregoing reasons, we are in full support H.R. 6401 and are grateful for your work in addressing this critical health care issue.

Sincerely,

ESTHER L. MUNA,
Chief Executive Officer.

COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS,
December 4, 2016.

Hon. GREGORIO KILILI CAMACHO SABLAN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SABLAN: I write to support H.R. 6401, critical legislation that will provide short-term relief from the labor shortage facing the Commonwealth that threatens our growing economy and public health.

The latest report from Bureau of Economic Analysis indicates the Commonwealth economy grew for the fourth consecutive year. A growing economy needs a qualified workforce. And while there are now more U.S. workers than foreign workers in the Northern Marianas for the first time in decades, there are still not enough to meet the labor demand. The temporary increase in the number of Commonwealth-Only Transitional (CW) workers provided in your bill will particularly help small businesses retain the workers needed to maintain operations.

Most importantly, the Commonwealth's only hospital, stand to lose critical staff including 34 staff nurses, two infection control nurses, a clinical laboratory scientist and specialists in mammography, ultrasonography without the relief provided in H.R. 6401.

Building a qualified U.S. workforce in the Northern Marianas is a priority for my administration. The CW worker fee increase in the legislation will provide additional funding for efforts to recruit, educate, and train these workers and establish a permanent pool of workers to fill local jobs.

H.R. 6401 is critical to continued economic growth in the Northern Marianas. The bill has my full support.

Sincerely,

RALPH DLG TORRES,
Governor.

Mr. SABLAN. Mr. Speaker, I want to thank again Chairman ROB BISHOP of the Natural Resources Committee for his understanding and support. I also thank Chairman DON YOUNG who held a hearing on this issue last September and agreed that action was needed.

I appreciate the support of Ranking Member RAÚL GRIJALVA and our new Indian, Insular and Alaska Native Affairs Subcommittee Ranking Member NORMA TORRES.

Mr. Speaker, I am indebted to the minority whip, Mr. HOYER, and to the

majority leader, Mr. MCCARTHY, and to my friend Mr. MCCLINTOCK of California who agreed to bring H.R. 339 to the floor today.

I ask for support of H.R. 339.

Having no further speakers, I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I would urge the House to finish the work that it began in December by passing this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 339.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FORT ONTARIO STUDY ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 46) to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 46

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fort Ontario Study Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) From 1755 until 1814, Fort Ontario and three previous fortifications built on the site of the Fort in Oswego, New York, on the shore of Lake Ontario were used as military installations during the French and Indian War, the Revolutionary War, and the War of 1812.

(2) The original fort, erected by the British in 1755, was destroyed by French forces in 1756. The fort was rebuilt and subsequently destroyed during both the American Revolution and the War of 1812. The star-shaped fort was constructed on the site of the original fortifications in the 1840s, with improvements made from 1863 through 1872.

(3) The United States Armed Forces began expanding Fort Ontario in the early 20th century and by 1941, approximately 125 buildings stood at the fort.

(4) On June 9, 1944, President Franklin D. Roosevelt announced that Fort Ontario would serve as the Nation's only Emergency Refugee Camp during World War II. From August of 1944 until February 1946, nearly 1,000 refugees were sheltered at Fort Ontario.

(5) Fort Ontario was conveyed from the Federal Government to the State of New York in 1946; it was used to house World War II veterans and their families and then converted to a State historic site in 1953.

(6) A post cemetery containing the graves of 77 officers, soldiers, women, and children who served at Fort Ontario in war and peace is situated on the grounds of the fort.

(7) In 1970, Fort Ontario was placed on the National Register of Historic Places.

SEC. 3. FORT ONTARIO SPECIAL RESOURCE STUDY.

(a) STUDY.—The Secretary of the Interior (referred to in this section as the "Secretary") shall conduct a special resource study of Fort Ontario in Oswego, New York.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the site;

(2) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the lands by Federal, State, or local governmental entities, or private and nonprofit organizations;

(4) consult with interested Federal, State, or local governmental entities, private and nonprofit organizations or any other interested individuals;

(5) determine the effect of the designation of the site as a unit of the National Park System on existing commercial and recreational uses and the effect on State and local governments to manage those activities;

(6) identify any authorities, including condemnation, that may compel or allow the Secretary to influence or participate in local land use decisions (such as zoning) or place restrictions on non-Federal land if the site is designated a unit of the National Park System; and

(7) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(c) APPLICABLE LAW.—The study authorized under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.

(d) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings of the study; and
(2) any conclusions and recommendations of the Secretary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. I yield myself such time as I may consume.

Mr. Speaker, Congressman JOHN KATKO of New York brings us H.R. 46, which authorizes the National Park Service to conduct a special resource study of Fort Ontario in Oswego, New York, to evaluate the site's national

significance and determine the suitability of its designation as a unit of the National Park system.

□ 1645

Fort Ontario was first established in 1755 to defend Americans during the French and Indian Wars. You might say it was the first time our Nation has dealt with organized terrorism. It played a role in the American Revolutionary War and the War of 1812 and served our country as a hospital, training facility, and a refugee center in the First and Second World Wars.

In 1946, after nearly 200 years of active military use, Fort Ontario was transferred to the State of New York, which has operated and maintained it ever since. The House passed a nearly identical version of this legislation in the 114th Congress.

I urge adoption of the measure.

Mr. Speaker, I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

This bill authorizes the National Park Service to conduct a special resource study of Fort Ontario in Oswego, New York. Fort Ontario was a military installation used during the French and Indian Wars, which was later used to house refugees fleeing the Nazi Holocaust during World War II.

Many Americans remember our Nation's role in World War II through events like the Invasion of Normandy or the Battle of Iwo Jima, closer to my district, which have been re-imagined in film and memorialized in stone, but the story of Fort Ontario is an equally important component of our historical legacy. Providing physical refuge from persecution says as much about our national character as the bravery and sacrifice of the millions of Americans who were deployed overseas.

The site has been managed as a New York State historic site since 1949 and has been listed on the National Register of Historic Places since 1970. The study authorized by this bill will look into the best available options for the continued preservation and management of Fort Ontario, including the possibility of turning it into a unit of the National Park System.

Fort Ontario has had many uses throughout our Nation's history, and it has had a particularly relevant place in the story of Jewish Americans. As we work to ensure that our public lands tell the story of all Americans, Fort Ontario and its unique story could be a fitting addition.

This bill passed the House last September but was, unfortunately, not acted upon by the Senate.

I would like to thank Representative KATKO, the sponsor of this bill, for his continued efforts to ensure the Nation knows about the story of Fort Ontario.

This is a good bill, and I urge my colleagues to support its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KATKO), the author of this measure.

Mr. KATKO. Mr. Speaker, I thank the gentleman for yielding, and I thank both gentlemen for their kind words about this truly unique historical fort in my district.

Fort Ontario stood on the shores of Lake Ontario for over 260 years and now stands as a testament to the great history of central New York and the important role the region has played in our Nation's history. The Fort has been involved in nearly every major American war, from the French and Indian Wars to World War II.

From 1944 to 1946, Fort Ontario served as our Nation's only emergency refugee camp, providing shelter to over 980 refugees during World War II. In recognition of the Fort's use as a refugee shelter, primarily for Jewish people fleeing Hitler's Europe, the site also hosts the Safe Haven Holocaust Refugee Shelter Museum. It is a truly unique fort in our country.

Following World War II, the fort was transferred to the State of New York to house war veterans and their families until 1953. This unparalleled history would make Fort Ontario a unique asset to our National Park System.

I am honored to have introduced this legislation, which takes the first steps toward ensuring Fort Ontario receives the national recognition it richly deserves. The Fort Ontario Study Act would commission a special resource study of Fort Ontario to evaluate the site's national significance and determine the suitability of its designation as a part of the National Park System.

Fort Ontario, now a national historic site in New York and listed on the National Register of Historic Places, draws residents of New York, visitors across the Nation, and, indeed, across the globe to experience the rich history of the fort and the Safe Haven Holocaust Refugee Shelter Museum. Designating the fort as a national park will not only preserve the unique history of the site, but also have the potential to grow tourism and strengthen our economy.

I am proud to be a champion of this effort, and I credit this success to the countless individuals and organizations in Oswego, New York, and throughout the 24th District who have spent years working to preserve the history of Fort Ontario. These groups and individuals include the Friends of Fort Ontario, Paul Lear with New York State Parks, the Board of the Safe Haven Holocaust Refugee Shelter Museum, and the many volunteers that give so much of their time to this cause.

Reflecting the importance of the fort to the entire region, I introduced this bill with Congresswoman TENNEY and

Congresswoman SLAUGHTER. I would like to thank them both for their support, as well as Chairman BISHOP for working toward moving this legislation forward.

I ask all of my colleagues to support H.R. 46, and I urge my colleagues in the Senate to take quick action on this important legislation.

Mr. SABLAN. Mr. Speaker, I urge adoption and support of the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, this is an important part of American history. It belongs in the National Park System. I urge adoption of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 46.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DUNGENESS CRAB FISHERY MANAGEMENT SUNSET PROVISION REMOVAL

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 374) to remove the sunset provision of section 203 of Public Law 105-384, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 374

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DUNGENESS CRAB FISHERY MANAGEMENT.

Section 203 of the Act entitled "An Act to approve a governing international fishery agreement between the United States and the Republic of Poland, and for other purposes", approved November 13, 1998 (Public Law 105-384; 16 U.S.C. 1856 note), is amended—

- (1) by striking subsection (i); and
- (2) by redesignating subsection (j) as subsection (i).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House has before it H.R. 374, sponsored by our colleague, Congresswoman JAIME HERRERA BEUTLER of Washington.

This bipartisan, consensus-based legislation would permanently reauthorize the successful management of the Dungeness crab fisheries of Washington, Oregon, and California by these respective States. They have been doing so since 1980, and doing it well.

This permanent reauthorization is broadly supported by commercial and recreational fishing organizations. It is an example of the maxim: "If it ain't broke, don't try and fix it."

I might add that these three States manage these fisheries in both Federal and State waters, and the management is funded by the participating States—a relief to the Federal Treasury.

In the last Congress, the Congressional Budget Office estimated that an identical bill would save up to \$1 billion in discretionary Federal spending since State management would continue under this act. This bill is a win for the American taxpayer, a win for the seafood consumer, and a win for the three States involved.

I urge my colleagues to support this bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 374 would reward the States of California, Oregon, and Washington for their long legacy of successful cooperative management of the West Coast Dungeness crab fishery in Federal waters. These States have, with oversight from the National Oceanic and Atmospheric Administration, or NOAA, managed this fishery sustainably, and this bill would make that management arrangement permanent.

The specifics of the Dungeness crab fishery, including robust stock assessments, accurate catch reporting, and little conflict between commercial and recreational crabbers, make regional management a good choice. This is basically the opposite of a fishery like Gulf of Mexico red snapper, where there is a lack of cooperation among States and fishing sectors.

I agree with the goals of this legislation, and I ask my colleagues to stand with me in support.

Mr. Speaker, I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington (Ms. BEUTLER), the author of this legislation.

Ms. BEUTLER. Mr. Speaker, I rise in support of the West Coast Dungeness crab fishery agreement.

This successful, two-decades-old tristate Dungeness crab management agreement expired on September 30, 2016. This bill simply extends the working management authority between Washington, Oregon, and California and makes this arrangement permanent. A similar measure passed the House last year with flying colors.

For approximately two decades, these States have successfully overseen one of the most valuable fisheries in the Pacific Northwest. In 2014, fishermen delivered 53 million pounds of crab to market, totaling \$170 million. This economic activity helps support more than 60,000 jobs related to the seafood industry in Washington alone.

How has it maintained its success? The fishery has been managed in a sustainable, science-based way, and, importantly, it doesn't cost taxpayers a dime. If we do not renew this agreement, the National Oceanic and Atmospheric Administration, or NOAA, says its management of this fishery will cost taxpayers \$1.15 million per year.

Simply put, this bill maintains local control of a crucial resource and ensures sustainability of the Dungeness crab fishery, all while saving taxpayer dollars. This bill is the kind of commonsense policy that those folks I represent at home in southwest Washington expect to see out of Washington, D.C.

I want to thank Chairman BISHOP and the House Natural Resources staff for bringing this bill to the floor. Passage of this bipartisan bill gives fishermen and coastal communities on the West Coast peace of mind.

I urge the House to vote "yes" on this bill and to ensure a bright, sustainable economic future for coastal crab-dependent communities like Ilwaco, Washington, and many others on the West Coast.

Mr. SABLAN. Mr. Speaker, I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, I want to commend the sponsor and the cosponsors of this bill, Congressman DEFAZIO, Congressman KILMER, Congressman HUFFMAN, and many others that are supporting this legislation.

This is important in that it promotes regional management. Today, this pertains to the Dungeness crab, a species that is largely native to the West Coast. In this case, what this legislation does is provide for regional management. It provides for an opportunity for the States of Washington, Oregon, and California to manage this species.

The States are closer to the ground. They have closer, more intimate relationships with their fishers, and they can ensure that what is being done is

in the best interests of those folks, the best interests of the public that they are closer to, and the best interests of the recreational and commercial fishers that fish this species.

I think it is fantastic. As a matter of fact, Mr. Speaker, I think this exact model should be expanded. I think this exact model should be replicated not just in Washington, Oregon, and California; it should be replicated elsewhere, similar to how it is replicated for the Atlantic striped bass on the East Coast and the salmon in Alaska. This should be replicated to allow for States to be able to work together for regional management strategies to manage the species and to allow for more intimate, better public input to make sure that you have the appropriate balance between recreational and commercial fishers.

I, again, want to commend the sponsor of this bill, Ms. HERRERA BEUTLER, and all the cosponsors. This is exactly what we need to be doing. We need to be expanding upon this model around the coastal States of this country.

I urge adoption of this bill, I urge aggressive passage of this bill, and I urge the Senate to pass it as well.

Mr. SABLAN. Mr. Speaker, I urge adoption of H.R. 374, and I have no further speakers.

Mr. Speaker, I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 374.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. McCLINTOCK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1700

OCMULGEE MOUNDS NATIONAL HISTORICAL PARK BOUNDARY REVISION ACT OF 2017

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 538) to redesignate Ocmulgee National Monument in the State of Georgia and revise its boundary, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 538

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Ocmulgee Mounds National Historical Park Boundary Revision Act of 2017".

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term "map" means the map entitled "Ocmulgee National Monument Proposed Boundary Adjustment, numbered 363/125996", and dated January 2016.

(2) HISTORICAL PARK.—The term "Historical Park" means the Ocmulgee Mounds National Historical Park in the State of Georgia, as redesignated in section 3.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. OCMULGEE MOUNDS NATIONAL HISTORICAL PARK.

(a) REDESIGNATION.—Ocmulgee National Monument, established pursuant to the Act of June 14, 1934 (48 Stat. 958), shall be known and designated as "Ocmulgee Mounds National Historical Park".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to "Ocmulgee National Monument", other than in this Act, shall be deemed to be a reference to "Ocmulgee Mounds National Historical Park".

SEC. 4. BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Historical Park is revised to include approximately 2,100 acres, as generally depicted on the map.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service, the Department of the Interior.

SEC. 5. LAND ACQUISITION; NO BUFFER ZONES.

(a) LAND ACQUISITION.—The Secretary is authorized to acquire land and interests in land within the boundaries of the Historical Park by donation or exchange only (and in the case of an exchange, no payment may be made by the Secretary to any landowner). The Secretary may not acquire by condemnation any land or interest in land within the boundaries of the Historical Park. No private property or non-Federal public property shall be included within the boundaries of the newly expanded portion of the Historical Park under section 4(a) without the written consent of the owner of such property.

(b) NO BUFFER ZONES.—Nothing in this Act, the establishment of the Historical Park, or the management of the Historical Park shall be construed to create buffer zones outside of the Historical Park. That an activity or use can be seen or heard from within the Historical Park shall not preclude the conduct of that activity or use outside the Historical Park.

SEC. 6. ADMINISTRATION.

The Secretary shall administer any land acquired under section 5 as part of the Historical Park in accordance with applicable laws and regulations.

SEC. 7. OCMULGEE RIVER CORRIDOR SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—The Secretary shall conduct a special resource study of the Ocmulgee River corridor between the cities of Macon, Georgia, and Hawkinsville, Georgia, to determine—

(1) the national significance of the study area;

(2) the suitability and feasibility of adding lands in the study area to the National Park System; and

(3) the methods and means for the protection and interpretation of the study area by the National Park Service, other Federal, State, local government entities, affiliated federally recognized Indian tribes, or private or nonprofit organizations.

(b) **CRITERIA.**—The Secretary shall conduct the study authorized by this Act in accordance with section 100507 of title 54, United States Code.

(c) **RESULTS OF STUDY.**—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

- (1) the results of the study; and
- (2) any findings, conclusions, and recommendations of the Secretary.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from California (Mr. **MCCLINTOCK**) and the gentleman from the Northern Mariana Islands (Mr. **SABLAN**) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. **MCCLINTOCK**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The **SPEAKER pro tempore**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **MCCLINTOCK**. I yield myself such time as I may consume.

Mr. Speaker, the Ocmulgee Mounds are among the oldest archaeological sites in our country. The earthworks date back before 1000 A.D., and the site has evidence of human habitation dating back to the ice age, some 17,000 years ago. Between the 10th and 12th centuries A.D., the site was occupied by a sophisticated society that we know as the Macon Plateau culture, which built earthen mounds up to 55 feet in height, representing a distinct political and cultural society.

It is believed that Hernando de Soto recorded the site as the chiefdom of Ichisi in 1540. Just before the American Revolution, naturalist William Bartram marveled at “the wonderful remains of the power and grandeur of the ancients in this part of America.”

H.R. 538, introduced by the gentleman from Georgia (Mr. **BISHOP**), would redesignate the Ocmulgee National Monument in Georgia as the Ocmulgee Mounds National Historical Park and adjust the boundary of the historical park to include approximately 2,100 new acres to be acquired by donation or exchange only.

Additionally, the bill directs the Department of the Interior to conduct a special resource study to determine the feasibility of adding the Ocmulgee River corridor to the National Park System. The study will also examine the national significance of the site as well as the best methods and means for ensuring protection and interpretation of this area.

The bill was passed by voice vote in the House in the 114th Congress. I urge

my colleagues to vote in favor of its passage today.

Mr. Speaker, I reserve the balance of my time.

Mr. **SABLAN**. Mr. Speaker, I yield such time as he may consume to the sponsor of the bill, the gentleman from Georgia (Mr. **BISHOP**).

Mr. **BISHOP** of Georgia. Mr. Speaker, I rise in strong support of H.R. 538, the Ocmulgee Mounds National Historic Park Boundary Revision Act of 2017.

First, I thank the gentleman from the Northern Mariana Islands (Mr. **SABLAN**) for yielding. And I thank the coauthor of the legislation, the gentleman from Georgia (Mr. **AUSTIN SCOTT**), my friend and colleague. He has been a tireless advocate on behalf of this legislation, and we would not be here today without his help and his advice.

I also thank Chairman **ROB BISHOP** and Ranking Member **RAÚL GRIJALVA** from the full Committee on Natural Resources for their work in bringing this bill to the floor so early in the 115th Congress.

In the 114th Congress, Chairman **MCCLINTOCK** and Ranking Member **TSONGAS** of the Subcommittee on Federal Lands were very helpful as well, and I commend them and their staffs, especially **Terry Camp** and **Brandon Bragato**, for their efforts.

This legislation was approved last March by the full House of Representatives by voice vote. The Senate Committee on Energy and Natural Resources also approved a companion bill, but it was not considered by the full Senate prior to the adjournment of the 114th Congress.

Mr. Speaker, there are few, if any, historic sites in the United States that have evidence of continuous human habitation from so long ago when the first nomadic people came to North America to hunt ice age mammals and again to settle the Macon Plateau. It is what makes the Ocmulgee National Monument so unique. On its 702 acres, one can find archaeological evidence from these first nomads, the mound builders of the Mississippian Period, British traders of the late 17th century, as well as the Civil War period.

Our bipartisan legislation consists of three parts. First, it will expand the boundaries from approximately 702 acres to over 2,800 acres, providing protection to additional archaeological resources, linking two currently non-contiguous areas and improving the site's connection to the city of Macon, Georgia. Most of the land will be donated from nonprofit associations and government agencies. Property will also be acquired only from willing donors or willing sellers, subject to the availability of funding.

Second, the bill would change the name from Ocmulgee National Monument to Ocmulgee Mounds National Historic Park, which would increase

name recognition and draw additional visitors.

Finally, H.R. 538 would authorize a resources study to explore the possibility of expanding the park even further and include additional opportunities for hunting, camping, fishing, and other recreational activities.

The legislation enjoys widespread local support, including Macon mayor **Robert Reichert**, the Macon Chamber of Commerce, the Macon-Bibb Visitors Bureau, the Macon-Bibb Commission, the Macon-Bibb Economic Development Commission, the Ocmulgee National Park and Preserve Initiative, and the Inter-Tribal Council of the Five Civilized Tribes: Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole.

In short, I believe that H.R. 538 will strengthen the current Ocmulgee National Monument and bolster the economy and cultural life of Georgia and beyond. I urge my colleagues to support this legislation. I urge my colleagues to support the legislation and urge its passage.

Mr. **MCCLINTOCK**. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. **AUSTIN SCOTT**), the cosponsor of this legislation.

Mr. **AUSTIN SCOTT** of Georgia. Mr. Chairman, I thank the gentleman from Georgia (Mr. **BISHOP**). I know he has had a busy week, as I have, with his district being affected by the storms. I certainly want to take a second to thank America for their prayers and their support. It has been overwhelming. A tremendous number of churches have opened their doors, and there are volunteers out there helping people. I thank all who have participated.

Mr. Speaker, I rise today in strong support of H.R. 538, the Ocmulgee Mounds National Historical Park Boundary Revision Act of 2017. I am happy this legislation is being considered before the full House in this Congress. I am hopeful we can reach an agreement with the Senate to pass this legislation and have it signed into law.

For years, there has been a great effort to bring about increased recognition of the enhanced cultural preservation of the Ocmulgee National Monument. The Ocmulgee National Monument was originally authorized by Congress in 1934 to protect the Old Ocmulgee Fields, which includes a network of very well preserved Indian mounds of great historical importance. The history of the fields can be traced back to Native Americans who first came to the site during the Paleo-Indian period to hunt ice age mammals.

The park is unique in that it vividly displays the story of many stages of prehistoric cultural development, including the Mound Builder period and highlights the important role of agriculture in the region.

I am proud to represent this area of middle Georgia along with Congressman SANFORD BISHOP. Our offices have worked together, along with many regional community partners, to advance this goal.

By expanding the current Ocmulgee National Monument area from 700 acres to just over 2,000 acres and redesignating the area as a national historical park, the legislation will provide significant economic, educational, and cultural benefits to middle Georgia. Additionally, H.R. 538 will authorize a resources study for future further expansions and include increased opportunities for hunting, fishing, camping, and other recreational activities.

The expansion of the Ocmulgee National Monument area provides for critical preservation of additional archaeological locations throughout the Old Ocmulgee Fields. Because of its significant historical and archaeological importance, the future Ocmulgee Mounds National Historical Park must be preserved. The expanded park also will generate additional tourism in middle Georgia while educating visitors on the fascinating history of the many civilizations that have thrived in the region. It should be noted that the property in the proposed expansion area would be acquired only from willing donors or sellers, using private funds, and that no Federal dollars will be used to achieve the expansion.

I want to take this time to thank Chairman BISHOP and Ranking Member GRIJALVA as well as all members of the House Committee on Natural Resources for their work to bring this legislation to the floor today.

I want to close by noting that this legislation is a true example of what can be achieved when a local community, State leaders, and the Federal Government collaborate toward a worthy goal.

The Ocmulgee Mounds National Historical Park Boundary Revision Act was created from the ground up with many letters of support from the Macon-Bibb area and well over 3,000 comments from individuals and community groups in support of the expansion. Without this collaboration at every level, none of this would be possible.

I urge my colleagues to vote in favor of H.R. 538, the Ocmulgee Mounds National Historical Park Boundary Revision Act of 2017.

Mr. SABLAN. Mr. Speaker, I have no further speakers. I urge all of my colleagues for the adoption of H.R. 538.

I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend

the rules and pass the bill, H.R. 538, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MCCLINTOCK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

KENNESAW MOUNTAIN NATIONAL BATTLEFIELD PARK BOUNDARY ADJUSTMENT ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 558) to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Kennesaw Mountain National Battlefield Park Boundary Adjustment Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Kennesaw Mountain National Battlefield Park was authorized as a unit of the National Park System on June 26, 1935. Prior to 1935, parts of the park had been acquired and protected by Civil War veterans and the War Department.

(2) Kennesaw Mountain National Battlefield Park protects Kennesaw Mountain and Kolb’s Farm, which are battle sites along the route of General Sherman’s 1864 campaign to take Atlanta.

(3) Most of the park protects Confederate positions and strategy. The Wallis House is one of the few original structures remaining from the Battle of Kennesaw Mountain associated with Union positions and strategy.

(4) The Wallis House is strategically located next to a Union signal station at Harriston Hill.

SEC. 3. BOUNDARY ADJUSTMENT; LAND ACQUISITION; ADMINISTRATION.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Kennesaw Mountain National Battlefield Park is modified to include the approximately 8 acres identified as “Wallis House and Harriston Hill”, and generally depicted on the map titled “Kennesaw Mountain National Battlefield Park, Proposed Boundary Adjustment”, numbered 325/80,020, and dated February 2010.

(b) MAP.—The map referred to in subsection (a) shall be on file and available for inspection in the appropriate offices of the National Park Service.

(c) LAND ACQUISITION.—The Secretary of the Interior is authorized to acquire, from willing owners only, land or interests in land described in subsection (a) by donation or exchange.

(d) ADMINISTRATION OF ACQUIRED LANDS.—The Secretary of the Interior shall administer land and interests in land acquired under this section as part of the Kennesaw

Mountain National Battlefield Park in accordance with applicable laws and regulations.

(e) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Kennesaw Mountain National Battlefield Park without the written consent of the owner. This provision shall apply only to those portions of the Park added under subsection (a).

(f) NO USE OF CONDEMNATION.—The Secretary of the Interior may not acquire by condemnation any land or interests in land under this Act or for the purposes of this Act.

(g) NO BUFFER ZONE CREATED.—Nothing in this Act, the establishment of the Kennesaw Mountain National Battlefield Park, or the management plan for the Kennesaw Mountain National Battlefield Park shall be construed to create buffer zones outside of the Park. That activities or uses can be seen, heard, or detected from areas within the Kennesaw Mountain National Battlefield Park shall not preclude, limit, control, regulate or determine the conduct or management of activities or uses outside the Park.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. I yield myself such time as I may consume.

Mr. Speaker, H.R. 558, introduced by the gentleman from Georgia (Mr. LOUDERMILK), expands the boundary of the Kennesaw National Battlefield Park by authorizing the Secretary of the Interior to acquire approximately 8 acres of land by donation or exchange only. The expanded area includes the historic Wallis House and Harriston Hill.

The Wallis House is one of the few remaining structures associated with the Kennesaw Mountain Civil War battle, while Harriston Hill was strategically significant as the Union signal station.

The Battle of Kennesaw Mountain in June of 1864 was critical to the Union campaign to split the Confederacy, and although it was a tactical victory for the Confederates, it opened the way for the Union’s strategic victory of taking Atlanta. The sacrifices of more than 3,000 Union troops on Kennesaw Mountain made possible Sherman’s famous telegram to Lincoln 3 months later that “Atlanta is ours and fairly won.”

These battlefields remind succeeding generations of Americans of the price paid by so many for the preservation of our Constitution and the liberty it protects and the enormous responsibility

that each of us has to maintain and defend that same Constitution today. Nearly identical legislation passed the House by voice vote in the 114th Congress.

Mr. Speaker, I urge passage of the bill.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

This bill adjusts the boundary of the Kennesaw Mountain National Battlefield Park in Georgia to include two historically significant structures, the Wallis House and Kolb's Farm, and to assist in the preservation of the story of the Atlanta campaign. Additionally, the bill authorizes the National Park Service to acquire by donation approximately 8 acres that will be added to the Kennesaw National Battlefield Park.

The Civil War was a significant event in the history of this country and remains relevant as we grapple with the civil rights discussions today. The preservation of these sites reinforces Congress' dedication to equality and enables the National Park Service to interpret and tell our national story.

I thank the gentleman from Georgia (Mr. LOUDERMILK) for continuing to support the preservation of the history of this great country.

This bill passed the House last Congress by voice vote, and I encourage its swift adoption today.

Mr. Speaker, I reserve the balance of my time.

□ 1715

Mr. McCLINTOCK. Mr. Speaker, I yield such time as he may consume to the sponsor of this bill, the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Speaker, I rise in support of H.R. 558, a bill that will add valuable historic property to the Kennesaw Mountain National Battlefield Park, located right in the heart of Georgia's 11th Congressional District.

Our Nation has long recognized the importance of restoring historic sites, especially those battlefields where Americans fought and died for freedom. Places such as Kennesaw Mountain National Battlefield Park, where significant battles of America's Civil War took place, allow us to look back in time to get a glimpse of the events that shaped our Nation. It is extremely important that we understand our history; otherwise, we will be destined to repeat the mistakes of our past.

This bill, which passed the House unanimously last Congress, welcomes our next generation to engage in the eye-opening stories of our past. A recent study of American history education revealed that only 23 percent of college seniors could identify James Madison as the father of our Constitution; however, 98 percent of college graduates knew that Snoop Dogg was a rapper.

Mr. Speaker, it is now more important than ever to ensure that the generations following us have access to these historic sites and the educational opportunities they provide or we risk losing touch with our history. My bill simply allows Kennesaw Mountain National Battlefield Park to acquire two pieces of property, through donation, that will add to the historic and educational value of this historic battlefield.

One of the properties this bill will preserve is a home that was built in 1853 by Mr. Josiah Wallis. Mr. Wallis built this home for his family, but it was eventually used as a hospital by the Confederate Army during the Civil War. In 1864, the Wallis House fell into the hands of General William Sherman of the Union Army during his campaign to take Atlanta.

The house served as Sherman's headquarters during the Battle of Kolb's Farm, which was a resounding victory for the Union Army, but the victory was not without cost. When the smoke cleared, over 350 Union soldiers and over 1,000 Confederate soldiers lay dead.

Five days later, Union General Oliver Howard used the Wallis House as his headquarters and communications center during the Battle of Kennesaw Mountain, one of the bloodiest 1-day battles of the entire war. This was also the last major battle before Atlanta fell to Union forces.

While the assault by General Sherman was a tactical failure costing the lives of over 3,000 of his men, the battle also inflicted heavy losses on the Confederates. Having lost another 1,000 men, the Confederate Army could not stop General Sherman on his march to Atlanta.

Adjacent to the Wallis House is 8 acres of land known as Harriston Hill. This property offers a sweeping view of the valley leading to the Confederate line on top of Kennesaw Mountain and was used by the Union as signaling positions during the battle. This location is essential for park visitors to understand the strategic positions taken by the Union and Confederate flag Armies during the battle.

In addition to being critical sites in Civil War history, the Wallis House and Harriston Hill are two of the few original locations remaining from the Battle of Kennesaw Mountain associated with the Union Army. Most of the park's current attractions correspond with Confederate history, and these additions will prove to be major historical acquisitions that will enhance the value of the park and provide insight into the Union's side of the story.

In 2002, the Cobb County Government purchased the Wallis House and Harriston Hill to prevent the house from being demolished. Since then, the county has been seeking to transfer the property to the park. My bill simply

modifies the boundary of Kennesaw Mountain National Battlefield Park to include the house and the hill and authorizes the park to acquire the property by donation.

Along with the Cobb County Government, this land transfer is supported by the National Park Service, Kennesaw Mountain National Battlefield Park, and several park volunteer organizations and historical societies in my district.

This legislation is an essential step toward preserving our Nation's heritage and a valuable part of Civil War history. The Wallis House and Harriston Hill will provide tremendous educational and historical value to Kennesaw Mountain National Battlefield Park, and it is my hope that the park will quickly acquire this property and restore it to its original condition for visitors to enjoy for generations to come.

I urge my colleagues to support this bill.

Mr. SABLAN. Mr. Speaker, I have no further speakers, and I urge the adoption of the bill.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I urge the adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 558.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REQUEST TO CALL UP H.R. 724, STATUE OF LIBERTY VALUES ACT OF 2017

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent to bring up and consider H.R. 724, the Statue of Liberty Values Act of 2017.

The SPEAKER pro tempore. Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leaderships.

DELAWARE WATER GAP NATIONAL RECREATION AREA IMPROVEMENT ACT AMENDMENT

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 560) to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VEHICULAR ACCESS AND FEES.

Section 4 of the Delaware Water Gap National Recreation Area Improvement Act (Public Law 109-156) is amended to read as follows:

“SEC. 4. USE OF CERTAIN ROADS WITHIN THE RECREATION AREA.

“(a) IN GENERAL.—Except as otherwise provided in this section, Highway 209, a federally owned road within the boundaries of the Recreation Area, shall be closed to all commercial vehicles.

“(b) EXCEPTION FOR LOCAL BUSINESS USE.—Until September 30, 2021, subsection (a) shall not apply with respect to the use of commercial vehicles that have four or fewer axles and are—

“(1) owned and operated by a business physically located in—

“(A) the Recreation Area; or

“(B) one or more adjacent municipalities; or

“(2) necessary to provide services to businesses or persons located in—

“(A) the Recreation Area; or

“(B) one of more adjacent municipalities.

“(c) FEE.—The Secretary shall establish a fee and permit program for the use by commercial vehicles of Highway 209 under subsection (b). The program shall include an annual fee not to exceed \$200 per vehicle. All fees received under the program shall be set aside in a special account and be available, without further appropriation, to the Secretary for the administration and enforcement of the program, including registering vehicles, issuing permits and vehicle identification stickers, and personnel costs.

“(d) EXCEPTIONS.—The following vehicles may use Highway 209 and shall not be subject to a fee or permit requirement under subsection (c):

“(1) Local school buses.

“(2) Fire, ambulance, and other safety and emergency vehicles.

“(3) Commercial vehicles using Federal Road Route 209, from—

“(A) Milford to the Delaware River Bridge leading to U.S. Route 206 in New Jersey; and

“(B) mile 0 of Federal Road Route 209 to Pennsylvania State Route 2001.”

SEC. 2. DEFINITIONS.

Section 2 of the Delaware Water Gap National Recreation Area Improvement Act (Public Law 109-156) is amended—

(1) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(2) by inserting before paragraph (2) (as so redesignated by paragraph (1) of this section) the following:

“(1) ADJACENT MUNICIPALITIES.—The term ‘adjacent municipalities’ means Delaware Township, Dingman Township, Lehman Township, Matamoras Borough, Middle Smithfield Township, Milford Borough, Milford Township, Smithfield Township and Westfall Township, in Pennsylvania.”

SEC. 3. CONFORMING AMENDMENT.

Section 702 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentleman from the Northern Mariana

Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCLINTOCK. I yield myself such time as I may consume.

Mr. Speaker, H.R. 560, introduced by Congressman TOM MARINO, amends the Delaware Water Gap National Recreation Area Improvement Act to allow a highway through the national recreation area to continue to be used by small commercial vehicles that serve the local communities adjoining this federally designated land. It is entirely in keeping with one of our principal objectives for Federal land use policy: to restore the Federal Government as a good neighbor to the communities impacted by the Federal lands.

In 1981, a portion of highway 209 was transferred from the Commonwealth of Pennsylvania to the National Park Service. Two years later, Congress closed the National Park Service segment of highway 209 to commercial traffic except for commercial vehicular operations serving businesses or persons located in or contiguous to the boundaries of the recreation area. Congress also authorized the Park Service to collect and retain fees from commercial use of the road. A 10-year transition period was established to accommodate impacts on the surrounding communities until alternative trucking routes could be built. Congress later passed two additional extensions of the commercial vehicle permitting authority through September 30, 2015.

As the third extension permitting commercial vehicle use of highway 209 neared expiration, local elected officials requested that Congress enact legislation to permit access for smaller class commercial vehicles for businesses physically located in towns adjacent to highway 209. H.R. 560 provides for such an extension, establishes up a fee structure, and exempts certain vehicles from the fee, thus protecting residents of these communities from additional disruption and inconvenience.

Congressman MARINO should be commended for his efforts to resolve this vexing issue for his constituents.

A nearly identical version of this legislation passed the House by voice vote in the 114th Congress. I urge adoption of this bill.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

This bill, H.R. 560, amends the Delaware Water Gap National Recreation Area Improvement Act to extend a waiver for certain commercial traffic on U.S. Route 209, a federally owned highway that runs through the Delaware Water Gap National Recreation Area.

When Congress decided to restrict commercial traffic on the portion of the highway that runs through the recreation area, the law included an exemption for certain vehicles that belong to nearby businesses and municipal governments. This bill provides a 5-year extension of that exemption in order to facilitate continued access for local residents.

The National Park Service, which manages the area, supports the bill; and it passed the House, as my colleague from California mentioned, last year by voice vote. I urge my colleagues to support the adoption of this bill.

I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MARINO), the author of the measure.

Mr. MARINO. Mr. Speaker, I rise today in support of H.R. 560, my bill to reauthorize limited commercial vehicle traffic along Route 209 through the Delaware Water Gap National Recreation Area. Tomorrow marks 16 months during which uncertainty has reigned over this 21-mile stretch of road running through my district.

Over 30 years ago, the Commonwealth of Pennsylvania transferred Route 209, then a State road, to the National Park Service. As commercial vehicle traffic is banned on roads within our national parks, it would ultimately be restricted on this stretch of Route 209. But at that time, a 10-year exemption was made to support the local freight transport industry and because acceptable alternative routes were unavailable.

After multiple extensions, the most recent commercial vehicle authorization expired at the end of September 2015. To address the problem, county and township officials from the surrounding areas met with the National Park Service and my staff to negotiate a new plan. They recognized a continuing need to allow some commercial vehicles access and settled on the carefully crafted language we are considering today.

The work to produce this extension acknowledges the continued need of the employers, businesses, and homeowners in Pike and Monroe Counties. Unfortunately, although the House passed identical language in the 114th Congress and the Senate moved it to the floor, this important legislation failed to become law. The resulting uncertainty created hardship for families and businesses in the communities neighboring the Delaware Water Gap National Recreation Area.

The lack of access to this stretch of road has cast a cloud on a wide range of local businesses from heating fuel and package delivery to plumbers and electricians. Homeowners cannot access the services they need and countless jobs are in jeopardy. This is a critical piece of legislation for my constituents. We must pass it today and urge the Senate to act just as quickly.

I want to thank Chairman BISHOP and Federal Lands Subcommittee Chairman McCLINTOCK, and I want to thank my colleagues on the other side of the aisle for their support and work with my staff to bring this bill to the floor as quickly as possible.

I urge my colleagues to support it.

Mr. SABLAN. Mr. Speaker, I want to congratulate my colleague, Mr. MARINO, for his leadership and his effort in the introduction and efforts towards the hopeful passage of H.R. 560. I want to also thank my good friend from California for this afternoon's wonderful time managing these six bills.

I urge the passage of H.R. 560.

I yield back the balance of my time.

Mr. McCLINTOCK. I would just add that this and all the bills we heard today authored by both Republicans and Democrats, which passed this House in the last session, unanimously, were all stalled in the Senate. I would only express the hope that the Senate, this year, will act on these measures and do its duty as the coequal branch of the legislative department of this government.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 560.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 30, 2017, at 4:18 p.m.:

Appointments:
Board of Regents of the Smithsonian Institution.

Washington's Farewell Address.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

□ 1730

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

NANCY PELOSI,
DEMOCRATIC LEADER,
January 30, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 4(a) of House Resolution 5, 115th Congress, I am writing to reappoint the following member to the House Democracy Partnership:

The Honorable David Price of North Carolina, Ranking Member.

Thank you for your attention to this matter.

Best regards,

NANCY PELOSI,
Democratic Leader.

APPOINTMENT OF MEMBER TO BRITISH-AMERICAN INTER- PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2017, of the following Member on the part of the House to the British-American Interparliamentary Group:

Mr. CICILLINE, Rhode Island

APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2017, of the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. CONNOLLY, Virginia
Ms. FRANKEL, Florida

APPOINTMENT OF MEMBERS TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2017, of the following Members on the part of the House to the Commission on Security and Cooperation in Europe:

Mr. HASTINGS, Florida
Mr. COHEN, Tennessee

APPOINTMENT OF MEMBER TO THE JAPAN-UNITED STATES FRIENDSHIP COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 2903, and the order of the House of January 3, 2017, of the following Member on the part of the House to the Japan-United States Friendship Commission:

Mr. TAKANO, California

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 32 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.J. RES. 38, DISAPPROVING A RULE SUBMITTED BY THE DE- PARTMENT OF THE INTERIOR

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-6) on the resolution (H. Res. 70) providing for consideration of the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.J. RES. 41, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SECURITIES AND EXCHANGE COMMISSION, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 40, PROVIDING FOR CON- GRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SO- CIAL SECURITY ADMINISTRA- TION

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-7) on the resolution (H. Res. 71) providing for consideration of the joint resolution (H.J. Res. 41) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers", and providing for consideration of the joint resolution

(H.J. Res. 40) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007, which was referred to the House Calendar and ordered to be printed.

**ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 374, by the yeas and nays;

H.R. 538, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

**DUNGENESS CRAB FISHERY MAN-
AGEMENT SUNSET PROVISION
REMOVAL**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 374) to remove the sunset provision of section 203 of Public Law 105-384, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 388, nays 0, not voting 44, as follows:

[Roll No. 66]

YEAS—388

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodel
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.

Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Cicilline
Clarke (NY)
Clay
Clyburn
Coffman

Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier

Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Espallat
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hudson
Huffman
Hultgren
Hunter
Hurd
Issa
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Knight

Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsock
Lofgren
Long
Loudermill
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Raskin
Ratcliffe
Reed
Reichert
Rice (NY)

Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Lynch
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman

Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
NOT VOTING—44
Blackburn
Butterfield
Chu, Judy
Clark (MA)
Cleaver
Costa
Davis (CA)
DeFazio
Demings
DesJarlais
Ellison
Gallego
Green, Al
Grijalva
Gutiérrez
Hoyer
Huizenga
Jackson Lee
Johnson (GA)
Johnson (LA)
Kinzinger
Krishnamoorthi
Langevin
Lawson (FL)
Marchant
Meeks
Meng
Mulvaney
Nadler
Napolitano
Pelosi
Pocan
Price, Tom (GA)
Quigley
Renacci
Rush
Ryan (OH)
Sewell (AL)
Slaughter
Tiberi
Titus
Tonko
Velázquez
Zinke

□ 1850

Messrs. ENGEL, DOGGETT, and Ms. WASSERMAN SCHULTZ changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TONKO. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 66.

Mrs. NAPOLITANO. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 66.

Mr. KRISHNAMOORTHY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 66.

Mr. LANGEVIN. Mr. Speaker, on rollcall vote No. 66, I was unavoidably detained. Had I been present, I would have voted "yea."

Mrs. DAVIS of California. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 66.

**OCMULGEE MOUNDS NATIONAL
HISTORICAL PARK BOUNDARY
REVISION ACT OF 2017**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 538) to redesignate Ocmulgee National Monument in the State of Georgia and revise its boundary, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, as amended. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 8, not voting 28, as follows:

[Roll No. 67]

YEAS—396

Abraham
Adams
Aderholt
Aguilar
Allen
Amodel
Arrington
Babin
Banks (IN)
Barletta
Barr
Barragán

Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Cicilline
Clarke (NY)
Clay
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Curbeo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
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DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy

Duncan (SC)
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Green, Gene
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Hice, Jody B.
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Roby
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Rohrabacher
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Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
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Ross
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Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
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Sherman
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Schultz
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Johnson (LA)
Kinzinger
Marchant
Meng
Messer
Mulvaney
Pocan
Price, Tom (GA)

Sanford
Smith (NE)

□ 1900

Mr. SANFORD changed his vote from "yea" to "nay."
So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes:
1. H.R. 374, To remove the sunset provision of section 203 of Public Law 105-384, and for other purposes. Had I been present, I would have voted "yes" on this bill.
2. H.R. 538, Ocmulgee Mounds National Historical Park Boundary Revision Act of 2017, as amended. Had I been present, I would have voted "yes" on this bill.

PERSONAL EXPLANATION

Mr. KINZINGER. Mr. Speaker, for today's vote series, I was unavoidably detained. Had I been present, I would have voted "aye" on rollcall 66 and rollcall 67.

PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 66 (motion to suspend the rules and pass, as amended, H.R. 374), and 67 (motion to suspend the rules and pass, as amended, H.R. 538) I did not cast my vote. Had I been present, I would have voted "yea" on both of the votes.

□ 1900

OBJECTING TO THE ADMINISTRATION'S EXECUTIVE ORDER SUSPENDING VISAS AND THE U.S. REFUGEE ADMISSIONS PROGRAM

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to object to the administration's recent executive order suspending the U.S. Refugee Admissions Program and visas from certain countries in the Middle East and east Africa. Protecting our national security, of course, must always be our number one priority.

This executive order, however, Mr. Speaker, does not focus on the precise challenges that we face. We can keep our homeland safe by immediately implementing more thorough screening procedures rather than pursuing this broad brush approach.

Although this measure is temporary and some individuals will continue to be admitted on a case-by-case basis, Congress needs to work to ensure that this order does not apply to U.S. residents, does not apply to those who have already been issued a visa, or does not apply to those who have already been granted refugee status.

I urge the administration to work with Congress and Federal agencies to find a measured plan that protects our national security, honors our existing commitments, and follows the letter and spirit of the law.

EXECUTIVE ORDER ON REFUGEES

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I believe that we live in the greatest country on Earth, and I am proud to say so. But I have to say that last week's executive order by President Trump on refugee resettlement is shaking that faith.

How can we hold ourselves as a beacon of hope when we turn away tens of thousands of the most desperate and vulnerable of our men, women, and children of this planet? How can we be the light of the world when our policies are driven by darkness and fear?

I am going to keep that light alive. I am going to fight to keep it that way because that is what we are, that is what we represent. I am going to fight because I still believe that we are that shining city on the hill. And I am going to fight for my State of Rhode Island, which was founded on the principle of free religious practice, not fear of the other. I am going to fight against injustice with my amazing constituents who joined together for the second weekend in a row of rallying at our State House to keep that light alive.

Mr. Speaker, we are a strong country, but we are strong because of our values and our principles embodied in our Constitution. Let's continue to build that shining city on the hill for the world. I am going to continue this fight, and I hope my colleagues will, too.

ACCESS TO INPATIENT REHABILITATION THERAPY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, before coming to Congress, I worked as a certified therapeutic recreation specialist and rehab services manager. There is no greater joy in the health profession than to see your patient make progress after a debilitating disease or disability.

I rise today to speak about how we can allow more patients the ability to live full and healthy lives through therapy. Last week, with Congressman G.K. BUTTERFIELD of North Carolina, I reintroduced the Access to Inpatient Rehabilitation Therapy Act. This bill would allow physicians to prescribe what they consider to be most medically necessary treatments for Medicare beneficiaries within the comprehensive inpatient rehab setting.

In 2010, Medicare narrowed its coverage options and limited therapeutic services to just physical therapy, occupational therapy, speech therapy, and orthotics and prosthetics. Meaning that if a doctor thought that a patient would be served by recreational therapy, it is currently not an option covered by Medicare. Well, that is wrong. Medicare coverage should support a patient's recovery plan as directed by their physician. Such therapies are intended to help those who have suffered a life-altering injury recover their functions and transition back to living a full life.

I urge my colleagues to support this bipartisan commonsense bill.

EXECUTIVE ORDER AGAINST LEGAL IMMIGRATION

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute.)

Mr. KRISHNAMOORTHY. Mr. Speaker, I rise in strong opposition to President Trump's executive order against legal immigration.

I was sworn to uphold the Constitution and I was elected to grow our economy and help unify our country.

Unfortunately, this order is an assault on the Constitution, it harms the economy by harming working families, and it divides the country.

On Saturday night, I went to O'Hare International Airport to help American, legal permanent residents be

freed from detention. They are people integral to the success of our community and our economy.

I ask my honorable Republican colleagues to stand with them and oppose the executive order.

RECOGNITION OF THE ASIAN PACIFIC DEVELOPMENT CENTER

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, it is my honor today to recognize the Asian Pacific Development Center, a community-based nonprofit organization, which has been serving the Asian American and Pacific Islander communities in the State of Colorado for over 35 years. Their commitment to service is truly an inspiration for all Coloradans.

The Asian Pacific Development Center guides itself by its founding mission, which is to advance the well-being of Asian American and Pacific Islander communities of Colorado by providing culturally appropriate and integrated behavioral, medical, and related services. By adhering to such a noble purpose, the Asian Pacific Development Center is able to provide crucial services in native languages with a cultural understanding.

Originally founded in 1980 by Dr. Rudy Lie, and currently headed by Ms. Chris Wanifuchi, I am proud of just how important the Asian Pacific Development Center is to our community. I look forward to working with them in the many more years of service to come.

PRESIDENT TRUMP'S EXECUTIVE ORDER SHOULD BE OVERTURNED

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, one of the reasons people across the country are outraged by the executive order issued by the administration this weekend is the impact it has on people who worked for the United States, putting their lives at risk. I spent 10 years on a bipartisan effort for the Special Immigrant Visa program, and with a stroke of the pen, these people have been denied.

On page A10 of The Washington Post, there is detailed the Sharef family where the husband had worked as an interpreter for United States soldiers. His life is at risk in Iraq. He worked 2 years to be able to get the visa. He sold his business, sold his home. His family was on a plane ready to come, and they were turned back to Iraq, turned back to danger. And we are turning our back on people who risk their lives to help Americans.

It is outrageous, it is immoral, and it is going to hurt America in the future. Who is going to help us overseas in the future if we are not dependable allies?

This outrageous order should be overturned and everyone, Republican and Democrat alike, should raise their voice in outrage.

PRESIDENT TRUMP'S IMMIGRATION BAN

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, Donald Trump has stained the American Presidency with his unAmerican values.

His Muslim ban has caused the suffering of countless families seeking the American promise of a better life, and it has put the safety of the American people at risk by providing fodder for extremist groups who wish to do us harm.

I condemn this ban and the unfit President behind it. I ask my Republican colleagues who have stood by and said nothing: How can you remain silent?

The American people are sending a clear message that they will not remain silent. I have received a large volume of calls from constituents in opposition to the Muslim ban. It is unfortunate that these calls are necessary, but I am glad the American people are paying attention and are committed to holding this administration accountable.

I want to add that hundreds of Syrian refugees have settled in New Jersey. Many have settled in Jersey City, which is part of my district, and I am proud to be their Member of Congress. These refugees have escaped chaos at home and went through a rigorous screening process before entering the United States. They are respectful of America's values. The same cannot be said of this President.

The SPEAKER pro tempore (Mr. FRANCIS ROONEY of Florida). Members are reminded to refrain from engaging in personalities toward the President.

□ 1915

ALTERNATIVE FACTS

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, this is a time I never thought I would experience. I am a proud Member of the United States Congress, and I proudly took my oath to support the Constitution. In the last 10 days, we have seen alternative facts stated as something that has become part of America—right out of "1984."

This executive order, the administration says, is not directed to Muslims;

yet it has a waiver for Christians and other minorities, which means it is directed at Muslims. It is unbelievable that they can put something on paper and then tell you not to believe what is on paper. This is a violation of the First Amendment; it is a violation of everything America is known for in its not discriminating on the basis of religion; and it is a shame that we have come to alternative facts, alternative Constitutions, and alternative mindsets.

God bless the United States, and God save the United States.

COMMUNICATION FROM THE HONORABLE ELIJAH E. CUMMINGS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable ELIJAH E. CUMMINGS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that we have been served with a subpoena for documents, issued by the District Court for the District of Maryland in Benisek v Lamone.

After consultation with the Office of General Counsel, we have determined that compliance with the subpoena will be consistent with the privileges and rights of the House.

Sincerely,

ELIJAH E. CUMMINGS,
Member of Congress.

COMMUNICATION FROM THE HONORABLE STENY H. HOYER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable STENY H. HOYER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a witness subpoena for documents, issued by the District Court for the District of Maryland in Benisek v Lamone.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena will be consistent with the privileges and rights of the House.

Sincerely,

STENY H. HOYER.

COMMUNICATION FROM THE HONORABLE C.A. DUTCH RUPPERSBERGER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable C.A.

DUTCH RUPPERSBERGER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that we have been served with a subpoena for documents, issued by the District Court for the District of Maryland in Benisek v Lamone.

After consultation with the Office of General Counsel, we have determined that compliance with the subpoena will be consistent with the privileges and rights of the House.

Sincerely,

C.A. DUTCH RUPPERSBERGER,
Member of Congress.

COMMUNICATION FROM THE HONORABLE JOHN P. SARBANES, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN P. SARBANES, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that we have been served with a subpoena for documents, issued by the District Court for the District of Maryland in Benisek v Lamone.

After consultation with the Office of General Counsel, we have determined that compliance with the subpoena will be consistent with the privileges and rights of the House.

Sincerely,

JOHN P. SARBANES,
Member of Congress.

CONGRESSIONAL BLACK CAUCUS: VOTER SUPPRESSION AND MUSLIM BAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. VEASEY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. VEASEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VEASEY. Mr. Speaker, this was a sad week for our country. We saw anger, despair, and chaos at American airports when people from all different types of backgrounds from the Middle East were banned from coming into the United States. We had individuals who

were green card holders who were denied entry into the United States. We had individuals who were interpreters for our United States military, who kept them safe in the Middle East, who were denied the right to come into the country. It was a sad day in our country's history.

This past weekend, I took my son to an exhibit at one of the synagogues in Fort Worth, Texas, where I live. It was an exhibit on Jews in baseball. There was a picture of Hank Greenberg and Joe DiMaggio. Joe DiMaggio, an American lexicon, is about as American as you get; but, in looking at the exhibit and at the caption that was next to it, it read, while Joe DiMaggio was fighting for our country in World War II, the United States Government listed his parents as "enemy aliens." In revisiting that sort of sad chapter in our history, when individuals were treated that way in our country, I think it is very sad, Mr. Speaker.

We have a lot of Members who would like to express their discontent at what happened. I yield to our chair, Mr. CEDRIC RICHMOND, from the State of Louisiana, to come and address us because what we have to talk about tonight is very serious.

Mr. RICHMOND. I thank Congressman VEASEY for the work that he does in representing Fort Worth, Texas.

Mr. Speaker, it is a privilege and an honor to be the chairman of the Congressional Black Caucus in that we represent almost 80 million Americans, 17 million of whom are African American; but the real reason is that it is a talented group of 49 people, and we are going to need each and every one of them to keep track of this rapid, schizophrenic style of governing that we are dealing with. I will just talk about the two most egregious things from this past week, which are the allegations of voter fraud and his nomination of a person to run the Civil Rights Division of the Department of Justice and his unconstitutional ban on Muslims.

Since 2010, 20 States have restricted voting rights by enacting discriminatory voter ID and proof of citizenship laws, illegally purging thousands of proper voters from the rolls, cutting back early voting, limiting voter registration, and engaging in other suppressive tactics. These laws were put in place to combat the notion of voter fraud despite the fact that there is no evidence of widespread voter fraud in the United States.

More than a dozen recent investigations and studies all show voter fraud to be virtually nonexistent. A 2014 Washington Post investigation found 31 incidents of voter fraud in the more than 1 billion ballots that were cast in elections at all levels of government from 2000 to 2014. Of the more than 137 million ballots cast in the 2016 election, election and law enforcement officials in all 50 States have yet to report

any indications of widespread voter fraud.

But, if there is no evidence of widespread voter fraud, what reason could anyone have, including the President, for this claim? The truth is that Republicans have used the voter fraud lie to restrict voting rights for years. Voter ID laws have been sponsored by Republicans and have been passed overwhelmingly by Republican legislatures.

Richard Posner, a conservative U.S. circuit court judge appointed by President Reagan, has called the concerns about voter fraud a mere fig leaf that is intended to justify laws that appear to be aimed at limiting voting by minorities, especially Blacks. In July 2016, a U.S. circuit court struck down North Carolina's law, calling it the most restrictive voting law North Carolina has seen since the era of Jim Crow. The judges charged that Republican lawmakers had targeted African Americans with almost surgical precision.

Let me just turn very briefly to the President's ill-advised, unconstitutional executive order that purportedly promotes national security. Keeping America safe is a top priority for all of us, but this order is wrong. It is wrong because it makes us less safe, and it is wrong because it goes against our American values. This is the latest in President Trump's series of actions that shows that his number one priority is short-term shows of intolerance instead of the long-term security of the American people.

Actions by the Oval Office directly affect people's lives. When the President is making policy up on the fly, it has real harmful consequences in the lives of everyday Americans. The fact that the Secretary of Homeland Security—a committee in Congress on which I serve—was not included in discussions about implementing the executive order, even though this Department is in charge of its implementation, is clear evidence of a broken system. Shutting out the mothers, children, fathers, and families who are fleeing the same violence that we fight against is exactly what ISIS and similar groups want us to do, and it only strengthens their hands. This haphazard order does nothing to keep Americans safe. In fact, it hurts our efforts to fight against terrorism.

Let me just say, Mr. Speaker, to my colleague from Texas that the President of the United States, when addressing Liberty University, cited "2 Corinthians," while most church-going people in the country would say "Second Corinthians." He cited 2 Corinthians 2:17, which reads, wherever the Lord is, there is liberty and freedom, but there can't be liberty and freedom without meaningful access to the voting polls. He didn't need to get to chapter 3. He really could have just stopped at the first few paragraphs of the Sec-

ond Corinthians, which read: "Blessed be the God and Father of our Lord Jesus Christ . . . who comforts us in our tribulation, that we may be able to comfort those who are in any trouble."

The question becomes: Why go to Liberty University and offer your Christian values?

It always talks about the least of these in the Bible and what we are doing to help others and to do unto others as you would have them do unto you so that, as soon as mothers and children and families are fleeing persecution and certain death, we put a wall up around our country, shut down our airports, and say: We don't care what trouble you are in. You just can't come here.

That goes against everything that this country was founded on. It goes against my Christian values, and it goes against any purported Christian values of anyone's in these United States of America.

Mr. VEASEY. I thank the chairman for his comments.

Mr. Speaker, I did not mention that we are also talking about voting rights, which is very important on the eve of the President making the selection for the next Supreme Court Justice of the United States.

I know, with Representative PLASKETT's representing the Virgin Islands and understanding the importance of voting rights, that that is very significant. I yield to the gentlewoman and thank her for being a voice in terms of refugees, immigration rights, and on the very important issue of voting rights.

Ms. PLASKETT. I thank Mr. VEASEY.

Mr. Speaker, I thank the chair of the Congressional Black Caucus, my friend and colleague, the Honorable CEDRIC RICHMOND, for his continued leadership of this caucus and of his leadership on the issues impacting Black America and other minority communities across this great Nation.

Indeed, this evening, we are discussing not only minorities in this country, but those who are downtrodden and other individuals around the world who look to America for refuge, strength, and democracy.

□ 1930

I also thank my colleague, the Honorable MARC VEASEY of Fort Worth, Texas, for joining me in chairing this evening's Special Order hour, and also my Congressional Black Caucus colleagues who are joining us this evening to speak on these important issues.

Mr. Speaker, we are here tonight to speak to those two very important issues that go to the fabric of our founding: our ability to grow, diversify as a Nation, by bringing in the tired and the poor, the innovators, the ones who bring new changes to this country, and continue its dynamic growth, as well as voting rights.

Last week, President Trump—among a number of other things—expressed unsubstantiated claims of widespread voter fraud in the 2016 Presidential election. The remarks that we heard would appear to be inaccurate, reckless, and dangerous to our democracy in some of our opinions.

Mr. Speaker, my colleagues and I are here this evening to highlight the real voter fraud in this country, and that is the continued attempts to suppress minority voting rights across many States as well as the outright denial of the right to vote for millions of Americans living in the territories.

I want to underscore that the fight for equal voting rights for minorities in this country did not end with the passage of the Voting Rights Act.

In fact, today, more than 50 years after our esteemed colleague JOHN LEWIS and others courageously marched on Selma, we have seen the United States Supreme Court strike down one of its most important protections.

Within hours of that decision, States were already moving forward with restrictive voter ID laws, which had already been rejected as discriminatory under the Voting Rights Act.

Six of the 16 States that passed voter ID laws since 2010 have a documented history of discriminating against minority voters.

The State of Alabama, in 2014, began enforcing a controversial voter ID law that required voters to show a State-issued ID in order to vote, and then announced plans to close 31 driver's license offices—most of them, ironically, in rural, impoverished, majority Black counties—making it even harder for residents to get the most common form of ID used to vote.

In addition to the Supreme Court's action, a Federal Court in a 2015 ruling used a racist, century-old opinion of the Supreme Court to uphold the denial of voting rights to American citizens in my home district of the United States Virgin Islands, and the citizens and residents of America's island territories.

They are called the insular cases, and the opinion was authored, ironically, by the same justice who wrote *Plessy v. Ferguson*.

March marks 100 years that my district has been a part of this country, but our service dates back to its very founding through the Virgin Islander and Founding Father Alexander Hamilton. He would be, I think, very upset to find out that people from the island in which he came could not vote for their President and Commander in Chief, even though the Virgin Islands and the territories have the highest rates of military service in the United States and have exponentially higher rates of casualties per capita in the wars in Afghanistan and Iraq. We believe we have earned the right to take part in this democracy.

In another example, last year, a Federal appeals court decisively struck down a North Carolina voter identification law and noted its provisions deliberately “target African Americans with almost surgical precision.” That is a quote of the court in an effort to depress Black turnout at the polls. That, to me, sounds like voter fraud and voter suppression.

Mr. Speaker, these are just a few examples of the real voter fraud happening across this country.

The members of this caucus continue to work to ensure that all American citizens, regardless of their race, income or location, can participate in this great democracy; and we implore the President to direct his efforts to investigate voter fraud at these and other issues.

We want to, as the Congressional Black Caucus, address another issue, because we don't just represent African Americans or minorities here in this country. We want to address an issue that is of great concern to me and members of this caucus—and as demonstrated by massive protests this weekend and right across the street here this evening at the Supreme Court—the concern of a large majority of America, and that is the President's executive order to ban refugees entering into this country.

Banning entry to people fleeing persecution is perhaps as diametrically opposed to the foundational fabric of this country as you can get.

Mr. Speaker, not only is the President's refugee ban mean-spirited and misguided, it undermines our democracy, undermines our efforts to thwart terrorism, and is an affront to all who have sacrificed to defend it.

Viewing all refugees fleeing as suspects shows an extremely myopic understanding of the real threats and plays to extremist propaganda.

The refugee ban will not make us safe. It would have done nothing to prevent the 9/11 terrorist attacks, nor the others that followed. The terrorists of those attacks were American citizens, some of whom were even on the terrorist watch list and still allowed to legally purchase deadly weapons used to carry out their terrorist plot.

If this President and Congress want to protect the American people from terrorism, they should pass the no fly, no buy legislation that House Democrats stood to support.

Mr. Speaker, there are many of my colleagues here this evening who would love to speak on this issue.

Mr. VEASEY. Mr. Speaker, I yield to the gentlewoman from the Garden State of New Jersey, Mrs. BONNIE WATSON COLEMAN, who will speak to this House on the issues that the Congressional Black Caucus is taking up this evening.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentleman.

In his first full week as President, Donald Trump continued to make a mockery of the ideas upon which our Nation was founded. In addition, his de facto Muslim ban is contrary to the national security interests of the United States. His actions are not only discriminatory and bigoted, but also reckless, dangerous, and counterproductive to any authentic effort to defeat terrorism.

As a member of the House Homeland Security Committee, I am concerned this will only serve to stoke anti-American sentiment across the globe, including our international partners committed to eradicating global terror threats.

My colleagues have outlined the ways in which men and women they represent have been impacted at this present moment, and highlight the uncertainty that those constituents feel about the future. But we cannot forget those who have come to this country in pursuit of the future that the American Dream has promised.

Close to 17,000 students from the seven affected countries attend U.S. colleges and universities. The 12th District of New Jersey represents these men and women, both young and old, at a multitude of 2-year, 4-year, and technical institutions.

The President of Princeton University—one of the most revered institutions in the world, housed in the heart of my district—released a statement concerned that the success of Princeton and many other institutions of higher education across this Nation depend on America's ability to attract and engage with talented people from around the world.

Rutgers University, the flagship public university in my State, has students, researchers, and professors from all seven countries on Trump's barred entry list who are currently traveling outside of this country. The impact on university personnel was felt most immediately after the executive order went into effect.

Two Iranian nationals who are associate professors at the University of Massachusetts at Dartmouth were detained Saturday upon arrival at Boston Logan International Airport. Today I talked with university officials in my district who have faculty members that need to return home in order to renew visas, but are afraid to leave. At another college, one-fourth of their applicants come from the countries that are impacted by this ban.

A constituent in East Brunswick, who is a non-Syrian political refugee, sits in limbo as only one of her four minor children passed through our already thorough and extensive processing and was approved for a visa. USCIS put a hold on the process of the remaining three due to lack of communication and direction and understanding from this travel ban.

By feeding off of fear, hatred, and bigotry, this administration's incendiary Muslim ban has created confusion, disruption, and chaos that is rippling around the world.

As our Federal agencies and international partners seek to understand and combat this meritless policy, I call on the House Oversight and Government Reform Committee, on which I sit, to hold an immediate hearing with leadership at the Department of Homeland Security to review concerning reports about the crafting and execution of this President's order.

I also requested that the House Homeland Security Committee, which I also serve on, to move up its February 7 hearing on this issue so that we may urgently address the national security implications of this administration's actions.

In short, Mr. Speaker, this is the United States of America. We respect diversity because this is a nation founded and made great because of immigrants. We are not going to stand by and allow President Trump, with his un-American ideals, to push forward on American policies. Understand that we will resist at every turn.

Mr. VEASEY. I thank the gentlewoman from New Jersey for her comments.

Now I would like to yield to the gentlewoman from the State of Illinois (Ms. KELLY). I thank Ms. KELLY for all of her work on so many issues that are important. I know that voting rights is particularly important to her with her representing the Chicago suburbs and the city of Chicago itself.

Ms. KELLY of Illinois. I thank Congressman VEASEY and Congresswoman PLASKETT for holding tonight's CBC Special Order hour.

With so much going on in our Nation right now, it is important that all Americans take seriously our responsibility to be guardians of our democracy. We owe it to those who came before us and those who will be here long after us to keep this democracy and its values moving forward, and reject the rhetoric and policies that take us backwards.

I was reminded of this just a week ago when over 3 million Americans of all ages, races, and religions, marched for women's rights, justice, and equal rights. Three million, a powerful resistance to concerning policies that we are seeing come out of the White House.

Just last night I was with scores of activists and families at Chicago's O'Hare International Airport, protesting President Trump's executive action barring refugees from entering the United States.

I wish that things hadn't come to this. It is a tragedy that these United States, the shining beacon of democracy around the world, the land that welcomes the tired, the poor, and the huddled masses has witnessed a President in his first week in office attempt

to strip away our values as an inclusive democracy with an unconstitutional executive order and Muslim ban.

Our Constitution, our laws, our democracy is what we must hold dear as Americans. We must be wholly intolerant of those who seek to pervert our Constitution. We must not tread on our democratic values.

As part of tonight's conversation is protecting voter rights, I am reminded that the past Presidential election brought with it evidence of election hacking and cries of illegal voting.

For the first time in the history of this Nation, we are seeing a President who is intolerably obsessed with his failure to receive the popular vote.

Many of the families that I hear from find this obsession unbecoming of a student council president in Kankakee, where I represent, let alone the President of the United States.

Without evidence, President Trump continues to claim that 3 million illegal votes in California and New York cost him the popular vote. Three million people, the number by which Hillary Clinton won the popular vote. I hardly find that to be a coincidence.

Mr. Speaker, the election is over. The bunting and ribbons have been cleaned up. It is time to govern. A continued relitigation of the election based on unfounded and divisive claims of further fraud divides our Nation further.

Mr. VEASEY. Mr. Speaker, I thank the gentlewoman from Illinois.

I am now going to call someone who also has a really good understanding of civil rights, voting rights in the State of Virginia, but then also the plight of immigrants and has a deep level of empathy because the other part of his State is very much a diverse State with people made up from various parts of the world.

I yield to the gentleman representing the Fourth Congressional District of Virginia, Representative DONALD MCEACHIN.

Mr. MCEACHIN. Mr. Speaker, I thank the gentleman for yielding. I thank the gentleman as well as the gentlewoman for leading tonight's conversation about so many issues that are important to the American people.

Mr. Speaker, the President's baseless executive order on immigration has hurt this country. It has hurt this country to the extent that it has made us less safe, and it has hurt this country to the extent that it goes against our values as a nation. Our Constitution says that we will not favor any religion over another, yet the President has instituted a religious test for entry in this country just 1 week after his inauguration.

Mr. Speaker, this is a travesty. This rule has inconvenienced travel back to America over the weekend for any number of permanent residents and those of all backgrounds who serve our country. I know this because it has ac-

tually impacted citizens of the Fourth Congressional District.

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Mr. Speaker, I have a constituent who has been a permanent resident for 20 years. He had visited his family in Cairo and was on his way back to Virginia when he was turned around. He was actually sent to Qatar, Mr. Speaker, where he has no connections, where he has no business. He was just sent there because he was denied entry back home.

Mr. Speaker, my congressional staff worked around the clock, along with his employer, to get him back home and, thanks be to God, he is, indeed, home. But, Mr. Speaker, this is unacceptable, and it cannot go on.

I can't help but think of Leviticus chapter 19, verse 34, where we are reminded, Mr. Speaker, to treat the foreigner in our midst as if he was one of our own.

Mr. Speaker, the President's order does not do this. It is an offense to all Americans. It is an offense to the Judeo-Christian ethic. Mr. Speaker, it cannot be allowed to stand, and I will work every day, along with my colleagues in the CBC and other like-minded individuals in this Congress, to reverse this order.

Mr. VEASEY. I thank the gentleman for sharing that story about his constituent. Again, it is such a terrible and shameful time for our country, for the world to have seen that.

Mr. Speaker, I yield to the gentleman from Columbus, Ohio (Mrs. BEATTY).

Mrs. BEATTY. I thank the gentleman, my classmate and colleague, Congressman VEASEY. And to my colleague, Congresswoman STACY PLASKETT, thank you for convening tonight's Special Order for the Congressional Black Caucus.

Mr. Speaker, we are here for two topics tonight, and you will see many of us come and talk about these topics.

So to my colleagues, let me just cut my message short and say that we are here because we all witnessed, over the weekend, President Trump's latest executive order barring immigrants, refugees, and legal permanent residents from seven Muslim-majority countries. This has set off a protest across the Nation.

I was so proud that I was able to stand in my Third Congressional District with families and individuals protesting his unilateral move that is not making us safe. It flies in the face of the values and the freedoms enshrined in our Constitution.

Mr. Speaker, I am here because we had individuals in my district who were held in the New York airport, while many others weren't freed like they were. That is why I will continue to stand up to President Trump and stand with my people.

We are also here tonight to respond to another unsubstantiated but extremely dangerous claim made by President Trump. We know that last week he doubled down on his assertion that he would have ". . . won the popular vote," Mr. Speaker, "if you deduct the millions of people who voted illegally."

Obviously not satisfied with winning the Electoral College, Trump continues to focus on defending his national popular vote loss of almost 3 million votes. He now believes, without any evidence to support his claim, that 3 to 5 million people voted fraudulently in the 2016 election.

While this was par for the course for the Trump campaign, but now that he is in the White House, Mr. Speaker, he intends to make this voter fraud untruth the subject of an actual government investigation mandated by a soon-to-be executive order, wasting untold amounts of taxpayer dollars.

Well, when the Congressional Black Caucus hears people using terms like "voter fraud," "illegally voted," and "strengthening up voting procedures," we read between the lines; and that is why we are here tonight to stand up against voter fraud that he is saying, because we know it is voter suppression.

Mr. VEASEY. I thank the gentlewoman from Ohio, a State that knows a lot about voter suppression, also a very international State.

Mr. Speaker, I yield to the gentlewoman from California (Ms. BASS) representing Los Angeles, one of our most international cities in the world that I am sure was impacted very greatly by what happened at airports this weekend.

Ms. BASS. Mr. Speaker, I thank the gentleman for his leadership tonight, and also Representative PLASKETT.

Let me share with you, especially Representative PLASKETT, that on my first day here 7 years ago, one of the first things that happened was a motion on the floor to further deny the right to vote for Representatives from the territories. And I have to tell you that I think, for myself, as well as the majority of people in our country, we don't realize that you only have democracy 50 percent. So I am glad that you raised it tonight, and I think it is very important that we continue to fight so that people from the territories will have the full representation of their country.

Mr. Speaker, I rise today to address the travesty that is taking place in our country, a travesty that has resulted in innocent people, students, grandparents, mothers, fathers, and children being unable to travel and enter the United States.

People are caught in a web of suspicion and hatred as a result of the recent executive order which is nothing less than a religious ban. So today, I

speak for the Africans that are caught in that ban.

Let me give you an example of who has been caught up by the Muslim ban—a brilliant Stanford student, Ms. Nisrin Omer, studying anthropology. She is a graduate of Harvard who is from Sudan and has lived in this country since 1993.

She has a green card and is a legal resident who was returning to the U.S. from research in Sudan. She was detained for 5 hours and handcuffed, simply because she is from Sudan, the very same country that President Obama worked long and hard to improve relations and to move the country and the region forward.

Another example, a Somali woman and her two children detained at Dulles Airport for 18-plus hours as a result of the Muslim ban. According to reports, the children have U.S. passports, and their father was allowed to stay in the U.S., but his Somali wife would have been deported were it not for the emergency stay granted by the New York Federal judge.

Then there are refugees, mostly Somali, stuck in Kenya following the cancellation of their flight as a result of the executive order. These stranded travelers had been waiting, according to the U.N. High Commissioner for Refugees, 10 to 15 years to resettle.

And I speak of seven people who are reportedly being detained at the airport in my city, Los Angeles airport. All of these situations are a result of the President's executive order which, despite the protestations from the administration, is nothing less than a Muslim ban.

I also speak of persons fleeing for their lives from Libya, who are now stigmatized worldwide because of this ban.

Day 10 of the Trump Presidency. Heaven help us.

Mr. VEASEY. I thank Representative BASS for her commentary representing the very international city of Los Angeles, again, a city with many immigrants, with many people who have contributed to the greatness and vibrancy of that city that we know as Los Angeles. I just really do appreciate all of her input on that.

Mr. Speaker, I am going to call up to come and speak Mr. DWIGHT EVANS. Mr. EVANS, hailing from Pennsylvania's Second Congressional District, a State that also is very international, I am sure that your State was heavily impacted by the travel ban that was implemented by the Trump administration, and I believe the world needs to hear your remarks tonight, so thank you for being here tonight to speak.

I yield to the gentleman from Pennsylvania (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I too want to join and thank Representative VEASEY and Representative PLASKETT for this opportunity.

Tonight, I stand with my colleagues urging support of policy solutions that will ensure our communities have unfettered access to the ballot box and to call for solutions to Republican-led attempts to suppress minority voting rights across the country.

Additionally, I must state my view of the recent action taken by President Trump which I assert has reduced the national trust in our democracy.

In the short time since President Trump has taken office, he has set forth a national security plan that would require broad spending increases. He has set forth an executive order to repeal the Affordable Care Act without a replacement in place. He has seemingly put us directly at odds with Mexico, our bordering country, due to a wall that he has set forth as one of his key proposals, and then expected and even demanded that they actually pay for it.

He has ignored the facts and has declared that 3 to 5 million people allegedly voted fraudulently in the election.

And last, but certainly not least, he has set forth an executive order banning travel from Muslim countries and suspended the refugee program, an action that makes our Nation less safe.

Over the weekend, I joined with Pennsylvania Governor Tom Wolf, Philadelphia Mayor Jim Kenney, Representative ROBERT BRADY, and Representative BRENDAN BOYLE and spoke directly with those who were immediately impacted by this executive action.

We joined with the protesters in voicing extreme discontent over the executive order and vowed to do our part to remedy what we can only refer to as a "forced error" of global proportions. We must work collectively to tear down the ban and to be the open democracy that our Constitution allows us to be.

Just today, Acting Attorney General Sally Yates told attorneys in the Justice Department not to make legal arguments defending President Trump's order on immigration and refugees.

The actions taken by President Trump are not in the best interest of our Nation, our national security, nor are they in the best interest of our communities; that is why we must continue to move forward policy proposals that have been introduced by my colleagues to ensure equal access to the ballot box to ensure we protect the voting rights of those in our communities so that they know that their voices are being heard.

For instance, my House colleague, Representative SEWELL, introduced the Voting Rights Advancement Act, which would set forth a geographical coverage formula that is based on the current conditions that include 13 States.

The bill will establish a rolling nationwide trigger that continuously

moves so that only States that have a recent record of racial discrimination in voting would be covered. The Voting Rights Advancement Act would set forth greater transparency in Federal elections to ensure that voters are made aware of the late-breaking changes in voter procedures and would deter discrimination from occurring and protect voters from discrimination.

Let us continue to ensure the voices of our communities are heard. My colleagues and I stand united and ready to combat these actions that run counter to the best interest of those we are elected to represent.

Mr. VEASEY. I thank the gentleman from Pennsylvania. And just like the city of Philadelphia, just like the city of Los Angeles, when we heard from Congresswoman BASS earlier, oftentimes the State of Texas is portrayed through popular culture as not being a very international place, but we are a very international place.

Everyone has heard of the stories how every State Legislative Session, which one has just begun a couple of weeks ago, how Black and Hispanic voters, in particular, in the State of Texas, are targeted so our voting participation numbers will decrease.

Well, someone who has been in that fight to help protect Black and Latino voters in the State of Texas to expand voting rights in the State of Texas; and not just that, again, in pop culture, our State has oftentimes been portrayed as one way, but a lot of people forget that the city of Houston is the fourth largest city in the country and one of the most international cities in the entire world, one of the largest ballots in the entire country, printed in—I forgot exactly how many languages. Congresswoman SHEILA JACKSON LEE can tell you that later.

So not only are voting rights being impacted in her district, but also I am sure that she felt the plight of many of the people who she represents who were stuck at airports, including the Houston International Airport, by the Muslim ban that was implemented by the Trump administration.

Mr. Speaker, I yield to the gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentleman from Texas (Mr. VEASEY) and the gentlewoman from the Virgin Islands (Ms. PLASKETT) for their continuing leadership on a very important and needed response to the actions of many, in particular, this new administration.

My time is short, so I want to thank Mr. VEASEY for his leadership on the challenge to the voter ID law and, as well, his continuing leadership on the empowerment of voters, as well to Ms. PLASKETT for ensuring and fighting for the right to vote for the Virgin Islands.

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I stand with both of them. But I come today to plead and also to enunciate

what crisis we find ourselves in. The White House is in crisis. When the White House is in crisis, that means America is in crisis.

Mr. Speaker, it is not a frivolous statement that I make; it is a truthful statement because less than 72 hours ago, without the counsel of many experts, Members of Congress who are on the jurisdictional committees, without the notice and input of the Secretary of Homeland Security, an executive order was produced by one young staffer in the White House and another individual who has pushed an agenda of exclusiveness. That is not the way to run this country.

So this executive order came out, and what we find is that 67,000 refugees are stranded around the world who actually had documents, who were vetted, and, as some stories have told us, waited 10 and 12 to 13 years to be able to get in line and to be vetted to come to the United States of America. The tragedy is that some of them were, in fact, our friends from Iraq who have stood by our military personnel who had, in fact, provided them the interpretation that they needed to save their lives. In one story we heard tonight on the steps of the United States Supreme Court was a woman who finally got here with her two children. Her husband was murdered, and her father was tortured.

So, to Mr. Trump, today I think it is important as we have joined in to repeal and to rescind this unconstitutional order, it is clear that you need to read the writing on the wall. The Deputy Attorney General, duly appointed and confirmed, of the U.S. Department of Justice, the remaining individual who has power in that office, has made a very conscious decision that they cannot defend this order because it is unconstitutional. This is not a person who takes her task lightly. This is not someone who is not an officer who has not taken an oath of office. This is akin to what happened in the Nixon administration. They were willing to lose their position to stand for the Constitution.

So the Congressional Black Caucus is on the floor today with our chairman, Mr. RICHMOND, to be able to inform America that this is patently unconstitutional. It does not provide for due process. It did not provide for equal protection of the law. As well, it is a blatant attack on freedom of religion.

For those of you who need a better explanation, let me tell you what a ban on Muslims is. A ban on Muslims is one country, two countries, seven countries, and the idea of who cannot come in are Muslims—that is a ban on Muslims. It is not a ban on Christians. It is not a ban on any other faith. It is a ban on Muslims, and the White House needs to understand what an interpretation of that means.

Further, let me say, as I come to a close, please do not try to cover your-

self with the announcement that was made by President Obama. As a member of the Homeland Security Committee, I am well aware of that announcement that he had regarding a number of countries. It was not a ban. It was to take note that those countries were in conflict and that individuals who were coming from those countries specifically needed to have a higher level of scrutiny. It was not a ban. It is well documented that the tragedies that we have had from Boston to Orlando to San Bernardino were not individuals who came through as refugees or came from those particular countries.

What are we doing here? We are blatantly violating the Constitution. When the President of the United States violates the Constitution, this body has to stand up and respond. So I would ask this body to direct the President to rescind. In the alternative, I would ask that the legislation that is being introduced call upon the President to repeal this.

In all fairness, I would appreciate if the President took it up on his own to suspend this order that is impacting so many who are being left along the highway of despair, people who are able to—if you will, people and individuals who are able to seek refuge here are now being left.

I believe that the Congressional Black Caucus—the conscience of the Congress—stands now, tonight, to seek to ban the Muslim ban, to seek to stop the suppression of voting, and to also say to the nominee for the Attorney General: Are you prepared to represent all of us and to be able to support the institution, or reinstatement, of section 5 of the Voting Rights Act?

Mr. VEASEY. Mr. Speaker, I want to thank Congresswoman SHEILA JACKSON LEE for clearing up a lot of the misconceptions that are being purposely spread out there that this was something that was used by the Obama administration. It absolutely was not. It is being purposely spread on social media, and people are lying about the past and what happened. It is completely different, and I want to thank her for clearing that up.

I now yield to the gentleman from Newark, New Jersey (Mr. PAYNE), who is the gentleman representing the eastern coast of New Jersey.

Mr. PAYNE. Mr. Speaker, first let me thank the gentleman from Fort Worth and the gentlewoman from the Virgin Islands for heading these Special Order hours. It is an honor that I had prior to them, and I am sure that they see the importance of being able to spearhead topics that are important for today.

Mr. Speaker, President Trump's claims of widespread voter fraud are unsubstantiated. Officials in both parties have said that there is no evidence of large-scale voter fraud. A com-

prehensive investigation found only 31 possible cases of impersonation fraud out of 1 billion votes cast in all elections between 2000 and 2014. President Trump lost the popular vote by 2.8 million, and it looks like he is looking for an excuse.

What is worse is that President Trump's unfounded claims will encourage Republicans to double down on their assault on voting rights. There is no significant evidence of fraud, but President Trump's claims will be used as cover to suppress the vote. He is already talking about launching a major investigation into nonexistent voter fraud. The only thing that would come from such an investigation would be further restrictions on voting rights.

If President Trump wants to investigate anything, he should investigate the real voter fraud talking place—the Republican-led attempts to suppress minority votes.

The strategy of Republican legislatures in some States has been to suppress votes by instituting voter ID laws, reducing hours for early voting, and closing polling places. According to the Brennan Center for Justice, in 2016, 14 States had new voting restrictions in place for the first time in a Presidential election. This Presidential election was the first in 50 years without the full protections of the Voting Rights Act.

As a country, we should make it as easy as possible for people to exercise the right to vote. Election officials should not erode our democratic principles. They should make sure that every American citizen has an equal voice in the democratic process.

Protecting every person's right to vote is essential to a fully functioning democracy. The countless men and women who have risked their lives to defend that right knew our system of government only works when it is inclusive and fair, when it enables all voices to have a say in the future of our country.

Mr. VEASEY. Mr. Speaker, I want to thank the gentleman from New Jersey.

I now yield to the gentlewoman from Wisconsin (Ms. MOORE), who represents a critical State, a State that some people think actually went a certain direction in the Presidential race because of voter suppression tactics. She represents the city of Milwaukee.

Ms. MOORE. Mr. Speaker, I want to thank the gentleman from Fort Worth for yielding this time to me.

I could just tell you that it is *deja vu* all over again. When President George W. Bush lost the election in 2000, he engaged in a lengthy investigation over so-called voter fraud to deflect from the fact that he, in fact, lost the popular vote, as did President Donald Trump. These allegations of voter fraud do nothing but to continue to bankrupt the Treasury. When, as the

gentleman from New Jersey just pointed out, Loyola Law School did an extensive study, they found 31 cases of voter impersonation out of 1 billion votes cast in the last 14 years. We don't have enough time for me to do the math on that, but it is de minimis.

I can tell you that real voter fraud is voter suppression. 2016 was the very first Presidential election in 50 years, gentlewoman from the Virgin Islands, that we didn't have the full protection of voting rights in 14 States, and it showed, including in my own swing State of Wisconsin. Brand-new voting ID restrictions disproportionately suppressed African American, low-income citizens' votes.

According to a Federal Court, nearly 300,000 registered voters in Wisconsin—in my State—could not obtain the voter ID required by the imposition of these new laws. Throughout the country, we saw 868 fewer polling places. We saw these voter ID laws, and we saw just a reinvention of these painful and unjust poll taxes and remnants of poll taxes and literacy tests imposed upon African Americans.

I can tell you, if there is any voter suppression, it is voter denial in this country; and I would call for, instead of spending taxpayer dollars to find 5 million votes that President Trump claimed voted for Hillary Clinton, I would rather spend that money investigating the Russian hacks into our election.

Mr. VEASEY. Mr. Speaker, I want to thank the gentlewoman from the State of Wisconsin.

Now I yield to the gentlewoman from California (Ms. LEE), who is my friend and colleague from another international part of the country, the Oakland Bay Area.

Ms. LEE. Mr. Speaker, first let me thank Congressman VEASEY for yielding and for his tireless work to defend rights and justice. Also to Congresswoman PLASKETT, I thank the gentlewoman for continuing to speak out, to organize us, and for her stellar representation of her district.

Mr. Speaker, in his first week as President, Donald Trump advanced dangerous conspiracy theories and enacted a Muslim ban that undermines our Nation's standing in the world. These actions show that President Trump will peddle his alternative facts no matter the consequences.

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Now, let me be clear. This approach to governance threatens our democracy and our national security. We must resist it. For starters, we cannot allow President Trump to erode our right to vote. Access to the ballot box is the cornerstone of American democracy, yet he spent his first week in office peddling the baseless myth that 3 to 5 million voted illegally in our election.

Mr. Speaker, nothing could be further from the truth. Both Republicans

and Democrats have dismissed this myth as unsubstantiated, but the President continues to insist that millions of fraudulent voters cost him the popular vote.

Let's call this what it is. This is a campaign by our highest elected official to fabricate reasons why he lost the majority of popular votes. He will use these blatant falsehoods to further undermine access to the voting booth.

Mr. Speaker, this investigation that is being proposed really is a sham. The real attack on America's elections come from Republicans who make it harder for people of color, young people, and low-income people to vote.

I include in the RECORD an editorial from The New York Times, "The Voter Fraud Fantasy."

[From The New York Times, Jan. 27, 2017]

THE VOTER FRAUD FANTASY

(By Lilli Carré)

There are varying degrees of absurdity in the fallacies President Trump peddled during his first week in the Oval Office. Perhaps the most damaging was his insistence that millions of Americans voted illegally in the election he narrowly won.

Mr. Trump first made that false claim in late November, tweeting that he would have won the popular vote "if you deduct the millions of people who voted illegally." On Wednesday, he announced that he intended to launch a "major investigation" into voting fraud and suggested the outcome may justify tightening voting rules.

What once seemed like another hare-brained claim by a president with little regard for the truth must now be recognized as a real threat to American democracy. Mr. Trump is telegraphing his administration's intent to provide cover for longstanding efforts by Republicans to suppress minority voters by purging voting rolls, imposing onerous identification requirements and curtailing early voting.

"This is another attempt to undermine our democracy," said Representative Barbara Lee of California, one of the states where Mr. Trump falsely claimed results were tainted by large-scale fraud. "It's about not honoring and recognizing demographic change."

The apparent source of Mr. Trump's original claim of mass voter fraud was Gregg Phillips, a Texas man with a penchant for making wild allegations about voting fraud. Days before Mr. Trump's tweet, Mr. Phillips claimed on Twitter that he had "verified more than three million votes cast by non-citizens." State election officials across the political spectrum promptly rejected that assertion, noting that ballot box fraud in the United States is exceedingly rare.

On Friday, Mr. Trump tweeted that he was looking forward to seeing the results of an analysis of illegal votes, as promised by Mr. Phillips. Republican officials know the voter fraud claim is an indefensible lie. But few are challenging Mr. Trump or raising alarms about how severely this hurts our election system.

Voter suppression initiatives have grown increasingly common since the Supreme Court invalidated a central provision of the Voting Rights Act in 2013, making it easier for local authorities to tweak election rules in a manner that disenfranchises particular groups of people.

Under the Obama administration, the Justice Department aggressively fought these

efforts. Lawsuits filed by civil rights advocates and the Justice Department led a federal appeals court in 2013 to strike down a North Carolina voter ID law that justices concluded had been designed to target African-American voters with "surgical precision." Litigation in a similar Texas case is now on hold, pending guidance from the new attorney general.

If Mr. Trump's attorney general nominee, Senator Jeff Sessions, is confirmed, the Justice Department will be likely to all but abandon enforcement of the Voting Rights Act. Mr. Sessions once called it a "piece of intrusive legislation." That would allow state and national lawmakers to impose even tighter voting requirements, harming minorities, the young and the elderly, who tend to vote Democratic.

Republicans may see these measures as a means of staying in power in the face of demographic changes. They should be ashamed of undermining the integrity of our system of government by trying to strip away a right Americans have fought for and died to secure.

Ms. LEE. If the President were serious about protecting access to the ballot, he would join members of the Congressional Black Caucus in our call for the restoration of the Voting Rights Act.

Since it was gutted in 2013, millions of minority voters have been prevented from casting their votes. Last year alone, hundreds of thousands of minority voters were disenfranchised before and on election day.

Instead of lodging investigations based on alternative facts, President Trump should be investigating the widespread efforts to disenfranchise voters, including the use of outdated voting machines, the mishandling of provisional ballots, the improper purging of voting rolls, and the widely reporting incidents of intimidation and misinformation at the polls.

These are the truth threats to our democracy. If these threats are not enough to occupy President Trump's attention, he should turn to the widespread evidence of Russian interference in our elections. The facts are available and in need of bipartisan investigation, but President Trump has no interest in evaluating facts. He would rather focus on falsehoods.

But the President's attacks on our democracy aren't restricted to alternative facts. This weekend we witnessed the erosion of another American value: our proud tradition as a refuge for immigrants of every religion. The President issued an executive order banning immigrants and refugees from the United States on the basis of religion.

This outrageous executive order to shut people out from several Muslim nations runs counter to our fundamental values that we cherish as Americans. It is morally reprehensible and will only make the United States less safe. The order has done nothing but create chaos and fear among refugees and immigrants who have been admitted or have been approved to come to the United States.

This Nation is, has been, and always will be a nation of immigrants and refugees. This is who we are. We don't turn our back to those in need. And certainly, we do not do so on the basis of religion.

This is a watershed moment for our country, a moment that brings into question our moral character. Thousands of Americans took to the streets to protest the Muslim ban. Really? This is what the resistance must look like.

Tonight, many of us joined our colleagues on the steps of the Supreme Court to demand a reversal of this hateful policy. We will continue to fight every attempt to erode our values to appease ideology and radical special interests.

Our new bill, Statue of Liberty Values Act, known as the SOLVE Act, will reverse President Trump's Muslim ban executive order and ensure that funds or fees shall not be used to implement the order. I hope everyone signs on to Congresswoman LOFGREN's bill. The President's order harms our families, our economy, and our national security.

Once again, this is not who we are as a nation. We are better than. We must wake up and fight because the future of our democracy is at stake.

My district is a district of immigrants. People are very afraid. We are a sanctuary district. What is taking place now is totally un-American.

Mr. VEASEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RUTHERFORD). Members are reminded to refrain from engaging in personalities toward the President.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, within just days of assuming office, President Donald Trump has made a number of alarmingly fictitious claims about anything from the alleged failures of the Affordable Care Act to the skyrocketing murder rate throughout the United States. President Trump has even felt it was necessary to misrepresent the number of attendees at his inauguration. However, among his most egregious "alternative facts" that he has presented to the American people is the idea that there is widespread voter fraud across the country, which is undermining the electoral process in the United States. This is unequivocally false.

In fact, numerous reports, court findings, and official government investigations over the years have pointed to the fact that voter fraud is, in reality, extremely rare. In 2016, the United States Court of Appeals for the Fifth Circuit, which ultimately found the Texas photo ID law to be racially discriminatory, noted in its findings that there were only two convictions for in-person voter impersonation fraud out of 20 million votes cast in Texas within the last decade. In a separate case ruled in 2014, a special investigations unit for the State of Texas was found to only have identified a single conviction and one guilty plea of in-person voter impersonation in any election in the State of Texas between 2002 and 2014. Na-

tionally, countless Studies—including one conducted by the nonpartisan Government Accountability Office—have failed to identify any evidence of widespread voter fraud. The story is the same in states all across the country.

Yet, somehow President Trump and Republicans in Congress have arrived at a separate conclusion and are using this false notion to promote regressive voter laws that seek to suppress minority voting rights all across the country. These laws are an example of your classic "solution in search of a problem," albeit with a more sinister objective to suppress liberal leaning voters and deny select groups of voters their fundamental right to vote.

Mr. Speaker, my colleagues and I have worked tirelessly throughout our careers to ensure that every American has equal access to the polls regardless of race, income, location, or background. We will not stop at making sure that every American preserves their right to vote, even in the face of a Republican-controlled Congress and Administration. The right to vote is a fundamental pillar of our democracy, and it is counter to our principles that our nation had defended for centuries to now try and erode that right for millions of Americans. I, and countless other Americans, unequivocally reject these efforts and will forever stand united against them.

FAST START UNDER THE TRUMP ADMINISTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, we are off to a fast start this year under the Trump administration. It is difficult, apparently, for some of the press to keep up with how quickly some of the things are going.

I did want to make clear something that has been completely muddled by the mainstream media. They keep wondering why they continue to lose out to news channels like FOX News and why some of the conservative news sources online do so well compared to the left-wing sources. It is because a majority of people really are seeking truth, really are seeking answers.

I realize that is not true for everywhere. The areas that Hillary Clinton won are basically relegated to the edges, the fringes of the country: around the coasts and southern valley, Chicago, Detroit, and some of those areas. It is really the fringe party.

After someone—anyone with the least amount of even a small modicum of fairness—looks at the actual executive order that Donald Trump issued, it seems eminently reasonable. When looking at it, for example, compared to orders signed by a President named Obama, a President named Carter—I couldn't find any CNN, MSNBC, or anything like CNBC, and I could have missed that somebody did break through all the misrepresentations of

those networks and actually point out, because sometimes I am going by and I don't have the sound on and I will be reading the subtext, but you would think that someone in one of those networks would make a big deal out of the fact that Muslims were not banned under the Trump executive order. Yet people all over the world and all over this country are still under the mistaken impression they can trust certain networks. They still haven't figured out that they can't.

They see that, my gosh, the President has banned Muslims. I actually have the executive order here because, just as I read ObamaCare before I voted against it, I have read the President's executive order. I made highlights in bold on some things. I saw that there is no reference—not one—to Muslims, to Islam. It is just not there. So it is a total misrepresentation.

Now, to try to cover for the way the executive order news is being spun, some of them, to try to grasp back just a small portion of something resembling fairness, would say the words "Muslim-majority country banned," try to bring it back so they can work in the word "Muslim" when it wasn't about religion at all. It is about the safety of the United States, the people we are sworn to protect, the Constitution that we raise our right hand and we swear to protect. We just took that oath earlier this month, and already it is forgotten.

The refugee program that President Trump has paused is the same one that ISIS terrorists have repeatedly vowed that they are infiltrating, and they are intending to use it to kill Americans. The President is acting temporarily and prudently to give his administration and this Congress the time it needs to properly evaluate the refugee program and reform it to ensure that we help legitimate refugees and ensure the safety, as much as is possible, of the American people.

When an FBI Director warns that they have no information from a country with which to compare identity information that refugees have or present or even orally convey, then I would think at some point we would take that information seriously from the sworn testimony.

Now, I realize that the past administration has played fast and loose when you keep telling the American people and the Members of Congress that the attack in Benghazi was all about a video, and you even try to cover that by encouraging the producer of the video to be arrested and put in jail to help with this misrepresentation of the truth. Then I guess, under those circumstances, you don't take testimony from the prior administration Cabinet members all that seriously because you know that they have been out there and misrepresented the truth before.

I don't know if Klein's book about, I think it was, the blood feud between

the Obamas and the Clintons was right, but there had to be a reason that Hillary Clinton did not come out on the Sunday shows after Benghazi and make this claim that was adverse to what she emailed her daughter and what she emailed to the President of Libya, saying that it was an attack. She didn't mention a video because it wasn't about a video. She knew that. I realize that, between the concussion, the problems, she may not remember that, but she knew it at the time.

According to that book, she called and talked to former President Bill Clinton; and she was encouraged not to go public and say it was about a video, that, in essence, that was indefensible. Nobody in their right mind was going to believe that, so she couldn't be out there.

There were thoughts being entertained of maybe resigning rather than going out and trying to defend that story, but, gee, they realized that if she was going to run for President in 2016 and she resigned right before the election in 2012, it would have likely cost President Obama a second term, and then Democrats would not be very kind and forgiving even though that would have been a stance based on truth and honor. If it cost the Presidency in 2016, it was just not something that could be done.

□ 2030

Apparently, according to the book and his sources that he says are close friends of the people involved, they decided the best way was not to resign and cost the President the reelection in 2012, but refuse under all circumstances to go on the Sunday shows and try to tell America six times that the attack at Benghazi was not planned; it was just instantaneous that arose from a protest over the video, but just don't go make that representation. Make that clear to the administration you are not going to do that, and then let the chips fall where they may. Because we haven't been able to figure out outside that representation in the book, why in the world did Susan Rice come out and say all that?

That should have been Hillary Clinton's role. So he provides the excuse or the reasoning. So Susan Rice goes out and over and over on Sunday shows, it was all about a video.

Well, I know from my days as a judge hearing of incidents where someone perhaps in a company that was not being honestly run would keep somebody in the dark so they could go out and make certain representations. The person really didn't want to know what the real truth was so they could come out and say with a clear conscience, here is what happened, and that wasn't it. So it may well be Susan Rice just did not know that her statements were lies. And if she didn't know, then they are not lies; they are just falsehoods she didn't know were false.

We don't know, but it is an interesting representation. And it still brings us back to the fact that in certain countries in the world, we don't have adequate information to check individuals coming in against. No matter how much the credibility of the FBI Director may have been harmed last summer when he came out and made a totally political move of outlining that Hillary Clinton basically committed a crime, but no reasonable prosecutor would pursue this, that is my interpretation of what he said basically, and those who have prosecuted—I have prosecuted. You know, there are a lot of prosecutors who would take that. But he made the statement. So I figured that was pretty political.

Despite that, when he says, you know, look, we had some information from some of these countries we got from their governments so that when we see their passport, we see some of this information, we could say, all right, we can check it against their government's records: What do you have on this person?

But we had heard from Syria, for example, that they had actually taken over facilities that could print official passports. So they could print a totally fictitious passport because they have the means to do it. They have captured that. Not only do we not have a cooperating government, but we have no information. We don't have fingerprints off IEDs like we did from Iraq, and most of the time we had cooperation so we could compare this information. But we had nothing in some of these countries that could give us the assurance that the leaders of radical Islamist groups were not doing exactly what they said they were, and that is infiltrating the refugees with people who were going to come in and kill Americans. They said they were doing that in Europe. At some point we need to take these things seriously.

I am thrilled to death to have a President—fortunately it is nice being thrilled to death instead of being beaten or knifed or hit with a truck. But I am thrilled to have a President who is taking seriously the things that the Obama administration found should be taken seriously. Let's be clear, no one is being discriminated against in the President's executive order based on religion. Christians, Jews, Muslims, any religious group, agnostics, atheists from the countries designated for a pause—it is not a ban; it is a pause so we can look better at what we need to do.

I am thrilled to be joined by one of our sharpest new freshmen.

Mr. GAETZ. I thank the gentleman from Texas for yielding. I similarly thank him for many nights coming to this floor and defending values that are not only uniquely American, but which are unmistakably conservative. I appreciate him for being the fire keeper

on this floor for those values and those principles for constituents in his district and in mine and all throughout this great country.

Mr. Speaker, I rise today in support of my fellow northwest Floridians, brave airmen who serve at Eglin Air Force Base and Duke Field and skilled aviators who train out at NAS Pensacola and Whiting Field and some of the planet Earth's most hardened and successful warriors in the 7th Special Forces Group and those who also deploy out of Hurlburt Field in northwest Florida. They are the best among us and they often inspire the best within us as a consequence of their patriotic service.

So when I encounter them at town-hall meetings or in church or at grocery stores, I often ask: How do you do it? How do you leave your family, your home, your community, risk your life, your health to go to places that many Americans couldn't point to on a map and to fight against an enemy who is evil and vicious and determined and increasingly equipped?

And almost to a man and woman, they tell me: We fight them over there so that we don't have to feel the consequences over here in America.

It is that spirit that I join in supporting and honoring in my full-throated and unequivocal support of President Trump's most recent executive order so that we are not devaluing the service of my constituents by risking the lives and the health and security of Americans here in this great country.

Mr. Speaker, I wish so much that President Trump's executive order were unnecessary. I wish that we lived in a world that was more stable and secure, where America could welcome with open arms anyone from anywhere for whatever reason at whatever cost. But the reality is that American taxpayers can't pay for everything, and American families cannot shoulder the risks of insecurity for the consequences of terrible foreign policy decisions that have been made over the last 8 years.

Maybe if the former President hadn't withdrawn from the Middle East, these regions would be more secure. Maybe if our policies hadn't so destabilized north Africa that we had failed state after failed state functioning as a caldron of Islamic fundamentalism and terrorism, this order would not have been necessary. But, alas, it is necessary.

I think it is important to distinguish between the realities of this executive order and the hysteria that has been created by the media. Some would believe, if they were to look only at media reports, that this was a ban on all Muslims who would seek to come to this country.

Let me affirm: our war, our conflict is not with the Muslim faith. As a matter of fact, this consequence, this conflict we are engaged in is all about the

future of that faith and religion, and I am hopeful as a Christian that we are able to forge a lasting peace among all people on Earth. The reality is that there are more than 50 countries that are majority Muslim, and most of those countries will see no impact as a consequence of this most recent executive order. But there are seven countries—I guess it is perhaps a bit generous to call them countries, Mr. Speaker, because they are failed states that function to do very little other than to breed more terror and discontent and anti-Americanism. But from those seven countries, the President has taken the position that we ought to take a closer look, we ought to have a belt-and-suspenders approach to the security of American families. Of the more than 325,000 people who have recently come to the United States from foreign countries since the President's most recent executive order, about 100 have been kept for additional screening, more thorough review, and a more thoughtful approach.

So as I stand here with the gentleman from Texas, Mr. Speaker, know that I am in full support of President Trump's most recent order. When I go back to northwest Florida and I look into the eyes of the warfighters, the airmen, the sailors, and the patriots, I will know that in this House there were those who were willing to stand with them, honor their service and sacrifice, and do everything possible to put America first and to keep Americans safe.

Mr. GOHMERT. Mr. Speaker, as I told my friend from Florida, I am honored anytime he comes to the floor to speak because he knows what he is talking about. When I was a judge back in Texas, a young prosecutor also shared his first name, and he is now the DA. He is as sincere and intelligent. Anyway, it is just an honor to serve with Mr. GAETZ. I wondered if he might yield for a question.

The Attorney General—I am sorry, this is the acting Attorney General because the Senate is dragging its feet on one of its own, JEFF SESSIONS, but this came out today in The Hill that “Acting Attorney General Sally Yates sent a letter Monday ordering the Justice Department not to defend President Trump's executive order . . .” even though it is an order that basically has been done by the Obama administration—except President Obama had done it one country that is included in the seven for 6 months instead of 3—and also by President Carter. I don't think he was a Republican. Anyway, these things have been done before, and the letter says we are not going to defend it.

This story from Lydia Wheeler today says: “Yates's”—the acting Attorney General—“decision suggests she does not want to put the credibility of the Justice Department behind the order. . . .”

I wanted to ask the gentleman from Florida, does he have concerns that, if the Justice Department were to defend this executive order, it would hurt the credibility of the Justice Department when acting under its Democratic leadership?

Mr. GAETZ. I thank the gentleman from Texas for yielding. I believe his question highlights an increasing problem that we have had for the last 8 years that I hope we will cure, and that is the politicization of the important work that the executive branch ought to be doing on behalf of the American people.

The Justice Department should not be Republican or Democrat. It should stand up for the rights of all Americans, the laws that are enacted by this Congress, and the orders that are issued by the President. We shouldn't have circumstances where we have to wonder whether or not the people who are tasked to uphold the law, as the gentleman from Texas did as a jurist and did in a very colored legal career—we shouldn't have to worry about that. But, in fact, for the last 8 years, that has been the problem. That is perhaps one of the reasons why the Senate should act with due haste in confirming JEFF SESSIONS as the Attorney General, so we go back to a system that is governed by the rule of law, not the rule of popular opinion or politics or one particular ideology.

More specifically to the gentleman from Texas' question, I believe that what undermines the Justice Department is this partisan tilt, are these lenses through which many of President Obama's appointees evaluate the great questions that impact the security of Americans.

The gentleman from Texas correctly points out that what President Trump has done is hardly unprecedented. In 1979, President Carter, hardly one that is held out among conservatives as a great standard-bearer on foreign affairs and a strong America, was one who recognized that there were unique challenges in a unique period of time from those who may be coming to the United States from Iran, and he took action.

□ 2045

Similarly, in 2011, President Obama was concerned that, during an act of conflict with Iraq, there may be circumstances where people would come from Iraq to do harm to Americans on American soil, and so he took action. I guess the difference with President Trump is that he is willing to take action immediately, and that we are not going to have a Presidency with a bunch of handwringing and bedwetting over the questions that impact the safety of Americans and the dignity of this country and its borders.

President Obama was unwilling to heed the counsel of those in his own ad-

ministration who indicated that there were insufficient vetting procedures in place previously. And so it strikes me as only reasonable, Mr. Speaker, that a new President coming in, having heard that there were inadequate screening procedures, not from a Trump appointee but from an appointee of President Obama, that we would take a finite period of time, 90 days, and we would analyze what would be the appropriate protocols, screening procedures, and vetting algorithms that we would use to ensure that America's interests were placed first.

I am glad we have a President who puts this country first; I am glad we have a President who does not view himself as a citizen of the world more than he views himself as a citizen of this country; and I am glad that he takes that responsibility seriously.

And to answer the gentleman's question, I would say that we ought to have a Justice Department that is led by those who will follow the rule of law, who will defend the rights of Americans, and who will stand up for the security of this country.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman. Great points. And I wish I were as articulate.

I have been critical of the majority leader in the Senate, Senator MCCONNELL, but this story is from CNS News. Majority Leader MCCONNELL says: “Well, I think it's a good idea to tighten the vetting process.”

And he went on to say: “I don't want to criticize them”—the Trump administration—“for improving vetting.”

And I applaud the majority leader for not running for the hills when all of the media does their typical thing and just goes freaking out. But, we found this story goes also, I think, to illustrate the point Mr. GAETZ was making. This is from Daniel Horowitz's article today. It turns out that 17 sitting Democrats in the House and Senate voted to ban visas from some Muslim countries and that law still exists today. Of course, this was back in 2002. And back at that time, you had some quite conservative Democrats in the House and Senate, people like Senator Ted Kennedy and Senator DIANNE FEINSTEIN, you know, real bulwarks of conservatism, who voted to ban visas from these type countries, of the Muslim majority countries, as CNN would like to call them. Gee, names like CARDIN, MAREY, MENENDEZ, MURRAY, NELSON of Florida, REED of Rhode Island, SANDERS of Vermont. Wow, there is another conservative, SANDERS of Vermont. SCHUMER, another strong hearted conservative. STABENOW, WYDEN, DURBIN, FEINSTEIN, LEAHY, and UDALL.

So it kind of begs the question: If this is only a temporary ban from countries until we can ascertain better vetting, how much worse is it for these 73 sitting Democrats to have voted for a permanent ban? That is rather shocking.

And it is notable that President Obama, not exactly consistent with former President George W. Bush who went 8 years without coming out and making formal criticisms—well, President Obama has said he is very heartened by all of the anti-Trump protests. We even have Democrats here in the House who said: “. . . as we’ve heard before, the President fundamentally disagrees with the notion of discriminating against individuals because of their faith or religion.” Because I know my friend here in the House would not misrepresent the truth. So it just shows, obviously, he hasn’t read this executive order that makes very clear it is not banning a religion or a faith, it is countries where we don’t have enough information.

And I just find it interesting that we are standing on the side of 73 Democrats—MARKEY, BERNIE SANDERS, FEINSTEIN, people like that—who thought it was a good idea when they were closer to 9/11.

Mr. GAETZ. Will the gentleman yield?

Mr. GOHMERT. I yield to the gentleman from Florida.

Mr. GAETZ. Mr. Speaker, I appreciate the gentleman from Texas yielding for a question.

Not long ago, we heard members of the Congressional Black Caucus take to this floor and make the argument that it was hypocritical and improper that in President Trump’s order and in the follow-on execution of that order by the Department of Homeland Security that there would be some preference given to religious minorities in these predominantly Muslim countries, particularly Christians, who are often persecuted, harmed, or killed. In many circumstances in which the President has allowed for through exceptions to his order, there will be people from these seven countries allowed into the United States as a consequence of the persecution that they feel and that they endure as a consequence of their Christian faith.

And so my question to the gentleman from Texas is whether or not he shares the Congressional Black Caucus’ view that it is improper to treat Christians who are being discriminated against in these predominantly Muslim countries differently and to give them the opportunity to immigrate to the United States of America and realize freedom in the absence of this terrible persecution that they feel?

Mr. GOHMERT. Mr. Speaker, my friend makes such a great point. I think the way this country has, in recent years, been so discriminatory as has been the United Nations against Christian refugees, I am afraid that this United States of America could be called to account for the slaughter of so many Christians who we could have helped. And as we know from the numbers, there are a lot of excuses by the

U.N. as to why they are not helping an equal percentage of Christians to the percentage of makeup of those countries they are coming from. There have been all kinds of excuses.

But even our Secretary of State, under the last administration, John Kerry, admitted there was a genocide going on of Christians in the Middle East. Now, there is not a genocide going on of Muslims in these countries. There are Sunni versus Shia and vice versa, and there are clashes within the Islamic religion, but there is not a genocide of all Muslims in any of these countries. And yet there is clearly a genocide clear enough for John Kerry to note.

So one of the most heinous and outrageous answers that I have heard a U.N. general secretary make was—well, I didn’t hear it, I read—that the U.N. general secretary was asked about a year and a half or so ago, when he was in charge of the United Nations’ refugee program, and this issue of the U.N. not helping the same percentage, in fact, just helping a fraction of the percentage of Christians who exist in these countries, his response was basically that it was important to leave these Christians in the areas where they are being killed because they have historical precedence in those areas.

So we are going to bring Muslims out, according to the U.N. general secretary, because they didn’t have as much historical significance, whereas the Christians who are being wiped out—throats cut, heads cut off, crucified, women raped, and just the most heinous of crimes committed against individuals are taking place—our U.N. general secretary and, apparently under our past President, the State Department felt like it was important to leave Christians there in larger percentages than existed among the refugees of Muslim because, hey, they have been there a long while, so let’s leave them there, which ultimately means they will all be slaughtered. It is quite distressing.

But here is a point made by George Rasley today in an article, “President Trump Stops Suicidal Immigration Policy . . .,” where he points out that:

“Had President Trump’s policy been in place participants in many Muslim terrorist incidents would have been prevented from entering our country, for example the Ohio State University attack by Somali ‘refugee’ Abdul Razak Ali Artan, the September 2016 stabbing attack in a mall in St. Cloud, Minnesota, and two foiled bomb plots—one in Portland, Oregon, in 2010 and one in Columbus, Ohio, in 2000.

“Indeed, some 74 terrorist incidents have been attributed to Somali Muslims alone. And while the Obama administration did its best to cover-up the immigration status of the perpetrators we know that at least 13 of them were admitted to the U.S. as ‘refugees.’

“Fourteen were legal permanent residents at the time of their radical activity, and 10 were naturalized citizens.”

So it is quite disturbing.

And by the way, as a result of the Kentucky case where we had two refugees who had been brought in from Iraq, it was reported, in 2013, that in 2009, two al Qaeda Iraq terrorists were living as refugees in Bowling Green, Kentucky. Anyway, because of that discovery, the Obama State Department stopped processing Iraq refugees for 6 months in 2011.

So I do think it is important, as people keep screaming around here, what I believe as a Christian, Jesus said: The greatest commandment is to love God, and the second, he said, is to love each other. But he had also stated: Love thy neighbor as thy self.

And what some have not realized, if you don’t like America, if you don’t like Americans, if you don’t like our own country, and you don’t love yourself, it is a bit hard to love your neighbor as yourself if you don’t love yourself.

I think it is time Americans stood up and thanked God for—and/or thank whatever force they may be, some would say, or agnostic, whatever—just thank your lucky stars, but be thankful we have had the opportunities to live in the greatest country in the history of the world. And the only one who has truly given lives and treasure, not for imperialist sake but simply for freedom sake, for liberty sake, for people we didn’t know, but we wanted them to share in freedom and liberty. That is a rare country. It has been a blessed and blessed country.

And I think it is important that if we are going to continue or get back to being that city on a hill, glowing that draws people to it, that would draw people to the Statue of Liberty, you have to be a nation of laws, you have to protect the people in the country, otherwise we go back to the Dark Ages, and we become a country that no one wants to come risk their lives to get to because there is nothing special.

□ 2100

We squandered our opportunities and refused to take up our responsibilities to protect this Nation against all enemies, foreign and domestic.

Mr. Speaker, I am grateful for a friend like Mr. MATT GAETZ from Florida, as articulate and intelligent as he is, and I look forward to working with him and with the Speaker in the days ahead.

God has blessed America. Let’s keep asking for God to bless America. If we ask, we are told: you will be given.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DESJARLAIS (at the request of Mr. MCCARTHY) for today on account of attending his father's funeral.

Ms. CLARK of Massachusetts (at the request of Ms. PELOSI) for today and January 31 on account of family emergency.

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of illness.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON THE BUDGET FOR THE 115TH CONGRESS

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, January 30, 2017.

Mr. Speaker, pursuant to clause 2(a)(2) of House rule XI, I am submitting the rules of the Committee on the Budget for the 115th Congress. The rules were adopted during our Committee's organizational meeting on January 24, 2017.

Sincerely,

DIANE BLACK,
Interim Chairman.

GENERAL APPLICABILITY

RULE 1—APPLICABILITY OF HOUSE RULES

(a) Except as otherwise specified herein, the Rules of the House of Representatives are the rules of the Committee so far as applicable, except that a motion to recess from day to day, or a motion to recess subject to the call of the Chair (within 24 hours), or a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is a non-debatable motion of privilege in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) The Committee's rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the Chair of the Committee is elected in each odd-numbered year.

MEETINGS

RULE 2—REGULAR MEETINGS

(a) The regular meeting day of the Committee shall be the second Wednesday of each month at 11 a.m., while the House is in session, if notice is given pursuant to paragraph (c) and paragraph (g)(3) of clause 2(g)(3) of Rule XI of the Rules of the House of Representatives.

(b) Regular meetings shall be canceled when they conflict with meetings of either party's caucus or conference.

(c) The Chair shall give written notice of the date, place, and subject matter of any Committee meeting, which may not commence earlier than the third day on which members have notice thereof, unless the Chair, with the concurrence of the Ranking Minority Member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chair shall make the announcement at the earliest possible date. An announcement shall be published promptly in the Daily Digest and made publicly available in electronic form.

RULE 3—ADDITIONAL AND SPECIAL MEETINGS

(a) The Chair may call and convene additional meetings of the Committee as the

Chair considers necessary or special meetings at the request of a majority of the members of the Committee in accordance with clause 2(c) of Rule XI of the Rules of the House of Representatives.

(b) In the absence of exceptional circumstances, the Chair shall provide public electronic notice of additional meetings to the office of each member at least 24 hours in advance while Congress is in session, and at least three days in advance when Congress is not in session.

RULE 4—OPEN BUSINESS MEETINGS

(a) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the Ranking majority member of the Committee present as Acting Chair.

(b) Each meeting for the transaction of Committee business, including the markup of measures, shall be open to the public except when the Committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public in accordance with clause 2(g)(1) of Rule XI of the Rules of the House of Representatives.

(c) No person, other than members of the Committee and such congressional staff and departmental representatives as the Committee may authorize, shall be present at any business or markup session which has been closed to the public.

(d) Not later than 24 hours after commencing a meeting to consider a measure or matter, the Chair of the Committee shall cause the text of such measure or matter and any amendment adopted thereto to be made publicly available in electronic form.

RULE 5—QUORUMS

(a) A majority of the Committee shall constitute a quorum. No business shall be transacted and no measure or recommendation shall be reported unless a quorum is actually present.

RULE 6—RECOGNITION

(a) Any member, when recognized by the Chair, may address the Committee on any bill, motion, or other matter under consideration before the Committee. The time of such member shall be limited to 5 minutes until all members present have been afforded an opportunity to comment.

RULE 7—CONSIDERATION OF BUSINESS

(a) Measures or matters may be placed before the Committee, for its consideration, by the Chair or by a majority vote of the Committee members, a quorum being present.

RULE 8—AVAILABILITY OF LEGISLATION

(a) The Committee shall consider no bill, joint resolution, or concurrent resolution unless copies of the measure have been made available to all Committee members at least 24 hours prior to the time at which such measure is to be considered. When considering concurrent resolutions on the budget, this requirement shall be satisfied by making available copies of the complete Chairman's mark (or such material as will provide the basis for Committee consideration). The provisions of this rule may be suspended with the concurrence of the Chair and Ranking Minority Member.

(b) At least 24 hours prior to the commencement of a meeting for the markup of legislation, the Chair shall cause the text of such legislation to be made publicly available in electronic form.

RULE 9—PROCEDURE FOR CONSIDERATION OF BUDGET RESOLUTION

(a) It shall be the policy of the Committee that the starting point for any deliberations on a concurrent resolution on the budget should be the estimated or actual levels for the fiscal year preceding the budget year.

(b) In the consideration of a concurrent resolution on the budget, the Committee shall first proceed, unless otherwise determined by the Committee, to consider budget aggregates, functional categories, and other appropriate matters on a tentative basis, with the document before the Committee open to amendment. Subsequent amendments may be offered to aggregates, functional categories, or other appropriate matters, which have already been amended in their entirety.

(c) Following adoption of the aggregates, functional categories, and other matters, the text of a concurrent resolution on the budget incorporating such aggregates, functional categories, and other appropriate matters shall be considered for amendment and a final vote.

RULE 10—ROLL CALL VOTES

(a) A roll call of the members may be had upon the request of at least one-fifth of those present. In the apparent absence of a quorum, a roll call may be had on the request of any member.

(b) No vote may be conducted on any measure or motion pending before the Committee unless a quorum is present for such purpose.

(c) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(d) In accordance with clause 2(e)(1)(B) of Rule XI of the Rules of the House of Representatives, a record of the vote of each Committee member on each recorded vote shall be available for public inspection at the offices of the Committee and also made publicly available in electronic form within 48 hours of such record vote, and, with respect to any roll call vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

HEARINGS

RULE 11—ANNOUNCEMENT OF HEARINGS

(a) The Chair shall make a public announcement of the date, place, and subject matter of any Committee hearing at least one week before the hearing, beginning with the day in which the announcement is made and ending the day preceding the scheduled hearing unless the Chair, with the concurrence of the Ranking Minority Member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chair shall make the announcement at the earliest possible date. Such announcement shall be published promptly in the Daily Digest and made publicly available in electronic form.

RULE 12—OPEN HEARINGS

(a) Each hearing conducted by the Committee or any of its task forces shall be open to the public except when the Committee or task force, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, or would compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person, or would

violate any law or rule of the House of Representatives. The Committee or task forces may by the same procedure vote to close one subsequent day of hearing.

(b) For the purposes clause 2(g)(2) of Rule XI of the Rules of the House of Representatives, the task forces of the Committee are considered to be subcommittees.

RULE 13—QUORUMS

(a) For the purpose of hearing testimony, not less than two members of the Committee shall constitute a quorum.

RULE 14—QUESTIONING WITNESSES

(a) Questioning of witnesses will be conducted under the 5-minute rule unless the Committee adopts a motion pursuant to clause 2(j) of Rule XI of the Rules of the House of Representatives.

(b) In questioning witnesses under the 5-minute rule:

(1) First, the Chair and the Ranking Minority Member shall be recognized;

(2) Next, the Committee members present at the time the hearing is called to order shall be recognized in order of seniority; and

(3) Finally, the Committee members not present at the time the hearing is called to order may be recognized in the order of their arrival at the hearing.

(c) In recognizing Committee members to question witnesses, the Chair may take into consideration the ratio of majority members to minority members and the number of majority and minority members present and shall apportion the recognition for questioning in such a manner as not to disadvantage the members of the majority.

(d) Notwithstanding the provisions of subparagraph (A), the Chair and Ranking Minority Member may designate an equal number of members from each party to question a witness for a period not longer than 30 minutes, or may designate staff from each party to question a witness for a period not longer than 30 minutes.

RULE 15—SUBPOENAS AND OATHS

(a) In accordance with clause 2(m) of Rule XI of the Rules of the House of Representatives, subpoenas authorized by a majority of the Committee or by the Chair (pursuant to such rules and limitations as the Committee may prescribe) may be issued over the signature of the Chair or of any member of the Committee designated by him, and may be served by any person designated by the Chair or such member.

(b) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses.

RULE 16—WITNESSES' STATEMENTS

(a) So far as practicable, any prepared statement to be presented by a witness shall be submitted to the Committee at least 24 hours in advance of presentation, and shall be distributed to all members of the Committee in advance of presentation.

(b) To the greatest extent possible, each witness appearing in a nongovernmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or sub-grant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(c) Such statements, with appropriate redactions to protect the privacy of witnesses, shall be made publicly available in electronic form not later than one day after the witness appears.

PRINTS AND PUBLICATIONS

RULE 17—COMMITTEE PRINTS

(a) All Committee prints and other materials prepared for public distribution shall be approved by the Committee prior to any distribution, unless such print or other material shows clearly on its face that it has not been approved by the Committee.

RULE 18—COMMITTEE PUBLICATIONS ON THE INTERNET

(a) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

STAFF

RULE 19—COMMITTEE STAFF

(a) Subject to approval by the Committee and to the provisions of the following paragraphs, the professional and clerical staff of the Committee shall be appointed, and may be removed, by the Chair.

(b) Committee staff shall not be assigned any duties other than those pertaining to Committee business, and shall be selected without regard to race, creed, gender, or age, and solely on the basis of fitness to perform the duties of their respective positions.

(c) All Committee staff shall be entitled to equitable treatment, including comparable salaries, facilities, access to official Committee records, leave, and hours of work.

(d) Notwithstanding paragraphs (a), (b), and (c), staff shall be employed in compliance with House rules, the Employment and Accountability Act, the Fair Labor Standards Act of 1938, and any other applicable Federal statutes.

RULE 20—STAFF SUPERVISION

(a) Staff shall be under the general supervision and direction of the Chair, who shall establish and assign their duties and responsibilities, delegate such authority as he deems appropriate, fix and adjust staff salaries (in accordance with Rule X, clause 9(c) of the Rules of the House of Representatives) and job titles, and, at his discretion, arrange for their specialized training.

(b) Staff assigned to the minority shall be under the general supervision and direction of the minority members of the Committee, who may delegate such authority, as they deem appropriate.

RECORDS

RULE 21—PREPARATION AND MAINTENANCE OF COMMITTEE RECORDS

(a) A substantially verbatim account of remarks actually made during the proceedings shall be made of all hearings and business meetings subject only to technical, grammatical, and typographical corrections.

(b) The proceedings of the Committee shall be recorded in a journal, which shall among other things, include a record of the votes on any question on which a record vote is taken.

(c) Members of the Committee shall correct and return transcripts of hearings as soon as practicable after receipt thereof, except that any changes shall be limited to technical, grammatical, and typographical corrections.

(d) Any witness may examine the transcript of his own testimony and make grammatical, technical, and typographical corrections.

(e) The Chair may order the printing of a hearing record without the corrections of any member or witness if he determines that such member or witness has been afforded a reasonable time for correction, and that further delay would seriously impede the Committee's responsibility for meeting its dead-

lines under the Congressional Budget Act of 1974.

(f) Transcripts of hearings and meetings may be printed if the Chair decides it is appropriate, or if a majority of the members so request.

RULE 22—ACCESS TO COMMITTEE RECORDS

(a)(1) The Chair shall promulgate regulations to provide for public inspection of roll call votes and to provide access by members to Committee records (in accordance with clause 2(e) of Rule XI of the Rules of the House of Representatives).

(b) Access to classified testimony and information shall be limited to Members of Congress and to House Budget Committee staff and staff of the Office of Official Reporters who have appropriate security clearance.

(c) Notice of the receipt of such information shall be sent to the Committee members. Such information shall be kept in the Committee safe, and shall be available to members in the Committee office.

(d) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chair shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee.

OVERSIGHT

RULE 23—GENERAL OVERSIGHT

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject of which is within its jurisdiction.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under clause 1(d) of Rule X of the Rules of the House of Representatives, and, subject to the adoption of expense resolutions as required by clause 6 of rule X of the House Rules, to incur expenses (including travel expenses) in connection therewith.

(c) Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration, the Committee on Oversight and Government Reform, and the Committee on Appropriations in accordance with the provisions of clause 2(d) of Rule X of the Rules of the House of Representatives.

REPORTS

RULE 24—AVAILABILITY BEFORE FILING

(a) Any report accompanying any bill or resolution ordered reported to the House by the Committee shall be available to all Committee members at least 36 hours prior to filing with the House.

(b) No material change shall be made in any report made available to members pursuant to section (a) without the concurrence of the Ranking Minority Member or by a majority vote of the Committee.

(c) Notwithstanding any other rule of the Committee, either or both subsections (a) and (b) may be waived by the Chair or with a majority vote by the Committee.

RULE 25—REPORT ON THE BUDGET RESOLUTION

(a) The report of the Committee to accompany a concurrent resolution on the budget

shall include a comparison of the estimated or actual levels for the year preceding the budget year with the proposed spending and revenue levels for the budget year and each outyear along with the appropriate percentage increase or decrease for each budget function and aggregate. The report shall include any roll call vote on any motion to amend or report any measure.

RULE 26—PARLIAMENTARIAN'S STATUS REPORT AND SECTION 302 STATUS REPORT

(a)(1) In order to carry out its duty under sections 311 and 312 of the Congressional Budget Act of 1974 to advise the House of Representatives as to the current level of spending and revenues as compared to the levels set forth in the latest agreed-upon concurrent resolution on the budget, the Committee shall advise the Speaker on at least a monthly basis when the House is in session as to its estimate of the current level of spending and revenue. Such estimates shall be prepared by the staff of the Committee, transmitted to the Speaker in the form of a Parliamentarian's Status Report, and printed in the Congressional Record.

(2) The Committee authorizes the Chair, in consultation with the Ranking Minority Member, to transmit to the Speaker the Parliamentarian's Status Report described above.

(b)(1) In order to carry out its duty under sections 302 and 312 of the Congressional Budget Act of 1974 to advise the House of Representatives as to the current level of spending within the jurisdiction of Committees as compared to the appropriate allocations made pursuant to the Budget Act in conformity with the latest agreed-upon concurrent resolution on the budget, the Committee shall, as necessary, advise the Speaker as to its estimate of the current level of spending within the jurisdiction of appropriate Committees. Such estimates shall be prepared by the staff of the Committee and transmitted to the Speaker in the form of a Section 302 Status Report.

(2) The Committee authorizes the Chair, in consultation with the Ranking Minority Member, to transmit to the Speaker the Section 302 Status Report described above.

RULE 27—ACTIVITY REPORT

(a) After an adjournment sine die of a regular session of a Congress or after December 15 of an even-numbered year, the chair of the Committee may file any time with the Clerk the Committee's activity report for that Congress pursuant to clause (1)(d)(1) of Rule XI of the Rules of the House of Representatives without the approval of the Committee, if a copy of the report has been available to each member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the Committee.

(b) Such report shall include separate sections summarizing the legislative and oversight activities of the Committee; a summary of the actions taken and recommendations made; a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken thereon; and a delineation of any hearings held.

MISCELLANEOUS

RULE 28—BROADCASTING OF MEETINGS AND HEARINGS

(a) It shall be the policy of the Committee to give all news media access to open hearings of the Committee, subject to the requirements and limitations set forth in clause 4 of Rule XI of the Rules of the House of Representatives.

(b) Whenever any Committee business meeting is open to the public, that meeting may be covered, in whole or in part, by television broadcast, radio broadcast, still photography, or by any of such methods of coverage, in accordance with clause 4 of Rule XI of the Rules of the House of Representatives.

RULE 29—APPOINTMENT OF CONFEREES

(a) Majority party members recommended to the Speaker as conferees shall be recommended by the Chair subject to the approval of the majority party members of the Committee.

(b) The Chair shall recommend such minority party members as conferees as shall be determined by the minority party; the recommended party representation shall be in approximately the same proportion as that in the Committee.

RULE 30—WAIVERS

(a) When a reported bill or joint resolution, conference report, or anticipated floor amendment violates any provision of the Congressional Budget Act of 1974, the Chair may, if practical, consult with the Committee members on whether the Chair should recommend, in writing, that the Committee on Rules report a special rule that enforces the Act by not waiving the applicable points of order during the consideration of such measure.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 30, 2017.

HON. PAUL RYAN,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 2(a)(2) of House Rule XI, the Committee on Oversight and Government Reform adopted its rules for the 115th Congress on January 24, 2017, and I submit them now for publication in the Congressional Record.

Sincerely,

JASON CHAFFETZ,
Chairman.

RULE 1—GENERAL

(a) Rules of the House. The Rules of the House are the rules of the Committee on Oversight and Government Reform ("the Committee") and its subcommittees so far as applicable.

(b) Application of the Rules. Except where the terms "the Committee" and "subcommittee" are specifically referred to, the following rules shall apply to the Committee and its subcommittees as well as to their respective chairs, ranking minority members, members, and staff.

RULE 2—MEETINGS

(a) Regular Meetings. The regular meetings of the Committee shall be held on the second Thursday of each month at 10 a.m., when the House is in session. The Chair of the Committee is authorized to dispense with a regular meeting or to change the date thereof when circumstances warrant.

(b) Additional and Special Meetings. The Chair of the Committee may call and convene additional meetings, when circumstances warrant. A special meeting of the Committee may be requested by members of the Committee pursuant to the provisions of House Rule XI, clause 2(c)(2).

(c) Subcommittee Meetings. Each subcommittee shall meet at the call of its chair, subject to Rule 7.

(d) Presiding Member. The chair of the Committee or a subcommittee shall preside over each meeting and hearing thereof ("the presiding member"). If the chair of the Committee or a subcommittee is not present during a meeting or hearing thereof, the Vice Chair of the Committee or subcommittee, designated pursuant to House Rule XI, clause 2(d), shall serve as the presiding member during the absence of the chair. If the chair and vice chair of the Committee or a subcommittee are not present during a meeting or hearing thereof, the ranking member of the majority party on the Committee or subcommittee who is present shall serve as the presiding member during the absence of the chair and vice chair.

(e) Notice. The chair of the Committee or a subcommittee shall announce the date, place, and subject matter of a meeting or hearing pursuant to House Rule XI, clause 2(g)(3)(A).

(f) Agenda. Every member of the Committee, unless prevented by unusual circumstances, shall be provided with a memorandum at least 72 hours before each meeting or hearing explaining: (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses. The ranking minority member shall be responsible for providing the same information on witnesses whom the minority may request.

(g) Availability of Text. To the maximum extent practicable, amendments to a measure or matter shall be submitted in writing or electronically to the designee of the chair and ranking minority member of the Committee or a subcommittee at least 24 hours prior to its consideration of the measure or matter. The chair may exercise discretion to give priority to amendments submitted in advance.

RULE 3—QUORUMS

(a) Generally. A majority of the members of the Committee or a subcommittee shall form a quorum for the Committee or subcommittee, respectively, except that two members shall constitute a quorum for taking testimony and receiving evidence, and one third of the members shall form a quorum for taking any action other than for which the presence of a majority of the Committee or subcommittee is otherwise required.

(b) Subcommittee Field Hearings. The Chair of the Committee may, at the request of a subcommittee chair, make a temporary assignment of any member of the Committee to such subcommittee for the purpose of constituting a quorum at and participating in any public hearing by such subcommittee to be held outside of Washington, DC. A member appointed to such temporary positions shall not be a voting member. The Chair of the Committee shall give reasonable notice of such temporary assignment to the ranking minority member of the Committee and of the respective subcommittee.

RULE 4—COMMITTEE REPORTS

(a) Bills and Resolutions. Each bill or resolution approved by the Committee shall be reported by the Chair of the Committee pursuant to House Rule XIII, clauses 2-4.

(b) Approval of Investigative and Oversight Reports. Only those investigative or oversight reports approved by a majority vote of the Committee at a meeting at which a quorum is present may be ordered printed, unless otherwise required by the Rules of the House of Representatives.

(c) Notice of Investigative and Oversight Reports. A proposed investigative or oversight report shall not be considered in the Committee unless the proposed report has been available to the members of the Committee for at least three calendar days (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) before consideration of such proposed report in the Committee. If a hearing has been held on the matter reported upon, every reasonable effort shall be made to have such hearing printed and available to the members of the Committee before the consideration of the proposed report in the Committee.

(d) Additional Views. If at the time of approval of a report, a member of the Committee gives notice of intent to file supplemental, minority, additional, or dissenting views any member of the Committee shall be entitled to file such views following House Rule XI, clause 2(1) and Rule XIII, clause 3(a)(1).

RULE 5—RECORD VOTES

(a) Request for Record Vote. A record vote of the members may be had upon the request of any member upon approval of a one-fifth vote of the members present.

(b) Postponement of a Record Vote. Pursuant to House Rule XI, clause 2 (h)(4), the presiding member at a meeting is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment and to resume proceedings on a postponed question at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed. After consultation with the ranking minority member, the chair shall take reasonable steps to notify members on the resumption of proceedings on any postponed record vote.

RULE 6—SUBCOMMITTEES; REFERRALS

(a)(1) There shall be six subcommittees of the Committee, with appropriate party ratios, as follows:

(A) Subcommittee on Government Operations, which shall have legislative and oversight jurisdiction over government management and accounting measures; the economy, efficiency, and management of government operations and activities; procurement; federal property; public information; federal records; federal civil service; government reorganizations; the U.S. Postal Service; the National Archives; the Census Bureau; and the District of Columbia.

(B) Subcommittee on Healthcare, Benefits, and Administrative Rules, which shall have oversight jurisdiction over health care policy, administration, and programs; regulatory affairs; government-wide rules and regulations; financial services; and the administration and solvency of benefit and entitlement programs; and legislative jurisdiction over regulatory affairs and federal paperwork reduction.

(C) Subcommittee on the Interior, Energy, and Environment, which shall have oversight jurisdiction over energy policy, public lands, environmental policy, fish and wildlife, mining, energy development, pollution, and related regulations.

(D) Subcommittee on Information Technology, which shall have oversight jurisdiction over information security, including cybersecurity and federal information security; information technology policy, management,

and procurement; emerging technologies; intellectual property; telecommunications; and privacy.

(E) Subcommittee on Intergovernmental Affairs, which shall have legislative and oversight jurisdiction over the relationship between the federal government and states and municipalities, including unfunded mandates, federal regulations, grants, and programs.

(F) Subcommittee on National Security, which shall have oversight jurisdiction over national security; homeland security; foreign operations, including the relationships between the United States and international organizations of which the United States is a member; immigration; defense; and criminal justice.

(2) In addition, each subcommittee shall have specific responsibility for such other measures or matters as the Chair of the Committee refers to it.

(3) Each subcommittee with legislative jurisdiction shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

(b) Referrals. Bills, resolutions, and other matters may be expeditiously referred by the Chair of the Committee to subcommittees, as appropriate in the determination of the Chair of the Committee, for consideration or investigation in accordance with subcommittees' jurisdictions. Bills, resolutions, and other matters referred to subcommittees may be re-referred or discharged by the Chair of the Committee when, in the judgment of the Chair, the subcommittee is not able to complete its work or cannot reach agreement therein.

(c) Membership. The Chair of the Committee shall assign members to the subcommittees and shall designate the chair and vice-chair of each subcommittee. Minority party assignments, including designation of the ranking minority member of each subcommittee, shall be made only with the concurrence of the Ranking Minority Member of the Committee.

(d) Ex Officio Membership. The Chair of the Committee and the Ranking Minority Member of the Committee shall be ex officio members of all subcommittees. They are authorized to vote on subcommittee matters; but, unless they are regular members of the subcommittee, they shall not be counted in determining a subcommittee quorum other than a quorum for taking testimony.

RULE 7—SUBCOMMITTEE HEARING AND MEETING PROCEDURE

(a) Generally. Each subcommittee is authorized to meet, hold hearings, receive testimony, markup legislation, and report to the Committee on any measure or matter referred to it.

(b) During Committee Meetings and Hearings. No subcommittee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(c) Scheduling. Each subcommittee chair shall set hearing and meeting dates only with the approval of the Chair of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of meetings or hearings.

RULE 8—STAFF

(a) Employment Authority. Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the Chair of the Committee shall have the authority to hire and discharge employees of the professional and clerical staff of the Committee and subcommittees.

(b) Duties. Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the staff of the Committee and subcommittees shall be subject to the direction of the Chair of the Committee and shall perform such duties as the Chair of the Committee may assign.

RULE 9—HEARINGS

(a) Generally. Hearings shall be conducted according to the procedures in House Rule XI, clause 2(k). All questions put to witnesses before the Committee or a subcommittee shall be relevant to the subject matter before the Committee or subcommittee for consideration, and the presiding member shall rule on the relevance of any question put to a witness.

(b) Recognition and Order of Questioning. A member may question witnesses only when recognized by the presiding member for that purpose. In accordance with House Rule XI, clause 2(j)(2), the five-minute rule shall apply during the questioning of witnesses in a hearing. The presiding member shall, so far as practicable, recognize alternately based on seniority of those majority and minority members present at the time the hearing was called to order and others based on their arrival at the hearing. After that, additional time may be extended at the direction of the presiding member.

(c) Extended Questioning. The presiding member, or the Committee or subcommittee by motion, may permit a specified number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(d) Staff Questioning. The presiding member, or the Committee or subcommittee by motion, may permit Committee or subcommittee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(e) Time for Questioning. Nothing in paragraph (c) or (d) affects the rights of a member (other than a member designated under paragraph (c)) to question a witness for 5 minutes in accordance with paragraph (b). In any extended questioning permitted under paragraph (c) or (d), the presiding member shall determine how to allocate the time permitted for extended questioning by majority members or staff, and the ranking minority member shall determine how to allocate the time permitted for extended questioning by minority members or staff.

(f) Witness Statements. Witnesses appearing before the Committee or a subcommittee shall, so far as practicable, submit written statements at least 24 hours before their appearance.

(g) Oaths. The presiding member may administer oaths to any witness before the Committee or subcommittee. All witnesses appearing in hearings may be administered the following oath by the presiding member prior to receiving the testimony: "Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?"

RULE 10—COMMITTEE RECORDS, OPEN MEETINGS, TRANSPARENCY

(a) Generally. The Committee and subcommittee staff shall maintain in the Committee offices a complete record of Committee and subcommittee actions from the current Congress including a record of the roll call votes taken at business meetings. The original records, or true copies thereof, as appropriate, shall be available for public inspection whenever the Committee offices

are open for public business. The staff shall assure that such original records are preserved with no unauthorized alteration, additions, or defacement.

(b) Transcripts of Proceedings. A stenographic record of all testimony shall be kept of public hearings and shall be made available on such conditions as the Chair of the Committee may prescribe.

(c) Open Meetings. Meetings and hearings shall be open to the public or closed in accordance with the Rules of the House of Representatives.

(d) Committee Website. The Chair of the Committee shall maintain an official website on behalf of the Committee for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. To the greatest extent practicable, the Chair of the Committee shall ensure that Committee records are made available on the Committee's official website in appropriate formats.

(e) Minority Website. The Ranking Minority Member of the Committee is authorized to maintain an official website on behalf of the minority members of the Committee for the same purpose as in paragraph (d), including communicating information about the activities of the minority to Committee members and other members of the House.

(f) Archived Records. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House. The Chair shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

RULE 11—AUDIO AND VISUAL COVERAGE OF COMMITTEE PROCEEDINGS

(a) Generally. An open meeting or hearing may be covered, in whole or in part, by television broadcast, radio broadcast, internet broadcast, and still photography, unless closed subject to the provisions of House Rules. Any such coverage shall conform to the provisions of House Rule XI, clause 4.

(b) Committee Broadcast System. Use of the Committee Broadcast System shall be fair and nonpartisan, and in accordance with House Rule XI, clause 4(b), and all other applicable rules of the House and the Committee. Members of the Committee shall have prompt access to a copy of coverage by the Committee Broadcast System, to the extent that such coverage is maintained.

(c) Other Coverage. Personnel providing coverage of an open meeting or hearing of the Committee by internet broadcast, other than through the Committee Broadcast System shall be currently accredited to the Radio and Television Correspondents' Galleries. If the Committee Broadcast System is not available, the Chair of the Committee may, with the concurrence of the Ranking Minority Member of the Committee, direct staff to provide coverage in a manner that is fair and nonpartisan and in accordance with House Rule XI, clause 4.

RULE 12—ADDITIONAL DUTIES OF THE CHAIR OF THE COMMITTEE

The Chair of the Committee shall:

(a) Make available to other committees the findings and recommendations resulting from the investigations of the Committee, as required by House Rule X, clause 4(c)(2);

(b) Direct such review and studies on—

(1) the impact or probable impact of tax policies affecting subjects within the Committee's jurisdiction, as required by House Rule X, clause 2(c);

(2) the operation of Government activities at all levels with a view to determining their economy and efficiency, as required by House Rule X, clause 3(i);

(3) the effect of laws enacted to reorganize the legislative and executive branches of the Government, as required by House Rule X, clause 4(c)(1)(B); and

(4) intergovernmental relationships between the United States and the States and municipalities and between the United States and international organizations of which the United States is a member, as required by House Rule X, clause 4(c)(1)(C);

(c) Submit to the Committee on House Administration and the Committee on Appropriations the Committee's authorization and oversight plan as required by House Rule X, clause 2(d);

(d) Report to the House by March 31 in the first session of Congress, after consultation with the Speaker, the Majority Leader, and the Minority Leader, the authorization and oversight plans submitted by committees together with any recommendations that the Committee or the House leadership group described above may make to ensure the most effective coordination of authorization and oversight plans and otherwise achieve the objectives of House Rule X, clause 2;

(e) Submit to the House such recommendations as the Committee considers necessary or desirable in connection with the reports of the Comptroller General, as required by House Rule X, clause 4(c)(1)(A);

(f) Submit to the Committee on the Budget views and estimates required by House Rule X, clause 4(f), and to file reports with the House as required by the Congressional Budget Act;

(g) Authorize and issue subpoenas as provided in House Rule XI, clause 2(m), in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee;

(h) Prepare, after consultation with the Ranking Minority Member of the Committee, a budget for the Committee;

(i) Make any necessary technical and conforming changes to legislation reported by the Committee upon unanimous consent; and

(j) Offer motions under clause 1 of Rule XXII of the Rules of the House (motion to request or agree to a conference) whenever the Chair of the Committee considers it appropriate.

RULE 13—CONSIDERATION OF CERTAIN BILLS AND RESOLUTIONS

(a) Commemorative Stamps. The determination of the subject matter of commemorative stamps and new semi-postal issues is properly for consideration by the Postmaster General and the Committee will not give consideration to legislative proposals specifying the subject matter of commemorative stamps and new semi-postal issues. It is suggested that recommendations for the subject matter of stamps be submitted to the Postmaster General.

(b) Postal Naming Bills. The consideration of bills designating facilities of the United States Postal Service shall be conducted so as to minimize the time spent on such matters by the Committee and the House.

(c) Resolutions. The Chair of the Committee shall not request to have scheduled any resolution for consideration under suspension of the Rules, which expresses appreciation, commends, congratulates, cele-

brates, recognizes the accomplishments of, or celebrates the anniversary of, an entity, event, group, individual, institution, team or government program; or acknowledges or recognizes a period of time for such purposes.

RULE 14—PANELS AND TASK FORCES

(a) Generally. The Chair of the Committee is authorized to appoint panels or task forces to carry out the duties and functions of the Committee.

(b) Ex Officio Membership. The Chair and Ranking Minority Member of the Committee may serve as ex-officio members of each panel or task force established under this Rule.

(c) Appointment of Leadership. The chair of any panel or task force shall be appointed by the Chair of the Committee. The Ranking Minority Member of the Committee shall select a ranking minority member for each panel or task force.

(d) Application of Rules. The House and Committee rules applicable to subcommittee meetings, hearings, recommendations, and reports shall apply to the meetings, hearings, recommendations, and reports of panels and task forces.

(e) Termination. No panel or task force appointed under this Rule shall continue in existence for more than six months. A panel or task force appointed under this Rule may, upon the expiration of six months, be reappointed by the chair.

RULE 15—DEPOSITION AUTHORITY

(a) Generally. The Chair of the Committee, upon consultation with the Ranking Minority Member of the Committee, may order the taking of depositions, under oath and pursuant to notice or subpoena.

(b) Notices. Notices for the taking of depositions shall specify the date, time, and place of examination (if other than within the Committee offices).

(c) Oaths. Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths.

(d) Consultation. Consultation with the Ranking Minority Member of the Committee shall include three business days' notice before any deposition is taken. All members shall also receive three business days' notice that a deposition has been scheduled.

(e) Attendance. Witnesses may be accompanied at a deposition by counsel to advise them of their rights. No one may be present at depositions except members, Committee staff designated by the Chair of the Committee or the Ranking Minority Member of the Committee, an official reporter, the witness, and the witness's counsel. Observers or counsel for other persons, or for agencies under investigation, may not attend.

(f) Requirement of Member Attendance. At least one member of the Committee shall be present at each deposition taken by the Committee, unless—

(1) the witness to be deposed agrees in writing to waive this requirement; or

(2) the Committee authorizes the taking of a specified deposition pursuant to H. Res. 5 without the presence of a member of the Committee during a specified period, provided that the House is not in session on the day of the deposition.

(g) Who May Question. A deposition shall be conducted by any member or staff attorney designated by the Chair of the Committee or Ranking Minority Member of the Committee. When depositions are conducted by Committee staff attorneys, there shall be no more than two Committee staff attorneys permitted to question a witness per round. One of the Committee staff attorneys shall

be designated by the Chair of the Committee and the other by the Ranking Minority Member of the Committee. Other Committee staff members designated by the Chair of the Committee or Ranking Minority Member of the Committee may attend, but may not pose questions to the witness.

(h) Order of Questions. Questions in the deposition shall be propounded in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or staff attorneys conducting the deposition agree to a different length of questioning. In each round, a member or Committee staff attorney designated by the Chair of the Committee shall ask questions first, and the member or Committee staff attorney designated by the Ranking Minority Member of the Committee shall ask questions second.

(i) Objections. Any objection made during a deposition must be stated concisely and in a non-argumentative and non-suggestive manner. The witness may refuse to answer a question only to preserve a privilege. When the witness has objected and refused to answer a question to preserve a privilege, the Chair of the Committee may rule on any such objection after the deposition has adjourned. If the Chair of the Committee overrules any such objection and thereby orders a witness to answer any question to which a privilege objection was lodged, such ruling shall be filed with the clerk of the Committee and shall be provided to the members and the witness no less than three days before the reconvened deposition. If a member of the Committee appeals in writing the ruling of the Chair, the appeal shall be preserved for Committee consideration. A deponent who refuses to answer a question after being directed by the Chair in writing to answer may be subject to sanction, except that no sanctions may be imposed if the ruling of the Chair is reversed by the Committee on appeal.

(j) Record of Testimony. Committee staff shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days thereafter, the witness may submit suggested changes to the Chair of the Committee. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

(k) Transcription Requirements. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the Committee in Washington, D.C. Depositions shall be considered to have been taken in Washington, D.C., as well as the location actually taken once filed there with the clerk of the Committee for the Committee's use. The Chair of the Committee and the Ranking Minority Member of the Committee shall be provided with a copy of the transcripts of the deposition at the same time.

(l) Release. The Chair of the Committee and Ranking Minority Member of the Committee shall consult regarding the release of depositions. If either objects in writing to a proposed release of a deposition or a portion thereof, the matter shall be promptly referred to the Committee for resolution.

(m) Provision of Rules to Witnesses. A witness shall not be required to testify unless the witness has been provided with a copy of the Committee's rules.

RULE 16—WITNESS PROCEDURE

(a) Witness Disclosures. Witnesses appearing at a hearing of the Committee or a subcommittee in a non-governmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each federal grant (or subgrant thereof) or contract (or subcontract thereof), as well as the amount and source of payments or contracts originating from foreign governments, insofar as they relate to the subject matter of the hearing, received during the current calendar year or either of the two previous calendar years, by the witness or by an entity represented by the witness.

(b) Representation by Counsel. When representing a witness or entity before the Committee or a subcommittee in response to a request or subpoena from the Committee, or in connection with testimony before the Committee or a subcommittee, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (1) counsel's name, firm or organization, bar membership, and contact information including email; and (2) each client or entity represented by the counsel in connection with the proceeding.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON ENERGY AND COMMERCE FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 30, 2017.

Hon. KAREN L. HAAS,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. HAAS, Pursuant to clause 2(a)(2) of Rule XI of the Rules of the House of Representatives, I present the Rules of the Committee on Energy and Commerce for the 115th Congress for publication in the Congressional Record.

Sincerely,

GREG WALDEN,
Chairman.

Attachment.

(Adopted January 25, 2017)

RULE 1. GENERAL PROVISIONS

(a) Rules of the Committee. The Rules of the House are the rules of the Committee on Energy and Commerce (the "Committee") and its subcommittees so far as is applicable.

(b) Rules of the Subcommittees. Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as is applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

RULE 2. MEETINGS

(a) Regular Meeting Days. The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the

House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) Additional Meetings. The chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(c) Notice. The date, time, place, and subject matter of any meeting of the Committee scheduled on a Tuesday, Wednesday, or Thursday when the House will be in session shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting. The date, time, place, and subject matter of other meetings when the House is in session shall be announced to allow Members to have at least three days notice (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) of such meeting. The date, time, place, and subject matter of all other meetings shall be announced at least 72 hours in advance of the commencement of such meeting.

(d) Agenda. The agenda for each Committee meeting, setting out all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

(e) Availability of Texts. No bill, recommendation, or other matter shall be considered by the Committee unless the text of the matter, together with an explanation, has been available to members of the Committee for three days (or 24 hours in the case of a substitute for introduced legislation). Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to present law, and a summary of the need for the legislation.

(f) Waiver. The requirements of subsections (c), (d), and (e) may be waived by a majority of those present and voting (a majority being present) of the Committee or by the chairman with the concurrence of the ranking member, as the case may be.

RULE 3. HEARINGS

(a) Notice. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless a determination is made in accordance with clause 2(g)(3) of Rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(b) Memorandum. Each member of the Committee shall be provided, except in the case of unusual circumstances, with a memorandum at least 48 hours before each hearing explaining (1) the purpose of the hearing and (2) the names of any witnesses.

(c) Witnesses. (1) Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such

written testimony in an electronic format prescribed by the chairman. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chairman of the Committee or the presiding member may waive the requirements of this paragraph or any part thereof.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a nongovernmental capacity shall include a curriculum vitae and a disclosure of any federal grant or contract or foreign government contracts and payments related to the subject matter of the hearing received during the current calendar year or either of the two preceding calendar years by the witness or by an entity represented by the witness. The disclosure shall include (i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and (ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(d) Questioning. (1) The right to interrogate the witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. The chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee.

(2) The chairman, with the concurrence of the ranking minority member, or the Committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side. The chairman with the concurrence of the ranking minority member, or the Committee by motion, may also permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(3) Each member may submit to the chairman of the Committee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The chairman shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record. After consultation with the ranking minority member, the chairman is authorized to close the hearing record no earlier than 120 days from the date the questions were transmitted to the appropriate witness.

RULE 4. VICE CHAIRMEN; PRESIDING MEMBER

The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman.

If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the ranking member of the majority party who is present shall preside at the meeting or hearing.

RULE 5. OPEN PROCEEDINGS

Except as provided by the Rules of the House, each meeting and hearing of the Committee for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public, including to radio, television, and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

RULE 6. QUORUM

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee in question. A majority of the members of the Committee shall constitute a quorum for those actions for which the House Rules require a majority quorum. For the purposes of taking any other action, one-third of the members of the Committee shall constitute a quorum.

RULE 7. OFFICIAL COMMITTEE RECORDS

(a)(1) Documents reflecting the proceedings of the Committee shall be made publicly available in electronic form on the Committee's website and in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House not more than 24 hours after each meeting has adjourned, including a record showing those present at each meeting; and a record of the vote on any question on which a record vote is demanded, including a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(2) Record Votes. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum.

(b) Postponement of Votes. In accordance with clause 2(h)(4) of Rule XI of the Rules of the House, the Chairman of the Committee or a subcommittee, after consultation with the ranking minority member of the Committee or subcommittee, may (A) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and (B) resume proceedings on a postponed question at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(c) Archived Records. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE 8. SUBCOMMITTEES

(a) Establishment. There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

(b) Powers and Duties. Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(c) Ratio of Subcommittees. The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

(d) Selection of Subcommittee Members. Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(e) Ex Officio Members. The chairman and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

RULE 9. OPENING STATEMENTS

(a) Written Statements. All written opening statements at hearings and business meetings conducted by the committee shall be made part of the permanent record.

(b) Length. (1) At full committee hearings, the chairman and ranking minority member shall be limited to 5 minutes each for an opening statement, and may designate another member to give an opening statement of not more than 5 minutes. At subcommittee hearings, the subcommittee chairman and ranking minority member of the subcommittee shall be limited to 5 minutes each for an opening statement. In addition, the full committee chairman and ranking minority member shall each be allocated 5 minutes for an opening statement for themselves or their designees.

(2) At any business meeting of the Committee, statements shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. The chairman may further limit opening statements for Members (including, at the discretion of the Chairman, the chairman and ranking minority member) to one minute.

RULE 10. REFERENCE OF LEGISLATION AND OTHER MATTERS

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless action is taken by the full Committee within those two weeks, or by majority vote of the members of the Committee, consideration is to be by the full

Committee. In the case of legislation or other matter within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittees having legislative or oversight jurisdiction.

RULE 11. MANAGING LEGISLATION ON THE HOUSE FLOOR

The chairman, in his discretion, shall designate which member shall manage legislation reported by the Committee to the House.

RULE 12. COMMITTEE PROFESSIONAL AND CLERICAL STAFF APPOINTMENTS

(a) Delegation of Staff. Whenever the chairman of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 9 of Rule X of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he may delegate such member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) Minority Professional Staff. Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) Additional Staff Appointments. In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) Sufficient Staff. The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) Fair Treatment of Minority Members in Appointment of Committee Staff. The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) Contracts for Temporary or Intermittent Services. Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to

have been approved by a majority of the members of the Committee if approved by the chairman and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chairman or chairmen, and such ranking minority member or members, approve such contract.

RULE 13. SUPERVISION, DUTIES OF STAFF

(a) Supervision of Majority Staff. The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(b) Supervision of Minority Staff. The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

RULE 14. COMMITTEE BUDGET

(a) Administration of Committee Budget. The chairman of the Committee, in consultation with the ranking minority member, shall for the 114th Congress attempt to ensure that the Committee receives necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight.

(b) Monthly Expenditures Report. Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

RULE 15. BROADCASTING OF COMMITTEE HEARINGS

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

RULE 16. SUBPOENA POWER

The power to authorize and issue subpoenas is delegated to the Chair of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The Chair shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the Chair shall consult with the ranking minority member at least 72 hours in advance of a subpoena being issued under such authority. The chairman shall report to the members of the Committee on the issuance of a subpoena as soon as practicable but in no event later than one week after issuance of such subpoena.

RULE 17. TRAVEL OF MEMBERS AND STAFF

(a) Approval of Travel. Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party professional staff for the purpose set out in (a), the prior approval, not only of the chairman but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

RULE 18. WEBSITE

The chairman shall maintain an official Committee website for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain an official website for the purpose of carrying out official responsibilities, including communicating information about the activities of the minority members of the Committee to Committee members and other members of the House.

RULE 19. CONFERENCES

The chairman of the Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the chairman considers it appropriate.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 31, 2017, at 10 a.m. for morning-hour debate.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRESSIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive communications [final rules] submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of June 13, 2016, through January 3, 2017, shall be treated as though received on January 30, 2017. Original dates of transmittal, numberings, and referrals

to committee of those executive communications remain as indicated in the Executive Communication section of the relevant CONGRESSIONAL RECORD.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

387. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Response to Elevated Blood Lead Levels [Docket No.: FR-5816-F-02] (RIN: 2501-AD77) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

388. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Terrorism Risk Insurance Program (RIN: 1505-AC53) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

389. A letter from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting the Department's final rule — Family Educational Rights and Privacy Act received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

390. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Titanium Dioxide and Listing of Color Additives Subject to Certification; [Phthalocyaninato (2-)] Copper; Confirmation of Effective Date [Docket No.: FDA-2016-F-0821] received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

391. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Removal of Certain Persons from the Entity List [Docket No.: 170103009-7009-01] (RIN: 0694-AH28) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

392. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Iranian Transactions and Sanctions Regulations received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

393. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Revision of Freedom of Information Act Regulation [Docket No.: FR-5986-F-01] (RIN: 2501-AD81) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110

Stat. 868); to the Committee on Oversight and Government Reform.

394. A letter from the Regulations Coordinator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting the Department's revised mandatory guidelines — Mandatory Guidelines for Federal Workplace Drug Testing Programs received January 23, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

395. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — List of Fisheries for 2017 [Docket No.: 160219129-6999-02] (RIN: 0648-BF78) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

396. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2017 Atlantic Shark Commercial Fishing Season [Docket No.: 160620545-6999-02] (RIN: 0648-XE696) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

397. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Archival Tag Management Measures [Docket No.: 150817722-6703-02] (RIN: 0648-BF10) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

398. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures [Docket No.: 160630573-6999-02] (RIN: 0648-BG19) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

399. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustments to 2017 Management Area Annual Catch Limits [Docket No.: 160906823-6999-01] (RIN: 0648-XE876) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

400. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Technical Amendment to Regulations [Docket No.: 161227999-6999-01] (RIN: 0648-BG49) received January 26, 2017, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

401. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Commercial Sablefish Fishing Regulations and Electronic Fish Tickets [Docket No.: 140905757-6999-02] (RIN: 0648-BE42) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

402. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Amendment 19 [Docket No.: 160126052-6974-02] (RIN: 0648-BF72) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

403. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2017-2018 Summer Flounder Specifications and Announcement of 2017 Summer Flounder and Black Sea Bass Commercial Accountability Measures [Docket No.: 161017970-6999-02] (RIN: 0648-XE976) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

404. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Dolphin and Wahoo Fishery Off the Atlantic States; Regulatory Amendment 1 [Docket No.: 160302174-6999-02] (RIN: 0648-BF81) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

405. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Observer Coverage Requirements for Bering Sea and Aleutian Islands Management Area Trawl Catcher Vessels [Docket No.: 160225146-6851-02] (RIN: 0648-BF80) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

406. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Individual Bluefin Quota Program; Inseason Transfers [Docket No.: 160527473-6999-02] (RIN: 0648-BG09) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

407. A letter from the Secretary, Department of Labor, transmitting the Department's final rule — Department of Labor Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2017 (RIN: 1290-AA31) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

408. A letter from the Attorney-Adviser, Office of the Legal Adviser, Department of State, transmitting the Department's final rule — 2017 Civil Monetary Penalties Inflationary Adjustment [Public Notice: 9828] (RIN: 1400-AE09) received January 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

409. A letter from the Attorney-Advisor, FHWA, Department of Transportation, transmitting the Department's final rule — National Performance Management Measures; Assessing Pavement Condition for the National Highway Performance Program and Bridge Condition for the National Highway Performance Program [Docket No.: FHWA-2013-0053] (RIN: 2125-AF53) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

410. A letter from the Attorney-Advisory, FHWA, Department of Transportation, transmitting the Department's final rule — National Performance Management Measures; Assessing Performance of the National Highway System, Freight Movement on the Interstate System, and Congestion Mitigation and Air Quality Improvement Program [Docket No.: FHWA-2013-0054] (RIN: 2125-AF54) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

411. A letter from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Operator Qualification, Cost Recovery, Accident and Incident Notification, and Other Pipeline Safety Changes [Docket No.: PHMSA-2013-0163; Amdt. Nos.: 190-19; 191-25; 192-123; 195-101; 199-27] (RIN: 2137-AE94) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

412. A letter from the Office Program Manager, Office of Regulation Policy and Management (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Recognition of Tribal Organizations for Representation of VA Claimants (RIN: 2900-AP51) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

413. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delay of Effective Date for 31 Final Regulations Published by the Environmental Protection Agency between October 28, 2016 and January 17, 2017 [FRL-9958-87-OP] received January 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce, Transportation and Infrastructure, and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEWHOUSE: Committee on Rules. House Resolution 70. Resolution providing for consideration of the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule (Rept. 115-6). Referred to the House Calendar.

Mr. BUCK: Committee on Rules. House Resolution 71. Resolution providing for consideration of the joint resolution (H.J. Res. 41) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers", and providing for consideration of the joint resolution (H.J. Res. 40) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007 (Rept. 115-7). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Mr. GOODLATTE, Mr. BUCK, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Mr. CHABOT, and Mr. CHAFFETZ):

H.R. 720. A bill to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

By Ms. JENKINS of Kansas (for herself, Mr. BLUMENAUER, Mr. RODNEY DAVIS of Illinois, and Mr. LIPINSKI):

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit; to the Committee on Ways and Means.

By Ms. MENG (for herself, Ms. ADAMS, Ms. BARRAGAN, Mr. BEYER, Mr. BRADY of Pennsylvania, Mrs. BUSTOS, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. ESPAILLAT, Ms. FRANKEL of Florida, Mr. GALLEGRO, Mr. GRIJALVA, Ms. HANABUSA, Mr. HIMES, Mr. JEFFRIES, Ms. KUSTER of New Hampshire, Ms. LEE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MEEKS, Mr. MOULTON, Ms. NORTON, Mr. O'ROURKE, Mr. PAYNE, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. RASKIN, Mr. RYAN of Ohio, Mr. SERRANO, Mr. SOTO, Mr. SUOZZI, Mr. TONKO, Mrs. TORRES, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. WELCH, and Mr. JOHNSON of Georgia):

H.R. 722. A bill to prohibit the use of Federal funds to implement, administer, or enforce the Executive order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States" signed by President Donald J. Trump on January 27, 2017; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Homeland Security, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER (for himself and Mr. WELCH):

H.R. 723. A bill to amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LOFGREN (for herself, Mr. CONYERS, Mrs. DINGELL, Ms. MENG, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. CROWLEY, Ms. SÁNCHEZ, Mr. NADLER, Ms. JACKSON LEE, Mr. COHEN, Mr. JOHNSON of Georgia, Ms. JUDY CHU of California, Mr. DEUTCH, Mr. GUTIÉRREZ, Mr. JEFFRIES, Mr. CICILLINE, Ms. BASS, Mr. RICHMOND, Mr. SWALWELL of California, Mr. TED LIEU of California, Mr. RASKIN, Ms. JAYAPAL, Mr. AGUILAR, Ms. BARRAGAN, Mrs. BEATTY, Mr. BERA, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN of Maryland, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARBAJAL, Mr. CÁRDENAS, Ms. CASTOR of Florida, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONNOLLY, Mr. COOPER, Mr. COURTNEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mrs. DEMINGS, Mr. DESAULNIER, Mr. MICHAE F. DOYLE of Pennsylvania, Mr. ENGEL, Ms. ESHOO, Mr. ESPAILLAT, Ms. ESTY, Mr. EVANS, Mr. POSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGRO, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HASTINGS, Ms. HANABUSA, Mr. HIGGINS of New York, Mr. HIMES, Mr. HUFFMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. KILDEE, Mr. KRISHNAMOORTHY, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mr. LARSEN of Washington, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS of Georgia, Mr. LEVIN, Mr. LIPINSKI, Mr. LYNCH, Mrs. LOWMY, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MOORE, Mr. MOULTON, Mrs. MURPHY of Florida, Mrs. NAPOLITANO, Mr. NEAL, Mr. NORCROSS, Ms. NORTON, Mr. O'ROURKE, Mr. PALLONE, Mr. PANETTA, Mr. PAYNE, Mr. PERLMUTTER, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Miss RICE of New York, Mr. RYAN of Ohio, Ms. ROYBAL-ALLARD, Mr. SABLAN, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SIREs, Ms. SLAUGHTER, Mr. SOTO, Ms. SPEIER, Mr. SMITH of Washington, Mr. SUOZZI, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO,

Mrs. TORRES, Ms. TSONGAS, Mr. VARGAS, Mr. VELA, Ms. VELÁZQUEZ, Mr. VISCLOSKEY, Mr. WALZ, Ms. MAXINE WATERS of California, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Ms. BROWNLEY of California, Ms. ADAMS, Mr. NOLAN, Mr. SCHRADER, Mr. KILMER, Mr. BRADY of Pennsylvania, Mr. RUPERSBERGER, Mr. CORREA, Ms. BLUNT ROCHESTER, Mr. RUSH, Mr. VEASEY, Mr. PETERS, Mr. LOEBSACK, Mr. CARTWRIGHT, Mr. ELLISON, Ms. PLASKETT, Mr. HECK, and Mr. PASCARELL):

H.R. 724. A bill to provide that the Executive order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017), shall have no force or effect, to prohibit the use of Federal funds to enforce the Executive order, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Homeland Security, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCK (for himself, Mr. GOODLATTE, Mr. FRANKS of Arizona, Mr. FARENTHOLD, and Mr. SMITH of Texas):

H.R. 725. A bill to amend title 28, United States Code, to prevent fraudulent joinder; to the Committee on the Judiciary.

By Mr. LAMBORN:

H.R. 726. A bill to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content; to the Committee on Energy and Commerce.

By Mr. LAMBORN:

H.R. 727. A bill to amend the Communications Act of 1934 to prohibit Federal funding for the Corporation for Public Broadcasting after fiscal year 2019; to the Committee on Energy and Commerce.

By Mr. LOBIONDO (for himself, Mr. FRELINGHUYSEN, Mr. LANCE, and Mr. SMITH of New Jersey):

H.R. 728. A bill to prohibit the Secretary of the Interior from issuing oil and gas leases on portions of the Outer Continental Shelf located off the coast of New Jersey; to the Committee on Natural Resources.

By Mrs. LAWRENCE:

H.R. 729. A bill to amend the Internal Revenue Code of 1986 to reform and enforce taxation of tobacco products; to the Committee on Ways and Means.

By Mr. AMASH (for himself, Mr. CONYERS, Mr. MASSIE, and Mrs. DINGELL):

H.R. 730. A bill to amend the Immigration and Nationality Act to remove limitations on the ability of certain dual citizens from participating in the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

By Mr. CARBAJAL:

H.R. 731. A bill to permanently prohibit oil and gas leasing off the coast of the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. GOODLATTE (for himself, Mr. PETERSON, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. CHABOT, Mr. ISSA, Mr. KING of Iowa, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JORDAN, Mr. POE of Texas, Mr. CHAFFETZ, Mr. MARINO, Mr. GOWDY, Mr. LABRADOR, Mr. FARENTHOLD, Mr. COLLINS of Georgia, Mr. DESANTIS, Mr. BUCK, Mr. RATCLIFFE, Mr. TROTT, Mr. BISHOP of Michigan, Mrs. ROBY, Mr.

GAETZ, Mr. BIGGS, Mrs. MIMI WALTERS of California, and Mr. GRIFFITH):

H.R. 732. A bill to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOKS of Alabama:

H.R. 733. A bill to provide for an accounting of total United States contributions to the United Nations; to the Committee on Foreign Affairs.

By Ms. BROWNLEY of California:

H.R. 734. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit against tax for landlords of veterans receiving rental assistance under the Veterans Affairs Supported Housing program; to the Committee on Ways and Means.

By Ms. JACKSON LEE (for herself and Mr. RASKIN):

H.R. 735. A bill to prohibit the enforcement of certain Executive orders; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Foreign Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO:

H.R. 736. A bill to require automobile manufacturers to disclose to consumers the presence of event data recorders, or "black boxes", on new automobiles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles; to the Committee on Energy and Commerce.

By Ms. CLARK of Massachusetts (for herself and Mr. REED):

H.R. 737. A bill to amend the Head Start Act to promote trauma-informed practices, age-appropriate positive behavioral intervention and support, services for young children who have experienced trauma or toxic stress, and improved coordination between Head Start agencies and other programs that serve very young children; to the Committee on Education and the Workforce.

By Mr. CRAMER:

H.R. 738. A bill to amend title 23, United States Code, with respect to vehicle weight limitations in North Dakota, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ESPAILLAT:

H.R. 739. A bill to prohibit the construction of new border barriers, including walls or fences, on certain Federal land, and for other purposes; to the Committee on Homeland Security.

By Ms. FOXX:

H.R. 740. A bill to direct the Federal Trade Commission to revise the regulations regarding the "do-not-call" registry to prohibit politically-oriented recorded message telephone calls to telephone numbers listed on that registry; to the Committee on Energy and Commerce.

By Ms. JENKINS of Kansas (for herself, Mr. LOEBSACK, and Mr. SMITH of Nebraska):

H.R. 741. A bill to amend title XVIII of the Social Security Act to provide for a permanent extension of the enforcement instruction on Medicare supervision requirements for outpatient therapeutic services in critical access and small rural hospitals; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently deter-

mined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself, Mr. SCOTT of Virginia, Ms. HANABUSA, Ms. SHEA-PORTER, Mr. JONES, and Mr. COLE):

H.R. 742. A bill to prohibit any hiring freeze from affecting any Department of Defense position at, or in support of, a public shipyard; to the Committee on Oversight and Government Reform.

By Mr. KING of Iowa (for himself, Mr. FRANKS of Arizona, Mr. SANFORD, Mr. HARPER, Mr. AMASH, Mr. HENSARLING, Mr. DUNCAN of South Carolina, and Ms. JENKINS of Kansas):

H.R. 743. A bill to repeal the wage rate requirements commonly known as the Davis-Bacon Act; to the Committee on Education and the Workforce.

By Mr. KING of Iowa:

H.R. 744. A bill to amend the National Labor Relations Act to protect employer rights; to the Committee on Education and the Workforce.

By Mr. MEADOWS:

H.R. 745. A bill to improve Federal employee compliance with Federal and Presidential recordkeeping requirements, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PASCARELL (for himself, Mr. KING of New York, and Mr. PAYNE):

H.R. 746. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Education and the Workforce.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. MCHENRY, Mr. DEFazio, Mr. TIBERI, Mr. BLUMENAUER, Mr. REICHERT, Mr. THOMPSON of California, Mr. NEWHOUSE, Ms. PINGREE, Mr. KELLY of Pennsylvania, Mr. EMMER, and Mr. AMODEI):

H.R. 747. A bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages; to the Committee on Ways and Means.

By Mr. QUIGLEY (for himself, Ms. BARRAGAN, Mr. PAYNE, Mr. BLUMENAUER, Ms. JUDY CHU of California, Ms. DELAURO, Mr. ELLISON, Mr. ESPAILLAT, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. JEFFRIES, Mr. LARSEN of Washington, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. BEYER, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SOTO, Ms. TITUS, Mr. TONKO, Mr. VARGAS, Ms. VELÁZQUEZ, Mr. GALLEGO, Mr. TED LIEU of California, Mr. WELCH, Mr. SMITH of Washington, Mrs. NAPOLITANO, and Ms. BONAMICI):

H.R. 748. A bill to protect any State or local authority that limits or restricts compliance with an immigration detainer request remains eligible for grants and appropriated funds; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER (for himself, Mr. BILIRAKIS, Mr. LIPINSKI, Mr. MOULTON, Mr. BERA, Ms. SINEMA, Mr. COOPER, Mr. POSEY, Mr. COSTA, and Mr. PETERS):

H.R. 749. A bill to increase competition in the pharmaceutical industry; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself and Mr. CROWLEY):

H.R. 750. A bill to amend title XVIII of the Social Security Act to expand and revise the classification of and payment for complex rehabilitation technology items under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah (for himself, Mr. MULLIN, Mr. TIPTON, Mr. WESTERMAN, Mr. JENKINS of West Virginia, Mr. FLORES, Mr. JODY B. HICE of Georgia, Mr. PEARCE, Mr. SESSIONS, Mr. CRAMER, Mr. GOSAR, Mr. CHAFFETZ, Mr. ROUZER, Mr. YOUNG of Alaska, Mr. GOHMERT, Mr. JOHNSON of Ohio, Mr. DUNCAN of South Carolina, Mr. THOMPSON of Pennsylvania, Mrs. MIMI WALTERS of California, Mr. STEWART, Mr. LABRADOR, Mr. CULBERSON, Mr. CONAWAY, Mr. LATTA, Mr. KING of Iowa, Mr. CARTER of Georgia, Mr. COOK, Mr. LAMALFA, Mr. LAMBORN, Mr. WITTMAN, Mr. WEBSTER of Florida, Mrs. RADEWAGEN, Mr. LAHOOD, and Ms. CHENEY):

H.J. Res. 36. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation"; to the Committee on Natural Resources.

By Ms. FOXX (for herself, Mr. CHAFFETZ, Mr. CHABOT, and Mr. MITCHELL):

H.J. Res. 37. A joint resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Ohio (for himself, Mr. JENKINS of West Virginia, Mr. MCKINLEY, Mr. MARINO, Mr. HIGGINS of Louisiana, Mr. WESTERMAN, Mr. THOMPSON of Pennsylvania, Mr. SHUSTER, Mr. WILLIAMS, Mr. AMODEI, Mr. KELLY of Pennsylvania, Mr. BUCSHON, Mr. BARR, Mr. GRIFFITH, Mr. LAHOOD, Mr. RODNEY DAVIS of Illinois, Mr. RENACCI, Mr. PERRY, Mr. BISHOP of Utah, Mr. ROTHFUS, Mr. STIVERS, Mr. BARLETTA, Mr. GIBBS, Mr. CRAMER, Mr. JOYCE of Ohio, Mr. WENSTRUP, Mr. GOSAR, Mr. ROGERS of Kentucky, Mr. TIBERI, Mr. GUTHRIE, Mr. LATTA, Mr. ROKITA, Mr. SHIMKUS, Mr. ROE of Tennessee, Mr. MOONEY of West Virginia, Mr. JORDAN, Mr. FLORES, Mr. OLSON, Mr. BOST, Mr. TIPTON, Mr. DUNCAN of South Carolina, Mr. WEBER of Texas, Mr. HARRIS, Mr. FRANKS of Arizona, Mr. DUNN, Mr. LAMALFA, Mr. BYRNE, Mr. COOK, Mr. FLEISCHMANN, Mr. MCCLINTOCK, Mrs. WAGNER, Mr. WOMACK, Mr. GOHMERT, Mr. COMER, Mr. EMMER, Mr. HOLLINGSWORTH, Mr. SESSIONS, Mr. CHABOT, Mr. PEARCE, Mr. CONAWAY, Mr. YOUNG of Alaska, Mr. LAMBORN,

Mrs. RADEWAGEN, Mr. MURPHY of Pennsylvania, Ms. CHENEY, Mrs. BLACKBURN, Mr. STEWART, and Mr. BRAT):

H.J. Res. 38. A joint resolution disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule; to the Committee on Natural Resources.

By Mr. MESSER (for himself, Mr. MEADOWS, Mr. HOLDING, Mr. MULLIN, Mr. GROTHMAN, Mr. TIBERI, Mr. NEWHOUSE, Mr. WILLIAMS, Mr. COLLINS of Georgia, Mr. FORTENBERRY, Mr. HARRIS, Mr. JENKINS of West Virginia, Mr. JOHNSON of Ohio, Mr. KELLY of Pennsylvania, Mr. KELLY of Mississippi, Mr. BRAT, Mr. BYRNE, Mr. RUSSELL, Mr. ADERHOLT, Mr. PITTINGER, Mr. BABIN, Mr. EMMER, Mr. RENACCI, Mr. JODY B. HICE of Georgia, Mr. HUDSON, Mr. ROE of Tennessee, Mr. LOUDERMILK, Mr. GOSAR, Mr. SMITH of Nebraska, Mr. MARSHALL, Mrs. WAGNER, Mr. CARTER of Georgia, Mrs. WALORSKI, Mr. ABRAHAM, Mr. ALLEN, Mr. BANKS of Indiana, Mr. YOHO, Mr. CRAMER, Mr. GRAVES of Missouri, Mr. PALMER, Mr. POE of Texas, Mr. BILIRAKIS, Mr. OLSON, Mr. ROGERS of Alabama, Mrs. BLACKBURN, Mr. GOHMERT, Mr. ROSKAM, Mr. HUIZENGA, Mr. LUETKEMEYER, Mr. DUNCAN of South Carolina, Mr. HARPER, Mr. KING of Iowa, Mr. CALVERT, Mr. GRIFFITH, Mr. SAM JOHNSON of Texas, Mr. DUFFY, Mr. FARENTHOLD, Mr. JONES, Mr. TURNER, Mr. CHABOT, Mr. ROHRBACHER, Mr. COLE, Mr. HULTGREN, Mr. LATTA, Mr. GIBBS, Mr. FRANKS of Arizona, Mr. YODER, Mr. PEARCE, Mr. AUSTIN SCOTT of Georgia, Mr. FLEISCHMANN, Mr. LAMBORN, Mr. MURPHY of Pennsylvania, Mr. SMITH of New Jersey, Mr. HENSARLING, Mr. CULBERSON, Mr. ROKITA, Mr. MOOLENAAR, Mr. LAMALFA, Mr. ROTHFUS, Mr. GALLAGHER, Mr. DAVIDSON, Mr. BUDD, Mr. ROUZER, Mr. CHAFFETZ, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. THOMAS J. ROONEY of Florida, Mr. JORDAN, Mr. RODNEY DAVIS of Illinois, Mr. GOWDY, Mr. JOHNSON of Louisiana, Mrs. LOVE, Mr. MITCHELL, Mr. WESTERMAN, Mr. BISHOP of Michigan, Mr. ROGERS of Kentucky, Mr. LONG, Mr. WENSTRUP, Mr. PALAZZO, Mrs. HARTZLER, Mr. SHUSTER, Mr. WEBER of Texas, Mr. HOLLINGSWORTH, Mr. BARR, Mr. PERRY, Mr. SMITH of Missouri, Mr. JOYCE of Ohio, Mr. STEWART, Mr. BROOKS of Alabama, Mr. BRADY of Texas, Mr. ARRINGTON, Mr. BIGGS, Mr. DESANTIS, Mr. MOONEY of West Virginia, Mr. BOST, Mr. BUCSHON, Mr. KNIGHT, Mr. LUCAS, Mr. MCCAUL, Mr. SCHWEIKERT, Mr. RATCLIFFE, Mr. KUSTOFF of Tennessee, Mr. RICE of South Carolina, Mr. BRIDENSTINE, Mr. BISHOP of Utah, Mr. THOMPSON of Pennsylvania, Mr. FRANCIS ROONEY of Florida, Mr. CONAWAY, Mr. AMASH, Mr. LABRADOR, Mr. HILL, Mr. SESSIONS, Mr. WILSON of South Carolina, Mr. FLORES, and Mr. WALKER):

H.J. Res. 39. A joint resolution disapproving a rule submitted by the Department of Health and Human Services relating to "Compliance with Title X Requirements by Project Recipients in Selecting Subrecipients"; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas (for himself, Mr. ABRAHAM, Mr. FLORES,

Mr. KING of Iowa, Mr. MCKINLEY, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mr. OLSON, Mr. ROUZER, Mr. POLIQUIN, Mr. LAMALFA, Mr. MCCLINTOCK, Mr. MESSER, Mr. WESTERMAN, Mr. JONES, Mr. ADERHOLT, Mr. KELLY of Pennsylvania, Mr. SMITH of Nebraska, Mrs. WALORSKI, Mr. MCCAUL, Mr. FRANKS of Arizona, Mr. FLEISCHMANN, Mr. MULLIN, Mr. ROGERS of Alabama, Mr. MOOLENAAR, Mr. HULTGREN, Mr. THOMPSON of Pennsylvania, Mr. MEADOWS, Mr. WEBER of Texas, Mr. SMITH of Texas, Mr. BRAT, Mr. BABIN, Mr. HILL, Mr. YOHO, Mr. SMITH of Missouri, Mr. BARR, Mr. PALMER, Mr. HARPER, Mr. SCHWEIKERT, Mr. CRAMER, Mr. ALLEN, Mr. MARCHANT, Mr. GRIFFITH, Mr. HARRIS, Mr. NEWHOUSE, Mr. ARRINGTON, Mr. LONG, Mr. LUETKEMEYER, Mrs. BLACK, Mr. BURGESS, Mr. PALAZZO, Mr. EMMER, Ms. MCSALLY, Mr. BROOKS of Alabama, Mr. RENACCI, Mr. HENSARLING, Mr. FARENTHOLD, Mr. YOUNG of Alaska, Mr. HUDSON, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. WENSTRUP, Mr. JODY B. HICE of Georgia, Mr. COLLINS of Georgia, Mr. BYRNE, Mr. COLE, Mr. CONAWAY, Mr. THOMAS J. ROONEY of Florida, Mr. MASSIE, Mr. RATCLIFFE, Mr. BARTON, Mrs. NOEM, Mr. LATTA, Mr. LOUDERMILK, Mr. COLLINS of New York, Mr. CARTER of Texas, Mr. JENKINS of West Virginia, Mr. BISHOP of Utah, Mr. HIGGINS of Louisiana, Mr. GOSAR, Mr. MARINO, Mr. PETERSON, Mr. HUNTER, Mr. LAMBORN, Mr. TIBERI, Mr. BARLETTA, Mr. SESSIONS, Mr. GOHMERT, Mr. POE of Texas, Mr. BANKS of Indiana, Mr. THORNBERRY, Mr. REED, Mr. AUSTIN SCOTT of Georgia, Mr. HURD, Mr. BOST, Mr. GUTHRIE, Mr. WILLIAMS, Mr. CRAWFORD, Mr. POSEY, Mr. NUNES, Mr. HOLDING, Mrs. HARTZLER, Ms. FOXX, Mr. PITTINGER, Mr. CULBERSON, Mr. GRAVES of Georgia, Mr. JOHNSON of Ohio, Mr. ROSKAM, Mr. ROTHFUS, Ms. CHENEY, Mr. LABRADOR, Mr. RUSSELL, Ms. GRANGER, Mr. MITCHELL, Mr. SHUSTER, Mr. COOK, Mrs. LOVE, Mr. SCALISE, and Mr. AMODEI):

H.J. Res. 40. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007; to the Committee on the Judiciary.

By Mr. HUIZENGA (for himself, Mr. SESSIONS, Mr. KING of New York, Mr. LUCAS, Mr. MCHENRY, Mr. PEARCE, Mr. POSEY, Mr. LUETKEMEYER, Mr. DUFFY, Mr. STIVERS, Mr. HULTGREN, Mr. ROSS, Mr. PITTINGER, Mrs. WAGNER, Mr. BARR, Mr. ROTHFUS, Mr. TIPTON, Mr. WILLIAMS, Mr. POLIQUIN, Mrs. LOVE, Mr. HILL, Mr. EMMER, Mr. ZELDIN, Mr. TROTT, Mr. LOUDERMILK, Mr. MOONEY of West Virginia, Mr. MACARTHUR, Mr. DAVIDSON, Mr. BUDD, Mr. KUSTOFF of Tennessee, Ms. TENNEY, Mr. HOLLINGSWORTH, and Mr. HENSARLING):

H.J. Res. 41. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers"; to the Committee on Financial Services.

By Mr. BRADY of Texas (for himself, Ms. JENKINS of Kansas, Mr. FARENTHOLD, Mrs. WALORSKI, Mr. SMITH of Nebraska, Mr. SMITH of Missouri, Mr. CARTER of Georgia, Mr. MARCHANT, Mr. BISHOP of Michigan, Mr. KELLY of Pennsylvania, Mr. HOLDING, Mr. RICE of South Carolina, Mr. SAM JOHNSON of Texas, Mrs. BLACK, Mr. SESSIONS, Mr. REED, Mr. SCHWEIKERT, Mr. FLORES, Mr. GOHMERT, and Mr. CARTER of Texas):

H.J. Res. 42. A joint resolution disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants; to the Committee on Ways and Means.

By Mrs. BLACK (for herself, Mr. FARENTHOLD, Mr. HUIZENGA, Mrs. WAGNER, Mr. GIBBS, Mr. BANKS of Indiana, Mrs. BLACKBURN, Mr. ROSKAM, Mr. MOOLENAAR, Mr. HULTGREN, Mr. ROTHFUS, Mr. PITTINGER, Mr. MEADOWS, Mr. FRANKS of Arizona, Mr. SMITH of New Jersey, Mr. HARRIS, Mr. YODER, Mr. JONES, Mr. BARR, Mr. KELLY of Pennsylvania, Mr. PALMER, Mr. ADERHOLT, Ms. FOXX, Mr. HENSARLING, Mr. OLSON, Mr. SAM JOHNSON of Texas, Mr. JODY B. HICE of Georgia, Mr. WALBERG, Mr. ALLEN, Mr. GOSAR, Mrs. HARTZLER, Mr. SESSIONS, Mr. WENSTRUP, Mr. MULLIN, Mr. BARLETTA, Mr. LUETKEMEYER, Mr. GOHMERT, Mr. FLEISCHMANN, Mr. RATCLIFFE, Mr. KING of Iowa, Mr. ROE of Tennessee, Mr. MARCHANT, Mr. PEARCE, Mr. DUNCAN of South Carolina, Mr. STEWART, Mr. SMITH of Nebraska, Mr. CRAMER, Mr. HIGGINS of Louisiana, Mr. SHIMKUS, Mr. FLORES, Mrs. NOEM, Mr. SMITH of Missouri, Mr. BABIN, Mr. WILSON of South Carolina, Mr. LAMBORN, Mr. SCALISE, Mrs. WALORSKI, Mr. SENSENBRENNER, Mr. LATTA, Mr. YOHO, Mr. RUSSELL, Mr. GROTHMAN, Mr. ABRAHAM, Mr. BRAT, Mr. RENACCI, Mr. KELLY of Mississippi, Mr. HUDSON, Mr. BISHOP of Michigan, Mr. BRADY of Texas, Mr. CONAWAY, Mr. ROUZER, Mr. ROHRABACHER, Mr. DUNCAN of Tennessee, Mr. GRAVES of Georgia, Mr. PETERSON, Mr. POSEY, Mr. JOHNSON of Ohio, Mr. MOONEY of West Virginia, Mr. PALAZZO, Mrs. ROBY, Mrs. LOVE, Mr. BILIRAKIS, Mr. POE of Texas, Mr. LONG, Ms. JENKINS of Kansas, Mr. COMER, Mr. KUSTOFF of Tennessee, Mr. COLE, Mr. WEBBER of Texas, Mr. DESJARLAIS, Mr. HOLLINGSWORTH, Mr. MURPHY of Pennsylvania, Mr. MARSHALL, Mr. CARTER of Texas, and Mr. HILL):

H.J. Res. 43. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; to the Committee on Energy and Commerce.

By Ms. CHENEY (for herself, Mr. TIPTON, Mr. PEARCE, Mr. AMODEL, Mr. GOSAR, Mr. GOHMERT, Mr. CRAMER, Mrs. RADEWAGEN, Mr. STEWART, Mr. BISHOP of Utah, and Mr. SESSIONS):

H.J. Res. 44. A joint resolution disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of

1976; to the Committee on Natural Resources.

By Mr. CRAMER (for himself, Mr. GOSAR, Mr. GOHMERT, Mrs. RADEWAGEN, Mr. BIGGS, and Mr. NEWHOUSE):

H.J. Res. 45. A joint resolution disapproving the rule submitted by the United States Fish and Wildlife Service of the Department of the Interior relating to management of non-Federal oil and gas rights; to the Committee on Natural Resources.

By Mr. GOSAR (for himself, Mr. BIGGS, Mrs. BLACK, Mrs. RADEWAGEN, Mr. NEWHOUSE, and Mr. GOHMERT):

H.J. Res. 46. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the National Park Service relating to "General Provisions and Non-Federal Oil and Gas Rights"; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska (for himself, Mr. PEARCE, Mr. GOSAR, Mr. CRAMER, and Mrs. RADEWAGEN):

H.J. Res. 47. A joint resolution disapproving the rule submitted by the Department of the Interior regarding requirements for exploratory drilling on the Arctic Outer Continental Shelf; to the Committee on Natural Resources.

By Mr. NOLAN (for himself, Ms. MCCOLLUM, Mr. CARTWRIGHT, Mr. ELLISON, Mr. POCAN, Mr. TAKANO, Mr. BLUMENAUER, Mr. DEFazio, Mr. O'ROURKE, Ms. SLAUGHTER, Mr. GRIMALVA, Ms. LEE, Mr. CONYERS, Mr. ENGEL, Mr. TONKO, Mr. RASKIN, Mr. KHANNA, Mr. CAPUANO, Mr. TED LIEU of California, Mr. NORCROSS, and Mr. JONES):

H.J. Res. 48. A joint resolution proposing an amendment to the Constitution of the United States providing that the rights extended by the Constitution are the rights of natural persons only; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.J. Res. 49. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska"; to the Committee on Natural Resources.

By Mr. KNIGHT (for himself, Ms. SPEIER, Ms. ESHOO, Mr. MCCAUL, Mr. CárDENAS, Mr. MURPHY of Pennsylvania, Mrs. COMSTOCK, Mrs. DINGELL, Mr. DELANEY, Ms. BROWNLEY of California, and Mr. SOTO):

H. Res. 69. A resolution expressing support for designation of the 17th day in May as "DIPG Awareness Day" to raise awareness and encourage the research into cures for diffuse intrinsic pontine glioma (DIPG) and pediatric cancers in general; to the Committee on Energy and Commerce.

By Mr. ESPAILLAT:

H. Res. 72. A resolution supporting the goals and ideals of Dominican Heritage Month; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GROTHMAN:

H.R. 751. A bill to authorize the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II; to the Committee on Armed Services.

By Mr. POLIS:

H.R. 752. A bill for the relief of Jeanette Vizguerra-Ramirez; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Texas:

H.R. 720.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in Article I, Section 8, Clause 9; Article III, Section I, Clause 1; and Article III, Section 2, Clause 2 of the Constitution, which grant Congress authority over federal courts.

By Ms. JENKINS of Kansas:

H.R. 721.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Ms. MENG:

H.R. 722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States of America.

By Mr. KINZINGER:

H.R. 723.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution

By Ms. LOFGREN:

H.R. 724.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 provides Congress with the power to establish a "uniform rule of Naturalization."

AND

Article I, Section 8, clause 1 provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises" in order to "provide for the . . . general Welfare of the United States."

By Mr. BUCK:

H.R. 725.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority on which this legislation is based is found in Article I, Section 8, Clause 9; Article III, Section 1, Clause 1, and Article III, Section 2, Clause 2 of the Constitution, which grants Congress authority over the federal courts.

By Mr. LAMBORN:

H.R. 726.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. LAMBORN:

H.R. 727.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. LOBIONDO:

H.R. 728.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Section 8 of Article 1 of the United States Constitution.

By Mrs. LAWRENCE:

H.R. 729.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. AMASH:

H.R. 730.

Congress has the power to enact this legislation pursuant to the following:

Congress has the implied power to repeal laws that exceed its constitutional authority as well as laws within its constitutional authority.

By Mr. CARBAJAL:

H.R. 731.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. GOODLATTE:

H.R. 732.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution, in that the legislation concerns the Appropriations Power granted to Congress by that section;

Article I, Section 7, Clause 1 of the United States Constitution, in that the legislation concerns the legislative powers granted to Congress by that section;

Article I, Section 8, Clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. BROOKS of Alabama:

H.R. 733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: the Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes; and

Article I, Section 8, Clause 18: The Congress shall have the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Power, and all the other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. BROWNLEY of California:

H.R. 734.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI.

By Ms. JACKSON LEE:

H.R. 735.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 4, and 18 of the United States Constitution.

By Mr. CAPUANO:

H.R. 736.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Ms. CLARK of Massachusetts:

H.R. 737.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Constitution of the United States of America

By Mr. CRAMER:

H.R. 738.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. ESPAILLAT:

H.R. 739.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8, clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Ms. FOXX:

H.R. 740.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution which states "Congress shall have power to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. JENKINS of Kansas:

H.R. 741.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. KILMER:

H.R. 742.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 743.

Congress has the power to enact this legislation pursuant to the following:

This legislation adjusts the formula the federal government uses to spend money on federal contracts, therefore, it is authorized by the Constitution under Article 1, Section 8, Clause 1, which grants Congress its spending power.

By Mr. KING of Iowa:

H.R. 744.

Congress has the power to enact this legislation pursuant to the following:

This legislation contains a clarification that is intended to limit the scope of an existing statute. As such, this bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Mr. MEADOWS:

H.R. 745.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. PASCRELL:

H.R. 746.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PAULSEN:

H.R. 747.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. QUIGLEY:

H.R. 748.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. SCHRADER:

H.R. 749.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 750.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GROTHMAN:

H.R. 751.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of Section 8 of Article I

By Mr. POLIS:

H.R. 752.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States; [Page H408]

By Mr. BISHOP of Utah:

H.J. Res. 36.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 and Article I, Section 8, clause 18

By Ms. FOXX:

H.J. Res. 37.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. JOHNSON of Ohio:

H.J. Res. 38.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, and Article I, Section 8, clause 18

By Mr. MESSER:

H.J. Res. 39.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. SAM JOHNSON of Texas:

H.J. Res. 40.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution to “provide for the common defense and general welfare of the United States.”

By Mr. HUIZENGA:

H.J. Res. 41.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mr. BRADY of Texas:

H.J. Res. 42.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution to “provide for the common defense and general welfare of the United States.”

By Mrs. BLACK:

H.J. Res. 43.

Congress has the power to enact this legislation pursuant to the following:

This legislation is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby the Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. CHENEY:

H.J. Res. 44.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, and Article I, Section 8, clause 18

By Mr. CRAMER:

H.J. Res. 45.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is in clause 18 of section 8 of article I of the Constitution.

By Mr. GOSAR:

H.J. Res. 46.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (the Commerce Clause) of the Constitution of the United States which grants Congress the power “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes” as well as Article I, Section 8, Clause 18 (Necessary and Proper Clause) of the Constitution of the United States which gives Congress the authority to address and prevent new regulations.

By Mr. YOUNG of Alaska:

H.J. Res. 47.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..”

By Mr. NOLAN:

H.J. Res. 48.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution of the United States.

By Mr. YOUNG of Alaska:

H.J. Res. 49.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..”

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. GUTHRIE and Mr. MARCHANT.
 H.R. 44: Mr. COLLINS of New York.
 H.R. 60: Mr. COSTELLO of Pennsylvania.
 H.R. 66: Ms. JUDY CHU of California.
 H.R. 83: Mr. GOSAR.
 H.R. 99: Mrs. LOWEY.
 H.R. 112: Mr. CURBELO of Florida.
 H.R. 113: Mr. PETERS, Mr. RUPPERSBERGER, Ms. SÁNCHEZ, Mr. BARLETTA, Mr. DEUTCH, Mr. NORCROSS, Mr. KING of New York, Ms. SHEA-PORTER, Mr. WELCH, Mrs. DAVIS of California, Ms. LOFGREN, Mr. SWALWELL of California, Mr. RUIZ, Ms. ESTY, Mr. QUIGLEY, Mr. NOLAN, Ms. SPEIER, Ms. MCCOLLUM, Mr. POCAN, Mr. RYAN of Ohio, Mrs. CAROLYN B. MALONEY of New York, Mr. LANGEVIN, Mr. ENGEL, Ms. DELAURO, Mr. JONES, Ms. DELBENE, Mr. BEYER, Mr. MEEHAN, Ms. LEE, Mr. CICILLINE, Mr. DEFAZIO, Mr. ROSS, Mr. COFFMAN, Mr. POLIS, and Mr. GRIJALVA.
 H.R. 130: Ms. MCCOLLUM.
 H.R. 131: Ms. MCCOLLUM.
 H.R. 140: Mr. FORTENBERRY.
 H.R. 173: Mr. ROUZER, Mr. COHEN, Mr. KATKO, Mrs. WATSON COLEMAN, Mr. BISHOP of Michigan, Mr. LOBIONDO, Ms. DELAURO, Ms. COMSTOCK, Mr. PERLMUTTER, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Mr. WALZ, Mr. BRADY of Pennsylvania, Ms. LOFGREN, Ms. KELLY of Illinois, Mr. PETERSON, Mr. KIHUEN, Mr. AGUILAR, Mr. MCGOVERN, Mr. TONKO, Mrs. NAPOLITANO, Mr. POCAN, Ms. FRANKEL of Florida, Mr. CUMMINGS, Mr. LOEBSACK, Mr. SIRES, Mr. VISCLOSKEY, Mr. NORCROSS, Mr. O'HALLERAN, and Mr. DEFAZIO.
 H.R. 174: Mrs. NOEM.
 H.R. 175: Mr. KELLY of Mississippi.
 H.R. 179: Mr. SCOTT of Virginia.
 H.R. 184: Mr. O'HALLERAN, Mr. GALLAGHER, and Mr. MAST.
 H.R. 198: Mr. GOODLATTE and Mr. KATKO.
 H.R. 202: Mr. JEFFRIES, Mrs. NAPOLITANO, and Mr. MEEKS.
 H.R. 233: Mr. CICILLINE, Mr. VISCLOSKEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. FRANKS of Arizona.
 H.R. 275: Mr. KELLY of Pennsylvania.
 H.R. 305: Ms. DELAURO, Ms. CASTOR of Florida, Mr. RUIZ, Mr. SANFORD, Mrs. LOWEY, Ms. SHEA-PORTER, Ms. SCHAKOWSKY, Ms. JUDY CHU of California, and Ms. DELBENE.
 H.R. 328: Mr. SOTO.
 H.R. 329: Ms. SEWELL of Alabama, Ms. MOORE, and Mr. GARAMENDI.
 H.R. 350: Mr. BANKS of Indiana, Mr. BARLETTA, Mr. MURPHY of Pennsylvania, and Mr. STIVERS.
 H.R. 351: Mr. BLUMENAUER and Mr. LAHOOD.
 H.R. 355: Mr. ALLEN.
 H.R. 361: Mr. JODY B. HICE of Georgia and Mrs. NOEM.
 H.R. 367: Mr. ZELDIN.
 H.R. 372: Mr. LABRADOR.
 H.R. 374: Ms. BONAMICI.
 H.R. 381: Mr. DESAULNIER, Mr. MCNERNEY, Mr. BERA, Mr. VARGAS, Mr. CARBAJAL, Mr. KHANNA, Mr. CORREA, and Mr. SHERMAN.
 H.R. 390: Mr. MCCAUL, Mr. CÁRDENAS, Mr. POE of Texas, and Mr. HILL.
 H.R. 395: Mr. BACON.

H.R. 400: Mr. COLLINS of Georgia, Mrs. WAGNER, Mr. ZELDIN, Mr. BARTON, and Mr. MCKINLEY.

H.R. 406: Mr. WALZ.

H.R. 422: Mr. LUCAS, Mr. DUNCAN of South Carolina, and Mr. BRAT.

H.R. 430: Mr. PEARCE, Mr. MEADOWS, Mr. DAVIDSON, Mr. GARRETT, Mr. WILLIAMS, and Mr. ROYCE of California.

H.R. 468: Mr. ZELDIN.

H.R. 474: Mr. ROHRBACHER.

H.R. 475: Mr. WITTMAN.

H.R. 488: Ms. WILSON of Florida, Ms. MOORE, Mr. DENT, Ms. ESTY, Mr. JODY B. HICE of Georgia, Ms. SHEA-PORTER, and Mr. JENKINS of West Virginia.

H.R. 489: Mr. SERRANO, Ms. KELLY of Illinois, Mr. LARSEN of Washington, Mr. MOULTON, Ms. PINGREE, Mr. HUFFMAN, Mr. AL GREEN of Texas, Mr. BEYER, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, Mr. BERA, Ms. MENG, Ms. SLAUGHTER, Mr. QUIGLEY, Mr. POCAN, Mr. CONNOLLY, Mr. MEEKS, and Mr. KHANNA.

H.R. 496: Mr. NEWHOUSE, Mr. COSTA, Mr. REICHERT, and Ms. JAYAPAL.

H.R. 505: Mr. ARRINGTON and Mr. POLIQUIN.
 H.R. 512: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BANKS of Indiana, and Miss RICE of New York.

H.R. 520: Mr. SENSENBRENNER, Mr. SIMPSON, and Mr. MCCLINTOCK.

H.R. 523: Mr. SMITH of Texas.

H.R. 526: Ms. SINEMA.

H.R. 545: Mr. MULLIN and Mr. MCKINLEY.

H.R. 546: Mrs. NOEM.

H.R. 564: Mr. TIBERI, Mr. COLLINS of Georgia, Mr. BLUM, Mrs. BLACK, Mr. SENSENBRENNER, and Mr. YOUNG of Alaska.

H.R. 578: Mr. BISHOP of Utah, Mr. JONES, and Mr. RYAN of Ohio.

H.R. 606: Ms. SÁNCHEZ, Mr. CORREA, and Mr. PANETTA.

H.R. 610: Mr. OLSON.

H.R. 611: Mr. FRANKS of Arizona, Mr. TIPTON, Mr. FARENTHOLD, Mr. Thomas J. Rooney of Florida, Mr. AUSTIN SCOTT of Georgia, Mr. SMITH of Texas, Mr. STIVERS, Mr. MCCLINTOCK, Mr. THOMPSON of Pennsylvania, Mr. DENHAM, Mr. HIMES, Mr. CARTER of Georgia, and Mr. ROUZER.

H.R. 619: Mr. LUETKEMEYER.

H.R. 630: Mr. JEFFRIES and Mr. GALLEGRO.

H.R. 632: Mr. KING of New York, Mr. WALZ, Ms. TITUS, Mr. RYAN of Ohio, Miss RICE of New York, Ms. PINGREE, Mr. BYRNE, Mr. JONES, Mr. COURTNEY, and Mr. QUIGLEY.

H.R. 637: Mr. COMER, Mr. SMITH of Nebraska, Mr. HUIZENGA, Mr. COLLINS of Georgia, Mr. ROE of Tennessee, and Mr. ARRINGTON.

H.R. 645: Mr. JONES.

H.R. 669: Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Ms. BASS, and Mr. RASKIN.

H.R. 671: Ms. MAXINE WATERS of California, Ms. CASTOR of Florida, Ms. ADAMS, Mr. SIRES, Mr. CAPUANO, Mr. O'ROURKE, and Mr. LARSEN of Washington.

H.R. 672: Mr. VEASEY.

H.R. 687: Ms. SINEMA and Mr. BOST.

H.R. 696: Mr. LIPINSKI, Mrs. WATSON COLEMAN, Mr. RYAN of Ohio, Ms. MCCOLLUM, Ms. GABBARD, Mr. RUPPERSBERGER, Mr. COSTA, Ms. JUDY CHU of California, and Mr. EVANS.

H.R. 706: Mr. COLLINS of New York, Mr. MULLIN, Mr. GUTHRIE, Mr. LANCE, and Mr. SESSIONS.

H.J. Res. 6: Mr. O'ROURKE, Mr. ALLEN, Mr. SCHWEIKERT, Mr. GOWDY, Mr. DAVIDSON, Mr. MOONEY of West Virginia, and Mr. MASSIE.

H.J. Res. 19: Mr. SOTO and Mr. GARAMENDI.

H.J. Res. 27: Mr. GIBBS, Mr. LAHOOD, Mr. Rodney Davis of Illinois, Mr. DUNN, Mr. CONAWAY, Mr. FLORES, Mrs. HARTZLER, Mr. WILSON of South Carolina, Mr. PITTFENGER, Mr.

DAVIDSON, Mr. FRANKS of Arizona, Mr. YOHO, Mr. WALKER, Mr. HARPER, Mr. JODY B. HICE of Georgia, Mr. WALBERG, Mr. THOMPSON of Pennsylvania, Mr. STIVERS, Mr. LATTA, and Mr. MOOLENAAR.

H. Con. Res. 13: Mr. FORTENBERRY, Mr. RENACCI, Mr. KATKO, Mr. BARLETTA, Mr. GOSAR, Mrs. BEATTY, Mr. CLAY, and Mr. COURTNEY.

H. Res. 15: Ms. CLARKE of New York, Ms. SLAUGHTER, Mr. ENGEL, Mr. KATKO, Ms. LOFGREN, Mr. LATTA, Ms. MOORE, Mr. SCOTT of Virginia, Ms. MENG, Ms. SCHAKOWSKY, Mr. MCNERNEY, Mr. KELLY of Pennsylvania, Mr. ESPALLAT, and Ms. SHEA-PORTER.

H. Res. 31: Ms. MOORE, Ms. MENG, Ms. SHEA-PORTER, Mr. ESPALLAT, Mr. KELLY of Pennsylvania, Mr. SIMPSON, Mr. REED, and Mr. CICILLINE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BISHOP OF UTAH

The provisions in H.J. Res. 36 that warranted a referral to the Committee on Nat-

ural Resources do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

OFFERED BY MR. CHAFFETZ

The provisions that warranted a referral to the Committee on Oversight and Government Reform in H.J. Res. 37 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. BISHOP OF UTAH

The provisions in H.J. Res. 38 that warranted a referral to the Committee on Natural Resources do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

OFFERED BY MR. HENSARLING

H.J. Res. 41 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI of the Rules of the House of Representatives.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

6. The SPEAKER presented a petition of the Council of Former Mayors of the New Progressive Party of Puerto Rico, relative to Resolution No. 1, requesting that the House of Representatives and the Senate of the United States that according to the powers given by the U.S. Constitution immediately begin a process of admission of the territory of Puerto Rico as a State through the filing of a draft admission to Congress and for other purposes; to the Committee on Natural Resources.

7. Also, a petition of the Mayor and Borough Council of the Borough of Sayreville, NJ, relative to Resolution No. 2017-32, confirming and recording its support of H.R. 814 and urging the U.S. House of Representatives and U.S. Senate to enact this important legislation; to the Committee on the Judiciary.

8. Also, a petition of the Board of Directors of the Winslow Indian Health Care Center of Winslow, Arizona, relative to Resolution No. WIHCC-2017-01, supporting preservation of the Indian Healthcare Improvement Act, Indian-Specific provisions under Medicaid, and other health-related provisions unrelated to the overall healthcare reform legislation; jointly to the Committees on Natural Resources, Energy and Commerce, and Ways and Means.

EXTENSIONS OF REMARKS

HONORING MS. ELIZABETH BASILE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. THOMPSON of California. Mr. Speaker, I, along with Representative HUFFMAN, rise today to honor Ms. Elizabeth Basile and her extraordinary life devoted to education and activism. Her family and friends are gathered with her today in Santa Rosa, California to honor her years of dedicated service to our community.

Ms. Basile is a native of Stockton, California, and spent much of her early childhood in Brooklyn, New York. At sixteen, her family returned to California, and she spent the rest of her adolescence in Los Angeles. After marrying and starting a family of her own, Ms. Basile enrolled in college at the age of thirty and earned her Bachelor's Degree in English and History and her Master's Degree in Reading Specialization at California State University, Los Angeles.

Ms. Basile began teaching in East Los Angeles at El Sereno Junior High School. After her family moved to Sonoma County, she continued her teaching career at Casa Grande High School until she retired in 1992. The California Teachers Association recruited Ms. Basile during her first year of teaching, and she rose through the ranks to become Chapter President of the Association of Petaluma Teachers.

In addition to Ms. Basile's dedication to education, she displayed an exceptional commitment to the Girl Scouts youth organization in our community. She served as her daughter's troop leader for a decade, and worked as a Camp Counselor for Kamp Konocti, a Girl Scout Council's established camp, and volunteered at the Girl Scouts Day Camp in the Whittier area. She proudly maintains her lifetime Girl Scouts membership to this day.

President John F. Kennedy inspired Ms. Basile to engage in politics. She became a Precinct Captain during his 1960 presidential campaign, and she coordinated with several leaders across California to organize canvasses and phone banks. Ms. Basile has since been involved in every presidential election to register Democrats and get voters to the polls, and she is one of the best known figures in our Sonoma County political community.

Mr. Speaker, Ms. Basile has dedicated her life to local activism and the betterment of children through education and volunteer work in our community. Therefore, it is fitting and proper that we honor her here today.

HOLOCAUST REMEMBRANCE DAY

HON. BRIAN HIGGINS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. HIGGINS of New York. Mr. Speaker, Friday we commemorate Holocaust Remembrance Day. A day that was established by the Israeli Parliament in 1951, to coincide with the anniversary of the Warsaw Ghetto Uprising.

This is a time we mourn the loss of more than 6 million Jews and the many other victims of the Holocaust. It serves as an annual reminder to Americans, and indeed to all humanity, that we must never forget the evil that mankind has visited upon itself.

History must serve as a template to right the wrongs that humankind has committed. Famously said, those who do not learn from history are doomed to repeat it.

This week we must reflect on grave consequences of which vilifying individuals, based on race, religion, ideology or sexual orientation, could yield.

I encourage all those in Western New York and across the country to join in memorializing the victims of the Holocaust, in hope that a tragedy of this scale is never committed again.

CONGRATULATING THE WEST ORANGE-STARK MUSTANGS FOR THEIR STATE CHAMPIONSHIP VICTORY

HON. BRIAN BABIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. BABIN. Mr. Speaker, I rise today to congratulate the West Orange-Stark Mustangs for winning back to back football state championships, along with their fourth state title in school history on December 16, 2016 at AT&T Stadium in Arlington, Texas. The task of winning repeating championships and maintaining a twenty-seven game winning streak is extremely difficult in Texas football. Not to mention, West Orange-Stark is currently the twenty-third high school team in Texas history to score over eight hundred points in a season. These young men have shown incredible persistence, hard work, passion and commitment to accomplish this feat and I applaud each and every one of them. I would like to personally recognize each one of them and their coaches.

Players: Keyshawn Holman, Jackson Dallas, Kentavious Miller, Dominique Tezeno, Justin Brown, Malick Phillips, Mandel Turner-King, Chaka Watson, Jarron Morris, Kaleb Ramsey, Davien Teate, Ronald Carter, Jeremiah Shaw, Kayven Cooper, Jay'len Matthews, Teshawn Teel, Keion Hancock, Ja'Vonn Ross, Mark Thibodeaux, Demorris Thibodeaux, Tyshon Watkins, Ryan Baham-Heisser, Cory Skinner,

Paulino Santos, Justin Sibley, Chad Dallas, Ryan Ragsdale, Jalen Powdrill, Ja'Qualan Coleman, Te'ron Brown, Paul Ivory, Jerrick Spencer, Ja'Corry Brady, Morris Joseph, Bobby Rash, Chris Griffin, Adrik Mims, Rufus Joseph, Anthony Griffin, and Blake Robinson; Superintendent: Rickie Harris; Principal: Rod Anderson; Athletic Director/Head Coach: Cornel Thompson; Defensive Coordinator: Mike Pierce; Offensive Coordinator: Ed Dyer; Assistant Coaches: Del Basinger, Terry Joe Ramsey, Joseph Viator, Hiawatha Hickman, Justin Trahan, Rick Butler, Russell Bottley and Depauldrick Garrett; Athletic Trainer: Nic Tanner

I wish each one of them continued success on and off the football field. Go Mustangs!

THE SWEARING IN OF SAN FRANCISCO POLICE CHIEF WILLIAM "BILL" SCOTT

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Ms. BASS. Mr. Speaker, I would like to congratulate Chief William "Bill" Scott on his swearing in as San Francisco Chief of Police on January 17, 2017.

Chief Scott spent much of his career in law enforcement in the Los Angeles Police Department. He was first appointed to the Department in 1989, and has worked assignments across the spectrum of police work, from patrol to detective to gang intervention. He has served LAPD in the Operations West Bureau, Internal Affairs, Professional Standards Bureau, the Office of Operations, and as Patrol Commanding Officer and Area Commanding Officer.

He was promoted to the rank of Commander in 2012, and was assigned as the Assistant Commanding Officer, Operations in the West Bureau. Prior to his selection as San Francisco Chief of Police, Chief Scott served as the Assistant Commanding Officer for Operations in the South Bureau, which covers much of my district.

He brings a wealth of experience to his new role, including his service during periods when the LAPD was under significant public scrutiny. Chief Scott is a graduate of the Senior Management Institute of Policing (SMIP), and has a Bachelor of Science degree in accounting.

I appreciate Chief Scott's commitment to public service and his focus on community. As he embarks on a new phase of service to the City of San Francisco, I would like to thank him for his work here and wish him all the best as he undertakes his new responsibilities.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION OF LAWRENCE C. MALSKI, RECIPIENT OF THE 2017 NORTHEASTERN PENNSYLVANIA COUNCIL BOY SCOUTS OF AMERICA EMINENT EAGLE AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Lawrence C. Malski, who on January 27 received the Eminent Eagle Award from the Northeastern Pennsylvania Council Boy Scouts of America. The Eminent Eagle Award recognizes an Eagle Scout from Northeastern Pennsylvania who is a role model for all Scouts who aspire to achieve the rank of Eagle.

An Eagle Scout since 1966, Larry has long been a leader in his community. Throughout his life, he has been devoted to service and committed to excellence. In 1972, Larry graduated with the highest honors from Penn State University with a degree in Transportation/Traffic Management and Labor-Management Relations. He received his Juris Doctorate from the Temple University School of Law in 1977. Larry is admitted to the Pennsylvania Bar, New York Bar, and admitted to practice before the District Court in Eastern Pennsylvania and Northern New York.

Larry is the President of the Pennsylvania Northeast Regional Railroad Authority, which manages the region's 100-mile railroad system. Formed in 2006, the Pennsylvania Northeast Regional Railroad Authority was established by the merger of Lackawanna and Monroe Counties' Rail Authorities. Before the merger, Larry served as Lackawanna County Railroad Authority's Executive Director and General Counsel for twenty-two years. He also consulted with the Monroe County Railroad Authority, advising them on transportation funding, policy, and administration. Throughout his career, Larry has been a leading figure in the effort to reinstate commuter rail in between northern New Jersey/New York City and the Poconos and greater Scranton/Wilkes-Barre.

Larry has a long record of service to his community. He is one of fifteen members of the Surface Transportation Board (STB) Railroad-Shipper Transportation Advisory Council. The Council often advises the Secretary of Transportation, Senate Committee on Commerce, Science and Transportation, House Transportation and Infrastructure Committee, and the STB Chairman on matters of regulation, policy, and legislation. Larry currently serves as Chairman of the Pennsylvania Rail Freight Advisory Committee. Appointed by Governor Casey in 1989, Larry has helped that statewide committee advise the governor, legislature, and PennDOT on rail freight preservation and development in Pennsylvania. He has also served on the boards of the County of Lackawanna Transit System, the Greater Scranton Chamber of Commerce Transportation subcommittee, the Scranton Lackawanna Industrial Building Company, the PennDOT Lackawanna/Luzerne Transportation Study Committee, the Economic Development Council of Northeastern Pennsylvania, the Bi-State Rail Project Technical Committee,

and Penn's Northeast industrial development corporation.

It is an honor to recognize Larry Malski for upholding the values of the Boy Scouts of America. I extend my warmest congratulations to him for receiving the Eminent Eagle Award for 2017.

IN RECOGNITION OF ASIAN RESOURCES INC.'S 15TH ANNUAL LUNAR DINNER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize Asian Resources, Inc. as they celebrate their 15th Annual Lunar Dinner and tonight's honorees. As the members of Asian Resources, Inc. mark this momentous occasion, I ask all my colleagues to join me in honoring them for their long history of service to youth, immigrants, and refugees in our community.

Since 1980, Asian Resources, Inc. has served as an invaluable organization for members of disenfranchised communities in our region. Their work providing social services has empowered countless individuals and families in our region who have turned to them for support. Asian Resources, Inc. has helped individuals obtain jobs, improve their language skills, and become pro-active citizens. I am incredibly grateful to have a community partner like Asian Resources.

Tonight, Asian Resources, Inc. will also recognize community members and leaders who have contributed to the mission of Asian Resources. I would like to offer my congratulations to Elaine Abelaye-Mateo, who is receiving the May O. Lee Award for her work with Asian Resources and as one of the Founding Committee members of their RISE fund. I would also like to say congratulations to Marielle Tsukamoto, who is receiving the Community Impact Award. As the past president of JAFL, Florin Chapter, Murielle has been a strong leader, a dedicated educator, and a community advocate. Finally, I would like to offer my congratulations to Sacramento County Supervisor, Patrick Kennedy who is receiving the Community Partners Award for his work with Asian Resources, Inc. Each of these leaders truly makes a difference in our community every single day.

Mr. Speaker, as the members of Asian Resources, Inc. celebrate their 15th Annual Lunar Dinner and honor tonight's awards recipients, I ask all my colleagues to join me in honoring them for their dedication to serving new Americans and established citizens in the Sacramento area.

HONORING DR. AARON THORNTON

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Dr. Aaron Thornton,

whom the Napa and Solano County Medical Societies have nominated for its Physician of the Year Award. Dr. Thornton has worked in our community for over 25 years. He previously worked in the Vallejo Medical Center as a hospitalist, and now works as a general internist in the Permanente Medical Group.

The Napa County Medical Society has named Dr. Thornton as the Napa County Physician of the Year based on his tireless dedication to patients and the advancement of the medical profession. Dr. Thornton exemplifies these attributes and is very deserving of this award and recognition.

In addition to his service to our community as a medical health professional, Dr. Thornton is a prolific volunteer in our community. Every year, he can be found assisting runners in the Napa Marathon medical area. He has served as a local scout master and instructor with the Boy Scouts of America. Dr. Thornton works with Napa County's Managing Pain Safely Project, which ensures that clinicians prescribe opioids safely and appropriately.

Dr. Thornton also regularly volunteers abroad. For the past 15 years, he has partnered with missions in Haiti to care for hundreds of people who live in cities without access to hospital services. Dr. Thornton even enlists volunteers to accompany him on these trips and collects supplies needed to provide important medical services to Haitians. Recently, Dr. Thornton also traveled to Kenya to provide medical training to local students.

Mr. Speaker, Dr. Thornton has dedicated his time and knowledge to the medical field and some of the most vulnerable people in our community and across the world. It is therefore fitting and proper that we honor him here today and congratulate him on this well-deserved award.

DAZZLERS AND JV CHARMS DANCE AT BLACK TIE AND BOOTS INAUGURAL GALA

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. POE of Texas. Mr. Speaker, the lessons learned through the advice of a mentor or coach is often invaluable. For those involved in dance, a director's guidance reaches far beyond the performance. The leadership of a director not only improves a dancer's performance but works to instill values of hard work and discipline. I would like to honor identical twins from Baytown, Texas, Marisa and Larisa Coy, for representing the state of Texas and our country, with honor and dignity during the Black Tie and Boots Inaugural Gala in Washington, D.C. on January 19, 2017.

Under the sisters' direction, all state dancer Jailene Marquez, was selected and performed at the Black Tie and Boots Inaugural Gala. Jailene is the captain of the Goose Creek Memorial High School Dazzlers. Marisa and Larisa are the co-directors of the Dazzlers and JV Charms. They prepared Jailene for her performance and helped fund this once in a lifetime trip. Their support says volumes about their generosity and spirit.

Marisa and Larisa graduated from Ross Sterling High School in Baytown. They continued their education at Lee Community College then transferred to the University of Houston where they both earned a bachelor's degree in education. After college, they returned to their hometown to teach math at Goose Creek Consolidated Independent School District.

While attending college, the sisters decided to try out for the Houston Texans cheerleading squad. They both made the squad! Through hard work and determination they juggled appearances, community events, charity functions, and team practices for the next five years. During this time, they had the opportunity to go overseas to visit our troops in Iraq. Being from a patriotic family the sisters were honored that the National Football League included them in this tour.

I commend these remarkable women for their exemplary service and dedication to teaching our nation's youth and for aspiring dancers to follow their dreams. I wish them both the best of luck as they continue on their journey. I am always proud to see fellow Texans succeed.

RECOGNIZING MR. SCOTT GRAVES

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Mr. Scott Graves, staff director of the House Agriculture Committee. After ten years of service on the Hill, Scott is leaving his post at the committee.

I met Scott four years ago when I was a freshman member of the committee and he was Chief of Staff for Chairman CONAWAY. Our staffs worked together closely, and Scott became a trusted advisor to our team as we navigated passage of the Farm Bill. When Mr. CONAWAY became chairman of the committee, I was pleased that he elevated Scott to staff director. Scott has gone above and beyond to make the Agriculture Committee one of the best run committees in the House. Under his leadership, Chairman CONAWAY has passed every bill up for reauthorization and held an unprecedented number of hearings in his first two years. I am grateful to have worked with Scott as a Subcommittee Chairman during the last two years and to be part of this dynamic team.

I wish Scott and his family well as he pursues the next chapter in his career and look forward to seeing the work he will continue to do on behalf of our country's farmers. Good luck Scott and thank you for your service to the House.

CELEBRATING THE LIFE OF BEN RUSSO

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to celebrate the life of Ben Russo. When Ben

passed away one year ago today, Elkhart lost a devoted member of the community, and I lost a good friend.

Ben found great success in the private sector, working in various sales and management positions, including as vice president of E.J. Nagy and Associates. In retirement, Ben became quite active in the community, being elected to the Osolo Township Board and later becoming the Trustee of Osolo Township. He sat on the boards of The Boys and Girls Club of Elkhart, Council of Aging, and Riverview Adult Day Care Center. Finally, he was vice president of Elkhart Vintage Auto Club and president of Glenwood Park Civic Association, as well as an active member of Elkhart Trinity United Methodist Church.

Always looking to give back to the community that he loved, Ben became a household name in Elkhart as someone who would do his best to help those in need. In the Trustee's office, he worked tirelessly on behalf of Osolo Township residents, and was determined to treat everyone with respect. Even when out with his beloved family, he would find people he knew and could help, and he would drop everything to see that their needs were met.

As a recognition of his service to the community, Ben was honored with the prestigious Sagamore of the Wabash Award, the highest civilian honor bestowed by the State of Indiana. Despite his distinguished career and place in the community, Ben was a humble and kind man. Today Elkhart is better for his public service, and his legacy of hard work and giving back to the community will not be forgotten.

Mr. Speaker, I am grateful for the life of Ben Russo and his service to the northern Indiana community. His passion for helping others strengthened Elkhart and improved the lives of everyone he knew. I am honored to ask my life colleagues to join me in celebrating his life and recognizing his outstanding public service.

RECOGNIZING MS. LACEY BROWN AS THE 2016-2017 ESCAMBIA COUNTY TEACHER OF THE YEAR

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. GAETZ. Mr. Speaker, I rise to recognize Ms. Lacey Brown as the 2016-2017 Escambia County Teacher of the Year. For four years, Ms. Brown has served the Escambia County School District with exceptional passion and an unwavering commitment to serving others.

In Northwest Florida, we are fortunate to have some of the best teachers in the Nation. It is recognized that the teaching profession is one of the most difficult yet rewarding professions in existence. Ms. Brown has exceptionally performed her teaching duties, while also striving to be an active and supportive member of her community.

Ms. Brown is revered by her principal and colleagues at Jim Allen Elementary in Cantonment, Florida. She was chosen to receive this honor because of her exemplary classroom management, thoughtful employment of unique teaching techniques, and her effective

engagement of students through the use of technology in the classroom. Her support and outreach extends far beyond the walls of her third grade classroom through her willingness to serve as a supervising teacher to University of West Florida Student Teachers. Through her position as grade level chair, Ms. Brown has also displayed remarkable leadership and dedicated teamwork. I commend her for her steadfast willingness to serve those that matter most, the students and youth of our Nation.

For all of her admirable contributions, I am truly proud to have Ms. Brown as a constituent in Florida's First Congressional District.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Ms. Lacey Brown for her accomplishments and her commitment to excellence in the Escambia County School District. I thank her for her service and wish her all the best for continued success.

IN RECOGNITION OF CRISPY'S BAR AND GRILL

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. HUDSON. Mr. Speaker, I rise today to recognize Crispy's Bar and Grill for their service and contributions to our community. I would like to congratulate owner Greg Helmandollar on the success of the restaurant and its upcoming inclusion on the Travel Channel's Food Paradise, a show which highlights some of the most unique restaurants in the country.

Located in Kannapolis, North Carolina, Crispy's is a local favorite that features a twist on traditional southern comfort foods and isn't for the faint of heart. Almost everything on its legendary menu is wrapped, covered, or topped with crispy bacon. Since Crispy's opened in 2015, it has been a popular spot for people to gather to connect and share in their love of bacon.

Mr. Helmandollar first began pushing the limits of bacon in 2013 when he created the MasterBacon food truck. After receiving an overwhelming response from the community, he opened Crispy's to expand his offerings and push the boundaries on how many things he could possibly pair with bacon. The menu now contains almost every treat imaginable including bacon wrapped pecan pie, lasagna, and even ice cream sprinkled with bacon.

By following his passion, Mr. Helmandollar has created a brand and achieved success. More importantly, he is a shining example of the American spirit and the type of small business owner that makes our community special. His innovative approach should be an example to others to follow their dreams and pursue what makes them happy. I look forward to joining the nation in watching Food Paradise when their episode airs.

Mr. Speaker, please join me today in congratulating Mr. Helmandollar and his staff on their continued success and wishing them well in the new year.

HONORING DR. EDWARD MARTIN

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Dr. Edward Martin, whom the Napa and Solano County Medical Societies have awarded the honor of Professor Emeritus for his years of work as a pediatrician and an educator.

Dr. Martin has worked with the Permanente Medical Group for 16 years. He has served as both Chair of Pediatrics for Napa and Solano and Chair of the Chiefs of Pediatrics for the Northern California region.

The Napa and Solano County Medical Societies award this distinction to medical professionals who have a demonstrated commitment to service and teaching. Dr. Martin exemplifies these attributes and is very deserving of this award and recognition.

Dr. Ed Martin graduated from the University of California, Los Angeles School of Medicine in 1980. He completed a residency in Pediatrics in 1983 and has been certified by the American Board of Pediatrics since 1986. He served as an Adjunct Clinical Professor of Pediatrics for Touro University, where both his students and colleagues recognize him as an excellent teacher and leader within their institution.

Mr. Speaker, Dr. Martin has demonstrated an incredible commitment to his students and the medical profession in our community. It is therefore fitting and proper that we honor him here today and congratulate him on this well-deserved award.

IN RECOGNITION OF JAMES
KELLEHER AND A RECORD OF
COMMUNITY SERVICE

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise to honor Mr. James Kelleher. He is a United States Marine, an Olympic contender, and a champion boxer, but today I take note of his service and a tradition of goodwill that inspired his path. A resident of Scranton, Pennsylvania, James is a role model for the young people of my district. James started boxing when he was nine years old. As a youth, he found encouragement through the United Way of the Lehigh Valley's TeenWorks program, which sponsored his wish to improve a boxing club serving over 100 at-risk children in the heart of an area known for gang activity. For him, the club provided discipline, focus, and a safe place to grow and develop.

For many Americans, being a good citizen is defined by a willingness to do for others. They recognize that some of the greatest rewards in life come when we give our time and talents to improve our communities. There are many programs in our country proving opportunities to be a mentor and model a spirit of giving. I hope others will be inspired by James

Kelleher's focus and his charity and ask themselves: What more can I do for others?

HONORING SCOTT GRAVES

HON. JODEY C. ARRINGTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. ARRINGTON. Mr. Speaker, Scott Graves is a proud alumnus of my alma mater, Texas Tech University, and has championed West Texas and agriculture production since he arrived in Washington twelve years ago.

Beginning in his early days with Chairman CONAWAY, Scott worked hard to meet and listen to agriculture producers across the state to learn about their everyday operations and develop policy solutions for the industry.

As Scott grew in his policy expertise and legislative advocacy, he gained the trust and confidence of the agriculture industry and his colleagues on the Hill.

Scott rose quickly as a leader among his peers. Chairman CONAWAY recognized his value and leadership when he promoted him to Chief of Staff and then ultimately Staff Director of the House Agriculture Committee where he has been instrumental in laying the foundation for the 2018 Farm Bill.

I know it will be hard to replace a champion for West Texas and Rural America like Scott. Our region and country have been profoundly blessed by the contributions of Scott C. Graves.

God bless you, Scott, and your family as you step off the Hill to start the next chapter of your life. And, welcome back to the great state of Texas.

IN RECOGNITION OF SAC-
RAMENTO'S BUSINESS LEADERS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the exceptional honorees of the Sacramento Metropolitan Chamber of Commerce's 122nd Annual Dinner and Business Awards Ceremony. These business leaders have shown an exemplary commitment to the economic growth and advancement of the Sacramento Region. As members of the Sacramento Metropolitan Chamber of Commerce, honorees, and guests gather in celebration of a year of successes, I ask my colleagues to join me in honoring these outstanding community members.

Kevin Johnson, former Mayor of Sacramento, is Sacramentan of the Year. A distinguished member of our community, Mr. Johnson proudly served as our mayor for the past eight years. During his tenure he did much to move our city forward and most notably, he was instrumental in keeping our beloved Sacramento Kings, partnering with the Kings ownership to get the Golden 1 Center built. For many years, Mr. Johnson's vision and philanthropy has benefited the citizens of our community.

Ann Madden Rice, Chief Executive Officer of UC Davis Medical Center, is Businesswoman of the Year. Ms. Rice is a true leader in our region's health care system. Under her leadership, the UC Davis Medical Center was one of the hospitals at the forefront of the implementation of the Affordable Care Act in Sacramento.

Chris Granger, President of the Sacramento Kings, is Businessman of the Year. Joining the Sacramento Kings in 2013, Mr. Granger was instrumental in developing the new Golden 1 Center. The arena opened its doors in October 2016 to rave reviews and sold out concerts. Chris' vision is helping to revive Sacramento's urban care.

American Red Cross and Sacramento City College are being inducted into the Centennial Business Hall of Fame. American Red Cross, their staff, and their many volunteers have been the cornerstone of our region's emergency response community for many years. The work they do to provide training and assistance is critical to our region. Too often we do not realize just how important their hard work is until disaster strikes. Sacramento City College has been a leader in our region's education community for more than one hundred years. Their longevity is a testament to the high quality education and experiences that Sacramento City College faculty and staff help create for students.

Relles Florist and Visit Sacramento are being inducted into the Business Hall of Fame. Relles Florist has provided beautiful floral arrangements, as well as being a leader in the Sacramento community, for the past 70 years. As the lead promoter of tourism for the region, Visit Sacramento has done a tremendous job growing as an organization and supporting landmark campaigns, including Sacramento's farm-to-fork initiatives and the iconic Tower Bridge Dinner. Visit Sacramento is instrumental in shaping Sacramento's identity and highlights the many things that make Sacramento the great place it is to live, work and play. These two enterprises are certainly worthy of this honor, and have played major roles in the development of Sacramento's economy over their numerous decades of operation.

Fleet Feet Sacramento, the original store of the Fleet Feet franchise, opened in midtown Sacramento in 1976 and since that time has fostered a culture of exercise and fitness. A staple in the community, Fleet Feet Sacramento continues to sponsor community events and get Sacramentans outside and active, and is the well-deserved recipient of the Small Business of the Year Award.

Phil Tretheway, Creative Director of Position Interactive, is this year's Young Professional of the Year. Mr. Tretheway is a third generation Sacramentan and has been involved in Metro EDGE since its inception. He helped chair the 2015 Emerge Summit and has been instrumental in shaping downtown's culture.

This year's Al Geiger Memorial Award is going to Chet Hewitt of Sierra Health Foundation and Dennis Mangers. Mr. Hewitt is a true treasure for our region. Under his leadership, Sierra Health Foundation has helped transform our region into a place that is healthier and more equitable for everyone. As a true trailblazer, Mr. Mangers has served as a role model and mentor to hundreds in the Sacramento community and throughout the State

of California. He has spent the better part of the last half century championing equal rights for all California citizens. These two individuals carry on Mr. Geiger's legacy by serving as role models who help inspire others to serve our community. Sacramento is a better place because of their tireless efforts.

Carol Garcia receives the Peter McCuen Award for Civic Entrepreneurs. Ms. Garcia is Senior Vice President of Marketing and Business Development at Community 1st Bank and has helped people with their banking for over 20 years. She has been active in local non-profits and service organizations, benefiting our community for many years.

Jim Alves from SMUD and Holly Harper from Sutter Health are the recipients of the Volunteer of the Year award. Mr. Alves heads Sacramento Municipal Utility District's Economic Development Department. More impressively, he serves on numerous Boards and community organizations, making a significant impact on everyday Sacramentan lives. Ms. Harper is truly an expert in her field and her work at Sutter Health and in our community has helped change people's lives for the better. She is a driving force at Sutter Health, pushing towards greater health care quality in our region and beyond.

Finally, Karlee Cemo-McIntosh is Ambassador of the Year. Ms. Cemo-McIntosh has served in a variety of roles for Metro EDGE, the Sacramento Metropolitan Chamber of Commerce, WEAVE, Inc., the American Cancer Society, and the American Heart Association. Working as the Marketing Director for Visit Sacramento, she helps put the region's best foot forward and attract numerous visitors to Sacramento.

IN HONOR OF ARMY SPECIALIST 4
ANTHONY JOSEPH DIXON

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor the life and memory of Army Specialist 4 Anthony Joseph Dixon of Lindenwold, New Jersey who died at the young age of twenty on August 1, 2004 in Samarra, Iraq in a roadside bombing.

Mr. Dixon is remembered by his family and friends as an adventurous young man who loved to race his car around town, once climbed a tall cell phone tower on a dare and went to Florida after his high school graduation with no firm plans and only \$20 in his pocket.

As a student, Mr. Dixon was involved in athletics, including soccer, baseball and wrestling. After his high school graduation, and bouncing around from job to job for a while, he enlisted in the United States Army and was proud to serve his country.

His family recalls him being excited to share his battle stories with them. He enjoyed his time defending our country because it was adventurous and the right thing to do.

Mr. Dixon was the youngest of five children. He left behind his parents, Alexander and Jacquelyn, his brother Alexander, Jr., sisters Kim

(Derek), Celesta (Gerald), Mary (Michael), his grandmother Sara, his fiancée Elis Deniz and countless nieces, nephews, aunts and uncles.

Joining the United States Army provided the focus and drive that Mr. Dixon needed to move forward with his life. We appreciate his service and commitment to our country and honor him for the ultimate sacrifice he made to keep us safe. I also am honored to thank his family for their sacrifices as well.

HONORING DR. RICHARD BERNINI

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Dr. Richard Bernini, whom the Napa and Solano County Medical Societies have awarded the honor of Professor Emeritus. Dr. Bernini served as an emergency room physician at Queen of the Valley Medical Center for 38 years until his retirement in 2015.

The Napa and Solano County Medical Societies award this distinction to medical professionals who have a demonstrated commitment to service and teaching. Dr. Bernini exemplifies these attributes and is very deserving of this award and recognition.

Dr. Bernini graduated from Thomas Jefferson University's Jefferson Medical College in 1970, and was certified by the American Board of Emergency Medicine in 1976. He is active in supporting and mentoring the medical students at his alma mater.

During his time at Queen of the Valley Medical Center, Dr. Bernini served in many leadership positions. He helped design the Napa Valley Emergency Medical Group, which provides high quality emergency medical care to our community. Dr. Bernini created an advanced Quality of Assurance Program to ensure proper medical care for patients. He is known in our community for his willingness to mentor and befriend the next generation of medical health professionals.

Mr. Speaker, Dr. Bernini has demonstrated an incredible commitment to his students and the medical profession in our community. It is therefore fitting and proper that we honor him here today and congratulate him on this well-deserved award.

IN RECOGNITION OF SCOTT
GRAVES

HON. MIKE BOST

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. BOST. Mr. Speaker, I rise today in recognition of Scott Graves, who is departing the House Committee on Agriculture.

In my time in public office, I quickly realized how truly indispensable good staff is. Scott Graves certainly fits the bill of good staff.

Scott most recently served as the staff director of the House Committee on Agriculture, where he developed the strategic vision of the

committee and its 45 members. He has worked closely on agriculture policy for his 12 years on the Hill, including the 2008 and 2014 Farm Bills.

With Scott's steadfast leadership as staff director, Chairman CONAWAY and committee members were able to stick to an impressive timeline, passing reauthorization bills for all programs under the committee's jurisdiction last Congress. Scott and Chairman CONAWAY always made it a priority to fully equip and educate members of the Committee and conference on issues important to American agriculture.

On behalf of Southern Illinois producers, I wish Scott the best in his future endeavors

RECOGNIZING THE DISTINGUISHED
SERVICE OF SCOTT CHESTER
GRAVES

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. CONAWAY. Mr. Speaker, I rise today to recognize and thank a long-term member of my staff, Scott Graves, for his 12 years of service on Capitol Hill. Scott has worked in numerous capacities—starting as an agriculture legislative assistant and legislative director, then as my chief of staff and most recently as staff director at the House Committee on Agriculture. He is a well-respected and accomplished leader, and though he is moving on, I know he will continue to accomplish great things for American agriculture.

Scott has been my right-hand man for many years, helping me navigate the complexities of the 2008 and 2014 farm bills, serving as an advisor when I chaired the House Committee on Ethics, and keeping the wheels running in both my personal office and the Agriculture Committee. Though much of his work was done behind the scenes, my colleagues and I knew we could rely on Scott to produce results.

Beyond his many professional attributes, I will certainly miss his humor and wit. I am proud of him, I wish him, Haley, Bronte, and a unit to be named this summer the very best. I want to thank him for his loyalty and dedication to public service and I wish him Godspeed in the next chapter of his life

RECOGNIZING THE MOYER FOUNDATION
AND CAMP MARIPOSA

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to honor the Moyer Foundation and its Camp Mariposa. Since 2000, the Moyer Foundation has reached thousands of children impacted by grief or addiction in their families. Among other successful endeavors, the Foundation started Camp Mariposa, a free weekend camp focused on mentoring and addiction prevention for youth impacted by the substance abuse of a family member. In 2015,

Camp Mariposa helped over 960 students ages 9 through 12 have fewer feelings of isolation and guilt, understand the reality of addiction as a disease, and make positive life choices. Just last week, the Addiction Policy Forum recognized Camp Mariposa in their "Focus on Innovation" program.

Sadly, the children of eastern Kentucky have been at the very heart of a nationwide opioid abuse epidemic that has claimed more than 165,000 lives since 1999. They've borne witness to a generation of addiction and overdose, often times among those on whom they rely for financial, educational, and emotional support. I am proud that Camp Mariposa will open its twelfth location next month in Buckhorn, Kentucky, its first rural location, and continue spreading awareness and hope to our region.

I thank the Moyer Foundation and its local partner Buckhorn Children & Family Services for their dedication to changing the lives of America's at-risk youth. With their continued help, we can break the cycle of addiction and instill newfound hope in our communities

HONORING THE LIFE OF FORMER
GOVERNOR ALBERT BREWER

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. BYRNE. Mr. Speaker, there are few people who leave such a profound impact on the lives of so many as former Alabama Governor Albert Brewer did. Albert Brewer was more than just a Governor. He was a dedicated public servant committed to the betterment of our state and our people.

His unflinching commitment to the state of Alabama was apparent in his early years. After attending The University of Alabama, Gov. Brewer served three terms in the Alabama House of Representatives, and during the last of these terms, was elected by his colleagues as the youngest person in Alabama's history to serve as the Speaker.

After his time as Speaker, Brewer would go on to serve as Lieutenant Governor before being elevated to the position of Governor after the death of Lurleen Wallace in 1968. When he ran for a full term in 1970, he exhibited his compassion for the people of Alabama and his bravery in fundamentally changing how gubernatorial candidates organized their respective campaigns by including African Americans. In his platform, Brewer fought for education funding, an ethics commission, and a commission to revise Alabama's 1901 state constitution.

Governor Brewer sought to help those who were disenfranchised and in poverty throughout Alabama and to include newly registered African American voters. His dedication to the disenfranchised speaks volumes for his character and his commitment to selfless public service. Albert Brewer raised the bar for public service in Alabama.

After leaving office, Governor Brewer followed his passion for education and became a distinguished professor at Cumberland School of Law, where he taught courses on

ethics and constitutional law. His expertise, impact on students, and passion were recognized by Cumberland School of Law with the dedication of the Martha F. and Albert P. Brewer Plaza on April 4, 2008.

Sadly, Governor Brewer passed away on January 2, 2017 at the age of 88. His integrity and dedication to public service have made a positive mark that cannot be undone. His legacy will be one of compassion, selfless public service, and an unflinching dedication to his family and the people of Alabama.

I consider it an honor to have known Albert Brewer and worked with him over the years. On behalf of Alabama's First Congressional District, I want to share my deepest condolences with his family, friends, and loved ones.

Mr. Speaker, Albert Brewer was one of the best governors in our state's history, and there is no doubt Alabama is a better state because of his service and sacrifice.

IN RECOGNITION OF MITCH
KORNFELD FOR HIS SERVICE AS
PRESIDENT OF THE JEWISH
COMMUNITY ALLIANCE

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Mitch Kornfeld, a local business owner and outgoing President of the Jewish Community Alliance of Northeastern Pennsylvania. He is a force for change in the local Jewish community, and professionally, Mr. Kornfeld is the Owner and Vice President of Operations at The Woodlands Inn, one of the premier hotels in the Wilkes-Barre/Scranton Area.

Mr. Kornfeld is a South Wilkes-Barre native and graduate of E.L. Myers High School. In 1969, his father and uncle opened The Woodlands, and Mr. Kornfeld grew up in and around the family business. A graduate of the University of Pittsburgh, he earned a degree in economics and communications. After college, Mr. Kornfeld returned to Wilkes-Barre to play a vital role in his family's business.

Mr. Kornfeld grew up in a Jewish family, and today, he gives back as an active member of the Jewish Community Alliance of Northeastern Pennsylvania. The JCA seeks to create a community for Jews to connect to each other and to their faith through services and programming. As president, he has been instrumental in expanding the Jewish Community Center, currently located in Wilkes-Barre, to the new Center for Jewish Life in Kingston. The 60,000 square foot space will feature a fitness center, a library, class rooms, and a resource room to serve and support the Jewish population of the Wyoming Valley and the general public.

Mr. Kornfeld combines business acumen with an altruistic spirit. He is committed to supporting and reenergizing the Jewish population in Northeast Pennsylvania with projects such as the Center for Jewish Life.

It is an honor to recognize Mitch Kornfeld and his exceptional work as President of the Jewish Community Alliance. He has left a re-

markable legacy by taking a leadership role in the development of the Center for Jewish Life. I look forward to watching the final realization of this ambitious project, and I wish him the very best in the future.

ANOTHER POE FROM TEXAS:
GEORGE WASHINGTON POE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. POE of Texas. Mr. Speaker, today I honor another Poe from Texas and an unsung patriot during our Revolution, George Washington Poe. The Legacy of Texas States: "Born in Ohio, he and his wife, Frances, traveled to Texas as quickly as they could. It was in Texas that he found success in the military, building up the young Army's artillery and seeing to the needs of the men fighting for the Revolution's cause.

We all know the legendary story of Sam Houston and his role in our state's history. It was on this day in 1836 that Houston referred to Poe as a major, no doubt a reference to his volunteer rank since he was officially a third lieutenant in the fledgling regular army. Records show that while the political leaders of Texas wrestled with who should lead the Army in early 1836, Poe remained fiercely loyal to Houston. In a letter to Houston, Poe declared that he and his company "do not nor will not know any other General than Sam Houston."

Poe's strong sense of loyalty proved to be fruitful for his military career. He soon was appointed assistant Inspector General of the Army, and was in charge of a 120-man garrison at Velasco. When the General Council assembled and established an official army for the Republic of Texas in March of 1836, Poe was appointed captain of the artillery.

That appointment seemed like a demotion to Poe. In a letter to Thomas J. Rusk, he protested saying he deserved to be a major. In mid-March, Poe and his artillery unit departed Velasco to join Sam Houston again, where it is documented that he later participated in the Battle of San Jacinto. Poe experienced two significant ceremonial milestones in his career that speak to the high regard in which he was held. Poe commanded the artillery piece that fired a salute over the remains of Fannin's men near the mission of La Bahia and later served as marshal of the funeral procession for Stephen F. Austin.

After leaving the military, Poe settled in Houston where he worked in land speculation. Houston remained loyal to his faithful supporter, and nominated Poe to be stock commissioner of the new Republic. Poe died on Texas soil, and although his name has failed to become as legendary as Houston, Bowie, or Travis; his contributions to our history and the success of Texas are worthy of remembrance."

It is always interesting to hear the history of bygone days of the Texas Revolution, especially about another Poe from Texas.

And that's just the way it is.

THE PASSING OF ONEIL MARION
CANNON

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Ms. BASS. Mr. Speaker, I would like to honor the life and memory of my friend and mentor, Oneil Marion Cannon, who passed away on January 20, days before his 100th birthday.

Oneil was born in Louisiana on January 28, 1917. He began early to fight against injustice. As a young insurance agent in New Orleans, he joined an office workers union, and he defied miscegenation laws to associate with white students at Tulane and Dillard Universities. He served honorably in the Pacific Theatre during World War II and settled with his wife and children in Los Angeles after his discharge. There he learned the printing trade on the GI Bill. He believed all his life in collective action, and fought to become the first African American member of the Printer's Union in Los Angeles.

Union membership, however, did not guarantee him work in that segregated industry, so he started his own print shop in the basement of the progressive Black newspaper The Eagle. Fidelity Educational Press became known as the "union printer to the left," producing leaflets, journals, and brochures for community groups, activists and churches. Oneil taught the printing trade to generations of printers in South Los Angeles. His passion for education further led him to fight for "Negro History Week" in L.A. schools, and to take an active part in the multi-year struggle for a junior college in South L.A. That battle culminated in the opening of L.A. Southwest College in 1967.

In 1985 he co-founded the Paul Robeson Center, which quickly became a community hub. For years it pursued its mission of seeking interracial and intercultural understanding. Oneil was instrumental in supporting my own work as a community organizer early in my life, and without his help my life would have taken a very different path.

Deeply involved in politics, Oneil belonged to the Independent Progressive Party and campaigned to put Henry Wallace on the ballot in the late 1940s. As part of the IPP, he used economic power to force employers to hire Black and Mexican American workers, using the slogan "don't bank or buy where you can't work." He worked for decades to elect representatives of color to office, including Tom Bradley, Ed Roybal, and even campaigning at age 90 for Barack Obama.

I would like to salute Oneil Cannon for his longstanding commitment to serving and uplifting others, and for a century of fighting to make the world a better place.

HONORING THE NEW TECHNOLOGY
HIGH SCHOOL

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor New Technology High School, which is celebrating its 20th Anniversary of providing innovative educational and career opportunities to students in Napa, California.

New Technology High was established in 1996 by local business people and community educational leaders as a place where students would learn the skills necessary to compete in the changing technological and global economy. This vision has been achieved and expanded over the past 20 years, resulting in an innovative, award-winning educational community. New Technology High School is recognized as a California Distinguished School, a California Gold Ribbon School and a New Tech Network National Demonstration Site.

The school offers a curriculum using innovative administrative and educational models including project and problem-based learning, easy access to technology resources and a focus on student-centered culture and outcomes. Students regularly work in teams to prepare for real life collaborative projects in the technology sector. New Technology High is providing students the important skill set that they will use to tackle the cyber, climate, business and global challenges we face.

In addition to providing exceptional educational opportunities to their own student body, New Technology High offers programs serving 13 schools in the Napa Valley Unified School District. This outreach has led to the creation of the New Tech Network, which helps 180 schools across the country implement innovative models.

Mr. Speaker, for the past 20 years, New Technology High School has been a leader in education reform in the Napa Valley, Northern California, the United States, and globally. It is therefore fitting and proper that we honor the school here today.

CELEBRATING THE 2017 NA-
TIONAL CATHOLIC SCHOOLS
WEEK

HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. LAHOOD. Mr. Speaker, today, I recognize Catholic schools and parishes in our nation as we celebrate National Catholic Schools Week. As we approach this celebration, I am excited to announce that this year's theme is "Catholic School: Communities of Faith, Knowledge, and Service," which resonates with my District that is home to twenty-eight Catholic schools. Parochial education strives to instill faith, community involvement, and commitment in the classroom to shape each generation of students into well-educated, compassionate members of our communities.

For forty-three years, Catholic schools have taken part in this tradition, which provides a time to reflect on and commemorate their contributions to education.

There are over two million students enrolled in the 6,525 Catholic schools across the United States that serve urban, suburban, rural, and inner-city communities. This past year, 37 Catholic schools were designated the Blue Ribbon from the U.S. Department of Education, exceeding academic standards, closing achievement gaps, and establishing progressive teaching methods. In addition to this prestigious award, Catholic schools exceed graduation rates throughout the country and extensively focus on college preparatory classes with 85.7 percent of their students attending a four-year college after graduation.

As a proud graduate of St. Anne Grade School in East Moline, Illinois and Spalding Catholic High School in Peoria, Illinois, I am honored to co-sponsor legislation supporting National Catholic Schools Week. The religious values and foundation of faith instilled through Catholic schools has strengthened my relationship with God and informed my daily life with lessons of faith. I am also thankful that our three sons have the opportunity to attend Catholic schools and become immersed in the Catholic faith, quality education, and community service that they provide.

This week is a time to reflect on and celebrate all the contributions of the National Catholic Education Association and the impact their schools provide to our communities. I look forward to continuing to support Catholic schools and carrying out God's mission of faith, service, and knowledge. During National Catholic Schools Week, I extend my sincere blessings to the Catholic schools across the nation and I am honored to promote their successes.

CELEBRATING THE 100TH BIRTH-
DAY OF MRS. LARLIE HENRY
DIXON

HON. ADRIANO ESPAILLAT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize the celebration of Mrs. Larlie Henry Dixon's 100th birthday. With nearly a century passing, Ms. Dixon has dedicated her life to Second St. John Baptist Church, the City of New York, and her lifelong contribution to her community.

Mrs. Larlie Henry Dixon, the third eldest of eight siblings, was born on January 28, 1917 to Lloyd & Sarah Henry in Dawson, GA. The family later moved to Largo, Florida where many of her family still reside.

She married Boisey Dixon on November 17, 1935. They were the parents of one daughter, Larlie Jean, who regrettably predeceased her. The family migrated to New York in search of better opportunities in the mid-forties when Larlie entered the work force.

Larlie, known for her candor and directness, had a strong work ethic and always worked hard to support herself, her daughter and ultimately a granddaughter. She was the housekeeper for a prominent lower Manhattan family

for decades. She is still to this day in touch with the family whose son and daughter credit Larlie with helping raise them and are effusive in their genuine love and affection for her.

Mrs. Dixon has been a member of the Second St. John Baptist Church since 1970. A great financial supporter of the church through the years, she proudly served on the Mother's Board where she enjoys mentoring and guiding the young women of the church. She also loved attending Sunday Church School until her later years, but continues to attend the 11 a.m. Worship Service practically every Sunday.

Larlie Dixon is surrounded by family and friends who love and help care for her. She has two granddaughters, Jackie and Jazmine (both of Atlanta); many, many nieces and nephews, grandnieces and grandnephews, spiritual daughter, Berlina Whitaker; Pastor and his wife Reverend Robert and Mrs. Dorothy Jones; Harvey and Dr. Margaret Walker, neighbors; her entire Second St. John Baptist Church family and her three caregivers, Carmelle, Margaret & Antoinette.

Mr. Speaker, I am honored to have had the time to recognize and celebrate the tremendous life of Mrs. Larlie Henry Dixon and her 100th birthday celebration.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Ms. SEWELL of Alabama. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 66.

LEGISLATION TO STOP TRUMP ADMINISTRATION FROM DENYING HUMANITARIAN RELIEF TO REFUGEES WHO ARE LAWFULLY ENTITLED TO ENTER THE UNITED STATES

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 2017

Ms. JACKSON LEE. Mr. Speaker, I, a senior member of the House Homeland Security and Judiciary Committees today am giving the following statement in response to the Executive Order issued by the President regarding admission of refugees to the United States:

Today, I am introducing the Universal Security of American Values Act of 2017 (USA Values Act of 2017), which declares the Executive Order issued by the President on January 27, 2017 to be null and void and of no force and legal effect. In addition, USA Values Act prohibits the issuance or implementation of any Executive Order that has the effect of

abridging any of the privileges and immunities of Americans or would discriminate against any person seeking entry to the United States on the basis of race, sex, sexual orientation and identity, place of birth, place of residence, ethnicity, religion, age, or statuses that pose no undue health threat to the general population.

As Americans we are best when we are true to the values we hold dear, beginning with fidelity to the Constitution and the laws of the United States. The executive order issued last Friday by President Trump is a radical departure from these principles and I call upon him to rescind this order immediately.

This Executive Order has affected 67,000 refugees thoroughly vetted by an 18 to 24 month screening process, many of whom have been separated from their families despite processing the proper paperwork.

I agree with President Barack Obama's statement that he "fundamentally disagrees with the notion of discriminating against individuals because of their faith and religion.

Arbitrarily excluding Muslims from our country will not make us safer and makes a mockery of our reputation the world's most welcoming nation.

America is a country founded by persons escaping religious persecution. We must be ever vigilant to ensure we remain the land religious liberty. Innocent lives are being put at risk as a result of a political theater and reactionary policies of the current Administration without even going through the normal review and clearance process.

'The USA Values Act,' which affirms the nation's core values, compliments the 'Statute of Liberty Values Act', (SOLVE Act) introduced today by my colleague Congresswoman ZOE LOFGREN of California and sponsored by me and more than 125 Members of the House which bars ethnic and religious discrimination against refugees.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 31, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 1

Time to be announced

Committee on the Budget

Business meeting to consider the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget.

TBA

9:40 a.m.

Committee on Homeland Security and Governmental Affairs

Organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 115th Congress; to be immediately followed by a closed briefing from Department of Homeland Security officials.

SD-342

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine a growth agenda, focusing on reducing unnecessary regulatory burdens.

SH-216

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the Affordable Care Act, focusing on stabilizing the individual health insurance market.

SD-430

10:30 a.m.

Committee on the Budget

To hold hearings to examine the Congressional Budget Office's budget and economic outlook, focusing on fiscal years 2017-2027.

SD-608

10:45 a.m.

Committee on Environment and Public Works

Organizational business meeting to consider committee rules, an original resolution authorizing expenditures by the committee during the 115th Congress, and the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency.

SD-406

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine the nomination of David J. Shulkin, of Pennsylvania, to be Secretary of Veterans Affairs.

SD-106

Special Committee on Aging

Organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 115th Congress; to be immediately followed by a hearing to examine stopping senior scams, focusing on developments in financial fraud affecting seniors.

SD-562

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FEBRUARY 2

2 p.m.

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.

SH-219

FEBRUARY 8

2:30 p.m.

Committee on Indian Affairs
To hold an oversight hearing to examine emergency management in Indian Country, focusing on improving the Federal Emergency Management Agency's Federal-tribal relationship with Indian tribes.

SD-628

POSTPONEMENTS

FEBRUARY 1

10 a.m.

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine fencing along the southwest border.

SD-342

SENATE—Tuesday, January 31, 2017

The Senate met at 12 noon and was called to order by the Honorable SHELLEY MOORE CAPITO, a Senator from the State of West Virginia.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rabbi Barry Block, leader of the Congregation B'nai Israel in Little Rock, AR.

The guest Chaplain offered the following prayer:

Divine Source of Blessing, we come before You today to ask Your blessings on the United States Senate and on the 100 men and women who serve our Nation here. Like King Solomon before them, let these Senators lead our Nation with wisdom, with Your Word and our Nation's Constitution constantly guiding them to pursue liberty and justice, opportunity and equality, for every man, woman, and child within our borders, for those who would peacefully seek refuge on our shores, and for each of Your children on Earth. Make them ever mindful of Your command to remember the heart of the stranger—the people most unlike them and the least powerful of voices—for we were all strangers in one Egypt or another. In this age of division, unite these Senators, for only when working together across party lines do they truly represent all Americans.

Temper the majority's resolve with humility. Let the minority manifest an opposition that is as loyal as it is robust. Let all come together to ask Your choicest blessings on the United States of America.

And let us say, Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 31, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable SHELLEY MOORE CAPITO, a Senator from the State of West Virginia, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. CAPITO thereupon assumed the Chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

WELCOMING THE GUEST CHAPLAIN

Mr. BOOZMAN. Madam President, Senator COTTON and I would like to welcome Rabbi Barry Block and thank him for delivering the opening prayer to the Senate today. I am proud that he accepted our invitation to lead the Senate with his spiritual guidance.

Rabbi Block is the leader of B'nai Israel—Arkansas's largest Jewish congregation—a position he has held since 2013. I have gotten to know Rabbi Block and his dedication to his congregants through his annual visits to Washington with the Religious Action Center of Reform Judaism. He has served Reform Judaism as a member of the Board of the Central Conference of American Rabbis and chair of its Resolutions and Nominating Committee and as president of the Southwest Association of Reform Rabbis.

Serving as the guest Chaplain is an incredible honor. Today he is joined by his sons Robert and Daniel. He wished to share this experience with his congregants as well. I enjoyed meeting yesterday with him and his confirmation students to hear about their concerns on a wide variety of social issues. I appreciate his prayer for our country and its leaders.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FILLING THE SUPREME COURT VACANCY

Mr. McCONNELL. Madam President, yesterday the Senate voted to advance President Trump's nominee for Secretary of State. I look forward to confirming him and the rest of the President's slate of well-qualified nominees. We need them to get to work as soon as possible.

We will have more opportunities to advance nominees starting this afternoon, and later tonight, we expect the President to send us another nominee.

The President said he will announce his choice for the Supreme Court shortly from a list of about 20 well-qualified Americans. It is a list he shared publicly months ago. As I said yesterday, each of those potential nominees has a distinguished background, whether on the appellate courts or trial courts, whether at the State level or the Federal level.

We look forward to the announcement of this nominee tonight, and we look forward to doing our job to fairly consider that nominee here in the Senate. Our friends across the aisle should treat this President's nominee in the same manner as previous nominees of newly elected Presidents. This is not the time for our friends to embark on another partisan crusade.

We have just been through a contentious election. It is time to bring our country together. It is disappointing that we have already started hearing some of the same tired rhetoric from the left. This is before the President even announces the nominee—disappointing but not surprising. The left has been doing this for decades. It does not matter if the President is George H.W. Bush or Gerald Ford. It does not matter if the nominee is David Souter or John Paul Stevens. They will warn of impending doom. They will claim the end is nigh. They will run through the required list of attacks: extreme this, anti that, herald the apocalypse. And then, miraculously, the Sun will rise again in the East, and the world will still keep on turning. I hope we can skip past the left's hyperbole this time.

Unfortunately, we have heard our friend the Democratic leader talk about fighting the President's nominee tooth and nail. We have heard that others in his party are preparing to mount a filibuster of this nominee. Of course, we do not even know who it is yet. That is not productive. That is not what our country needs right now.

We understand that some on the left will never be pleased with any nominee this President—or any Republican President, for that matter—puts forward. We know some will continue to refuse to accept the results of the election. But our Democratic colleagues should not follow the far left down that harmful path for our country.

We need to all remember that the Supreme Court seat does not belong to any President or any political party. I have been clear all along that the next President, regardless of party—regardless of party—would name the next nominee for this seat. It is a decision I stood by even when it seemed likely we

would have a Democrat in the White House. It is worth repeating, of course, that this standard is not uniquely mine or even Senate Republicans'. There is a reason this principle has been called not only the Biden rule but also the Schumer standard.

But, look, the election season is now over. We have a new President. We each have a responsibility to be serious and move from campaign mode to governing mode. It is my sincere hope that our friends across the aisle will join us in thoughtfully reviewing and considering the next Supreme Court Justice. It is the best way forward for the Senate, for the Court, and for our country.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

TRUMP ADMINISTRATION

Mr. SCHUMER. Madam President, there is a theme that is beginning to define this new administration: incompetence leading to chaos. Over the weekend, the hastily constructed Executive order on immigration and refugees caused chaos in airports across America and across the world. Folks were caught in detention at airports for up to 12 hours, young children separated from their mothers, husbands from their wives, elderly travelers denied medical care, green card holders and legal residents being denied the right to see an attorney. Some folks were pressured into signing away their permanent legal status. There were scenes of utter havoc.

Nobody seemed to know the legal ramifications of the order, including the most senior officials in charge of enforcing it—at DHS, DOJ, and State. There is a reason no one knows the legal ramifications. No one asked the professionals in the Departments. Isn't it amazing—on one of the most sweeping Executive orders ever issued, the Secretary of Defense, the Secretary of Homeland Security, and the head of the CIA have said through reports that they did not even know of it.

The level of incompetence of this administration already, only 10 days into the Presidency, is staggering.

The legal ramifications leading to the firing of Sally Yates last night—there is a reason no one knows the legal ramifications. No one asked the professionals in the Departments and agencies responsible for implementing the rules.

A good manager, an administration with even a low bar of confidence, would have given the Department of Justice ample time to shape this policy and review it, as well as 15 or 30 days to implement it. At Kennedy Airport, Customs, the CPB—they had no idea this was coming down.

Last night, incompetence led to chaos at the Justice Department. Deputy Attorney General Sally Yates, then-Acting Attorney General, issued a notice saying the Department of Justice will not defend President Trump's Executive order on immigrants and refugees from Muslim-majority countries because of its dubious legality and even more dubious constitutionality. To put this in perspective, this was our country's top lawyer, someone who served administrations in both parties, someone who has the reputation of doing things on the merits, of not being political, saying that the Executive order is on such shaky legal and constitutional ground that the administration's lawyers should not defend it.

I have to say that she was our country's top lawyer, because within hours of her principled statement detailing her professional legal opinion, the Trump administration fired her. An hour later, the Acting Immigration and Customs Enforcement Director was dismissed as well.

The hair-trigger response from the White House to relieve them of their duties was a Monday night massacre, eerily reminiscent of the political firing by the Nixon administration during Watergate. But instead of it happening 6 years into an administration, it happened within the first 2 weeks. How many more of these dismissals will take place over the next 4 years? How many more firings because the President and his people in the White House do not want to hear a proper legal opinion?

Sally Yates was the Acting Attorney General. Why wasn't she consulted on the Executive order? Maybe if she had been, they would have learned all of the ways it is legally and constitutionally deficient and the administration would not have issued it.

But here we are, 2 weeks into the new Trump administration. Already we are on the cusp of a constitutional crisis. We are already in a crisis of competence.

A dangerous pattern is beginning to emerge because throughout the past week, incompetence led to chaos at the State Department as well. Before the Secretary of State is confirmed, before any Deputy and Under Secretaries have been named, the President unceremoniously cleared out more than a century of experience among senior officials at the State Department. One of the top officials removed last week was in charge of management issues at the State Department, including security of our embassies and associated personnel overseas. This could potentially put our people overseas at risk and could potentially make it more difficult for our government to conduct the business of our Nation overseas. This makes America weaker, not stronger.

Another official was in charge of ensuring the compliance of nations with

whom we have arms control and security treaties. This is an area where my friends from the other side of the aisle—most notably, my friend from Arkansas—demanded robust action under the previous administration, especially with respect to Russia. These important issues require continuing senior-level government attention and expertise, not a vacant office.

So, again, incompetence is astounding the American people. It is amazing how poorly done so many things that have come out of the White House in the first 2 weeks have been. It seems the President is treating our Nation's most senior and capable members of his workforce as if this is an episode of "The Apprentice."

Unlike on the campaign trail, the President's slapdash decisions, tweets, and the basic incompetence of his administration threatens to spread chaos across the country and across the world, undermining America's global reputation and making Americans less safe—especially the Executive order on immigrants and refugees.

The events of last night make that fact as clear as day. Our country's top lawyers think it is illegal, unconstitutional, and indefensible. An unprecedented number of senior nonpartisan State Department personnel—many of whom served under Republican administrations loyally and ably—signed onto a letter of dissent, a memo of dissent, actually, arguing that the Executive order "will immediately sour relations with much of the Muslim world . . . [and] increase anti-American sentiment" from seven countries from which not a single refugee has ever committed an act of terrorism in America, not a single one.

Today, even more than yesterday and over the weekend, we have reason to overturn this Executive order. I urge my Republican colleagues to rethink their position, to join us on Senator FEINSTEIN's bill to rescind the order. Then we can actually get to work, actually protecting our country with a smart, thoughtful, and effective policy against terrorism—not with what seems good on a tweet.

I asked a unanimous consent request yesterday because this order is so bad for our safety, for our security, for our troops, for our country, and for the moral leadership that we have always held. There is even a greater need today because we saw what Sally Yates said and the President's actions.

The need to rescind this order is even greater today than it was yesterday, so I am pleading with my colleagues. I know many of you have doubts about this order. You have expressed them. Let's rescind it and really get to work on tightening up our laws and making America safe from terrorists.

UNANIMOUS CONSENT REQUEST—S. 240

Madam President, I ask unanimous consent that the Senate proceed to the

immediate consideration of Senator FEINSTEIN's bill, S. 240; that there be 2 hours of debate equally divided; and that upon the use or yielding back of time, the bill be considered read a third time and the Senate proceed to vote on passage of the bill; finally, that there be no amendments, motions, or points of order in order to the bill.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Reserving the right to object, I feel like Yogi Berra when he said "It's *deja vu* all over again."

Just 18 hours ago, the Senator from New York and I stood here, and he made the exact same request, and I objected to it. And I will object again. I will object tomorrow, and I will object for as long as he wants to make these requests.

I will point out, though, that the business of the people is not being done. For all of you up there in the Gallery, we just started 20 minutes ago. That is the regular order under which the Senate starts when it can't reach agreement on when to start earlier. We typically would start around 9:30 or 10, but the Democrats refused to allow us to come in earlier today to start processing some of the President's nominations.

You may have heard on TV that Democrats on the Finance Committee have boycotted their hearing this morning. They refused to show up to do their job to confirm some of the President's nominees.

I don't know how long they plan to do this. I don't know if they intend to abscond out of the district, if we are going to have to vote to have the Sergeant at Arms track them down and haul them into work to do their business. I see him standing right over there. He has a distinguished record in military and law enforcement. He could probably do that effectively.

I wish, though, that they would simply show up and have a debate and do their work and confirm the President's nominees in an orderly process.

The Senator from New York mentioned State Department officials who had left work last week. Well, there is a simple solution for getting political accountability at the State Department, and that is for this body to confirm Rex Tillerson to be the Secretary of State.

Finally, I just want to make a few points about Ms. Yates's firing last night, since that is the only thing that has changed since the Senator from New York and I were on the floor yesterday.

Ms. Yates, in her letter about the President's order, did not cite any provision of the Constitution, any Federal law that suggested the President's order was unlawful or unconstitutional, nor could she because her own Office of Legal Counsel, which provides

legal guidance for the executive branch, had already reviewed the order before it was issued for its form and its legality and had signed off on it. Her decision was a policy decision, which is not a decision of the Attorney General—certainly is not a decision of a holdover Acting Attorney General—to make.

She was grandstanding. She should have been relieved. I am glad the President relieved her.

The American people deserve to have a politically accountable Attorney General to make these decisions, which we would have, yet again I say, if the Democrats would simply do their job and process these nominees in an orderly fashion.

So, as I said, on behalf of the Republican Conference, I object. I will object tomorrow. I will object for as long as we make these frivolous, dilatory requests.

The PRESIDING OFFICER (Mr. CRUZ). Objection is heard.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the nomination of Elaine Chao to be Secretary of Transportation, which the clerk will report.

The senior assistant legislative clerk read the nomination of Elaine L. Chao, of Kentucky, to be Secretary of Transportation.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes of debate, equally divided in the usual form.

The Senator from South Dakota.

Mr. THUNE. Mr. President, I have sought recognition to speak in support of Secretary Elaine Chao to be the Secretary of Transportation.

It would be hard to come up with a more qualified nominee than Secretary Chao for this important role. In addition to serving for 8 years as the U.S. Secretary of Labor, Secretary Chao has also served as the Deputy Secretary of the Department that she has now been tapped to lead. Her extensive experience also includes the United Way of America, the Peace Corps, and the Federal Maritime Commission.

The Commerce, Science, and Transportation Committee, which I am honored to chair, held a hearing on Secretary Chao's nomination on January 11 of this year. To no one's surprise, she demonstrated her experience, her thoughtfulness, and her commitment to working collaboratively with Congress on the challenges facing our transportation system.

Last week, the Commerce Committee acted by voice vote to report her nomination favorably to the floor, and I am hopeful that the Senate will confirm her overwhelmingly today.

The agency Secretary Chao has been nominated to lead plays a vital role in

facilitating and promoting the safe and efficient movement of goods and people throughout the country and around the world.

Our economy is truly dependent upon a thriving transportation sector. Without a robust and efficient transportation sector, rural States like mine would be unable to get their goods to the market.

Increasing the capacity and the efficiency of our Nation's highways, rail lines, pipelines, and ports is crucial and will have to be a top priority for the next Secretary of Transportation.

A continued focus on safety must also be a top priority for the next Secretary. While our Nation's pipelines, railroads, airways, and highways have a strong record of safety, improvements can and should be made. Many of the strong safety improvements the Commerce Committee advanced as part of the FAST Act and the PIPES Act last Congress are yet to be implemented, and we will expect our next Secretary of Transportation to work with us to ensure speedy implementation.

We will also have the opportunity to collaborate on safety improvements when we revisit the authorization of the Federal Aviation Administration later this year. The next Secretary of Transportation will also have a unique opportunity to show Federal leadership in the advancement of transportation innovation. V2V technology, autonomous vehicles, and unmanned aircraft systems, to name a few, have great promise to promote safety, improve efficiency, and spur economic growth in this country.

Secretary Chao will have a momentous opportunity to transform America's transportation network by promoting safety and innovation, growing our Nation's freight network, advancing needed improvements to our infrastructure, and ensuring that all users—both rural and urban—benefit equally.

Secretary Chao has consistently proved her willingness to roll up her sleeves and address the challenges facing our Nation. That is why I look forward to her confirmation as the next Secretary of Transportation, and I urge my colleagues to support her nomination.

I see my colleague from Florida, the distinguished ranking member on our committee, Senator NELSON, is here. He also participated, as did members on both sides. Frankly, I think every member of our committee, both Republicans and Democrats, had an opportunity to ask questions of Secretary Chao when she was in front of our committee.

As I said before, she has been carefully vetted, thoroughly vetted through so many different positions that she has held throughout previous administrations.

I certainly welcome the opportunity to work with her, as I know my colleague from Florida does, in meeting the transportation challenges that our Nation has as we move into the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I would echo what our chairman, Senator THUNE, has said about Elaine Chao. She certainly has the qualifications to be our next Secretary of Transportation. Clearly, she is a part of the Senate family; as the spouse of the majority leader, we know her well—and her government experience as the previous Secretary of Labor and Deputy Secretary of Transportation. The Office of Government Ethics, which is the independent agency that vets the nominees, has certified that she is in compliance with all the laws and regulations governing conflicts of interest.

This Senator intends to vote for her confirmation, as I did in the committee.

Since the Senator from Arkansas, in his objection to the unanimous consent request of the Democratic leader, made note of the absence of Democratic members from the Finance Committee markup of a couple of the Cabinet nominees, I want to bring to the attention of my colleagues that indeed, there was new information that came to light overnight in a publication in the Wall Street Journal of additional information about the nominee for the Department of HHS, which needs to be cleared up before the committee proceeds. So I wanted to put that on the record and make clear one of the reasons that the Finance Committee members objected to proceeding.

I think it interesting also that this Senator, as the ranking member of the Commerce Committee, had some additional questions for Secretary Chao—not questions in any kind of defensive or offensive way but additional information. Those questions were proffered Sunday night or early Monday morning. This Senator, not having heard all day from Secretary Chao, called Secretary Chao. She promptly returned the call last evening, and, lo and behold, the transition team for the Secretary of Transportation had not even given her the questions.

One of the questions that this Senator had for Secretary Chao was this: Given the chaos in the airports over the weekend, was she as Secretary of Transportation concerned about the orderly administration of those airports when such an unusual order had come down? In addition, what about the lost tickets on getting refunds for passengers and what about the changing of flight crews that might cause extra expenses? These are all items that a Secretary of Transportation would be concerned with going forward. What I found out in conversation was that the

nominee to be Secretary of Transportation had not been consulted by the White House—not in advance, during, or after the implementation of those orders having to do with the entry into the United States of refugees and other immigrants.

I think we need Secretary Chao as someone who has the experience, who has common sense, and will be in a position to offer level-headed, good, experienced-based advice to the government going forward. It is just the latest example of some of the fallout from this weekend's activities.

I recommend to our Senators that we approve the nomination of Secretary Chao, and I hope that upon her confirmation today by the Senate, she will be sworn in forthwith.

I yield the floor.

Mr. LEAHY. Mr. President, today, the Senate considers the nomination of Elaine Chao to be the Secretary of Transportation. Ms. Chao has served in a number of roles in both the public and private sectors throughout her career, ultimately serving as the Secretary of Labor during the administration of George W. Bush. I look forward to working with Secretary Chao as we find solutions to modernize and grow our country's crumbling infrastructure.

We can all agree that investment in our country's transportation infrastructure means safe bridges, paved roads, completed railways, and expanded airports. We can also all support innovative approaches to meeting these needs while guarding public health and environmental protections. With a long-term vision, Congress is not only repaving roads, but it is investing in the future of our vibrant communities. In a rural State like Vermont, it is essential that rural communities have the transportation options they need to access basic things like grocery stores, doctors' offices, schools and churches, and banks. These investments are essential to connecting rural America to the economic opportunities they need for success.

The importance of this connection was made clear in Vermont after the devastation of Tropical Storm Irene in 2011. Entire communities were isolated for days and weeks after the storm until temporary bridges and roads were able to reconnect us. It was because of substantial Federal and State commitments that Vermont rebuilt and improved our dams, roads, wastewater facilities, and rail lines across our State. As disruptive as the storm was to the rhythm of our everyday lives, it provided Vermont an opportunity to assess our State's vulnerabilities and to invest in upgrades. But it should not take a category 4 storm to allow a State the opportunity to improve its transportation services.

That is why I was encouraged by the Obama administration's continued in-

vestment in programs that were formed as a response to the financial crisis of 2008. The Transportation Investment Generating Economic Recovery, TIGER, grant program is providing funding to States for multimodal programs not considered under traditional transportation programs. Vermont has received several grants through this program. Under Secretary Foxx's leadership, there has also been a renewed focus on transit investment, not only in facilities, but in technology. Vermont has relied on these programs to enhance our services for the elderly and disabled, as well as to launch new programs like Green Mountain Transit's mobile phone application that delivers bus arrival times and schedule information. Finally, Vermont has 12 State-owned airports that continue to contribute to Vermont's economic engine. If not for the commitment to rural airport investment, Vermont would not have been able to fund our airports' expansions and improvements necessary to grow and add to our State's commerce and tourism.

America is starving for infrastructure investment. I hope that Secretary Chao will work with Congress to establish a long-term investment plan that propels our transportation infrastructure and technology in both urban and rural areas into the 21st Century.

Mr. INHOFE. Mr. President, I rise today in strong support of the Honorable Elaine Chao to serve as the next Secretary of Transportation. She has proven she has the experience and the drive to help her accomplish President Trump's goals to address our nation's infrastructure needs heads on. I have known Elaine for many decades as a dedicated civil servant and a talented negotiator and have no doubt she will again prove to be a highly effective asset to the Executive branch. Elaine Chao was born in Taiwan and, at the age of 8, came with her family to America by cargo ship where, at the age of 19, she became a U.S. citizen. From those humble beginnings, she went on to receive degrees from Mount Holyoke College in Massachusetts and Harvard Business School.

Elaine Chao began her executive career at the U.S. Department of Transportation in 1986, as Deputy Administrator of the Maritime Administration, then as Deputy Secretary from 1989 to 1991. She served as the Director of the Peace Corps, in 1991, where she brought the Peace Corp programs to the liberated countries of Latvia, Estonia, and Lithuania; and as president and CEO of the United Way of America where she helped restore fiscal responsibility to an organization that had been damaged by mismanagement.

In 2001, she became the 24th U.S. Secretary of Labor, the first Asian Pacific American woman to be appointed to the President's cabinet in American

history, in President George W. Bush's cabinet. During her 8-year tenure at the Department of Labor Department, she proved she has the skills to manage large multifaceted organizations as well as to initiate needed reforms and new programs that help create jobs and competitiveness in the workforce. Quite frankly, she was the best Secretary of Labor the United States has ever had.

During her tenure, the Department updated the white collar overtime regulations under the Fair Labor Standards Act, which has been on the agenda of every administration since 1977. The most significant regulatory tort reform of President Bush's first term, the new regulations provided millions of low-wage vulnerable workers with strengthened overtime protection.

In 2003, under her leadership, the Department achieved the first major update of union financial disclosure regulations in more than 40 years, giving rank and file members enhanced information on how their hard-earned dues are spent. The Department set new worker protection enforcement records, including recovering record back wages for vulnerable low-wage immigrant workers. The Department also launched comprehensive reform of the Nation's publicly funded worker training programs, to better serve dislocated and unemployed workers.

I have complete confidence in her abilities and look forward to working with her in her new capacity as the 18th U.S. Secretary of Transportation.

Mr. VAN HOLLEN. Mr. President, I support the nomination of Elaine Chao to be Secretary of Transportation.

Ms. Chao has proven a capable manager. She has served in several administrations, including as Secretary of Labor and Deputy Secretary of Transportation. Her experience will serve the Transportation Department and the Cabinet well.

At the Department of Transportation, Ms. Chao will be responsible for implementing one of President Trump's most ambitious agenda items—a massive investment in infrastructure. During the campaign, Mr. Trump proposed to invest \$1 trillion to rebuild infrastructure over the next decade. And on November 9, 2016, President-Elect Trump said, "We are going to fix our inner cities and rebuild our highways, bridges, tunnels, airports, schools, hospitals. We're going to rebuild our infrastructure, which will become, by the way, second to none. And we will put millions of our people to work as we rebuild it."

While we have received few details on the plan, I hope that Ms. Chao will work closely with Congress to identify needs within our States and invest broadly in roads, bridges, airports, rail, and transit. While I believe that public-private partnerships can be one avenue to drive transportation projects, we cannot rely on them to be the back-

bone of a transportation plan, as many communities would struggle to assemble the financing necessary to make such projects viable.

Our Nation's public infrastructure has historically been a bipartisan priority. It must remain so.

I appreciate Ms. Chao's commitment during her hearing to enforce the Davis-Bacon Act's requirement to pay fair wages to ensure that our Nation's construction jobs can sustain workers and their families. Commendably, Ms. Chao also emphasized her dedication to safety.

Maryland has a number of critical transportation priorities, including the Port of Baltimore, the MARC commuter rail, and increasingly congested highways like I-270 and I-81. We have also worked closely with the Federal Transit Administration on safety improvements to the Washington Metro, our Nation's subway, and have pushed for the creation of the Purple Line. I look forward to working with Secretary Chao to build a 21st century, multimodal transportation system that works for all of my constituents in Maryland.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, with respect to the pending Chao nomination, we yield back the remainder of our time so that we can proceed to the vote.

The PRESIDING OFFICER. Time is yielded back.

Mr. NELSON. Mr. President, we yield back our time as well.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the Chao nomination?

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. MCCONNELL (when his name was called). Present.

The result was announced—yeas 93, nays 6, as follows:

[Rollcall Vote No. 35 Ex.]

YEAS—93

Alexander	Collins	Flake
Baldwin	Coons	Franken
Barrasso	Corker	Gardner
Bennet	Cornyn	Graham
Blumenthal	Cortez Masto	Grassley
Blunt	Cotton	Harris
Boozman	Crapo	Hassan
Brown	Cruz	Hatch
Burr	Daines	Heinrich
Cantwell	Donnelly	Heitkamp
Capito	Duckworth	Heller
Cardin	Durbin	Hirono
Carper	Enzi	Hoeven
Casey	Ernst	Inhofe
Cassidy	Feinstein	Isakson
Cochran	Fischer	Johnson

Kaine	Murray	Shaheen
Kennedy	Nelson	Shelby
King	Paul	Stabenow
Klobuchar	Perdue	Sullivan
Lankford	Peters	Tester
Leahy	Portman	Thune
Lee	Reed	Tillis
Manchin	Risch	Toomey
Markey	Roberts	Udall
McCain	Rounds	Van Hollen
McCaskill	Rubio	Warner
Menendez	Sasse	Whitehouse
Moran	Schatz	Wicker
Murkowski	Scott	Wyden
Murphy	Sessions	Young

NAYS—6

Booker	Merkley	Schumer
Gillibrand	Sanders	Warren

ANSWERED "PRESENT"—1

McConnell

The nomination was confirmed. The PRESIDING OFFICER (Mr. HELLER). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The Senator from West Virginia.

ORDER OF PROCEDURE

Mrs. CAPITO. Mr. President, I ask unanimous consent that following disposition of the Chao nomination, the Senate resume consideration of the Tillerson nomination postcloture, and the Senate recess until 2 p.m., with the time during recess counting postcloture on the Tillerson nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the nomination of Rex W. Tillerson to be Secretary of State, which the clerk will report.

The senior assistant legislative clerk read the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 1:11 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have nine unanimous consent requests for committees to meet during today's session of the Senate. I ask unanimous consent that these requests be agreed to en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. I object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS OF STEVEN MNUCHIN AND TOM PRICE

Mr. BROWN. Mr. President, I rise to discuss what happened in the Finance Committee today—or what didn't happen in the Finance Committee today. Two newspapers—one, the Columbus Dispatch, one of Ohio's best and most conservative newspapers, and the Wall Street Journal, one of this country's most conservative newspapers—reported that the two nominees in front of the Senate Finance Committee had lied to the committee. Treasury Secretary-Designee Mnuchin had lied when asked if his bank, OneWest, had done robo signings; he said no.

The Columbus Dispatch investigative reporters found, in fact, that they had done robo signings, and they found that dozens—probably hundreds, maybe thousands—of Ohioans lost their homes. A woman named Miss Duncan, who had paid her mortgage month after month, was doing everything right. She was foreclosed on—not anything of her doing—and her financial life was turned upside down.

The Wall Street Journal reported that Congressman PRICE, the designee for Health and Human Services, had lied about insider information he had. He had advantages that other investors didn't have in buying health care stocks as he sat on the health care committee in the House, as he voted, as he wrote amendments and bills dealing with health care.

These are nominees for agencies—the two most important economic agencies in the Federal Government, probably, at least in the Cabinet—who have lied about things that affect people's lives. It is hundreds of people—thousands, maybe, in my State. We are not even the largest State on foreclosures caused by OneWest. Thousands, hundreds of thousands—who knows how many around the country, as he will not tell us yet—have lost homes because of his and his bank's actions, making him wealthier, to be sure, but upending people's lives in the cruelest

kind of way when their homes are foreclosed on.

We are saying to Senator HATCH, the chairman of the Finance Committee: Get some answers here. Find out why these two nominees lied, and find out what they are going to do to fix it. Find out what they have in their backgrounds that they haven't disclosed to this committee.

We have no business voting on nominees before we have that kind of information. That is the reason that Democratic Senators of the Finance Committee, led by Ranking Member WYDEN, decided not to come to the committee to vote today—because it is the only way we can get Senator HATCH to bring those two forward to give us the information and to give the American public the information they need.

I might add that we probably did President Trump a favor today, because if these two nominees had been brought forward—and I assume confirmed, because Republicans are voting for every nominee, it seems, no matter what; I haven't seen a break from that yet—they may have come to the floor and have been confirmed, and there likely would have been a scandal early in the Trump Administration and in the Treasury Department and Health and Human Services Department—two incredibly important agencies.

I think that we, perhaps, in some sense, saved President Trump from himself and the damage that his nominees could do. I don't expect appreciation or thanks from the White House on this, but I do think this is an issue that should be taken care of before they head two of the most important and largest—if not largest, two of the most important—Federal agencies.

I yield back my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to discuss why I intend to oppose the nomination of Rex Tillerson as the Secretary of State. This is not a decision that I make lightly. I have no doubt that Mr. Tillerson has been a successful businessman, managing one of America's largest corporations at ExxonMobil. Many have attested to his being a man of character who has given back to his community and, particularly, through his work with the Boy Scouts of America.

I have no reason to doubt that he does have the character and decency that we would applaud in any person. However, when the United States faces some of the most complex global challenges in a generation, this is not the time to appoint as our Nation's top diplomat someone who has no demonstrated experience articulating and advocating for America's interests, values, and commitment to our allies and partners.

As the events of this past week make clear, we need a Secretary of State who

will speak up and candidly tell the truth to the President when he acts contrary to who we are as a nation and harms our relations with our partners and our standing in the world. Without an effective voice at the State Department for America's best interests, both within the executive branch and outside our borders, we will continue to see this administration, I fear, take steps that undermine cooperation with our closest allies and neighbors, violate our values, and ultimately make our troops and citizens less safe. I am concerned that Mr. Tillerson will not be such a voice for the American people.

Throughout the confirmation process, Mr. Tillerson has repeatedly demonstrated either his lack of preparation or his unwillingness, perhaps, to specifically declare himself on key issues. In particular, I am concerned about his views on Russia, climate change, and immigration, and how he will influence a White House that already seems determined to pursue campaign promises regardless of the impact on American foreign policy.

On Russia, Mr. Tillerson has demonstrated a familiarity with Putin and the Russian Government that is deeply concerning. Mr. Tillerson has spent his professional life advancing the interests of ExxonMobil—indeed, almost to the exclusivity of any other purpose. That is of concern, and should be of concern to all of us.

Even as the United States was re-evaluating its relationship with Russia in recent years, Mr. Tillerson has deepened his personal relationship with Putin, to the point that the Russian President awarded Mr. Tillerson the Russian Order of Friendship in 2013, supposedly a very high honor for a non-Russian. It appears that Mr. Tillerson opposed U.S. sanctions against Russia after Russia's illegal annexation of Crimea in 2014 because his multinational corporation stood to lose very lucrative oil contracts if sanctions were put in place.

International sanctions against Russia, imposed by the United States and the European Union, have sent a clear and effective message to Russia that their invasion of Ukraine is unacceptable. These sanctions are absolutely critical to multilateral efforts to hold Russia to its commitments to end the violence in Ukraine and restore its sovereignty, consistent with the Minsk agreements. The Russians claimed that these are separatists, that these are Ukrainians rising up, but the truth is that this is Russian-inspired, Russian-directed, and at the behest of Putin.

Mr. Tillerson's wavering on Russian sanctions, however, could weaken the resolve of our European allies in maintaining these sanctions. It could encourage Putin in his efforts to cut a deal for sanctions relief and cause our allies in the Baltics and elsewhere to

question the U.S. and NATO commitment to their security. This ultimately will make us less safe.

On climate change, Mr. Tillerson's career up to this point has been marked by a disregard for the environment. Strong environmental policies, including coordinating global efforts to address climate change, are in the best interest of the American people and help fulfill our moral responsibility as stewards of the Earth for the next generation. That is why I have consistently supported limits on oil and gas exploration, bans on drilling in pristine areas, eliminating oil and gas tax subsidies and giveaways, increases in research into new sustainable energy technologies, and the negotiation of international climate treaties. Mr. Tillerson's time at ExxonMobil stands in stark contrast to these policy goals and makes me doubt whether, if approved, he would effectively protect our environment and work with our partners around the world to uphold our commitments as Secretary of State.

On immigration, I am concerned about whether Mr. Tillerson can be an effective advocate for policies that keep the American people safe while preserving our ties with key partners and upholding our values internationally.

President Trump's Executive order blocking immigrants from certain Muslim-majority nations is, in my view, unconstitutional, un-American, cruel to those fleeing danger and injustice, and ultimately makes us less secure. It ignores the horrific circumstances refugees are fleeing in numerous war-torn regions. It suggests the insertion of arbitrary religious and ethnic considerations and fails to account for the strict vetting procedures already in place for refugees, particularly from Syria and areas of conflict. It is also contrary to our history as a nation that, from its birth, has benefited from the contributions of hard-working and successful immigrants.

In particular, this Executive order is a betrayal of our commitment to those who risk their lives to serve as translators for our troops fighting in Iraq. Through the Special Immigrant Visa Program, we promised these brave Iraqis the opportunity to resettle in the United States in recognition of their invaluable contributions to our wartime missions. Yet this administration has effectively blocked these SIV Program recipients without a second thought.

In addition, the President's actions on immigration are making America less safe by undermining key relationships with allies and partners. The President's Executive order on immigration hands ISIS a self-inflicted propaganda victory that reinforces their claim that the United States is at war with all of Islam. It damages our

diplomatic relationships with Muslim-majority nations, whether on the list or not, by undermining their willingness and ability to cooperate with U.S. law enforcement and intelligence agencies in sharing information on potential terrorist attackers. It may also compel these countries to reciprocate by prohibiting Americans from entering their borders.

Just this morning in the Armed Services Committee, we heard from an eminent expert. She indicated to us that the Iraqi Parliament has already had a meeting and has essentially resolved to reciprocate by banning Americans from Iraq.

We have examples today of Iraqi pilots training in the United States so that they can go back and work with our military personnel to attack ISIS. Had their training been scheduled—

Mrs. MCCASKILL. Mr. President, will the Senator yield for a question?

Mr. REED. Yes, I will.

Mrs. MCCASKILL. It is my understanding that not only are we fighting shoulder to shoulder with Iraqis against ISIL, on the day these orders were signed, we had Iraqi pilots in the United States of America training to bomb ISIS. If they had come days after the signing of this order instead of days before, they would not have been allowed to enter the country for this important training; is that correct?

Mr. REED. The Senator from Missouri is absolutely correct. That is the point I was going to make, and she made it more distinctly and more decisively.

Mrs. MCCASKILL. Sorry. I heard you talking about Iraqis, and I wanted to make sure everyone in America understood that they were here training with our military to fight ISIS, and the President of the United States told them they were no longer welcome.

Mr. REED. This is something that has been ongoing for many years. I can recall visiting a training facility in Rhode Island—formerly Quonset Point Naval Air Station; now it is a National Guard station—where they were training Iraqi Air Force pilots to fly C-130J aircraft. Again, had this order been in effect, those pilots would not have been allowed in for the training that not only helps them but helps the thousands of American military personnel in Iraq, shoulder to shoulder, fighting together, depending on not just the presence but the confidence of the Iraqi military in the United States and that reciprocal mutual relationship. This measure sends a terrible signal to them saying: Go ahead and fight, but you won't get to the United States.

It is particularly the case I make with respect to these people who feel threatened because they helped us. We have a special visa program, but right now that is in limbo because we essentially said they can't come in, even though they risked their lives to pro-

tect our interests and the interests of their own country.

We are creating huge problems, and, again, I haven't heard the nominee speak out decisively and clearly about the problems this policy is engendering, and that is incumbent upon the individual.

We have traditionally granted nominees broad deference out of respect for the President, and I don't think this is an issue of simply stopping a nominee for the sake of stopping a nominee. But we are not a rubberstamp either. We have to come here and make the case. When we see examples of behaviors that demonstrably threaten the security of the United States, our ability to cooperate with others, our image in the world, and we are not confident that our Secretary of State will not only reject those but effectively argue within and without that we have a higher purpose, a better goal, a better policy, then it is our obligation to stand and to render a vote of no, and I intend to do that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TRAVEL BAN

Mrs. MCCASKILL. Mr. President, I am going to make a couple of brief comments and then yield my hour of postcloture debate.

Let me just say that nothing the President did made us safer. And one of the most outrageous claims the President made was that we don't have extreme vetting.

The Presiding Officer and I both serve on the Homeland Security and Governmental Affairs Committee, and after we realized that we needed to take a closer look at refugees and making sure bad guys weren't getting into this country, we instituted an amazing array of vetting processes.

Let me first start with this important principle. Nobody applies to the United States for refugee status; they apply to the United Nations. Less than 1 percent of the people who apply for refugee status with the United Nations are granted the opportunity to go forward. So we start out with 99-plus percent of the people who apply to be a refugee turned down at the United Nations, so the less than 1 percent who come to us, come to us for another aggressive screening process. I went to Jordan and watched it. There are multiple interviews. It takes 18 months to 2 years. They are vetted through every possible intelligence agency, every possible database. And by the way, we check what they are saying even if they don't have papers. There are iris scans. It is the most extreme vet you can imagine. Of course, because it was so extreme, we realized that the hole in our system was not the refugees; it was, in fact, the Visa Waiver Program, which is why we passed a law after Paris to make sure that anybody who

was in certain countries had to get a visa. Obama didn't do a travel ban. Obama never identified countries for a travel ban. All President Obama did was say: If you have been in these countries, you have to have a visa so we have information on you.

I wanted to clarify that because the misinformation that is coming out of the White House about what we currently have and what is in place is an insult. I wish they understood the vetting processes we have in place now for refugees; then maybe we could get back to really joining arms and trying to figure out what we can do for national security. One thing we need to do for national security is not give the back of our hand to the pilots and the other soldiers who are fighting shoulder to shoulder with us in Iraq against ISIS.

I yield the remainder of my hour of postclosure debate time under rule XXII to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Iowa.

REMEMBERING SARAH ROOT

Mrs. ERNST. Mr. President, I rise today on the 1-year anniversary of the tragic death of a fellow Iowan, Sarah Root. On January 31, 2016—the very same day as her college graduation—Sarah was killed by an illegal immigrant named Edwin Mejia, who was allegedly drag racing with a blood alcohol level more than three times the legal limit. Sadly, despite requests by local law enforcement, ICE failed to detain Mejia. He then posted bond, was released, and now a year later remains a fugitive, denying Sarah's loved ones any sense of closure or Justice.

As a mother and grandmother, I cannot fathom the grief her family and friends continue to feel after such a devastating loss. Just 21 years old, Sarah was bright, gifted, full of life, and ready to take on the world. Having just graduated from Bellevue University with a 4.0 grade point average, she was dedicated to her community and wanted to pursue a career in criminal justice. Sarah had a remarkably bright future ahead of her, but her opportunity to make a mark on the world was tragically cut short 1 year ago today. Yet, even in death, she touched the lives of others, saving six different individuals through organ donation. Although nothing can bring Sarah back to her family, we can ensure that ICE never makes that same mistake again.

I was encouraged to see the Trump administration take action toward addressing this issue last week by implementing parts of Sarah's Law—legislation I introduced with my Iowa and Nebraska colleagues in honor of Sarah. I remain committed to continuing to work with my colleagues to fulfill the promise I made to Sarah's loving parents: that I will do everything I can to ensure that no other parents have to go

through what the Root family has faced.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Ms. HARRIS. I yield my hour of postclosure debate time under rule XXII to Senator CARDIN.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I yield my hour of postclosure debate time under rule XXII to Senator CARDIN.

The PRESIDING OFFICER. The Senator has that right.

The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I yield my hour of postclosure debate time under rule XXII to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

Ms. HASSAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I rise today as the Senate begins consideration of the nomination of Mr. Rex Tillerson to serve as the 69th Secretary of State of the United States of America. I thank Mr. Tillerson for his willingness to serve our Nation and for his participation in a lengthy, wide-ranging hearing before the Senate Foreign Relations Committee, where I have the honor of being the senior Democrat, the ranking Democrat on the committee.

Earlier today, I thanked Chairman CORKER for the courtesies he showed during the hearing process. However, as I stated yesterday, I remain concerned that Mr. Tillerson's demonstrated business orientation in his responses to questions during the confirmation hearing would prevent him from being a Secretary of State who forcefully promotes the values and ideals that have defined our country and our leading role in the world for more than 200 years. I, therefore, will not be supporting his nomination.

Given the events over the weekend, I believe it is important that I begin today's debate by painting a picture for the American people of the unstable, reckless foreign policy that Mr. Tillerson is going to be asked to carry out under President Trump. It is painfully obvious that when the President says "America first," the cumulative result of his vision would actually lead to America alone and America at risk.

From time to time, in our Nation's history, we have heard the calls of isolationism, but isolationism did not

work then and it will not work now. It is an approach that our history has taught us, time and time again, undermines our interests, makes us vulnerable to those who wish us harm, betrays our values, and leaves us less secure and less prosperous.

America's leadership, rooted in our values, makes the world a better place for all, but the first 10 days of the Trump administration shows that the President is intent on compromising our values, abandoning our allies, and using a sledgehammer instead of a scalpel to conduct the detailed, careful work of safeguarding our Nation. Some of his supporters chalk it up to inexperience. My own chairman has said on numerous occasions that he wishes the President had more flushed-out ideas on foreign policy space.

What the American people witnessed in the last 10 days goes beyond inexperience. There is a willful, dangerous campaign underway by forces in this administration to bend or potentially even break the law. More than ever, we need to reaffirm and adhere to the values that make our country so strong and so stable, the city on the hill that others look to for leadership.

In order to do that, we need leaders who will not shy away from our values, who will sound a certain trumpet for human rights, the rule of law, and bedrock American values.

Mr. Tillerson's timid equivocation on American values throughout his confirmation process, his trumpet's uncertain sound was alarming because he will be working for a President clearly willing to compromise America's values at every turn. There are many individuals who have served in both Republican and Democratic administrations who recognize this Executive order for what it is.

I have in my hand a letter from over 100 former Cabinet Secretaries, senior government officials, diplomats, military servicemembers, and intelligence community professionals who have served in the Bush and Obama administrations. The letter, to the heads of the Departments of Homeland Security, Justice, and State, expresses deep concern that the Executive order issued over the weekend jeopardizes tens of thousands of lives, has caused a crisis here in America, and will do long-term damage to our national security.

It strongly recommends the President rescind this order. I ask unanimous consent that this letter be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:

January 30, 2017.

Hon. JOHN F. KELLY,
Secretary, Department of Homeland Security,
Washington, DC.

Hon. SALLY YATES,
Acting Attorney General,
Department of Justice,
Washington, DC.

Hon. THOMAS A. SHANNON,
Acting Secretary, Department of State,
Washington, DC.

SECRETARY KELLY, ACTING ATTORNEY GENERAL YATES, ACTING SECRETARY SHANNON: As former cabinet Secretaries, senior government officials, diplomats, military service members and intelligence community professionals who have served in the Bush and Obama administrations, we, the undersigned, have worked for many years to make America strong and our homeland secure. Therefore, we are writing to you to express our deep concern with President Trump's recent Executive Order directed at the immigration system, refugees and visitors to this country. This Order not only jeopardizes tens of thousands of lives, it has caused a crisis right here in America and will do long-term damage to our national security.

In the middle of the night, just as we were beginning our nation's commemoration of the Holocaust, dozens of refugees onboard flights to the United States and thousands of visitors were swept up in an Order of unprecedented scope, apparently with little to no oversight or input from national security professionals.

Individuals, who have passed through multiple rounds of robust security vetting, including just before their departure, were detained, some reportedly without access to lawyers, right here in U.S. airports. They include not only women and children whose lives have been upended by actual radical terrorists, but brave individuals who put their own lives on the line and worked side-by-side with our men and women in uniform in Iraq now fighting against ISIL. Now, because of actions taken by this White House, their lives have been disrupted and they may even be in greater danger if they are sent home. Many more thousands going through the process will now be left behind. More broadly, tens of thousands of other travelers, including dual citizens and, at one point, legal U.S. residents face deep uncertainty about whether they may even travel to the United States or risk leaving and being barred reentry.

Many of us have worked for years to keep America safe from terrorists. Many of us were on the job working for our country on 9/11 and need no reminder just how vital it is to destroy terrorist networks and bring partners to our side in that global effort. Simply put, this Order will harm our national security. Partner countries in Europe and the Middle East, on whom we rely for vital counterterrorism cooperation, are already objecting to this action and distancing themselves from the United States, shredding years of effort to bring them closer to us. Moreover, because the Order discriminates against Muslim travelers and immigrants, it has already sent exactly the wrong message to the Muslim community here at home and all over the world: that the U.S. government is at war with them based on their religion. We may even endanger Christian communities, by handing ISIL a recruiting tool and propaganda victory that spreads their horrific message that the United States is engaged in a religious war. We need to take every step we can to counter violent extremism, not to feed into it by fueling ISIL propaganda.

Perhaps the most tragic irony of this episode is that it is unnecessary. We do not need to turn America into a fortress to keep it secure. Since the 9/11 attacks, the United States has developed a rigorous system of security vetting, leveraging the full capabilities of the law enforcement and intelligence communities. This vetting is applied to travelers not once, but multiple times. Refugees receive even further scrutiny. In fact, successive administrations have worked to improve this vetting on a near continuous basis, through robust information sharing and data integration to identify potential terrorists. Since 9/11 not a single major terrorist attack has been perpetrated by travelers from the countries named in the Order.

The suddenness of this Order is also troubling. The fact that individuals cleared for admission were literally in the air as the Order went into effect speaks to the haste with which it was developed and implemented. We are concerned that this Order received little, if any scrutiny by the Departments of State, Justice, and Homeland Security or the Intelligence Community. Now that some of these individuals are here in the United States, and thousands of others are stranded, our government's response has appeared disorganized and chaotic. As lawyers take steps to protect their clients who have been detained here or stranded at many other airports, the U.S. government will continue to face a flurry of legal challenges, which could have been avoided. Additionally, by banning travel by individuals cooperating against ISIL, we risk placing our military and diplomatic efforts at risk by sending a clear message to those citizens and all Muslims that the United States does not have their backs. Already, the international push-back has been immense, and threatens to jeopardize critical counterterrorism cooperation.

Fortunately, there is a way out of this self-made crisis. We know that your agencies did not create this situation and we particularly respect that many of you are working to mitigate its damage. Effective immediately, you can apply the discretion given to you under the President's Order to admit into the country the men, women and children who are currently still stranded in airports. The process for doing this is well known to the security professionals within your departments. We urge you to execute it. While it is good to see the withdrawal of the application of the Order to legal permanent residents of the United States, your Departments can immediately work to allow other classes of people into the country, and remove the discriminatory prioritization implicit within the Order. Most critically, we urge you to draw on the insight of the professionals in your departments to recommend that the President revisit and rescind this Order. Blanket bans of certain countries or classes of people is inhumane, unnecessary and counterproductive from a security standpoint, and beneath the dignity of our great nation.

Dr. Madeleine K. Albright, Former Secretary of State; Janet Napolitano, Former Secretary of the Department of Homeland Security; Susan Rice, Former National Security Advisor to the President of the United States; Dennis Blair, Former Director of National Intelligence, Admiral, USN, Retired; Michael Hayden, Former Director, Central Intelligence Agency; Samantha Power, Former United States Ambassador to the United Nations; Bill Richardson, Former Governor of New Mexico and United States Ambassador to the United Nations; Tony

Blinken, Former Deputy Secretary of State; William Burns, Former Deputy Secretary of State; Bruce Andrews, Former Deputy Secretary of Commerce; Richard Clarke, Former National Coordinator for Security, Infrastructure Protection and Counterterrorism for the United States; Rudy DeLeon, Former Deputy Secretary of Defense.

Heather Higginbottom, Former Deputy Secretary of State for Management and Resources; Thomas Nides, Former Deputy Secretary of State for Management and Resources; James Steinberg, Former Deputy Secretary of State; Michael Morrell, Former Acting Director, Central Intelligence Agency; Matthew Olsen, Former Director of the National Counterterrorism Center; Rand Beers, Former Acting Secretary of the Department of Homeland Security; John B. Bellinger III, Former Legal Advisor to the Department of State.

Ambassador (ret.) Nicholas Burns, Former Under Secretary of State for Political Affairs; Elliott Cohen, Former Counselor, Department of State; Michele Flournoy, Former Undersecretary of Defense for Policy; Marcel Lettre, Former Undersecretary of Defense for Intelligence; James Miller, Former Undersecretary of Defense for Policy; Wendy Sherman, Former Under Secretary of State for Political Affairs; Suzanne Spaulding, Former Undersecretary for National Protection and Programs, Department of Homeland Security; Michael G. Vickers, Former Undersecretary of Defense for Intelligence; Tara Sonenshine, Former Under Secretary of State for Public Diplomacy and Public Affairs.

Clara Adams-Ender, Brigadier General, USA, Retired; Ricardo Aponte, Brigadier General, USAF, Retired; Alyssa Ayres, Former Deputy Assistant Secretary of State for South Asia; Donna Barbisch, Major General, USA, Retired; Jamie Barnett, Rear Admiral, USN, Retired; Jeremy Bash, Former Chief of Staff, Department of Defense; Daniel Benjamin, Former Coordinator for Counterterrorism, Department of State; Charles Blanchard, Former General Counsel, United States Air Force; Janet Blanc Former Deputy Special Representative to Afghanistan and Pakistan; Barbara Bodine, Former United States Ambassador to Yemen; Richard Boucher, Former Assistant Secretary of State for South and Central Asian Affairs, Mike Breen, Retired United States Army Officer; John G. Castellaw, Lieutenant General, USMC, Retired; Wendy Chamberlin, Former United States Ambassador to Pakistan.

Derek Chollet, Former Assistant Secretary of Defense for International Security Affairs; Christopher Cole, Rear Admiral, USN, Retired; Bathsheba Crocker, Former Assistant Secretary of State for International Organization Affairs; Abe Denmark, Deputy Assistant Secretary of Defense for East Asia; Paul Eaton, Major General, USA, Retired; Mari K. Eder, Major General, Retired, USA; Dwayne Edwards, Brigadier General, USA, Retired; Robert Einhorn, Former Assistant Secretary of State for Nonproliferation; Evelyn Farkas, Former Deputy Assistant Secretary of Defense for Russia, Ukraine, Eurasia; Gerald M. Feierstein, Former United States Ambassador to Yemen; Daniel Feldman, Former Special Representative to Afghanistan and Pakistan.

Jose W. Fernandez, Former Assistant Secretary of State for Economic, Energy, and Business Affairs; Jonathan Finer, Former Director of Policy Planning, Department of State; Robert Glace, Brigadier General, USA, Retired; Philip Gordon, Former Special Assistant to the President and White House Coordinator for the Middle East, North Africa,

and the Persian Gulf Region; Kevin P. Green, Vice Admiral, USN, Retired; Caitlin Hayden, Former National Security Council Spokesperson; Richard S. Haddad, Major General, USAF, Retired; Gretchen Herbert, Rear Admiral, USN, Retired; Mark Hertling, Lieutenant General, USA, Retired; Christopher P. Hill, Former United States Ambassador to Iraq; David Irvine, Brigadier General, USA, Retired; Arlee D. Jameson, Lieutenant General, USAF, Retired; Deborah Jones, Former United States Ambassador to Libya; Colin Kahl, Former National Security Advisor to the Vice President of the United States; Claudia Kennedy, Lieutenant General, USA, Retired.

Gil Kerlikowske, Former Commissioner, United States Customs and Border Protection; Charles Kupchan, Former Special Assistant to the President for National Security Affairs; Jonathan Lee, Former Deputy Chief of Staff, Department of Homeland Security; George Little, Former Assistant Secretary of Defense for Public Affairs; Donald E. Loranger Jr., Major General, USAF, Retired; Kelly Magsamen, Former Principal Deputy Assistant Secretary of Defense for Asian and Pacific Security Affairs; Randy Manner, Major General, USA, Retired; Thomas Malinowski, Former Assistant Secretary of State for Democracy, Human Rights, and Labor; Brian McKeon, Former Acting Undersecretary of Defense for Policy.

Philip McNamara, Former Assistant Secretary for Partnerships and Engagement, Department of Homeland Security; John G. Morgan, Lieutenant General, USA, Retired; Suzanne Nossel, Former Deputy Assistant Secretary of State for International Organizations Affairs; James C. O'Brien, Former Special Envoy for Hostage Recovery; Eric Olson, Major General, USA, Retired; Rick Olson, Former Special Representative to Afghanistan and Pakistan; W. Robert Pearson, Former United States Ambassador to Turkey; Glenn Phillips, Rear Admiral, USN, Retired; Gale Pollock, Major General, USA, Retired; Amy Pope, Former Deputy Assistant to the President for National Security Affairs; Steve Pomper, Former Special Assistant to the President for National Security Affairs.

Michael Posner, Former Assistant Secretary of State for Democracy, Human Rights and Labor; Anne C. Richard, Former Assistant Secretary of State, Population, Refugees & Migration; Leon Rodriguez, Former Director, U.S. Citizenship and Immigration Services; Laura Rosenberger, Former Chief of Staff to the Deputy Secretary of State; Tommy Ross, Former Deputy Assistant Secretary of Defense for Security Cooperation; John M. Schuster, Brigadier General, USA, Retired; Eric Schwartz, Former Assistant Secretary of State for Population, Refugees, and Migration; Stephen A. Seche, Former United States Ambassador to Yemen; Robert Silvers, Former Assistant Secretary for Cyber Policy, Department of Homeland Security, Vikram Singh, Former Deputy Assistant Secretary of Defense for South and Southeast Asia; Elissa Slotkin, Former Acting Assistant Secretary of Defense for International Security Affairs; Jeffrey Smith, Former General Counsel, Central Intelligence Agency; Julianne "Julie" Smith, Former Deputy National Security Advisor to the Vice President of the United States; Michael Smith, Rear Admiral, USN, Retired.

Matthew Spence, Former Deputy Assistant Secretary of Defense for Middle East Policy; Andrew W. Steinfeld, Former Senior Foreign Policy Advisor to the Chairman of the Joint

Chiefs of Staff; Seth M.M. Stodder, Former Assistant Secretary of Homeland Security for Border, Immigration & Trade Policy; Jake Sullivan, Former National Security Advisor to the Vice President of the United States; Loree Sutton, Brigadier General, USA, Retired; Antonio Taguba, Major General, USA, Retired; Jim Townsend, Deputy Assistant Secretary of Defense for European and NATO Policy; David Wade, Former Chief of Staff, Department of State; George H. Walls, Brigadier General, USMC, Retired; William Wechsler, Former Deputy Assistant Secretary of Defense for Counterterrorism and Special Operations.

Catherine Wiesner, Former Deputy Assistant Secretary, Bureau of Population, Refugees, and Migration; Willie Williams, Lieutenant General, USMC, Retired; Johnnie E. Wilson, General, USA, Retired; Tamara Cofman Wittes, Former Deputy Assistant Secretary of State; Moira Whelan, Former Deputy Assistant Secretary of State for Public Affairs; Jon Brook Wolfsthal, Former Special Assistant to the President for National Security Affairs; Lee Wolosky, Former Special Envoy for Guantanamo Closure; Stephen N. Xenakis, M.D., Brigadier General, USA, Retired.

Mr. CARDIN. Mr. Tillerson needs to answer whether he supports Mr. Trump's decision this weekend to ban Muslims, to keep green card holders out of the country, and state his view on the chaos that ensued from the terrible implementation of this terrible policy. We asked Mr. Tillerson during the confirmation hearing whether he supported a Muslim ban. He would not give us a clear answer, and he did not speak out against an unconstitutional Muslim ban.

Just today, I have sent a letter, as the ranking Democrat on the Senate Foreign Relations Committee, to Mr. Tillerson asking his specific views on the President's Executive order, what impacts that will have on America's credibility, what impact that will have on America's ability to work with our strategic partners around the world. I hope he will respond to us so we know his views on the President's Executive order before we are called upon to vote on his nomination.

I ask unanimous consent that a copy of that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, January 31, 2017.

Mr. REX TILLERSON,
CEO, Exxon Mobil Corporation,
Irving, TX.

DEAR MR. TILLERSON: As the Senate Foreign Relations Committee and the full Senate consider your nomination to serve as Secretary of State, I write to seek your views about the Executive Order, "Protecting the Nation from Foreign Terrorist Entry into the United States," signed by President Trump on January 27, 2017. I am concerned that the text of the Executive Order and its haphazard implementation over the weekend run counter to our American values and the U.S. Constitution, as well as our national security and economic interests.

Do you support the Executive Order's indefinite denial of entry to Syrian refugees and the 120-day suspension of the entire U.S. Refugee Resettlement Program, which impacts 20,000 refugees and will, in practice, grind all refugee processing to a halt for many months?

Do you agree with President Trump's assertion that our country should give preference to Christians seeking to obtain visas or admission to the U.S.? If so, do you think this action is consistent with our nation's bedrock principles of liberty and religious freedom?

What process would you support to identify an individual's religion prior to receiving a visa, admission, or other immigration benefit?

In your view, what message does barring individuals that have served our military in Iraq send to our partners abroad? Does that policy harm our national security and bilateral relationships?

Given this order's deliberate targeting of certain countries and disproportionate impact on Muslims, what will be the implications for our relationships with foreign countries that are predominantly Muslim? Do you think this order give fodder to ISIL's recruitment efforts in framing the U.S. war against terrorism as really a war on Islam?

I urge you to be forthright and thorough in your answers. Many thanks for your cooperation on this matter.

Sincerely,

BENJAMIN L. CARDIN,
United States Senator.

Mr. CARDIN. Mr. President, it remains to be seen whether Mr. Tillerson has the moral compass necessary to counsel the President toward a coherent U.S. foreign policy that advances our national security and embraces our values and ideals or if he will be another yes-man, enabling the risky, chaotic whims of a demagogue President, who is leading us on a march of folly.

The American people deserve to know because if the last 10 days are any indication, the Trump administration is on a track to be the most dangerous and divisive in history. Nothing so painfully illustrates that point as Friday's Executive order banning refugees and certain Muslim immigrants from entering the United States. As a citizen of this great Nation, I am deeply offended by and ashamed of the President's Executive actions.

When the news of this developed over the weekend, I happened to be attending a family wedding in the Miami area, a city rich in its immigrant character and its welcoming nature to people of many faiths and backgrounds.

Miami was also the city where one of the most shameful episodes in our history transpired, where in 1993, the *St. Louis*, filled with Jewish refugees trying to flee the horrors of Nazi Germany waited for days, seeing the lights of the city ashore, seeking shelter and refuge. Shamefully, we turned the *St. Louis* away and condemned many of its passengers to death in the Holocaust.

We say never again. Yet fear and uncertainty was palatable this weekend in Miami and across the country. I have heard from constituents who were

temporarily detained and arrested or whose loved ones had scheduled legal travel to the United States but were unsure if they should board their planes for fear of being arrested or turned around once they arrived.

I am aware of students studying legally here in the United States who suddenly found their entire future in jeopardy because of their nationality. Maryland is proud to host world-class universities like Johns Hopkins and the University of Maryland, colleges that are enriched by the contributions and perspectives of foreign citizens.

Permanent legal residents who endured a lengthy process to acquire their green card and make the United States their home were suddenly unsure if they belonged. I was particularly troubled when two Iraqi citizens, who have played critical roles in supporting America's forces in Iraq, and were traveling on valid visas, were denied entry into New York. What do they get for helping our brave men and women with translation and security services? A big ugly "Not Welcome" sign at JFK Airport. Adding insult to injury, their immediate families were already here in the United States.

The cumulative effect of this Executive order is enough to make your stomach churn because what President Trump tried to do was legalize discrimination based on religion and nationality. As President Trump said, giving preference to Christians is going to be OK. As Trump adviser Rudy Giuliani said, this is a way to legalize a Muslim ban.

So I was relieved when Federal judge Ann Donnelly issued a stay on Saturday evening to stop the madness, at least temporarily. Other judges around the Nation acted accordingly as well, affirming certain rights of green card holders and legal permanent residents, but too many innocent people remain in limbo. My staff's communications with Cabinet agencies over the weekend were extremely troubling. The left hand did not know what the right hand was doing in the Trump administration. In the zeal to play politics and inflame the fears of Americans who feel threatened, the White House revealed how little they knew or cared about governing.

It was reported that Secretary Kelly did not have a proper opportunity to view the Executive order before it was issued, a sobering lesson I hope Mr. Tillerson has paid close attention to. The Department of Homeland Security has now belatedly begun to engage on issuing guidance, but I fear the damage has been done.

Clearly, the Department of Justice was not part of developing the Executive order, as Acting Attorney General Sally Yates said, boldly, that she was not convinced that the Executive order was lawful. As a result, President Trump fired her—the Monday night

massacre. Our voice must be loud and clear. Mr. Trump, this is our country, a country that stands for the highest principles, supported by the rule of law.

If Ms. Yates' firing is any indication as to how President Trump will handle different views, our Democratic institutions of checks and balances will indeed be challenged. The White House Press Secretary, Sean Spicer, said that foreign service officers using the dissent channel to express their views on the immigration Executive order should "either get with the program or they can go."

The dissent channel was set up during the Vietnam war as a way for foreign service officers and civil servants to raise concerns with upper management about the direction of U.S. foreign policy without fear of retribution. It is for "consideration of responsible, dissenting and alternative views on substantive foreign policy issues that cannot be communicated in a full and timely manner through regular operating channels or procedures."

This process for the use of dissent channels was codified in the Foreign Affairs Manual in 1971, which dictates that dissent cables are sent to the Departments' policy planning directors who distribute them to the Secretary of State and other top officials who must respond within 30 to 60 days. There are typically about four or five each year. Freedom from reprisal from dissent user channels is strictly enforced, but the President's Press Secretary said they can go.

What type of free discussion do we want to have in this country? Where are the checks and balances? Where is the willingness to listen to different views?

The President also put a 4-month freeze in place on all refugees entering the United States, singling out refugees from certain Muslim-majority countries for extra screening, failing to acknowledge or speak about the thorough 18- to 24-month screening process that refugees from dangerous countries, such as Iraq and Syria, already endure before they come to our Nation. We have the toughest screening now. I am not sure what the President is talking about when he says additional screening. We already have the toughest screening. They already go through the United Nations. They are already interviewed. Their background is checked.

Moving forward, the number of refugees entering the United States will fall by 50 percent. It is clear that the President of the United States has a fundamental misunderstanding of America's leading role on refugee resettlement. Today, I will meet with King Abdallah of Jordan, a nation that has accepted 650,000 Syrian refugees. And President Trump is holding our program to accept approximately 10,000 Syrian refugees, placing it on hold.

Jordan is one of America's global partners in fighting extremism. It will be interesting to see the reactions we get from our partners.

If we close our doors to refugees, we will not only close our doors to U.S. humanitarian values but also severely damage America's global credibility on universal values.

The United States is a nation of immigrants and refugees from all and no faiths. We learned from our mistake with the *St. Louis*, and we are the Nation that received refugees from the Holocaust after the Second World War. We are the Nation that opened our doors to hundreds of thousands of citizens fleeing conflicts and political oppression in El Salvador, Cuba, Vietnam, and Cambodia.

The United States must continue to lead by example, but President Trump's cruel Executive order on immigrants and refugees undermines our core values and traditions, threatens our national security, and demonstrates a complete lack of understanding of our strict vetting process—the most thorough in the world. It is a dangerous and shortsighted policy that erodes our moral leadership and harms our national security as well as our alliances and partnerships worldwide.

This is not the kind of America that Americans deserve.

Also over the weekend, President Trump spoke with Russian President Vladimir Putin. There has been perhaps no other issue that has so pitted President Trump against the interests of the United States than Russia. Reflexively, the President will not utter basic truths about Mr. Putin's Russia, such as these: The annexation of Crimea, Ukraine, is illegal; they committed war crimes in Syria; and they sought to create doubt about and potentially influence the election that saw him elected President, as our intelligence community has now overwhelmingly confirmed.

There is no more fundamental interest that we have as Americans than our democracy. Let's be clear: Just as with Pearl Harbor or September 11, in this past election, the United States was attacked by a foreign power. President Trump does not even seem to care that we were attacked or, worse, does not seem to believe that we need to stand up and defend our democracy and our form of government. I find that unfathomable.

The phone calls this weekend came against the backdrop of President Trump and his aides floating the idea of lifting our current sanctions on Russia. So Russia has invaded Ukraine, has committed war crimes in Syria, has attacked our free democratic system, and we are talking about easing sanctions on Russia? It is such a miscarriage of justice and accountability that they do not understand or won't acknowledge the gravity of what Russia seeks to do

here in our country and around the world.

It is, therefore, incumbent on Congress to act. I am pleased to have bipartisan support for my effort to impose additional sanctions on Russia as well as require the President to seek congressional approval before he rolls back current sanctions. Sanction relief can only come when Russia has changed its behavior, and I see no indication that that will come any time soon.

The unclassified reports released by the intelligence community earlier this month says that Russia's intelligence tried to access multiple State or local election boards. They also confirmed that Russia has researched U.S. electoral procedures and related technology and equipment, though they were clear in their assessment that there was no evidence at this time that Russia interfered in the actual vote tabulation.

An America that becomes passive or willfully blind to a resurgent Russia is not the kind of America that the American people deserve, and it is imperative that the administration understand this and act accordingly. What the American people don't need is the White House focusing on a trial balloon last week that fell like a lead ball.

Some in the administration thought it would be a good idea to bring back the notorious black sites—secret prisons—from a decade ago, where our intelligence picked up foreign nationals suspected of terrorism connections, hid them, and, in some cases, tortured them or allowed the prison's host country to torture them.

Perhaps nothing did more harm to our credibility and boost terrorist recruitment during the early years of the Iraq war than the dangerous, amoral practice of rendition, secret detention, and interrogation by torture. We cannot go back to those practices if we value maintaining the perception and the reality of the United States of America as a beacon of justice, law, and human rights for the world.

Make no mistake, this approach, like the immigration Executive order, endangers American citizens and personnel abroad and is a boon to ISIS and like-minded groups. It validates their propaganda, aids their recruitment and incitement of homegrown terrorism in the United States and the West, and encourages attacks against America abroad. General Mattis gets it; why can't the President?

President Trump must never let this Executive order see the light of day. This is not the kind of America that the American people deserve.

Let me turn now to our relationship with our neighbors, our most important international relationships.

Since entering the political arena 18 months ago, candidate Trump was con-

sistent in his treatment of Mexican immigrants and refugees, referring to them on day one of his Presidential campaign as drug users, criminals, and rapists.

So Mr. Tillerson's job was shaping up to be difficult enough. It got even harder last week. In the last 5 days, President Trump has insulted the Mexican President and people with his Executive orders on border wall construction and the treatment of immigrants and refugees at our border, as well as stoked fear throughout sanctuary and welcoming cities in the United States that resources could be cut and innocent people could be apprehended, breaking up and devastating families.

The President's new Secretary of Homeland Security said pointedly that a wall will not work, and Mr. Trump missed a real opportunity at the outset of his Presidency to advance both comprehensive immigration reform and border security, which go hand in hand.

We did that a few years ago. That is what the President should have come in with and used his Presidency to pass comprehensive immigration reform, as we did. Instead, he wants to build a wall.

Turning away legitimate asylum seekers at the border or requiring mandatory detention of families and children will do nothing to make America safer. Such cruel actions will inevitably bring harm and potential death to survivors of violence and torture, including many women and children, while undermining America's values and damaging our relationships with our allies.

Why the President would deliberately pick a fight with the President of Mexico is truly puzzling.

Not to be outdone after being embarrassed by the President of Mexico's cancellation of his visit to Washington, the President doubled down and had the audacity to suggest that the cost of constructing a border wall should be passed on to the hardworking American families, not once but twice. The first is by inserting it in the budget. That is taxpayer dollars paying to build a wall that won't work. The second is through a tax on Mexican imports which will, in turn, be paid for by American consumers. All the while, he continues to blow smoke and say that we will continue to find a way for Mexico to ultimately pay for this dream wall.

It won't happen. This is not the kind of America that the American people deserve.

Lastly, I want to point out that, in his third day of office, just one day after the 44th anniversary of the landmark *Roe v. Wade* Supreme Court decision, President Trump reinstated the controversial global gag rule that would cut off U.S. family planning funding to any nonprofit group overseas that provides any information

about abortion in their health care services for women and families in need.

In other words, this is not about U.S. money supporting abortion services. It is about working with organizations.

Now, Republican Presidents routinely reinstate this harmful rule, but President Trump's global gag order is even more extreme. It massively expands his already harmful policy to threaten all U.S. foreign aid assistance to nonprofit groups engaged in health in the developing world. That will significantly increase the jeopardy of cutting off U.S. funding to international health efforts.

We are talking about millions of more women and families. Without funding these organizations, we will not be able to provide HIV prevention, care and treatment services to those in need, provide integrated maternal health care with contraceptive services, or counsel women on the potential risk of Zika infection, among many other activities. This is very counterproductive to U.S. goals and interests.

This is not the kind of America the American people deserve. The American people deserve leadership that will make them safer and more secure, that will increase our prosperity, and that will advance our values and serve as an example to the world. That America, Mr. President, is also an America that can lead the world and that the world will want to work with.

The state of world affairs has been precarious for some time now. Almost single-handedly, President Trump is inflaming previously simmering situations, while creating new problems where they previously did not exist.

World leaders are chastising us. Innocent people are looking at us in fear. Terrorists are gearing up to use Trump's hate-mongering in their recruitment and anti-American propaganda. We will be less safe, not safer. He will be putting Americans at risk here at home and those traveling abroad.

As we do debate Mr. Tillerson's nomination, we cannot lose sight of the fact that he will be carrying out the foreign policy of the most dangerous, unstable, thin-skinned, and inexperienced President we have seen on foreign policy issues and other issues.

Is he up to the job? Will he be a voice of reason and stability when times call for reason and stability? Will he resist the forces of war that so easily call out, rather than engage in the hard but necessary work of diplomacy and negotiation?

These are critical questions that we must ask and seek answers to as we debate and vote on the most important official in the President's Cabinet.

It is clear to me that, unfortunately, Mr. Tillerson will not be that voice of stability, reason, and diplomatic experience that the United States so desperately needs at this time of uncertainty and instability.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

PATIENT FREEDOM ACT

Mr. CASSIDY. Mr. President, the big debate right now, as we all know in our country, is this: How do we repeal and replace ObamaCare?

It is pretty clear that the American people want something done. They voted, ever since the bill was passed, for those who opposed ObamaCare and had a desire to both repeal and replace, culminating in the election of President Trump.

Now, I and SUSAN COLLINS, as well as others, have introduced something called the Patient Freedom Act, which is our attempt to replace ObamaCare. But what I want to emphasize here is the bill's emphasis upon federalism. The key feature is that we take power from Washington, DC, and give it back to patients and back to State capitols.

We think that we find plenty of examples where Washington has done that, allowing States to be the laboratories of democracy. It has worked out well for all.

First, let's look at the parameters that President Trump has laid out. President Trump says he wants to repeal the Affordable Care Act but replace it with something which covers everyone, takes care of preexisting conditions, does not have mandates, and lowers cost. Those are the marching orders, as far as I am concerned. With the Patient Freedom Act, we attempt to achieve President Trump's goals.

Now, how do we do that? Under our bill, Congress would pass legislation this year which next year would give States one of three options.

The Patient Freedom Act has something we call the better choice. That would be one option that States could choose. But really, a State would have the choice to say nothing: We don't want anything from the Federal Government. Good-bye. Get out of here. That is one option the State has, and the last option the State has is to stay with the status quo—or the Affordable Care Act.

We have actually gotten a little bit of criticism for that from conservatives, and I am saying: Why? This is federalism.

We are going to repeal the ObamaCare taxes and penalties. We are repealing that. But if a State and a State capitol wants to reinstitute taxes and penalties upon the people in its State and upon the businesses in that State, God bless them. I think it is a mistake, but they should have that choice. In fact, they have that choice now. All we are saying is that you can exercise the right that you currently possess.

The States would choose in 2018. They would implement their choice in 2019. By 2020, ObamaCare would be re-

pealed and replaced. That is our goal: to repeal and replace while achieving President Trump's goals of insuring all, taking care of those with pre-existing conditions, without mandates and at a lower cost.

Now, by the way, let's talk a little bit about federalism. Conservatives have always thought the 10th Amendment, which grants the States every responsibility not delegated to the Federal Government, is an important consideration. That is what we are embracing here—to allow the State to choose.

There are some States in which the Affordable Care Act, I am told, is working well. The folks in California and New York swear by it. It is not working in Louisiana.

A friend of mine got his quote for the renewal of his and his wife's policy. They are 60 and 61, or thereabouts. It was \$39,000 a year—\$39,000 a year for the renewal of a policy.

Yes, Mr. President, it is \$39,000 a year for the renewal of a policy. No one believes me. I put it on my Facebook page, holding up the quote sheet with their names darkened out, but you can see, it is \$39,000 a year. That is the "un-Affordable Care Act."

As you look around the country, you can see, for example, in Arizona, there was one county that for a while had no insurance company there, and when one came in, it raised the rates 116 percent in one year—more than doubled in one year, on top of the increases in all the previous years.

If California and New York say that the Affordable Care Act is working for them, keep it. It is not working for Arizona. It is not working for Louisiana. It is not working for other States in the Union. Why not take power from our Nation's capital and give it to the State capital, and allow the State capital to come up with a solution that works for that State?

I read an editorial today, and it was out of Rome, GA. It pointed to the Welfare Reform Act, in which a Republican Congress and President Clinton devolved to the States many of the reforms necessary for welfare. It has been considered a tremendous legislative success. They used that example as an endorsement of the approach to federalism we are taking now.

It isn't just that we give power back to the States; we also give power back to the patients. We let them choose the benefits they wish to have. We put in measures such as price transparency so that someone knows how much something costs before she has the tests performed, as opposed to being surprised by a huge bill 6 months later. With that and other means, we give power to patients.

We hope all those who wish to see President Trump's mandates fulfilled to cover everyone, take care of those with preexisting conditions, lower

costs without mandates, in the process of repealing and replacing ObamaCare, will endorse the federalism of the Patient Freedom Act as well as those other provisions.

Mr. President, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIORITIES OF THE REPUBLICAN-LED CONGRESS

Mr. THUNE. Mr. President, every year around this time, House and Senate Republicans get together for a joint conference to share ideas and develop our action plan for the year. Last week, we gathered in Philadelphia for this year's conference, and we had a very productive session. All of us came back energized and ready to achieve big things for the American people.

In November, the American people elected Republican majorities in the House and Senate and a Republican President. That was a tremendous show of trust, and Republicans know it. We are committed to living up to that trust by delivering on the promises we have made.

The last few years have been tough for American workers. Job creation has been sluggish. Wages have been stagnant. Economic growth has lagged far behind the pace of other recoveries, and opportunities for workers have been few and far between. It is no surprise that so many hard-working Americans feel as if they have been left behind. For millions of American workers discouraged over the past 8 years, I want to say this: We hear you. Republicans hear you, and we are going to act.

Republicans have outlined an agenda focused on growing our economy, creating jobs, increasing wages, and lifting the burdens that the Obama administration has placed on the American people.

One big issue that we will tackle this year is repealing and replacing ObamaCare. Seven years ago, ObamaCare was sold to the American people with a lot of promises. The law was going to reduce premiums for families. It was going to fix problems with our health care system without hurting anyone who was happy with their health coverage. If you like your health plan, you will be able to keep it, people were told. If you like your doctor, you will be able to keep your doctor, people were told. Well, as everyone knows, every one of these promises was broken.

Premiums for families continue to rise. Millions of Americans lost the coverage that they liked. Americans regularly discovered they couldn't

keep their doctors, and their choice of replacement was often limited. These broken promises were just the tip of the iceberg. The law hasn't just failed to live up to its promises; it is actively collapsing, and the status quo is unsustainable. Premiums on the exchanges are soaring. Deductibles regularly run into the thousands of dollars. In fact, for 2017, the average deductible for a bronze level ObamaCare plan is rising from \$5,731 to \$6,092. With deductibles like that, it is no wonder that some Americans can't actually afford to use their ObamaCare insurance.

The problems on the exchanges are not limited to soaring costs. Insurers are pulling out of the exchanges right and left, and health care choices are rapidly dwindling. Narrow provider networks are the order of the day. One-third of American counties have just one choice of health insurer on the exchange. One-third of American counties have one option—one option. Tell me that is not a monopoly. This is not the health care reform that the American people were looking for.

Republicans are committed to replacing ObamaCare with real health care reform that focuses on personalized patient-centered health care. One massive problem with ObamaCare is that it puts Washington in charge of health care decisions that should be made at a much lower level. Any ObamaCare reform that Republicans pass will focus on fixing this. We are going to move control from Washington and give it back to States and individuals. Health care issues don't have one-size-fits-all solutions. It is time to stop acting as if they do. States should have power to innovate and embrace health care solutions that work for the individual employers in their State, and individuals should be able to make health care decisions in consultation with their doctors, not Washington, DC.

Another thing we are going to focus on is breaking down the ObamaCare barriers that have artificially restricted choice. As I said earlier, ObamaCare has defaulted to a one-size-fits-all solution when it comes to health care. That means many Americans have found themselves paying for health care that they don't need and don't want. We need much more flexibility in insurance plans. A thriving health care system would offer a wide variety of choices that would allow Americans to pick a plan that is tailored to their specific needs. We also need to give Americans tools to better manage their health care and to control costs. Of course, any reform plan has to make sure that employers have the tools they need to provide employees with affordable health care coverage.

Mr. President, another priority of the Republican-led Congress will be regulatory reform. While some government regulations are necessary, every ad-

ministration has to remember that regulations have consequences. The more resources individuals and businesses spend complying with regulations, the less they have available to focus on the growth and innovation that drive our economy and create new opportunities for American workers.

Unfortunately, the Obama administration chose to spend the last 8 years loading employers with burdensome regulations. According to the American Action Forum, the Obama administration was responsible for implementing more than 675 major regulations that cost the American economy more than \$800 billion. Given those numbers, it is no surprise that the Obama economy left businesses with fewer resources to dedicate to growing and creating jobs. Repealing burdensome regulations is one of the most important things we can do to get our economy healthy again. That is going to be a Republican priority.

Mr. President, another big thing we can do to make America competitive again is to reform our outdated Tax Code. That will also be a Republican priority this year.

Right now, the Congressional Budget Office is projecting that our economy will grow by an average of just 2 percent over the next 10 years. If we can increase that growth by just 1 percent, we would see average incomes rise by \$4,200. Just get the growth rate from an average of 2 percent, which is what the CBO is projecting for the next 10 years, to 3 percent, and incomes go up by \$4,200. We would see an additional 1.2 million jobs created in our economy, and we would see much faster increases in the standard of living.

So many younger Americans today are finding that they are not able to enjoy the same standard of living that was enjoyed by their parents because of a sluggish economy that is growing in that 1-percent to 2-percent range. One of the ways to achieve that kind of growth, to get back to a 3- to 4-percent growth in our economy, is to reform our broken Tax Code.

The current Tax Code is costly, complex, and frequently unfair. Some corporations benefit from special rules, deductions, and credits, while others are forced to pay the highest corporate tax rates in the developed world. More and more American companies are focusing their business operations overseas because the tax situation is so much better abroad. That means American jobs are going overseas with them. Instead of pushing employees out of the country, we should bring our Nation's tax rates in line with those of other countries to keep more jobs here in the United States.

We should make our whole Tax Code flatter, fairer, and less complex. Our Tax Code should work for all taxpayers, not just a privileged few. A simpler, flatter, and fairer Tax Code

will make U.S. businesses more competitive in the global economy, and it will help businesses create new good-paying jobs for American workers. It will jump-start our economy and ensure long-term economic growth.

Finally, Mr. President, Republicans in the Senate have another important trust to uphold this year, and that is confirming a new Supreme Court Justice. We are committed to confirming a well-qualified nominee with the right temperament to sit on the Court and have the proper understanding of the role of the Court in our country. Supreme Court Justices are umpires. They call balls and strikes; they don't write the rules of the game. The job of a Supreme Court Justice is to interpret the law and the Constitution, not rewrite the law based on his or her personal opinions.

Democrats have spent a lot of time talking about the need for nine Justices on the Supreme Court. Republicans trust that they will follow through on their statements by working with us to confirm the President's nominee.

To every American who voted for change in November, to every American frustrated with the sluggish economy and a lack of opportunity, I want to say again that we hear you. The Republicans hear you. We are not going to let you down. We will spend the 115th Congress fighting for your priorities, and we will not rest until every American has access to a future of security, hope, and opportunity.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Illinois.

Mr. DURBIN. Mr. President, what is the issue before the Senate?

The PRESIDING OFFICER. The Tillerson nomination.

Mr. DURBIN. Thank you, Mr. President.

Mr. President, Rex Tillerson of ExxonMobil has been nominated to be our Secretary of State. We are going through a procedural 30 hours of debate, moving to that issue. As we can tell, many speeches are being given on the floor on a lot of different topics, but the underlying order of business is the next Secretary of State of the United States of America. His nomination comes to us at a particularly challenging time. We live in a dangerous world. We know that. We learned it on 9/11, and we learn it every day when men and women in uniform are risking and sometimes sacrificing their lives for this great Nation.

We also live in a complicated moment in time with the changeover in Presidents and clearly a changeover in foreign policy. We note that in the first 12 days—the first 12 days of the Trump Presidency—how many serious foreign policy issues have arisen, some the creation of the new President of the United States.

It is customary, it is traditional, for the President of the United States to make one of his first major visits to Mexico, or Mexico to the United States. The reason, of course, is they are our third largest trading partner, and in so many different areas, we work together closely with Mexico. We certainly work together with them on issues of security, issues of terrorism and narcotics and trade issues that go on, on a daily basis. Unfortunately, this new President Trump is off to a rocky start with the President of Mexico, to the point where the President of Mexico canceled his visit to the United States.

Strong statements were made during the campaign by President Trump about building a wall and the Mexicans will pay for it. How many times did we hear that? Over and over again, the Mexican Government has said: We will never pay for it. So that standoff over a campaign threat or promise is at this moment inhibiting a relationship which traditionally has been strong for generations.

Secondly, since being elected President of the United States, President Trump has said that NATO is obsolete. NATO is the alliance created after World War II to protect Europe against aggression from outside, particularly from the Soviet Union. Since the fall of the Soviet Union, NATO has expanded to include many other countries—the Baltics, for example, and Poland. As a result, these countries have become dependent on NATO for their security.

The theory behind NATO is very basic. If one of our NATO allies is attacked, we will all defend. So we can understand why a small country like Lithuania, Latvia, Estonia, even Poland, realizing that they are vulnerable to Russian attack, count on NATO. When the President of the United States says that NATO is obsolete, people living in those countries wonder: What about tomorrow? What happens tomorrow if Vladimir Putin, who has been guilty of aggression in Georgia, as well as Ukraine, decides to pick a Baltic country next?

So the uncertainty created by President Trump's statement on NATO is one that haunts us to this moment.

But the one that is really overwhelming over the last few days is President Trump's Executive order when it came to refugees and immigration. The story of refugees in the United States does not have a good start. Going back to World War II, a man named Breckinridge Long was in charge of immigration into the United States during that war. He worked in the administration of Franklin Roosevelt. Sadly, his view on refugees was harsh, and as a result, the United States was caught up many times denying access to the safety of the United States to people who were vulnerable to persecution and genocide.

The most noteworthy example was the SS *St. Louis* in 1939, which brought 900 people from Nazi Germany to the United States to escape the Holocaust. They were turned away. They were forced back into Europe, and hundreds died as a result of it. That was the policy of the day.

When Robert Wagner, the Senator from New York, asked that we allow 10,000 German children to come into the United States to escape the Holocaust, that measure was defeated in committee in the U.S. Senate—children coming to the United States.

After World War II, when we saw 6 million Jews killed in the Holocaust and so many others whose lives were compromised and lost, we decided to change the U.S. approach when it came to refugees. Instead of pushing back against them, we began to embrace them. And do you know what has happened since? We developed a reputation around the world as the safe place to be, the country that cared. Ask over 600,000 Cubans who came to the U.S. shores to escape Castro's regime. Remember, at that time, Castro had allied with the Soviet Union, our mortal enemy of the Cold War. Yet, without vetting—without extreme vetting—we said to these Cubans: You are welcome to be safe in the United States, and they came in the thousands. Are they an important part of America? You bet they are, and there are three Cuban-American U.S. Senators to prove it.

Today, a question has been raised by the Trump regime as to what our view is going to be toward refugees in the future. Thank goodness we didn't raise it with Cuba, nor did we raise it when Jews in the Soviet Union were facing persecution. They asked for a chance to come to the United States. Synagogues and communities across the United States opened their arms and gave them a chance, and over 100,000 came to our shores. We are better for it. We really have demonstrated that our ideals and values as a nation apply to those who came to our shores.

The list goes on and on, from Yugoslavia to Viet Nam, to Somalia, and many other places where the United States has shown that we are a caring nation. Now comes this new President who says: It is America first; we are going to redefine this refugee policy.

Well, this redefinition of America around the world is something that many of us believe is just plain wrong. These Executive orders were issued by President Trump without consultation with even his own Cabinet members who have been appointed. Those in the area of national security, for example, weren't consulted before these Executive orders went into effect. When I talked to the Department of Homeland Security and Customs and Border Protection, it turns out they were given instructions at the last minute as to how to treat passengers coming into

international terminals over the weekend.

I know what happened at O'Hare. Over 130 people were stopped and detained and questioned, and some were never allowed to board planes in other countries, and some were returned to those countries. It was chaotic. It didn't show basic competency in running a government, and it was fundamentally unfair.

Let me say it wasn't just a matter of an uncomfortable situation. It wasn't just a situation of people being inconvenienced. One of our priorities when it comes to refugees, even from those seven countries that President Trump noted, were those who were in desperate medical conditions. So when the President said: I just wanted a pause—a pause for these seven countries—let me ask what we think that pause means to that 9-year-old Somali child in an Ethiopian refugee camp with a congenital heart disease that can't be treated anymore in that camp and who was finally going to get to come for medical care in the United States. That pause by President Trump could be deadly. A 1-year-old Sudanese boy with cancer. A Somali boy with a severe intestinal disorder living in a camp that doesn't even have medical facilities. A pause. We will get it together. We will get back to you later. That is the kind of human condition that is being affected by these orders issued by our new President. Is it any wonder that so many people around the world have reacted?

First, they should react when it comes to our security. Do we know how many terrorist refugees have come from these seven countries on the list? None. Not one. Not one Syrian refugee has engaged in terrorist activities in the United States. If you watched "60 Minutes" over the weekend, you will understand why.

This is not an easy ask. You don't just hold up your hand and say: I am ready to go to the United States. You first submit your name to the U.N. Commission on Refugees. Then we cull the list to find the ones we might consider in the United States, and that is about 1 percent. Then we put them through a vetting process that can go on for 2 years—2 years of being interrogated, investigated, examined, watched, and challenged. Then, finally, after those years, they may have a chance to come to the United States.

So now we are going to move to extreme vetting? What is that going to be—trial by fire? What is left? We are doing the very best. The fact that there has not been one refugee from any of these countries engaged in terrorism is an indication that we have a good process that is stronger than any nation on Earth. Yet the President has said we are going to stop these refugees from coming indefinitely from Syria and for months from these other six countries.

Then he made a statement on a Christian broadcasting show that he was on that really went far over the line. During the course of the campaign, he said repeatedly: This will be a Muslim ban. Then he said: They told me to stop saying “Muslim ban,” so he stopped for a while.

It turns out that Rudy Giuliani, the former mayor of New York, said: Well, he called me in and said, How do I put together something legal that is a Muslim ban? I think Mayor Giuliani may have been speaking out of school, but it is an indication of what was really going on in the Trump campaign and this administration.

On this Christian broadcasting show, the President was explicit that he would give priority to Christians because he believes they would be persecuted in those countries. That flies in the face of some fundamentals in this country—the fundamentals of our Constitution—because we have said that when it comes to religion, this government shall not favor any religion. Here we have the President of the United States on a television show saying the opposite.

It is being challenged in court, at least to some extent. It has been slowed down by retraining orders issued by Federal courts and judges around this country.

Last night, the Acting Attorney General, Sally Yates, said that in good conscience, she could not defend President Trump’s decisions in these Executive orders. For that act of courage, she was fired. I am sure she expected it. But I want to say that for a woman who has given her life—20 years of it, at least—as a prosecutor and who had an exemplary career at the Department of Justice, my hat goes off to her. I think she did what she thought was right and faced the consequences. History will prove her right and this decision by the administration wrong.

So now we have Rex Tillerson, who wants to be Secretary of State of the United States of America. How would you like to take over that job tomorrow in light of what I have just mentioned—the Executive orders issued by the President without consultation with the Department of State; judging NATO to be obsolete in his Twitter; and then having a relationship with Mexico where the President is canceling trips to the United States, not to mention other things said about China and other countries. It is an awesome challenge. It is a challenge that we have to ask whether Mr. Tillerson is prepared for. He has had 40 years of success with ExxonMobil, starting as a production engineer and going to the top of the company. Now the question is, Is he ready to give up his loyalty to a company and to have a loyalty to a country even if the decisions he has to make as Secretary of State may be inconsistent with the best business policy for that company?

I am going to yield the floor. I see my colleague from the State of Wyoming is here. I believe this will be ongoing, so I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

NOMINATIONS OF JEFF SESSIONS AND TOM PRICE

Mr. BARRASSO. Mr. President, I wish to congratulate the current Presiding Officer for his ascension to the chair of the Indian Affairs Committee in the U.S. Senate. It is a committee with a great history of bipartisan efforts working together. It is a committee on which I was privileged to serve and still serve and of which I have been the chairman in the past. I am looking forward to the distinguished Senator from North Dakota taking over the mantle of responsibility, and I know he will continue to work hard, as he has since joining the Senate, in the efforts on behalf of so many Americans.

I also come to the floor about what is going on in the Senate with regard to confirming nominations in a Cabinet that I believe is truly an all-star Cabinet—truly an all-star Cabinet. I think it gets better as we keep confirming one nominee after another. Last week I spoke on the floor about what a great job I believe Scott Pruitt is going to do as head of the Environmental Protection Agency. Today I wish to talk about two more examples.

First, there is the nomination of our friend and colleague, Senator JEFF SESSIONS from Alabama, to be Attorney General. Those of us who have served with Senator SESSIONS over the years know he is a man of uncommon decency, of fairness, and of integrity. We know his dedication to the law is absolute.

In 1999, Senator SESSIONS came to the floor to speak in support of awarding the Congressional Gold Medal to Rosa Parks. In that speech, he said: “Equal treatment under the law is a fundamental pillar upon which our republic rests.” We saw Senator SESSIONS’ devotion to this idea again and again and again. He introduced legislation to reduce the differences in the kinds of sentences that could be handed out to people convicted of similar drug crimes. He teamed up with Senator Ted Kennedy to pass legislation protecting prisoners from sexual assault behind bars.

The job of Attorney General is to be America’s top law enforcement officer and attorney. JEFF SESSIONS has shown himself to be an outstanding attorney. He worked as a frontline prosecutor. He spent 12 years as the U.S. attorney for the Southern District of Alabama. He was attorney general of the State of Alabama, and he has spent 20 years here as a U.S. Senator.

If confirmed as Attorney General, he will be one of the most qualified people ever to hold this job. These qualifications include an exceptional knowledge

of how the Justice Department works and the priorities of the people who work there.

The Attorney General oversees the work of more than 100,000 people. Most of them are law enforcement, working for agencies like the FBI and the Drug Enforcement Administration. I think these men and women are going to find that JEFF SESSIONS is their greatest champion, and I think they are going to greet his arrival at the Justice Department with a wonderful ovation. National law enforcement groups have already endorsed his nomination, and so have groups representing Federal and local prosecutors. He is going to enforce the laws passed by Congress in a fair and impartial manner. That is exactly what America needs in its Attorney General.

The second person I want to talk about is Congressman TOM PRICE. TOM has been nominated to be the Secretary of Health and Human Services. Just as JEFF SESSIONS has devoted his life to the law, TOM PRICE has devoted his life to caring for the health of patients and the American people.

Dr. PRICE practiced medicine for 20 years. He was medical director of the orthopedic clinic at Grady Memorial Hospital in Atlanta. Grady Memorial Hospital is a public safety-net hospital in Atlanta, and many, many of its patients are low income. Dr. PRICE saw each and every day the challenges that people faced in America’s broken health care system, both the patients and the people who are trying to provide the care. That is why he has taken health care reform so seriously as a Member of Congress. He did as well when he was in the Georgia State legislature. He understands and he understood immediately why so many parts of ObamaCare simply would not work when they were passed and signed into law some 6 years ago. Like a lot of us, he warned the health care law would actually make things worse for millions of Americans—and TOM PRICE has proven right.

It is time for the Department of Health and Human Services to have leadership that understands that patients should not become a political tool. Congressman PRICE is actually the first medical doctor to be nominated to head the Department of Health and Human Services since 1989. That kind of knowledge and the background he has is essential for dealing with the challenges the Department faces today.

The wheels are falling off of America’s health care system. We need leaders—leaders who are more than just professional bureaucrats, which is what we have had. We need someone who understands health care deeply, and who cares about putting patients first, not politics.

TOM PRICE has shown he can reach across the aisle to get things done. It is

what he did in the State legislature in Georgia, and it is what he has done in the House of Representatives here in Washington. TOM worked with Democrats to make sure that Medicare patients could continue to get access to medical equipment like blood sugar monitors and oxygen tanks. He did the same thing when he introduced a bipartisan measure to stop burdensome new regulations affecting patients who need a new hip or a new knee joint. As Secretary of Health and Human Services, he is going to listen—listen to the best arguments of both sides, and then he is going to do what is right for the health of the American people.

ObamaCare has to go. It has failed miserably. We all know that. Even Democrats in Congress who wrote the law realize how flawed it really is. It is time for us now to focus on what can be done to replace ObamaCare and make American health care work once again.

I have seen media reports that Democrats want to obstruct the nomination of TOM PRICE as well as that of JEFF SESSIONS. I expect Democrats will plan to grandstand for political purposes because they have no real objections to either person's qualifications or credentials.

Democrats' complaint is that they lost the Presidential election. Well, the President deserves to have his Cabinet in place. That is why Republicans didn't object to President Obama getting seven of his Cabinet members on his very first day in office in 2009. By this point in time, President Obama had a significant number of his Cabinet—over 20 members—confirmed in 2009, and we look at where we are today, with President Trump's Cabinet and the obstruction of the Democrats. It is unfortunate that Democrats have decided not to follow the example of Republicans when Barack Obama came to the White House.

Political spite isn't a good enough reason for delay. Democrats need to get over it and get on with it. Attorney General of the United States and Secretary of Health and Human Services are big jobs. They are important jobs, and they are necessary jobs. It is time for the Senate to move as soon as possible to confirm both JEFF SESSIONS and TOM PRICE to the Cabinet.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The assisting minority leader.

Mr. DURBIN. Mr. President, the Senator from Wyoming from the other side of the aisle is my friend. We spend time in the gym together; I go there regularly—for no apparent reason. But we are friends, and we disagree on some political issues. I just wish to clarify one or two things.

When it comes to Congressman PRICE, I don't know him personally. He has been chosen by President Trump to head up the Department of Health and Human Services, one of the biggest and

most important. He has stated, as a Member of Congress from Georgia, that he believes we should change the Social Security system as well as the Medicare system and privatize Medicare. That is a worrisome suggestion for 50 million or more Americans who count on Medicare and do not exactly look forward to being placed in the loving arms of an insurance company at some point late in their lives. So there are questions there.

But the question at hand was brought to the attention of the American public today, not in some liberal newspaper, but in the Wall Street Journal. It turns out that Congressman PRICE has been engaged in the purchase of stock that has a direct impact on the medical profession. Whether he properly filed disclosures in buying that stock or whether he did something improper is still to be resolved.

Part of the reason the nominees for President Trump are taking longer than others is that many, like Congressman PRICE, have extensive financial holdings. We found that when a billionaire from Chicago—Penny Pritzker—was nominated for Secretary of Commerce under President Obama, it took literally 6 months for us to gather all the financial information about her and to divest her of any potential conflicts of interest. It turns out that many of these nominees did not have their ethics filings on file in time to be considered in a timely fashion, and, in some cases, information about them was found to be in conflict with reality, and now there is a further investigation necessary. It isn't just a matter of spite; it is a matter of doing our due diligence, as required by the Constitution and required in the U.S. Senate.

AFFORDABLE CARE ACT

A word about ObamaCare: My friend from Wyoming, a medical doctor himself, has felt strongly against the Affordable Care Act since its passage. I view it a lot differently.

There are currently 1.2 million Illinoisans—1 out of 10 in our State—who have health insurance because of the Affordable Care Act. Over half of them are now brought into the Medicaid system, the others are on insurance exchanges, and many of them have their premiums subsidized by our Federal Government.

In addition, every person in America who has a health insurance plan has benefited by the Affordable Care Act. Why? Because we took some of the worst abuses in health insurance and said: You can no longer do that and sell health insurance in this country. One example is lifetime caps—caps on the amount of money that a policy will play. Now, \$100,000 in coverage may sound like a lot, until you are diagnosed with cancer—and then it disappears in a matter of days and weeks. So we eliminated lifetime caps on coverage.

The second most important thing we did was to say: You can't discriminate against someone because they have a preexisting condition. Is there anyone alive that doesn't have some preexisting condition? If it was bad enough in the bad old days before the Affordable Care Act, that was enough to either disqualify them from health insurance or to run the premiums up to the high heavens. Now you can no longer be discriminated against because your husband has diabetes, your wife survived breast cancer, or your child has survived a cancer scare themselves. We have eliminated that in all health insurance policies.

The third thing we did was to say that every health insurance policy sold in the United States has to cover mental illness and substance abuse treatment. The people who pushed for that—Democratic Senator Paul Wellstone of Minnesota and Republican Pete Domenici of New Mexico—both had family histories of mental illness, and they said health insurance ought to cover mental illness. They finally prevailed. It was included in the Affordable Care Act, so it means that, across the board, all of us who buy health insurance are buying care for mental illness.

Is substance abuse treatment important? Think about the opioid and heroin epidemic across the United States—across my State of Illinois. Where would these families be, with a person in the family suffering from addiction, if the health insurance plan didn't provide some coverage? The Affordable Care Act requires that.

When the Republicans say that they want to repeal it, the obvious question is: And then what? What happens next, when the insurance companies can stop covering these critical areas?

There is another thing. My wife and I have raised some kids who have gone through college, and when they finished college they didn't quite go into their long, permanent career. They had a bunch of jobs, looking for the right place.

I can recall calling my daughter, fresh out of the University of Wisconsin, and saying: Jen, do you have health insurance? I know you did as a student.

She said: Dad, I'm fine. I'm strong and healthy. I don't need it.

That is the last thing a father wants to hear.

Do you know what the Affordable Care Act says? My daughter—anyone's daughter—up to the age of 26 can stay on my family plan. How about that for common sense? There are 90,000 young people in Illinois protected by the family plans because of that provision. Now we hear from the Senator from Wyoming that this is a big failure and we have to repeal it.

The last thing we did is important to every senior citizen on Medicare across

the United States. There used to be something called the doughnut hole. It is even hard to describe, but it related to paying seniors for their prescription drugs. Here is what it said; try to follow this: We will cover you for the first few months of the year, with Medicare paying the prescription drug cost. Then you are on your own for 3 or 4 months. Once you have delved into your own personal savings up to a certain amount, we will come back and cover you again.

Go figure. It would take a Congressman or a Senator to dream up something like that, and seniors across the country felt completely vulnerable. When they went into that period of no coverage, many of them stopped taking their drugs. That is not a good thing. So we closed that gap. We closed that doughnut hole.

What does it mean to seniors in Illinois? On average, they save \$1,000 a year because the Affordable Care Act brought this reform to Medicare. Now the Republicans say: Let's repeal that. Do they want to explain to the seniors in my State that they now have to turn for their savings for that gap period again? We don't want to see that happen.

For 6 years, Republicans have said repeatedly that they want to repeal ObamaCare. Repeal ObamaCare. They say it in their sleep. They have vote after vote—I think 60 different votes in the House—to repeal it, knowing it would never happen with President Obama in the White House. Now, the dog done caught the bus. Here they are, in the majority in the House and the Senate with a Republican President, and their first order of business: Repeal ObamaCare.

Do you know what they are learning? All across the United States, medical health care providers—hospitals, doctors, clinics, and others—are telling them that will be a disaster. If you eliminate the Affordable Care Act without a replacement as good or better, you are going to leave chaos in the system and a lot of people without the protection of health insurance.

So after 6 years, you would think the Republicans would have a replacement plan. Right? A substitute. They have had all this time to think about it. No, not yet; they are still thinking about it, but they are determined to repeal.

I met with hospital administrators around my State last weekend and will continue to in the future. They are worried. We estimate Illinois hospitals will lose over 90,000 jobs with the repeal of the Affordable Care Act. We know that downstate hospitals and hospitals in rural areas—in many States represented here—are going to be forced to close. What happens when you close that smalltown hospital in downstate Illinois? What used to be a 20-minute ride to the hospital becomes a 1-hour drive. How important is that?

Well, when you are in labor, it is important or if you just had a farm accident or you are responding to something that happened on the highway, it is critical, life-or-death important. So you would think Republicans would have a plan to keep these hospitals open. They don't. We haven't seen a substitute.

They rail against ObamaCare; they rail against the Affordable Care Act. They don't criticize the individual components I have described because they are wildly popular with the American people.

The irony of this is that we have spent 6 years trying to convince people that the Affordable Care Act, even with its flaws and faults—and it has them, but even with that, it is good for America. We got nowhere. We were beating our heads against the wall.

Then, when the Republicans took over and started talking about repeal, people were stepping back and saying: What am I going to lose if they repeal it? The approval rating for the Affordable Care Act since Donald Trump was elected is going up, as people come now to finally understand the value of it for their families and their businesses.

So I say to my friends on the Republican side, as I have said over and over again: The Affordable Care Act is not a perfect law. The only perfect law was carried down the side of a mountain by Senator Moses on clay tablets. Everything else can be improved, and I am ready to sign up for that improvement. First, jettison this whole talk of repeal. It is totally irresponsible. If we want to have a constructive conversation about how to make the Affordable Care Act more affordable, covering more people, finally doing something about prescription drug costs, let's sit down and do it together on a bipartisan basis. Starting with repeal is a non-starter.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, I want to express my support for Rex Tillerson to be our next Secretary of State. Mr. Tillerson is one of the most distinguished businessmen in the world. His reputation precedes him. I don't have to recount for all of you his remarkable career—rising from an entry-level production engineer to CEO of ExxonMobil, the largest oil company in the world. Mr. Tillerson's story should be an inspiration to kids across this country: Through hard work, discipline, and striving, you can achieve your dreams, even if you weren't born into wealth, power, or privilege. Like the Boy Scouts he has mentored, like the Eagle Scout he was, Mr. Tillerson inspires by his example.

No one can doubt Mr. Tillerson has acquired a wide range of skills throughout his notable life, as well as a gold-plated reputation. I think it

goes without saying that a man of such varied experiences will bring a well-informed and shrewd perspective to the post. In fact, I would suggest that it is the very perspective which recommends him most for the job.

I met with him in December, and we had a wide-ranging conversation about Russia, the Middle East, human rights, and the many other geopolitical challenges and opportunities facing our country. I was impressed by the breadth of his knowledge, his familiarity with so many world leaders, and his understanding of their peoples. The one thing that really stood out to me was his clear-eyed, hard-nosed prudence. It is little wonder that Mr. Tillerson comes highly recommended by Dick Cheney and Bob Gates, seasoned statesmen with no illusions about the world and no doubts about America's role in it. I am confident that as Secretary of State, he will protect the interests of the American people just as he protected the interests of ExxonMobil's shareholders as their CEO.

I have heard some Senators wonder whether a businessman can really walk away from a company and its financial interests—as if it were the money that made the man, instead of the man who made the money. Their concern reminds me of similar questions raised about one of the best Secretaries of State in the modern era, George Shultz. When President Reagan nominated him, Secretary Shultz was president and director of the Bechtel Group, a large construction concern with business across the Arab world. People asked whether Secretary Shultz would therefore tilt U.S. policy toward those countries. I think anyone looking back today on his record would marvel at those fears.

In 2015, the World Jewish Congress awarded Secretary Shultz its prestigious Theodor Herzl Award on behalf of his work with America's good friend Israel. Yes, Secretary Shultz went on to lead a very successful tenure, working with different countries all over the world and always putting America's interests front and center.

If anything, Rex Tillerson's business experience will only enhance his ability to provide the President his sound, unbiased judgment. If you need any more evidence, just look at the way Mr. Tillerson has conducted himself throughout the confirmation process. He has answered every question and addressed every concern. He has been calm and steady under pressure. These are precisely the qualities we need in our next Secretary of State.

Today, I offer my strong support for an outstanding businessman and an American patriot, our next Secretary of State, Rex Tillerson. I encourage all of my colleagues to vote for the nomination.

Mr. President, I yield the floor.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, as I indicated earlier, this afternoon I had an opportunity to meet with King Abdallah of Jordan. During that conversation with Members of the Senate, there was a good deal of discussion about foreign policy challenges that are very much a part of this debate on Mr. Tillerson.

It was interesting to listen to King Abdallah of Jordan talk about his country's commitment to refugees. They have taken in refugees from many parts of that region—from Iraq, Yemen, and other countries. They have taken in over 600,000 refugees from Syria. I think King Abdallah used a number. If you wanted to use a comparable number of refugees coming into America, it would be equivalent to about 60 million refugees coming into our country. Let me remind you that in Syria, President Obama committed to 10,000. It is literally a drop in the bucket compared to what Jordan has done in accepting refugees. It just underscores even more how wrong President Trump's Executive order over the weekend was, which put a hold on our refugee program and restricted travel to the United States.

The vetting that goes forward in Jordan in regard to refugees is under the auspices of the United Nations, and of those who are seeking refugee status, a very small percentage—I understand it is less than one percent—will actually ever get a chance to be considered for refugee status here in the United States. Let me remind you that we are talking about, generally, women and children who are fleeing persecution, who have established themselves as refugees. They go through several screening procedures. Their background is thoroughly checked. They check all of the different indices as far as different agencies are concerned to make sure that they have no concern. Then a small percentage of that number actually ever gets to the United States. It takes 18 to 24 months. To date, there hasn't been a single episode of terrorism from a Syrian refugee. We have a pretty strong vetting process—the strongest in the world—that very much puts American security first.

It was disheartening for me to listen to King Abdallah talk about the sacrifices his country has made. Of the 650,000 refugees that Jordan has taken in from Syria, the King indicated that about 90 percent are integrated into the Jordanian society. They are not in

camp. They are in their schools, in their communities. They have been able to make sure that the refugees are well cared for. It is a huge part of the budget. I think the King indicated that maybe 20 percent of the Jordanian budget deals with refugees. That is a country that understands their regional responsibilities and international responsibilities.

The United States has been the leader in the global community, recognizing that the flight of people—the refugees—represents not only a humanitarian requirement for the global community but also security issues. We have to have an orderly process for those who are fleeing persecution, and the United States has always been in the leadership. We have been in the leadership in opening our borders. We are proud of the refugees that came to this country after World War II, from Cambodia, Vietnam, and Cuba. There is a long list of those who have escaped persecution coming here to the United States and helping to build this great country. We recognize that diversity is our strength. This made us the great Nation that we are.

For all those reasons, it was very disheartening to hear President Trump's Executive order, where he really questions whether America is committed to its traditional values, whether we are going to maintain our international leadership, whether we are going to be credible when we deal with other countries around the world to take on the responsibilities of dealing with the flight of people who are escaping persecution.

I mentioned all this because the Secretary of State is the key diplomat that we have for America and to use America's power of persuasion, of using diplomacy, of using the tools at our disposal under the Department of State, including development assistance for how we can, in fact, promote those values. We need someone who is going to be able to speak out about these policies that were announced over the weekend because they weaken America. They make us less safe. I brought this out: In reality what you are talking about is how do you engage other countries around the world to help us in our war against terror when we tell them that Muslims aren't really welcome here in America and it is a majority-Muslim country? How does that work? How do we protect Americans who are traveling abroad who may be subjected to physical danger because of the statements that have been made by our President? How do you protect this country from the concerns about homegrown terrorism, which might, in fact, be encouraged by the recruitment of terrorists as a result of what the President has done in his Executive order?

For all those reasons, it is even more important for us to have as the next

Secretary of State a person who is committed to the core values of this country—that it is part of their gut, and that they will be a strong advocate for those issues. I have already indicated during the questioning in the Senate Foreign Relations Committee that we did not see that moral clarity in regard to Mr. Tillerson and in regard to those values.

The second issue that came up in King Abdallah's meeting was very interesting. We had a long discussion about Russia and about Russia's influence. We know about Russia's influence in Ukraine. We had a little discussion about Russia's desires in regard to the Baltics and whether the Baltics could be the next Ukraine, as far as Russia's aggression. We know that Russia is already in Georgia. Russia is already in Moldova. Russia is in Ukraine. Do they have their sights now set for Lithuania or Latvia or Estonia or Poland, where there is a large Russian-speaking population?

Interesting observations were made that if Russia sees that we don't have resolve, they will use that opportunity to expand their influence. We saw that in the Middle East. We saw how in the Middle East Russia, which a few years ago had very little influence in the Middle East, now has a growing influence in the Middle East—not only in Syria but in other countries in that region where you see Russia's active engagement. So this is not theoretical.

Russia's interests are different than our interests. Make no mistake about that. They don't share our values. They are not our friends. They are trying to compromise our democratic institutions. We have seen that over and over—not only the attack on our election system here in the United States, not only the attack on the system in Montenegro in parliamentary elections, but the concern now in Western Europe, as they are entering into the election season. We see over and over what Russia has done in denying space for civil society, in compromising dissent in their own country, in the way that corruption has been established as part of government. All of that is just against the principles that we believe in, that we believe the global community has accepted, and that leads to the stability in nations and advances America's national security interests.

I must tell you that there are Democrats and Republicans all talking about the fact that we have to stand up to Russia. We have to be stronger on Russia. Yes, we have been able—thanks to the leadership of the Obama Administration—to take the sanctions that were passed by Congress. We passed the sanctions. The leadership and Members of the Senate and the House have brought about the stronger sanctions regime here in the United States. I congratulate my colleague, Senator MENENDEZ, who was one of the principal leaders to get stronger sanctions

here in regard to Russia, and other members of our committee who worked on that. We were able to get stronger sanctions. At the same time, we were able to get Europe to join us in these sanctions, and that helped us. But now there is a concern as to whether these sanctions will remain.

President Trump at least has raised that question as to the continuation of sanctions. The question becomes this: Should we be maintaining those sanctions until Russia complies with the Minsk agreement that are relevant to its invasion into Ukraine? But we should also be strengthening those sanctions because of Russia's illegal activities in attacking our country and in what they are doing in Syria in perpetrating war crimes. We should be looking at stronger sanctions against Russia.

I mention all of that because the person who can lead us in that effort is our next Secretary of State. We look at Mr. Tillerson and his record as the CEO of ExxonMobil, their relationships in Russia, and his answers to questions as to whether we should consider additional sanctions. Over and over he says: Well, there are multiple considerations. To me, that was a red flag that indicated that maybe there is some business interest here. Maybe, if there is a business interest, we shouldn't let that be more important than the human rights advancements and the other areas that we are concerned about.

In reality, we saw that in the way ExxonMobil lobbied against the original sanctions that were imposed against Russia. They lobbied against it because they said it didn't create a level playing field for U.S. companies. The reason it didn't create a level playing field is that the United States is always the leader on sanctions. We always set the international bar as to what we need to do, and then the rest of the world follows us. But if we take the lowest bar, we will never have a tough enough stance against Russia.

We need, as the next Secretary of State, a person who is going to be a leader in saying: We are going to use every one of our diplomatic tools to isolate Russia if they continue this activity of interfering with our elections, threatening to interfere with European elections, interfering with humanitarian assistance in Syria, or if they continue their illegal occupation of Crimea. We need that type of leadership. That is one of the reasons we have been so much engaged in this debate.

There are many other issues about which we talked with King Abdallah that dealt with foreign policy challenges, including moving forward with broader coalitions against ISIS in the region. All of that requires the use of all the power we have. We know that our military is very strong. We are

very proud of our Department of Defense and very proud of the men and women who serve in the military. They are the guardians of our freedom. We thank them every day for the sacrifices they make on behalf of our Nation. We owe it to them to make sure our military is only used as a matter of last resort, that we use all of our diplomatic skills in order to prevent the unnecessary use of our military, that we only use the military when it is absolutely essential and it is a matter of last resort.

We must have as our chief diplomat a person who will carry out that strong commitment to our diplomatic skills and agenda in order to make sure that we only use the military when necessary.

We have heard this before. But it was General Mattis who said: If you don't fund the Department of State, if you don't give them the resources they need for development assistance, you are going to have to give me a lot more soldiers.

Our diplomats can very much keep us safe, and they can do it with less risk to our men and women who serve in the military and at less cost.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. Kaine. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. Kaine. Madam President, I rise to speak concerning the nomination by President Trump of Rex Tillerson to be Secretary of State. I believe I am going to be speaking a little bit this afternoon and possibly later. This will just be part of my remarks this afternoon.

First, I am going to say some positive things about Mr. Tillerson's career and the importance of the position, but then I want to talk about the reason for my opposition, which has to do largely with my concern about whether he is capable of exercising truly independent judgment on behalf of the United States, particularly given his 41-year career with ExxonMobil.

To begin, Mr. Tillerson has an exemplary record with ExxonMobil. I was impressed by it. I have been impressed by his business acumen. I think this one would, frankly, be relatively straightforward if he had been nominated for Secretary of Commerce. I think it would be relatively straightforward had he been nominated for Secretary of Energy.

That is an interesting aspect of some of these nominations. I think there are some people who are up who—if they were in other positions, they might be easier, but because of the ones they have been nominated for, it has made it a little more difficult. I put Mr. Tillerson in that category.

Secretary of State is an enormously important position. We all know that it is important, but we, even for the public, separate the Secretary of State position from others.

There are four Cabinet Secretaries who by law are not allowed to be involved in political campaigns. They can't go out on the campaign trail during election season. They are designated as "special," and I think they are special for a reason—Secretary of Defense, Secretary of State, Secretary of Treasury, and the Attorney General. The reason these four positions are made separate, in my view, is they are positions that are supposed to have a special gravity, positions that are supposed to be above politics. They are also positions that are supposed to have a degree of independence.

An Attorney General needs to have a degree of independence from a President because that individual must weigh in on the legality of actions even of the administration in making decisions. I think the Secretary of State needs some independence and gravitas as well. That is why the Secretary of State position is such a special one.

I want to focus on this area of independence and the independence I wanted to see in a Secretary of State Tillerson and that I did not feel comfortable enough after the research I have done and after the hearing itself. It fits into three basic categories—issues with respect to climate, issues with respect to Russia, and issues with respect to the development policy that the United States uses in nations around the world, including very poor nations that are resource rich but often find that their oil reserves or other natural resources put them into kind of a resource-cursed position where, resources notwithstanding, they actually trend toward authoritarianism and keeping their citizens in poverty.

Let me start with climate. Climate is an enormously important issue in Virginia, as it is to all States, but to give you kind of the Virginia focus on climate issues, Virginia voters overwhelmingly believe that humans are affecting climate and that something should be done about it. We have 134 counties. The eastern part of Virginia—Hamilton Roads, near the Atlantic—is the second most threatened area in the United States to sea level rise. So if you go to Hampton Roads, VA—1.6 million people, the center of naval power in the United States and the world—what you find is sea level rise accelerating to the extent that neighborhoods where you could once sell a house, you can't sell it anymore. Flooding that was once every few years is now regular.

Even our Nation's military operations in Hampton Roads are jeopardized. There is a main road leading into the Norfolk Naval Base, which is the

largest naval base in the United States—the largest naval base in the world. That road is increasingly flooded just during normal tidal conditions. We are not talking about storms; we are talking about normal tidal conditions. The inability to get road access into America's center of naval power is highly challenging, highly problematic. In the future, it is going to be very expensive for us.

So the climate change issues in Hampton Roads—whether it is affecting your ability to sell a house, the ability to conduct naval operations—and in many other areas is of deep concern to my State.

There are climate issues in other parts of my State, from weather patterns to warming temperatures wiping out species in the Shenandoah National Park because as the temperature warms, the species need to move higher and higher, and at some point they can't move any higher. So there are endangered species in the Shenandoah National Park because of climate issues.

The issue is not only important to my State, it is a critically important part of the job. The Secretary of State in the previous administration was involved in crafting the Paris climate accord. Nearly 200 nations agreed that climate change is a huge problem and that we have to do something about it, and each nation came forward voluntarily to craft its own plan so that the world could deal with this problem.

The U.S. played a critical role—Secretary Kerry and others—in forging this global coalition around the overwhelming scientific consensus. The Secretary of State in this administration, along with others—the EPA Administrator—will play a key role in determining whether we continue to take seriously climate, whether we continue to take seriously the promises we made under the climate accord, or whether we go backward. I don't want to go backward because it would hurt my State and hurt our country and hurt the world.

During my examination of Mr. Tillerson during his confirmation hearing before the Senate Foreign Relations Committee, I was not happy with the answers with respect to climate issues. The overwhelming majority of scientists say that climate change is real and that it is caused significantly by the burning of fossil fuels and the release of CO₂. This is not a controversial conclusion; it should not be partisan, either.

The first climate bill that was introduced in this body was introduced by Senator MCCAIN in 2004. Then, in 2007, a predecessor of mine, Senator Warner of Virginia, a Republican, and Senator Lieberman of Connecticut, a Democrat, introduced a bipartisan bill. Senator Warner, now retired—John Warner—still speaks regularly on the national

security implications of climate change.

During the hearing before the Senate Foreign Relations Committee, I examined Rex Tillerson about the role of ExxonMobil in climate research. ExxonMobil is a company that is chock-full of engineers and scientists. It is one of the most accomplished companies in the world if you just measure it by the extent of engineering and science talent that it has.

There has been a series of investigative articles in the last few years in the Los Angeles Times, the New York Review of Books, and Inside Climate News that get into the question of what ExxonMobil knew about climate science and what they told the public. I wanted to ask Mr. Tillerson about this. Some of the information that I put on the table during that examination: There was an internal letter in September of 1982 from Exxon's Theoretical and Mathematical Science Laboratory. This was during the time Mr. Tillerson was working for the company.

I want to read a quote from this letter which I put into the RECORD as I was examining Mr. Tillerson:

However, over the past several years a clear scientific consensus has emerged regarding the expected climate effects of increased atmospheric CO₂. . . . There is unanimous agreement in the scientific community that a temperature increase of this magnitude would bring about significant changes in the earth's climate. The time required for doubling of atmospheric CO₂—

Doubling of atmospheric CO₂—depends upon the future world consumption of fossil fuels. There is potential for our research to attract the attention of the popular news media because of the connection between Exxon's major business and the role of fossil fuel combustion in contributing to the increase of atmospheric CO₂. . . . [O]ur ethical responsibility is to permit the publication of our research in the scientific literature; indeed, to do otherwise would be a breach of Exxon's public position and ethical credo on honesty and integrity.

In other words, by 1982 the key scientific research organizations within ExxonMobil, which has a sterling cadre of scientists and researchers, said: Here is our view of the scientific research—and not just other scientific research, they did their own studies to replicate it. They concluded that the burning of fossil fuels was going to lead potentially to a significant increase in global temperature, with catastrophic climate effects.

There is other information as well that ExxonMobil had within it during Mr. Tillerson's tenure with the company. But by 2000, ExxonMobil in its face to the public was saying something very different. Despite the internal recognition of climate science and the potential effects on the economy and on our atmosphere and despite scientists with ExxonMobil saying we have an ethical duty to share these facts with the scientific community, by

2000, ExxonMobil was publishing, in major publications in this country, op-eds—full-page op-eds in newspapers and magazines. I am going to read a quote from one, an ExxonMobil published op-ed in 2001:

Knowing that weather forecasts are reliable for a few days at best, we should recognize the enormous challenge facing scientists seeking to predict climate change and its impact over the next century.

Geological evidence indicates climate greenhouse gas levels experience significant natural variability for reasons having nothing to do with human activity. . . . Against this backdrop of large, poorly understood natural invariability, it is impossible for scientists to attribute the recent small surface temperature increase to human causes.

So, from 1982, there were scientists at ExxonMobil who were aware of it and were saying we have a duty to share this with the public and with our fellow scientists, but by 2000, in statements to the American public—all during Rex Tillerson's tenure at ExxonMobil—the company was taking a very different position.

I summarized this material during my examination of Mr. Tillerson before the Foreign Relations Committee, and I asked him: What do you have to say about this evidence and about the numerous public reports that ExxonMobil knew about climate science but made a decision to tell the American public something different? A pretty straightforward question from a Senator whose State is experiencing climate change, a pretty important question for a nominee who will be in charge of, as Secretary of State, carrying out our obligations under agreements, such as the Paris climate agreement.

Mr. Tillerson's answer to me was a little surprising. He said: Oh, I can't answer this. You are going to have to ask somebody at ExxonMobil.

He had stepped away from ExxonMobil a few days before the hearing. I was puzzled by it. So I went back to him and I said: Well, wait a minute. I want to make sure I got this right. You were at ExxonMobil for 41 years.

That is right.

You were an executive at ExxonMobil for more than half of your tenure there; isn't that right?

That is right.

You were the CEO of ExxonMobil beginning, I believe, in 2006; am I right about that?

You are right about that.

I am not asking the company's position. You now are no longer at ExxonMobil. I am asking you, as somebody who is going to be in charge of carrying forward America's obligations under the Paris climate accord, whether the allegation that ExxonMobil knew about climate science but chose to say something different to the American public—I am going to ask you if you can answer that question.

And he came back again and said: You are going to have to ask somebody at ExxonMobil.

I then asked Mr. Tillerson a really important question. I said this: Do you lack the knowledge to answer my questions or are you refusing to answer my questions?

And he said: A little bit of both. A little bit of both.

And I said to him: You have been there 41 years. I have a hard time believing you don't know the answer to this question. I think you are refusing to answer my question, and he didn't comment on that.

I then followed up with one more question to Mr. Tillerson that I also think was important because I am a lawyer, and I just wanted to make sure I understood this. I asked him: Are you sitting here today subject to any kind of a confidentiality agreement that would prohibit you from answering the question I just posed to you? And he said no, that he was not.

I asked Mr. Tillerson these questions because I am deeply interested in climate change. It affects my State in a significant way, and it is directly relevant to his job, but I asked him for another reason as well. I am just going to talk for a minute about the reason, and I am going to yield to my colleague from Oregon and return later this evening on the other points.

The reason I was asking Mr. Tillerson about this was not just his awareness of science, I was asking him to see whether at this point, as a nominee for Secretary of State of the United States, he could set aside a 41-year loyalty to his previous employer, ExxonMobil, and instead focus solely on his obligations to this country if he were to be confirmed as Secretary of State.

I believe he knew the answer to the question I asked him, and he told me he was not under any legal agreement that would bar him from answering my question, but he, nevertheless, refused to answer my question. When I challenged him on it and said: You are refusing to answer my question, he basically agreed that was the case.

I think we are entitled to a Secretary of State who can set aside any other loyalty, including an understandable loyalty to an employer of 41 years, and exercise complete and independent judgment on behalf of the interests of this country. The refusal of Mr. Tillerson to answer my questions about a matter clearly within his knowledge, clearly within the job description of Secretary of State and deeply important to my Commonwealth, led me to have significant doubts about whether he could separate his previous employment from his independent obligation to this job, should he be confirmed.

I am going to have more to say on a couple of other issues related to this independence point when I return later this evening.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate my colleague's contributions and his insights, representing Virginia and representing the United States.

I must say that all of us were quite frustrated by the hearing we held with Rex Tillerson. We know that America needs a strong and capable Secretary of State. We have many great power issues to wrestle with—certainly with Russia, certainly with China. We know we have many emerging powers around the globe that will raise issues relevant to the security of the United States and the economy of the United States. We know the Secretary of State plays a key role in shaping our policy toward impoverished nations and how we might facilitate their growth and enhance our Nation's relationship with them. Nuclear strategy is always an extremely important role.

This position is perhaps the most important position in the administration, second to the Presidency, and it is for that reason that we are weighing with such intense attention.

Already we have challenges that have been raised by the conduct of our President over the last 12 days. We have, in 12 days, seen actions by President Trump that have diminished our Nation's standing in the world, that have offended many of our international neighbors and allies, that have weakened the security of our country. So we need a capable Secretary of State. We need that person soon.

Certainly one piece of the pattern we have seen is a new low in the relationship with the leadership of Mexico on our southern border, but we also have seen actions that have offended over a billion people in the world through the Friday night Executive order banning immigration from seven Muslim-majority nations along with an order affecting refugees fleeing the ravages and devastation of war in many places, but Syria is specifically singled out for a longer period of time.

The President said, well, this is not, in fact, a Muslim ban and that it is about the security of the United States of America, but he is certainly wrong on both counts. All the nations singled out are Muslim-majority countries. Not a single immigrant from any of those countries has killed an American in a terrorist attack, and the President made a very specific point, saying there would be exceptions for Christians, meaning there would not be exceptions for Muslims.

One of his advisers, Rudy Giuliani, even said explicitly that the President had wanted to do a Muslim ban and asked him how to do it legally. So the intent is crystal clear that this is a ban founded in religious discrimination, and a policy based on religious discrimination has no place in our Nation. It is completely incompatible with our traditions and our principles of religious liberty.

We are a nation built by immigrants, founded by men and women seeking safety from religious persecution, adding to the sense that this position is wrong and abhorrent. It goes against the fundamental building blocks of our Nation and everything we stand for.

If our history and our fundamental values aren't enough, then we need to consider the danger this ban represents for our national security. Much of our efforts in the Middle East involve close partnership, close teamwork with the leaders of Muslim nations.

Taking on ISIS involves close coordination and close teamwork with the leadership of Muslim nations. In fact, we should be very aware that ISIS uses as its recruiting tool that the United States is conducting a war on Islam, and the President's actions feed directly in and serve the ISIS recruiting strategy.

The world has reacted with furor. Over the weekend, more than 4,000 Oregonians attended a pair of my townhall meetings. The first meeting was in a room about this size, and I was astounded to see 600 people just jammed in, just crowding it. It was the largest townhall I had ever had. I do 36 townhalls a year, open forum. People can come and ask anything they want.

Then I went to my second townhall, and it wasn't 600 folks. It was 3,700 people who turned out just because they heard that a Senator was holding a townhall, and they wanted to make their voices heard about how wrong they thought it was, the direction that President Trump is headed. A key piece of that was certainly his ban on Muslims entering our Nation.

Protests erupted at airports all across our country. I went out on Sunday to the Portland Airport. It had been informally organized, the protest at 2 o'clock, and I got out there about 2:15. People were pouring in. There may have been somewhere around 1,000 people by the time I could get out onto the upper level deck of the two levels of the airport—the level at which people are arriving for their flights—to be able to speak to people.

The condemnation and opposition didn't just come from the grassroots across America. It didn't just come from the spontaneous voices of American citizens who value religious liberty, value our traditions, value their understanding of our Constitution and wanting to send a message to President Trump that he was violating each and every one of those things, that opposition came loud and clear from international leaders as well.

Our Canadian neighbors made sure the world knew they welcomed the immigrants and refugees that America had slammed the door on.

German Chancellor Angela Merkel called the President to remind him of our Nation's responsibilities, as signatories to the Geneva Convention, to

take in refugees. It is quite embarrassing that a European leader has to call an American President to educate him about the Geneva Convention.

France's President Francois Hollande has called for a firm European response to this ban; the United Kingdom, whose Prime Minister Theresa May just met with President Trump last week, came out against the order; and more than a million Britons signed a petition to have the British Government rescind its invitation to President Trump to travel to London for a state visit.

Iraq, Iran, Brussels, Scotland, Norway, nation after nation have come out to protest this terrible, dangerous policy.

It is going to be up to our next Secretary of State to repair and rebuild these relationships and the reputation of the United States of America. So much damage has been done in just 12 days.

My colleagues Senator MCCAIN and Senator GRAHAM said in a statement this weekend: "This Executive order sends a signal, intended or not, that America does not want Muslims coming into our country," and indeed it does.

So is Rex Tillerson the right individual to set our Nation back on a firm and steady course? Is he the right person to guide us through this volatile international landscape, where we need to rebuild alliances and restore leadership?

In short, the answer is that Rex Tillerson is not the right man to do it.

Forty years in the oil and gas market, 40 years in an oil company are good preparations for leading an oil company but not good preparation for leading the United States of America in international relations, not good preparation for serving as our top diplomat, putting out fires, calming fears, communicating our policies to the world in this volatile moment in history.

During the hearing, there were a series of questions really related to one's moral compass in leading the foreign policy of the United States of America. One of the questions I asked about was Exxon's effort to set up a subsidiary to evade American sanctions on Iran and what did he feel about that as a leader of Exxon. He responded by saying: I don't have any memory of this. Really? The top management of Exxon decides to set up a subsidiary to circumvent American sanctions on Iran with a great deal of national security at stake, and he has no memory? Well, that was certainly a disappointing comment and an unbelievable statement.

How about when we asked him about Exxon lobbying against U.S. sanctions on Russia because of its annexation of Crimea and the holding of territory in the eastern part of Ukraine? He said: Oh, Exxon didn't lobby on this. Yet the

lobbying reports were right there. We have transparency on this. Millions of dollars were spent lobbying on this issue, and they certainly weren't lobbying for U.S. sanctions. This was a second extraordinary statement by the nominee.

I then asked the nominee about Exxon's pattern of working with dictators to take the royalties for oil and funnel them to the dictator's family rather than to the treasury. This is particularly true in Equatorial Guinea where President Obiang has declared himself President for life. His response was simply: But Senator, we weren't successfully prosecuted for violating the law. That is not a statement related to moral compass and understanding. Certainly, when a company takes a nation's treasure and diverts it into the pockets of a dictator, you are affecting the lives of hundreds of thousands of people. Certainly, the people of Equatorial Guinea are a poor people who could use those resources for health care, for transportation systems. The President of Equatorial Guinea is famous for filling a plane with fancy sports cars from Europe and flying them to Equatorial Guinea. And how does he do that? Because Exxon steered the royalties for that nation's oil into the pockets of the dictator, but we didn't get any sense that there was any concern about the impact that it had on the people of that nation.

Members of the committee asked him about the extrajudicial killings by police officers in the Philippines—the extrajudicial killings ordered by President Duterte. Young men were shot down in the street. I think at last count an estimated 4,000 to 6,000 young men were assassinated in the street, and he simply said: I need to get more information. This is not something that has been hidden on the back pages of the newspaper; this is something fundamentally contrary to the principles of due process and justice that our Nation stands for. Couldn't the nominee have expressed that this is completely in violation of our core principles? But he had no ability to do so.

We come then to global warming, an impact that is occurring right now on the ground in my State. The burning of coal, oil, and natural gas, causing an accumulation of carbon dioxide and an accumulation of methane, is resulting in the acidification of the ocean. That is causing oysters to have difficulty reproducing because it affects the formation of their shells at the beginning of their life. The higher acidity makes it harder to form shells.

We see global warming in Oregon in terms of a longer fire season with more intense fires. It is burning more forest there than ever before. We see it in terms of a lower average snowpack on the Cascades that is causing significant drought and smaller and warmer trout

streams. This isn't some strange phenomenon that we imagine might happen in the future; it is happening at this moment. We have high tides that are now covering the sidewalks of cities on sunny days. We have moose dying of ticks because it is not cold enough to kill the ticks in the winter. We have lobsters off Maine traveling further into Canada while they start to get fish from the Carolinas. It is everywhere we look. It impacts the economy of our country, particularly our rural economy of fishing, forestry, and farming. His response was simply: We need to keep talking to people about it. He says it is an issue, not particularly urgent, not necessitating American leadership, but just something we should be at the table for—not at the table to urge others, just be at the table. That certainly misses the size of this challenge to our planet.

Here we are, 12 days into the Presidency with major international problems occurring, and we have a nominee who, on issue after issue after issue, lacked a moral compass or insight about the complexity of issues, about the principles of our Nation. So for these reasons, I am voting against the nominee.

I may well be back to extend my remarks at another moment, but I am delighted to yield to my colleague from New Mexico who is standing by to make his remarks.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you for the recognition, and I thank Senator MERKLEY very much for yielding.

I have been here on the floor, listening to Senators Kaine and MERKLEY, and I saw Senator CARDIN speaking earlier from my office. We can see that for many of us who sat through these hearings and heard the answers, it didn't give us a lot of confidence that Rex Tillerson was going to be able to step in and be the top diplomat for the United States of America. So I join in all the comments that have been made earlier.

I want to talk about one of the issues that has developed over the last couple of days and that really has bearing on this. For the last century, the United States has led the world stage. We are the inspiration for countless nations as they nurture hopeful democracies—democracies that respect human rights and individual liberties. We are a nation of freedom, where men and women can work hard, build a happy, healthy life, and live the American dream. That is what makes President Trump's anti-Muslim, anti-immigrant actions last week so repugnant.

I believe his actions violate the Constitution. They also violate everything we stand for as a country. Turning our backs on refugees and those seeking a better life doesn't project strength. It

shows weakness. It fuels anti-American rage around the world. Our Nation doesn't punish innocent people because of what they believe and who they pray to. We don't slam the door in the faces of those who need help the most.

I call on all of us, especially my colleagues across the aisle, to denounce this action and the people behind it. I am relieved that Federal judges around the nation are blocking the President's unconstitutional order, and I am also very proud of our strong constitutional system of checks and balances.

I can't express adequately how proud I am of Sally Yates, the Acting Attorney General who was fired by President Trump. Now you have to know something about her. This is a very courageous person who stood up and did the right thing. Sally Yates is a career prosecutor. She has served as a U.S. attorney in the U.S. attorney's office under Democrats and Republicans—a career prosecutor. When she was put up for a vote in the Senate, she got 84 votes when she was approved for Deputy Attorney General of the United States. This is someone who understands what is going on, understands the Constitution, and understands her legal obligations. She stood up and said that she wasn't going to represent in court the President on this Muslim ban, and he fired her. He fired her.

These kinds of actions are disturbing. They are un-American acts, and they are the most urgent reason I rise today to state that I cannot support confirming Rex Tillerson as Secretary of State.

There is no doubt that Mr. Tillerson was qualified to run ExxonMobil. Exxon was his first job out of college, and the only company he worked for during his 40-year career in the oil and gas industry. There is no doubt that Mr. Tillerson, as CEO and chairman of ExxonMobil, was 100 percent committed to making sure the best interests of the company's shareholders were served. But with no diplomatic experience or history of public service, I am not confident that Mr. Tillerson is qualified to serve as the United States' chief diplomat.

After studying his work and studying the history and his responses at the confirmation hearing and looking at his answers in writing, I do not believe that Mr. Tillerson is able to commit 100 percent to serving the best interests of the American people. Negotiating the complexities of oil and gas deals is not the same as negotiating the complexities of treaties and agreements with foreign governments.

ExxonMobil's top priority is profit. That is its reason for existence. Leaders negotiate business deals over money and access to resources. The United States and the American people have different priorities—sometimes conflicting priorities.

Our Nation is economically successful, for sure, and we value business and

we value making money, but our core values go way beyond economics. We value representative government, we value human rights, and we value freedom of speech. We value the four freedoms that President Roosevelt talked about when we entered into international agreements to spread the four freedoms around the world.

An incoming Secretary of State should not be learning on the job. He or she should already have substantial relevant experience. He or she should already have proven experience fighting for our Nation's core values, for human rights. Mr. Tillerson made it clear during his hearing before the Senate Foreign Relations Committee that he lacks substantive foreign policy experience and knowledge. He told the committee many times that he was not familiar with the issues at hand or needed briefing. He must have said that a number of times. As just one example, Mr. Tillerson was unfamiliar with Russia's role in the indiscriminate slaughter of civilians in Syria. He had no opinion of the legality of the slaughter under international law. These are some of the most important, most urgent foreign policy matters we face, but he was unprepared to answer them.

Like Senators on both sides of the aisle, I am concerned about Mr. Tillerson's close personal business ties to the Russian Government. I am concerned about those. They may color his view of Russia. He has been long friends with Vladimir Putin. He has a highly profitable relationship with Igor Sechin, the head of the state-owned oil company Rosneft. I worry that these ties make it difficult or maybe even impossible for him to objectively evaluate Russia's actions and to act in America's best interests.

Are his close ties to Russia why he does not condemn Russia's actions in Syria? We cannot be sure. Mr. Tillerson also will not confirm whether he will advocate maintaining sanctions against Russia for invading Crimea. We know that the sanctions also continue to cost ExxonMobil because it is not able to drill for oil in Russia's Arctic.

Will Mr. Tillerson not commit to maintaining sanctions because of his ties to Russia? We cannot be sure.

In a third example, Mr. Tillerson would not commit to sanctions against Russia for its interference in our Presidential election. He said he didn't have enough information. Well, every U.S. security agency—all 17 of them—has concluded that the Russian Government hacked the Democratic National Committee, disclosed email from the hack from getting in there, and tried to influence our election. They agreed that these actions were authorized at the highest levels of the Russian Government, with fingers pointing right at Vladimir Putin. The intelligence community's public reports stated it this way:

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election. Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump—

Now President Trump—

We have high confidence in these judgments.

So 17 of our intelligence agencies pooled together all of their information, and they had high confidence in what they concluded there.

Mr. Tillerson had adequate information to make a strong statement against this attack, against this hacking, and in favor of American democracy. He did not make such a statement.

We must have a Secretary of State whose allegiance is 100 percent committed to U.S. interests. Mr. Tillerson's equivocating testimony on Russia did not convince me that he can be counted on to serve America's interests and America's interests only. Mr. Tillerson's equivocations mirror the Republicans' record on Russian interference in our democracy.

While the President has plans to dismantle the post-World War II international order, Republicans have done nothing to address Russia's attempt to dismantle our democracy.

I was also unsatisfied by Mr. Tillerson's answers on climate change. While he acknowledges the existence of climate change, he testified that "our ability to predict that effect is very limited" and that what action to take "seems to be the largest area of debate existing in the public discourse." That is not what the overwhelming majority of scientists tell us. Our ability to predict what is happening to the planet's climate is not "very limited," and there is international consensus written into the Paris Agreement as to what actions nations agree they must take. Scientists from all over the world have joined together through the United Nations and said that climate change is real and we have to take specific actions.

I appreciated that Rex Tillerson at least said that he believes the United States should remain at the table, but he questioned a key part of the Paris Agreement: the nationally determined contribution, or what is called the NDC. Without the NDC from the United States, the agreement is likely to fall apart, and his claimed support for the Paris Agreement becomes meaningless.

I cannot be clearer: Ignoring the threat of climate change is a direct threat to the United States. We have heard other Senators talk about the threat to their States, and it is a direct threat to my home State of New Mexico.

While President Trump may be trying to quiet our climate scientists, the science is clear. Climate change is real. We just finished the hottest year in recorded history. We know we must act, and we know there will be devastating impacts if the United States does not lead on this issue.

No matter what one believes about science or foreign policy, we should all be alarmed at the lack of transparency in the new administration, especially the unwillingness of our President and key Cabinet members to be open and honest with taxpayers about their finances and potential conflicts.

While Mr. Tillerson has divested from ExxonMobil, we still don't have copies of his tax returns. Mr. Tillerson's ties to ExxonMobil are decades old. Yet he has said he will recuse himself from matters related to ExxonMobil for only 1 year. For only 1 year will he recuse himself. He has worked for this company his entire life. He should refrain from taking calls from his old company for as long as he serves as Secretary of State. He is serving the country. He is serving in a taxpayer-funded job. I don't understand why he cannot agree to this simple standard to avoid the appearance of any conflict. If he deals favorably with ExxonMobil, how can the American people know he is working for us or for his former employer, which made him an extremely wealthy man?

But most concerning to me is whether Mr. Tillerson will be able to speak truth to power. We have just seen this weekend how vital that will be in this administration, where it appears that there is no unifying vision, and different factions of President Trump's Cabinet are competing for his attention. We need a leader with a clear vision for America's role in the world, someone who will put American values ahead of everything else.

Too many times, when pressed during his confirmation hearing about U.S. interests and values, Mr. Tillerson did not give straight answers. On questions such as human rights violations in the Philippines and Syria, he did not call out these offenses for what they were. On questions about whether we should maintain sanctions against Russia for illegally invading Crimea or for interfering with our electoral process, he deferred; he wavered; he said he would decide at a later date when he can be briefed or meet with the President. If Mr. Tillerson can't give straight answers, from the heart, about the most pressing human rights issues, on violations of international law, on a foreign power's interference with our Presidential election, how can we expect him to speak up and temper the worst angels in the Trump administration?

If Mr. Tillerson were the nominee for a more conventional Republican President, these concerns would not be as serious. But I think every Senator can

agree that Donald Trump is not a conventional President. He is offending allies and upending alliances on a nearly daily basis. He has made negative statements about the German Chancellor's domestic policies. He is threatening to extort the Mexican Government to pay for an offensive and ineffective wall on America's southern border. He has repeatedly questioned NATO, the fundamental alliance that has secured peace between major powers since World War II. He is threatening to slash funding for the United Nations, including the World Health Organization, which fights global pandemics.

While addressing employees of the Central Intelligence Agency, standing in front of a wall honoring professionals who have made the ultimate sacrifice for our freedoms, President Trump threatened to take Iraq's oil—that he wanted to take another look at taking Iraq's oil—and he said: "To the victor go the spoils." This is a line attributed to Julius Caesar, who decreed himself Emperor. He began rattling the saber with China before he was sworn in.

The President has done all of this while repeatedly praising Vladimir Putin as a strong leader and proposing to improve relations there, while making them worse nearly everywhere else.

This weekend, he closed America's doors to Muslim refugees trying to escape the very evil our government is fighting against. He not only closed the doors to people who believe in our democratic institutions and the freedoms we enjoy, he closed the doors to people who have risked their lives in service of our ideals.

These are not normal changes in foreign policy between administrations. I would change many aspects of U.S. foreign policy if I could. But President Trump's approach to foreign policy so far is one of reckless change that is frankly scaring the American public and our allies around the world. In such a foreign policy environment, we need experienced, skilled hands, people who understand these allies and who understand our longstanding alliances and why we have them. But the President has fired all U.S. Ambassadors, and most high-level State Department employees have resigned or been forced out.

Mr. Tillerson, there is no doubt, is a talented businessman. He loves his country. He has devoted himself to other worthy causes, like the Boy Scouts. It is no exaggeration to say that the post-World War II international order is under attack by the President, endangering U.S. leadership in the world. As a result, our national security and place in the world are threatened like never before. During such tenuous times, we need a leader as our chief diplomat who is prepared to take the reins and calm the waters.

But I do not have confidence that Mr. Tillerson has the experience, knowledge, values, or temperament to stand up to the President, to be a voice of reason, or to moderate the President's extreme views and actions. For these reasons, I oppose Mr. Tillerson's confirmation as Secretary of State, and I urge my fellow Members, including those who claimed the mantle of President Reagan, to do the same.

I know my good friend Senator MARKEY, a member of the Foreign Relations Committee, is here on the floor, as well as Senator COONS, another member of the committee, and I think both of them will speak on the Tillerson nomination.

I yield to the Senator from Delaware, Mr. COONS.

The PRESIDING OFFICER. The distinguished Senator from Delaware.

Mr. COONS. Mr. President, after two long one-on-one meetings with Mr. Rex Tillerson, after a thorough confirmation hearing in the Foreign Relations Committee that stretched over some 9 hours, and after extensive additional research and reading and digging into his record, his public statements, and his views, I announced last week that I would oppose the nomination of Rex Tillerson to be Secretary of State of the United States.

I will say that over our meetings, our conversations, and my review of his record, I have come to respect Mr. Tillerson as a thoughtful and seasoned and capable professional in his line of work, with impressive international business experience. And I will say that his quick action to sever financial ties with ExxonMobil is a strong example that I wish President Trump had followed with regard to his own private business interests.

I found encouraging some of Mr. Tillerson's statements in the confirmation hearing and his public stances, including his commitment to NATO, his respect for U.S. leadership in multilateral initiatives, from the Paris climate change agreement to the Iran deal, and his support for development programs throughout the world but especially in Africa, a continent where I have been engaged in my 6 years on the Senate Foreign Relations Committee.

His nomination has the support of highly respected former officials, from Brent Scowcroft and Bob Gates to James Baker and Condoleezza Rice, former Secretaries and National Security Advisors.

But Mr. Tillerson and I disagree strongly on key issues. I believe, for example, that climate change is a pressing national security threat that must be addressed. Mr. Tillerson saw it somewhat differently. I believe in advocating for human rights, for a free press, and for democracy around the world because these principles advance our security and our economic interests here at home. I don't believe that

human rights, press freedom, and democracy are add-ons, are things that we can address and deal with after national security is addressed. These are core to who we are as a nation and to the advocacy and engagement that I hope for and expect from our State Department and our next Secretary of State.

These are just a few of the reasons why I ultimately decided to oppose Mr. Tillerson's confirmation, but that is not why I have come to the floor today. I am here today principally because the challenge we face is not whether a single nominee is the perfect person for this particular role; the challenge we and the American people now face is to determine the future we seek for our country and the world stage and whether we will choose to continue to lead the free world.

Do we envision the United States leading by example through actions that show we will stand by our values, especially when it is challenging or difficult? Do we envision the United States leading a coalition of democratic allies and Muslim partners around the world in the global fight on terrorism, defending each other and promoting values of human rights, the rule of law, and democracy? Or do we accept a dark and dystopian vision that sees the world in strict zero-sum terms whereby any win for our allies or partners is automatically a loss for America; a vision in which we could abandon our values for political gain; a vision that distances us from the world both by a literal wall and a growing gulf in priorities?

For decades, Republicans and Democrats have agreed on foundational principles of U.S. leadership in the world. We engage with the world. We consistently and reliably support our allies. We lead by example, especially on our core values. We fight for the rule of law, for human rights, and for democratic institutions because doing so makes us safer and more secure.

Consider our alliances. The Heritage Foundation accurately pointed out that supporting our allies overseas and in particular our treasured and enduring alliance with our NATO partners in Western Europe isn't charity but, rather, a proven method for keeping the United States safe and secure. As Heritage puts it, alliances prevent wars by driving up the cost of aggression. Alliances deter our rivals and adversaries. Alliances promote stability, help us project power, and enhance our legitimacy.

Why does this matter? Why is this a current matter of debate? Why is this a pressing concern in the context of this nomination and in the work of this body? Take, for example, Russia under Vladimir Putin. It is the unanimous view of all 17 U.S. intelligence agencies that Russia conducted and organized an intentional campaign of interfering

in our 2016 Presidential election and that Russia conducted a cyber attack, authorized at the highest level, with the intention to influence the outcome of our election.

I cannot imagine a more direct frontal assault on who we are as a nation than to seek to influence our democratic election. But on top of that unprecedented attack on who we are as a nation, Vladimir Putin's Russia illegally annexed the Crimean Peninsula and continues to support the murderous Assad regime in Syria. Today, Russia is preparing—even threatening—to intervene in upcoming elections across Central and Western Europe, including elections in our long-time close allies, France and Germany. It has been amassing troops on the borders of our NATO partners, such as Estonia and the other Baltic States, and conducting snap exercises up and down the border with NATO. It is precisely because of these acts of aggression that the NATO alliance is more relevant and more important than ever.

These aren't groundbreaking or controversial conclusions that I am reaching today. Yet President Trump's rhetoric as a candidate, his early actions as President, his compliments to Vladimir Putin, his claims that NATO is obsolete, and his intimation that he may not honor our article 5 mutual defense commitment to our NATO allies all call into question the President's understanding of the role that our alliances play. It also calls into question whether his administration understands the consequences of weakening or abandoning these alliance.

More than perhaps any nation on Earth, the United States has deeply benefited from the stable world order that we helped shape following the Second World War. After Americans went throughout the world to fight the forces of fascism and imperialism in the Pacific and the European theater in the Second World War, we sat astride the world as the most powerful country on Earth, with weapons possessed by no other, with the greatest manufacturing and military might on the planet, and we set about establishing an inclusive, rules-based, democratically oriented world order, from which we have benefited more than any other nation. NATO has become a key part of the alliances that we have relied on for that peace and stability in the seven decades since.

Let's not forget that the only time NATO invoked its mutual defense provision article 5 clause was when our allies came to our defense after 9/11. So to suggest that NATO is obsolete or outdated because it wasn't developed in a time where terrorism was a central threat gives a lie to the reality that our NATO allies have stood shoulder to shoulder with us and have fought alongside American service men and women in Iraq and Afghanistan. Nearly

1,000 have given their lives, and our NATO allies have poured their blood and treasure into our defense and into our joint conduct against our enemies in Afghanistan and Iraq.

Interpreters from Iraq and Afghanistan have kept our troops safe, and yet today those espousing "America First" would break our promises to these vital partners. I have to ask: To what end? When we turn our backs on our allies and friends, there are consequences. They may be prompted to seek to help themselves in new or unexpected or dangerous ways, such as developing their own nuclear capability or seeking armaments from Russia rather than working in partnership with us for their own security. They may seek to find new allies who do not, in fact, share our values. In all these cases, "America First" may gradually, tragically, become instead "America Alone." That leaves us less safe and closes off economic opportunities around the world. So in seeking out a strategy that is purported to make us safer and stronger, President Trump may, in fact, accomplish neither.

A policy of "America First" doesn't just mean turning our backs on our allies and partners. It may also mean turning our backs on some of the world's most vulnerable people, with real consequences here at home. The Executive order signed by President Trump just on Friday, banning all refugees from the United States for 120 days, banning refugees for 90 days from seven countries and indefinitely from Syria, caused chaos and confusion at our airports and instilled concern—even fear—in American families across our country.

I have a key question today, introduced earlier by Senator CARDIN, the ranking Democrat on the Foreign Relations Committee, but not yet answered: Where does Rex Tillerson stand on this Executive order? How does he see it in our place in the world? How does he understand the centrality of the example that we show to the world in how we embrace human rights?

Sadly, I think this Executive order has validated the claims of jihadist groups like ISIS that recruit young men on the false claim that the West is at war with Islam, which is why these very terrorist groups are today cheering this Executive order. I think it has made us less safe by alienating Muslims in the United States and around the world. Why would we want to alienate the very Iraqis with whom we are training, serving, and fighting in the war against ISIS when they are a critical part of the ground forces that we are counting on to liberate Mosul from the tyranny of ISIS?

Most significantly, this Executive order may violate our Constitution and values by banning people based not on security concerns but on the basis of their religion, and by turning our

backs on a decades-long commitment to welcome those fleeing credible fears of persecution, fleeing violence and chaos in their home countries. These may be the consequences of “America First.”

It is well known but bears repeating that in 1939, a ship called the *St. Louis* approached American shores bearing nearly 1,000 mostly Jewish refugees fleeing the horrors of the Nazi regime and the impending Holocaust. In one of our Nation’s most shameful chapters, the United States turned away these refugees seeking our shores. One passenger on board the *St. Louis* received a telegram from the U.S. Government instructing him that passengers must “await their turns on the waiting list and qualify for and obtain immigration visas before they may be admissible.” Most of these refugees were forced to return to Europe, where they were murdered by the Nazis.

This tragic episode from 1939, born of isolationism and, tragically, anti-Semitism and a mistaken sense that we could isolate ourselves from the challenges and the violence of the world was also part of a period when a group whose name was the America First Committee mobilized to try to prevent our entry into the Second World War.

I will say that these are the consequences of “America First.” The United States ultimately is less safe. Our allies may be made to feel uncertain or even betrayed. Americans will find themselves more fearful, and, our values, with which we have sought to lead the world, are cast aside.

That is why I believe this debate today is about far more than a single nominee for an important post in our State Department. American leadership on the world stage is not as simple as “America First,” and the consequences of truly embracing the dystopian vision of “America First,” I think, will be tragic.

If Mr. Tillerson is confirmed, it is my sincere and earnest hope that he will challenge President Trump to rethink the dark and dystopian view of the world that he laid out in his inaugural address, and that he will instead bend his skills, character, and qualities to the hard work of realigning our role in the world to the course that Republicans and Democrats together have steered from this floor and from this body for seven decades.

As the world saw last weekend, the new Trump administration desperately needs someone in the room to speak truth to power and to temper its worst impulses.

I yield the floor.

Mr. MARKEY. Mr. President, will the Senator from Delaware yield?

Mr. COONS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Massachusetts.

Mr. MARKEY. Mr. President, the Senate’s advise and consent role is one of our most important duties as Senators, and the Secretary of State is one of the most important nominations we will consider. The Secretary of State is America’s chief diplomat, and he should project America’s values to the world.

Yesterday, I joined Senator SCHUMER in calling for a delay on Mr. Tillerson’s vote on the Senate floor until we hear from him about President Trump’s Muslim ban.

Turning away refugees based on their nationality and religion is un-American, it is illegal, and it is immoral. This Muslim ban is propaganda for ISIS. It is a recruiting gift to terrorist groups around the world and in our own country. It will increase the risk of harm to Americans everywhere, including here at home. Donald Trump is sending a message to Muslims around the world that they are all suspects. This has profound implications for our ability to work with governments in the Middle East in the fight against terrorism. One of the countries named in this Executive order is Iraq, our closest ally in the fight against ISIS. Conflict and war is forcing millions around the world from their homeland. Donald Trump’s Muslim ban directly undermines our historic commitment to international cooperation and international refugee aid. That is why world leaders have joined the chorus of millions of Americans who do not support the Muslim ban.

America has always been a beacon to those fleeing persecution and violence. We are a refuge for those seeking a better life. The poetic inscription at the base of the Statue of Liberty does not say: Send back “your tired, your poor, your huddled masses yearning to breathe free.” As our top diplomat, Mr. Tillerson will be in a position to work directly with the nations named in this Executive order, and we need to hear how he believes it will impact our standing around the world.

With respect to Mr. Tillerson’s nomination, I have very serious concerns. Rex Tillerson could have enjoyed his retirement after spending more than 40 years at ExxonMobil. Instead, he answered the call to enter public service, and I commend him for that. His record at ExxonMobil is one that clearly has received accolades. He did a good job for ExxonMobil. He is highly respected in the oil industry. But public service requires the public’s trust, and Mr. Tillerson will not have that trust unless he agrees to recuse himself from participating in decisions that would affect ExxonMobil for the entirety of his term. So far, he has refused to do so.

Our laws require Federal officials to recuse themselves when a reasonable person could question their impartiality. Before President Trump nomi-

nated him to be Secretary of State, Mr. Tillerson worked for one company—ExxonMobil—for virtually his entire adult life. As he rose to become a senior manager and then CEO, Mr. Tillerson was personally involved in getting lucrative oil deals in a number of countries, including Russia. In fact, during Mr. Tillerson’s time as CEO of ExxonMobil, the company expanded its drilling rights in Russia to 63 million acres. That is an area the size of Wyoming and nearly five times the size of Exxon’s holdings in the United States.

But Mr. Tillerson didn’t just deepen the relationship between his company and Russia. He also tried to protect that relationship by speaking out against sanctions on Russia. As a reward for personally cementing Exxon’s relationship with Russia, President Vladimir Putin awarded Mr. Tillerson the Russian Order of Friendship.

The stakes with U.S.-Russia relations could not be higher. Russia has invaded the Ukraine, annexed Crimea, bombed innocent civilians in Aleppo, and attacked our elections with cyber weapons. Our next Secretary of State will be negotiating with Russia on some of the most critical foreign policy issues facing the world.

Mr. Tillerson’s decades-long history at ExxonMobil and Exxon’s vast holdings in Russia clearly create a conflict of interest. How can the American people be sure Mr. Tillerson will be objective when he participates in matters relating to sanctions on Russia or in any matters that could affect Exxon in the dozens of other countries in the world where Exxon operates?

As the top ethics lawyers for Presidents Bush and Obama have said, these conflicts could require Mr. Tillerson to recuse himself from any matters affecting ExxonMobil, irrespective of his financial divestitures. When I asked Mr. Tillerson during his confirmation hearing whether he would commit to recuse himself without waiver or exception from matters affecting Exxon for the duration of his tenure as Secretary of State, he refused. That is unacceptable. The American people and the national security of the United States demand a Secretary of State whose impartiality is unambiguous.

Make no mistake, the stockholders of ExxonMobil would have serious questions about hiring the leader of the Sierra Club to be the new CEO of Exxon. We, too, should have questions about hiring ExxonMobil’s former CEO to be America’s chief diplomat.

If he agreed to recuse himself, Mr. Tillerson would be following a tradition that is longstanding and bipartisan. Secretary of State James Baker recused himself from participating in any matter that could affect the price of oil and gas. Treasury Secretary Hank Paulson promised not to participate in any matter where Goldman Sachs was a party. And all of President

Obama's appointees recused themselves from any matters related to their former employers or clients. Mr. Tillerson's refusal to follow their example will call into question his impartiality, and it could undermine his effectiveness as Secretary.

During his confirmation hearing, Mr. Tillerson displayed an alarming lack of understanding of oil's role in geopolitics—clearly a consequence of having worked solely at Exxon—that disqualifies him from being Secretary of State.

When I questioned him, Mr. Tillerson told me that he never had supported U.S. energy independence. He told me that he didn't agree that reducing America's demand for oil and our reliance on foreign oil imported from the Middle East would strengthen our negotiating position with oil-producing nations.

We as a nation still import 5 million barrels of oil every single day into the United States. Three million of those barrels a day come from OPEC members, such as Saudi Arabia, Iraq, and Nigeria. ExxonMobil has energy interests in each one of those countries. And we are still exporting our own young men and women in uniform overseas to defend those energy interests every single day.

Mr. Tillerson is looking at the world through oil-coated glasses. He may have gotten rid of Exxon's stock, but he hasn't gotten rid of Exxon's mindset.

Mr. Tillerson's answers to questions about climate change—the global generational challenge of our time—are a cause for extreme concern. Although he recognized that climate change is real and human activities influenced it, he would not commit to continuing action on it as a foreign policy priority. Throughout his hearing, Mr. Tillerson would only say that he wanted to keep a seat at the table of climate negotiations. The United States needs to have more than a seat at the table; we need to be at the head of the table.

In December 2015, 150 heads of state gathered in support of finalizing the Paris climate accord. It represents a global solution to the problem of global warming in which all countries commit to doing their fair share. Instead of strengthening this historic accord, Mr. Tillerson indicated that all treaties and agreements to which the United States is a party would be up for review by President Trump.

America needs a Secretary of State who will lead the world to fully realize the clean energy revolution that will help us avoid the catastrophic impacts of climate change while creating millions of jobs. To abandon the Paris climate accord would be to abandon our clean energy future. We cannot roll back years of progress cutting dangerous carbon emissions or deploying clean energy solutions.

For 41 years, Rex Tillerson's world view has been to advance the interests of one place and one place only—ExxonMobil. Confirming Mr. Tillerson as Secretary of State would be turning over the keys of U.S. foreign policy to Big Oil. Big Oil's interests are not America's interest. If Mr. Tillerson were to negotiate with Russia and President Putin, whose interests will he represent—those of Big Oil or those of the American people? I still do not have satisfactory answers to that critical question. For those reasons, I cannot vote for his confirmation.

I thank you for allowing me to speak at this time on the Senate floor.

I yield to the Senator from Connecticut, Mr. MURPHY.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Connecticut.

Mr. MURPHY. Mr. President, since assuming office on January 20, which is just 11 days ago—I don't know, it kind of feels to me like it was 11 months ago; this is going on in a horrible, nightmarish slow motion—the Trump administration has assumed responsibility for our Nation's national security. There are a lot of jobs the President has, this new administration has, but that is at the top of the list—guaranteeing this country's security and, frankly, being the guarantor of global security.

Leaving aside some of the broader systemic challenges that we face in the world, let's just look at what has happened since the inauguration.

Yesterday, Iran reportedly conducted another ballistic missile test. President Trump criticized President Obama on Iran for being too soft. Now it is his turn to get China and Russia to agree to a Security Council resolution condemning this test and taking punitive action.

On Sunday, extremist groups all around the world celebrated the Trump administration's ban on travel from seven Muslim-majority countries. Comments that were posted to pro-Islamic State's social media accounts predicted that the Executive order would serve as a recruiting tool for ISIS. One posting said that Trump's actions "clearly revealed the truth and harsh reality behind the American government's hatred towards Muslims." Another posting hailed Trump as "the best caller to Islam." Another one talked about the ban being a blessed ban, which is a reference to what militant leaders called the invasion of Iraq, which was hailed then as the blessed invasion, becoming the cause celebre, as the intelligence community called it, for the global jihadist movement.

Immediately following the first phone conversation between Trump and Putin, the conflict in Ukraine flared up. Likely not coincidentally, 8 Ukrainian soldiers were killed and 26 were wounded just since Saturday.

In the Balkans, where Russia has been just recently again steadily in-

creasing in influence, as Europe is pulling up the doors on its new perspective members, Serbia sent a train emblazoned with the motto "Kosovo is Serbia" up to the border of Kosovo. It turned around, but as a result, troops and security forces reportedly scrambled to the border from both sides.

I am not suggesting that all of these bad things happened because Donald Trump was inaugurated. I listened to my colleagues explain all of the world's troubles for 8 years through the lens of responsibility to the Obama administration. But this is all an advertisement for a very simple idea—that this is probably the absolute worst time to have the first American President with no government experience and no diplomatic experience pick the first Secretary of State with no government experience and no diplomatic experience. This is not the moment for on-the-job learning. Yet that is what we have so far.

Granted Mr. Tillerson is not in place, but President Trump's foreign policy up to this point has been tragically amateurish. Witness the invitation for the Mexican leader to come to the White House, worked out in painstaking detail, an opportunity to show, despite the furor and rhetoric of the campaign, solidarity between the American and Mexican people, and then Donald Trump sends out a tweet daring the Mexican leader to cancel the meeting, which he promptly does, erupting threats of a trade war.

Witness Friday's Muslim ban, which now has Muslim nations all around the world rethinking their relationship with the United States, sending this dangerous message to people all around the world that you have no home in the United States if you practice one particular faith.

It begs the question as to whether Mr. Tillerson is going to be able to right this ship, having no experience working on almost every single one of these issues that confront us around the world. It is not the same thing to run a global business and run the State Department.

Frankly, I would argue that Mr. Tillerson's experience—even if you believe he did a good job for Exxon, it doesn't advertise him as a good candidate for Secretary of State. In fact, we have reason to fear that Mr. Tillerson would run the State Department like he ran Exxon, where he repeatedly worked against U.S. national interests.

Mr. Tillerson opposed sanctions levied against Russia in the wake of their invasion of Ukraine. He tried to pull one over on the committee, telling the committee this ridiculous story of first not lobbying Congress on sanctions, then not knowing if Exxon was lobbying for or against sanctions. That just doesn't pass the smell test. He

called the chairman of the Foreign Relations Committee to express his misgivings about sanctions. He personally lobbied Congress against the sanctions. His company spent millions of dollars lobbying against the sanctions.

When asked by President Obama and his administration to refrain from attending a major economic development conference hosted by Vladimir Putin in the middle of the Ukraine crisis, Tillerson thumbed his nose at America. He intentionally embarrassed his own country and our allies by sending his top deputy to that conference—and it gets worse—and standing next to Russian officials to announce major new contracts with Russia. Think about that. We begged Exxon to stay away from that conference. Not only did they go, but Tillerson had his No. 2 guy announce new contracts in the middle of the sanctions, in the middle of the worst of the crisis with Ukraine. It is not surprising that he was awarded the Order of Friendship by Vladimir Putin 3 years ago.

Just an aside, I have listened to my colleagues castigate President Obama for being weak on Russia for years. Frankly, the only thing that has been consistent about Candidate Trump and President Trump's foreign policy has been a marshmallow-like softness on Russia. At every turn, Trump has previewed for you that he is going to be easy on Vladimir Putin. Tillerson's testimony cemented that. He was asked over and over whether he would commit to holding the line on existing sanctions, whether he would commit to imposing new sanctions based on Russian interference in the U.S. elections. He was asked by the Presiding Officer if he would, at the very least, commit to holding in place the sanctions on the individuals who were named as those interfering with the U.S. election. He wouldn't commit to any of it, and so it is hard for me to understand how all of the Republicans who have been eviscerating President Obama for 8 years for being soft on Russia are now supporting the nomination of Rex Tillerson, who has basically advertised that they are going to withdraw the line the Obama administration had taken and enter into a new relationship with Russia, in which they likely get everything they want. I hope that is not true, but we have asked over and over again for this nominee to give us some signal that they are going to at least maintain the policies we have today, and we have gotten no satisfactory answer.

Lastly, maybe most concerning about this nominee, is the potential for him to carry with him from Exxon a total lack of concern for ethics. I understand business ethics. That sounds really harsh, right? I understand there is a difference between business ethics and government ethics, and human rights is not something you are going

to care about in a business to the extent that we care about it as those who run and advocate for American foreign policy. But I asked Mr. Tillerson if there was any country in the world he wasn't willing to do business with as the leader of Exxon. He danced around the answer a little bit, but the simple response was no, and that is plain as day. We can look at the countries they did business with, including Syria through subsidiaries, including Iran. There was no human rights record that was bad enough for Exxon to say: Hey, no. This isn't something we want to touch.

We have been told by those who are supporting his nomination that we really shouldn't pay attention to everything he did at Exxon because he is going to be a new man when he comes to State. I guess you can understand that. Plenty of people take on new priorities when they come into new jobs. Plenty of people argue for something they argued against once they have a new boss, but he had a chance before the Foreign Relations Committee to tell us how serious he was about human rights. He got asked over and over again what he thought about human rights violations by some of the worst offenders around the world. His answers to those questions were, boy, they were disturbing and troubling. He wouldn't name Saudi Arabia as a human rights violator. Saudi Arabia is locking up political dissidents left and right. They don't allow women to drive. I understand they are an ally, but they are also a human rights violator. Everybody knows that. He wouldn't commit that President Duterte in the Philippines, who has been openly bragging about murdering thousands of civilians with no due process—wouldn't name him as a human rights violator, wouldn't say that what Russia has done in Aleppo is a war crime. I understand that maybe you don't know all the facts when you are just coming through the process, but you just have to pick up a newspaper to figure out what is going on in Manila or what is happening in Aleppo. It doesn't take a lot of research to know that Saudi Arabia is violating people's human rights. He knows that country very well.

It suggests that this lack of concern for ethics and human rights is going to carry over to the State Department, and of course he is working for a President who is never going to tell him to care about human rights. The President has openly talked about his affection for torture; how he thinks that strong leaders are the ones who kill journalists who oppose them.

So it looks as if we are seeing a preview of an abdication of America's historic role in promoting and pushing human rights around the world. We have a President who has openly mocked human rights, who has sup-

ported vicious dictators, and a Secretary of State who has made a career of doing business with some of the worst human rights violators in the world and who couldn't name human rights violators when he appeared before the committee.

Senator MARKEY is right. Mr. Tillerson is an accomplished businessman. He is smart. He is savvy. I don't say any of this to impugn his character. He had a job to do at Exxon, and he did it well on behalf of those shareholders. Frankly, he didn't have to take this job. He didn't have to subject himself to this spotlight, to the constant second-guessing that awaits him as the next American Secretary of State. So I give him credit for making this decision to step up to the plate and do this job. I think his motives are pure. I guess I can't assume anything else. I know there are people who question those motives, but I am going to assume that he is doing this because he wants to help his country, and I look forward to working with him.

He needs to be an advocate for the State Department. He needs to be an advocate for the nonmilitary tools that have not historically been available to the President. We have had a "military first" mentality as a country. We think every problem in the world can be solved through military intervention. Even under President Obama, there was a bent toward military solutions. A Secretary of State can be the chief spokesman here for the ways in which you solve problems that don't involve attacking and invading, but I don't think somebody who has done one thing with one set of priorities and values for 40 years just suddenly does an about-face, and adopts a totally different set of priorities and values for his career's capstone job. If that were the case, he could have previewed that for us in the committee hearing. Yet over and over again, when we asked for evidence that his priorities and his values were changed, his answers didn't measure up.

As I said, in addition to those concerns, this is just not the time for a Secretary of State with no diplomatic experience whatsoever. It is not a time for our new Secretary of State to learn on the job.

I will oppose his nomination and I hope others will join me.

I yield the floor.

Mr. CARDIN. Mr. President, I yield 15 minutes under my control to the Senator from Massachusetts, Ms. WARREN.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise to speak about the nomination of Rex Tillerson to serve as Secretary of State. Shortly after President Trump's election, I wrote to him about what I thought was a mutual interest, taking

on a rigged system in Washington where powerful interests call the shots. For too long, I have heard from Wisconsinites who feel that Washington's economic and political system is broken. People are angry because they feel that our government institutions seem to work for Big Banks or Big Oil but not for them.

President Trump clearly tapped into this widely held dissatisfaction when he announced his plan to reduce the influence of special interests in government by draining the swamp. Yet with appointment after appointment, it has been made clear that President Trump is not interested in ridding the government of powerful interests. In fact, he continues to appoint and nominate foxes to guard the henhouse.

We don't need to look back very far to know what can happen when we let industry insiders run our government. The 2008 financial crisis was a result of years of deregulation pushed by Wall Street from both inside and outside the government. Last Congress, I introduced legislation to slow the revolving door and ensure that our public servants are working for the public interest, not their former—or future, for that matter—employers. I was inspired to introduce this legislation when I saw several Obama administration appointees receive multimillion-dollar bonuses for leaving their private sector jobs to join the government. These government service golden parachutes, as they are known, demonstrate how valuable some companies believe it is to have friends in high places.

Rex Tillerson, the President's nominee to serve as Secretary of State, received a \$180 million payout from ExxonMobil that he would have to forfeit had he taken a job elsewhere. What is more, reports indicate that the deal he struck allows him to defer paying 71 million in taxes. It is hard to imagine that our Nation's top diplomat will forget such an incredible favor, but Rex Tillerson isn't the only Trump appointee who will be rewarded with a golden parachute as he enters government. Gary Cohn, the President's pick to run the National Economic Council, will receive over 100 million from his former employer, Goldman Sachs, before he starts to coordinate an administration-wide economic policy.

I remain as opposed to this practice under the Trump administration as I was during the Obama administration. Wisconsin families cannot afford to have corporate insiders running our government to rig the rules on behalf of their former corporations. That is why I am reintroducing the Financial Services Conflict of Interest Act, to ensure that our government is truly of the people, by the people, and for the people of the United States, to ensure that President Trump's Cabinet officials are working in the national interests instead of their own interests, to

ensure that they are working for their current employers, the American people, instead of their former bosses.

In the case of Mr. Tillerson, whose nomination the Senate is voting on this week, these questions of influence, of favoritism and priorities are particularly troubling, troubling because during his tenure leading Exxon, Mr. Tillerson showed a disregard, if not outright contempt at times, for putting U.S. policy first. Whether in the Middle East, Africa or Russia, Exxon's bottom line was his overriding priority. Now, with 180 million of Exxon's money in his pocket—and after 40 years with the company—should we take it on faith that his priorities will suddenly change? Should we blindly accept that the 180 million will not ever influence his decisionmaking or should we continue to ask questions, questions that Rex Tillerson has yet to answer?

For example, how will Exxon and Big Business influence U.S. policy in strategically important but democratically fragile oil-producing African states? How about U.S. international commitments to combatting climate change, one of our greatest national security challenges but also a challenge that Big Oil has dismissed as a hoax. Perhaps most concerning, what influence will Exxon have in matters relating to Russia, where its long record of doing business at the expense of U.S. national security interests seems to be right at home in the Trump administration?

We also need to hear what Rex Tillerson thinks about President Trump's actions this weekend. On Friday, President Trump issued anti-refugee and anti-immigrant Executive orders. I am outraged by the way these orders were hastily thrown together late Friday. The President's sloppy actions created chaos, disorder, and confusion at our airports, and it left families, including permanent legal residents, wondering what it meant for them. There have been media reports that relevant agencies, including the State Department, were not consulted before this order was signed by President Trump. President Trump says we need extreme vetting of refugees fleeing war-torn nations. The refugees—the vast majority of whom are women and children—already go through an extremely strict screening process before they are allowed to enter the country.

What we really need extreme vetting of is President Trump's Executive orders before he signs them. With the stroke of a pen, President Trump's orders will make ISIS stronger, weaken America's counterterrorism efforts, and likely cost lives. It is wrong to turn our back on our American values and the rest of the world. We are better than this.

President Trump and Republicans in Congress should reverse these shameful

actions immediately. I am proud to be cosponsoring legislation that would do just that. We need to know where Rex Tillerson stands on those very same issues. Does he oppose welcoming refugees into the country, which strengthens America's connection with freedom, the foundation of who we are as a people? Was Mr. Tillerson consulted by the President before these orders were issued? Mr. Tillerson owes it to the American people to answer those questions before the Senate votes on his confirmation.

What happened the day after President Trump issued these Executive orders? On Saturday, President Trump called Vladimir Putin to discuss a more cozy relationship with Russia. What does Mr. Tillerson think about this call? According to reports, it was a warm conversation and resulted in preparations for a meeting between President Trump and Vladimir Putin, the same Vladimir Putin who illegally invaded Ukraine and actively seeks to divide and destroy NATO, our most important security alliance; the same Vladimir Putin who is responsible for directing cyber attacks meant to influence and undermine our elections and our Democratic process; the same Vladimir Putin who fights alongside the murderous Syrian dictator, Bashar al-Assad, and is responsible for war crimes, indiscriminately bombing innocent civilians in Aleppo; the same Vladimir Putin who gave Rex Tillerson the Order of Friendship following his business dealings in Russia.

We need a Secretary of State who understands the threats posed by nations like Russia, not someone who is cozy with Vladimir Putin. We need a nominee with experience in foreign affairs and foreign policy, not a billionaire oil tycoon who has spent his career fighting to ensure that government policies help the oil industry. Rex Tillerson is not this nominee.

For all these reasons, I oppose the nomination of Rex Tillerson to serve as U.S. Secretary of State. I urge my colleagues on both sides of the aisle to do the same.

I yield back.

The PRESIDING OFFICER. The Senator from Washington.

TRAVEL BAN

Mrs. MURRAY. Mr. President, I would like to address some of the very serious concerns posed by the nomination of Rex Tillerson for Secretary of State, along with several of President Trump's Cabinet nominees. But first I do want to briefly address what unfolded this weekend at airports across the country following President Trump's appalling and un-American ban on Muslims and refugees from entering the country.

With the stroke of a pen, the Trump administration caused chaos and heartbreak for hundreds of families, many of whom are our friends, our neighbors,

and our coworkers. On Saturday night, Members of this Congress, including myself, were denied answers to even the most basic questions from border enforcement officers, questions that affect the people whom we represent.

While I am glad that a Federal judge quickly issued a stay and that the Department of Homeland Security has since provided further guidance on the Executive orders, many questions remain and too many lives hang in the balance.

I am going to keep fighting as hard as I can, and I encourage everyone who is listening and watching right now to continue making their voices heard because President Trump is already governing the way he campaigned, by dividing our country and pushing extreme policies that hurt families across the country. Again, we saw this so clearly in the Executive orders he signed this past week.

But it is also something we have seen in the Cabinet nominees he has put forward since his election. As we all remember, President Trump said that he was going to drain the swamp, but he seems to think the way to do that is by filling it with even bigger swamp creatures. He said he was going to stand with the working class and fight Wall Street and Big Business. But he nominated a Cabinet full of Wall Street bankers and billionaires and millionaires and friends and insiders and campaign contributors.

As many of my colleagues have discussed today, one clear example of President Trump's broken promise to drain the swamp is the nomination of Rex Tillerson, CEO of ExxonMobil for Secretary of State. This is a nominee who is not only a known friend and business partner to Russia, but someone who publicly spoke against sanctions on Russia after the invasion of Ukraine and Crimea.

People in my home State of Washington have significant concerns about who he plans to work for, and so do I—concerns that Mr. Tillerson failed to adequately address in his hearing. I have said before that reports of Russia meddling in our election should disturb and outrage every American, Democrat, Republican, or Independent who believes that the integrity of our elections is fundamental to the strength of this democracy. That is why it is so critical we have a Secretary of State who will stand up to protect those values.

NOMINATIONS OF BETSY DEVOS, TOM PRICE, AND
ANDREW PUZDER

Mr. President, along with Rex Tillerson, I have serious concerns with the nominees that are going through our Senate HELP Committee, as well as the vetting process that has taken place.

My Republican colleagues rushed us into a hearing on President Trump's nominee for Secretary of Education,

Betsy DeVos, for example. When we started the hearing, the Republican Chairman, the senior Senator from Tennessee, preemptively declared he would be limiting questions to just 5 minutes per Member, a shocking and disappointing breach of committee tradition, clearly intended to limit public scrutiny.

When the questions began, it quickly became clear why Republicans felt the need to protect her. Ms. DeVos refused to rule out slashing investments in or privatizing public schools. She was confused about the need for Federal protections for students with disabilities. She argued that guns needed to be allowed in schools across the country to "protect from grizzlies."

Even though she was willing to say that President Trump's behavior toward women should be considered sexual assault, she would not commit to actually enforcing Federal law, protecting women and girls in our schools.

I would say I was shocked at this candidate's lack of qualifications to serve, but at this point, you know what, nothing surprises me when it comes to President Trump's new administration.

As was the case with Ms. DeVos, Democrats were also unable to thoroughly question President Trump's nominee for Health and Human Services, Congressman TOM PRICE. I can understand why Republicans would not want Congressman TOM PRICE to defend his policies, which would take health care coverage away from families, voucher Medicare, and undermine women's access to reproductive health services, despite President Trump's comments to make health care better for patients and even provide insurance for everybody. These are issues that families and communities do deserve to hear about, and they also deserve a thorough investigation into serious questions about whether Congressman PRICE had access to nonpublic information when he made certain medical stock trades while he was in the House.

Lastly, I have to say, I have grown increasingly concerned that President Trump's nominee for Secretary of Labor, Andrew Puzder, represents yet another broken promise of his to put workers first. On issue after issue, Andrew Puzder has made clear that he will do what is best for big businesses, like his own, at the expense of workers and families.

He has spoken out against a strong increase in the minimum wage. He has been one of the most vocal opponents of our efforts to update the rules so that millions more workers can earn their overtime pay.

Puzder has even talked about replacing workers with robots because "they never take a vacation, they never show up late, there's never a slip-and-fall, or an age, sex, or race discrimination case." That is a quote from Puzder.

He has aggressively defended his company's offensive ads, leaving women across the country wondering whether he can be trusted in a role that is so critical to women's rights and safety in the workplace.

All of that makes a lot of sense coming from a millionaire CEO who profits off of squeezing his own workers. But it is very concerning coming from a potential Secretary of Labor, someone who should be standing up for our workers and making sure they get treated fairly, rather than mistreated.

So, now more than ever, people across the country want to know how the Trump administration will continue to impact their lives. We Democrats consider it our job to stand up when President Trump tries to hurt the families whom we represent. We are ready to stand with families we represent, to hold him and his administration accountable, and we refuse to back down and are prepared to fight back.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise today to express my strong opposition to President Trump's nomination of Rex Tillerson to be the next Secretary of State. There are many, many reasons to oppose this nomination, and my colleague from Washington has just listed several of them. But the main reason for me is as simple as it is disturbing: Tillerson's extensive and longstanding ties with Russia mean that the United States of America simply cannot trust him to be a strong advocate for the interests of our country.

Here is what has been publicly reported. Our intelligence agencies have concluded that the Russian Government conducted a successful series of cyber attacks on the United States designed to help Donald Trump get elected President. Intelligence chiefs have briefed the President on a dossier alleging that the Russian Government has collected compromising information on him. And in response, the President has attacked the intelligence community.

This week, he installed his political crony, Steve Bannon, a man with ties to White nationalists, on the National Security Council while marginalizing the Chairman of the Joint Chiefs of Staff and the Director of National Intelligence.

Now, there is significant reason to believe that the President has extensive financial relationships with Russia, but nobody actually knows any of the details because he has refused to release his tax returns. And, apparently, the President's own national security adviser is currently under FBI investigation for his own interactions with the Russian Government.

This is only the 12th day of the Trump Presidency, and this is what is

going on right now—12 days. I wish this weren't happening. I wish things were normal, but this is not normal. We cannot simply ignore all of this as we evaluate the President's nominees to critical foreign policy and national security jobs.

I have heard some people say that Rex Tillerson doesn't know anything about diplomacy or have any experience with foreign policy. I actually think that is wrong.

For the last decade, Tillerson has served as the CEO of ExxonMobil, a massive company that would have roughly the 42nd largest economy in the entire world if it were its own country. As the leader of that giant oil company, Tillerson was an expert at diplomacy; specifically, how to advance the interests of his own fabulously wealthy oil company and himself, no matter the consequences for American foreign policy toward Russia.

Russia has vast oil resources, and Exxon is one of the world's largest oil companies. Getting at that oil is a critical priority for Exxon—such a high priority, in fact, that when it came time to pick a new CEO, Exxon chose Tillerson, who had spent years managing the company's Russia efforts. This isn't just a passing coincidence. Tillerson has worked closely with Putin's senior lieutenants, and, in 2013, Tillerson received the highest honor that the Kremlin gives to foreigners.

Tillerson's Russia projects ran into trouble the following year, however, because after Russia invaded Ukraine and started illegally annexing territory, Europe and the United States slapped sanctions on Russia. Those sanctions made life more difficult for Exxon, so Tillerson ignored them. He forged ahead despite the sanctions, signing more agreements with Russia, and then he used his army of well-funded lobbyists to undermine our sanctions with Russia.

When confronted with the facts about this in his confirmation hearing, Tillerson first pretended that he didn't know if the company had lobbied at all. And then later, he said: Well, the company simply participated in discussions with lawmakers without actually taking a position.

He is saying that they paid their lobbyists to show up and just talk generally, not to advance what the company wanted. You know, when you hear something that lame, you wonder just how dumb he thinks we are.

Mr. Tillerson has argued that in his job at Exxon he was advocating for the interests of his giant oil company. And he understands that being Secretary of State is a different job.

Really? At his hearing, Tillerson lamented that when sanctions are imposed, "by their design, [they] are going to harm American businesses"—as though the principal question the Secretary of State should be asking

when deciding whether to hold Russia accountable for hacking our elections or for annexing Crimea is whether it might dent the bottom line of a powerful oil company.

And has Tillerson really separated himself from Exxon? Tillerson is receiving a massive \$180 million golden parachute for becoming Secretary of State—\$180 million. It is a special payout that he wouldn't get if he were taking some other job. He is getting it only because he is coming to work for the government.

I have opposed these parachutes for many years now, and many of us have worked on legislation to make them criminally illegal—many of us. I have opposed nominees in my own party over them because if your employer offered you \$180 million to go to work for the government, that looks an awful lot like a bribe for future services. This kind of payment raises questions about whether you work for the government, for a multinational oil company, or for both at the same time. America deserves a Secretary of State who works for the American people, period.

Will Tillerson help Exxon while he is in office? Well, the law requires him to recuse himself from any matters involving this company for how long? For just 1 year.

Common sense requires Tillerson, who, again, is receiving a \$180 million special payment from the company where he has worked his entire adult life—common sense requires him to recuse himself from all matters involving Exxon for the entirety of his time in government. But when pressed by my Massachusetts colleague, Senator MARKEY, Tillerson flatly refused to do it.

Mr. Tillerson's views, experiences, relationships, and compromising arrangements with Russia aren't my only problem with this nomination, not by a long shot.

Mr. Tillerson's company has spent years lying about climate change. In Massachusetts, we have laws about consumer fraud: telling people lies about your product, lies that could make a difference about whether or not customers want to buy it. The Massachusetts attorney general, Maura Healy, has been investigating whether Exxon deliberately misled people about the impact of climate change on our economy, on our environment, on our health, and on our future.

Exxon didn't want to answer, so they bullied and stonewalled all the way. But it hadn't worked. In fact, our attorney general won a court ruling earlier this month, and Exxon is being forced to hand over 40 years' worth of internal documents that will show what the company knew about climate change, when they knew it, and whether they lied to their customers, their investors, and the American public.

Tillerson bobbed and weave on climate change at his confirmation hear-

ing. I wonder if he is just trying to avoid accidentally saying anything that might help Massachusetts finally find out and hold his company accountable for massive fraud. Look, that may be OK for a CEO, but that is not good enough for someone who wants to be our Nation's Secretary of State.

Climate change is a defining issue of our time, and the last thing we should do is hand our foreign policy over to someone who cares more about lining his own pockets than the survival of our planet.

I could go on at length about the glaring problems with Mr. Tillerson's nomination. It is amazing how far we have fallen, to go from John Kerry, an accomplished statesman, combat veteran, Presidential candidate, long-time public servant, and son of Massachusetts, to a billionaire with a golden parachute and no record of public service or putting American foreign policy interests ahead of his own corporate interests.

When we vote, Senators should understand this: Handing American foreign policy over to the leader of a giant oil company is not something we do in the United States; it is something Vladimir Putin would do in Russia.

Donald Trump is building his Presidency in the image of Vladimir Putin, and that is good for Russia, but it is a real problem for America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I rise to speak in opposition to the confirmation of Rex Tillerson, the President's nominee to be Secretary of State, and I will tell you why in two words: Vladimir Putin.

Rex Tillerson's ties to Russia have been widely reported. The Senator from Massachusetts has outlined a number of them, specifically his ties to President Putin, who awarded him the Order of Friendship after signing deals with the state-owned oil company, Rosneft.

Now isn't the time to cozy up to Russia. Now is the time to stand up to Russian aggression in Crimea, in eastern Ukraine, and Syria.

Just yesterday, we heard reports of another outbreak of fighting between Ukrainian forces and Russian-backed separatists in war-torn eastern Ukraine. And all you have to do is speak to a Ukrainian and let them tell you—as I met with the former Prime Minister yesterday, and I will be meeting with a former Member of their Parliament, let them tell you what it is like to have the Russian Army march on your country and take part of it away, as they did with Crimea, and then come in under the disguise of little green men, as if they did not have ties to the Russian Army. That is going on in eastern Ukraine right now.

Our own intelligence community has told us that the Russian President personally ordered a campaign to influence the 2016 Presidential election right here in the United States. That campaign—a mix of covert Russian operations, cyber attacks, cyber operations, and propaganda—was only the latest in a series of efforts to undermine American leadership and democracies around the world and what is coming next for the elections in Europe in the next few months.

Russia is testing us, and I am concerned that Mr. Tillerson cannot stand up to the Russian President who, I am afraid, thinks of himself as the next Russian czar.

In Mr. Tillerson's past, as Exxon's CEO, he lobbied against sanctions on Russia for invading and seizing Crimea—the very sanctions that we and our allies have put on Russia for taking over sovereign territory of another independent country. And now it is not clear, as our Nation's top diplomat, that Mr. Tillerson would fight to keep the sanctions in place, even as President Trump is now considering lifting them, despite the clear evidence of Russia's continued aggression.

During his confirmation hearing, Mr. Tillerson refused to condemn the Russian and Syrian bombings in Aleppo as war crimes, a question that was proffered to him by the Senator, my colleague from Florida, who happens to sit in the Chair right now.

I also have serious concerns that Mr. Tillerson doesn't understand the urgent need to combat climate change. You don't have to remind us about climate change in Florida. South Florida is ground zero for climate change. Miami Beach is awash at the seasonal high tides as the water flows over the curbs and over the streets, causing Miami Beach to spend hundreds of millions in taxpayer dollars to install pump stations, raise the roads, and address all kinds of flooding and salt-water intrusion. Other South Florida communities have had to move their water well locations farther west because of the intrusion of South Florida into the freshwater aquifer.

Climate change is not a problem that we are going to face some day in the future; it is a daily struggle for communities along our coasts all over America. The U.S. State Department is responsible for engaging with other countries to confront both the cause of climate change and the devastating impact of drought, sea level rise, and severe weather.

By the way, speaking of sea level rise, this Senator convened a meeting of the Senate Commerce Committee in Miami Beach a couple of years ago. We had testimony from a NASA scientist that measurements—not forecasts, not projections, but measurements—in the last 40 years of sea level rise in South Florida were 5 to 8 inches higher. That

is sea level rise. That is why even the Department of Defense is concerned. Climate change has the potential to destabilize nations. How about Bangladesh? It has the potential to drastically reduce potable water supplies and result in crop loss and food shortage and to create climate refugees.

We simply cannot play fast and loose with the science that will help save our planet. The top diplomat of our country has to confront the reality of climate change today and to work on it immediately. Mr. Tillerson has not adequately laid out a plan to address that global climate crisis.

For all the reasons I have outlined, including many more, I will vote no.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, as the Presiding Officer well knows, the Secretary of State is one of the most important positions in the President's Cabinet. He is the Nation's chief diplomat, and he champions American values. He is the symbol in a sense, the chief voice and advocate around the world of America. The Secretary of State is in a sense our representative to the world, embodying and promoting, hopefully, the best in America to billions of people around the globe, proving to the world yet again that America is exceptional, that we are the greatest country in the history of the world, and that we have a respect for the rule of law, for human dignity and rights for all, including the right to live in a safe and free environment.

Past Secretaries of State have changed history, averted and navigated war, brokered peace, championed human rights, and fought to make the world a better place. In this time of immense uncertainty, we must demand nothing less of our next Secretary of State than that he be a great reflection and representative of the United States to the world.

The likes of Hillary Clinton, Colin Powell, Madeleine Albright, George Marshall, and Charles Evan Hughes have all held this position. To join these titans or even to aspire to their position is no small challenge. We need a candidate who will continue to embody what is right even in the face of resistance from adversaries and foes who do not admire and, in fact, seek to do harm to our way of life.

As ExxonMobil's CEO, the President's nominee, Rex Tillerson, has worked hard and successfully for his corporation. In fact, he has put that

corporation's interests ahead of America's interests. That may have been his job, and I understand that was his job description, but doing that job well does not qualify him to be our Nation's chief diplomat and to assume the mantle of defending our national interests.

Having worked for four decades for this oil giant, without any government experience, I am unconvinced that Mr. Tillerson has shown he is able to reverse this oil interest mind set and put America's needs before his former employer. I do not have faith that he can rise to the paramount challenge of representing us on the world stage.

I share my colleagues' concerns. We have heard numerous of our colleagues express the same view—that his oil interests will harm the progress we have made to protect the environment and slow the impact of climate change. I say that reluctantly because I hope I am wrong. He is likely to be confirmed, but I hope my colleagues think hard and long and join me in opposing Rex Tillerson.

I am also hopeful that a number of his other stances, such as enforcing sanctions that hold our adversaries accountable—notably, Russia and Iran—will change as well. These stances have been troubling. I have little confidence that Mr. Tillerson will vigorously enforce these sanctions and even less confidence that he will guide President Trump to provide the crucial advice our demonstrably rash and ill-advised President needs.

I want to point particularly to some of the tactics ExxonMobil used in its litigation against legal challenges that were brought based on climate change information that allegedly was concealed by ExxonMobil. These tactics are deeply troubling, and I hope that maybe the toughness of ExxonMobil in those tactics will be replicated in the toughness that is brought to bear in enforcing the sanctions against Iran and Russia because he has shown a troublesome trend of opposing sanctions that have held Iran accountable—sanctions that pushed Iran to the table in negotiating the Iran nuclear agreement, which has made our world a safer place.

Across decades and administrations, the Senate reached an overwhelmingly bipartisan consensus that the Iran regime should be aggressively sanctioned for its global missile program, state sponsorship of terrorism, and gross human rights violations. ExxonMobil directly and together with other global oil companies and through the financing of third-party advocacy organizations has persistently tried to stop Congress from passing sanctions legislation.

ExxonMobil has been a board member of USA Engage since its founding in 1997 and from 2003 to 2007 held the chairmanship of that organization. For two decades it has actively lobbied

Congress to oppose Iran-related sanctions bills, including last year for at least four such pieces of legislation.

ExxonMobil has worked to prevent the authorization and extension of the Iran sanctions act, which I am proud to say was renewed for another 10 years by Congress, becoming law just a few weeks ago, and I was proud to support it. Yet, during Mr. Tillerson's hearing, he denied that ExxonMobil ever lobbied against Iran's sanctions, in the face of facts to the contrary. As Ronald Reagan said, "Facts are stubborn things."

Foreign policy experts and military leadership have explicitly identified Russia as a growing threat and a violator of international law. Many of us in this body—in fact, I would say the majority—have recognized that fact. Yet Mr. Tillerson does not seem to treat Russia with the same gravity.

We need a Secretary of State who is going to work with our NATO allies and stand up for us and not give Putin a pass. We are all aware of Mr. Tillerson's inappropriate stance toward relations with a country responsible for assaults on world order through cyber attacks, illegal land grabs, and war crimes. We are the victims of a cyber attack by Russia, an act of cyber war. The Secretary of State must be somebody who regards that kind of attack as intolerable and unacceptable.

Mr. Tillerson's affinity for Russia is alarming because he adds to the growing list of Putin admirers in this administration, and that list unfortunately includes the President himself and National Security Advisor Michael Flynn.

Mr. Tillerson's opposition to sanctions imposed on Russia for its illegal annexation of Crimea in 2014 was not the result of national security concerns but, rather, because ExxonMobil stood to make millions, even billions of dollars from the business deal that corporation had recently made with Russia to develop its oil and gas interests. What is good for ExxonMobil is not necessarily good for the United States of America. These sanctions were put in place because Russia's invasion of Ukraine was unacceptable and now has led to at least 10,000 deaths, 20,000 wounded, and 2 million people displaced.

These are hard numbers and hard facts—the result of Russian aggression that must be countered.

As a member of the Armed Services Committee, I have fought to include and pass the NDAA's robust funding for Ukrainian assistance. I am proud to say that this initiative was successful. I also successfully urged a provision that terminated U.S. contracts with the Russian arms export agency.

Mr. Tillerson made it clear during his nomination hearing that his stance was unchanged. He could not admit that Vladimir Putin is a war criminal,

despite these deaths and the torture involved in this aggression and other similar acts, or to say that the sanctions against Putin's Russia are necessary and appropriate. His views are inconsistent with the interests of the United States of America.

Given his troubling trend of dodging questions during his testimony, I cannot confidently say that he will follow the clear direction of Congress concerning sanctions policy. I will say bluntly and frankly to my colleagues that my particular concern is that sanctions laws contain waivers. Those waivers are provided to the President for the rare requirement that such sanctions may be waived when it is in the national interest or for national security. This exception must be used exceedingly sparingly and judiciously. Sanctions without enforcement are worse than no sanctions at all. They are meaningless, and they raise false expectations. My fear is that under Mr. Tillerson, if he is advising President Trump, those exemptions and exceptions will swallow the rule.

Talking about rules, if confirmed, Mr. Tillerson will be responsible for executing President Trump's extremely misguided policy expanding the global gag rule, which prevents foreign aid from being provided to global health programs that discuss or provide abortion services. The result will be to obstruct programs that cover everything from HIV prevention to maternal and child care and epidemic disease responses, putting lives at risk. This is just the opposite of what we ought to be doing. It makes the world less safe, as does this weekend's Executive order that bans refugees and Muslims. We need someone willing and able to voice resistance and opposition to policies that flagrantly fly in the face of everything we value—our American values. We need a Secretary of State ready to stand up for the most vulnerable people and speak truth to power, even when that power is the President of the United States. The fact is, sadly, that Mr. Tillerson has never taken strong stances on these issues, leaving us guessing as to what he will do when and if he is in office.

I cannot support anyone to be Secretary of State who fails to condemn the suspension of our Refugee Resettlement Program directly under his purview. When we target refugees, we target people who are victims of the same oppressors and tyrants and murderers that we call enemies. Refugees are not our enemies. Many are fleeing the murderous Syrian regime and ISIL, which are our enemies. We are at war with ISIL, and we must win that war. We are disadvantaged by a policy that excludes refugees on the basis of religion, because we alienate our allies with the sources of intelligence and troops on the ground, and we lead to the misimpression—and it is a

misimpression—that we are at war against Islam or our Muslim neighbors when, in fact, our enemy is violent extremists.

These refugees and immigrants see America as a beacon of hope, but they are now receiving the message that, whoever they are and however strong their claim to come here is, their religion will bar them, their religion denies them the right to come to this country, their religion will ban them.

Mr. Tillerson has never denounced this strategy when it does so much to damage our international credibility, our values at home, and our Constitution. Four judges have stayed the President's Executive orders. My respectful opinion is that the President's orders are, in fact, illegal.

The question is this: Will he defend career diplomats who have spoken out against these policies? Will he take a stand himself against them? Will he stand up for American values?

One story in particular struck me because it involves my own State of Connecticut. Last Saturday, a Syrian refugee who settled in Milford, CT, 2 years ago, Fadi Kassir, anxiously awaited the arrival of his wife and two daughters, ages 5 and 8. He has not seen them since resettling in this country. His family was turned away before they could board a flight to the United States. They were told they were not going to be allowed to enter this country following the President's refugee ban. Despite having been granted refugee status—asylum—three days before the refugee ban, they would no longer be united with Mr. Kassir in the United States.

I am working—and I hope the Secretary of Homeland Security may be listening, if not at this moment then at some point in the future, to my entreaty that he do the right thing, that he make their entry possible. They have gone through all of the necessary screenings, submitted all of the necessary forms. Yet, under the President's Executive action, they are denied refuge in the United States based only on their nationality and their religion.

Mr. Kassir's family is now back in Jordan without luggage, without clothes, and without the new home they were so close to having. My office has offered assistance to Mr. Kassir's lawyers, and we are working to help in any way we can.

The United States—Connecticut in particular—has a proud moral tradition and heritage of aiding refugees who need our help when their own homelands are in turmoil. President Trump's egregious acts contravene our values, contradict our Constitution, and should be rescinded immediately.

Mr. Tillerson, join me in urging President Trump to rip up this order. It is the only solution.

I am not confident, until I hear him say so, that he is ready to be the leader

we need in the Department of State to ensure that America's values of acceptance and assistance hold strong in an administration that directly challenges these most cherished traditions and values.

Our Secretary of State must be clear-eyed about threats facing our Nation, both from adversaries abroad and others who would do us harm inside our borders. I regretfully conclude that Mr. Tillerson has failed to demonstrate that ability to do so, and I urge my colleagues to join me in opposing his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Mr. President, American history has been shaped by U.S. Secretaries of State. Secretary Dean Acheson guided the United States through the Cold War. Secretary Madeleine Albright proved that diplomacy does not depend on gender and that protecting refugees and human rights are core American principles. Secretary Henry Kissinger laid the groundwork for peace between Egypt and Israel. And forgive me for using such a recent example, but Secretary John Kerry helped to bring the international community together to tackle climate change.

As our Nation's top diplomat, the Secretary of State is the highest ranking cabinet member and the President's top adviser on U.S. foreign policy.

The Secretary balances relationships with some 180 countries and is responsible for tens of thousands of Americans working at more than 250 posts around the world.

In other words, it takes a remarkable knowledge base and skill set to be Secretary of State, particularly as the United States takes on a complex and complicated set of issues. At the top of the list is climate change. The global changes we have seen in the climate are affecting almost every part of the world, from droughts in Sub-Saharan Africa to rising sea levels in parts of Asia.

We have also not seen this level of refugees and migrants since after World War II. The Rohingya, Syrians, Afghans, Guatemalans, and many others are fleeing war, violence, persecution, and instability. Globalization and technology have disrupted economies, leaving governments, companies, and workers trying to figure out how to keep up with the times without being left behind. Terrorism and violent extremism haunt parts of the globe, from

the Middle East to Europe, and to our own borders.

The Secretary of State has to take on all of these challenges and do it in a way that advances U.S. interests and values. After reviewing his record and his testimony before the Senate, I am not satisfied that Rex Tillerson is the right person to lead the State Department. On each of these criteria—views, knowledge base, and skills—I have concerns about his nomination at this point in the process.

First, I am not satisfied with Mr. Tillerson's views. There has been a clear consensus among both parties on the foundation of U.S. foreign policy. Throughout the confirmation process, however, Mr. Tillerson indicated that his views did not necessarily align with that consensus. During discussions on international human rights, the hearing record shows that Mr. Tillerson was vague about oppressive governments, extrajudicial killings, and the bombing of hospitals. He demurred when given the opportunity to rule out a Muslim registry, a concept that is anathema to American values, and yet this administration is dangerously close to implementing one.

Perhaps most concerning were Mr. Tillerson's views on Russia. I don't need to be the umpteenth person to list the many, many concerns we have about a country that is not America's ally. For decades, there has been bipartisan consensus about U.S. relations with Russia, and I am uncomfortable with confirming a Secretary of State who does not share that bipartisan view.

Secondly, I am not satisfied that Mr. Tillerson has the knowledge base to lead U.S. diplomacy. His vision for the State Department seemed to confuse the roles of the Department of State and the Department of Defense. During his confirmation hearing, Mr. Tillerson responded to a question on the South China Sea, but his answer focused on military solutions instead of the long list of diplomatic options which we should first explore.

That is not to say a Secretary of State can't recommend military solutions. There is certainly a long history of the State Department doing just that, but it should always be as a last resort. It always comes after a long pursuit of peace through diplomacy.

Finally, I am not satisfied that Mr. Tillerson will be able to translate the considerable skills he has from ExxonMobil to the State Department. His long career at Exxon is certainly impressive, but it is the only international job on his resume, and let's be clear, the company's record does not at all align with U.S. foreign policy, from accusations related to human rights abuses to Exxon's business operations in countries that are not friendly to the United States. I am not arguing that this makes Mr. Tillerson a bad

person. As the CEO of a big company, he had his own imperatives and his own obligations, and I understand and respect that. But it is not enough to say that I used to care only about ExxonMobil's interests, but now I only care about the U.S. interests.

The next leader of the State Department will have to argue for our values and our priorities with friends and adversaries alike. He or she will need to balance business interests with national security and with American values. I approach this nomination process with an open mind, but Mr. Tillerson's confirmation hearing left me with too many doubts about his views, his knowledge set, and his abilities. I will be voting no on his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PETERS. Mr. President, I rise to express my opposition to the nomination of Rex Tillerson as Secretary of State. The position of Secretary of State was one of the original four Cabinet positions created by President George Washington.

Even after we declared, fought for, and won our independence as a new country, our Founders knew that this world is interconnected. They understood that what we needed was to engage with other countries and to manage our affairs all across the world.

Our first Secretary of State, Thomas Jefferson, had previously been our Minister to France, our closest ally at the time of our Nation's founding.

Today, the role of Secretary of State is as important as ever. We need a Secretary who will reassure our allies, project strength and competence around the world, and push back against the President's worst impulses.

Having reviewed his qualifications and testimony before the Senate Foreign Relations Committee, I am unfortunately convinced that Mr. Tillerson is not the right person to lead the State Department and to represent the United States abroad.

Mr. Tillerson has spent decades at ExxonMobil, where he rose through the ranks from an engineer to chairman and CEO. We should value hard work and success in the private sector, but we should also ask what the President's nominees were working toward. Mr. Tillerson's success at Exxon in large part can be attributed to deals he struck and connections he made with Russian plutocrats and government officials, including Vladimir Putin.

Over the years, Mr. Tillerson's views toward Vladimir Putin have been, in a

word, flexible. Mr. Tillerson has always put Exxon first, cloying up to Putin's authoritarian regime when it suited his own business interests.

In 2008, he spoke out against the Russian Government's disrespect for the rule of law and its judicial system, but in 2011, after reaching a \$500 billion deal with the Russian state-owned oil company, he changed his views.

Under Vladimir Putin, the Russian Government silences dissent. They murder political rivals and journalists. Many of Putin's political opponents have been poisoned or shot. Since 2000, at least 34 journalists have been murdered in Russia, many by government or military officials.

Mr. Tillerson was awarded Russia's Order of Friendship by Putin in 2012—one of the highest honors Russia conveys to foreigners.

When Congress was working in a bipartisan manner to enact sanctions on Russia for its illegal annexation of Crimea in 2014, ExxonMobil was lobbying against the bill under the leadership of Mr. Tillerson.

During his confirmation hearing, his answers demonstrated either a lack of understanding or a willful ignorance of the destabilizing role Russia plays around the world.

Last year I traveled to Ukraine and Estonia, countries that are on the frontline of Russian aggression. They are genuinely concerned about President Trump's desire to embrace Russia. I heard firsthand how important the support and presence of the United States is to our allies in the Baltics.

In recent years, Russia's belligerence has only grown. Russia has conducted a cyber attack against Estonia, seized territory in Georgia, kidnapped an Estonian border guard, and illegally annexed Crimea. Russian military patrols have approached NATO member territory and have come recklessly close to U.S. military vessels. These irresponsible actions can have severe, dangerous consequences.

What should be most disturbing to any American is that last year Russia interfered with our election to undermine public faith in our democratic process. The intelligence community reported that Vladimir Putin himself ordered the interference—a significant escalation of Russian attempts to sow chaos in the West.

I recognize the President's right to choose his appointments to the Cabinet, but, as the Senate provides its advice and consent, there are still too many unanswered questions for me to support this nomination. We still have not seen President Trump's tax returns, breaking a 40-year tradition adhered to by nominees of both parties. This lack of transparency means that we don't know about the Trump family's possible past and current business ties to Russia. What message do we send to our allies if the Secretary of

State and potentially even the President have a history of significant business dealings with a corrupt regime? How will this impact our moral authority as a country to take action against corruption worldwide?

The Secretary of State is the U.S. Ambassador to the world. It is essential that the Secretary is someone who can provide unquestioned leadership and represent American values. There must be no question that the Secretary of State is acting in the best interest of the United States and is willing to take strong action to advance our interests. He must put the American people first and not his former shareholders and friends in the Exxon boardroom.

I am concerned that Mr. Tillerson will prematurely lift the sanctions that have been put in place against Russia. Sanctions are not meant to be permanent, but they should never be removed until they have achieved their purpose.

When our Secretary of State looks at a map of the Baltic region, we need a statesman who sees allies that contribute to NATO, not a new opportunity for offshore drilling.

The Senate must ensure that we are a moderating voice and are approving moderating voices in the Trump administration.

I supported the nominations of Secretary Mattis to lead the Department of Defense, Secretary Kelly to lead the Department of Homeland Security, and Ambassador Haley to serve as U.S. Ambassador to the United Nations, and I supported these individuals because I believe they will serve as a positive influence against the worst instincts and erratic tendencies of President Trump and his political advisers.

America must stand by its allies and serve as a shining example of democracy. I cannot support a Secretary of State nominee if there is any doubt as to whether they will be a strong, independent voice within the Trump administration. The events of the past week have made the need for such leadership abundantly clear. That is why I will vote against the nomination of Rex Tillerson for Secretary of State, and I urge my colleagues to do the same.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I rise today to talk about the Secretary of State nominee, as well as President Trump's recent Executive order on refugees. I believe we need a Secretary of State who will clearly stand up to Rus-

sian aggression. I am concerned about the nominee's past statements and his relationship with Russia, and I am not going to be voting for him. If he is confirmed, I hope we can work with him. Some of his newer statements have been positive on taking that on, as well as some of the many issues confronting our world.

The reason I am so focused on Russia is, first of all, we have a significant Ukrainian population in Minnesota. We are very proud of them. I was recently in Ukraine, Georgia, as well as Lithuania, Latvia, and Estonia with Senators MCCAIN and GRAHAM. I saw firsthand the meaning of Russian aggression on a daily basis. In these countries, the cyber attack is not a new movie. They have seen it many times before. It is a rerun. In Estonia, in 2007, they had the audacity to move a bronze statue of a Russian fighter from a town square where there had been protests to a cemetery. What did they get for that? They got their Internet service shut down. That is what they do. In Lithuania, they decided something you could imagine happening in our own country. On the 25th anniversary of the celebration of the independence of their country, they invited, as an act of solidarity, the members of the Ukrainian Parliament—who are in exile in Kiev from Crimea, which has been illegally annexed by Russia. They invited them to meet with them and celebrate in Lithuania. What happened to them; again, cyber attacks on members of the Parliament.

This is not just about one political candidate. We saw in the last election in the United States—where now 17 intelligence agencies have collectively said there was an infringement—that there was an attempt to influence our elections in America. It is not just about one candidate. It is not just about one political party, as Senator RUBIO so eloquently noted. It is not even just about one country. It is an assault on democracies across the world.

I think we need to take this very seriously, not just from an intelligence standpoint but also from a foreign relations standpoint. That is why I introduced the bill, with Senators FEINSTEIN, CARDIN, LEAHY, and CARPER, to create an independent and nonpartisan commission to uncover all the facts. It is also why we have an expanded sanctions bill that is bipartisan, led by Senators MCCAIN and CARDIN.

What we do matters. I think you see that, not only with regard to our relations with those countries in the Baltics but also with what we have seen in just the past few days because of this Executive order. I hope that having a Secretary of State in place would help, as well as more involvement from other agencies so something like this will never happen again.

TRAVEL BAN

As a former prosecutor, I have long advocated for thorough vetting. I have supported strong national security measures. I believe the No. 1 purpose of government is to keep people safe, but I don't believe that is what this Executive order did. In fact, it created chaos. I am on the bill to reverse and rescind this order. I know they have taken some steps to respond to all of the problems we have seen in every State in this Nation, but what really happened was—with the stroke of a pen—the administration excluded entire populations from seeking refuge.

I do think it is a bit forgotten that it is not just the seven or so countries that were identified by the administration. The refugee program has been stopped all over the world, and on Sunday I met with, along with Senator FRANKEN, a number of our refugee populations. To give you some background, we have the biggest population of Somalis in the Nation in Minnesota. We are proud of our Somali population. We have the second biggest Hmong population. We have the biggest Liberian population. We have the biggest Oromo population. We have a number of people from Burma. These are all legal workers. They come over as refugees. They are legal when they come over. Many of them get green cards. Many of them go on to become citizens. We have people who are on work visas, people who are on student visas.

The faces I saw and the people I met, these were their stories: an engineer from 3M who doesn't think he can go back to visit his father; a former marine from one of the affected countries who doesn't believe his brother can now come and visit him; two little girls in bright pink jackets who stood with us because they had waited for years for the arrival of their sister; the mother, a Somali woman within a refugee camp in Uganda was pregnant. She finally had gotten her papers to be able to come to America, get out of the refugee camp with her two children, but because she was pregnant when the papers came through, she wasn't able to apply for what would be her third child. The baby was born and she had a "Sophie's Choice." Was she going to stay in the refugee camp with the two older girls or was she going to bring them to safety in America, in Minnesota, with so many friends and relatives whom she knew, and then have to leave the baby behind?

She decided to leave the baby with friends at that refugee camp, and for 4 years she worked to get that baby to Minnesota. She got it done, and that baby was supposed to get on a plane and come to Minnesota this week, courtesy of Lutheran Social Services in Minnesota that had worked with the family. Right now, the latest news our office has had, that is not happening. Why? This 4-year-old is not a green

card holder. This 4-year-old is a refugee, a refugee who is coming to finally be with her mom and her sisters. To explain to what looked like about an 8-year-old and a 10-year-old why this is happening is really—there are no words to explain why it is happening.

I truly appreciate it that some of our Republican colleagues joined the chorus to say the vetting rule had not been vetted. Many of them pointed to the implementation problems with this rule, and others, such as Senator MCCAIN and Senator GRAHAM, also talked about the fact that this was simply a self-inflicted wound in our fight against terrorism. We heard much of that.

I know, from my colleagues, what this means to moderates whom we are attempting to work with in these Muslim nations as well as our allies all across the world.

I leave you with this. This is about our economy. I remind our friends, and I know—I see Senator RUBIO here who understands the economic value of immigration—that over 70 of the Fortune 500 companies in America are led by immigrants, including in my State, 3M, Best Buy, Mosaic; that 25 percent of our U.S. Nobel laureates were born in other countries; that at one point I had the figure that 200 of our Fortune 500 companies were started by immigrants or kids of immigrants. That is our economy.

There is the moral argument, best reflected in the story I just told of those two little girls in their bright pink jackets in the middle of a Minnesota winter, but then there is also the security argument. So we plead with the administration to reverse this rule, to rescind it.

Certainly, we can work on more vetting measures. As we know, the refugee vetting already takes 18 months, 2 years, 3 years, more work with biometrics, but there is no reason to do this on the backs of people who have followed the rules, who have followed the regulations and have done what is right and simply want to be part of our country or, in most cases, are already part of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, we are here in the Senate debating what I believe is the most important Cabinet position that the President has to nominate, the Secretary of State. It comes at an important point in American foreign policy history. There is so much uncertainty and debate about our role in the world these days. A lot of our allies have questions. Our adversaries are obviously watching very closely.

I hope that all of us—and I mean the Executive Branch to the Congress—recognize that as people around the world are watching what is happening on tel-

evision, they see an America that is deeply divided and fractured right now. I think this needs to be a moment of restraint, both in action and in words. As we work through our differences, these vibrant debates are important to our system of government.

It is one of the reasons that led me to ultimately support the nomination of Mr. Tillerson. I believe that despite some of the concerns that I had and have about his answers to some of my questions, it is vitally important for this country to have a Secretary of State in place at this moment.

I have never had any doubts about Mr. Tillerson's qualifications, his intellect, his background. I have had some concerns about his answers to some very important questions, at least important questions to me, and what I hope will be important questions for a lot of Americans. That is what I wanted to come to the floor and speak about in conjunction with this nomination, and that is the issue of human rights.

To me, human rights is critical both to our national identity, but it is also important to our national Security. In America today, we have, as we have done now for the past few centuries, contentious debates all the time about policies and about what kind of country we want to be. If you have watched the proceedings on the Senate floor or in committee over the last few days, you have seen a lot of that.

Even as we debate these things among ourselves, and even as the American political rhetoric has become so incredibly heated—and we will have more to say about that in the weeks to come—I don't know of any other time where we have gotten to the point that when we disagree with people, we don't just disagree with them, we question their motives and their character.

In fact, it is almost automatic today in American political discourse. You don't just disagree with someone; you immediately jump to why they are a bad person. In the months and weeks to come, I will have examples about why that is a bad idea. But as we are having those contentious debates, I hope that we never take for granted, sometimes as I think we do, that we live in a place where losing an election, losing a vote, losing on an issue, does not mean you end up in jail or disappear or are executed because that is the kind of stuff that happens in other places all over the world, even now, in the 17th year of the 21st century.

As we have seen in recent weeks, this political dissent is part of our way of life. It has come to define our country. We protect it in our Constitution. It has made us an example to the rest of the world. I was reminded of this just a couple of months ago, right here in Washington, DC. After our most recent election, I had to a chance to visit with my opponent, Congressman Patrick Murphy of Florida.

When I was finished with that meeting, I walked into another meeting. That other meeting was with a Cuban dissident. He is an opponent of the Castro regime, an individual who risks his life in the pursuit of freedom, an individual who does not just get bad bog posts or a bad article or a bad editorial or a nasty campaign ad run against him. No, this is an individual who routinely gets thrown into jail, and he has the scars to prove the beatings he has taken from the Cuban state police over the last few years.

I was a little bit late to this meeting. I apologized to him. I explained that I had just been in a meeting with my opposing candidate, the man I had just ran against in the election. I could see the look on his face. It kind of struck him. He immediately, I believe, appreciated what that represented. He said—and I am paraphrasing: That is what we want for our country too.

This is the essence of what has been America's example to the world, the essence of how our principles and our values have inspired others to seek their own God-given rights and how we have a moral duty to support—in our words, in our foreign policy, and in our actions—those aspirations of people all over the world.

In a way, dictators and tyrants have never had it worse than they do today because we live in this high-tech information age. We often get to see the images of repression within minutes of it happening, if not in real time. We can monitor it; we can catalog the status of human rights in every city, in every country, on every continent.

But as Americans, we are called to do much more than observe and record these atrocities for history. With this knowledge, it is our duty to act and to do what we can to support the people demanding their rights. We must hold those who are violating their rights accountable. I believe this is more important than ever because of the totalitarian resurgence underway in many parts of the world as democracy in every continent is under attack.

Even as I stand here now before you, there are political prisoners on this planet. They languish in Chinese prisons. Political dissidents and journalists are being silenced and targeted for murder in Russia. Those who seek democracy in Syria are being massacred. The United States has a unique responsibility to highlight, to expose, and to combat these grave human rights abuses around the world.

Historically, we have been a compassionate country that has welcomed people seeking refuge from repression and atrocities. That is why I understand. I understand the concerns about refugees from certain failed states or governments who sponsor terror, places where very often it is difficult if not impossible to verify the identities of people seeking to come to the United States.

I say this to people all the time. When you talk about changes in policies, there is a legitimate argument and a credible argument to be made that there are people we cannot allow into the United States, not because we don't have compassion for their plight but because we have no way of knowing who they are. You can't just call 1-800-Syria and get background information about the individuals who are trying to enter the United States. We know for a fact that there are terrorist groups around the world that have commandeered passport-making machinery and are producing passports that are real in every way, except for the identity of the person in the picture.

So I do believe that we need to have very careful and rigorous screening, more than ever before, of all people entering the United States but especially those who are coming from areas that we know do not have reliable background information available to us.

But at the same time, I cannot help, and I think we should not help, but to be worried about the impact of a 120-day moratorium on every single refugee from anywhere on the planet, refugees from places like the Democratic Republic of Congo, Ukraine, Colombia, El Salvador, Vietnam, Burma, and, of course, Cuba, just to name a few places. These are among the most vulnerable people on the planet, living often in the most difficult and dangerous circumstances imaginable.

I remind everyone: This is a moratorium; it is not a permanent policy. I understand that there are provisions available for waivers, and I find that to be promising.

But I also want to everyone to understand that 120 days, for someone who is trying to get out of a place where they might be killed, may be 1 day too many for some of them. I hope that does not turn out to be the case. That is why I urge the administration, that is why I urge soon-to-be Secretary Tillerson, to exercise great caution in making sure that dissidents and others are not being turned away.

By the way, I am pleased to see that the administration is heeding some of these calls already, early this week. We must understand that when tyrants and dictators oppress their people, we are all paying a price. It is happening all over the world. Vladimir Putin continues to institute Draconian laws targeting the freedom of expression and assembly.

Earlier this year, my office and I highlighted the case of human rights activist Ildar Dadin, who was the first person imprisoned under Russia's new criminal provision that bars any form of public dissent.

In China, rights lawyers are tortured. Labor activists are arrested. Tibetan Buddhist nuns are expelled from their homes, and churches are being demolished. Just earlier today, I met the

wives of two Chinese rights advocates, who both pleaded for the United States to champion their husbands' cases in the hope that they can see their husbands again.

In Iran, dissent, freedom of expression, and freedom of press is non-existent, heavily restricted. Many continue to be jailed for simply exercising their fundamental human rights. The Government of Iran targets religious minorities, often jailing Christian pastors and those who gather to worship together in private homes. In Syria, one of the worst humanitarian catastrophes in modern history, the Assad regime, with the assistance of Vladimir Putin and the Iranian Government and military, is committing war crimes against innocent women, children, men, and civilians in Aleppo and beyond.

In Iraq, we have seen ancient Christian and Yezidi communities on the verge of extinction, all because of ISIS.

In Venezuela, the Maduro regime continues to imprison political opponents while the country descends further and further into economic chaos and has now become on the verge of a total humanitarian catastrophe in the Western Hemisphere. In one of the richest countries on the planet, we are at the point of people literally starving to death.

Saudi Arabia is an ally of the United States on many key geopolitical issues, and we will have to continue working with them on those shared causes. But they also remain one of the most censored countries in the world. The government has intensified its repression of activists and journalists. In Saudi Arabia, women remain under the male guardianship system. They are banned from even driving.

Globally, assaults against press freedom around the world are a major problem because, ultimately, the cause and champions of human rights need information to expose abuses and call for reforms. Without independent journalists, without information, tyrants and dictatorships can get away with so much more.

According to the Committee to Protect Journalists, in 2016, 48 journalists were killed and 259 journalists were jailed worldwide. In 2016, Turkey, a NATO member, again, an important geopolitical alliance of the United States, but, sadly, they became the leading jailer of journalists on the planet, following a widespread crackdown on the press.

The abuses and threats to human rights around the world are many. We could be here all night trying to break Senator Strom Thurmond's filibuster record, going country by country, case by case, and it still would not be enough time to do justice to all of the heroic figures around the world. But it is my hope that more of my colleagues will join me in doing so over time because it is important. Our voices here

in the Senate give people all over the world confidence and motivation to stay the course.

As famed Soviet dissident Natan Sharansky has said of himself and fellow prisoners of conscience in the Soviet Union: "We never could survive even one day in the Soviet Union if our struggle was not the struggle of the free world."

In essence, what he is saying is that these tyrants and these dictators, when they jail these people, the first thing they tell them is that no one even remembers you anymore. No one talks about you anymore. You have been abandoned.

Today, I want to highlight one particular human rights case as part of the weekly social media campaign my office has been doing for the last couple of years called Expression NOT Oppression.

Here you see a picture of a gentleman named Dr. Eduardo Cardet of Cuba. He is a medical doctor and the national coordinator of the Christian Liberation Movement, a group which advocates for democracy and freedom.

Cardet assumed the role of national coordinator after the suspicious death of Castro critic Oswaldo Paya Sardinias. After allegedly stating in an interview that Fidel Castro was hated by the Cuban people—that is what he said—he was savagely beaten in front of his two young children and wife by Cuban state security on November 30 of last year. He has been in jail ever since.

He has been charged—get this. He has been charged with challenging authority. He faces a 3- to 5-year prison sentence. Let me repeat that. He is officially charged with challenging authority. That is a crime in Cuba. His father has written to Pope Francis begging for his intervention. By the way, this is a reminder that even though Fidel Castro is dead, his authoritarian system still lives on.

Dr. Cardet's persecution and the overall increase in repression in Cuba over the past 2 years is a reminder that the policy of rewarding the Castro regime, under the guise of engagement, with cash and concessions has not worked and must be strategically reversed here in the coming months.

So I come here today in the hope that our President and our State Department and especially Mr. Tillerson, in whom I am entrusting my vote for confirmation, and all Members of Congress, for that matter, will add their voices in solidarity with Dr. Cardet, with all the Cuban people yearning to be free, and with those around the world who look to our Nation—to America—for leadership and often for nothing more than for us to lend our voice to their cause.

As we move forward here with our Nation's work, we must continue to highlight these cases and to raise

awareness of them. We must never forget that there are people all over the world who are challenging authority because they want a better life for themselves and their families. They should be able to challenge authority peacefully and then go home to their families, not be thrown in jail, tortured, or killed.

Today I ask all to pray for those who are victims of their own government. I pray for the release of prisoners of conscience and their families, and I pray that our own country at this moment of extraordinary division on so many key issues can reaffirm its founding principles in calling for the sacred right of every man, woman, and child to be free.

Mr. LEAHY. Mr. President, today the Senate is considering the nomination of Rex Tillerson to be Secretary of State. Mr. Tillerson is an intelligent, hard-working, and successful businessman. He is also, in my view, the wrong choice to be our Nation's top diplomat.

To effectively confront the many challenges our country faces in an increasingly globalize and volatile world, we need a Secretary of State who, with credibility and conviction, can clearly and effectively articulate our interests and values and who has experience advocating for them abroad.

We need someone who will work with the international community to combat climate change, bring to justice war criminals like Bashar al-Assad, and stand up to corrupt, abusive regimes that violate international humanitarian law and territorial integrity as Russia has done in Syria and Ukraine.

We need someone who will advocate for fundamental human rights and democratic values when they are threatened by friend or foe.

I am unconvinced that Mr. Tillerson is that person.

As an accomplished businessman, Mr. Tillerson's lone qualification for Secretary of State seems to be his success in tirelessly circumnavigating the globe to negotiate oil deals. There is no doubt he has helped ExxonMobil expand its business and made a lot of money doing so. But contrary to the view being promoted by the Trump administration, running a for-profit business is fundamentally different from running a large Federal agency.

As the CEO of ExxonMobil, Mr. Tillerson worked closely with corrupt autocrats like Vladimir Putin who were actively undermining U.S. interests and acting in ways that were counter to our values. In doing so, Mr. Tillerson served his shareholders, but he disregarded the national interests of the United States.

Unlike some in this body, I believe we should have relations with governments we disagree with. But I also believe that, in doing so, we must act in accordance with our principles and val-

ues. And I don't believe that being the CEO of one of this country's wealthiest companies entitles you to ignore those values for the sake of making money.

Mr. Tillerson's confirmation hearing provided him the opportunity to reconcile his track record of a lifetime in the oil business with the responsibilities he would have as Secretary of State.

In his testimony, he stated that "American leadership requires moral clarity." I agree. But he was challenged by Senators RUBIO, MURPHY, and others who observed that despite this statement, Mr. Tillerson was unwilling to label the relentless bombardment and destruction of Aleppo by Russian forces as a war crime or the extrajudicial killings of thousands of civilians in the Philippines as a blatant violation of human rights, to cite only two examples of well-documented cases of atrocities he refused to recognize as such.

I worry that Mr. Tillerson will too often be inclined to subjugate fundamental human rights to what he perceives as overriding economic or security concerns. There is nothing in the record to suggest that he recognizes that the protection of human rights is itself a national security imperative or that he would differ from the President on these issues that have become even more important since January 20.

We also have no idea what Mr. Tillerson thinks about the President's misguided, discriminatory, and probably illegal decision to ban entry to the United States of all citizens of Syria and half a dozen other Muslim countries because he has been conspicuously silent, even though the State Department will have a key role in enforcing it. Our diplomats posted overseas will bear the brunt of the retaliatory actions by outraged governments in countries targeted by this arbitrary and self-defeating Executive order.

Nor do we know what he thinks of the President's draft Executive order that signals a drastic reduction in our support for and influence in the United Nations. Will the President consult with Mr. Tillerson before issuing that order? Does Mr. Tillerson think it is a smart way to protect our interests and reassure our allies? We don't know.

ExxonMobil, while Mr. Tillerson was CEO, lobbied to overturn section 1504 of the Dodd-Frank legislation which is designed to stop the illicit flow of revenues from oil and gas extraction to corrupt governments. Senator Lugar, who played a key role in that bipartisan legislation, said at the time that stopping such corruption is a national security and economic priority for the United States. Does Mr. Tillerson think that shrouding in secrecy corruption involving hundreds of billions of dollars by governments who steal from their own impoverished people is in our

national interest? We don't know because he doesn't say.

My other abiding concern with this nominee is that we are being asked to confirm the head of the world's largest oil company to be the country's top diplomat, at a time when I believe the most challenging issue we and the world face is climate change resulting from the combustion of fossil fuels.

Uniting the world to combat climate change will not be possible without unprecedented U.S. leadership. Leadership requires credibility, and on this issue, Mr. Tillerson has next to none. He has devoted his professional career—and become a billionaire in the process—to extracting and selling as much oil as possible. If, at his confirmation hearing, Mr. Tillerson had said that he recognizes the causal connection between burning fossil fuels and climate change, that he understands the grave threat it poses, and that he is determined to use the position of Secretary of State to build on the record of the Obama administration to combat climate change, I might feel differently. But he said nothing remotely like that.

To the contrary, when asked at his confirmation hearing if ExxonMobil concealed what it knew about climate change while funding outside groups that raised doubts about the science, Mr. Tillerson said he was “in no position to speak” for the company, even though he had been the CEO until only a few days before. When asked whether he lacked the knowledge to answer or was refusing to do so, he replied “A little of both.” That should concern each of us.

Based on his professional record and his responses at the hearing, I do not believe Mr. Tillerson is the right person to be representing the United States in negotiations to reduce carbon emissions, one of the defining issues of our time.

I was also disappointed by Mr. Tillerson's responses to a number of other questions submitted for the record, including regarding U.S. policy toward Cuba and the right of Americans to travel there. By simply repeating the Republican talking points that he would act consistent with the Helms-Burton Act, he appeared to embrace a law that has failed to achieve any of its objectives and has prevented Americans from traveling freely to Cuba or U.S. companies from doing business there.

Does Mr. Tillerson believe that Cuba, an impoverished island of 11 million people who overwhelmingly have a positive opinion of the United States, should remain the country with the most U.S. sanctions of any in the world? He didn't say.

I hope that, if confirmed, Mr. Tillerson will evaluate our policy toward Cuba objectively and in a manner that favors diplomatic engagement—as

the overwhelming majority of Cubans and Americans want—over isolation.

I understand that nominees are often unwilling to take hard positions or unable to discuss in detail at this early stage all of the issues they will be required to manage in their new job. But we should expect a nominee for Secretary of State to be willing and able to recognize and condemn horrific violations of human rights and to speak out against actions by foreign governments and our own that are obviously inconsistent with our interests and values.

President Obama did not achieve every foreign policy goal he set out to achieve, nor did I always agree with President Obama's or Secretary of State Kerry's priorities. But we worked together, and with our international partners, we made notable progress over the past 8 years on human rights, climate change, reducing poverty, and many other issues—progress we must continue to build on. With nationalism and isolationism on the rise and democracy and fundamental freedoms under threat, we need a Secretary of State who has demonstrated a track record and commitment to more than economic enrichment.

If Mr. Tillerson is confirmed, which I expect he will be, I will continue my longstanding support for the funding to enable the State Department to carry out its vital mission to protect and promote U.S. interests and values abroad. When he and I agree, I will support him. When we disagree, I will be vocal in my opposition as I was during the Obama administration.

I hope Mr. Tillerson will also be a strong advocate for the State Department's budget and personnel, including by protecting the integrity of the Dissent Channel to ensure that alternative views on important policy decisions can be expressed and considered without fear of retribution. Even the best policies in the world are worth little more than the paper they are printed on without the funds and the people to implement them.

We should always remember that the face of the United States is its people. Leadership is possible only through the hard work of the diplomats serving around the world to promote our values, defend our interests, and engage constructively with friends and adversaries. Their service, dedication, and expertise are the reason we are able to effectively confront an increasingly dangerous world. Our success at home is inextricably linked to their success abroad. That is why, just as we support the men and women of our military, so should we recognize and support the diplomats at the Department of State.

The State Department's indispensable role, made possible by its outstanding workforce, is recognized by the many widely respected senior U.S. Armed Forces officials, current and re-

tired, who have repeatedly called for increased funding for diplomacy and development. They know better than anyone that preventing wars is far less costly than fighting them and that wars rarely if ever turn out the way one predicts, as the past 50 years painfully illustrate.

Regardless of whatever differences of opinion we may have, I hope Mr. Tillerson will consult regularly with Republicans and Democrats, as has been the custom with past successful Secretaries of State of both parties. I have been here a long time, and I would be the first to say that we have had outstanding top diplomats from both parties. I put James Baker in that category, and I sincerely hope that Mr. Tillerson proves me wrong and joins their ranks. We all want what is best for the American people and the Nation, and we are stronger when we work together and with other nations to find a common way forward.

HONORING OFFICER DAVID FAHEY

Mr. BROWN. Mr. President, the city of Cleveland lost a committed public servant last week, Officer David Fahey. Officer Fahey dedicated his career to protecting our community and was tragically killed in the line of duty in a senseless hit-and-run.

A Navy veteran, Officer Fahey followed in the footsteps of his mother and his stepfather, both retired Cleveland police officers, and his brother Chris, an officer who joined the force in 2013.

At a memorial last week, his brother said that Officer Fahey “loved this neighborhood; he loved working for this neighborhood and he loved this city, and he loved working for this city.”

And our city has given his family an outpouring of support.

A crowd of some 200 people gathered outside the First District police headquarters for a vigil.

Fellow officers from the Cleveland Police Academy's 133rd graduating class came out to honor their classmate's memory. They prayed together, calling him their brother, their friend, and their angel.

That spirit of community represents the best in our city that Officer Fahey loved and served.

Connie and I extend our deepest sympathies to Officer Fahey's family and fellow officers. We pray that this outpouring of support and comradery brings them comfort during this difficult time.

We join our fellow Clevelanders in thanking David Fahey for his service to our community.

TRIBUTE TO JAMES D. WISE

Mr. TESTER. Mr. President, today I wish to honor a great man, a colleague, and my friend: Jamie Wise.

It was nearly 10 years ago that Jamie joined Team Montana. The passionate Representative ROSA DELAURO had toughened him up and groomed him for success in the world's most deliberative body. As a newly elected Senator ranked 100 in seniority, one of the first decisions I made was to hire Jamie.

Some may say it is tough to break into Team Montana. We are few but proud, an independent but tight-knit family, a little unpolished, but persistent and most often underestimated. Jamie fit right in.

With his sharp wit and dry sense of humor, he quickly became a Montanan. Hailing from his adoptive hometown of Great Falls, it was a natural fit for him to tackle my veterans, defense, and homeland security portfolios. And tackle it he did.

He wrote my first bill that was signed into law to more fairly reimburse veterans who are traveling to and from their doctors' appointments. It may seem like a simple thing, but it has been life changing for veterans all across this Nation who cannot afford a tank of gas but are facing debilitating medical conditions and need to see their doctor. This bill would set the stage for Jamie's long and incredible career in my office.

Jamie's dedication to Montana has taken him down into the silo of an intercontinental ballistic missile, from the embassy in Yemen, to the Port of Wild Horse on the border of Canada. Needless to say, his legislative chops are unmatched on the Hill. His ability to look 1 inch ahead while also calculating the roadblocks 100 miles away is a skill that can't be taught. It is instinctual.

Jamie worked hard, long hours and rose through the ranks from legislative assistant to legislative director and ultimately chief of staff. It was common to find Jamie sitting in his office into the wee hours of the night plowing through appropriations bills, making sure Montana got its fair shake. Those long hours produced real results for families and small businesses across the State. You can see Jamie's fingerprints on hundreds of letters, thousands of press releases, and the careers of dozens of young, aspiring staffers.

James D. Wise has left his mark on this world, and I can't wait to see what he takes on next.

So today, I wish to thank Jamie on behalf of this Nation, 1 million Montanans, and one grateful Senator.

ADDITIONAL STATEMENTS

STATE OF THE UNION ESSAY CONTEST FINALISTS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD some of the finalist essays written by Vermont high school students as part of the sev-

enth annual State of the Union essay contest conducted by my office.

The material follows:

ZOE HOULIHAN, NORTH COUNTRY UNION HIGH SCHOOL FRESHMAN (FINALIST)

When you think of America, do you think of McDonald's, big cities, high-tech phones and computers, or do you think about violence, fear, and hatred amongst people? Although America seems like a great place full of opportunities and freedom, it is quite the opposite if you are not a white, straight, dismembered male. There are many problems in America that need to be fixed.

Racism has been ongoing for hundreds of years. Blacks, Hispanics and many other non-white groups have faced discrimination and hatred because of the color of their skin. Blacks are thought as more violent and lazy than whites. African Americans now constitute 1 million of the 2.3 million imprisoned population. They are also incarcerated at six times the rate of whites. NAACP says that 5 times as many whites are using drugs as Blacks, but they are being sent to prison at 10 times the rate of whites. Moreover, Blacks are getting shot at higher rate than whites. Although more whites are getting shot, there are about 160 million more white people than there are black people. While Whites make up 49% of those fatally shot by police officers, Blacks make up 24%, despite only being 13% of the US population. More than 250 blacks were killed in 2016. Furthermore, 47% of hate crimes have to do with race. Racism is such a big problem in America it's hard to say what an effective solution would be. One solution to this could be to get media stars that are POC to talk about racism. This could cause their fan base (which can be quite large) to change their ideas about African Americans. Another solution is to educate people on racism. Teaching young children in school about how racism started could lessen the number of people in each generation that feel negatively about people of color. Lastly, the government should make the policies about racism in schools and workplaces stricter. Telling kids "That is not appropriate" when they make a racist comment isn't doing anything. People need to be punished for making these comments because if they aren't it makes it seem like it isn't a big deal.

Another problem in America is sexism and sexual assault. Sexism makes it harder for women to get jobs and be well-off in life. According to the Huffington Post, well-off white men are three times more likely than women to be offered a job interview. Moreover, women that work 41-44 hours per week earn 84.6% of what a man working that same time would earn. Women that work more than 60 hours a week earn only 78.3% of what a man would earn. Similarly, in the House of Representatives only 19.3% are women, and in the Senate only 20% are women. In addition, when a woman claims to have been sexually assaulted, men usually blame the women. They ask what they were wearing, how "revealing" it was, and if they were under the influence of drugs or alcohol. One in four women will be sexually assaulted in their lifetime. Also, 683,000 adult women are forcibly raped each year. This is equal to 56,916 per month, 1,871 per day and 78 per hour. One solution to women not getting played as much as men could be to make a policy that both women and men are to be paid equally. Furthermore, a solution to sexual assault is to teach kids about consent and to give longer sentences to people that have committed sexual assault. Another solution to sexism is to have more women rep-

resentation in media and politics. This could help eliminate the thought that women are only made to have children, clean and cook. It would also give young girls more role models to look up to.

Finally, the last issue that needs to be fixed is hate and discrimination against the LGBT+ community. According to an analysis of data collected by the FBI, lesbian, gay, bisexual, and transgender people are the most likely targets of hate crimes. An example of a hate crime against the LGBT+ community is the Orlando nightclub shooting. 49 were killed and at least 53 were injured. This shooting is considered the worst mass shooting in the United States and the nation's worst terrorist attack since 9/11. Additionally, LGBT+ people experience discrimination in the workforce. They actually have a higher unemployment rate than African Americans (15% versus 12%). People of color that are also apart of the LGBT+ community face the most discrimination. A solution to this problem could be to educate young children about the different sensualities and explain that it's okay to feel attracted to whomever. Another solution is to create policies that would help protect people in the LGBT+ community. Lastly, there should be stricter rules about when a teacher hears a homophobic comment. Many kids say "That's so gay" when something that they don't like happens and i could make other kids feel unsafe.

In conclusion, America has many issues with equal rights that need to be fixed. One of the main solutions to every problem is education. When people are educated, they can use their knowledge to base their opinions off instead of going with what the popular opinion is or what they are hearing around them.

GRAHAM JANSON, MONTPELIER HIGH SCHOOL JUNIOR (FINALIST)

Whenever you ask someone the question, "What is the most pressing issue facing our nation today?" you will most likely get a different answer every time. An environmentalist might say, "Carbon emissions and global warming." A conservative activist might say, "The increasing national debt." There are many answers to this question. But there is only one answer that addresses an issue that lies at the center of our nation's existence. That answer is that the fundamental democratic principles on which the United States is based are being eroded by voter suppression and gerrymandering.

Efforts to suppress voting rights for many people have been around since the Constitution was adopted as the supreme law of the land, when only property-owning white men could vote. We have come a long way since then, with African Americans, Native Americans, and American women gaining the right to vote, but we still have a long way to go. Similar to during Reconstruction, when literacy tests were used to deny African Americans the right to vote, a now-overturned North Carolina voter ID law was in effect that, according to the federal appeals court that dealt with the case, deliberately "target[ed] African-Americans" in an attempt to suppress their voter turnout. Other states, such as Ohio, Kansas, and North Carolina, have had voter ID laws that have been overturned after being ruled discriminatory by a federal appeals court. The overturning of these laws is already a step in the right direction. A way to address voter-suppression efforts is to require a federal court review for every voter ID law to make sure that there is no discrimination or infringement of American rights. Another way is to restore

the provisions of the Voting Rights Act of 1965.

Additionally, the repeal of some of the key aspects of the Voting Rights Act in 2013, which allowed nine states to alter their election laws without the approval of the federal government, demonstrates how gerrymandered elections can serve to undermine basic democratic principles. Gerrymandering involves altering the areas of electoral districts to favor one party or another, and both Democratic and Republican politicians have engaged in gerrymandering in the past. There have been many cases in which a political candidate has won an election because of gerrymandering. This clearly undermines our nation's democratic principles because now a candidate can carry the minority of an electorate and win an election, and it needs to change now. Furthermore, because these same elected officials appoint and confirm federal judges, voter suppression and gerrymandering can also undermine the judiciary's vital role in protecting democratic voting rights.

In conclusion, the restoration of equal voting rights and the elimination of gerrymandering would allow the United States to remain a true democracy. Indeed, the other pressing issues that face our nation today, such as global warming, economic development, immigration, healthcare, and gender equity, cannot be fairly addressed while our nation continues to utilize this flawed system that does not reflect democratic values.

IRA RICHARDSON, BELLOWS FALLS UNION HIGH SCHOOL SENIOR (FINALIST)

When George Washington delivered his farewell address, he stated that "The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension . . . is itself a frightful despotism." Our first and only president who was not a member of a political party attempted to warn us of the threats they can pose to democracy. Today, however, the Democratic and Republican parties have become so powerful that one can hardly imagine the American democratic system without them. In a sense, this is one of the sources of their overbearing power: many Americans see them as an intrinsic part of our democracy rather than two organizations that were created long after the union to organize like-minded voters. Political parties are not inherently bad, but a system which creates a forced dichotomy by only giving voters two realistic choices for any given position has unquestionable negative effects on our nation. Firstly, it forces citizens who care deeply about specific issues to routinely vote for candidates whom they may not agree with in any other capacity so as to not violate their personal moral code. This, in turn, allows parties to cynically align themselves with these single-issue voters to win their votes without truly sharing their values. Additionally, two diametrically opposed political parties give rise to an us-versus-them mentality among citizens, eroding the mutual trust that is intrinsic in the formation of a nation.

To reduce the near-hegemonic power that the parties currently hold, it is imperative to make it more clear to the American public that both parties are private organizations, operating within their own processes and promoting goals that are not necessarily those of their constituents. The intention is not to cause Americans to stop supporting the party they belong to, but rather not to follow any party blindly, and to understand their complex histories and role in American democracy. Another step towards a system

in which people could more consistently vote for politicians they truly support would be the implementation of an instant run-off (aka alternate or ranked) voting system. In such a system, a voter does not select a single candidate to receive a position, but rather ranks the order in which they support each candidate. If no candidate has over fifty percent of the vote, the candidate with the least votes is eliminated and every citizen who selected them has their votes moved to their next choice, and the votes are tallied again. This process is repeated until a candidate has a majority. This alternative would allow people to vote their conscience without fear of handing the election to a candidate on the opposite side of the political spectrum. It would not destroy the existing political parties (which would be destabilizing) but rather allow third-party and independent candidates to speak for portions of the population who cannot identify with either existing party. By reducing the power of the two major parties, the environment necessary to address the many problems facing America could be created.

JULIA STERGAS, BELLOWS FREE ACADEMY FAIRFAX SENIOR (FINALIST)

Nearly 260 years ago our country endured a war over the rights of our states and the rights of its peoples. From this war came the first legislation to protect African Americans living in the United States. One-hundred years later, our country faced another revolution, resulting in new legislation that enhanced the ability for African Americans to participate in political and social life. Since then, many Americans have believed that racial equality has been achieved.

But here we are, fifty years later, struggling through yet another conflict over the divide between black and white. Tensions are high between African Americans and white authority figures in the United States. Distrust and anxiety separates black Americans from their government and on looking citizens. In 2014, Michael Brown was shot and killed by a police officer in Ferguson, Missouri. That same year, a barrage of negative media emerged from an originally peaceful protest in Baltimore, Maryland, depicting unlawful rioters who looted and set fire to business, injuring six police officers. Now, we continue to watch video clips on nightly news highlighting the struggle between black and white. Through this our attention has been distracted from the true cause of continued racial conflict: the lack of recent successful intervention.

White authority figures are perpetually distrusted by the black community, and groups such as Black Lives Matter still believe inherent biases against African Americans are abundant in society. We must rebuild this connection. To achieve comprehensive change we must redirect our nation's path. The first step toward action is awareness. This issue must be introduced into schools, universities, and community centers. If we can enlighten young adults they will share their knowledge and work to obtain equality nationwide.

Educators would lead discussions on current and historic racial tensions in a non-partisan, open environment. Focusing on historic and current events and their social and political ramifications, these open debates would promote civic engagement and thoughtful problem solving. Prompts regarding the government's involvement and the responsibilities it should assume, the action we as the nation's youth should assume, and opportunities to develop individual solutions would be considered during discussion. Our

young population is critical to the future of our nation, so it is necessary that we provide them with opportunities to immerse themselves in their political and social world.

Today's generation and the ones to follow will be our leaders and our visionaries. Incorporating awareness into education programs would introduce these leaders to the nuances of the world they will come to inspire, and allow them to develop an understanding of their political efficacy. Raising consciousness of this racial strain would encourage young leaders to take charge of their futures, and ours, and incite change. It is critical to the well being of our nation that we cultivate a generation of educated young adults who possess the skills to maneuver themselves in their political and social world. Addressing our nation's imperfection and coaching our youth will only be the start to a nationwide revolution of change and acceptance.●

MESSAGE FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 46. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 339. An act to amend Public Law 94-241 with respect to the Northern Mariana Islands.

H.R. 374. An act to remove the sunset provision of section 203 of Public Law 105-384, and for other purposes.

H.R. 381. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point".

H.R. 538. An act to redesignate Ocmulgee National Monument in the State of Georgia and revise its boundary, and for other purposes.

H.R. 558. An act to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harrison Hill, and for other purposes.

H.R. 560. An act to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes.

The message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. CONNOLLY of Virginia and Ms. FRANKEL of Florida.

The message also announced that pursuant to 22 U.S.C. 2903, and the order of the House of January 3, 2017, the Speaker appoints the following Member of the House of Representatives to the Japan-United States Friendship Commission: Mr. TAKANO of California.

The message further announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2017, the Speaker appoints the following

Member of the House of Representatives to the British-American Inter-parliamentary Group: Mr. CICILLINE of Rhode Island.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. HASTINGS of Florida and Mr. COHEN of Tennessee.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-653. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to spending limits; to the Committee on the Budget.

EC-654. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Changes to Certain Alcohol-Related Regulations Governing Bond Requirements and Tax Return Filing Periods" (RIN1513-AC30) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Finance.

EC-655. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to construction of the Keystone XL Pipeline; to the Committee on Foreign Relations.

EC-656. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Mental Health and Substance Use Disorder Parity Task Force, received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-657. A communication from the General Counsel, United States Access Board, transmitting, pursuant to law, the report of a rule entitled "Information and Communication Technology (ICT) Standards and Guidelines" (RIN3014-AA37) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-658. A communication from the General Counsel, United States Access Board, transmitting, pursuant to law, the report of a rule entitled "Americans With Disabilities Act (ADA) Accessibility Guidelines for Transportation Vehicles" (RIN3014-AA38) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-659. A communication from the General Counsel, United States Access Board, trans-

mitting, pursuant to law, the report of a rule entitled "Standards for Accessible Medical Diagnostic Equipment" (RIN3014-AA40) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-660. A communication from the Secretary of the Board of Governors, U.S. Postal Service, transmitting, pursuant to law, a report relative to the Postal Accountability and Enhancement Act of 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-661. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; First Quarter of Fiscal Year 2017"; to the Committee on Veterans' Affairs.

EC-662. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XF010) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

*Ryan Zinke, of Montana, to be Secretary of the Interior.

*James Richard Perry, of Texas, to be Secretary of Energy.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

By Mr. RISCH for the Committee on Small Business and Entrepreneurship.

*Linda E. McMahon, of Connecticut, to be Administrator of the Small Business Administration.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. CASSIDY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session on January 31, 2017, at 2:30 p.m. in room SH-219 of the Senate Hart Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. NELSON. Mr. President, I ask unanimous consent that Commander Dan Hurd, U.S. Coast Guard, a fellow in my office, be granted floor privileges for the remainder of the week.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I ask unanimous consent that all time during recess or adjournment of the Senate count post-cloture on the Tillerson nomination; further, that following the prayer and pledge, the remaining post-cloture time be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. RUBIO. The Senate is about to adjourn.

Under the standing order, we will convene at 12 noon tomorrow. Following the prayer and pledge, we will resume consideration of the Tillerson nomination post-cloture.

For the information of all Senators, the post-cloture time on the Tillerson nomination will expire at approximately 2:30 p.m. Eastern Time tomorrow, and the Senate will vote on confirmation at that time.

VOTE ON MOTION TO ADJOURN

Mr. RUBIO. I move to adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion to adjourn.

The motion was agreed to.

ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 8:01 p.m., adjourned until Wednesday, February 1, 2017, at 12 noon.

CONFIRMATION

Executive nomination confirmed by the Senate January 31, 2017:

DEPARTMENT OF TRANSPORTATION

ELAINE L. CHAO, OF KENTUCKY, TO BE SECRETARY OF TRANSPORTATION.

HOUSE OF REPRESENTATIVES—Tuesday, January 31, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 31, 2017.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

HONORING THE LIFE OF LEWIS ODOM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BYRNE) for 5 minutes.

Mr. BYRNE. Mr. Speaker, I rise today to remember the life of a community leader, public servant, proud veteran, personal mentor, and great American, Lewis Odom.

Lewis Odom lived a life many strive to emulate, a life filled with purpose, integrity, and selfless commitment to those around him. He had such a genuine impact on my life and the lives of so many others.

From a young age, Lewis held himself to a standard of excellence. Upon graduation from high school, Lewis enlisted in the U.S. Navy Reserve and was selected to join the prestigious V-12 Naval College Training Program during World War II and thereafter. Through this program, he attended Millsaps College and Tulane University and went on to serve in the Navy aboard the USS *Mississippi*.

After serving, Lewis continued his education at the University of Alabama where he received a law degree, and, soon after, commissioned as a first

lieutenant in the U.S. Air Force in 1951, serving as a legal officer in Korea.

Lewis Odom's career of service was only just beginning when he left the military. His hard work and integrity as a lawyer were recognized as he became the general counsel of the U.S. Senate Small Business Committee. He would go on to serve as administrative assistant to Alabama Senator John Sparkman before being named staff director and counsel for the Senate Banking Committee. He played a critical role in shaping many of our Nation's financial regulations during this important time period.

Probably one of his most memorable accomplishments during his career on Capitol Hill was to plan and organize the inauguration ceremony for President John F. Kennedy. He often spoke of the great challenge and honor of that job.

Following his time on Capitol Hill, he served as deputy to the Chairman of the Federal Deposit Insurance Corporation, or FDIC. He was eventually appointed senior Deputy Comptroller of the Currency before retiring from Federal service in 1981.

After his years of service in the Federal Government, Lewis returned to practice law in Mobile, joining the law firm of Miller, Hamilton, Snider & Odom. That was when I met Lewis. As a newly minted lawyer, Lewis took me under his wing and served as an important mentor.

Lewis was a thorough and exact lawyer who paid attention to detail and helped instill those traits in me and many others that he worked with. He inspired in me the confidence to hold myself to a standard of excellence, but he did so without being overbearing or harsh. He took a new lawyer and allowed me to gain invaluable experience.

As a young lawyer, Lewis taught me an important lesson that every young lawyer must learn: to choose your battles wisely. This lesson applied to more than just the field of law, however, and I have continued to use this principle in many of the other skills that I learned from Lewis throughout my life and career.

Lewis was also a true community leader committed to making Alabama a better place. From his first days in Mobile to his last, Lewis was ever present in the community, serving in any way he could, always giving his time and his devotion.

During his years in Mobile, Lewis served as the chairman of the Alabama

Ethics Commission, the chairman of the Mobile water board, chancellor of the Episcopal Diocese of the Central Gulf Coast, and chairman of the Mobile Museum Board.

He was also a strong supporter of the University of Alabama, serving as president to various alumni chapters and as a founding member of the Farrah Law Society for the University of Alabama School of Law.

It is true that Lewis worked just as hard for his community in his retirement as he had earlier in his legal career.

Sadly, Lewis Odom passed away on January 16 of this year at the age of 91.

My wife, Rebecca, and I were both heartbroken to learn of his passing because he was such a dear friend. During this time of sadness, we take great comfort in remembering the impact he had on each of us as well as on our community, State, and country.

I hope his wife, Janelle; son, Mike; daughter, Patty; beloved grandchildren and great-grandchildren can take comfort in the same.

Mr. Speaker, Lewis was a man of great integrity and set an example for all those around him to hold ourselves to such a level of excellence and service. He was a great man, and he will be sorely missed.

TRUMP MUSLIM BAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I rise out of deep concern for our country, our people, and those who serve us in uniform.

The executive order signed by President Trump on Friday has not only sown chaos and created a backlash being felt across the world, it is also endangering our people here at home and our troops overseas.

It bans refugees and is, for all intents and purposes, a ban on Muslims entering our country. It is a religious test. It plays right into the hands of ISIS, al Qaeda, and other extremist groups that mean to do us harm. It arms them. Their message in recruiting and propaganda has been that America is at war with Islam and that when we say we are tolerant and inclusive, it is a lie.

We must not let it be a lie.

Make no mistake, Mr. Speaker, this order will do nothing to make America safer from terrorism. Our enemies will use this Muslim ban to their full advantage, broadcast to all of those who,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

for whatever reason, may be teetering on the edge of extremism, one image, one tweet, one excuse away from radicalization. And our Muslim allies are scratching their heads in disbelief and disappointment.

CBS News reported this morning, Mr. Speaker, that a senior Iraqi general who commands the elite counterterrorism force trained by the United States military was supposed to come here next week but is now banned from doing so. He told CBS news: "I am a four-star general. I have been fighting terrorism for 13 years and winning. Now my kids are asking me if I am a terrorist." That general, Talib al-Kenani, has been coming here for over a decade meeting with senior U.S. military leaders at CENTCOM, but now he is banned from entering the country.

This policy is dangerous, counterproductive, and extremely unfortunate.

It is important to note, Mr. Speaker, that of the seven countries included in this ban—hear me, my colleagues—of the seven countries included in this ban, no refugee or immigrant from any of those nations has committed a terrorist act in the United States.

The President of the United States has a responsibility—a sacred and public trust—to do everything in his power to protect our Nation. We have that same responsibility. This Congress has a sacred duty to hold the President accountable and ourselves for doing so in a way that respects our Constitution and our values. That, Mr. Speaker, is patriotism.

So I urge my colleagues on both sides: Stand against this order. Stand up for America. Stand up for the Constitution. Stand up for our values. Stand against an act that does nothing but empower our enemies and erode faith in our highest principles in our country and around the world.

The Nation, Mr. Speaker, is watching.

The world, Mr. Speaker, is watching. I urge us to action.

Representatives LOFGREN and CONYERS have introduced a bill to block this executive order. I have cosponsored it, along with 160 other Members of this House. This is a time when party should not be put before country. Party should not be put before patriotism. Party should not be put before principle.

Join me, and let us deny our enemies this potent tool and remind the world what truly makes America great.

IMPORTANCE OF FIREFIGHTERS IN RURAL AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to speak about the unsung heroes in many rural

communities throughout America: our volunteer firefighters.

These dedicated volunteers answer the call 24 hours a day, 7 days a week. They spend time away from their families and homes. The training that is required can be costly and very time consuming.

Our volunteer firefighters make these sacrifices because they care deeply about their friends and neighbors. They care about their communities.

But rural America is facing a real problem with dwindling numbers of those who are willing to volunteer. A National Fire Protection Association report published last year shows the number of volunteer firefighters per 1,000 people has been decreasing since 1986.

Gone are the days when those seeking to volunteer had to add their names to a waiting list to join their local fire department. Sometimes volunteers could wait for years to be added to the roster, but that is not how it is anymore as fewer individuals are interested in signing up.

This is not unique to Pennsylvania, but it is happening in communities across the country. Small communities reap the benefits of having volunteer forces. According to a 2016 National Fire Prevention Association study, the time donated by volunteer firefighters saves localities across the country an estimated \$139.8 billion a year.

The savings are clear, and the service could not be more important. That is why last year I hosted two fire summits in my district to speak directly with local firefighters and try to identify not only the challenges that they face, but also some solutions to those problems.

Funding is always a problem that plagues volunteer departments and can truly decline quickly when we think of what it costs to purchase new equipment and be compliant with the latest regulations. Small communities are often already stressed economically and do not have a tax base that can assume another increase; but equipment replacement is paramount, and it can sometimes mean the life or death of a firefighter.

Volunteer fire departments also face training challenges. Firefighters in rural communities regularly need to travel long distances for instructional courses, and paying for the necessary training can be difficult. Training sessions might not focus enough on firefighting in rural communities, which is different from that in urban communities in a number of ways.

Personnel challenges remain a constant issue with declining populations, aging firefighters who are not being replaced with those of a younger generation, and a lack of tangible retention incentives.

□ 1015

Yet, with all of these challenges, fire departments are faced with higher call

volumes than ever before, according to a study from the National Volunteer Fire Council. Most fire departments across the country have experienced a steady increase in calls over the past two decades. This is a major source of the increased time demands on volunteer firefighters.

The number of calls, coupled with the decline in the number of volunteer firefighters, means that fire departments are continuously spread too thin. Most of the increase is attributed to a sharp rise in the number of emergency medical calls, false alarms, and the use of mutual aid as the number of firefighters has decreased.

Mr. Speaker, the dangerous work that these men and women do in order to protect the homes and livelihoods of Americans is not something that should be taken for granted. These first responders put their lives on the line and make great sacrifices in order to protect their neighbors and communities from harm. As a volunteer firefighter and EMT rescue technician myself and as a member of the Congressional Fire Caucus, I am grateful for the services that our first responders—brothers and sisters who serve the communities—provide and the constant state of readiness that they operate under.

While we must not forget those who have made the ultimate sacrifice through their service, we must also ensure that their colleagues and all of our Nation's first responders are respected and have the resources they need to safely perform their jobs.

That is why I am working with the volunteer fire departments in Pennsylvania's Fifth Congressional District to develop solutions—ideas—to not only recruit more firefighters but to retain them. It is my hope that, by increasing awareness and examining incentives, we might be able to strengthen and grow the rosters of our volunteer fire departments. We know that this service is critical, and we must respect those who are willing to show up, day or night, to protect their neighbors.

Thank you to all of our volunteers who answer when the alarm sounds. We value you; we respect you; and I hope we can find more of you to serve.

I AM AN AMERICAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, I am an American man, born in Chicago, to parents who were born citizens of the United States.

The ban on legal immigration from seven countries does not impact me or my family directly, but, as an American, I am speaking up today. I am an immigrant.

The proposed roundup of millions of immigrants will not hit my house directly, but, as an American, I am

standing up today to say I, too, am undocumented.

I have not fled systematic persecution, but, today, like a lot of Americans, I am speaking out and saying clearly that I, too, am a refugee.

Today, I am an 81-year-old man who was originally from Iran who traveled with a heart problem to the United States—with my American family and a green card in my hand—and was detained at O'Hare International Airport in Chicago.

Today, I am a Fulbright scholar who was put on a plane back to Iran because our government did not understand what the new President was doing, how he was doing it, or what people already traveling should do.

Today, I am a citizen of the United Kingdom—I am English—with a green card, who was blocked entering at O'Hare with my U.S. citizen wife and my U.S. citizen child. That is who I am today.

Today, I am a student who is in the middle of my academic career at the University of Chicago who does not know whether I can come back to school and continue my education.

Today, I am one of more than 67,000 refugees who is already approved for travel and certified by both the United States and the U.N. in a painstaking process that took me years to complete, but I am stranded overseas.

Today, I am gay or Jewish, Christian, Hindu, Shia, Sunni, am from a tribe or ethnic group that is systematically targeted for persecution, or am living in a country anywhere in the world that cannot protect my basic safety, and the United States is closed to me.

Today, I am an immigrant who has a green card and who has followed all of the rules to the letter, but I cannot renew my green card or lawfully apply for citizenship here in the U.S. because I am from one of seven mostly Muslim countries on Trump's list where, incidentally, there are no Trump hotels, buildings, or golf courses.

By now, the entire world knows that the President of the United States screwed up bigly last week and caused an international and domestic crisis and that his staff is lying when they say it was a "huge success."

When the German Chancellor has to lecture your President about the Geneva Convention, you have made one hell of a bad decision.

When the Prime Minister of England is saying on one day that the U.S. and Britain have a special relationship but that, on the very next day, you are keeping her citizens out of your country when they are green card holders, your country has made a mistake.

When Rudy Giuliani—of all people—makes it clear that the President requested a Muslim ban and that they dressed up the policy to make it look better but still carved out exceptions to help Christians, you are probably acting in an unconstitutional manner.

That is not what one but two Federal judges thought: that there are significant enough constitutional issues that have been raised by recent executive actions to stop the President's order from being implemented.

Honestly, even at this hour, I am not sure they are fully complying with the orders or will reverse the actions of government officers at airports who coerced—intimidated—green card holders into signing away their rights and being deported.

On Sunday, the glaring bald spot of the President's executive order was combed over by the Secretary of Homeland Security, who said that keeping out travelers who already live in the U.S. and have green cards is not in the interests of the United States, to which the entire world said, sarcastically: Ya' think?

Today, I am an American, and I am standing up. Today, I am one of the millions of Americans who went to airports, Trump hotels, or town squares and who is marching peacefully, praying privately, and preparing personally to act as an advocate for immigrants and other families in our communities—women, Jews, gentiles, LGBT, and every one of every color and shape.

Today, they did not come for us, but we could not be quiet. We joined arms and worked together as Americans. We pledged to stand up for those who are being targeted so that we can protect each other and stem the next wave of targeted attacks.

DETECTIVE JERRY WALKER:
TEXAS LAWMAN—LITTLE ELM,
TEXAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, Texas has lost another one of our finest men in blue.

Last month, Detective Jerry Walker responded to a call of a man brandishing a rifle and screaming and hollering in his backyard. So the officers arrived, and they ordered the man to drop the weapon, but the outlaw did not comply. He ran into the house and started firing his weapon—shooting at the officers from inside the cover of his home.

During the shoot-out with the officers, the outlaw was killed, but Detective Walker—a 48-year-old father of four and an 18-year veteran of the force—was shot during the shoot-out. This is a photograph of him.

His fellow officers rushed to Detective Walker, and he was later airlifted to the hospital, but he died at the hospital. As his body was transported from the hospital, dozens of officers and emergency responders lined the street, saluting their fallen detective. The song "Amazing Grace" could be heard on bagpipes as his body was taken away and traveled down the street.

Not only was Detective Walker an outstanding member of the Little Elm Police Department, but he also wore another uniform. He wore the uniform of a soldier in the United States Army. Walker served our country both at home and abroad.

Mr. Speaker, Little Elm is in north Texas. It has a population of about 3,500 people. It has approximately 21 police officers, and Detective Walker was the longest-serving officer in that town. Detective Walker's youngest child is only a few months old. His four children need to remember that their father died a servant of the people of Little Elm, Texas.

He will be remembered by his family, his friends, and his community as a model officer who protected the innocent. Most importantly, he will be remembered as someone who genuinely cared about the people of the community that he lived in.

Before he became a detective with the Little Elm Police Department, Walker served as a school resource officer at Little Elm High School. Students there remember him as someone who could talk to the students and put them at ease. In fact, the kids just loved him. They often would arm wrestle with their beloved officer during lunchtime.

One such student, Lionel Valdez, met Walker at school at about the same time that Valdez started getting into trouble. Valdez' father had walked out of his own life; so Walker took on a parent's role in making sure that Valdez kept his nose clean and stayed out of trouble while he was in school. He even went so far as to make sure that he showed up in class. Years after Valdez graduated from high school, he would return to the school and have conversations with Walker—the one man who showed him the light during his darkest times as a student at school.

Jerry Walker was a realtime hero. Detective Walker, Mr. Speaker, is the sixth officer killed in the line of duty in the first 17 days in 2017. Six deaths in 17 days is tragic. Our Nation must honor those men and women who wear the badge—the badge of honor, sacrifice. We must back the blue, Mr. Speaker—back the blue—and back officers like Jerry Walker of Little Elm, Texas.

And that is just the way it is.

MUSLIM BAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, three centuries ago, Hans Christian Andersen wrote a fairy tale about a king who was so vain and insecure that nobody dared challenge him. Andersen wrote: "He cared nothing about reviewing his soldiers, going to the theater, or taking a ride in his carriage except to show off his new clothes."

Sound familiar—a leader so vain and insecure that those around him are afraid to challenge him? a man who thinks he is so smart that he can ignore intelligence briefings and who thinks he is so powerful that he can attack an entire religion without respecting the Constitution, consulting Congress, or even his own Cabinet?

The White House claims its ban on Muslims entering our country is about “keeping America safe.” Don’t be fooled. It is about keeping America scared. I am not naive. There is good and evil in this world. My argument is that the administration has the two sides confused.

On Saturday, a 5-year-old Maryland boy was held for hours at the Washington Dulles International Airport while his frantic Iranian-born mother waited outside. Meanwhile, at 1600 Pennsylvania Avenue, alt-right provocateur Steve Bannon reassured the President that their extreme vetting was protecting us from evil.

Okay, Mr. Bannon. Let’s talk extreme vetting.

Before refugees make it to America, they are first vetted by the U.N. Commission for Refugees. Then the State Department investigates and interviews them overseas, checking them against databases with data from battlefields, email intercepts, intelligence, and other interviews. If they make it this far—and many do not—they are fingerprinted and investigated again by the FBI. This process can take up to 2 years, and everyone is vetted—in fact, extremely vetted; but no extreme seems extreme enough for the extremists who are currently in the White House.

And how did they choose the seven countries to target?

In the past 40 years, there hasn’t been a single terrorist act in America by someone from Syria, Iran, Sudan, Libya, Somalia, Yemen, or Iraq. Of course, that is not all these countries have in common. They are also nations in which The Trump Organization has no business. Meanwhile, the homes of every one of the 9/11 hijackers—Saudi Arabia, the United Arab Emirates, Egypt, and Lebanon—were left off the list. The Trump Organization has holdings in three out of the four.

Last weekend, at the San Francisco International Airport, an Afghani interpreter for our military was detained—held—and questioned after risking his life for our country.

In Chicago, Sahar Algonaimi traveled from Syria to care for her dying mother. Despite having a valid visa, she was put back on a plane and sent home. Before she left, her sister said she was coerced into signing papers that canceled her visa.

□ 1030

Other detainees say they were asked their views on the current President.

What does that have to do with anything? If having a negative view of the man in the White House is cause for getting kicked out of the country, we are going to need a lot more planes.

Since Friday, hundreds have been detained and thousands of legal residents and visa holders are in limbo overseas. ISIS is rejoicing, and American troops and travelers are in danger.

So how does the White House describe the results? “. . . a massive success story . . . on every single level.” If this is the Trump administration’s idea of success, God help us all when they fail.

At the end of his famous story, Hans Christian Andersen’s foolish emperor parades naked down the street while those around him marvel at his magnificent clothes. Andersen wrote:

“No costume the Emperor had worn before was ever such a complete success.”

Then a child cried out: “But he hasn’t got anything on.”

We all know how the story ends. Just like in the fairy tale, sometimes it takes a child to show us the truth.

HONORING CHIEF SPECIAL WARFARE OFFICER WILLIAM “RYAN” OWENS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. TAYLOR) for 5 minutes.

Mr. TAYLOR. Mr. Speaker, I rise to honor Chief Special Warfare Officer William “Ryan” Owens and his wife and his children.

The Department of Defense announced his death January 28 in the Arabian peninsula after wounds sustained in a raid against al Qaeda. It should also be noted that two others were wounded in the raid and three others injured in a crash landing.

I looked for my own words today, but I came across the profound writing of Andrew Stumpf, and I shall recite his powerful words today in honor of Chief Owens and his family: “A Debt That Cannot Be Repaid.”

“In a country that most would struggle to find on a map, in a compound that few possess the courage to enter, men from my previous life took the fight to our enemy.

“In that compound, they found men that pray five times a day for your destruction. Those men don’t know me, they don’t know you, and they don’t know America. They don’t understand our compassion, our freedoms, and our tolerance. I know it may seem as if those things are currently missing, but they remain, and I know they will return. Our capacity for them is boundless, and is only dwarfed by their hatred for you. They don’t care about your religious beliefs; they don’t care about your political opinions. They don’t care if you sit on the left or the right, liberal or conservative, pacifist

or a warrior. They don’t care how much you believe in diversity, equality, or freedom of speech.

“I’m sorry that you have never smelled the breath of a man who wants to kill you. I am sorry that you have never felt the alarm bells ringing in your body, the combination of fear and adrenalin, as you move towards the fight, instead of running from it. I am sorry you have never heard someone cry out for help, or cried out for help yourself, relying on the courage of others to bring you home. I am sorry that you have never tasted the salt from your own tears, as you stand at flag draped coffins, burying men you were humbled to call your friends. I don’t wish those experiences on you, but I wish you had them. It would change the way you act, it would change the way you value, it would change the way you appreciate. You become quick to open your eyes, and slow to open your mouth.

“Most will never understand the sacrifice required to keep men from that compound away from our doorstep, but it would not hurt you to try. It would not hurt you to take a moment to respect the sacrifices that others make on your behalf, whether they share your opinions or not. It would not hurt you to take a moment to think of the relentless drain on family, friends, and loved ones that are left behind. Ideas are not protected by words. Paper may outline the foundation and principles of this nation, but it is blood that protects it.

“In that compound, a man you have never met gave everything he had, so that YOU, have the freedom to think, speak, and act however you choose. He went there for all of us, whether you loved him, or hated what he stood for. He went there to preserve the opportunity and the privilege to believe, to be, and to become what we want. This country, every single person living inside its borders and under the banner of its flag, owe that man. We owe that man everything. We owe him the respect that his sacrifice deserves.

“Saying thank you is not enough.

“We send our best, and lose them, in the fight against the worst this world has to offer. If you want to respect and honor their sacrifice, it needs to be more than words. You have to live it.

“Take a minute and look around. Soak it in, all of it. The good, the bad, and the ugly. You have the choice, every day, as to which category you want to be in, and which direction you want to move. You have that choice, because the best among us, the best we have ever had to offer, fought, bled, and died for it.

“Don’t ever forget it.”

FIGHT CLOSED DOORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Mr. Speaker, on Friday, I visited a community health center in Worcester, Massachusetts. There, at a place dedicated to healing those in their community, I met one of their patients. It was a 42-year-old Muslim refugee from Baghdad who arrived in the United States this past November. He, his wife, and his children spent 3 years in a Turkish refugee camp after fleeing their home country.

His family had been targeted in Iraq. He had been hospitalized four times with bombing injuries. He and his wife had both been shot. He watched his own brother burn to death in front of his eyes, and countless members of his family are still missing.

He was a musician back home, but he struggled to keep up his craft as he has fled. A doctor in that health center managed to track down a used trumpet and presented it to that man as a gift. Now, every time he visits that health center, he brings the trumpet and plays it for the staff.

My visit was no exception. He stood in front of our group and proudly played our national anthem with tears in his eyes because this country had given him a home. This country is helping him mend his wounds, has protected his family, and has given him a chance to fight another day.

It is a badge of honor that he shares with every single person living in our great Nation, regardless of color or creed, that we are all bound together by the immense opportunity of those golden doors, opened at one point for our own families sometime down the road.

Hours after our visit, our President—his President—told him that his relatives, his neighbors, and millions of others who have suffered just as he has were no longer welcome here.

To Samira Asgari, a 30-year-old doctor traveling to Boston to study cures for tuberculosis, he closed the doors.

To the Iraqi general who commands an American-trained counterterrorist force traveling here to visit his relocated family, our President closed our doors.

To all of the 21.3 million refugees worldwide, the leader of our free world told them that their pain and their suffering was not his problem, and he closed our doors.

And to the global community, he made clear that his government will give in to terror and will make decisions based on fear rather than strength.

Mr. President, I hope you hear us loud and clear when we say that these actions are an insult to the country we all love. They are an insult to our Constitution and an embarrassment to the blood, the sweat, and the tears that generations of Americans have shed in defense of Lady Liberty.

So, Mr. President, we will fight, we will march, we will protest, we will raise our voices, and one day we will win.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and not to the President.

A NATION THAT WELCOMES AND
RESPECTS PEOPLE FROM ALL
OVER THE WORLD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I have had the privilege of working with Republican and Democratic Presidents, and, I might add, that I have had the sadness to be standing with them during times of need of this Nation. Living knowledge, during my tenure, President George W. Bush was President during 9/11.

I was in this Capitol on September 11, 2001, and so I was physically evacuated. As we were leaving with no understanding of what was happening—particularly for those of us who had come for early morning meetings, not having the full impact of what had happened in New York and not having the full knowledge. But as we were fleeing this building, we took a look to our right. We could see the billowing black smoke in the Pentagon. We were running for our lives. We were running as Americans, Muslims, Jews, Christians, people of many faiths, many races, many genders, many orientations. We were running as Americans.

Those families at Ground Zero watched in horror or heard in horror of their loved ones lost, in spite of the heroic efforts of first responders. First responders were lost. There, too, was a multitude of the United Nations.

This Nation has always welcomed and respected people from all over the world, and so it disturbs me when those of us who have now taken a visible and stoic stand against an unconstitutional executive order begin to receive attacks from the very person who should be bringing this Nation together.

I take great insult from the firing of Deputy Attorney General Sally Yates, a person whom I have worked with personally as a senior member of the House Judiciary Committee. She is of profound integrity, honesty, respectability, and professionalism. I congratulate Deputy Attorney General Sally Yates for being a patriot.

Last evening, she rendered this statement: “In addition, I am responsible for ensuring that the positions we take in court remain consistent with this institution’s solemn obligation to always seek justice and stand for what is right. At present, I am not convinced that the defense of the executive order is consistent with these responsibilities nor am I convinced that the executive order is lawful.”

Responding to that, almost like Nixon, some decades ago, this White House fired Attorney General Yates and proceeded to make this statement: “The acting Attorney General, Sally Yates, has betrayed the Department of Justice by refusing to enforce a legal order designed to protect the citizens of the United States. This order was approved as to form and legality by the Department of Justice Office of Legal Counsel.”

Sally Yates explained it, but there is no betrayal of the Department of Justice. It is an entity. It is not the American people, and it is not a Constitution. She has no obligation to the Department of Justice. She has an obligation to the American people to uphold the Constitution.

□ 1045

The White House proceeds to go on to say—I assume President Trump—“Ms. Yates is an Obama administration appointee who is weak on borders and very weak on illegal immigration,” of which I don’t know their proof for such.

But what I will say to you is that she was doing her civic and patriotic duty by remaining there as a senior member who was the only person there that could sign subpoenas. She was doing America a favor.

So I will say, in the backdrop of that, were you at the Bush Intercontinental Airport, as I was, when an Iraqi citizen came in, a legal permanent resident with a green card, and was detained for 5 hours while his employer and lawyers were gathering and hovering outside; and CBP, to my understanding, how frightened they were, how they did not know what was going on, did not allow them to be able to speak?

Or did you listen last night when an Iraqi woman indicated that her husband was murdered and she hid for 12 years in Iraq until she was able to bring her children here?

Did you hear that refugees are being denied to come in for 120 days on Friday, Mr. Speaker, and that their papers will expire?

Finally, Mr. Speaker, did you hear that the perpetrator in Quebec had on his social media that he was supporting or praising President Trump?

Enough is enough. Repeal this order. Pass the SOLVE Act. Pass the USA Act that I have introduced as well that includes gender and religion.

Stop this madness. The executive order is unconstitutional.

AMERICA IS AND MUST REMAIN A
COUNTRY THAT WELCOMES REF-
UGEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SWALWELL) for 5 minutes.

Mr. SWALWELL of California. Mr. Speaker, America is and must remain a

country that welcomes refugees, and we must welcome refugees of all religions.

President Trump has our country under a Muslim ban that makes us less safe and less American. Less safe because we already have in place since World War II a process for vetting refugees who come to this country, an intense process that takes 18 to 24 months before anyone can get here.

Less safe because it makes us less of a team player on an international stage that requires cooperation among our allies and those in the Middle East who are helping us fight terrorism. If we are not taking on refugees, as our allies, like Jordan and Germany and others who are in the thick of this fight, we will not be seen as a team player and we will not be able to count on them for cooperation.

Less safe because it motivates and inspires an enemy who is determined to dispel a message that the United States is not welcome to Muslims.

It makes us less American because refugees have helped America as much as America has helped refugees. We have seen this in the wisdom of Albert Einstein, the patriotism of Secretary Madeleine Albright.

I have seen this in my own congressional office with my chief of staff, Ricky Le, who came to our country at age 4, on a raft, fleeing Vietnam, and was welcomed into this country, where he was given an opportunity to be the first in his family to go to college, started working on Capitol Hill as an intern, and serves as the chief of staff in my office today.

I have seen this spirit of the refugee in Mohammad Usafi, who was my guest at the State of the Union just 2 years ago. Mohammad served our country as an interpreter in Afghanistan. He lost his father, who was kidnapped and killed by the Taliban for his service. His little brother was kidnapped, and he gave his life savings to save his brother's life.

We brought Mohammad over to the United States. But today, if Mohammad was on his way to the United States, under this Muslim ban, he would be detained in an airport.

But what is American?

American is standing up and welcoming people in need. Being American means going to an airport, as I saw thousands do when I went to SFO airport in San Francisco this weekend. I saw the lawyers on our staff working to provide casework to anyone who was detained. I saw the spirit of generosity across our country at airports and town squares.

Being an American means supporting Congresswoman LOFGREN's SOLVE Act, the Statue of Liberty Values Act, that will fix and end this Muslim ban.

Being an American is what Sally Yates did last night when she stood up against an illegal order and she was

fired. Acting Attorney General Sally Yates was not the person who deserved to be fired yesterday.

To stop this Muslim ban, we must unite in this country; unite and make sure that we are safe and welcoming to those in need; unite to say we will not target people for persecution based on religion; unite to live out, indeed, what we are taught in the Bible.

In Luke 10:25, a student asked Jesus: "What must I do to inherit eternal life?"

Jesus says: "Love the Lord with all of your heart, and love your neighbor as yourself."

The student asks: "Who is my neighbor?"

And Jesus tells him the story of a traveler from Jerusalem headed to Jericho who was attacked, robbed, and beaten along his journey, and stripped of all of his clothes. He encounters a priest, who walks to the other side of the road when he sees the traveler.

He encounters a Levite, who also, like the priest, walks to the other side of the road when he sees this beaten, weary traveler. But then he comes across a Samaritan. The Samaritan took pity on the traveler, bandaged his wounds, and took him and paid for him to stay at an inn.

Jesus asked the student: "Which of these men was a neighbor?"

The student said: "The one who showed mercy."

Jesus said to the student: "Go and do likewise."

To my colleagues in this House, Republicans and Democrats, and Americans across this great land, refugees are our neighbors. They are the weary travelers. How will we receive them? The American spirit is to be like the Samaritan. We must go and do likewise.

A DECADE OF SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER. Mr. Speaker, I rise today to honor a Minnesota public servant. After nearly a decade of service to his community, my friend and St. Michael's former mayor, Jerry Zachman, I congratulate him on his retirement.

Jerry has deep roots in St. Michael, as he is a part of the fifth generation of his family to live there, and these strong ties to his beloved community, no doubt, inspired Jerry to serve.

As the community began to grow and develop, his main goal was to ensure that St. Michael residents were always put first. I think it is safe to say that Jerry did just that. During his 10 years as mayor, Jerry made numerous improvements to this ever-growing community and city. One major project Jerry played a huge role in is the expansion of the I-94 corridor, which cuts

through Minnesota's Sixth Congressional District.

I thank Jerry for his unwavering dedication to St. Michael and to our great State, and I wish him nothing but the best in his future.

AN X GAMES STAR

Mr. EMMER. Mr. Speaker, I rise today to celebrate an athlete from my district who has persevered and conquered, achieved, despite challenges that have been presented to him during his life.

This past week, snowmobile motocross racer Mike Schultz, from St. Cloud, Minnesota, won his sixth gold medal at the Winter X Games. Mike lost his left leg during a tragic accident in 2008. This past week, he competed amongst opponents who were also amputees or partially paralyzed.

Mike Schultz serves as a wonderful reminder of what can be accomplished when one never gives up and displays courage in the face of extreme challenge. It is inspiring to see a young man come out on top against such adversity.

We are proud of you, Mike, and I look forward to watching you compete in the 2017 International Paralympic Committee World Para Snowboard Championships in Canada later this year. I have no doubt you will be victorious once again.

MINNESOTA'S MEDIA MOGUL

Mr. EMMER. Mr. Speaker, I rise today to celebrate one of the great leaders in Minnesota. Stanley S. Hubbard, the president and chairman of Hubbard Broadcasting, has been awarded the First Amendment Leadership Award from the Radio Television Digital News Foundation. Hubbard Broadcasting owns several media outlets, including KSTP, a local news affiliate in the great State of Minnesota.

Stan Hubbard is well-known in his industry. In fact, he has already been inducted into the Broadcast & Cable Hall of Fame, and he has received the Distinguished Service Award from the National Association of Broadcasters.

The First Amendment Leadership Award is presented annually to a business or government leader who has made a significant contribution to the protection of the First Amendment and the freedom of the press. This award was made for someone like Stan Hubbard.

Stan Hubbard, of Hubbard Broadcasting, has spent his entire career in the media protecting and promoting free speech and a free and accountable press.

Congratulations to you, Stan, and to the entire Hubbard Broadcasting family. You deserve this award because you earn it every day.

PRESIDENT TRUMP'S CABINET
NOMINEE, STEVE MNUCHIN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, today I rise to place in the RECORD a very important story from The Columbus Dispatch newspaper. It focuses on Steve Mnuchin, President Trump's nominee to be Treasury Secretary, and it raises issues of deep concern.

[From the Columbus Dispatch, Jan. 29, 2017]

TRUMP TREASURY PICK MNUCHIN MISLED
SENATE ON FORECLOSURES, OHIO CASES SHOW

(By Alan Johnson and Jill Riepenhoff)

President Donald Trump's nominee for U.S. treasury secretary was untruthful with the Senate during the confirmation process, documents uncovered by The Dispatch show.

Steve Mnuchin, former chairman and chief executive officer of OneWest Bank, known for its aggressive foreclosure practices, flatly denied in testimony before the Senate Finance Committee that OneWest used "robo-signing" on mortgage documents.

But records show the bank utilized the questionable practice in Ohio.

"The guy is just lying. There's no other way to say it," said Bill Faith, executive director of the Coalition on Homelessness and Housing in Ohio.

The revelation comes with the committee's vote on whether to confirm Mnuchin's nomination, currently scheduled for Monday night.

Barney Keller of Jamestown Associates, who represents Mnuchin, was asked to comment for this story but did not respond before deadline. Jamestown Associates is a Washington political consulting and advertising firm that represented Trump in his campaign.

"Robo-signing" is the informal term for when a mortgage company employee signs hundreds of foreclosures, swearing they have scrutinized the documents as required by law when in fact they have not.

"OneWest Bank did not 'robo-sign' documents," Mnuchin wrote in response to questions from individual senators, "and as the only bank to successfully complete the Independent Foreclosure Review required by federal banking regulators to investigate allegations of 'robo-signing,' I am proud of our institution's extremely low error rate."

But a Dispatch analysis of nearly four dozen foreclosure cases filed by OneWest in Franklin County in 2010 alone shows that the company frequently used robo-signers. The vast majority of the Columbus-area cases were signed by 11 different people in Travis County, Texas. Those employees called themselves vice presidents, assistant vice presidents, managers and assistant secretaries. In three local cases, a judge dismissed OneWest foreclosure proceedings specifically based on inaccurate robo-signings.

The Dispatch found more than 1,900 OneWest foreclosures in the state's six largest counties from 2009 to 2015.

Carla Duncan, a social worker from Cleveland Heights, was snared by OneWest's robo-signing machinery.

On her way out of town for a short trip in 2010, Duncan stopped by her home to get her mail and found a note from a field inspector for her mortgage company saying that her house was vacant and was going to be boarded up.

"It wasn't vacant. I was living there," Duncan said. "There were curtains on the

windows. The radio was playing and the dog was there."

What Duncan didn't know at the time was that OneWest had begun foreclosure proceedings on her three-bedroom home even though she was up-to-date on her payments. OneWest refused to accept a loan modification approved by a previous lender that had been purchased by OneWest, and it wanted to substantially increase Duncan's interest rate and monthly payment and add late fees. The company also put a lock box on a separate rental property she owned in Cleveland.

After hiring former Ohio Attorney General Marc Dann, waging a five-year court battle and filing personal bankruptcy, Duncan was finally able to get the foreclosures dismissed and keep her home and rental property. She said the experience was devastating.

"It's almost like being raped, like being emotionally violated," Duncan said. "It got to the point that I was afraid to open my own door."

Court records show that Duncan's mortgage was robo-signed by Erica Johnson-Seck, vice president of OneWest's department of bankruptcy and foreclosures. From her office in Austin, Texas, Johnson-Seck robo-signed an average of 750 foreclosure documents a week, according to a sworn deposition she gave in a Florida case in July 2009.

Under oath, Johnson-Seck acknowledged that she did not read the documents she was signing, taking only about 30 seconds to sign her name. To speed up the process, Johnson-Seck said she shortened her first name on her signature to just an "E." She said in the deposition that OneWest's practice was to review just 10 percent of the foreclosure documents for accuracy.

Dann, who now specializes in representing clients who have problems with banks and other lenders after he was forced to resign as attorney general nearly 10 years ago, said Mnuchin's businesses were a "major offender" in problem mortgages. Dann said Mnuchin's firms were known for dual tracking (pursuing foreclosures simultaneously as they allegedly worked with homeowners), fabricating documents and other tactics "that caused unbelievable devastation in people's lives."

In 2010, federal laws were changed, enabling borrowers victimized by lenders to sue them. Dann said he worries that Mnuchin, as treasury secretary, would quietly work to repeal reforms, collectively known as the Dodd-Frank Wall Street Reform and Consumer Protection Act.

That appears to be the case.

"It has been over six years since the passage of Dodd-Frank and it seems like an appropriate time to review all of the regulations from Dodd-Frank to understand their impact on the market, investors, small businesses and economic growth," Mnuchin said in a written answer to the Senate.

U.S. Sen. Sherrod Brown, D-Ohio, grilled Mnuchin at his recent hearing and in follow-up written questions.

"Mnuchin profited off of kicking people out of their homes and then gave false testimony about his bank's abusive practices," Brown told The Dispatch. "He cannot be trusted to make decisions about policies as personal to working Ohioans as their taxes and retirement."

Faith, the homelessness coalition director, said foreclosure practices by Mnuchin's companies and others like them "created havoc."

"People were bamboozled into signing these mortgages," Faith said. "We watched this train wreck happen. It's been dev-

astating, not only to the people who got caught in this kind of scheme, but also to people who happened to live in the neighborhood . . . It's scary that he's going to be treasury secretary."

The Dispatch analysis showed thousands of Ohio homeowners—including 245 in Franklin County—found themselves in OneWest's crosshairs when they defaulted on their loans, the majority of them with high interest rates. Many mortgages had terms that housing and financial experts view as predatory: prepayment penalties, interest-only loans and no-money-down loans.

In addition to OneWest, which was born in 2009 from the collapse of subprime mortgage giant IndyMac, Mnuchin's banking group also acquired Financial Freedom, a subsidiary of Lehman Brothers that went bankrupt because of its toxic mortgage portfolio. The firm specialized in loans to senior citizens cashing in on their homes' equity.

Mnuchin was labeled by critics at the time as the "Foreclosure King."

Of the nearly four dozen foreclosure cases filed by OneWest in Franklin County in 2010 that were analyzed by The Dispatch, a quarter were filed within three years of the homeowner taking out the loan, typically a red flag that there was a problem with the mortgage terms and/or vetting the borrowers.

Thirteen of the borrowers had double-digit interest rates, ranging from 10 percent to 17.31 percent, largely because of adjustable-rate mortgage terms.

In the cases in which the houses were sold at an auction, two-thirds ended up in the hands of the federal government, which had backed those loans. Collectively, more than \$4 million was due on those loans.

Only seven borrowers were able to get a loan modification, even though former President Barack Obama's administration had been pushing since 2009 for lenders to help Americans keep their homes by lowering interest rates and, in some cases, the principal balance.

Mnuchin does have supporters, including the American Bankers Association, which sent a letter to the Senate committee saying Mnuchin's "public statements as well as his career in finance bring us optimism with regard to the outlook for public policies focused on growth and prosperity."

Grover Norquist, head of Americans for Tax Reform, released a statement supporting Mnuchin's nomination, in part because of his stated intention to roll back some of the Dodd-Frank legislation: "Mr. Mnuchin has made it clear that reforming the Dodd-Frank Act will be his 'number one priority on the regulatory side' once he becomes secretary of the treasury."

Ms. KAPTUR. According to The Columbus Dispatch, Mnuchin was untruthful to the Senate Finance Committee regarding his company's aggressive role in hastening thousands of home foreclosures during the 2000 financial crisis and what followed, and his misdeeds deeply impacted places like Ohio.

Mr. Mnuchin was the chief executive officer of OneWest Bank, which engaged in so-called robo-signing of mortgage documents. That means you really don't—you treat people like objects; you really don't go into the details of every case.

The Columbus Dispatch said its analysis of dozens of foreclosure cases in

Ohio, and subsequent action, prove otherwise.

The dastardly practice of robo-signing, prevalent throughout the mortgage industry in the aftermath of that terrible financial crisis, had certain leaders, of which Mr. Mnuchin was at the top of the heap; and their employees signed foreclosure documents en masse without properly reviewing them and forcing unjust foreclosures.

The Columbus Dispatch found more than 1,900 such cases in Ohio alone. Individual cases revealed OneWest Bank declared properties vacant, even though someone was living in them. OneWest Bank, time and again, refused to abide by agreed-upon loan modifications.

Is that the kind of person that we really want in charge of the U.S. Treasury Department?

Nominee Mnuchin comes with a Goldman Sachs pedigree. Well, wouldn't we know that? He was nicknamed the "foreclosure king" after buying up IndyMac, a subprime lender that evicted about 36,000 people during the financial crisis.

Sadly, Mr. Speaker, while President-elect Trump promised to drain the swamp, his nominee for Treasury Secretary proves he is not doing that at all. He is enlarging the swamp.

The Columbus Dispatch found more than 1,900, I repeat, OneWest Bank foreclosures in our State's six largest counties from 2009 to 2015.

In addition, Mr. Mnuchin profited personally off of kicking people out of their homes. Does such a person actually deserve confirmation as Secretary of the Treasury of the United States of America?

Wake up, America. Wake up. Pay attention to what is happening here in Washington, D.C. This city belongs to you. This Capitol belongs to you.

Mr. Speaker, I would also like to place in the RECORD a release I sent out over the weekend relating to President Trump's executive order on immigration and refugees.

KAPTUR STATEMENT ON PRESIDENT TRUMP'S EXECUTIVE ORDER ON IMMIGRATION AND REFUGEES

CONDEMNS MISGUIDED MANDATE, INVITES TRUMP TO MEET WITH REFUGEES WHO CALL OHIO HOME

WASHINGTON, DC.—Today Congresswoman Marcy Kaptur (OH-09) released the following statement in light of confusion and hurt emanating from President Donald Trump's Executive Order on immigration and refugees.

"In New York harbor, not far from President Donald Trump's office tower stands the awesome Statue of Liberty with Emma Lazarus' immortal words, 'Give me your tired, your poor, your huddled masses yearning to breathe free.' Surely, President Trump has read these words.

"Ancestors of the Trump and Kaptur families both passed through that unforgettable portal as they made their way to America as immigrants. How can we deny to others the gift of freedom bequeathed to us?

"I support robust efforts to make America safe and secure. But a workable solution should ensure America's safety without destroying our heritage as an immigrant nation, dedicated to liberty and justice for all.

"President Trump's mandate will make America less safe. It penalizes worthy individuals and actually gives terrorist cells ammunition to use against America. This mandate puts people at risk who have helped America in our battle against terrorism, at home and abroad. It punishes innocent individuals caught in the crossfire fleeing terror and tribal conflict.

"Dangerously this misconceived Executive Order will spur anti-American sentiment globally and on the Internet, spurring more terrorism, including against our troops, and it potentially aggravating religious conflict half way around the world. Reckless rhetoric puts our nation at greater risk at home and puts Americans traveling abroad in danger.

"I cordially invite the President to northern Ohio to meet personally with some of the crossfire fleeing the terror of war and tribal conflict. A well-crafted policy should enshrine liberty for all law-abiding persons while avoiding unintended consequences that can be used by our enemies to enflame terrorism."

Ms. KAPTUR. I just wish to say that the ancestors of the Trump family, as well as the Kaptur family, passed through the unforgettable portal of the Statue of Liberty in New York Harbor. And the words at the base of that statue are emblazoned in the minds of families like our own going back generations. "Give me your tired, your poor, your huddled masses yearning to breathe free." Surely, President Trump has read these words.

I support robust efforts to make America safe and secure, and have served on all the committees in this Congress that aim to do that. But workable solutions should ensure America's safety, without destroying our heritage as an immigrant Nation dedicated to liberty and justice for all.

President Trump's mandate actually will make America less safe because it penalizes worthy individuals and puts them at greater risk, and it actually gives terrorist cells ammunition to use against America.

□ 1100

Think about it. This mandate puts people at risk who helped America in our battle against terrorism abroad and at home, and it punishes innocent individuals caught in the crossfire fleeing terror and tribal conflict.

Dangerously, this misconceived executive order will spur anti-American sentiment globally and on the internet spurring more terrorism. The old World War II motto "loose lips sink ships" is going to happen because of the way this was conducted. Reckless rhetoric puts our Nation at greater risk at home and puts Americans fighting for us and those traveling abroad in greater danger.

Mr. Speaker, I cordially invite the President to northern Ohio. Come and meet some of the people whose lives

your order changed. I think you will change your mind.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

IRAQI SPECIAL IMMIGRANT VISAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we are seeing from coast to coast demonstrations, protests, with people speaking out against the outrageous, reckless, and cruel executive order promulgated by the administration on Friday. It is wrong, and it is immoral on so many levels. It is hard to know where to start.

I just left my office with the president of the Western States chiropractic college—the largest such institution in the country—Joe Brimhall has a number of students who are dual citizens who need to leave the United States to take their board-certified tests next week in Canada. He doesn't know what to tell them. Pursue their professional career and maybe not be able to come back to the United States and finish at the college? It is embarrassing that we can't give him guidance about this ill-thought-out and reckless executive order that wasn't planned and still is having the details worked out.

But perhaps the worst aspect of this blanket cancellation is as it affects Special Immigrant Visas for Iraqis who are waiting to come to the United States. Whatever you think about the Iraq war, the men and women in Iraq who volunteered to help our forces were essential. They were guides, they were interpreters, and they worked on the projects. We could not have done the job over there without them. In many cases, they blended into the units in which they served. I have had cases where our soldiers have described to me how these people literally saved their lives.

I have heard from veterans who care deeply and wonder about the signal that they are sending to people they regarded essentially as family. They wonder how this administration could have forgotten about them. The guard in my office in Portland, who is a veteran, was asking me what is going on. He recalled his story about an interpreter who was critical to him when he served in Iraq. How could we have forgotten them?

I will tell you somebody who has not forgotten them are the Taliban and the ISIS terrorists. They regard these people as traitors. The terrorists have long memories, and want to make people pay for helping the United States. We have seen countless examples of these people being hunted down by terrorists. They have been assaulted, they have been kidnapped, they have had family

members held for ransom, and they have been murdered.

That is why I have worked on a bipartisan basis for 10 years establishing the Special Immigrant Visa program with the late Senator Kennedy, with Senator JOHN MCCAIN, Senator SHAHEEN, my Republican colleague ADAM KINZINGER, and Congressmen STIVERS and HUNTER who were veterans themselves and understood why this program was important.

There is a lot of talk about extreme vetting. Trust me—the applicants for these visas are extremely vetted, taking 2 and 3 years, sometimes longer, fighting the bureaucracy, trying to make sure that they can escape to safety. Many have been killed because the extreme vetting process took so long. To turn their lives upside down and put them at risk because there are people in the White House who don't understand or who don't care is appalling.

I applaud my colleagues in both parties who are speaking out and asking the administration to come to its senses on this blanket ban of Muslims from seven countries—seven countries, by the way, that have not been involved with terrorist acts. This is not going to make us any safer. Some have speculated that some of the countries that have been left out, like Saudi Arabia, where most of the 9/11 terrorists came from, were left out because the President has business interests there.

I don't know why these countries were selected, but the fact is it should end today. It should end not just because of the brave men and women under the Special Immigrant Visa program from Iraq whose lives are now at greater risk because of this reckless act. It is wrong because of the signals we are sending to foreign nationals whom we rely upon. It is not just in Iraq. We have people who work for the United States who live in many other countries who help us with the State Department programs and with the military. What message are we sending to them if the United States is not going to stand up and protect them?

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 6 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of the universe, thank You for giving us another day.

It is Your nature to hold us in Your living presence always. It is our nature to think of You or of others only momentarily or in passing.

Be with each of us that we may be our very best and prove ourselves worthy of Your love and Your grace.

Bless the Members of this people's House in their work and deliberations today that they might merit the trust of the American people and manifest the strength of our Republican democracy to the nations of the world.

As the new administration finds its footing and settles into its governing principles, may this assembly assist by remaining faithful to its constitutional responsibilities with the help of Your grace and wisdom.

May all that is done this day be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Alabama (Mr. ROGERS) come forward and lead the House in the Pledge of Allegiance.

Mr. ROGERS of Alabama led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SPY CAR STUDY ACT

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, American families today are at an increased risk of cyber attacks. Additional reports of cyber vulnerability in cars threaten the safety of American families by allowing a hacker to access a vehicle and take control from the driver. Vehicle safety is of great importance to me because South Carolina is America's leading exporter of automobiles and tires, with BMW, soon Volvo, along with Michelin, Bridgestone, Continental, and Giti in Singapore.

Last week, I was grateful to introduce the SPY Car Study Act of 2017

with Congressman TED LIEU of California. This bipartisan legislation directs government partners and private automobile manufacturers to conduct a study on the security and privacy threats to our motor vehicles.

In conclusion, God bless our troops; and may the President, by his actions, never forget September the 11th in the global war on terrorism.

President Donald Trump has taken positive action to vet refugees who ISIS has threatened to infiltrate so as to commit mass murder as they did in France and Germany.

WELCOMING REFUGEES IN RUTLAND, VERMONT

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Madam Speaker, I wish to introduce President Trump to two Syrian families who made it to safety in Rutland, Vermont, just a week before he slammed the door.

The al-Hallak family is from Damascus, and the Khatib family is from Aleppo. These families survived a home being bombed, al Qaeda and ISIS terrorists, and the brutal violence of the Assad regime. They found temporary refuge in Turkey. They have now found permanent freedom in Vermont. These good people endured all of this hardship to do what all parents strive to do—protect their children from harm.

Madam Speaker, I wish President Trump were with me last Thursday in Rutland to meet the al-Hallaks and the Khatibs. Do we really fear these families when they have been so rigorously vetted?

I wish President Trump were with me to meet the generous people of Rutland. They had good questions about the refugee program—its cost and their security. Yet, Madam Speaker, unlike President Trump, the folks in Rutland never, never wanted to ban Muslims and welcome only Christians.

PRESERVING WORKPLACE PROTECTIONS FOR LGBT FEDERAL CONTRACTORS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I am heartened by the administration's announcement that it will preserve workplace protections for LGBT Federal contractors. This is a meaningful and positive step toward ending discrimination against hardworking LGBT Americans who only want to earn a living and provide for themselves and their families.

For many years I have been working with my congressional colleagues on both sides of the aisle to protect

skilled, qualified, and motivated LGBT employees. Too often these individuals experience rejections at job interviews, are denied promotions, or face other types of harassment in the workplace simply because of their sexual orientation or gender identity.

This shameful practice of discrimination on the job runs counter to our core values of fairness and equality. I hope that the administration and Congress can work together to extend equal rights to LGBT individuals in every sector.

BASIC AMERICAN VALUES IN WESTERN NEW YORK

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, I rise on behalf of so many western New Yorkers and Americans who are outraged by the President's executive order on immigration.

The story of America is defined by the struggle of immigrants overcoming incredible odds to claim their piece of the American Dream. The executive order on immigration is callous, unlawful, and unconstitutional. An immigration ban on anyone that is based on religion or country of origin is in conflict with basic American values and who we are as a people.

Inspired by the work of the International Institute, Catholic Charities, Jericho Road, Jewish Family Services, and so many more, my western New York community continues to be welcoming to refugees and immigrants from all over the world, including from those countries that are directly affected by this order. I know my community will continue to lead by example and proudly project American values.

RUSSIA DECRIMINALIZES DOMESTIC VIOLENCE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, according to a Russian proverb: "If he beats you, it means he loves you." In Russia, that has become the norm. Forty percent of all violent crimes in Russia are done within the home. 36,000 people are beaten by their partners every day.

Madam Speaker, this is disturbing; but the Russian Parliament has voted overwhelmingly to decriminalize domestic violence if it does not cause substantial bodily harm and does not happen more than once a year. So, if a husband beats his wife once a year, that is fine, sayeth the lords of Siberia.

Madam Speaker, domestic violence is not just a family issue; it is a human rights issue. As a lifelong advocate for victims, our societies and countries

must recognize the devastating effect of domestic violence. It tears at the fabric of society—and not legalize it, but stop this nightmare wherever it is.

Like my grandmother always taught me, you never hurt somebody you claim you love.

And that is just the way it is.

REFUGEE BAN

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Madam Speaker, the recent executive order signed by President Trump to ban refugees and other individuals from certain Muslim-majority nations is a shameful attempt to create a religious test for entry into our country. Rather than making our Nation safer, it discredits our heritage and undermines our shared values.

The American people demonstrate these values every single day. One example: just last Friday, Synagogue Am Shalom, in the 10th District, welcomed a refugee family who fled the violence in Syria. There were 22 members of the congregation who met the family at O'Hare International Airport and greeted them with flowers, toys, and well wishes. Volunteers then brought the family to their new apartment that was full of donated furniture, clothing, and food to help them start their new life here at home. This refugee family was one of the last to arrive before President Trump slammed the door shut.

Madam Speaker, I am the grandson and great-grandson of immigrants who fled the persecution of Jews in Russia a century ago in order to build a better life here for themselves and future generations. That is the American Dream. We must not allow fear to turn us inward or bar the gates to innocent refugees who seek a safe home and a better future here in America.

INMATE MANNING

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Madam Speaker, I rise to share my disgust and contempt for the former President's decision to commute the sentence of inmate Manning, formerly known as Bradley Manning. Manning's commutation was even opposed by President Obama's Secretary of Defense, Ash Carter.

According to press reports, after Manning released over 450,000 Army field reports and intelligence reports, plus over 200,000 diplomatic cables, the Taliban went on a killing spree—taking out everyone who seemed to fit the description of individuals working with the U.S. It was indiscriminate killing.

Madam Speaker, we are hearing the usual handwringing this morning from President Trump's critics about the impacts of his executive order on those who helped us in Iraq and Afghanistan. These individual voices would be much more credible if they had criticized President Obama for his irresponsible commutation of inmate Manning.

President Obama may be gone, thankfully, but we are still suffering from his irresponsible decisions. Change has finally come to America, Madam Speaker. Manning and other enemies of our Nation should be on notice.

TRUMP'S MUSLIM BAN

(Ms. JAYAPAL asked and was given permission to address the House for 1 minute.)

Ms. JAYAPAL. Madam Speaker, for hours at Sea-Tac International Airport on Saturday, I worked with colleagues from the Port of Seattle, the Northwest Immigrant Rights Project, the ACLU, and our Governor to get people who were being held to be released because of President Trump's Muslim ban.

In the utter chaos, I found a gentleman who had come from Somalia to be reunited with his wife. He had all of his legal papers; but, instead, he was blindly turned away without any due process. We were able to get two other individuals released—one from Yemen and one from Sudan—after a brutal and determined effort to literally stop the plane that they had been boarded onto in order for them to be deported.

This wasn't just in Seattle, Madam Speaker. This happened at airports across the Nation. Our office has been contacted by dozens of people who are absolutely terrified. These are students, legal permanent residents, and businesspeople who do not know anymore what their place in this country is. Simply put, this is un-American and unconstitutional.

I, myself, immigrated when I was 16 years old, and it took me 19 years to become a citizen. I am intimately familiar with the barriers that people face in our immigration system, and I hope that all of the Members of this Chamber will welcome immigrants the way we always have.

IN MEMORY OF OFFICER DENNIS MCNAMARA

(Mr. MEEHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEHAN. Madam Speaker, I rise to honor the memory of Officer Dennis McNamara of the Upper Darby Police Department in Delaware County, Pennsylvania.

Fifteen years ago yesterday, Officer McNamara was brutally gunned down

and murdered in the line of duty while he served his community. He was survived by his wife, Diane, and his wonderful children, Spike and Melissa. I was with Diane, Spike, Melissa, and others yesterday as we dedicated a road in Dennis' hometown of Upper Darby as the "Dennis McNamara Memorial Highway." It was a fitting memorial to Dennis' wonderful life and the legacy he has left behind, and it is one of the many ways Dennis' own community will never be forgotten.

Madam Speaker, I will soon be presenting Dennis' family with two flags. The first flag flew over the United States Capitol yesterday, which marked the 15th anniversary of his death. The second is a flag of the National Law Enforcement Officers Memorial Foundation, which flew over the law enforcement memorial—just blocks from here in Judiciary Square—during National Police Week.

No gesture will bring Dennis back to his family, but it is my hope that these flags will continue to help his community honor his family and the ultimate sacrifice he made.

□ 1215

NO NOTHING PARTY

(Mr. PASCRELL asked and was given permission to address the House for 1 minute.)

Mr. PASCRELL. Madam Speaker, there are stark similarities between what happened in the 1850s and now. You judge for yourself.

In 1856, former President Millard Fillmore ran for President as part of the Know-Nothing group. A year after the failed attempt, most of the Know-Nothing supporters joined the newly formed Republican Party. You can't make this up.

A primary concern of the Know-Nothing movement in the 1850s was the large number of Irish and German Catholics who were coming to the United States. A concern they repeatedly professed was a worry that the character of the country would be changed because they were coming here.

Lincoln said this: "As a nation, we begin by declaring that 'all men are created equal.' We now practically read it 'all men are created equal, except Negroes.' When the Know-Nothings get control, it will read 'all men are created equal except Negroes, and foreigners, and Catholics.'"

When it comes to this, I should prefer immigrating to some country where they make no pretense of loving liberty. Russia—oh, the similarities are unbelievable—where despotism can be taken pure, and without the base alloy of hypocrisy. That is the difference. But there are a lot of similarities.

KEEP AMERICANS SAFE

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, anyone who wants to protect Americans from terrorist attacks should support President Trump's immigration executive orders.

Put aside the hysteria of his political opponents. Here are the facts:

There will be a temporary halt in the admission to the U.S. of those from seven designated countries, including Iraq, Iran, Libya, and Syria. These are the exact same countries designated a security threat by President Obama.

Congress passed bipartisan legislation in 2015 designating these countries as security risks in order to protect our homeland from terrorism. In fact, the bill passed the House of Representatives by a vote of 407-19.

Despite what the media and others imply, Muslims are not being targeted. Many Muslim majority countries, in fact, are not singled out. The purpose of the temporary halt is to allow time to improve procedures so better background checks can be developed.

Who could possibly oppose efforts to keep Americans safe?

SUPPORT THE REPORT ACT

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Madam Speaker, last week I introduced the Reporting Efficiently to Proper Officials in Response to Terrorism Act, the REPORT Act. It creates a legal requirement that the Secretary of Homeland Security, in coordination with the United States Attorney General, the Director of the Federal Bureau of Investigation, and the head of the National Counterterrorism Center, submit a report to Congress when an incident of terrorism occurs in the United States.

Currently, there is no legal mandate for this report which would play an important role in helping lawmakers and agencies learn more and respond to extraordinary emergencies like we saw in San Bernardino.

I would like to thank my colleague Representative KEN CALVERT, an original cosponsor of the bill, for working with me and my office over the past year to help in the San Bernardino recovery process.

I would also like to recognize Mr. Gregory Clayborn, father of Sierra Clayborn. Sierra was one of the 14 victims of the San Bernardino terrorist attack, and Mr. Clayborn worked with my office for months to help shape this legislation.

This bill is a tribute to Sierra, the other 13 innocent victims, and all of those who were affected by the attack on December 2. While it does not ad-

dress every issue raised by the attack, it is a commonsense change to help us understand how this and other attacks unfolded so we can prevent these types of tragedies from happening in other cities and to other families.

I urge my colleagues to support this bipartisan bill and to help strengthen our national security.

HONORING THE LIFE OF STANLEY RUSS

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Madam Speaker, I rise today to honor the life and legacy of one of Arkansas's great leaders and a dear friend, former State Senator Stanley Russ, who passed away earlier this month at the age of 86.

Born and raised in Conway, Arkansas, Stanley served in the U.S. Army during the Korean war before becoming a State senator for 25 years.

Stanley received numerous awards for his work, including being named of one of the Ten Outstanding State Legislators in the United States by the Assembly of State Governmental Employees. He also received the Distinguished Service Award from the Conway Chamber of Commerce and was elected into the Arkansas Tech University Hall of Distinction as well as the Arkansas Agriculture Hall of Fame.

Our State and Faulkner County will miss Stanley's smile, his enthusiasm and ability to get things done to enrich the lives of all Arkansans.

I extend my respect, affection, and prayers to his family and loved ones.

CHANGE DIRECTION NEW HAMPSHIRE

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER of New Hampshire. Madam Speaker, I rise today to recognize Change Direction New Hampshire, a first-of-its-kind statewide campaign to raise awareness of the five signs of mental illness and emotional suffering.

Since its first launch last May, Change Direction has touched the lives of thousands of Granite Staters, helping to change the culture and erase the stigma surrounding mental illness in New Hampshire and across the country.

Campaign co-chairs, my dear friends, the Honorable John Broderick, Peter Evers, and Dr. Bill Gunn, have dedicated countless hours to help spread this campaign through schools, workplaces, and institutions throughout the Granite State. They have met with thousands of stakeholders and community members, holding more than 100 public presentations. They have distributed nearly 320,000 informational

posters and cards, and they have placed a billboard on one of our busiest highways.

The goal of Change Direction is to make the five signs of mental illness—personality change, agitation, withdrawal, poor self-care, and hopelessness—as well-known indicators as the indicators of a heart attack. This increased recognition will help improve treatment of mental illness, address substance misuse, and help prevent suicide among our friends and neighbors.

But the impact of this campaign goes far beyond the five signs. Please join me in recognizing John, Peter, Bill, and all of those who support the Change Direction campaign.

NATIONAL PRAYER BREAKFAST— A WONDERFUL TRADITION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, on Thursday, Members of Congress and leaders from across the globe will gather in Washington, D.C., to mark one of our finest traditions: the National Prayer Breakfast.

This event is hosted annually on the first Thursday in February. More than 3,000 people typically gather for this international forum that allows individuals from various sectors—including political, business, and social—to build relationships and come together in faith, fellowship, and prayer.

Personally, I look forward to the National Prayer Breakfast each year as a time when thousands around the world and right here at home can reflect on their faith, focus on the year ahead, and walk away from this remarkable event with a renewed sense of hope and faith.

This nonpartisan event brings together so many unique individuals who will hear the stories of inspiration from faith-filled speakers.

From the Book of First Chronicles, Scripture tells us to, “Look to the Lord and His strength; seek His face always.” This is what we will be seeking at the National Prayer Breakfast.

It is my hope that I will see many of my colleagues there this Thursday.

MUSLIM BAN

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, whatever you call the President’s recent executive orders, the reality is that they constitute a Muslim ban.

Yesterday, one of my constituents was crossing the border into San Diego when he was singled out for having brown skin. He was asked by a CBP agent if he was Muslim as he stood in

line. Well, in fact, he is an Indian-American man who got his citizenship mere months ago, and he was so proud to become a U.S. citizen because it meant that he could finally vote in our elections.

His wife called our office, horrified at how casually her husband’s civil rights had been violated, and she told us that she was scared now to travel with her kids because she didn’t want to tell them that they shouldn’t talk to any agents at the airport. Her voice wavered as she explained that she has lived here for 45 years, but this is the first time she ever felt scared because of her skin color.

Mr. Speaker, I demand—in fact, we all should demand—that President Trump rescind these discriminatory orders immediately and that my Republican colleagues stand up against these un-American policies.

EXECUTIVE ORDER TO BAN MUSLIMS IS UNCONSTITUTIONAL

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, the executive order is patently and clearly unconstitutional. An executive order to ban Muslims is unconstitutional.

None of us stand against the stringent review of individuals to determine who would come to do well, but who would come to do harm. A ban or a temporary suspension of all of the refugees around the world who have been vetted over and over again is clearly discriminatory.

It is true that the Constitution of the United States starts with: “We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence . . .” and “welfare. . .”

Deputy Attorney General Sally Yates made the right decision. Many court jurisdictions have already said that this is an unconstitutional and discriminatory order. The office of a public servant in the United States Federal Government requires that you take an oath to defend and protect the Constitution of the United States. I believe the President should uphold his oath.

REQUEST TO CALL UP H.R. 724, SOLVE ACT, AND
H.R. 735, USA VALUES ACT

Ms. JACKSON LEE. Mr. Speaker, today I join with the resolve of the Deputy Attorney General, and I ask unanimous consent for the SOLVE Act, and ask unanimous consent for H.R. 724 and H.R. 735, the USA Values Act, all dealing with banning and repealing and rescinding, now, the unconstitutional executive order on banning Muslims.

The SPEAKER pro tempore (Mr. COLLINS of New York). Any such unanimous consent request has not been cleared.

The gentlewoman’s time has expired.

WHAT IS HAPPENING IN OUR COUNTRY?

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I, like millions of Americans, have been watching over the last 10 or 11 days, and especially this past weekend, shaking my head and wondering just what is happening in our country?

This is not who we are. I can’t tell you the number of people that I spoke to this weekend from all walks of life, all backgrounds, who have said this phrase: “I can’t believe I am really seeing this in America.”

Mr. Speaker, I can understand why, in light of Brussels, Paris, San Bernardino, I can understand why many of my fellow Americans are scared. I share their concern. But let’s be clear: this illegal, un-American executive order signed on Friday does absolutely nothing to protect us. It makes us less safe. It was a wonderful gift to ISIS, and it must be repealed.

SAFETY OF OUR CITIZENS IS A TOP PRIORITY

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, the safety and security of our citizens here on American soil must remain our top priority, and our borders must always be secure against anyone who would enter our country legally or illegally to cause us harm, especially those who wish to exploit our Nation’s generosity and compassion. However, compassion and security are not conflicting ideals, and we must continue our Nation’s legacy of being a beacon of hope and freedom around the world.

The idea of reform, though, and oversight of our Nation’s vetting system is not in conflict with our longstanding value of accepting refugees, and it is not new. The Obama administration and the Trump administration, alike, have now both paused refugee settlements into our Nation.

President Trump should have our Nation’s support to carry out his mission to protect our Nation’s borders, but he must do so without unnecessarily burdening lawful entrance into the United States.

Mr. Speaker, I stand ready to work with you and my colleagues in Congress to come up with clear procedures to ensure that our refugee program can continue in the safest possible manner, and together we can live in a nation that is both secure and charitable.

□ 1230

OPPOSITION TO THE MUSLIM BAN

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Mr. Speaker, I rise today in opposition to President Trump's Muslim ban because that is exactly what it is. It is a mean-spirited ban against members of a religious faith. I love my country, and I am saddened by these divisive and hateful actions being wrongfully taken in the so-called name of national security.

Mr. Trump's actions make us less secure as a nation. They take a sledgehammer right through the founding principles of our Nation. America is not this nonsensical, antirefugee Nation. Quite frankly, Mr. Trump's actions are un-American, beneath us, and downright dangerous.

Let me remind my colleagues, there has been a protest every day since Mr. Trump took office. The people have hit the streets. We will continue to march, and we will keep demanding what is right. We will keep fighting to ensure American values are upheld and that our civil rights are not trashed like yesterday's news.

To our Muslims, LGBT, immigrants, women, and all our brothers and sisters hurt by Mr. Trump's garbage, I mean executive orders, I am with you.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

PRESIDENT TRUMP SHOULD REMOVE STEVE BANNON FROM NATIONAL SECURITY COUNCIL

(Mr. BROWN of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Maryland. Mr. Speaker, I rise today to call on President Trump to remove Steve Bannon from the National Security Council.

Mr. Speaker, the National Security Council was created in 1947, and it is designed to provide the President of the United States with diplomatic, military, intelligence, and economic information to coordinate, to plan, and to implement national security, and to make sound decisions affecting national security with input from professionals and not from political operatives. And the National Security Council has done that for seven decades.

Yet, last week, the President issued an ill-conceived, dangerous, and unconstitutional executive order that bans Muslims. It puts Americans abroad, American communities at home, and American soldiers around the world at risk; and I believe that Steve Bannon, who might become a member of the National Security Council, was the architect of that executive order.

Mr. Speaker, I ask President Trump, if he is not willing to remove Mr. Bannon from the White House, at least, for the safety of this country, remove him from the National Security Council.

WHAT IS HAPPENING IN OUR COUNTRY

(Ms. ESHOO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESHOO. Mr. Speaker, I rise this afternoon really with a very, very sad and heavy heart. I don't know anyone in our country who watched what took place across the country who wasn't dismayed, who wasn't heartbroken, who wasn't confused. And as my constituents said: What is happening in our country?

Now, there are some that say this must be done. This executive order must be done in the name of national security.

I am a veteran of the House Intelligence Committee, but it doesn't take a veteran of the House Intelligence Committee to understand that this harms our national security.

We need to have more voices in the House. We need Republicans and Democrats standing up together, because historians will replace your surname, and those that don't raise their voices will be called coward because this is ripping at the fabric and the soul of our Nation. It is appalling. It is unlawful. I believe it is unconstitutional.

If you stood up for history and what was done to others, it is taking place right now in our country.

PROVIDING FOR CONSIDERATION OF H.J. RES. 38, DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 70 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 70

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) One hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman and my good friend from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Monday, just yesterday, the House Rules Committee met and reported a rule, House Resolution 70, providing for the consideration of H.J. Res. 38, legislation utilizing the Congressional Review Act to overturn the final stream protection rule promulgated by the Office of Surface Mining Reclamation and Enforcement, or the OSMRE, which is at the Department of the Interior. The rule provides for consideration of the joint resolution under a closed rule, as is customary with these CRA measures.

Mr. Speaker, this rule provides for consideration of a critical measure that will help protect American businesses and families from the Obama administration's rampant regulatory overreach. H.J. Res. 38 disapproves of the final stream protection rule which was released by the Department of the Interior on December 19, 2016, representing yet another last-minute, midnight regulation from the previous administration.

This burdensome rule seeks to govern the interaction between surface mining operations and streams by establishing a buffer-zone rule that blocks mining within 100 feet of those streams. This was done, despite the Department of the Interior's own reports, which shows that virtually all coal mines in this country have no offsite impacts, they are being operated safely, and that lands are being restored successfully under existing Federal and State regulation.

During the rulemaking process, OSMRE and the Department of the Interior ignored existing regulatory success at the Federal and the State level and shut out the cooperating agencies, the States who are responsible for enforcing Federal mining regulations.

In 2015, 9 of the 10 cooperating States withdrew as cooperating agencies in the rulemaking and development process, due to OSMRE's exclusionary tactics, failure to provide for meaningful participation, and continual limiting of the States' involvement over the past several years.

The National Environmental Policy Act or, as we know it as, NEPA, requires OSMRE, as the lead rulemaking

agency, to involve States in the drafting of the regulation and requires them to involve States. These failures, and the restrictive tactics that were employed by OSMRE, led the House Natural Resources Committee chairman, Mr. ROB BISHOP of Utah, to send a letter in 2015 to the GAO, the Government Accountability Office, requesting a review of OSMRE's compliance with NEPA in the agencies' development and drafting of the proposed stream protection rule. Ample evidence exists that OSMRE excluded these States from the NEPA process, in contradiction of both NEPA regulations and the memoranda of understanding between OSMRE and the States.

Mr. Speaker, the stream protection rule unilaterally rewrites over 400 existing rules and regulations. It threatens over one-third of the Nation's coal mining workforce and will send repercussions throughout the broader U.S. economy. The final rule is the definition of a one-size-fits-all solution due to OSMRE's failure to conduct the 7-year rewrite in a transparent process consistent with their statutory requirements to engage State and local stakeholders.

An economic analysis conducted by the National Mining Association found that the total number of jobs at risk of loss is somewhere between 112,000 and 280,000 people, approximately 30 to 75 percent of the current industry employment levels.

Further, the misguided regulation would jeopardize 40,000 to 77,000 jobs in both surface and underground mining operations, industries that are still reeling from 8 years of overregulation from the previous administration.

And while the Obama administration never seemed to mind the consequences of its actions on hardworking Americans, I can assure you that the new, unified Republican government is opposed to ineffective regulations like this one which unnecessarily put people out of work, raise energy costs on consumers, and do nothing to improve the environment.

By passing this rule, we have the opportunity to consider a resolution that will prevent this regulation from removing over one-half of the total U.S. coal reserves available for extraction, while also reducing oppressive barriers to responsible coal production.

The Congressional Review Act of 1996 was enacted to be a powerful tool to allow Congress to overturn last-minute regulations from the previous administration, under an expedited legislative process. If Congress passes a joint resolution disapproving the rule, and the resolution becomes a law, the rule cannot take effect or continue. CRAs are designed to address and invalidate problematic rules from the previous administration, and the stream protection rule clearly fits the bill.

Furthermore, this CRA provides certainty to State regulatory bodies

tasked with regulating 97 percent of the coal mines in the United States and enforcing Federal mining regulations by strengthening the State primacy framework provided in the Surface Mining Control and Reclamation Act.

Blocking the final stream protection rule will restore an important stream of State and Federal tax revenue associated with coal extraction across the country that is benefiting hardworking American taxpayers.

Mr. Speaker, every Member of this body wants to protect the environment, ensure clean water and clean air for our citizens, and encourage innovative and responsible ways to produce energy. However, these goals are not mutually exclusive, as some opponents of this legislation will argue.

It is past time that we embrace commonsense, practical Federal rules and regulations that protect the environment and the countless Americans working in the industries that support our economy and provide for greater domestic energy independence.

The rule we consider here today provides for the consideration of a bill that is critically important to the future economic growth and job growth of our country. By passing this CRA, we can take a badly needed step toward protecting American families and businesses from the rampant executive overreach that will be the defining achievement of the past administration.

I urge my colleagues to support this rule, as well as the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

□ 1245

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume, and I thank my good friend, the gentleman from Washington, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise today to debate the rule for consideration of a joint resolution disapproving of a Department of the Interior regulation known as the stream protection rule.

Through this action, my Republican colleagues are now attempting to repeal a thoughtful and thoroughly vetted regulation that reflects current science, technology, and mining practices in order to better protect people and the environment from the negative impacts of mountaintop removal mining. This regulation took 7 years to develop and updates a 30-year-old coal mining regulation.

This regulation is not, as we have seen coming out of the administration of late, some fly-by-night executive order, but rather a serious attempt by serious people to make us a healthier and more environmentally conscious nation.

However, what we see here today is business as usual for the Republican majority—turning a blind eye to science in order to help wealthy polluters at the expense of the public's health and the environment. Just because my friends' unending attempts to normalize such misguided governance have become almost numbing in their effect does not make such attempts any less appalling to those of us who believe in the scientific method and a clean and safe environment.

Indeed, the paucity of care that we see here today in ridding the books of a regulation that hardworking and good people took 7 years to write with, mind you, input from all stakeholders, is starting to look like a variation of a theme when we consider the paucity of care the Republicans in the White House have exhibited over the past 10 days.

As everyone knows, last Friday, President Trump issued an executive order banning Muslims from certain countries from entering the United States and callously shutting down the refugee program. What ensued, and I predict will continue to ensue as we speak here today, was nothing short of chaos. Scores and scores of people were detained for hours, including green card holders, children, the elderly, and even Iraqi translators who had helped the United States during the insurgency.

Equally as horrifying as this Muslim ban that is the antithesis of everything we value as Americans is the ineptitude in which such a sweeping policy was implemented. Relevant agencies were not even consulted. In fact, Homeland Security Secretary Kelly, found out about the executive order on the phone while on a Coast Guard plane heading back to Washington. Secretary Mattis was also left off the list of those consulted. Had he been on it, he would have almost certainly expressed the sentiment he expressed during the campaign, mainly that the Muslim ban would cause great damage and send shock waves through the international community.

Like Ms. ESHOO, who spoke earlier, I am a veteran of the Intelligence Committee as well. We serve there together. I can assure you our experience leads us to know—and anyone that is on the Intelligence Committee knows now—that what we are about to experience is a handout to our enemies and will cause additional shock waves in the international community.

The result of this amateur hour rollout was a Customs and Border Patrol agency that wasn't sure how to even execute the order. From management on down, no one knew what was going on while scores of people were riddled with fear that their realization of a free and fair life here in the United States was lost forever. People with visas and green cards were held for

hours. Will someone please tell me what it means to issue a visa to persons if they cannot utilize the visa?

People were denied access to a lawyer even after a Federal Court order stayed the executive action.

Here is a small sampling of the immediate impact of this Muslim ban: A 5-year-old boy, a U.S. citizen, was detained for several hours. 5 years old—a truer threat to our national security we have never faced. An 88-year-old man and his 83-year-old wife, both wheelchair bound and both possessing green cards, were detained for hours. He is legally blind, and she recently suffered a stroke—detained for hours.

A Ph.D. student at Stony Brook University, who has lived in the United States for 12 years, was detained for more than 24 hours. The mother of an Active Duty United States service-member was detained for more than 30 hours.

Tell me, what danger do these people pose? What security objective is achieved by detaining them?

I argue none.

I have to agree with Senator ROB PORTMAN when he said what was so plainly obvious to see: “This was an extreme vetting program that wasn’t properly vetted.”

As thousands arrived at airports across the country to protest the President’s executive order and hundreds of lawyers showed up to volunteer their time to write habeas petitions for those so clearly wrongfully detained, President Trump, living in a world all his own, tweeted the following: “All is going well with very few problems.”

All is not going well, Mr. President, and there are many problems.

Then he defended the hastily implemented order saying that: “If the ban were announced with a one week notice, the ‘bad’ would rush into our country during that week. A lot of bad ‘dudes’ out there!”

This is a stunningly ignorant and offensive statement that reveals to the entire world a person with no grasp of even what the refugee program is or how the visa process works.

Immediately preceding this tweet, the President advised everyone to: “Study the world!”

I encourage him to take his own advice.

Beyond the human toll this foolish and callous policy has inflicted on scores of innocent people, the executive order actually undermines our efforts to defeat terrorism—jeopardizing the very safety the order purports to provide. The chairman of the Senate Armed Services Committee, headed by JOHN MCCAIN, along with Senator LINDSEY GRAHAM, underscored this irony, and I quote their joint statement: “We fear this executive order will become a self-inflicted wound in the fight against terrorism,” noting further that President Trump’s execu-

tive order “may do more to help terrorist recruitment than improve our security.”

So I find it interesting now that the majority of my Republican colleagues in the House, even the ones that voiced opposition to a Muslim ban during the campaign when then-President-elect Trump first proposed it, including our Speaker of the House, are now deafeningly silent.

Instead, Republicans are using their time today not to respond to this chaos-inducing executive order that so clearly violates core American values, but rather to repeal a rule that was actually properly vetted—vetted for 7 years, using the best science and technology available, and following input from the public and leaders in the industry. I caution my friends, the events of today and how you respond to them will be written in the history books tomorrow.

A question emerges from the fog that is the Trump administration’s full frontal attack on our Constitution: What is more important, appeasing a man who is just as likely to tweet insults at you as he is to rush out ill-conceived and horrid executive orders, or protecting our Constitution and the ideals of this great Nation?

The ideals and dedication to the rule of law that have inspired the poor, the tired, and the huddled masses to seek a better and freer life here in the United States. It didn’t begin with Muslims. It began with the Founders of this country, and it was followed by countless others, from Irish, Italians, Polish, Hungarians, Vietnamese, and Chinese, all over this world coming to this country to seek the kind of life that many of our ancestors sought over the course of time and some of our ancestors had no choice but to undertake.

The time to act in the name of short-term political expediency is over. It is time to stand up and do what is right. It is time to protect our Constitution. It is time to defend the idea that we can indeed form a more perfect Union. But we cannot do that with the kind of division that is being sold by this administration, and we cannot do that by spending what appears to be the month of February disapproving executive orders that the previous President issued. It seems to me somehow or another in that fog is going to be the kind of confusion and chaos that we just witnessed this weekend.

Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, getting back to the issue at hand and the stream protection rule, there are many points that my friend from Florida brought up. One occurred to me as well: Is this really a midnight rule; or could something that was started in 2008 really be considered as something that was shoved through at the last minute?

I did ask that question, and the answer is a resounding “yes.”

During the process in 2011, some of the reports came out that were leaked that the Department did not see as favorable as it related to jobs and the economy and the negative impact that it would have on that, so they stopped the process, shutting out the States violating the memorandum of understanding that they are required to work with the States on the rule-making process leaving those States with no recourse but to withdraw from the process.

In 2015, this Congress told them to re-engage with the States, which they did to some degree, making it necessary for States to actually pay for the scientific evidence that was necessary for them to be engaged. So there are several problems that cause this to be an issue that we need to address today, and certainly making it a midnight rule, the last thing done as the administration walks out the door, qualifies this as something that we should be considering for many reasons and on many levels.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), who is my good friend.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the gentleman from Washington State, whom I have been proud to serve with. I had an opportunity to visit his district, and I know natural resources are extremely important to him. I appreciate his yielding on what is germane to this discussion, which is basically trying to claw back regulations that had no basis in science that essentially were causing harm and taking away good-paying jobs for Americans.

Mr. Speaker, I rise today in strong support of the underlying legislation, which disapproves of a midnight regulation that the Obama administration made with just 1 month left in his Presidency.

The stream protection rule negatively targets coal country and will devastate communities that have already been hit hard by job losses and reduced mining activity making sure that America has affordable and reliable energy and electricity.

Pennsylvania is the fifth largest coal producing State and generates roughly 25 percent of its electricity from coal-fired power plants. Coal-fired electricity provides roughly 30,000 jobs in my State, equaling nearly \$8 billion in economic impact.

Although coal continues to be an essential component of our energy mix, this rule duplicates many existing laws while providing very little environmental gain. What the rule does is expands the Office of Surface Mining Reclamation and Enforcement’s regulatory authority. In effect, this Federal agency would overtake the regulatory authorities of individual States.

□ 1300

This makes no sense. States should be able to continue their own regulation of coal production. This is the epitome of a midnight rule that has more to do with empowering the Federal Government at the expense of coal miners' jobs than it has to do with protecting streams.

The Office of Surface Mining's own reports show that virtually all coal mines have no offsite impacts. The reports year over year show that coal mines are being safely operated and the lands are being successfully restored thanks to the watchful eyes of the States that regulate 97 percent of the mines in the United States.

This rule does nothing to protect our streams that State and Federal regulators are not already doing. We do not need a one-size-fits-all approach from Washington, which rarely works.

In order to bring real-world thinking back into the regulatory process, we must act quickly to stop this rule. I urge my colleagues to join me in supporting the joint resolution of disapproval under the Congressional Review Act.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, both of my colleagues on the other side referred to the rule they seek to disapprove as a midnight rule. Well, I don't know how you take 7 years of midnights that it took to develop this rule and call it a midnight rule—7 years.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. PALLONE), my very good friend and ranking member of the Committee on Energy and Commerce.

Mr. PALLONE. Mr. Speaker, I rise today to strongly oppose H.J. Res. 38, which would disapprove the Department of the Interior's stream protection rule.

When the Obama administration announced the final stream protection rule, it was a victory for those who live in coal country. The rule prioritizes the health of our fellow Americans by establishing clear requirements for responsible surface coal mining, especially dangerous mountaintop removal mining.

If this Obama rule were fully enforced, it would protect or restore 6,000 miles of streams and 52,000 acres of forests over the next two decades. At the time the rule was finalized, I called for stronger stream buffer zone protections, but the announced regulation was undoubtedly a win for human health, clean water, and our environment.

I want to be very clear about what the stream protection rule does. This rule requires that mining companies avoid practices that permanently pollute streams and sources of drinking water, damage forests, and increase flood risks. The rule requires, for the

first time, that streams around mining sites be monitored and tested for the presence of toxic chemicals, like lead and arsenic. This rule also requires mining companies to restore polluted streams and replant mined areas with native trees and vegetation.

These provisions ensure that mining companies take responsibility for their actions and act to ensure that coal country communities do not suffer because of destructive mining practices. Now we are debating an ill-conceived resolution which would negate these important advances.

If this rule were to be overturned, American families living near impacted streams and rivers will not be protected from toxic chemicals getting into their water. What is even more appalling is that, because the Congressional Review Act prevents substantially similar regulations from being developed in the future, this joint resolution means that these affected communities might never be protected from the impacts of mining waste in their water.

Protecting our rivers and streams from the damaging impacts of mountaintop removal has been a priority for me, and it is why in past Congresses I have introduced the Clean Water Protection Act, which would end the dumping of mining waste into our country's rivers and streams. I will be reintroducing that legislation this session.

It is unfathomable that congressional Republicans would pass this joint resolution and doom generations of children and families to irreparable harm. I strongly urge my colleagues to oppose this resolution.

Mr. NEWHOUSE. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, I thank the gentleman for yielding.

It is interesting to me that my colleagues on the other side take offense to this being referred to as a midnight rule. This is actually a midnight rule twice. Let's look at how this thing started.

In 2005, during the Bush administration, 5 years of effort went into codifying how coal mining operations should take place around streams. The last President announced, during his campaign, that he was going to make coal-fired energy financially, economically impossible, thereby launching his war on coal. There was a lawsuit with the Bush-era rule. The Interior Department and the administration settled, paying that settlement out of taxpayer dollars and then launching an effort to rewrite that rule.

In 2011 when we came in, they were planning to release that rule in April of 2011. What took 5 years to codify, they wanted to redo in just 4 months. Not only that, but they left the States out of the equation. The States complained

about that. No one in the administration was listening.

When the contractors then told the truth about how many tens of thousands of jobs were going to be lost as a result of this rule, the administration fired the contractor that was doing the work. Not only that, they paid them in full. Now, go figure.

We have been back and forth with the administration asking that the States be involved, asking that the rule-making process be transparent, asking, if it really had to do with stream protection, why was it talking about and why was it going to be negatively impacting underground coal mining that takes place hundreds, if not thousands, of feet below the surface of the Earth. You answer me that.

So, here we are today, and now we have the Congressional Review Act. I am so grateful that we have the opportunity to set the record straight and to do away with this rule now and forever.

I urge my colleagues to support H.J. Res. 38 when it comes to the floor this week.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, President Trump's xenophobic executive order banning Syrian refugees and suspending emigration from certain countries is driven by fear. It demonstrates a callous indifference to human suffering; it ignores the Constitution; and it will not only tarnish our image abroad, but harm our national security. If we defeat the previous question, I will offer an amendment to the rule to bring up my good friend Representative LOFGREN's bill to overturn and defund this dangerous executive order.

Let me be abundantly clear for people watching this debate. The question we are about to decide is: Should we even have a vote on undoing Trump's order? A "no" vote on the previous question will give us the opportunity to overturn this order. A "yes" vote means that the House will do nothing to stop Trump's executive action.

The American people watching this debate should take notice to see how their Representatives vote on this important motion, and they should hold their elected officials accountable. Did your Member of Congress turn a blind eye to Trump's unconstitutional policy by voting "yes," or did your Representative reject this attack on our core American values and vote "no?"

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Ms. LOFGREN),

my good friend, to discuss this proposal.

Ms. LOFGREN. Mr. Speaker, the President's executive order of Friday violates the law, it violates the Constitution, and it violates good sense.

How does it violate the law? Section 202(a)(1) of the Immigration and Nationality Act specifically prohibits nationality-based discrimination in the issuance of immigrant visas and other visas. That is what this order did.

Now, the law is clear that individuals who pose a threat to the United States can—and I should add, should be—barred from the United States; but you can't just legally make a blanket objection based on nationality and, I would add, based on religion. That is what the President's order does. It suspends refugee admission completely for months.

Who are these refugees? Most of the refugees admitted last year were from Burma and the Congo, not from Syria. They are people who have been vetted for years, many of whom are fleeing for their lives and will continue to live in fear.

It does something else. It suspends admission even of legal permanent residents from seven countries, violating their rights to equal protection and to due process.

People want to keep the country safe—we all do; of course, I do—but how does this order keep us safe? Let me just give an example.

General Talib al-Kenani from Iraq commands the elite American-trained counterterrorism forces that have been leading the fight against ISIS for 2 years. His family relocated to the U.S. for safety. He can't visit them anymore. He said this:

I have been fighting terrorism for 13 years and winning. Now my kids are asking: Am I a terrorist? I am a four-star general, and I am banned from entering the United States.

I ask you: How does this advance our safety by barring our allies who are fighting ISIS? It doesn't.

I have got to correct something else. People have said that President Obama had an order in 2011 barring immigrants from Iraq. That is false. We did additional vetting in 2011 because we wanted to make sure that anyone coming in was thoroughly examined. That slowed things down a little bit because there were new procedures, but there was never a halt to admission from those who are our allies in Iraq, those fighting ISIS with us.

I would just like to say that, in addition to violating the law, causing hardship for families trying to visit people in the hospital, permanent residents who are engineers trying to come back to run their companies in Silicon Valley, this order is a gift to ISIS. They are already using it to recruit enemies of our country by saying: America is fighting Islam. As George Bush said when he was President, our argument,

our fight is not with Islam. Our fight is with terrorism.

To issue this order with the President's rhetoric saying that we are going to make a distinction on who is admitted to the United States based on their religion is not only illegal, it is contrary to American values and it is contrary to our safety.

So I hope that, instead of doing this anti-environment bill today, we will instead take up H.R. 724. This is a bill that would defund and rescind President Trump's ill-advised order from Friday.

Let me just say this. I would like to issue a formal invitation to every Republican Member of this House to join me as a cosponsor of this bill. I will be sending out a formal note to each one later today, but you are on notice to please join us.

We as American legislators need to make sure that the rule of law is upheld. Many of our constituents are very uncertain about whether the rule of law is going to survive this Presidency. Help give them faith and hope by cosponsoring this bill.

□ 1315

Mr. NEWHOUSE. Mr. Speaker, I yield 3 minutes to the good gentleman from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today in strong support of the rule and the underlying joint resolution to begin the process of rolling back President Obama's war on coal. That is the rule we are debating today; that is the bill before us, not to be confused with the other issue that is being discussed.

I was proud that, in the last Congress, I was the lead sponsor of the STREAM Act, H.R. 1644, which would have prevented the implementation of a new coal regulation that would have cost upwards of 70,000 good-paying jobs. My legislation passed the House of Representatives in January of 2016, with bipartisan support, and sent a clear message to President Obama's administration that the so-called stream protection rule was bad policy. Unfortunately, my bill never received a vote in the U.S. Senate.

Despite the clear message from Congress, the Obama administration, in the final days, issued a disastrous stream protection rule. Again, he did this as he was leaving the Presidency in the final days before he left office. But don't let the clever name fool you. The new regulation will have far-reaching impacts for the coal industry—an industry, I might add, that provides over 90 percent of the power generation for my home State of West Virginia.

The rule prescribes a one-size-fits-all approach in defiance of common sense and the Federal law. There is no need to rewrite over 400 regulations, as this rule does, other than as a blatant attempt to regulate the coal industry out

of business. We cannot allow this rule to move forward, and thus we need to support the rule and the underlying joint resolution of disapproval.

Let us not forget that former President Barack Obama promised that he would bankrupt the coal industry. People are losing their jobs and the dignity that comes with work. Our communities are also suffering. Fewer jobs means less economic investment and less hope.

I encourage my colleagues to visit West Virginia or Appalachia and see firsthand what President Obama's policies have done to our communities. It is heartbreaking to hear the stories and see the faces of struggling families as they try to pay their bills. I stand today with those communities in rolling back the policies that have caused so much harm and pain.

These new regulations would be catastrophic to the coal industry and all of the hardworking American families that depend on coal to keep their energy costs low. The shame of it all is that it is preventable. We must end this war on coal now, and that process begins today.

I made a promise to my constituents of the Second District of West Virginia that I would fight for the coal industry and bring back jobs to my State. Today is the first in many steps this Congress, along with President Donald Trump, will take to make good on the promises we made in November.

Again, I encourage support for the rule and the underlying resolution of disapproval.

The SPEAKER pro tempore. Members are reminded to refrain from wearing communicative badges while under recognition.

Mr. HASTINGS. Mr. Speaker, would the Chair be so kind as to tell me how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Florida has 9½ minutes remaining. The gentleman from Washington has 11½ minutes remaining.

Mr. HASTINGS. Mr. Speaker, at this time I am very pleased to yield to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader, for the purpose of a unanimous consent request.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I ask unanimous consent to bring up Congresswoman LOFGREN's H.R. 724, which would rescind President Trump's refugee ban on individuals, like the 30-year-old Iranian citizen who entered the U.S. to visit his family in San Francisco, then was detained and transferred to county jail.

The SPEAKER pro tempore. The Chair would advise that all time has been yielded for the purpose of debate only.

Does the gentleman from Washington yield for the purpose of this unanimous consent request?

Mr. NEWHOUSE. Mr. Speaker, I do not yield.

The SPEAKER pro tempore. The gentleman from Washington does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield to the gentlewoman from California (Ms. LOFGREN) for a unanimous consent request.

Ms. LOFGREN. Mr. Speaker, I would plead for unanimous consent to bring up H.R. 724 to overturn President Trump's refugee ban so that individuals like Hameed Khalid Darweesh, who helped the U.S. military in Iraq and who has a special immigrant visa, won't be detained at JFK Airport for 19 hours.

The SPEAKER pro tempore. Does the gentleman from Washington yield for the purpose of this unanimous consent request?

Mr. NEWHOUSE. Mr. Speaker, I am reiterating my earlier announcement that all time yielded is for the purpose of debate only, and I will not yield for any other purpose.

The SPEAKER pro tempore. The gentleman from Washington does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 5 seconds to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind the President's ban for the sake of our national security.

The SPEAKER pro tempore. The Chair understands the gentleman from Washington has not yielded for that purpose. Therefore, the unanimous consent request cannot be entertained.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentlewoman from California (Ms. MAXINE WATERS) for debate.

Ms. MAXINE WATERS of California. Mr. Speaker, I am referring to H.R. 724, which would rescind President Trump's refugee ban so that green card holders like Bessar Yousif, a refugee from Iraq on his way home after getting engaged in Kurdistan, won't get detained in LAX.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Speaker, I ask that President Trump rescind his refugee ban on children like the 12-year-old Yemeni girl, Eman Ali, who was not allowed to board a plane to join her U.S. parents, leaving her in limbo.

The SPEAKER pro tempore. The gentleman's time has expired.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Speaker, as a proud American, I ask to bring up H.R. 724, which would rescind President Trump's refugee ban on women like the Yazidi refugee from Iraq whose life is in danger because of her husband's work with Americans and who was refused boarding on a flight to the U.S. out of Erbil.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HASTINGS. Now we are back to unanimous consent. Mr. Speaker, I yield to the gentlewoman from California (Ms. BROWNLEY) for a unanimous consent request.

Ms. BROWNLEY of California. Mr. Speaker, I rise to ask this House to bring up the Lofgren bill, H.R. 724, which would rescind President Trump's refugee ban on Yazidi women from Iraq like Nada, who was not allowed to board a flight and remains separated from her husband, a former interpreter for the U.S. Army.

The SPEAKER pro tempore. Did the gentleman make a unanimous consent request?

Mr. HASTINGS. Yes, she did.

The SPEAKER pro tempore. The Chair understands that the gentleman from Washington has not yielded for that purpose. Therefore, the unanimous consent request cannot be entertained.

PARLIAMENTARY INQUIRY

Mr. HASTINGS. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HASTINGS. Am I not permitted to yield a limited amount of time to Members for debate?

The SPEAKER pro tempore. The gentleman said he was yielding to the gentlewoman from California for the purpose of a unanimous consent request.

Mr. HASTINGS. In that instance I did. My question and my parliamentary inquiry continuing, Mr. Speaker, is am I permitted to yield a limited amount of time to each Member for the purpose of debate?

The SPEAKER pro tempore. The gentleman may yield to Members for debate.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I ask to bring up H.R. 724, which would rescind President Trump's refugee ban on individuals like Dr. Suha Abushamma, a Sudanese doctor at the prestigious Cleveland Clinic, who was denied entry, forced to leave the country, and, therefore, deprived the country of his medical services.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I ask to bring up H.R. 724 to rescind

President Trump's refugee ban on persons like Mustafa, who worked on a construction crew on American bases to fortify them and was tortured because of it.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Speaker, bring up H.R. 724, which will rescind President Trump's refugee ban so that family members like Qassim Al Rawi, a 69-year-old Iraqi national, will not be refused boarding on a flight to visit his U.S.-citizen family in the United States.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I would hope that we could bring up H.R. 724, which would rescind President Trump's refugee ban on former Iraqi translators for the United States, like Faud Shareef, who was cleared to settle in Nashville, Tennessee, along with his family, but stopped before he could board his flight and sent back to harm's way in Iraq.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, yesterday's headline in The Washington Post: "These Muslim families sought refuge in America's heartland. Now, Trump's visa ban is tearing them apart." One is in my district.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Speaker, I ask that we bring up H.R. 724, which would rescind President Trump's immigration ban so that students like Maryim can return to classes at the University of Chicago and other students can continue their studies at U.S. colleges and universities.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 5 seconds to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I ask that this House bring up H.R. 724, which would rescind President Trump's refugee ban on children, like 16-year-old Afghani boy Sardar Hussein, who lost his family in a car bomb and now hopes after nearly 2 years of ordeal to get on his flight to America.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentleman from California (Mr. CARBAJAL).

Mr. CARBAJAL. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on women like Sara, an Afghani television presenter who fled amidst death threats, had waited for years to be resettled in the U.S., only to have her hopes dashed.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

The gentleman from Florida is recognized.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip and my good friend.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding and urge that we bring up H.R. 724, which would rescind President Trump's refugee ban on children, like a 5-year-old that came to Dulles Airport with another family. Her mother was waiting for her, and for 4 hours she was not allowed to see her mother. That is not good policy. It is not good for the safety of our troops. It is not good for the safety of America. Let's pass H.R. 724.

The SPEAKER pro tempore. The gentleman's time has expired.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I am pleased to yield 5 seconds to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Speaker, I ask this House to bring up H.R. 724, which would rescind President Trump's refugee ban on women like Sahar Alghnimi, who came here to care for her elderly mother who had just undergone surgery, only to be detained at O'Hare Airport and ultimately returned to Abu Dhabi.

The SPEAKER pro tempore. The gentleman's time has expired.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Florida has 8¼ minutes remaining.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 10 seconds to the distinguished gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on families like that of Ghassan Assali, which was en route to Pennsylvania from Syria on approved visas and then turned away and flown back to Qatar.

The SPEAKER pro tempore (Mr. ALLEN). As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 10 seconds to the

gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which will rescind President Trump's executive order to ban Muslims. Having been at JFK Airport this weekend, I stand in support of military soldiers who risked their lives and whose family members were unlawfully detained and questioned, even after their service to our country. This is un-American.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

□ 1330

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban in light of individuals—women like Faten Diab, a Syrian refugee and former charity work whose family had applied for settlement to the United States but will now not be able to come.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban that prevented South Carolina resident and data scientist Nazanin Zinouri from returning to the United States after visiting her mother in Iran.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on individuals like the student from Afghanistan who was denied entry, sent back, and had her visa canceled.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Speaker, I ask unanimous consent to bring up 724, which would rescind President Trump's refugee ban on those who, like 69-year-old Armenouhi Badalyan and 77-year-old Hmayak Shahmirian, are Christian ref-

ugees from Iran and have applied for resettlement in the U.S.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban in light of individuals like Jordanian Musa Sharkawi, a cardiology fellow in Connecticut whose wife is a Syrian doctor and whose family cannot visit her because of the ban.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban and stop the separation of families like that of the Iranian professional whose wife is trapped in Iran and who is considering leaving the United States because of it.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 10 seconds to the gentlewoman from Florida (Mrs. DEMINGS), my home girl, for a unanimous consent request.

Mrs. DEMINGS. Mr. Speaker, I ask unanimous consent that we bring up H.R. 724, which would rescind President Trump's refugee ban on individuals like Amir Haji-Akbari, a computational statistical physicist from Iran who was just offered an assistant professor job at Yale University.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. ADAMS) for a unanimous consent request.

Ms. ADAMS. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on women like the 77-year-old held at Dallas/Fort Worth International Airport as she tried to see her son and his family for the first time in years.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from the Northern Mariana Islands (Mr. SABLAN) for a unanimous consent request.

Mr. SABLAN. Mr. Speaker, as a grandfather, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on women, like the 69-year-old who was scheduled to visit the U.S. this past weekend to meet her new grandson but is now in limbo.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from California (Ms. JUDY CHU) for a unanimous consent request.

Ms. JUDY CHU of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on families like the Syrian refugee family of six who were scheduled to arrive in Cleveland on Tuesday, January 31, but are now blocked indefinitely.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield to the gentlewoman from New York (Ms. CLARKE) for a unanimous consent request.

Ms. CLARKE of New York. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind Donald Trump's refugee ban and help unify the family of Farah Usa, a refugee who risked her life for United States forces in Iraq and whose father, mother, and sister are now barred from entering the United States of America.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for a unanimous consent request.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind the President's refugee ban that impacts green card holders like the woman located in Iran with her 3-year-old U.S. citizen daughter.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, H.R. 724 would repeal Trump's overreaching executive order that purports to make America safer. It is time to restore

American values. What are the Republicans afraid of? If you support his action, bring up the bill and vote against it. If you don't support his action, we are giving you an opportunity to restore the lawful rights of Congress representing the American people.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, because our Nation has always welcomed refugees and the poor and those who are in need, I don't know why we don't bring up H.R. 724, which would rescind President Trump's refugee ban on students like the Iranian-born anthropology student who left the U.S. to carry out research and is now likely to be unable to return to defend his thesis. If you do not believe in the ban, bring it up so we can vote against this ban.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from California (Mrs. TORRES) for a unanimous consent request.

Mrs. TORRES. Mr. Speaker, this is what a refugee looks like, and I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban and help unify the family of an Iraqi refugee who is now separated indefinitely from her husband and children because of the ban.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 10 seconds to the gentleman from Massachusetts (Mr. MCGOVERN), my good friend that I serve on the Rules Committee with, for debate.

Mr. MCGOVERN. Mr. Speaker, I ask my Republican friends to bring up H.R. 724, which would rescind President Trump's appalling and discriminatory refugee ban on women like Samira Asgari, a scientist from Iran who was set to begin a project to study tuberculosis at Harvard Medical School, and was stopped from boarding her flight to the United States. Let us have a vote, let us have a little democracy, in the people's House.

The SPEAKER pro tempore. The time of the gentleman has expired.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from New Hampshire (Ms. SHEA-PORTER) for a unanimous consent request.

Ms. SHEA-PORTER. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on individuals like the Syrian skin cancer researcher living in Germany whose visa to visit colleagues in Philadelphia has now been revoked. Let us vote.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) for a unanimous consent request.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, you probably won't be surprised to learn that I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's appalling refugee ban on individuals like the young scientist in Iran who was awarded a fellowship to study cardiovascular medicine at Harvard, but whose visa has now been indefinitely suspended.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's outrageous ban on Muslims so that the San Fernando Valley's own Darrius Hicks, an American citizen, can be reunited with his wife, who is a humanitarian worker working with Afghan war victims in Iran. She has been denied even the chance to schedule a visa interview at our embassy in Abu Dhabi.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield 10 seconds to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's unconstitutional Muslim ban that led to a Stanford University graduate student who has lived in the United States since 1993 getting handcuffed and then detained at JFK airport for 5 hours.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from Georgia (Mr. JOHNSON) for a unanimous consent request.

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent to bring

up H.R. 724, which would rescind President Trump's cold and callous refugee ban on travelers like the UK resident who holds an Iranian passport, was due to fly back to Glasgow via New York, and had her transit visa revoked.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from California (Mr. RUIZ) for a unanimous consent request.

Mr. RUIZ. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban and help unify the family of Muktar and his wife, who spent 20 years in a refugee camp after fleeing Somalia, and will continue to be separated from their children who still live in the camp.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from California (Mr. CORREA) for a unanimous consent request.

Mr. CORREA. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban in light of mothers like Ran Chauhan, who arrived in the U.S. 5 years ago and is going through the naturalization process, but is separated from her sister and two children who are set to arrive in mid February.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR) for a unanimous consent request.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding.

I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's misguided refugee ban. Scheduled to arrive today in Toledo from war-torn Iraq was a fully vetted mother and her three young daughters, one of whom is less than a year old. They are forced to remain in Tunisia with their futures very uncertain.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO) for a unanimous consent request.

Mr. TONKO. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's tragic refugee ban that would have

barred women like the Syrian violinist who has performed at the White House and who is worried about her family that remain in Aleppo.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from Massachusetts (Ms. TSONGAS) for a unanimous consent request.

Ms. TSONGAS. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban that keeps apart families like that of Luca Freschi, who had planned to move to Harvard Medical School in March but whose Iranian wife would not be able to join him.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO) for a unanimous consent request.

Ms. DELAURO. Mr. Speaker, I ask unanimous consent to bring up H.R. 724, which would rescind President Trump's refugee ban on women like Shadi Heidarifar, a philosophy student at the University of Tehran who was accepted to New York University, but is now unsure if she will be able to attend.

The SPEAKER pro tempore. As previously announced, that unanimous consent request cannot be entertained.

□ 1345

PARLIAMENTARY INQUIRY

Mr. HASTINGS. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HASTINGS. Mr. Speaker, with the Members who have come here and asked for unanimous consent and with its being denied by virtue of the gentleman from Washington's not agreeing to the unanimous consent and with the notion in mind that the period for debate is what is to be recognized, my question is: Do the people who did come here and seek unanimous consent—although it was not accepted—have the opportunity to insert a statement in the RECORD that signifies their intentions with reference to the matter at hand?

The SPEAKER pro tempore. Members may insert remarks under general leave.

Mr. HASTINGS. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Florida has 5 minutes and 55 seconds remaining. The gentleman from Washington has 11½ minutes remaining.

Mr. NEWHOUSE. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCCARTHY), the majority leader of the Republican Conference.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, I rise in favor of the rule and the underlying legislation.

Since the beginning of this Congress, we have devoted ourselves most prominently to a single goal: making Washington work for the people again.

There is one thing here in Washington that consistently stands against our people, our economy, and our Constitution: the Federal bureaucracy.

These agencies, bureaus, and departments—so numerous that nobody even knows how many there are—spend their lives thinking up new rules, and the rules they produce weigh down businesses, destroy jobs, and limit Americans' rights. Career bureaucrats who can't be voted out of office wield punishing authority with little to no accountability. They are agents of the status quo, and the revolving door of Federal employees moving to lobbying arms and consulting firms breed thousands of regulations that enrich the connected and powerful, sometimes at the great expense of the average American. This is the swamp. This is what opposes the people, and we are draining it.

In recent weeks, this House has already started its two-part plan to strip the bureaucracy of its power. We started to change the structure in Washington by passing the REINS Act and the Regulatory Accountability Act. This week, we begin part two: targeting specific rules and stripping them from the books.

There has been no industry in America that has been more regulated than energy. We are going to use the Congressional Review Act to repeal the stream protection rule that could destroy tens of thousands of mining jobs and put up to 64 percent of our country's coal reserves off limits.

Then we will take on President Obama's 11th hour BLM methane emissions requirement. The oil and gas industry in America has already drastically reduced methane emissions even while increasing output, and the EPA already has the authority to regulate air emissions. Instead of helping the environment, this rule could cost America's energy industry up to \$1 billion by 2025 and force smaller operations, especially out West, to shut down and lay off employees. So, this Friday, the House will get rid of it.

We will also take the ax to the SEC disclosure rule, which—now, if you can believe it—targets publicly traded American energy companies with even more regulatory compliance while it lets foreign companies off the hook. Washington should put American companies first, not put them at a disadvantage to their foreign competitors.

Mr. Speaker, it is not just energy, which would be bad enough; but under President Obama, the bureaucracy has even threatened our basic constitutional rights. A new rule from the Social Security Administration would increase scrutiny on up to 4.2 million disabled Americans if they attempt to purchase firearms. For the completely unrelated circumstance of having someone help manage your finances, Social Security recipients could be kept from exercising their Second Amendment rights. In an affront to due process, the bureaucracy has even attempted to blacklist from Federal contracts any business that is accused of violating labor laws, and that could be before the company has a chance to defend itself in court.

Every single one of these will be gone. With a vote in the House, a vote in the Senate, and President Trump's signature, we will get rid of every one of these job-killing and destructive regulations. The House is always at the service of the people. Now we are making the bureaucracy serve the people, too.

Mr. HASTINGS. Mr. Speaker, I inform the gentleman from Washington that I have no further requests for time and I am prepared to close.

Mr. NEWHOUSE. Mr. Speaker, I have no further requests for time; so, yes, I am prepared to close.

Mr. HASTINGS. Mr. Speaker, I yield myself the balance of my time.

The majority leader just got through saying all of the things they are getting ready to do to drain the swamp. My feeling about what is happening—and I am speaking for myself—is they may very well drain the swamp, but if you take out the alligators and you put in crocodiles and you put in snakes, you have just made the swamp that much more dangerous to the American people.

Mr. Speaker, the cavalier nature by which my friends across the aisle approach the awesome responsibility of governing is as disturbing as it is disappointing. They all own this now. They are in charge. Although I may understand the emotive desire to turn things on their head, they all would be wise to come to the realization sooner rather than later that their actions affect real people. All they have to do is just see what transpired this past weekend.

The children, the elderly, the students who are waiting in airports across our country who are wishing to flee their oppressors or who are simply returning to their lives here at home are real people. They heard them being identified in the denied unanimous consent requests of my colleagues who came forward here. The children, the elderly, and all of the other folks who have to live in environments that are less clean and that are more likely to make them sick because of their flip-

pant approach here today are real people. To be taken seriously, they must act seriously. Within that context, I would have to surmise that they all would be judged and found wanting.

To truly convey the devastating consequences of what has happened these past few days, I could quote from one of the Founding Fathers about the ideal of freedom from religious persecution; or I could recite for them the inscription on the Statue of Liberty, which has guided and inspired generations of immigrants and refugees as they have come here to seek better lives for themselves and their families; or I could quote from Luke 10:25 wherein Jesus tells the parable of the Good Samaritan. I will not.

Instead, I will leave them with the words of Dr. Amir Heydari, a bariatric surgeon and United States citizen who has lived in the United States for nearly 40 years and who was detained for questioning this past weekend:

"I wanted to live somewhere that celebrated freedom—freedom of speech, freedom of religion, all of these kinds of things. That's what everyone in the world thinks about the USA, and unfortunately, when these types of actions are taken, the image is not the same anymore."

I urge my colleagues to oppose this rule and the underlying measure.

Mr. Speaker, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself the balance of my time.

I would just like to take a minute to remind the American people and my friends across the aisle that we are here today, as the minority leader said, to begin the process of unwinding the burdensome regulations that are truly stifling job creation and hurting our friends and our families in each and every one of our neighborhoods across the country.

Many from the other side have tried to distract with unrelated issues. I just want to be clear that the rule today does not address immigration in any way and that none of their requests went through the regular and bipartisan process to clear such requests.

So let's focus on why we are here. We are here because we must take a firm stand against the overly burdensome and restrictive regulations that have been issued in the waning days of the previous administration. By passing this CRA, we can rescind the final stream protection rule, which the OSM produced without input from the States—responsible for enforcing mining regulations—and which disregards existing regulations on both the State and the Federal levels that have proven to be effective.

This regulation will have devastating effects on mining communities across the country and will lead to significant job losses and higher electricity costs—all while weakening U.S. energy secu-

urity for decades. The stream protection rule will drastically reduce our access to coal and our ability to develop new clean coal technologies, which will result in reduced domestic energy protection and in tens of thousands of lost jobs in coal-producing States as well as in industries across the country that are reliant on this energy. If we fail to pass the underlying bill, the rule's devastating impacts will be felt far and wide in our great land as approximately 78,000 mining jobs will be lost, which is in addition to the tens of thousands of mining jobs that have already been lost in the last 8 years.

Mr. Speaker, coal is essential to the U.S. economy. It provides affordable energy that accounts for almost 40 percent of the Nation's electricity supply—almost 20 percent in the gentleman's home State of Florida. Because of its abundance, reliability, and affordability, electricity generated from coal is generally 30 percent cheaper than other alternative energy sources. Additionally, at current consumption rates, our country has more than 250 years of remaining coal reserves, ensuring that we will have energy security here at home for generations to come.

Passing H.J. Res. 38 will protect American jobs and families from yet another burdensome regulation that has failed to follow the basic tenets of transparency, inclusivity, and cooperation with stakeholders, cooperating States, and, most importantly, the American people.

Now is the time for Congress to overturn this unparalleled executive overreach and implement policies that protect communities that have been long forgotten by the former administration. The CRA was designed for this exact purpose, and we now have a unique opportunity to pass this legislation through both Chambers and see it signed into law.

Mr. Speaker, this is a good, straightforward rule, allowing for the consideration of an important resolution that will ensure that mining communities and hardworking families are not pressed by another crippling Federal regulation. I believe this rule and the underlying legislation are strong measures that are important to our country's future. I urge my colleagues to support House Resolution 70 and the underlying joint resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in strong opposition to H. Res. 70 and the joint resolution for which it would provide consideration, H.J. Res. 38, expressing disapproval of the Stream Protection Rule submitted by the Department of the Interior, Office of Surface Mining Reclamation and Enforcement.

The Stream Protection Rule is a critical update to a decades-old regulation that provides clear and established requirements for responsible surface coal mining while protecting vital community health and economic opportunity across the United States.

The rule, crafted in an extensive and transparent public process, includes reasonable reforms to avoid and minimize impacts on surface water, groundwater, fish, wildlife, and other natural resources. Grounded in sound, peer-reviewed scientific evidence and modern technological advancements, the rule modernizes 33-year old regulations to keep pace with modern mining techniques and incorporates in its guidance a broader scientific understanding of the deleterious effects caused by unmitigated surface coal mining activity.

During the development of this critical rule, the Department of Interior received over 150,000 public comments, hosted 15 open houses and public meetings, and engaged in broad outreach to stake holders nationwide. This rule was carefully developed and thoroughly considered with all stakeholders provided a seat at the table.

Ultimately, H.J. Res. 38 would undermine the Stream Protection Rule and begin the process to undue monumental steps in the right direction to protect the health, well-being, and economic prosperity of countless Americans living near coal mining sites. I strongly urge my colleagues to reject H. Res. 70, providing for the consideration of the harmful H.J. Res. 38. Any effort to undermine this important health, economic, and environmental protection results in a lose-lose situation for the American public and I oppose it.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 70 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 724) to provide that the Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017), shall have no force or effect, to prohibit the use of Federal funds to enforce the Executive Order, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 724.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1400

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

ENSURING RELIABLE AIR SERVICE IN AMERICAN SAMOA

Mr. LOBIONDO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 276) a bill to amend title 49, United States Code, to ensure reliable air service in American Samoa, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RELIABLE AIR SERVICE IN AMERICAN SAMOA.

Section 40109(g) of title 49, United States Code, is amended—

(1) in paragraph (2), by striking subparagraph (C) and inserting the following:

"(C) review the exemption at least every 30 days (or, in the case of exemptions that are necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu'a, at least every 180 days), to ensure that the unusual circumstances that established the need for the exemption still exist."; and

(2) by striking paragraph (3) and inserting the following:

"(3) RENEWAL OF EXEMPTIONS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may renew an exemption (including renewals) under this subsection for not more than 30 days.

"(B) EXCEPTION.—An exemption that is necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu'a, may be renewed for not more than 180 days.

"(4) CONTINUATION OF EXEMPTIONS.—An exemption may continue for not more than 5 days after the unusual circumstances that established the need for the exemption cease."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 276.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LOBIONDO. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 276, as amended. This bill will improve transportation in American Samoa by making air service between its islands more reliable and predictable.

Specifically, the bill streamlines a burdensome Federal regulatory process that artificially inhibits economic growth and jobs on the islands. The Senate unanimously passed similar legislation in the last Congress, and I am hopeful they will join with us this year in addressing this issue.

I want to thank the sponsor of the bill, the gentlewoman from American Samoa (Mrs. RADEWAGEN), for her tireless efforts on behalf of her constituents and for working with us to bring a bill that benefits so many of them to the floor.

I urge my colleagues to support H.R. 276.

I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 276, as amended, introduced by the gentlewoman from American Samoa (Mrs. RADEWAGEN), which will ensure reliable air service into American Samoa.

American Samoa is situated in the center of the South Pacific, about 2,500 miles south of Hawaii. Its nearest neighboring islands are at least 500 miles away, and the territory is more than 7,000 miles from where we stand today.

This remote location already makes export and travel difficult and costly. Complicating matters more is the fact that the current cabotage laws prohibit foreign air carriers from carrying passengers between the islands, except in certain emergency situations.

The Department of Transportation has authority to issue waivers in such emergency cases, but the waivers are good for only 30 days. A foreign airline that is otherwise fit to provide service between American Samoa's islands is, therefore, forced to apply monthly for a waiver.

H.R. 276 would remove this burden by permitting DOT to grant the cabotage waiver for up to 6 months. This change ensures that domestic air transportation is provided and sustained between the islands, benefitting both the people and the economy.

I urge my colleagues to join me in supporting this bill.

I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I yield such time as she may consume to the gentlewoman from American Samoa (Mrs. RADEWAGEN).

Mrs. RADEWAGEN. Mr. Speaker, first, I would like to thank Chairman SHUSTER, Subcommittee Chairman LOBIONDO, Ranking Members DEFAZIO and LARSEN, and their staff for the effort and work they put in to quickly see this measure through this committee. They do an excellent job, and it is always encouraging to work with such bright people. I also want to thank Leader MCCARTHY and his staff for their assistance in getting this measure to the floor. I look forward to working under their leadership to bring prosperity to the American people, including those in the territories.

Mr. Speaker, the people of American Samoa desperately need improvement to their access to reliable transportation between the islands of Tutuila and Manu'a. The remote Manu'a islands are losing residents at an alarming pace, mostly due to the lack of reliable transportation; and it is causing a great hardship on the families and businesses who reside on these islands which lie 60 miles from the main island of Tutuila.

Also, the lack of reliable transportation poses a severe health risk to those who need emergency medical care, as the only hospital in American Samoa is in Tutuila.

My bill, H.R. 276, will help alleviate this issue by easing some of the burdensome red tape causing the issue, and I look forward to seeing it signed into law by the President.

Mr. LARSEN of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from the Northern Mariana Islands (Mr. SABLAN).

Mr. SABLAN. Mr. Speaker, I rise today in support of H.R. 276, a bill to provide more reliable air service to the people of American Samoa for air travel within American Samoa.

The Northern Mariana Islands are similar to American Samoa in many ways. Although the large majority of our population resides on Saipan, I have also several thousand constituents residing on the islands Tinian and Rota. We are fortunate that air travel between these islands is possible with the presence of commercial air travel.

Unfortunately, in American Samoa, there are no U.S. carriers operating a route between Tutuila and Manu'a. So Polynesian Airlines, based out of Samoa, is the only carrier operating that route.

H.R. 276, introduced by my good friend and colleague, the gentlewoman from American Samoa (Mrs. RADEWAGEN), presents a commonsense approach to cut red tape and allow regular flights to continue between these islands. It would help the people of

American Samoa conduct business, visit relatives, and access health care.

It has my full support, and I ask the House to pass this commonsense legislation.

Mr. LARSEN of Washington. Mr. Speaker, I yield back the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I thank the gentleman from Washington (Mr. LARSEN) and the staff for their help on this.

I urge all Members to support H.R. 276, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LOBIONDO) that the House suspend the rules and pass the bill, H.R. 276, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. LOBIONDO

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent to amend the title of the bill.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend the long title by striking "A bill".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The amendment was agreed to.

FIRST RESPONDER IDENTIFICATION OF EMERGENCY NEEDS IN DISASTER SITUATIONS

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 58) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 58

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "First Responder Identification of Emergency Needs in Disaster Situations" or the "FRIENDS Act".

SEC. 2. CIRCUMSTANCES WHICH MAY IMPACT FIRST RESPONDERS DURING A TERRORIST EVENT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Homeland Security and Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that describes select State and local

programs and policies, as appropriate, related to the preparedness and protection of first responders. The report may include information on—

(1) the degree to which such programs and policies include consideration of the presence of a first responder's family in an area impacted by a terrorist attack;

(2) the availability of personal protective equipment for first responders;

(3) the availability of home Medkits for first responders and their families for biological incident response; and

(4) other related factors.

(b) **CONTEXT.**—In preparing the report required under subsection (a), the Comptroller General of the United States may, as appropriate, provide information—

(1) in a format that delineates high risk urban areas from rural communities; and

(2) on the degree to which the selected State and local programs and policies included in such report were developed or are being executed with funding from the Department of Homeland Security, including grant funding from the State Homeland Security Grant Program or the Urban Area Security Initiative under sections 2002 and 2003, respectively, of the Homeland Security Act of 2002 (6 U.S.C. 603 and 604).

(c) **HOMELAND SECURITY CONSIDERATION.**—After issuance of the report required under subsection (a), the Secretary of Homeland Security shall consider such report's findings and assess its applicability for Federal first responders.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 58, as amended.

The **SPEAKER pro tempore**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

First, I welcome the gentleman from Georgia (Mr. JOHNSON) to the committee. I look forward to working together to do good work for the American people.

Mr. Speaker, firefighters, police, EMS, and other first responders are critical to our Nation's emergency management system. First responders leave their own families, even during disasters, to protect you and me.

As recently as this past August, we saw devastating flooding in Baton Rouge and southeast Louisiana. The flooding touched every home, including the homes of firefighters, police, hospital workers, and other first responders. First responders focused on rescuing flood victims, while they knew their own homes were flooded and their own families were homeless.

This legislation would require a report on the State and local programs

and policies in place to prepare and protect first responders and their families in times of disaster. Taking care of first responders and their families gives our firefighters, police, and other critical emergency personnel the peace of mind to focus on the task at hand, rather than worrying whether their family is safe and taken care of.

I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 58, the First Responder Identification of Emergency Needs in Disaster Situations, or the **FRIENDS Act**.

This bill requires the Government Accountability Office, or GAO, to submit a report on how State and local programs affect the preparedness and protection of first responders. Congress and the American people need to know whether these programs consider circumstances that may affect a first responder's ability to respond to an event.

In particular, the bill requires GAO to examine the degree to which State and local programs and policies consider the presence of a first responder's family in an area impacted by a terrorist attack, the availability of personal protective equipment for first responders, and the availability of home MedKits for first responders and their families for biological incident response.

While we are asking GAO to examine State and local programs and policies, some of these programs and policies may be funded with Federal dollars. To that extent, Congress needs to know whether these federally funded programs and policies are as effective as possible to prepare and protect first responders.

This month, the State of Georgia received two Presidential disaster declarations from devastating tornados in districts neighboring my own. While these are not terrorist attacks, these tornados highlight the fact that first responders are often called upon to respond to events in their own communities where they and their loved ones live. Our heroes immediately respond to the call of duty, even though they themselves or their loved ones may be impacted. Thus, it is important that State and local preparedness programs are designed and developed to consider all situations that may impact first responder preparedness.

□ 1415

We must do everything we can to support our first responders who are often called upon to put their lives on the line to help others, even when their own families need them. So I thank my colleague, the gentlewoman from Texas (Ms. JACKSON LEE), for intro-

ducing this bill and for her diligent work on this issue.

In response to my chairman's welcome, I would have to respond by saying I am just giddy about being a part of this subcommittee, and I look forward to working with him and his staff to make things good for America and for our future.

I urge my colleagues to join in my support of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the sponsor of this legislation.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Georgia and, likewise, congratulate him for his leadership on the Transportation Committee, along with his chairman.

Mr. Speaker, I rise as a senior member of the Homeland Security Committee, which committee has had special emphasis on protecting and responding to our first responders, and so I am excited about the fact of moving this bill forward. I thank the Transportation and Infrastructure Committee, and I thank my Homeland Security Committee for moving this forward through an amendment process and now, ultimately, onto the floor of the House.

I rise, Mr. Speaker, enthusiastically, in support of H.R. 58, the First Responder Identification of Emergency Needs in Disaster Situations, or **FRIENDS Act**.

I thank my chairman, Mr. McCAUL, and Ranking Member THOMPSON for the valuable assistance and support in bringing this important bill before the House for consideration during the 114th Congress. We are now in the 115th Congress. I appreciate Chairman SHUSTER and Ranking Member DEFAZIO for allowing the **FRIENDS Act** now to come forward, which was referred to the Committee on Transportation and Infrastructure to be considered on today's suspensions.

The **FRIENDS Act** reflects what America is all about. The **FRIENDS Act** reflects what we, as Members of Congress, are all about. How many of us stop by fire stations, pat a police officer of many different levels on the back, say "thank you," and recognize that that 911 number is a very special number to many of our constituents.

But more importantly, when natural disasters or manmade disasters such as the horrific and heinous terrorist act of 9/11 occur, who are among the first to come? It is the first responders, and they go to faraway places.

The **FRIENDS Act** reflects stakeholder input and bipartisan collaboration with the majority.

I thank the International Association of Fire Chiefs, the National Association of State EMS Officials working

with me, and The International Emergency Management Society for their valuable assistance and input regarding the FRIENDS Act.

Our two committees, Transportation and Infrastructure and Homeland Security, really respond in a bipartisan way. Our Homeland Security Committee will be facing many mountains of concerns dealing with intelligence issues, dealing with the issues with Russia, dealing with the issues of executive orders, but we do know that we come together to honor our first responders that are our Nation's heroes. They run into burning buildings; they rescue people trapped by dangerous floods and put themselves in harm's way to protect others. Just last week, in San Bernardino, we saw the brave first responders heroically pursue two individuals that fled from the scene of a deadly attack recently over the last year.

To do their jobs, first responders must leave their homes and families while the rest of us cling to ours. Whether it is to deal with the aftermath of a terrorist attack, as I indicated, or the fires, hurricanes, and tornadoes that we have seen across America—devastation of so many of our constituents, loss of life—first responders leave their homes to ensure that others are safe.

Unfortunately, today, first responders are asked to answer the call to action without knowing whether their families will be safe as the work to rescue others proceeds. Our first responders deserve better.

The FRIENDS Act directs the Government Accountability Office to conduct a comprehensive review of policies and programs designed to ensure that first responders are able to do their jobs, and effectively, by assessing, among other things, measures taken to ensure first responder families are safe, first of all, and the availability of personal protective equipment exists so that they can come home to their families.

It was particularly noticed during 9/11. For those of us who were able to go to Ground Zero as they were still continuing the recovery, many of you know they continued to recover for months and months and months, and you saw the kind of exposure those first responders had.

During committee consideration of the FRIENDS Act, my friend from New York (Mr. HIGGINS) offered an amendment to authorize GAO to evaluate the availability of home med kits for first responders and their families in assessing the preparedness of first responders. I was pleased to support the Higgins amendment, and it adds to this bill.

H.R. 58 also directs GAO to distinguish policies available in high-risk urban areas which may be better resourced, and rural areas where ef-

forts to ensure preparedness for first responders and their families may require creative leveraging of resources.

This provision will ensure that the information included in the report will be applicable and adaptable by various communities across the country as they work to better protect their protectors. Let us remember both the rural community as well as the urban community.

Additionally, the FRIENDS Act directs the Secretary of Homeland Security to review its findings and assess whether the policies identified could be applicable to Federal first responders.

The FRIENDS Act has been endorsed by the International Association of Fire Chiefs and a number of other organizations.

Before I conclude, let me again thank all of my colleagues.

Mr. Speaker, I include in the RECORD a letter from the International Association of Fire Chiefs and, as well, the National Association of State EMS Officials.

INTERNATIONAL ASSOCIATION
OF FIRE CHIEFS,
Fairfax, VA, January 31, 2017.

Hon. SHEILA JACKSON LEE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE: On behalf of the approximately 12,000 fire and emergency service leaders of the International Association of Fire Chiefs (IAFC), I would like to thank you for introducing H.R. 58, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act. The IAFC supports this legislation, because it will examine an important issue facing the nation's first responders during a major terrorist attack: adequate preparedness for the first responders' families.

During terrorist incidents, fire, law enforcement and EMS officials will be called upon to take heroic actions to protect the public and provide fire and emergency medical response. In the case of a large-scale incident or biological attack, the families of these first responders also will be at risk. Based on the experience of IAFC members during the response to Hurricanes Katrina and Rita and the 2014 response to potential Ebola incidents in the United States, I know that the welfare of the first responders' families weighs heavily on them as they serve the public. It is important that federal, state, and local officials make plans to provide for the safety of first responders' families in order to ensure strong morale among local fire, law enforcement, and EMS officials during a major terrorist attack.

Thank you for introducing this important legislation. We look forward to working with you to pass this legislation in the House of Representatives.

Sincerely,

FIRE CHIEF JOHN D. SINCLAIR,
President and Chairman of the Board.

NATIONAL ASSOCIATION
OF STATE EMS OFFICIALS,
Falls Church, VA, September 28, 2015.

Re: Expressing Support for the Jackson Lee Amendment in the Nature of a Substitute to H.R. 2795.

Hon. MICHAEL T. MCCAUL,
Chairman, House Committee on Homeland Security, House of Representatives, Washington, DC.

Hon. MARTHA MCSALLY,
Chairman, Subcommittee on Emergency Preparedness, Response, and Communications, House of Representatives, Washington, DC.

Hon. BENNIE G. THOMPSON,
Ranking Member, House Committee on Homeland Security, House of Representatives, Washington, DC.

Hon. DONALD M. PYNE,
Ranking Member, Subcommittee on Emergency Preparedness, Response, and Communications, House of Representatives, Washington, DC.

We are writing to express our support for the Jackson Lee Amendment in the Nature of a Substitute titled, the "Families of Responders Identification of Emergency Needs in Designated Situations" or the "FRIENDS Act." This bill would provide an important report on the state of family support planning for the families of first responders.

We believe that Federal family support planning is important to homeland security because this area of continuity of operations planning addresses the health and safety needs of first responder families during terrorist attacks or incidents as well as other emergencies. The FRIENDS Act will be an important first step in engaging the first responder community on the role of family in preparedness and continuity of operations.

The FRIENDS Act would also engage first responder organizations to get their perspectives on best practices in family support planning programs on the local and state levels.

For these reasons, we support the FRIENDS Act of 2015.

Sincerely,

PAUL R. PATRICK,
President, National Association of
State EMS Officials.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield an additional 2 minutes to the gentlewoman.

Ms. JACKSON LEE. Mr. Speaker, it is important to know of the important role that the International Association of Fire Chiefs play in the lives of first responders and their advocacy for their fellow brothers and sisters—and they call them their fellow brothers and sisters. I want to briefly read their words:

Dear Representative JACKSON LEE,
On behalf of the approximately 12,000 fire and emergency service leaders of the International Association of Fire Chiefs, I would like to thank you for introducing H.R. 58, the First Responder Identification of Emergency Needs in Disaster Situations, FRIENDS, Act.

The IAFC supports the legislation because it will examine an important issue facing the Nation's first responders during a major terrorist attack, adequate preparedness for the first responders' families.

It goes on to list terrorist incidents, fire, and law enforcement, and EMS officials will be called upon to take heroic action, and it recounts that their

concern is what is happening to their family under these circumstances.

In a letter from the National Association of State EMS Officials which I will insert into the RECORD, they indicate in their letter:

We are writing to express our support for the Jackson Lee amendment, which was the bill the Families of Responders Identification of Emergency Needs in Designated Situations. This bill would make an important report on the state of family support planning for the families of first responders.

Ladies and gentlemen, I am grateful to my colleagues for their assistance as we move the FRIENDS Act forward, but I am more grateful to those first responders who unselfishly put themselves forward and in danger to help our constituents and help all of us. To their families, we owe them the responsibility of ensuring that they are safe during the time of their loved ones being on the front lines of saving others.

I ask my colleagues to support the FRIENDS Act, H.R. 58.

Mr. Speaker, I rise in support of H.R. 58, the "First Responder Identification of Emergency Needs in Disaster Situations, or 'Friends' Act", and yield myself such time as I may consume.

I thank Chairman MCCAUL and Ranking Member THOMPSON for the valuable assistance and support in bringing this important bill before the House for consideration during the 114th Congress.

I appreciate and thank Chairman BILL SHUSTER and Ranking Member PETER A. DEFAZIO for allowing the FRIENDS Act, which was referred to the Committee on Transportation and Infrastructure to be considered under today's suspensions.

The FRIENDS Act embodies the important and fundamental idea that we have an obligation to ensure that the first responders who protect our loved ones in emergencies have the peace of mind that comes from knowing that their loved ones are safe while they do their duty.

During terrorist incidents, fire, law enforcement, and EMS officials will be called upon to take heroic actions to protect the public and provide fire and emergency medical response.

The FRIENDS Act reflects stakeholder input and bipartisan collaboration with the Majority.

I thank the International Association of Fire Chiefs, the National Association of State EMS Officials, and the International Emergency Management Society for their valuable assistance and support for the FRIENDS Act.

I also thank Kay Goss, the President of the International Emergency Management Society, who provided technical assistance on the work of first responders to prepare for catastrophic events.

I am passionate about the work of those who dedicate themselves to public service.

I hold in high regard the service of firefighters, law enforcement officers, emergency response technicians, nurses, emergency room doctors, and the dozens of other professionals who are the ultimate public servants.

First responders are called to serve and few outside of their ranks can understand why

they do the work they do each day—placing their lives in harm's way to save a stranger.

Law enforcement officers, fire fighters, and emergency medical technicians make our lives safer, while often at the same time putting their own lives at risk.

In the case of a large-scale incident or biological attack, the families of these first responders also will be at risk.

Based upon the experience of International Fire Chiefs, which endorsed the FRIENDS Act, the members' experiences during their response to Hurricanes Katrina and Rita and the 2014 response to potential Ebola incidents in the United States, know that the welfare of their families weighs heavily on first responders as they serve the public.

It is important that federal, state, and local officials make plans to provide for the safety of first responders' families in order to ensure strong morale among local fire, law enforcement, and EMS officials during a major terrorist attack.

H.R. 58 provides Congress an opportunity to let our first responders know that we know they have families and loved ones who they leave behind when they are called to duty, and their families will be protected in the first responder absence.

The GAO study that will be provided as a result of this bill will report on what is being done by local and state governments to address the needs of first responder families when threats like Hurricanes Sandy, Hugo, and Katrina hit communities, or when a terrorist attack like the ones seen in New York and Boston occur.

The report required by the Jackson Lee FRIENDS Act will also provide information on the availability of personal protective equipment for first responders.

The issue of personal protective equipment was an acute problem for front line first responders during the 2014 Ebola crisis.

First responders, including EMTs, emergency room doctors and nurses as well as law enforcement and fire department professionals, were not prepared for the crisis:

1. Nearly 80 percent of first responders report that their hospital had not communicated to them any policy regarding potential admission of patients infected by Ebola;

2. 85 percent said their hospital had not provided education on Ebola that allowed the nurses to interact and ask questions of patients;

3. One-third said their hospital had insufficient supplies of eye protection (face shields or side shields with goggles) and fluid resistant/impermeable gowns; and

4. Nearly 40 percent said their hospital did not have plans to equip isolation rooms with plastic covered mattresses and pillows and discard all linens after use; fewer than 10 percent said they were aware their hospital does have such a plan in place.

The Centers for Disease Control and only a few hospitals around the country with infectious disease units knew the right protocols and had the right protective gear to be used when treating an Ebola patient.

Ebola in the United States was a frightening experience for many, but I think we saw the great work that first responders do each day—our doctors and nurses went to work and

treated the sick and did what they always do—they took care of us.

During the 114th Congress the Homeland Security Committee unanimously voted to report the FRIENDS Act favorably to the full House, which passed the measure by an overwhelming margin and in support of local, state and federal first responders.

The Comptroller General's comprehensive review of the range of policies and programs in place at the State level to address the preparedness and protection of first responders will also delineate high risk urban areas and rural communities; and the degree to which selected state policies were developed or executed with funding from the DHS Grant Programs or Urban Area Security Initiative authorized by the Homeland Security Act.

The report's focus will be on the presence of the family of first responders in an area affected by a terrorist attack and the availability of essential personal protective equipment.

This will be the first report that focuses on the family as a critical factor that should be considered in the work of first responders during times of crisis such as a terrorist attack or public emergency like in the massive flooding that occurred in the city of Houston last year and the year before.

The well-being of family members is a factor that one would expect to weigh on a first responder called to respond to a terrorist attack or unprecedented emergency.

The bravery or dedication of first responders is not in question—they are the people who run into burning buildings to save people whom they may never have met.

They are some of the best among us and we appreciate their dedication and service.

Finally, the FRIENDS Act requires the Secretary of Homeland Security to consider the report's findings and their applicability for federal first responders.

Mr. Speaker, I would like to thank Natalie Matson, of the Committee's majority staff and Moira Bergin, of the Committee's minority staff, both of whom worked closely with Lillie Coney on my staff on the FRIENDS Act.

I also thank the staff of the Committee on Transportation and Infrastructure for their efforts to bring the bill before the full House for consideration.

I ask all Members to join me in voting to pass H.R. 58, the FRIENDS Act.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I again urge my colleagues to vote "yes" on H.R. 58, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 58, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY INSIDER THREAT AND MITIGATION ACT OF 2017

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 666) to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Homeland Security Insider Threat and Mitigation Act of 2017”.

SEC. 2. ESTABLISHMENT OF INSIDER THREAT PROGRAM.

(a) IN GENERAL.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

“SEC. 104. INSIDER THREAT PROGRAM.

“(a) ESTABLISHMENT.—The Secretary shall establish an Insider Threat Program within the Department. Such Program shall—

“(1) provide training and education for Department personnel to identify, prevent, mitigate, and respond to insider threat risks to the Department’s critical assets;

“(2) provide investigative support regarding potential insider threats that may pose a risk to the Department’s critical assets; and

“(3) conduct risk mitigation activities for insider threats.

“(b) STEERING COMMITTEE.—

“(1) IN GENERAL.—The Secretary shall establish a Steering Committee within the Department. The Under Secretary for Intelligence and Analysis shall serve as the Chair of the Steering Committee. The Chief Security Officer shall serve as the Vice Chair. The Steering Committee shall be comprised of representatives of the Office of Intelligence and Analysis, the Office of the Chief Information Officer, the Office of the General Counsel, the Office for Civil Rights and Civil Liberties, the Privacy Office, the Office of the Chief Human Capital Officer, the Office of the Chief Financial Officer, the Federal Protective Service, the Office of the Chief Procurement Officer, the Science and Technology Directorate, and other components or offices of the Department as appropriate. Such representatives shall meet on a regular basis to discuss cases and issues related to insider threats to the Department’s critical assets, in accordance with subsection (a).

“(2) RESPONSIBILITIES.—Not later than one year after the date of the enactment of this section, the Under Secretary for Intelligence and Analysis and the Chief Security Officer, in coordination with the Steering Committee established pursuant to paragraph (1), shall—

“(A) develop a holistic strategy for Department-wide efforts to identify, prevent, mitigate, and respond to insider threats to the Department’s critical assets;

“(B) develop a plan to implement the insider threat measures identified in the strategy developed under subparagraph (A) across the components and offices of the Department;

“(C) document insider threat policies and controls;

“(D) conduct a baseline risk assessment of insider threats posed to the Department’s critical assets;

“(E) examine existing programmatic and technology best practices adopted by the Federal Government, industry, and research institutions to implement solutions that are validated and cost-effective;

“(F) develop a timeline for deploying workplace monitoring technologies, employee awareness campaigns, and education and training programs related to identifying, preventing, mitigating, and responding to potential insider threats to the Department’s critical assets;

“(G) require the Chair and Vice Chair of the Steering Committee to consult with the Under Secretary for Science and Technology and other appropriate stakeholders to ensure the Insider Threat Program is informed, on an ongoing basis, by current information regarding threats, beset practices, and available technology; and

“(H) develop, collect, and report metrics on the effectiveness of the Department’s insider threat mitigation efforts.

“(c) DEFINITIONS.—In this section:

“(1) CRITICAL ASSETS.—The term ‘critical assets’ means the people, facilities, information, and technology required for the Department to fulfill its mission.

“(2) INSIDER.—The term ‘insider’ means—

“(A) any person who has access to classified national security information and is employed by, detailed to, or assigned to the Department, including members of the Armed Forces, experts or consultants to the Department, industrial or commercial contractors, licensees, certificate holders, or grantees of the Department, including all subcontractors, personal services contractors, or any other category of person who acts for or on behalf of the Department, as determined by the Secretary; or

“(B) State, local, tribal, territorial, and private sector personnel who possess security clearances granted by the Department.

“(3) INSIDER THREAT.—The term ‘insider threat’ means the threat that an insider will use his or her authorized access, wittingly or unwittingly, to do harm to the security of the United States, including damage to the United States through espionage, terrorism, the unauthorized disclosure of classified national security information, or through the loss or degradation of departmental resources or capabilities.”.

(b) REPORTING.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of section 104 of the Homeland Security Act of 2002 (as added by subsection (a) of this section) and the biennially thereafter for the next four years, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on how the Department of Homeland Security and its components and offices have implemented the strategy developed pursuant to subsection (b)(2)(A) of such section 104, the status of the Department’s risk assessment of critical assets, the types of insider threat training conducted, the number of Department employees who have received such training, and information on the effectiveness of the Insider Threat Program (established pursuant to subsection (a) of such section 104), based on metrics developed, collected, and reported pursuant to subsection (b)(2)(H) of such section 104.

(2) DEFINITIONS.—In this subsection, the terms “critical assets”, “insider”, and “insider threat” have the meanings given such

terms in section 104 of the Homeland Security Act of 2002 (as added by subsection (a) of this section).

(c) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 103 the following new item:

“Sec. 104. Insider Threat Program.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the legislation. Recent high-profile cases of government employees leaking classified information have caused drastic damage to U.S. national security and diplomacy. The names Snowden and Manning are now synonymous with the term “insider threat.” Unfortunately, Snowden, Manning, and others were able to conduct their traitorous work undetected because the government had at one time vetted and granted them access to secure facilities and information systems.

In response to these cases, it is vital that Congress ensure Federal agencies have the tools to detect and disrupt future insider threat situations before damage is done. H.R. 666, in contrast to its unholy numbering, has the important and respectable goal of authorizing and expanding insider threat detection and mitigation efforts at the Department of Homeland Security.

DHS has over 115,000 employees with access to classified information and many more with access to law enforcement sensitive data. Unauthorized disclosures of classified information, whether deliberate or unwitting, represent a significant threat to national security. The very nature of modern communication systems, as well as DHS’ important information-sharing role with State and local partners, adds complexity to the challenge and requires thoughtful programs to educate employees and enhance DHS-wide detection capabilities.

The bill directs DHS to develop a strategy for the Department to identify, prevent, mitigate, and respond to insider threats and requires DHS to ensure that personnel understand what workplace behavior may be indicative

of a potential insider threat and how their activity on DHS networks will be monitored. The bill codifies a comprehensive insider threat program at DHS that can be implemented through the Department and its component agencies and, most importantly, reinforces the importance of preventing future insider attacks.

I want to thank Homeland Security Chairman MCCAUL, Ranking Member THOMPSON, and Congressmen DAN DONOVAN and LOU BARLETTA for working with me to bring this bill to the floor.

The same bill passed the House floor in November 2015 by voice vote. Unfortunately, last-minute scheduling issues with the Senate prevented the bill from reaching the President's desk. I am pleased that the House is willing to take up this measure so quickly in the new Congress so we can move it through the process. I look forward to working with the Senate to move this measure forward.

I urge my colleagues to support this bill so we can establish a comprehensive, transparent, DHS-wide insider threat program. I urge support for the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 666, the Department of Homeland Security Insider Threat and Mitigation Act of 2017. H.R. 666, the Department of Homeland Security Insider Threat and Mitigation Act of 2017, authorizes the Department of Homeland Security to address the homeland and national security risk posed by trusted insiders.

Typically, trusted insiders are given unrestricted access to mission-critical assets such as personnel, facilities, and computer networks. While DHS, like other Federal agencies, conducts extensive vetting of prospective employees, there is a risk that someone with insider status exploits their position to damage the United States through espionage, terrorism, or the unauthorized disclosure of sensitive national security information.

As the ranking member of the Committee on Homeland Security, I am supportive of the Department of Homeland Security's current Insider Threat Program. It is targeted at preventing and detecting when a vetted DHS employee or contractor with access to U.S. Government resources, including personnel, facilities, information, equipment, networks, and systems, exploits such access for nefarious, terrorist, or criminal purposes.

□ 1430

Though I support the DHS program, I do have some concerns about DHS and other Federal agencies deploying continuous evaluation programs without

transparency and congressional oversight. I am concerned that Federal agencies, with the understandable urge to protect their IT systems and facilities, are racing to acquire the capability before knowing whether such costly systems are even effective.

Therefore, I would like to reiterate to this Congress, as I did last Congress, that prior to establishing any such program, under which certain DHS employees would be subjected to ongoing automated credit, criminal, and social media monitoring, the Department engage Congress about not only the potential costs and benefits of such a program but what protections would be in place for workers subject to such a program.

Mr. Speaker, we live at a time when the threats to our Nation are complex. When this bill was considered last Congress, the prospect that a foreign intelligence agency would carry out an espionage campaign to influence the outcome of our Presidential election was material for the movies or for a good spy thriller. Today, in light of the Russian Government's actions in the 2016 elections, we have a greater appreciation for the importance of counterintelligence efforts. As such, this bill is particularly timely. None of us wants to see someone exploit their access to DHS networks to carry out cybercrimes or other criminal activity.

Even as DHS works to detect and prevent such threats, it is important that such activities be carried out in a transparent way so as not to compound the chronic morale challenges that exist within its workforce. Each time DHS considers making an adjustment to its insider threat program, thoughtful consideration must be paid to whether the operational drawbacks and costs for such an adjustment outweigh the benefits of such a change.

That said, I commend General TAYLOR, the previous Under Secretary for Intelligence and Analysis at DHS, for the attention he gave to the insider threat challenge. I look forward to continuing to work with the Department's successor to bolster security within the Department.

I would also like to give Mr. KING particular credit for his interest in this effort to make sure that problems don't come from the inside if we can help it.

With that, Mr. Speaker, I urge passage of H.R. 666.

I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset, let me thank the ranking member for his support and for his kind words, and let me fully agree with him on the outstanding job General TAYLOR did during his time at DHS and throughout his career in public service.

Mr. Speaker, on a daily basis, adversaries are targeting DHS and other

Federal agencies seeking to acquire sensitive information. U.S. citizens with trusted access to government facilities and electronic networks have been responsible for some of the most damaging attacks to the U.S. Government.

This bill provides the framework for DHS to implement an insider threat program that identifies and disrupts malicious insiders who seek to do the Department and its employees harm. It also seeks to protect the Department's workforce by conducting a transparent process to reinforce cyber hygiene, data security, and an awareness of malicious activity through a robust training program.

Mr. Speaker, I urge my colleagues to vote for this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 666.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY CLEARANCE MANAGEMENT AND ADMINISTRATION ACT

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 697) to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 697

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Clearance Management and Administration Act".

SEC. 2. SECURITY CLEARANCE MANAGEMENT AND ADMINISTRATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 is amended—

(1) by inserting before section 701 (6 U.S.C. 341) the following:

"**Subtitle A—Headquarters Activities**";

and

(2) by adding at the end the following new subtitle:

"**Subtitle B—Security Clearances**

"SEC. 711. DESIGNATION OF NATIONAL SECURITY SENSITIVE AND PUBLIC TRUST POSITIONS.

"(a) IN GENERAL.—The Secretary shall require the designation of the sensitivity level of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) be conducted in a consistent manner with respect to all components and offices of the

Department, and consistent with Federal guidelines.

“(b) IMPLEMENTATION.—In carrying out subsection (a), the Secretary shall require the utilization of uniform designation tools throughout the Department and provide training to appropriate staff of the Department on such utilization. Such training shall include guidance on factors for determining eligibility for access to classified information and eligibility to hold a national security position.

“SEC. 712. REVIEW OF POSITION DESIGNATIONS.

“(a) IN GENERAL.—Not later than July 6, 2017, and every five years thereafter, the Secretary shall review all sensitivity level designations of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) at the Department.

“(b) DETERMINATION.—If during the course of a review required under subsection (a), the Secretary determines that a change in the sensitivity level of a position that affects the need for an individual to obtain access to classified information is warranted, such access shall be administratively adjusted and an appropriate level periodic reinvestigation completed, as necessary.

“(c) CONGRESSIONAL REPORTING.—Upon completion of each review required under subsection (a), the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the findings of each such review, including the number of positions by classification level and by component and office of the Department in which the Secretary made a determination in accordance with subsection (b) to—

“(1) require access to classified information;

“(2) no longer require access to classified information; or

“(3) otherwise require a different level of access to classified information.

“SEC. 713. AUDITS.

“Beginning not later than 180 days after the date of the enactment of this section, the Inspector General of the Department shall conduct regular audits of compliance of the Department with part 1400 of title 5, Code of Federal Regulations, or similar successor regulation.

“SEC. 714. REPORTING.

“(a) IN GENERAL.—The Secretary shall annually through fiscal year 2022 submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the following:

“(1) The number of denials, suspensions, revocations, and appeals of the eligibility for access to classified information of an individual throughout the Department.

“(2) The date and status or disposition of each reported action under paragraph (1).

“(3) The identification of the sponsoring entity, whether by a component, office, or headquarters of the Department, of each action under paragraph (1), and description of the grounds for each such action.

“(4) Demographic data, including data relating to race, sex, national origin, and disability, of each individual for whom eligibility for access to classified information was denied, suspended, revoked, or appealed, and the number of years that each such individual was eligible for access to such information.

“(5) In the case of a suspension in excess of 180 days, an explanation for such duration.

“(b) FORM.—The report required under subsection (a) shall be submitted in unclassified

form and be made publicly available, but may include a classified annex for any sensitive or classified information if necessary.

“SEC. 715. UNIFORM ADJUDICATION, SUSPENSION, DENIAL, AND REVOCATION.

“Not later than one year after the date of the enactment of this section, the Secretary, in consultation with the Homeland Security Advisory Committee, shall develop a plan to achieve greater uniformity within the Department with respect to the adjudication of eligibility of an individual for access to classified information that are consistent with the Adjudicative Guidelines for Determining Access to Classified Information published on December 29, 2005, or similar successor regulation. The Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the plan. The plan shall consider the following:

“(1) Mechanisms to foster greater compliance with the uniform Department adjudication, suspension, denial, and revocation standards by the head of each component and office of the Department with the authority to adjudicate access to classified information.

“(2) The establishment of an internal appeals panel responsible for final national security clearance denial and revocation determinations that is comprised of designees who are career, supervisory employees from components and offices of the Department with the authority to adjudicate access to classified information and headquarters, as appropriate.

“SEC. 716. DATA PROTECTION.

“The Secretary shall ensure that all information received for the adjudication of eligibility of an individual for access to classified information is consistent with the Adjudicative Guidelines for Determining Access to Classified Information published on December 29, 2005, or similar successor regulation, and is protected against misappropriation.

“SEC. 717. REFERENCE.

“Except as otherwise provided, for purposes of this subtitle, any reference to the ‘Department’ includes all components and offices of the Department.”

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended—

(1) by inserting before the item relating to section 701 the following new item:

“Subtitle A—Headquarters Activities”;

and

(2) by inserting after the item relating to section 707 the following new items:

“Subtitle B—Security Clearances

“Sec. 711. Designation of national security sensitive and public trust positions.

“Sec. 712. Review of position designations.

“Sec. 713. Audits.

“Sec. 714. Reporting.

“Sec. 715. Uniform adjudication, suspension, denial, and revocation.

“Sec. 716. Data protection.

“Sec. 717. Reference.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Mem-

bers have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 697, the Department of Homeland Security Clearance Management and Administration Act, and I commend the gentleman from Mississippi for sponsoring it.

A security clearance is a privilege granted to individuals who have pledged to protect the American people from threats domestically and abroad. DHS has approximately 115,000 employees with varying access to classified materials. One important element of H.R. 697 is the requirement for the Secretary of Homeland Security to conduct an inventory of the Department's positions that require security clearances and assess what positions may be duplicative or are no longer necessary. It is just good government to ensure that individuals still have a need to know.

In 2013, then-Director of National Intelligence James Clapper called the number of individuals with clearances “too high.” In a memo to government agencies, Director Clapper expressed his concern with the growing number of individuals with access to classified information, particularly TS and SCI clearances.

Security clearances are costly to investigate, adjudicate, and maintain. This bill would ensure that DHS conducts a thorough accounting of its workforce needs and reduces the number of positions if determined appropriate. The bill also includes requirements for additional transparency on how security clearances are adjudicated, including when there are reasons to suspend or deny a security clearance.

H.R. 697, introduced by Ranking Member THOMPSON, is an example of the accounting that each Federal department should be conducting today and will lead to a more effective and lean Department of Homeland Security in the future.

The bill is identical to the version the House passed last Congress by voice vote. I urge support for the gentleman's bill.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 697, the Department of Homeland Security Clearance Management and Administration Act.

Mr. Speaker, I want to start off by thanking the chairman of the Counterterrorism and Intelligence Subcommittee, Mr. KING, as well as Chairman McCaul for their support for my bill. I reintroduced H.R. 697, the Department of Homeland Security Clearance Management and Administration Act, to reform how the Department manages its security clearance processes.

This measure, which the House approved by voice vote in November, 2015, specifically addresses how DHS carries out the complex and expensive tasks of, number one, identifying positions that warrant security clearances; number two, investigating candidates for clearances; and number three, administering its clearance adjudications, denials, suspensions, revocations, and appeals processes.

Since September 11, there has been a massive proliferation of classified material across the Federal Government. Along with the enormous growth in classified material holdings has come a sizeable growth in the number of Federal positions requiring security clearances.

H.R. 697 reflects regulations issued by the Office of Personnel Management and the Office of the Director of National Intelligence to help ensure that national security positions are properly designated by Federal agencies. By doing so, agencies can avoid the costly exercise of recruiting, investigating, and hiring individuals at clearance levels and salaries well above what is necessary.

Simply put, Mr. Speaker, H.R. 697 seeks to put DHS on a path to right-sizing the number of classified positions in its workforce. Specifically, my bill directs DHS to ensure that the sensitivity levels of national security positions are designated appropriately across the Department and its components. It also requires the Department's chief security officer to audit national security positions periodically to ensure that such security designations are still appropriate.

Additionally, the bill directs DHS to develop a plan to ensure that adjudications of eligibility for a security clearance are done accurately across the Department. Lastly, Mr. Speaker, in response to growing security threats from data breaches, my bill also provides safeguards for the protection of applicants' personal information.

Mr. Speaker, as I mentioned, passage of H.R. 697 will help ensure that the Department of Homeland Security takes targeted steps to improve critical aspects of its secured clearance program.

If enacted, H.R. 697 would make DHS a leader among Federal agencies with respect to security clearance and position designation practices.

With that, Mr. Speaker, I ask my colleagues' support, and I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I, once again, thank the gentleman and commend him for his leadership on this issue.

I urge my colleagues to support H.R. 697, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 697.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FUSION CENTER ENHANCEMENT ACT OF 2017

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 642) to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fusion Center Enhancement Act of 2017".

SEC. 2. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.

(a) IN GENERAL.—Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) by amending the section heading to read as follows:

"SEC. 210A. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.;"

(2) in subsection (a), by adding at the end the following new sentence: "Beginning on the date of the enactment of the Fusion Center Enhancement Act of 2017, such Initiative shall be known as the 'Department of Homeland Security Fusion Center Partnership Initiative'.;"

(3) by amending subsection (b) to read as follows:

"(b) INTERAGENCY SUPPORT AND COORDINATION.—Through the Department of Homeland Security Fusion Center Partnership Initiative, in coordination with principal officials of fusion centers in the National Network of Fusion Centers and the officers designated as the Homeland Security Advisors of the States, the Secretary shall—

"(1) coordinate with the heads of other Federal departments and agencies to provide operational and intelligence advice and assistance to the National Network of Fusion Centers;

"(2) support the integration of fusion centers into the information sharing environment;

"(3) support the maturation and sustainment of the National Network of Fusion Centers;

"(4) reduce inefficiencies and maximize the effectiveness of Federal resource support to the National Network of Fusion Centers;

"(5) provide analytic and reporting advice and assistance to the National Network of Fusion Centers;

"(6) review information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, that is gathered by the National Network of Fusion Centers and incorporate such information, as appropriate, into the Department's own such information;

"(7) provide for the effective dissemination of information within the scope of the information sharing environment to the National Network of Fusion Centers;

"(8) facilitate close communication and coordination between the National Network of Fusion Centers and the Department and other Federal departments and agencies;

"(9) provide the National Network of Fusion Centers with expertise on Department resources and operations;

"(10) coordinate the provision of training and technical assistance to the National Network of Fusion Centers and encourage participating fusion centers to take part in terrorism threat-related exercises conducted by the Department;

"(11) ensure, to the greatest extent practicable, that support for the National Network of Fusion Centers is included as a national priority in applicable homeland security grant guidance;

"(12) ensure that each fusion center in the National Network of Fusion Centers has a privacy policy approved by the Chief Privacy Officer of the Department and a civil rights and civil liberties policy approved by the Officer for Civil Rights and Civil Liberties of the Department;

"(13) coordinate the nationwide suspicious activity report initiative to ensure information gathered by the National Network of Fusion Centers is incorporated as appropriate;

"(14) lead Department efforts to ensure fusion centers in the National Network of Fusion Centers are the primary focal points for the sharing of homeland security information, terrorism information, and weapons of mass destruction information with State, local, tribal, and territorial entities to the greatest extent practicable;

"(15) develop and disseminate best practices on the appropriate levels for staffing at fusion centers in the National Network of Fusion Centers of qualified representatives from State, local, tribal, and territorial law enforcement, fire, emergency medical, and emergency management services, and public health disciplines, as well as the private sector; and

"(16) carry out such other duties as the Secretary determines appropriate.;"

(4) in subsection (c)—

(A) by striking so much as precedes paragraph (3)(B) and inserting the following:

"(c) RESOURCE ALLOCATION.—

"(1) INFORMATION SHARING AND PERSONNEL ASSIGNMENT.—

"(A) INFORMATION SHARING.—The Under Secretary for Intelligence and Analysis shall ensure that, as appropriate—

"(i) fusion centers in the National Network of Fusion Centers have access to homeland security information sharing systems; and

"(ii) Department personnel are deployed to support fusion centers in the National Network of Fusion Centers in a manner consistent with the Department's mission and existing statutory limits.

"(B) PERSONNEL ASSIGNMENT.—Department personnel referred to in subparagraph (A)(ii) may include the following:

“(i) Intelligence officers.

“(ii) Intelligence analysts.

“(iii) Other liaisons from components and offices of the Department, as appropriate.

“(C) MEMORANDA OF UNDERSTANDING.—The Under Secretary for Intelligence and Analysis shall negotiate memoranda of understanding between the Department and a State or local government, in coordination with the appropriate representatives from fusion centers in the National Network of Fusion Centers, regarding the exchange of information between the Department and such fusion centers. Such memoranda shall include the following:

“(i) The categories of information to be provided by each entity to the other entity that are parties to any such memoranda.

“(ii) The contemplated uses of the exchanged information that is the subject of any such memoranda.

“(iii) The procedures for developing joint products.

“(iv) The information sharing dispute resolution processes.

“(v) Any protections necessary to ensure the exchange of information accords with applicable law and policies.

“(2) SOURCES OF SUPPORT.—

“(A) IN GENERAL.—Information shared and personnel assigned pursuant to paragraph (1) may be shared or provided, as the case may be, by the following Department components and offices, in coordination with the respective component or office head and in consultation with the principal officials of fusion centers in the National Network of Fusion Centers:

“(i) The Office of Intelligence and Analysis.

“(ii) The Office of Infrastructure Protection.

“(iii) The Transportation Security Administration.

“(iv) U.S. Customs and Border Protection.

“(v) U.S. Immigration and Customs Enforcement.

“(vi) The Coast Guard.

“(vii) Other components or offices of the Department, as determined by the Secretary.

“(B) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Under Secretary for Intelligence and Analysis shall coordinate with appropriate officials throughout the Federal Government to ensure the deployment to fusion centers in the National Network of Fusion Centers of representatives with relevant expertise of other Federal departments and agencies.

“(3) RESOURCE ALLOCATION CRITERIA.—

“(A) IN GENERAL.—The Secretary shall make available criteria for sharing information and deploying personnel to support a fusion center in the National Network of Fusion Centers in a manner consistent with the Department’s mission and existing statutory limits.”; and

(B) in paragraph (4)(B), in the matter preceding clause (i), by inserting “in which such fusion center is located” after “region”;

(5) in subsection (d)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4)—

(i) by striking “government” and inserting “governments”; and

(ii) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(5) utilize Department information, including information held by components and offices, to develop analysis focused on the mission of the Department under section 101(b).”;

(6) in subsection (e)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—To the greatest extent practicable, the Secretary shall make it a priority to allocate resources, including deployed personnel, under this section from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to support fusion centers in the National Network of Fusion Centers located in jurisdictions along land or maritime borders of the United States in order to enhance the integrity of and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and otherwise interdict persons, weapons, and related contraband that pose a threat to homeland security.”; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “participating State, local, and regional fusion centers” and inserting “fusion centers in the National Network of Fusion Centers”;

(7) in subsection (j)—

(A) in paragraph (4), by striking “and” at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

“(5) the term ‘National Network of Fusion Centers’ means a decentralized arrangement of fusion centers intended to enhance individual State and urban area fusion centers’ ability to leverage the capabilities and expertise of all fusion centers for the purpose of enhancing analysis and homeland security information sharing nationally; and”;

(8) by striking subsection (k).

(b) ACCOUNTABILITY REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2024, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall report to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate on the efforts of the Office of Intelligence and Analysis of the Department and other relevant components and offices of the Department to enhance support provided to fusion centers in the National Network of Fusion Centers, including meeting the requirements specified in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by subsection (a) of this section.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 210A and inserting the following new item:

“Sec. 210A. Department of Homeland Security Fusion Centers Initiative.”.

(d) REFERENCE.—Any reference in any law, rule, or regulation to the “Department of Homeland Security State, Local, and Regional Fusion Center Initiative” shall be deemed to be a reference to the “Department of Homeland Security Fusion Center Initiative”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 642, the Fusion Center Enhancement Act of 2017, introduced by the gentleman from Pennsylvania, my good friend, Congressman LOU BARLETTA.

The bill before us today, Mr. Speaker, is focused on improving the partnership between the Department of Homeland Security and the National Network of Fusion Centers. The bill amends section 210A of the Homeland Security Act to clarify and enhance partnership between DHS and fusion centers.

As the United States is facing the highest threat environment since 9/11, it is vital that State and local agencies are receiving realtime threat information and have access to Federal intelligence and support. This was a key lesson learned from the 9/11 terror attacks, and, unfortunately, reinforced after the 2012 Boston Marathon bombing. DHS has a legal mandate to assist fusion centers in this effort, and H.R. 642 helps move the ball forward.

The threat of lone wolves inspired by ISIS and other radical Islamist terrorist groups are not deteriorating, and it is critical that there are strong partnerships between the Federal Government and State and local law enforcement agencies. This bill will help the Department and the national network maintain and improve their current partnership.

This bill passed the House last Congress by voice vote, and I am pleased the House is willing to move it again this year.

I want to thank Congressman BARLETTA for leading the committee’s efforts in developing this responsible and commonsense legislation. Congressman BARLETTA’s background as a businessman, city councilman, mayor, and Congressman has left him with a strong commitment to public safety and security.

□ 1445

It has been a pleasure to work with LOU on the Homeland Security Committee, where he was a vocal advocate for information sharing. I urge my colleagues to support this bill to ensure that the partnership between DHS and the national network is strong and agile to protect the United States against the ever-changing terrorism threat.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE,

Washington, DC, January 31, 2017.

Hon. MICHAEL T. McCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN McCAUL: I write concerning H.R. 642, the Fusion Center Enhancement Act of 2017. This legislation includes matters that I believe fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 642, the Committee on Transportation and Infrastructure agrees to forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, January 31, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and
Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your interest in H.R. 642, the "Fusion Center Enhancement Act of 2017." I appreciate your cooperation in allowing this legislation to move expeditiously before the House of Representatives. I understand that the Committee on Transportation and Infrastructure, to the extent it may have a jurisdictional claim, will not seek a sequential referral on the bill; and therefore, there has been no formal determination as to its jurisdiction by the Parliamentarian. We appreciate your cooperation in this matter.

The Committee on Homeland Security concurs with the mutual understanding that the absence of a decision on this bill at this time does not prejudice any claim the Committee on Transportation and Infrastructure may have held or may have on similar legislation in the future.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. McCAUL,
Chairman.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 642, the Fusion Center Enhancement Act of 2017.

Mr. Speaker, last Congress, the House approved this measure to update the law to reflect the evolution of the Department of Homeland Security's National Network of Fusion Centers.

H.R. 642 clarifies that fusion centers are State and locally owned and operated, and requires the Department's Office of Intelligence and Analysis to provide support to centers in its network by deploying personnel and providing access to timely information.

Importantly, H.R. 642 also adds several new responsibilities to DHS' Under Secretary of Intelligence and Analysis with respect to the grant guidance, nationwide suspicious activity reports, and fusion centers' access to information.

The bill makes several technical changes to existing law to help ensure more information sharing resources are made available to Federal, State, and local law enforcement officials at our National Network of Fusion Centers.

If enacted, H.R. 642 will go a long way to provide States and localities that have invested significant resources in standing up fusion centers with the support they need to keep their communities, and ultimately the Nation, secure.

I urge passage of H.R. 642.

Mr. Speaker, I reserve the balance of my time.

Mr. KING of New York. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. BARLETTA), the sponsor of the legislation.

Mr. BARLETTA. Mr. Speaker, I thank Mr. KING of New York for yielding.

Mr. Speaker, I rise in support of my legislation, the Fusion Center Enhancement Act of 2017. I thank Mr. KING of New York and Chairman McCAUL for working with me to introduce this legislation.

The purpose of my bill is to clarify and enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers. The bill amends the existing statute to update the Department's responsibilities for sharing information with State and local law enforcement and other emergency personnel within the National Network of Fusion Centers.

After the 9/11 terrorist attacks, State and local governments created fusion centers as a way to communicate Federal homeland security information to State and local law enforcement officials, as well as fuse State and locally collected information with Federal intelligence.

Congress supported this partnership by mandating that the Office of Intelligence and Analysis within the Department of Homeland Security coordinate and share information with fusion centers. There are now 78 State and locally owned fusion centers across the country.

I would especially like to recognize the work of the Pennsylvania Criminal Intelligence Center, PaCIC, which is run by the Pennsylvania State Police.

In 2015, our fusion center received the Fusion Center of the Year Award from the National Fusion Center Association.

I want to congratulate the men and women working at PaCIC for their commitment to security and public safety. They share vital information with police departments that keep officers and our citizens safe.

PaCIC provides intelligence and information products to over 1,200 local, State, and Federal criminal justice agencies, while also working with over 6,000 private and public center partners to also share information to help protect critical infrastructure and key resources.

Our center has been nationally recognized for their training and compliance with issues of privacy, civil rights, and civil liberties. They produce documents that highlight threats and scams that target Pennsylvanians, and help make sure that local police departments have information on public events, ranging from the Little League World Series to the visit of Pope Francis.

A significant amount of progress has been made by States and fusion centers within the national network to improve information sharing and analytic support. Many centers, including PaCIC, provide all crime, all hazard support. They also maintain a focus on our homeland security missions, including protecting critical information and sharing suspicious activity reporting.

H.R. 642 recognizes the progress and focuses on enhancing the Department of Homeland Security's responsibility to support, share information, and coordinate with fusion centers. This includes improving coordination with other Federal departments that provide better operational intelligence, reduce inefficiencies, and coordinate nationwide suspicious activity reporting.

As a member of the Homeland Security Committee and a former mayor, I have heard concerns raised by law enforcement in my district and elsewhere about the lack of information and coordination from several DHS component agencies, including ICE and CBP. To address this issue, I included language in this bill to direct the Department to ensure that each component is providing information and personnel to work with fusion centers.

To address the need for better accountability, language is included throughout the bill requiring DHS to coordinate with fusion centers and State Homeland Security Advisers in carrying out the assigned responsibilities.

Additionally, there is a requirement for the Department to submit a report to Congress on their efforts, including the components to support fusion centers, and specifically report on how they are meeting the requirements that are set forth in this bill.

I urge my colleagues to support this bipartisan bill so that we can add important requirements and accountability in how the Department of Homeland Security interacts and shares information with key State and local stakeholders.

Mr. THOMPSON of Mississippi. Mr. Speaker, I reserve the balance of my time.

Mr. KING of New York. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I rise today in support of H.R. 642, the Fusion Center Enhancement Act.

I spent the last 2 years traveling across the State of Kansas, and was reminded time and time again that national security is a top-three issue for my residents.

Why is this?

After years of turmoil and the lack of strong American leadership, people in Kansas no longer feel safe.

This legislation that my colleague from Pennsylvania has introduced will ensure that those on the front lines of protecting our Nation's citizens have access to the critical information they need to evaluate threats to protect our national security.

Fusion centers conduct analyses and facilitate information sharing, which are necessary and fundamental actions that assist State and local law enforcement in preventing and responding to crime and terrorism.

Just this last week I had the opportunity to go back to meet with staff and visit the Kansas Threat Integration Center in Topeka, Kansas. I can assure you the work they are doing is vital to our national security and the citizens of my State. They are leveraging partnerships with the private sector and focused on protecting our critical infrastructure.

I encourages my colleagues to support H.R. 642.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I want to express my support for this bill. I urge passage of H.R. 642, the Fusion Center Enhancement Act of 2017, which, if enacted, would send the message that Congress values the investment that States and localities have made to address the challenges of a post-9/11 world and stand with DHS in supporting the National Network of Fusion Centers.

Mr. Speaker, I urge passage of H.R. 642.

Mr. Speaker, I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I strongly urge support of the gentleman's bill. I urge my colleagues to vote for H.R. 642 in order to bolster the information sharing environment within the Department of Homeland Security and between the Department and State and local stakeholders.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 642.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COUNTERTERRORISM ADVISORY BOARD ACT OF 2017

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 526) to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Counterterrorism Advisory Board Act of 2017".

SEC. 2. DEPARTMENT OF HOMELAND SECURITY COUNTERTERRORISM ADVISORY BOARD.

(a) IN GENERAL.—At the end of subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) insert the following new section:

"SEC. 210G. DEPARTMENTAL COORDINATION ON COUNTERTERRORISM.

"(a) ESTABLISHMENT.—There is in the Department a board to be composed of senior representatives of departmental operational components and headquarters elements. The purpose of the board shall be to coordinate and integrate departmental intelligence, activities, and policy related to the counterterrorism mission and functions of the Department.

"(b) CHARTER.—There shall be a charter to govern the structure and mission of the board. Such charter shall direct the board to focus on the current threat environment and the importance of aligning departmental counterterrorism activities under the Secretary's guidance. The charter shall be reviewed and updated every four years, as appropriate.

"(c) MEMBERS.—

"(1) CHAIR.—The Secretary shall appoint a Coordinator for Counterterrorism within the Department who will serve as the chair of the board.

"(2) ADDITIONAL MEMBERS.—The Secretary shall appoint additional members of the board from among the following:

"(A) The Transportation Security Administration.

"(B) United States Customs and Border Protection.

"(C) United States Immigration and Customs Enforcement.

"(D) The Federal Emergency Management Agency.

"(E) The Coast Guard.

"(F) United States Citizenship and Immigration Services.

"(G) The United States Secret Service.

"(H) The National Protection and Programs Directorate.

"(I) The Office of Operations Coordination.

"(J) The Office of the General Counsel.

"(K) The Office of Intelligence and Analysis.

"(L) The Office of Policy.

"(M) The Science and Technology Directorate.

"(N) Other Departmental offices and programs as determined appropriate by the Secretary.

"(d) MEETINGS.—The board shall meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities, including coordination with other Federal, State, local, tribal, territorial, and private sector partners, and shall make recommendations to the Secretary.

"(e) TERRORISM ALERTS.—The board shall advise the Secretary on the issuance of terrorism alerts pursuant to section 203 of this Act.

"(f) PROHIBITION ON ADDITIONAL FUNDS.—No additional funds are authorized to carry out this section."

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 210F the following new item:

"Sec. 210G. Departmental coordination on counterterrorism."

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary, acting through the Coordinator for Counterterrorism, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the status and activities of the board established under section 210G of the Homeland Security Act of 2002, as added by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, nearly 16 years after September 11th, our country continues to face the persistent threat of terrorism. From ISIS to al Qaeda, radical groups continue to target the United States and our way of life. Last year alone, we saw more than 131 plots by ISIS alone against the West.

As terrorists continue to evolve, this body must ensure that the security measures in place to protect the United States and its citizens adapt to meet these threats.

Faced with the most dangerous threat environment since 9/11, the Department of Homeland Security needs

to continue to focus on its core mission of protecting Americans from these threats in an increasingly expeditious manner. I am proud that this body is working to continue to strengthen our national security by debating the bill before us today.

H.R. 526, the Counterterrorism Advisory Board Act of 2017, will help integrate intelligence, operations, and policy decisions to ensure the Department of Homeland Security remains adaptable, while eliminating waste and duplication. This same bill was introduced last year and passed the House by overwhelming majority.

Mr. Speaker, with open investigations in all 50 States and more than 119 arrests, this body must continue to take action to protect our homeland. Further, these threats will likely expand as foreign fighters flee places like Raqqa and Mosul.

Mr. Speaker, the world is witnessing the greatest convergence of radical Islamic threats in its history. More than 40,000 jihadists fighters, many of whom came from the West, have traveled to the battlefield in Syria and Iraq. With this threat environment in mind, I have introduced H.R. 526.

Initially established at the end of 2010, the Counterterrorism Advisory Board brings together the Department of Homeland Security's top echelon counterterrorism decisionmakers to quickly respond to threats.

While my colleagues and I were conducting the bipartisan Task Force on Combating Terrorists and Foreign Fighter Travel, we found that the Counterterrorism Advisory Board, or CTAB as it is referred to, had neither been codified nor had its charter kept pace with evolving terrorist threats.

That is why we need to pass this bill: to ensure that DHS is effectively integrating intelligence, operations, and policy to better compile and understand threat information to successfully fight terrorism.

This legislation formally establishes the CTAB in law and makes it the Department's central coordination body for counterterrorism activities.

□ 1500

The bill also updates the Board's charter to effectively respond to tomorrow's challenges and requires the Secretary to appoint a coordinator for counterterrorism to oversee the Board's activities.

Additionally, this legislation requires the CTAB to advise the Secretary of Homeland Security on the issuance of terrorism alerts, ensuring that top counterterrorism intelligence officials play a key role in developing these critical notices and providing them to the public.

Finally, this bill ensures continued congressional oversight by requiring DHS to report on the status and activities of the CTAB so that they can be certain it is meeting its mandate.

I thank Chairman McCAUL from the Homeland Security Committee for appointing me to lead the bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel last year. This task force produced 32 key findings and more than 50 recommendations, one of which serves as a basis of the legislation before us today.

I am proud to say we have now acted legislatively on more than half of the task force's findings, largely thanks to the hard work of the members of the task force and their willingness to work across the aisle in a bipartisan manner.

I also thank Mr. THOMPSON, my colleague in the minority, for working in a bipartisan manner on this and many other bills that we have before us today.

I will end by urging my colleagues to support this measure.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 526, the Counterterrorism Advisory Board Act of 2017.

Mr. Speaker, H.R. 526 authorizes, within the Department of Homeland Security, the Counterterrorism Advisory Board, or CTAB, to coordinate and integrate the Department's intelligence policies and activities as related to counterterrorism.

Since 2010, this internal body, comprised of top DHS officials, has helped to harmonize counterterrorism programs and activities across DHS.

H.R. 526 directs the Board to meet on a regular basis to coordinate and integrate the Department's counterterrorism efforts and set forth the leadership and composition of the Board.

H.R. 526 also requires DHS to report to Congress on the Board's status and activities.

To ensure that the Board remains an integral part of counterterrorism policy recommendations and responses across the Department, H.R. 526 would codify it in law.

At this time, when the Homeland Security challenges we face are, in many ways, more complex and diverse than ever before, it is essential that the new DHS Secretary and any successors have a mature, stable mechanism for counterterrorism decisionmaking just as his predecessors had.

Mr. Speaker, again, H.R. 526 will authorize, within the Department of Homeland Security, the Counterterrorism Advisory Board to coordinate and integrate the Department's intelligence activities and policies as related to counterterrorism.

This Board already plays a central and necessary role within DHS.

Enactment of H.R. 526 will ensure that the Counterterrorism Advisory Board will remain in place for years and decades to come.

Mr. Speaker, I urge passage of H.R. 526.

I yield back the balance of my time. Mr. KATKO. Mr. Speaker, I have no further speakers, and I urge Members to support this bill.

I yield back the balance of my time. The SPEAKER pro tempore (Mr. McCLINTOCK). The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 526, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AIRPORT PERIMETER AND ACCESS CONTROL SECURITY ACT OF 2017

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 665) to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies, and for other purposes. The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 665

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport Perimeter and Access Control Security Act of 2017".

SEC. 2. RISK ASSESSMENTS OF AIRPORT SECURITY.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration (TSA) shall—

(1) not later than 60 days after the date of the enactment of this Act, update the Transportation Sector Security Risk Assessment (TSSRA) for the aviation sector; and

(2) not later than 90 days after such date—

(A) update with the latest and most currently available intelligence information the Comprehensive Risk Assessment of Perimeter and Access Control Security (in this Act referred to as the "Risk Assessment of Airport Security") and determine a regular timeframe and schedule for further updates to such Risk Assessment of Airport Security; and

(B) conduct a system-wide assessment of airport access control points and airport perimeter security.

(b) CONTENTS.—The security risk assessments required under subsection (a)(2) shall—

(1) include updates reflected in the TSSRA and Joint Vulnerability Assessment (JVA) findings;

(2) reflect changes to the risk environment relating to airport access control points and airport perimeters;

(3) use security event data for specific analysis of system-wide trends related to airport access control points and airport perimeter security to better inform risk management decisions; and

(4) take into consideration the unique geography of and current best practices used by airports to mitigate potential vulnerabilities.

(c) REPORT.—The Administrator of the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, relevant Federal departments and agencies, and airport operators on the results of the security risk assessments required under subsection (a).

SEC. 3. AIRPORT SECURITY STRATEGY DEVELOPMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall update the 2012 National Strategy for Airport Perimeter and Access Control Security (in this section referred to as the “National Strategy”).

(b) CONTENTS.—The update to the National Strategy required under subsection (a) shall include—

(1) information from the Risk Assessment of Airport Security; and

(2) information on—

(A) airport security-related activities;

(B) the status of TSA efforts to address the goals and objectives referred to in subsection (a);

(C) finalized outcome-based performance measures and performance levels for each relevant activity and goal and objective under subparagraphs (A) and (B); and

(D) input from airport operators.

(c) UPDATES.—Not later than 90 days after the update is completed under subsection (a), the Administrator of the Transportation Security Administration shall implement a process for determining when additional updates to the strategy referred to in such subsection are needed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 665, the Airport Perimeter and Access Control Security Act, sponsored by my good friend and colleague, Congressman KEATING.

Over the course of the last year, we have seen a disturbing number of attacks against airports and aircrafts overseas and around the world. And in every instance, the integrity of the airport security infrastructure and the insider threat have been of serious concern.

It is critical that we scrutinize the security effectiveness of our Nation's airports and ensure that the public can have confidence that their travels will

be safe and secure during the high-threat environment.

This important piece of legislation requires that the TSA's comprehensive risk assessment of perimeter and access control security is more regularly updated and that TSA conducts a sector-wide assessment of airport access control vulnerabilities and mitigation efforts, something TSA has not done across the board since 2012, despite multiple security breaches at airports across the country.

We cannot solely focus on the effectiveness of our passenger screening checkpoints, while allowing lapses in security around the airport perimeter and within the sterile area of airport. A dead bolt on a front door does no good if the back door is left wide open.

As partners on the Transportation and Protective Security Subcommittee, Congressman KEATING and I have seen firsthand disturbing vulnerabilities at airports across the United States. I commend his efforts to help enhance security for the American people.

While there may be gridlock and partisan bickering at times in other places here in Washington, on the Homeland Security Committee, we all share an unshakable commitment to ensuring the security of the traveling public because we know that the consequence of failure is too great.

Mr. Speaker, I thank Congressman KEATING for introducing this important legislation.

I urge my colleagues to support this bipartisan bill.

I reserve the balance of my time.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of my legislation H.R. 665, the Airport Perimeter and Access Control Security Act.

Mr. Speaker, I am proud to be joined by my colleague from New York (Mr. KATKO), as well as my colleagues, Ranking Member THOMPSON, and Members RICE, RICHMOND, and SWALWELL.

Since I first was elected to Congress in 2010, I have worked to secure our Nation's airports from porous perimeters and unsecure access control points.

Last year, at my request, the Government Accountability Office released an independent report of all airports within the Transportation Security Administration's presence.

While TSA has made some progress in assessing risks at airport perimeters and access control security points, the GAO report revealed that the agency had not taken emerging threats or the unique makeup and design of individual airports into consideration.

More and more, we have seen that terrorists are targeting the soft areas in our airport perimeters and within the airport itself. Terrorists are looking for these soft targets. We have seen it in Europe. We have seen these tragedies in Brussels. We have seen it in

Istanbul. And, sadly, we have seen it here at home in Fort Lauderdale.

Updating the risk assessment of airport secured with information that reflects the current threat ensures that TSA bases its decision on the latest information, enabling it to focus limited resources to the highest priority risks to airport security.

The TSA's efforts to access, really, our entire airport security around the country, has been, frankly, inadequate. The numbers are startling. From 2009 to 2015, TSA conducted comprehensive risk assessments at only 81 of the 437 commercial airports nationwide—or 19 percent. Some years, this really represented only 3 percent of the airports that were assessed at all.

The Airport Perimeter and Access Control Security Act will make law the recommendations from the independent report and increase safety at airports nationwide. Further, this bill incorporates the input of major airport operators—whose concerns for lack of individualized security strategy we heard from firsthand.

Last year, the Associated Press revealed that there had been at least 268 perimeter security breaches at 31 major U.S. airports. From 2004 to 2015, their investigation found that intruders breached airport fences, on average, every 13 days.

This figure includes a fatal incident, a tragic incident that I investigated before I came to Congress as a district attorney when Delvonte Tisdale, a teenager from North Carolina, snuck onto the tarmac at Charlotte-Douglas International Airport and stowed away undetected in a wheel well of a commercial 737 on a flight to Boston.

The figures I mentioned really don't account for the many unreported instances of perimeter breaches, including things like trespassers or people that scale the fences around the perimeter.

We are lucky that all of these individuals did not harbor nefarious intentions. But that does not mitigate the risk posed by such behavior at airports, employees and others, and the passengers and travelers who rely on TSA officers and the airport operators for their security.

As you may recall, this legislation passed the House of Representatives with the support of my colleagues last year and has been a long time coming.

I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. KATKO. Mr. Speaker, before I close, I commend my colleague for his unwavering dedication to this issue. His passion has shown through in the committee hearings and throughout my time with him in Congress and I commend him for it. I look forward to working on this and other issues with him moving forward.

I urge my colleagues to support H.R. 665.

I yield back the balance of my time.
Mr. KEATING. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank everyone that worked so hard to make this bill a reality, and to have the success it did last year, and, hopefully, go all the way and get enacted into law this year.

The recent tragedies demonstrated at airports remain a steady target for terrorists and nefarious actors. This bipartisan legislation will close loops in the airport security practices and procedures and bring us closer to ensuring that the access control points and the perimeters of all of the unique designs are as secure as possible.

Passage of H.R. 665 is an important step in the safety of passengers, pilots, and the airport employees.

I thank the chairman of the Transportation Subcommittee again, Mr. KATKO; the full committee ranking member, Mr. THOMPSON; and Representatives RICE, RICHMOND, and SWALWELL for joining me in requesting this report and in supporting this legislation.

I urge my colleagues to support H.R. 665.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 665.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BORDER SECURITY TECHNOLOGY ACCOUNTABILITY ACT OF 2017

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 505) to amend the Homeland Security Act of 2002 to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Border Security Technology Accountability Act of 2017”.

SEC. 2. BORDER SECURITY TECHNOLOGY ACCOUNTABILITY.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

“SEC. 434. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

“(a) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

“(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

“(2) document that each such program is meeting cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

“(3) have a plan for meeting program implementation objectives by managing contractor performance.

“(b) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring proper program management of border security technology acquisition programs under this section.

“(c) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the appropriate congressional committees a plan for testing and evaluation, as well as the use of independent verification and validation resources, for border security technologies so that new border security technologies are evaluated through a series of assessments, processes, and audits to ensure compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation, as well as the effectiveness of taxpayer dollars.

“(d) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term ‘major acquisition program’ means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its life cycle cost.”.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 433 the following new item:

“Sec. 434. Border security technology program management.”.

SEC. 3. PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act. This Act and such amendments shall be carried out using amounts otherwise authorized for such purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Arizona (Ms. MCSALLY) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentlewoman from Arizona.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 505, the Border Security Technology Accountability Act.

This bill seeks to improve the management of border security technology projects, safeguard taxpayer dollars, and increase accountability for some of the Department of Homeland Security’s largest acquisition programs.

As a subcommittee chair with responsibility for the entire 2,000-mile Southern border, and as a Member whose district in southern Arizona represents 80 miles of the border, I have spent countless hours meeting with border residents, local law enforcement, ranchers, and men and women who tirelessly patrol the border every day.

I know firsthand that when our border technology projects lack the proper oversight and accountability, it is bad for taxpayers, those who defend our border, and those who live along our border.

That is why this bill is so important.

The Government Accountability Office has repeatedly included DHS acquisition management activities on its high-risk list, demonstrating that these programs are highly susceptible to waste, fraud, abuse, or mismanagement.

□ 1515

The Secure Border Initiative, also known as SBInet, is a prime example of acquisition mismanagement. Initial plans developed in 2005 and 2006 call for SBInet to extend across the entire U.S.-Mexico land border; however, SBInet deployment in Arizona was fraught with mismanagement, including a failure to adequately set requirements so the system would meet the needs of its users: our border patrol agents.

After spending nearly \$1 billion of taxpayers’ money with minimal results, DHS canceled SBInet in 2011, showing the high cost of failing to properly oversee new border acquisitions. With a renewed focus from the administration and this Congress on improving border security, this bill helps ensure Americans’ dollars are used as efficiently and effectively as possible. It requires that border security technology programs at the Department have an acquisition program baseline: a critical document that lays out what a program will do, what it will cost, and when it will be completed.

The bill also requires programs to adhere to internal control standards and have a plan for testing and evaluation, as well as the use of independent verification and validation resources. Being proper stewards of our limited resources requires that programs are on time, on budget, and follow sound management procedures. We cannot afford

to waste another minute or another dollar. We must put into place strong, effective technology programs to secure our border.

I urge all Members to join me in supporting these basic commonsense cost-control mechanisms so that we can responsibly secure our border.

I reserve the balance of my time.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 505.

I would like to thank the gentlewoman from Arizona (Ms. MCSALLY) for her work on this bill.

Over the past several years, the Government Accountability Office has examined various Department of Homeland Security programs and concluded that the Department has not followed standard best practices for acquisitions management. Though DHS has taken steps to improve its performance, there remains specific deficiencies in how it carries out major acquisitions.

When a DHS acquisition program falls short in terms of effectiveness or efficiency, this not only risks undermining that program, but also risks wasting the limited homeland security dollars that are available to us. We owe it to the American public not to repeat our mistakes.

This bill is intended to strengthen accountability for the acquisition and use of border security technology by the Department of Homeland Security. This bill would require all major acquisitions for border security technology to have written documentation of costs, schedule, and performance thresholds and demonstrate that the program is meeting these thresholds.

The bill also requires coordination and submission to Congress of a plan for testing and evaluation, as well as the use of independent verification and validation of resources for border security technology.

Addressing border security technology acquisitions is an important step toward bettering acquisitions and management overall. We owe it to the American taxpayer to make sure we are managing these investments wisely and preventing wasteful spending.

Mr. Speaker, H.R. 505 aims to focus and improve the way we invest and manage border security technology by providing a specific framework for accountability and oversight on behalf of the American taxpayer. I urge my colleagues to support this bill.

I yield back the balance of my time.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 505 to have transparency, accountability, and efficiency of vital border security technology projects.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms.

MCSALLY) that the House suspend the rules and pass the bill, H.R. 505, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CBRN INTELLIGENCE AND INFORMATION SHARING ACT OF 2017

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 677) to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “CBRN Intelligence and Information Sharing Act of 2017”.

SEC. 2. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NUCLEAR INTELLIGENCE AND INFORMATION SHARING.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following new section:

“SEC. 210G. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NUCLEAR INTELLIGENCE AND INFORMATION SHARING.

“(a) IN GENERAL.—The Office of Intelligence and Analysis of the Department of Homeland Security shall—

“(1) support homeland security-focused intelligence analysis of terrorist actors, their claims, and their plans to conduct attacks involving chemical, biological, radiological, or nuclear materials against the United States;

“(2) support homeland security-focused intelligence analysis of global infectious disease, public health, food, agricultural, and veterinary issues;

“(3) support homeland security-focused risk analysis and risk assessments of the homeland security hazards described in paragraphs (1) and (2), including the transportation of chemical, biological, nuclear, and radiological materials, by providing relevant quantitative and nonquantitative threat information;

“(4) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to a chemical, biological, radiological, or nuclear attack;

“(5) share information and provide tailored analytical support on these threats to State, local, and tribal authorities, other Federal agencies, as well as relevant national biosecurity and biodefense stakeholders, as appropriate; and

“(6) perform other responsibilities, as assigned by the Secretary.

“(b) COORDINATION.—Where appropriate, the Office of Intelligence and Analysis shall coordinate with other relevant Department components, including the National Biosurveillance Integration Center, other agencies within the intelligence community, including the National Counter Proliferation Center, and other Federal, State, local, and tribal authorities, including officials from high-threat urban areas, State and major urban area fusion centers, and local public health departments, as appropriate, and enable such entities to provide recommendations on optimal information sharing mechanisms, including expeditious sharing of classified information, and on how such entities can provide information to the Department.

“(c) DEFINITIONS.—In this section:

“(1) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

“(2) NATIONAL BIOSECURITY AND BIODEFENSE STAKEHOLDERS.—The term ‘national biosecurity and biodefense stakeholders’ means officials from Federal, State, local, and tribal authorities and individuals from the private sector who are involved in efforts to prevent, protect against, respond to, and recover from a biological attack or other phenomena that may have serious health consequences for the United States, including infectious disease outbreaks.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 201F the following new item:

“Sec. 210G. Chemical, biological, radiological, and nuclear intelligence and information sharing.”

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary of Homeland Security shall report to the appropriate congressional committees on—

(A) the intelligence and information sharing activities under section 210G of the Homeland Security Act of 2002 (as added by subsection (a) of this section) and of all relevant entities within the Department of Homeland Security to counter the threat from attacks using chemical, biological, radiological, or nuclear materials; and

(B) the Department’s activities in accordance with relevant intelligence strategies.

(2) ASSESSMENT OF IMPLEMENTATION.—The reports required under paragraph (1) shall include—

(A) an assessment of the progress of the Office of Intelligence and Analysis of the Department of Homeland Security in implementing such section 210G; and

(B) a description of the methods established to carry out such assessment.

(3) TERMINATION.—This subsection shall terminate on the date that is five years after the date of the enactment of this Act.

(4) DEFINITION.—In this subsection, the term “appropriate congressional committees” means the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate and any committee of the House of Representatives or the Senate having legislative jurisdiction under the rules of the House of Representatives or Senate, respectively, over the matter concerned.

SEC. 3. DISSEMINATION OF INFORMATION ANALYZED BY THE DEPARTMENT TO STATE, LOCAL, TRIBAL, AND PRIVATE ENTITIES WITH RESPONSIBILITIES RELATING TO HOMELAND SECURITY.

Paragraph (8) of section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)) is amended by striking “and to agencies of State” and all that follows through the period at the end and inserting “to State, local, tribal, and private entities with such responsibilities, and, as appropriate, to the public, in order to assist in preventing, deterring, or responding to acts of terrorism against the United States.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Arizona (Ms. MCSALLY) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes. The Chair recognizes the gentlewoman from Arizona.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 677, the CBRN Intelligence and Information Sharing Act of 2017.

We know that terrorist groups have long sought to employ chemical, biological, radiological, and nuclear, or CBRN, materials in their attacks. In his 2016 Worldwide Threat Assessment, Director of National Intelligence James Clapper noted that weapons of mass destruction continue to pose a threat to the United States, whether from North Korea's nuclear tests or the dual-use nature of biological materials that make threats difficult to detect.

In addition, last year, the Organisation for the Prohibition of Chemical Weapons completed a year-long investigation that found both Syria and ISIS have used chemical weapons. ISIS' interest in using weapons of mass destruction material in its attack against the West is also well documented.

H.R. 677 will enhance intelligence analysis and information sharing and will work to ensure that State and local officials get the actionable intelligence information necessary to stop or mitigate a CBRN attack.

As the previous chairwoman of the Emergency Preparedness, Response, and Communications Subcommittee, I held a number of hearings on the threat posed by terrorist attacks using CBRN agents. Many national security experts, first responders, and members of the law enforcement community have testified to the need of increased information sharing with appropriate State and local officials and emergency responders.

This budget-neutral bill seeks to address these findings. It requires the Office of Intelligence and Analysis at DHS to support homeland security-focused intelligence analysis of CBRN threats, including emerging infectious diseases. It directs the Office of Intelligence and Analysis to share information with State, local, tribal, and private entities and get their feedback to improve two-way sharing of information. Finally, H.R. 677 directs the Secretary of DHS to report annually for 5 years on the Department's intelligence and information sharing activities and DHS' activities in accordance with relevant intelligence strategies.

The House passed a nearly identical bill I introduced last Congress by a vote of 420-2. I urge Members to join me in supporting this bill.

I reserve the balance of my time.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 677, the CBRN Intelligence and Information Sharing Act of 2017.

Mr. Speaker, last Congress, the Committee on Homeland Security held several hearings to evaluate Federal, State, and local capabilities to prevent, identify, and respond to a chemical, biological, radiological, or nuclear attack, a CBRN threat.

Although the State and local stakeholders we heard from were generally aware of the evolving CBRN threat, there was a consistent message from everyone who testified—from public health professionals to emergency managers, to first responders—improved information sharing would make our communities safer.

H.R. 677 would facilitate improved CBRN information sharing by directing DHS to analyze CBRN-related terrorist threats and share relevant threat information with Federal, State, and local stakeholders. These activities will both improve situational awareness at all levels of government and help DHS grant recipients better target their limited grant dollars to address this particular threat.

The CBRN Intelligence and Information Sharing Act passed the House overwhelmingly last Congress, and I urge my colleagues to support the measure once again.

Information sharing is at the core of our ability to prevent, thwart, and respond to threats posed by bad actors. H.R. 677 would facilitate information sharing in the CBRN space where the threats are constantly evolving. This commonsense legislation costs next to nothing but will reap significant benefits.

I urge my colleagues to support H.R. 677.

I yield back the balance of my time.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 677, this leg-

islation that will enhance the sharing of CBRN-related threat information.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill, H.R. 677.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY SUPPORT TO FUSION CENTERS ACT OF 2017

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 678) to require an assessment of fusion center personnel needs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Homeland Security Support to Fusion Centers Act of 2017”.

SEC. 2. FUSION CENTER PERSONNEL NEEDS ASSESSMENT.

Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of Department of Homeland Security personnel assigned to fusion centers pursuant to subsection (c) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), including an assessment of whether deploying additional Department personnel to such fusion centers would enhance the Department's mission under section 101(b) of such Act and the National Network of Fusion Centers. The assessment required under this subsection shall include the following:

(1) Information on the current deployment of the Department's personnel to each fusion center.

(2) Information on the roles and responsibilities of the Department's Office of Intelligence and Analysis intelligence officers, intelligence analysts, senior reports officers, reports officers, and regional directors deployed to fusion centers.

(3) Information on Federal resources, in addition to personnel, provided to each fusion center.

(4) An analysis of the optimal number of personnel the Office of Intelligence and Analysis should deploy to fusion centers, including a cost-benefit analysis comparing deployed personnel with technological solutions to support information sharing.

(5) An assessment of fusion centers located in jurisdictions along land and maritime borders of the United States, and the degree to which deploying personnel, as appropriate, from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to such fusion centers would enhance the integrity and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and interdict persons, weapons, and related contraband that pose a threat to homeland security.

(6) An assessment of fusion centers located in jurisdictions with large and medium hub airports, and the degree to which deploying, as appropriate, personnel from the Transportation Security Administration to such fusion centers would enhance the integrity and security of aviation security.

SEC. 3. PROGRAM FOR STATE AND LOCAL ANALYST CLEARANCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that any program established by the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to provide eligibility for access to information classified as Top Secret for State, local, tribal, and territorial analysts located in fusion centers shall be consistent with the need to know requirements pursuant to Executive Order No. 13526 (50 U.S.C. 3161 note).

(b) REPORT.—Not later than two years after the date of the enactment of this Act, the Under Secretary of Intelligence and Analysis of the Department of Homeland Security, in consultation with the Director of National Intelligence, shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on the following:

(1) The process by which the Under Secretary of Intelligence and Analysis determines a need to know pursuant to Executive Order No. 13526 to sponsor Top Secret clearances for appropriate State, local, tribal, and territorial analysts located in fusion centers.

(2) The effects of such Top Secret clearances on enhancing information sharing with State, local, tribal, and territorial partners.

(3) The cost for providing such Top Secret clearances for State, local, tribal, and territorial analysts located in fusion centers, including training and background investigations.

(4) The operational security protocols, training, management, and risks associated with providing such Top Secret clearances for State, local, tribal, and territorial analysts located in fusion centers.

SEC. 4. INFORMATION TECHNOLOGY ASSESSMENT.

The Under Secretary of Intelligence and Analysis of the Department of Homeland Security, in collaboration with the Chief Information Officer of the Department and representatives from the National Network of Fusion Centers, shall conduct an assessment of information systems (as such term is defined in section 3502 of title 44, United States Code) used to share homeland security information between the Department and fusion centers in the National Network of Fusion Centers and make upgrades to such systems, as appropriate. Such assessment shall include the following:

(1) An evaluation of the accessibility and ease of use of such systems by fusion centers in the National Network of Fusion Centers.

(2) A review to determine how to establish improved interoperability of departmental information systems with existing information systems used by fusion centers in the National Network of Fusion Centers.

(3) An evaluation of participation levels of departmental components and offices of information systems used to share homeland security information with fusion centers in the National Network of Fusion Centers.

SEC. 5. MEMORANDUM OF UNDERSTANDING.

Not later than one year after the date of the enactment of this Act, the Under Secretary of Intelligence and Analysis of the De-

partment of Homeland Security shall enter into a memorandum of understanding with each fusion center in the National Network of Fusion Centers regarding the type of information such fusion centers will provide to the Department and whether such information may be subject to public disclosure.

SEC. 6. AMENDMENTS.

Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) in subsection (d), by striking “and tribal” each place it appears and inserting “tribal, and territorial”;

(2) in subsection (e), by striking “and tribal” each place it appears and inserting “tribal, and territorial”;

(3) in subsection (g)(1), by striking “or tribal” and inserting “tribal, or territorial”;

(4) in subsection (i)—

(A) in paragraph (3), by striking “and tribal” and inserting “tribal, territorial”;

(B) in paragraph (6), by inserting “territorial,” after “tribal.”;

(5) in subsection (j)(1), by striking “or tribal” and inserting “tribal, or territorial”.

SEC. 7. DEFINITIONS.

In this Act:

(1) FUSION CENTER.—The term “fusion center” has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

(2) NATIONAL NETWORK OF FUSION CENTERS.—The term “National Network of Fusion Centers” means a decentralized arrangement of fusion centers intended to enhance individual State and urban area fusion centers’ ability to leverage the capabilities and expertise of all such fusion centers for the purpose of enhancing analysis and homeland security information sharing nationally.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Arizona (Ms. MCSALLY) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentlewoman from Arizona.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 678, the Department of Homeland Security Support to Fusion Centers Act of 2017.

Ensuring that the Federal Government is sharing intelligence and homeland security information with State and local officials is a vital component of U.S. national security and our counterterrorism efforts.

I have seen firsthand the important work of fusion centers, which disseminate Federal threat and intelligence information to local law enforcement and emergency responders. These centers also collect State and local information and fuse it with Federal intelligence. There is no doubt that this effort enhances terrorist investigations

and creates a more complete domestic threat picture.

To help break down information sharing stovepipes, my State’s fusion center, the Arizona Counter Terrorism Intelligence Center, or the ACTIC, and the 77 other fusion centers across the country need greater access to information, particularly from the Department of Homeland Security and its components.

While personnel from the DHS Office of Intelligence and Analysis have been deployed to most fusion centers, one remaining challenge is access to DHS component personnel and information, particularly ICE, CBP, and TSA. To address this issue, this bill requires GAO, the Government Accountability Office, to conduct an assessment of the DHS personnel detailed to fusion centers and whether deploying additional personnel will enhance threat and homeland security information sharing. This third-party assessment of DHS personnel deployments will be valuable when making staffing decisions moving forward.

Additionally, this bill supports ongoing DHS efforts to sponsor top secret clearances to appropriate State and local analysts in fusion centers. The committee has received countless testimony from State and local law enforcement about the value additional clearances will provide.

The bill also directs the DHS to review current information technology systems used to share information with fusion centers and make enhancements to ensure systems, such as the Homeland Security Information Network, are user friendly and meeting the needs of States and locals.

Lastly, the bill requires the Under Secretary of the Office of Intelligence and Analysis to sign a memorandum of understanding with each fusion center. The purpose of the MOU is to lay out what type of information will be shared between DHS and the fusion centers and how that information will be protected. A critical element of the Department’s relationship with the thousands of State and local first responders working in fusion centers is trust. The MOU process will help improve this important connection.

Our country is at its highest threat posture this 9/11 given the large number of foreign fighters and ISIS-inspired plots. This bill will help ensure our State and local law enforcement officers as well as fire and EMS personnel are getting access to the information needed to protect our communities.

I urge all Members to support this bill.

I reserve the balance of my time.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 678, and I would like to thank the gentlewoman from Arizona (Ms. MCSALLY).

I rise in strong support as a cosponsor of H.R. 678, the Department of

Homeland Security Support to Fusion Centers Act of 2017.

Since coming to Congress, I have worked to enhance and secure intelligence information sharing among both domestic and international partners. A key mechanism to fostering such information sharing has been the development of a network of fusion centers across the Nation. These centers allow Federal intelligence and homeland security information to be shared with State and local law enforcement and other key stakeholders.

For fusion centers to realize their full promise, it remains critical that personnel assigned to fusion centers be able to access Department of Homeland Security information, data, and personnel.

In the course of conducting oversight of fusion centers, the committee has learned that not enough State and local analysts and officials assigned to these centers have the TS/SCI clearances necessary to foster the timely sharing of homeland security information and intelligence.

□ 1530

H.R. 678 would authorize the DHS to sponsor such State and local analysts for security clearances. Last Congress, this bill passed unanimously by our committee.

I urge the passage of H.R. 678, the Department of Homeland Security Support to Fusion Centers Act of 2017. This is legislation that will help ensure that key fusion center personnel have access to the security clearances they need to keep our communities secure.

Mr. Speaker, I yield back the balance of my time.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one of the core missions of the Department of Homeland Security is to share threat information with State and local first responders. Fusion centers are a key mechanism for that process. As fusion centers continue to mature into national assets, Congress must ensure that the Department of Homeland Security is supporting fusion centers with the resources that are needed to keep our communities safe.

I urge my colleagues to vote for H.R. 678.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill, H.R. 678.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DHS STOP ASSET AND VEHICLE EXCESS ACT

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 366) to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Stop Asset and Vehicle Excess Act" or the "DHS SAVE Act".

SEC. 2. DHS VEHICLE FLEETS.

Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)(5), by inserting "vehicle fleets (under subsection (c)), after "equipment,";

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following new subsection:

"(C) VEHICLE FLEETS.—

"(1) IN GENERAL.—In carrying out responsibilities regarding vehicle fleets pursuant to subsection (a)(5), the Under Secretary for Management shall be responsible for overseeing and managing vehicle fleets throughout the Department. The Under Secretary shall also be responsible for the following:

"(A) Ensuring that components are in compliance with Federal law, Federal regulations, executive branch guidance, and Department policy (including associated guidance) relating to fleet management and use of vehicles from home to work.

"(B) Developing and distributing a standardized vehicle allocation methodology and fleet management plan for components to use to determine optimal fleet size in accordance with paragraph (4).

"(C) Ensuring that components formally document fleet management decisions.

"(D) Approving component fleet management plans, vehicle leases, and vehicle acquisitions.

"(2) COMPONENT RESPONSIBILITIES.—

"(A) IN GENERAL.—Component heads—

"(i) shall—

"(I) comply with Federal law, Federal regulations, executive branch guidance, and Department policy (including associated guidance) relating to fleet management and use of vehicles from home to work;

"(II) ensure that data related to fleet management is accurate and reliable;

"(III) use such data to develop a vehicle allocation tool derived by using the standardized vehicle allocation methodology provided by the Under Secretary for Management to determine the optimal fleet size for the next fiscal year and a fleet management plan; and

"(IV) use vehicle allocation methodologies and fleet management plans to develop annual requests for funding to support vehicle fleets pursuant to paragraph (6); and

"(ii) may not, except as provided in subparagraph (B), lease or acquire new vehicles or replace existing vehicles without prior approval from the Under Secretary for Management pursuant to paragraph (5)(B).

"(B) EXCEPTION REGARDING CERTAIN LEASING AND ACQUISITIONS.—If exigent cir-

cumstances warrant such, a component head may lease or acquire a new vehicle or replace an existing vehicle without prior approval from the Under Secretary for Management. If under such exigent circumstances a component head so leases, acquires, or replaces a vehicle, such component head shall provide to the Under Secretary an explanation of such circumstances.

"(3) ONGOING OVERSIGHT.—

"(A) QUARTERLY MONITORING.—In accordance with paragraph (4), the Under Secretary for Management shall collect, on a quarterly basis, information regarding component vehicle fleets, including information on fleet size, composition, cost, and vehicle utilization.

"(B) AUTOMATED INFORMATION.—The Under Secretary for Management shall seek to achieve a capability to collect, on a quarterly basis, automated information regarding component vehicle fleets, including the number of trips, miles driven, hours and days used, and the associated costs of such mileage for leased vehicles.

"(C) MONITORING.—The Under Secretary for Management shall track and monitor component information provided pursuant to subparagraph (A) and, as appropriate, subparagraph (B), to ensure that component vehicle fleets are the optimal fleet size and cost effective. The Under Secretary shall use such information to inform the annual component fleet analyses referred to in paragraph (4).

"(4) ANNUAL REVIEW OF COMPONENT FLEET ANALYSES.—

"(A) IN GENERAL.—To determine the optimal fleet size and associated resources needed for each fiscal year beginning with fiscal year 2018, component heads shall annually submit to the Under Secretary for Management a vehicle allocation tool and fleet management plan using information described in paragraph (3)(A). Such tools and plans may be submitted in classified form if a component head determines that such is necessary to protect operations or mission requirements.

"(B) VEHICLE ALLOCATION TOOL.—Component heads develop a vehicle allocation tool in accordance with subclause (III) of paragraph (2)(A)(i) that includes an analysis of the following:

"(i) Vehicle utilization data, including the number of trips, miles driven, hours and days used, and the associated costs of such mileage for leased vehicles, in accordance with such paragraph.

"(ii) The role of vehicle fleets in supporting mission requirements for each component.

"(iii) Any other information determined relevant by such component heads.

"(C) FLEET MANAGEMENT PLANS.—Component heads shall use information described in subparagraph (B) to develop a fleet management plan for each such component. Such fleet management plans shall include the following:

"(i) A plan for how each such component may achieve optimal fleet size determined by the vehicle allocation tool required under such subparagraph, including the elimination of excess vehicles in accordance with paragraph (5), if applicable.

"(ii) A cost benefit analysis supporting such plan.

"(iii) A schedule each such component will follow to obtain optimal fleet size.

"(iv) Any other information determined relevant by component heads.

"(D) REVIEW.—The Under Secretary for Management shall review and make a determination on the results of each component's

vehicle allocation tool and fleet management plan under this paragraph to ensure each such component's vehicle fleets are the optimal fleet size and that components are in compliance with applicable Federal law, Federal regulations, executive branch guidance, and Department policy (including associated guidance) pursuant to paragraph (2) relating to fleet management and use of vehicles from home to work. The Under Secretary shall use such tools and plans when reviewing annual component requests for vehicle fleet funding in accordance with paragraph (6).

“(5) GUIDANCE TO DEVELOP FLEET MANAGEMENT PLANS.—The Under Secretary for Management shall provide guidance, pursuant to paragraph (1)(B) on how component heads may achieve optimal fleet size in accordance with paragraph (4), including processes for the following:

“(A) Leasing or acquiring additional vehicles or replacing existing vehicles, if determined necessary.

“(B) Disposing of excess vehicles that the Under Secretary determines should not be reallocated under subparagraph (C).

“(C) Reallocating excess vehicles to other components that may need temporary or long-term use of additional vehicles.

“(6) ANNUAL REVIEW OF VEHICLE FLEET FUNDING REQUESTS.—As part of the annual budget process, the Under Secretary for Management shall review and make determinations regarding annual component requests for funding for vehicle fleets. If component heads have not taken steps in furtherance of achieving optimal fleet size in the prior fiscal year pursuant to paragraphs (4) and (5), the Under Secretary shall provide rescission recommendations to the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives and the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate regarding such component vehicle fleets.

“(7) ACCOUNTABILITY FOR VEHICLE FLEET MANAGEMENT.—

“(A) PROHIBITION ON CERTAIN NEW VEHICLE LEASES AND ACQUISITIONS.—The Under Secretary for Management and component heads may not approve in any fiscal year beginning with fiscal year 2019 a vehicle lease, acquisition, or replacement request if such component heads did not comply in the prior fiscal year with paragraph (4).

“(B) PROHIBITION ON CERTAIN PERFORMANCE COMPENSATION.—No Department official with vehicle fleet management responsibilities may receive annual performance compensation in pay in any fiscal year beginning with fiscal year 2019 if such official did not comply in the prior fiscal year with paragraph (4).

“(C) PROHIBITION ON CERTAIN CAR SERVICES.—Notwithstanding any other provision of law, no senior executive service official of the Department whose office has a vehicle fleet may receive access to a car service in any fiscal year beginning with fiscal year 2019 if such official did not comply in the prior fiscal year with paragraph (4).

“(8) MOTOR POOL.—

“(A) IN GENERAL.—The Under Secretary for Management may determine the feasibility of operating a vehicle motor pool to permit components to share vehicles as necessary to support mission requirements to reduce the number of excess vehicles in the Department.

“(B) REQUIREMENTS.—The determination of feasibility of operating a vehicle motor pool under subparagraph (A) shall—

“(i) include—

“(I) regions in the United States in which multiple components with vehicle fleets are located in proximity to one another, or a significant number of employees with authorization to use vehicles are located; and

“(II) law enforcement vehicles;

“(ii) cover the National Capital Region; and

“(iii) take into account different mission requirements.

“(C) REPORT.—The Secretary shall include in the Department's next annual performance report required under current law the results of the determination under this paragraph.

“(9) DEFINITIONS.—In this subsection:

“(A) COMPONENT HEAD.—The term ‘component head’ means the head of any component of the Department with a vehicle fleet.

“(B) EXCESS VEHICLE.—The term ‘excess vehicle’ means any vehicle that is not essential to support mission requirements of a component.

“(C) OPTIMAL FLEET SIZE.—The term ‘optimal fleet size’ means, with respect to a particular component, the appropriate number of vehicles to support mission requirements of such component.

“(D) VEHICLE FLEET.—The term ‘vehicle fleet’ means all owned, commercially leased, or Government-leased vehicles of the Department or of a component of the Department, as the case may be, including vehicles used for law enforcement and other purposes.”

SEC. 3. GAO REPORT AND INSPECTOR GENERAL REVIEW.

(a) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the following:

(1) The status of efforts at achieving a capability to collect automated information as required under subsection (c)(3) of section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341), as added by section 2 of this Act, and any challenges that remain with respect to achieving the capability to collect, assess, and report vehicle fleet (as such term is defined in subsection (c)(9) of such section 701) data for the purpose of determining vehicle utilization.

(2) The extent to which the Under Secretary for Management has identified and addressed any relevant security concerns, including cybersecurity risks, related to such automation.

(3) The extent to which the Under Secretary collects, assesses, and reports on vehicle fleet event data recorder data.

(b) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of Homeland Security shall—

(1) review implementation of subsection (c)(4) of section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341), as added by section 2 of this Act, for fiscal years 2018 and 2020, and shall provide, upon request, to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information regarding any such review; and

(2) submit to the committees specified in paragraph (1) a report, not later than six months after completion of the second review required under such paragraph, regarding the effectiveness of such subsection with respect to cost avoidance, savings realized, and component operations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PERRY. Mr. Speaker, I yield myself such time as I may consume.

I stand before you in support of H.R. 366, the DHS Stop Asset and Vehicle Excess, or DHS SAVE, Act of 2016.

In October of 2015, the DHS inspector general released a scathing report of the Federal Protective Service's management of their vehicle fleet, a report that reads like a laundry list of poor management decisions. The IG found that the FPS had more vehicles than officers, and officers were authorized to drive from home to work with government-owned vehicles and, actually, put more miles on the vehicles in driving from home and back to work than they did on the job, among many other things. Additionally, the report stated that the FPS was not in compliance with Federal and departmental compliance, which is why I introduced the DHS SAVE Act.

This bill improves the management of DHS' vehicle fleets by authorizing the Under Secretary for Management at the headquarters level to oversee the components' vehicle fleets, requires the components to evaluate their fleets on an ongoing basis, includes penalties for the mismanagement of component fleets, and requires the DHS to identify alternative methods for the management of component fleets. With the second largest civilian vehicle fleet in the Federal Government, the DHS simply must have stricter controls in place at the headquarters level in order to rein in rogue components.

As the new administration scrutinizes the DHS' operations, this bill will provide important authorities to root out waste, fraud, and abuse from the Department.

I urge all Members to join me in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 366, the DHS Stop Asset and Vehicle Excess Act.

H.R. 366 seeks to improve the Department of Homeland Security's management, acquisition, and oversight of its

fleet of roughly 53,000 vehicles. H.R. 366 requires the Under Secretary for Management to provide departmental components with a standardized vehicle allocation methodology for components to utilize to develop fleet management plans.

This legislation was informed by oversight that was conducted by the Department's inspector general. The inspector general found that, in 2014 and 2015, the DHS did not adequately manage or have the enforcement authority over components to ensure that the composition of its motor vehicle fleet was right sized. This lack of effective management led to the overuse of sports utility vehicles, unnecessary discretionary equipment packages, and overpayments to the GSA.

Further, the Committee on Homeland Security received testimony from the Director of the Federal Protective Service that roughly half of the 1,100 vehicles in FPS' fleet were underutilized or had fewer than 12,000 miles. H.R. 366 grants authority to the DHS headquarters over components with respect to managing vehicle fleets.

Specifically, under H.R. 366, the DHS is directed to establish requirements for components to more rigorously evaluate their fleets on an ongoing basis. Additionally, this bill directs the DHS to identify alternative methods for managing component fleets, such as a shared motor pool. The DHS has the second largest civilian vehicle fleet in the Federal Government at an operating cost of about \$462 million.

There is a critical linkage between the Department's operational effectiveness in national security missions and the effective management of the resources and requirements by the DHS leadership. As such, enhancing oversight and management should help the Department more effectively spend limited taxpayer dollars on what the Department actually needs to carry out its mission.

H.R. 366 seeks to improve the management of DHS' vehicle fleet by strengthening the oversight and management of the Department's fleet by the Under Secretary for Management. It is also worth noting that H.R. 366 includes language that I authored to ensure that the inspector general's oversight of the DHS' management of its vehicle fleet continues.

I commend the OIG for its robust and ongoing oversight of the Department's vehicle fleet. I also commend my colleague on the Homeland Security Committee, Mr. PERRY, for introducing this legislation and working in a bipartisan fashion to advance it.

I urge the passage of H.R. 366.

Mr. Speaker, I yield back the balance of my time.

Mr. PERRY. Mr. Speaker, I commend my colleague for her hard work on this bill and for her bipartisan spirit in getting it to the floor with me.

I, once again, urge my colleagues to support H.R. 366.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 366.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DHS ACQUISITION DOCUMENTATION INTEGRITY ACT OF 2017

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 347) to amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Acquisition Documentation Integrity Act of 2017".

SEC. 2. DEPARTMENT OF HOMELAND SECURITY ACQUISITION DOCUMENTATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

"SEC. 708. ACQUISITION DOCUMENTATION.

"(A) IN GENERAL.—For each major acquisition program, the Secretary, acting through the Under Secretary for Management, shall require the head of a relevant component or office to—

"(1) maintain acquisition documentation that is complete, accurate, timely, and valid, and that includes, at a minimum—

"(A) operational requirements that are validated consistent with departmental policy and changes to such requirements, as appropriate;

"(B) a complete lifecycle cost estimate with supporting documentation;

"(C) verification of such lifecycle cost estimate against independent cost estimates, and reconciliation of any differences;

"(D) a cost-benefit analysis with supporting documentation; and

"(E) a schedule, including, as appropriate, an integrated master schedule;

"(2) prepare cost estimates and schedules for major acquisition programs, as required under subparagraphs (B) and (E), in a manner consistent with best practices as identified by the Comptroller General of the United States; and

"(3) submit certain acquisition documentation to the Secretary to produce an annual comprehensive report on the status of departmental acquisitions for submission to Congress.

"(b) WAIVER.—On a case-by-case basis with respect to any major acquisition program under this section, the Secretary may waive the requirement under paragraph (3) of subsection (a) for a fiscal year if either—

"(1) such program has not—

"(A) entered the full rate production phase in the acquisition lifecycle;

"(B) had a reasonable cost estimate established; and

"(C) had a system configuration defined fully; or

"(2) such program does not meet the definition of capital asset, as such term is defined by the Director of the Office of Management and Budget.

"(c) CONGRESSIONAL OVERSIGHT.—At the same time the President's budget is submitted for a fiscal year under section 1105(a) of title 31, United States Code, the Secretary shall make information available, as applicable, to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the requirement described in subsection (a) in the prior fiscal year that includes the following specific information regarding each major acquisition program for which the Secretary has issued a waiver under subsection (b):

"(1) The grounds for granting a waiver for such program.

"(2) The projected cost of such program.

"(3) The proportion of a component's or office's annual acquisition budget attributed to such program, as available.

"(4) Information on the significance of such program with respect to the component's or office's operations and execution of its mission.

"(d) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term 'major acquisition program' means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its lifecycle cost."

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding after the item related to section 707 the following new item:

"Sec. 708. Acquisition documentation."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentleman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PERRY. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 347, the Department of Homeland Security Acquisition Documentation Integrity Act. This legislation requires the Department of Homeland Security to improve the management of its major purchases of systems to secure the border, better screen travelers, protect our shores, and other vital missions.

Too often, the DHS has failed to document what these programs will cost,

when they will be complete, and what they actually will deliver. It is unacceptable to spend billions of taxpayer dollars and not document this very basic but important information. H.R. 347 will help our committee and congressional watchdogs hold the Department accountable and ensure taxpayer dollars are being spent in both an efficient and effective manner. Safeguarding Americans' hard-earned tax dollars is why our constituents sent us here in the first place.

I commend Ranking Member WATSON COLEMAN for her leadership on this issue, and I ask all Members to join me in supporting this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 347, the DHS Acquisition Documentation Integrity Act of 2017.

I reintroduced H.R. 347, a measure that the House unanimously approved on February 23, 2016, to ensure that the progress that the Department of Homeland Security has made with respect to how it manages acquisitions continues.

H.R. 347 requires complete, accurate, timely, and valid documentation to be maintained for each of the Department's major acquisition programs, which is defined as one with a life cycle cost estimate of \$300 million or more. The required documentation includes information regarding operational requirements, a complete life cycle cost estimate, a cost-benefit analysis, and a schedule.

Under this legislation, the DHS component heads would also be required to submit certain documentation to the DHS Secretary for inclusion in an annual status report on the Department's acquisitions. While there have been improvements to acquisitions management under former Secretary Jeh Johnson, the Department has struggled when it comes to delivering a specific program on time and at an established cost.

Most of the DHS' major acquisition programs continue to cost more than expected, take longer to deploy than planned, or deliver less capability than promised. For example, the DHS' efforts to deliver a Department-wide human resources IT system—HR-IT—have spanned almost 14 years and have cost millions of dollars with little to show for it. As can be seen with the case of HR-IT, anything less than up-to-date acquisition documentation increases the odds of cost and schedule overruns, risks delayed delivery of critical capabilities, and depletes resources needed to address future requirements.

As such, H.R. 347 codifies "best practices" already embodied in the DHS' acquisition policy and necessary for the success of the DHS' mission. H.R. 347 requires the DHS Secretary,

through the Under Secretary for Management, to require components to maintain specific types of acquisition documentation.

Representatives McCAUL and THOMPSON, the chairman and ranking member of our committee, and Representative PERRY, the chairman of the Subcommittee on Oversight and Management Efficiency, cosponsored this legislation, which reflects a strong commitment to bolstering the effectiveness of the DHS' acquisition programs in a bipartisan fashion.

I urge the passage of H.R. 347, a bill that will help ensure that the DHS is a good steward of taxpayer dollars and can provide the DHS' operators in the field with the tools they need to protect the American people.

Mr. Speaker, I yield back the balance of my time.

□ 1545

Mr. PERRY. Mr. Speaker, I, once again, commend my good friend and colleague from New Jersey (Mrs. WATSON COLEMAN) on her hard work in offering this viable and meaningful solution.

I urge my colleagues to support H.R. 347.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 347.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TRANSIT SECURITY GRANT PROGRAM FLEXIBILITY ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 549) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 549

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Transit Security Grant Program Flexibility Act".

SEC. 2. ALLOWABLE USES OF FUNDS FOR PUBLIC TRANSPORTATION SECURITY ASSISTANCE GRANTS.

Subparagraph (A) of section 1406(b)(2) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135(b)(2); Public Law 110-53) is amended by inserting "and associated backfill" after "security training".

SEC. 3. PERIODS OF PERFORMANCE FOR PUBLIC TRANSPORTATION SECURITY ASSISTANCE GRANTS.

Section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135; Public Law 110-53) is amended—

(1) by redesignating subsection (m) as subsection (n); and

(2) by inserting after subsection (l) the following new subsection:

"(m) PERIODS OF PERFORMANCE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), funds provided pursuant to a grant awarded under this section for a use specified in subsection (b) shall remain available for use by a grant recipient for a period of not fewer than 36 months.

"(2) EXCEPTION.—Funds provided pursuant to a grant awarded under this section for a use specified in subparagraph (M) or (N) of subsection (b)(1) shall remain available for use by a grant recipient for a period of not fewer than 55 months."

SEC. 4. GAO REVIEW.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the transit security grant program under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135; Public Law 110-53).

(b) SCOPE.—The review required under paragraph (1) shall include the following:

(1) An assessment of the type of projects funded under the transit security grant program referred to in such paragraph.

(2) An assessment of the manner in which such projects address threats to transportation infrastructure.

(3) An assessment of the impact, if any, of this Act (including the amendments made by this Act) on types of projects funded under the transit security grant program.

(4) An assessment of the management and administration of transit security grant program funds by grantees.

(5) Recommendations to improve the manner in which transit security grant program funds address vulnerabilities in transportation infrastructure.

(6) Recommendations to improve the management and administration of the transit security grant program.

(c) REPORT.—Not later than one year after the date of the enactment of this Act and again not later than five years after such date of enactment, the Comptroller General shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the review required under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 549, the Transit Security Grant Program Flexibility Act. With more than 10 billion riders using surface transportation annually and limited security screening, it should not be surprising to us that terrorists have an interest in targeting mass transit. We saw it in London, Madrid, Brussels, and when a terrorist left a backpack of IEDs at a transit station in Elizabeth, New Jersey, last fall.

Given the repeated calls from ISIS and other radical Islamic terrorist groups for lone wolves and sympathizers to plan smaller attacks where larger crowds gather, we must ensure that the first responders and transit agencies have the tools they need to secure our transit systems.

That is why, last Congress, I introduced the Transit Security Grant Program Flexibility Act. This bill addresses concerns raised during a field hearing the Subcommittee on Emergency Preparedness, Response, and Communications held last year in Ranking Member PAYNE's district on preparedness for incidents impacting surface transportation. As chairman of that subcommittee, I introduced this legislation to ensure action follows our subcommittee's oversight, and that is why I reintroduced this commonsense legislation in the 115th Congress.

Witnesses at last year's field hearing testified about the importance of the transit security grant program, but found that the period of performance was a challenging timeframe to meet, especially for completing vital, large-scale capital security projects. These projects are vital to transit agencies to help enhance their security features systemwide and harden infrastructure.

H.R. 549 addresses this challenge by codifying the period of performance for transit security grant program awards at 36 months for the majority of eligible projects and extending the period of performance for large-scale capital security projects to 55 months.

Additionally, transit security grant program awards can be used to provide program personnel with effective security training. Unfortunately, recipients of these awards are not currently permitted to use transit security grant program funds to pay for backfilling personnel attending such training. In some cases, that extra cost at the transit agency has resulted in an inability to send staff for vital security training. My bill will permit transit security grant program funds to be used for this purpose, consistent with other Homeland Security grant programs.

The current threat environment is evolving and complex, which makes it even more imperative that the transit security grant program provide flexible solutions for grant recipients. I am proud to sponsor this bipartisan legislation, which passed the House by voice vote last year.

I urge all Members to join me in supporting H.R. 549.

I reserve the balance of my time.
Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 549, the Transit Security Grant Program Flexibility Act.

As the threats to our homeland continue to evolve, transit systems, domestically and abroad, have become a leading target for terrorists. Last year, the Committee on Homeland Security's Subcommittee for Emergency Preparedness, Response, and Communications held field hearings in New Jersey to assess how transit owners and operators and local first responders were coordinating efforts to secure domestic mass transit and to determine what the Federal Government could do to assist those efforts.

At the hearing, transit operators repeatedly praised the transit security grant program, although they raised serious concerns about funding, which has decreased dramatically since its peak in 2009. Witnesses also testified that the period of the performance for the transit safety grant program was too short to support infrastructure-hardening projects.

Under H.R. 549, the period of performance for security-hardening projects would be extended from 36 months to 55 months in order to make it possible for transit agencies to complete projects that may take longer than the time period allowed under current law.

This bipartisan bill was passed in the House last Congress, and I urge my colleagues to again support this measure.

It is very important that we give transit professionals the flexibility that they need to keep our transit systems safe and secure. H.R. 549 will allow transit security grant program grantees to use the funds designated for security-hardening projects more efficiently and within a more reasonable timeframe.

I urge my colleagues to support this important measure.

Mr. Speaker, I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

I, once again, urge my colleagues to support H.R. 549.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 549.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FIRST RESPONDER ACCESS TO INNOVATIVE TECHNOLOGIES ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 687) to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "First Responder Access to Innovative Technologies Act".

SEC. 2. APPROVAL OF CERTAIN EQUIPMENT.

(a) IN GENERAL.—Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (f)—

(A) by striking "If an applicant" and inserting the following:

"(1) APPLICATION REQUIREMENT.—If an applicant"; and

(B) by adding at the end the following new paragraphs:

"(2) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications that, in accordance with paragraph (1), contain explanations to use grants provided under section 2003 or 2004 to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006.

"(3) FACTORS.—In carrying out the review process under paragraph (2), the Administrator shall consider the following:

"(A) Current or past use of proposed equipment or systems by Federal agencies or the Armed Forces.

"(B) The absence of a national voluntary consensus standard for such equipment or systems.

"(C) The existence of an international consensus standard for such equipment or systems, and whether such equipment or systems meets such standard.

"(D) The nature of the capability gap identified by the applicant and how such equipment or systems will address such gap.

"(E) The degree to which such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed existing consensus standards.

"(F) Any other factor determined appropriate by the Administrator."; and

(2) by adding at the end the following new subsection:

"(g) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications to use grants provided under section 2003 or 2004 to purchase equipment or systems not included on the Authorized Equipment List maintained by the Administrator."

(b) INSPECTOR GENERAL REPORT.—Not later than three years after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report assessing the implementation of the review process established under paragraph (2) of subsection (f) of section 2008 of the Homeland Security Act of 2002 (as added by subsection

(a) of this section), including information on the following:

(1) The number of requests to purchase equipment or systems that do not meet or exceed any applicable consensus standard evaluated under such review process.

(2) The capability gaps identified by applicants and the number of such requests granted or denied.

(3) The processing time for the review of such requests.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

As chairman of the Subcommittee on Emergency Preparedness, Response, and Communications, I rise today in support of H.R. 687. This legislation would establish a review process for grant applicants seeking to purchase equipment or systems that do not meet or exceed national voluntary consensus standards.

With threats consistently evolving, it is reassuring to see new technology emerge which will promote the safety of our communities and first responders. However, emerging technology is frequently developed faster than voluntary consensus standards can be implemented.

Recipients of grants under FEMA's State Homeland Security Grant Program and the Urban Area Security Initiative must procure equipment that meets these standards. Unfortunately, if emerging technology or equipment does not have a voluntary consensus standard and a grant recipient would like to use those funds to purchase such technology, FEMA does not have a uniform process to consider applications for that equipment.

H.R. 687 requires FEMA to develop such a process for reviewing these requests. Previously, this bill was introduced in the 114th Congress by the subcommittee's ranking member, Mr. PAYNE, and subsequently received bipartisan support by my subcommittee and the Committee on Homeland Security as well as the House when it was passed under suspension of the rules in September of 2016.

I thank the gentleman from New Jersey (Mr. PAYNE) for reintroducing this commonsense bill. I am proud to be an original cosponsor of H.R. 687 because it will ensure our first responders have

the ability to purchase equipment and emerging technology needed to effectively adapt to the current threat landscape.

Earlier this month, the Committee on Homeland Security released the January Terror Threat Snapshot, which found that the United States remains a top target for terrorists. It is clear that the threat to our communities is not going away.

Congress has the responsibility to make America safer and stronger. We can do so by ensuring commonsense measures are in place to ensure first responders have the tools that they need to address these threats.

I urge all Members to join me in supporting H.R. 687.

Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 687, the First Responder Access to Innovative Technologies Act.

Mr. Speaker, in my time serving as ranking member of the Committee on Homeland Security's Subcommittee on Emergency Preparedness, Response, and Communications, I have come to learn a great deal about the very important, very challenging job of first responders. These brave men and women run toward danger with our safety as their number one priority.

Since the September 11 attacks, the private sector has redoubled its efforts to develop innovative technologies for first responders to use and to carry out their vital missions.

Yet, through our subcommittee's oversight, we have seen where, in some instances, industry standards have failed to keep the pace with breakthroughs in technology. As a result, we have found that first responders cannot always access the most up-to-date equipment because they cannot use Homeland Security grant funds to purchase equipment and technology that does not meet or exceed voluntary industry standards.

H.R. 687 would require FEMA to develop a transparent process for reviewing requests to use grant funds to purchase technologies that do not meet or exceed voluntary industry standards and/or that are not on the authorized equipment list.

The bill has the support of the Security Industry Association and unanimously passed the House last September. Mr. Speaker, I include in the RECORD a letter from the Security Industry Association.

SECURITY INDUSTRY ASSOCIATION,
Silver Spring, MD, January 27, 2017.

Hon. DAN DONOVAN,
Chairman, House Homeland Security Subcommittee on Emergency Preparedness, Response and Communications, Washington, DC.

Hon. DONALD PAYNE,
Ranking Member, House Homeland Security Subcommittee on Emergency Preparedness, Response and Communications, Washington, DC.

DEAR CHAIRMAN DONOVAN AND RANKING MEMBER PAYNE: On behalf of the Security Industry Association (SIA), I would like to express our strong support for H.R. 687, the First Responder Access to Innovative Technologies Act, which would streamline the existing process for first responders utilizing homeland security grants to purchase innovative equipment. SIA is a non-profit international trade association representing nearly 700 global security and life safety solutions providers, and our members develop, manufacture and integrate equipment that is vital to carrying out a variety of homeland security missions.

Under current law, equipment purchased with homeland security grants must meet or exceed "national voluntary consensus standards," unless an explanation as to why an exception is necessary is provided to, reviewed and approved by the Department. For some products, including first responder equipment, technology innovations have outpaced the process of developing voluntary consensus standards, and no such standards may yet exist. Among other provisions, H.R. 687 directs FEMA to develop a more consistent and transparent process for reviewing these requests, which would expedite consideration and provide more certainty to stakeholders.

Like you, we believe that first responders must be able to choose the most appropriate and advanced equipment to meet urgent and changing needs as they work to protect the public. SIA and its members stand ready to serve as a resource to you as you continue work on this critical issue. Thank you for your leadership and attention to this important matter.

Sincerely,

DON ERICKSON,
CEO, Security Industry Association.

□ 1600

Mr. PAYNE. Mr. Speaker, our first responders are on the front lines of emergency response. In recognition of their bravery and sacrifices they make every day, in and out, we must make sure that they have the access to the most up-to-date technologies to help them do their jobs better and safer. To that end, I urge my colleagues to support H.R. 687.

Mr. Speaker, I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 687, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 687.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CYBER PREPAREDNESS ACT OF 2017

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 584) to amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 584

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cyber Preparedness Act of 2017”.

SEC. 2. INFORMATION SHARING.

Title II of the Homeland Security Act of 2002 is amended—

(1) in section 210A (6 U.S.C. 124h)—

(A) in subsection (b)—

(i) in paragraph (10), by inserting before the semicolon at the end the following: “, including, in coordination with the national cybersecurity and communications integration center under section 227, access to timely technical assistance, risk management support, and incident response capabilities with respect to cyber threat indicators, defensive measures, cybersecurity risks, and incidents (as such terms are defined in such section), which may include attribution, mitigation, and remediation, and the provision of information and recommendations on security and resilience, including implications of cybersecurity risks to equipment and technology related to the electoral process”;

(ii) in paragraph (11), by striking “and” after the semicolon;

(iii) by redesignating paragraph (12) as paragraph (14); and

(iv) by inserting after paragraph (11) the following new paragraphs:

“(12) review information relating to cybersecurity risks that is gathered by State, local, and regional fusion centers, and incorporate such information, as appropriate, into the Department’s own information relating to cybersecurity risks;

“(13) ensure the dissemination to State, local, and regional fusion centers of information relating to cybersecurity risks; and”;

(B) in subsection (c)(2)—

(i) by redesignating subparagraphs (C) through (G) as subparagraphs (D) through (H), respectively; and

(ii) by inserting after subparagraph (B) the following new subparagraph:

“(C) The national cybersecurity and communications integration center under section 227.”;

(C) in subsection (d)—

(i) in paragraph (3), by striking “and” after the semicolon;

(ii) by redesignating paragraph (4) as paragraph (5); and

(iii) by inserting after paragraph (3) the following new paragraph:

“(4) assist, in coordination with the national cybersecurity and communications in-

tegration center under section 227, fusion centers in using information relating to cybersecurity risks to develop a comprehensive and accurate threat picture; and”;

(D) in subsection (j)—

(i) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(ii) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) the term ‘cybersecurity risk’ has the meaning given that term in section 227;”;

and

(2) in section 227 (6 U.S.C. 148)—

(A) in subsection (c)—

(i) in paragraph (5)(B), by inserting “, including State and major urban area fusion centers, as appropriate” before the semicolon at the end;

(ii) in paragraph (7), in the matter preceding subparagraph (A), by striking “information and recommendations” each place it appears and inserting “information, recommendations, and best practices”; and

(iii) in paragraph (9), by inserting “best practices,” after “defensive measures,”; and (B) in subsection (d)(1)(B)(ii), by inserting “and State and major urban area fusion centers, as appropriate” before the semicolon at the end.

SEC. 3. HOMELAND SECURITY GRANTS.

Subsection (a) of section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) by redesignating paragraphs (4) through (14) as paragraphs (5) through (15), respectively; and

(2) by inserting after paragraph (3) the following new paragraph:

“(4) enhancing cybersecurity, including preparing for and responding to cybersecurity risks and incidents (as such terms are defined in section 227) and developing statewide cyber threat information analysis and dissemination activities;”.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that to facilitate the timely dissemination to appropriate State, local, and private sector stakeholders of homeland security information related to cyber threats, the Secretary of Homeland Security should, to the greatest extent practicable, work to share actionable information related to cyber threats in an unclassified form.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time I may consume.

Mr. Speaker, I rise today in support of H.R. 584, the Cyber Preparedness Act of 2017.

Cybersecurity is a major national security issue and the threat is real and

immediate. Day in and day out nation-states or criminal actors target the United States’ critical infrastructure, the private sector, and everyday Americans, and they are succeeding. However, even with the heightened awareness on cybersecurity, it appears that the United States is not adequately prepared to prevent and respond to cyber attacks.

Since 2012, FEMA has released an annual National Preparedness Report, which highlights States’ progress in meeting 32 core capabilities, as defined by the National Preparedness Goal. Every year, States have ranked their cybersecurity capabilities as one of their lowest.

I found these facts very alarming and wanted to learn more about the current state of cyber preparedness. That is why, last Congress, my subcommittee, the Emergency Preparedness, Response, and Communications Subcommittee, held a joint hearing with the committee’s Cybersecurity and Infrastructure Protection Subcommittee to look at cyber preparedness and how the Federal Government can help States address some of the challenges they face.

We heard from a Homeland Security adviser, a fusion center representative, the Center for Internet Security, a chief information officer, and a chief technology officer, who explained the great progress the United States has made in enhancing their security capabilities. However, they cautioned that challenges still remain, especially with regard to information sharing of cyber threats and risks, and whether Homeland Security grants may be used for cybersecurity enhancements.

Last Congress, I introduced this bill to address the findings from that hearing. I introduced this bill in this Congress to ensure that States and first responders have the resources needed to prepare for and protect against cyber attacks.

This commonsense legislation will: Enhance cyber risk information sharing with State and major urban area fusion centers; authorize representatives from State and urban area fusion centers to be assigned to the National Cybersecurity and Communications Integration Center; and permit the NCCIC personnel to be deployed to the fusion centers.

It will allow information sharing on cyber preparedness best practices with State and local stakeholders. It will clarify the eligibility of State Homeland Security Grant Program and Urban Area Security Initiative funding for cybersecurity enhancements; and it will work to combat the overclassification of cyber risk information so that it can be shared more broadly with stakeholders who have a need to know.

I appreciate that Chairman McCaul, Chairman RATCLIFFE, and Ranking Member PAYNE joined me again as

original cosponsors of H.R. 584. This bipartisan legislation passed the House by voice vote last Congress. I am pleased that the House is willing to take up this measure again in the new Congress.

I urge my colleagues to join me in supporting this bipartisan bill.

Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I rise in support of H.R. 584, the Cyber Preparedness Act of 2017, and I yield myself such time as I may consume.

Mr. Speaker, since I became ranking member of the Subcommittee on Emergency Preparedness, Response, and Communications 4 years ago, States have repeatedly expressed concern about the ability to confront the cyber threat and have rated cybersecurity among the core capabilities in which they had the least confidence.

Last Congress, the subcommittee held a hearing on State and local efforts to counter the cyber threat where State emergency managers and chief information officers testified about activities they were undertaking to secure their networks and infrastructure.

For example, my home State of New Jersey has begun developing its own cyber information-sharing capability, similar to DHS' National Cybersecurity and Communications Integration Center.

Since the subcommittee held its hearing last year, the Federal Government has made significant progress in providing cybersecurity guidance to Federal, State, and local stakeholders.

In December of 2016, the Department of Homeland Security issued its national Cyber Incident Response Plan, which describes roles and responsibilities among stakeholders with respect to preventing, disrupting, and responding to a cyber event.

Additionally, the plan also provides guidance on information sharing related to cyber threats.

H.R. 584 would help facilitate implementation of the National Cyber Incident Response Plan by promoting the sharing of cyber threat indicators and information, as well as cybersecurity's best practices, with State and major urban area fusion centers.

The bill also designates "cybersecurity" as an allowable use of State Homeland Security grants and Urban Area Security Initiative funds, which would help other States replicate the cyber threat information-sharing capabilities developed in New Jersey.

This is commonsense legislation, passed by the House last Congress, and I urge my colleagues to support the measure once again.

Mr. Speaker, last fall, the range of cyber threats we faced came into focus when a foreign government attempted to interfere and undermine the integrity of our Presidential election by hacking into the campaign and political party databases.

H.R. 584 includes language to address this threat by directing DHS to share cyber threat information regarding election equipment and technology with fusion centers.

H.R. 584 seems to secure our critical cyber networks by improving cyber information sharing with fusion centers on the full spectrum of cyber threats.

Mr. Speaker, I urge my colleagues to support H.R. 584, and I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, once again, urge my colleagues to support H.R. 584, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 584.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GAINS IN GLOBAL NUCLEAR DETECTION ARCHITECTURE ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 690) to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gains in Global Nuclear Detection Architecture Act".

SEC. 2. DUTIES OF THE DOMESTIC NUCLEAR DETECTION OFFICE.

Section 1902 of the Homeland Security Act of 2002 (6 U.S.C. 592) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

"(b) IMPLEMENTATION.—In carrying out paragraph (6) of subsection (a), the Director of the Domestic Nuclear Detection Office shall—

"(1) develop and maintain documentation, such as a technology roadmap and strategy, that—

"(A) provides information on how the Office's research investments address—

"(i) gaps in the enhanced global nuclear detection architecture, as developed pursuant to paragraph (4) of such subsection; and

"(ii) research challenges identified by the Director; and

"(B) defines in detail how the Office will address such research challenges;

"(2) document the rational for prioritizing and selecting research topics; and

"(3) develop a systematic approach, which may include annual metrics and periodic qualitative evaluations, for evaluating how the outcomes of the Office's individual research projects collectively contribute to addressing the Office's research challenges."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from Louisiana (Mr. RICHMOND) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 690, the Gains in Global Nuclear Detection Architecture Act of 2016, sponsored by Representative RICHMOND. H.R. 690 directs the Department of Homeland Security's Domestic Nuclear Detection Office to develop and maintain documentation that provides information on how the office's research investments align with gaps in the Global Nuclear Detection Architecture and the research challenges identified by the Domestic Nuclear Detection Office.

It further directs the Domestic Nuclear Detection Office to document the rationale for selecting research topics and to develop a systematic approach for evaluating how the outcomes of the office's individual research projects collectively contribute to addressing the research challenges.

ISIS has declared its intention to develop weapons of mass destruction, which include nuclear devices, as well as radiological dispersal devices. The key to preventing this from happening is to make sure that nuclear material never falls into terrorist hands.

According to data compiled by the International Atomic Energy Agency, there were nearly 1,150 incidents involving theft, criminal possession, or loss of radiological material reported between 1993 and 2014. The James Martin Center for Nonproliferation Studies in California identified 325 instances alone between 2013 and 2014 in 38 different countries where nuclear or radioactive material was stolen, lost, or outside of regulatory control.

The amount of nuclear material in peaceful uses in the world has risen by 70 percent since 1999. It will continue to grow in the coming decades as global use of nuclear power increases.

Just last summer, six men were convicted in Tbilisi, Georgia, for trying to sell uranium-238; and in January of 2016, three members of a criminal group were detained for trying to sell caesium-137, which could be used to make a dirty bomb.

We must ensure that terrorists never get their hands on radioactive materials. This bill will enhance the Domestic Nuclear Detection Office's ability

to provide radiation detection devices specifically aimed at preventing terrorists from being able to obtain enough radioactive material to construct a dirty bomb.

This bill will ensure that the research topics it chooses to invest in to enhance our ability to detect smuggled nuclear materials are aligned with the gaps that have been identified in the Global Nuclear Detection Architecture, a multiagency framework for detecting, analyzing, and reporting on nuclear and other radioactive materials that are out of regulatory control.

Requiring the Domestic Nuclear Detection Office to document their rationale for choosing research topics will ensure that the most important gaps in the Global Nuclear Detection Architecture are addressed.

□ 1615

I would like to thank Mr. RICHMOND for the work that he and his staff have done on this legislation. I believe this will better enable this country to detect smuggling of nuclear materials and prevent ISIS and other terrorists from carrying out a nuclear or radiological attack on American soil.

Mr. Speaker, I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE AND
TECHNOLOGY,

Washington, DC, January 30, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 690, the "Gains in Global Nuclear Detection Architecture Act," which was introduced on January 24, 2017.

H.R. 690 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, January 30, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 690, the "Gains in Global Nuclear Detection Architecture Act." I appreciate your support in bringing this leg-

islation before the House of Representatives, and accordingly, understand that the Committee on Science, Space, and Technology will not seek a sequential referral on this legislation.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing further action on this bill at this time, the Committee on Science, Space, and Technology does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Science, Space, and Technology represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

Mr. RICHMOND. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 690. I would like to thank the gentleman from New York, Congressman DONOVAN, for his help and support and his bipartisanship.

Mr. Speaker, H.R. 690 is based on a bipartisan bill I introduced last year, H.R. 5391, which passed the House in September.

For decades, security experts have warned of the danger that radioactive materials could be smuggled within and across our borders and used in an act of nuclear terrorism. The DHS Domestic Nuclear Detection Office, or DNDO, brings together expertise from across the Federal Government to detect and prevent the illicit transport, storage, and assembly of nuclear and radiological weapons. These interagency partners coordinate their efforts using a multilayered framework—the Global Nuclear Detection Architecture, or GNDA. GNDA describes Federal programs, guidelines, and detection technologies and identifies research challenges and security gaps.

In 2015, GAO looked at how DNDO manages its \$350 million research and development program. The report found that DNDO needs to do a better job of documenting how it chooses which projects to fund and how these investments align with security gaps and research challenges—especially for vulnerabilities identified in the GNDA.

H.R. 690 would resolve these issues by requiring DNDO to document the rationale it uses to prioritize research topics, explain how selected investments align with gaps and research challenges, and develop a systematic approach to evaluate the outcomes for individual projects. Such documentation is essential to ensure that DNDO is making the right research investments to keep the Nation secure.

Mr. Speaker, my bill, H.R. 690, would help DNDO use its limited resources toward projects that actually close the vulnerability gaps. Preventing and detecting nuclear smuggling is a complex

endeavor. It requires seamless coordination between law enforcement and intelligence officials across the Federal Government.

Mr. Speaker, I urge my colleagues to support H.R. 690, and I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 690.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 690.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SECURING THE CITIES ACT OF 2017

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 655) to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Securing the Cities Act of 2017".

SEC. 2. SECURING THE CITIES PROGRAM.

(a) IN GENERAL.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.) is amended by adding at the end the following new section:

"SEC. 1908. SECURING THE CITIES PROGRAM.

"(a) ESTABLISHMENT.—The Director for Domestic Nuclear Detection shall establish the 'Securing the Cities' ('STC') program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas. Through the STC program the Director shall—

"(1) assist State, local, tribal, and territorial governments in designing and implementing, or enhancing existing, architectures for coordinated and integrated detection and interdiction of nuclear or other radiological materials that are out of regulatory control;

"(2) support the development of a region-wide operating capability to detect and report on nuclear and other radioactive materials out of regulatory control;

"(3) provide resources to enhance detection, analysis, communication, and coordination to better integrate State, local, tribal, and territorial assets into Federal operations;

“(4) facilitate alarm adjudication and provide subject matter expertise and technical assistance on concepts of operations, training, exercises, and alarm response protocols;

“(5) communicate with, and promote sharing of information about the presence or detection of nuclear or other radiological materials among appropriate Federal, State, local, tribal, and territorial governments, in a manner that ensures transparency with the jurisdictions served by such program;

“(6) provide augmenting resources, as appropriate, enabling State, local, tribal, and territorial governments to sustain and refresh their capabilities developed under the STC program; and

“(7) provide any other assistance the Director determines appropriate.

“(b) DESIGNATION OF JURISDICTIONS.—In carrying out the program under subsection (a), the Director shall designate jurisdictions from among high-risk urban areas under section 2003, and other cities and regions, as appropriate.

“(c) CONGRESSIONAL NOTIFICATION.—The Director shall notify the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate not later than three days before the designation of new jurisdictions under subsection (b) or other changes to participating jurisdictions.”

(b) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate an assessment, including an evaluation of the effectiveness, of the Securing the Cities program under section 1908 of the Homeland Security Act of 2002, as added by subsection (a) of this section.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1907 the following new item:

“Sec. 1908. Securing the Cities program.”

SEC. 3. MODEL EXERCISES.

Not later than 120 days after the date of the enactment of this Act, the Director for Domestic Nuclear Detection of the Department of Homeland Security shall report to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate on the feasibility of the Director developing model exercises to test the preparedness of jurisdictions participating in the Securing the Cities program under section 1908 of the Homeland Security Act of 2002 (as added by section 2 of this Act) in meeting the challenges that may be posed by a range of nuclear and radiological threats.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from Louisiana (Mr. RICHMOND) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the chairman of the Subcommittee on Emergency Preparedness, Response, and Communications, I rise in support of H.R. 655, the Securing the Cities Act of 2017.

Representing New York's 11th Congressional District, which includes Staten Island and Brooklyn, and as a former district attorney, I fully understand the importance of protecting our major cities from catastrophic terrorist attacks. In keeping our pledge to never forget 9/11, it is our duty to ensure that such an attack never happens again. This legislation underscores our commitment and gives the Department of Homeland Security the tools it needs to carry out this mission.

In 2015, the Committee on Homeland Security held a hearing at Ground Zero in lower Manhattan. At that hearing, we heard from Commissioner Bratton of the New York City Police Department who described the current threat environment facing New York City. In his testimony, he specifically referenced the risk that terrorists may introduce illicit nuclear materials into the city to conduct an attack. Similarly, Secretary of Homeland Security Kelly recently stated: The United States must prepare for the eventuality of a catastrophic attack given the potential impact and consequences.

This bill establishes the Securing the Cities program at the Department of Homeland Security to enhance the ability of the United States to detect and prevent terrorist attacks and other high-consequence events using nuclear and other radiological materials in high-risk urban areas.

The Securing the Cities program within the Domestic Nuclear Detection Office provides training, equipment, and other resources to State and local law enforcement in high-risk urban areas to prevent a terrorist group from carrying out an attack using a radiological or nuclear device.

The Securing the Cities program began in 2006 as a pilot program in the New York City region which included Jersey City and Newark. Since 2007, the New York City region has purchased nearly 14,000 radiation detectors and trained nearly 20,000 personnel. The pilot program has been so successful it was expanded to the Los Angeles/Long Beach region in fiscal year 2012,

the National Capital Region in fiscal year 2014, and to the cities of Houston and Chicago in 2016. Once the Securing the Cities program is fully implemented, it will protect nearly 100 million people across this country.

I would like to thank the Department of Homeland Security for its hard work and commitment to this program. Given the alarming terrorist threat from ISIS and al Qaeda and their willingness to carry out an attack using a weapon of mass destruction, this program could not be more vital.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 655.

I reserve the balance of my time.

Mr. RICHMOND. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 655.

For over a decade, the Securing the Cities program has provided a growing number of first responders from New York City and Newark, New Jersey to Los Angeles and Long Beach to Washington, D.C., Houston, and Chicago with the tools they need to detect radiological and nuclear threats.

Securing the Cities is administered by the Department of Homeland Security's Domestic Nuclear Detection Office, DNDO, which houses the Department's experts on preparing for and responding to rad/nuc events.

The program makes funding available to participating jurisdictions for planning and analysis related to radiological and nuclear threats, as well as equipment purchases, training, and exercises.

Through this program, DNDO supports grantees by providing subject matter expertise, training, coordination, and technological support. H.R. 655 would formally authorize the existing Securing the Cities program and improve it by directing the Government Accountability Office to assess the program and offer recommendations for how it could become more effective.

Mr. Speaker, this bill passed the House last Congress by a vote of 441-4.

Mr. Speaker, the Securing the Cities program plays a critical role in protecting communities across America from the threat posed by radiological and nuclear weapons.

H.R. 655 will ensure that this important program continues and becomes more robust in future years. I urge my colleagues to support H.R. 655.

Mr. Speaker, I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 655, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 655.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MEDICAL PREPAREDNESS ALLOWABLE USE ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 437) to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 437

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Medical Preparedness Allowable Use Act”.

SEC. 2. USE OF CERTAIN HOMELAND SECURITY GRANT FUNDS FOR ENHANCING MEDICAL PREPAREDNESS, MEDICAL SURGE CAPACITY, AND MASS PROPHYLAXIS CAPABILITIES.

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (10) through (14) as paragraphs (11) through (15), respectively; and

(B) by inserting after paragraph (9) the following new paragraph (10):

“(10) enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities, including the development and maintenance of an initial pharmaceutical stockpile, including medical kits, and diagnostics sufficient to protect first responders, their families, immediate victims, and vulnerable populations from a chemical or biological event;”;

(2) in subsection (b)(3)(B), by striking “subsection (a)(10)” and inserting “subsection (a)(11)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from Louisiana (Mr. RICHMOND) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the Committee on Homeland Security’s Subcommittee on Emergency Pre-

paredness, Response, and Communications, I rise today in support of H.R. 437, the Medical Preparedness Allowable Use Act. H.R. 437 was introduced by Congressman BILIRAKIS, a former chairman of the Emergency Preparedness, Response, and Communications Subcommittee.

This bill amends the Homeland Security Act of 2002 to make it clear that State Homeland Security Grant Program and Urban Area Security Initiative Grant funds may be used to enhance medical preparedness and purchase medical countermeasures.

H.R. 437 codifies current grant guidance to ensure that recipients of the State Homeland Security Grant Program and Urban Area Security Initiative Grants will continue to be able to use these funds for medical preparedness equipment and activities.

Mr. Speaker, the threat of a terrorist attack using a chemical or biological agent is real. We must ensure our first responders have the tools and capabilities they need should such an event occur.

In my district, the City of New York has put their Homeland Security grants to good use for this purpose. In 2014, they held a full-scale exercise which simulated an anthrax attack on the city. Participants from agencies across the city, including the health department, the New York City Police Department, and the Office of Emergency Management worked to set up locations to quickly distribute life-saving medical countermeasures to city residents across the five boroughs.

We must ensure that the State Homeland Security Grant Program and the Urban Areas Security Initiative funds continue to be available, despite any changes to yearly grant guidance, for exercises like the one conducted by New York City and other important medical preparedness activities. This bill does just that.

Identical language to H.R. 437 passed the House last Congress by a vote of 377–2.

Mr. Speaker, I thank Congressman BILIRAKIS for introducing this commonsense bill. I urge all Members to join me in supporting this bill.

I reserve the balance of my time.

□ 1630

Mr. RICHMOND. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 437. Whether the result of a naturally occurring outbreak, like Zika or Ebola, or an intentional release of bio-pathogens, like anthrax attacks that shook Washington immediately after 9/11, we must ensure that our public health and medical response communities are prepared to respond to events that may stretch their capabilities.

In recent years, the Metropolitan Medical Response System Program has been eliminated, and grants supported

by the Department of Health and Human Services, such as the Hospital Preparedness Program, have been cut. As a result, many jurisdictions have been forced to make tough choices and, in many cases, divert other limited funding to support medical preparedness.

Under current law, the Urban Area Security Initiative and the State Homeland Security Grant Program funding can be used to bolster medical preparedness capabilities, but the ability to use funds for that purpose is contingent on the grant guidance issued every year. H.R. 437 would make enhancing medical preparedness and medical surge capacity and capabilities eligible uses of Homeland Security Grant funds under the law.

This measure passed in the House last Congress, and I urge my colleagues to again support this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I thank the ranking member for his support.

I rise today in support of critical legislation to support public safety and first responders, the Medical Preparedness Allowable Use Act, H.R. 437.

My bill will help secure medical countermeasures for first responders, ensuring we are prepared for any type of emergency. For instance, last year, in Florida, we faced the outbreak of the Zika virus.

The Medical Preparedness Allowable Use Act means that reliable grant funding would be available to conduct medical preparedness activities such as planning, training, and purchasing protective equipment to combat Zika or other public health threats going forward nationwide. When the worst occurs, our first responders are there for us on the front lines.

I consistently find myself in awe of these brave men and women and the sacrifices they make on the public’s behalf. They are heroes. The least we can do is make sure they have the tools they need to do their jobs and keep us safe. That is what my bill seeks to accomplish. We want to keep them safe as well, Mr. Speaker.

The legislation authorizes grant funds for the stockpiling of countermeasures, including medical kits, protective gear, ventilators, and more. This should give us all peace of mind to know this vital equipment will be there in case of a crisis.

Importantly, the grant fund used in H.R. 437 already exists. The bill does not require new or additional funding. Also significant, this bill has received strong bipartisan support.

I thank my colleagues, Representatives SUSAN BROOKS and PETER KING,

for being original cosponsors of H.R. 437.

I was inspired to write this legislation during my time as subcommittee chairman on the Homeland Security Committee after a series of hearings with folks from the emergency response community. They expressed the urgent need for stockpiling these medical countermeasures and for providing first responders the assurance that grant funding may be used to support them now and in the future. They need certainty, Mr. Speaker.

I am proud to have the support of the Emergency Services Coalition for Medical Preparedness and the International Association of Fire Chiefs on this issue. The Medical Preparedness Allowable Use Act is going to make a difference to protect the public and protect our protectors. I strongly urge passage today.

Mr. RICHMOND. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I strongly support H.R. 437. Developing and maintaining medical preparedness is an important part of national preparedness. State and local governments should not have to wonder whether they will be able to use DHS grant funds for this purpose from year to year.

I urge my colleagues to support H.R. 437.

Mr. Speaker, I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 437.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 437.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

UNITED STATES-ISRAEL CYBERSECURITY COOPERATION ENHANCEMENT ACT OF 2017

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 612) to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 612

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-Israel Cybersecurity Cooperation Enhancement Act of 2017".

SEC. 2. UNITED STATES-ISRAEL CYBERSECURITY COOPERATION.

(a) GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary, in accordance with the agreement entitled the "Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters", dated May 29, 2008 (or successor agreement), and the requirements specified in paragraph (2), shall establish a grant program at the Department to support—

(A) cybersecurity research and development; and

(B) demonstration and commercialization of cybersecurity technology.

(2) REQUIREMENTS.—

(A) APPLICABILITY.—Notwithstanding any other provision of law, in carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, the Secretary shall require cost sharing in accordance with this paragraph.

(B) RESEARCH AND DEVELOPMENT.—

(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall require not less than 50 percent of the cost of a research, development, demonstration, or commercial application program or activity described in subparagraph (A) to be provided by a non-Federal source.

(ii) REDUCTION.—The Secretary may reduce or eliminate, on a case-by-case basis, the percentage requirement specified in clause (i) if the Secretary determines that such reduction or elimination is necessary and appropriate.

(C) MERIT REVIEW.—In carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, awards shall be made only after an impartial review of the scientific and technical merit of the proposals for such awards has been carried out by or for the Department.

(D) REVIEW PROCESSES.—In carrying out a review under subparagraph (C), the Secretary may use merit review processes developed under section 302(14) of the Homeland Security Act of 2002 (6 U.S.C. 182(14)).

(3) ELIGIBLE APPLICANTS.—An applicant shall be eligible to receive a grant under this subsection if the project of such applicant—

(A) addresses a requirement in the area of cybersecurity research or cybersecurity technology, as determined by the Secretary; and

(B) is a joint venture between—

(i) (I) a for-profit business entity, academic institution, National Laboratory (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), or nonprofit entity in the United States; and

(II) a for-profit business entity, academic institution, or nonprofit entity in Israel; or

(ii) (I) the Federal Government; and

(II) the Government of Israel.

(4) APPLICATIONS.—To be eligible to receive a grant under this subsection, an applicant shall submit to the Secretary an application for such grant in accordance with procedures established by the Secretary, in consultation with the advisory board established under paragraph (5).

(5) ADVISORY BOARD.—

(A) ESTABLISHMENT.—The Secretary shall establish an advisory board to—

(i) monitor the method by which grants are awarded under this subsection; and

(ii) provide to the Secretary periodic performance reviews of actions taken to carry out this subsection.

(B) COMPOSITION.—The advisory board established under subparagraph (A) shall be composed of three members, to be appointed by the Secretary, of whom—

(i) one shall be a representative of the Federal Government;

(ii) one shall be selected from a list of nominees provided by the United States-Israel Binational Science Foundation; and

(iii) one shall be selected from a list of nominees provided by the United States-Israel Binational Industrial Research and Development Foundation.

(6) CONTRIBUTED FUNDS.—Notwithstanding any other provision of law, the Secretary may accept or retain funds contributed by any person, government entity, or organization for purposes of carrying out this subsection. Such funds shall be available, subject to appropriation, without fiscal year limitation.

(7) REPORT.—Not later than 180 days after the date of completion of a project for which a grant is provided under this subsection, the grant recipient shall submit to the Secretary a report that contains—

(A) a description of how the grant funds were used by the recipient; and

(B) an evaluation of the level of success of each project funded by the grant.

(8) CLASSIFICATION.—Grants shall be awarded under this subsection only for projects that are considered to be unclassified by both the United States and Israel.

(b) TERMINATION.—The grant program and the advisory board established under this section terminate on the date that is seven years after the date of the enactment of this Act.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

(d) DEFINITIONS.—In this section—

(1) the term "cybersecurity research" means research, including social science research, into ways to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(2) the term "cybersecurity technology" means technology intended to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(3) the term "cybersecurity threat" has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (enacted as title I of the Cybersecurity Act of 2015 (division N of the Consolidated Appropriations Act, 2016 (Public Law 114-113)));

(4) the term "Department" means the Department of Homeland Security; and

(5) the term "Secretary" means the Secretary of Homeland Security.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentleman from Rhode Island (Mr. LANGEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RATCLIFFE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 612, the United States-Israel Cybersecurity Cooperation Enhancement Act of 2017.

I was grateful for the opportunity to work closely with my colleague, Mr. LANGEVIN from Rhode Island, on this vitally important legislation that will build upon the existing collaboration between the United States and the State of Israel on critical cybersecurity issues.

Following our successful congressional delegation to Israel in May of last year to discuss homeland security and cybersecurity issues, Mr. LANGEVIN and I worked closely to champion two important pieces of legislation.

Last year, I introduced H.R. 5877, the United States-Israeli Advanced Partnership Act of 2016, which was signed into law on December 16 with Mr. LANGEVIN's help and support. That legislation expanded a current cooperative research program between the two countries by adding cybersecurity to a program that had previously focused only on border security, explosives detection, and emergency services.

Today, Mr. Speaker, I am pleased to have H.R. 612, the United States-Israel Cybersecurity Cooperation Enhancement Act of 2017 come before the House. This bill would expand the memorandum of agreement already in place between our Department of Homeland Security and the State of Israel by authorizing the Secretary to carry out a grant program at DHS to support cybersecurity research and development as well as the demonstration and commercialization of cybersecurity technologies.

During our congressional delegation, Mr. LANGEVIN and I were able to meet with top Israeli officials, including Prime Minister Benjamin Netanyahu, to discuss how the United States and Israel can better cooperate in these vital areas. We also had the opportunity to meet with many of Israel's cybersecurity companies and technology startups.

Over the past several years, Israel has become a leader in cybersecurity and has developed a deep and talented cyber workforce, something we need greater focus on here in the United States. To that end, much of our discussion with Israeli officials and private companies revolved around how the United States and Israel can work more closely together and learn from each other as we combat growing cybersecurity threats. This legislation is a product of those successful discussions.

Mr. Speaker, the United States and Israel are both under constant threat from nation-state and other actors that wish to do our countries harm, so

it is vitally important that the United States and Israel work hand-in-hand to build our cyber defenses to combat these cyber threats together.

Mr. Speaker, it is also vital that in the House both parties work hand-in-hand on America's national security vulnerabilities. Given the current political environment, I would like to commend and thank my colleague, Mr. LANGEVIN, for his willingness to do just that, as demonstrated by his partnership on this issue. I very much look forward to continuing to work with him on more cybersecurity issues during the 115th Congress.

I urge all my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 612, the United States-Israel Cybersecurity Cooperation Enhancement Act of 2017.

Mr. Speaker, let me start by thanking Chairman RATCLIFFE for his leadership on the subcommittee and, in particular, on the issue of cybersecurity. I have greatly enjoyed our partnership on this and many issues. I appreciate his due diligence and his hard work on many national security issues.

Let me also start by expressing my deep gratitude to Chairman MCCAUL and Ranking Member THOMPSON in acting so quickly to bring this bill to the floor. Both the chairman and ranking member led a very productive committee last Congress, and I am very pleased that their commitment to protect our national security has extended to swift action this year as well. That urgency is particularly relevant to this bill, the United States-Israel Cybersecurity Cooperation Enhancement Act.

As Chairman RATCLIFFE mentioned, last May, he and I traveled to Israel to meet with public and private cybersecurity officials. I think I can speak for my friend when I say that we were very impressed by the Israeli's efforts in this space. Israel was one of the first countries to recognize the potential threat posed by interconnected computer systems, and they have been leaders in cybersecurity now for decades.

For instance, the first stateful firewall technology was first developed by an Israeli firm. Today, these firewalls are ubiquitous across the information security landscape. In fact, despite its size, Israel is the second largest exporter of cybersecurity goods and services, behind only the United States. U.S. companies have certainly taken notice. Mr. RATCLIFFE and I, as he mentioned, met with some of their representatives during our trip.

Just last week, Reuters reported that one of the components of Microsoft's \$1 billion per year cybersecurity strategy is acquisition of three Israeli corporations.

Collaboration with our closest Middle East ally only makes sense from a national security perspective. Preserving Israeli security is essential to stability in the region.

We clearly have a lot to learn from each other as well, which is why I have championed government-to-government interaction on cybersecurity, such as the recent letter of intent for more information-sharing between DHS and Israel that was championed by former Deputy Secretary Mayorkas.

Beyond our governments working together, Chairman RATCLIFFE and I also believe the government can do more to encourage collaboration between our private sector and nonprofit entities on issues directly relevant to homeland security. That is why, upon our return, we worked in close collaboration to develop two bills to enhance these cooperative relationships.

I could not have asked for a better partnership in this effort. I was thrilled that our first bill, the United States-Israel Advanced Research Partnership Act, was signed into law last month. It is our second bill, which passed the House in November, but failed to make it through the Senate before Congress adjourned last year, that we are discussing today.

Specifically, this bill creates a cybersecurity grant program for joint research and development ventures between Israeli and American entities. Projects would be selected after a merit review process and would have to address requirements in cybersecurity determined by the Secretary of Homeland Security. The grants would also be subject to a cost-sharing requirement, with at least 50 percent of project funds coming from a non-Federal source.

Importantly, H.R. 612 leverages existing United States-Israel R&D infrastructure, specifically the Binational Industrial Research and Development, or BIRD Foundation, and the Binational Science Foundation, or BSF. Both organizations have a proven track record of encouraging joint research ventures.

□ 1645

BIRD, for instance, has financed R&D and commercialization projects that have led to a cumulative \$8 billion in commercial sales since its founding, while BSF regularly funds collaborations between the top scientists in our respective countries as 45 Nobel laureates have received support from the Foundation.

Now, using the existing infrastructure, as was done in 2007 when Congress passed the Energy Independence and Security Act that led to the creation of BIRD Energy, also allows us to capitalize on both foundations' robust networks of United States and Israeli entities to help seed these joint ventures. All of these factors are particularly

critical in the fast-moving cybersecurity domain where offensive and defensive tactics and techniques change on a monthly or even weekly basis.

As such, advances in the discipline require a near constant reexamining of assumptions, and having people from different backgrounds and security cultures working together engenders an environment where such reexamination is encouraged. While both the U.S. and Israel have robust cybersecurity communities, further collaboration will spur more advances to combat the threats that we face.

Although some of these advances are technological in nature, basic cybersecurity research, such as investigations into the psychology of secure interface design and social engineering, is also supported by the bill. All told, the programs authorized in H.R. 612 will both address urgent homeland security needs and build capacity for further transnational collaboration on cybersecurity, all while matching Federal investment with private sector dollars and funds from the Israeli Government.

Mr. Speaker, I normally preface my remarks on cybersecurity with an explanation of the threat our country faces. I would hope that, given recent events, I don't have to remind my colleagues of the dangers that we face in this sphere which, as I see it, is one of the key national security challenges of the 21st century.

I would hope that incidents like the recent attack on the Ukrainian power grid demonstrate the power of a computer keyboard to affect our critical infrastructure. I would hope that the breach of hundreds of millions of accounts at Yahoo, which affected around 10 percent of the world's population, demonstrates how pervasive data collection is and its vulnerabilities. I would certainly hope that the Russian information warfare operations targeting the very foundations of our democracy, our elections, demonstrate the stakes that we face.

In the face of these threats, we must join together with our allies to protect a free and open internet and ensure that the amazing benefits of technology are not overshadowed by the new vulnerabilities that they open up. Mr. Speaker, H.R. 612 is an important step to driving the innovation we need in the security space to meet these two goals.

As with any bills that make it to the floor, this bill owes much to the dedicated staff on both sides of the aisle who spent countless hours behind the scenes reviewing this legislation. I thank them for their extraordinary and exceptional work.

I am also very grateful, again, to Chairman MCCAUL, Ranking Member THOMPSON, and Subcommittee Ranking Member RICHMOND for their continued leadership on cybersecurity and, in particular, Chairman RATCLIFFE for his

work and for their assistance in quickly actualizing the lessons that we have learned on our trip to Israel.

Finally, in closing, I owe, once again, a debt of gratitude to my friend across the aisle, Chairman RATCLIFFE, who, in his first term, immediately had a substantial impact on our Nation's cybersecurity and with whom it has been a great pleasure to work. I look forward to our continued work in this Congress and beyond.

Mr. Speaker, H.R. 612 does three things: it encourages innovative approaches to address top priorities in homeland security R&D; it strengthens ties with Israel, one of our closest allies; and it does so in a public-private partnership that matches Federal investment.

Mr. Speaker, if you indulge me for a moment, I would like to read something the Saudi Arabian Computer Emergency Response Team put out last week: "Following a recent cyberattack which targeted several national organizations, this is an urgent call for your cybersecurity team to be on the alert for Shamoon 2 and ransomware attacks that could possibly cripple your organization's systems."

For those of my colleagues who are not aware, the Shamoon attacks of 2012 took down tens of thousands of computers at the Saudi state oil company, Saudi Aramco. The Shamoon 2 variant has been targeting Saudi Government agencies and private industry since November.

I bring this up, Mr. Speaker, because open source intelligence reports point to Iran as being responsible for the original Shamoon attack. I believe there is a good chance that Iranian-aligned actors are behind the recent incidents as well. Our Israeli partners live under this threat every day, and, to be frank, so do we.

Last year, the Justice Department indicted seven Iranian hackers for attacks on the U.S. financial sector and for probing the networks of a New York dam. The same threats that leave me unable to sleep keep my friend Dr. Matania, head of the Israel National Cyber Bureau, up at night as well.

Closing our aperture of vulnerability will be difficult, Mr. Speaker, but it is possible if we work together to bring our countries' unique perspectives to bear on the problem. I know my colleagues in the Senate share these sentiments, and I hope they will move quickly to take this bill up and start fostering further collaboration as soon as possible.

Let me again thank Chairman RATCLIFFE for his leadership and his outstanding work on this bill. I urge my colleagues to support H.R. 612.

Mr. Speaker, I yield back the balance of my time.

Mr. RATCLIFFE. Mr. Speaker, I thank the gentleman from Rhode Island for his kind words. I also thank

him and commend him for his leadership on cybersecurity issues for many years in this House. I look forward to working with him for many years, hopefully, to come. I thank him for his friendship and collaboration in helping to make America safer.

Mr. Speaker, I again urge all my colleagues to support H.R. 612.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 612.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 70; and adoption of House Resolution 70, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.J. RES. 38, DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 70) providing for consideration of the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 236, nays 183, not voting 13, as follows:

[Roll No. 68]

YEAS—236

Abraham	Bergman	Brooks (AL)
Aderholt	Biggs	Brooks (IN)
Allen	Bilirakis	Buchanan
Amash	Bishop (MI)	Buck
Amodeli	Bishop (UT)	Bucshon
Arrington	Black	Budd
Babin	Blackburn	Burgess
Bacon	Blum	Byrne
Banks (IN)	Bost	Calvert
Barletta	Brady (TX)	Carter (GA)
Barr	Brat	Carter (TX)
Barton	Bridenstine	Chabot

Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd

Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed

NAYS—183

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)

Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings

Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Clark (MA)
Engel
Kildee
Lofgren
Mulvaney

Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

NOT VOTING—13

Price, Tom (GA)
Quigley
Rush
Sewell (AL)
Smith (TX)
Titus
Zinke

Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

NOT VOTING—13

Price, Tom (GA)
Quigley
Rush
Sewell (AL)
Smith (TX)
Titus
Zinke

Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suzuki
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen

Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Fleischmann
Flores
Fortenberry
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)

NOES—186

Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españat
Esty
Evans
Foster
Frankel (FL)

Messrs. NORCROSS and SCHIFF changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 186, not voting 10, as follows:

[Roll No. 69]
AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Bart
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn

Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Buchson
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney

Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais

DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españat
Esty
Evans
Foster
Frankel (FL)

Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españat
Esty
Evans
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Deutch
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kilmer
Kind
Krishnamoorthi
Kuster (NH)

Langevin	Neal	Serrano
Larsen (WA)	Nolan	Sewell (AL)
Larson (CT)	Norcross	Shea-Porter
Lawrence	O'Halleran	Sherman
Lawson (FL)	O'Rourke	Sinema
Lee	Pallone	Sires
Levin	Panetta	Slaughter
Lewis (GA)	Pascrell	Smith (WA)
Lieu, Ted	Payne	Soto
Lipinski	Perlmutter	Speier
Loeb sack	Peters	Suozzi
Lowenthal	Peterson	Swalwell (CA)
Lowey	Pingree	Takano
Lujan Grisham,	Pocan	Thompson (CA)
M.	Polis	Thompson (MS)
Luján, Ben Ray	Price (NC)	Tonko
Lynch	Raskin	Torres
Maloney,	Rice (NY)	Tsongas
Carolyn B.	Richmond	Vargas
Maloney, Sean	Rosen	Veasey
Matsui	Roybal-Allard	Vela
McCollum	Ruiz	Velázquez
McEachin	Ruppersberger	Ryan (OH)
McGovern	Ryan (OH)	Viscosky
McNerney	Sánchez	Walz
Meeks	Sarbanes	Wasserman
Meng	Schakowsky	Schultz
Moore	Schiff	Waters, Maxine
Moulton	Schneider	Watson Coleman
Murphy (FL)	Schrader	Welch
Nadler	Scott (VA)	Wilson (FL)
Napolitano	Scott, David	Yarmuth

NOT VOTING—10

Clark (MA)	Pelosi	Titus
Kildee	Price, Tom (GA)	Zinke
Lofgren	Quigley	
Mulvaney	Rush	

□ 1725

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. LOFGREN. Mr. Speaker, I was detained at a classified briefing with the Secretary of Homeland Security causing me to miss these two votes. Had I been present, I would have voted "nay" on rollcall No. 68 and "nay" on rollcall No. 69.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 36, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A FINAL RULE OF THE BUREAU OF LAND MANAGEMENT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 37, DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-8) on the resolution (H. Res. 74) providing for consideration of the joint resolution (H.J. Res. 36) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation", and providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General

Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation, which was referred to the House Calendar and ordered to be printed.

□ 1730

STOP THE INTRUSION OF POLITICAL ROBOCALLS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, every campaign season, like clockwork, families are bombarded by an endless stream of political robocalls. There is little voters can do to stop the annoyance, which all too often comes right in the middle of family dinners and bedtimes, because politicians made sure to exempt themselves from the power of the Do Not Call Registry.

That is why I have introduced legislation, H.R. 740, to stop the intrusion of political robocalls in homes across America.

The Robo Calls Off Phones Act, or Robo COP Act, directs the Federal Trade Commission to revise its regulations regarding the National Do Not Call Registry and prohibit prerecorded campaign messages from being sent to telephone numbers on the national registry. It gives the American people the opportunity to opt out of these bothersome interruptions.

Removing the exemption for political robocalls is a matter of fairness that will help bring some peace and quiet to homes throughout the campaign season.

RECOGNIZING FORMER-REPRESENTATIVE XAVIER BECERRA

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Madam Speaker, I rise today to recognize the incredible work of former-Congressman and now California State Attorney General Xavier Becerra.

Attorney General Becerra holds nearly three decades of elected public service as a State legislator, a Member of Congress, and now as California's attorney general.

I am proud to call Xavier Becerra my friend. It has been a pleasure to work alongside him as he courageously fought for all Americans, for women, LGBTQ communities, minorities, and comprehensive immigration reform.

He is the first Latino to serve as a member of one of the powerful committees in our House, and he is also the first Latino chairman of the Democratic Caucus. Through his leadership and guidance, our priorities have become more defined and have driven the legislative process.

Attorney General Becerra, thank you for your tireless service and commitment to our country as you have certainly become one of the most influential leaders of our time.

THANKING REPRESENTATIVE XAVIER BECERRA

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Madam Speaker, I stand here today to recognize the extraordinary leadership of Xavier Becerra who for the last 24 years proudly served the people of Los Angeles, California, as a Member of the United States House of Representatives.

Xavier's career in public service began as a call to fight for people like his parents, a clerical worker and a construction worker, who were often neglected in the policymaking process.

He was elected to Congress in 1992. He most recently served as the first Hispanic member of the Committee on Ways and Means. During his tenure, he was also the chairman of the House Democratic Caucus and chairman of the Congressional Hispanic Caucus.

He worked with his colleagues to increase opportunities for working families, to improve Social Security, and to strengthen Medicare. He fought for a Tax Code that was fair to hardworking families and small businesses. He stood for immigrants of all communities in his support of the DREAM Act and comprehensive immigration reform.

He continues this important work now as the attorney general of California, where he is already using his position, knowledge, and experience to uphold our values by rejecting policies that this administration hopes to exact on the American people.

Representative Becerra, thank you and your family for your service. Your community, your colleagues, your country, and I thank you for your service.

NO WALL ON OUR SOUTHERN BORDER

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Madam Speaker, we have the lowest levels of northbound apprehension coming across our southern border in modern history. We have more Mexican nationals going south to Mexico today than coming north to the United States. We have less than zero migration from Mexico.

In El Paso, Texas, the border community is the safest city in the United States. On top of that, there has been not a terrorist, terrorist plot, or terrorist organization that is connected to our border with Mexico.

But just in case, we are being vigilant. We are spending \$19 billion a year to secure that border. There are 20,000 brave members of the Border Patrol who patrol every inch of that 2,000-mile border.

Madam Speaker, we do not need a wall on our southern border. It is a waste of time. It is a waste of resources, and it takes our eye off of the real threats to this country.

Madam Speaker, I ask that my colleagues join me in opposing a wall from this new administration.

CONGRATULATING XAVIER BECERRA

(Mr. CARBAJAL asked and was given permission to address the House for 1 minute.)

Mr. CARBAJAL. Madam Speaker, I rise today to thank my friend and former colleague, Xavier Becerra, for his long and effective record of service on behalf of California in Congress.

Attorney General Xavier Becerra has been a true mentor and a friend to me, especially during this transition serving as a new Member of Congress.

His support and his service reaffirm that the children of immigrants and immigrants themselves have a crucial role to play in our Federal Government.

I want to congratulate Xavier Becerra on his well-deserved appointment to serve as California's attorney general. While he is no longer with us in the House, I know that his new appointment will be even greater felt across our country during these troubling political times.

I have no doubt that, as attorney general, Xavier will defend our Constitution and fight for families in California and help our State serve as a beacon of hope and progress in America.

IMMIGRATION EXECUTIVE ORDER AND CONFLICT OF BUSINESS INTEREST

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, I rise to focus on President Trump's curious executive action to deny U.S. entry of certain refugees and travelers who were cleared and properly vetted. The arbitrary and discriminatory nature of his order is odd in that he only identified seven countries to be included.

One must ask: Why were other nations excluded? Yes, excluded from the executive order are several Middle Eastern, African, and other nations where The Trump Organization has business interests, including Turkey, the United Arab Emirates, Azerbaijan, Egypt, and Saudi Arabia, where the majority of 9/11 terrorists originated.

We know Mr. Trump has failed to divest from his company, as ethics ex-

perts have duly noted. Every American should wonder whether he designed this executive order with his own business interests, at least, partly in mind. This is the purpose of divestiture, to eliminate any possible question of doubt or possible mal intent.

Without divesting from management and ownership, President Trump's circumstance threatens the basic tenet of the rule of law that the government and all of its actors will discharge duties in the best interest of the American people, not their self-interest or the interests of their cronies or the interest of their brand.

TRUMP'S REFUGEE ACTIONS

The SPEAKER pro tempore (Ms. CHENEY). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Madam Speaker, I might say it is great seeing you in the chair. You are a natural fit. Maybe we can do something about that at some point.

It is an honor to speak in this hallowed Hall. There has been much ado made about contrived misrepresentations about what has gone on with President Trump's executive order regarding seven countries that the Obama administration designated as being problems when it comes to refugees coming from those countries.

It has been absolutely incredible. And I think some of us were talking that it really exemplifies why networks like CNN—that was the one, the only 24-hour cable news network—have lost so much to other networks. MSNBC, CNBC, and even Fox News got caught up in some of the misrepresentations, and I couldn't believe that they were spending the kind of time talking about a contrived issue.

Now, there was a problem in some innocent people being delayed and improperly handled, people who didn't deserve that. I am familiar with how that feels because I deal, like most of us do in this body, with TSA on virtually a weekly or even sometimes more often basis.

There is a great article here by John Hayward from January 29. Mr. Hayward says:

"The sober and logical reasons for President Donald Trump's executive order on refugees and visitors are rising above the noise after an evening of hysterical over-reactions and emotional meltdowns on the Nation's TV networks.

"Advocates of sane, secure immigration policy have long noted that it's almost impossible to have a reasonable discussion of the refugee and immigration issues, because it's been sentimentalized and politicized beyond the realm of rational thought.

"This weekend brings them another superb example of media-magnified shrieking about fascism, bleating about 'white nationalists,' howling about 'religious persecution,' false invocations of the Constitution, and theatrical sobbing on behalf of the Statue of Liberty."

We do have that water coming off the Statue of Liberty being analyzed, so that we can determine whether or not it is tears or something else.

"For readers who want to wallow in the emotion, examples can be found in this handy dossier of hysteria compiled by the Washington Post. But clear-eyed adults prefer to examine plain facts about Trump's executive order:

"1. It is NOT a 'Muslim ban.'"

I have the executive order here. Unlike those in the Senate and those in the media, who were just excoriating President Trump and anyone involved in this executive order, I actually read it, unlike those people. I read the executive order.

□ 1745

And because I read the executive order, I understood there was no ban against Muslims, no ban against Islam. It was very straightforward. And Hayward's article points that out.

He said: "You will search the executive order in vain for mentions of Islam, or any other religion. By Sunday morning, the media began suffering acute attacks of honesty and writing headlines such as 'Trump's Latest Executive Order: Banning People From 7 Countries and More.'"

And that was from CNN. And, Madam Speaker, I am very pleased that CNN finally got around to having a more truthful headline.

"Granted, CNN still slips in the phrase 'Muslim-majority countries' into every article about the order, including the post in which they reprinted its text in full, but CNN used the word 'Muslim,' not Trump. The order applies to all citizens of Iraq, Iran, Syria, Libya, Somalia, Sudan and Yemen. It does not specify Muslims. The indefinite hold on Syrian refugees will affect Christians and Muslims alike," not to mention people of every other religion and people of no religion.

"As Tim Carney at the Washington Examiner points out, the largest Muslim-majority countries in the world are not named in the Executive Order.

"More countries may be added to the moratorium in the days to come, as the Secretary of Homeland Security has been instructed to complete a 30-day review of nations that don't provide adequate information for vetting applicants.

"It is also noteworthy that the ban is not absolute. Exceptions for 'foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the

United Nations, and G-1, G-2, G-3 and G-4 visas' are expressly made in the order. The Departments of State and Homeland Security can also grant exceptions on a 'case-by-case basis'—that is all in the executive order—"and 'when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.'

"There is a provision in the Executive Order that says applications based on religious persecution will be prioritized 'provided that the religion of the individual is a minority religion in the individual's country of nationality.'"

And so it is important to note here, I think from the executive order, that it says applications based on religious persecution. That means that people that have applied for visas or immigration benefits to come into the United States who, themselves, raise their religion as a reason to let them into the United States, those need to be prioritized based on whether or not their religion is actually being persecuted, those holding those religious beliefs are actually being persecuted. And I think that is a rather intelligent way to approach things.

But in those cases, it would be the applicant that would raise the issue of religion, not the Trump administration, not the State Department, not Homeland Security. It would be the foreign applicant trying to come into the United States who would be the one to raise that issue.

Now, the article goes on: "This has been denounced as a 'stealth Muslim ban' by some of the very same people who were conspicuously silent when the Obama administration pushed Christians—who are the most savagely persecuted minority in the Middle East, with only the Yazidis offering real competition—to the back of the migration line."

So it is important to note that, for years, this administration has been part of the discrimination and persecution against Christians in the world against whom there has been a genocide in progress.

So when the head of the U.N. was in charge of the refugee program and was asked why is there not a similar percentage of Christians coming in as refugees to other countries to the percentage that Christians make up in that nation they come from, basically, the man who is now head of United Nations said, well, it is important to leave them where they have this historical presence, basically.

So in other words, yes, there is a genocide going on. They want to kill off every Christian in those areas, every Christian in the Middle East, and so the U.N. now Secretary General says let's leave them in the area where they are being wiped off the map, brutally killed. Let's leave them there until we

can say this place where they were historically has now shown there are none there. They have all been brutally murdered as the U.N. watched and didn't help. It is outrageous how uncivilized this United Nations has become.

I filed a bill, and I still think we should bring it to the floor, that would require a complete defunding by the United States of the United Nations until such time as they withdraw the resolution of the Security Council that condemned Israel.

I mean, it is like a teacher of mine in the fifth grade after I got beat up by a bully who had been held back two grades, was about 18 inches taller. She pointed to the class and said: This is what happens when little boys try to play with the big boys.

Well, that is basically what the Obama administration had been doing. It is basically what the U.N. had been doing. They took the side of the mean bullies that had been devastating the Christians in the area.

Having talked to so many Christians who were living in Syria and who the mainstream press say, oh, yeah, they are big Assad fans—no, they were not big Assad fans. They knew that he could be quite brutal, but their only point that the mainstream media in the United States and most of the world was missing is that Assad prevented Christians from being the victims of a genocide; and as Assad was weakened, the assaults and the murders and the rapes of Christians increased exponentially.

I do think that the United States may still be held to account in the ledger of world history—what I would submit is God's ledger—for having the power and the moral right to stop a genocide of Christians in the Middle East and we participated in leaving them where they were, as did the U.N., so that they could be brutally murdered.

I am going back to Mr. Hayward's article.

"2. The order"—talking about the executive order of Donald Trump. "The order is based on security reviews conducted by President Barack Obama's deputies."

And, Madam Speaker, for those in the mainstream media, I think it is important to repeat that line. President Trump's executive order that didn't ban Muslims but that ordered a temporary pause on people from certain countries from whom we had no information or inadequate information to vet the people that were coming in, it was based on security reviews conducted by President Barack Obama's deputies.

"As White House counselor Kellyanne Conway pointed out on 'Fox News Sunday,' the seven nations named in Trump's executive order are drawn from the Terrorist Prevention Act of 2015. The 2015 'Visa Waiver Pro-

gram Improvement and Terrorist Travel Prevention Act of 2015' named Iraq, Iran, Sudan, and Syria, while its 2016 update added Libya, Somalia, and Yemen.

"These are countries that have a history of training, harboring, exporting terrorists. We can't keep pretending and look the other way,' said Conway.

"3. The moratorium is largely temporary. Citizens of the seven countries"—and by the way, in this executive order that President Trump signed, there is no mention of the countries. It refers to what President Obama signed declaring, first, the four countries, and then the three countries.

It just refers to that that President Obama signed. He doesn't single out or name the countries; and I can't help but think, as intelligent as some of the people are that are assisting President Trump, that they showed a massive amount of naivete because it appears that they thought, if in the executive order President Trump refers to documents that President Obama signed designating these countries as countries where we didn't have adequate information, then even the mainstream media would have to go back to President Trump's and look above his signature and see that these are places that President Obama said were threats.

And then they would—having some semblance of a conscience—have to point out that actually Trump is just putting in an executive order of what basically Obama signed off on but didn't go ahead and carry out what needed to be done based on that law.

But, as I say, these folks were rather naive. And as the saying goes in Washington, no matter how cynical you get, it is never enough to catch up in this town. And so the Trump administration, the Trump advisers have a lot of growing to do to understand just how unfair the media can be. It is a valid presumption that if you don't name the countries, you make the mainstream media go back and look at what President Obama signed that they will understand, oh, this is what President Obama proclaimed that he is basing this on, so we can't be so mean to President Trump.

Well, it didn't turn out that way, and they are learning that just because it would make great sense, be common sense in most areas of the country—that is areas that are not the fringe that voted for Hillary Clinton, but most of the country would say it is common sense. It isn't common within the original 10-by-10 mile boundaries of the District of Columbia, which are no longer 10 by 10 after ceding the land west of the Potomac to Virginia back in the 1840s.

But number four in this Hayward article: "Obama banned immigration from Iraq, and Carter banned it from Iran.

“‘Fact-checking’ website PolitiFact twists itself into knots to avoid giving a ‘true’ rating to the absolutely true fact that Jimmy Carter banned Iranian immigration in 1980, unless applicants could prove they were enemies of the Khomeini theocracy.

“One of PolitiFact’s phony talking points states that Carter ‘acted against Iranian nationals, not an entire religion.’ As noted above, Trump’s Executive Order is precisely the same—it does not act against an ‘entire religion,’ it names seven countries.”

But, you know, I had some personal experience with PolitiFact. I used the word earlier today, “hack,” “political hack,” in an interview, and that is what I think of PolitiFact. They shouldn’t be called PolitiFact. They ought to be called “PolitiHack.”

□ 1800

I know I was speaking here on the House floor—I think it was last year—and I made a statement based on data received by the Senate on the percentage of American citizens and the percentage of noncitizens—non-American citizens—who were in Federal prison for possession of a controlled substance. The reason I singled out possession was because President Obama has tried to make it appear that people in Federal prison have gotten such a bad rap because they really—just simple possession—they didn’t deserve to be in prison so long. There is this whole intimation that, gee, there are people in Federal prison for possession of controlled substances who should have been let out a long time ago, and that is why we needed to have our laws changed.

Well, since the President had mentioned people in Federal prison for possession, I singularly pointed out that the huge majority of people in Federal prison for simple possession were not American citizens. I’m going from my memory, but, apparently, PolitiFact wanted to do as they normally do and cover for the Democrats and try to do a hatchet job on a Republican since they are not political fact, they are political hack. So my communications person gets an email from “PolitiHack” that uses the name PolitiFact and wanted to know the source of my information because they were going to rate my statement. She provided the facts as provided by this administration to the Senate.

Clearly what I had said was exactly true. I had quoted specifically from the data from the Obama administration, and it was 100 percent accurate. So then they come back—they thought they would catch me in not having proper information, and they come back to my communications person and said: Well, we have got information from the Bureau of Prisons that showed that if you look at all offenses that involved controlled substances,

the percentage of noncitizens is not nearly that high. So why would he use just possession?

The point was because President Obama had used simple possession to try to make it look as if people in Federal prison were not there for very serious crimes, and there is certainly a smaller number of people in Federal prison for possession than for dealing drugs and other charges.

So in the end, after all the back and forth, they basically perpetuated a fraud upon the American people, PolitiFact—a bunch of political hacks—by not being willing to say that my statement was 100 percent true because they, in some contorted manner, did not want to point out that my statement was exactly true. They refer basically to, oh, that the number wasn’t near that high of people involved in controlled substance. I didn’t mention everybody with controlled substance.

So that is just a parenthetical in Hayward’s article for me because I know personally PolitiFact is a political joke if what they were doing was not so serious in harming the American people by misrepresenting the true facts of what is going on. I hope that at some point being still remaining an entrepreneurial country for a little longer—at least we have got nearly 4 years to go that we can be assured of as an entrepreneurial country—at least in that time perhaps we will have an entrepreneurial group that will rise up and start scoring PolitiFact to show just how unfair they are, and, on occasion, when they are actually fair, show that as well so the American public can actually score the illegitimate scorers.

But going back to this article, it says: “As for Barack Obama, he did indeed ban immigration from Iraq, for much longer than Trump’s order bans it from the seven listed nations, and none of the people melting down today uttered a peep of protest. Richard Grenell summed it up perfectly in a Tweet: ‘Obama took 6 months to review screening for 1 country. Trump will take 3 months for 7 countries. . . .’”

This article goes on: “5. Trump’s refugee caps are comparable to Obama’s pre-2016 practices: David French, who was touted as a spoiler candidate to keep Donald Trump out of the White House during the presidential campaign—in other words, not a big Trump fan—wrote a lengthy and clear-headed analysis of the Executive Order for National Review. He noted that after the moratorium ends in 120 days—and that is one section. It ends in 120 days, the other section is 90 days, another part says they will have 30 days to produce a report.

But it goes on to say: “Trump caps refugee admissions at 50,000 per year . . . which is roughly the same as

President Obama’s admissions in 2011 and 2012, and not far below the 70,000 per year cap in place from 2013 to 2015.

“Obama had fairly low caps on refugees during the worst years of the Syrian civil war. He didn’t throw open the doors to mass refugee admissions until his final year in office. Depending on how Trump’s review of Syrian refugee policy turns out, he’s doing little more than returning admissions to normal levels after a four-month pause for security reviews.

“6. The Executive Order is legal: Those invoking the Constitution to attack Trump’s order are simply embarrassing themselves. The President has clear statutory authority to take these actions. As noted, his predecessors did so, without much controversy.

“Most of the legal arguments against Trump’s order summarized by USA Today are entirely specious, such as attacking him for ‘banning an entire religion,’ which the order manifestly does not do. Critics of the order have a political opinion that it will in effect ‘ban Muslims,’ but that’s not what it says. Designating specific nations as trouble spots and ordering a pause is entirely within the President’s authority, and there is ample precedent to prove it.

“It should be possible to argue with the reasoning behind the order, or argue that it will have negative unintended consequences, without advancing hollow legal arguments. Of course, this is America 2017, so a wave of lawsuits will soon be sloshing through the courts.

“7. This Executive Order is a security measure, not an arbitrary expression of supposed xenophobia. Conway stressed the need to enhance immigration security from trouble spots in her ‘Fox News Sunday’ interview. French also addressed the subject in his post:

“When we know our enemy is seeking to strike America and its allies through the refugee population, when we know they’ve succeeded in Europe, and when the administration has doubts about our ability to adequately vet the refugees we admit into this nation, a pause is again not just prudent but arguably necessary. It is important that we provide sufficient aid and protection to keep refugees safe and healthy in place, but it is not necessary to bring Syrians to the United States to fulfill our vital moral obligations.”

The article goes on. It is well written, points are well made, and I would humbly submit, Madam Speaker, that we had the statistics last year that showed that for the cost of bringing one Syrian refugee to the United States for 1 year, we could help take care of 12 Syrian refugees in place in a safe zone over near their home.

Now, I am very encouraged that even though President Obama simply would not ever agree or strive to have a safe

zone in areas near the refugees' homes so we can take care of 12 times more than we can possibly bring to our country for the same cost, and he is working on that, and he has got some agreements, and it looks like that may be a possibility. We give air cover, help create safe zones in areas there in the Middle East so the refugees can live without being killed and horribly brutally murdered and abused. That makes more sense. It appears that the President has worked with or talked with the Saudi authorities and perhaps will be able to get something like that worked out.

There were people just quite emotional over the fact that Saudi Arabia was not mentioned and Egypt was not mentioned. Actually, the order did not mention any nations by name. The Trump executive order simply referred to what President Obama signed off on which included seven countries. These are seven countries where it shouldn't even be arguable among people of common sense that we do not have, have not received, and cannot get adequate information from which to determine whether people wanting to come into the United States are actually refugees or if they are part of al Qaeda, al Nusra, and ISIS, and they want to come kill Americans and end our freedoms and our way of life. That is why such an executive order was entirely appropriate.

Although I supported a different candidate for President for over a year, I applaud President Trump in caring so deeply about the American public that he would take the honorable and appropriate steps to protect Americans that the last administration would not take.

A great article in Townhall from Matt Vespa is entitled: "Friendly Reminder: Obama Selected The List Of Seven Countries in Trump's Executive Order." That certainly should be noted yet again.

Another great article here by Seth Frantzman says: "Obama's Administration Made the 'Muslim Ban' Possible and the Media Won't Tell You." It is a good article there.

I think this article from John Hayward from January 27 on Breitbart may give us insight as to why there is so much howling by CAIR and CAIR associates because there were implications of people involved with CAIR in the Holy Land Foundation trial.

□ 1815

One just merely need to go look at the pleadings. Here in Congress, since Eric Holder and Loretta Lynch went through their entire terms as Attorneys General and continued to refuse to provide the discovery documents in the Holy Land Foundation trial that were provided in pretrial to the convicted terrorist supporters, it is pretty incomprehensible for some of us.

On one occasion, when Attorney General Holder pointed out that, well, there may be some classified issues involved, I pointed out to him—apparently, it went right over his head and he couldn't discern—the fact that the Justice Department gave the documents I am requesting to people that were then convicted of supporting terrorism.

If Justice could give them to the terrorists without concern about being classified, surely they could give them to Members of Congress. Although some of us may argue in such ways that it terrifies some people, we are not terrorists and we are authorized to receive classified information. We should have been authorized in Congress to receive the same documents that the Justice Department provided to the terrorist supporters who were convicted.

This article from John Hayward, January 27, points out that:

"According to Reuters, a 'factional' debate is under way within the Trump administration over adding the Muslim Brotherhood to the State Department and Treasury lists of foreign terrorist organizations.

"This is a measure often called for by critics of the Brotherhood as Center for Security Policy President Frank Gaffney, who once again recommended an official terrorist designation on Wednesday's edition of Breitbart News Daily.

"A source in the Trump transition team told Reuters the effort to so designate the Muslim Brotherhood is led by National Security Adviser Michael Flynn. The source was personally in agreement with Flynn.

"In Congress, a bill to add the Muslim Brotherhood to the official terrorist list was introduced this month by Senator TED CRUZ and Representative MARIO DIAZ-BALART of Florida. Secretary of State nominee Rex Tillerson denounced the Muslim Brotherhood as an 'agent of radical Islam' during his confirmation hearings, but he has not made public statements regarding adding them to the foreign terrorist organization list.

However, other Trump advisers, and members of the intelligence and law-enforcement communities, argue the Brotherhood has 'evolved peacefully in some countries,' Reuters claims.

"They also expressed the pragmatic concern that going hard on the Muslim Brotherhood could complicate diplomatic relations with nations such as Turkey. It would unquestionably, however, please such U.S. allies as Egypt, the United Arab Emirates, and Saudi Arabia, although there have been signs the Saudis might be softening on the Brotherhood as they search for allies against ISIS in Iran.

"One official familiar with the State Department's deliberations conceded that the Muslim Brotherhood's ide-

ology has influenced such terrorist groups as Hamas, but since it is a large, loose organization spread over several nations, it could be legally difficult to apply the terrorist designation. Allied nations such as Britain have also expressed suspicions about the Brotherhood's influence, while stopping short of a formal terrorist designation."

So this is important to note. It is a good article. But I can't help but wonder if the Council on American-Islamic Relations, or CAIR, may be getting quite concerned about the potential for designating their friends in the Muslim Brotherhood.

There may be a mutual relationship there. There may be people that are part of both groups. No doubt, CAIR is getting quite concerned about heightened talk about naming the Muslim Brotherhood as the terrorist organization they are. It is just that they don't use terrorist tactics, as some of them have indicated before, when they are making great progress without terrorism, but knowing that eventually, after they get as far as they can with peaceful methods, they will ultimately be resorting to terrorism to bring the United States and other Western civilizations, countries into the international caliphate, wherein we are ruled by a caliph.

So it is interesting times. Here, tonight, in perhaps an hour and a half or so, our new President will name the nominee to fill the Honorable Antonin Scalia's spot on the Supreme Court. He is still greatly missed. He was a great man. He was a great jurist. He was a great patriot and he was great for America and our freedoms. So we will look forward to hearing that.

Mr. Speaker, I yield to the gentleman from South Carolina (Mr. SANFORD).

PRIVACY PROTECTION

Mr. SANFORD. Mr. Speaker, I thank the gentleman from Texas for the way that, on a nightly basis, he comes down to the well and helps inform people. Jefferson, in the writings of our Founding Fathers, talked about how important it was to have an informed electorate.

I just really appreciate the way the gentleman gives people clarity and information that they can then digest and make their decisions with. That process of informing is, I think, a vital part of the politic. He does it on the daily basis, and I appreciate it. His doing so matters to me and to the people that I represent.

I appreciate so much the gentleman's yielding because I want to talk just a couple of minutes about a bill that I introduced today entitled the REAL ID Privacy Protection Act.

It is a bipartisan bill. It is supported from the Republican side by people like MARK MEADOWS. It is supported on the Democratic side by Democrats like CHELLIE PINGREE from Maine. I think

they do so because it is a commonsense bill that gets at some of the deficiencies that one can find in REAL ID.

Quite specifically, what it does is eliminate the requirement that your personal documentation and documents be held and archived, in essence, in warehouses for 10 years. It will not require your stuff to be out in government databases for 10 years. Secondly, it eliminates the requirement that the DMV databases be co-linked. Thirdly, it creates uniformity with regard to the way in which extensions are granted.

So the bottom line is your driver's license could still be used to get you in the Marine Corps Air Station Beaufort or it could be used to go into Joint Base Charleston or a whole host of other facilities around this country. More significantly, for the average flying public, you could still use your driver's license next year to be able to get on a plane in the United States of America.

Why is all this important?

It is important because individual privacy matters. It is important because equal treatment under the law matters. It is important because the 10th Amendment really matters. States have a role in which the Founding Fathers intended the Federal Government to fit with the State government, to fit with local government, and to fit with individual prerogative.

Now let's examine each one of those couple of things. One, if you look at South Carolina driver's licenses, just as an example, they are secure. We have holograms. We have barcodes. We have a whole host of different things that create security.

Yet, in the wake of 9/11, what the Federal Government, Homeland Security, and others decided at that time was that, in essence, what they wanted was a de facto national ID card and for the Federal Government to, in essence, federalize what had previously been a State function, with State's issuing driver's licenses.

There is not a Federal driver's license. Texas has driver's licenses, South Carolina has driver's licenses, Florida has driver's licenses. Each State may have a little bit different way of doing so, but it was a state prerogative.

In the wake of that Federal requirement—I was wearing a different hat at the time; I was wearing a Governor's hat—I joined with, for instance, Governor Schweitzer from Montana in saying: Wait, this doesn't make sense. The States still have a vital role here. This role does not need to be federalized. We pushed back and, long story short, we were successful with many others in that effort. Yet, what is happening is many of those deadline requirements are now reemerging and approaching.

The question we have to ask ourselves in Congress is: What are we

going to do about it? Are we going to push back again? Or are we going to try and slow this again? Or are we just going to let the Federal Government come in and steamroll what has been a State function?

I think it is important that we act, and that is why we introduced this bill. It, again, gets at three important things. One, privacy matters. Quite simply, if government doesn't need your stuff, they don't get your stuff. I think that is a simple premise. Again, let me say it again. If government really doesn't need your stuff, it shouldn't get your stuff.

What do I mean by that?

What I mean is, if the requirement, as is now the case, is that the Federal Government take your personal information and they archive it for the next 10 years, do you really feel that you are more secure?

I would argue that is not at all the case. I would argue that it is much better to have a system that, when you take your birth certificate, you take your marriage license, you take your divorce papers, you take your citizenship papers, whatever it is that you have, take it all, let folks at the government level decide whether you are who you are or whether you are not who you are, and then give your stuff back to you. They don't need to house it for the next 10 years.

That is all this bill does. If you house it for the next 10 years, in fact, there is a considerable cost. The unfunded mandate to States is \$17 billion.

So what we are saying is make the determination. Take, again, all your stuff, look at it, but then give it back, rather than requiring States to archive this stuff for the next 10 years.

It also matters because, again, of individual human privacy. Whether it is a divorce decree, whether it is a marriage license, whether it is citizenship papers, whatever it is, we have been in hearings over the last couple of weeks where it was proven that the Russians were quite involved in hacking of American databases.

Why do we want to open that up to Chinese hackers, Russian hackers, to whoever it is, if it isn't required and necessary from the standpoint of security?

Two, this bill simply gets at the notion that States matter. The 10th Amendment matters. Patton was once attributed with saying that, if you tell a soldier to take a hill, tell them to take the hill. Don't tell them how to attack the hill.

The same is true of the Federal Government as it relates to States. Give us a secured requirement, but then allow Texas to go about their way of taking the hill and South Carolina to come with its way of attacking the hill, as long as we take the hill, which is the necessary security requirement.

I think it is also important from the standpoint of security that one thing

we have learned over time is that centralization of data does not make data more secure. We have a host of different breaches that have occurred at the Federal level that prove this point.

I think that one of the things that is interesting about Pearl Harbor is that the boats were in one spot and it was one-stop shopping for the Japanese. So, in fact, what we have seen in terms of military strategy going forward is people spread assets out. They don't want them congregated all in one spot so that an attacker would be able to take down a multitude of different assets with one particular raid. I think the same is true in the information age, as it relates to databases.

Finally, this bill is about equal treatment under the law. I think that what many States—South Carolina would be among them—are concerned about is: Is this too subjective? If you happen to be a blue State versus a red State, does that have some degree of determination in the way in which you get an extension or you don't get an extension?

□ 1830

Eighteen States and territories have been granted extensions. Seven States have been granted very limited extensions. All this bill does is say, Let's make that process transparent so that States can look one to the other and say, How was it that you got an extension but I didn't? I think that that level of uniformity would make sure that nobody suspects this system of being arbitrary or capricious by nature.

That is in simple form what the bill does. Again, it is about your privacy. We have had a long debate over the course of our country on security versus freedom, and what we don't want to do is give up certain, in essence, soul conditions, if you will, for freedom, including this notion of federalism, in our efforts to be secure. It is about recognizing that States are not wards of the Federal government, that a \$7 billion unfunded liability really does matter to the taxpayers of different States. Finally, it is about equal treatment under the law.

Again, the bill is called the REAL ID Privacy Protection Act. I would ask Members to join us on that bill. I would ask folks out there listening to talk to their House Member about that bill because I think it is one that makes a whole lot of sense.

I would say, again, how much I appreciate the gentleman from Texas yielding. Most of all, I thank him for the way he comes down to the well on such a regular basis to inform the American public.

Mr. GOHMERT. I thank the gentleman from South Carolina not merely for the bill, but this gentleman's bills, just like the reasoned argument made here in this Chamber, well reasoned, well thought out. Having sat

and listened to so many lawyers during my years on the bench, both trial bench and appellate bench, I would have welcomed the opportunity to hear from my friend from South Carolina in any courtroom where I was sitting. Well reasoned, a lot of good research in trying to solve problems. I look forward to a lot of us reading that bill and finding out because there is no doubt it involved just as good reasons as were used in your argument here today.

Also, we heard from another colleague of ours, the Honorable DON YOUNG from Alaska. I am actually optimistic about so many things with this President in the Oval Office now, and one of them is that our friend, DON YOUNG from Alaska, may finally get some help.

President Carter had identified an area that really didn't have any wildlife to speak of. Yes, it was part of the Arctic National Wildlife Refuge, but it was an area that really didn't have wildlife to speak of. As I understand it, there are some caribou that may walk across there from time to time, but they can't stay because there is not enough to sustain them. But President Carter, as anticarbon energy as he was, realized that is an area that we can agree ought to be drilled for the production of oil and gas, and it has been fought over and over.

Who stands to gain?

Well, actually, the American public. But since so much oil has now been found out in my friend MIKE CONAWAY's district in west Texas, up in the Dakotas, we are not as needful of that as we were. But the people who will really benefit are the people of Alaska, and then additional beneficiaries will be the people of the United States and the people who want to get out from under the iron fist of Russia rising. We will be able to help them with that by not only becoming energy independent; but after energy independent, exporting oil and gas to other nations so they don't feel the pinch that nations like China and Russia are putting on them.

I thank my friend, Mr. YOUNG from Alaska, and my friend, the former Governor of South Carolina, Mr. SANFORD.

Madam Speaker, I yield back the balance of my time.

PEOPLE ARE WORRIED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Madam Speaker, today is Tuesday, January 31. It has been 11 days since the inauguration of our new President; and, oh my goodness, has it been an extraordinary 11 days. I just hardly know where to begin.

Normally I come up here, and we talk about how we can grow the American

economy, how we can provide jobs, how we can see a return of our manufacturing industries, but I am compelled today to pick up comments on the last 11 days.

I was at a dinner out in California on Friday evening, and a wide variety of people from multiple interest groups were there: some labor unions, some farmers, senior citizens, healthcare folks, teachers. There was an overwhelming sense of concern—deep concern—about the direction this country is going. Some of these friends of mine were Republicans and others were Democrats; some liberal, some conservative.

But to a person, they came up to me and said: Oh, my God, what is happening in Washington? Where is this going? What is he doing? What does it mean to us?

And some of them said: Will they really actually terminate the Affordable Care Act? Is ObamaCare really going to end? What about my insurance policy; will I lose it? I am on Medi-Cal. What will happen to me?

And teachers saying: How does this fit with the effort to improve our schools?

And some that had been in the military looked at some of what was going on and said: But veterans' care, this hiring freeze affects the Department of Veterans Affairs. What does it mean to me? What is happening in Washington?

Some others were concerned about, well, there is going to be this transportation bill, infrastructure bill. How are they going to fund it? Is it really going to happen?

I have been to many events in my years in public office, but I have never been to an event in which there was this overwhelming concern about what's going to happen in Washington.

I have seen changes occur. Jimmy Carter to Ronald Reagan, there was concern, but not the kind of angst, deep emotional concern about where this country is going. I have seen George H.W. Bush to Bill Clinton, and I am sure there were many Republicans concerned about where Bill Clinton would go, and then Clinton to George W. Bush, and then to Obama, but nothing like this.

It is not just last Friday night. Today, in front of my office in Davis, California, 200 people showed up to say: You have got to do something. You have got to make it clear that we can't have these shutting down our borders. You can't let them do that. Davis, California, the University of California, there are 5,000 foreign students and teachers on that campus. There are more than 200 from the countries that are affected by the immigration and by the ban on people coming in from those seven countries. What does it mean, they asked me? And what about the Affordable Care Act?

All across this Nation people are demonstrating. It is now 20 minutes to

7 here in Washington, D.C., and I suppose at 8 tonight the President is supposed to give a nationwide address on his next Supreme Court nominee. I am quite certain that tomorrow morning there will be another eruption of concern by Americans as to what does it mean if the Supreme Court throws out the role of the Federal Government in protecting voter rights? What does it mean if the Federal Government isn't there to assure that a woman's body is her own?

All across this Nation people are going: Oh, what is happening?

Executive order after executive order, starting with the repeal of the Affordable Care Act and instructions to every agency of the Federal Government to stop it, see that it doesn't work. And here in Congress, a budget resolution that calls for the elimination of the financial support for the Affordable Care Act which, if you remove the money, what happens to the subsidies, the tax subsidies that people are able to use to be able to afford healthcare insurance, the additional money that goes to the States for their Medicaid programs?

And, oh, what about the seniors? If that budget resolution actually goes through, the money that is in the Affordable Care Act to provide the seniors the opportunity to have their drug benefit costs reduced, affecting millions of American seniors, the money is gone. Will the drug benefit be gone also? Most assuredly it would unless, of course, you want to just increase the deficit.

And about that free annual visit that is available to seniors that has clearly extended the life of thousands or tens of thousands of seniors because they find out they have high blood pressure. They can take a cheap pill, get that blood pressure down and not have a stroke. Or maybe diabetes, the onset of diabetes. That free annual benefit checkup, will it still be available if the budget resolution and if Mr. Trump's attack on the Affordable Care Act actually happens?

People are worried. People are frightened. And they should be. They should be. Because this goes to the very ability of Americans to carry on their tasks, protections that are necessary to protect Americans from fraud. The House of Representatives today voted to pass a rule that would lead to the elimination of protections that Americans have in their financial services. I don't know how we repeal the Affordable Care Act.

And how are we going to protect America by building a wall? What is it going to cost? 15, 20, 30 billion dollars?

Most people who look at the immigration issue rationally would say it is not going to solve the problem. And besides that, the problem is dramatically reduced as a result of the Mexican economy growing and jobs being available there as a result of the enormous

build-up that has already occurred with the Border Patrol and the immigration service. We have seen a dramatic reduction.

I was told today by some people that work in this field in California that the people who are coming into the United States illegally are mothers and children from Central America who are seeking refuge from the horrible gangs and violence in Central America. They are not sneaking over the border. They are presenting themselves at the border as refugees. We will come back to the refugee issue in a few moments.

□ 1845

How proud he looks, signing yet another executive order, this one on a wall. We are going to build a wall, 1,400 miles of wall between the United States and Mexico. So with a look of pride, he wants to spend anywhere from \$15 billion to \$30 billion. So tell me what you could do with \$15 billion. That is the minimum cost of the wall. Most people say it is probably closer to \$30 billion.

What could you do with \$15 billion? Well, I suppose you can build part of a wall, or you could start to build a wall. You are certainly not going to finish it. But let's just say you have got \$15 billion and that is your down payment on a wall that most everybody says wouldn't work. That is not a joke. If you build a 50-foot-high wall, someone will get a 51-foot-tall ladder.

I am familiar with the universities in California. California State University has 460,000 students. So for \$15 billion, you could fund the entire California State University system, provide tuition-free education for 3 years for 460,000 students, and pay all the faculty and the janitors and all the others. That is for \$15 billion.

Now, if it is a \$30 billion wall, then it is 6 years. So a junior in high school, for \$30 billion, could go free, tuition free, all expenses paid. Every professor, every janitor, fully paid for 6 years—460,000 students and thousands upon thousands of professors, teachers, janitors, et cetera.

Or you could replace every pipe in Flint, Michigan, 270 times over. Do you want to solve the problem in Flint, Michigan, the lead pipe problem? 270 times for \$15 billion, or that is more than 500 times, 540 times.

Or maybe you are concerned about Alzheimer's. And what American family is not concerned about Alzheimer's? If we were to spend that \$15 billion on research, we would undoubtedly be able to develop a treatment—and this is what the scientists and doctors and researchers say. And we did increase the funding from around \$500 million to just under \$1 billion last year. But if you were able to ramp it up and develop that treatment for Alzheimer's, you could delay the onset of Alzheimer's in your family, or mine, by 5

years. And what does that mean? It means about a \$220 billion in savings to the American taxpayers because that is money that will be spent for Medicare and Medicaid.

Or maybe you are just interested in national defense. Do you like submarines, the new Virginia class submarine? Well, let's see. We could build five of them. Or maybe you like aircraft carriers. For \$15 billion, you could build one of the new aircraft carriers and an additional submarine.

So President Trump, what is our choice? You don't like these choices, and you want to build a wall that nobody believes will do much good dealing with illegal immigration?

Oh, I like this next one; 27,777 4-year, full-ride scholarships for an undergraduate program at the University of California. That is about the total undergraduate population at the University of California, Davis, which I have the honor of representing.

But we are going to build a wall. We are going to build a wall. For what purpose? 435 of us here and 100 Senators and one President have a task of making choices about what America is all about, choices about how we spend your tax money. You want your tax money spent on a wall?

Oh, excuse me. Mexico is going to pay for it. Do you think so?

The President has started a trade war with Mexico, has created a serious diplomatic crisis with our neighbor and our third largest trading partner, over trying to force Mexico to pay for his wall. Oh, that was really smart. But, hey, he's the President and he thinks he can do what he wants to do. Well, the Mexican President said, no, no, it is not going to be paid for by Mexico.

So who is going to pay for it? I say we have choices. I would much rather us spend our money on education, national defense, Alzheimer's, and on things that actually help Americans in so many different ways. That is just one of the issues that is in play.

Immigration? Oh, we put out a new executive order on immigration, and seven countries around the world cannot have their citizens any longer come to America for some period of time, and refugees from those countries can't come to America. What are those countries? Well, let me see. Among the seven, I believe there is this country called Iraq.

Excuse me, Mr. Trump. Isn't Iraq our ally in fighting ISIS? I think so. It is their troops plus 6,000 of our troops that are now engaged in a bitter fight to reclaim Mosul, to wipe ISIS out of Mosul. And so you are going to put a limitation on Iraqi citizens and refugees coming to the United States? I am sorry. I don't understand what sense that makes, Mr. President. Do you? Do you understand what you just did?

There is a four-star general in Iraq who is responsible for their Special

Forces that are leading the fight in Mosul right now. This man's family came to the United States for safety because of the problems that existed there in Iraq. He cannot visit his family. Unless there is some sort of a waiver that has suddenly been developed for four-star Iraqi generals, he cannot go to Central Command in Tampa, Florida, to work on a strategy for the rest of the fight.

Oh, my God. What is going on here? What is happening? What sense does any of this make? Foreign policy experts, national security experts, experts on ISIS, on radical Islam all say the same thing. The ban on people traveling from those seven majority Muslim states will have a negative effect on our ability to deal with ISIS. That is what they say. Not my view, that is the view of security experts all across the spectrum, from the most conservative to the most progressive and liberal and everybody in between. This makes no sense whatsoever, Mr. President.

We sometimes use the word "half-baked." This is not even beginning the process of being baked. This was put together by somebody that didn't know what they were doing. If they had consulted with policy experts outside of that little cabal in the White House, somebody might have said: Time out, time out, time out. Let's think this through. Why Iraq?

What is going to be the second step here? Easy enough, we are going to set the ban. But what does it mean? What does it mean to Muslim countries around the world that suddenly America is seen as shutting the door—or, shall we say, slamming the door—on Muslims? What does it mean here in the United States? It means that we are not safer. It means that our country is not protected, and, in fact, the action taken is counterproductive. That is what it means.

Who did this? Who is the architect of this policy? Was it the State Department? Apparently not. Was it the Justice Department? We know from the midnight firing—well, I guess it was actually 6 o'clock firing—yesterday of the acting Attorney General that it wasn't the Justice Department. They had an opportunity to review and look at the legality of the ban. They didn't involve themselves, and apparently the military didn't involve themselves.

So who was it that dreamed up this ban on men, women, children, refugees coming from seven countries?

None of the residents and refugees from those countries in the last 40 years has been responsible for one terrorist death in the United States. But those countries from which we know the terrorists came, from 9/11, were not included.

Saudi Arabia, not included in the ban. How is that, if we are worried about this problem of refugees who are

citizens from those countries coming into the United States to carry out terrorist acts? Why didn't you look at Saudi Arabia? That is where most of the 9/11 folks came from. Or maybe Chechnya or Congo or Nigeria.

So who wrote it? Who is responsible? Well, two names have emerged. One, a Mr. Miller, and another, a Mr. Bannon, a Mr. Bannon who is the architect of the emergence of the alt-right. We are not talking about the conservative right. We are talking about the far right White nationalist movement in this Nation.

Mr. Bannon, who became Mr. Trump's campaign chairman, who is now the key person in the White House, not just on political policy, but on national security policy. He is said to have said, in 2013, that he is a Leninist and his goal is to blow up the system. He says he doesn't remember having said that. Well, I will take him at his word. But I do know that what he did with this ban for these seven countries is to make our Nation less safe. That, we know.

And just to double down on this issue of this superconservative fellow Mr. Bannon and his cohort Mr. Miller, just to make clear where we are headed, there has been a reorganization of the National Security Council. These are the men and women that, over the years, have been responsible for making certain that our American policy maximizes our security that deals with international issues of great concern: what to do about China in the South China Sea, what to do about North Korea. How do we handle missile defense? How do we deal with Russia in the Ukraine? The National Security Council.

So what happened yesterday? Well, the President, which he has a right to do, reorganized the National Security Council. And two gentlemen, or two people, that have traditionally been on the National Security Council, who seem to know a little bit about national security, were previously in what is called the principles. These are the handful of people that meet with the President, the key national security leaders.

□ 1900

The Chairman of the Joint Chiefs of Staff is one of them and the Director of the National Intelligence organization—the two of them.

The President says: I don't need you in my little inner circle. Go away. You can be part of the larger thing, and when I want you, I will call you.

The Chairman of the Joint Chiefs of Staff and the person responsible for the collection of our national intelligence—push him aside.

Who came in to take the place of the two people—the Chairman of the Joint Chiefs of Staff and the Director of National Intelligence? Guess who? Mr.

Bannon. Is he a national security expert? He spent a few years in the military decades ago, but now he is sitting as one of the principals on our National Security Council. What is his mindset? Read his history. I wouldn't recommend you go to Breitbart—I wouldn't spend a whole lot of time on that—but there is a history here. There is a history, and it is a dangerous history.

This man is now sitting as the principal voice, because he has the President's ear, on the National Security Council—the fellow, together with Mr. Miller, who is responsible for the ban on immigrants, travelers, and refugees from seven countries, which has become a major international, diplomatic crisis. ISIS is already using that ban—it is right here in the newspaper—to recruit in the Middle East, to recruit in Africa, and to encourage homegrown violence and terrorism here in the United States.

Well done, Mr. Miller.

Well done, Mr. Bannon.

And very bad for our country.

We are in the midst of executive orders, one after another—often two a day. My final concern is one that comes up 25 days from now. Five days ago, Trump went over to the Pentagon and signed yet another executive order. He came out of the meeting and said: We are going to have a new war plan. We are going to wipe ISIS from the face of the Earth, and the Pentagon will deliver to me in 30 days a war plan to wipe ISIS off the face of the Earth.

Action. Action. Action.

Go with care. Be slow to war.

We will see what that plan is. My guess is it will cost millions upon millions—if not billions—of dollars. It will put our troops—boots—back on the ground in Iraq and Syria, and we will start the cycle one more time. We will see. We will see what the Pentagon comes up with in a war plan. We have not been told the specific instructions that the Commander in Chief has given to the Pentagon; but I will tell you that this member of the House Armed Services Committee is very concerned. Keep in mind that our effort against ISIS and al Qaeda is based on a 2001 authorization to use military force in Afghanistan against al Qaeda and related entities. It has been stretched.

One of the things that I am quite concerned about coming out of the Obama administration is that that administration stretched the 2001—a 16-year-old—authorization to use force—a declaration of war against al Qaeda—to justify the American military actions in Iraq, Syria, Liberia, Yemen, Somalia, Afghanistan, and Pakistan.

We will see what the war plan is—we will learn soon enough—and I suspect that this Congress will be asked to finance it. We will be asked to pay for the men and women who will be sent into harm's way and for the munitions

and the airplanes and the other equipment necessary.

I would hope that all of us take a long, long look at this and that we ask this question: If we do that, then what happens next? We didn't ask that question when we went to war in Afghanistan in 2001 and 2002. We didn't ask that question when we invaded Iraq a couple of years later. I am not sure we have asked that question as we reengage ourselves in the current Iraqi war and Syria; but we should always ask: What is the result of our action? What is likely to happen?

We have choices. We have choices to build a wall or to educate our children or to care for our seniors. We have choices about war or not. We have choices about how we deal with people around this world, choices about what we do with refugees—people who are fleeing persecution, fleeing death—who are doing the very, very best they can to care for their families and children in the most desperate of situations. We have a choice. We can slam the door on them and say "tough luck," or we can do what ought to be the American tradition, and that is to provide comfort, to provide assistance, and to show the good part of America.

Mr. President, you have given us 10 days of the most disruptive chaos I have ever seen in my many years in public life. You have a choice, too, Mr. President. You have a choice to take a deep breath, to not try to carry out every one of your campaign promises, most of which I think were ill-founded. You don't have to do it on day 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. You can take a deep breath, and you can think, together with Mr. Bannon or with Mr. Miller or with, perhaps, somebody outside of your little inner circle.

Mr. President, you might ask other people what is the effect of what you are doing. Think about the second level of effect, and slow it down, and be aware that there are consequences. For every action, there is going to be another reaction. We are already seeing that. I am sure you have seen the millions of Americans in the streets protesting about which you have thus far done. Continue on, and you will see more because Americans are concerned. They are frightened.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TAYLOR). Members are reminded to address their remarks to the Chair.

For what purpose does the gentleman from California seek recognition?

Mr. GARAMENDI. I know the courtesy of this House, Mr. Speaker, and we are not supposed to direct our remarks everywhere; so let me amend my remarks.

Mr. Speaker, there are within the White House two individuals who I believe are responsible. So, Mr. Speaker—

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman is not recognized for debate.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON APPROPRIATIONS FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES, COMMITTEE ON APPROPRIATIONS

Washington, DC, January 31, 2017.

Hon. PAUL RYAN, Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 2(a)(2) of House Rule XI, the Committee on Appropriations adopted its rules for the 115th Congress on January 24, 2017, and I submit them now for publication in the Congressional Record.

Sincerely,

RODNEY FRELINGHUYSEN, Chairman.

Resolved, That the rules and practices of the Committee on Appropriations, House of Representatives, in the One Hundred Fourteenth Congress, except as otherwise provided hereinafter, shall be and are hereby adopted as the rules and practices of the Committee on Appropriations in the One Hundred Fifteenth Congress.

The foregoing resolution adopts the following rules:

SEC. 1: POWER TO SIT AND ACT

(a) For the purpose of carrying out any of its functions and duties under rules X and XI of the Rules of the House of Representatives, the Committee and each of its subcommittees is authorized:

(1) To sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it deems necessary; and

(2) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, reports, correspondence, memorandums, papers, and documents as it deems necessary.

(b) The Chairman, or any Member designated by the Chairman, may administer oaths to any witness.

(c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members of the Committee voting, a majority being present. The power to authorize and issue subpoenas under subsection (a)(2) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

(d) Compliance with any subpoena issued by the Committee or its subcommittees may be enforced only as authorized or directed by the House.

SEC. 2: SUBCOMMITTEES

(a) The Majority Caucus of the Committee shall establish the number of subcommittees and shall determine the jurisdiction of each subcommittee.

(b) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee all matters referred to it.

(c) All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks unless, by majority vote of the Majority Members of the full Committee, consideration is to be by the full Committee.

(d) The Majority Caucus of the Committee shall determine an appropriate ratio of Majority to Minority Members for each subcommittee. The Chairman is authorized to negotiate that ratio with the Minority; Provided, however, That party representation in each subcommittee, including ex-officio members, shall be no less favorable to the Majority than the ratio for the full Committee.

(e) The Chairman and Ranking Minority Member of the full Committee are each authorized to sit as a member of all subcommittees and to participate, including voting, in all of the work of the subcommittees.

SEC. 3: STAFFING

(a) Committee Staff—The Chairman is authorized to appoint the staff of the Committee, and make adjustments in the job titles and compensation thereof subject to the maximum rates and conditions established in clause 9(c) of rule X of the Rules of the House of Representatives. In addition, he is authorized, in his discretion, to arrange for their specialized training. The Chairman is also authorized to employ additional personnel as necessary.

(b) Assistants to Members:

(1) Each chairman and ranking minority member of a subcommittee or the full Committee, including a Chairman Emeritus, may select and designate one staff member who shall serve at the pleasure of that Member.

(2) Notwithstanding (b)(1), the Chairman may prescribe such terms and conditions necessary to achieve a reduction in the number of Assistants to Members previously designated by a Member of the Committee prior to the adoption of the Rules of the House establishing the Committee for the 112th Congress.

(3) Staff members designated under this subsection shall be compensated at a rate, determined by the Member, not to exceed 75 per centum of the maximum established in clause 9(c) of Rule X of the Rules of the House of Representatives.

(4) Members designating staff members under this subsection must specifically certify by letter to the Chairman that the employees are needed and will be utilized for Committee work.

SEC. 4: COMMITTEE MEETINGS

(a) Regular Meeting Day—The regular meeting day of the Committee shall be the first Wednesday of each month while the House is in session if notice is given pursuant to paragraph (d)(3).

(b) Additional and Special Meetings:

(1) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(2) If at least three Committee Members desire that a special meeting of the Committee be called by the Chairman, those Members may file in the Committee Offices a written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Upon the filing of the request, the Committee Clerk shall notify the Chairman.

(3) If within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Committee Members may file in the Committee Offices their written notice that a special meeting will be held, specifying the date and hour of such meeting, and the measure or matter to be considered. The Committee shall meet on that date and hour.

(4) Immediately upon the filing of the notice, the Committee Clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Such notice shall also be made publicly available in electronic form and shall be deemed to satisfy paragraph (d)(3). Only the measure or matter specified in that notice may be considered at the special meeting.

(c) Vice Chairman To Preside in Absence of Chairman—A member of the majority party on the Committee or subcommittee thereof designated by the chairman of the full Committee shall be vice chairman of the Committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting of the Committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

(d) Business Meetings:

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee and its subcommittees shall be open to the public except when the Committee or the subcommittee concerned, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed.

(2) No person other than Committee Members and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed.

(3) The Chairman shall announce the date, place, and subject matter of each committee meeting for the transaction of business, which may not commence earlier than the third day on which members have notice thereof, unless the Chairman, with the concurrence of the Ranking Minority Member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the meeting sooner, in which case the Chairman shall make the announcement at the earliest possible date. An announcement shall be published promptly in the Daily Digest and made publicly available in electronic form.

(4) At least 24 hours prior to the commencement of a meeting for the markup of a bill or resolution, or at the time an announcement is made pursuant to the preceding subparagraph within 24 hours before such meeting, the Chairman shall cause the text of such bill or resolution to be made publicly available in electronic form.

(e) Committee Records:

(1) The Committee shall keep a complete record of all Committee action, including a record of the votes on any question on which a roll call is taken. The result of each roll call vote shall be available for inspection by the public during regular business hours in the Committee Offices and also made available in electronic form within 48 hours of

such record vote. The information made available for public inspection shall include a description of the amendment, motion, or other proposition, and the name of each Member voting for and each Member voting against, and the names of those Members present but not voting.

(2) Committee records (including hearings, data, charts, and files) shall be kept separate and distinct from the congressional office records of the Chairman of the Committee. Such records shall be the property of the House, and all Members of the House shall have access thereto.

(3) The records of the Committee at the National Archives and Records Administration shall be made available in accordance with rule VII of the Rules of the House, except that the Committee authorizes use of any record to which clause 3(b)(4) of rule VI of the Rules of the House would otherwise apply after such record has been in existence for 20 years. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of rule VI of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination upon the written request of any Member of the Committee.

(f) Availability of Amendments Adopted—Not later than 24 hours after the adoption of an amendment to a bill or resolution, the Chairman shall cause the text of any amendment adopted thereto to be made publicly available in electronic form.

SEC. 5: COMMITTEE AND SUBCOMMITTEE HEARINGS

(a) Overall Budget Hearings—Overall budget hearings by the Committee, including the hearing required by section 242(c) of the Legislative Reorganization Act of 1970 and clause 4 (a)(1) of rule X of the Rules of the House of Representatives, shall be conducted in open session except when the Committee in open session and with a majority present, determines by roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security; except that the Committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(b) Other Hearings:

(1) All other hearings conducted by the Committee or its subcommittees shall be open to the public except when the Committee or subcommittee in open session and with a majority present determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or Rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present at a hearing conducted by the Committee or any of its subcommittees, there being in attendance the number required under section 5(c) of these rules to be present for the purpose of taking testimony, (1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate clause 2(k)(5) of rule XI of the Rules of the House of Representatives or (2) may vote to close the hearing, as provided in clause 2(k)(5) of such rule. No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing

of the Committee or its subcommittees unless the House of Representatives shall by majority vote authorize the Committee or any of its subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public; Provided, however, That the Committee or its subcommittees may by the same procedure vote to close five subsequent days of hearings.

(2) Subcommittee chairmen shall coordinate the development of schedules for meetings or hearings after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(3) Each witness who is to appear before the Committee or any of its subcommittees as the case may be, insofar as is practicable, shall file in advance of such appearance, a written statement of the proposed testimony and shall limit the oral presentation at such appearance to a brief summary, except that this provision shall not apply to any witness appearing before the Committee in the overall budget hearings.

(4) Each witness appearing in a nongovernmental capacity before the Committee, or any of its subcommittees as the case may be, shall to the greatest extent practicable, submit a written statement including a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof), or contracts or payments originating from a foreign government, received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness and related to the subject matter of the hearing. Such statements, with appropriate redactions to protect the privacy of witnesses, shall be made publicly available in electronic form not later than one day after the witness appears. The disclosure referred to in this paragraph shall include the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing, and the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(c) Quorum for Taking Testimony—The number of Members of the Committee which shall constitute a quorum for taking testimony and receiving evidence in any hearing of the Committee shall be two.

(d) Calling and Interrogation of Witnesses:

(1) The Minority Members of the Committee or its subcommittees shall be entitled, upon request to the Chairman or subcommittee chairman, by a majority of them before completion of any hearing, to call witnesses selected by the Minority to testify with respect to the matter under consideration during at least one day of hearings thereon.

(2) The Committee and its subcommittees shall observe the five-minute rule during the interrogation of witnesses until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

(e) Broadcasting and Photographing of Committee Meetings and Hearings—Whenever a hearing or meeting conducted by the full Committee or any of its subcommittees is open to the public, those proceedings shall

be open to coverage by television, radio, and still photography, and shall be conducted in accordance with the requirements set forth in clause 4(f) of rule XI of the Rules of the House of Representatives. Neither the full Committee Chairman or subcommittee chairman shall limit the number of television or still cameras to fewer than two representatives from each medium (except for legitimate space or safety, in which case pool coverage shall be authorized). To the maximum practicable, the Committee shall provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(f) Subcommittee Meetings—No subcommittee shall sit while the House is reading an appropriation measure for amendment under the five-minute rule or while the Committee is in session.

(g) Public Notice of Committee Hearings—The Chairman of the Committee shall make public announcement of the date, place, and subject matter of any Committee or subcommittee hearing at least one week before the commencement of the hearing. If the Chairman of the Committee or subcommittee, with the concurrence of the ranking minority member of the Committee or respective subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date. Any announcement made under this subsection shall be promptly published in the Daily Digest and made publicly available in electronic form.

SEC. 6: PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a) Prompt Reporting Requirement:

(1) It shall be the duty of the Chairman to report, or cause to be reported promptly to the House any bill or resolution approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, a report on a bill or resolution which the Committee has approved shall be filed within seven calendar days (exclusive of days in which the House is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of Committee Members, for the reporting of such bill or resolution. Upon the filing of any such request, the Committee Clerk shall notify the Chairman immediately of the filing of the request. This subsection does not apply to the reporting of a regular appropriation bill or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(b) Presence of Committee Majority—No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(c) Roll Call Votes—With respect to each roll call vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure of matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter.

(d) Compliance With Congressional Budget Act—A Committee report on a bill or resolution which has been approved by the Committee shall include the statement required

by section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the bill or resolution provides new budget authority.

(e) Changes in Existing Law—Each Committee report on a general appropriation bill shall contain a concise statement describing fully the effect of any provision of the bill which directly or indirectly changes the application of existing law.

(f) Rescissions and Transfers—Each bill or resolution reported by the Committee shall include separate headings for rescissions and transfers of unexpended balances with all proposed rescissions and transfers listed therein. The report of the Committee accompanying such a bill or resolution shall include a separate section with respect to such rescissions or transfers.

(g) Listing of Unauthorized Appropriations—Each Committee report on a general appropriation bill shall contain a list of all appropriations contained in the bill for any expenditure not currently authorized by law for the period concerned (except for classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(h) Duplicative Programs—Each Committee report on a bill or joint resolution that establishes or reauthorizes a Federal program shall contain a statement indicating whether such program is known to be duplicative of another program, pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives.

(i) Supplemental or Minority Views:

(1) If, at the time the Committee approves any measure or matter, any Committee Member gives notice of intention to file supplemental, minority, additional, or dissenting views, all Members shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in writing and signed by the Member, with the Clerk of the Committee. All such views so filed shall be included in and shall be a part of the report filed by the Committee with respect to that measure or matter.

(2) The Committee report on that measure or matter shall be printed in a single volume which—

(i) shall include all supplemental, minority, additional, or dissenting views which have been submitted by the time of the filing of the report, and

(ii) shall have on its cover a recital that any such supplemental, minority, additional, or dissenting views are included as part of the report.

(3) This subsection does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, additional, or dissenting views has been made as provided by such subsection; or

(ii) the filing by the Committee of a supplemental report on a measure or matter which may be required for correction of any technical error in a previous report made by the Committee on that measure or matter.

(4) If, at the time a subcommittee approves any measure or matter for recommendation to the full Committee, any Member of that subcommittee who gives notice of intention to offer supplemental, minority, additional, or dissenting views shall be entitled, insofar

as is practicable and in accordance with the printing requirements as determined by the subcommittee, to include such views in the Committee Print with respect to that measure or matter.

(j) Availability of Reports—A copy of each bill, resolution, or report shall be made available to each Member of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays) in advance of the date on which the Committee is to consider each bill, resolution, or report; Provided, That this subsection may be waived by agreement between the Chairman and the Ranking Minority Member of the full Committee.

(k) Performance Goals and Objectives—Each Committee report shall contain a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.

(l) Motion to go to Conference—The Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

SEC. 7: VOTING

(a) No vote by any Member of the Committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

(b) The vote on any question before the Committee shall be taken by the yeas and nays on the demand of one-fifth of the Members present.

(c) The Chairman of the Committee or the chairman of any of its subcommittees may—

(1) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment;

(2) resume proceedings on a postponed question at any time after reasonable notice.

When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

SEC. 8: STUDIES AND EXAMINATIONS

The following procedure shall be applicable with respect to the conduct of studies and examinations of the organization and operation of Executive Agencies under authority contained in section 202(b) of the Legislative Reorganization Act of 1946 and in clause (3)(a) of rule X of the Rules of the House of Representatives:

(a) The Chairman is authorized to appoint such staff and, in his discretion, arrange for the procurement of temporary services of consultants, as from time to time may be required.

(b) Studies and examinations will be initiated upon the written request of a subcommittee which shall be reasonably specific and definite in character, and shall be initiated only by a majority vote of the subcommittee, with the chairman of the subcommittee and the ranking minority member thereof participating as part of such majority vote. When so initiated such request shall be filed with the Clerk of the Committee for submission to the Chairman and the Ranking Minority Member and their approval shall be required to make the same effective. Notwithstanding any action taken on such request by the chairman and ranking minority member of the subcommittee, a request may be approved by a majority of the Committee.

(c) Any request approved as provided under subsection (b) shall be immediately turned over to the staff appointed for action.

(d) Any information obtained by such staff shall be reported to the chairman of the subcommittee requesting such study and examination and to the Chairman and Ranking Minority Member, shall be made available to the members of the subcommittee concerned, and shall not be released for publication until the subcommittee so determines.

(e) Any hearings or investigations which may be desired, aside from the regular hearings on appropriation items, when approved by the Committee, shall be conducted by the subcommittee having jurisdiction over the matter.

SEC. 9: TEMPORARY INVESTIGATIVE TASK FORCES

(a) The Chairman of the full Committee, in consultation with the Ranking Member of the full Committee, may establish and appoint members to serve on task forces of the Committee, to examine specific activities for a limited period of time in accordance with clause 5(b)(2)(C) of rule X of the Rules of the House.

(b) The Chairman of the full Committee shall issue a written directive, in consultation with the Ranking Member of the full Committee, delineating the specific activities to be reviewed by a task force constituted pursuant to the preceding paragraph.

(c) A task force constituted under this section shall provide a written report of its findings and recommendations to the full Committee Chairman and Ranking Member and members of the relevant subcommittees having jurisdiction over the matters reviewed. Such report shall be approved by a majority vote of the task force and shall include any supplemental, minority, additional, or dissenting views submitted by a Member of the task force or a member of a subcommittee having jurisdiction over the matter reviewed.

(d) Any information obtained during the course of such investigation, and any report produced by, a task force pursuant to this section, shall not be released until the Chairman of the full Committee has authorized such release.

(e) The Chairman is authorized to appoint such staff, and, in his discretion, arrange for the procurement of temporary services, as from time to time may be required.

SEC. 10: OFFICIAL TRAVEL

(a) The chairman of a subcommittee shall approve requests for travel by subcommittee members and staff for official business within the jurisdiction of that subcommittee. The ranking minority member of a subcommittee shall concur in such travel requests by minority members of that subcommittee and the Ranking Minority Member shall concur in such travel requests for Minority Members of the Committee. Requests in writing covering the purpose, itinerary, and dates of proposed travel shall be submitted for final approval to the Chairman. Specific approval shall be required for each and every trip.

(b) The Chairman is authorized during the recess of the Congress to approve travel authorizations for Committee Members and staff, including travel outside the United States.

(c) As soon as practicable, the Chairman shall direct the head of each Government agency concerned to honor requests of subcommittees, individual Members, or staff for travel, the direct or indirect expenses of which are to be defrayed from an executive appropriation, only upon request from the Chairman.

(d) In accordance with clause 8 of rule X of the Rules of the House of Representatives and section 502(b) of the Mutual Security Act of 1954, as amended, local currencies owned by the United States shall be available to Committee Members and staff engaged in carrying out their official duties outside the United States, its territories, or possessions. No Committee Member or staff member shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law.

(e) Travel Reports:

(1) Members or staff shall make a report to the Chairman on their travel, covering the purpose, results, itinerary, expenses, and other pertinent comments.

(2) With respect to travel outside the United States or its territories or possessions, the report shall include: (1) an itemized list showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose; and (2) a summary in these categories of the total foreign currencies and/or appropriated funds expended. All such individual reports on foreign travel shall be filed with the Chairman no later than 60 days following completion of the travel for use in complying with reporting requirements in applicable Federal law, and shall be open for public inspection.

(3) Each Member or employee performing such travel shall be solely responsible for supporting the amounts reported by the Member or employee.

(4) No report or statement as to any trip shall be publicized making any recommendations on behalf of the Committee without the authorization of a majority of the Committee.

(f) Members and staff of the Committee performing authorized travel on official business pertaining to the jurisdiction of the Committee shall be governed by applicable laws or regulations of the House and of the Committee on House Administration pertaining to such travel, and as promulgated from time to time by the Chairman.

SEC. 11. ACTIVITIES REPORTS:

(a) Not later than January 2 of each odd-numbered year, the Committee shall submit to the House a report on the activities of the Committee.

(b) After adjournment sine die of a regular session of Congress, or after December 15, whichever occurs first, the Chairman may file the report with the Clerk of the House at any time and without the approval of the Committee, provided that a copy of the report has been available to each Member of the Committee for at least seven calendar days and the report includes any supplemental, minority, additional, or dissenting views submitted by a Member of the Committee.

PUBLICATION OF COMMITTEE
RULES

RULES OF THE COMMITTEE ON HOUSE
ADMINISTRATION FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, January 30, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 2(a)(2) of House Rule XI, I hereby submit the Rules of the Committee on House Adminis-

tration for publication in the Congressional Record. The Rules were adopted by the Committee in its organizational meeting.

Sincerely,

GREGG HARPER,
Chairman.

RULE NO. 1

GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee so far as applicable, except that a motion to recess from day to day is a privileged motion in the Committee.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under House Rule X and, subject to the adoption of expense resolutions as required by House Rule X, clause 6, to incur expenses (including travel expenses) in connection therewith.

(c) The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee, and to make such information available to the public. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid from the appropriate House account.

(d) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the committee under House Rules X and XI.

(e) The Committee's rules shall be made publicly available in electronic form and published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE NO. 2

REGULAR AND SPECIAL MEETINGS

(a) The regular meeting date of the Committee on House Administration shall be the second Wednesday of every month when the House is in session in accordance with Clause 2(b) of House Rule XI. If the House is not in session on the second Wednesday of a month, the regular meeting date shall be the third Wednesday of that month. Additional meetings may be called by the Chair of the Committee as she or he may deem necessary or at the request of a majority of the members of the Committee in accordance with Clause 2(c) of House Rule XI. The determination of the business to be considered at each meeting shall be made by the Chair subject to Clause 2(c) of House Rule XI. A regularly scheduled meeting may be dispensed with if, in the judgment of the Chair, there is no need for the meeting.

(b) If the Chair is not present at any meeting of the Committee, the ranking member of the majority party who is present shall preside at the meeting.

(c) The Chair, in the case of meetings to be conducted by the Committee shall make public announcement of the date, place, and subject matter of any meeting to be conducted on any measure or matter. Such meeting shall not commence earlier than the third day on which members have notice thereof. If the Chair, with the concurrence of the ranking minority member, determines that there is good cause to begin the meeting sooner, or if the Committee so determines by majority vote, a quorum being present, the Chair shall make the announcement at the earliest possible date. The announcement shall promptly be made publicly available in electronic form and published in the Daily Digest.

(d) The Chair, in the case of meetings to be conducted by the Committee shall make

available on the Committee's web site the text of any legislation to be marked up at a meeting at least 24 hours before such meeting (or at the time of an announcement made within 24 hours of such meeting). This requirement shall also apply to any resolution or regulation to be considered at a meeting.

RULE NO. 3

OPEN MEETINGS

As required by Clause 2(g), of House Rule XI, each meeting for the transaction of business, including the markup of legislation of the Committee shall be open to the public except when the Committee in open session and with a quorum present determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House. Provided, however, that no person other than members of the Committee, and such congressional staff and such other persons as the Committee may authorize, shall be present in any business or markup session which has been closed to the public. To the maximum extent practicable, the Chair shall cause to be provided audio and video coverage of each hearing or meeting that allows the public to easily listen to and view the proceedings and maintain the recordings of such coverage in a manner that is easily accessible to the public.

RULE NO. 4

RECORDS AND RECALLS

(a)(1) A record vote shall be held if requested by any member of the Committee.

(2) The result of each record vote in any meeting of the Committee shall be made available for inspection by the public at reasonable times at the Committee offices, including a description of the amendment, motion, order or other proposition; the name of each member voting for and against; and the members present but not voting.

(3) The Chairman shall make the record of the votes on any question on which a record vote is demanded available on the Committee's website not later than 48 hours after such vote is taken (excluding Saturdays, Sundays, and legal holidays). Such record shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the Committee present but not voting.

(4) The Chairman shall make available on the Committee's website not later than 24 hours (excluding Saturdays, Sundays, and legal holidays) after the adoption of any amendment to a measure or matter the text of such amendment.

(b)(1) Subject to subparagraph (2), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chair may resume proceedings on a postponed request at any time.

(2) In exercising postponement authority under subparagraph (1), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote.

(3) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject

to further debate or amendment to the same extent as when the question was postponed.

(c) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chair; and such records shall be the property of the House and all members of the House shall have access thereto.

(d) House records of the Committee which are at the National Archives shall be made available pursuant to House Rule VII. The Chairman shall notify the ranking minority member of any decision to withhold a record pursuant to the rule, and shall present the matter to the Committee upon written request of any Committee member.

(e) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

RULE NO. 5

PROXIES

No vote by any member in the Committee may be cast by proxy.

RULE NO. 6

POWER TO SIT AND ACT; SUBPOENA POWER

(a) For the purpose of carrying out any of its functions and duties under House Rules X and XI, the Committee is authorized (subject to subparagraph (b)(1) of this paragraph)—

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, documents and other materials as it deems necessary, including materials in electronic form. The Chair, or any member designated by the Chair, may administer oaths to any witness.

(b)(1) A subpoena may be authorized and issued by the Committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. The power to authorize and issue subpoenas under subparagraph (a)(2) may be delegated to the Chair pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(2) Compliance with any subpoena issued by the Committee may be enforced only as authorized or directed by the House.

RULE NO. 7

QUORUMS

No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present. For the purposes of taking any action other than reporting any measure, issuance of a subpoena, closing meetings, promulgating Committee orders, or changing the rules of the Committee, one-third of the members of the Committee shall constitute a quorum. For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

RULE NO. 8

AMENDMENTS

Any amendment offered to any pending legislation before the Committee must be made available in written form when requested by any member of the Committee. If such amendment is not available in written

form when requested, the Chair will allow an appropriate period of time for the provision thereof.

RULE NO. 9

HEARING PROCEDURES

(a) The Chair, in the case of hearings to be conducted by the Committee shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one (1) week before the commencement of that hearing. If the Chair, with the concurrence of the ranking minority member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present, the Chair shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) Unless excused by the Chair, each witness who is to appear before the Committee shall file with the clerk of the Committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony and shall limit his or her oral presentation to a summary of his or her statement.

(c) When any hearing is conducted by the Committee upon any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chair by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) Reserved.

(e) Committee members may question witnesses only when they have been recognized by the Chair for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member can be extended as provided by House Rules. The questioning of a witness in Committee hearings shall be initiated by the Chair, followed by the ranking minority member and all other members alternating between the majority and minority. In recognizing members to question witnesses in this fashion, the Chair shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority. The Chair may accomplish this by recognizing two majority members for each minority member recognized.

(f) The following additional rules shall apply to hearings of the Committee as applicable:

(1) The Chair at a hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the Committee rules and this clause shall be made available to each witness as provided by clause 2(k)(2) of Rule XI.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The Chair may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House for contempt.

(5) If the Committee determines that evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, it shall—

(A) afford such person an opportunity voluntarily to appear as a witness;

(B) receive such evidence or testimony in executive session; and

(C) receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (f)(5), the Chair shall receive and the Committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee.

(8) In the discretion of the Committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee.

RULE NO. 10

PROCEDURES FOR REPORTING MEASURES OR MATTERS

(a)(1) It shall be the duty of the Chair to report or cause to be reported promptly to the House any measure approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, the report of the Committee on a measure which has been approved by the Committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chair notice of the filing of that request.

(b)(1) No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present.

(2) With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) The report of the Committee on a measure or matter which has been approved by the Committee shall include the matters required by Clause 3(c) of Rule XIII of the Rules of the House.

(d) If, at the time any measure or matter is ordered reported by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, additional, or dissenting views, that member shall be entitled to not less than two additional calendar days after the day of such notice, commencing on the day on which the measure or matter(s) was approved, excluding Saturdays, Sundays, and legal holidays, in which to file such views, in writing and signed by that member, with the clerk of the Committee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter. The report of the Committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, additional or dissenting views, in the

form submitted, by the time of the filing of the report, and

(2) shall bear upon its cover a recital that any such supplemental, minority, additional, or dissenting views (and any material submitted under subparagraph (c)) are included as part of the report. This subparagraph does not preclude—

(A) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, additional, or dissenting views has been made as provided by paragraph (c); or

(B) the filing of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by the Committee upon that measure or matter.

(3) shall, when appropriate, contain the documents required by Clause 3(e) of Rule XIII of the Rules of the House.

(e) The Chair, following consultation with the ranking minority member, is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House, relating to going to conference with the Senate, whenever the Chair considers it appropriate.

(f) If hearings have been held on any such measure or matter so reported, the Committee shall make every reasonable effort to have such hearings published and available to the members of the House prior to the consideration of such measure or matter in the House.

(g) The Chair may designate any majority member of the Committee to act as “floor manager” of a bill or resolution during its consideration in the House.

RULE NO. 11

COMMITTEE OVERSIGHT

The Committee shall conduct oversight of matters within the jurisdiction of the Committee in accordance with House Rule X, clause 2 and clause 4. Not later than February 15 of the first session of a Congress, the Committee shall, in a meeting that is open to the public and with a quorum present, adopt its authorization and oversight plan for that Congress in accordance with House Rule X, clause 2(d).

RULE NO. 12

REVIEW OF CONTINUING PROGRAMS; BUDGET ACT PROVISIONS

(a) The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriation for continuing programs and activities of the Federal Government will be made annually to the maximum extent feasible and consistent with the nature, requirement, and objectives of the programs and activities involved. For the purposes of this paragraph a Government agency includes the organizational units of government listed in Clause 4(e) of Rule X of House Rules.

(b) The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) The Committee shall, on or before February 25 of each year, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting there from, to be provided or authorized

in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocation made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

RULE NO. 13

BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Whenever any hearing or meeting conducted by the Committee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause 4 of House Rule XI, subject to the limitations therein. Operation and use of any Committee Internet broadcast system shall be fair and non-partisan and in accordance with Clause 4(b) of rule XI and all other applicable rules of the Committee and the House.

RULE NO. 14

COMMITTEE STAFF

The staff of the Committee on House Administration shall be appointed as follows:

(a) The staff shall be appointed by the Chair except as provided in paragraph (b), and may be removed by the Chair, and shall work under the general supervision and direction of the Chair;

(b) All staff provided to the minority party members of the Committee shall be appointed by the ranking minority member, and may be removed by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member;

(c) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of Rule X of the Rules of the House;

(d) The Chair shall fix the compensation of all staff of the Committee, after consultation with the ranking minority member regarding any minority party staff, within the budget approved for such purposes for the Committee.

RULE NO. 15

TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel for any member or any staff member shall be paid only upon the prior authorization of the Chair or her or his designee. Travel may be authorized by the Chair for any member and any staff member in connection with the attendance at hearings conducted by the Committee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the

Committee. Before such authorization is given there shall be submitted to the Chair in writing the following:

(1) The purpose of the travel;

(2) The dates during which the travel will occur;

(3) The locations to be visited and the length of time to be spent in each; and

(4) The names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the Committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee, prior authorization must be obtained from the Chair. Before such authorization is given, there shall be submitted to the Chair, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of the travel;

(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, members and staff attending meetings or conferences shall submit a written report to the Chair covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel.

RULE NO. 16

Reserved.

RULE NO. 17

Reserved.

RULE NO. 18

OTHER PROCEDURES AND REGULATIONS

The Chair may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

RULE NO. NO. 19

DESIGNATION OF CLERK OF THE COMMITTEE

For the purposes of these rules and the Rules of the House of Representatives, the staff director of the Committee shall act as the clerk of the Committee.

ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 1, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

414. A letter from the Program Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Economic Growth and Regulatory Paperwork Reduction Act of 1996 Amendments [Docket ID: OCC-2016-0002] (RIN: 1557-AD95F) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

415. A letter from the Chairman and President, Export-Import Bank of the U.S., transmitting the Annual Report to Congress on the operations of the Export-Import Bank of the United States for Fiscal Year 2016, pursuant to 12 U.S.C. 635g(a); July 31, 1945, ch. 341, Sec. 8(a) (as amended by Public Law 93-646, Sec. 10) (88 Stat. 2336); to the Committee on Financial Services.

416. A letter from the Chief, Satellite Division, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Terrestrial Use of the 2473-2495 MHz Band for Low-Power Mobile Broadband Networks; Amendments to Rules for the Ancillary Terrestrial Component of Mobile Satellite Service Systems [IB Docket No.: 13-213] (RM-11685) received January 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

417. A letter from the Secretary, Board of Governors, United States Postal Service, transmitting a report, by the Board of Governors, as required by Sec. 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

418. A letter from the Director, Congressional Budget Office, transmitting the waiver of the deduction of pay requirement for a reemployed annuitant, pursuant to 5 U.S.C. 8344(k); to the Committee on Oversight and Government Reform.

419. A letter from the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting the Department's FY 2016 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

420. A letter from the Legal Counsel, Equal Employment Opportunity Commission, transmitting a notification of a federal designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

421. A letter from the Director, Federal Housing Finance Agency, transmitting the Agency's FY 2016, No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a); (116 Stat. 569); to the Committee on Oversight and Government Reform.

422. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "D.C. Spent \$41 Million in Emergency Contingency Funds Responding to Winter Storm Jonas, and Could Have Saved Money Through Negotiation and Improved Management of Retainer Contracts"; to the Committee on Oversight and Government Reform.

423. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Commercial Retention Limit for Blacknose Sharks and Non-Blacknose Small Coastal Sharks in the Atlantic Region [Docket No.: 160129062-6999-02] (RIN: 0648-BF49) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

424. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Revision of Bycatch Reduction Device Testing Manual [Docket No.: 160815740-6740-01] (RIN: 0648-BG28-X) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

425. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Tuna and Tuna-Like Species in the Eastern Pacific Ocean; Silky Shark Fishing Restrictions and Fish Aggregating Device Data Collection and Identification [Docket No.: 160801681-6999-02] (RIN: 0648-BG22) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

426. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Scup Fishery; Framework Adjustment 9 [Docket No.: 160615524-6999-02] (RIN: 0648-BG13) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

427. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery Off the Southern Atlantic States; Regulatory Amendment 16 [Docket No.: 131113952-6999-02] (RIN: 0648-BD78) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

428. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Specification of Management Measures for Atlantic Herring for the 2016-2018 Fishing Years [Docket No.: 151215999-6960-02] (RIN: 0648-BF64) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

429. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Allow the Use of Longline Pot Gear in the Gulf of Alaska Sablefish Individual Fishing Quota Fishery; Amendment 101 [Docket No.: 151001910-6999-02] (RIN: 0648-BF42) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

430. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program [Docket No.: 160617541-6999-02] (RIN: 0648-BG15) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

431. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; National Standard Guidelines [Docket No.: 120416013-6270-03] (RIN: 0648-BB92) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

432. A letter from the Director, NMFS, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting the 2016 Report to Congress on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees and on Apportionment of Membership on the Regional Fishery Management Councils, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, Secs. 302(b)(2)(B) and 302(j)(9); to the Committee on Natural Resources.

433. A letter from the Vice Chairman and Executive Director, Administrative Conference of the United States, transmitting Recommendations Adopted by the Administrative Conference of the United States in 2016 at its 65th and 66th plenary sessions; to the Committee on the Judiciary.

434. A letter from the Staff Director, Commission on Civil Rights, transmitting a copy of the charter for the U.S. Commission on Civil Rights state advisory committees, pursuant to the Federal Advisory Committee Act, 41 C.F.R. Sec. 102-3.70; to the Committee on the Judiciary.

435. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Civil Monetary Penalty Inflation Adjustment [Docket ID: DOD-2016-OS-0045] (RIN: 0790-ZA12) received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

436. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Civil Monetary Penalty Adjustments for Inflation [Docket No.: DHS-2016-0034] (RIN 1601-AA80) received January 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

437. A letter from the Secretary, Department of Labor, transmitting a letter written

in response to the Office of the Ombudsman's 2014 Annual Report that was filed with Congress on January 8, 2016, pursuant to 42 U.S.C. 7385s-15(e)(4); Public Law 106-398, Sec. 1 (as amended by Public Law 113-291, Sec. 3141(b)); (128 Stat. 3899); to the Committee on the Judiciary.

438. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Blue Mesa, CO [Docket No.: FAA-2016-7043; Airspace Docket No.: 16-ANM-6] received January 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

439. A letter from the Chief, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's interim final rule — Fertility Counseling and Treatment for Certain Veterans and Spouses (RIN: 2900-AP94) received January 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

440. A letter from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting the Department's Privacy Office's Fiscal Year 2016 Semiannual Report to Congress, as required by Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007; to the Committee on Homeland Security.

441. A letter from the Deputy Inspector General for Audit Services, Office of the Inspector General, Department of Health and Human Services, transmitting a report titled "Review of Medicare Contractor Information Security Program Evaluations for Fiscal Year 2015", pursuant to 42 U.S.C. 1395kk-1(e)(2)(C)(ii); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1874A(e)(2)(C)(ii) (as amended by Public Law 108-173, Sec. 912(a)); (117 Stat. 2388); jointly to the Committees on Energy and Commerce and Ways and Means.

442. A letter from the Executive Director and Chair, World War I Centennial Commission, transmitting the Commission's periodic report for the period ended December 31, 2016, pursuant to Public Law 112-272, Sec. 5(b)(1); (126 Stat. 2450); jointly to the Committees on Oversight and Government Reform and Natural Resources.

443. A letter from the Executive Director and Chair, World War I Centennial Commission, transmitting the Commission's periodic report for the period ended June 30, 2016, pursuant to Public Law 112-272, Sec. 5(b)(1); (126 Stat. 2450); jointly to the Committees on Oversight and Government Reform and Natural Resources.

444. A letter from the Executive Director and Chair, World War I Centennial Commission, transmitting the Commission's periodic report for the period ended September 30, 2016, pursuant to Public Law 112-272, Sec. 5(b)(1); (126 Stat. 2450); jointly to the Committees on Oversight and Government Reform and Natural Resources.

445. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Presidential Memorandum regarding construction of the Keystone XL Pipeline; jointly to the Committees on Foreign Affairs, Natural Resources, Transportation and Infrastructure, and Energy and Commerce.

for printing and reference to the proper calendar, as follows:

Mr. COLE, Committee on Rules, House Resolution 74, Resolution providing for consideration of the joint resolution (H.J. Res. 36) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation", and providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation (Rept. 115-8). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Washington (for himself, Mrs. DAVIS of California, Mr. COOPER, Ms. BORDALLO, Ms. SPEIER, Mr. O'ROURKE, Mr. KHANNA, Mr. HECK, and Mr. VISLOSKEY):

H.R. 753. A bill to establish a fair and transparent process that will result in the timely consolidation, closure, and realignment of military installations inside the United States and will realize improved efficiencies in the cost and management of military installations, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEWART (for himself and Ms. MENG):

H.R. 754. A bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East; to the Committee on Financial Services.

By Mr. SANFORD (for himself, Mr. MEADOWS, and Ms. PINGREE):

H.R. 755. A bill to amend the REAL ID Act of 2005 to remove the provision requiring each State to provide all other States with electronic access to information contained in the motor vehicle database of the State, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ (for himself, Mr. CUMMINGS, Mr. MEADOWS, Mr. LYNCH, Mr. CONNOLLY, and Mr. ROSS):

H.R. 756. A bill to restore the financial solvency and improve the governance of the United States Postal Service in order to ensure the efficient and affordable nationwide delivery of mail, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY:

H.R. 757. A bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 3.2 percent, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SCHNEIDER (for himself and Mr. YOHO):

H.R. 758. A bill to amend title 38, United States Code, to authorize veterans who are entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to use such entitlement to participate in a career transition internship program for veterans; to the Committee on Veterans' Affairs.

By Mr. ELLISON (for himself and Mr. RENACCI):

H.R. 759. A bill to prohibit the Secretary of Labor from enforcing any requirement that consumer reporting agencies that serve only as a secure conduit to data from State unemployment compensation agencies obtain and maintain an individual's informed consent agreement when verifying income and employment with such agencies, and for other purposes; to the Committee on Ways and Means.

By Mr. LYNCH (for himself and Mr. MCKINLEY):

H.R. 760. A bill to amend title 5, United States Code, to provide for certain index fund investments from the Postal Service Retiree Health Benefits Fund, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RENACCI (for himself, Mr. POCAN, Mr. KILMER, Mr. KELLY of Pennsylvania, and Mr. BUCSHON):

H.R. 761. A bill to prohibit the use of premiums paid to the Pension Benefit Guaranty Corporation as an offset for other Federal spending; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. SHERMAN, and Mr. GARAMENDI):

H.R. 762. A bill to provide for the restoration of legal rights for claimants under holocaust-era insurance policies; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIQUIN (for himself and Ms. PINGREE):

H.R. 763. A bill to clarify the boundary of Acadia National Park, and for other purposes; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ:

H.R. 764. A bill to amend the Internal Revenue Code of 1986 to provide incentives for employer-provided employee housing assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. SERRANO, Mr. MEEKS, and Mr. JEFFRIES):

H.R. 765. A bill to authorize programs and activities to support transportation options in areas that are undergoing extensive repair or reconstruction of transportation infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. VELÁZQUEZ:

H.R. 766. A bill to amend title XVIII of the Social Security Act to establish a pilot program to expand telehealth options under the Medicare program for individuals residing in public housing located in health professional

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

shortage areas, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. KINZINGER, Mr. CÁRDENAS, and Mrs. WAGNER):

H.R. 767. A bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system; to the Committee on Energy and Commerce.

By Mr. DIAZ-BALART:

H.R. 768. A bill to require the United States Postal Service to designate a single, unique ZIP code for Miami Lakes, Florida; to the Committee on Oversight and Government Reform.

By Ms. GRANGER (for herself and Mr. ZELDIN):

H.R. 769. A bill to prohibit voluntary or assessed contributions to the United Nations until the President certifies to Congress that United Nations Security Council Resolution 2334 has been repealed; to the Committee on Foreign Affairs.

By Mr. HIMES (for himself, Mr. POSEY, Mr. KING of New York, Mr. COOPER, Mr. JOYCE of Ohio, Mr. FLEISCHMANN, and Mr. ROE of Tennessee):

H.R. 770. A bill to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes; to the Committee on Financial Services.

By Ms. LEE (for herself, Ms. SCHA-KOWSKY, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Miss RICE of New York, Mr. CUMMINGS, Mr. MEEKS, Mr. GRIJALVA, Ms. MOORE, Mr. SMITH of Washington, Ms. NORTON, Ms. BONAMICI, Mr. FOSTER, Mr. MOULTON, Mr. QUIGLEY, Ms. WASSERMAN SCHULTZ, Ms. MCCOLLUM, Ms. PINGREE, Mr. CAPUANO, Mr. KILDEE, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE of New York, Mr. YARMUTH, Mr. NADLER, Mrs. NAPOLITANO, Mr. RYAN of Ohio, Ms. MENG, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. ELLISON, Mr. LOWENTHAL, Mr. O'ROURKE, Mr. PRICE of North Carolina, Mr. TAKANO, Ms. DEGETTE, Mr. DEUTCH, Mr. SCHIFF, Ms. DELBENE, Mr. NORCROSS, Mr. GUTIERREZ, Ms. DELAURO, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. LEWIS of Georgia, Ms. BROWNLEY of California, Mr. CICILLINE, Mr. BLUMENAUER, Ms. TITUS, Ms. CASTOR of Florida, Ms. SPEIER, Mr. SERRANO, Mr. TED LIEU of California, Mr. ENGEL, Ms. SLAUGHTER, Ms. MATSUI, Mr. TONKO, Mr. AGUILAR, Mr. CLAY, Mr. SCOTT of Virginia, Ms. FRANKEL of Florida, Mr. VEASEY, Mr. CÁRDENAS, Mr. DANNY K. DAVIS of Illinois, Mr. KENNEDY, Mr. MCGOVERN, Ms. SÁNCHEZ, Ms. JUDY CHU of California, Mr. COHEN, Mr. CONYERS, Mr. BEYER, Mr. PERLMUTTER, Ms. ADAMS, Ms. JAYAPAL, Mr. SWALWELL of California, Ms. LOFGREN, Mr. HECK, Mrs. LOWEY, Mr. HASTINGS, Mr. BERA, Mr. DOGGETT, Mrs. LAWRENCE, Mr. RICH-

MOND, Ms. WILSON of Florida, Mr. KEATING, Mrs. BEATTY, Mr. PAYNE, Mr. THOMPSON of California, Mr. SCHNEIDER, Mrs. DAVIS of California, Mr. HUFFMAN, Mr. SEAN PATRICK MALONEY of New York, Ms. KELLY of Illinois, Mr. KHANNA, Ms. TSONGAS, Mr. MCNERNEY, Mr. BUTTERFIELD, Mr. POCAN, Ms. ESTY, Mr. GALLEGO, Mr. PALLONE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. FUDGE, Mr. EVANS, Mr. PETERS, and Mrs. TORRES):

H.R. 771. A bill to ensure affordable abortion coverage and care for every woman, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCMORRIS RODGERS (for herself, Mr. ALLEN, Mr. BARLETTA, Mr. BLUM, Mr. BUCSHON, Mr. CÁRDENAS, Mr. COLLINS of New York, Mr. COLLINS of Georgia, Mr. CRAWFORD, Mr. CUELLAR, Mr. GOSAR, Mr. HARRIS, Mrs. HARTZLER, Mr. HUDSON, Ms. JENKINS of Kansas, Mr. JONES, Mr. KIND, Mr. LATTA, Mr. MOOLENAAR, Mr. MOONEY of West Virginia, Mr. MULLIN, Mr. NEWHOUSE, Mr. PEARCE, Mr. POE of Texas, Mr. ROTHFUS, Ms. SINEMA, Mr. SMITH of New Jersey, Ms. STEFANK, Mr. VALADAO, Mrs. WAGNER, Mr. WALBERG, Mrs. WALORSKI, Mrs. MIMI WALTERS of California, Mr. WALZ, Mr. WESTERMAN, and Mr. YOUNG of Iowa):

H.R. 772. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A; to the Committee on Energy and Commerce.

By Ms. MENG:

H.R. 773. A bill to require the Department of Defense to utilize managed print services; to the Committee on Armed Services.

By Ms. MENG:

H.R. 774. A bill to remove the limitation on Medicaid coverage of tobacco cessation non-prescription drugs; to the Committee on Energy and Commerce.

By Mr. MOOLENAAR:

H.R. 775. A bill to amend the Internal Revenue Code of 1986 to inflation adjust the \$5,000 limitation with respect to dependent care assistance programs and flexible spending arrangements; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 776. A bill to require that until a comprehensive study is completed, the volume of cellulosic biofuel mandated under the renewable fuel program be limited to what is commercially available, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 777. A bill to provide for a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes; to the Committee on Science,

Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Mr. SIMPSON, Mr. DUFFY, Mr. COURTNEY, Mr. VALADAO, and Ms. DELBENE):

H.R. 778. A bill to require enforcement against misbranded milk alternatives; to the Committee on Energy and Commerce.

By Mr. WITTMAN:

H.R. 779. A bill to restrict United States nationals from traveling to countries in which foreign governments or anti-government forces allow foreign terrorist organizations to engage in armed conflict for purposes of participating in such armed conflict or from providing material support to entities that are engaged in such armed conflict, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LABRADOR (for himself, Mr. BROOKS of Alabama, Mr. SCHWEIKERT, Mr. DESJARLAIS, Mr. RICE of South Carolina, Mr. DUNCAN of South Carolina, Mr. BABIN, Mr. BYRNE, Mr. BUDD, Mr. DAVIDSON, Mr. ZELDIN, Mr. HUDSON, and Mr. JODY B. HICE of Georgia):

H.J. Res. 50. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms a Representative or Senator may serve; to the Committee on the Judiciary.

By Mr. ROE of Tennessee (for himself, Mr. RUIZ, Mr. ROKITA, Mr. MEEHAN, Mrs. BLACKBURN, Mr. GOSAR, Mr. JODY B. HICE of Georgia, Mr. TIPTON, Mrs. WALORSKI, Mr. FARENTHOLD, Mr. PALAZZO, Mr. CARTER of Georgia, Mr. WILSON of South Carolina, Mr. BILIRAKIS, Mr. COSTELLO of Pennsylvania, Mr. WILLIAMS, Mr. GOHMERT, Mr. KELLY of Pennsylvania, Mr. EMMER, Mr. WEBSTER of Florida, Mr. JOHNSON of Ohio, Mr. ROYCE of California, Mr. DUNCAN of South Carolina, Mr. PEARCE, Mr. HILL, Mr. BARLETTA, Mr. BUCSHON, Mr. CULBERSON, Mr. MOOLENAAR, Mr. BURGESS, Mr. ABRAHAM, Mr. LONG, Mr. TURNER, Mr. MESSER, Mr. YOHO, Mr. PITTENGER, Mr. DIAZ-BALART, Mr. MURPHY of Pennsylvania, Mr. LUETKEMEYER, Mrs. COMSTOCK, Mr. YODER, Mr. FLORES, Mrs. BLACK, Mr. SMITH of Nebraska, Mr. SAM JOHNSON of Texas, Mr. LATTA, Mr. HENSARLING, Mr. GIBBS, Mr. HURD, Mr. GOWDY, Mr. MCCLINTOCK, and Mr. BARR):

H.J. Res. 51. A joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEWHOUSE (for himself, Mr. PEARCE, Mr. GOSAR, Mr. GOHMERT, Mr. CRAMER, Mrs. RADEWAGEN, Mr. SESSIONS, and Mr. BIGGS):

H.J. Res. 52. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the United States Fish and Wildlife Service relating to "Mitigation Policy"; to the Committee on Natural Resources.

By Ms. SPEIER (for herself, Ms. ADAMS, Ms. BARRAGAN, Mrs. BEATTY, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CUMMINGS, Mr. DEFazio, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FOSTER, Mr. GARAMENDI, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HIGGINS of New York, Mr. HUFFMAN, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE, Mr. TED LIEU of California, Mr. LOEBSACK, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MEEKS, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NORCROSS, Ms. NORTON, Mr. PASCRELL, Ms. PINGREE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Miss RICE of New York, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHRADER, Mr. SERRANO, Ms. SINEMA, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. TAKANO, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VARGAS, Mr. VEASEY, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Mr. YARMUTH, Ms. FUDGE, Mr. COURTNEY, Mrs. DAVIS of California, Mr. EVANS, Mr. CARSON of Indiana, Mr. DANNY K. DAVIS of Illinois, Mr. LEVIN, Ms. WILSON of Florida, Mr. AL GREEN of Texas, Mr. PETERS, Mr. HECK, Mr. CAPUANO, Mr. HIMES, Ms. CASTOR of Florida, Mr. JOHNSON of Georgia, Mr. PERLMUTTER, Ms. KUSTER of New Hampshire, Mr. GALLEGRO, Ms. JACKSON LEE, Mrs. LAWRENCE, Mr. HASTINGS, Mrs. LOWEY, Mr. THOMPSON of California, Mr. RUIZ, Mr. SHERMAN, Mr. PAYNE, Mr. PALLONE, Mr. NOLAN, Mr. SIRES, Mr. MCGOVERN, Mr. KIHUEN, and Mrs. WATSON COLEMAN):

H.J. Res. 53. A joint resolution removing the deadline for the ratification of the equal rights amendment; to the Committee on the Judiciary.

By Mr. ROKITA:

H.J. Res. 54. A joint resolution disapproving the rule submitted by the Department of the Treasury and the Internal Revenue Service relating to documentation requirements for certain related-party interests in a corporation to be treated as indebtedness; to the Committee on Ways and Means.

By Mr. STEWART (for himself, Mr. GOSAR, Mr. GOHMERT, Mrs. RADEWAGEN, Mr. CRAMER, and Mr. BIGGS):

H.J. Res. 55. A joint resolution providing for congressional disapproval under chapter 8

of title 5, United States Code, of the final rule of the Office of Natural Resources Revenue relating to "Amendments to Civil Penalty Regulations"; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MAXINE WATERS of California (for herself, Ms. JUDY CHU of California, Ms. LEE, Ms. SCHAKOWSKY, Mr. NADLER, Ms. CLARKE of New York, Ms. BARRAGAN, Mrs. WATSON COLEMAN, and Ms. JACKSON LEE):

H. Con. Res. 15. Concurrent resolution asserting that Congress should expend the resources necessary to investigate thoroughly the nature and extent of Russian interference in the 2016 presidential election, including whether there was collusion between persons associated with the Russian government and persons associated with the presidential campaign of Donald J. Trump to influence the outcome of the election; to the Committee on House Administration, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER (for himself and Mr. DEFazio):

H. Res. 73. A resolution providing amounts for the expenses of the Committee on Transportation and Infrastructure in the One Hundred Fifteenth Congress; to the Committee on House Administration.

By Ms. DELAURO (for herself, Mr. SMITH of Washington, Ms. MENG, Ms. JUDY CHU of California, Ms. ROYBAL-ALLARD, Ms. MOORE, Ms. BORDALLO, Ms. SCHAKOWSKY, Mr. TONKO, Mr. PRICE of North Carolina, Mr. POCAN, Ms. JACKSON LEE, Mr. COHEN, and Ms. BROWNLEY of California):

H. Res. 75. A resolution expressing the sense of the House of Representatives regarding sexually exploited and trafficked girls in the United States; to the Committee on the Judiciary.

By Mr. NUNES (for himself and Mr. SCHIFF):

H. Res. 76. A resolution providing amounts for the expenses of the Permanent Select Committee on Intelligence in the One Hundred Fifteenth Congress; to the Committee on House Administration.

By Mr. THOMAS J. ROONEY of Florida (for himself and Mr. HASTINGS):

H. Res. 77. A resolution encouraging the development of best business practices to fully utilize the potential of the United States; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. PELOSI introduced a bill (H.R. 780) for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Washington:

H.R. 753.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defense", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. STEWART:

H.R. 754.

Congress has the power to enact this legislation pursuant to the following:

Article one, Section eight.

By Mr. SANFORD:

H.R. 755.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. CHAFFETZ:

H.R. 756.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

To establish Post Offices and post Roads.

By Mr. CONNOLLY:

H.R. 757.

Congress has the power to enact this legislation pursuant to the following:

The "necessary and proper" clause of Article I, Section 8 of the United States Constitution

By Mr. SCHNEIDER:

H.R. 758.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ELLISON:

H.R. 759.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1.

By Mr. LYNCH:

H.R. 760.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 and Article I, Section 8, Clause 18

By Mr. RENACCI:

H.R. 761.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

Article 1, Section 5, Clause 2: Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

By Ms. ROS-LEHTINEN:

H.R. 762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. POLIQUIN:

H.R. 763.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Ms. VELÁZQUEZ:

H.R. 764.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. VELÁZQUEZ:

H.R. 765.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 766.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. COHEN:

H.R. 767.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DIAZ-BALART:

H.R. 768.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Ms. GRANGER:

H.R. 769.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution that the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. HIMES:

H.R. 770.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 5: "To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Ms. LEE:

H.R. 771.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subse-

quent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. McMORRIS RODGERS:

H.R. 772.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 as applied to providing for the general welfare of the United States through the administration of the Federal Food, Drug, and Cosmetic Act.

By Ms. MENG:

H.R. 773.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. MENG:

H.R. 774.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. MOOLENAAR:

H.R. 775.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 776.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SENSENBRENNER:

H.R. 777.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. WELCH:

H.R. 778.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WITTMAN:

H.R. 779.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests in the preamble of the Constitution providing for the "common defense" and in the powers governing national security in Article I, Section 8.

By Ms. PELOSI:

H.R. 780.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution provides that Congress shall have power to "establish a uniform Rule of Naturalization". The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in *Galvan v. Press*, 347 U.S. 522, 531 (1954), "that the formulation of policies [pertaining to the entry of aliens and their right to remain here] is entrusted exclusively to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government." And, as the Court found in *Kleindienst v. Mandel*, 408 U.S. 753, 766 (1972) (quoting *Boutilier v. INS*, 387 U.S. 118, 123 (1967)), "[t]he Court without exception has sustained Congress' plenary power to make rules for the admission of

aliens and to exclude those who possess those characteristics which Congress has forbidden."

By Mr. LABRADOR:

H.J. Res. 50.

Congress has the power to enact this legislation pursuant to the following:

Article 5: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress;

By Mr. ROE of Tennessee:

H.J. Res. 51.

Congress has the power to enact this legislation pursuant to the following:

The repeal of this provision is consistent with the powers that are reserved to the States and to the people as expressed in Amendment X to the United States Constitution.

By Mr. NEWHOUSE:

H.J. Res. 52.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Ms. SPEIER:

H.J. Res. 53.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. ROKITA:

H.J. Res. 54.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause I

By Mr. STEWART:

H.J. Res. 55.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying in Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United State, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

- H.R. 38: Mr. ROTHFUS.
- H.R. 58: Ms. LEE and Mr. PAYNE.
- H.R. 76: Mr. ABRAHAM.
- H.R. 80: Mr. SAM JOHNSON of Texas.
- H.R. 82: Mr. BUDD and Mr. MARCHANT.
- H.R. 165: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
- H.R. 166: Mr. SOTO.
- H.R. 167: Mr. COHEN and Ms. MOORE.
- H.R. 173: Mr. HIGGINS of Louisiana, Mr. SOTO, Mrs. ROBY, and Ms. NORTON.
- H.R. 202: Mr. SERRANO.
- H.R. 203: Mr. COHEN.
- H.R. 217: Mrs. ROBY, Mr. MURPHY of Pennsylvania, and Mr. AMASH.
- H.R. 233: Mr. BACON and Mr. KING of New York.
- H.R. 257: Mrs. WALORSKI.

- H.R. 275: Mr. FITZPATRICK.
 H.R. 312: Ms. DELBENE.
 H.R. 338: Mr. MCKINLEY.
 H.R. 350: Mr. YOUNG of Alaska and Mr. BUDD.
 H.R. 354: Mr. MARSHALL and Mr. MURPHY of Pennsylvania.
 H.R. 358: Mr. DAVIDSON and Mr. COOK.
 H.R. 364: Mr. LUCAS.
 H.R. 377: Mr. SAM JOHNSON of Texas, Mr. WENSTRUP, and Mr. KELLY of Mississippi.
 H.R. 390: Mr. FITZPATRICK.
 H.R. 394: Mr. BISHOP of Michigan.
 H.R. 398: Mr. DONOVAN.
 H.R. 400: Mr. BURGESS and Mrs. NOEM.
 H.R. 424: Mr. UPTON.
 H.R. 426: Mr. SAM JOHNSON of Texas.
 H.R. 428: Mr. FLORES, Mr. CONAWAY, Mr. FARENTHOLD, Mr. CARTER of Texas, Mr. GOHMERT, Mr. CULBERSON, and Mr. HENSARLING.
 H.R. 429: Mr. ALLEN.
 H.R. 448: Ms. SHEA-PORTER and Mr. QUIGLEY.
 H.R. 465: Mr. GROTHMAN and Mr. ROTHFUS.
 H.R. 477: Mr. JOYCE of Ohio.
 H.R. 486: Mr. FRANCIS ROONEY of Florida and Mr. EMMER.
 H.R. 489: Mr. DEFAZIO, Mr. CARTWRIGHT, Mr. YARMUTH, Ms. KUSTER of New Hampshire, Mr. DELANEY, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. DELAURO, Mr. TONKO, Ms. MOORE, and Ms. MCCOLLUM.
 H.R. 496: Mr. VALADAO and Mrs. TORRES.
 H.R. 500: Mr. KNIGHT.
 H.R. 505: Mr. RATCLIFFE.
 H.R. 510: Mr. YODER.
 H.R. 512: Mr. HIGGINS of Louisiana and Mrs. DEMINGS.
 H.R. 525: Ms. KUSTER of New Hampshire.
 H.R. 532: Mr. SOTO.
 H.R. 539: Mr. COLLINS of New York.
 H.R. 553: Mr. ISSA.
 H.R. 586: Mr. LABRADOR and Mr. GOHMERT.
 H.R. 592: Mr. MOONEY of West Virginia, Ms. JUDY CHU of California, Mr. COLE, Mr. MURPHY of Pennsylvania, Mr. PEARCE, Mr. YOUNG of Iowa, and Mrs. ROBY.
 H.R. 613: Mr. JENKINS of West Virginia.
 H.R. 630: Mr. SERRANO.
 H.R. 632: Mr. VARGAS, Mr. STEWART, Mrs. ROBY, Mrs. LOVE, Mr. O'ROURKE, and Mr. YARMUTH.
 H.R. 635: Mr. GARAMENDI, Ms. DELAURO, Mr. CONYERS, and Ms. JUDY CHU of California.
 H.R. 640: Mr. JODY B. HICE of Georgia and Mrs. COMSTOCK.
 H.R. 644: Mr. GRIFFITH, Mr. FLORES, Mr. EMMER, Mr. JORDAN, Mr. MURPHY of Pennsylvania, Mr. AMASH, Mrs. LOVE, and Mr. RENACCI.
 H.R. 647: Mr. POLIS.
 H.R. 657: Mr. FARENTHOLD.
 H.R. 662: Mr. TIBERI.
 H.R. 671: Mr. KRISHNAMOORTHY and Mr. PERLMUTTER.
 H.R. 678: Mr. KEATING.
 H.R. 679: Mr. FARENTHOLD and Mr. LYNCH.
 H.R. 682: Mr. OLSON.
 H.R. 685: Mrs. BUSTOS, Mr. JEFFRIES, and Ms. SLAUGHTER.
 H.R. 692: Mr. ROUZER, Mr. RODNEY DAVIS of Illinois, Mr. SMITH of New Jersey, and Mrs. LOVE.
 H.R. 694: Mr. HENSARLING and Mrs. HARTZLER.
 H.R. 696: Ms. TSONGAS, Mr. CORREA, Mr. PASCRELL, Mr. O'ROURKE, Mr. KENNEDY, Mrs. NAPOLITANO, and Mr. SABLAN.
 H.R. 711: Mr. SWALWELL of California.
 H.R. 722: Mrs. CAROLYN B. MALONEY of New York, Mr. MCNERNEY, Mr. VARGAS, Miss RICE of New York, Ms. BROWNLEY of California, Ms. MATSUI, Ms. JAYAPAL, Mr. DOGGETT, and Mr. KIHUEN.
 H.R. 724: Mr. DOGGETT, Mr. CUELLAR, Ms. GABBARD, Mr. CRIST, Mr. CASTRO of Texas, Mr. KIND, Ms. ROSEN, and Mr. MCEACHIN.
 H.R. 732: Mr. JOHNSON of Louisiana.
 H.R. 743: Mr. FARENTHOLD.
 H.R. 747: Mr. DANNY K. DAVIS of Illinois.
 H.J. Res. 1: Mr. ALLEN, Mr. EMMER, Mr. COFFMAN, Mr. MURPHY of Pennsylvania, Mr. RICE of South Carolina, Mr. SENSENBRENNER, and Mr. UPTON.
 H.J. Res. 2: Mr. ALLEN, Mr. EMMER, Mr. COFFMAN, Mr. AMODEI, Mr. COMER, Mr. MURPHY of Pennsylvania, Mr. RICE of South Carolina, Mr. MITCHELL, and Mr. UPTON.
 H.J. Res. 6: Mr. RATCLIFFE and Mr. GAETZ.
 H.J. Res. 15: Mr. POLIS.
 H.J. Res. 39: Mr. GUTHRIE, Mr. RUTHERFORD, Mr. MCCLINTOCK, Mrs. NOEM, and Ms. JENKINS of Kansas.
 H.J. Res. 41: Mr. WOODALL.
 H.J. Res. 42: Mr. SENSENBRENNER.
 H.J. Res. 47: Mr. NEWHOUSE and Mr. BIGGS.
 H. Con. Res. 2: Mr. TAYLOR.
 H. Con. Res. 9: Mr. BEYER, Mrs. BUSTOS, Mr. CICILLINE, Mr. JEFFRIES, Mr. KHANNA, Mr. LANGEVIN, Mr. LEWIS of Georgia, Mr. MCNERNEY, Mr. POCAN, Ms. SCHAKOWSKY, and Mrs. WATSON COLEMAN.
 H. Con. Res. 10: Mr. PERLMUTTER.
 H. Res. 20: Ms. JACKSON LEE.
 H. Res. 30: Mr. MCNERNEY, Mr. FASO, Mr. O'ROURKE, Mr. SCHWEIKERT, Mr. MEEKS, and Ms. BARRAGAN.
 H. Res. 31: Mr. YOUNG of Iowa, Mr. BEYER, Mr. LANCE, Mr. LIPINSKI, Mr. BUTTERFIELD, Ms. KELLY of Illinois, Mr. GALLEGRO, Mr. DEUTCH, Mr. HIGGINS of New York, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SPEIER, Mr. KILDEE, Mr. MEEHAN, Mr. POCAN, Mr. BISHOP of Georgia, Ms. LEE, Mr. THOMPSON of Pennsylvania, Mr. LARSEN of Washington, Mr. RYAN of Ohio, Ms. SEWELL of Alabama, Ms. JACKSON LEE, Mr. FOSTER, Mr. PASCRELL, Mr. MCNERNEY, Mr. RUSH, Mr. LYNCH, Ms. BROWNLEY of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SIRENS, Mr. BLUMENAUER, and Mrs. NOEM.
 H. Res. 43: Mr. BIGGS.
 H. Res. 60: Mr. BANKS of Indiana, Mr. COLLINS of New York, Mr. RATCLIFFE, and Mr. MCCLINTOCK.
 H. Res. 72: Mr. GRJALVA, Mr. SERRANO, and Mr. GONZALEZ of Texas.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE.

The provisions that warranted a referral to the Committee on Judiciary in H.J. Res. 40 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

9. The SPEAKER presented a petition of the Assistant Attorney General of West Virginia on behalf of 18 States, relative to urging Congress not simply to consider legislation but to take action to ensure that agencies engage in transparent rulemaking consistent with separation of powers principles and the laws enacted by Congress; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

IN RECOGNITION OF CAROL HUTCHINS RECEIVING THE ATHENA INTERNATIONAL LEADERSHIP AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize University of Michigan Head Softball Coach Carol Hutchins for receiving the ATHENA International Leadership Award. Coach Hutchins has had a distinguished career and helped the University of Michigan softball team achieve success on and off the field.

Coach Hutchins joined the University of Michigan softball program in 1983 as an Assistant Coach and became Head Coach in 1985. During her tenure, the Wolverines have become one of the premier softball programs in the country and have reached the Women's College World Series in 12 of the last 22 seasons. In addition, Coach Hutchins has won over 1,400 career victories with the team, more than any other coach in Michigan athletics history. In recognition for her teams' stellar performance, Hutchins has earned 16 Big Ten Conference Coach of the Year honors, 9 National Fastpitch Softball Association Regional Coach of the Year awards, and was inducted into the NFCA Hall of Fame in 2006. Hutchins' teams have also excelled academically, with the team achieving 100% graduation rate and 135 student-athletes earns Academic All-Big Ten honors.

Coach Hutchins has also distinguished herself through her service to the Ann Arbor community. In 2010, she founded the Michigan Softball Academy, a one-night on-field clinic for adults that raises funds for the American Cancer Society's Making Strides Against Breast Cancer initiative. To date, Coach Hutchins and the Michigan Softball Academy have raised nearly \$750,000 for the organization. This level of support underscores her commitment to helping those in need. In addition, Coach Hutchins has been a fierce advocate for Title IX and works to support LGBTQ equality as well.

Mr. Speaker, I ask my colleagues to join me in honoring Carol Hutchins for receiving the ATHENA International Leadership Award. She is more than deserving of such an honor, and it is my hope that she continues to excel on the field and in the community.

RECOGNIZING SCOTT GRAVES, STAFF DIRECTOR OF THE HOUSE COMMITTEE ON AGRICULTURE

HON. RALPH LEE ABRAHAM

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. ABRAHAM. Mr. Speaker, I rise today to recognize Scott Graves, the outgoing Staff Director of the House Committee on Agriculture. You have heard a lot of fine things about Scott today, and all of them are deserved. Instead of talking about what Scott has done for the members of the Ag Committee, or the greater agricultural sector, which would keep me here into next week, I would like to recognize Scott for what he has meant to my staff and to me.

When I arrived here some two years ago I knew a fair bit about farming. I've been growing rice, corn and soybeans in the fertile lands of Northeast Louisiana most of my life. Scott has helped me take that experience and apply it to crafting our Nation's agriculture policies. Policies that help farmers and producers grow the finest commodities in the world and deliver them to dinner tables across the planet. Scott and his staff have been instrumental in helping my staff and I understand the finer intricacies of these policies and practices. They have gone to great lengths to help me, and all the members of the Committee, work to make sure the American farmer can not only endure, but prosper.

Scott has spent 12 years working on Ag policy on the Hill, and his absence over at 1301 Longworth will be profoundly felt by many, myself included.

RECOGNIZING NORTHWEST INDIANA'S NEWLY NATURALIZED CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty individuals who will take their oath of citizenship on Friday, February 3, 2017. This memorable occasion, presided over by Magistrate Judge Paul R. Cherry, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of

a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On February 3, 2017, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Maria Alvarado, Maria Angeles Avalos, Martha Patricia Bello, Esteban Campos, Grace Carrillo, Erick Chay, Maribel Galicia, Jose Dolores Garcia, Jessica Elizabeth Hopkins, Maria Dolores Ibarra, Kristina Kiselinova, Brenda Melina Larson, John Richard Latka, Judith Love, Ivica Jovan Markovic, Matilde Martinez, Ivan de Jesus Martinez Desiderio, Hector Gabriel Martiniez, Janice Uyen Nguyen, Adrian Nunez, Blagoja Petkovski, Lidia Esther Guevara Galindo, Yolanda Ramirez, Simona Simental, Fellisia Suboh, Jeidi Torres, Jonathan Treto, Luz Valdez, Froylan Vega, and Enrique Vilches.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country “. . . of the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on February 3, 2017. They, too, will be American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

100TH BIRTHDAY OF MICHELENA “MINNIE” CUCCHIA

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. DONOVAN. Mr. Speaker, I rise today to recognize the 100th Birthday of Staten Island's Michelen Cucchia.

Michelen, or Minnie, as she is known to her friends and family, was born on January 21, 1917, in Manhattan to Charles and Grace Sciascia. After moving to Staten Island in 1932, Minnie met the love of her life, Salvatore “Sam” Cucchia. On December 19, 1936, Minnie and Sam were married at St. Joseph's Church. Afterward, they moved to a

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
 Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

home in New Dorp on Staten Island to raise their daughters, Angela and Grace, and their son, Steve.

At the age of 100 years young, Minnie Cucchia is still active. With six grandchildren, eight great-grandchildren, and two great-great-grandchildren, she certainly enjoys spending time with the many members of her family. Moreover, she continues to partake in her favorite hobbies, such as crocheting blankets, hats, and scarves for babies that she then donates to a local hospital. To this day, Minnie still lives in the house in New Dorp where she and Sam raised their wonderful children. She truly is a lifelong Staten Islander.

Mr. Speaker, I wish Minnie Cucchia a very happy 100th birthday. I applaud the tremendous life she has led. I am proud to call her one of my constituents, as she embodies the very essence of the American spirit.

PERSONAL EXPLANATION

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. RUSH. Mr. Speaker, on January 3 to January 6, January 9 to January 10, and on January 13, 2017, circumstances beyond my control necessitated my absence from the House and I, therefore, missed votes. I expect my absence to continue through February 3, 2017 and therefore am requesting a leave of absence from the House.

CONGRATULATING MR. AND MRS. BRADLEY AND KATHERINE MORROW UPON THE BIRTH OF THEIR SON, FINNEGAN FOX MORROW

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor constituents of mine, Mr. and Mrs. Bradley and Katherine Morrow, on the birth of their son, Finnegan Fox Morrow. Bradley and Katherine are residents of Jefferson City, Missouri and welcome their new son into their family along with older brother Bennett.

Bradley and Katherine were married on September 15, 2012 and Finnegan was born on September 15, 2016, which made for a wonderful 4th wedding anniversary present. Bradley works for Division of Professional Registration with the State of Missouri and Katherine is a marketing designer for a Jefferson City magazine.

Many family members have been excited to welcome Finnegan, including maternal grandparents Milton and Cherie Barr, paternal grandparents Sally, Michael and Elizabeth Morrow, and paternal great-grandparent Joseph Morrow.

I ask you to join me in congratulating the Morrow family on this new addition to their family.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call votes 66 and 67 on Monday, January 30, 2017. Had I been present, I would have voted "Yea" on roll call votes 66 and 67.

TRIBUTE TO ABBY BERNSTEIN

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. DeFAZIO. Mr. Speaker, I rise today to recognize Abby Bernstein, a passionate advocate for the rights of the aviation safety inspector and technician workforce of the Federal Aviation Administration (FAA). Abby is retiring from the Professional Aviation Safety Specialists (PASS) union this month after 33 years of service. I am confident that and all of my colleagues who have worked with her, will miss her wise advocacy and kind demeanor.

Abby's career with PASS began in 1984, when she was the union's first, and only, employee. She remained PASS's only employee and ran the union's legislative and membership departments singlehandedly for many years thereafter. Throughout her career, Abby has fought to ensure safety inspectors and technicians are able to do their important work on behalf of the American people in keeping our aviation system running safely and smoothly.

For years, Abby has fought tirelessly for increased aviation safety inspector staffing and improved FAA oversight of the aviation system, and I hope she will retire knowing that the flying public is safer as a result of her work. She was pivotal in joining my colleagues and me in key legislative efforts at various points in the 2000s to improve the FAA's oversight of maintenance, repair, and overhaul work performed on U.S. airlines' fleets at foreign repair stations. She also worked relentlessly to preserve the inspector workforce from unnecessary delegations of authority to the private sector.

Not only has Abby worked to improve aviation safety, but she has also vigorously protected the rights and interests of PASS's members at every turn. When Congress exempted FAA employees from Federal personnel and procurement rules in 1996, Abby fought hard, and successfully, to preserve the rights of FAA employees to organize and to bargain collectively. From the 1990s to today, Abby has been a key ally in efforts to prevent the privatization of FAA air traffic control jobs. She has remained steadfast in her belief that the employees who safeguard the safety and efficiency of the aviation system must remain Federal employees. I would be remiss if I did not note, in particular, Abby's invaluable assistance in the last Congress to counteract, once again, ill-advised efforts to privatize the air traffic control system.

In my own work with Abby on important issues of aviation safety and policy, I have come to know her as a thoughtful, inquisitive, and intellectually curious advocate. In fact, she has such a strong desire to learn and expand her horizons that, having graduated from the University of Maryland in 1981 with a bachelor's degree in management and consumer studies, she returned to her alma mater and obtained a second degree eight years later in computer and information sciences.

Abby's retirement will mark the end of an era for PASS and, indeed, for all of us who have collaborated with her over the years in pursuit of a safer, better aviation system. Although we will miss her, I hope my colleagues will join me in helping send Abby into retirement with all of our very best wishes and most of all, with tremendous thanks for a job well done.

DECLARATION OF FRIDAY, FEBRUARY 10, 2017, AS HARMONY HOUSE DAY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. LONG. Mr. Speaker, I rise today to recognize Harmony House of Springfield, Missouri, for all the work the organization does on behalf of survivors of domestic violence and declare that Friday, February 10, 2017, be Harmony House Day.

Since 1976, Harmony House has been an active force for good in the Springfield-Greene County community. What started out as an all-volunteer grassroots network sheltering survivors of abuse in their own homes, has over the past 41 years answered more than 76,000 SAFEline calls, served over 450,000 meals and provided over 408,000 safe bed nights to more than 16,000 women and children from around Greene County, Missouri.

February 10, 2017, will mark the beginning of a new era for Harmony House. Going forward, Harmony House will continue to serve those in need and continue to change lives but in a new location with both enhanced and expanded capabilities. Harmony House's empowering work, as the only domestic violence shelter in the area, will reach more people and help more families operating from a newly renovated, top of the line, facility.

I am honored to recognize Harmony House and commend the organization for its service and hard work over the years. On behalf of Missouri's Seventh Congressional District, I ask all of my colleagues to join me in honoring Harmony House and observing Friday, February 10, 2017, as Harmony House Day.

HONORING THE WALKER COMPANY

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. BARR. Mr. Speaker, I rise to honor a very special group of Kentuckians. They are

the Walker family; Arthur, Sr. (Deceased), Arthur, Jr., Art III and Bryce Walker. They make up the Walker Company, which was created in 1933 and whose corporate office is located in Montgomery County, Kentucky.

The Walker Company has been chosen by Gateway Area Development District to receive the Regional Outstanding Business for 2016 Award. They have been a major employer over the years, employing hundreds of people and enabling them to provide a good living for their families.

The Walker family has made many philanthropic contributions, mostly anonymously, to needy projects over the years, including GED programs, scholarships for students, and the recent BuildSmart Campaign of the MCTC new Rowan Campus. The Walkers were instrumental in the location of the Maysville Community Technical College Satellite location in Mt. Sterling.

The Walkers support recreation and sports in many ways. They have been involved since the beginning with Easy Walker Park in Montgomery County, where thousands of children across many states have enjoyed the park facilities. They also worked with Menifee County on their new Little League Baseball field, where 70 children play every day for most of the year.

Disaster assistance is no stranger to the Walkers. If a major event happens in a surrounding county, they drop everything and will even pull off of a job and bring their equipment and operators to help open roads, clear debris, just to help their neighbors. Morgan and Menifee Counties can both attest to this when the tornadoes hit in 2012.

The Walkers give of their time to serve on boards on the local, state and federal level and share their business expertise and professional engineering experience with others. The Walker Company members continue to be remembered for their generosity and I am honored to recognize them before the United States House of Representatives.

IN HONOR OF JOHN W. WIESNER

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor the life of John W. Wiesner. On January 26, 2017, the Wiesner family lost a father, a grandfather and a great-grandfather, and our district lost an icon. Those who knew John W. Wiesner are better people today thanks to his wise counsel. His philanthropy, business, faith, and family are all admirable examples of what to aspire to because John made the most of his 88 years.

While known locally as the chairman and CEO of the Wiesner auto dealerships, John's story is admirable. Born in Richmond on November 13, 1928, John was raised in Hempstead where he met and married his childhood sweetheart, Elizabeth. Shortly after, they started a family and built an automotive empire. A graduate of Southern Methodist University and member of the Alpha Tau Omega Fraternity, John went from working in his father-in-law's

Sorsby Motor Company to later purchasing it in 1954. John and Elizabeth moved to Conroe in the 1970's and purchased the Buick Pontiac Dealership. Throughout the last few decades, the Wiesner dealerships continued to expand, employing over 500 people in Conroe, Huntsville, Tomball and Rosenberg.

A consummate gentleman, John leaves a legacy to be proud of with his son, Don, his six grandchildren and great-grandchild. However, because John did not showcase his good deeds, the full extent of his philanthropy may never be known.

As a Mason, a Shriner, a Paul Harris Fellow, Sam Walton Business Leader, Time Magazine Quality Dealer, Man of the Year, and Key Man—just to name a few of his many accolades—family, faith, and doing business the right way mattered the most to my friend.

Since 1974, Don Wiesner has been working alongside his father who was proud to welcome the 4th generation to serve in the family business. It is no surprise that the Houston Business Journal acknowledged the Wiesners as a top 10 Family Owned Business in Houston.

John's community spirit lives on in his dedication to the First United Methodist Church in Conroe and numerous boards and organizations from the YMCA, County Fairs, the Appraisal District, Youth Services, Economic Development, Chambers, Rotary, the Salvation Army, American Heart Association, Junior League, the performing arts, scholarships, the American Cancer Society, Boy Scouts, Crime Stoppers, Montgomery County Performing Arts, National Dealer Council, Houston Automotive Dealers Association, GMAC Dealer Advisory Board, Texas Automobile Dealers Association, Pontiac-GMC Division Dealer Council, South Central Region Dealer Council, Nations Bank Conroe, Conroe Symphony Orchestra, and more.

When I served as a local chamber executive, I had the privilege of working alongside John on key projects such as the creation of the North Harris Montgomery Community College (now Lone Star College System). This is just one example of how John's involvement helped make our community a better place. John and Elizabeth, their sons Howell and John III, are together again in the loving arms of our Savior, Jesus Christ.

IN RECOGNITION OF EMILY TORRANCE RECEIVING THE ATHENA YOUTH LEADERSHIP AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Emily Torrance for receiving the ATHENA Youth Leadership Award in recognition of her public service to better the Ann Arbor community. Emily's advocacy on behalf of less fortunate in the Ann Arbor community has helped improve the lives of the homeless.

Ms. Torrance has distinguished herself with her volunteer and philanthropic achievements that have achieved concrete results on behalf of Ann Arbor's homeless population. As a

sixth grader, Ms. Torrance started S4 the Homeless after an encounter with homeless people on a cold day. In order to provide resources for those in need, Ms. Torrance hand knit and sold scarves. With the profits from these sales, she began bulk purchasing sub-zero sleeping bags at discounted rates. She was able to contact social services and work with these organizations to distribute the sleeping bags to help those in need. These provided shelter and warmth during the cold winter months in southeast Michigan. Ms. Torrance has since pivoted the organization's direction to sell services and better provide for the needs of the homeless.

Ms. Torrance is now in 9th grade but continues her work to provide aid to those in need through S4 the Homeless. She advocates for the homeless through her school and in the community at large, and her efforts are instrumental to raising awareness and driving action to better provide for these individuals. Emily has motivated others to be more active within their communities, and it is inspiring to see her begin the journey of public service at such a young age. It is my hope that Ms. Torrance continues to serve her community in new and innovative ways in the years ahead.

Mr. Speaker, I ask my colleagues to join me in honoring Emily Torrance for her years of service to the Ann Arbor community through S4 the Homeless. Ms. Torrance's advocacy on behalf of those less fortunate is inspiring and worthy of commendation.

STOP, OBSERVE, ASK AND RESPOND (SOAR) TO HEALTH WELLNESS ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. COHEN. Mr. Speaker, today during National Slavery and Human Trafficking Prevention Month, I introduced the Stop, Observe, Ask and Respond (SOAR) to Health and Wellness Act along with my colleagues Representatives ADAM KINZINGER, TONY CÁRDENAS and ANN WAGNER. It is a companion to S. 1446, which was introduced by Senators HEIDI HEITKAMP and SUSAN COLLINS. This bipartisan bill supports efforts underway at the Department of Health and Human Services to combat human trafficking by directing the Secretary to establish a pilot program to be known as 'Stop, Observe, Ask and Respond to Health and Wellness Training' to provide training on human trafficking to health care providers at all levels.

Human trafficking is a modern-day form of slavery that uses force, fraud or coercion to lure millions of men, women and children in countries around the world annually, including here in the United States. Human trafficking includes both sex and labor trafficking, and generates billions of dollars in profits each year, making it the second most profitable form of transnational crime behind drug trafficking.

Recognizing the key indicators of human trafficking is the first step in identifying victims, providing life-saving help and bringing traffickers to justice. Human trafficking, however,

is a hidden crime and victims rarely seek help because of cultural barriers or out of fear of their traffickers or law enforcement.

While victims are often difficult to identify, a reported 68 percent of trafficking victims end up in a health care setting at some point while being exploited, including in clinics, emergency rooms and doctor's offices. Despite this, out of more than 5,680 hospitals in the country, only 60 have been identified as having a plan for treating patients who are victims of trafficking and 95 percent of emergency room personnel are not trained to treat trafficking victims.

Our bill aims to ensure health care professionals are trained to identify and assist victims of human trafficking, and help close the gap in health care settings without plans for treating trafficking victims. I want to urge my colleagues to pass this important legislation so that health care professionals can better identify trafficking victims, provide victim centered care and help bring perpetrators of human trafficking to justice with the help of law enforcement as well as social and victims service agencies and organizations.

HONORING THE PRINCE HALL UNIVERSAL LODGE NUMBER 1 OF ALEXANDRIA, VIRGINIA

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. BEYER. Mr. Speaker, I rise today to honor the 172 years of service of the Prince Hall Universal Lodge Number 1 of Alexandria, Virginia. The Prince Hall Free Masonry began in Alexandria in 1845. Over the past 172 years, Universal Lodge Number 1 has worked on significant issues such as slavery, education and schools, church buildings, and the general welfare of African Americans. I greatly commend their many years of service to the Alexandria community.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 66 and 67. Had I been present, I would have voted Aye on both.

IN HONOR OF SCOTT GRAVES

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. HUDSON. Mr. Speaker, I rise today to honor the career of Mr. Scott Graves the pride of Bronte, Texas. For more than 12 years, Scott has been a leader in the field of agriculture policy and helped shape a better vision and future for our nation.

Since coming to work as an intern on Capitol Hill, Scott has demonstrated his ability to master complex policy issues and work with members and staff to craft unique solutions. He continually equips members of the House Committee on Agriculture, and the Republican Conference as a whole, with the knowledge and resources we need to serve the American public. His leadership of the Agriculture Committee has positioned them for tremendous success as they begin to reauthorize the Farm Bill this Congress.

I have known Scott for many years and have always known that he was someone I could count on to get the job done. Scott and I worked together for two years and he succeeded me as Chief of Staff to Mr. CONAWAY from Texas. I think fondly on the time we spent together and am proud of what we accomplished. I am even more proud of the character of the husband, father, and colleague I now simply call friend.

Personally and professionally Scott is fun to be around, and he makes everyone around him better. There is no doubt that Scott will be sincerely missed, but I am excited for what the future holds for this extraordinary public servant.

Mr. Speaker, please join me today in recognizing the impressive career of Mr. Scott Graves and wishing him well as he, Haley, and Bronte begin the next chapter of their lives.

HONORING STEPHEN B. HOVEN UPON HIS RETIREMENT AFTER 19 YEARS OF SERVICE TO SSM HEALTH

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mr. Stephen B. Hoven, on his retirement from SSM Health as the Vice President of Public Affairs following 19 years of service.

In August 1997, Mr. Hoven joined SSM Health, founded by the Franciscan Sisters of St. Mary, as the Vice President of Public Affairs. In this position Mr. Hoven provided leadership in multiple external markets. He has also collaborated with public policy leaders in municipal affairs, and local, state and federal governments which have positively benefitted SSM Health. Additionally, Mr. Hoven has coordinated civic and community events throughout Missouri. Mr. Hoven has helped further SSM Health's vision and mission throughout the communities they serve during his 19 years of service. The passion Mr. Hoven has shown for his job, the people who work at SSM, those they serve and his country has been a true asset to SSM.

Mr. Hoven began his career in public affairs in 1982 as the Manager of Public Affairs for Ozark Air Lines in St. Louis during which time he oversaw the coordination of state legislation in 25 states. Additionally, as Manager of Public Affairs, he managed civic affairs for 65 cities and handled the corporate charitable program. In 1986 he moved to the St. Louis

Regional Commerce and Growth Association. From 1986 to 1990 he was the Administrative Assistant to the president of that association. Then from 1990 to 1994 he was Vice President of Government Affairs and Transportation. In 1994 Mr. Hoven stepped into the role of Senior Vice President and Chief Operating Officer of a 4,000 member chamber of commerce. This chamber of commerce was committed to increasing their regional cooperation and also expanding their economic growth opportunities in the St. Louis region.

Mr. Hoven has volunteered many hours throughout his professional career to numerous civic and charitable organizations, including the boards of the Museum of Transportation, the Japan-American Society, the American Cancer Society, the Leadership Council of Southwestern Illinois, the Boys and Girls Town of Missouri, the Associated Industries of Missouri, the St. Louis Sports Commission and the St. Louis Regional Commerce and Growth Association's Public Policy Council. Each one of these groups has been positively impacted by Mr. Hoven's service.

With this retirement Mr. Hoven will now be able to spend more time with his wife Jill, and they look forward to spending more time with their beloved dogs. Mr. and Mrs. Hoven are planning to live part of the year in Colorado and will be RV traveling as well, but will still be a regular presence in their Warren County home in Missouri's 3rd District.

I ask you in joining me in recognizing Mr. Steve Hoven on his retirement. The commitment he has shown to the SSM Health and his community is a commendable accomplishment.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. HUIZENGA. Mr. Speaker, I rise today regarding missed votes on Monday, January 30, 2017. Had I been present for roll call vote number 66, H.R. 374, To remove the sunset provision of section 203 of Public Law 105-384, and for other purposes, I would have voted "yea." Had I been present for roll call vote number 67, H.R. 538, the Ocmulgee Mounds National Historical Park Boundary Revision Act of 2017, I would have voted "yea."

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. RENACCI. Mr. Speaker, I missed votes on Monday, January 30, 2017. Had I been present, I would have voted Yea on Roll Call No. 66 and Yea on Roll Call No. 67.

TRIBUTE TO ALL-TIME SCORING LEADER FOR MICHIGAN STATE UNIVERSITY WOMEN'S BASKETBALL TORI JANKOSKA

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. MOOLENAAR. Mr. Speaker, today, I, along with Representative BISHOP pay tribute to Tori Jankoska, the all-time scoring leader for Michigan State University Women's Basketball.

Tori was born and raised in Freeland, where she grew up with a passion for competition. As a young girl, Tori was unable to compete with her peers. She grew up with asthma and other illnesses that kept her from playing with the other kids. Through her own perseverance, she was able to play with her siblings and her passion for sports started to grow. As a student at Freeland High School, Tori raised the bar for her own team and her competitors. It wasn't long before her talent was noticed by the coaches at MSU.

When starting her basketball career at MSU, Tori knew that was where she wanted to be. She also knew that she had a chance to do something great. Regarded by her coaches as having the highest basketball IQ on the court, Tori has proven her acumen time and again. Now, as the all-time point leader for MSU, she has written her own legacy into the record book as one of the best college women's basketball players of all time.

Tori has overcome obstacles and excelled at the highest level of competition. On behalf of the Fourth & Eighth Congressional Districts of Michigan, we are honored today to recognize Tori Jankoska for her lifetime of work on and off the court and wish her all the best in her future endeavors.

IN RECOGNITION OF ANA SKIDMORE OF TWOFOOT CREATIVE FOR RECEIVING THE ATHENA ORGANIZATIONAL LEADERSHIP AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ana Skidmore, entrepreneur and founder of TwoFoot Creative, for receiving the ATHENA Organizational Leadership Award. Ana has achieved business success through her hard work and vision in founding TwoFoot Creative, a wedding and event planning organization that has successfully served the community for 10 years.

Founded in 2007 by Ms. Skidmore, TwoFoot Creative has established a reputation as a premier wedding and planning organization that effectively serves its clients. The organization offers full service wedding planning services, including negotiating contracts, invitation design and comprehensive scheduling of the wedding week for clients. TwoFoot Creative has received many accolades for its out-

standing service, including being named a Knot "Best Of" wedding planning company for seven years in a row. In addition, colleagues have named TwoFoot as having the "Best Team" at the wedding industry's Event Professionals in Class Awards that are held annually in Metro Detroit. These awards and distinctions speak to the high quality of work and effective service that the organization provides to its clients.

The success and acclaim of TwoFoot Creative speaks to the vision and tireless efforts of Ms. Skidmore and the other team members. Starting a successful company requires a unique combination of entrepreneurial spirit, vision and leadership that few possess. Having created an award-winning organization that consistently wins praise from its clients and other industry professionals, Ms. Skidmore has proven to exemplify these values. I am proud to recognize Ms. Skidmore and TwoFoot Creative for their success, and it is my hope that they continue to grow and serve the community in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Ana Skidmore for her outstanding entrepreneurial success. The acclaim and business success of TwoFoot are inspiring and deserving of the ATHENA Organizational Leadership Award.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Ms. SEWELL of Alabama. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted NAY on Roll Call No. 68.

INTRODUCTION OF THE JOINT RESOLUTION PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE FINAL RULE OF THE UNITED STATES FISH AND WILDLIFE SERVICE RELATING TO MITIGATION POLICY

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to introduce legislation disapproving of the Compensatory Mitigation Policy (CMP) rule finalized in the final days of the Obama administration. On December 23, 2016, the U.S. Fish and Wildlife Service (USFWS) released its final Endangered Species Act (ESA) CMP, which violates existing environmental law and puts future economic development across the country at risk. This rule establishes policies that are a significant departure from existing practices regarding compensatory mitigation and limits private-sector, voluntary involvement in developing compensatory mitigation plans. My legislation utilizes the Congressional Review Act to block this dangerous rule and will prevent the potential catastrophic impacts it would have on our nation's economy.

The CMP exceeds USFWS' statutory authority by adopting the mitigation goals of "net conservation gain" and "no net loss," which are not grounded in federal statute. This directive is a significant departure from existing practice and runs counter to current law. The policy will lead to an extensive, time-consuming valuation process in which development projects are required to initiate an assessment process, as well as undertake advance mitigation that could tie up many economic projects in burdensome, costly procedures.

This overbroad policy could jeopardize an extensive range of economic development activities in every corner of the U.S., while also impacting a wide-range of industries, including: agriculture, forestry, mining, natural resource development, energy production, conservation projects, and building and road construction. The final CMP will also have significant strategic, legal, and financial implications for development projects large and small, while ensnaring future economic growth in a maze of permitting setbacks and bureaucratic red-tape.

We must protect our country's economic future and ensure burdensome rules and regulations promulgated by a bloated bureaucracy do not threaten desperately needed job creation and economic growth. The integrity of the law is threatened by misguided federal policies like the USFWS's CMP rule, and I urge all members to join me in supporting this legislation to block yet another oppressive and overreaching regulation promulgated by the previous administration.

RECOGNIZING SCOTT GRAVES

HON. DAVID ROUZER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. ROUZER. Mr. Speaker, Scott Graves will soon be leaving his post as staff director for the House Agriculture Committee to pursue new opportunities, and it is my privilege to recognize his many contributions over the years to farm and ranch families all across America.

Scott has served as a trusted advisor to Chairman MIKE CONAWAY for nearly twelve years. His start as an intern is a familiar one to many Capitol Hill staffers. In Scott's case, he started out as an intern for the House Agriculture Committee in January 2005. It was at that time when I first met Scott. I was a staffer myself back in 2005, working for U.S. Senator Elizabeth Dole.

Scott's knowledge, sound judgment and strong work ethic eventually elevated him to staff director of the Committee where he has led efforts to increase innovation in agriculture, improve markets, strengthen our farm economy, reform the Supplemental Nutrition Assistance Program, repeal the Country of Origin of Labelling law and much more. Without question, Scott has been a vital contributor to the many legislative successes of the House Agriculture Committee.

There's no doubt Scott will continue to have great success in his new endeavors. On behalf of the fine farm families and consumers

all across North Carolina, thank you, Scott, for your hard work and dedication to America's farm and ranch families and our rural communities. You will certainly be missed.

HONORING BRUCE DEPUYT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing Bruce DePuyt, who will be leaving NewsChannel 8 this week after over two decades of outstanding journalism and service to Washington, D.C. and the national capital region.

For 23 years, Washingtonians have turned to Bruce for insight and in-depth reporting on local and national news. Bruce had a talent for bringing local and regional voices together—from elected officials and police chiefs to community leaders—to speak and inform D.C. and area residents on a host of topics important to this region and the nation. Even before arriving at NewsChannel 8, however, people could turn to Bruce for trusted journalism wherever he was reporting.

A graduate of the University of Maryland in 1984, Bruce got an early start in journalism as a college radio station student-host calling women's basketball. After graduating, he went on to work as a reporter and anchor at WVIR in Charlottesville, Virginia, and produced an award-winning weekly talk show, "21 This Week," on Cable News 2 in Montgomery County, Maryland, where he won a Cable Ace award. In 1993, Bruce joined the team at NewsChannel 8, where he has been ever since.

Bruce's career at NewsChannel 8 has been marked by smart commentary, excellent reporting, and penetrating questioning. In 2013, he was named the Best TV Personality by the Washington Blade magazine, and Washington City Paper readers named him the Best Newsmaker in 2010. For his brilliant reporting, Bruce was also awarded the Cronkite Award by the University of Southern California's Annenberg School for Communication and Journalism. Since 2002, Bruce has been the host of Newstalk, a daily mid-morning news show, where he has hosted more than 11,000 guests over 3,300 episodes. Bruce continues to be an active and beloved member of both his community and his church, the All Souls Unitarian Church, where he was a former trustee. For his work, Bruce was given the Pillar of Faith Award by the Howard University School of Divinity.

Mr. Speaker, Members of Congress are familiar with Bruce's excellence here on television. I ask my colleagues to join me in recognizing Bruce DePuyt for 23 years of extraordinary work and service as news anchor and reporter with NewsChannel 8 and as a favorite of the national capital region.

PERSONAL EXPLANATION

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. DEFAZIO. Mr. Speaker, on Monday, January 30, 2017, I was not present for votes due to illness. Had I been present, on Roll Call vote 66, I would have voted YES, and on Roll Call vote 67, I would have voted YES.

IN RECOGNITION OF SUE SCHOONER OF GIRLS' GROUP FOR RECEIVING THE ATHENA ORGANIZATIONAL LEADERSHIP AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Ms. DINGELL. Mr. Speaker, I rise today to recognize Sue Schooner, founder of Girls' Group, for receiving the ATHENA Organizational Leadership Award. Sue has leveraged her background in management to create a first-class organization that helps girls in need.

Ms. Schooner founded Girls Group in 2003 to provide support for young women to achieve self-sufficiency by becoming first-generation college graduates. The group supports approximately 300 middle school through college age girls through a variety of programs. These include in-school programs in participating middle and high schools that promote academic and college planning, as well as one-on-one mentoring and homework support groups to provide further academic assistance. Girls Group also offers College Prep tours to historically black colleges and universities as well as other colleges in the Midwest. This comprehensive offering has been integral to providing young women with access to opportunities and establishing support networks to help them succeed academically and professionally.

The growth and success of Girls Group is a testament to Ms. Schooner's hard work and dedication to the organization. Through the work of Girls Group staff and volunteers, hundreds of young women have been empowered to pursue their dreams. The group has also played a pivotal role in helping the girls' emotional and life skills development, and the record of success in improving these girls' lives speaks to the impact that Girls Group has had. The organization and staff continue to inspire, and it is my hope that the organization continues to be a positive force in the community in the years ahead.

Mr. Speaker, I ask my colleagues to join me in honoring Sue Schooner for her work with Girls Group. The group has enabled young women in southeast Michigan to achieve their academic and life goals through its multifaceted academic and support programs.

CELEBRATING THE 80TH BIRTHDAY OF MR. CHESTER ZAWADSKI OF PACIFIC, MISSOURI

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mr. Chester Zawadski, who celebrated his 80th birthday in November 2016. His family is looking forward to celebrating this momentous occasion with him in February of this year.

Mr. Zawadski bravely served our nation in the Army during the Korean War. His years of service included time at Ft. Leonard Wood, Missouri and also in Germany.

Hammond, Indiana is where Mr. Zawadski was born and raised. He and his wife Beverly lived in Indiana until his retirement from serving as a Lake County Probation Officer in 2009. At the time of his retirement Mr. and Mrs. Zawadski moved to Pacific, Missouri to live closer to their grandchildren. Chester and Beverly were married for 40 years until her passing.

Throughout his life Mr. Zawadski has enjoyed staying up to date on current political events, spending time with his grandchildren, raising chickens and reading. He has also been involved with Toastmasters and the Knights of Columbus.

I ask you to join me in recognizing Mr. Chester Zawadski on the celebration of his 80th birthday.

PRESIDENT TRUMP'S DISGRACEFUL EXECUTIVE ORDER

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2017

Ms. SEWELL of Alabama. Mr. Speaker, today I rise in opposition to President Trump's disgraceful Executive Order indefinitely suspending the settlement of Syrian refugees and banning anyone from six other Muslim-majority countries from coming to America. This ill-conceived and unconstitutional action is immoral, un-American, and a threat to our national security.

The refugees President Trump is turning away are in desperate circumstances. Like the millions of American Immigrants who came before them, they are searching for a better future for themselves and their families. By banning their entry, the Trump Administration dishonors the commitment we made to countless women and children from Syria who have successfully complied with our strict vetting process. This irresponsible executive order does little to protect us from terrorism, but it does institutionalize a prejudice against Muslims. Moreover, it makes us more susceptible to home-grown terrorism. In a nation founded by immigrants, it is our duty as Americans to call upon President Trump to rescind this executive order.